STATE OF NEW YORK

6219--A

2023-2024 Regular Sessions

IN ASSEMBLY

April 3, 2023

Introduced by M. of A. GONZALEZ-ROJAS, MAMDANI, RAGA, GALLAGHER, GLICK, SILLITTI, SIMON -- read once and referred to the Committee on Governmental Operations -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

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

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 170-e of the executive law, as amended by chapter 123 of the laws of 2022, is amended to read as follows:

§ 170-e. Collection of demographic information. 1. Every state agency, board, department, or commission that directly 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 the following Asian and Pacific Islander groups in New York state:

(a) each major Asian group shall include Chinese, Japanese, Filipino, Korean, Vietnamese, Asian Indian, Bangladeshi, Pakistani, and all of the ten most populous Asian groups in the most recent five-year American community survey published by the United States Census Bureau; and

(b) each major Pacific Islander group shall include Native Hawaiian, Guamanian and Chamorro, and Samoan; or

(c) collection categories shall include a category for other Asian or Pacific Island group.

2. **Every state agency, board, department, or commission that directly 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 the White group in New York state.**

3. Every state agency, board, department, or commission that directly collects demographic data as to the ancestry or ethnic origin of residents of the state of New York shall use separate collection categories

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

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and tabulations for the following Middle Eastern or North African groups in New York state:

(a) Each major North African (NA) group, including, but not limited to, Egyptian, Moroccan, Algerian, Tunisian, and Libyan; and

(b) Each major Middle Eastern (ME) group, including, but not limited to, Yemeni, Iranian, Palestinian, Iraqi, Lebanese, Israeli, Syrian, Armenian, and Saudi; and

(c) Other Middle Eastern and North African (MENA) groups, including, but not limited to, transnational indigenous MENA communities like Amazigh and Syriac people.

4. Every state agency, board, department, or commission that directly 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 the following:

(a) the primary language spoken at home; and

(b) the ethnic group or ancestry.

[~~3.~~] 5. Upon the release of a new five-year American community survey published by the United States Census Bureau, every state agency, board, department or commission shall update their data collection and reporting practices as required by this section and shall continue to collect and report on any demographic group no longer included in the ten most populous groups until the release of the following five-year American community survey, at which time state agencies, boards, departments or commissions may cease to collect and report on such demographic groups provided they remain outside the ten most populous groups.

6. Every state agency, board, department, or commission that directly collects demographic data as to the ancestry or ethnic origin of residents of the state of New York shall allow multiple collection categories to be selected.

[~~4.~~] 7. The data collected pursuant to the different collection categories and tabulations described in subdivision one of this section, to the degree that the data quality is sufficient, 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, department, or commission published or released on or after December first, two thousand [~~twenty-three~~] twenty-four; provided, however, that for the department of labor, division of criminal justice services, office of mental health and office of temporary and disability assistance such requirements shall be effective July first, two thousand [~~twenty-four~~] twenty-five. 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 on the internet web site of the agency, board, department, or commission on or before December first, two thousand [~~twenty-three~~] twenty-four, and annually thereafter; provided, however, that for the department of labor, division of criminal justice services, office of mental health and office of temporary and disability assistance such requirements shall be effective July first, two thousand [~~twenty-four~~] twenty-five. If the data quality is determined to be insufficient for publication, an explanation of the problem with the data quality shall be included in any report or publication made available to the public. 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.

[~~5.~~] 8. The requirements of this section shall not apply to the department of labor, the division of criminal justice services, the

office of mental health or the office of temporary and disability assistance until two years after this section shall have become a law.

§ 2. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.