

# HB2297



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2297

Introduced 2/14/2023, by

### SYNOPSIS AS INTRODUCED:

5 ILCS 410/5  
5 ILCS 410/15

Amends the State Employment Records Act. Provides that State agencies when collecting and reporting data on employment records must include specified data on persons who identify as non-binary or gender non-conforming. Effective July 1, 2025.

LRB103 30744 DTM 57223 b

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The State Employment Records Act is amended by  
5 changing Sections 5 and 15 as follows:

6 (5 ILCS 410/5)

7 Sec. 5. Findings and purpose. The General Assembly hereby  
8 finds as follows:

9 (a) Efficient, responsive, and accountable disbursement of  
10 State services is best facilitated by a diversified State work  
11 force which reflects the diversity of the tax-paying  
12 constituency the State work force is employed to serve.

13 (b) The purpose of this Act is to require and develop  
14 within existing State administrative processes a comprehensive  
15 procedure to collect, classify, maintain, and publish, for  
16 State and public use, information that provides the General  
17 Assembly and the People of this State with adequate  
18 information of the number of minorities, women, persons who  
19 identify as non-binary or gender non-conforming, and persons  
20 with physical disabilities employed by State government within  
21 the State work force.

22 (c) To provide State officials, administrators and the  
23 People of the State with information to help guide efforts to

1 achieve a more diversified State work force, the total number  
2 of persons employed within the State work force shall be  
3 tabulated in a comprehensive manner to provide meaningful  
4 review of the number and percentage of minorities, women,  
5 persons who identify as non-binary or gender non-conforming,  
6 and persons with physical disabilities employed as part of the  
7 State work force.

8 (Source: P.A. 99-143, eff. 7-27-15.)

9 (5 ILCS 410/15)

10 Sec. 15. Reported information.

11 (a) State agencies shall, if necessary, consult with the  
12 Office of the Comptroller and the Governor's Office of  
13 Management and Budget to confirm the accuracy of information  
14 required by this Act. State agencies shall collect and  
15 maintain information and publish reports including but not  
16 limited to the following information arranged in the indicated  
17 categories:

18 (i) the total number of persons employed by the agency  
19 who are part of the State work force, as defined by this  
20 Act, and the number and statistical percentage of women,  
21 minorities, persons who identify persons who identify as  
22 non-binary or gender non-conforming, and persons with  
23 physical disabilities employed within the agency work  
24 force;

25 (ii) the total number of persons employed within the

1 agency work force receiving levels of State remuneration  
2 within incremental levels of \$10,000, and the number and  
3 statistical percentage of minorities, women, persons who  
4 identify persons who identify as non-binary or gender  
5 non-conforming, and persons with physical disabilities in  
6 the agency work force receiving levels of State  
7 remuneration within incremented levels of \$10,000;

8 (iii) the number of open positions of employment or  
9 advancement in the agency work force, reported on a fiscal  
10 year basis;

11 (iv) the number and percentage of open positions of  
12 employment or advancement in the agency work force filled  
13 by minorities, women, persons who persons who identify as  
14 non-binary or gender non-conforming, and persons with  
15 physical disabilities, reported on a fiscal year basis;

16 (v) the total number of persons employed within the  
17 agency work force as professionals, and the number and  
18 percentage of minorities, women, persons who identify as  
19 non-binary or gender non-conforming, and persons with  
20 physical disabilities employed within the agency work  
21 force as professional employees; and

22 (vi) the total number of persons employed within the  
23 agency work force as contractual service employees, and  
24 the number and percentage of minorities, women, persons  
25 who identify as non-binary or gender non-conforming, and  
26 persons with physical disabilities employed within the

1 agency work force as contractual services employees.

2 (b) The numbers and percentages of minorities required to  
3 be reported by this Section shall be identified by the  
4 following categories:

5 (1) American Indian or Alaska Native (a person having  
6 origins in any of the original peoples of North and South  
7 America, including Central America, and who maintains  
8 tribal affiliation or community attachment).

9 (2) Asian (a person having origins in any of the  
10 original peoples of the Far East, Southeast Asia, or the  
11 Indian subcontinent, including, but not limited to,  
12 Cambodia, China, India, Japan, Korea, Malaysia, Pakistan,  
13 the Philippine Islands, Thailand, and Vietnam).

14 (3) Black or African American (a person having origins  
15 in any of the black racial groups of Africa).

16 (4) Hispanic or Latino (a person of Cuban, Mexican,  
17 Puerto Rican, South or Central American, or other Spanish  
18 culture or origin, regardless of race).

19 (5) Native Hawaiian or Other Pacific Islander (a  
20 person having origins in any of the original peoples of  
21 Hawaii, Guam, Samoa, or other Pacific Islands).

22 Data concerning women and persons who identify as  
23 non-binary or gender non-conforming shall be reported on a  
24 minority and nonminority basis. The numbers and percentages of  
25 persons with physical disabilities required to be reported  
26 under this Section shall be identified by categories as man,

1 woman, and persons who identify as non-binary or gender  
2 non-conforming ~~male and female~~.

3 (c) To accomplish consistent and uniform classification  
4 and collection of information from each State agency, and to  
5 ensure full compliance and that all required information is  
6 provided, the Index Department of the Office of the Secretary  
7 of State, in consultation with the Department of Human Rights,  
8 the Department of Central Management Services, and the Office  
9 of the Comptroller, shall develop appropriate forms to be used  
10 by all State agencies subject to the reporting requirements of  
11 this Act.

12 All State agencies shall make the reports required by this  
13 Act using the forms developed under this subsection. The  
14 reports must be certified and signed by an official of the  
15 agency who is responsible for the information provided.

16 (Source: P.A. 102-465, eff. 1-1-22.)

17 Section 99. Effective date. This Act takes effect July 1,  
18 2025.