

KENTUCKY GENERAL ASSEMBLY AMENDMENT FORM
2016 REGULAR SESSION
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Amend printed copy of SB 180/GA

On page 1, between lines 5 and 6, insert the following:

"(a) "Notice of discrimination" means written communication posted in a conspicuous manner by a protected activity provider, with the heading "Service may be refused," and in which particular types of patrons who may not be permitted to commission protected activities are clearly listed:

- 1. Inside his or her primary space for accepting commissions to perform protected activities, consisting of signage with type in a one hundred (100) point font or larger;**
- 2. On Web sites maintained by the protected activity provider, if any, with notice placed in twenty-four (24) point font or larger; and**
- 3. In any advertisements in print, electronic, or display media which solicit commissions for the protected activities, with the notice of discrimination occupying at least fifteen percent (15%) of the advertising space;"; and**

On page 1, at the beginning of line 6, delete "(a)", and insert in lieu thereof "(b)"; and

On page 1, at the beginning of line 11, delete "(b)", and insert in lieu thereof "(c)"; and

On page 1, at the beginning of line 13, delete "(c)", and insert in lieu thereof "(d)"; and

On page 1, at the beginning of line 19, delete "(d)", and insert in lieu thereof "(e)"; and

Amendment No. HFA 3

Sponsor: Rep. Joni L. Jenkins

Committee Amendment: _____

Signed: _____

Floor Amendment: _____

LRC Drafter: Lyon, Alice

Adopted: _____

Date: _____

Rejected: _____

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On page 1, at the beginning of line 21, delete "(e)", and insert in lieu thereof "(f)"; and

On page 2, line 25 to page 3, line 12 delete subsections (3) and (4) in their entirety and insert the following in lieu thereof:

"(3) Notwithstanding any law to the contrary, no statute, regulation, ordinance, order, judgment, or other law or action by any court, commission, or other public agency shall impair, impede, infringe upon, or otherwise restrict the exercise of protected rights by any protected activity provider who posts notice of discrimination as defined in this section.

(4) No protected activity provider shall be fined, imprisoned, held in contempt, or otherwise punished or held liable for damages, costs, expenses, or attorney fees by any court, commission, or public agency for actions or inactions arising from or related to providing protected activities, or for refusing to provide protected activities, unless a court finds that:

(a) The protected activity provider failed to post notice of discrimination as defined in this section; and

(b) The complaining person or the government, as the case may be, proved by clear and convincing evidence that the person or the government had a compelling governmental interest in infringing upon the specific act or refusal to act and had used the least restrictive means to further that interest."