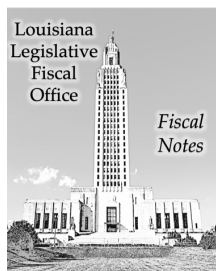


LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 480** HLS 21RS 419

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 1, 2021	12:46 PM	Author: WILLARD
Dept./Agy.: Department of Labor / Workforce Commission / Civil Service		Analyst: Monique Appeaning
Subject: Employment Discrimination / Fair Chance Hiring Act		

EMPLOYMENT

OR SEE FISC NOTE LF RV

Page 1 of 1

Provides relative to employment discrimination and creates the Fair Chance Hiring Act

Proposed law provides an exception in that no employer shall require when filling a position, including without limitation on an initial application form, about an applicant's criminal history record until after the applicant has been given a conditional offer of employment. Proposed law defines an employer as a person, association, or legal or commercial entity receiving services from an employee and, in return, giving compensation of any kind to an employee. Proposed law provides that an employer shall not consider an arrest record or charge that did not result in a conviction or consider a sealed, dismissed, set aside, expunged, or pardoned conviction when making a final hiring decision. Proposed law provides that an employer, when considering other types of criminal history records, shall make an individual assessment of whether an applicant's criminal history records shall make an individual assessment of whether an applicant's criminal history record has a direct and adverse relationship with the specific duties of the job that may justify denying the applicant the position. Proposed law provides that if an employer makes a final hiring decision to deny an applicant in part or solely because of an applicant's criminal history record, the employer shall notify the applicant in writing of the denial and the applicant's right to file a complaint with the state or local human rights commission. Proposed law provides for a maximum penalty of \$5,000 for each violation by an employer.

EXPENDITURES	2021-22	2022-23	2023-24	2024-25	2025-26	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

REVENUES	2021-22	2022-23	2023-24	2024-25	2025-26	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						

EXPENDITURE EXPLANATION

There is no anticipated direct material effect on state governmental expenditures as a result of this measure. The proposed law does not apply to state employment, which has existing law prohibiting consideration of criminal history in public employment. This legislation creates the Fair Chance Hiring Act to avoid discrimination related to the criminal history record.

REVENUE EXPLANATION

Proposed law may result in an increase in revenue to local governing authorities if an employer violates proposed law. The penalty is a maximum of \$5,000 for each violation by an employer who discriminates based on the criminal history of an employee or prospective employee. The potential revenue will accrue to local governmental entities.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Alan M. Boxberger

Alan M. Boxberger
Staff Director