

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317)232-9855

FISCAL IMPACT STATEMENT

LS 8040

BILL NUMBER: HB 1670

DATE PREPARED: Jan 19, 1999

BILL AMENDED:

SUBJECT: Lunch period requirements.

FISCAL ANALYST: Beverly Holloway

PHONE NUMBER: 232-9851

FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill requires an employer to give an employee a reasonable lunch period if the employee is scheduled to be on duty for six hours or more. It specifies that the provision does not affect the terms of a negotiated collective bargaining agreement or settlement agreement or negate a bona fide agreement between an employee and employer.

This bill provides that a violation is a Class C Infraction and that each time a person is in violation, the person commits a separate infraction.

Effective Date: July 1, 1999.

Explanation of State Expenditures:

Explanation of State Revenues: A person who violates the provisions of this bill commits a Class C Infraction. If additional court cases occur, revenue to the state General Fund may increase if infraction judgments and court fees are collected. The maximum judgment for a Class C Infraction is \$500 which is deposited in the state General Fund. If court actions are filed and a judgment is entered, a court fee of \$70 would be assessed. 70% of the court fee would be deposited in state general fund if the case filed in a court of record or 55% if the case is filed in a city or town court.

Explanation of Local Expenditures:

Explanation of Local Revenues: This bill provides that a violation is a Class C Infraction and that each time a person violates this chapter the person commits a separate infraction. If additional court actions are filed and a judgment is entered, local governments would receive revenue from the following sources: (1) The county general fund would receive 27% of the \$70 court fee that is assessed in a court of record. Cities and towns maintaining a law enforcement agency that prosecutes at least 50% of its ordinance violations in a

court of record may receive 3% of court fees. If the case is filed in a city or town court, 20% of the court fee would be deposited in the county general fund and 25% would be deposited in the city or town general fund.(2) A \$3 fee would be assessed, and if collected would be deposited into the county law enforcement continuing education fund. (3) A \$2 jury fee is assessed, and if collected, would be deposited into the county user fee fund to supplement the compensation of jury members.

State Agencies Affected:

Local Agencies Affected: Trial courts; Local law enforcement agencies.

Information Sources: