

By: Representative Karriem

To: Rules

HOUSE RESOLUTION NO. 5

1 A RESOLUTION TO CREATE NEW HOUSE RULE NO. 104C TO PROVIDE A
2 PROCEDURE FOR ISSUANCE OF RACIAL AND ETHNIC IMPACT STATEMENTS THAT
3 EXAMINE HOW PROPOSED LEGISLATION WILL AFFECT CERTAIN POPULATIONS.

4 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE
5 OF MISSISSIPPI, That a new House Rule No. 104C is created to read
6 as follows:

7 104C. (1) Prior to debate on the floor of either house of
8 the Legislature, a racial and ethnic impact statement shall be
9 attached to any bill, concurrent resolution, or amendment which
10 proposes a change in the law which creates a public offense,
11 significantly changes an existing public offense or the penalty
12 for an existing offense, or changes existing sentencing, parole,
13 or probation procedures.

14 (2) The Department of Public Safety's Office of Public
15 Safety Planning, in consultation with the Mississippi Department
16 of Corrections, is authorized to prepare and provide the racial
17 and ethnic impact statements described in this section. Upon
18 request, any state agency shall provide information to the office



19 for the purposes of preparing an impact statement. The office may
20 adopt rules to carry out the provisions of this section.

21 (3) If a racial and ethnic impact statement described in
22 this section is not attached to the bill, a member of the
23 Mississippi Legislature may make a proper motion on the floor
24 during debate of the proposed legislation. Upon approval of the
25 request, the Office of Public Safety Planning shall prepare a
26 racial and ethnic impact statement that describes the effects of
27 proposed legislation on the racial and ethnic populations of the
28 state.

29 (4) A racial and ethnic impact statement must be factual,
30 impartial, simple and understandable and must include, for racial
31 and ethnic groups for which data are available, the following:

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

35 (b) A statement of the methodologies and assumptions
36 used in preparing the estimate; and

37 (c) An estimate of the racial and ethnic composition of
38 the crime victims who may be affected by the proposed legislation.

39 (5) The following words shall have the following meaning,
40 unless the context indicates otherwise:

41 (a) "Minority persons" includes women, individuals with
42 disabilities, African Americans, Hispanics, Asians or Pacific
43 Islanders, American Indians and Alaskan Natives.



44 (b) "State agency" means every state institution,
45 board, commission, council, department or unit thereof created by
46 the Mississippi Constitution or statutes.

47 (6) A state agency that awards grants shall require that
48 each grant application include a racial and ethnic impact
49 statement that must contain the following information:

50 (a) Any disproportionate or unique impact of proposed
51 policies or programs on minority persons in this state;

52 (b) A rationale for the existence of policies or
53 programs having a disproportionate or unique impact on minority
54 persons in this state; and

55 (c) Evidence of consultation with representatives of
56 minority persons in cases in which a proposed policy or program
57 has a disproportionate or unique impact on minority persons in
58 this state.

59 (7) The Department of Finance and Administration, in
60 consultation with the Mississippi Department of Public Safety's
61 Office of Public Safety Planning, shall create and distribute a
62 racial and ethnic impact statement form for state agencies and
63 shall ensure that the statement is included in applications for
64 grants awarded by state agencies.

65 (8) The racial and ethnic impact statement shall be used for
66 informational purposes.



67 (9) The requirements of this section apply only to grants
68 awarded to corporations or other legal entities other than natural
69 persons.

