

Department of Planning and Budget 2002 Fiscal Impact Statement

1. Bill Number: SB102

House of Origin	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> 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 and injunctive relief. The bill states that nothing in this section shall be construed to require the Department of Labor and Industry to conduct investigations or enforcement actions.

6. Fiscal impact estimates are: See item 8.

7. Budget amendment necessary: No.

8. Fiscal implications: Because the Senate Bill as amended specifies that it does not require the Department of Labor and Industry to investigate or enforce violations of the provisions, there is no fiscal impact to the state beyond possible undetermined court system expenses related to increased caseload.

9. Specific agency or political subdivisions affected: Department of Labor and Industry, court system.

10. Technical amendment necessary: No.

11. Other comments: None.

Date: 1/31/02 kbs

Document: G:\02Fis\Sb102e.Doc Kendra Shifflett

cc: Secretary of Commerce and Trade