Sen. Ram Villivalam

Filed: 4/19/2023

10300HB3768sam001   LRB103 31015 DTM 60713 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) ~~(c)~~ 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.)".