

NORTH CAROLINA GENERAL ASSEMBLY

LEGISLATIVE FISCAL NOTE

BILL NUMBER: SB 716

SHORT TITLE: Poll Worker Discharge (1st Edition)

SPONSOR(S): Senator Kinnaird

FISCAL IMPACT

Yes () No (X) No Estimate Available ()

FY 2001-02 FY 2002-03 FY 2003-04 FY 2004-05 FY 2005-06

REVENUES

EXPENDITURES

POSITIONS:

**PRINCIPAL DEPARTMENT(S) &
PROGRAM(S) AFFECTED:** Administrative Office of the Courts

EFFECTIVE DATE: August 1, 2001

BILL SUMMARY:

This bill prohibits any employer from discharging or demoting an employee because the employee has been appointed as or is serving as a precinct official. Any employer who does so, is subject to liability in a civil action for reasonable damages and the employee is entitled to be reinstated to his/her former position.

ASSUMPTIONS AND METHODOLOGY:

This bill provides for employer liability for reasonable damages in a civil action. While a civil action in response to a violation of this law could mean additional cases for the Judicial system, the Fiscal Research Division is unable to project the likelihood of legal actions against private employers or the State as an employer. And, there is no evidence to suggest that violations of this law

would have a significant impact on the Judicial Branch. Further, any violations that involve State employees would also involve the State Personnel Commission or the Office of Administrative hearings if grievances were filed in lieu of or prior to pursuing civil actions. However, it is also unlikely that there would be any significant impact on the workload of the State Personnel Commission or the Office of Administrative Hearings because of any such grievances by State employees.

Though this bill provides protections to election precinct officials, the Fiscal Research Division believes the boards of elections would be affected only to the extent they are called to participate in a civil action, for example, as a witness. Because there is no evidence to suggest that there would be a significant number of civil actions for violations of this law, we believe it is unlikely that this bill would have more than an insignificant impact on the boards of elections.

TECHNICAL CONSIDERATIONS:

FISCAL RESEARCH DIVISION 733-4910

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DATE: April 12, 2001



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