

House Bill 433

By: Representatives Schofield of the 63<sup>rd</sup>, Beverly of the 143<sup>rd</sup>, Scott of the 76<sup>th</sup>, Davis of the 87<sup>th</sup>, and Bennett of the 94<sup>th</sup>

A BILL TO BE ENTITLED  
AN ACT

1 To amend Chapter 1 of Title 28 of the Official Code of Georgia Annotated, relating to  
2 general provisions for the General Assembly, so as to provide for equity impact statements  
3 regarding policy areas including, but not limited to, racial, socioeconomic, health, and other  
4 similar factors; to require that such statements be prepared for and attached to all proposed  
5 legislation that would impact such policy areas; to provide for content and procedures; to  
6 provide for surveys and reports; to provide for compliance by state departments and  
7 agencies; to provide for limitations; to provide for legislative findings and declarations; to  
8 provide for construction; to provide for related matters; to provide for a short title; to repeal  
9 conflicting laws; and for other purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 This Act shall be known and may be cited as the "Equity Impact Act."

**SECTION 2.**

13

14 Chapter 1 of Title 28 of the Official Code of Georgia Annotated, relating to general  
15 provisions for the General Assembly, is amended by adding a new Code section to read as  
16 follows:

17 "28-1-18.

18 (a) The General Assembly finds and declares that:

19 (1) The health, safety, and productivity of all communities in this state, including  
20 historically marginalized communities, are of the utmost importance;

21 (2) All citizens of this state are harmed by unintended disparities created by legislation;  
22 and

23 (3) The use of equity impact statements will provide members of the General Assembly  
24 with demographic data and other information to assist in proactively identifying possible  
25 disparate impacts on historically marginalized communities, allowing for better informed  
26 and more intentional decisions with regard to legislative proposals.

27 (b) The Office of Planning and Budget shall, in conjunction with the Department of Audits  
28 and Accounts and the Department of Community Affairs, prepare equity impact statements  
29 pursuant to this Code section for:

30 (1) All proposed legislation that affects healthcare or housing related policies proposed  
31 during or after the 2024 regular session;

32 (2) All proposed legislation that affects primary or secondary education related policies  
33 proposed during or after the 2025 regular session; and

34 (3) All proposed legislation that affects tax policy proposed during or after the 2026  
35 regular session.

36 (c) Each equity impact statement shall contain, at a minimum:

37 (1) A detailed description of any inequitable impact expected to result from the proposed  
38 legislation on communities of this state that presently face disparate hardship due to  
39 socioeconomic status, language barriers, race, creed, color, national origin, immigration

40 status, sex, military status, sexual orientation or identity, or the presence of any sensory,  
41 mental, or physical disability;

42 (2) A list of the state departments and agencies that assisted in the preparation of the  
43 equity impact statement; and

44 (3) The signature of the commissioner of the Department of Community Affairs  
45 indicating whether he or she agrees with the assumptions made by the state departments  
46 and agencies directly involved in the preparation of the equity impact statement.

47 (d) By October 1, 2023, the Department of Audits and Accounts, in conjunction with the  
48 Secretary of the Senate and the Clerk of the House of Representatives, shall establish and  
49 publish procedures for the preparation and use of equity impact statements in accordance  
50 with this Code section, which shall include, at a minimum:

51 (1) Guidance for state departments and agencies on best practices for assisting in the  
52 preparation of equity impact statements, including time limitations for providing the data  
53 required for completing the equity impact statements;

54 (2) Instructions for members of the General Assembly on how equity impact statements  
55 may be requested and filed;

56 (3) Provisions that detail how equity impact statements that have been prepared for a  
57 legislative proposal are to be attached to the proposed legislation and remain with the  
58 proposed legislation throughout the legislative process; and

59 (4) Provisions and time guidelines for revising equity impact statements for proposed  
60 legislation which is substituted or amended during the legislative session.

61 (e) All state departments and agencies shall assist in the preparation of equity impact  
62 statements as necessary and at the request of the Office of Planning and Budget, the  
63 Department of Audits and Accounts, or the Department of Community Affairs. Any such  
64 state department or agency shall be authorized to enter into contracts with any one or more  
65 third-party agents for services necessary to adequately prepare and publish equity impact  
66 statements.

67 (f)(1) The Department of Audits and Accounts shall, within 30 days after the final  
68 adjournment of the 2024 and 2026 regular sessions of the General Assembly, survey all  
69 members of the General Assembly for the purpose of making improvements to the  
70 content and procedures for the preparation of equity impact statements. Such survey shall  
71 include, at a minimum:

72 (A) Whether the member reviewed the equity impact statements published during the  
73 prior session;

74 (B) How helpful the equity impact statements were in informing a member's decision  
75 on or consideration of legislative proposals;

76 (C) Any recommendations that the member may have on improvements to the content  
77 or preparation of equity impact statements; and

78 (D) Any other feedback the member wishes to provide.

79 (2) The Office of Planning and Budget shall, within 120 days after the distribution of the  
80 survey provided for in this subsection, prepare a report concerning the survey results and  
81 any recommendations such office may have to amend this Code section. Such report  
82 shall be provided electronically to each member of the General Assembly, the Governor,  
83 and the Lieutenant Governor.

84 (g) The provisions of this Code section shall not limit or prevent the General Assembly  
85 from taking action on any legislative proposal based upon a finding in an equity impact  
86 statement, nor shall the lack of an equity impact statement or an inaccuracy in an equity  
87 impact statement affect the validity of any measure otherwise duly passed by the General  
88 Assembly."

89 **SECTION 3.**

90 All laws and parts of laws in conflict with this Act are repealed.