

Department of Planning and Budget 2020 Fiscal Impact Statement

1. Bill Number: SB866

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

2. Patron: Barbara A. Favola

3. Committee: General Laws and Technology

4. Title: Virginia Human Rights Act; discrimination on the basis of pregnancy, childbirth, or related medical conditions.

5. Summary: Creates a cause of action against any employer employing more than five but fewer than 15 persons who engages in an unlawful discriminatory act against any employee on the basis of pregnancy, childbirth, or related medical conditions. Under current law, an employee who has been discriminated against on the basis of pregnancy, childbirth, or related medical conditions may only file an action against his employer if the employee is discharged by the employer on the basis of sex. The bill permits a court, in cases where the employee prevails, to award compensatory or punitive damages, and attorney fees not to exceed 25 percent of the amount awarded. The bill also clarifies that for purposes of the cause of action, discrimination on the basis of pregnancy, childbirth, or related medical conditions includes discrimination against a person because such person may become pregnant or has been pregnant.

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. The Department of Human Resource Management indicates this bill presents no fiscal impact to Executive branch agencies.

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, HB1200, HB1418, HB1663, SB66, SB97