
SUBSTITUTE HOUSE BILL 2076

State of Washington

64th Legislature

2016 Regular Session

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

READ FIRST TIME 01/29/16.

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

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the health,
6 safety, and productivity of all communities is of the utmost
7 importance to the state of Washington, including historically
8 marginalized racial and ethnic communities. All citizens are harmed
9 by unintended racial and ethnic disparities created by legislation.
10 Therefore, the legislature intends to create a proactive tool
11 intended to provide legislators with aggregated and disaggregated
12 demographical data and other information to help legislators
13 understand possible disparate racial and ethnic impacts, and thus
14 better informed and intentional decisions on legislative proposals.

15 **Sec. 2.** RCW 43.88C.050 and 2015 c 128 s 3 are each amended to
16 read as follows:

17 (1) The caseload forecast council shall appoint a research staff
18 of sufficient size and with sufficient resources to accomplish its
19 duties. The caseload forecast council may request from the
20 administrative office of the courts, the department of early

1 learning, the department of corrections, the health care authority,
2 the superintendent of public instruction, the Washington student
3 achievement council, the department of social and health services,
4 and other agencies with caseloads forecasted by the council, such
5 data, information, and data processing assistance as it may need to
6 accomplish its duties, and such services shall be provided without
7 cost to the caseload forecast council.

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

10 NEW SECTION. **Sec. 3.** A new section is added to chapter 43.88C
11 RCW to read as follows:

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

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

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

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

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

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