153rd GENERAL ASSEMBLY
FISCAL NOTE

BILL:	**HOUSE BILL NO. 115**
SPONSOR:	**Representative Phillips**
DESCRIPTION:	**AN ACT TO AMEND THE DELAWARE CODE RELATING TO THE PROHIBITION OF DISCRIMINATION BASED ON WEIGHT, HEIGHT, OR BODY SIZE.**

Assumptions:

1. This Act is effective upon signature by the Governor.
2. This Act prohibits discrimination based on weight, height, or body size. Specifically, the Act prohibits such discrimination as it relates to:
    a. Service offered by Transportation Network Companies.
    b. Places of public accommodation.
    c. Housing offered to the public for sale, rent or exchange.
    d. Appointed positions in New Castle County government.
    e. Recordation of documents affecting real property by counties.
    f. The selection of jurors in the Superior Court.
    g. Investigations of school bullying.
    h. Unlawful employment practices.
    i. Employment with the State of Delaware in the classified service.
    j. Public works contracting.
3. The Department of State, Division of Human and Civil Rights, reports the need for 1.0 FTE, Planner IV, for the investigation of claims and enforcement of the provisions of the Act. The Fiscal Year 2026 personnel costs (10-month funding) are estimated at $88,731, including other employment costs (OECs) at a rate of 33.34%, contractual and supply costs of $1,350 and associated one-time costs of $7,000. Future year personnel costs are assumed to increase at a rate of 2% annually.
4. The Department of Justice has estimated the need for additional staffing to accommodate the prosecution of complaints of discrimination based on weight, height or body size. The Department of Justice estimates it will require 1.0 FTE, Deputy Attorney General V, to implement the provisions of this Act. The Fiscal Year 2026 personnel costs (10-month funding) are estimated at $153,946, including OECs at a rate of 33.34%, contractual and supply costs of $1,350 and associated one-time costs of $7,000. Future year personnel costs are assumed to increase at a rate of 2% annually.
5. State agencies may incur additional costs in providing accommodations for their employees who may be affected by the provisions of the Act. Such measures may include providing appropriately sized seating and office workstations, moving cubicle walls to provide additional workspace, installing sturdier toilets in state facility restrooms, and providing correctly sized uniforms to accommodate an employee's size. The extent to which these measures would be required, and the associated costs, are unknown.

Cost:

	Operating	One-time
Fiscal Year 2026:	$245,377	$14,000
Fiscal Year 2027:	$299,737	
Fiscal Year 2028	$305,678	

Prepared by Robert Scoglietti
Office of the Controller General