

SENATE THIRD READING  
SB 17 (Pan)  
As Amended August 25, 2022  
Majority vote

## SUMMARY

Establishes the Racial Equity Advisory and Accountability Commission (REAAC) within state government to develop a statewide Racial Equity Framework in consultation with state agencies. This bill also requires state agencies to develop and submit reports, upon request by REAAC, which detail their progress towards goals set forth in the Racial Equity Framework.

### Major Provisions

- 1) Provides legislative findings and declarations.
- 2) Defines "institutional racism" as the ways in which policies, programs, and practices perpetuated by institutions, including governments and private groups, produce different outcomes for different racial groups in a manner that benefits the dominant group.
- 3) Defines "racial equity" as the condition achieved when race can no longer be used to predict life outcomes and conditions for all groups. Racial equity includes transforming the behaviors, institutions, and systems that disproportionately harm marginalized communities. In order to achieve racial equity this includes increasing access to power, redistributing and providing additional resources, and eliminating barriers to opportunity in order to empower low-income communities of color to thrive and reach their full potential.
- 4) Defines "structural racism" as the macro level systems, social forces, institutions, policies, ideologies, and processes that interact with one another to generate and reinforce inequities among racial and ethnic groups.
- 5) Establishes REAAC to consist of nine California residents, appointed by the Governor (5), the Senate Committee on Rules (2), and the Speaker of the Assembly (2).
- 6) Limits REAAC terms to two years.
- 7) Requires appointing authorities to consider and make appointments that reflect the communities of California.
- 8) Requires REAAC to meet at least quarterly and receive updates from the Executive Director.
- 9) Requires REAAC to coordinate, analyze, develop, evaluate, and recommend strategies and policies that advance racial equity across state agencies, departments, and the Governor's office.
- 10) Requires REAAC to do all of the following:
  - a) Develop a statewide Racial Equity Framework, in consultation with state agencies, departments, and public stakeholders, by January 1, 2024.
  - b) Assess and update the Racial Equity Framework as necessary only if there is an opportunity for public input.

- c) Develop methodologies, a system of measurement, and data needs, in consultation with state agencies and departments to assess how statutes, regulations, and practices contribute to, uphold, or exacerbate racial disparities.
  - d) Review and identify existing policies, regulations, and practices that contribute to, uphold, or exacerbate racial disparities. The findings shall also include recommendations for addressing the issues identified.
  - e) Coordinate research activities of state government to advance racial equity.
  - f) Engage stakeholders and community members to address the root causes of racial inequalities and ensure racial equity proposals repair harms caused by government actions.
  - g) Engage, collaborate, and consult with policy experts to conduct analyses and develop policy recommendations.
  - h) Promote equitable delivery of government benefits and opportunities.
- 11) Requires REAAC to prepare and submit an annual report that evaluates and reports on meeting statewide goals and policies established by the Racial Equity Framework. The report shall also include recommendations to further the goals.
- 12) Authorizes REAAC to request that each state agency develop a report informing REAAC about the status of racial equity in the agency's workforce, and assessing the agencies existing policies and programs which may exacerbate systemic racism.
- 13) Review, provide feedback, and approve each agency's report.
- 14) Requires REAAC to issue a final report on its findings and recommendations for next steps to address structural racism and racial inequities by January 1, 2030.
- 15) Sunsets REAAC on January 1, 2030.

## COMMENTS

This bill acknowledges institutional and systemic racism and states that California must approach laws and regulations with an eye towards dismantling racist systems. It creates REAAC within state government to be tasked with gathering data, analyzing existing state systems, programs, and policies, and making recommendations to achieve racial equity.

### **According to the Author**

According to the author, "In the United States, black, indigenous, and people of color (BIPOC) have experienced centuries of inequality and systemic, institutionalized racism, beginning when European colonizers stripped tens of millions of indigenous and native people of their identity, culture, language, lifestyle, families, work, history, and traditions. Even as it represents one of the most successful projects of modern democracy, the United States embedded racial inequality, violence, and trauma into its founding document. Institutional and systemic racism continues to permeate our society in insidious ways and extensive research has identified racism as a public health crisis leading to significant health disparities, including infant and maternal mortality,

chronic diseases prevalence, life expectancy and now COVID mortality. The state needs an independent body to hold us accountable by examining California's policies and budget with the goal of achieving racial equity and ending systemic racism. SB 17 will establish a the Office of Racial Equity and the Racial Equity Advisory and Accountability Council, in order to address systemic and institutional racism that has resulted in poorer health outcomes and disparities in BIPOC and ensure the state play a more active role in dismantling racial inequities, particularly those exacerbated by the pandemic."

