



March 7, 2023

The Honorable Adam Smith, Chair  
House Committee on Taxation  
Kansas State House of Representatives  
300 SW 10th Avenue  
Topeka, Kansas 66612

Bonner Springs

De Soto

Edgerton

Edwardsville

Fairway

Gardner

Kansas City

Lake Quivira

Leawood

Lenexa

Merriam

Mission

Mission Hills

Mission Woods

Olathe

Overland Park

Prairie Village

Roeland Park

Shawnee

Spring Hill

Westwood

Westwood Hills

**RE: Opposition to Senate Bill No. 248**

Dear Representative Smith:

On behalf of the Mayors listed below (members of the Johnson and Wyandotte Counties Council of Mayors), I write to you today to share our strong opposition to Senate Bill No. 248 (as amended on the Senate floor), which is presently under consideration by the House Committee on Taxation.

The members of the Johnson and Wyandotte Counties Council of Mayors represent over 800,000 people, and approximately 27% of the entire population of the State of Kansas. Our two counties combined account for over 36% of the total gross domestic product for the State of Kansas. Our membership is politically diverse, yet we serve in non-partisan capacities and work for the benefit of all of our residents, regardless of political affiliation.

Our members value local control and the ability to make taxation and financial decisions as are best for our respective constituencies. The growth within our communities and the economic advantages we provide to the State of Kansas are proof of the responsible manner of our stewardship and the trust our residents place in us as local elected officials.

**The Council members listed below oppose those provisions in Senate Bill No. 248 that would remove the ability of our cities to levy and collect a sales tax on food and food ingredients.** As you likely know, Kansas law already limits the ability of cities to impose local sales taxes. See K.S.A. 12-189, establishing that a city's rate may not exceed 2% for general purposes, and 1% for special purposes. While the Council expresses no opinion on the State's levy on or exemption of food from State sales tax, an absolute prohibition on cities' ability to levy such sales taxes could be damaging to many communities. It would eliminate tens of millions of dollars of critical funding for our local police, roads, and other important services.

Our residents expect (and deserve) high levels of service from their local governments. If this bill is enacted, local governments will likely be forced to reduce staff (including police officers, firefighters, public works, and EMS professionals), reduce services, or raise property tax mill levies on our residents to make up the difference. In that way, this will likely result in a tax increase at the local level, especially impacting seniors and those on fixed incomes.

Senate Bill No. 248 would also jeopardize important public safety, infrastructure, economic development (including TIF and CID), and parks projects, the financing of which is made possible through the levy, pledge, or dedication of local sales tax revenue. Municipal bondholders would also be put at-risk, negatively impacting our cities' abilities to fund important municipal projects.

Again, although the Council expresses no opinion on other aspects of Senate Bill No. 248, we oppose the State's further interference with our members' ability to determine and establish their own financial affairs in a manner that meets their own residents' needs.

We ask that you, the Committee, and the Legislature oppose and remove these troubling aspects of Senate Bill No. 248.

Thank you for your consideration of this matter.

Sincerely,



David E. Waters,  
Mayor, City of Westwood, Kansas  
Chair, Johnson & Wyandotte Counties Council of Mayors

Joined By:

Mayor Jeff Harrington, Bonner Springs

Mayor Rick Walker, De Soto

Mayor Donald Roberts, Edgerton

Mayor Melanie Hepperly, Fairway

Mayor Todd Winters, Gardner

Mayor Tyrone Garner, Kansas City

Mayor Brady Lilja, Lake Quivira

Mayor Peggy Dunn, Leawood

Mayor Mike Boehm, Lenexa

Mayor Bob Pape, Merriam

Mayor Solie Flora, Mission

Mayor David Dickey, Mission Hills

Mayor Darrell Franklin, Mission Woods

Mayor John Bacon, Olathe

Mayor Curt Skoog, Overland Park

Mayor Erik Mikkelsen, Prairie Village

Mayor Michael Poppa, Roeland Park

Mayor Michelle Distler, Shawnee

Mayor Joe Berkey, Spring Hill

Mayor Rosemary Podrebarac, Westwood Hills