

Fiscal Estimate Narratives
DPI 7/2/2019

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| LRB Number 19-0045/1 | Introduction Number AB-0319 | Estimate Type Original |
| Description discrimination in employment, housing, public accommodations, education, insurance coverage, jury duty, and the receipt of mental health or vocational rehabilitation services | | |

Assumptions Used in Arriving at Fiscal Estimate

This bill adds gender identity or gender expression as a prohibited basis for discrimination in employment, housing, and the equal enjoyment of a public place of accommodation or amusement. The bill prohibits the UW System, the Technical College System, public elementary and secondary schools, and charter schools from discriminating against a student on the basis of the student's gender identity or gender expression; and prohibits exclusion of a person from jury duty on the basis of the person's gender identity or gender expression. This bill also removes sex as a bona fide occupational qualification.

Under this bill, no person may be denied admission to any public school or be denied participation in, be denied the benefits of, or be discriminated against in any curricular, extracurricular, pupil services, recreational, or other program or activity because of the person's gender identity or gender expression.

Under this bill, no discrimination because of gender identity or gender expression may be practiced in the employment of teachers or administrative personnel in public schools or in their assignment or reassignment. No questions of any nature or form relative to gender identity or gender expression may be asked applicants for teaching or administrative positions in the public schools either by public school officials or employees or by teachers agencies or placement bureaus.

Finally, this bill adds person's gender identity or gender expression as categories for which heads of all state agencies must ensure that there is no arbitrary discrimination. Under current law, all state agency heads have a responsibility to:

- Determine whether there is any arbitrary discrimination on the basis of race, religion, national origin, sex, marital status or sexual orientation as defined in s. 111.32 (13m); and,
- Examine and assess the statutes under which the head has powers or regulatory responsibilities, the procedures by which those statutes are administered, and the rules promulgated under those statutes.
- If the department or agency head finds any such discrimination, he or she shall take remedial action, including making recommendations to the appropriate executive, legislative or administrative authority.

The general impact of the bill is to expand the categories of discrimination that are prohibited in employment, housing, the equal enjoyment of a public place of accommodation or amusement, jury duty selection, and in public education. If the bill were to become law, impacted entities would presumably need to take steps to ensure that all informational materials, communications, etc. related prohibited discrimination practices are updated to reflect the law. Whether or not this would translate into a direct cost to impacted agencies is unknown, and is likely to vary by the impacted entity.

State fiscal impact: Current law already requires state agency heads to ensure that non-discrimination statutes are enforced. Expanding the types of discrimination that are prohibited is project to have zero to very minimal cost, which could be absorbed within the Department's existing appropriations.

Local: Indeterminate. It is not possible for the Department to project the potential costs of the implementing the bill's provisions to public school districts, school boards, and charter schools.

Long-Range Fiscal Implications