

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

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 7601

BILL NUMBER: HB 1936

DATE PREPARED: Mar 26, 1999

BILL AMENDED: Mar 25, 1999

SUBJECT: Access to wage and employment information.

FISCAL ANALYST: Beverly Holloway

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FUNDS AFFECTED: **GENERAL**
 DEDICATED
 FEDERAL

IMPACT: State

Summary of Legislation: (Amended) This bill allows the Department of Workforce Development working through Access Indiana to contract with a private entity to allow the private entity to provide secure electronic access to employment and wage information regarding employees.

A creditor is required to have written consent from the employee before obtaining the information. The creditor is required to provide the private entity with a copy of the written consent.

This bill requires that a private entity retain a written consent for three years. The private entity that contracts with Access Indiana for the information from the Department of Workforce Development is required to pay the costs of implementing and administering the program.

A person who violates the provisions of this bill commits a Class A infraction.

Effective Date: July 1, 1999.

Explanation of State Expenditures:

Explanation of State Revenues: (Revised) This bill allows the Department of Workforce Development (DWD) working through Access Indiana to contract with a private entity to allow the private entity to provide secure electronic access to employment and wage information regarding employees. The cost of implementing and administering the provisions of this bill will be paid by the private entity.

This bill provides that a person who violates the provisions of this bill commits a Class A 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 A infraction is \$10,000 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 the state General Fund if the case is 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: (Revised) 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: Department of Workforce Development; Intelenet Commission (Access Indiana).

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

Information Sources: