



**LEGISLATIVE FISCAL OFFICE  
Fiscal Note**

Fiscal Note On: **HB 409** HLS 21RS 763  
 Bill Text Version: **ENGROSSED**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> April 23, 2021 2:55 PM	<b>Author:</b> FREEMAN
<b>Dept./Agy.:</b> Higher Education	<b>Analyst:</b> Tim Mathis
<b>Subject:</b> Campus Safety and Accountability	

HIGHER EDUCATION EG SEE FISC NOTE GF EX See Note Page 1 of 1  
 Provides relative to campus safety and accountability

Proposed law defines "power-based abuse" to include domestic abuse, sexual assault, sexual harassment, and stalking. Establishes specific reporting requirements of any incidents of power-based abuse, investigations, and dispositions for the following: responsible employees, campus Title IX coordinators, institution chancellors, and system presidents. Requires employee to be terminated for failure to promptly report or if he or she knowingly makes a report that is false. Provides for the right of victims to obtain a copy of any report made pertaining to any incident involving the victim. Provides for the following updates to statutes pertaining to campus safety: adds the term "power-based abuse"; requires institutions to update written memoranda of understanding with law enforcement and criminal justice agencies in their respective parishes at least annually; requires annual updates to campus resources for victims of power-based abuse; and requires the Board of Regents (BOR) to update training for BOR members and public post-secondary education management boards. Requires institutions to administer power-based abuse climate survey in 2022-2023 and every three years. BOR is required to work with management boards to develop a best method of administering the survey and to consult with victims' advocacy groups and representative student leaders. Requires a written report on results no later than 45 days prior to the Regular Session.

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

**EXPENDITURE EXPLANATION**

There will be an indeterminable increase in expenditures for the Board of Regents (BOR) to update the training program for prevention and response to incidents of power-based abuse. BOR anticipates contracting with a third-party to develop training and inform best practices. Although potential costs are still being evaluated, BOR expects it will be able to absorb such costs within its existing budget.

Due to the number of institutions currently evaluating existing Title IX staffing levels, the LFO is unable to determine or validate the staff level necessary to comply with the proposed measure. Post-secondary education institutions may experience increased costs (potentially significant) to the extent they require additional personnel and resources to address reports of power-based abuse, however this indeterminable. For illustrative purposes, an estimated cost related to hiring a Title IX Campus Compliance and Coordinator is \$65,000 (\$45,000 salary and \$20,000 benefits). It is unknown to what extent any increased workload would result from institutional determinations of Title IX compliance needs, or due to increased reporting associated with this measure. Additional costs associated with the proposed legislation may be absorbable, either wholly or partially, using existing staff and resources. However, this capacity will vary by institution.

**REVENUE EXPLANATION**

There is no anticipated direct material effect on governmental revenues as a result of this measure.

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*  
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