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State of Minnesota

HOUSE OF REPRESENTATIVES

SECOND SPECIAL SESSION

H. F. No. 9

07/13/2020 Authored by Gomez; Xiong, J.; Mariani; Moran; Hassan and others
The bill was read for the first time and referred to the Committee on Government Operations

1.1 A bill for an act
1.2 relating to state government; providing for disparity impact analysis of proposed
1.3 legislation; requiring state agencies to biannually report actions taken to address
1.4 disparities; requiring each change item in the governor's budget proposal to include
1.5 a disparity analysis; amending Minnesota Statutes 2018, section 16A.10, subdivision
1.6 1c; proposing coding for new law in Minnesota Statutes, chapters 3; 15.

1.7 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.8 Section 1. [3.99] DISPARITY IMPACT NOTES.

1.9 (a) The commissioner of management and budget shall coordinate the development of
1.10 a disparity impact note for any proposed legislation upon request of the chair or ranking
1.11 minority member of any standing committee if it appears enactment could significantly
1.12 increase or decrease disparities. Upon receipt of a request to prepare a disparity impact note,
1.13 the commissioner must notify the authors of the proposed legislation that the request has
1.14 been made. The commissioner may require the commissioner of an administrative state
1.15 agency to supply in a timely manner any information necessary to complete the disparity
1.16 impact note. The disparity impact note must be completed no later than ten days after the
1.17 initial request and must be made available to the public upon request. The commissioner
1.18 shall make a reasonable estimate of whether the proposed legislation will increase or decrease
1.19 disparities and identify any data gaps that impair the commissioner's ability to assess the
1.20 proposed legislation's impact. Upon completion of the disparity impact note, the
1.21 commissioner must provide a copy to the authors of the proposed legislation and to the chair
1.22 and ranking minority member of each committee to which the proposed legislation is referred.

1.23 (b) For purposes of this section, "disparities" means differences in economic, employment,
1.24 health, education, or public safety outcomes between the state population as a whole and

2.1 subgroups of the population defined by race, gender, and geography to the extent data is
 2.2 available.

2.3 **Sec. 2. [15.996] DISPARITY IMPACT; NEW AND EXISTING STATE PROGRAMS.**

2.4 Subdivision 1. **New programs; definition.** (a) Before a state agency may implement a
 2.5 new program, the agency must certify to the commissioner of human rights the actions the
 2.6 agency has taken to ensure, to the extent practicable, that the new program will decrease
 2.7 or, at a minimum, not increase relevant disparities.

2.8 (b) For purposes of this section, "disparities" has the meaning given in section 3.99,
 2.9 paragraph (b).

2.10 Subd. 2. **Existing programs.** No later than June 30 and December 15 each year, each
 2.11 state agency must certify to the commissioner of human rights the actions the agency has
 2.12 taken during the period to ensure, to the extent practicable, that the agency's administration
 2.13 of existing laws and programs will decrease or, at a minimum, not increase existing
 2.14 disparities.

2.15 Subd. 3. **Evaluation and recommendation.** For each agency, the commissioner of
 2.16 human rights must evaluate the agency's actions certified under subdivisions 1 and 2, and
 2.17 recommend to the agency any additional actions the agency should take to address or
 2.18 decrease disparities.

2.19 Subd. 4. **Annual report required.** No later than February 15 each year, the commissioner
 2.20 of human rights must report to the legislative committees with jurisdiction over government
 2.21 operations each agency action certified pursuant to this section during the previous calendar
 2.22 year as well as the commissioner's agency-specific recommendations and any
 2.23 recommendations to the legislature.

2.24 **Sec. 3. Minnesota Statutes 2018, section 16A.10, subdivision 1c, is amended to read:**

2.25 **Subd. 1c. Performance measures and disparity analysis for change items.** For each
 2.26 change item in the budget proposal requesting new or increased funding, the budget document
 2.27 must:

2.28 (1) present proposed performance measures that can be used to determine if the new or
 2.29 increased funding is accomplishing its goals. To the extent possible, each budget change
 2.30 item must identify relevant statewide goals and indicators related to the proposed initiative;
 2.31 and

- 3.1 (2) include a succinct analysis of whether the new or increased funding is likely to
- 3.2 increase or decrease disparities, as defined in section 3.99, paragraph (b).