



General Assembly

February Session, 2024

Raised Bill No. 433

LCO No. 2742



Referred to Committee on GOVERNMENT ADMINISTRATION
AND ELECTIONS

Introduced by:
(GAE)

**AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE
COMMISSION ON RACIAL EQUITY IN PUBLIC HEALTH.**

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

1 Section 1. (NEW) (*Effective October 1, 2024*) (a) For the purposes of this
2 section and sections 2 to 7, inclusive, of this act:

3 (1) "Department" means the (A) Departments of Administrative
4 Services, Aging and Disability Services, Agriculture, Banking, Children
5 and Families, Consumer Protection, Correction, Developmental
6 Services, Economic and Community Development, Education,
7 Emergency Services and Public Protection, Energy and Environmental
8 Protection, Housing, Insurance, Labor, Mental Health and Addiction
9 Services, Motor Vehicles, Public Health, Revenue Services, Social
10 Services, Transportation and Veterans Affairs, and (B) Offices of Early
11 Childhood and Policy and Management;

12 (2) "Department head" means the (A) Commissioners of
13 Administrative Services, Aging and Disability Services, Agriculture,
14 Banking, Children and Families, Consumer Protection, Correction,

15 Developmental Services, Economic and Community Development,
16 Education, Emergency Services and Public Protection, Early Childhood,
17 Energy and Environmental Protection, Housing, Insurance, Labor,
18 Mental Health and Addiction Services, Motor Vehicles, Public Health,
19 Revenue Services, Social Services, Transportation and Veterans Affairs,
20 and (B) the Secretary of the Office of Policy and Management;

21 (3) "Director" means the director of the Diversity, Equity and
22 Inclusion division established pursuant to subsection (b) of this section;

23 (4) "Division" means the Diversity, Equity and Inclusion division of
24 each department established pursuant to subsection (b) of this section;

25 (5) "Equity" means the consistent and systematic fair, just and
26 impartial treatment of all individuals, including individuals who belong
27 to underserved communities that have been denied such treatment,
28 such as Black, Latino, Indigenous and Native American persons, Asian
29 Americans and Pacific Islanders and other persons of color, members of
30 religious minorities, women, lesbian, gay, bisexual, transgender and
31 queer persons, persons with disabilities, persons who live in rural areas
32 and persons otherwise adversely affected by persistent poverty or
33 inequality;

34 (6) "Implicit bias" means an attitude or internalized stereotype that
35 affects a person's perceptions, actions and decisions in an unconscious
36 manner and often contributes to unequal treatment of a person based on
37 such person's race, ethnicity, gender identity, sexual orientation, age,
38 disability or other characteristics; and

39 (7) "Underserved community" means populations sharing a
40 particular characteristic and geographical communities that have been
41 systemically denied a full opportunity to participate in aspects of
42 economic, social and civic life, such as Black, Latino, Indigenous and
43 Native American persons, Asian Americans and Pacific Islanders and
44 other persons of color, members of religious minorities, women, lesbian,
45 gay, bisexual, transgender and queer persons, persons with disabilities,
46 persons who live in rural areas and persons otherwise adversely

47 affected by persistent poverty or inequality.

48 (b) There shall be established a Diversity, Equity and Inclusion
49 Division within each department, which shall be administered by a full-
50 time, salaried director, who shall be subject to the supervision and the
51 direction of the department head. Such director shall be in the classified
52 service and shall devote full-time to the duties of such director's office.
53 The department head may appoint and fix the compensation of such
54 director, provided such appointment shall be subject to the approval of
55 the Governor and the rate of such compensation shall be subject to the
56 approval of the Governor and the Secretary of the Office of Policy and
57 Management. The Diversity, Equity and Inclusion Division shall be
58 responsible for equity-related matters within the department and in
59 relation to the services provided by the department.

