

ASSEMBLY, No. 3092

STATE OF NEW JERSEY 220th LEGISLATURE

INTRODUCED MARCH 7, 2022

Sponsored by:

Assemblyman STERLEY S. STANLEY

District 18 (Middlesex)

Assemblywoman SADAF F. JAFFER

District 16 (Hunterdon, Mercer, Middlesex and Somerset)

Assemblyman RAJ MUKHERJI

District 33 (Hudson)

Co-Sponsored by:

Assemblyman Spearman, Assemblywomen Haider, Speight, Park and McKnight

SYNOPSIS

Requires State agencies update demographic data collection methods on Asian, Native Hawaiian, Pacific Islander, Middle Eastern, North African, and South Asian and Indian Diaspora residents of this State.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 6/29/2022)

1 AN ACT concerning the collection of demographic data of certain
2 ethnic groups and supplementing Title 52 of the Revised
3 Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. The Legislature finds and declares that:

9 Asian-Americans, Native Hawaiians, and Pacific Islanders
10 (AANHPI), Middle Easterners and North Africans (MENA), and
11 South Asian and Indian Diaspora peoples are significant and
12 important communities in New Jersey. New Jersey has nearly one
13 million Asian Americans, Native Hawaiians, and Pacific Islanders
14 residing in the State, about 10 percent of the State population. The
15 number of Middle Eastern and North African and South Asian and
16 Indian Diaspora residents cannot be accurately determined with the
17 current collection methods. The members of these communities
18 have made significant contributions to the culture and economy of
19 this State.

20 Due to the diversity in the AANHPI communities, the United
21 States Office of Management and Budget's Statistical Policy
22 Directive No. 15, entitled "Race and Ethnic Standards for Federal
23 Statistics," separated the "Asian and Pacific Islander" category into
24 two distinct and separate categories, now called "Asians" and
25 "Native Hawaiians and Other Pacific Islanders." These two distinct
26 categories were first used in the 2000 United States Census. The
27 United States Census Bureau currently reports data for more than 20
28 different ethnicities within these two categories.

29 The MENA communities in this State and on the federal level are
30 categorized as "White." However, this racial identity has not
31 matched the discrimination in housing, workplaces, and through
32 daily life that many in the MENA community say they have faced.
33 Many younger people in the MENA community often compare their
34 experiences to those in communities of color. However, with a lack
35 of a clear category, this paradox has been difficult to show through
36 data.

37 The South Asian and Indian Diaspora communities in this State
38 often have difficulty selecting which category they fit into when
39 filling out demographic information. Given India's extensive
40 migration history over the centuries, ethnic Indians have established
41 communities on every continent as well as on islands in the
42 Caribbean and the Pacific and Indian oceans. These communities
43 are wide-ranging and while they do share geographical and cultural
44 commonalities, they also experience diverse social, educational,
45 health, and economic differences that are unique to their respective
46 communities.

47 Existing State law requires demographic data to be collected,
48 which includes the AANHPI communities. However, the collection

1 by State agencies is often far too general and does not incorporate
2 breakdowns for the numerous ethnic groups within the AANHPI
3 communities. Additionally, State law does not require such a
4 breakdown for the MENA and South Asian and Indian Diaspora
5 communities. Also, this data is not made as accessible as it can be
6 to the public. Data should be updated on a regular basis and made
7 accessible to the public so that local governments, elected officials,
8 decision makers, and other stakeholders can use the information to
9 strategically target programs for those most in need.

10 Given the diversity of languages and culture, separating data for
11 additional Asian, Native Hawaiian, Pacific Islander, Middle
12 Eastern, North African, and South Asian and Indian Diaspora ethnic
13 groups and making that data publicly accessible are critical for
14 enhancing our State's understanding of the needs and experiences
15 of these different communities.

16

17 2. a. Each State agency that directly or by contract collects
18 demographic data as to the ancestry or ethnic origin of residents of
19 the State of New Jersey shall use separate collection categories and
20 tabulations for the following:

21 (1) each major Asian group, including, but not limited to,
22 Chinese, Japanese, Filipino, Korean, Vietnamese, Asian Indian,
23 Laotian, Cambodian, Bangladeshi, Hmong, Indonesian, Malaysian,
24 Pakistani, Sri Lankan, Taiwanese, Nepalese, Burmese, Tibetan, and
25 Thai;

26 (2) each major Pacific Islander group, including, but not limited
27 to, Hawaiian, Guamanian, Samoan, Fijian, and Tongan;

28 (3) each major Middle Eastern and North African group,
29 including, but not limited to, Algerian, Bahraini, Egyptian,
30 Jordanian, Kuwaiti, Lebanese, Libyan, Moroccan, Omani, and
31 Tunisian;

32 (4) each major South Asian and Indian Diaspora group,
33 including, but not limited to, Guyanese, Trinidadian and
34 Tobagonian, and Surinamese; and

35 (5) other Asian, Pacific Islander, South Asian and Indian
36 Diaspora, or Middle Eastern and North African group.

