



Taking a Closer Look at the
Equity Impacts of Legislation
Pending in Georgia



Georgia Watch



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Executive Summary

The public health and economic crises associated with the COVID-19 pandemic have shone a light on existing disparities affecting distressed communities and other demographic groups who have historically experienced barriers to opportunity. To adequately address existing disparities and prevent the emergence of new ones, Georgia legislators should have the means to analyze the effects of proposed laws or regulations before they become law through an equity impact tool.

An equity impact tool is a process permitting a legislator to identify, assess, and communicate the potential impact—positive or negative—of proposed legislation on a particular demographic. This process is performed with the assistance of the Office of Legislative Counsel, the nonpartisan, impartial research arm of the Georgia General Assembly.

Currently, nine state-level governments employ equity impact tool programs, and even more states have proposed legislation that would create similar tools. Additionally, the United Kingdom uses a program known as the Health Equity Assessment Tool (HEAT) to address public health disparities. Georgia Watch believes that amplifying the voices of community members who would be disparately impacted by pending legislation will ensure legislation advances equity and justice for all Georgians.

This paper provides recommendations for implementing an equity impact tool to highlight the positive and negative impacts of certain legislation to promote demographic equity in Georgia. The policy recommendations that Georgia Watch urges legislators to adopt include:

- The development and implementation of an equity impact tool by which state lawmakers can request formal examinations of the potential impact on certain demographics a proposed bill may pose.

- Adding “veteran status” to the list of demographics that an equity impact tool can analyze to protect Georgia veterans and military communities.

This paper provides examples of successful equity impact tools in other states and scenarios in which this tool would advance equity in Georgia legislation.

Introduction

Disparities have many interacting causes, one being legislation that distributes opportunities unevenly to members of different demographic groups. Legislation can negatively impact certain demographic groups and reinforce disparities, even unintentionally, when potential impacts are missed or overlooked. To avoid this pitfall and draft legislation that considers existing disparities, lawmakers can employ the use of an equity impact tool.

Equity impact tools analyze the potential impacts of proposed legislative measures on existing disparities. Demographics that these tools consider include race, ethnicity, age, sex, gender, sexual orientation, disability, veteran status, geography, socioeconomic status, or other characteristics for which data exists. Impartial staff – typically on a state’s Legislative Counsel – use data to prepare and publish equity impact notes outlining the potential impacts of proposed legislation. By delegating this responsibility to a nonpartisan, impartial, joint office,¹ states seek to ensure that the notes are unbiased and highlight both the negative *and* positive potential outcomes of proposed legislation.

Bills should be evaluated for unanticipated impacts *before* they become law, as adopted laws may be more challenging to reverse. By employing this tool, lawmakers can have their proposed measures impartially evaluated using research and data to assess their true potential impact. The resulting notes can shed light on unintended consequences lawmakers may have overlooked. They

can then use this information to improve their measures before passing them into law.

These tools also inform concerned or affected stakeholders about the potential impacts of proposed legislation. In Colorado, completed notes are published on the state's Legislative Council's [website](#) and [Twitter](#) page. By publishing these notes on the Internet and allowing citizens to access them, stakeholders remain informed. The publication can increase public engagement and inspire testimony in favor of or against proposed legislation.ⁱⁱ

WHY USE EQUITY IMPACT TOOLS?

- 1 Affirmatively advance equity, inclusion, and unity in legislation for all Georgians.
- 2 Demonstrate Georgia's commitment to reduce existing disparities across the state.
- 3 Avoid and minimize disparate impacts and unintended consequences *before* bills become laws.
- 4 Involve affected and concerned stakeholders in decision-making.

