

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

impacted by this bill's provisions. With these assumptions, and based on experience in other enforcement areas, if five percent (36,550) of the 731,000 workers potentially impacted by this bill seek technical assistance or file initial complaints, and three percent of those require formal investigation and enforcement action, the department will investigate 365 cases. Based on existing benchmarks in the department's payment of wage enforcement area, a compliance officer can complete approximately 100-150 investigations annually. It is anticipated that this workload may result in the need for two additional compliance officers; however, the exact amount is indeterminate. The annual cost of a compliance officer position is \$137,907. The cost of two positions would be \$275,814. In addition to new personal services costs, DOLI may need additional support to translate documents for client contacts; however, this amount is indeterminate, as the increase in volume of claims is unknown. Any general fund support can be allocated to Item 352, HB30/SB30.

The number of cases that may require legal review, penalty assessment, and pursuit of injunctive relief in circuit court is not known at this time. Depending on the increase in workload for DOLI, an additional hearings and legal services officer position may be needed. According to DOLI, based on legal workload benchmarks, it is anticipated that an attorney can handle 87-88 cases annually. The annual cost of a hearings and legal services officer position is \$168,022.

Depending on the complaint and case volume resulting from this bill, DOLI may incur one-time and ongoing information technology expenses. The agency may need to develop a module within the department's system of record to track complaints, investigations, etc. associated with the new enforcement activities provided for in this bill. DOLI estimates that developing this system would result in a one-time general fund expense of \$991,487, as well as anticipates ongoing annual maintenance costs of \$45,000.

The bill may increase civil penalty revenues that would be deposited into the general fund.

Under this section, "employer" includes the Commonwealth and any of its agencies, institutions, or political subdivisions. The Department of Human Resource Management does not anticipate a fiscal impact as a result of this bill.

Budget amendments adopted by the House provide \$6.5 million in general fund support in FY 2027 and \$3.6 million in FY 2028, and 25 positions, for the department to hire additional personnel for labor law enforcement.

Other: None.