

APPENDIX B: CHART OF ENACTED LEGISLATION IN OTHER STATES

State	Type of Legislation	Summary
Alabama	Senate Resolution 51	<p>Adopts the policy and procedure of the Legislative Council, prohibiting sexual harassment by members, officers, employees, lobbyists and other persons working in the legislature, as the sexual harassment policy of the Al. Senate.</p> <p>Policy specifies “touching a person’s body, hair or clothing or standing to close to, brushing up against or cornering a person,” and unwelcome and personally offensive behavior as prohibited.</p>
Arizona	HB 2020	Prohibits a non-disclosure agreement from barring a party from responding to a peace officer or prosecutor’s inquiry or making a statement in a criminal proceeding in relation to an alleged violation of a sexual offense or obscenity under the Criminal Code.
	House Resolution 2003	Expels Rep. Don Shooter from the House of Reps following an investigation by bipartisan team and special counsel found credible evidence that he violated the House policy prohibiting sexual harassment and pattern of conduct dishonorable and unbecoming a member
California	AB 403	Creates the Legislative Employee Whistleblower Protection Act establishing criminal and civil protections for employees in the event they are retaliated against for making a good faith allegation against a member or staffer for violating any law, including sexual harassment or violating a legislative code of conduct.
	SB 826	Requires all publicly traded companies filing incorporation letters with the Secretary of State in California to have at least one woman on their board by the close of 2019 and increase the number to at least 2 females on its board of directors by the end of 2021.
	SB 224	Expands professional relationships where liability for sexual harassment may occur and authorizes Dept. of Fair Employment and Housing to investigate. <i>E.g.</i> , where the defendant holds him or herself out as being able to help a plaintiff establish a professional relation with the defendant or 3 rd party, etc., may apply to investors, elected officials, lobbyists, directors, producers, etc.
	SB 1343	Reduces the threshold for requiring sexual harassment training from employers with 50 or more employees, to employers with 5 or more employees
	SB 1300	Omnibus Bill: (1) prohibits companies from requiring workers to sign releases of liability as a condition of continued employment or a bonus; (2) specifically rejects certain judicial decisions regarding standards for severe or pervasive, hostile work environment, etc.; (3) expands employer’s liability regarding all nonemployee acts of harassment (not just sexual harassment), and more.
	AB 2055	Adds information about the legislature’s sexual harassment policy to ethics training for lobbyists

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	SB 419	Prohibits the legislature from firing or discriminating against an employee or lobbyist who files a harassment complaint and requires the Senate and House to maintain harassment complaint records for at least 12 years.
	AB 3080	Prohibited mandatory arbitration agreements as a condition of employment
	SB 820	Prohibits public and private employers from using any provision in a settlement agreement that prevents the disclosure of factual information regarding (i) sexual assault, (ii) sexual harassment, (iii) sexual discrimination, (iv) failure to prevent such acts, and (v) retaliation for reporting. Claimants may request their identity be shielded from disclosure, and amount paid may be shield at request of either party
	Joint Legislative Rules Committee	Creates an investigative unit to look at complaints of sexual harassment for legislative staff, lobbyists, lawmakers and other third parties, collect evidence and interview witnesses. The intent is to create a “firewall” between Legislative Counsel offices and an outside panel of experts who are to determine whether allegations are substantiated and make recommendations on potential consequences.
Colorado	SR 3	Concerns expulsion of Sen. Randy Baumgardner (R) for sexual harassment of a legislative employee
	HR 1005	Expulsion of Rep. Steve Lebsock (D)
Delaware	HR 21	Creates the Permanent Rules of the House of Representatives, replaces temporary rules, include prohibition on sexual harassment
	SR 17	Adds a new Rule to the Senate Rules, prohibiting sexual harassment and mandating training
Georgia	HB 973	Provides: 1) lobbyists to acknowledge receipt of the General Assembly’s sexual harassment policy as a condition to lobbyist registration 2) violation of sexual harassment policy is grounds for sanctioning; and 3) complaints of a violations of sexual harassment policy by lobbyist may be reported to the Georgia Government Transparency and Campaign Finance Commission by the General Assembly
Iowa	HR 4	Reiterates that all legislators have the responsibility to behave in an ethical manner
Indiana	HB 1309	Requires: 1) sexual harassment prevention instruction to be provided annually to members of the general assembly and; and 2) Requires the personnel subcommittee of the legislative council to prepare sexual harassment prevention policies governing legislators

