



**LEGISLATIVE FISCAL OFFICE
Fiscal Note**

Fiscal Note On: **HB 422** HLS 26RS 635
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: March 17, 2026 5:52 PM	Author: MCMAKIN
Dept./Agy.: Louisiana Works and Civil Service	
Subject: Creates the Behind the Counter Safety Act	Analyst: Darynn Hoppe

LABOR OR INCREASE GF EX See Note Page 1 of 2
 Enacts the Behind the Counter Safety Act

Proposed law creates the Behind the Counter Safety Act. Proposed law requires regulated establishments to develop, implement, and maintain a written workplace violence prevention plan specific to its location and operations, for it to include certain information, and for it to be displayed at its premises on at least one sign. Proposed law requires each regulated establishment to report any instances of workplace violence to local law enforcement and its internal reporting system. Proposed law requires the regulated establishment to notify Louisiana Works (LA Works) no later than 24 hours after an incident if it results in an injury, involves a weapon, or poses an immediate threat to safety. Proposed law requires LA Works to maintain aggregate, anonymized data on all reported incidents, and to develop, publish, and maintain public information regarding the issue of workplace violence in retail and food service establishments on its website. Proposed law requires LA Works to inspect regulated establishments and issue citations for any violations of proposed law. Whoever commits the offense of unlawful disruption of the operation of a regulated establishment shall be fined no more than \$1,000 or imprisoned with or without hard labor, for not less than one year nor more than 5 years, or both.

EXPENDITURES	2026-27	2027-28	2028-29	2029-30	2030-31	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
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					
Annual Total						
REVENUES	2026-27	2027-28	2028-29	2029-30	2030-31	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	SEE BELOW					
Annual Total						

EXPENDITURE EXPLANATION

Proposed law is anticipated to increase SGF expenditures by a significant amount.

LA WORKS

This bill creates the Behind the Counter Safety Act, and is intended to address workplace violence prevention. Provisions of proposed law would require LA Works to maintain aggregated, anonymized data on all reported incidents; develop, publish and maintain public information regarding workplace violence in retail and food service establishments on the La Works website; and inspect regulated establishments for compliance. To implement the provisions of this bill, LA Works reports that it would likely need to hire new full-time, classified T.O. positions, including: eight (8) Regional Safety Enforcement Inspectors, four (4) Workplace Violence Compliance Specialists, and three (3) Legal and Regulatory Enforcement Attorneys. There is a breakdown of position title, salary, and related benefits on page 2. Below is a breakdown by expenditure category of the expenditures identified by LA Works.

Expenditure Category	FY 27	FY28	FY29	FY30	FY31
Personal Services	\$ 2,073,797	\$ 2,156,749	\$ 2,243,019	\$ 2,332,740	\$ 2,426,049
Operating Expenses	\$ 82,000	\$ 45,000	\$ 45,000	\$ 45,000	\$ 45,000
Acquisitions	\$ 300,000	-	-	-	-
Total Expenses (La Works)	\$ 2,455,797	\$ 2,201,749	\$ 2,288,019	\$ 2,377,740	\$ 2,471,049

LA Works reports that the cost of proposed cannot be absorbed through federal funding provided by OSHA due to the assessment of fines and penalties pursuant to proposed law, as OSHA funds cannot be used to prosecute employers.

NOTE: The LFO cannot corroborate that the provisions of proposed law would require the resources identified by La Works, but acknowledges that a workload increase will be necessitated for implementation. To the extent that workload may be greater or less than estimates provided by LA Works, costs may be higher or lower than the estimates provided.

Continued on Page 2

REVENUE EXPLANATION

Proposed law may result in an indeterminable increase in local revenues as a result of convictions of unlawful disruption of the operation of a regulated establishment. The exact fiscal impact of the passage of this legislation on local revenue is indeterminable, as the fines that would be imposed on those convicted are optional, and the amount of fines, if imposed, may vary. The potential revenue will accrue to the local governing authority.

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>
<input checked="" type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}		<input checked="" type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}


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CONTINUED EXPLANATION from page one:

Continued Expenditure Explanation

Below is a breakdown for the positions and equipment identified by LA Works as necessary to implement the proposed law. The total salaries and related benefits are assumed to increase by 3% annually for market rate adjustments.

	FY 27	FY 28	FY 29	FY 30	FY 31
Regional Safety Enforcement Inspectors (8)					
Salary + Related Benefits	\$ 994,521	\$ 1,034,302	\$ 1,075,674	\$ 1,118,701	\$ 1,163,449
Workplace Violence Compliance Specialists (4)					
Salary + Related Benefits	\$ 421,948	\$ 438,825	\$ 456,378	\$ 474,634	\$ 493,619
Attorneys (3)					
Salary + Related Benefits	\$ 540,328	\$ 561,941	\$ 584,419	\$ 607,796	\$ 632,108
Administrative Program Specialist (1)					
Salary + Related Benefits	\$ 117,000	\$ 121,681	\$ 126,548	\$ 131,610	\$ 136,874
TOTAL	\$2,073,797	\$2,156,749	\$2,288,019	\$2,332,740	\$2,426,049

Equipment

	FY 27
Laptops (16 x \$2,000)	\$ 32,000
Field Vehicles (10 x \$30,000)	\$ 300,000
Travel & Supplies	\$ 15,000
Software	\$ 25,000
Communication / Educational Materials	\$ 10,000
Total	\$ 382,000

DPS&C - Corrections Services

Proposed law may result in an indeterminable increase in SGF expenditures in the Department of Public Safety & Corrections-Corrections Services (DPS&C-CS), to the extent that a person is convicted of unlawful disruption of the operation of a regulated establishment. Proposed law creates a crime, and is a relative felony. Any impact on either state or local expenditures is contingent on whether offenders sustain either a misdemeanor or felony-grade convictions for their violation. The exact fiscal impact to DPS&C-CS is indeterminable, as it is unknown how many people will be convicted or the length of the sentences assessed with those convictions as a result of its potential enactment. The maximum imprisonment term for unlawful disruption of the operation of a regulated establishment is five years.

To the extent that offenders sustain a felony-grade conviction for violation of the proposed law, DPS&C-CS will sustain an indeterminable increase in expenditures. For those convicted, sentenced, and then subsequently housed in a state facility, DPS&C-CS will sustain expenditures of \$107.60 per offender per day. For those housed in local facilities, DPS&C-CS will sustain expenditures of \$29.39 per offender per day. DPS&C-CS advises that impacts on offender populations are anticipated to impact the number of offenders held in local facilities, and that in managing its offender population, it seeks to fill all beds in state facilities first, then assigns overflow offenders to local facilities.

To the extent that offenders sustain a misdemeanor conviction for violation of the proposed law, local governing authorities will sustain Local Funds expenditures. The exact fiscal impact of the passage of this legislation to local governing authorities is indeterminable, since it is not known how many people will be convicted and incarcerated in local facilities, nor the length of the sentences assessed with those convictions as a result of its potential enactment.

Senate
 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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