

February 24, 2020

The Honorable Sean Tarwater, Chairperson
House Committee on Commerce, Labor and Economic Development
Statehouse, Room 151D-S
Topeka, Kansas 66612

Dear Representative Tarwater:

SUBJECT: Fiscal Note for HB 2643 by Representative S. Ruiz

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2643 is respectfully submitted to your committee.

HB 2643 would make it an unlawful employment practice to require as a condition of employment that an employee refrain from inquiring about, discussing or disclosing the employee's wages or the wages of another employee; require an employee to sign a waiver or other document that purports to deny an employee the right to disclose or discuss the employee's wages; or discharge, formally discipline or otherwise discriminate against an employee for inquiring about, discussing or disclosing the employee's wages or the wages of another employee.

The bill would allow any employee who has been discharged, discriminated or retaliated against for the above actions to be reinstated and recover reimbursement for lost wages and work benefits. Additionally, an employee may seek relief through a civil action.

The Kansas Department of Labor indicates that enforcing the new employment standards contained in HB 2643 would increase the number of claims handled by the Department. However, the Department is unable to estimate the fiscal effect from the additional claims because the number of cases that would result from enactment of the bill is unknown.

The Office of Judicial Administration indicates the bill could increase the number of cases filed in district courts, which would increase the amount of time spent by court personnel to process, research and hear cases. Also, the bill could result in the collection of additional docket fees from the increase in cases filed. However, the Office is unable to estimate the fiscal effect because the number of cases that would result from the bill's passage is unknown.

According to the Department of Administration Office of Personnel Services, the bill would have no fiscal effect on the Department or any other Executive Branch agency. Any fiscal effect associated with HB 2643 is not reflected in *The FY 2021 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "L. L. Campbell". The signature is written in a cursive style with a large initial "L" and a smaller "L" followed by "Campbell".

Larry L. Campbell
Director of the Budget

cc: Dawn Palmberg, Department of Labor
Mary Rinehart, Judiciary
Jeff Scannell, Department of Administration