



Rep. Abdelnasser Rashid

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10300HB3768ham002

LRB103 31015 DTM 59849 a

1 AMENDMENT TO HOUSE BILL 3768

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3768, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

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

7 (20 ILCS 50/5)

8 Sec. 5. Uniform racial classification.

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

1 Eastern or North African.

2 (b) A State agency is not required to use the  
3 classification added to this Section by this amendatory Act of  
4 the 103rd General Assembly for reporting workforce or hiring  
5 data until after July 1, 2025.

6 (c) For the purposes of this Act, "State agency" means the  
7 offices of the constitutional officers identified in Article V  
8 of the Illinois Constitution, executive agencies, and  
9 departments, boards, commissions, and authorities under the  
10 Governor.

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

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

15 (20 ILCS 65/20-15)

16 Sec. 20-15. Data Governance and Organization to Support  
17 Equity and Racial Justice.

18 (a) On or before July 1, 2022 and each July 1 thereafter,  
19 the Board and the Department shall report statistical data on  
20 the racial, ethnic, age, sex, disability status, sexual  
21 orientation, gender identity, and primary or preferred  
22 language demographics of program participants for each major  
23 program administered by the Board or the Department. Except as  
24 provided in subsection (b), when reporting the data required

1 under this Section, the Board or the Department shall use the  
2 same racial and ethnic classifications for each program, which  
3 shall include, but not be limited to, the following:

4 (1) American Indian and Alaska Native alone.

5 (2) Asian alone.

6 (3) Black or African American alone.

7 (4) Hispanic or Latino of any race.

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

9 (6) White alone.

10 (7) Middle Eastern or North African.

11 (8) ~~(7)~~ Some other race alone.

12 (9) ~~(8)~~ Two or more races.

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

16 (b) ~~(e)~~ If a program administered by the Board or the  
17 Department is subject to federal reporting requirements that  
18 include the collection and public reporting of statistical  
19 data on the racial and ethnic demographics of program  
20 participants, the Department may maintain the same racial and  
21 ethnic classifications used under the federal requirements if  
22 such classifications differ from the classifications listed in  
23 subsection (a).

24 (c) ~~(d)~~ The Department of Innovation and Technology shall  
25 assist the Board and the Department by establishing common  
26 technological processes and procedures for the Board and the

1 Department to:

2 (1) Catalog data.

3 (2) Identify similar fields in datasets.

4 (3) Manage data requests.

5 (4) Share data.

6 (5) Collect data.

7 (6) Improve and clean data.

8 (7) Match data across the Board and Departments.

9 (8) Develop research and analytic agendas.

10 (9) Report on program participation disaggregated by  
11 race and ethnicity.

12 (10) Evaluate equitable outcomes for underserved  
13 populations in Illinois.

14 (11) Define common roles for data management.

15 (12) Ensure that all major programs can report  
16 disaggregated data by race, ethnicity, age, sex,  
17 disability status, sexual orientation, and gender  
18 identity, and primary or preferred language.

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

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

26 (e) ~~(f)~~ By no later than March 31, 2022, the Board and the

1 Department shall provide a progress report to the General  
2 Assembly to disclose: (i) the programs and datasets that have  
3 been cataloged for which race, ethnicity, age, sex, disability  
4 status, sexual orientation, gender identity, and primary or  
5 preferred language have been standardized; and (ii) to the  
6 extent possible, the datasets and programs that are  
7 outstanding for each agency and the datasets that are planned  
8 for the upcoming year. On or before March 31, 2023, and each  
9 year thereafter, the Board and the Department ~~Departments~~  
10 shall provide an updated report to the General Assembly.

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

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

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