

HOUSE BILL 1016

P1, E2

9lr2876

By: **Delegate J. Lewis**

Introduced and read first time: February 8, 2019

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **General Assembly – Analysis of Proposed Legislation – Racial Impact**

3 FOR the purpose of requiring the Executive Director of the Department of Legislative
4 Services to have the Department prepare a racial impact analysis for certain bills;
5 requiring that the analysis be prepared with certain assistance and include certain
6 information; requiring the Department to send a copy of a racial impact analysis to
7 a certain committee and sponsor; prohibiting a committee from voting on a certain
8 bill unless the racial impact analysis accompanies the bill; defining the term “racial
9 minority”; and generally relating to analyzing the racial impact of proposed
10 legislation.

11 BY adding to
12 Article – State Government
13 Section 2–1505.3
14 Annotated Code of Maryland
15 (2014 Replacement Volume and 2018 Supplement)

16 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
17 That the Laws of Maryland read as follows:

18 **Article – State Government**

19 **2–1505.3.**

20 **(A) IN THIS SUBSECTION, “RACIAL MINORITY” MEANS:**

21 **(1) BLACK OR AFRICAN AMERICAN;**

22 **(2) HISPANIC OR LATINO;**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **(3) AMERICAN INDIAN OR ALASKA NATIVE;**

2 **(4) ASIAN; OR**

3 **(5) NATIVE HAWAIIAN OR PACIFIC ISLANDER.**

4 **(B) (1) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF**
5 **LEGISLATIVE SERVICES SHALL HAVE THE DEPARTMENT PREPARE A RACIAL**
6 **IMPACT ANALYSIS FOR EACH BILL THAT:**

7 **(I) CREATES A NEW MISDEMEANOR OR FELONY OFFENSE;**

8 **(II) SUBSTANTIVELY ALTERS AN ELEMENT OF A MISDEMEANOR**
9 **OR FELONY OFFENSE;**

10 **(III) ALTERS THE PENALTY FOR A MISDEMEANOR OR FELONY**
11 **OFFENSE; OR**

12 **(IV) ALTERS SENTENCING, PAROLE, OR PROBATION**
13 **PROCEDURES.**

14 **(2) A RACIAL IMPACT ANALYSIS PREPARED UNDER PARAGRAPH (1)**
15 **OF THIS SUBSECTION SHALL:**

16 **(I) BE PREPARED WITH THE ASSISTANCE OF THE LAB FOR**
17 **APPLIED SOCIAL SCIENCE RESEARCH AT THE UNIVERSITY OF MARYLAND; AND**

18 **(II) INCLUDE:**

19 **1. THE ESTIMATED NUMBER OF CRIMINAL CASES EACH**
20 **YEAR THAT WOULD BE IMPACTED BY THE BILL;**

21 **2. THE ANTICIPATED IMPACT OF THE BILL ON EACH**
22 **RACIAL MINORITY GROUP;**

23 **3. THE ANTICIPATED IMPACT OF THE BILL ON**
24 **CORRECTIONAL FACILITIES AND SERVICES; AND**

25 **4. ANY OTHER INFORMATION RELEVANT TO ANALYZING**
26 **THE RACIAL IMPACT OF THE BILL.**

27 **(C) THE DEPARTMENT OF LEGISLATIVE SERVICES SHALL SEND A COPY OF**
28 **A RACIAL IMPACT ANALYSIS PREPARED UNDER SUBSECTION (B) OF THIS SECTION**

1 TO THE COMMITTEE TO WHICH THE BILL IS REFERRED AND TO THE PRIMARY
2 SPONSOR OF THE BILL.

3 (D) IF A RACIAL IMPACT ANALYSIS IS REQUIRED TO BE PREPARED UNDER
4 SUBSECTION (B) OF THIS SECTION, A COMMITTEE MAY NOT VOTE ON THE BILL
5 UNLESS THE RACIAL IMPACT ANALYSIS ACCOMPANIES THE BILL.

6 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
7 October 1, 2019.