

## Department of Planning and Budget 2020 Fiscal Impact Statement

**1. Bill Number:** HB416

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

**2. Patron:** Cole, J.G.

**3. Committee:** Commerce and Labor

**4. Title:** Wage or salary history; inquiries prohibited, civil penalty.

**5. Summary:** This bill prohibits a prospective employer from (i) requiring as a condition of employment that a prospective employee provide or disclose the prospective employee's wage or salary history, (ii) attempting to obtain the wage or salary history of a prospective employee from the prospective employee's current or former employers, (iii) requesting a prospective employee to complete an application for employment that includes a question inquiring about the prospective employee's wage or salary history, or (iv) asking a prospective employee in an employment interview any question intended to obtain information about the prospective employee's wage or salary history. Violations are subject to a civil penalty not to exceed \$100 per violation.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Indeterminate, see item 8.

**8. Fiscal Implications:** The fiscal impact and the number of wage inquiries anticipated as a result of this bill are indeterminate. Pursuant to the provisions of this bill, The Department of Labor and Industry's (DOLI) Labor Law Division would have to notify employers of alleged violations. As such, the agency may require additional staff to support notification activity, informal conferences, determine the amount of any imposed penalties, and collect assessed penalties. Additionally, there could be IT costs associated with tracking these cases. Currently, DOLI's Labor Law Division does not conduct these activities.

Violations of the provisions of this bill are subject to a civil penalty of up to \$100, which would be deposited to the Literary Fund.

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

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

**11. Other Comments:** None.