

As Amended by House Committee

Session of 2013

House Substitute for SENATE BILL No. 18

By Committee on Judiciary

3-22

1 AN ACT concerning churches; relating to disputes involving church
2 congregations.

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

5 Section 1. (a) A court shall apply a neutral principles of law analysis
6 to any church property dispute, including, but not limited to:

7 (1) Any property dispute between members of a church congregation
8 arising out of competing claims to church property; and

9 (2) any property dispute arising out of a church congregation's
10 decision to change its denominational affiliation.

11 ~~(b) A neutral principles of law analysis under subsection (a) may~~
12 ~~include, but not be limited to, examination of a deed, local church charter,~~
13 ~~state statute or corporate governance documents in the same manner as~~
14 ~~would be conducted for any other property dispute~~ **A neutral principles**
15 **of law analysis under subsection (a) shall rely on objective, well-**
16 **established concepts of trust and property law. Such an analysis may**
17 **include examination of a deed, local church charter, state statute or**
18 **corporate governance documents in a completely secular manner, as**
19 **would be conducted for any other property dispute.**

20 (c) As used in this section, "church" includes any church, religious
21 sect or organization established on the basis of a community of faith and
22 belief, and doctrines and practices of a religious character.

23 Sec. 2. This act shall take effect and be in force from and after its
24 publication in the statute book.