

Fiscal Estimate - 2011 Session

Original
 Updated
 Corrected
 Supplemental

LRB Number 11-1810/1	Introduction Number AB-0122
Description Permitting an educational agency to refuse to employ or to terminate from employment an unpardoned felon	
Fiscal Effect	
State:	
<input checked="" type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate	
<input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Decrease Existing Appropriations <input type="checkbox"/> Create New Appropriations	<input type="checkbox"/> Increase Existing Revenues <input type="checkbox"/> Decrease Existing Revenues <input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Decrease Costs
Local:	
<input checked="" type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate	
1. <input type="checkbox"/> Increase Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory
5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts	
Fund Sources Affected	
<input type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS	
Affected Ch. 20 Appropriations	
Agency/Prepared By DOC/ Anna Oehler (608) 240-5524	Authorized Signature Melissa Roberts (608) 240-5055
Date 5/3/2011	

Fiscal Estimate Narratives

DOC 5/3/2011

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Description Permitting an educational agency to refuse to employ or to terminate from employment an unpardoned felon					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, discrimination in employment based on conviction record is prohibited, subject to certain exceptions. For instance, current law specifies that it is not employment discrimination because of conviction record to refuse to employ or to terminate from employment an individual who has been convicted of a felony, misdemeanor, or other offense, the circumstances of which substantially relate to the circumstances of the particular job.

This bill specifies that it is not employment discrimination because of conviction record for an educational agency to refuse to employ or to terminate from employment an individual who has been convicted of a felony and who has not been pardoned for that felony, whether or not the circumstances of the felony substantially relate to the circumstances of the particular job. Under the bill, an "educational agency" includes state prisons and juvenile correctional facilities.

The Department of Corrections already has stringent requirements for personnel screening and does not hire applicants who possess a conviction record when the conviction relates to the circumstances of the particular job. Also, discontinuance of employment occurs based on offense conviction record when the conviction relates to the circumstances of the job. It is not anticipated that there will be any fiscal impact on the Department as a result of this legislation.

The definition of "educational agencies," in the bill does not extend to local county jails, and therefore has no fiscal impact on those facilities.

Long-Range Fiscal Implications