### **Arguments in Support**

In support of a previous version of this bill, the sponsors, Advancement Project, SEIU, Community Coalition, Greenlining Institute, Public Health Advocates and NextGen California state that "in recent years, the state has acknowledged that racial disparities exist and has made efforts to confront them. However, equity has consistently been treated as an afterthought or as a siloed strategy. For the state to deliver meaningful, equitable outcomes, equity must be explicit and centered in any approach to address disparity for California to thrive. Addressing these disparities cannot and will not happen by itself; it requires a consciously designed mechanism to identify and correct inequities, including those that have become salient by the COVID-19 pandemic. If the state does not center racial equity in its current and future COVID-related discussions, it cannot create the tailored policies necessary to address the needs of impacted communities equitably. California can and must play a more active role in dismantling racial inequities, particularly those exacerbated by the coronavirus."

### **Arguments in Opposition**

In opposition to a previous version of this bill, the Capitol Resource Institute states that SB 17 "would disadvantage many people in the state of California and cause more divisions in the pursuit of equity. Equality is an admirable aspiration, and one that this nation has been striving for since its founding. The cultural movement today is not concerned with equality, but they are concerned with equity. This bill operates under the assumption that disparities between different racial groups exist because of racial discrimination and institutional racism. Disparities are not inherently a justice issue and are not inherently a consequence of institutional racism. As individuals, we make our own decisions, and those decisions have consequences. The job of government is not to eliminate disparities, but to do everything in their power to ensure that justice is taking place."

### **FISCAL COMMENTS**

According to the Assembly Appropriations Committee, ongoing annual costs of an unknown amount, but likely in the high hundreds of thousands to low millions of dollars to establish and continue the operation of the Commission until January 1, 2030. These costs include an executive director and support staff for the Commission as well as operating expenses, equipment, and reimbursement costs for commission members.

For comparison, the fiscal year (FY) 2020-21 budget for the California Commission on the Status of Women and Girls was approximately \$1.2 million dollars, with 17 members and 4 full-time staff. The Commission on Asian and Pacific Islander American Affairs had a FY 2020-21 budget of approximately \$1 million dollars, with 13 members and three full-time staff.

Potentially significant costs across all state agencies for each agency, upon request of the commission, to report on the agency's progress toward goals set forth in the Racial Equity Framework within six months of the commission's request. Additional costs to each state agency

to provide data and other information to the commission in support of the commission's development of the Racial Equity Framework.

## VOTES

### **SENATE FLOOR: 31-6-3**

**YES:** Allen, Archuleta, Atkins, Becker, Bradford, Caballero, Cortese, Dodd, Durazo, Eggman, Glazer, Gonzalez, Hertzberg, Hueso, Hurtado, Kamlager, Laird, Leyva, Limón, McGuire, Min, Newman, Pan, Portantino, Roth, Rubio, Skinner, Stern, Umberg, Wieckowski, Wiener

**NO:** Bates, Borgeas, Dahle, Grove, Jones, Ochoa Bogh

**ABS, ABST OR NV:** Melendez, Nielsen, Wilk

### **ASM ACCOUNTABILITY AND ADMINISTRATIVE REVIEW: 5-0-2**

**YES:** Petrie-Norris, Burke, Gray, Medina, Rodriguez

**ABS, ABST OR NV:** Patterson, Lackey

### **ASM APPROPRIATIONS: 12-3-1**

**YES:** Holden, Bryan, Calderon, Arambula, Mike Fong, Gabriel, Eduardo Garcia, Levine, Quirk, Robert Rivas, Akilah Weber, McCarty

**NO:** Bigelow, Megan Dahle, Fong

**ABS, ABST OR NV:** Davies

## UPDATED

VERSION: August 25, 2022

CONSULTANT: Elise Gyore / A. & A.R. / (916) 319-3600

FN: 0004233