

SENATE BILL REPORT

SB 5405

As Reported by Senate Committee On:
State Government & Elections, February 12, 2021
Ways & Means, February 22, 2021

Title: An act relating to racial equity analysis for the joint legislative audit and review committee work.

Brief Description: Instructing the joint legislative audit and review committee to perform racial equity analyses.

Sponsors: Senators Hasegawa, Conway, Liias, Nguyen, Saldaña and Wilson, C..

Brief History:

Committee Activity: State Government & Elections: 2/10/21, 2/12/21 [DP-WM, w/oRec].
Ways & Means: 2/19/21, 2/22/21 [DPS, DNP, w/oRec].

Brief Summary of First Substitute Bill

- Requires the Joint Legislative Audit and Review Committee to incorporate a racial equity analysis, or note if a racial equity analysis is not necessary or appropriate, in its performance audits, sunset reviews, and other audits or reports.

SENATE COMMITTEE ON STATE GOVERNMENT & ELECTIONS

Majority Report: Do pass and be referred to Committee on Ways & Means.
Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Hasegawa.

Minority Report: That it be referred without recommendation.
Signed by Senators Wilson, J., Ranking Member; Hawkins.

Staff: Melissa Van Gorkom (786-7491)

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.

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Substitute Senate Bill No. 5405 be substituted therefor, and the substitute bill do pass.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Capital; Robinson, Vice Chair, Operating & Revenue; Carlyle, Conway, Darneille, Dhingra, Hasegawa, Hunt, Keiser, Liias, Mullet, Pedersen and Wellman.

Minority Report: Do not pass.

Signed by Senators Wilson, L., Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Wagoner and Warnick.

Minority Report: That it be referred without recommendation.

Signed by Senators Schoesler, Assistant Ranking Member, Capital; Braun, Gildon, Muzzall, Rivers and Van De Wege.

Staff: Julie Murray (786-7711)

Background: The Joint Legislative Audit and Review Committee (JLARC) has 16 members; eight senators and eight representatives, with four from each caucus of each chamber. The nonpartisan staff of JLARC conduct performance audits, program evaluations, sunset reviews, and other analyses assigned by the Legislature and JLARC itself.

Summary of Bill (First Substitute): JLARC must incorporate a racial equity analysis, or note if a racial equity analysis is not necessary or appropriate, in its performance audits, sunset reviews, and other audits or reports. JLARC may work with the Office of Equity, the Governor's Office of Indian Affairs, the LGBTQ commission, and the Washington State women's commission, and ethnic commissions to design the racial equity analysis.

EFFECT OF CHANGES MADE BY WAYS & MEANS COMMITTEE (First Substitute):

- Adds the Governor's Office of Indian Affairs, the LGBTQ commission, and the Washington State women's commission to the list of agencies JLARC may work with to design the racial equity analysis.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill (State Government & Elections):

PRO: JLARC is a nationally recognized institution for the work they do. JLARC has multiple functions to provide performance audits, review citizen commission for performance measurements of tax preferences as well as other reviews of programs the state has. When JLARC does reviews they do not have the capacity to do as many reviews as may be needed but I often ask whether racial disproportionalities or disparate impacts as a result of a program and JLARC often indicates it is not a statutory requirement for them. This bill would make that analysis a part of their reviews. The fiscal impact may not be as high as is reflected in the fiscal note. It is important to take a look at where racism is institutionalized within our programs.

Persons Testifying (State Government & Elections): PRO: Senator Bob Hasegawa, Prime Sponsor.

Persons Signed In To Testify But Not Testifying (State Government & Elections): No one.

Staff Summary of Public Testimony on Original Bill (Ways & Means): *The committee recommended a different version of the bill than what was heard.* PRO: JLARC is already doing these audits and so it would not be too much work for them to add to this. The fiscal impact will probably not be as high as indicated in the fiscal note.

Persons Testifying (Ways & Means): PRO: Senator Bob Hasegawa, Prime Sponsor.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.