

**ASSEMBLY BILL NO. 3092**

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 3092 with my recommendations for reconsideration.

Assembly Bill No. 3092 requires State agencies to update demographic data collection and reporting methods to better reflect the rich diversity of New Jersey's Asian American, Native Hawaiian, Pacific Islander, Middle Eastern, and North African communities. Specifically, the bill calls for the disaggregation of certain demographic data to account for a wider range of ethnicities, marking a shift from outdated categorizations that tend to generalize and overlook unique socioeconomic distinctions of each ethnic group.

I applaud the bill's sponsors and advocates for seeking to modernize New Jersey's demographic data collection and reporting practices. This important legislation will help the State improve the administration of government programs and lead to better-informed policy decisions. I am advised, however, that Assembly Bill No. 3092 requires amendments that will afford State agencies the flexibility to comply with any distinct data collection and reporting practices required by federal laws, regulations, programs, or surveys, and to account for evolving standards and guidance that may be issued by the federal Office of Management and Budget or the United States Census Bureau in the future.

I herewith return Assembly Bill No. 3092 and recommend that it be amended as follows:

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| <u>Page 3, Section 2, Line 18:</u> | Delete "or ethnic origin"              |
| <u>Page 3, Section 2, Line 27:</u> | After "to," insert "Native"            |
| <u>Page 3, Section 2, Line 27:</u> | After "Hawaiian," insert "Chamorro or" |
| <u>Page 3, Section 2, Line 38:</u> | Delete "or ethnic origin"              |

- Page 3, Section 2, Line 41: After "home" insert "and, if such language is a non-English language, whether the respondent is fluent in English"
- Page 3, Section 2, Line 42: Delete "ethnic group or"
- Page 3, Section 2, Line 45: Delete "or ethnic origins"
- Page 3, Section 2, Line 47: Delete "third" and insert "sixth"
- Page 4, Section 2, Lines 5-9: Delete in their entirety
- Page 4, Section 2, Line 10: Delete "or public institution of higher education" and insert "d. State agencies may continue to collect and report demographic data in the form that the data was submitted if the data was collected under either of the following circumstances:
- (1) Pursuant to federal laws, regulations, programs, or surveys, whereby the requirements or guidelines for demographic data collection categories are defined by the federal law, regulation, program or survey.
  - (2) Demographic data collected by other entities, including third-party entity administered surveys not solely funded by the State agency.
- e. Each State agency may update its data collection and reporting practices as needed in response to changes made to the American Community Survey published by the United States Census Bureau.
- f. As used in this section:
- "Ancestry" means the respondent's self-identification of the respondent's origin or descent, "roots," heritage, or place where the respondent or the respondent's parents or ancestors were born.
- "Primary language spoken at home" means the language currently used by respondents at home, either "English only" or a non-English language which is used in addition to English or in place of English.

"State agency" means any agency in the executive branch of the State government, including, but not limited to, any department, board, bureau, commission, division, office, council, or instrumentality thereof, or independent agency, public authority or public benefit corporation, and any State college or public institution of higher education"

Page 4, Section 3, Line 12:

Delete "fifth" and insert "eighteenth"

Page 4, Section 3, Line 13:

After "enactment" insert "except that State agencies may take any anticipatory administrative action in advance as shall be necessary for the implementation of this act"

[seal]

Respectfully,

/s/ Philip D. Murphy

Governor

Attest:

/s/ Parimal Garg

Chief Counsel to the Governor