

STATE OF KANSAS

HOUSE OF REPRESENTATIVES

MR. CHAIRMAN:

I move to amend **Substitute for HB 2365**, on page 66, following line 40, by inserting:

"Sec. 119. (a) During the fiscal years ending June 30, 2018, and June 30, 2019, no state agency shall expend any moneys appropriated from the state general fund or from any special revenue fund or funds for fiscal year 2018 or 2019 as authorized by chapter 104 of the 2017 Session Laws of Kansas, this or any other appropriation act of the 2018 regular session of the legislature to discharge or in any manner discriminate or retaliate against a state employee who advocates within or outside the workplace against discrimination in the rate of pay based on gender for equivalent work: *Provided*, That the provisions of this section shall be in addition to any other applicable provisions of state law prohibiting discrimination against state employees: *Provided further*, That the provisions of this section shall not be construed to authorize the violation of reasonable, lawful and consistently and fairly applied workplace restrictions on the exercise of the speech protected by this section during work hours or by the use of state resources or equipment.

(b) During the fiscal years ending June 30, 2018, and June 30, 2019, in addition to the other purposes from which expenditures may be made from the state general fund or from any special revenue fund or funds for fiscal year 2018 or 2019 as authorized by chapter 104 of the 2017 Session Laws of Kansas, this or any other appropriation act of the 2018 regular session of the legislature by each state agency, expenditures shall be made from such moneys for all state agencies to advise in writing all applicants for employment with a state agency the range of pay for the position or positions the applicant is applying for and all factors considered by the state agency in determining the salary level awarded to a successful applicant.

(c) For purposes of this section:

(1) "Advocate" includes any speech, statements, discussions or complaints, whether written or verbal, whether informal or formal, and whether communicated to other state employees or state officers or any other person, including, but not limited to, communications for the purpose of organizing employees, organizing demonstrations or communications with a supervisor or another state or federal agency or with respect to an action in a court of law alleging gender-based wage discrimination;

(2) "state agency" means any executive, legislative or judicial state office, officer, department, board, commission, institution, bureau, agency, or authority or any division or unit thereof; and

(3) "state employee" means any appointed or elected officer or an employee of any state agency.";

And by renumbering sections accordingly

_____ District.