

Assembly Bill No. 1726

Passed the Assembly August 29, 2016

Chief Clerk of the Assembly

Passed the Senate August 23, 2016

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2016, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend Section 8310.7 of the Government Code, relating to data collection.

LEGISLATIVE COUNSEL'S DIGEST

AB 1726, Bonta. Data collection.

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 specified Asian groups and Pacific Islander groups, and requires a state agency, board, or commission to include data on specified collection categories and tabulations in every demographic report on ancestry or ethnic origins of California residents that it publishes or releases. Existing law requires specified agencies to use additional separate collection categories and other tabulations for major Asian groups and Native Hawaiian and other Pacific Islander groups, and also requires those agencies to take additional actions, including, among other things, posting, and annually updating, the demographic data collected on their Internet Web sites, and updating the reporting categories to reflect these Asian and Pacific Islander groups as they are reported for the 2020 decennial census.

This bill would require the updating of the reporting categories for future decennial censuses. The bill would require the State Department of Public Health to use the additional separate collection categories and other tabulations for specified Asian groups and Pacific Islander groups, and to take additional actions as specified above, under certain circumstances.

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

SECTION 1. Section 8310.7 of the Government Code is amended to read:

8310.7. (a) This section shall only apply to the following state agencies:

- (1) The Department of Industrial Relations.
- (2) The Department of Fair Employment and Housing.

(3) To the extent funding is specifically appropriated for this purpose, the State Department of Public Health, on or after July 1, 2022, whenever collecting demographic data as to the ancestry or ethnic origin of persons for a report that includes rates for major diseases, leading causes of death per demographic, subcategories for leading causes of death in California overall, pregnancy rates, or housing numbers.

(b) In addition to the duties imposed under Section 8310.5, the state agencies described in subdivision (a), in the course of collecting demographic data directly or by contract as to the ancestry or ethnic origin of California residents, shall collect and tabulate data for the following:

(1) Additional major Asian groups, including, but not limited to, Bangladeshi, Hmong, Indonesian, Malaysian, Pakistani, Sri Lankan, Taiwanese, and Thai.

(2) Additional major Native Hawaiian and other Pacific Islander groups, including, but not limited to, Fijian and Tongan.

(c) (1) The state agencies identified in subdivision (a) shall make any data collected pursuant to subdivision (b) publicly available, except as described in paragraph (2) for the department identified in paragraph (3) of subdivision (a), and except for personal identifying information, which shall be deemed confidential, by posting the data on the Internet Web site of the agency on or before July 1, 2012, and annually thereafter. This subdivision shall not be construed to prevent any other state agency from posting data collected pursuant to subdivision (b) on the agency's Internet Web site, in the manner prescribed by this section.

(2) The state department identified in paragraph (3) of subdivision (a) shall not report demographic data that would permit identification of individuals. The department may, to prevent identification of individuals, aggregate data categories at a state, county, city, census tract, or ZIP Code level to facilitate comparisons and identify disparities.

(d) The state agencies identified in subdivision (a) shall, within 18 months after a decennial United States Census is released to the public, update their data collection to reflect the additional Asian groups and additional Native Hawaiian and Pacific Islander groups as they are reported by the United States Census Bureau.

(e) The state department identified in paragraph (3) of subdivision (a) shall not report demographic data that would result in statistical unreliability.

(f) The state department identified in paragraph (3) of subdivision (a) may continue to collect and report demographic data in the form that the data was submitted if the data was collected under either of the following circumstances:

(1) Pursuant to federal programs or surveys, whereby the guidelines for demographic data collection categories are defined by the federal program or survey.

(2) Demographic data collected by other entities, including either of the following:

(A) State offices, departments, and agencies not included in subdivision (a).

(B) Third-party entity administered surveys not solely funded by the state department.

Approved _____, 2016

Governor