

An employer's violation by knowingly and willfully taking adverse action against an employee for taking leave under the bill, or knowingly and willfully failing to maintain confidentiality could result in a civil penalty of \$100-\$1,000.

The impact of HB 45 on local government employers, in general, should be minimal. It is not expected that many local government employers would knowingly and willfully violate HB 45 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, and the amount of accrued leave time the employee has. A 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 lengthy 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. 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 relates to HB 45 as introduced.

Data Source(s): Kentucky League of Cities

Preparer: Mary Stephens **Reviewer:** KHC **Date:** 1/7/21