



HOUSE COMMITTEE ON APPROPRIATIONS

FISCAL NOTE

HOUSE BILL NO. 1394

PRINTER'S NO. 1827

PRIME SPONSOR: Mayes

COST / (SAVINGS)

FUND	FY 2023/24	FY 2024/25
General Fund	See Fiscal Impact	See Fiscal Impact

SUMMARY:

This legislation would prohibit racial discrimination of hair texture and protective hairstyles historically associated with race.

ANALYSIS:

This legislation would amend the Pennsylvania Human Relations Act to expand the definition of “race” to include traits associated with race, including hair texture and protective hairstyles. Protective hairstyles include, but are not limited to, such hairstyles locs, braids, twists, coils, Bantu knots, afros and extensions. This would not prohibit an employer from adopting or enforcing an otherwise valid workplace health and safety rule or policy provided the employer demonstrates all of the following:

- Without the adoption of the rule or policy, it is reasonably certain that the health or safety of an employee or other materially connected person will be impaired;
- The rule or policy is adopted for nondiscriminatory reasons;
- The rule or policy is applied equally and does not have a disproportionate adverse impact on a group of individuals based on traits associated with race; and
- The rule or policy is specifically tailored to the applicable position and activity.

This legislation would take effect 60 days upon enactment.

FISCAL IMPACT:

This legislation could result in a cost to the commonwealth to provide additional staffing resources to the Pennsylvania Human Relations Commission (PHRC) due to increased caseloads.

According to PHRC, data on hair discrimination is not currently tracked by the commission, but this form of discrimination could be represented across multiple protected classes, including race, color, ancestry, national origin, and religion. Per PHRC’s 2022 annual report, there were a total of 916 cases for complaints filed among all of the aforementioned protected classes. PHRC estimates that enactment of this legislation, as well as increased awareness among individuals of their right to file discrimination complaints pursuant to this bill, would result in a 20 percent increase in docketed cases – this translates to an estimated 183 additional cases annually.

PHRC anticipates requiring six additional positions to absorb the increased caseload for cases filed relating to discrimination of hairstyles. Based on the median salary for Human Relations Representative positions provided by PHRC, these additional positions are estimated to cost \$665,000 for a full year of salaries and benefits. This cost would be prorated based on the actual effective date during the 2023/24 fiscal year. Assuming this legislation takes effect in October 2023, the estimated costs of salaries and benefits for the additional personnel would be \$443,000. These recurring costs would grow in future fiscal years to maintain staffing resources for PHRC.

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House Appropriations Committee (D)

DATE: July 7, 2023

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