
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1197 Session of
2020

INTRODUCED BY HUGHES, COLLETT, MUTH, FONTANA, FARNESE, COSTA,
SCHWANK AND KEARNEY, JULY 10, 2020

REFERRED TO STATE GOVERNMENT, JULY 10, 2020

AN ACT

1 Amending Title 46 (Legislature) of the Pennsylvania Consolidated
2 Statutes, providing for racial impact statements in
3 consideration of legislation.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Title 46 of the Pennsylvania Consolidated
7 Statutes is amended by adding a part to read:

8 PART III

9 LEGISLATION

10 Chapter

11 21. Racial Impact Statements

12 CHAPTER 21

13 RACIAL IMPACT STATEMENTS

14 Sec.

15 2101. Scope of chapter.

16 2102. Definitions.

17 2103. Racial impact statements.

18 § 2101. Scope of chapter.

1 This chapter relates to racial impact statements.

2 § 2102. Definitions.

3 The following words and phrases when used in this chapter
4 shall have the meanings given to them in this section unless the
5 context clearly indicates otherwise:

6 "Commission." The Pennsylvania Commission on Sentencing
7 established under 42 Pa.C.S. § 2151.2 (relating to commission).

8 § 2103. Racial impact statements.

9 (a) Authorized.--Upon request of a member of either house of
10 the General Assembly, the commission shall complete a racial
11 impact statement for any bill or amendment to a bill proposing a
12 change to 42 Pa.C.S. Ch. 97 (relating to sentencing) or 18
13 Pa.C.S. (relating to crimes and offenses) to determine the
14 impact, if any, the proposed bill or amendment may have on the
15 racial and ethnic composition of the criminal offender
16 population or juvenile court system. The racial impact statement
17 shall be impartial, simple and understandable.

18 (b) Bill.--Except as otherwise provided in subsection (e)
19 (1), no bill for which a racial impact statement has been
20 requested under subsection (a) may be given second consideration
21 by the house of the General Assembly whose member made the
22 request until such time as the commission has attached the
23 racial impact statement.

24 (c) Amendment.--Except as otherwise provided in subsection
25 (e) (2), neither an amendment for which a racial impact statement
26 has been requested under subsection (a), nor the bill to which
27 the amendment is offered, shall be considered by the house of
28 the General Assembly whose member made the request until such
29 time as the commission has attached the racial impact statement.

30 (d) Contents.--For racial and ethnic groups for which

1 data are available, the impact statement shall include the
2 following:

3 (1) An estimate of how the legislation would change the
4 racial and ethnic composition of the criminal offender
5 population and juvenile court system.

6 (2) A statement of the methodologies and assumptions
7 used in preparing the estimate.

8 (3) If the racial and ethnic impact statement addresses
9 the effect of the legislation on the criminal offender
10 population and juvenile court system, an estimate of the
11 racial and ethnic composition of the crime victims who may be
12 affected by the legislation.

13 (e) Failure to attach.--The following shall apply:

14 (1) If the commission fails to attach a racial impact
15 statement to a bill within 10 days after a request for a
16 statement has been submitted to the commission, the bill may
17 be further considered in the same manner as if the impact
18 statement is attached to the bill.

19 (2) If the commission fails to attach a racial impact
20 statement to an amendment within 10 days after a request for
21 a statement has been submitted to the commission, the bill
22 and the amendment may be considered in the same manner as if
23 the impact statement is attached to the amendment.

24 Section 2. This act shall take effect in 60 days.