

AN ACT concerning State government.

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

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

(20 ILCS 50/5)

Sec. 5. Uniform racial classification.

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

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

(c) For the purposes of this Act, "State agency" means the offices of the constitutional officers identified in Article V of the Illinois Constitution, executive agencies, and

departments, boards, commissions, and authorities under the Governor.

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

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

(20 ILCS 65/20-15)

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

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

- (1) American Indian and Alaska Native alone.
- (2) Asian alone.
- (3) Black or African American alone.
- (4) Hispanic or Latino of any race.
- (5) Native Hawaiian and Other Pacific Islander alone.

- (6) White alone.
- (7) Middle Eastern or North African.
- (8) ~~(7)~~ Some other race alone.
- (9) ~~(8)~~ Two or more races.

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

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

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

- (1) Catalog data.
- (2) Identify similar fields in datasets.
- (3) Manage data requests.
- (4) Share data.
- (5) Collect data.
- (6) Improve and clean data.
- (7) Match data across the Board and Departments.

(8) Develop research and analytic agendas.

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

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

(11) Define common roles for data management.

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

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

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

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

year thereafter, the Board and the Department ~~Departments~~ shall provide an updated report to the General Assembly.

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

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

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