

Senate Bill 633

Sponsored by Senator SHIELDS, Representative FREDERICK

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Expands Oregon Criminal Justice Commission requirement to create racial and ethnic impact statement to include proposed legislation relating to education policy.

A BILL FOR AN ACT

1
2 Relating to racial and ethnic impact statements; amending sections 1, 3 and 4, chapter 600, Oregon
3 Laws 2013.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** Section 1, chapter 600, Oregon Laws 2013, is amended to read:

6 **Sec. 1.** (1) As used in this section:

7 (a) "Criminal offender population" means all persons who are convicted of a crime or adjudi-
8 cated for an act that, if committed by an adult, would constitute a crime.

9 (b) "**Public school students**" means **students in any grade from kindergarten through**
10 **grade 12 in the public schools of this state.**

11 [(b)] (c) "Recipients of human services" means all persons who are found to be within the ju-
12 risdiction of the juvenile court under ORS 419B.100 or who receive child welfare services described
13 in ORS 418.005.

14 (2) To obtain a racial and ethnic impact statement described in this section, one member of the
15 Legislative Assembly from each major political party must sign a written request. Upon receipt of
16 the written request, the Oregon Criminal Justice Commission shall prepare a racial and ethnic im-
17 pact statement that describes the effects of proposed legislation on the racial and ethnic composition
18 of:

19 (a) The criminal offender population; [or]

20 (b) Recipients of human services[.]; **or**

21 (c) **Public school students.**

22 (3) A racial and ethnic impact statement must be impartial, simple and understandable and must
23 include, for racial and ethnic groups for which data are available, the following:

24 (a) An estimate of how the proposed legislation would change the racial and ethnic composition
25 of the criminal offender population, [or] recipients of human services **or public school students**;

26 (b) A statement of the methodologies and assumptions used in preparing the estimate; and

27 (c) If the racial and ethnic impact statement addresses the effect of proposed legislation on the
28 criminal offender population, an estimate of the racial and ethnic composition of the crime victims
29 who may be affected by the proposed legislation.

30 (4) The commission shall adopt rules to carry out the provisions of this section.

31 **SECTION 2.** Section 3, chapter 600, Oregon Laws 2013 is amended to read:

NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted.
New sections are in **boldfaced** type.

1 **Sec. 3.** (1) To obtain a racial and ethnic impact statement described in this section, one member
 2 of the Legislative Assembly from each major political party must sign a written request. Upon re-
 3 ceipt of the written request, the Oregon Criminal Justice Commission shall prepare a racial and
 4 ethnic impact statement that describes the effects of a state measure on the racial and ethnic com-
 5 position of:

6 (a) The criminal offender population, as defined in section 1, **chapter 600, Oregon Laws 2013;**
 7 *[of this 2013 Act; or]*

8 (b) Recipients of human services, as defined in section 1, **chapter 600, Oregon Laws 2013** *[of*
 9 *this 2013 Act.]; or*

10 (c) **Public school students as defined in section 1, chapter 600, Oregon Laws 2013.**

11 (2) The statement must be impartial, simple and understandable and must include the informa-
 12 tion described in section 1 (3), **chapter 600, Oregon Laws 2013** *[of this 2013 Act].*

13 (3) If the commission has prepared a racial and ethnic impact statement for a state measure, not
 14 later than the 99th day before a special election held on the date of a primary election or any
 15 general election at which the state measure is to be submitted to the people, the commission shall
 16 file the statement with the Secretary of State.

17 (4) Not later than the 95th day before the election, the Secretary of State shall hold a hearing
 18 in Salem upon reasonable statewide notice to receive suggestions for changes to the statement or
 19 to receive other information. At the hearing, any person may submit suggested changes or other
 20 information orally or in writing. Written suggestions and any other information also may be sub-
 21 mitted at any time before the hearing.

22 (5) The commission shall consider suggestions and any other information submitted under sub-
 23 section (4) of this section and may file a revised statement with the Secretary of State not later than
 24 the 90th day before the election at which the measure is to be voted upon.

25 (6) The Secretary of State shall certify the statement not later than the 90th day before the
 26 election at which the measure is to be voted upon.

27 (7) All statements prepared under this section shall be made available to the public.

28 (8) A failure to prepare, file or certify a statement does not prevent inclusion of the measure in
 29 the voters' pamphlet.

30 **SECTION 3.** Section 4, chapter 600, Oregon Laws 2013, is amended to read:

31 **Sec. 4.** (1) A state agency that awards grants shall require that each grant application include
 32 a racial and ethnic impact statement that must contain the following information:

33 (a) Any disproportionate or unique impact of proposed policies or programs on minority persons
 34 in this state;

35 (b) A rationale for the existence of policies or programs having a disproportionate or unique
 36 impact on minority persons in this state; and

37 (c) Evidence of consultation with representatives of minority persons in cases in which a pro-
 38 posed policy or program has a disproportionate or unique impact on minority persons in this state.

39 (2) The Oregon Department of Administrative Services shall create and distribute a racial and
 40 ethnic impact statement form for state agencies and shall ensure that the statement is included in
 41 applications for grants awarded by state agencies.

42 (3) The racial and ethnic impact statement shall be used for informational purposes.

43 (4) The requirements of this section apply only to grants awarded to corporations or other legal
 44 entities other than natural persons.

45 (5) As used in this section:

1 (a) "Minority persons" includes individuals who are women, persons with disabilities, African-
2 Americans, Hispanics, Asians or Pacific Islanders, American Indians and [*Alaskan*] **Alaska** Natives.

3 (b) "State agency" means the executive department as defined in ORS 174.112.

4
