

Department of Planning and Budget 2019 Fiscal Impact Statement

1. Bill Number: SB1724

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

2. Patron: Norment

3. Committee: Passed Both Houses

4. Title: Employment records; written request from employee; subpoena duces tecum; penalty for failure to provide.

5. Summary: Provides that an employer shall furnish a copy of certain employment records or papers within 30 days of receipt of a written request of a current or former employee or employee's attorney. The bill provides that the employer may charge a reasonable fee to comply with such a request. The bill further provides that a subpoena duces tecum may be issued upon the failure of an employer to comply with such a written request and that if the court finds that an employer willfully refused to comply with such a written request, as outlined in the bill, the court may award damages for all expenses incurred by the employee. The bill provides that copies of an employee's records or papers may be withheld from such employee if the employee's treating physician or clinical psychologist states that providing such records to such employee would be reasonably likely to endanger the life or physical safety of the employee or another person.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: It is anticipated any costs the courts may incur as a result of this bill can be absorbed within existing resources.

It is anticipated that this bill will not result in a fiscal impact to the Department of Labor and Industry, as the agency would have no role in enforcing the provisions of this bill.

9. Specific Agency or Political Subdivisions Affected: Department of Labor and Industry; courts.

10. Technical Amendment Necessary: No.

11. Other Comments: None.