

HB 4107 A STAFF MEASURE SUMMARY

House Committee On Rules

Action Date: 02/18/22

Action: Do pass with amendments and be referred to Ways and Means. (Printed A-Eng.)

Vote: 6-1-0-0

Yeas: 6 - Breese-Iverson, Fahey, Holvey, Smith Warner, Valderrama, Zika

Nays: 1 - Wallan

Fiscal: Fiscal impact issued

Revenue: No revenue impact

Prepared By: Melissa Leoni, LPRO Analyst

Meeting Dates: 2/15, 2/18

WHAT THE MEASURE DOES:

Directs Legislative Policy and Research Office Director to develop pilot racial and ethnic impact statement template. Requires director to confer with chairs and vice-chairs of Senate and House Interim Committees on Rules to select three Senate and three House measures from 2021 session as test measures for pilot template. Requires preliminary report to House Interim Committee on Rules by September 15, 2022, on pilot template methodology and review process and findings of draft impact statements. Requires director to present final impact statements and process report to Senate and House Interim Committees on Rules by December 15, 2022. Requires director to propose policy on racial and ethnic impact statements to Legislative Policy and Research Committee, which shall adopt a policy including guidance on when impact statement must be made publicly available during legislative process. Requires director to prepare two to five impact statements for each committee related to health care, education, revenue, human services, housing, and administration of justice during each odd-numbered year regular session beginning in 2023. Establishes process for committees to request impact statements. Requires director to report to House Interim Committee on Rules on impact statement process used in 2023 session by September 15, 2023, and directs committee to consider other applications of process. Declares emergency, effective on passage.

ISSUES DISCUSSED:

- Purpose of template and what can be learned from racial and ethnic impact statements
- Inclusion of Oregon Advocacy Commissions
- Included policy areas for preparing statements in 2023 and adding housing
- Statements providing information to legislative deliberations

EFFECT OF AMENDMENT:

Replaces the measure.

BACKGROUND:

The Legislative Policy and Research Office (LPRO) was created by the Legislative Assembly in 2016 to: (1) prepare and provide legislative research for members and committees; (2) facilitate the development of legislative policy when requested; (3) provide advice and assistance to legislative committees; (4) provide clerical and administrative services to legislative committees; and, (5) provide research facilities and services to members and committees of the Legislative Assembly (ORS 173.635).

Four types of impact statements related to legislative deliberations are currently defined in Oregon statutes.

- The Oregon Criminal Justice Commission must prepare a racial and ethnic impact statement for a state measure or proposed legislation related to crime and likely to have an effect on the criminal justice system

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when requested by one member of the Legislative Assembly from each major political party (ORS 137.683 and 137.685).

- The Legislative Fiscal Officer must prepare a fiscal impact statement and the Legislative Revenue Officer must prepare a revenue impact statement for each measure reported out of a committee of the Legislative Assembly that could have any effect on expenditures or revenues of the state or on the expenditures or revenues of local governmental units, including school districts (ORS 173.025). Additional requirements for fiscal impact statements exist for measures that create a new crime, increase the period of incarceration for an existing crime, or modify sentencing or state corrections policies, or that increase employer contributions under the Public Employees Retirement System (ORS 173.029 and 173.051).
- Legislative Counsel must prepare an open government impact statement for each measure reported out of a committee of the Legislative Assembly if the measure affects the disclosure, or exemption from disclosure, of a public record (ORS 192.488).

House Bill 4107 A establishes a process for the LPRO Director to develop a template for racial and ethnic impact statements, use the template on six measures from the 2021 legislative session, propose a policy on racial and ethnic impact statement use in the legislative process, and prepare two to five racial and ethnic impact statements for each committee related to health care, education, revenue, human services, housing, and administration of justice during each odd-numbered year regular session beginning in 2023.