

**Testimony to the Senate Committee on Local Government**

**Senate Bill # 316 “Authorizing municipalities to adopt local zoning regulations that establish a minimum distance between group homes in single family residential zones.”**

Madam Chairwoman and members of the Committee, my name is Tim DeWeese. I am the Director of Johnson County Mental Health Center, which is a department of Johnson County (KS) Government. We employ more than 360 staff who provide behavioral health services to more than 17,000 county residents annually. Johnson County Mental Health Center began operation in 1962 providing outpatient services in one location. Today, the center provides services in four separate facilities located throughout the county and serves as the local mental health authority coordinating the delivery of publicly funded community-based “safety-net” mental health services. The Mental Health Center is licensed by the State of Kansas as a Community Mental Health Center and has earned a three-year accreditation from the Commission on Accreditation of Rehabilitation Facilities (CARF) International.

I appreciate the opportunity to present testimony in **opposition** of this bill which I believe creates an additional barrier to housing for vulnerable Kansans (individuals with disabilities) and only exacerbates the affordable housing crisis in Johnson County and across Kansas. Additionally, I believe this amendment to the bill creates a discriminatory effect that violates the Title VIII of the Civil Rights Act of 1968, also known as the Fair Housing Act Fair. The Fair Housing Act was passed to ensure that individuals with disabilities have equal access to live in residential neighborhoods through group homes and that local jurisdictions are not allowed to impose zoning regulations, such as minimum distance requirements, on those homes.

The current statute is consistent with the Fair Housing Act and states in section 1(a) “It is hereby declared to be the policy of the state of Kansas that persons with a disability shall not be excluded from the benefits of single family residential surroundings by any municipal zoning ordinance, resolution or regulation”. However, the proposed language would explicitly authorize municipalities to adopt local zoning regulations to that establish a minimum distance between group homes in single family residential zones.

In 2021, KHRC and the Office of Rural Prosperity launched the state’s first comprehensive housing needs assessment in nearly 30 years, aiming to address a decades-long shortage of data on existing housing resources and current and projected needs. A lack of quality, affordable housing is widely recognized as one of the state’s biggest barriers to growth and development, particularly in rural and underserved communities. Additionally, the recent Report of the Special Committee on Kansas Mental Health Modernization and Reform to the 2021 Kansas Legislature recommended expanding and advancing the Supported Housing program across the State. The proposed statutory changes such as these will hinder and create barriers to the development of housing options for our clients and are contrary to the recommendation of the Modernization and Reform Committee.