

## Department of Planning and Budget

### 2014 Fiscal Impact Statement

1. **Bill Number:** HB417

|                        |                                                |                                     |                                    |
|------------------------|------------------------------------------------|-------------------------------------|------------------------------------|
| <b>House of Origin</b> | <input checked="" type="checkbox"/> Introduced | <input type="checkbox"/> Substitute | <input type="checkbox"/> Engrossed |
| <b>Second House</b>    | <input type="checkbox"/> In Committee          | <input type="checkbox"/> Substitute | <input type="checkbox"/> Enrolled  |

2. **Patron:** Simon

3. **Committee:** General Laws

4. **Title:** Virginia Human Rights Act; public employment, prohibited discrimination, sexual orientation.

5. **Summary:** Prohibits discrimination in employment based on sexual orientation. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" does not include any person's attraction towards persons with whom sexual conduct would be illegal due to the age of the parties. The bill also codifies existing prohibited discrimination in public employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran. The bill contains technical amendments.

6. **Budget Amendment Necessary:** Yes.

7. **Fiscal Impact Estimates:** See Item 8.

**7a. Expenditure Impact:**

| <i>Fiscal Year</i> | <i>Dollars</i> | <i>Positions</i> | <i>Fund</i> |
|--------------------|----------------|------------------|-------------|
| 2015               | \$143,179      | 2                | GF          |

8. **Fiscal Implications:** There is potential there would be a fiscal impact on the Office of the Attorney General as the Division of Human Rights would likely see an increase of employment discrimination complaints based on the new protected status under the provisions of this bill, though it is uncertain if this would necessitate an increase in staff. If there is a spike in cases, one attorney and one administrative staff might be required. The total estimate for their salaries including benefits is \$143,179. Likewise, there could be a similar increase against state agencies based on the additional protected classes that would have to be defended through the grievance process and possibly litigation. The provisions of this bill are not expected to create a cost to the Department of Human Resource Management.

9. **Specific Agency or Political Subdivisions Affected:** Department of Human Resource Management, Office of the Attorney General and Department of Law, and other State agencies.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** House Bill No. 417 is similar to House Bill No. 562.