

SENATE BILL NO. 958

June 26, 2024, Introduced by Senator CAMILLERI and referred to the Committee on Oversight.

A bill to require a public body to use certain criteria in certain writings relating to race and ethnicity data collection; and to provide for the powers and duties of certain state and local governmental officers and entities.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. This act may be cited as the "race and ethnicity data
2 collection act".

3 Sec. 3. As used in this act:

4 (a) "American Indian or Alaska Native" means an individual
5 with origins in any of the original peoples of North, Central, and

1 South America, including, but not limited to, the Navajo Nation,
2 Blackfeet Tribe of the Blackfeet Indian Reservation of Montana,
3 Native Village of Barrow Inupiat Traditional Government, Nome
4 Eskimo Community, Aztec, and Maya.

5 (b) "Asian" means an individual with origins in any of the
6 original peoples of Central or East Asia, Southeast Asia, or South
7 Asia, including, but not limited to, Chinese, Asian Indian,
8 Filipino, Vietnamese, Korean, and Japanese.

9 (c) "Black or African American" means an individual with
10 origins in any of the Black racial groups of Africa, including, but
11 not limited to, African American, Jamaican, Haitian, Nigerian,
12 Ethiopian, and Somali.

13 (d) "Hispanic or Latino" means an individual of Mexican,
14 Puerto Rican, Salvadoran, Cuban, Dominican, Guatemalan, and other
15 Central or South American or Spanish culture or origin.

16 (e) "Middle Eastern or North African" means an individual with
17 origins in any of the original peoples of the Middle East or North
18 Africa, including, but not limited to, Lebanese, Iranian, Egyptian,
19 Syrian, Iraqi, and Israeli.

20 (f) "Native Hawaiian or Pacific Islander" means an individual
21 with origins in any of the original peoples of Hawaii, Guam, Samoa,
22 or other Pacific Islands, including, but not limited to, Native
23 Hawaiian, Samoan, Chamorro, Tongan, Fijian, and Marshallese.

24 (g) "Public body" means any of the following:

25 (i) The executive office of the governor, or a state agency,
26 department, division, bureau, board, commission, council,
27 authority, or other body in the executive branch of state
28 government.

29 (ii) The legislature or an agency, board, commission, or

1 council in the legislative branch of state government.

2 (iii) A county, city, township, village, intercounty, intercity,
3 or regional governing body; a council, school district, special
4 district, or municipal corporation; or a board, department,
5 commission, or council or an agency of a board, department,
6 commission, or council.

7 (iv) A state public university.

8 (v) Any other body that is created by state or local authority
9 or is primarily funded by or through state or local authority, if
10 the body exercises governmental or proprietary authority or
11 performs a governmental or proprietary function.

12 (h) "State public university" means a university described in
13 section 4, 5, or 6 of article VIII of the state constitution of
14 1963.

15 (i) "White" means an individual with origins in any of the
16 original peoples of Europe, including, but not limited to, English,
17 German, Irish, Italian, Polish, and Scottish.

18 (j) "Writing" means that term as defined in section 2 of the
19 freedom of information act, 1976 PA 442, MCL 15.232.

20 Sec. 5. (1) Except as otherwise provided under federal law, if
21 a public body lists racial or ethnic categories in a writing that
22 is developed or printed on or after 90 days after the effective
23 date of this act and the public body requests that an individual
24 designate the individual's race or ethnicity, the writing must meet
25 all of the following criteria:

26 (a) The writing must use a single combined race and ethnicity
27 question for the collection of the data.

28 (b) The writing must include the following minimum categories
29 and subcategories of races and ethnicities and may include a write-

1 in option for the purpose of designating an additional subcategory
2 for each minimum category:

3 (i) The term "White" as a minimum category, and all of the
4 following subcategories of that minimum category:

5 (A) English.

6 (B) German.

7 (C) Irish.

8 (D) Polish.

9 (E) Dutch.

10 (F) Italian.

11 (ii) The term "Black or African American" as a minimum
12 category, and all of the following subcategories of that minimum
13 category:

14 (A) Sub-Saharan African.

15 (B) Caribbean.

16 (C) Nigerian.

17 (D) Jamaican.

18 (E) Congolese.

19 (F) Ethiopian.

20 (iii) The term "American Indian or Alaska Native" as a minimum
21 category, and all of the following subcategories of that minimum
22 category:

23 (A) Chippewa.

24 (B) Sault Ste. Marie Tribe of Chippewa Indians.

25 (C) Cherokee.

26 (D) Saginaw Chippewa Indian Tribe alone.

27 (E) Ottawa.

28 (F) Ottawa and Chippewa Indian.

29 (iv) The term "Asian" as a minimum category, and all of the

1 following subcategories of that minimum category:

2 (A) Asian Indian.

3 (B) Chinese.

4 (C) Vietnamese.

5 (D) Filipino.

6 (E) Korean.

7 (F) Pakistani.

8 (v) The term "Native Hawaiian or Other Pacific Islander" as a
9 minimum category, and all of the following subcategories of that
10 minimum category:

11 (A) Polynesian.

12 (B) Native Hawaiian.

13 (C) Micronesian.

14 (D) Samoan.

15 (E) Chamorro.

16 (F) Marshallese.

17 (vi) The term "Hispanic or Latino" as a minimum category, and
18 all of the following subcategories of that minimum category:

19 (A) Mexican.

20 (B) Puerto Rican.

21 (C) Cuban.

22 (D) Guatemalan.

23 (E) Dominican.

24 (F) Colombian.

25 (vii) The term "Middle Eastern or North African" as a minimum
26 category, and all of the following subcategories of that minimum
27 category:

28 (A) Lebanese.

29 (B) Chaldean.

1 (C) Iraqi.

2 (D) Yemeni.

3 (E) Syrian.

4 (F) Palestinian.

5 (c) The writing must include the following instructions, as
6 applicable:

7 (i) If the writing does not provide the write-in option
8 described in subdivision (b), the following instructions: "Select
9 all that apply. Note, you may report more than one group."

10 (ii) If the writing provides the write-in option described in
11 subdivision (b), the following instructions: "Select all that apply
12 and enter additional details in the spaces below. Note, you may
13 report more than one group."

14 (2) A public body that develops or prints a writing described
15 in subsection (1) for the purpose of reporting or compiling
16 workforce and hiring data is not required to use the categories
17 described in subsection (1) until 90 days after the effective date
18 of this act.

19 (3) Not later than 90 days after the effective date of this
20 act, each public body that develops or prints a writing described
21 in subsection (1) shall create, and post on its website, an action
22 plan on race and ethnicity data, which must include both of the
23 following:

24 (a) A description of the actions taken by the public body to
25 comply with this section.

26 (b) A description of potential risks associated with the
27 collection of the race and ethnicity data.