

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2025**

No. 166

Introduced by Council Members Krishnan, Schulman, Hanif, Ossé, Joseph, Won, Hudson, Lee, Brannan, Restler, Cabán, Narcisse, Marte, Avilés, Menin, Louis, Gutiérrez, De La Rosa, Bottcher and Gennaro.

A LOCAL LAW

To amend the New York city charter, in relation to race and ethnicity data collected by agencies

Be it enacted by the Council as follows:

Section 1. Subdivision i of section 15 of the New York city charter, as amended by local law number 76 for the year 2018, is amended to read as follows:

i. 1. *Definitions. As used in this subdivision, the following terms have the following meanings:*

Administering agency. The term “administering agency” means any of the department of social services, the administration for children’s services, the department of homeless services, the department of health and mental hygiene, the department for the aging, the department for youth and community development, the department of education, and any other agency designated by the mayor.

Minimum race and ethnicity reporting category. The term “minimum race and ethnicity reporting category” means a category for reporting data on race and ethnicity based on the most recent data by the United States census bureau, with options including American Indian or Alaska Native, Asian, Black or African American, Hispanic or Latino, Middle Eastern or North African, Native Hawaiian or Pacific Islander, and White.

Subgroup race and ethnicity reporting category. The term “subgroup race and ethnicity reporting category” means a category for reporting data on race and ethnicity consisting of subgroup race and ethnicity reporting categories within a minimum race and ethnicity reporting category, based on the most recent regional subgroup race and ethnicity reporting categories used by the United States census bureau and includes consideration of New York City’s transnational populations. [The department of social services, the administration for children’s services, the department of homeless services, the department of health and mental hygiene, the department for the aging, the department for youth and community development, the department of education and any other agencies designated by the mayor]

2. Each administering agency [that directly or by contract collect demographic information via form documents from city residents seeking social services] shall provide all persons [seeking such services] completing form documents with a standardized, anonymous, and voluntary demographics information survey form that contains combined race and ethnicity questions [regarding ancestry and languages spoken] based on the most recent guidance by the United States census bureau. Such form shall include a statement indicating that completion of the form is voluntary and that any information collected will not affect eligibility for services.

[2.] 3. The combined race and ethnicity questions shall include options allowing respondents to select from[:

(a) at least the top 30 largest ancestry groups and languages spoken in the city of New York based on data from the United States census bureau; and

(b) “other,” with an option to write in a response.] The minimum race and ethnicity reporting categories and at least 12 subgroup race and ethnicity reporting categories, corresponding to each of the 7 minimum race and ethnicity reporting categories. The relevant subgroup race and

ethnicity reporting categories corresponding to American Indian and Alaskan Native shall include at least 1 subgroup category for federally recognized New York State American Indian tribes. Such form shall also include an option within each minimum race and ethnicity reporting category to write in a detailed response with examples of subgroup race and ethnicity reporting categories that are not otherwise included as an option. The 12 subgroup race and ethnicity reporting categories corresponding to each minimum race and ethnicity reporting category shall include relevant transnational subgroups. Such transnational groups are subgroups that are either excluded from the U.S. census bureau's race and ethnicity code list or included but in a category marked "other".

[3.] 4. (a) Such survey form shall be created by the office of operations, in coordination with the [and] office of immigrant affairs, or such offices or agencies as may be designated by the mayor, and [may] shall be updated based on the most recent guidance reported by the United States census bureau, and may be updated as deemed necessary by those agencies based on changing demographics.

(b) No later than 1 year after the effective date of the local law that added this subparagraph, each administering agency, in coordination with the office of operations and office of immigrant affairs, shall update any existing form documents as required by this subdivision.

(c) The office of operations, or such other agency as the mayor may designate, in collaboration with the office of immigrant affairs, shall establish a webpage that lists each minimum race and ethnicity reporting category and subgroup race and ethnicity reporting category, including at least 1 regional subgroup category for federally recognized New York State American Indian tribes. In determining the reporting categories listed on such webpage, the office of operations, or such other agency as the mayor may designate, in collaboration with the office of immigrant affairs,

shall consider changes in the composition of New York City's population and whether to include new subgroups that are not yet recognized by the U.S. census bureau. Each administering agency shall include a link to such webpage on any online form that includes demographic data questions. The office of operations, or such other agency as the mayor may designate, in collaboration with the mayor's office of immigrant affairs, shall assess and update the race and ethnicity subgroups on such webpage as necessary, but no less than every 4 years. Such office shall provide the public with notice of such updates and an opportunity to comment on such changes. The office of operations, or such other agency as the mayor may designate, shall publish its decision and justification for determining whether to add or remove any subgroups from the subgroup race and ethnicity reporting categories.

