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February 19th, 2024
Chairman Emil Bergquist and Vice Chair Doug Blex
House Committee on Local Government

Dear Chairman Bergquist, Vice Chair Blex and Members of the House Committee on Local Government

Thank you for the opportunity to speak today.

My name is Heather Curry and I am with the Goldwater Institute. Goldwater is a public policy research and litigation organization that works in courthouses and legislatures nationwide to protect economic freedom for all Americans.

I'm grateful for the opportunity to briefly speak about the home-based business reforms in House Bill 2704. As we all know, small businesses are the engine of America's economy. The freedom to work from home and the flexibility that comes with it is beneficial to workers of all kinds, whether they are Americans with disabilities, parents or other caregivers, or military spouses.

As such, it may come as a surprise that home-based business reforms are even necessary to begin with. Unfortunately, some outdated ordinances require residents to spend time and money getting a permission slip to run their home-based businesses.

Some business applications ask intrusive questions about what is going on in a home and make business owners promise that only immediate family members will participate in the work. They require forms for zoning sign-offs and forms for occupation taxes. Arbitrary rules limit the kind of work that can be done and even the kinds of items someone can keep in their own home.

Many of these ordinances are the products of a pre-internet era, and are not designed to handle today's modern economy where commerce happens instantly, and an entire business can be run from a laptop at a kitchen table.

Hardworking Americans shouldn't have to ask local government for permission to earn a living. They also shouldn't have to disclose what they are doing in the privacy of their own homes. They shouldn't have to jump through hoops just to work, especially if that work isn't bothering anyone.

This bill clearly defines what a no-impact home-based businesses is, and protects the ability of local governments to respond when real nuisance issues, like trash, noise, or traffic, occur. No-impact businesses are those which are secondary to residential use, and fit the residential character of a neighborhood. They may only sell lawful goods and services and comply with relevant licensing laws.

Under the reform, these businesses can't be seen from the street, and do not drive increases in traffic or neighborhood noise. If a no-impact home-based business does begin to have an impact, local government can engage to address legitimate public health and safety issues.

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By protecting no-impact businesses, the reform empowers local governments to focus on what really matters: protecting clean, quiet neighborhoods without overpolicing everyday Americans.

By taking a holistic approach, HB 2704 also brings regulatory consistency to the patchwork of city ordinances across the state. This ensures that entrepreneurs in Kansas will know what to expect no matter when or where they decide to work for themselves.

Kansas is not alone in pursuing this kind of reform.

Iowa, Missouri, and Florida have all enacted similar versions, and legislators from Oklahoma to Illinois are considering it this session as well.

We're very happy to see HB2704 under consideration in this committee, and we thank you for your efforts to protect the right to earn a living for everyone in Kansas.

Thank you,
Heather

Heather Curry
Director of Strategic Engagement

Goldwater Institute
500 East Coronado Road
Phoenix, Arizona 85004