



House of Representatives

General Assembly

File No. 499

January Session, 2021

Substitute House Bill No. 6211

House of Representatives, April 19, 2021

The Committee on Government Administration and Elections reported through REP. FOX of the 148th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING GENDER AND RACIAL DIVERSITY ON CERTAIN STATE APPOINTIVE BOARDS, COMMISSIONS, COMMITTEES AND COUNCILS AND AN ONLINE SYSTEM FOR CONSIDERATION OF APPOINTMENTS WITHIN THE LEGISLATIVE DEPARTMENT.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Subsections (a) and (b) of section 4-9b of the general statutes
2 are repealed and the following is substituted in lieu thereof (*Effective*
3 *October 1, 2021*):

4 (a) [Appointing] (1) (A) Prior to January 1, 2025, appointing
5 authorities, in cooperation with one another, shall make a good faith
6 effort to ensure that, to the extent possible, the membership, except the
7 ex-officio membership, of each state appointive board, commission,
8 committee and council having members appointed by the Governor or
9 appointed by members of the General Assembly is qualified and closely
10 reflects the gender and racial diversity of the state.

11 (B) On and after January 1, 2025, appointing authorities, in
12 cooperation with one another, shall ensure that the membership, except
13 the ex-officio membership, of each state appointive board, commission,
14 committee and council having members appointed by the Governor or
15 appointed by members of the General Assembly is qualified and reflects
16 the gender and racial diversity of the state according to the most recent
17 United States Census Bureau Equal Employment Opportunity
18 Tabulation.

19 (2) If there are multiple appointing authorities for [a] any board,
20 commission, committee or council described in subdivision (1) of this
21 subsection, the appointing authorities shall inform each other of their
22 appointees or planned appointees in order to facilitate compliance with
23 this section.

24 (3) Appointing authorities for any board, commission, committee or
25 council described in subdivision (1) of this subsection shall (A) consider
26 each recommendation for appointment of a member to any such board,
27 commission, council or other agency made by any community or other
28 similar organization representing the interests of gender or racial
29 diversity, and (B) make a good faith effort to seek out individuals for
30 such appointment that reflect such diversity. The Commissioner of
31 Administrative Services shall develop public education and outreach
32 strategies with such community or other similar organizations to
33 increase awareness of, and recruit diverse applicants for, such
34 appointments.

35 (b) [The] (1) At the time of a member's appointment to any state
36 appointive board, commission, committee or council described in
37 subsection (a) of this section, the appointing authority for such member
38 shall provide to the Secretary of the State data concerning such
39 member's gender and race. In addition, the executive officer or
40 chairperson of each such state appointive board, commission,
41 committee and council, [having members appointed by the Governor or
42 appointed by members of the General Assembly,] except committees
43 whose membership consists solely of members of the General

44 Assembly, shall report in writing to the Secretary of the State on or after
 45 September first, but not later than October 1, 1993, and biennially
 46 thereafter, [(1)] (A) the number of members of such body, and [(2)] (B)
 47 the composition of the body according to the term "race/sex", as defined
 48 in the regulations of the Commission on Human Rights and
 49 Opportunities. Such report shall not include the names of the individual
 50 members of the board, commission, committee or council.

51 (2) The Secretary of the State shall receive and maintain the reports
 52 submitted pursuant to this subsection as public records. In addition, not
 53 later than January 1, 2022, and every four years thereafter, the Secretary
 54 shall develop and publish, including on the Internet web site of the
 55 office of the Secretary of the State, a report regarding the composition of
 56 each state appointive board, commission, committee or council
 57 described in subsection (a) of this section.

58 Sec. 2. (NEW) (Effective October 1, 2021) The executive director of the
 59 Joint Committee on Legislative Management shall create, maintain and
 60 make accessible on the Internet web site of the General Assembly a
 61 system through which an individual may electronically submit a name
 62 to be considered for appointment as a member to a board, commission,
 63 council or other agency within the Legislative Department. Such system
 64 shall include information about each such board, commission, council
 65 or other agency and specify any requirements for membership on such
 66 board, commission, council or other agency.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2021	4-9b(a) and (b)
Sec. 2	October 1, 2021	New section

GAE Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 22 \$
Department of Administrative Services	GF - Cost	250,000

Note: GF=General Fund

Municipal Impact: None

Explanation

Beginning January 1, 2025, this bill requires appointing authorities, in cooperation with one another, to ensure that the appointed membership, except ex-officio members, of each state board, commission, committee, and council having members appointed by the governor or General Assembly members is qualified and reflects the state's gender and racial diversity.

