

Requested by Representative SMITH WARNER

**PROPOSED AMENDMENTS TO
HOUSE BILL 4107**

1 In line 2 of the printed bill, delete “prescribing an effective date” and
2 insert “declaring an emergency”.

3 Delete lines 4 through 8 and insert:

4 **“SECTION 1. (1) The Legislative Policy and Research Director shall**
5 **develop a pilot racial and ethnic impact statement template. The pilot**
6 **template shall set forth:**

7 **“(a) Standard questions to be considered in the preparation of a**
8 **racial and ethnic impact statement for proposed legislation;**

9 **“(b) Sources of data to be considered in the preparation of a racial**
10 **and ethnic impact statement for proposed legislation; and**

11 **“(c) Sources of research to be considered in the preparation of a**
12 **racial and ethnic impact statement.**

13 **“(2) In preparing the pilot template, the director shall consider**
14 **models used in other states and in academic research for assessing the**
15 **racial and ethnic impacts of proposed legislation and other formal**
16 **actions undertaken by the institutions of national, state and local**
17 **governments and other entities in the United States, including educa-**
18 **tional institutions.**

19 **“(3) The director shall confer with the chairs and vice-chairs of the**
20 **Senate and House Interim Committees on Rules and, based on that**
21 **conferral, select three Senate measures and three House measures**

1 that were enacted during the 2021 regular session of the Legislative
2 Assembly as test measures on which to apply the pilot racial and
3 ethnic impact statement template.

4 “(4) Following selection of the measures described in subsection (3)
5 of this section, the director shall apply the pilot template to each of
6 the selected measures and prepare draft racial and ethnic impact
7 statements for each measure. The director shall present a preliminary
8 report to the House Interim Committee on Rules on or before Sep-
9 tember 15, 2022, that reports on:

10 “(a) The pilot template methodology and review process;

11 “(b) The director’s experience in preparing the six test impact
12 statements; and

13 “(c) The specific findings of the draft impact statements on the six
14 test measures.

15 “(5) Based on feedback provided by the House Interim Committee
16 on Rules, the director may modify the template and prepare final ra-
17 cial and ethnic impact statements on the six test measures. The di-
18 rector shall present the final impact statements and the final process
19 report summarizing the methodology for preparation and review of
20 impact statements to the Senate and House Interim Committees on
21 Rules and the policy committees that had heard the six test measures
22 during the 2021 regular session. The director shall present the state-
23 ments and final report to the committees on or before December 15,
24 2022.

25 “(6) Following the presentations described in subsection (5) of this
26 section and taking into account feedback provided therein, the direc-
27 tor shall propose to the Legislative Policy and Research Committee a
28 policy that describes the objectives, content and form of a racial and
29 ethnic impact statement and the procedures to be followed in the
30 preparation of those statements. After conducting due deliberations in

1 which the committee may make modifications to the policy, the com-
2 mittee shall adopt a policy on the preparation of racial and ethnic
3 impact statements. The policy shall include guidance on when a racial
4 and ethnic impact statement must be made publicly available relative
5 to the associated measure’s location in the legislative process.

6 **“SECTION 2.** Section 3 of this 2022 Act becomes operative January
7 1, 2023.

8 **“SECTION 3. (1)** The Legislative Policy and Research Director shall
9 prepare racial and ethnic impact statements for each odd-numbered
10 year regular session for legislative measures that are in the possession
11 of the committees of the Senate and the House of Representatives that
12 have jurisdiction over the following subject areas:

13 **“(a)** Health care;

14 **“(b)** Education;

15 **“(c)** Revenue;

16 **“(d)** Human services; and

17 **“(e)** Administration of justice.

18 **“(2)** Each racial and ethnic impact statement shall be prepared in
19 conformance with the policies of the Legislative Policy and Research
20 Committee on the preparation of racial and ethnic impact statements.

21 **“(3)** Each committee described in subsection (1) of this section must
22 request the preparation of racial and ethnic impact statements for at
23 least two but no more than five legislative measures in the possession
24 of the committee. A request for the preparation of a racial and ethnic
25 impact statement for a legislative measure may be made by:

26 **“(a)** The committee chair, following consultation with the commit-
27 tee vice-chair;

28 **“(b)** A majority vote of the committee requesting preparation of a
29 racial and ethnic impact statement; or

30 **“(c)** The Oregon Advocacy Commissions Office, following the

1 office's consultation with the committee.

2 “(4) A legislative measure that only directs that an agency, task
3 force or work group study and report on an issue, or that only creates
4 a task force or work group to study and report on an issue, is ineligible
5 for the creation of a racial or ethnic impact statement.

6 “(5) If the director receives more requests for the preparation of a
7 racial and ethnic impact statement than the maximum number al-
8 lowed, the director shall prepare racial and ethnic impact statements
9 based on the order of the requests made to the director until the
10 maximum number of impact statements allowed under subsection (3)
11 of this section have been prepared.

12 “(6) The director shall prepare racial and ethnic impact statements
13 for legislative measures for which a racial and ethnic impact state-
14 ment has been properly requested. The impact statement shall be
15 made publicly available by the time prescribed in policies of the Leg-
16 islative Policy and Research Committee.

17 **“SECTION 4. (1) The Legislative Policy and Research Director shall**
18 **report to the House Interim Committee on Rules on the racial and**
19 **ethnic impact statement process as used for the 2023 regular session**
20 **of the Legislative Assembly. The director shall make the report on or**
21 **before September 15, 2023. The director may offer suggestions to im-**
22 **prove the process of researching and preparing statements.**

23 “(2) In addition to considering the director's report made under
24 subsection (1) of this section, the committee shall consider application
25 of the racial and ethnic impact statement process to:

26 “(a) Additional policy areas;

27 “(b) Even-numbered year regular sessions;

28 “(c) Special sessions; and

29 “(d) Meetings of the Emergency Board.

30 “(3) The committee may introduce proposed legislation to address

1 **matters described in this section in the 2024 regular session or in later**
2 **sessions.**

3 **“SECTION 5. This 2022 Act being necessary for the immediate**
4 **preservation of the public peace, health and safety, an emergency is**
5 **declared to exist, and this 2022 Act takes effect on its passage.”.**

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