



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

Fiscal Note On: **HB 409** HLS 21RS 763  
 Bill Text Version: **ENROLLED**  
 Opp. Chamb. Action:  
 Proposed Amd.:  
 Sub. Bill For.:

<b>Date:</b> June 15, 2021 12:04 PM	<b>Author:</b> FREEMAN
<b>Dept./Agy.:</b> Higher Education	
<b>Subject:</b> Campus Safety and Accountability	<b>Analyst:</b> Tim Mathis

HIGHER EDUCATION EN SEE FISC NOTE GF EX See Note Page 1 of 2  
 Provides relative to campus safety and accountability

Present law provides for the "Campus Accountability and Safety Act." Proposed law replaces "sexually-oriented offense" with "power-based violence" and provides for definitions. Requires each college or university campus police department to submit sexually-oriented criminal offense data to each institution's president, chancellor, and Title IX coordinator, and for the report to be posted on the institution's website annually by February 15. Provides for mandatory reporting of power-based violence. Establishes specific administrative reporting requirements for the Title IX coordinator to submit information to the chancellor of the institution no less than once every three months. Provides immunities from civil and criminal liabilities, and disciplinary actions by the institution, for persons acting in good faith who report or assist in the investigation of a report of an incident. Provides for termination if an employee knowingly fails to make a report or makes a report that is knowingly false. **(Bill summary continued on page two)**

<b>EXPENDITURES</b>	<b>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
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>2021-22</b>	<b>2022-23</b>	<b>2023-24</b>	<b>2024-25</b>	<b>2025-26</b>	<b>5 -YEAR TOTAL</b>
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
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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**

There will be an indeterminable increase in expenditures for the Board of Regents (BOR) to update and expand an annual training program for prevention and response to incidents of power-based violence. BOR anticipates contracting with a third-party to develop training and inform best practices. Although potential costs are still being evaluated, BOR expects it will be able to absorb such costs within its existing budget.

Due to the number of institutions currently evaluating existing Title IX staffing levels, the LFO is unable to determine or validate the staffing level necessary to comply with the proposed measure. Post-secondary education institutions may experience increased costs (potentially significant) to the extent they require additional personnel and resources to address reports of power-based violence, however this indeterminable. For illustrative purposes, an estimated cost related to hiring a Title IX Campus Compliance and Coordinator is \$65,000 (\$45,000 salary and \$20,000 benefits). It is unknown to what extent any increased workload would result from institutional determinations of Title IX compliance needs, or due to increased reporting associated with this measure. Additional costs associated with the proposed legislation may be absorbable, either wholly or partially, using existing staff and resources. However, this capacity will vary by institution.

**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}

*Alan M. Boxberger*  
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 Staff Director



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**CONTINUED EXPLANATION from page one:**

**(Bill summary continued from page one)**

Provides for confidentiality of the identity of an alleged victim. Prohibits retaliation against employees who make a report or cooperate with an investigation, disciplinary process, or judicial proceeding. Present law requires each institution and law enforcement agency within the parish of the campus to enter into a memorandum of understanding to delineate responsibilities and share information. Proposed law requires each executed memorandum of understanding to be signed by all parties, and requires annual review by certain individuals. Present law provides for a training program for certain individuals involved in responding to reports of sexually oriented criminal offenses. Proposed law requires such training to be conducted annually, changes reference to "power-based violence," expands the individuals for which such training is to be provided, and requires such additional information on trauma-informed interactions, Title IX requirements, state law on power-based violence, and resources for victims. Requires the BOR to annually review and revise as needed the annual training program in coordination with the attorney general and in consultation with state or local victim services organizations. Requires institutions to communicate with one another regarding the transfer of any student against whom a complaint has been reported to the Title IX coordinator and to withhold transcripts until such investigation and adjudication is complete. Requires information and instruction to students on reporting power-based offenses. Requires institutions to publish results of anonymous power-based violence climate surveys on their websites.

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Staff Director