The bill requires the Department of Administrative Services (DAS) to develop public education and outreach strategies with each community and similar organizations. This would require DAS to hire consultants with expertise on this topic. It is estimated that these responsibilities could be accomplished for approximately \$250,000.

The bill requires the appointing authorities by January 1, 2025 to consider representing the interests of gender or racial diversity when making a recommendation for appointing a member to any such board, commission, council, or other agency made by any community.

Under the bill, an appointing authority must submit data concerning a newly appointed member's gender and race at the time of

appointment to the Secretary of the State. It requires the secretary to develop and publish by January 1, 2022, and every four years thereafter, including on her office's website, a report regarding the composition of each state appointive board, commission, committee, or council. This will have no fiscal impact.

The bill also requires the Office of Legislative Management executive director to create, maintain, and make accessible on the General Assembly's website, a system through which an individual may electronically submit a name to be considered for appointment as a member to a board, commission, council, or other agency within the legislative department. The system must include information about each of these boards, commissions, councils, or other agencies and specify any requirements for membership on them. This will have no fiscal impact.

The Out Years

The fiscal impact identified above is for FY 22 only.

OLR Bill Analysis**sHB 6211*****AN ACT CONCERNING GENDER AND RACIAL DIVERSITY ON CERTAIN STATE APPOINTIVE BOARDS, COMMISSIONS, COMMITTEES AND COUNCILS AND AN ONLINE SYSTEM FOR CONSIDERATION OF APPOINTMENTS WITHIN THE LEGISLATIVE DEPARTMENT.*****SUMMARY**

Beginning January 1, 2025, this bill requires appointing authorities, in cooperation with one another, to ensure that the appointed membership, except ex-officio members, of each state board, commission, committee, and council having members appointed by the governor or General Assembly members is qualified and reflects the state's gender and racial diversity according to the most recent U.S. Census Bureau Equal Employment Opportunity Tabulation (see BACKGROUND). (Under current law, appointing authorities must make a good faith effort to ensure this, to the extent possible, but without a specified point of reference.)

Specifically, beginning January 1, 2025, the bill requires appointing authorities to:

- consider each recommendation for appointing a member to any such board, commission, council, or other agency made by any community or other similar organization representing the interests of gender or racial diversity; and
- make a good faith effort to seek out individuals for these appointments that reflect this diversity.

It requires the Department of Administrative Services commissioner to develop public education and outreach strategies with these community or other similar organizations to increase awareness of, and recruit diverse applicants for, these appointments.

Under the bill, an appointing authority must submit data concerning a newly appointed member's gender and race at the time of appointment to the secretary of the state. It requires the secretary to develop and publish by January 1, 2022, and every four years thereafter, including on her office's website, a report regarding the composition of each state appointive board, commission, committee, or council. (Under current law, she must only receive and maintain membership composition reports submitted biennially to her as public records.)

The bill also requires the Office of Legislative Management executive director to create, maintain, and make accessible on the General Assembly's website a system through which an individual may electronically submit a name to be considered for appointment as a member to a board, commission, council, or other agency within the legislative department. The system must include information about each of these boards, commissions, councils, or other agencies and specify any requirements for membership on them.

EFFECTIVE DATE: October 1, 2021

BACKGROUND

U.S. Census Bureau Equal Employment Opportunity Tabulation

For more than five decades, the Equal Employment Opportunity Tabulations, based on the five-year American Community Survey dataset, have served as the primary external benchmark for comparing the race, ethnicity, and sex composition of an organization's internal workforce, and the analogous external labor market, within a specified geography and job category. They are also used by organizations to develop and update their affirmative action plans.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 14 Nay 5 (03/31/2021)