

Department of Planning and Budget

2023 Fiscal Impact Statement

1. Bill Number: SB1126

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

2. Patron: Hackworth

3. Committee: Passed Both Houses

4. Title: Department of Labor and Industry; Department of Professional and Occupational Regulation; notice of disciplinary action; method of delivery to allow for confirmation of delivery

5. Summary: Authorizes the use of commercial delivery services with signed and dated acknowledgment of delivery by the Commissioner of Labor and Industry when providing notice to an employer of any proposed penalty for a violation of a safety or health provision or of the employer's failure to abate a violation of a safety or health provision. Under current law, the Commissioner is authorized to provide such required notices only through certified mail or personal service. The bill also requires the regulatory boards of the Department of Professional and Occupational Regulation (DPOR) to send to any regulant subject to a disciplinary action notice in a manner that allows for confirmation of delivery. The bill removes the current requirement that such notice be sent by certified mail, return receipt requested, and retains the provision allowing delivery through electronic means, if agreed to by the parties.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: Final.

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2024	(\$3,100)	-	NGF
2025	(\$3,100)	-	NGF
2026	(\$3,100)	-	NGF
2027	(\$3,100)	-	NGF
2028	(\$3,100)	-	NGF
2029	(\$3,100)	-	NGF

8. Fiscal Implications: It is anticipated that this bill will result in a reduction in nongeneral fund expenditures by DPOR. It is anticipated that any fiscal impact this bill may have to the Department of Labor and Industry can be absorbed within existing resources.

Department of Professional and Occupational Regulation

This bill revises the administrative responsibilities of DPOR by authorizing the use of commercial delivery services that provide confirmation of delivery when sending disciplinary action notices to regulants. It is anticipated that DPOR will realize some cost savings by reducing the need for follow up and the re-sending of notices not delivered or delivered in an untimely manner. The anticipated savings consists of lower delivery costs and a reduction of the need of temporary staffing to complete follow-up tasks. DPOR estimates these savings total approximately \$3,100 per year. Commercial carrier rates and United States Postal Service certified mail rates are similar and any difference in cost is anticipated to be negligible.

9. Specific Agency or Political Subdivisions Affected: Department of Professional and Occupational Regulation, Department of Labor and Industry.

10. Technical Amendment Necessary: No.

11. Other Comments: This bill is identical to HB2179 as introduced.