

AMENDED IN ASSEMBLY APRIL 3, 2025

AMENDED IN ASSEMBLY MARCH 24, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 1186

Introduced by Assembly Member Patel
(Coauthor: Assembly Member Solache)

February 21, 2025

An act to add ~~Section~~ *Sections* 8310.9.5 and 13073.3 to the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

AB 1186, as amended, Patel. Data collection: race and ethnicity: minimum categories.

Existing law requires state agencies, boards, or commissions that directly or by contract collect demographic data on the ethnic origin, ethnicity, or race of Californians to use specified collection categories for Asian, Native Hawaiian, Pacific Islander, Black, and African American groups.

Existing law establishes the Demographic Research Unit within the Department of Finance, which, among other things, acts as the primary state government liaison with the United States Census Bureau in the acquisition and distribution of census data and related documentation to state agencies.

This bill, subject to a specified exception, would require any state agency, board, or commission that directly or by contract collects demographic data on the ethnic origin, ethnicity, or race of Californians to collect data on at least the ~~7~~ minimum categories on race and ethnicity, as defined, as well as at least the top ~~6~~ 9 largest detailed

~~categories, categories, and prescribed write-in options, as provided. The bill would require compliance with these provisions by January 1, 2029. The~~

The bill would establish, within the Demographic Research Unit, the position of the Chief Statistician of California, who would be required to, among other things, standardize collection of demographic data across state agencies, as provided. The bill would require the Chief Statistician of California and the Demographic Research Unit—within the Department of Finance to oversee implementation of these provisions and provide technical assistance. The

The bill would also require, on or before January 1, 2027, and annually thereafter, each state agency, board, or commission required to comply with the bill’s provisions to submit a report to the Legislature and the Assembly Committee on Governmental Organization on compliance with these provisions, as provided. The bill would require data collected pursuant to this section to be made available to the public in accordance with state and federal law, except for personal identifying information, as specified. The bill would prohibit an agency from disclosing personal identifying information to any federal agency unless the disclosure is expressly required by federal law.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. This act shall be known, and may be cited, as*
- 2 *“The California Reliable and Accurate Data Infrastructure Act.”*
- 3 ~~SECTION 1.~~
- 4 *SEC. 2. Section 8310.9.5 is added to the Government Code,*
- 5 *to read:*
- 6 8310.9.5. (a) For the purposes of this section, the—~~“seven~~
- 7 ~~minimum~~ *“minimum categories on race and ethnicity” means all*
- 8 *of the following:*
- 9 (1) American Indian or Alaska Native.
- 10 (2) Asian.
- 11 (3) Black or African American.
- 12 (4) Hispanic or Latino.
- 13 (5) Middle Eastern or North African.
- 14 (6) Native Hawaiian or Pacific Islander.
- 15 (7) White.

(b) (1) Subject to subdivision (c), any state agency, board, or commission that directly or by contract collects demographic data on the ethnic origin, ethnicity, or race of Californians shall collect data on at least the ~~seven~~ minimum categories on race and ethnicity.

(2) For each of the ~~seven~~ minimum categories on race and ethnicity, an agency described in paragraph (1) shall collect and publish information on at least the top-~~six~~ *nine* largest detailed categories, in accordance with the federal Office of Management and Budget's Revised Statistical Policy Directive No. 15: Standards for Maintaining, Collecting, and Presenting Federal Data on Race and Ethnicity (SPD 15) as of March 29, 2024, for both print and online forms.

(3) *An agency described in paragraph (1) shall provide both of the following options for respondents when conducting demographic data collection:*

(A) *A write-in option for respondents who do not identify with any listed detailed category.*

(B) *A write-in option within each category to allow for additional self-identification.*

(c) A data collection is exempt from the requirements of subdivision (b) if the burden on the agency outweighs the benefit to the public.

(d) *The Demographic Research Unit within the Department of Finance may exempt a data collection from the requirements of subdivision (b) only if the relevant agency responsible for the data collection makes a written determination, supported by substantial evidence, that the administrative burden on the agency for collecting and publishing information on a particular category outweighs the anticipated benefit to the affected population group.*

~~(d)~~

(e) The requirements of subdivision (b) apply to administrative and survey data collections, including third-party and commercial data ~~collections~~. *collections, for the purpose of contracts, partnerships, and agreements involving state agencies.*

~~(e)~~

(f) Each state agency, board, or commission required to comply with subdivision (b) shall comply with the requirements of this section as early as reasonably feasible, but no later than January 1, 2029.

~~(f)~~

(g) The *Chief Statistician of California and the Demographic Research Unit* within the Department of Finance shall oversee implementation of this section, including tracking progress, conducting evaluations, ensuring compliance, and providing technical assistance.

~~(g)~~

(h) (1) On or before January 1, 2027, and annually thereafter, each state agency, board, or commission required to comply with subdivision (b) shall submit a report to the Legislature and the Assembly Committee on Governmental Organization on compliance with the requirements of this section, including all of the following:

(A) The collection, analysis, and publication of data.

(B) Existing and new data collection forms and instruments used by state agencies to collect demographic data.

(C) Technical assistance efforts.

(2) A report to be submitted pursuant to paragraph (1) shall be submitted in compliance with Section 9795 of the Government Code.

~~(h)~~

(i) (1) Data collected pursuant to this section shall be made available to the public in accordance with state and federal law, except for personal identifying information, which shall be deemed confidential.

(2) A state agency shall not disclose personally identifying information collected from individuals to any federal agency unless the disclosure is expressly required by federal law.

SEC. 3. Section 13073.3 is added to the Government Code, to read:

13073.3. (a) The position of Chief Statistician of California shall be created in the Demographic Research Unit to do all of the following:

(1) Standardize collection of demographic data across state agencies, including all state administrative and survey data.

(2) Coordinate the activities of statistical data collection across state agencies.

(3) Ensure the efficiency and effectiveness of the state's statistical data collection.

(4) Ensure the confidentiality and protection of state data collections.

1 (5) *Perform any other tasks necessary to ensure the integrity,*
2 *objectivity, impartiality, and utility of information collected for*
3 *statistical purposes.*

4 (b) *The Chief Statistician of California may provide state*
5 *agencies with statistical analyses that supplement the decennial*
6 *United States Census, population estimates in the American*
7 *Community Survey, and other federal administrative data and*
8 *survey data collections.*

9 (c) *The Chief Statistician of California and the Demographic*
10 *Research Unit shall ensure that all state agencies adopt the same*
11 *standard for the collection of race and ethnicity, including*
12 *minimum categories and detailed categories for race and ethnicity.*