

SENATE BILL No. 223

By Committee on Ways and Means

3-3

1 AN ACT concerning accessibility standards for public facilities;
2 amending K.S.A. 58-1301b and repealing the existing section.

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4 *Be it enacted by the Legislature of the State of Kansas:*

5 Section 1. K.S.A. 58-1301b is hereby amended to read as follows:
6 58-1301b. As used in this act:

7 (a) "Governmental entity" means a "public entity" as defined in Title
8 II, but shall not include the national railroad passenger corporation, and
9 any commuter authority, as defined in section 103(8) of the rail passenger
10 service act (45 U.S.C. § 541).

11 (b) "Person" means an individual, partnership, corporation or other
12 association of individuals.

13 (c) "Title II" means 28 CFR Part 35, nondiscrimination in state and
14 local government services as required by sections 201 to 205, inclusive,
15 of the Americans with disabilities act of 1990, 42 ~~USCA~~ *U.S.C.A.* §
16 12,115 *et seq.*, as amended by the *ADA amendments act of 2008*.

17 (d) "Title III" means 28 CFR Part 36, nondiscrimination on the basis
18 of disability by public accommodations and commercial facilities as
19 required by section 301 *et seq.* of the Americans with disabilities act of
20 1990, 42 ~~USCA~~ 12,181 *et seq.*, as amended by the *ADA amendments act*
21 *of 2008*.

22 (e) "Facility" means all or any portion of buildings, structures, sites,
23 complexes, equipment, rolling stock or other conveyances, roads, walks,
24 passageways, parking lots or other real or personal property, including the
25 site where the building, property, structure or equipment is located. This
26 definition of facility shall not apply to K.S.A. 79-32,175, 79-32,176 and
27 79-32,177, and amendments to such sections ~~thereto~~.

28 Sec. 2. K.S.A. 58-1301b is hereby repealed.

29 Sec. 3. This act shall take effect and be in force from and after its
30 publication in the statute book.

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