

## Department of Planning and Budget 2020 Fiscal Impact Statement

**1. Bill Number:** HB1200

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

**2. Patron:** Kathy K. L. Tran

**3. Committee:** General Laws

**4. Title:** Virginia Human Rights Act; creation of cause of action for discrimination based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, or age.

**5. Summary:** Creates a cause of action against any employer of one or more persons who engages in unlawful discrimination against any employee on the basis of race, color, religion, national origin, sex, pregnancy, or childbirth or related medical conditions, including lactation. The bill also creates a cause of action against any employer of one or more persons who unlawfully discriminates against an employee on the basis of age if the employee is 40 years of age or older. Under current law, an employee who has been discriminated against on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, including lactation, or age may only file an action against his employer if the employee is discharged by the employer on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, including lactation, or age. The bill permits a court, in cases where the employee prevails, to award compensatory or punitive damages in an amount of up to \$25,000 and attorney fees. The bill provides that the provisions creating a cause of action against an employer who engages in unlawful discriminatory practices against an employee shall apply only to unlawful discriminatory practices that occur or are alleged to have occurred on or after July 1, 2020.

**6. Budget Amendment Necessary:** Yes, Item 61.

**7. Fiscal Impact Estimates:**

**7a. Expenditure Impact:**

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2020			
2021	\$370,856	3	General Fund
2022	\$370,856	3	General Fund
2023	\$370,856	3	General Fund
2024	\$370,856	3	General Fund
2025	\$370,856	3	General Fund
2026	\$370,856	3	General Fund

- 8. Fiscal Implications:** The Attorney General and Department of Law indicates this bill will expand duties of the Division of Human Rights requiring an additional attorney, paralegal, and administrative staff. Several similar bills require additional resources for the Division of Human Rights, if these similar bills pass no additional resources will be required above those listed in this impact statement.
- 9. Specific Agency or Political Subdivisions Affected:** Office of the Attorney General and Department of Law
- 10. Technical Amendment Necessary:** No.
- 11. Other Comments:** Similar to HB3, HB6, HB7, HB23, HB99, HB217, HB357, HB827, HB1418, HB1663, SB66, SB97, SB866