

Regular Session, 2012

SENATE BILL NO. 328

BY SENATOR BROOME

LEGISLATION. Provides for poverty impact statements for proposed legislation. (1/1/13)

1 AN ACT

2 To enact R.S. 24:603.2, relative to the legislation; to provide for poverty impact statements  
3 for certain legislative measures; to provide for the duties of the legislative fiscal  
4 office; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 24:603.2 is hereby enacted to read as follows:

7 **§603.2. Poverty impact statements**

8 **A. Each state department, agency, board, commission, or institution**  
9 **shall cooperate with and provide information requested by the legislative fiscal**  
10 **office in preparation of a poverty impact statement pursuant to Subsection B**  
11 **of this Section.**

12 **B.(1) The author of a legislative measure may request the legislative**  
13 **fiscal office to prepare a poverty impact statement as part of the fiscal note for**  
14 **the measure introduced during any legislative session, if the measure has a**  
15 **potential impact on child, individual, or family poverty in relation to individual**  
16 **or community asset development domains such as any of the following:**

17 **(a) Household income, assets, and financial security.**

1                   **(b) Early childhood development and preschool through postsecondary**  
2 **education development.**

3                   **(c) Employment and workforce development.**

4                   **(d) Taxes and tax credits.**

5                   **(e) Child and dependent care, housing, health care, nutrition,**  
6 **transportation, and utilities assistance.**

7                   **(2) A statement shall include an estimate of any potential impact of the**  
8 **legislative measure.**

9                   **(3) The statement may include information about the data sources used**  
10 **to prepare the statement and a brief description of the data analysis that was**  
11 **made.**

12                   **(4) The legislative fiscal office shall be responsible for preparing the**  
13 **statement with existing resources and may collaborate with the appropriate**  
14 **state department, agency, board, commission, or institution. The legislative**  
15 **fiscal office may also work directly with the state demographer or any other**  
16 **nonpartisan objective analysts in preparing the statement.**

17                   **(5) The statement is intended to be a brief narrative.**

18                   **C. As used in this Section, unless the context otherwise requires:**

19                   **(1) "Capability approach index" means a measure of the economic**  
20 **capabilities of a population that uses a methodology similar to that used in the**  
21 **development of the human development index.**

22                   **(2) "Federal poverty line" means the poverty guidelines updated**  
23 **periodically in the federal register by the United States Department of Health**  
24 **and Human Services under the authority of 42 U.S.C. 9902 (2).**

25                   **(3) "Potential impact" means an assessment as to how implementation**  
26 **of a legislative measure would affect access to basic human services, including,**  
27 **but not limited to, health care, housing, and education. "Potential impact" also**  
28 **means any qualitative or quantitative analysis of the effect of a legislative**  
29 **measure on child, individual, or family poverty in relation to the domains**

1 specified in Subparagraphs (1)(a) through (e) of Subsection B. If a quantitative  
2 analysis is made, the analysis may be made by using poverty measures.

3 (4) "Poverty" means living at or below one hundred percent of the  
4 federal poverty line.

5 (5) "Poverty measures" may include the federal poverty line, the  
6 self-sufficiency standard, a supplemental poverty measure, or other measures  
7 including a capability approach index, or a ranking of other Louisiana social  
8 determinants that may be used by departments, agencies, or institutions of the  
9 state in evaluating the outcomes and effectiveness of public policies.

10 (6) "Self-sufficiency standard" means a measure of the income needed  
11 by a family of a given composition in a given place to adequately meet its basic  
12 needs without public or private assistance.

13 (7) "Statement" means a poverty impact statement as provided for in  
14 this Section.

15 D. In addition, the chairman of the committee to which such legislative  
16 measure is referred may request such a statement from the legislative fiscal  
17 officer immediately upon referral of the measure and the secretary of the Senate  
18 and the clerk of the House of Representatives may request such a statement  
19 upon introduction of the measure.

20 E. Whenever any committee of either house reports a legislative measure  
21 with an amendment which alters the poverty impact effect of the measure, there  
22 shall be attached to the reported measure a fiscal note delineating the poverty  
23 impact effect of the change proposed by the amendment. The committee  
24 chairman shall request such note from the legislative fiscal office. In like  
25 manner, whenever a floor amendment which would alter the poverty impact  
26 effect of the measure is proposed without a fiscal note containing the poverty  
27 impact effect of such amendment attached thereto, any member of the house in  
28 question may offer a motion that the amendment be withdrawn. The  
29 amendment may be proposed again at any time it would otherwise be in order,

1           provided that the required fiscal note is attached. It shall be the responsibility  
 2           of the member proposing such a floor amendment to secure any required fiscal  
 3           note from the legislative fiscal office either directly or through the staff of the  
 4           house in which the member serves.

