



OPPOSE HB 2703:

Enacting restrictions to local jurisdictions from making changes to national building codes

To: The House Committee on Commerce, Labor and Economic Development

From: Johnson County Building Officials Association

Date: February 17, 2020

Honorable Chair and Committee Members:

House Bill No. 2703 prohibits local jurisdictions from adopting construction related codes or standards that are more restrictive than the codes and standards contained in books or pamphlets prepared by nationally recognized technical associations and organizations. There is no data to show why this bill is necessary and no history for the purpose of the proposal provided. As building code officials who review and enforce hundreds of thousands of construction codes and standards each year we are concerned with this bill for several reasons.

Primarily, the bill infringes on the Home Rule authority of municipalities to conduct business that is appropriate for our local jurisdictions. Typically, each local jurisdiction adopts construction codes and standards published by nationally recognized technical associations or organizations as the basis for their building and construction codes. Each local jurisdiction adds certain amendments that are more restrictive or less restrictive than the national standards. The reasons for the amendments is to address local issues specific to each community or region.

In addition to the aforementioned reasons we oppose the bill, there are several other areas of concern:

- The national code development process involves a national consensus that results in additions or excludes of certain provisions from the national codes and pamphlets despite input from local representatives.
- At the national code development hearings it is common for representatives from Kansas to be outvoted by representatives from other states and regions.
- Each region and/or local jurisdiction have unique conditions and circumstances including crime, fire- fighting resources, weather conditions, soil conditions, infrastructure limitations, etc... that must be addressed by code amendments at



the local level to assure a level of building and construction/maintenance pursuant to the needs of each individual community.

- It is not always clear whether local amendments to the national codes are more restrictive or less restrictive without containing more clearly defined parameters. As such HB 2703 will be misinterpreted.
- The scope of the bill is over-reaching as it does not define any specific areas of concern.

As written, we believe the bill would be a significant detriment to our communities as the bill reduces flexibility for local fire and building code departments to respond to local conditions and community expectations. We appreciate the Committee's time and urge you to reject HB 2703.

Respectfully,

Johnson County Building Officials Association