

HOUSE BILL No. 2069

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

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

Section 1. (a) No city, county or local government unit shall enact or administer any ordinance, resolution or law which requires an employer to:

- (1) Provide to such employer's employees any leave from work, either with or without pay, unless such leave is required by state or federal law;
- (2) pay compensation to such employer's employees for any leave from work unless payment of compensation for such leave is required by state or federal law;
- (3) pay compensation or wages at any rate higher than the minimum wage unless the payment of higher compensation or wages is required by state or federal law; or
- (4) offer an employee benefit other than those required by state or federal law.

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

Sec. 2. (a) No city, county or local government unit shall enact or administer any ordinance, resolution or law that requires, nor shall any city, county or local government discriminate against, favor, prefer or base any ordinance, law, policy, economic development program, agreement, grant or incentive on, an employer providing or not providing:

- (1) Any leave from work, either with or without pay, unless such leave is required by state or federal law;
- (2) compensation for any leave from work, unless payment of compensation for such leave is required by state or federal law;
- (3) compensation or wages at any rate higher than the minimum wage, unless the payment of higher compensation or wages is required by state or federal law; or
- (4) any employee benefit other than those required by state or federal law.

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

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

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

Sec. 5. For the purposes of this act, unless the context otherwise requires:

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

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

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

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

Sec. 6. 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 HOUSE, and passed that body

HOUSE concurred in
SENATE amendments _____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.