

SENATE BILL No. 175

AN ACT concerning postsecondary education; relating to the exercise of religious beliefs by student associations.

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

Section 1. As used in sections 1 through 3, and amendments thereto:

(a) "Benefit" means the following:

- (1) Recognition;
- (2) registration;
- (3) the use of facilities of the postsecondary educational institution for meetings or speaking purposes;
- (4) the use of channels of communication of the postsecondary educational institution; and
- (5) funding sources that are otherwise available to other student associations in the postsecondary educational institution.

(b) "Postsecondary educational institution" shall have the same meaning as that term is defined in K.S.A. 74-3201b, and amendments thereto.

(c) "Student" means any person who is enrolled on a full-time or part-time basis in a postsecondary educational institution.

(d) "Religious student association" means an association of students organized around shared religious beliefs.

Sec. 2. No postsecondary educational institution may take any action or enforce any policy that would deny a religious student association any benefit available to any other student association, or discriminate against a religious student association with respect to such benefit, based on such association's requirement that the leaders or members of such association:

- (a) Adhere to the association's sincerely held religious beliefs;
- (b) comply with the association's sincerely held religious beliefs;
- (c) comply with the association's sincere religious standards of conduct; or

(d) be committed to furthering the association's religious missions, as such religious beliefs, observance requirements, standards of conduct or missions are defined by the religious student association, or the religion on which the association is based.

Sec. 3. Any student or religious student association aggrieved by a violation of section 2, and amendments thereto, may bring a cause of action against the postsecondary educational institution for such violation and seek appropriate relief, including, but not limited to, monetary damages. Any student or religious student association aggrieved by a violation of section 2, and amendments thereto, also may assert such violation as a defense or counterclaim in any civil or administrative proceedings brought against such student or religious student association.

Sec. 4. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the SENATE, and passed that body

President of the Senate.

Secretary of the Senate.

Passed the HOUSE _____

Speaker of the House.

Chief Clerk of the House.

APPROVED _____

Governor.