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REVISOR of STATUTES
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MEMORANDUM

To: Chairperson Estes
Members of the House Committee on Education

From: The Office of Revisor of Statutes

Date: March 4, 2025

Subject: SB 76 – Requiring employees of school districts and postsecondary educational institutions to use the name and pronouns consistent with a student's biological sex and birth certificate and authorizing a cause of action for violations therefor.

Senate Bill No. 76 (SB 76) would enact the Given Name Act to require employees of school districts to use the name and pronouns consistent with a student's biological sex and birth certificate, prohibit disciplinary action against any employee or student, including employees and students of postsecondary educational institutions, for using the name and pronouns of another student that are consistent with such student's biological sex or birth certificate, and authorize a cause of action for violations of the Act.

SB 76 would prohibit employees of school districts from addressing a minor student by a pronoun that is inconsistent with the minor's biological sex or by a name other than the name listed on the student's birth certificate, or a derivative of such name, without written permission from the minor's parent.

Additionally, no such employee would be subject to adverse employment action for declining to address an individual by a pronoun or title that is inconsistent with the individual's biological sex or a name that is inconsistent with the individual's birth certificate. Similarly, no student would be subject to disciplinary action for declining to address an individual by a pronoun or title that is inconsistent with the individual's biological sex or a name that is inconsistent with the individual's birth certificate. These provisions also apply to employees and students at postsecondary educational institutions.

A person who is aggrieved by a violation of the Given Name Act may bring a cause of action for injunctive relief, monetary damages, reasonable attorney fees and other appropriate relief.

The bill provides definitions for relevant terms used in the act.

The Senate Committee on Education amended the bill so that the provisions of subsection (b) that require use of a student's name and pronoun that is consistent with their biological sex or birth certificate is only applicable to school district employees and students who are minors.

SB 76 passed the Senate and on a final vote of 26-14.

If enacted, SB 76 would become effective on July 1, 2025.