



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: [H.B. 340 of the 128th G.A.](#) **Date:** April 6, 2010
Status: As Introduced **Sponsor:** Rep. Yates

Local Impact Statement Procedure Required: No — Minimal cost

Contents: Employment discrimination based on credit history

State Fiscal Highlights

STATE FUND	FY 2011 – FUTURE YEARS
Ohio Civil Rights Commission	
Revenues	- 0 -
Expenditures	Potential minimal increase due to additional caseloads

Note: The state fiscal year is July 1 through June 30. For example, FY 2010 is July 1, 2009 – June 30, 2010.

- **Ohio Civil Rights Commission.** The number of potential filings with the Commission based on credit history discrimination is unknown, but there is no evidence to suggest the number would be notably high. As such, it is unlikely the bill would generate many new cases for the Commission or increase the Commission's expenditures beyond minimal.

Local Fiscal Highlights

LOCAL GOVERNMENT	FY 2010 – FUTURE YEARS
County and Municipal Courts	
Revenues	- 0 -
Expenditures	Potential increase due to additional caseloads, unlikely to exceed minimal

Note: For most local governments, the fiscal year is the calendar year. The school district fiscal year is July 1 through June 30.

- **County and municipal courts.** The number of potential new filings with county and municipal courts based on credit history discrimination is unknown, but there is no evidence to suggest the number would be notably high. As such, it is unlikely the bill would generate many new cases for the courts or increase the courts' expenditures beyond minimal. Minimal herein means less than \$5,000 annually for any local governmental entity.

Detailed Fiscal Analysis

Overview

For the purposes of this fiscal analysis, the bill most notably:

- Specifies that it is an unlawful discriminatory practice for an employer to use a credit rating or score or consumer credit history as a factor in the employment process;
- Allows a person to file a charge with the Ohio Civil Rights Commission alleging unlawful credit history discrimination and allows the Commission to conduct a preliminary investigation in response;
- Makes an employer who uses a credit rating or score or consumer credit history as a factor in the employment process subject to civil action for damages, injunctive relief, or other appropriate relief.

In conducting the research for this bill, LSC fiscal staff spoke with representatives of the Ohio Civil Rights Commission.

State fiscal impact

Ohio Civil Rights Commission

LSC fiscal staff cannot specify the number of potential filings that the Commission may receive in any given year that are based on credit history discrimination. That said, there is no evidence to suggest the number would be notably high. As such, it is unlikely the bill would generate many new cases for the Commission or necessitate the Commission's hiring of additional staff.

For most cases filed with the Commission, the determination rendered by the Commission is "the end of the road." That is to say, though there is nothing to prevent a person from taking their allegations to the court system, the Commission's findings are generally accepted as final. Because of this and based on the feedback offered by representatives of the Commission, it does not appear that this bill will increase the Commission's expenditures in any notable way, and most likely not beyond minimal.

Local fiscal impact

County and municipal courts

The number of potential new case filings based on credit history discrimination with county and municipal courts is unknown, but LSC fiscal staff has not ascertained any evidence to suggest the number would be notably high. In fact, it is possible, though unlikely, that the bill could decrease caseloads for the local courts, as a person may opt to bypass the courts altogether and instead take their grievance directly to the Ohio Civil Rights Commission. That said, it does not appear the bill will increase

expenditures for the local courts in any notable way, and most likely not beyond minimal

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