Highlighting Positive Impacts and Creating Momentum

As the nine states which apply them can attest, equity impact tools are useful and practical resources that demonstrate the potential scope of the impact of pending legislation on certain demographic populations. Equity impact notes can raise important concerns about possible adverse effects of proposed bills, which may be intimidating to legislators, yet they can also highlight potential positive effects. Lawmakers can use these notes to create momentum and generate support for legislative measures by demonstrating the potential for positive outcomes on certain demographic populations.ⁱⁱⁱ Lawmakers in some states have successfully used these notes to indicate the positive impacts of a bill if it were to pass into law.

For example, consider the [demographic note](#) that the Colorado Legislative Council Staff produced in April 2021 for Colorado bill [HB21-1232](#), Standardized Health Benefit Plan Colorado Option, which ultimately became law. In the note, the staff highlighted the bill's potential positive impacts on existing disparities in the state. The note explained that passing HB21-1232 could help reduce health disparities by reducing the premiums for individuals who purchased health plans on the individual market: disproportionately women, rural, and low-income Coloradans. Additionally, the note explained that the bill could help uninsured Coloradans purchase insurance plans which could benefit Hispanic, non-white, rural, and low-income Coloradans.

Demonstrating Georgia's Commitment to Reduce Existing Disparities

How These Tools Could be Applied in Georgia Legislation

By employing an equity impact tool in Georgia, the state can demonstrate that it is taking meaningful action to reduce existing disparities through statewide legislation. Georgia has already taken steps to achieve this goal. Take, for example, H.B. 1114, which sought to address the maternal mortality rate in Georgia and extend the duration of postpartum Medicaid coverage for new mothers. Representative Sharon Cooper (R-Marietta) sponsored the bill, and Governor Kemp signed it into law in 2020. Had Georgia produced an equity impact note for this legislation when it was proposed, the note likely would have highlighted the positive impacts the bill could have on existing race- and sex-based disparities in the state. This could have created additional momentum for the measure as it passed through the houses.

Georgia's maternal mortality rate ranks one of the highest in the nation, with 60 percent of the deaths among Black women. Therefore, this law benefits women overall but could also help address the healthcare disparities specifically faced by Black women in Georgia. As Representative Mable Thomas (D-Atlanta) explained, "This bill helps us move from being the worst in the nation, in terms of African American women dying three to four times more in childbirth than any other race."^{iv} A note analyzing this bill could have shown the positive outcomes the bill would have for women—when assessing sex-based disparities—and specifically for Black women—when assessing race-based disparities.

Due to several factors such as effective drafting, strong collaborations, and publicity, HB. 1114 passed by a wide margin. Yet plenty of legislation that would similarly help Georgia narrow existing disparities, if passed, either fail to pass or only scrape by. For instance, S.B. 142 is a bill introduced in 2021 that would have

legalized sports betting and divided the funds from the 20 percent tax amongst college scholarships for low-income students, increased high-speed Internet access, and access to rural healthcare services. However, with a vote of 24 to 56, the bill failed.^v HB. 86, the House version of this legislation, was never voted on.^{vi} An equity impact note on this legislation's impacts may have garnered support for the bill and its beneficial impacts on students and rural communities.

The State and Equality Index Measures

Each year, the Human Rights Campaign (HRC) compiles several equality indexes, including the annual Corporate Equality Index (CEI), which reviews “corporate policies, practices, and benefits” pertinent to LGBTQ+ employees.^{vii} Another is the State Equality Index (SEI), “a comprehensive state-by-state report that provides a review of statewide laws and policies that affect LGBTQ+ people and their families.”^{viii} To date, [Georgia has scored](#) in the lowest possible SEI category: “[High Priority to Achieve Basic Equality](#).”^{ix}

Why Should Georgia Care About Its SEI Score?

Atlanta landed on the 20-city shortlist for Amazon’s 2017 HQ2 search: and [multiple sources](#) noted equity was a driving factor in picking the winner. Georgia should care about its SEI score because businesses continue to show us that equality considerations can and do inform business decisions. Companies and organizations are increasingly demonstrating that they will make critical business decisions based on statewide legislative actions that impact the equality of the residents of those states.