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Louisiana	HB 524	Requires public employees and officers to create a policy to prevent sexual harassment, including policies related to particular unacceptable behavior, a grievance and complaint process, and a clear retaliation prohibition as well as attend mandatory sexual harassment training. Finally, the bill requires the agency heads to compile a report detailing the number of cases filed, settled (and amounts paid), and lawsuits and submit the same to various judicial, legislative, and executive heads.
	SCR 38	Creates a legislative task force to study sexual harassment issues regarding lobbyists, legislators, and other persons who interact with the legislature.
	JBE 14 (Gov. Ex. Order)	Disbands Governor's Taskforce on Sexual Harassment and Discrimination Policy (EO 2017-30)
Massachusetts	HB 3983	Orders the House to engage in a comprehensive review of all structures, policies, procedures and operations of the human resources function for the House including those that relate to ensuring a workplace free of sexual harassment and retaliation; House Counsel is to recommend enhancements to existing policies and procedures, and has exclusive authority to retain outside legal and consulting experts
	HB 4263	The House Counsel's report submitted in response to HB 3939 makes recommendations to improve existing human resources structures, promote a culture of accountability and more.
	HB 4311	Updates the House Rules pursuant to the report of the House Counsel, including employing a full-time EEO officer
	HB 4296	Authorizes the counsel to the House of Representatives to contract w/ an outside third-party vendor to conduct a series of comprehensive surveys of appointed officers and employees of the house.
	SB 2262	Establishes a Special Senate Committee to review the sexual harassment policies and procedures of the Senate
	HB 1342	Omnibus: Requires the training course provided by the State Ethics Commissions for lobbyists include provisions related to discrimination and harassment and prohibit any lobbyist from unlawfully harassing or discriminating. Prohibits State officials from unlawfully harassing or discriminating, changes procedures for Joint Ethics Commission.

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Maryland	HB 1423	Requires every Executive, Judicial and Legislative Branch employee to complete at least 2 hours of sexual harassment prevention training every 2 years. The training must include information on current state and federal laws concerning sexual harassment and retaliation and remedies and procedures available to victims. Additional training is required for supervisors related to proper response to complaints and how to create and maintain a harassment and retaliation-free workplace. The bill also authorizes the Equal Employment Opportunity Coordinator for the Executive Branch to enforce the requirements of this action and recommend that the Legislative Audits Office conduct a performance audit or review of a unit if the EEO has determined the unit has not complied with this section.
	HB 1596	A provision in an employment contract, policy, or agreement that waives any substantive or procedural right or remedy to a claim that accrues in the future of sexual harassment or retaliation for reporting or asserting a right or remedy based on sexual harassment is null and void as being against the public policy of the State. Further, prohibits employers from taking adverse action against an employee for refusing to sign such contract, agreement or policy.
New Jersey	AB 3312	Requires the Legislature to adopt and distribute policy prohibiting sexual harassment; requires members, officers, and employees of Legislature to complete online training on policy every two years
	SB 121	Adds settlement agreements to the types of contracts (currently employment contracts or agreements) that are unenforceable as a matter of public policy where the purpose or effect is to conceal details relating to a claim of discrimination, retaliation or harassment. Further provides that if the employee publicly reveals sufficient details of the claim so the employer is reasonably identifiable, the non-disclosure provision shall also be unenforceable.
New York	S- 7848A -New York Budget	<ol style="list-style-type: none"> 1. Mandatory arbitration agreements for sexual harassment claims are prohibited (prospective only) 2. Confidential settlement agreements for sexual harassment claims are prohibited without complainant consent 3. Sexual harassment protections extended to cover non-employees, including independent contractors, vendors, subcontractors and their employees 4. All New York employers are required to adopt sexual harassment policies and training
Rhode Island	House Resolution 7678	Creates an 11 member Special Legislative Commission to study unlawful sexual harassment in the workplace and reports back to the House of Representatives no later than May 17, 2018.
	House Resolution 8206	Extends the reporting date for the Commission from May 17, 2018, To May 29, 2018.
		Bars both public and private employers from requiring

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Tennessee	House Bill 2613	nondisclosure agreements over sexual harassment in the workplace as a condition of employment.
Virginia	House Bill 371	Mandates that all General Assembly members and full-time staffers go through sexual harassment training every two years.
	Senate Bill 796	Mandates that all General Assembly members and full-time staffers go through sexual harassment training every two years.
Vermont	House Bill 707	(1) Prohibits employment agreements that bar victims from filing complaints or gaining redress; (2) protects employees from being fired after making a complaint,(3) requires notification of the Attorney General of any settlements; and (4) extends protections to people working as independent contractors.
Washington	House 2759	Establishes the State Women's Commission to: (1) monitor and advocate for legislation affecting women; (2) work with state agencies to assess programs and policies that affect women; (3) coordinate with the minority commissions and human rights commissions on issues of equality; and (4) conduct an analysis of pay inequity based on gender among individuals employed in the Office of the Governor.
	SB 6068	Deems any provision in a nondisclosure policy or agreement that purports to limit a party's ability to produce evidence regarding past incidents of sexual harassment or sexual assault shall not affect the person's ability to provide discovery or testimony is unenforceable as a matter of public policy
	SB 5996	Prohibits requiring an employee to sign a nondisclosure agreement or waiver or their rights disclosing sexual harassment or sexual assault in the workplace as void and unenforceable. Does not apply to settlement agreements containing confidentiality provisions.