

Department of Planning and Budget 2015 Fiscal Impact Statement

1. Bill Number: HB2081

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

2. Patron: Peace

3. Committee: Commerce and Labor

4. Title: Employers; disclosure of social media account information.

5. Summary: Prohibits an employer from requiring, requesting, or causing a current or prospective employee to disclose the username and password to the current or prospective employee's social media account. The measure also prohibits an employer from (i) requiring an employee to add an employee, a supervisor, or an administrator to the list or contacts associated with the employee's social media account or (ii) changing the privacy settings associated with the employee's social media account.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Preliminary. See Item 8, below.

8. Fiscal Implications: It is anticipated that any expenditure impact to the Department of Labor and Industry can be absorbed with existing resources. The bill does not require enforcement but DOLI expects the agency will respond to inquiries.

According to the Department of Human Resource Management, it is anticipated this bill should have no fiscal impact on state government agencies covered by the Virginia Personnel Act. An employee or prospective employee may be required to undergo a background check or investigation, which can include a review of driving records, financial histories, fingerprint-based criminal history reports, credit reports, employment histories, etc. This process may also include a web search of publicly available information to determine employment suitability, but no one is required to disclose usernames and passwords to their social media accounts. Employees are also not required to include agency supervisors or colleagues in their social networks.

9. Specific Agency or Political Subdivisions Affected: Department of Labor and Industry; Department of Human Resource Management; all state agencies.

10. Technical Amendment Necessary: No.

11. Other Comments: None.