



**Senate Committee on Judiciary
Senator Tim Owens, Chair**

**Testimony for House Bill 2335
Bob Mikesic, Deputy Director/Advocacy Coordinator
March 2, 2012**

Thank you Chairperson Owens and members of the Committee for the opportunity to express support for House Bill 2335. I'm the Deputy Director/Advocacy Coordinator at Independence, Inc., a Center for Independent Living in Lawrence, Kansas serving people with disabilities in Jefferson, Douglas and Franklin counties. Our mission is to maximize independence for people with disabilities through advocacy, peer support, training, transportation and community education.

Having a physical or mental disability does not diminish a person's ability and right to fully participate in all aspects of society, but people with disabilities are sometimes prevented from doing so because of prejudice and failure to remove societal barriers. We strongly agree with the legislative intent expressed in HB 2335 that the Kansas Act Against Discrimination continue to be modeled after and consistent with the Americans with Disabilities Act (ADA), except where the state law offers greater protection covering employers with 4 or more employees. As did the ADA Amendments Act of 2008, HB 2335 makes it clear the definition of disability includes broad coverage of individuals with a physical or mental impairment that substantially limits a major life activity or operation of a major bodily function, without regard to mitigating measures such as medication and assistive technology.

As Congress expressed in the ADA Amendments Act of 2008, "the primary object of attention in cases brought under the ADA should be whether entities covered under the ADA have complied with their obligations" to not discriminate based on disability. I encourage all Judiciary Committee members to vote in favor of HB 2335. It gives Kansas a clear, strong state mandate for the elimination of discrimination based on disability. When the Kansas Act and ADA have the same requirements and definitions it will also provide a better means for education to prevent discrimination. Thank you for your time and consideration.

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