



March 10, 2022

Testimony in Opposition to Senate Bill 505 Senate Commerce Committee

Chairperson Erickson and Members of the Senate Commerce Committee:

The City of Prairie Village opposes SB 505. We appreciate the opportunity to provide testimony in opposition to SB 505, which we believe directly challenges local government home rule authority and the authority of our locally elected officials in making local zoning and regulatory decisions in the best interest of our community.

Our interpretation of this bill is that by utilizing the term “home-based work” a local unit of government could not limit, regulate, or inspect any (without restrictions) structure built on property with a dwelling unit. Dwelling unit is further circumscribed to be a “sleeping place by one person maintaining a household.” Again, a dwelling unit on property could be any place a person chooses to sleep, making the property eligible for unregulated business, manufacturing, or construction production. The bill prohibits any local ordinance regarding the number of employees or contractors. Finally, any commercial project taking place in a residential community would have no limits on employees, nor would a local government be able to limit work hours or enforce any sound nuisance issues.

Our citizens are best served when our locally elected officials have the freedom to conduct the business of their jurisdiction with views that best reflect the needs and desires of their constituents. We put regulations in place to preserve property values within our community and ensure that we preserve the peace by limiting commercial activity within neighborhoods. While the City of Prairie Village is not against allowing home-based businesses, SB 505 would impact our ability to conduct business and protect residential neighborhoods; it also limits our local zoning and compliance authority.

We often assert on the various bills proposed that restrain locally elected officials: Whether the value in a blanket policy outweighs the impact on local government policy. We request the committee not advance SB 505 for these reasons. Thank you for your consideration and we welcome any questions or further discussion you may have on this matter.

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