



## *End discrimination based on sexual orientation and gender identity*

Neutral Statement of Thomas Witt  
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SB 482, Firearm Industry Nondiscrimination Act  
Senate Committee on Federal and State Affairs

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Greetings Chairman Olson and members of the committee –

Equality Kansas is the leading LGBT advocacy organization in our state. We have had a full time presence in the statehouse since 2006, and in that time one of our main priorities has been protecting the LGBT community from discriminatory legislation, and the inclusion of sexual orientation and gender identity in Kansas statutes prohibiting discriminatory practices.

The Kansas Act Against Discrimination (KAAD) currently protects Kansans from discrimination in housing, employment, and public accommodations based on race, religion, color, sex, disability, familial status, national origin, or ancestry. The KAAD was originally established in 1953, and has been amended at least nine times since. Kansas has continued to amend the KAAD as the need has been shown to protect the fundamental rights of employment, housing, and public accommodations for individuals who have been – and still are - targets of discrimination.

Never in the history of our great state has this act been amended to protect the business interests of a particular industry.

The LGBT population in the United States is estimated to be between four and six percent of the population, depending on the state. Here in Kansas, researchers have found the LGBT population to be slightly more than 4.5%, or approximately 150,000 Kansans.

By contrast, as of January 1, 2022, there are 1310 federally licensed firearms dealers or manufacturers in the state of Kansas. This includes all licensee types, as shown in the table below:

944	Dealer in Firearms Other Than Destructive Devices (Includes Gunsmiths)
87	Pawnbroker in Firearms Other Than Destructive Devices
0	Collector of Curios and Relics
44	Manufacturer of Ammunition for Firearms
235	Manufacturer of Firearms Other Than Destructive Devices

*Source: Bureau of Alcohol, Tobacco, Firearms and Explosives: Listing of Federal Firearms Licensees (FFLs) - 2022*

My organization has, since the 2006 legislative session, been asking the State of Kansas to amend the Kansas Act Against Discrimination to include sexual orientation and gender identity among its protected classes. In that time, we have appeared repeatedly before this and other committees, and had our request recommended for passage twice. Once passed out of committee, however, the bills have languished and eventually died with no action taken.

Our recommended revision to this bill is to amend it to include protections for sexual orientation and gender identity. If this committee finds it necessary to protect the commercial business interests of 1310 federally licensed firearms dealers, we believe you should also protect the right to a job, a home, and fair treatment for 150,000 LGBT Kansans.

Should the committee choose to move forward with our recommendation, language may be drawn from HB 2665, which was introduced earlier this session. We stand ready to assist the committee with drafting any necessary amendments.

We understand the intent of this bill is to protect the business interests of an industry whose products and business practices face moral disapproval from an overwhelming number of Americans. If protecting politically unpopular industries from discrimination is a goal worthy of taking this unprecedented, there are additional industries deserving of the same protection.

Women's health care clinics are regularly denied service by contractors, suppliers, landlords, lenders and others who disapprove of the reproductive care offered by such facilities. Service is often denied not just to clinics where abortions are performed, but also at women's health care clinics where abortions have never been and never will be offered.

Bookstores offering adult materials have faced discrimination similar to women's health clinics.

Some religious organizations are also targets of discrimination. For example, the Table of Hope First Metropolitan Community Church of Wichita, which serves a predominantly LGBT congregation, has at times had difficulties in hiring contractors to repair damage done to their facility by years of ongoing vandalism.

The constitutional rights of churches, bookstores, and women's reproductive care facilities to engage in their activities is clear. The rights of Americans to access these facilities, products, and services is also clear. Like the firearms industry and the gun owners they serve, their activities have been thoroughly litigated and protected under our federal and state constitutions.

There are undoubtedly even more industries worthy of the same protections afforded to the firearms industry.

This brings us to our second recommendation: amend SB 482 to include identifiable industries whose activities have been harmed by, or are at risk of being harmed by, unlawful discriminatory practices as generally defined by this bill. If the firearms industry deserves statutory protections from moral disapproval, so do abortion clinics, adult bookstores, churches with disfavored congregations and others.

Should this committee choose to amend SB 482 to include protections for LGBT Kansans, Equality Kansas will become an active and enthusiastic supporter of your bill, and work with you to achieve its passage.

Thank you for your time and attention. I am available to stand for questions.