60 (c) The director shall be responsible for (1) coordinating the
61 department's equity initiatives, (2) serving as the primary contact and
62 subject matter expert for officials and employees within the department
63 regarding the development, implementation and assessment of the
64 division's programs, (3) developing and publishing the department's
65 equity plan pursuant to section 2 of this act, (4) evaluating the policies,
66 operations, training and hiring practices of the department, (5)
67 evaluating outcomes of services provided by the department, (6)
68 collecting and using data from the department relevant to the division,
69 including, but not limited to, disparate outcomes of services provided
70 by the department or disparate outcomes in the operations and policies
71 of the department, (7) assisting department staff in creating division-
72 related training programs required pursuant to sections 5 and 6 of this
73 act and participating in the presentation of such training programs, (8)
74 supporting the department in creating and sustaining inclusive cultures
75 and behaviors, (9) maintaining knowledge of equity-related issues,
76 operations and strategies that ensure the department's activities reflect
77 best equity practices for the department, (10) overseeing the community
78 engagement work of the division and ensuring that underserved
79 communities are encouraged to provide feedback on department
80 activities, (11) providing department staff with advice and guidance on

81 how to navigate situations that impact the diversity, equity, and
82 inclusion of the department, and (12) any other duties assigned by the
83 department head.

84 (c) Prior to implementing any proposed department policy or
85 adopting any proposed regulation, in accordance with the provisions of
86 chapter 54 of the general statutes, the department head shall consult
87 with the director to ensure that the proposed policy or regulation will
88 not have an indirect or direct adverse impact on any underserved
89 communities.

90 Sec. 2. (NEW) (*Effective October 1, 2024*) Not later than October 1, 2026,
91 and annually thereafter, the director for each department shall create an
92 equity action plan for such department that identifies specific diversity,
93 equity and inclusion goals for the department and establishes
94 accountability mechanisms for achieving such goals. All department
95 heads shall ensure effective implementation of such equity action plans
96 by prioritizing and incorporating the strategies of the equity action plan
97 when setting equity goals for the department. Such equity action plan
98 shall be posted on the department's Internet web site. Such equity action
99 plan shall:

100 (1) Identify the progress made by the department on the actions,
101 performance, measures and milestones highlighted in the preceding
102 year's equity action plan;

103 (2) Identify potential barriers that underserved communities may
104 face in accessing and benefiting from the benefits, services and
105 programs provided by the department or in providing feedback
106 concerning department programs;

107 (3) Evaluate certain key programs and policies of the department as
108 identified by the department head, to assess whether underserved
109 communities and their members face systemic barriers in accessing
110 benefits and opportunities available pursuant to those policies and
111 programs;

112 (4) Identify how the department intends to engage with underserved
113 communities in order to advance equity in the department's policies,
114 services and programs, including, but not limited to, accessible and
115 appropriate outreach to such underserved communities and individuals
116 in underserved communities and the incorporation of perspectives of
117 underserved communities in the department's policies, services and
118 programs and continually assess the progress made or not made
119 towards attaining such community engagement during the prior year;

120 (5) Identify training programs developed by the division pursuant to
121 section 5 of this act;

122 (6) Evaluate the applicant data required pursuant to section 3 of this
123 act and identify demographic hiring trends within the department; and

124 (7) Evaluate whether new policies, regulations or guidance
125 documents may be necessary to address potential barriers to benefits,
126 services and programs provided by the department.

127 Sec. 3. (NEW) (*Effective October 1, 2024*) (a) Each department shall
128 collect and maintain data regarding demographic information for each
129 individual that applies for positions with such department.

130 (b) Each division shall annually examine data regarding
131 demographic information for individuals who apply for positions with
132 the department collected pursuant to subsection (a) of this section and
133 disaggregate such data by the categories of age, race, ethnicity, religious
134 creed, gender identity or expression, sexual orientation, individuals
135 with disabilities and how far an individual of each category progressed
136 in the hiring or interview process, provided such disaggregation keeps
137 such individuals' information personally nonidentifiable. The division
138 shall annually submit to the department head, and post on its Internet
139 web site, a report summarizing the examination and disaggregation of
140 such data.

