H-3938.1

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**SUBSTITUTE HOUSE BILL 2076**

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**State of Washington 64th Legislature 2016 Regular Session**

**By** House State Government (originally sponsored by Representatives Sawyer and Pollet)

AN ACT Relating to information concerning racial disproportionality; amending RCW 43.88C.050; adding a new section to chapter 43.88C RCW; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  The legislature finds that the health, safety, and productivity of all communities is of the utmost importance to the state of Washington, including historically marginalized racial and ethnic communities. All citizens are harmed by unintended racial and ethnic disparities created by legislation. Therefore, the legislature intends to create a proactive tool intended to provide legislators with aggregated and disaggregated demographical data and other information to help legislators understand possible disparate racial and ethnic impacts, and thus better informed and intentional decisions on legislative proposals.

**Sec.**  RCW 43.88C.050 and 2015 c 128 s 3 are each amended to read as follows:

(1) The caseload forecast council shall appoint a research staff of sufficient size and with sufficient resources to accomplish its duties. The caseload forecast council may request from the administrative office of the courts, the department of early learning, the department of corrections, the health care authority, the superintendent of public instruction, the Washington student achievement council, the department of social and health services, and other agencies with caseloads forecasted by the council, such data, information, and data processing assistance as it may need to accomplish its duties, and such services shall be provided without cost to the caseload forecast council.

(2) The caseload forecast council is considered a criminal justice agency within the meaning of RCW 10.97.030.

NEW SECTION. **Sec.**  A new section is added to chapter 43.88C RCW to read as follows:

(1) The caseload forecast council, in consultation with appropriate legislative committees and legislative staff, the office of financial management, and other state agencies, must establish a plan for the provision of racial and ethnic impact statements on the effect that legislative bills and resolutions will have on racial and ethnic minority groups. The plan should include identifying the relevant data, information, and data processing assistance from the administrative office of the courts, the department of social and health services, the department of corrections, the office of the superintendent of public instruction, and other agencies that can be used to analyze impacts on racial and ethnic groups. The caseload forecast council must work within its available resources to increase and improve the production and compilation of relevant racial and ethnic group data and information.

(2) Except as provided in subsection (3) of this section, the caseload forecast council must provide a racial and ethnic impact statement on any legislative proposal at the request of any legislator on the effect that legislative bills and resolutions will have on racial and ethnic minority groups. To the extent that the data or information necessary to prepare such a statement is not currently accessible, the caseload forecast council may respond to a request that there is currently insufficient data available to complete the request and provide an explanation of what type of information is needed to prepare the impact statement. The caseload forecast council must develop a schedule of subject areas in which it has developed sufficient capacity to prepare data and information on racial and ethnic impacts.

(3) Beginning December 1, 2016, the caseload forecast council must provide a racial and ethnic impact statement on any legislative proposal relating to the criminal and juvenile justice systems at the request of any legislator, including statistical data on the racial and ethnic composition of the criminal and juvenile justice systems. The racial and ethnic impact statements initially may rely exclusively on available data and information on the racial and ethnic composition of the criminal and juvenile justice systems from the department of corrections, the administrative office of the courts, the minority and justice commission, and the sentencing guidelines commission. The caseload forecast council, within its available resources, must work to increase and improve availability of data and information related to the criminal and juvenile justice systems.

(4) This section shall not prevent either the house of representatives or the senate from acting on any bill before it as otherwise provided by the state Constitution, by law, or by the rules and joint rules of the senate and house of representatives, nor shall the lack of any racial impact statement provided in this section or any error in the accuracy thereof affect the validity of any measure otherwise duly passed by the legislature.

(5) For the purpose of this section, the juvenile justice system includes, but is not limited to, all matters based in juvenile court as defined in RCW 13.04.030 and all juvenile court matters related to compulsory school attendance as described in chapter 28A.225 RCW.

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