SENATE BILL REPORT
SB 5784

As Reported by Senate Committee On:
State Government, Tribal Affairs & Elections, February 3, 2026

Title: An act relating to agency demographic data collection.

Brief Description: Encouraging agency demographic data collection.

Sponsors: Senator Hasegawa.

Brief History:
Committee Activity: State Government, Tribal Affairs & Elections: 1/27/26, 2/03/26 [DPS-WM, w/oRec].

Brief Summary of First Substitute Bill

- Requires agencies to collect voluntary self-identification demographic data using the U.S. Office of Management and Budget statistical policy directive number 15.
- Provides procedures for agencies to request exemptions from, and variances to, the requirement to collect more detailed data beyond the minimum categories.

SENATE COMMITTEE ON STATE GOVERNMENT, TRIBAL AFFAIRS & ELECTIONS

Majority Report: That Substitute Senate Bill No. 5784 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

Signed by Senators Valdez, Chair; Kauffman, Vice Chair; Fortunato, Hasegawa and Riccelli.

Minority Report: That it be referred without recommendation.

Signed by Senators Wilson, J., Ranking Member; McCune.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Staff: Danielle Creech (786-7412)

Background: Demographic Data. In 2021, the Legislature directed the Joint Legislative Audit and Review Committee (JLARC) to incorporate a racial equity analysis in its performance audits, sunset reviews, and other audits or reports. JLARC may work with the Office of Equity and Washington State ethnic commissions to design the racial equity analysis.

The Superintendent of Public Instruction is required to submit all student-level data using the United States Department of Education 2007 race and ethnicity reporting guidelines, with the following modifications:

- further disaggregation of the Black category to differentiate students of African origin and students native to the United States with African ancestors;
- further disaggregation of countries of origin for Asian students;
- further disaggregation of the White category to include subethnic categories for Eastern European nationalities that have significant populations in Washington; and
- for students who report as multiracial, collection of their racial and ethnic combination of categories.

United States Office of Management and Budget Statistical Policy Directive Number 15. Federal Executive Order 13985 formed the Equitable Data Working Group and tasked agencies with identifying inadequacies and areas of improvement within federal data and outlining a strategy for increasing data available for measuring equity and representing the diversity of the American people and their experiences.

The Data Working Group was directed to study and provide recommendations to the Assistant to the President for Domestic Policy identifying inadequacies in existing federal data collection programs, policies, and infrastructure across agencies, and strategies for addressing any deficiencies identified, and support agencies in implementing actions that expand and refine the data available to the federal government to measure equity and capture the diversity of the American people.

The recommendation also included key administrative actions. The Office of Management and Budget was directed to revise its Statistical Policy Directive No. 15 (SPD 15) standards for maintaining, collecting, and presenting federal data on race and ethnicity. SPD 15 sets forth minimum categories for data on race and ethnicity for federal statistics, program administrative reporting, and civil rights compliance. The categories and definitions included in SPD 15 are as follows:

- American Indian or Alaska Native—individuals with origins in any of the original peoples of North, Central, and South America, including, for example, Navajo Nation, Blackfeet Tribe of the Blackfeet Indian Reservation of Montana, Native Village of Barrow Inupiat Traditional Government, Nome Eskimo Community, Aztec, and Maya;
- Asian—individuals with origins in any of the original peoples of Central or East Asia,

Southeast Asia, or South Asia, including, for example, Chinese, Asian Indian, Filipino, Vietnamese, Korean, and Japanese;
- Black or African American—individuals with origins in any of the Black racial groups of Africa, including, for example, African American, Jamaican, Haitian, Nigerian, Ethiopian, and Somali;
- Hispanic or Latino—includes individuals of Mexican, Puerto Rican, Salvadoran, Cuban, Dominican, Guatemalan, and other Central or South American or Spanish culture or origin;
- Middle Eastern or North African—individuals with origins in any of the original peoples of the Middle East or North Africa, including, for example, Lebanese, Iranian, Egyptian, Syrian, Iraqi, and Israeli;
- Native Hawaiian or Pacific Islander—individuals with origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands, including, for example, Native Hawaiian, Samoan, Chamorro, Tongan, Fijian, and Marshallese; and
- White—individuals with origins in any of the original peoples of Europe, including, for example, English, German, Irish, Italian, Polish, and Scottish.