5           F. Whenever a measure requiring a poverty impact statement in the  
 6           fiscal note has been reported by any committee of either house of the legislature  
 7           without a fiscal note, any member may, on third reading of such measure, offer  
 8           a motion that the measure be returned to the calendar.

9           Section 2. This Act shall become effective on January 1, 2013.

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The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Jerry J. Guillot.

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#### DIGEST

Proposed law provides for poverty impact statements to be prepared by the Legislative Fiscal Office (LFO) for certain legislative measures.

Proposed law requires that each state department, agency, board, commission, or institution cooperate with and provide information requested by the LFO in preparation of a poverty impact statement.

Proposed law provides that the author of a legislative measure may request the LFO to prepare a poverty impact statement as part of the fiscal note for the measure introduced during any legislative session, if the measure has a potential impact on child, individual, or family poverty in relation to individual or community asset development domains such as any of the following:

1. Household income, assets, and financial security.
2. Early childhood development and preschool through postsecondary education development.
3. Employment and workforce development.
4. Taxes and tax credits.
5. Child and dependent care, housing, health care, nutrition, transportation, and utilities assistance.

Proposed law requires that a statement include an estimate of any potential impact of the measure.

Proposed law provides that the statement may include information about the data sources used to prepare the statement and a brief description of the data analysis that was made.

Proposed law provides that the LFO is responsible for preparing the statement with existing resources and may collaborate with the appropriate state department, agency, board, commission, or institution. The LFO may also work directly with the state demographer or

any other nonpartisan objective analysts in preparing the statement.

Proposed law provides that the statement is intended to be a brief narrative.

Proposed law contains the following definitions:

1. "Capability approach index" means a measure of the economic capabilities of a population that uses a methodology similar to that used in the development of the human development index.
2. "Federal poverty line" means the poverty guidelines updated periodically in the federal register by the U.S. Department of Health and Human Services.
3. "Potential impact" means an assessment as to how implementation of a legislative measure would affect access to basic human services, including, but not limited to, health care, housing, and education. "Potential impact" also means any qualitative or quantitative analysis of the effect of a legislative measure on child, individual, or family poverty in relation to the domains specified. If a quantitative analysis is made, the analysis may be made by using poverty measures.
4. "Poverty" means living at or below 100% of the federal poverty line.
5. "Poverty measures" may include the federal poverty line, the self-sufficiency standard, a supplemental poverty measure, or other measures including a capability approach index, or a ranking of other Louisiana social determinants that may be used by departments, agencies, or institutions of the state in evaluating the outcomes and effectiveness of public policies.
6. "Self-sufficiency standard" means a measure of the income needed by a family of a given composition in a given place to adequately meet its basic needs without public or private assistance.

Proposed law provides that the chairman of the committee to which such legislative measure is referred may request such a statement from the LFO immediately upon referral of the measure and the Senate secretary and the House clerk may request such a statement upon introduction of the measure.

Proposed law provides that whenever any committee of either house reports a legislative measure with an amendment which alters the poverty impact effect of the measure, there shall be attached to the reported measure a fiscal note delineating the poverty impact effect of the change proposed by the amendment. Requires that the committee chairman request such note from the LFO. In like manner, whenever a floor amendment which would alter the poverty impact effect of the measure is proposed without a fiscal note containing the poverty impact effect of such amendment attached thereto, any member of the house in question may offer a motion that the amendment be withdrawn. Provides that the amendment may be proposed again at any time it would otherwise be in order, provided that the required fiscal note is attached. Provides that it is the responsibility of the member proposing such a floor amendment to secure any required fiscal note from the LFO either directly or through the staff of the house in which the member serves.

Proposed law provides that whenever a measure requiring a poverty impact statement in the fiscal note has been reported by any committee of either house of the legislature without a fiscal note, any member may, on third reading of such measure, offer a motion that the measure be returned to the calendar.

Effective January 1, 2013.

(Adds R.S. 24:603.2)