

Section 2 of HB 330 would amend KRS 337.990 to assess a civil penalty of \$100-\$1,000 against an employer who knowingly and willfully took adverse action against an employee crime victim for taking leave under the bill, or who knowingly and willfully failed to maintain confidentiality.

The impact of HB 330 on local government employers, in general, should be minimal. It is not expected that many local government employers would knowingly and willfully violate HB 330 and so incur a civil penalty.

The fiscal impact otherwise depends on the nature and duration of court or other proceedings associated with prosecution of the crime. A state district court prosecution of a pickpocket might be disposed in one or two, probably brief, appearances by a victim; a capital murder prosecution could entail innumerable court and out of court meetings and appearances, as well as a week’s long trial. An employer could incur additional costs if an employer must hire a temporary replacement for the employee, or must pay for overtime earned by co-workers covering the duties of the employee on crime victim’s leave, though most research and anecdotal evidence indicates that local government employers do not typically hire temporary workers when employees are on leave, but rather assign their work to other employees or otherwise “make do” while temporarily less than fully staffed.

Part III: Differences to Local Government Mandate Statement from Prior Versions

Part II addresses HB 330 as introduced.

Data Source(s): LRC staff; Kentucky League of Cities

Preparer: Mary Stephens **Reviewer:** KHC **Date:** 2/3/20