



**KANSAS**  
ASSOCIATION OF  
**COUNTIES**

715 SW 10th Avenue • Topeka, KS 66612  
785-272-2585 • [www.kansascounties.org](http://www.kansascounties.org)

Senate Transportation Committee  
February 15, 2024  
SB 391

Kansas Association of Counties  
Opponent Testimony – Written Only

Chairwoman Gossage and members of the Committee:

Thank you for allowing the Kansas Association of Counties to offer written only opponent testimony on SB 391, which would prevent the local health officer from doing much more than recommending actions for the purpose of protecting public health.

If a road was washed out by weather, or a bridge was damaged and could not support traffic, it would be negligent to fail to close the road and merely *recommend* that individuals not use that road. We would expect that the road be closed for public safety reasons, even if closing that road made travel longer or more inconvenient for some. It is unlikely that people would oppose an unelected road engineer saying the road needed to be closed for safety reasons because that would be the expectation. Public health should not be treated differently.

This bill essentially prevents local health officials from taking action to prevent the spread of disease. They can make recommendations, but by limiting officials to only recommendations, the public may misunderstand the seriousness of the situation, resulting in unnecessary harm. This also exposes vulnerable individuals in our communities to increased risk.

KAC opposes SB 391 and respectfully asks that the committee not advance this bill. Thank you for your attention to this matter.

Jay Hall  
Deputy Director and General Counsel  
Kansas Association of Counties  
[hall@kansascounties.org](mailto:hall@kansascounties.org)  
(785)272-2585