Thousands of corporations—including [more than 70 employers](#) in Georgia in 2021—voluntarily participate in HRC’s yearly CEI. The Georgia-based corporations that participated in 2021 included major employers like Aflac, Alston & Bird, Chick-fil-A, Coca-Cola, Cox Enterprises, Delta Air Lines, Eversheds Sutherland, HD Supply, The Home Depot, IHG Hotels & Resorts, King & Spalding, Mohawk Industries, Truist Financial, and United Parcel Service.^x In total, [1,142](#)

[companies](#) participated in the 2021 CEI survey, including 233 Fortune 500 employers and 149 American Law Magazine 200 law firms. When these companies decide where to do business or establish their headquarters, they often consider how these decisions might affect their CEI scores.

These companies pay close attention to the results and demonstrate their investment in the CEI survey results by sharing and publishing their scores. A simple internet search of “Corporate Equality Index” yields pages of results of



corporations proudly publishing their CEI scores. Georgia-based Coca-Cola [published its score](#) on its website on April 2, 2019, in an article titled, “Coca-Cola Receives Perfect Score on Human Rights Campaign’s

Corporate Equality Index for 13th Consecutive Year.”^{xi} Then, on January 21, 2021, Coca-Cola [tweeted](#), “Since 2006, The Coca-Cola Company has received a 100% rating from the @HRC Corporate Equality Index 2020.”^{xii} Raising Georgia’s SEI score could help Georgia demonstrate to businesses that it is committed to advancing equity and building its reputation as a business-friendly venue.

Adopting equity impact legislation alone could help raise Georgia’s SEI score. The HRC looks for the presence or lack of LGBTQ-friendly and anti-LGBTQ+ laws or policies to calculate state scores. The HRC might consider equity impact legislation to be LGBTQ-friendly. If so, adopting this legislation in Georgia would raise the state’s score. Additionally, by using an equity impact tool on proposed legislation, lawmakers can identify bills that might raise or drop the state’s score and act accordingly.

Supporting Rural Georgians & Bridging the Gap

In Georgia, rural communities have suffered from the fallout of the COVID-19 pandemic. The public health and economic crises rural residents face increase as opportunities to combat these issues have become more limited since the pandemic's onset. Given the diverse landscape of Georgia's rural communities, there is no "one-size fits all" solution to provide appropriate support. To better support rural Georgians and their communities, legislators should implement an EIT to analyze and understand how proposed policy impacts livelihoods given the specific local issues at hand.

Statewide Issues: Accessibility

Rural Georgians particularly suffer from a lack of broadband access compared to the state at large. In 2021, the Georgia Department of Community Affairs (DCA) reported that 507,000 homes and businesses lacked reliable broadband services, with approximately 70 percent located in rural communities.^{xiii} As the state and federal government funnel money into expanding broadband access, the digital divide creates a unique detriment to the lives of thousands of rural Georgians.

Accompanying the lack of broadband access is the shortage of accessible, adequate healthcare in rural Georgia. With over eight rural hospital closures in the region in the past decade, rural Georgia has been named "ground zero for the rural hospital closure crisis."^{xiv,xv} A variety of reasons can point to the rapid decline of rural hospitals, including lack of funding and lack of rural healthcare providers.^{xvi}

An immediate solution to tackling the issue of healthcare accessibility in rural areas is to increase access to telehealth services.^{xvii} Telehealth is a tool that capitalizes on technology to reach patients in their homes. However, with broadband as the preferred internet source for most telehealth programs, it is not a viable solution for many rural Georgians.^{xviii}

Northern Georgia

The Georgian Appalachian Region consists of 37 rapidly growing counties. Challenges have arisen as the region has shifted away from its economic roots in the auto industry. The occupational landscape is rapidly changing, with employment moving away from labor-intensive occupations to more skills and trade-specific needs. Higher educational attainment is paramount for the skills these occupations require. Additionally, with the rapidly aging population and lack of migration by younger individuals in the area, there are lower-than-average wages and limited housing options. Transit within the region is also limited or non-existent despite the major roadways located in the area. Further, many people in rural northern Georgia suffer from insurmountable debt, much of which is medical debt. Overall, 24 percent of rural Appalachian Georgians have medical debt in collection, compared to the nationwide average of 17 percent.^{xix}

