

2021 -- H 6484

LC003107

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

A N A C T

RELATING TO STATE AFFAIRS AND GOVERNMENT -- RACE, ETHNICITY AND
GENDER IMPACT STATEMENT ACT

Introduced By: Representatives Cassar, Williams, Henries, Alzate, Morales, Kislak,
Barros, Felix, Kazarian, and Tanzi

Date Introduced: June 29, 2021

Referred To: House State Government & Elections

It is enacted by the General Assembly as follows:

1 SECTION 1. Title 42 of the General Laws entitled "STATE AFFAIRS AND
2 GOVERNMENT" is hereby amended by adding thereto the following chapter:

3 CHAPTER 160

4 RACE, ETHNICITY AND GENDER IMPACT STATEMENT ACT

5 **42-160-1. Short title.**

6 This act shall be known as the "Race, Ethnicity and Gender Impact Statement Act."

7 **42-160-2. Findings.**

8 (1) Race, ethnicity and gender disparities in economic opportunity and wealth, health
9 outcomes, educational attainment, justice involvement and access to affordable, safe housing exist
10 in Rhode Island. While evidence is abundant, a few key findings make clear the need for deliberate
11 action to reverse historic injustice that has resulted in disadvantages for communities of color and
12 women.

13 (2) Data from 2016-2020 from the department of children, youth and families; department
14 of education; and Rhode Island Kids Count demonstrate key racial and ethnic disparities:

15 (i) Racial and ethnic disparities in the state show up in disproportionately high rates of
16 poverty among Black, Hispanic and Native American children at twenty-seven percent (27%),
17 thirty-three percent (33%) and fifty-five (55%), in contrast to the thirteen percent (13%) poverty
18 rate among white children.

1 (ii) Racial and ethnic disparities in Rhode Island in lower rates of homeownership; thirty-
2 one percent (31%) for Blacks, twenty-eight percent (28%) for Hispanics, and twenty-two percent
3 (22%) for Native Americans as compared to sixty-five percent (65%) for Whites.

4 (iii) Racial and ethnic disparities in Rhode Island exist in educational attainment with four
5 (4) year high school graduation rates at eighty percent (80%), seventy-six percent (76%) and sixty-
6 nine percent (69%) for Black, Hispanic and Native American students, while the rate is eighty-
7 eight percent (88%) for White students. Lack of educational attainment leads to lower likelihood
8 to pursue a college degree, which directly impacts economic attainment and employment rates.

9 (iv) Black and Hispanic children are more likely than White and Asian children to live in
10 neighborhoods that lack the resources needed for them to grow up healthy and successful.

11 (3) According to a 2017 report from the Economic Progress Institute of Rhode Island, "The
12 State of Black Families in Rhode Island" key indicators show that Black Rhode Islanders are being
13 left behind.

14 (i) The Black unemployment rate is approximately double the White unemployment rate.

15 (ii) The median Black wage is seventy-one percent (71%) of the median White wage.

16 (iii) Black Rhode Islanders comprise a disproportionately large share of the department of
17 corrections population at thirty percent (30%) when Blacks make up five and three tenths percent
18 (5.3%) of the overall population.

19 (4) According to the Women's Fund of Rhode Island Women's Well-being Index, there are
20 gender disparities in economic and educational attainment among other areas which means that
21 policy-making for programs regarding economic security, such as Rhode Island Works, childcare
22 expenditures and affordable housing have larger impacts, positive or negative, on women in the
23 state.

24 (i) Homeownership rate for single women is the second lowest in the nation.

25 (ii) Sixty percent (60%) of women in Rhode Island are food insecure and fourteen percent
26 (14%) of women live in poverty statewide.

27 (iii) The ratio of women's to men's median earnings for full-time employment in 2018 was
28 eighty-four (84%) and sixty-four percent (64%) of women are working in low-wage jobs.

