

SB 235-FN - AS AMENDED BY THE SENATE

03/14/2019 0857s

2019 SESSION

19-1083

10/05

SENATE BILL 235-FN

AN ACT relative to sexual harassment complaints in the general court and authorizing an independent human resources professional.

SPONSORS: Sen. Feltes, Dist 15; Sen. Soucy, Dist 18; Sen. Hennessey, Dist 5

COMMITTEE: Executive Departments and Administration

AMENDED ANALYSIS

This bill authorizes an independent human resources professional in the general court administrative office, who shall be responsible for complaints involving sexual harassment. The bill also allows the legislative facilities committee to propose rules for required training on harassment and discrimination.

Explanation: Matter added to current law appears in ***bold italics***.

Matter removed from current law appears [~~in brackets and struck through.~~]

Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE*In the Year of Our Lord Two Thousand Nineteen*

AN ACT relative to sexual harassment complaints in the general court and authorizing an independent human resources professional.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 New Subdivision; General Court Administrative Office. Amend RSA 14 by inserting after section 51 the following new subdivision:

General Court Administrative Office

14:52 Administrative Office.

I. There shall be a general court administrative office in the state house under a director of the administrative office. The director may employ and contract for such additional professional, technical, clerical, or other employees necessary to perform the functions and duties of the office.

II. The director shall designate a person as the independent human resources professional. The director shall ensure the person designated has had or will receive training or certification in sexual harassment investigations. In addition to the procedure in RSA 14-B:3, I(d), the designated person shall carry out obligations as set forth in the general court's sexual harassment policy, including but not limited to, the receipt, investigation, and processing of verbal or written complaints from legislative staff, members of the public, or other members of the general court concerning current members of the general court, or members of the general court whose service ceased within 2 years prior to the complaint. Neither the office of the senate president nor the office of the speaker of the house of representatives shall have any oversight or responsibility for any complaints involving sexual harassment.

III. A sexual harassment complaint filed with the general court administrative office shall be confidential and not subject to disclosure to any third party, including but not limited to the attorney general's office; provided that the complainant may waive such confidentiality protections with informed, written consent.

2 New Paragraph; Joint Committee on Legislative Facilities; Duty Added. Amend RSA 17-E:5-a by inserting after paragraph X the following new paragraph:

XI. Prior to the beginning of each biennium, to review sexual harassment policies of other jurisdictions and legislatures and adopt a sexual harassment policy consistent with best practices, which shall include procedures for the independent human resources professional in the general court administrative office to address sexual harassment complaints and ensure independence from the office of the senate president and the office of the speaker of the house of representatives. Prior to the beginning of each biennium, the committee shall determine whether to propose to the senate and house of representatives that each body shall propose by rule that all legislators, legislative officers, and legislative staff shall attend in-person education and training regarding sexual and other unlawful discrimination and harassment. The sexual harassment policy shall be posted online and shall be included in the ethics guidelines, statutes, and procedural rules booklet.

3 Effective Date. This act shall take effect 60 days after its passage.

LBAO
19-1083
Amended 4/1/19

SB 235-FN- FISCAL NOTE

AS AMENDED BY THE SENATE (AMENDMENT #2019-0857s)

AN ACT relative to sexual harassment complaints in the general court and authorizing an independent human resources professional.

FISCAL IMPACT: State County Local None

STATE:	Estimated Increase / (Decrease)			
	FY 2020	FY 2021	FY 2022	FY 2023
Appropriation	\$0	\$0	\$0	\$0
Revenue	\$0	\$0	\$0	\$0
Expenditures	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase	Indeterminable Increase
Funding Source:	<input checked="" type="checkbox"/> General	<input type="checkbox"/> Education	<input type="checkbox"/> Highway	<input type="checkbox"/> Other

METHODOLOGY:

This bill establishes the general court administrative office and the position of director. It authorizes the director to employ or contract for staff to perform the functions and duties of the office. The director is authorized to designate a person as an independent human resources professional, who shall receive, investigate and process complaints involving sexual harassment pursuant to the general court's sexual harassment policy. It is unknown if the independent human resources professional would be full or part-time or otherwise retained/engaged under contract. The bill will increase state expenditures by an indeterminable amount, depending on the compensation of this individual.

AGENCIES CONTACTED:

Legislative Branch