

## Department of Planning and Budget

### 2019 Fiscal Impact Statement

**1. Bill Number:** SB1708

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

**2. Patron:** Edwards

**3. Committee:** Courts of Justice

**4. Title:** Law-Enforcement Officers Procedural Guarantee Act; hearing panel decisions.

**5. Summary:** Makes final and binding the decision of the hearing panel conducting a hearing to review an action that dismisses, demotes, suspends, or transfers a law-enforcement officer for punitive reasons, if such decisions are consistent with law and written policy. Under current law, the hearing panel only provides advisory recommendations. The bill allows either party to the hearing to petition the circuit court of the locality in which the grievant is employed for an order requiring the implementation of the final decision of the hearing panel.

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

**7. Fiscal Impact Estimates:** Preliminary - see Item 8.

**8. Fiscal Implications:** The proposed legislation may have a fiscal impact; however, the costs are expected to be minimal.

The Law Enforcement Procedural Guarantee Act provides law-enforcement officers with the option of using a hearing panel in lieu of filing a grievance for disputes over certain disciplinary actions. The recommendation of the hearing panel is advisory only; however, the proposed legislation would make the final decisions of the hearing panel binding. The proposed legislation also states that the hearing panel decision is final and binding if consistent with law and written policy. The Department of Human Resource Management's (DHRM) Employment Dispute Resolution Services would have to review hearing panel decisions to determine if they were consistent with law and written policy.

Based on the number of grievances filed by law-enforcement officers with DHRM's Employment Dispute Resolution Services, the projected number of hearings filed pursuant to the passage of this legislation is expected to be minimal. According to DHRM, the projected number of hearings is expected to be no more than 10. Based on the projected number of hearings, DHRM expects to absorb the additional workload within the Employment Dispute Resolution Services existing staff. The fiscal impact for impacted state agencies is also expected to be minimal based on the projected number of hearings that would result from the passage of this legislation.

**9. Specific Agency or Political Subdivisions Affected:** Department of Human Resource Management, Attorney General and Department of Law, state agencies that employ law-enforcement officers, and circuit courts.

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

**11. Other Comments:** None.