



February 19th, 2024

Testimony in Opposition to House Bill 2704 House Committee on Local Government

Chairman Bergquist and Members of the House Committee on Local Government:

The Northeast Johnson County cities of Prairie Village, Mission, Merriam, Roeland Park, and Westwood Hills oppose HB 2704. We appreciate the opportunity to provide testimony in opposition to HB 2704, which we believe directly challenges local government home rule authority of our locally elected officials because of the overly broad language and the results that may not be in the best interest of our community.

Our interpretation of this bill is that by utilizing the term “no-impact home-based business” the bill does not allow a local unit of government to require any application, registration, permitting, or licensing. The bill prohibits any local ordinance regarding the number of employees or contractors unless a city has a residential capacity ordinance. Any commercial project taking place in a residential community would have no limits on employees, and it’s unlikely we could address work hours or any sound nuisance issues as well.

HB 2704 only asserts the business must be “compatible with residential use.” The bill also identifies categories of businesses to include any “services,” “manufacture,” and “sale.” The property owner determines the variables including the use of the dwelling or any dwellings//buildings added to the property. Our community interest opposes this bill for the benefit of the property owners who may have to live with and suffer the impacts of anyone exploiting this bill.

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. HB 2704 as written would impact our ability to conduct business and protect residential neighborhoods.

Thank you for your consideration, and we welcome any questions or further discussion you may have on this matter.

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