

FISCAL IMPACT OF PROPOSED LEGISLATION

Measure: SB 569 - 1

81st Oregon Legislative Assembly – 2021 Regular Session
Legislative Fiscal Office

*Only Impacts on Original or Engrossed
Versions are Considered Official*

Prepared by: Kim To
Reviewed by: Ben Ruef, John Borden, Laurie Byerly
Date: March 16, 2021

Measure Description:

Makes unlawful employment practice for employer to require employee or prospective employee to possess or present valid driver's license as condition of employment or continuation of employment.

Government Unit(s) Affected:

Statewide, Cities, Counties, Special Districts

Summary of Fiscal Impact:

Costs related to the measure are indeterminate at this time - See explanatory analysis.

Analysis:

SB 569 with the -1 amendment stipulates that it is unlawful employment practice for an employer to require an employee or a prospective employee to possess or present valid driver’s license as condition of employment or continuation of employment unless the ability to legally drive is an essential function of the job or is related to a legitimate business purpose. The measure requires employers to accept other forms of identification that are deemed acceptable for purposes of federal forms used to verify identification or employment authorization.

Although the fiscal impact of complying with the provisions of this measure is minimal for state agencies, the overall fiscal impact of the measure is indeterminate depending on the number of allegations that an employer has violated the provisions of this measure that may be brought to Bureau of Labor and Industries (BOLI), to circuit courts, or to the Courts of Appeals. An employee who alleges a violation of the measure may bring a civil action in circuit court or file a complaint with the Bureau of Labor and Industries (BOLI). In addition, BOLI final orders may be appealed to the Court of Appeals. Passage of this measure may increase workload for BOLI, the Department of Justice (DOJ) who would represent BOLI in court, and the Oregon Judicial Department (OJD).

Bureau of Labor and Industries (BOLI)

Although BOLI anticipates that most businesses will comply with the provisions of the measure, it cannot predict the number of complaints from employees or prospective employees and therefore cannot estimate the impact on its workload. If passage of this measure results in a greater than expected number of complaints, BOLI may need additional staffing and resources to handle the potential increase in intake, screening, and processing of complaints.

Oregon Judicial Department (OJD), Department of Justice (DOJ)

OJD anticipates the number of additional cases filed in circuit courts and the Court of Appeals will be small and that these additional costs can be absorbed with existing resources. ODJ also anticipates that any increase in workload will be absorbable within the General Counsel existing staff and resources.