

1 [As Amended by House Committee of the Whole]

2
3 As Amended by House Committee

4 *Session of 2003*

5
6 **HOUSE BILL No. 2023**

7
8 By Representative Goico

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10 1-15

11
12 AN ACT concerning certain restrictive covenants.

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14 *Be it enacted by the Legislature of the State of Kansas:*

15 Section 1. ~~(a) Any~~ **On and after the effective date of this act, any**
16 restrictive covenant that requires the use of ~~wood, shake~~ **wood shingles,**
17 **shakes, shake shingles** or similar material in the roof of any building **is**
18 **hereby declared to be against public policy and** shall be **void and**
19 **unenforceable** unless such covenant also allows for the use of an alter-
20 native material which is comparable in appearance, **flame resistant or**
21 **retardant, and meets or exceeds any fire prevention standards es-**
22 **tablished by the Kansas fire marshal pursuant to article [1 of chap-**
23 **ter] 31 of the Kansas Statutes Annotated, and amendments thereto,**
24 **or any municipal building code which has been adopted as re-**
25 **quired by law, whichever is more restrictive.**

26 ~~(b) The provisions of this section shall apply to existing restrictive~~
27 ~~covenants and to restrictive covenants entered into after the effective date~~
28 ~~of this act.~~

29 Sec. 2. This act shall take effect and be in force from and after its
30 publication in the ~~statute book~~ **Kansas register.**

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