While these are hefty challenges, the Appalachian Regional Commission (ARC) has been working to improve conditions and outcomes for Georgia residents in the Mountains Region.^{xx} With Governor Kemp's support, a four-year plan for 2020-2024 was developed after the ARC used a set of evaluative indexes through the POWER Initiative.^{xxi} Items outlined in this plan include promoting broadband deployment for greater business and educational development, training, and apprenticeship opportunities to increase residents' capacity for work in the region, breaking down barriers to childcare, transportation, and affordable housing, particularly in rural areas, improving access to medical care and services in rural areas, and promoting and preserving natural and cultural assets unique to Georgia's Appalachian Region. Through the POWER Initiative, the ARC has demonstrated how an evaluation tool like an EIT can target and improve challenges facing the region.

Coastal Georgia

Along Georgia's coast, the manufacturing and tourism industries comprise a large part of economic activity. With entities like Gulfstream, International Paper, Georgia Pacific, and the U.S. Naval bases, the coast offers ripe job opportunity. The caveat to these opportunities lies in the seasonal nature of many of these jobs. The overall unadjusted unemployment rate in counties along the coast from July 2021 to July 2020 ranged from 2.4 to 3.9 percent.^{xxii} The lowest unemployment rates were recorded in the summer months, with a steady increase from December to March. This points to the seasonal nature of jobs along the coast as greater employment aligns with the warmer months. Using an EIT would benefit Coastal Georgia by allowing policymakers to shape policies to address the challenges of seasonal employment in the region.

Rural public transportation is essential in connecting rural communities to urbanized areas. The majority of the coastal area contains a low-density population with a great deal of rural land, so typical daily commutes can span between counties. As a result, the time and distances for Georgia's rural coastal residents to reach services such as healthcare, education, retailers, and other destinations that affect quality of life can be significant.^{xxiii} This is especially true for the elderly, low-income families, and individuals with disabilities. Specifically, many individuals with disabilities have difficulty driving and rely heavily on transportation assistance to be mobile. The regional average number of disabled persons living in Coastal Georgia is approximately 15 percent, higher than the statewide average of 13 percent.^{xxiv} Further, of the ten coastal Georgia counties, 7 have higher percentages of disabled persons than the state average. With a high population of people needing sufficient transportation services in rural coastal Georgia, change in the region is necessary to accommodate the needs of its citizens to connect them. With rural transit demand projected to grow between 485,166 and 686,866 annual trips, the use of an evaluative tool like an

EIT can prove useful for legislators to shape policies to address unique challenges along Georgia's coast.

Southern Georgia

Southern Georgia's economy is greatly driven by agriculture. Georgia is the country's leading producer of poultry, peanuts, pecans, and blueberries. The state accounts for 2 percent of total U.S. agricultural sales.^{xxv} Yet, the region faces great economic challenges due to growing commercial development, an aging population, and varying land use patterns.

For example, in communities like Dougherty County, agriculture drives the economy. However, many residents complain that there are few incentives for local farmers to grow food crops as financial assistance is more readily available for commodities. As agricultural production requires intensive labor with limited financial returns, fewer young people desire to take up the profession as local farmers grow older. In Dougherty County, the average age of farmers is 62, which is higher than the national average of 58.^{xxvi}

Furthermore, corporate development has impeded the economic growth of local farmers in the region. In Dougherty County, 60 percent of total land goes to agricultural pursuits.^{xxvii} Up to 71 percent of farms are less than 180 acres (small-scale) and run by local farmers. Another 13 percent are corporate farms contracted for commodity cultivation to serve companies like Kroger, Miller Coors, and Mars Chocolate. For small-scale farms, the opportunity for food processing, warehouse space, aggregation facilities, distribution channels, and business ventures is severely limited by current policy incentives for corporate ventures. While farmers view connections to local markets as the key to preserving their small-scale farming activity, the local markets get crowded out by corporate agriculture, creating a limited area for local farmers to sell their goods.

