

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: **HB 608** HLS 24RS 89

Bill Text Version: **ENGROSSED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: April 9, 2024	8:42 AM	Author: WILDER
Dept./Agy.: Statewide		Analyst: Tanesha Morgan
Subject: Woman's Safety and Protection Act		

CIVIL/LAW

EG SEE FISC NOTE GF EX See Note

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Provides with respect to the definition of male and female

Proposed law Woman's Safety and Protection Act that provide protections for women and girls against sexual assault and harassment committed by biological men. It would require separate accommodations in certain contexts where biology, safety, or privacy are implicated. This includes requiring separate restrooms in public schools, separate areas in domestic violence shelters, and separate areas in correctional facilities and juvenile detention centers. There are some exceptions allowing entry such as for custodial services, medical assistance, law enforcement assistance, or during emergencies. Proposed law also establishes that requiring biological females to be housed with biological males in these contexts is presumed to be inherently discriminatory. Proposed law defines relevant terms such as "female," "male," "man," and "woman" in biological terms. It specifies that any law distinguishing between the sexes is subject to intermediate scrutiny, which allows such distinctions only when there is an important governmental interest. Remedies are provided for violations, including injunctive relief, damages, and attorney fees.

EXPENDITURES	2024-25	2025-26	2026-27	2027-28	2028-29	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	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total						
REVENUES	2024-25	2025-26	2026-27	2027-28	2028-29	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	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

Proposed law requires domestic violence shelters, public schools, correctional facilities, and juvenile detention facilities to designate restrooms, changing rooms, and sleeping quarters for use by only one biological sex. Proposed law also specifies that during any public school authorized activity or event where students share sleeping quarters, no student shall share sleeping quarters with a member of the opposite sex. It is unclear if co-ed housing on university campuses is considered a "public school authorized activity or event." **To the extent that co-ed housing on university campuses is considered a "public school authorized activity or event," universities may incur costs associated with providing non-co-ed housing options for students.**

Proposed law also provides for remedies for violations of proposed law to include damages and attorney fees. To the extent that an agency is named in a civil suit for violation of proposed law, the state may be liable for monetary damages.

REVENUE EXPLANATION

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

Senate

Dual Referral Rules

House

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

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

Patrice Thomas
Deputy Fiscal Officer