

FISCAL NOTE
LEGISLATIVE FISCAL ANALYST ESTIMATE

ESTIMATE OF FISCAL IMPACT – STATE AGENCIES (See narrative for political subdivision estimates)				
	FY 2021-22		FY 2022-23	
	EXPENDITURES	REVENUE	EXPENDITURES	REVENUE
GENERAL FUNDS				
CASH FUNDS				
FEDERAL FUNDS				
OTHER FUNDS				
TOTAL FUNDS				

Any Fiscal Notes received from state agencies and political subdivisions are attached following the Legislative Fiscal Analyst Estimate.

This bill amends the Nebraska Fair Employment Practice Act. Except as voluntarily provided by an applicant, employers would be prohibited from inquiring about, seeking or requiring disclosure of an applicant's wage history. Employers cannot retaliate against a job applicant for failing to comply with a wage history request. An applicant's wage history cannot be used for determining wages.

This establishes a new violation of the Nebraska Fair Employment Practice Act. There is very little information on which to base an estimate. Laws in other states have only recently been enacted, so they do not provide sufficient information on what the volume might be. As these are a state-only violations, there will not be any federal funding available. The agency has indicated at this point they believe the additional charges can be handled within existing resources.

ADMINISTRATIVE SERVICES STATE BUDGET DIVISION: REVIEW OF AGENCY & POLT. SUB. RESPONSE		
LB: 249	AM:	AGENCY/POLT. SUB: Nebraska Equal Opportunity Commission (67)
REVIEWED BY: Joe Wilcox	DATE: 01/19/2021	PHONE: (402) 471-4178
COMMENTS: No basis to dispute the Nebraska Equal Opportunity Commission (NEOC) estimate of potential, but Indeterminate Fiscal Impact to the Agency from LB 249.		

Please complete ALL (5) blanks in the first three lines.

2021

LB⁽¹⁾ 249

FISCAL NOTE

State Agency OR Political Subdivision Name: ⁽²⁾ Equal Opportunity Commission

Prepared by: ⁽³⁾ Kathy Bogenreif / Marna Munn Date Prepared: ⁽⁴⁾ 1-14-21 Phone: ⁽⁵⁾ 402-471-4061

ESTIMATE PROVIDED BY STATE AGENCY OR POLITICAL SUBDIVISION

	<u>FY 2021-22</u>		<u>FY 2022-23</u>	
	<u>EXPENDITURES</u>	<u>REVENUE</u>	<u>EXPENDITURES</u>	<u>REVENUE</u>
GENERAL FUNDS	_____	_____	_____	_____
CASH FUNDS	_____	_____	_____	_____
FEDERAL FUNDS	_____	_____	_____	_____
OTHER FUNDS	_____	_____	_____	_____
TOTAL FUNDS	=====	=====	=====	=====

Explanation of Estimate:

Because this bill would create an entirely new basis for investigation, we do not have a way to estimate the possible number of new charges this bill could generate. Other States with comparable laws, enacted their legislation too recently to have sufficient data from which to set expectations. This new basis would be a state-based only claim, for which we would not receive any reimbursement from the EEOC, creating some possible budget impact. However, currently we believe the NEOC has the resources and personnel to provide education and outreach regarding this new cause of action and to investigate charges filed under this basis, until enough history exists to evaluate otherwise.

BREAKDOWN BY MAJOR OBJECTS OF EXPENDITURE

Personal Services:

<u>POSITION TITLE</u>	<u>NUMBER OF POSITIONS</u>		<u>2021-22</u>	<u>2022-23</u>
	<u>21-22</u>	<u>22-23</u>	<u>EXPENDITURES</u>	<u>EXPENDITURES</u>
Benefits.....	_____	_____	_____	_____
Operating.....	_____	_____	_____	_____
Travel.....	_____	_____	_____	_____
Capital outlay.....	_____	_____	_____	_____
Aid.....	_____	_____	_____	_____
Capital improvements.....	_____	_____	_____	_____
TOTAL.....	_____	_____	_____	_____