

SESSION OF 2009

SUPPLEMENTAL NOTE ON SENATE BILL NO. 169

As Recommended by Senate Committee on
Federal and State Affairs

Brief*

SB 169 would amend the Kansas Act Against Discrimination to add provisions prohibiting discrimination on the basis of “sexual orientation” or “gender identity” with regard to employment, housing, and public accommodations.

Current law prohibits the discrimination based upon reasons of race, religion, color, sex, disability, national origin, or ancestry.

In the bill, “sexual orientation” means male or female heterosexuality, homosexuality, or bisexuality by inclination, practice, or expression. “Gender identity” means having or expressing a self-image or identity not traditionally associated with one’s gender.

The bill would allow employers to adhere to a reasonable dress or grooming standard at work subject to the provisions of federal, state, or local laws.

Background

Proponents of the bill included representatives of Kansas Equality Coalition and several citizens appearing on their own behalf.

Opponents of the bill included Representative Jan Pauls and a representative from Concerned Women for America of Kansas.

*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>

Neutral testimony was provided by the Executive Director of the Kansas Human Rights Commission.

According to the fiscal note, the Kansas Human Rights Commission estimates that SB 169 would generate 50 complaints per year, or a five percent increase over FY 2008, and 320 inquiries. Special Investigators currently have annual quotas of 36-72 completed complaints, based on various criteria, and the agency would not be able to absorb the new complaints within current funding or staffing levels. The agency estimates the following State General Fund appropriations would be needed:

	FY 2010	FY 2011
Ongoing costs:		
Special Investigator I and Senior Administrative Assistant	\$ 84,865	\$ 85,878
Operating Costs	8,798	8,826
	\$ 93,663	\$ 94,704
One-time costs:		
Start-up costs	\$ 16,804	

Start-up costs would include informational and educational materials, enclosing space for an office, and the standard equipment. Any fiscal effect resulting from enactment of SB 169 is not included in *The FY 2010 Governor's Budget Report*.