Land use patterns also impede efforts to scale up food production. Across the region, farmland is under threat from development pressures, challenging the ability of both new and established farmers to access available, suitable, and affordable land. While parts of the region have high-quality soil, scattered development breaks up farmland into smaller parcels, reducing its commercial viability.^{xxviii} Black farmers – who account for one-fifth of farmers in the county – specifically experience racial discrimination in accessing land and other resources, resulting in sustained land loss.

As a result of the many challenges of farming, rural Georgia farmers are suffering from increased stress and tolls on their physical and mental well-being. Farming is a stressful occupation associated with increased levels of anxiety and depression. Farmers face issues including unpredictable weather, the threat of physical injury, long working hours, crop diseases, isolation, and financial uncertainty.^{xxix} Approximately 15 percent of Georgia farmers report suicidal thoughts at least once a month, and 42 percent have thought about dying by suicide at least once in the previous year.^{xxx} Overall, Georgia farmers die by suicide at higher rates than non-farmers in the state. State leaders would benefit from utilizing an EIT to develop targeted plans to address the multi-faceted issues facing Georgia's farmers.

Protecting Georgia Veterans and Military Communities

Georgia Watch recommends adding “veteran status” to the list of demographics whose disparities may be analyzed in an equity impact assessment. This addition would help lawmakers identify bills that might positively or negatively impact Georgia's veterans. Supporting and protecting Georgia's veterans can help them obtain jobs, begin careers, purchase homes, receive healthcare and mental healthcare services, access banking, and more.

Preparing for the Next BRAC Round

The Department of Defense (DOD) uses Base Realignment and Closure (BRAC) to close or realign military bases across the nation for efficiency reasons. The U.S. has seen five BRAC rounds thus far (in 1981, 1991, 1993, 1995, and 2005).^{xxxii} Recently, President Obama (for Fiscal Year 2014) and President Trump (for Fiscal Year 2018) presented budgets that included funding for upcoming BRAC consolidations. A BRAC-style closure of Veterans Affairs facilities will begin this year, where recommendations will be made to President Biden by January 31, 2023. He will then decide to reject the plan or forward the plan to Congress for approval. Though the DOD has not announced an upcoming BRAC, the DOD's continued interest in efficiency holds open the possibility of another round of consolidations and closings. Having equity impact tool legislation for veterans could set Georgia up to prosper in the next BRAC round.

Georgia currently has eight military bases and employs the fifth largest number of DOD military, civilian direct-hire, reserve, and national guard employees in the country.^{xxxiii} If Georgia can show that the state supports and protects its veterans and military communities through veteran-friendly legislation, Georgia might succeed in keeping the state's remaining bases open during the next BRAC round and thereby save thousands of jobs. Military employees and bases closed under BRAC are often transferred to open bases.^{xxxiii} This means that if Georgia can keep its remaining bases open, current base employees would not be forced to relocate out of Georgia. Additionally, Georgia's economy could benefit from jobs, employees, and facilities transferred from bases closed in other states. This issue is particularly timely as a new BRAC round could be on the horizon.^{xxxiv} Governor Kemp recently took the initiative to shield Georgia's installations from further closures and realignments. Pledging to aid veterans by establishing equity

impact legislation to consider proposed legislations' impacts on veterans will only aid the Governor's initiative.

Base closures significantly impact military personnel, their families, and local communities and economies. These changes significantly decrease local populations, directly affecting tax revenue and job and housing markets.^{xxxv} While the state ultimately experienced job gains after the last BRAC rounds, the Atlanta-Sandy Springs-Marietta area was one of nine metropolitan areas projected to experience the greatest decrease in employment in the nation due to BRAC-related closures.^{xxxvi} For this reason, Georgia must take steps now to keep its remaining bases open during any future BRAC rounds.

