

**FISCAL NOTE**

This bill would result in an increase in expenditures to the Department of Workforce Services (DWS) as there is potential for significant additional cases where individuals would have the ability to claim "any lawful" activity as a reason for discrimination. The extent of the expenditure increase is indeterminable at this time. On average, the DWS' Labor Standards Division handles 148 Fair Employment Practices Act (FEPA) cases per year. A case typically takes about 160 days to process and close and about 168 hours of staff time to work to resolution. Additionally, there may be an impact to DWS to conduct outreach activities to create public awareness of the DWS' role and responsibilities in carrying out requirements in the bill. However, this impact is indeterminable but is not anticipated to be significant.

The DWS notes that it does receive federal funding for discrimination claims that fall under Title VII of the 1964 Civil Rights Act, e.g. discrimination based on age, race, sex, national origin, etc. However, claims related to this bill would not be covered under the Equal Opportunity Employment Commission (EEOC) and the DWS would not be able to secure any federal reimbursement. Any expenditures related to the requirements in the bill would be charged to GENERAL FUND by default.

The DWS states that with the anticipated significant increase in claims would likely result in significant administrative impact to the agency but this impact is also indeterminable. Initial administrative impacts may be able to be absorbed but may require additional funding and staff depending on the level of claims.

Prepared by: Michael Swank, LSO Phone: 777-7881  
(Information provided by Jessica Vendegnia, Department of Workforce Services,  
307-286-5921)