

{As Amended by Senate Committee of the Whole}

As Amended by Senate Committee

As Amended by House Committee

Session of 2013

HOUSE BILL No. 2069

By Committee on Commerce, Labor and Economic Development

1-23

1 AN ACT concerning employer leave policies for employees; declaring
2 certain city ordinances and county resolutions to be against public
3 policy.
4

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

6 Section 1. ~~{(a)}~~ No city, county or local government unit shall enact
7 or administer any ordinance, resolution, ~~law, economic development~~
8 ~~initiative, program or grant~~ **or law** which requires an employer to:

9 ~~{(a)}~~**{(1)}** Provide to such employer's employees any leave from work,
10 either with or without pay, unless such leave is required by state or federal
11 law;

12 ~~{(b)}~~**{(2)}** pay compensation to such employer's employees for any
13 leave from work unless payment of compensation for such leave is
14 required by state or federal law;

15 ~~{(c)}~~**{(3)}** pay compensation *{or wages}* at any rate higher than the
16 minimum wage *{unless the payment of higher compensation or wages is}*
17 required by state or federal law; or

18 ~~{(d)}~~**{(4)}** offer an employee benefit other than those required by state
19 or federal law.

20 **{(b)}** *Subsection (a) shall not impact, or apply to, requirements*
21 *under state economic development incentive programs or city, county,*
22 *local government or local economic development agency business*
23 *attraction, retention or recruitment programs.*

24 **Sec. 2.** ~~{(a)}~~ No city, county or local government unit shall enact or
25 administer any ordinance, resolution or law that requires, nor shall any
26 city, county or local government discriminate against, favor, prefer or
27 base any ordinance, law, policy, economic development program,
28 agreement, grant or incentive on, ~~an employer agreeing or not agreeing~~
29 ~~to provide the benefits set forth in section 1, and amendments thereto, on~~
30 ~~any construction, infrastructure, or real estate development project~~
31 ~~providing or not providing:~~

32 **(1)** Any leave from work, either with or without pay, unless such

1 *leave is required by state or federal law;*

2 *(2) compensation for any leave from work, unless payment of*
3 *compensation for such leave is required by state or federal law;*

4 *(3) compensation or wages at any rate higher than the minimum*
5 *wage, unless the payment of higher compensation or wages is required*
6 *by state or federal law; or*

7 *(4) any employee benefit other than those required by state or*
8 *federal law.*

9 *(b) Subsection (a) shall only apply to wages, compensation or*
10 *benefits, or any combination thereof, paid or provided by a construction*
11 *contractor or subcontractor performing construction or infrastructure*
12 *work on a real estate construction or infrastructure project.}*

13 Sec. ~~2~~ 3. The administration, enactment or enforcement of any city
14 ordinance which conflicts with section 1 *or* 2, and amendments thereto, is
15 hereby declared to be void and against the public policy of this state.

16 Sec. ~~3~~ 4. The administration, enactment or enforcement of any
17 county resolution which conflicts with section 1 *or* 2, and amendments
18 thereto, is hereby declared to be void and against the public policy of this
19 state.

20 Sec. ~~4~~ 5. For the purposes of this act, unless the context otherwise
21 requires:

22 (a) "Employee" means an individual employed in this state by an
23 employer.

24 (b) (1) "Employer" means any individual, sole proprietorship,
25 partnership, limited liability company, corporation or any other entity that
26 is legally doing business in this state.

27 (2) "Employer" shall not include a public employer.

28 (c) "Public employer" has the meaning specified in K.S.A. 75-4322,
29 and amendments thereto.

30 Sec. ~~5~~ 6. This act shall take effect and be in force from and after its
31 publication in the statute book.