*[4.] 5. (a) Beginning no later than October 29, 2017, and [biennially] *every 2 years* thereafter, the office of operations, or the office or agency designated by the mayor, shall conduct a review of all forms issued [by the agencies described in] *pursuant to* paragraph [1] 2 of this subdivision [and any other agencies so designated by the mayor] that[:] collect demographic information [addressing the questions contained on the survey form, are completed by persons seeking services and contain content and/or language in relation to collecting such information that is within the administering city agency's authority to edit or amend] *from city residents*. The office of operations, or the office or agency designated by the mayor, shall submit to the council, within 60 days of such review, a [list] *report listing* [of] all forms reviewed [and all forms eligible for updating, and for forms not eligible for updating an explanation of why such forms are not eligible for updating, and indicate which forms shall be updated.] *and indicating whether each such form is within each administering agency's authority to amend. If a form is not within an administering agency's authority to amend, the report shall identify the law or other barrier that prohibits such**

amendment, whether there is any applicable waiver that would permit amendment of such form, and, if so, any efforts made to obtain such a waiver. When [practicable, when] such forms are updated they shall request voluntary responses to questions about [ancestry and languages spoken] *race and ethnicity.* All forms [identified as eligible for updating during the review required pursuant to this paragraph] *within an administering agency's authority to amend* shall be updated to invite responses to questions about *race and ethnicity* [ancestry and languages spoken no later than October 29, 2022].

*(b) All forms not [eligible for updating] *within an administering agency's authority to amend* shall be provided in conjunction with the standardized, anonymous, and voluntary demographics information survey form as established by paragraph [1] 2 of this subdivision [i of this section.], provided that, if there is any waiver that would permit such form to be amended, the administering agency shall apply for such waiver, and, if such waiver is granted, such form shall be updated to invite responses to questions about race and ethnicity.*

(c) When an administering agency does not amend a form to include information about race and ethnicity such administering agency shall notify the public by posting on such administering agency's website that such form will not be amended.

*[5.] 6. (a) Beginning no later than 18 months after the effective date of the local law that added this subdivision, and annually thereafter, the office of operations, or the office or agency designated by the mayor, *in coordination with each administering agency*, shall make *publicly* available [to the public] *through the single web portal required by section 23-502* data from the survey form described in paragraph 2 of this subdivision and the webpage described in paragraph 4 of this subdivision for the prior fiscal year. [that includes but is not limited to the total number of individuals who have identified their ancestry or languages spoken on the survey form described*

in paragraph 1 of this subdivision and any forms updated pursuant to paragraph 4 of this subdivision, disaggregated by response option, agency and program. Such data shall be made available to the public through the single web portal provided for in section 23-502 of the administrative code.] *Such office or agency shall provide the total number of individuals who selected the following for each agency:*

- (1) A race and ethnicity reporting category and a subgroup race and ethnicity reporting category;*
- (2) No race or ethnicity reporting category and subgroup race and ethnicity reporting category or declined to provide a response;*
- (3) "Other" or wrote in a response;*
- (4) Multiple race and ethnicity reporting categories;*
- (5) Multiple subgroup race and ethnicity reporting categories;*
- (6) Specific similar write-in responses where such number is over 20, and*
- (7) Each race and ethnicity reporting category and subgroup race and ethnicity reporting category.*

(b) No later than 1 year after the effective date of the local law that added this subparagraph, and annually thereafter, each administering agency shall post on each such administering agency's website the following information for the prior fiscal year:

- (1) The total number of forms used by such administering agency that include questions on race and ethnicity;*
- (2) A list of any forms updated pursuant to this subdivision; and*
- (3) The name of the division or unit within the administering agency responsible for collecting and maintaining race and ethnicity data.*

[6.] 7. [Each] *No later than 1 year after publishing the data required to be published pursuant to paragraph 6 of this section, each administering agency that provides the survey form required pursuant to paragraph [1] 2 of this subdivision shall evaluate its provision of services in consideration of the data collected pursuant to this subdivision and the office of operations, or the office or agency designated by the mayor, shall submit to the council [a] an annual report on any new or modified services developed by any agencies based on such data and a copy of any physical forms that were used to collect such data.* [Such report shall be submitted no earlier than 18 months after the effective date of the local law that added this paragraph.]

[7.] 8. No information that is otherwise required to be reported pursuant to this section shall be reported in a manner that would violate any applicable provision of federal, state, or local law relating to the privacy of information respecting students and families serviced by the New York city department of education. If any category requested contains between 1 and 5, or allows another category to be narrowed to between 1 and 5, the number shall be replaced with a symbol.

§ 2. This local law takes effect 120 days after it becomes law.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on October 29, 2025 and returned unsigned by the Mayor on December 1, 2025.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 166 of 2025, Council Int. No. 1134-A of 2024) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor, and neither approved nor disapproved within thirty days thereafter.

SPENCER FISHER, Acting Corporation Counsel.