

Department of Planning and Budget 2009 Fiscal Impact Statement

1. Bill Number: HB1812

House of Origin	<u>X</u>	Introduced	<u> </u>	Substitute	<u> </u>	Engrossed
Second House	<u> </u>	In Committee	<u> </u>	Substitute	<u> </u>	Enrolled

2. Patron: Morrissey

3. Committee: Courts of Justice

4. Title: Questioning employees about criminal convictions; prohibits employer from asking about certain.

5. Summary: Prohibits a state agency employer from asking an existing or prospective employee about the individual's record of arrests or convictions, unless the question refers to an arrest or conviction that occurred within the preceding eight years or was for a violent felony. An employer may not take negative employment actions against an individual based on a response to a prohibited question. A violation is punishable by a \$500 civil penalty.

6. Fiscal Impact Estimates: Not Available

7. Budget Amendment Necessary: No

8. Fiscal Implications: To the extent that state agencies currently ask questions regarding criminal convictions on job applications, there may be a small impact involved with modifying the forms. This impact is not expected to be significant. There may also be an impact on the court system in that this creates a new civil penalty which could result in additional civil proceedings. It is difficult to estimate how many new cases would result. However, there is no specific basis to project a significant impact on courts' dockets.

9. Specific Agency or Political Subdivisions Affected: All state agencies

10. Technical Amendment Necessary: No

11. Other Comments: None

Date: 1/16/2009 JDH

Document: G:\EFIS\2009\HB1812-EmployeesCriminalConvictions-State\HB1812.DOC

cc: Secretary of Administration