

## Department of Planning and Budget 2024 Session Fiscal Impact Statement

**1. Bill Number:** HB1344

**House of Origin**     Introduced     Substitute     Engrossed  
**Second House**     In Committee     Substitute     Enrolled

**2. Patron:**    McQuinn

**3. Committee:** Labor and Commerce

**4. Title:**    Employee protection; prohibited retaliation; prohibited nondisclosure and nondisparagement.

**5. Summary:** Prohibits the inclusion of a provision in any employment contract that has the purpose or effect of concealing illegal activity or activity an employee believes to be unlawful, including unlawful sexual harassment, discrimination, wage theft, and protected whistleblowing, as those terms are described in existing law. Under the bill's provisions, no employer shall discharge or otherwise retaliate against an employee, prospective employee, or independent contractor for disclosing or discussing conduct that such employee reasonably believes to be discrimination, including harassment, retaliation, a wage or hour violation, sexual assault, fraud against taxpayers, shareholders, the government, consumers, or other employees, or other conduct that is against a clear mandate of public policy. An employer that violates the provisions of the bill shall be liable for the greater of actual damages or statutory damages of \$10,000, as well as reasonable attorney fees and costs. The bill also requires employers to include in any settlement agreement or employment agreement with an employee a disclaimer that such agreement does not prohibit an employee from disclosing conduct as protected under the bill. The provisions of the bill apply to contracts entered into, renewed, modified, or amended on or after July 1, 2024.

**6. Budget Amendment Necessary:** No

**7. Fiscal Impact Estimates:** Preliminary

**8. Fiscal Implications:** It is anticipated that the Department of Labor and Industry will be able to absorb any increase in inquiries as a result of this bill with existing resources.

**9. Specific Agency or Political Subdivisions Affected:** Department of Labor and Industry, courts

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None

