



# Ohio Legislative Service Commission

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## Fiscal Note & Local Impact Statement

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**Bill:** S.B. 180 of the 131st G.A.

**Date:** October 6, 2015

**Status:** As Introduced

**Sponsor:** Sen. Uecker

**Local Impact Statement Procedure Required:** No

**Contents:** Prohibits an employer from discharging or discriminating against a person who exercises a constitutional or statutory right under specified circumstances

### State Fiscal Highlights

- The bill allows a person to file an unlawful discriminatory charge with the Ohio Civil Rights Commission alleging that an employer has discriminated against a person for exercising a constitutional or statutory right. If this results in additional cases for the Commission to investigate, the Commission could incur new costs. Any new costs would likely be minimal. The Commission's budget is almost entirely made up of GRF and federal funding.

### Local Fiscal Highlights

- Continuing law allows a person to bring a civil action against an employer for unlawful discriminatory practices related to employment. If the prohibition established by the bill results in additional cases being filed with municipal and county courts of common pleas, the courts could incur new costs. Any new costs would likely be minimal.

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## Detailed Fiscal Analysis

The bill prohibits an employer from discharging or otherwise discriminating against a person in any employment matter because the person exercised a constitutional or statutory right within the person's private real property or within a motor vehicle that is not owned or controlled by the employer regardless of whether the motor vehicle is located anywhere on the employer's real property. Under the bill, a person alleging a violation of this prohibition may file an unlawful discriminatory practice charge with the Ohio Civil Rights Commission seeking to remedy the unlawful practice. Continuing law procedures specify the actions the Commission may take and include investigating the charge and attempting to induce compliance through informal methods or, if necessary, by conducting a hearing and issuing an order to remedy the situation. Orders issued by the Commission may include orders to cease and desist or orders requiring back pay, reinstatement, or hiring.

If the prohibition established by the bill results in increased cases investigated by the Commission, then there may be some new costs. However, it is unlikely that many new cases would be investigated, and any new costs would likely be minimal. Overall, between FY 2010 and FY 2014 the Commission investigated an average of 2,876 employment-related cases per year. Costs for the Commission are paid from the GRF and the Federal Programs Fund (Fund 3340), although a very small portion also comes from the Civil Rights Commission General Reimbursement Fund (Fund 2170).

Municipal and county courts of common pleas may also incur new costs if the prohibition established by the bill results in additional civil actions heard by the courts. Under continuing law, a person who violates the Civil Rights Commission Law is subject to a lawsuit for damages, injunctive relief, or any other appropriate remedy. Under the bill, a person who violates the prohibition against discrimination in employment matters for the exercise of a constitutional or statutory right could be subject to a civil action. As with the Commission, the number of new court cases that might stem from this bill is likely to be small and the costs associated with handling them minimal.