

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 3574-02
Bill No.: HB 1286
Subject: Employees - Employers; Labor and Management; Law Enforcement Officers and Agencies
Type: Original
Date: February 28, 2006

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 3 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2007	FY 2008	FY 2009
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Office of State Courts Administrator**, the **Office of the Attorney General**, the **Office of Administration**, and the **Department of Labor and Industrial Relations** assume this proposal would have no fiscal impact on their organizations.

<u>FISCAL IMPACT - State Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT - Local Government</u>	FY 2007 (10 Mo.)	FY 2008	FY 2009
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

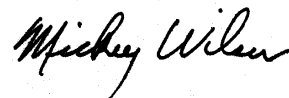
DESCRIPTION

This proposal would provide limited immunity from liability for the disclosure of job-related information about a current or former employee. An employer or designated agent who discloses job-related information to a prospective employer of a former or current employee would be presumed to be acting in good faith and immune from civil liability for the disclosure or its consequences. Job-related information would be defined as education, training, experience, qualifications, conduct, and job performance for the purpose of evaluating the person for employment. The presumption of good faith would be rebuttable, and immunity would be lost upon a showing, by clear and convincing evidence, that the information disclosed by the former employer or agent was knowingly false; disclosed with reckless disregard for the truth; deliberately misleading; rendered with malicious purpose toward the former or current employee; or the disclosure was in violation of a nondisclosure agreement or applicable law.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of State Courts Administrator
Office of the Attorney General
Office of Administration
Department of Labor and Industrial Relations



Mickey Wilson, CPA
Director
February 28, 2006