

54--A

2015-2016 Regular Sessions

I N S E N A T E

(PREFILED)

January 7, 2015

Introduced by Sens. HOYLMAN, PERKINS -- read twice and ordered printed, and when printed to be committed to the Committee on Finance -- recommended to the Committee on Finance in accordance with Senate Rule 6, sec. 8 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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, THE CALENDAR
18 YEAR FOLLOWING ENACTMENT. THE DATA SHALL BE MADE AVAILABLE TO THE PUBLIC
19 IN ACCORDANCE WITH STATE AND FEDERAL LAW, EXCEPT FOR PERSONAL IDENTIFY-
20 ING INFORMATION, WHICH SHALL BE DEEMED CONFIDENTIAL, BY POSTING THE DATA

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

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1 ON THE INTERNET WEB SITE OF THE AGENCY ON OR BEFORE JULY FIRST, THE
2 CALENDAR YEAR FOLLOWING ENACTMENT, AND ANNUALLY THEREAFTER. THIS SUBDI-
3 VISION SHALL NOT BE CONSTRUED TO PREVENT ANY OTHER STATE AGENCY FROM
4 POSTING DATA COLLECTED PURSUANT TO SUBDIVISION ONE OF THIS SECTION ON
5 THE AGENCY'S INTERNET WEB SITE, IN THE MANNER PRESCRIBED BY THIS
6 SECTION.

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