

Department of Planning and Budget 2023 Fiscal Impact Statement

1. Bill Number: HB1616

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Clark

3. Committee: Commerce and Energy

4. Title: Workplace violence policy required for certain employers; civil penalty.

5. Summary: Requires any employer of 100 or more employees to develop, implement, and maintain a workplace violence policy no later than January 1, 2024. The bill includes requirements for such a policy, such as procedures and methods for employee reporting of incidents and post-incident investigations. Employers subject to the bill are required to maintain documentation of workplace violence incidents for not less than five years. An employer that violates the provisions of the bill shall be subject to a civil penalty of not more than \$1,000 per violation. The bill prohibits retaliation from an employer on the basis of reporting a workplace violence incident and provides that any employee who makes a report of workplace violence shall be immune from civil liability.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Preliminary

8. Fiscal Implications: The Department of Labor and Industry would be responsible for enforcement of this bill. The department anticipates that it will be able to absorb any increase in complaints as a result of the bill with existing resources.

Employers who fail to comply with this bill would be subject to civil penalties of up to \$1,000 per violation. The revenue from such fines would be deposited into the Literary Fund. Because the number of violations is unknown, the revenue impact is indeterminate. No fines can be assessed under this bill prior to July 1, 2025.

9. Specific Agency or Political Subdivisions Affected: Department of Labor and Industry

10. Technical Amendment Necessary: No

11. Other Comments: None