

Department of Planning and Budget

2019 Fiscal Impact Statement

1. **Bill Number:** HB1713

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

2. **Patron:** Delaney

3. **Committee:** Commerce and Labor

4. **Title:** Employment; prohibited retaliatory action.

5. **Summary:** Prohibits an employer from discharging, disciplining, threatening, discriminating against, penalizing, or taking other retaliatory action against an employee regarding the employee's compensation, terms, conditions, location, or privileges of employment because the employee (i) reports a violation or suspected violation of any federal or state law or regulation to a supervisor or to any governmental body or law-enforcement official; (ii) is requested by a governmental body or law-enforcement official to participate in an investigation, hearing, or inquiry; (iii) refuses to engage in a criminal act that would subject the employee to criminal liability; (iv) refuses an employer's order to perform an action that the employee believes, which belief has an objective basis in fact, violates any federal or state law or regulation and the employee informs the employer that the order is being refused for that reason; or (v) provides information to or testifies before any governmental body or law-enforcement official conducting an investigation, hearing, or inquiry into any alleged violation by the employer of federal or state law or regulation. A person who alleges a violation of this chapter may bring a civil action seeking injunctive relief, reinstatement, and compensation for lost wages, benefits, and other remuneration.

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

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

8. **Fiscal Implications:** The Department of Labor and Industry (DOLI) currently has whistleblower provisions that would track the provisions of this bill when a violation of safety and health law or regulation is alleged. DOLI anticipates that this bill may result in fewer safety and health whistleblower complaints brought to DOLI as this bill allows the employee to go directly to court and have a longer period to bring a whistleblower complaint, and may lead to more involvement by DOLI's compliance officers in litigation brought by the employee under the bill. However, estimates regarding potential workload increases or decreases are indeterminate.

It is anticipated that any expenditure impact from this bill on the court system can be absorbed within existing resources.

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

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

11. **Other Comments:** None.