

**A-Engrossed**  
**House Bill 4107**

Ordered by the House February 18  
Including House Amendments dated February 18

Sponsored by Representative SMITH WARNER; Representatives ALONSO LEON, NELSON (Presession filed.)

**SUMMARY**

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

Directs Legislative Policy and Research Director to [*study use of impact statements in legislative deliberations and to report findings to Legislative Policy and Research Committee on or before February 1, 2023.*] **develop pilot racial and ethnic impact statement template containing specified items. Requires director, following conferral with Senate and House Interim Committees on Rules, to select six measures enacted during 2021 regular session, apply pilot template to all six measures and report findings, process and experience on preliminary basis to House Interim Committee on Rules. Permits director, following feedback provided by House Interim Committee on Rules, to modify template and then provide final impact statements and process report to Senate and House Interim Committees on Rules and to policy committees that had heard test measures during 2021 regular session.**

**Requires director, following presentations to interim committees, to propose policy to Legislative Policy and Research Committee that describes content, objectives and form of racial and ethnic impact statements. Requires committee to deliberate on, modify where appropriate, and adopt policy.**

**Requires director, for odd-numbered year regular sessions occurring in 2023 or later years, to prepare racial and ethnic impact statements on limited number of legislative measures within specified policy areas. Requires statements to be prepared in conformance with policy adopted by Legislative Policy and Research Committee.**

**Requires director, following completion of 2023 regular session, to report to House Interim Committee on Rules on racial and ethnic impact statement process. Authorizes committee to consider applying impact statement process to additional policy areas, even-numbered year regular sessions, special sessions and meetings of Emergency Board.**

*[Takes effect on 91st day following adjournment sine die.]*

**Declares emergency, effective on passage.**

**A BILL FOR AN ACT**

1  
2 Relating to impact statements; and declaring an emergency.

3 **Be It Enacted by the People of the State of Oregon:**

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

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

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

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

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

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1       (3) The director shall confer with the chairs and vice chairs of the Senate and House  
2 Interim Committees on Rules and, based on that conferral, select three Senate measures and  
3 three House measures that were enacted during the 2021 regular session of the Legislative  
4 Assembly as test measures on which to apply the pilot racial and ethnic impact statement  
5 template.

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

11       (a) The pilot template methodology and review process;

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

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

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

21       (6) Following the presentations described in subsection (5) of this section and taking into  
22 account feedback provided therein, the director shall propose to the Legislative Policy and  
23 Research Committee a policy that describes the objectives, content and form of a racial and  
24 ethnic impact statement and the procedures to be followed in the preparation of those  
25 statements. After conducting due deliberations in which the committee may make modifica-  
26 tions to the policy, the committee shall adopt a policy on the preparation of racial and ethnic  
27 impact statements. The policy shall include guidance on when a racial and ethnic impact  
28 statement must be made publicly available relative to the associated measure's location in  
29 the legislative process.

30       SECTION 2. Section 3 of this 2022 Act becomes operative January 1, 2023.

31       SECTION 3. (1) The Legislative Policy and Research Director shall prepare racial and  
32 ethnic impact statements for each odd-numbered year regular session for legislative meas-  
33 ures that are in the possession of the committees of the Senate and the House of Repre-  
34 sentatives that have jurisdiction over the following subject areas:

35       (a) Health care;

36       (b) Education;

37       (c) Revenue;

38       (d) Human services;

39       (e) Administration of justice; and

40       (f) Housing.

41       (2) Each racial and ethnic impact statement shall be prepared in conformance with the  
42 policies of the Legislative Policy and Research Committee on the preparation of racial and  
43 ethnic impact statements.

44       (3) Each committee described in subsection (1) of this section must request the prepa-  
45 ration of racial and ethnic impact statements for at least two but no more than five legis-

1 **lative measures in the possession of the committee. A request for the preparation of a racial**  
2 **and ethnic impact statement for a legislative measure may be made by:**

3 **(a) The committee chair, following consultation with the committee vice chairs;**

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

6 **(c) The Oregon Advocacy Commissions Office, following the office's consultation with the**  
7 **committee.**

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

11 **(5) If the director receives more requests for the preparation of a racial and ethnic im-**  
12 **act statement than the maximum number allowed, the director shall prepare racial and**  
13 **ethnic impact statements based on the order of the requests made to the director until the**  
14 **maximum number of impact statements allowed under subsection (3) of this section have**  
15 **been prepared.**

16 **(6) The director shall prepare racial and ethnic impact statements for legislative meas-**  
17 **ures for which a racial and ethnic impact statement has been properly requested. The impact**  
18 **statement shall be made publicly available by the time prescribed in policies of the Legisla-**  
19 **tive Policy and Research Committee.**

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

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

28 **(a) Additional policy areas;**

29 **(b) Even-numbered year regular sessions;**

30 **(c) Special sessions; and**

31 **(d) Meetings of the Emergency Board.**

32 **(3) The committee may introduce proposed legislation to address matters described in**  
33 **this section in the 2024 regular session or in later sessions.**

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

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