In 2005, the DOD closed seven Georgia installations,^{xxxvii} including Fort McPherson, Fort Gillem, the Navy Supply Corps Store, and Naval Air Station Atlanta.^{xxxviii} The closures greatly disrupted the livelihoods of Georgia residents, with “6,459 military personnel and 3,292 civilian-personnel authorizations” either eliminated altogether or relocated from one installation location to a new location outside their current economic area.^{xxxix} In all, “15,136 military and 1,322 civilian-personnel authorizations” were relocated to different installations in other economic areas.^{xl} These numbers do not include those military or civilian personnel's families who relocated with them.

have adopted some type of equity impact tool legislation or rule,^{xliii} and over 125 government bodies in 30 states have adopted racial equity assessment tools.^{xliiv} Additionally, since 2008,^{xliv} Minnesota's Sentencing Guidelines Commission has routinely produced racial impact statements to analyze the racial implications of sentencing policies on felony offenses. However, the Commission is not required to do so by law.^{xlvi} These programs vary regarding their enacting authority, demographic focus, application, and stage of development. See [Appendix B](#) for a brief timeline and summary of equity impact tools in various states in the U.S.

Enacted by Legislation or Rule

First, lawmakers can use a variety of authorities, including legislation and rules, to enact equity impact tool programs. Iowa, Colorado, Connecticut, Oregon, New Jersey, Maine, and Virginia all have passed legislation that authorizes the implementation of these tools. In 2008, Iowa became the first state to pass legislation requiring policymakers to assess the racial impact of sentencing and parole policies.^{xlvii} Since then, lawmakers in Florida and Maryland have adopted rules and policies to implement equity impact tools. For instance, during the 2019 legislative session, the Florida legislature adopted a Senate rule that authorized Florida State University to produce racial and ethnic impact statements for certain bills for the Senate's Criminal Justice Committee.^{xlviii}

What Demographics are Analyzed

Second, the different programs consider varying demographics. Many programs, including several state programs, focus specifically on racial disparities.^{xlix} These programs produce racial impact notes when considering law or policy changes.^l Other programs focus on more than one disparity.^{li} For example, the demographics that Colorado's program considers include but are not limited to socioeconomic status, race, ethnicity, sex, gender identity, sexual orientation, disability, and geography.^{lii} Some programs expand their focus over time. For instance, the United Kingdom's first program established in 2000 focused solely on

race.^{liii} Then, in 2010, the U.K. expanded its program to include age, disability, sex, gender reassignment, sexual orientation, pregnancy, maternity, and religion or belief.

Types of Legislative Measures Analyzed

Third, equity impact tools can apply to single or multiple areas of the law. The various state programs have a range of applications for the tools. For example, Colorado's program does not limit the use of "demographic notes" (the state's version of an equity impact note) to any specific area of the law. Therefore, Colorado's program applies broadly to most, if not all, proposed bills.

The application of Oregon's program is narrower. Lawmakers can only use racial impact notes in Oregon when considering criminal justice and child welfare legislation. Several other states focus their programs on criminal justice legislation and policies. Connecticut's program applies to the state's criminal justice system as a whole, while New Jersey's program applies to the state's prison system. New Jersey's bill specifically requires racial impact notes for policy changes that affect pretrial detention, sentencing, and parole.

The Stage of Development

Finally, the various state equity impact tool programs range from fully developed systems to pilot projects. For example, Colorado's program is fully developed and implemented, while Maine's program is an ongoing pilot project. Both state programs are discussed below.

