

House File 2393 - Enrolled

PAG LIN

HOUSE FILE 2393

AN ACT

PROVIDING REQUIREMENTS FOR MINORITY IMPACT STATEMENTS IN
RELATION TO STATE GRANT APPLICATIONS AND CORRECTIONAL
IMPACT STATEMENTS FOR LEGISLATION, AND PROVIDING EFFECTIVE
AND APPLICABILITY DATES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 2.56, subsection 1, Code 2007, is
amended to read as follows:

1. Prior to debate on the floor of a chamber of the
general assembly, a correctional impact statement shall be
attached to any bill, joint resolution, or amendment which
proposes a change in the law which creates a public offense,
significantly changes an existing public offense or the
penalty for an existing offense, or changes existing
sentencing, parole, or probation procedures. The statement
shall include information concerning the estimated number of
criminal cases per year that the legislation will impact, the
fiscal impact of confining persons pursuant to the
legislation, the impact of the legislation on minorities, the
impact of the legislation upon existing correctional
institutions, community-based correctional facilities and
services, and jails, the likelihood that the legislation may
create a need for additional prison capacity, and other
relevant matters. The statement shall be factual and shall,
if possible, provide a reasonable estimate of both the
immediate effect and the long-range impact upon prison
capacity.

Sec. 2. Section 2.56, Code 2007, is amended by adding the
following new subsection:

NEW SUBSECTION. 4A. The legislative services agency in
cooperation with the division of criminal and juvenile justice
planning of the department of human rights shall develop a
protocol for analyzing the impact of the legislation on
minorities.

Sec. 3. NEW SECTION. 8.11 GRANT APPLICATIONS == MINORITY
IMPACT STATEMENTS.

1. Each application for a grant from a state agency shall
include a minority impact statement that contains the
following information:

a. Any disproportionate or unique impact of proposed
policies or programs on minority persons in this state.

b. A rationale for the existence of programs or policies
having an impact on minority persons in this state.

c. Evidence of consultation of representatives of minority
persons in cases where a policy or program has an identifiable
impact on minority persons in this state.

2. For the purposes of this section, the following
definitions shall apply:

a. "Disability" means the same as provided in section
15.102, subsection 5, paragraph "b", subparagraph (1).

b. "Minority persons" includes individuals who are women,
persons with a disability, Blacks, Latinos, Asians or Pacific
Islanders, American Indians, and Alaskan Native Americans.

c. "State agency" means a department, board, bureau,
commission, or other agency or authority of the state of Iowa.

3. The office of grants enterprise management shall create
and distribute a minority impact statement form for state
agencies and ensure its inclusion with applications for
grants.

4. The directives of this section shall be carried out to
the extent consistent with federal law.

5. The minority impact statement shall be used for
informational purposes.

Sec. 4. EFFECTIVE AND APPLICABILITY DATES. This Act takes
effect July 1, 2008, and shall apply to grants for which
applications are due beginning January 1, 2009.

3 1
3 2
3 3

3 4
3 5
3 6
3 7
3 8
3 9
3 10
3 11
3 12
3 13
3 14
3 15
3 16
3 17
3 18
3 19
3 20
3 21
3 22
3 23
3 24

PATRICK J. MURPHY
Speaker of the House

JOHN P. KIBBIE
President of the Senate

I hereby certify that this bill originated in the House and
is known as House File 2393, Eighty-second General Assembly.

MARK BRANDSGARD
Chief Clerk of the House

Approved _____, 2008

CHESTER J. CULVER
Governor