AN ACT concerning building, construction and related standards and
codes; relating to preemption of local codes more stringent than
national model codes; exceptions.

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

Section 1. (a) As used in this section:

(1) "National model code" means any model or standard published
compilation of rules in book or pamphlet form that has been prepared by a
nationally recognized technical association or organization, including but
not limited to, the international code council, inc., the national fire
protection association, inc., and underwriters laboratories, inc. "National
model code" includes building codes, plumbing codes, electrical wiring
codes, gas piping codes and health and sanitation codes.

(2) "Construction practice" means the construction, installation or use
of certain appliances, mechanical systems, types or sources of energy or
utilities in commercial or residential buildings.

(b) Notwithstanding any other law to the contrary:

(1) Except as provided in subsection (c), a particular building
product, material or construction practice that is approved for use by a
national model code that applies to the construction, renovation, repair or
other alteration of a residential or commercial building shall be allowed for
use in this state and shall not be prohibited or limited except in conformity
with amendments or revisions by the nationally recognized technical
association or organization that publishes the national model code. Except
as provided in subsection (c), no state agency, city, county, unified
government, township or other political subdivision of this state or any
homeowner's association or similar entity shall adopt or enforce any such
prohibition or limitation on and after July 1, 2020.

(2) Except as provided in subsection (c), the standards for a particular
building product, material or construction practice that are established
under a state-adopted or national model code that applies to the
construction, renovation, repair or other alteration of a residential or
commercial building shall be allowed under state law and more stringent
standards shall not be permitted in this state except in conformity with
amendments or revisions by the state authority or nationally recognized
technical association or organization that publishes the national model
code. Except as provided in subsection (c), no state agency, city, county, unified government, township or other political subdivision of this state or any homeowner's association or similar entity with authority to adopt such standards shall adopt or enforce more stringent standards on and after July 1, 2020.

(c) (1) This section shall not apply to:

(A) State or federal housing program requirements;

(B) state-owned or state-operated buildings and property;

(C) buildings located in a place or area designated for its historical, cultural or architectural importance and significance if the buildings are:

(i) Located in an area designated as a historic district or a site or property listed on the register of historic Kansas places or within the jurisdiction and control of the state historical society;

(ii) located in an area designated as a historic district or a site or property listed on the national register of historic places; or

(iii) individually designated as local, state or national historic landmarks;

(D) regulations directly and substantially related to the requirements of applicable city, county, unified government, township, school district or other local safety standards;

(E) regulations applied to manufactured housing in a manner consistent with federal law;

(F) regulations adopted as a condition of participation in the national flood insurance program authorized by 42 U.S.C. § 4001 et seq.;

(G) rules adopted by a homeowner's association or similar entity that restrict a building product, material or construction practice as provided for in the entity's governing documents;

(H) buildings or property owned or operated by a county, city, unified government, school district or any other political subdivision;

(I) any adoption of codes regarding the installation of a fire sprinkler protection system; and

(J) any adoption of codes regarding carbon monoxide alarms.

(2) If any standards for a building product, material or construction practice that are established under a national model code conflict with any minimum building construction safety standards established under state law, then the state-adopted standards shall prevail.

Sec. 2. This act shall take effect and be in force from and after its publication in the statute book.