THE LEAGUE OF KANSAS MUNICIPALITIES

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To: Senate Federal and State Affairs Committee
From: Spencer Duncan, Government Affairs Director
Date: March 21, 2023
RE: HB 2059 – Common Consumption
             In Support – Verbal Testimony

Thank you to the Chair and Committee for the opportunity to provide this testimony today.

This bill expands upon current state law regarding entertainment zones or common consumption areas to allow for foot traffic within the area. Current state law requires a city to close streets within a common consumption area. This shifts the decision over whether those streets need to be closed to the one charged with monitoring or policing the area – the city.

League membership considered this proposal at our annual Policy Committee meetings over the summer and voted to support the legislation, adding to the broad policy statement support for legislation that enhances local control in these areas. This is a Legislative Priority this year for the cities of Kansas.

The support of the League and our member cities stems from the fact that HB 2059 is drafted in a way that preserves, and even enhances, local choice. This issue is one that provides a great example of why Home Rule is so important in our state. Local governing bodies are best situated to interact with stakeholders and make decisions on how best to build out, monitor, and police common consumption areas in ways that reflect the needs of their community, encourage compliance with city and state law, and maintain order.

There are cities that will pass ordinances taking advantage of this change to state law, cities that will leave their common consumption areas unchanged, and cities that will never have common consumption areas. HB 2059 enables cities to choose what is best for their community.

The League asks that when the Committee makes recommendation, you recommend HB 2059 favorably for passage.

I am always available to provide more information and answer any questions.

[signature: Spencer]

Spencer Duncan
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