

1 STATE OF OKLAHOMA

2 1st Session of the 57th Legislature (2019)

3 SENATE BILL 253

By: Young

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5  
6 AS INTRODUCED

7 An Act relating to legislation; requiring preparation  
8 of racial impact statement for certain legislation;  
9 specifying procedures for filing racial impact  
10 statement; directing certain agencies to prepare  
11 racial impact statements; specifying contents of  
statements; requiring filing of racial impact  
statement before a bill may receive a floor hearing;  
defining term; providing for codification; and  
providing an effective date.

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13 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

14 SECTION 1. NEW LAW A new section of law to be codified  
15 in the Oklahoma Statutes as Section 456.2a of Title 74, unless there  
16 is created a duplication in numbering, reads as follows:

17 A. 1. A racial impact statement shall be prepared as provided  
18 in this section for any bill filed in the Senate or House of  
19 Representatives that will:

- 20 a. create a new offense,  
21 b. significantly change an existing offense,  
22 c. change the penalty for an existing offense, or  
23 d. change existing sentencing, parole, or probation  
24 procedures.

1           2. A racial impact statement shall be prepared and filed with  
2 the chair of the committee to which the bill is referred before the  
3 bill is heard in the committee during a regular or special session  
4 of the Legislature.

5           3. If a bill requiring a racial impact statement is amended, a  
6 revised racial impact statement shall be prepared for the bill as  
7 amended.

8           B. 1. Except as provided in paragraph 2 of this subsection,  
9 the Oklahoma Statistical Analysis Center at the Oklahoma State  
10 Bureau of Investigation, with the assistance of the Oklahoma  
11 Department of Mental Health and Substance Abuse Services, shall  
12 prepare the racial impact statement required by this section.

13           2. The Oklahoma Statistical Analysis Center at the Oklahoma  
14 State Bureau of Investigation, with the assistance of the Oklahoma  
15 Office of Juvenile Affairs, shall prepare a racial impact statement  
16 for a bill pursuant to subsection A of this section that has an  
17 impact on minors.

18           3. The racial impact statement shall include without  
19 limitation:

- 20           a. the estimated number of criminal cases per year that  
21           the bill will affect,
- 22           b. the impact of the bill on a minority, as defined in  
23           subsection E of this section,

- 1           c.    the impact of the bill upon correctional facilities  
2                    and services, and  
3           d.    other matters deemed relevant to the bill at issue.

4           C.   1.  If a racial impact statement indicates a disparate  
5 impact on a minority, as defined in subsection E of this section,  
6 the sponsor of the bill shall consider whether the bill may be  
7 amended to achieve its purpose with a lessened impact on minorities.

8           2.  If a bill is amended to lessen its impact on minorities the  
9 sponsor of the bill shall identify in writing, in the bill and the  
10 racial impact statement, the methodology used to lessen the impact  
11 on minorities in the amended proposal.

12          3.  If the sponsor of the bill elects not to amend the bill or  
13 if the racial impact statement for an amended bill continues to  
14 indicate a disparate impact on a minority, the sponsor of the bill  
15 shall:

- 16           a.   withdraw the bill, or  
17           b.   identify in writing, in the bill and the racial impact  
18                   statement, his or her reasoning for proceeding with  
19                   the bill despite the disparate impact.

20          D.   1.  If a bill is scheduled for a floor hearing in the Senate  
21 or House of Representatives and a racial impact statement is  
22 required by this section and has not been provided by the author of  
23 the bill or by the committee to which the bill was referred, the  
24 presiding officer of the Senate or House of Representatives shall

1 cause the bill to be referred for the preparation of a racial impact  
2 statement, which shall be filed with the presiding officer at least  
3 five (5) days prior to the bill again being scheduled for a floor  
4 hearing.

5 2. The bill shall not be called back up for consideration until  
6 a racial impact statement has been filed with the presiding officer.

7 E. For purposes of this section, "minority" shall mean African  
8 American, Hispanic American, American Indian or Native American,  
9 Asian and Pacific Islander.

10 SECTION 2. This act shall become effective November 1, 2019.

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