

SENATE

STATE OF MINNESOTA

EIGHTY-NINTH SESSION

S.F. No. 2816

(SENATE AUTHORS: HAYDEN and Dziedzic)

DATE	D-PG	OFFICIAL STATUS
03/17/2016	5099	Introduction and first reading Referred to State and Local Government
03/23/2016	5239	Author added Dziedzic
03/31/2016	5420a	Comm report: To pass as amended and re-refer to Finance

A bill for an act  
relating to state government; providing for equity impact analysis of proposed  
legislation; requiring state agencies to biannually report actions taken to address  
disparities; requiring each change item in the governor's budget proposal to  
include a disparity analysis; amending Minnesota Statutes 2014, section 16A.10,  
subdivision 1c; proposing coding for new law in Minnesota Statutes, chapters  
3; 15.

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

Section 1. **[3.99] EQUITY IMPACT NOTES.**

(a) The commissioner of management and budget shall coordinate the development  
of an equity impact note for any proposed legislation upon request of the chair or ranking  
minority member of any standing committee of the house of representatives or the senate  
if it appears enactment could significantly increase or decrease disparities. Upon receipt  
of a request to prepare an equity impact note, the commissioner of management and  
budget must notify the authors of the proposed legislation that the request has been made.  
The commissioner of management and budget may require the commissioner or chief  
administrative officer of an agency to supply in a timely manner any information necessary  
to complete the equity impact note. The commissioner of management and budget shall  
consult with the Council for Minnesotans of African Heritage, the Minnesota Council on  
Latino Affairs, the Council on Asian-Pacific Minnesotans, and the Indian Affairs Council  
as appropriate in developing the equity note. The equity impact note must be completed no  
later than ten days after the initial request and must be made available to the public upon  
request. In the equity impact note, the commissioner of management and budget shall  
make a reasonable estimate based on available data of whether the proposed legislation will  
increase or decrease disparities and identify any data gaps that impair the commissioner's

ability to assess the proposed legislation's impact. Upon completion of the equity impact note, the commissioner of management and budget must provide a copy to the authors of the proposed legislation and to the chair and ranking minority member of each committee in the house of representatives and the senate to which the proposed legislation is referred.

(b) For purposes of this section, "disparities" means differences in economic, employment, health, education, or public safety outcomes between the state population as a whole and subgroups of the population defined by race, gender, disability status, and geography.

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

**Subdivision 1. Definitions.** For purposes of this section, the following terms have the meanings given:

(1) "agency" means a department or executive branch agency of the state; and

(2) "disparities" has the meaning given in section 3.99.

**Subd. 2. New programs; definition.** Before an agency may implement a new program, the agency must certify to the commissioner of human rights the actions the agency has taken to ensure, to the extent practicable, that the new program will decrease disparities.

**Subd. 3. Existing programs.** No later than June 30 and December 15 each year, the head or chief administrative officer of each agency must certify to the commissioner of human rights the actions the agency has taken in administering existing laws and programs in the previous six months or since the agency's previous certification, whichever is longer, to decrease existing disparities to the extent practicable.

**Subd. 4. Evaluation and recommendation.** For each agency, the commissioner of human rights, in consultation with the Council for Minnesotans of African Heritage, the Minnesota Council on Latino Affairs, the Council on Asian-Pacific Minnesotans, and the Indian Affairs Council, as appropriate, must evaluate the agency's actions certified under subdivisions 1 and 2, and recommend to the agency any additional actions the agency should take to address or decrease disparities.

**Subd. 5. Annual report required.** No later than February 15 each year, the commissioner of human rights must report to the chairs and ranking minority members of the committees in the house of representatives and the senate with jurisdiction over government operations, each agency action certified under this section during the previous calendar year, the commissioner of human rights' agency-specific recommendations, and any recommendations to the legislature for changes to the law to decrease disparities.

3.1 Sec. 3. Minnesota Statutes 2014, section 16A.10, subdivision 1c, is amended to read:

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

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

3.9 (2) include a succinct analysis of whether the new or changed funding is likely to  
3.10 increase or decrease disparities, as defined in section 3.99.