

Department of Planning and Budget 2019 Fiscal Impact Statement

1. Bill Number: HB1916

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: Yancey

3. Committee: Passed Both Houses

4. Title: Employment; break to express breast milk.

5. Summary: Requires the Department of Human Resource Management to develop state personnel policies that provide break time for nursing mothers to express breast milk. Such policies shall require an agency to provide (i) a reasonable break time for an employee to express breast milk for her nursing child after the child's birth each time such employee has need to express the breast milk and (ii) a place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public and that may be used by an employee to express breast milk.

6. Budget Amendment Necessary: No.

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

8. Fiscal Implications: This bill will require the Department of Human Resource Management (DHRM) to develop a formal policy; it is anticipated that any costs to do so can be absorbed within existing resources. According to DHRM, there may be an indeterminate fiscal impact on an agency depending on the availability of appropriate space for nursing.

This bill will affect the Department of Social Services (DSS) because the agency funds state-supported local employees; other state agencies that fund state-supported local employees may also be affected. Employees at local departments of social services (LDSS) are considered employees of the locality in which the LDSS is located. However, DSS disseminates an administrative and human resources manual to local departments. This manual requires LDSS to abide by all applicable local, state, and federal laws and regulations affecting employment. If DHRM develops a state personnel policy addressing the needs laid out in the bill, DSS will discuss the inclusion of that policy in the LDSS manual with applicable stakeholders. If LDSS are required to follow the DHRM state personnel policy, the effective number of work hours may decrease for women who choose to utilize these breaks; however, the bill does not require an employee be paid for these breaks. Additionally, the local departments of social services will need to make reasonable efforts to provide an area in which a woman can take one of these breaks in privacy. This requirement may create a potential space issue that the locality will need to address.

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

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

10. Technical Amendment Necessary: No.

11. Other Comments: None.