AN ACT

RELATING TO STATE AFFAIRS AND GOVERNMENT

Introduced By: Representatives Cassar, Morales, Felix, Alzate, J Lombardi, Kislak, Barros, Knight, Williams, and Amore
Date Introduced: March 02, 2022
Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

SECTION 1. Title 42 of the General Laws entitled "STATE AFFAIRS AND GOVERNMENT" is hereby amended by adding thereto the following chapter:

CHAPTER 162

RACE, ETHNICITY, GENDER AND DISABILITY IMPACT STATEMENT ACT

42-162-1. Short title.

This act shall be known and may be cited as the "Race, Ethnicity, Gender and Disability Impact Statement Act."


The general assembly hereby finds and declares that:

(1) Persistent, widespread and unacceptable disparities exist in Rhode Island for individuals and families as a result of race, ethnicity, gender and disability which impact quality of life, access to services, access to safe and affordable housing, access to capital as well as educational and economic attainment. Although awareness is not enough to reverse long-standing structural factors that cause these disparities, it must be the starting point.

(2) Deliberate action is required to reverse policies that have resulted in disadvantages for racial and ethnic populations, women and disabled individuals that have resulted in the following:

(i) Native American, Black and Hispanic children in Rhode Island live in poverty at disproportionately high rates, experience food insecurity at disproportionately high rates, and have disproportionately low high school graduation rates.
(ii) Native American, Black and Hispanic Rhode Islanders have lower rates of homeownership, have disproportionately lower economic attainment, experience poorer health outcomes and are over-represented in lower-wage jobs and in the department of corrections population.

(iii) Rhode Island women, especially Native American, Black and Hispanic women, are over-represented in low wage jobs, experience wage disparity, experience high levels of food insecurity and poverty, and have been disproportionately impacted by the COVID-19 pandemic.

(iv) Disabled Rhode Islanders experience barriers to access to voting, barriers to employment and economic opportunity, barriers to accessing housing and barriers to accessing public spaces.

42-162-3. Legislative purposes.

(a) The general assembly recognizes that from criminal justice policies and housing policies to social welfare and health care policies that state legislation has disproportionally impacted Native American, Black, and Hispanic Rhode Islanders as well as women and individuals with disabilities. This disproportionate impact has led to poor health outcomes, low educational attainment and low socioeconomic levels. In turn it has exacerbated increased rates of incarceration, increased public health risk and increased involvement with state agencies and monitoring resulting in disenfranchisement and distrust of systems and government.

(b) Beginning in 2007 and 2008, a handful of states, including Connecticut and Massachusetts, began implementing racial impact statements to address racial disparities in their criminal justice systems. Other states, including Maine, have taken a different approach to addressing historic and pervasive racial inequity in legislation. This act aims to build on that foundation, proposing the inclusion of a new legislative tool, a combined race, ethnicity, gender and disability impact statement, in future legislation.

(c) Based on the prevention principle, the development of combined race, ethnicity, gender and disability impact statement aims to prevent harm, or inform of potential harm or disproportionate impact, to specific demographics during the legislative process.

(d) As there has historically been no process to guide analysis by racial impact as legislation is considered in the Rhode Island general assembly, this act will add race, ethnicity, gender and disability impact statements into the legislative process to contribute to the development of sound and fair policy. Race, ethnicity, gender and disability impact statements will serve as a tool to inform legislators of potential consequences of policies that may have a disproportionate impact on historically disadvantaged populations prior to enacting new legislation.

42-162-4. Parameters for statements.
(a) A race, ethnicity, gender and disability impact statement must be an impartial, simple and understandable statement demonstrating that the bill sponsor has taken into account the impact that the legislation will have on underrepresented and historically disadvantaged communities throughout the state. The sponsor of the legislation may work in conjunction with state agencies to obtain any necessary demographic data to inform the content of the impact statement. The sponsor of the legislation shall assure that the bill language contains a section entitled "race, ethnicity, gender and disability impact" which contains:

(1) A description of the way in which the legislation will or will not provide corrective action for policies that have previously resulted in disparities by race, ethnicity, gender or disability; and

(2) A reference to historic disparities; existing efforts to address the historic disparities.

(b) Race, ethnicity, gender and disability impact statements shall be required when proposed legislation pertains to expenditures or policy regarding human services, medical, dental or behavioral health care, disability services, housing or housing assistance; legislation regarding education; legislation regarding employment and labor; legislation regarding land use and transportation; legislation that will have economic or environmental impacts on communities; and legislation that pertains to the criminal justice system.

(c) The race, ethnicity, gender and disability impact statement requirement may be waived if there are no discernible impacts based on race, ethnicity, gender or disability.

(d) Race, ethnicity, gender and disability impact statements must be made available to the public at the time that bills are posted for hearing in committees to ensure that the public and legislators have the information available to inform testimony and hearings. Race, ethnicity, gender and disability impact statements shall be deemed public records under the provisions of chapter 2 of title 38.

SECTION 2. This act shall take effect upon passage.
This act would require the general assembly to include combined race, ethnicity, gender and disability impact statements to any legislation that pertains to human services, medical, dental or behavioral health care, disability services, housing or housing assistance; legislation regarding education; legislation regarding employment and labor; legislation regarding land use and transportation; legislation that will have economic or environmental impacts on communities; and legislation that pertains to the criminal justice system.

This act would take effect upon passage.