

SESSION OF 2010

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2533

As Amended by House Committee on
Federal and State Affairs

Brief*

HB 2533, as amended, would bring the Kansas Act Against Discrimination into compliance with the federal Americans with Disabilities Act Amendments Act that became effective on January 1, 2009. The bill would prevent employers that fall within the jurisdiction of both acts from having to operate under two laws with different definitions and standards, and allow consistent definitions and standards to be applied to all Kansas employers.

Background

The Kansas Act Against Discrimination applies to employers with four or more employees, while the federal Americans with Disability Act and amendments apply to employers with 15 or more employees. By conforming the two laws, Kansas will continue to be eligible to receive federal funding of approximately \$130,000 annually which goes to the Kansas Human Rights Commission.

Proponents for HB 2533 included representatives from the Commission on Disability Concerns, Kansas Human Rights Commission, Kansas Association for the Blind and Visually Impaired, and the Disability Rights Center of Kansas. Written testimony supporting the bill was provided by the Community Health Centers of Kansas, Interhab, Kansas Council on Disabilities, Kansas Association of Centers for Independent Living, and the Statewide Independent Living Council 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>

There were no opponents to the bill.

Two changes were made in the bill by the House Committee. First, language that was inadvertently left out was added to further conform Kansas law with federal law in regards to ensuring that covered employers are not required to reasonably accommodate or reasonably modify policies, practices and procedures for an person who solely meets a statutory definition of disability. Second, certain current language was stricken in order to remove the provision that “the absence of a physical or mental impairment but regarding or treating an individual as though such an impairment exists “ is no longer needed in law

The fiscal note on the bill as introduced that was submitted by the Director of the Budget indicates that passage of this bill may have a fiscal impact, but that it is impossible to determine what that effect might be.