

## **Kathy's Bill and State Use Law Committee Extension; SB 333**

**SB 333** extends the sunset date for the State Use Law Committee, which is organized within the Department of Administration, from July 1, 2024, to July 1, 2029.

The bill also enacts Kathy's Bill, a statutory state employment hiring preference for persons with disabilities and makes changes to continuing hiring preferences for certain disabled military veterans and surviving spouses.

### ***Kathy's Bill***

The bill provides that persons with disabilities, as defined by the bill, be given preference for hiring in state government positions, if they meet the qualifications of the position. For the purposes of the bill, "state government" does not include the judicial or legislative branches nor political subdivisions of the State.

For the purposes of the bill, meeting the qualifications of a position is specified as not depending on the need for reasonable accommodation, as defined by the bill.

The bill requires hiring authorities for such positions to offer an interview to persons with disabilities who meet the qualifications of the position. If a situation occurs in which a disabled veteran, surviving spouse of a deceased disabled veteran, or surviving spouse of a prisoner of war applies for the same position, preference will be given to the individual with the highest qualifications.

Disabled persons, when applying for such a position, are required to provide documentation of their disability by submitting a copy of:

- Their Supplemental Security Income or Social Security Disability Insurance determination letter;
- Their Home and Community Based Services waiver approval letter; or
- A letter from a managed care organization, qualified medical professional, or vocational rehabilitation counselor.

The bill requires the notice and application form for state government job openings to provide an explanation of the preference and the information required from the applicant for the documentation of a disability.

The bill provides that persons with disabilities are given preference for retention in any reductions in state government personnel, with respect to employees who are equally situated in terms of position, qualifications, and performance.

The bill specifies that persons with disabilities have the right not to disclose their disability at the time of hire, but are not able to assert the right to preference for retention unless the disability is disclosed in the manner required by the bill prior to the announcement of a

reduction of personnel. Disclosure of a disability to a human resources office must remain confidential until required for provision of reasonable accommodation or for emergency preparedness planning.

The bill specifies that its provisions do not apply to elected officials or their personal secretaries; members of boards or commissions; temporary employees; positions held by patients, inmates, or students in state institutions; or positions requiring credentials to practice as a physician or to practice law in Kansas.