

SENATE JUDICIARY COMMITTEE
Senator Thomas Umberg, Chair
2025-2026 Regular Session

SB 1387 (Stern)

Version: February 20, 2026

Hearing Date: April 21, 2026

Fiscal: Yes

Urgency: No

AM

SUBJECT

State agencies: collection and reporting of demographic data: Jewish identity

DIGEST

This bill requires a state agency that collects demographic data as to the ancestry or ethnic origin of Californians to use a separate collection category and tabulation for Jewish ancestry or ethnicity, as specified, and requires these state agencies to include the demographic data in every demographic report on ancestry or ethnic origins of Californians by the state agency published after January 1, 2027.

EXECUTIVE SUMMARY

This bill provides protections for personally identifying demographic information, by ensuring that data collected is only released in the aggregate and personally identifying information is deemed confidential. The bill is sponsored by Jewish California and supported by numerous organizations, including many that represent the Jewish community. The Committee received no timely opposition to the bill. The bill passed the Senate Governmental Organization Committee on a vote of 15 to 0.

PROPOSED CHANGES TO THE LAW

Existing law:

- 1) Declares that it is the policy of the state to afford all persons in public schools, regardless of specified characteristics, including race or ethnicity, equal rights and opportunities in the educational institutions of the state, and states that the purpose of related existing law is to prohibit acts that are contrary to that policy and to provide remedies. For these purposes, existing law defines “race or ethnicity” to include ancestry, color, ethnic group identification, and ethnic background. (Ed. Code § 200 & 212.1.)

- 2) Requires the California Department of Corrections and Rehabilitation (CDCR) to collect voluntary self-identification information pertaining to race or ethnic origin of people admitted, in custody, released, or paroled, including, but not limited, specified races and ethnic origins. CDCR is required, based on that voluntary self-identification information, to prepare and publish monthly demographic categories used by the department for the purposes of voluntary self-identification information. Existing law requires the data, except for personally identifying information, which existing law deems confidential, to be publicly available on the CDCR's internet website via the Offender Data Points dashboard. (Pen. Code § 2068.)
- 3) Requires the California Employment Development Department (EDD), in the administration of existing law relating to disability compensation, to collect demographic data for individuals who claim disability benefits or family temporary disability insurance benefits, including race, ethnicity, sexual orientation, and gender identity data, as prescribed. Existing law requires the EDD to develop and make available online a public-facing dashboard that publishes demographic data pertaining to program participation by individuals and is updated on at least a quarterly basis. (Unemp. Ins. Code § 2615.)
- 4) Requires a state agency, board, or commission that directly or by contract collects demographic data as to the ancestry or ethnic origin of Californians to use separate collection categories and tabulations for specified Asian groups and Pacific Islander groups. (Gov. Code § 8310.5(a).)
 - a) Requires the data collected to be included in every demographic report on ancestry or ethnic origins of California residents that the agency, board, or commission publishes or releases. (*Id.* at (b).)
 - b) Provides that the data is to be made be made available to the public in accordance with state and federal law, except for personal identifying information, which shall be deemed confidential. (*Ibid.*)
- 5) Requires state and local agencies, as defined, 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, 2029, and to make the aggregated data available to the public. (Gov. Code § 8310.4.)
- 6) Requires the Department of Industrial Relations (DIR) and the Department of Fair Employment and Housing (DFEH) to use additional separate collection categories and other tabulations for major Asian groups and Native Hawaiian and other Pacific Islander groups. (Gov. Code § 8310.7.)

- 7) Provides, pursuant to the California Constitution, that the people have the right of access to information concerning the conduct of the people's business, and, therefore, the meetings of public bodies and the writings of public officials and agencies are required to be open to public scrutiny. (Cal. const. art. I, § 3(b)(1).)
 - a) Requires a statute to be broadly construed if it furthers the people's right of access, and narrowly construed if it limits the right of access. (Cal. const. art. I, § 3(b)(1).)
 - b) Requires a statute that limits the public's right of access to be adopted with findings demonstrating the interest protected by the limitation and the need for protecting that interest. (Cal. const. art. I, § 3(b)(1).)
- 8) Governs the disclosure of information collected and maintained by public agencies pursuant to the CPRA. (Gov. Code §§ 7920.000 et seq.)
 - a) States that the Legislature, mindful of the individual right to privacy, finds and declares that access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state. (Gov. Code § 7921.000.)
 - b) Defines "public records" as any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. (Gov. Code § 7920.530.)
 - c) Provides that all public records are accessible to the public upon request, unless the record requested is exempt from public disclosure. (Gov. Code § 7922.530.)

