

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 368** HLS 25RS 559

Bill Text Version: **REENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 20, 2025	12:04 PM	Author: ST. BLANC
Dept./Agy.: Attorney General and Office of Financial Institutions		Analyst: Daniel Druilhet
Subject: Earned Wage Access Services Act		

CONSUMERS RE +\$16,544 SG EX See Note
Provides relative to earned wage access services

Proposed law provides a delineated list of requirements imposed on earned wage access service providers; provides prohibitions on wage access service providers relative to repayment by a consumer of outstanding proceeds, fees, voluntary tips, gratuities, or other donations by initiating a civil suit against the consumer, making unsolicited outbound telephone calls, using a third party to pursue collection of outstanding proceeds, or selling any outstanding amounts to a third-party debt collector or purchaser; provides prohibitions on earned wage access service providers relative to fee sharing, tips, gratuities or other donations related to services, requiring a consumer's credit or credit score to determine a consumer's eligibility for services, prohibitions relative to payments from a variety of methods of payments, or soliciting or accepting voluntary tips, gratuities, or other donations; provides for statutory compliance and applicability; requires earned wage access service providers who charge a fee for use of their service to submit to the Office of Financial Institutions (OFI) certain information and that OFI compile that information in an aggregate annual report and make it available to the public in aggregated form by July first of each year; provides for enforcement by the Attorney General on earned wage access providers pursuant to the Unfair Trade Practices Act and Consumer Protection law; makes transactions by providers who fail to timely file annual report absolutely null.

EXPENDITURES	2025-26	2026-27	2027-28	2028-29	2029-30	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW					
Agy. Self-Gen.	\$16,544	\$16,945	\$19,183	\$19,829	\$22,337	\$94,838
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

REVENUES	2025-26	2026-27	2027-28	2028-29	2029-30	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

EXPENDITURE EXPLANATION

Proposed law will result in an increase of \$16,544 in SGR expenditures in the Office of Financial Institutions (OFI) for the agency to make available data in an aggregated annual report relative to earned wage access providers (total number of Louisiana consumers served, a description of each type of fee charged and the average amount charged per transaction or user, the number and total value of wage access transactions processed, the number and nature of consumer complaints received, the resolution status of each complaint, and a statement affirming compliance with the requirement to offer a no-cost option for access to proceeds). Proposed law would necessitate OFI securing a part-time Compliance Examiner to secure the information and compile it into an aggregate annual report, as follows:

Compliance Examiner	FY 26	FY 27	FY 28	FY 29	FY 30
Salary	\$10,036	\$10,437	\$11,995	\$12,474	\$14,336
Benefits	<u>\$ 6,508</u>	<u>\$ 6,508</u>	<u>\$ 7,188</u>	<u>\$ 7,355</u>	<u>\$ 8,001</u>
	\$16,544	\$16,945	\$19,183	\$19,829	\$22,337

The proposed law's provision advising that earned wage access providers are subject to enforcement by the AG pursuant to the Unfair Trade Practices Act and Consumer Protection Law may result in additional litigation being pursued by the AG. To the extent that the AG uses this authority to pursue litigation against earned wage access providers in the future, the AG may incur expenditures, which are not quantifiable.

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}

Patrice Thomas
Deputy Fiscal Officer