

KANSAS MENTAL HEALTH COALITION

An Organization Dedicated to Improving the Lives of Kansans with Mental Illnesses

Written Testimony presented to the House Welfare Reform Committee Oppose HB 2430

Amy A. Campbell – March 2, 2023

Thank you for the opportunity to address your committee today on behalf of the Kansas Mental Health Coalition (KMHC). KMHC opposed HB 2430.

HB 2430 provides requirements for local subdivisions – prohibiting directly or indirectly prohibiting or discouraging the enforcement of any order or ordinance prohibiting public camping, sleeping or obstruction of public right-of-ways, including roads and sidewalks; or (2) prohibiting or discouraging a peace officer or prosecuting attorney who is employed by or otherwise under the direction or control of the political subdivision from enforcing any order or ordinance prohibiting public camping, sleeping or obstruction of public right-of-ways, including roads and sidewalks.

HB 2430 requires a state agency (that issues funding to address homelessness) to determine that a political subdivision is compliant with this section – but there is neither funding nor guidance for this requirement.

HB 2430 creates a criminal violation for “to use state or local government-owned lands for unauthorized sleeping, camping or long-term shelters.” The violation is: “(1) An unclassified nonperson misdemeanor punishable by a fine not to exceed \$1, except as provided in paragraph (2); and (2) a class C nonperson misdemeanor upon a second or subsequent violation.” It appears second or subsequent violations have no fine or penalty limits.

The bill also creates a civil action for the attorney general to bring against any political subdivision deemed in violation.

Organizations providing services to people with mental illness who are unhoused, cite numerous barriers to successfully transitioning people to stable housing situations. One of the major issues is regulatory requirements that interrupt the delivery of service, such as funding silos and strict definitions for eligibility.

An additional layer of eligibility for political subdivisions IS a barrier. It is a barrier that individuals who need stable housing have no ability to control.

The bill title suggests the legislation requires state agencies to provide funds for local subdivisions – but we do not see any funding to address homelessness included in the legislation. It is unclear if the target of the legislation is cities and counties or the entities who receive funding to provide services.

According to Mary Jones, Mental Health America of South Central Kansas, “Understanding how to work with people with serious mental illnesses and place them in safe housing with supportive services is the key to reducing homelessness for these vulnerable Kansans. This is what our on the ground experience shows us is effective.”

MHASCK provides a continuum of housing, from homeless outreach through permanent supportive housing, and has a long history of providing services dating back to 1990. Those resources have historically been extremely limited. Training and retaining staff is a major challenge – and this legislation will not help.

Kansas has only recently begun to provide meaningful expansion of access to evidence-based solutions for

persons with mental illness who lack housing. These programs were flat for decades.

Please do not pass HB 2430. The Coalition commends the Legislature and the Kansas Department on Aging and Disability Services for the ongoing efforts to improve mental health and substance use treatment access in Kansas, especially in recent years, but we are only beginning to address the crisis.

The mental health crisis is a national issue, but it has hit Kansas hard – with suicide rates and opioid issues putting our State near the bottom of many recent reports. So, the work of the Special Committee on Mental Health Modernization and Reform Committee and the Special Committee on Mental Health Beds are right on time.

The Coalition urges Kansas legislators to look to the recommendations of these committees rather than HB 2430.

Thank you for your consideration.

For More Information, Contact:

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The Kansas Mental Health Coalition is dedicated to improving the lives of Kansans living with Mental Illnesses and Severe Emotional Disorders. We are consumer and family advocates, provider associations, direct services providers, non-profit and for-profit entities and others who share a common mission. At monthly roundtable meetings, participants develop and track a consensus agenda that provides the basis for legislative advocacy efforts each year.
