S T A T E O F N E W Y O R K

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 -- recommitted 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:

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

S 170-C. COLLECTION OF DEMOGRAPHIC INFORMATION. 1. EVERY STATE AGENCY, BOARD, OR COMMISSION THAT DIRECTLY OR BY CONTRACT COLLECTS DEMOGRAPHIC DATA AS TO THE ANCESTRY OR ETHNIC ORIGIN OF RESIDENTS OF THE STATE OF NEW YORK SHALL USE SEPARATE COLLECTION CATEGORIES AND TABULATIONS FOR SEXUAL ORIENTATION AND GENDER IDENTITY OR EXPRESSION.

2. THE TERM "GENDER IDENTITY OR EXPRESSION" MEANS HAVING OR BEING PERCEIVED AS HAVING A GENDER IDENTITY, SELF-IMAGE, APPEARANCE, BEHAVIOR OR EXPRESSION WHETHER OR NOT THAT GENDER IDENTITY, SELF-IMAGE, APPEARANCE, BEHAVIOR OR EXPRESSION IS DIFFERENT FROM THAT TRADITIONALLY ASSOCIATED WITH THE SEX ASSIGNED TO THAT PERSON AT BIRTH.

3. THE DATA COLLECTED PURSUANT TO THE DIFFERENT COLLECTION CATEGORIES AND TABULATIONS DESCRIBED IN SUBDIVISION ONE OF THIS SECTION SHALL BE INCLUDED IN EVERY DEMOGRAPHIC REPORT ON ANCESTRY OR ETHNIC ORIGINS OF RESIDENTS OF THE STATE OF NEW YORK BY THE STATE AGENCY, BOARD, OR COMMISSION PUBLISHED OR RELEASED ON OR AFTER JULY FIRST, THE CALENDAR YEAR FOLLOWING ENACTMENT. THE DATA SHALL BE MADE AVAILABLE TO THE PUBLIC IN ACCORDANCE WITH STATE AND FEDERAL LAW, EXCEPT FOR PERSONAL IDENTIFYING 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.

LBD01395-05-6

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

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