
**State Government & Tribal Relations
Committee**

HB 1541

Brief Description: Establishing the nothing about us without us act.

Sponsors: Representatives Farivar, Couture, Mena, Pollet, Taylor, Ortiz-Self, Street, Thai, Reed, Waters, Fosse, Caldier, Simmons, Davis, Alvarado, Schmidt, Ryu, Griffey, Ramel, Barnard, Orwall, Hackney, Bergquist, Walen, Berry, Tharinger, Peterson, Goodman, Volz, Eslick, Stonier, Gregerson, Riccelli, Ormsby, Kloba, Doglio, Bateman, Macri and Duerr.

Brief Summary of Bill

- Implements certain membership requirements for statutory entities, defined as any statutorily created or statutorily mandated multimember task force, work group, advisory committee, council, commission, or other similar entity that is tasked with examining policies that directly and tangibly affect a particular underrepresented population.
- Requires various reports by the Office of Equity on the effectiveness of the membership requirements for statutory entities, among other information.

Hearing Date: 2/3/23

Staff: Desiree Omli (786-7105).

Background:

The phrase "nothing about us without us" is a mantra that has historically resonated with the disability rights community in advocating for full and direct participation in all decisions that impact their lives.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Various state entities encourage the participation of, or require the inclusion of, people with direct lived experience, individuals from underrepresented communities, and those from vulnerable populations. For example, the Strategic Plan Advisory Group established by the Children and Youth Behavioral Health Work Group must include in its membership individuals with lived experience receiving behavioral health services or whose family members have received such services. Additionally, Community Health Advisory Boards (Board) are required to be broadly representative of the character of the community, with the Board's composition consisting of community members with lived experience in areas such as health care access and quality, health care inequities, and social and economic sectors. Also, the Utility Wildland Fire Prevention Advisory Committee must include two members representing historically marginalized or underrepresented communities. Further, the Governor is required to appoint to the Criminal Justice Training Commission at least three members from historically underrepresented communities.

Summary of Bill:

Membership Requirements for Statutory Entities.

The membership of any statutory entity, defined as any statutorily created or statutorily mandated multimember task force, work group, advisory committee, council, commission, or other similar entity that is tasked with examining policies directly and tangibly affecting a particular underrepresented population, must reflect the diversity of people with direct lived experience with the identified issue being examined by the statutory entity and:

- include in its membership at least two representatives from each directly impacted underrepresented population if two or fewer underrepresented populations are directly and tangibly affected by the specific issue that the statutory entity is tasked with examining; or
- include in its membership at least one person representing each directly impacted underrepresented population if three or more underrepresented populations are directly and tangibly affected by the specific issue that the statutory entity is tasked with examining.

An "underrepresented population" is defined as a population group that is more likely to be at higher risk for disenfranchisement due to adverse socioeconomic factors, such as unemployment, high housing and transportation costs relative to income, effects of environmental harms, limited access to nutritious food and adequate health care, linguistic isolation, and other factors that may be barriers to participation in policy decision making. A person with "direct lived experience" means a person with direct personal experience in the subject matter being addressed by the statutory entity.

If the membership requirements under the act require that additional members be appointed to statutory entities created on or after the effective date of this section, or to existing statutory entities for which new appointments are being made, the Office of Equity (Office) is the appointing authority for the additional positions. The additional members must have voting authority.

Educational and Informative Resources.

The Statute Law Committee must include information about membership requirements for statutory entities in the Bill Drafting Guide.

The Chief Clerk of the House of Representatives and the Secretary of the Senate must include in relevant training material or guidance provided to legislators or legislative staff information that:

- describes the membership requirements for statutory entities;
- strongly encourages the participation of people with direct lived experience in committee work sessions;
- describes best practices for providing access to the Legislature and the types of accommodations that are available for people with direct lived experience; and
- describes any findings made by the Office in its report due every four years on December 1, as described below.

Reports.

All statutory entities must report to the Office by August 30, 2024, and again by August 30, 2025, the following:

- a brief description of the statutory entity's purpose; and
- information relating to the underrepresented populations directly and tangibly impacted by its work, including:
 - the number of members who are appointed to the statutory entity who have direct lived experience with the specific policy that the statutory entity is tasked with examining;
 - anonymous aggregate demographic information of statutory entity members related to disability status, age, race, gender, sexual orientation, ethnicity, and geographic representation;
 - an analysis of whether the membership requirements under the act reduced barriers to participation in policymaking decisions by members of underrepresented populations;
 - an analysis of how participation by members from underrepresented populations with direct lived experience affected the conduct and outcomes of the statutory entity as it accomplished its mission; and
 - the number of members from an underrepresented population who have direct lived experience and qualify for the existing statutory stipend of \$200 per day, the number of those who requested stipends, and the number who received the stipend.

The Office must analyze the information provided to it by statutory entities and provide the Governor and Legislature, by December 1, 2025, with:

- an overall evaluation of the process relating to membership requirements for statutory entities;
- recommendations for improving the membership process;
- recommendations to further decrease barriers to participation; and
- recommendations to increase the diversity of statutory entity applicants.

By December 1, 2023, and every four years thereafter, the Office must consult with community-based organizations, and may consult with state agencies or offices that support the participation of underrepresented populations in policymaking processes, to identify and report to the Legislature on:

- barriers to access and meaningful participation by people from underrepresented populations who have direct lived experience in stakeholder engagement conducted by members of the Legislature, legislative standing committees, and statutory entities;
- tools to support access and meaningful participation in stakeholder engagement;
- modifications to the stakeholder engagement processes that would promote an increase in access and opportunities for participation in policymaking processes; and
- any recommended changes to rules or the law that would promote increased access and participation to the policymaking process.

Appropriation: None.

Fiscal Note: Requested on January 28, 2023.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.