

JAN 20 2023

A BILL FOR AN ACT

RELATING TO DEMOGRAPHIC DATA.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that Asian Americans,
2 Native Hawaiians, and other Pacific islanders represent 46.5 per
3 cent of the State's population. While Asian Americans, Native
4 Hawaiians, and other Pacific islanders are often misrepresented
5 as a homogeneous group, they are an extremely diverse group,
6 with ethnicities from over thirty different countries. Asian
7 American, Native Hawaiian, and other Pacific islander
8 communities in this State experience diverse social,
9 educational, health, and economic differences that are unique to
10 their respective communities.

11 The legislature also finds that, due to this diversity, the
12 United States Office of Management and Budget's Statistical
13 Policy Directive No. 15, entitled "Race and Ethnic Standards for
14 Federal Statistics and Administrative Reporting," separated the
15 "Asian and Pacific Islander" category into two distinct and
16 separate categories, now called "Asians" and "Native Hawaiians
17 and Other Pacific Islanders," and these two distinct categories



1 were used in the 2020 United States Census. The United States
2 Census Bureau currently reports data for more than twenty
3 different ethnicities within these two categories.

4 Despite the federal government's current policy and
5 practice of disaggregating data related to Asian Americans,
6 Native Hawaiians, and other Pacific islanders, Hawaii's state
7 agencies do not all keep demographic data in a standard or
8 uniform manner that comports with these prevailing federal
9 standards. Moreover, most state agencies do not make collected
10 demographic data accessible to the public so that regional and
11 local governments, elected officials, decision makers, and other
12 stakeholders can use the information to strategically target
13 programs for those most in need.

14 Given the diversity of languages and cultures, separating
15 data for Asian American, Native Hawaiian, and other Pacific
16 islander ethnic groups is imperative and making this data
17 publicly accessible is critical for enhancing understanding of
18 the needs and experiences of these different communities.
19 Disaggregating race data for collection, analysis and
20 evaluation, access and dissemination can aid in shaping programs



1 and policies to advance more equitable outcomes for all
2 communities in the State.

3 In particular, the State has unique trust responsibilities
4 with respect to Native Hawaiians, which are administered by a
5 variety of state agencies, including but not limited to the
6 office of Hawaiian affairs. The uniform collection and sharing
7 of data specific to Native Hawaiians is critical to the proper
8 administration of the State's trust responsibilities and
9 improving the conditions of Native Hawaiians through other
10 similar initiatives.

11 The purpose of this Act is to facilitate the proper
12 collection and reporting of demographic data by requiring data
13 disaggregation consistent with federal standards and requiring
14 publication of the data.

15 SECTION 2. Chapter 27, Hawaii Revised Statutes, is amended
16 by adding a new section to part I to be appropriately designated
17 and to read as follows:

18 "§27- Asian American, Native Hawaiian, and other Pacific
19 islander groups; collection of demographic data. (a) Any state
20 agency, board, or commission that directly or by contract
21 collects demographic data as to ancestry or ethnic origin shall



1 use separate collection categories and tabulations for the
2 following:

3 (1) Native Hawaiian;

4 (2) Each major Asian group, including but not limited to
5 Chinese, Filipino, Indo-Chinese, Japanese, and Korean;
6 and

7 (3) Each other major Pacific islander group, including but
8 not limited to Micronesian, Samoan, and Tongan.

9 (b) The data collected pursuant to the collection
10 categories and tabulations described in subsection (a) shall be
11 included in every demographic report on ancestry or ethnic
12 origins by a state agency, board, or commission published or
13 released on or after July 1, 2023, unless the report is governed
14 by federal standards requiring the use of other categories and
15 tabulations, then federal standards shall govern. The data
16 shall be made available to the public in accordance with state
17 and federal law, except for personal identifying information,
18 which shall be deemed confidential.

19 (c) State agencies, boards, and commissions shall make any
20 demographic data collected pursuant to this section publicly
21 available, subject to all applicable state and federal laws



1 regarding personal identifying information, by posting the data
2 on the internet web site of the agency on or before July 1,
3 2024, and annually thereafter.

4 (d) To the extent that federal law requires the use of
5 categories and tabulations that are more specific than those
6 contained in subsection (a), the more specific federal standards
7 shall govern.

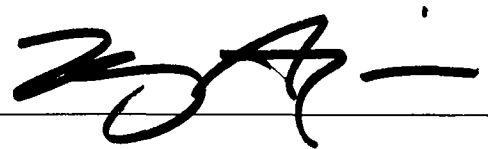
8 (e) Nothing herein shall limit the ability of any state
9 agency, board, or commission from using categories and
10 tabulations that are more specific than those described in
11 subsection (a) or any other applicable state or federal law."

12 SECTION 3. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval.

14

INTRODUCED BY: _____

A handwritten signature in black ink, appearing to be 'Z. A.', is written over a horizontal line.

S.B. NO. 811

Report Title:

Demographic Data; State Agencies; Publication; Ethnicities

Description:

Requires state agencies to disaggregate data consistent with federal standards and requires publication of the data.

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