

**Department of Planning and Budget**  
**2026 General Assembly Session**  
**State Fiscal Impact Statement**

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**ORIGINAL**

**Bill Number:** SB288

**Patron:** Aird

**Bill Title:** Protection of employees; standards for heat illness prevention.

**Bill Summary:** Requires the Safety and Health Codes Board to adopt regulations establishing standards designed to protect workers from heat illness, as defined in the bill. The bill authorizes a worker aggrieved by a violation of the regulations promulgated thereunder to seek to obtain injunctive relief, to recover statutory damages of \$1,000 per violation, or both in an action commenced within one year of the cause of action. The bill requires the Safety and Health Codes Board, in consultation with the Department of Labor and Industry, to develop and adopt regulations requiring employers to implement standards for heat illness prevention by May 1, 2027.

**Budget Amendment Necessary:** Yes

**Items Impacted:** 353 (DOLI)

**Explanation:** This bill will result in expenses by the Department of Labor and Industry (DOLI) in excess of current appropriations.

**Fiscal Summary:** The bill will require DOLI to develop new regulations and enforce those regulations. DOLI anticipates new expenses totaling \$106,133 in FY 2027, and \$500,000 annually in future years.

**General Fund Expenditure Impact:**

<b>Agency</b>	<b>FY2026</b>	<b>FY2027</b>	<b>FY2028</b>	<b>FY2029</b>	<b>FY2030</b>	<b>FY2031</b>
DOLI	\$0	\$106,133	\$504,680	\$504,680	\$504,680	\$504,680
<b>TOTAL</b>	<b>\$0</b>	<b>\$106,133</b>	<b>\$504,680</b>	<b>\$504,680</b>	<b>\$504,680</b>	<b>\$504,680</b>

**Fiscal Analysis:** This fiscal impact estimate is preliminary. The fiscal impact statement will be updated as additional information is received.

This bill requires the Safety and Health Codes Board to adopt regulations establishing standards designed to protect workers from heat illness during indoor and outdoor work, as well as convene an advisory panel to assist in developing such regulations including employee advocates and employee stakeholders. DOLI anticipates that the Board will need five additional meetings at a total cost of \$22,000 in FY 2027.

Because these standards are state specific, DOLI does not anticipate any federal support for enforcement. Based on previous implementation of state specific standards for infectious disease prevention in response to COVID, DOLI anticipates the need for 120 inspections annually. The agency believes the standards will be comparable in terms of workload because they are health standards to prevent illness and impairment; have

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requirements on employers to develop policies, procedures, and prevention methods; have lack of control methodologies; and respond to ubiquitous hazards that can occur on or off the worksite.

Each inspector is expected to conduct at least 30 annual inspections, so four positions would be needed. Each additional compliance officer requires a general fund expenditure of \$123,320 for salary, fringe, and overhead for a total of \$493,280. Additionally, an annual cost of \$11,400 is anticipated to support translation services for inquiries and documents. Because the bill directs the Board to adopt the regulations no later than May 1, 2027, enforcement costs are assumed to begin on that date. The table above reflects staff and translation costs prorated to cover two months for FY 2027.

The regulations may include fines for employers who violate the standards. Revenue would be paid to the literary fund. Any amount estimates are not possible prior to establishment of the standards and the amounts of the fines. The bill also creates a civil cause of action for employees to recover damages.

**Other:** None.