

1 AN ACT relating to racial impact statements.

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

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

- 5 *(1) Any bill, amendment, or committee substitute that creates a new crime; modifies*
6 *the penalty for an existing crime; changes the elements of the offense for an*
7 *existing crime; repeals an existing crime; modifies procedures for sentencing,*
8 *parole, or probation; or proposes to increase, decrease, or otherwise impact*
9 *incarceration shall be identified by the drafter as requiring a racial impact*
10 *statement on a form specified by the Legislative Research Commission.*
- 11 *(2) The drafter of any bill, amendment, or committee substitute identified as*
12 *requiring a racial impact statement under subsection (1) of this section shall*
13 *notify the sponsor of the bill, amendment, or committee substitute that a racial*
14 *impact statement is required.*
- 15 *(3) If a bill, amendment, or committee substitute is identified as requiring a racial*
16 *impact statement, a "Racial Impact Statement" shall be prepared by the staff of*
17 *the Kentucky Commission on Human Rights with the assistance of the*
18 *Department of Corrections, Department of Kentucky State Police, Administrative*
19 *Office of the Courts, Parole Board, and other persons, agencies, or organizations*
20 *deemed necessary by the Commission on Human Rights staff assigned to prepare*
21 *the racial impact statement. The Department of Corrections, Department of*
22 *Kentucky State Police, Administrative Office of the Courts, Parole Board, and*
23 *other persons, agencies, and organizations that have been requested to provide*
24 *information for the racial impact statement shall do so within the period of time*
25 *specified by the Commission on Human Rights staff person requesting the*
26 *information, which in no case shall exceed two (2) business days unless an*
27 *extension is granted by the requesting staff person.*

- 1 (4) The racial impact statement shall contain:
- 2 (a) An estimate of how the proposed legislation would impact racial and ethnic
- 3 minorities, including whether it is likely to have a disproportionate impact
- 4 on racial and ethnic communities in the state;
- 5 (b) An estimate of how the proposed legislation would change the racial and
- 6 ethnic composition of the criminal offender population;
- 7 (c) An estimate of the number of criminal cases per year that the proposed
- 8 legislation would affect; and
- 9 (d) A statement of the methodologies and assumptions used in preparing the
- 10 estimate.
- 11 (5) If an amendment to a bill is combined into a committee substitute or a GA
- 12 version of the bill is created incorporating a committee substitute, committee
- 13 amendment, or floor amendment, a new racial impact statement shall be
- 14 prepared combining the information in the original bill as modified by the
- 15 committee substitute or amendment.
- 16 (6) A bill shall not be considered for final passage unless the racial impact statement
- 17 and latest revised racial impact statement, if required by subsection (5) of this
- 18 section, have been made available to the members of the House of
- 19 Representatives or the Senate, as appropriate, on the day prior to the day the bill
- 20 is to be voted on for final passage.