

SESSION OF 2015

SUPPLEMENTAL NOTE ON SENATE BILL NO. 175

As Recommended by Senate Committee on
Judiciary

Brief*

SB 175 would enact law prohibiting a postsecondary educational institution from taking any action or enforcing any policy that would deny a religious student association any benefit available to any other student association or discriminate against a religious student association related to such benefits, due to the association's requirement that leaders or members of the association adhere to or comply with the association's sincerely held religious beliefs, comply with the association's sincere religious standards of conduct, or be committed to furthering the association's religious missions.

The bill would create a cause of action for a student or religious student association aggrieved by a violation of this provision. The aggrieved party could seek appropriate relief, including monetary damages. An aggrieved party also could assert such violation as a defense or counterclaim in a civil or administrative proceeding brought against the aggrieved party.

The bill would define "benefit," "postsecondary educational institution," "student," and "religious student association."

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

The bill was introduced by the Senate Committee on Ways and Means at the request of Senator Fitzgerald.

In the Senate Committee on Judiciary, Senator Fitzgerald and representatives of InterVarsity Christian Fellowship, Christian Legal Society, and the Kansas Catholic Conference testified in support of the bill. Representatives of the American Civil Liberties Union of Kansas and the Great Plains Chapter of Americans United for Separation of Church and State testified in opposition to the bill.

According to the fiscal note prepared by the Division of the Budget, the Board of Regents indicates the bill would not have a fiscal effect on the Board or on postsecondary educational institutions.