



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 938

PRINTERS NO. 946

PRIME SPONSOR: Klunk

COST / (SAVINGS)

FUND	FY 2020/21	FY 2021/22
Commonwealth Funds	\$0	\$0
Political Subdivision Funds	\$0	\$0

SUMMARY: Creates the Disclosing Sexual Harassment in the Workplace Act, which would prohibit employers from requiring employees or prospective employees to sign a non-disclosure agreement as a condition of employment. This legislation would take effect in 60 days.

ANALYSIS: This legislation would prohibit employers from requiring any employee or prospective employee, as a condition of employment, to sign an agreement or waiver that prohibits, prevents or otherwise restricts the employee or prospective employee from opposing, disclosing, reporting or participating in an investigation of sexual harassment.

This legislation would not prohibit an employer, employee or prospective employee from voluntarily entering into a settlement agreement with a nondisclosure provision agreed to by each party as part of the settlement of a sexual harassment claim, complaint or proceeding.

Any provision of an agreement or waiver signed after the effective date which violates any provision of the Act shall be severed from the remainder of the agreement. The severed provision shall be void and unenforceable.

FISCAL IMPACT: This legislation would have no adverse fiscal impact on Commonwealth or political subdivision funds.

PREPARED BY: Tim Rodrigo
House Appropriations Committee (R)

DATE: May 4, 2021

Estimates are calculated using the best information available. Actual costs and revenue impact incurred may vary from estimates.