

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 524** HLS 18RS 690
 Bill Text Version: **ENROLLED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: May 10, 2018 7:13 PM **Author:** CARPENTER
Dept./Agy.: Statewide **Analyst:** Alan M. Boxberger
Subject: Requires policies prohibiting sexual harassment and training

PUBLIC OFFLS/EMPS EN 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; mandates agency heads to require additional training for supervisors and any person designated to accept or investigate a sexual harassment complaint; 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 annual reporting requirements and details for the Office of Risk Management; provides for public record status; requires Civil Service to develop and make available education and training materials, at no cost, to assist state agency heads and public servants in complying with requirements; and requires Civil Service to recoup the costs of copying or reproducing and distributing training materials to non-state entities.

EXPENDITURES	2018-19	2019-20	2020-21	2021-22	2022-23	5 -YEAR TOTAL
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	2018-19	2019-20	2020-21	2021-22	2022-23	5 -YEAR TOTAL
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 mandates that agency heads require additional sexual harassment education and training for supervisors in his or her agency and any person designated to accept or investigate a sexual harassment complaint. State and local agencies will realize indeterminable, but potentially significant, additional expenditures at the state and local level. Proposed law is nonspecific with regard to the nature and duration of any such training, therefore the LFO assumes state and local agencies may address this provision nonuniformly and costs may vary greatly depending on individual decisions regarding implementation. To the extent that Civil Service may be able to create a standard training template for supervisors and individuals accepting harassment complaints, the costs may be largely mitigated.

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 will eliminate this fee and material will be provided at a cost not to exceed that of reproduction and distribution. For information, Civil Service collected only \$3,800 in FY 18, sold material to only 24 municipalities/parishes since 2014, and reports the loss of revenue will not result in a material impact.

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}

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