This bill:

- 1) Requires a state agency that directly, or by contract, collects demographic data as to the ancestry or ethnic origin of Californians to use a separate collection category and tabulation for Jewish ancestry or ethnicity in any provided form that offers respondents the option of selecting one or more ethnic or racial designations.
- 2) Requires the state agency to do both of the following with the data:
 - a) Include the data in every demographic report on ancestry or ethnic origins of Californians by the state agency that is published on or after January 1, 2027; and
 - b) make the aggregated data available to the public in accordance with state and federal law, including, but not limited to, by publishing the data on its internet website.
- 3) Provides that personally identifying information is deemed confidential.
- 4) Defines ethnicity to include Jewish identity for purposes of existing law described in 1 through 3), above.

COMMENTS

1. Stated need for the bill

The author writes:

California's commitment to equity depends on accurate data.

Jewish identity is not solely a religion – it is also a people, a culture, an ethnicity. Yet our statute, agencies, and data systems often treat Jewish Californians as if they exist only in a religious category.

That misclassification has real consequences. It affects how hate crimes are recorded. It affects how disparities are identified. And it affects whether communities are visible in the policymaking process.

SB 1387 does not create a new protected class. It does not remove religious recognition. It simply ensures that Jewish Californians can be accurately counted and understood in the same way California has recognized other ethnic communities.

Accurate data leads to better understanding and better policy. This bill is about precision, equity, and fairness.

2. Limiting access to personal identifying information collected by state and local agencies appears consistent with the state's right to privacy

Access to information concerning the conduct of the people's business is a fundamental and necessary right of every person in this state. (Gov. Code § 7921.000.) In 2004, the right of public access was enshrined in the California Constitution with the passage of Proposition 59 (Nov. 3, 2004, statewide general election),¹ which amended the California Constitution to specifically protect the right of the public to access and obtain government records: "The people have the right of access to information concerning the conduct of the people's business, and therefore . . . the writings of public officials and agencies shall be open to public scrutiny." (Cal. Const., art. I, sec. 3 (b)(1).) In 2014, voters approved Proposition 42 (Jun. 3, 2014, statewide direct primary election)² to further increase public access to government records by requiring local agencies to comply with the CPRA and the Ralph M. Brown Act³, and with any subsequent statutory enactment amending either act, as provided. (Cal. Const., art. I, sec. 3 (b)(7).)

¹ Prop. 59 was placed on the ballot by a unanimous vote of both houses of the Legislature. (SCA 1 (Burton, Ch. 1, Stats. 2004).)

² Prop. 42 was placed on the ballot by a unanimous vote of both houses of the Legislature. (SCA 3 (Leno, Ch. 123, Stats. 2013).)

³ The Ralph M. Brown Act is the open meetings laws that applies to local agencies. (Gov. Code §§ 59450 et. seq.)

Under the CPRA, public records are open to inspection by the public at all times during the office hours of the agency, unless they are exempt from disclosure. (Gov. Code § 7922.525.) A public record is defined as any writing containing information relating to the conduct of the public's business that is prepared, owned, used, or retained by any public agency regardless of physical form or characteristics. (Gov. Code § 7920.530.) There are several general categories of documents or information that are permissively exempt from disclosure under the CPRA essentially due to the character of the information. The exempt information can be withheld by the public agency with custody of the information, but it also may be disclosed if it is shown that the public's interest in disclosure outweighs the public's interest in non-disclosure of the information. (*CBS, Inc. v. Block* (1986) 42 Cal.3d 646, at 652.). Additionally, some records are prohibited from disclosure or are specifically stated to not be public records. (*see* Gov. Code § 7924.110(a).)

California generally recognizes that public access to information concerning the conduct of the people's business is a fundamental and necessary right.⁴ At the same time, the state recognizes that this right must be balanced against the right to privacy.⁵ The general right of access to public records may, therefore, be limited when records include personal information. In light of the stated need to protect the privacy of California residents, while also gathering and publicizing useful demographic data, the limitation on access to public records in this bill seems warranted.

3. Statements in support

A coalition of organizations representing the Jewish community, including Jewish California the sponsor of the bill, write in support stating:

[...] Jewish identity is widely understood as encompassing ancestry, history, language, culture, community, and shared values – not solely religion. These are characteristics of an ethnicity. Yet California's data collection systems treat Jewish identity only as a religion, if at all. This results in the systematic undercounting, misclassification, and misunderstanding of Jewish Californians, undermining equitable policymaking and the accurate tracking of antisemitic hate crimes.

The data bears this out. According to Pew Research Center, a majority of American Jews say that religion is not central to their Jewish identity. 52% of U.S. Jews cite ancestry and 55% cite culture as central to their Jewish identity, while only 36% cite religion. Despite this reality, California demographic systems fail to capture how the majority of Jewish Californians engage with their identity. This gap has real and compounding consequences.