141 Sec. 4. (NEW) (*Effective October 1, 2024*) (a) Each department shall
142 utilize diverse hiring panels to conduct interviews for open positions

143 within such department. Such hiring panels shall be comprised of
144 current employees in appropriate positions from varying backgrounds,
145 including, but not limited to, race, ethnicity, gender, age and sexual
146 orientation. Such hiring panels shall be utilized for at least one interview
147 of a candidate. Departments may, where appropriate, utilize employees
148 from other departments to serve on hiring panels. When filling a
149 position within the department, where relevant, the department shall
150 consider whether a candidate is conversant in a language other than
151 English that is spoken by the diverse populations served by the
152 department.

153 (b) The director may waive the requirements of this section in writing
154 if the director determines that a diverse hiring panel cannot be
155 organized after considering (1) the circumstances around not being able
156 to fulfil such requirement, (2) whether reasonable efforts were made to
157 fulfil such requirement, and (3) the demographic information of current
158 employees at the department.

159 Sec. 5. (NEW) (*Effective October 1, 2024*) (a) The director shall develop
160 a standardized diversity, equity and inclusion training program that
161 shall be used by the department in completing the diversity, equity and
162 inclusion training required under this section. Such program shall
163 include, but need not be limited to, training on how to recognize and
164 mitigate unconscious implicit biases, how to reduce miscommunication
165 and misinformation regarding different identities and backgrounds,
166 and how to cultivate inclusive community and cross-community
167 interactions both within the department and with the wider community,
168 including when interacting with a member of an underserved
169 community.

170 (b) Each department shall require diversity, equity and inclusion
171 training and education for all supervisory and nonsupervisory
172 employees hired on or after July 1, 2025, not later than six months after
173 such employees' assumption of a position within the department, while
174 prioritizing providing such training for supervisory employees.

175 Sec. 6. (NEW) (*Effective October 1, 2024*) (a) The director shall develop
176 annual training and materials on diversity, equity and inclusion topics
177 for all supervisory and nonsupervisory employees, including
178 supervisory-specific trainings and materials. Such training and
179 materials shall include, but need not be limited to, topics related to
180 cultural sensitivity, sexual orientation and gender identity, anti-racism,
181 anti-sexism and disability awareness.

182 (b) Each department shall require a minimum of four hours of annual
183 diversity, equity and inclusion training (1) for all existing supervisory
184 and nonsupervisory employees, not later than July 1, 2025, and annually
185 thereafter, while prioritizing providing such training for supervisory
186 employees, and (2) for any supervisory or nonsupervisory employee
187 hired on or after July 1, 2025, not later than six months after such
188 employee's assumption of a position within the department, and
189 annually thereafter, while prioritizing providing such training for
190 supervisory employees.

191 Sec. 7. (NEW) (*Effective October 1, 2024*) (a) Each department shall
192 prioritize engagement with the underserved communities that are
193 served by such department and shall solicit feedback from such
194 communities regarding communications and language assistance
195 offered by the department to ensure such communications are culturally
196 and linguistically appropriate. Any such communications shall use
197 plain language rather than technical terms and shall be broadcast using
198 diverse media outlets.

199 (b) Each department shall attempt to hire multilingual employees or
200 train existing employees to be multilingual in languages relevant to the
201 population of underserved communities served by the department to
202 foster better communication and outreach with such communities.

203 Sec. 8. (NEW) (*Effective October 1, 2024*) Each department, as defined
204 in section 1 of this act, shall, in any notice of request for bids or proposals
205 under chapter 58 of the general statutes, require the bidder or proposer
206 to report the diversity of its workforce and to demonstrate the bidder's

207 or proposer's commitment to equity, as defined in section 1 of this act,
208 within the bidder's or proposer's company or other business entity.

209 Sec. 9. Subsection (c) of section 4-217 of the 2024 supplement to the
210 general statutes is repealed and the following is substituted in lieu
211 thereof (*Effective October 1, 2024*):

212 (c) A request for proposals issued under section 4-214 or 4-216 shall
213 include, but not be limited to, an outline of the work to be performed,
214 the required minimum qualifications for the personal service contractor,
215 criteria for review of proposals by the state agency, the format for
216 proposals and the deadline for submitting proposals. In the case of a
217 state agency that is a department, as defined in section 1 of this act, the
218 request for proposals shall require the proposer to report the diversity
219 of its workforce and to demonstrate the proposer's commitment to
220 equity, as defined in section 1 of this act, within the proposer's company
221 or other business entity. Each state agency which prepares a request for
222 proposals shall establish a screening committee to evaluate the
223 proposals submitted in response to the request for proposals. The
224 screening committee shall rank all proposals in accordance with the
225 criteria set forth in the request for proposals and shall submit the names
226 of the top three proposers to the executive head of the agency, who shall
227 select the personal service contractor from among such names.

