

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 524** HLS 18RS 690
 Bill Text Version: **REENGROSSED**
 Opp. Chamb. Action: **w/ SEN COMM AMD**
 Proposed Amd.:
 Sub. Bill For.:

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|--|---------|-----------------------------------|
| Date: April 23, 2018 | 8:06 AM | Author: CARPENTER |
| Dept./Agy.: Statewide | | Analyst: Alan M. Boxberger |
| Subject: Requires policies prohibiting sexual harassment and training | | |

PUBLIC OFFLS/EMPS RE1 SEE FISC NOTE GF EX See Note Page 1 of 1
 Requires policies prohibiting sexual harassment and annual training on preventing sexual harassment

Proposed law requires each agency head to develop and institute a policy to prevent sexual harassment, which is applicable to all public servants in the agency; provides for minimum requirements of the policy; requires each public servant to receive a minimum of one hour education and training during each full calendar year of service; authorizes agency heads to require additional training for supervisors; requires agency head to ensure notification and compliance; requires posting of policy; requires each agency head to compile an annual report and provides for report contents; provides for public record stats; and requires Civil Service to develop and make available education and training materials, at no cost, to assist agency heads and public servants in complying with requirements.

| EXPENDITURES | <u>2018-19</u> | <u>2019-20</u> | <u>2020-21</u> | <u>2021-22</u> | <u>2022-23</u> | <u>5 -YEAR TOTAL</u> |
|---------------------|----------------|----------------|----------------|----------------|----------------|----------------------|
| State Gen. Fd. | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | |
| 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 | | | | | | |

| REVENUES | <u>2018-19</u> | <u>2019-20</u> | <u>2020-21</u> | <u>2021-22</u> | <u>2022-23</u> | <u>5 -YEAR TOTAL</u> |
|---------------------|----------------|----------------|----------------|----------------|----------------|----------------------|
| State Gen. Fd. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Agy. Self-Gen. | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | SEE BELOW | |
| Ded./Other | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Federal Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Local Funds | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | \$0 |
| Annual Total | | | | | | |

EXPENDITURE EXPLANATION

Proposed law will likely create nominal expenditure increases throughout state and local governments to ensure compliance with proposed provisions. Most public employees are already required to receive a minimum of one hour of training on this topic each year, pursuant to SCR 107 of the 2012 Regular Session of the Louisiana Legislature, which for state (and some local) employees is provided through the Comprehensive Public Training Program (CPTP) by Civil Service through a web-based module or distributed on digital medium. The Division of Administration reports first year costs at less than \$500 to establish processes for reporting and tracking as well as complaint investigation and resolution, with out-year costs estimated at approximately \$250. Other executive, legislative and judicial agencies and local governmental entities would likely realize similar nominal costs for implementation and ongoing oversight of sexual harassment training programs, to monitor compliance, and to submit the prescribed annual reports.

Proposed law authorizes agency heads to require additional sexual harassment education and training for supervisors in his or her agency. To the extent agency heads require additional training for supervisors, agencies would realize additional indeterminable, but potentially significant, expenditures. This provision is optional and the LFO assumes agency heads would reallocate existing resources to expedite such training rather than requiring additional appropriations.

Proposed law requires the Department of Civil Service to develop and make available education and training materials at no cost to assist agency heads and public servants in complying with the proposed requirements. The Department of Civil Service currently offers this service through its CPTP and recovers overall operating expenses through cost allocations to each state governmental entity. Civil Service indicates that it can absorb any additional workload with existing staff and budget resources, assuming it is allowed to recoup the physical costs of duplicating the training material to a digital medium and postage costs where necessary. Civil Service reports that it will not be able to provide in-person training if requested at no cost to governmental entities.

As the provisions of proposed law are placed into statute, the LFO anticipates acquisition of Civil Service training materials to increase significantly, which may result in a sporadic but potentially significant workload increase for Civil Service to reproduce and distribute materials. To the extent that any state or local governmental entity may not currently use the CPTP provided sexual harassment training program and chooses to not do so in the future, that entity may realize an indeterminable, but potentially significant increase in local funds expenditures to prepare its own program or acquire one through a third party vendor.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure. The Department of Civil Service reports that local and non-state governmental organizations acquiring its sexual harassment training video and materials currently pay a sliding scale fee from \$100 to \$500 depending on the number of employees in the organization. Proposed law would eliminate this fee with the provision that material be provided at no cost. For informational purposes, in FY 18 Civil Service collected a total of \$3,800, has sold material to only 24 municipalities/parishes since 2014, and reports the loss of this revenue will not result in a material impact.

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| <p><u>Senate</u></p> <p><input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}</p> <p><input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}</p> | <p><u>House</u></p> <p><input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}</p> <p><input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}</p> | <p><i>Evan Brasseaux</i></p> <hr/> <p>Evan Brasseaux Staff Director</p> |
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