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I N   S E N A T E

May 12, 2014

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Introduced by Sen. HOYLMAN -- read twice and ordered printed, and when printed to be committed to the Committee on Finance

AN ACT to amend the executive law, in relation to requiring the collection of certain demographic information by certain state agencies, boards and commissions

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1     Section 1. The executive law is amended by adding a new section 170-c  
2 to read as follows:

3     S 170-C. COLLECTION OF DEMOGRAPHIC INFORMATION. 1. EVERY STATE AGEN-  
4 CY, BOARD, OR COMMISSION THAT DIRECTLY OR BY CONTRACT COLLECTS DEMO-  
5 GRAPHIC DATA AS TO THE ANCESTRY OR ETHNIC ORIGIN OF RESIDENTS OF THE  
6 STATE OF NEW YORK SHALL USE SEPARATE COLLECTION CATEGORIES AND TABU-  
7 LATIONS FOR SEXUAL ORIENTATION AND GENDER IDENTITY OR EXPRESSION.

8     2. THE TERM "GENDER IDENTITY OR EXPRESSION" MEANS HAVING OR BEING  
9 PERCEIVED AS HAVING A GENDER IDENTITY, SELF-IMAGE, APPEARANCE, BEHAVIOR  
10 OR EXPRESSION WHETHER OR NOT THAT GENDER IDENTITY, SELF-IMAGE, APPEAR-  
11 ANCE, BEHAVIOR OR EXPRESSION IS DIFFERENT FROM THAT TRADITIONALLY ASSO-  
12 CIATED WITH THE SEX ASSIGNED TO THAT PERSON AT BIRTH.

13     3. THE DATA COLLECTED PURSUANT TO THE DIFFERENT COLLECTION CATEGORIES  
14 AND TABULATIONS DESCRIBED IN SUBDIVISION ONE OF THIS SECTION SHALL BE  
15 INCLUDED IN EVERY DEMOGRAPHIC REPORT ON ANCESTRY OR ETHNIC ORIGINS OF  
16 RESIDENTS OF THE STATE OF NEW YORK BY THE STATE AGENCY, BOARD, OR  
17 COMMISSION PUBLISHED OR RELEASED ON OR AFTER JULY FIRST, TWO THOUSAND  
18 FIFTEEN. THE DATA SHALL BE MADE AVAILABLE TO THE PUBLIC IN ACCORDANCE  
19 WITH STATE AND FEDERAL LAW, EXCEPT FOR PERSONAL IDENTIFYING INFORMATION,  
20 WHICH SHALL BE DEEMED CONFIDENTIAL, BY POSTING THE DATA ON THE INTERNET  
21 WEB SITE OF THE AGENCY ON OR BEFORE JULY FIRST, TWO THOUSAND FIFTEEN,  
22 AND ANNUALLY THEREAFTER. THIS SUBDIVISION SHALL NOT BE CONSTRUED TO  
23 PREVENT ANY OTHER STATE AGENCY FROM POSTING DATA COLLECTED PURSUANT TO  
24 SUBDIVISION ONE OF THIS SECTION ON THE AGENCY'S INTERNET WEB SITE, IN  
25 THE MANNER PRESCRIBED BY THIS SECTION.

26     S 2. This act shall take effect on the one hundred twentieth day after  
27 it shall have become a law.

EXPLANATION--Matter in *ITALICS* (underscored) is new; matter in brackets  
[ ] is old law to be omitted.

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