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Kansas Family Voice

H.B. 2426 Proponent

Written Only Testimony

Kansas House Judiciary Committee

January 13, 2026

Chairwoman Humphries, and members of the Committee, my name is Brittany Jones. I am an attorney and the President of Kansas Family Voice. We represent thousands of members in Kansas who are concerned about the threat to Title IX and the degradation of our core documents based on ideology. We urge this body to advance H.B. 2426.

The 2023 Kansas Women’s Bill of Rights was the first state to define “woman” and “man” in law based on biological sex, aiming to safeguard women’s spaces, opportunities, and legal protections. The law set the definitions for statutory interpretation – though the law does not have an enforcement mechanism.

Attorney General Kris Kobach sued the Kansas Department of Revenue for issuing driver’s licenses with gender markers that do not reflect biological sex, arguing this violated the Women’s Bill of Rights.<sup>1</sup> A district court initially sided with Kobach, halting the issuance of such licenses.<sup>2</sup>

In June 2025, the Kansas Court of Appeals reversed that decision, stating that the driver’s license statute uses the term “gender,” not “sex,” and therefore does not fall under the scope of the Women’s Bill of Rights.<sup>3</sup> It further tried to claim that the Legislature’s use of “gender” & “sex” in the Help Not Harm Act was proof that the Legislature recognized a distinction between “sex” & “gender”. This was never Legislature’s intention in using both words.

The Kansas Supreme Court declined to hear Kobach’s appeal in October 2025, effectively allowing the Department of Revenue to resume issuing licenses based on gender identity.

Governor Kelly has been issuing driver’s license to individuals that do not match their biological sex since she came into office in 2019.<sup>4</sup>

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<sup>1</sup> K.S.A. § 77-207

<sup>2</sup> *Kan. v. Harper*, SN-2023-CV-000422 (Kan. Dist. Ct., March 11, 2024).

<sup>3</sup> *Kan. v. Harper, et. al, No. 127,390 (Kan.Ct. App. June 13, 2025)*

<sup>4</sup> *Kan. v. Harper*, No. 127390 (Kan. Sep. 29, 2025).



A driver's license is a foundational identity document used for law enforcement, public safety, and verification across countless systems. Allowing subjective gender identity on these documents undermines accuracy, reliability, and public trust. Kansas cannot allow its most basic public records to become disconnected from biological reality.

Medical professionals could face harsh penalties if they are not able to properly identify patients and are therefore unable to render necessary care. There are a multitude of facets of our society in which biology necessitates certain care. The law has a duty to draw these distinctions. They should not be overlooked simply for an ideological trend.

Legislature never intended to create a distinction between sex and gender. The Kansas Women's Bill of Rights must be clarified to ensure enforceability and protect the integrity of sex-based legal distinctions, especially in light of recent court rulings allowing gender marker changes on driver's licenses.

The Kansas Supreme Court's refusal to clarify the definition of "woman" leaves vital records vulnerable to subjective interpretation, weakening the consistency and reliability of public documents. This body should also consider comprehensive protections for women's and girl's spaces, such as clarifying restroom and locker room access, to uphold the original intent of the law.

We urge the committee to pass H.B. 2426 out favorably for passage.

Thank you!

A handwritten signature in black ink that reads "Brittany". The signature is written in a cursive, flowing style.

Kansas Family Voice

President