Recommendation

Georgia Watch supports the development and adoption of an EIT by which state lawmakers can request formal examinations of the equity impacts of proposed bills to ensure the legislation advances equity and justice. We propose the development of this tool so lawmakers can proactively address the perpetuation of structural racism and other existing disparities through law and policy. Varying versions of these EIT programs currently exist in nine other state-level governments, and even more states have proposed legislation that would create similar programs. We recommend Georgia legislators implement an EIT modeled after those in other states, such as Colorado or Maine.

Both Georgia and its residents stand to benefit from EIT legislation. Creating this tool constitutes a tangible way for Georgia to demonstrate that it is affirmatively using legislation to advance racial and other demographic equities in the state. By adding “veteran status” to this list of demographics that an EIT can analyze, legislators will be equipped to protect Georgia veterans and military communities.

Demonstrating this commitment to creating more equal laws will help Georgia burnish its reputation as a business-friendly state, driving social and economic growth. EIT legislation would allow policymakers to address unanticipated, disparate consequences *before* the bills become law. In doing so, these tools can help to avoid any unintended pitfalls and ensure that Georgia bills are drafted in a way that advances equality.

Appendix

Appendix A: The Colorado Way

- Passed by H.B. 19-1184, Demographic Notes for Certain Legislative Bills, on May 23, 2019.^{liv}
- The Director of Research of Legislative Council Staff (“Director of Research”) develops the procedures for requesting and producing demographic notes.^{lv}
- To fund this development and implementation, the Legislative Council Staff received \$89,474 and is authorized to seek and accept gifts, grants, and donations.
- Legislative leadership (President of the Senate, the Speaker of the House of Representatives, the Senate Minority Leader, and the House Minority Leader) may request up to five demographic notes each per session; the Director of Research may authorize more.^{lvi}
- A withdrawn request will not count towards the member's five allotted requests for that session.^{lvii}
- A member of legislative leadership must submit a Demographic Note Request Form to initiate the request (see Appendix B).
- Legislative Council Staff will contact the requesting member and bill's sponsor within four business days^{lviii} to communicate the feasibility and anticipated timeline for preparing the note.^{lix}
- The staff must publish the note within 14 days of the initial request and may include data, graphs, and appendices discussing the proposed bill's demographic impacts.
- A note may be revised to reflect the proposed legislation's changes:^{lx} with the Director of Research's approval while the bill remains in the first chamber;^{lxi} And without approval, if the bill is in the second chamber but

has not yet been engrossed (i.e., formally reprinted for a vote on its passage.^{lxii})

- Legislative members may not make any new requests during the final 21 calendar days of each legislative session unless the Director of Research makes an exception.^{lxiii}
- The Legislative Council Staff provides the public with opportunities to get involved throughout the process. The staff publishes notes on its website and Twitter.^{lxiv} The public can register to receive e-mail notifications when notes are being prepared and published.^{lxv}

Demographic Notes for Certain Legislative Bills		
Members of Legislative Leadership	Director of Research	Legislative Council Staff
<p>May Request Demographic Notes</p> <p>May Withdraw Demographic Note Requests</p>	<p>Shall Develop Procedures for Requesting, Completing, and Updating Demographic Notes</p> <p>May Seek, Accept, and Expend Gifts, Grants, or Donations From Private or Public Sources for Staff Training</p> <p>May Authorize Members to Make More Requests Beyond the Five-Request Limit</p>	<p>Shall Meet with Requesting Members to Discuss the Timeline & Feasibility of the Demographic Note</p> <p>Shall Prepare Demographic Notes</p>

Appendix B: Colorado Demographic Note Request Form



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Demographic Note

REQUEST FORM

Pursuant to Section 2-2-322.5(2)(b), C.R.S., this is a request for a Demographic Note on the following bill.