37 b. Each State agency that directly or by contract collects
38 demographic data as to the ancestry or ethnic origin of residents of
39 the State of New Jersey shall use separate collection categories and
40 tabulations for the following:

41 (1) the primary language spoken at home; and

42 (2) the ethnic group or ancestry.

43 c. The data collected pursuant to the provisions of subsections
44 a. and b. of this section shall be included in every demographic
45 report on ancestry or ethnic origins of residents of the State of New
46 Jersey by the State agency published or released on or after the first
47 day of the third month following the effective date of this act,
48 P.L. . c. (pending before the Legislature as this bill).

1 The data shall be made available to the public in accordance with
2 State and federal law, except for personal identifying information,
3 which shall be deemed confidential, by posting the data on the
4 internet website of the State agency.

5 d. As used in this section, “State agency” means any agency in
6 the executive branch of the State government, including, but not
7 limited to, any department, board, bureau, commission, division,
8 office, council, or instrumentality thereof, or independent agency,
9 public authority or public benefit corporation, and any State college
10 or public institution of higher education.

11

12 3. This act shall take effect on the first day of the fifth month
13 following enactment.

14

15

16

STATEMENT

17

18 This bill requires that State agencies update demographic data
19 collection methods on Asian, Native Hawaiian, Pacific Islander,
20 Middle Eastern, North African, and South Asian and Indian
21 Diaspora residents of New Jersey.

22 Asian-Americans, Native Hawaiians, and Pacific Islanders
23 (AANHPI), Middle Easterners and North Africans (MENA), and
24 South Asian and Indian Diaspora peoples are significant and
25 important communities in New Jersey. New Jersey has nearly one
26 million Asian Americans, Native Hawaiians, and Pacific Islanders
27 residing in the State. The number of residents who would classify
28 as Middle Eastern and North African or as South Asian and Indian
29 Diaspora peoples cannot be determined under current collection
30 methods.

31 The members of these communities have made significant
32 contributions to the culture and economy of this State. The
33 AANHPI, MENA, and South Asian and Indian Diaspora
34 communities encompass a wide range of countries, ethnicities,
35 nationalities, and identities.

36 Since 2000, the United States Census Bureau has separated the
37 broader AANHPI label into two distinct categories labeled “Asian”
38 and “Native Hawaiians and Other Pacific Islanders.” The Census
39 Bureau currently reports data for more than 20 different ethnicities
40 within these two categories. Middle Eastern and North African and
41 South Asian and Indian Diaspora categories do not currently exist.
42 There is speculation that the 2030 United State Census may include
43 a category for Middle Eastern and North African.

44 Given the diversity of languages and culture, separating data for
45 additional Asian, Native Hawaiian, Pacific Islander, Middle
46 Eastern, North African, and South Asian and Indian Diaspora ethnic
47 groups and making that data publicly accessible are critical for

1 enhancing our State's understanding of the needs and experiences
2 of these different communities.

3 This bill requires each State agency that directly or by contract
4 collects demographic data as to the ancestry or ethnic origin of
5 residents of the State of New Jersey to use separate collection
6 categories and tabulations for these groups. The groups would be
7 broken down by the following categories:

8 (1) each major Asian group;

9 (2) each major Pacific Islander group, including Native
10 Hawaiian;

11 (3) each major Middle Eastern and North African group;

12 (4) each major South Asian and Indian Diaspora group; and

13 (5) other Asian or Pacific Islander group.

14 This bill also requires each State agency collecting demographic
15 data to use separate collection categories and tabulations for:

16 (1) the primary language spoken at home; and

17 (2) the ethnic group or ancestry.

18 The data collected would be included in every demographic
19 report on ancestry or ethnic origins of residents of the State of New
20 Jersey. The data would be made public, except for personal
21 identifying information, by posting the data on the internet website
22 of the State agency.

23 This bill would take effect on the first day of the fifth month
24 following enactment.