⁴ Cal. Const., art. I, § 3; Gov. Code, § 7921.000.

⁵ Cal. Const., art. I, § 1.

California relies on demographic data to identify disparities, conduct research, tailor services, and ensure compliance with civil rights protections. When Jewish ethnicity is absent from data systems, disparities affecting Jewish communities – whether in healthcare needs, educational outcomes, or discrimination – are less likely to be identified or addressed.

Furthermore, antisemitic hate crimes are frequently motivated by perceived ethnicity, ancestry, or peoplehood – not religious observance. When Jews are categorized only as a religion, hate crimes targeting Jews as an ethnic group may be mischaracterized, underreported, or analytically obscured. This weakens California's ability to accurately measure antisemitism, identify trends, allocate prevention resources, and evaluate the effectiveness of state interventions.

State law does not merely collect data – it signals to the public how communities are understood. When California recognizes Jews only as a religion, it reinforces a narrow and incomplete understanding of Jewish identity, encouraging the misconception that Jews are defined solely by belief or worship rather than by a rich and distinct culture, history, peoplehood, and shared experience. That misunderstanding leads to generalizations, creating fertile ground for bias and discrimination. [...]

SUPPORT

Jewish California (sponsor)
30 Years After
Adat Shalom Los Angeles
Agudath Israel of California
Bay Area Center to Counter Antisemitism
Bay Area Jewish Coalition Education & Advocacy
Beverly Hills Synagogue
Board of Rabbis of Southern California
California Jewish Democrats
Chai Marin
Contra Costa Jewish Democrats
Hadassah, the Women's Zionist of America, INC.
Hillel of San Diego
JCC/federation of San Luis Obispo
JCRC Bay Area
JCRC, Jewish Long Beach
Jewish Center for Justice
Jewish Center of Berkeley
Jewish Community Relations Council of Sacramento
Jewish Democratic Coalition of the Bay Area

Jewish Family and Children's Services of San Francisco, the Peninsula, Marin and Sonoma Counties

Jewish Family Service LA

Jewish Family Service of the Desert

Jewish Family Services of Silicon Valley

Jewish Federation Bay Area

Jewish Federation Los Angeles

Jewish Federation of Greater Santa Barbara

Jewish Federation of Orange County

Jewish Federation of San Diego

Jewish Federation of the Desert

Jewish Federation of the Greater San Gabriel and Pomona Valleys

Jewish Federation of Ventura County

Jewish Silicon Valley

Northern California Jewish Labor Committee

Oakland Jewish Alliance

Palo Alto Jewish Alliance

Progressive Zionists of California

Sf Jews in School

StandWithUs

Valley Beth Shalom

OPPOSITION

None received

RELATED LEGISLATION

Pending Legislation: None known.

Prior Legislation:

SB 91 (Harabedian, Ch. 357, Stats. 2025) required a state or local agency that directly or by contract collects 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 in any provided form that offers respondents the option of selecting one or more ethnic or racial designations or languages, as specified.

SB 1016 (Gonzalez, Ch. 873, Stats. 2024) required DPH to use separate collection categories and tabulations for Hispanic or Latino groups and major Latino groups and Mesoamerican Indigenous groups, as specified, when collecting data under existing provisions of law.

SB 435 (Gonzalez, 2024) was substantially similar to SB 1016. SB 435 was vetoed by Governor Newsom stating: “implementing a different framework for data collection in California prior to the release of updated federal standards is premature.”

AB 1358 (Muratsuchi, 2022) would have expanded the requirement for certain state agencies to collect disaggregated ethnicity data and would have standardized the collection and tabulation of demographic information by local health officers and health care providers. AB 1358 was held in the Senate Appropriations Committee.

AB 1726 (Bonta, Ch. 607, Stats. 2016) requires DPH to collect demographic data related to each major Asian and Pacific Islander group, as specified.

AB 176 (Bonta, 2015) would have added a requirement for the collection of demographic data by the state’s public segments of postsecondary education and the Department of Managed Health Care pertaining to the collection and tabulation categories for Native Hawaiian, Asian, and Pacific Islander groups. This bill was vetoed by then Governor Brown who stated “[d]espite this utility, I am wary of the ever growing desire to stratify. Dividing people into ethnic or other subcategories may yield more information, but not necessarily greater wisdom about what actions should follow. To focus just on ethnic identity may not be enough...”

AB 1088 (Eng, Ch. 689, Stats. 2011) requires certain state agencies to collect and tabulate data for additional major Asian groups, as listed, in order to better reflect the diversity of Asian American, Hawaiian and Pacific islander Communities in California.

PRIOR VOTES

Senate Govenrmental Organziation Committee (15 Ayes, 0 Noes)
