

AN ACT relating to racial impact statements.

*Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

➔SECTION 1. A NEW SECTION OF KRS CHAPTER 6 IS CREATED TO READ AS FOLLOWS:

- (1) Any bill, amendment, or committee substitute that creates a new crime, modifies the penalty for an existing crime, changes the elements of the offense for an existing crime, repeals an existing crime, or proposes to increase, decrease, or otherwise impact incarceration shall be identified by the drafter as requiring a racial impact statement on a form specified by the Legislative Research Commission.
- (2) Any bill, amendment, or committee substitute which permits a state agency to do any of the acts specified in subsection (1) of this section, even if the action is termed a regulatory offense by administrative regulation, shall be identified by the drafter as requiring a racial impact statement in the manner specified in subsection (1) of this section.
- (3) Any bill, amendment, or committee substitute that permits a city, county, urban-county, charter county, consolidated local government, unified local government, special district, special purpose governmental entity, or any other subdivision of local government to do any of the acts specified in subsection (1) of this section by ordinance or any other form of action shall be identified by the drafter as requiring a racial impact statement in the manner specified in subsection (1) of this section.
- (4) The drafter of any bill, amendment, or committee substitute identified as requiring a racial impact statement under subsections (1) to (3) of this section shall notify the sponsor of the bill, amendment, or committee substitute that a racial impact statement is required.
- (5) If a bill, amendment, or committee substitute is identified as requiring a racial

impact statement, a "Racial Impact Statement" shall be prepared by the staff of the Commission on Human Rights with the assistance of the Department of Corrections, Department of Kentucky State Police, Administrative Office of the Courts, Parole Board, and other persons, agencies, or organizations deemed necessary by the Commission on Human Rights staff assigned to prepare the racial impact statement. The Department of Corrections, Department of Kentucky State Police, Administrative Office of the Courts, Parole Board, and other persons, agencies, and organizations that have been requested to provide information for the racial impact statement shall do so within the period of time specified by the Commission on Human Rights staff person requesting the information, which in no case shall exceed two (2) business days unless an extension is granted by the requesting staff person.

(6) The racial impact statement shall contain:

(a) An estimate of how the proposed legislation would change the racial and ethnic composition of the criminal offender population; and

(b) A statement of the methodologies and assumptions used in preparing the estimate.

(7) If an amendment to a bill is combined into a committee substitute or a GA version of the bill is created incorporating a committee substitute, committee amendment, or floor amendment, a new racial impact statement shall be prepared combining the information in the original bill as modified by the committee substitute or amendment.

(8) A bill, amendment, or committee substitute shall not be considered for final passage unless the racial impact statement and latest revised racial impact statement, if required, have been made available to the members of the House of Representatives or the Senate, as appropriate, on the day prior to the day the bill, amendment, or committee substitute is to be voted on for final passage.