S-4273.1

SENATE BILL 6315

State of Washington 69th Legislature 2026 Regular Session

By Senator Shewmake

AN ACT Relating to collecting and publishing disaggregated data to inform state-funded programs, services, and activities; and adding a new chapter to Title 43 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec. 1.** The legislature finds that:

(1) Data bias, meaning the unfair, inaccurate, or systematically skewing of data, affects women across all racial groups every day. Data bias can show up in many areas related to data, including its collection, storage, analysis, or reporting, or in how it is used for automated decision making.

(2) When data is biased, it erases or distorts real experiences, especially for groups that have historically been undercounted or misclassified. This is not done with bad intention or on purpose; it is because society as a whole tends to associate the term "human" with "man." As a result, the voices of women, including those who are black, indigenous, or women of color, are silenced when their opinions and concerns are ignored through the collection, analysis, and reporting of data. Omitting women's perspectives often leads to unintentional male bias, even when labeled as "gender neutral." Data is collected in many ways and if there are no requirements for counting certain groups, they often are not counted.

(3) Communities most impacted by inequities receive less visibility, fewer resources, and less tailored support. When such data is utilized in policymaking and funding allocation, it may lead to unexpected and potentially costly adverse outcomes. Biased data leads directly to biased policy and budget decisions. Data bias can create direct harm when it leads to inaccurate categorization, false assumptions, or discriminatory outcomes. When people see that data about them is wrong, incomplete, or used against them, they lose trust in government systems. Biased data systems can also create risk for agencies and states.

(4) Such adverse outcomes are evidenced in research including the design of automotive safety, personal protective equipment, and medical and pharmaceutical studies. Research findings point to the limitations of using the "adult male" default model that set the standard for automobile crash testing. Additionally, the average physical differences in persons assigned male and female at birth can affect working conditions in a manner that warrants individual or unique attention. Research also highlights the need to go beyond the "average male" in the realm of personal protective equipment. The impacts and benefits of fitting protective equipment for those people who will actually perform the work is critical. Designing protective equipment, gear, and tools without incorporating the different characteristics of diverse populations leaves women and smaller and larger framed individuals at an unacceptable level of risk.

(5) Further, research addressing women's health and pharmaceutical issues also points to adverse outcomes when women are not part of the process. Negative outcomes are also apparent in urban planning, park planning, the workplace, public life, and finance. When policymakers fail to account for gender, public spaces become male spaces by default.

(6) Even in the present, leading economic indicators do not measure unpaid labor that was historically undertaken by women, such as caregiving, domestic labor, child rearing, elder care, and household management, so they are treated as less important. This means paid labor is affected heavily by the burden of unpaid labor carried by individuals.

(7) The following agencies and programs are likely to have particular impacts due to the better publication of data disaggregated particularly on the basis of sex and gender:

(a) The department of social and health services as related to caseloads, family support, domestic violence services, long-term care, and behavioral health;

(b) The department of health as related to public health monitoring, maternal and child health, injury prevention, sexual and reproductive health, and public health interventions;

(c) The department of children, youth, and families as related to childcare subsidies, family care supports, and prevention programs;

(d) The office of the superintendent of public instruction as related to school health services, after-school programs, and supports that respond to gendered participation and needs;

(e) The department of transportation as related to transit safety, lighting, route design, and policing resource allocation to respond to when data shows gendered patterns of mobility and harassment; and

(f) The department of commerce as related to shelters, tenant protections, and housing placements when sex-disaggregated homelessness or domestic violence data drives targeted capacity.

(8) As artificial intelligence sees increased adoption, it is essential that the elements used by decision makers contain more nuanced data. Progress cannot be made without measurement, and bad data leads to bad resource allocation.

(9) Requiring agencies to collect and publish data using the same guidelines and standards will increase consistency between agencies, increase representation in agency data and allow agencies to better measure the impact of agency actions on indicators of community well-being.

(10) While the federal government has issued general statistical standards for disaggregating race and ethnicity data, there exist no general federal statistical standards for sex or gender identity.

(11) The legislature's intent is to ensure that the voices of women and black, indigenous, and persons of color are incorporated into policymaking processes; ensure that the state makes wise financial decisions using the data it collects; and to strengthen and streamline data collection practices across agencies and when allocating funds.

NEW SECTION. **Sec. 2.** (1) "Covered entity" means:

(a) A state entity;

(b) A unit of local government; or

(c) Any entity that receives state funds, except federally recognized Indian tribes or tribal enterprises.

(2) "Local government" means a city, town, county, special purpose district, political subdivision, municipal corporation, or quasi-municipal corporation, including a public corporation created by such an entity.

(3) "Office" means the office of equity created in RCW 43.06D.020.

(4) "Personally identifiable information" means information that can identify a person or persons.

(5) "State entity" means a state agency, department, office, officer, board, commission, bureau, institution, or institution of higher education.

NEW SECTION. **Sec. 3.** (1) State entities shall collect, analyze, and report data for any study or report, including those that take the form of focus groups, questionnaires, and polls, in compliance with the data disaggregation guidelines developed by the office under RCW 43.06D.040(1)(d)(i)(A) when published. This includes, at a minimum, when publishing findings, reporting data that is disaggregated by race, ethnicity, sex, and gender identity, as well as other demographic features that may be necessary based on the subject matter and its scope. Until the office's guidelines are published, state agencies shall follow minimum data collection standards for race, ethnicity, sex, and gender identity.

(a) For race and ethnicity data, state entities shall, at a minimum, collect, analyze, and publish data in a manner that complies with the United States office of management and budget statistical policy directive number 15: standards for maintaining, collecting, and presenting federal data on race and ethnicity, as published in the federal register (89 Fed. Reg. 22182 (2024)).

(b) For sex and gender identity data, state entities shall, at a minimum, collect, analyze, and publish data in a manner identical to the requirements of WAC 246-455-025(6) as it existed on December 31, 2025.

(2) A state entity that contracts with a covered entity shall include in its procurement and grant documents, including requests for proposals, contracts, and grant agreements, terms to require any study or report, including those that take the form of focus groups, questionnaires, and polls, to collect, analyze, and report on data in

a manner that complies with subsection (1)(a) and (b) of this section. This includes publishing findings disaggregated by race, ethnicity, as well as by sex and gender identity. The form of the terms that shall be included in any contract or grant agreement shall be a subject of negotiation between the state entity and the covered entity.

NEW SECTION. **Sec. 4.** A state entity shall, before collecting, analyzing, or publishing demographic data or initiating any solicitation that is required to comply with section 3 of this act, jointly consult with the office, the office of privacy and data protection established by RCW 43.105.369, the office of the attorney general, and the Washington state institutional review board on best practices for state entities, and the covered entities with which they have contracted, to safeguard against the release of personally identifiable information in the collection and reporting of disaggregated data. The topics on which state entities should consult the named agencies include whether to geographically aggregate the data or to not publish demographic data categories in which low response rates could lead to the identification of a person or persons.

NEW SECTION. **Sec. 5.** State entities shall implement the minimum data disaggregation standards required by this act and implement these standards in their procurement and grant documents by December 31, 2026.

NEW SECTION. **Sec. 6.** Sections 1 through 5 of this act constitute a new chapter in Title 43 RCW.

--- END ---