



Sen. Kimberly A. Lightford

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10300SB2968sam001

LRB103 38116 SPS 72232 a

1 AMENDMENT TO SENATE BILL 2968

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2968 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Data Governance and Organization to  
5 Support Equity and Racial Justice Act is amended by changing  
6 Section 20-15 as follows:

7 (20 ILCS 65/20-15)

8 Sec. 20-15. Data governance and organization to support  
9 equity and racial justice.

10 (a) By October 31 of each year ~~On or before July 1, 2022~~  
11 ~~and each July 1 thereafter~~, the Board and the Department shall  
12 issue a report, for the prior State fiscal year, that sets out  
13 de-identified statistical data related to ~~on~~ the racial,  
14 ethnic, age, sex, disability status, sexual orientation,  
15 gender identity, and primary or preferred language  
16 demographics of program participants for each major program

1 administered by the Board or the Department, except as  
2 provided in subsection (a-5). The Department of Human  
3 Services, under the direction of the Office of the Governor,  
4 shall establish, by rule, demographic classifications for each  
5 reporting category, including race and ethnicity, age, sex,  
6 disability status, sexual orientation, gender identity, and  
7 primary or preferred language. Except as provided in  
8 subsection (b), when reporting the data required under this  
9 Section for each program, the Board or the Department shall  
10 use the classifications established by the Department of Human  
11 Services.

12 The Office of the Governor shall review the demographic  
13 classifications every 5 years after the effective date of this  
14 amendatory Act of the 103rd General Assembly. If the Office of  
15 the Governor determines that changes to the classifications  
16 are necessary, the Department of Human Services shall update  
17 the classifications, as directed by the Office of the  
18 Governor. ~~the same racial and ethnic classifications for each~~  
19 ~~program, which shall include, but not be limited to, the~~  
20 ~~following:~~

21 ~~(1) American Indian and Alaska Native alone.~~

22 ~~(2) Asian alone.~~

23 ~~(3) Black or African American alone.~~

24 ~~(4) Hispanic or Latino of any race.~~

25 ~~(5) Native Hawaiian and Other Pacific Islander alone.~~

26 ~~(6) White alone.~~

1           ~~(7) Middle Eastern or North African.~~

2           ~~(8) Some other race alone.~~

3           ~~(9) Two or more races.~~

4           ~~The Board and the Department may further define, by rule,~~  
5 ~~the racial and ethnic classifications, including, if~~  
6 ~~necessary, a classification of "No Race Specified".~~

7           (a-5) In relation to major program participants, the Board  
8 shall not be required to collect personally identifiable  
9 information and report statistical data on the categories of  
10 sex, sexual orientation, and gender identity unless required  
11 for federal reporting. The Board shall make available reports  
12 on its Internet website, posted where other mandated reports  
13 are posted, of statistical data on sex, sexual orientation,  
14 and gender identity demographics through anonymous surveys or  
15 other methods as age and developmentally appropriate.

16           (b) A ~~If~~ a program administered by the Board or the  
17 Department is exempted from the reporting requirements  
18 described in subsection (a) if:

19           (1) the program is subject to federal reporting  
20 requirements that include the collection and public  
21 reporting of statistical data on the demographic  
22 categories required by this Act; and

23           (2) the federal reporting requirements use different  
24 classifications for the reporting of demographic  
25 categories than the classifications established by the  
26 Department of Human Services.

1       The program shall report on any demographic categories  
2 described in subsection (a) that are not included in the  
3 federal report racial and ethnic demographics of program  
4 participants, the Department may maintain the same racial and  
5 ethnic classifications used under the federal requirements if  
6 such classifications differ from the classifications listed in  
7 subsection (a).

8       (b-5) If a program administered by the Board or the  
9 Department serves and collects data regarding individuals  
10 younger than 18 years old, the program is exempt from the  
11 sexual orientation and gender identity demographic collection  
12 requirements described in subsection (a).

13       (b-7) The Office of the Governor shall establish a project  
14 implementation team to oversee the implementation of this Act  
15 consisting of one representative from each of the following:

16           (1) the Office of the Governor;

17           (2) the Department of Innovation and Technology;

18           (3) the Department of Human Services; and

19           (4) the Governor's Office of Management and Budget.

20       (c) The Department of Innovation and Technology, in  
21 conjunction with the Office of the Governor, shall assist the  
22 Board and the Department by identifying and providing advice  
23 on ~~establishing~~ common technological processes and procedures  
24 for the Board and the Department to:

25           (1) Catalog relevant demographic data and share the  
26 resultant metadata.

- 1 (2) Identify similar fields in data sets ~~datasets~~.
- 2 (3) Manage data requests.
- 3 (4) Share data.
- 4 (5) Collect data.
- 5 (6) Improve and clean data.
- 6 (7) Match data across the Board and Departments.
- 7 (8) Develop research and analytic agendas.
- 8 (9) Report on program participation disaggregated by
- 9 race and ethnicity.
- 10 (10) Evaluate equitable outcomes for underserved
- 11 populations in Illinois.
- 12 (11) Define common roles for data management.
- 13 (12) Ensure that all major programs can report
- 14 disaggregated data by race, ethnicity, age, sex,
- 15 disability status, sexual orientation, and gender
- 16 identity, and primary or preferred language.

17 The Board and the Department shall use the common  
18 technological processes and procedures established by the  
19 Department of Innovation and Technology.

20 (d) If the Board or the Department is unable to begin  
21 reporting the collected data as described in ~~required by~~  
22 subsection (a) by October 31 immediately following the  
23 effective date of this amendatory Act of the 103rd General  
24 Assembly ~~July 1, 2022~~, the Board or the Department shall state  
25 the reasons for the delay or inability to collect the  
26 particular data set for that program under the reporting

1 requirements described in subsection (a).

2 (e) By no later than March 31, 2022, the Board and the  
3 Department shall provide a progress report to the General  
4 Assembly to disclose: (i) the programs and data sets ~~datasets~~  
5 that have been cataloged for which race, ethnicity, age, sex,  
6 disability status, sexual orientation, gender identity, and  
7 primary or preferred language have been standardized; and (ii)  
8 to the extent possible, the data sets ~~datasets~~ and programs  
9 that are outstanding for each agency and the data sets  
10 ~~datasets~~ that are planned for the upcoming year. On or before  
11 April 30 of March 31, 2023, and each year thereafter, the Board  
12 and the Department shall provide an updated report to the  
13 General Assembly.

14 (f) (Blank). ~~By no later than October 31, 2021, the~~  
15 ~~Governor's Office shall provide a plan to establish processes~~  
16 ~~for input from the Board and the Department into processes~~  
17 ~~outlined in subsection (c). The plan shall incorporate ongoing~~  
18 ~~efforts at data interoperability within the Department and the~~  
19 ~~governance established to support the P 20 Longitudinal~~  
20 ~~Education Data System enacted by Public Act 96-107.~~

21 (g) Nothing in this Section shall be construed to limit  
22 the rights granted to individuals or data sharing protections  
23 established under existing State and federal data privacy and  
24 security laws.

25 (Source: P.A. 102-543, eff. 8-20-21; 103-154, eff. 6-30-23;  
26 103-175, eff. 6-30-23; 103-414, eff. 1-1-24; revised

1 12-12-23.)".