

Department of Planning and Budget

2022 Fiscal Impact Statement

1. Bill Number: SB494

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Jennifer L. McClellan

3. Committee: General Laws and Technology

4. Title: Virginia Human Rights Act; nondiscrimination in employment; definition of employer, statute of limitations, and provision of attorney fees.

5. Summary: Amends the definition of "employer" to mean a person employing five or more employees, instead of 15 or more employees under current law, for each working day in each of 20 or more calendar weeks in the current or preceding calendar year, and any agent of such person. The bill provides that a person claiming to be aggrieved by an unlawful discriminatory practice may file a written complaint with the Division of Human Rights within two years of the occurrence of the alleged unlawful discriminatory practice and that an aggrieved person who has been provided a notice of his right to file a civil action for such grievance may do so within one year of receiving such notice or within two years after the alleged discriminatory practice occurred, whichever is later. The bill also changes a courts award of reasonable attorney fees and costs to a successful plaintiff from discretionary to mandatory.

6. Budget Amendment Necessary: No.

7. Fiscal Impact Estimates: None.

8. Fiscal Implications: The Office of the Attorney General and Department of Law indicates this bill presents no fiscal impact to their office.

9. Specific Agency or Political Subdivisions Affected: Office of the Attorney General and Department of Law

10. Technical Amendment Necessary: No.

11. Other Comments:

Date: 1/19/2022