

SESSION OF 2011

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2088

As Amended by House Committee on
Commerce and Economic Development

Brief*

HB 2088, as amended, would permanently restrict cities and counties from adopting or enforcing any ordinance, code, or other policy that would require the installation of a multi-purpose residential fire protection sprinkler system in a residential structure. The bill would prohibit a city or county from requiring the installation of such a system as a condition for the consideration or approval of a building permit or plat.

The bill would take effect upon publication in the *Kansas Register*.

Background

In 2010, the Legislature approved a one-year prohibition on municipalities requiring the installation of sprinkler systems.

The bill was supported by representatives of the Kansas Association of Realtors, the Home Builders Association of Greater Kansas City, the Kansas Manufactured Housing Association, the Kansas Building Industry Association, the Wichita Habitat for Humanity, the Associated Landlords of Kansas, Mid-American Lumbermen's Association, and the Greater Kansas City Local Initiatives Support Coalition. Proponents indicated the bill's purpose was to prevent the imposition of a sprinkler mandate by municipalities because

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

such a policy could reduce the availability of affordable housing. A person could install a sprinkler system voluntarily.

Opponents included representatives of an insurance company, the League of Kansas Municipalities, the cities of Manhattan and Overland Park, the Kansas Association of Counties, the National Fire Protection Association, the Kansas Association of Fire Chiefs, the Kansas City Firefighters Relief Association, the Fire Marshals Association of Kansas, the Fire Education Association of Kansas, and Safe Kids Kansas. Opponents' concerns centered around safety, the costs of residential fires, and the issue of local control.

The House Committee on Commerce and Economic Development amended the bill by adding the word "sprinkler" to subsection 1(c) in order to make the bill grammatically consistent with provisions currently in statute.

According to the fiscal note prepared by the Division of the Budget, in consultation with the League of Kansas Municipalities, the fiscal effect to Kansas cities would be negligible.