

AMENDED IN ASSEMBLY MAY 23, 2025

AMENDED IN ASSEMBLY MARCH 20, 2025

AMENDED IN ASSEMBLY MARCH 17, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

## ASSEMBLY BILL

**No. 91**

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**Introduced by Assembly Member Harabedian**  
**(Coauthors: Assembly Members *Ahrens*, *Caloza*, *Mark González*,  
*Petrie-Norris*, *Schiavo*, ~~and *Schultz*~~) *Schultz*, and *Wicks*)**  
(Coauthors: Senators Pérez, Umberg, and Weber Pierson)

January 6, 2025

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An act to add Section 8310.4 to the Government Code, relating to state and local government.

### LEGISLATIVE COUNSEL'S DIGEST

AB 91, as amended, Harabedian. State and local agencies: demographic data.

Existing law requires state agencies, boards, and commissions that collect demographic data as to the ancestry or ethnic origin of Californians to use separate collection categories and tabulations for each major Asian and Pacific Islander group and to include that data in every demographic report published on or after July 1, 2012, as specified.

This bill ~~would~~ *would, commencing January 1, 2027*, require state and local agencies that collect demographic data as to the ancestry or ethnic origin of Californians to use separate collection categories and tabulations for major Middle Eastern or North African groups, as specified, and, with certain exceptions, to include that data in every

demographic report published on or after January 1, ~~2027~~, 2028, and to make the aggregated data available to the public.

Existing constitutional provisions require that a statute that limits the right of access to the meetings of public bodies or the writings of public officials and agencies be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest.

This bill would make legislative findings to that effect.

The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to the statutory provisions noted above.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 8310.4 is added to the Government Code,
- 2 to read:
- 3 8310.4. (a) This act shall be known, and may be cited, as the
- 4 Middle Eastern and North African *Inclusion Act* ~~or the MENA~~
- 5 ~~Act.~~ (*MENA Inclusion Act*).
- 6 (b) A state or local agency that directly or by contract collects
- 7 demographic data as to the ancestry or ethnic origin of Californians
- 8 shall use separate collection categories and tabulations for major
- 9 Middle Eastern or North African groups in any provided form that
- 10 offers respondents the option of selecting one or more ethnic or
- 11 racial designations or languages as follows:
- 12 (1) Commencing January 1, ~~2026~~, 2027, and until collection
- 13 categories are subsequently updated pursuant to paragraph (2), a
- 14 state or local agency shall use separate collection categories and
- 15 tabulations for the following groups:
- 16 (A) A major Middle Eastern group, including, but not limited
- 17 to, Afghan, Bahraini, Emirati, Iranian, Iraqi, Israeli, Jordanian,

1 Kuwaiti, Lebanese, Omani, Palestinian, Qatari, Saudi Arabian,  
2 Syrian, Turkish, and Yemeni.

3 (B) A major North African group, including, but not limited to,  
4 Algerian, Djiboutian, Egyptian, Libyan, Mauritanian, Moroccan,  
5 Somali, Sudanese, and Tunisian.

6 (C) A major transnational Middle Eastern and North African  
7 group, including, but not limited to, Amazigh or Berber, Armenian,  
8 Assyrian, Chaldean, Circassian, and Kurdish.

9 (2) Within 18 months following the release of a decennial census  
10 by the United States Census Bureau, a state or local agency shall  
11 update its collection categories and tabulations to reflect the major  
12 Middle Eastern and North African groups as reported by the census.

13 (c) Except as provided in subdivision (d), a state or local agency  
14 shall do both of the following with the data collected pursuant to  
15 subdivision (b):

16 (1) Include the data in every demographic report on ancestry or  
17 ethnic origins of Californians by the state or local agency that is  
18 published on or after January 1, ~~2027~~. 2028.

19 (2) Make the aggregated data available to the public in  
20 accordance with state and federal law, including, but not limited  
21 to, by publishing the data on its internet website.

22 (d) (1) A state or local agency shall not disclose personal  
23 identifying information about any person whose demographic data  
24 is collected pursuant to this section to the public. The state or local  
25 agency may, to prevent the identification of individuals, aggregate  
26 data categories at a state, county, city, census tract, or ZIP Code  
27 level to facilitate comparisons and identify disparities.

28 (2) A state or local agency shall not make data available to the  
29 public that would result in statistical unreliability.

30 (e) For purposes of this ~~section, the following definitions apply:~~  
31 *section:*

32 (1) “Local agency” means a city, county, or city and county,  
33 whether general law or chartered.

34 (2) “Personal identifying information” has the same meaning  
35 as defined in subdivision (b) of Section 530.55 of the Penal Code.

36 (3) “State agency” has the same meaning as defined in Section  
37 11000 and includes the California State University.

38 (f) The Legislature requests the University of California to  
39 comply with this section.

1 SEC. 2. The Legislature finds and declares that Section 1 of  
2 this act, which adds Section 8310.4 to the Government Code,  
3 imposes a limitation on the public's right of access to the meetings  
4 of public bodies or the writings of public officials and agencies  
5 within the meaning of Section 3 of Article I of the California  
6 Constitution. Pursuant to that constitutional provision, the  
7 Legislature makes the following findings to demonstrate the interest  
8 protected by this limitation and the need for protecting that interest:

9 In order to protect the privacy of California residents, while also  
10 gathering and publicizing useful demographic data, it is necessary  
11 that personal identifying information remain confidential.

12 SEC. 3. The Legislature finds and declares that Section 1 of  
13 this act adding Section 8310.4 to the Government Code addresses  
14 a matter of statewide concern rather than a municipal affair as that  
15 term is used in Section 5 of Article XI of the California  
16 Constitution. Therefore, Section 1 of this act applies to all cities,  
17 including charter cities.

18 SEC. 4. If the Commission on State Mandates determines that  
19 this act contains costs mandated by the state, reimbursement to  
20 local agencies and school districts for those costs shall be made  
21 pursuant to Part 7 (commencing with Section 17500) of Division  
22 4 of Title 2 of the Government Code.