

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 296 - SB 371**

March 18, 2015

**SUMMARY OF BILL:** Expands the list of protected classes under the Tennessee Human Rights Act to include sexual orientation and gender identity discrimination. Defines “gender identity or expression” as having or being perceived as having a gender-related self-identity, self-image, appearance, expression, or behavior whether or not the gender-related characteristics differ from those associated with the individual’s assigned sex at birth; and “sexual orientation” as having or being perceived as having an orientation for heterosexuality, bisexuality, or homosexuality.

**ESTIMATED FISCAL IMPACT:**

**NOT SIGNIFICANT**

Assumptions:

- Currently, such classifications are not protected under state law or the State’s policy on discrimination or harassment and could result in additional claims. A five percent increase in the number of complaints is anticipated as a result of this bill.
- In FY12-13, the Tennessee Human Rights Commission investigated 681 complaints; 539 in FY13-14; and 321 from July 1, 2014 through March 10, 2015, resulting in a total of 1,541 complaint cases.
- The average annual caseload for the Commission is estimated to be 578  $\{[(681 + 539 + 321) / 32 \text{ months}] \times 12 \text{ months}\}$ .
- A five percent increase in total complaints investigated will result in an additional 29  $(578 \times 0.05)$  cases a year involving sexual orientation and gender identity discrimination.
- The Commission has 13 investigators. An additional 29 cases will result in each investigator having two additional cases  $(29/13)$  annually.
- Estimate assumes the increase in the number of complaints can be accommodated within existing resources without an increased appropriation or reduced reversion.
- Any increased cost in agency training can be accomplished during regular training sessions for the agency.
- Any additional resources needed by the Department of Human Resources to investigate an increase in claims can be accommodated within existing resources without an increased appropriation or reduced reversion.

**CERTIFICATION:**

**HB 296 - SB 371**

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

A handwritten signature in black ink that reads "Jeffrey L. Spalding". The signature is written in a cursive style with a large initial 'J' and a long, sweeping underline.

Jeffrey L. Spalding, Executive Director

/lsc