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

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Bill Number: SB258 ER **Patron:** Pekarsky
Bill Title: Virginia Human Rights Act; reasonable accommodation for known limitations related to menopause.

Bill Summary: Amends provisions of the Virginia Human Rights Act to include menopause and perimenopause as protected characteristics in provisions governing public accommodation, employment discrimination, reasonable accommodation requirements for employers, and related definitions. The bill also directs the Commissioner of Labor and Industry, in consultation with the Commissioner of Health, to conduct a study on menopause and perimenopause in the workforce, menopause- and perimenopause-related accommodations in employment environments, and the scope of existing menopause- and perimenopause-related policies, as well as develop best practices related to menopause and perimenopause accommodations in employment environments. The bill directs the Commissioners to submit such report to the Governor and General Assembly by July 1, 2028, and to post such report on the Department of Labor and Industry's website.

Budget Amendment Necessary: No **Items Impacted:** N/A
Explanation: This bill involves the Department of Labor and Industry (DOLI), the Virginia Department of Health (VDH), and the Office of the Attorney General (OAG); however, no budget amendment is necessary.

Fiscal Summary: It is anticipated that any increase in workload or costs associated with the provisions of this bill on DOLI, VDH, and the OAG can be absorbed within existing resources. This bill may also result in an indeterminate revenue impact to the Literary Fund.

Fiscal Analysis: This fiscal impact statement is final. This bill requires the Commissioner of DOLI, in consultation with the Commissioner of Health, to conduct a study on menopause and perimenopause in the workforce, menopause- and perimenopause-related accommodations in employment environments, and the scope of existing menopause- and perimenopause-related policies. In conducting this study, the Commissioners shall develop best practices for menopause- and perimenopause-related accommodations in employment environments. The Commissioners shall submit a report of their findings and recommendations to the Governor and the General Assembly and shall publish such report on the Department of Labor and Industry's website no later than July 1, 2028. It is anticipated that any increase in workload or costs associated with the provisions of this bill can be absorbed within the existing resources of DOLI and VDH.

Under the Virginia Human Rights Act, the OAG can commence civil action if there is reasonable cause to believe that any person or group is engaged in a practice of resistance of any of the rights under this act, or that any person or group has been denied any of these rights and such denial raises an issue of general public importance. In such civil action, the court may assess a civil penalty against the respondent in an amount not exceeding $50,000 for the first violation and not exceeding $100,000 for any subsequent violation, which shall

be payable to the Literary Fund. The number of investigations or cases that the OAG may pursue related to menopause or perimenopause as a result of this bill is currently unknown; however, the increase workload is anticipated to be absorbable by the OAG.

Other: The companion to this bill is HB1173.