Summary of Bill (First Substitute): By June 30, 2026 at the latest, agencies shall collect voluntary self-identification demographic data using the United States Office of Management and Budget SPD 15 as published on March 29, 2024. Each agency must consider and base data collection on the appropriate demographic data set necessary with regard to appropriate target demographic categories or subcategories of a program or agency being evaluated. This data must be included in every demographic report on race or ethnic origin published or released after June 30, 2025. Reports are required to state the reasoning and process used to determine the appropriate dataset. If the appropriate data cannot be collected, the report should state the reasons for unavailability. This data must be made available to the public, in accordance with law, except for personal information. Agencies may consult the state ethnic commissions or the Governor's Office of Indian Affairs for advice.

Agencies may submit a request to the Office of Financial Management (OFM) for an exemption to the requirement to collect more detailed data beyond the minimum categories if the agency determines the potential benefit of the detailed data would not justify the additional burden to the agency and the public, or the additional risk to privacy or confidentiality.

Agencies may submit a request to OFM for a variance to the detailed categories if the agency determines that collecting different detailed categories than the ones listed in SPD 15 provides more useful or accurate data for the collection's specific context and intended uses. Any variances in detailed data must be able to be aggregated up to the minimum required categories.

OFM and agencies must consult with the Washington State ethnic commissions and the Governor's Office of Indian Affairs regarding which demographic breakdown is most

important and relevant to the program being analyzed.

The superintendent of public instruction must collect all student-level data using SPD 15 as soon as practicable.

EFFECT OF CHANGES MADE BY STATE GOVERNMENT, TRIBAL AFFAIRS & ELECTIONS COMMITTEE (First Substitute):

- Clarifies that the last four digits of a social security number is considered personal information.
- Clarifies that the minimum categories and subcategories are those used by the US Census Bureau for Washington state population estimates.
- Permits agencies to collect data using other, more granular demographic data as deemed appropriate by the agency.
- Details specific state and federal law that must be followed when making data available to the public.
- Requires agencies to comply with the requirements of the bill by June 30, 2030.
- Requires OFM to convene a multiagency committee, which shall be responsible for reviewing requests for exceptions or variances to the requirements of the bill.
- Sets forth qualification factors for exemptions and variances.

Appropriation: None.

Fiscal Note: Requested on January 22, 2026.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony on Original Bill: *The committee recommended a different version of the bill than what was heard.* PRO: This is a very important bill because the state spends a lot of money trying to improve the lives of people, but without the data to determine who those people are, then it can be difficult to find accountability for the money spent. Certain communities may not have access to benefits of programs because the data is being viewed in aggregate. Every community has its own hardships it has to overcome, and the state can do better in providing for those communities. In not being able to get the necessary data to identify those communities and their needs, we struggle to ensure accountability and equity in how money is spent. Federal policy directive 15 might not have quite the granularity we need because Washington is so diverse, but this bill is a step in the right direction to disaggregate data further to see the needs of our communities.

OTHER: While supportive of the policy, the fiscal impact of this bill is not included in the Governor's budget. It is important that agencies disaggregate their data to ensure communities aren't hidden through their inclusion in larger demographic categories. At the

same time, data privacy and protection concerns are at the top of mind, and this might cause individuals to be unintentionally identified because of their inclusion in a small sample size.

Persons Testifying: PRO: Senator Bob Hasegawa, Prime Sponsor.

OTHER: Patrick Stickney, WA Office of Equity.

Persons Signed In To Testify But Not Testifying: No one.