

Department of Planning and Budget

2002 Fiscal Impact Statement

1. **Bill Number:** SB102

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. **Patron:** Howell

3. **Committee:** Commerce and Labor

4. **Title:** Employment; discrimination on the basis of genetic testing

5. **Summary/Purpose:** The bill prohibits employers from (i) soliciting or requiring a genetic test, and (ii) making an adverse employment decision affecting a current or prospective employee solely on the basis of the results of a genetic test. "Genetic test" is defined as a test for determining the presence or absence of genetic characteristics in an individual in order to diagnose a genetic characteristic. The bill creates a private cause of action for an aggrieved individual, and the court may award actual and punitive damages, injunctive relief, and attorney's fees.

6. **Fiscal impact estimates are:** Preliminary.

6a. Expenditure impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2001-02	\$0	0.00	NA
2002-03	\$57,388	1.00	0100
2003-04	\$57,388	1.00	0100

7. **Budget amendment necessary:** Yes, Item 117, "Regulation of Business Practices," of House Bill 30 should be increased by \$57,388 each year.

8. **Fiscal implications:** The Department of Labor and Industry estimates that providing labor law services in response to complaints of discrimination as a result of the bill will require one additional full-time Hearing and Legal Services Officer II position (\$50,606) and related non-personal services costs of \$6,782 annually.

9. **Specific agency or political subdivisions affected:** Department of Labor and Industry.

10. **Technical amendment necessary:** No.

11. **Other comments:** None.

Date: 01/14/02 kbs

Document: G:\02Fis\Sb102.Doc Kendra Shifflett
cc: Secretary of Commerce and Trade