

ASSEMBLY BILL

No. 1088

Introduced by Assembly Member Eng

February 18, 2011

An act to amend Section 8310.5 of, and to add Section 8310.7 to, the Government Code, relating to state agencies.

LEGISLATIVE COUNSEL'S DIGEST

AB 1088, as introduced, Eng. State agencies: collection of demographic data.

Existing law requires any state agency, board, or commission that directly or by contract collects demographic data as to the ancestry or ethnic origin of Californians to use separate collection categories and tabulations for each major Asian and Pacific Islander group, including, but not limited to, Chinese, Japanese, Filipino, Korean, Vietnamese, Asian Indian, Hawaiian, Guamanian, Samoan, Laotian, and Cambodian.

This bill would require specified state agencies to use additional separate collection categories and tabulations for other major Asian groups and Native Hawaiian and other Pacific Islander groups, including, but not limited to, Bangladeshi, Fijian, Hmong, Indonesian, Malaysian, Pakistani, Sri Lankan, Taiwanese, Thai, and Tongan. This bill would also require that these specified state agencies update their data collection categories to match those used by the United States Census Bureau. This bill would further require a state agency, board, or commission that directly or by contract collects demographic data, include data on specified collection categories and tabulations in every demographic report on ancestry or ethnic origins of Californians that it publishes or releases on or after July 1, 2012. This bill would further require a state agency, board, or commission to make the collected data

available to the public, in accordance with state and federal law, except for personal identifying information, which shall be deemed confidential. The bill would also require a state agency, board, or commission to post, and annually update, the demographic data on its Internet Web site.

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. The Legislature hereby finds and declares all of
2 the following:

3 (a) More than one-third of the nation’s Asians and Pacific
4 Islanders live in California, making the state home to more Asians
5 and Pacific Islanders than any other state in the nation.

6 (b) Asians and Pacific Islanders represent 14 percent of the
7 state’s population, and grew by 52 percent from 1990 to 2000.

8 (c) Asians and Pacific Islanders are an incredibly diverse group.
9 Due to this diversity, the United States Office of Management and
10 Budget’s Statistical Policy Directive No. 15, entitled Race and
11 Ethnic Standards for Federal Statistics and Administrative
12 Reporting, separated the “Asian and Pacific Islander” category
13 into two distinct and separate categories, now called “Asians” and
14 “Native Hawaiians and Other Pacific Islanders,” and these two
15 distinct categories were used in the 2000 United States Census.
16 The United States Census Bureau currently reports data for more
17 than 20 different ethnicities within these two categories.

18 (d) While Asians and Pacific Islanders are often misrepresented
19 as a homogeneous group, they actually represent dozens of different
20 cultures, languages, and ethnic groups and have a wide range of
21 economic, educational, and social needs.

22 (e) Existing state law requires state demographic data to be
23 divided into some Asian and some Native Hawaiian and Pacific
24 Islander ethnic groups. However, additional groups reported by
25 the United States Census Bureau are not included in state
26 demographic data.

27 (f) Given the diversity of languages and cultures, separating
28 data for additional Asian and additional Native Hawaiian and
29 Pacific Islander ethnic groups is critical for enhancing our state’s

1 understanding of the needs and experiences of these different
2 communities.

3 SEC. 2. Section 8310.5 of the Government Code is amended
4 to read:

5 8310.5. ~~Any~~ *(a) Every state agency, board, or commission*
6 ~~which that~~ *directly or by contract collects demographic data as to*
7 *the ancestry or ethnic origin of Californians shall use separate*
8 *collection categories and tabulations for each major Asian—and*
9 ~~Pacific Islander~~ *group, including, but not limited to, Chinese,*
10 *Japanese, Filipino, Korean, Vietnamese, Asian Indian, Hawaiian,*
11 ~~Guamanian, Samoan,~~ *Laotian, and Cambodian Cambodian, and*
12 *each major Native Hawaiian and Pacific Islander group, including,*
13 *but not limited to, Native Hawaiian, Guamanian (also known as*
14 *Chamorro), and Samoan.*

15 *(b) The data collected pursuant to the different collection*
16 *categories and tabulations described in subdivision (a) shall be*
17 *included in every demographic report on ancestry or ethnic origins*
18 *of Californians by the state agency, board, or commission*
19 *published or released on or after July 1, 2012. The data shall be*
20 *made available to the public in accordance with state and federal*
21 *law, except for personal identifying information, which shall be*
22 *deemed confidential.*

23 *(c) Every state agency, board, or commission that directly or*
24 *by contract collects the demographic data in the manner prescribed*
25 *by subdivision (a) shall make the data publicly available, except*
26 *for personal identifying information, which shall be deemed*
27 *confidential, by posting the data on its Internet Web site by July*
28 *1, 2012, and annually thereafter.*

29 SEC. 3. Section 8310.7 is added to the Government Code, to
30 read:

31 8310.7. (a) In addition to the duties imposed under Section
32 8310.5, the following state agencies, in the course of collecting
33 demographic data directly or by contract as to the ancestry or ethnic
34 origin of Californians, shall collect and tabulate data for additional
35 major Asian groups, including, but not limited to, Bangladeshi,
36 Hmong, Indonesian, Malaysian, Pakistani, Sri Lankan, Taiwanese,
37 and Thai, and additional major Native Hawaiian and other Pacific
38 Islander groups, including, but not limited to, Fijian and Tongan:

39 (1) The State Department of Health Care Services.

40 (2) The State Department of Public Health.

- 1 (3) The State Department of Social Services.
- 2 (4) The Employment Development Department.
- 3 (5) The Department of Industrial Relations.
- 4 (6) The State Personnel Board.
- 5 (7) The Department of Fair Employment and Housing.
- 6 (8) The State Department of Education.

7 (b) During the normal process of reporting demographic data,
8 the state agencies identified in subdivision (a) shall report the
9 collected data according to each Asian group and each Native
10 Hawaiian and Pacific Islander group specified in subdivision (a)
11 and make that data available to the public in accordance with state
12 and federal law, except for personal identifying information, which
13 shall be deemed confidential.

14 (c) The state agencies set forth in subdivision (a) shall comply
15 as early as possible, but no later than July 1, 2012.

16 (d) Any state agency identified in subdivision (a) shall make
17 the collected demographic data described in subdivision (a)
18 publicly available, except for personal identifying information,
19 which shall be deemed confidential, by posting the data on the
20 agency's Internet Web site by July 1, 2012, and annually thereafter.

21 (e) Notwithstanding subdivision (c), the state agencies pursuant
22 to subdivision (a) shall, within 18 months after the United States
23 Census is released to the public, update their data collection to
24 reflect the additional Asian groups and additional Native Hawaiian
25 and Pacific Islander groups as they are reported by the United
26 States Census Bureau.