

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **SB 255** SLS 15RS 382  
 Bill Text Version: **ORIGINAL**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> April 22, 2015 9:08 AM	<b>Author:</b> MORRELL
<b>Dept./Agy.:</b> Higher Education	<b>Analyst:</b> Charley Rome
<b>Subject:</b> Provides for Sexual Assaults on College Campuses	

POSTSECONDARY ED OR INCREASE GF EX See Note Page 1 of 2  
 Provides relative to sexual assault on college campuses. (gov sig)

Beginning in the 2015-16 academic year or as soon as funding is available, the proposed law requires that each public postsecondary institution administer an annual, anonymous sexual assault climate survey to its students, faculty, and employees. The bill requires the Board of Regents, in consultation with the public postsecondary education management boards, to establish procedures for the administration of the survey, and may use the National Intimate Partner and Sexual Violence Survey developed by the National Center for Injury Prevention and Control of the Centers for Disease Control and Prevention as a model. Proposed law requires each public postsecondary institution to: (1) Administer the survey to students, faculty, and employees. (2) Report school-specific results of the survey to the Board of Regents. The bill requires Regents to: (1) Submit a written report not later than September 1st each year regarding the survey results of each public postsecondary institution and the state as a whole to the governor and Senate/House Education committees for the previous academic year. **(Bill Summary Continued on Page Two)**

<b>EXPENDITURES</b>	<b>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
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>2015-16</b>	<b>2016-17</b>	<b>2017-18</b>	<b>2018-19</b>	<b>2019-20</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
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**

State general fund expenditures will increase by an indeterminable amount due to the proposed legislation. The Legislative Fiscal Office cannot provide an estimate on the bill's costs at this time as the Board of Regents did not provide a response to the LFO fiscal note request. Costs to comply with the proposed legislation will depend on the following factors: (1) Extent to which current compliance with the Federal Jeanne Clery Act facilitates compliance with the proposed law. (2) Ability of institutions to use the National Intimate Partner and Sexual Violence Survey to meet the bill's survey requirements, or need to use or develop another sexual assault survey. (3) Extent to which existing institutional employees can meet the bill's "responsible employee" and "confidential advisor" responsibilities and requirements. (4) Costs to develop and maintain memorandums of understanding between institutions and first responder law enforcement agencies. (5) Costs to build and maintain websites as required by the bill. (6) Online reporting requirements required by the bill. (6) Training required by the bill. (7) The number of student victims of sexual assault who might seek assistance per the bill's requirements.

The Board of Regents plays a critical role in the proposed legislation and has the following responsibilities in the bill: (1) Establish procedures for the administration of a sexual assault climate survey (may use the National Intimate Partner and Sexual Violence Survey) in consultation with the public postsecondary education management boards. (2) Submit a written report by September 1st of each year regarding the survey results of each public postsecondary institution and the state as a whole to the governor and legislative committees. (3) Publish the survey results on the board's website. (4) Establish uniform policies and best practices to implement measures to address the reporting of sexually-oriented criminal offenses on postsecondary campuses, the prevention of such crimes, and the medical and mental health care needed for these victims. (5) Develop online training materials in collaboration with the Attorney General no later than January 1, 2016. (6) Determine the adequate number of confidential advisors for an institution based upon its size no later than January 1, 2016. (7) Coordinate with the Attorney General in developing a training program for each individual who is involved in implementing an institution's student grievance procedures no later than January 1, 2016. **(Expenditure Explanation Continued on Page Two)**

**REVENUE EXPLANATION**

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

- |  |                            |       |  |
|--|----------------------------|-------|--|
| Senate   | <u>Dual Referral Rules</u> | House | <input checked="" type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}         |
| <input checked="" type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S&H} |                            |       | <input type="checkbox"/> 6.8(F)(2) >= \$500,000 Rev. Red. to State {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} |

*Evan Brasseaux*  
**Evan Brasseaux**  
**Staff Director**

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**CONTINUED EXPLANATION from page one:**

**(Bill Summary Continued From Page One)**

(2) Publish the survey results on the board's website and in any other location or venue the board deems necessary or appropriate. Each postsecondary institution that receives any Title IX funding from the U.S. Dept. of Education must comply with proposed law. The proposed law provides for a "responsible employee" who is an employee of a postsecondary institution with the authority to take action to redress a sexually oriented criminal offense or has the duty to report such an offense or any other misconduct by students or employees to appropriate school officials. The bill requires each institution and area first responder law enforcement agency to enter into a memorandum of understanding (MOU) to clearly delineate responsibilities and share information in accordance with applicable federal and state confidentiality laws, including but not limited to trends about sexually-oriented criminal offenses occurring against students of the institution. Proposed law requires each institution to review and, if necessary, revise the MOU with each law enforcement agency every two years. Proposed law requires the Board of Regents to establish uniform policies and best practices to implement measures to address the reporting of sexually-oriented criminal offenses on postsecondary campuses, the prevention of such crimes, and the medical and mental health care needed for these victims that includes the following: (1) Confidential advisors. (2) Website. (3) Online reporting. (4) Amnesty policy. (5) Training. Effective upon governor's signature.

**(Expenditure Explanation Continued from Page One)**

The Attorney General can meet the following requirements in the bill with existing staff and resources: (1) Develop online training materials in collaboration with the Board of Regents no later than January 1, 2016. (2) Coordinate with the Board of Regents in developing a training program for each individual who is involved in implementing an institution's student grievance procedures no later than January 1, 2016.

Senate

Dual Referral Rules

House

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.1 >= \$100,000 Annual Fiscal Cost {S&H}

6.8(F)(2) >= \$500,000 Rev. Red. to State {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S&H}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

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