29 **42-160-3. Legislative purpose.**

30 (a) The general assembly recognizes that from criminal justice policies and housing
31 policies to social welfare and health care policies that state legislation has disproportionately
32 impacted women, Black, Latino, indigenous and other communities of color across our country and
33 within the state of Rhode Island. This disproportional impact has led to poor health outcomes, low
34 educational attainment and low socioeconomic levels. In turn it has exacerbated increased rates of

1 incarceration, increased public health risk and increased involvement with state agencies and
2 monitoring resulting in disenfranchisement and distrust of systems and government.

3 (b) Starting in 2007 and 2008, a handful of states, including Connecticut and
4 Massachusetts, began implementing racial impact statements to address racial disparities in their
5 criminal justice systems. This act aims to build on that foundation proposing the establishment of
6 a new legislative tool, a race, ethnicity and gender impact statement. A race, ethnicity and gender
7 impact statement will join fiscal notes and environmental impact statements as tools to inform
8 policy debate and improve the general assembly's ability to ensure racial and gender equity and to
9 avoid perpetuating disparities.

10 (c) This act aims to take steps to correct historical injustices in policymaking through
11 raising awareness of race and gender impacts of proposed legislation. This act will add race,
12 ethnicity and gender impact statements into the legislative process to contribute to the development
13 of sound and fair policy. Race, ethnicity and gender impact statements will inform legislators of
14 potential consequences of policies that may have a disproportionate impact on historically
15 disadvantaged populations prior to enacting new legislation. Race, ethnicity and gender impact
16 statements will provide policy makers with data to assure that when the opportunities are available,
17 they are informed to take steps to reverse trends that have disadvantaged individuals and
18 communities with an understanding of potential impacts, positive or negative. While legislative
19 efforts have attempted to right the wrongs of a few disparities over the past few years, this more
20 proactive approach can serve to prevent further injustices.

21 **42-160-4. Goals of race, ethnicity and gender impact statements.**

22 (a) Based on the prevention principle, the development of race, ethnicity and gender impact
23 statements aims to reduce the need to correct statutes after the fact and prevents harm, or informs
24 of potential harm or disproportionate impact, to specific demographics during the legislative
25 process.

26 (b) A race, ethnicity and gender impact statement must be an impartial, simple and
27 understandable statement demonstrating that the bill sponsor has taken into account the impact that
28 the legislation will have on underrepresented and historically disadvantaged communities
29 throughout the state. The statement shall include:

30 (1) A list of the communities, demographically, that will be impacted by the legislation;
31 and

32 (2) A description of historical disparities and any existing efforts to address them or efforts
33 the legislation offers to rectify those disparities; or

34 (3) A statement indicating that the legislation will either address disparities or will not have

1 desperate impact on the communities that have been historically disadvantaged by previous policy
2 or the legislation does not impact individuals directly.

3 **42-160-5. Parameters for statements.**

4 (a) The sponsor of the legislation or the chair of the committee to which the legislation is
5 assigned shall assure that the bill explanation (the final page of each bill, which provides a brief
6 explanation of the purposes of the legislation) contains a description of the way in which the
7 legislation will or will not provide corrective action for policies that have previously resulted in
8 disparities by race, ethnicity or gender that have disadvantaged one community or gender that has
9 previously been disadvantaged. Race, ethnicity and gender impact statements shall be required
10 when proposed legislation pertains to recipients of human services, medical, dental or behavioral
11 health care, disability services, housing or housing assistance; legislation that will have economic
12 or environmental impacts; or legislation that pertains to individuals impacted by the criminal justice
13 system; and expenditures of grants and resources.

14 (b) Race, ethnicity and gender impact statements must be made available to the public at
15 the time that bills are posted for hearing in committees to ensure that the public and legislators have
16 the information available to inform testimony and hearings. Race, ethnicity and gender impact
17 statements shall be deemed public records under the provisions of chapter 2 of title 38 ("access to
18 public records").

19 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO STATE AFFAIRS AND GOVERNMENT -- RACE, ETHNICITY AND
GENDER IMPACT STATEMENT ACT

1 This act would require the general assembly to provide race, ethnicity and gender impact
2 statements as to all legislation, addressing the disproportionate impact of the legislation on people
3 of color and gender.

4 This act would take effect upon passage.

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