

OFFICE OF FISCAL ANALYSIS

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HB-6638

AN ACT REVISING THE STATE'S ANTIDISCRIMINATION
STATUTES.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 24 \$	FY 25 \$
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below
Judicial Dept. (Probation); Correction, Dept.	GF - Potential Cost	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

Sections 1 and 2 change the circumstances under which a behavior may be considered discriminatory. **Section 1** adds age to the list of reasons a person cannot be discriminated against, and **Section 2** revises the definition of sexual orientation applicable to the state's anti-discrimination laws. These changes may result in: (1) a potential cost for incarceration or probation, and (2) a potential revenue gain from fines. On average, the marginal cost to the state for incarcerating an offender for the year is \$2,500¹ while the average marginal cost for supervision in the community is less than \$800² each year.

¹Inmate marginal cost is based on increased consumables (e.g., food, clothing, water, sewage, living supplies, etc.) This does not include a change in staffing costs or utility expenses because these would only be realized if a unit or facility opened.

²Probation marginal cost is based on services provided by private providers and only includes costs that increase with each additional participant. This does not include a cost for additional supervision by a probation officer unless a new offense is anticipated to result in enough additional offenders to require additional probation officers.

The bill also makes other changes that have no fiscal impact to the state or municipalities.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of offenses and amount of fines assessed.