

AMENDED IN SENATE APRIL 4, 2006

SENATE BILL

No. 1615

Introduced by Senator Simitian

February 24, 2006

An act to ~~amend Sections 8310.5 and 19799 of~~ *add Section 8310.6* to the Government Code, relating to state agencies.

LEGISLATIVE COUNSEL'S DIGEST

SB 1615, as amended, Simitian. State agencies: collection of data: ancestry or ethnic origin.

Existing law requires state agencies, boards, or commissions that directly or by contract collect demographic data as to the ancestry or ethnic origin of Californians, and state agencies conducting surveys as to the ancestry or ethnic origin of state civil service employees, to use separate collection categories for each major Asian and Pacific Islander group.

This bill would ~~additionally enact the Ethnic Heritage Respect and Recognition Act to require these entities to ensure that data is, at a minimum, collected and tabulated~~ *any state agency, board, or commission that directly or by contract collects demographic data, as soon as reasonably feasible and in no event later than January 1, 2014, to provide forms that offer respondents the option of selecting one more ethnic or racial designation* according to specified federal standards.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 *SECTION 1. Section 8310.6 is added to the Government*
2 *Code, to read:*

3 *8310.6. (a) This section shall be known and may be cited as*
4 *the Ethnic Heritage Respect and Recognition Act.*

5 *(b) The Legislature hereby finds and declares all of the*
6 *following:*

7 *(1) The state of California currently has the largest population*
8 *of people among the United States who identify with more than*
9 *one ancestry, ethnicity, or race. This population of Californians*
10 *who identify as multiracial is rapidly growing.*

11 *(2) Many state forms that currently require respondents to*
12 *choose only a single ancestry, ethnicity, or race force multiracial*
13 *Californians to deny a significant part of their heritage.*
14 *Information collected in this manner often deprives the state of*
15 *accurate data with which to meet the needs of its diverse*
16 *communities.*

17 *(3) It is in the best interest of the state of California to respect,*
18 *embrace, and understand the full diversity of its citizens.*

19 *(4) Respect for individual dignity should guide the processes*
20 *and methods for collecting and encoding data on ancestry,*
21 *ethnicity, and race.*

22 *(5) Since 1997, the federal Office of Management and*
23 *Budget's "Standards for Maintaining, Collecting, and Presenting*
24 *Federal Data on Race and Ethnicity" have required federal*
25 *agencies to ensure that individuals have the option of selecting*
26 *one or more ethnic or racial designations on federal government*
27 *forms requesting this information.*

28 *(c) Any state agency, board, or commission that directly or by*
29 *contract collects demographic data on the ancestry, ethnic*
30 *origin, ethnicity, or race of Californians shall do all of the*
31 *following:*

32 *(1) Provide forms that offer respondents the option of*
33 *selecting one or more ethnic or racial designations pursuant to*
34 *the federal Office of Management and Budget's "Standards for*
35 *Maintaining, Collecting, and Presenting Federal Data on Race*
36 *and Ethnicity." Recommended forms for the instruction*
37 *accompanying a multiple response question are "mark one or*
38 *more" and "select one or more."*

1 (2) *Ensure in cases when data on respondents' ancestry,*
2 *ethnic origin, ethnicity, or race is reported to any other state*
3 *agency, board, or commission that it is neither tabulated nor*
4 *reported without all of the following:*

5 (A) *The number or percentage of respondents who identify*
6 *with each ethnic or racial designation alone and not in*
7 *combination with any other ethnic or racial designation.*

8 (B) *The number or percentage of respondents who identify*
9 *with each ethnic or racial designation, whether alone or in*
10 *combination with other ethnic or racial designations.*

11 (C) *The number or percentage of respondents who identify*
12 *with multiple ethnic or racial designations.*

13 (D) *Complying with the rules issued by the federal Office of*
14 *Management and Budget in cases of federally mandated actions*
15 *related to an ethnic or a racial community, or to assessing*
16 *disparate impact or discriminatory patterns.*

17 (d) *Each state agency, board, or commission required to*
18 *comply with subdivision (c) shall comply as early as reasonably*
19 *feasible when updating forms, software, hardware, or*
20 *information collection procedures, and in no event later than*
21 *January 1, 2014.*

22 ~~SECTION 1. Section 8310.5 of the Government Code is~~
23 ~~amended to read:~~

24 ~~8310.5. Any state agency, board, or commission that directly~~
25 ~~or by contract collects demographic data as to the ancestry or~~
26 ~~ethnic origin of Californians shall do both of the following:~~

27 ~~(a) Ensure that data is, at a minimum, collected and tabulated~~
28 ~~according to standards defined by the Office of Management and~~
29 ~~Budget's current Statistical Policy Directive No. 15, Race and~~
30 ~~Ethnic Standards for Federal Statistics and Administrative~~
31 ~~Reporting.~~

32 ~~(b) Use separate collection categories and tabulations for each~~
33 ~~major Asian and Pacific Islander group, including, but not~~
34 ~~limited to, Chinese, Japanese, Filipino, Korean, Vietnamese,~~
35 ~~Asian Indian, Hawaiian, Guamanian, Samoan, Laotian, and~~
36 ~~Cambodian.~~

37 ~~SEC. 2. Section 19799 of the Government Code is amended~~
38 ~~to read:~~

39 ~~19799. When any state agency conducts any survey as to the~~
40 ~~ancestry or ethnic origin of state civil service employees, or~~

- 1 ~~maintains any statistical tabulation of minority group employees,~~
- 2 ~~it shall do both of the following:~~
- 3 ~~(a) Ensure that data is, at a minimum, collected and tabulated~~
- 4 ~~according to standards defined by the Office of Management and~~
- 5 ~~Budget's current Statistical Policy Directive No. 15, Race and~~
- 6 ~~Ethnic Standards for Federal Statistics and Administrative~~
- 7 ~~Reporting.~~
- 8 ~~(b) Use separate collection categories for each major Asian~~
- 9 ~~and Pacific Islander group, including, but not limited to, Chinese,~~
- 10 ~~Japanese, Filipino, Korean, Vietnamese, Asian Indian, Hawaiian,~~
- 11 ~~Guamanian, Samoan, Laotian, and Cambodian in the survey or~~
- 12 ~~tabulation.~~