 Bill Number or LLS Number

Demographic Areas

Pursuant to state law, the following areas may be included in the analysis, subject to data availability:

- Socioeconomic Status
- Race
- Sex
- Sexual Orientation
- Geography
- Ethnicity
- Gender Identity
- Other (please specify) _____

Leadership Approval

Approval by one of the members of leadership listed below is required. If approved, this request will count as one of the five Demographic Notes that may be requested per session by the approving member of leadership. This request has been approved by:

 President of the Senate

 Speaker of the House

 Senate Minority Leader

 House Minority Leader

Designated member (optional). _____ is appointed as the designated member for this request. The designated member will receive all updates and communications about the request and may make decisions about the request on behalf of the approving member of leadership. If left blank, Legislative Council Staff will communicate with the approving member of leadership.

Would the approving member of leadership also like to receive updates and communications about this request? Yes No

Form Submission

Return this form to Legislative Council Staff. After receipt of this form, Legislative Council Staff will email or meet with the approving member of leadership and/or designated member and the bill sponsor within four business days to inform them of the feasibility and schedule for providing the Demographic Note (typically the note will be provided no later than 14 calendar days after receipt of this form).

The Demographic Note will be based on the official version of the bill as of the date this request form is received by Legislative Council Staff.

Date received: _____

 Legislative Council Staff is the nonpartisan research and support service agency for the Colorado General Assembly.

Appendix C: The Maine Way

- Thanks to L.D. 2, an Act to Require the Inclusion of Racial Impact Statements in the Legislation Process, passed in 2021,^{lxvi} the Legislative Council completes a study to determine the best method of implementing a racial impact statement pilot project. This study includes examining programs in other states and the types of data needed to produce the statements.
- The Legislative Council determines the scope of the pilot, including designating between one and four participating committees, what type of legislation will be subject to assessment, the necessary resources for the program, and the costs.
- On December 10, 2021, the Council announced that the University of Maine System and Permanent Commission of the Status of Racial, Indigenous and Maine Tribal Populations would collaborate in the pilot program with their own resources.^{lxvii}
- Each participating committee will provide a report to the Legislative Council once the pilot project has concluded.
- The Legislative Council will decide whether to expand or eliminate the use of racial impact statements based on these reports by December 15, 2022.^{lxviii}

Appendix D: Equity Impact Tools in Various States

**A BRIEF TIMELINE OF
RACIAL IMPACT STATEMENTS
IN U.S. STATES**

2008: IOWA
Iowa adopted HF 2393, the nation's first racial impact statement bill. The bill allows for the preparation of racial impact statements on proposed sentencing & parole policies.

2008: MINNESOTA
Since 2008, the Minnesota Sentencing Guidelines Commission has voluntarily prepared racial impact statements on proposed crime bills.

2008: CONNECTICUT
Connecticut passed a bill (2-24) which allowed for the preparation of racial impact statements on proposed pretrial detention & sentencing policies.
In 2017, Connecticut passed an amendment to this bill (SB 256) which expanded the bill's application—the bill no longer specifies any limits on the area of law.

2013: OREGON
Oregon passed SB 463B, which allows for the preparation of racial & ethnic impact statements for proposed criminal justice and child welfare legislation.

2017: NEW JERSEY
New Jersey passed S-677/A-3677, which allows for the preparation of racial impact statements on proposed pretrial detention, sentencing, & parole policies.

2019: COLORADO
Colorado passed HB 19-1184, which allows for demographic notes to be prepared on a broad range of proposed measures—the bill does not specify any limits on the area of law.

2019: FLORIDA
During the 2019 legislative session, legislators adopted a Senate rule that authorized Florida State University to assess the racial & ethnic impacts of criminal justice bills.

2021: MARYLAND
The Maryland Senate President and House Speaker announced the establishment of a pilot project for the preparation of racial impact statements on proposed criminal justice policies. This project was not implemented by a bill.

2021: MAINE
Maine passed LD 2 which requires the development of a pilot project for the preparation of racial impact statements to be implemented no later than December 1, 2021. The bill does not specify any limits on the area of law, but instead requires the Legislative Council to determine the scope of the pilot.

2021: VIRGINIA
Virginia adopted a bill which allows for the preparation of racial & ethnic impact statements on criminal justice policies.

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