228 Sec. 10. Subsection (a) of section 4b-57 of the 2024 supplement to the
229 general statutes is repealed and the following is substituted in lieu
230 thereof (*Effective October 1, 2024*):

231 (a) Whenever consultant services are required by the commissioner
232 in fulfilling the responsibilities under section 4b-1, and in the case of
233 each project, the commissioner shall invite responses from such firms by
234 posting notice on the State Contracting Portal, except that the
235 commissioner may receive consultant services under a contract entered
236 into pursuant to subsection (e) of section 4b-51. The commissioner shall
237 prescribe, by regulations adopted in accordance with chapter 54, the
238 advance notice required for, the manner of submission, and conditions

239 and requirements of, such responses, provided, in the case of a
240 department, as defined in section 1 of this act, the invitation for
241 responses shall require the responding firm to report the diversity of its
242 workforce and to demonstrate the responder's commitment to equity,
243 as defined in section 1 of this act, within the responder's firm.

244 Sec. 11. Subsection (d) of section 4b-91 of the 2024 supplement to the
245 general statutes is repealed and the following is substituted in lieu
246 thereof (*Effective October 1, 2024*):

247 (d) Each bid submitted for a contract described in subsection (c) of
248 this section shall include an update statement in such form as the
249 Commissioner of Administrative Services prescribes and, if required by
250 the public agency soliciting such bid, a copy of the prequalification
251 certificate issued by the Commissioner of Administrative Services. The
252 form for such update statement shall provide space for information
253 regarding all projects completed by the bidder since the date the
254 bidder's prequalification certificate was issued or renewed, all projects
255 the bidder currently has under contract, including the percentage of
256 work on such projects not completed, the names and qualifications of
257 the personnel who will have supervisory responsibility for the
258 performance of the contract, any significant changes in the bidder's
259 financial position or corporate structure since the date the certificate was
260 issued or renewed, any change in the contractor's qualification status as
261 determined by the provisions of subdivision (7) of subsection (c) of
262 section 4a-100 and such other relevant information as the Commissioner
263 of Administrative Services prescribes. In the case of an awarding
264 authority or public agency that is a department, as defined in section 1
265 of this act, the submitted bid shall also include the bidder's report
266 concerning the diversity of its workforce and demonstrate the bidder's
267 commitment to equity, as defined in section 1 of this act, within the
268 bidder's company or other business entity. Any public agency that
269 accepts a bid submitted without a copy of such prequalification
270 certificate, if required by such public agency soliciting such bid, and an
271 update statement, may become ineligible for the receipt of funds related
272 to such bid, except the public agency soliciting such bids may allow

273 bidders no more than two business days after the opening of bids to
274 submit a copy of the prequalification certificate, if required by such
275 public agency, and an update statement.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2024</i>	New section
Sec. 2	<i>October 1, 2024</i>	New section
Sec. 3	<i>October 1, 2024</i>	New section
Sec. 4	<i>October 1, 2024</i>	New section
Sec. 5	<i>October 1, 2024</i>	New section
Sec. 6	<i>October 1, 2024</i>	New section
Sec. 7	<i>October 1, 2024</i>	New section
Sec. 8	<i>October 1, 2024</i>	New section
Sec. 9	<i>October 1, 2024</i>	4-217(c)
Sec. 10	<i>October 1, 2024</i>	4b-57(a)
Sec. 11	<i>October 1, 2024</i>	4b-91(d)

Statement of Purpose:

To implement the recommendations of the Commission on Racial Equity in Public Health in its most recent report concerning increasing equity in state government.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]