

HB3242



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3242

Introduced 2/17/2023, by Rep. Elizabeth "Lisa" Hernandez

SYNOPSIS AS INTRODUCED:

20 ILCS 50/5
20 ILCS 65/20-15

Amends the Uniform Racial Classification Act and the Data Governance and Organization to Support Equity and Racial Justice Act. Adds "Middle Eastern or Northern African" as a racial classification for purposes of the Acts.

LRB103 24797 DTM 51126 b

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Uniform Racial Classification Act is
5 amended by changing Section 5 as follows:

6 (20 ILCS 50/5)

7 Sec. 5. Uniform racial classification. Notwithstanding any
8 other provision of law, except as otherwise required by
9 federal law or regulation, whenever a State agency is required
10 by law to compile or report statistical data using racial or
11 ethnic classifications, that State agency shall use the
12 following classifications: (i) White; (ii) Black or African
13 American; (iii) American Indian or Alaska Native; (iv) Asian;
14 (v) Native Hawaiian or Other Pacific Islander; ~~or~~ (vi)
15 Hispanic or Latino ; or (vii) Middle Eastern or Northern
16 African.

17 For the purposes of this Act, "State agency" means the
18 offices of the constitutional officers identified in Article V
19 of the Illinois Constitution, executive agencies, and
20 departments, boards, commissions, and authorities under the
21 Governor.

22 (Source: P.A. 98-982, eff. 8-18-14.)

1 Section 10. The Data Governance and Organization to
2 Support Equity and Racial Justice Act is amended by changing
3 Section 20-15 as follows:

4 (20 ILCS 65/20-15)

5 Sec. 20-15. Data Governance and Organization to Support
6 Equity and Racial Justice.

7 (a) On or before July 1, 2022 and each July 1 thereafter,
8 the Board and the Department shall report statistical data on
9 the racial, ethnic, age, sex, disability status, sexual
10 orientation, gender identity, and primary or preferred
11 language demographics of program participants for each major
12 program administered by the Board or the Department. Except as
13 provided in subsection (b), when reporting the data required
14 under this Section, the Board or the Department shall use the
15 same racial and ethnic classifications for each program, which
16 shall include, but not be limited to, the following:

17 (1) American Indian and Alaska Native alone.

18 (2) Asian alone.

19 (3) Black or African American alone.

20 (4) Hispanic or Latino of any race.

21 (5) Native Hawaiian and Other Pacific Islander alone.

22 (6) White alone.

23 (7) Middle Eastern or Northern African.

24 (8) ~~(7)~~ Some other race alone.

25 (9) ~~(8)~~ Two or more races.

1 The Board and the Department may further define, by rule,
2 the racial and ethnic classifications, including, if
3 necessary, a classification of "No Race Specified".

4 (b) ~~(e)~~ If a program administered by the Board or the
5 Department is subject to federal reporting requirements that
6 include the collection and public reporting of statistical
7 data on the racial and ethnic demographics of program
8 participants, the Department may maintain the same racial and
9 ethnic classifications used under the federal requirements if
10 such classifications differ from the classifications listed in
11 subsection (a).

12 (c) ~~(d)~~ The Department of Innovation and Technology shall
13 assist the Board and the Department by establishing common
14 technological processes and procedures for the Board and the
15 Department to:

- 16 (1) Catalog data.
- 17 (2) Identify similar fields in datasets.
- 18 (3) Manage data requests.
- 19 (4) Share data.
- 20 (5) Collect data.
- 21 (6) Improve and clean data.
- 22 (7) Match data across the Board and Departments.
- 23 (8) Develop research and analytic agendas.
- 24 (9) Report on program participation disaggregated by
25 race and ethnicity.
- 26 (10) Evaluate equitable outcomes for underserved

1 populations in Illinois.

2 (11) Define common roles for data management.

3 (12) Ensure that all major programs can report
4 disaggregated data by race, ethnicity, age, sex,
5 disability status, sexual orientation, and gender
6 identity, and primary or preferred language.

7 The Board and the Department shall use the common
8 technological processes and procedures established by the
9 Department of Innovation and Technology.

10 (d) ~~(e)~~ If the Board or the Department is unable to begin
11 reporting the data required by subsection (a) by July 1, 2022,
12 the Board or the Department shall state the reasons for the
13 delay under the reporting requirements.

14 (e) ~~(f)~~ By no later than March 31, 2022, the Board and the
15 Department shall provide a progress report to the General
16 Assembly to disclose: (i) the programs and datasets that have
17 been cataloged for which race, ethnicity, age, sex, disability
18 status, sexual orientation, gender identity, and primary or
19 preferred language have been standardized; and (ii) to the
20 extent possible, the datasets and programs that are
21 outstanding for each agency and the datasets that are planned
22 for the upcoming year. On or before March 31, 2023, and each
23 year thereafter, the Board and the Department ~~Departments~~
24 shall provide an updated report to the General Assembly.

25 (f) ~~(g)~~ By no later than October 31, 2021, the Governor's
26 Office shall provide a plan to establish processes for input

1 from the Board and the Department into processes outlined in
2 subsection (c) ~~(b)~~. The plan shall incorporate ongoing efforts
3 at data interoperability within the Department and the
4 governance established to support the P-20 Longitudinal
5 Education Data System enacted by Public Act 96-107.

6 (g) ~~(h)~~ Nothing in this Section shall be construed to
7 limit the rights granted to individuals or data sharing
8 protections established under existing State and federal data
9 privacy and security laws.

10 (Source: P.A. 101-654, eff. 3-8-21; 102-543, eff. 8-20-21;
11 revised 2-4-23.)