

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL NOTE

SB 42 - HB 1297

February 27, 2013

SUMMARY OF BILL: Prohibits the state from discriminating or granting preferential treatment based on race, sex, color, ethnicity, or national origin in all aspects of public employment, public education, and public contracting. Defines “sex” as only the male or female designation shown on a person’s birth certificate. Defines “state” as the state of Tennessee, any political subdivision thereof, all public higher education systems, and any other entity or instrumentality of the state that derives its authority from the state. This bill would not prohibit bona fide occupational qualifications based on sex that are reasonably necessary for the normal and efficient operation of public employment, public education, or public contracting; would not invalidate any court order or consent decree effective prior to the enactment of this bill; and would not prohibit action required for any federal program or federally-funded program.

ESTIMATED FISCAL IMPACT:

**Increase State Expenditures - \$18,500/One-Time
\$86,700/Recurring**

Assumptions:

- This bill will not interfere with any federal program or federally-funded program.
- According to the Departments of General Services, Human Resources, and Human Services this bill will not result in a significant fiscal impact to their operations.
- According to the Tennessee Housing Development Agency, this bill would require standardized forms to be reprinted, and the agency’s website to be updated to comply with the new requirements. The expense of these changes can be accommodated within existing resources without an increased appropriation or a reduced reversion.
- According to the Human Rights Commission (THRC), this bill will result in an increase in the number of complaints THRC will receive and be required to investigate. THRC will require two additional positions as well as further agency training with regard to the new protected class, ethnicity, and the expanded areas for the scope of investigations, public education, and public contracting. One new intake position and one new investigator position will be needed.
- The increase in recurring state expenditures is \$41,820 for the additional investigator reflecting salary (\$31,140), benefits (\$4,680.34) and insurance (\$5,999.28) and \$44,911.63 for the additional intake position reflecting salary (\$33,828), benefits (\$5,084.35) and insurance (\$5,999.28).
- Total recurring costs will be \$86,731.25 (\$41,819.62 + \$44,911.63).

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- The one-time increase in state expenditures for statewide agency training costs is estimated to be \$15,000 and \$3,472 for the two additional positions. Total one-time costs will be \$18,472 (\$15,000 + \$3,472)
- Any fiscal impact to local government is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Lucian D. Geise, Executive Director

/lsc