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# 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 and  
2 Native Hawaiians and other Pacific Islanders represent 46.5 per  
3 cent of the State's population. While Asian Americans and  
4 Native Hawaiians and other Pacific Islanders are often  
5 misrepresented as a homogeneous group, they are an extremely  
6 diverse group, comprising ethnicities from over thirty different  
7 countries. Asian American and Native Hawaiian and other Pacific  
8 Islander 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 and  
6 Native Hawaiians and other Pacific Islanders, not all of  
7 Hawaii's state agencies 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 and Native Hawaiian and other Pacific  
16 Islander ethnic groups is imperative and making this data  
17 publicly accessible is critical for enhancing an understanding  
18 of 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



1 programs 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:

- 12 (1) Ascertain the current status of demographic data  
13 collection and reporting;
- 14 (2) Increase and improve the collection and reporting of  
15 demographic data for Asian Americans, Native  
16 Hawaiians, and other Pacific Islanders; and
- 17 (3) Facilitate timely reporting of demographic data to the  
18 public,  
19 by requiring all state agencies, boards, and commissions to use  
20 certain categories and tabulations for demographic data



1 collected and establishing a task force on twenty-first century  
2 data governance.

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

6 "§27- Asian American and Native Hawaiian and other  
7 Pacific Islander groups; collection of demographic data. (a)

8 Any state agency, board, or commission that directly or by  
9 contract collects demographic data regarding ancestry or ethnic  
10 origin shall use the following separate collection categories  
11 and tabulations:

12 (1) Native Hawaiian;

13 (2) Each major Asian group, including but not limited to  
14 Chinese, Filipino, Japanese, and Korean; and

15 (3) Each other major Pacific Islander group, including but  
16 not limited to Chamorro, Samoan, Tongan, Fijian,  
17 Tahitian, Marshallese, Chuukese, Kosraean, Pohnpeian,  
18 Yapese, Palauan, Nauruan, and I-Kiribati.

19 (b) The data collected pursuant to the collection  
20 categories and tabulations described in subsection (a) shall be  
21 included in every demographic report on ancestry or ethnic



1 origins by a state agency, board, or commission published or  
2 released on or after July 1, 2023; provided that if the report  
3 is governed by federal laws requiring the use of other  
4 categories and tabulations, the federal laws shall govern. The  
5 data shall be made available to the public in accordance with  
6 state and federal law, except for personal identifying  
7 information, which shall be deemed confidential. State  
8 agencies, boards, or commissions shall not be required to  
9 publicly report data if prevented from doing so by federal or  
10 state law; provided that these entities shall make a good faith  
11 effort to redact information that is not available for  
12 disclosure so that the rest of the data can be made public.

13 (c) In accordance with this section and subject to all  
14 applicable state and federal laws regarding personal identifying  
15 information, the department of health, department of labor and  
16 industrial relations, department of human services, and each  
17 county police department shall compile and share with the office  
18 of Hawaiian affairs, office of health equity of the department  
19 of health, and general public each department's disaggregated  
20 data on Native Hawaiians, Pacific Islanders, and Asians by



1 posting the data on the department's website on or before  
2 July 1, 2024, and annually thereafter.

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

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

11 SECTION 3. (a) There is established a task force on  
12 twenty-first century data governance.

13 (b) The task force shall assess current demographic data  
14 collection, processing, retention, and sharing procedures used  
15 and the needs of and challenges faced by all state agencies.

16 (c) The members of the task force shall include:

17 (1) The director of the office of planning and sustainable  
18 development, or the director's designee;

19 (2) The chief information officer of the office of  
20 enterprise technology services, or the chief  
21 information officer's designee;



1 (3) The chief executive officer of the office of Hawaiian  
2 affairs, or the chief executive officer's designee;

3 (4) The director of the department of health's office of  
4 health equity, or the director's designee; and

5 (5) Other relevant members to be identified by the task  
6 force.

7 (d) The task force shall submit a report of its findings  
8 and recommendations, including any proposed legislation, to the  
9 legislature no later than twenty days prior to the convening of  
10 the regular session of 2024.

11 (e) The task force shall be dissolved on June 30, 2024.

12 SECTION 4. New statutory material is underscored.

13 SECTION 5. This Act shall take effect on July 1, 2112.



S.B. NO. 811  
S.D. 2  
H.D. 1

**Report Title:**

Department of Health; Department of Labor and Industrial Relations; Department of Human Services; County Police Departments; Demographic Data; State Agencies; Publication; Ethnicities; Task Force

**Description:**

Requires state agencies to disaggregate data consistent with federal standards and requires publication of the data. Establishes a task force to assess demographic data collection, processing, retention, and sharing procedures, needs, and challenges. Requires a report to the legislature. Effective 7/1/2112. (HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

