

**CONFERENCE COMMITTEE REPORT BRIEF  
SENATE BILL NO. 44**

As Agreed to March 25, 2025

**Brief\***

SB 44 would declare that antisemitism and antisemitic acts are against the public policy of the state, including, but not limited to, the purposes of public educational institutions and law enforcement agencies.

The bill would define “antisemitism” or “antisemitic” to mean the same as defined by the International Holocaust Remembrance Alliance’s (IHRA) working definition of antisemitism, including the contemporary examples, as in effect on May 26, 2016, and would include:

- Encouraging, supporting, praising, participating in, or threatening violence or vandalism against Jewish people or property;
- Wearing masks to conceal a person’s identity with the intent to harass or discriminate against Jewish students, faculty, or employees on school property; and
- Incorporating or allowing funding of antisemitic curriculum or activities in any domestic or study abroad programs or classes.

The bill would also state that the provisions of the bill should not be construed to diminish or infringe upon any right protected under the First Amendment of the *U.S. Constitution* or the Bill of Rights of the *Kansas Constitution*.

**Conference Committee Action**

The Conference Committee agreed to remove the provisions of SB 44, as amended by the House Committee of the Whole, expanding the Kansas Promise Scholarship Program, and to insert the provisions of Sub. for HB 2299, as recommended by the House Committee on Education, concerning antisemitism.

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\*Conference committee report briefs are prepared by the Legislative Research Department and do not express legislative intent. No summary is prepared when the report is an agreement to disagree. Conference committee report briefs may be accessed on the Internet at <https://klrd.gov/>

## **Background**

### ***HB 2299 (Antisemitism)***

The bill was introduced by the House Committee on Education at the request of Representative Estes.

#### *House Committee on Education*

In the House Committee hearing on February 11, 2025, **proponent** testimony was provided by the Kansas Attorney General, representatives of Combat Antisemitism Movement and Jewish Community Relations Bureau|AJC, and two private citizens. The proponents generally stated the bill would help address religious discrimination and antisemitism on public campuses, and students shared their experiences with antisemitism on campuses. The conferees also shared statistics about the increase in antisemitic incidents in recent years.

Written-only proponent testimony was provided by two private citizens.

**Opponent** testimony was provided by representatives of Al-Hadaf KC, Kansas Association of School Boards, and Kansas National Educational Association and six private citizens. The opponents expressed concerns about the definition of “antisemitism” being linked to the IHRA working definition and suggested alternative definitions.

Written-only opponent testimony was provided by a representative of the ACLU of Kansas and 35 private citizens.

Neutral testimony was provided by the Executive Director of the Kansas Human Rights Commission and a private citizen.

No other testimony was provided.

The House Committee amended the bill to restore continuing provisions of the Kansas Act Against Discrimination regarding unlawful employment practices and unlawful discriminatory practices. [*Note: The Conference Committee did not retain this amendment.*]

#### *House Committee of the Whole*

The bill was withdrawn from the House Calendar and rereferred to the House Committee on Education on February 20, 2025.

[*Note: The bill was withdrawn from the House Committee on Education and referred to the House Committee on Federal and State Affairs on February 25, 2025. On February 27, 2025, the bill was rereferred to the House Committee on Education.*]

## *House Committee on Education*

Following discussion on the bill on March 17, 2025, the House Committee removed the previously amended provisions of the bill that would have prohibited antisemitism and religious discrimination by public educational institutions, authorized complaints and investigations by the Attorney General, and amended the Kansas Act Against Discrimination; retained the definition of “antisemitism” or “antisemitic”; and recommended a substitute bill be passed incorporating the above-described provisions. [*Note:* The Conference Committee retained these amendments.]

## **Fiscal Information**

### ***HB 2299 (Antisemitism)***

According to the fiscal note prepared by the Division of the Budget on HB 2299, as introduced, the Office of Judicial Administration (Office) indicates enactment of the bill could have a fiscal effect on the Judicial Branch operations because the bill would allow the Attorney General to file a petition with the district court for a hearing and would allow for appeals to be filed, which could increase the number of cases filed in the district court and result in more time spent by court employees and judges processing and deciding cases. The Office indicates enactment of the bill could result in the collection of docket fees and civil penalties assessed in those cases filed under the bill’s provisions, which would be credited to the State General Fund. However, a fiscal effect cannot be estimated.

Education; antisemitism; law enforcement

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