

Diversity on State Boards and Commissions

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Issue

Provide a breakdown of racial, ethnic, and gender diversity on state boards and commissions in Connecticut. Describe the most recent legislative initiative in Connecticut regarding this issue. Outline how other states have legislated diversity on their state boards and commissions.

Summary

Since 1993, Connecticut law has required state boards, commissions, committees, and councils having at least one member appointed by the governor, or by a General Assembly member, to biennially submit reports to the Secretary of the State (SOTS) documenting the gender and racial composition of their membership. Appointing authorities for these entities, including agency heads and other non-gubernatorial and non-legislative appointing authorities, are required by the same law to cooperate with one another and make a good faith effort to ensure that, to the extent possible, the membership of each board, commission, committee, and council is qualified and closely reflects the gender and racial diversity of the state. This requirement does not apply to ex-officio membership. Additionally, the law requires SOTS to receive and maintain the reports as public records ([CGS § 4-9b](#)).

The most recent initiative on this issue appears to have been in 2003, when [sHB 6089](#) proposed to add ethnicity to the criteria that appointing authorities must try to consider and include members' ethnicity in their biennial report to SOTS. The bill was voted out of the Government Administration and Elections Committee and then referred by the House to the Legislative Management Committee, which took no action on it.

According to SOTS, the office voluntarily publishes a statistical report periodically to facilitate public access to the data provided in these gender and racial composition reports. The most recent [report](#) presents data submitted in 2011 by 175 state boards, commissions, committees, and councils. According to that report, in 2011, women comprised 40.1% of the aggregate appointed membership of the reporting state boards and commissions compared to 38.5% in 2009, an increase of 4.2%. In comparison, women comprised 51.3% of the state’s general population as of the 2010 census.

Between 2009 and 2011, all non-white racial/ethnic groups saw an increase in their percentage representation in the aggregate appointed membership of the reporting bodies. Whites continued to be overrepresented (83.9% membership vs. 71.2% of the 2010 census population), but their representation decreased by 4% from 2009. In 2011, the report notes that “representation of African-Americans reached parity with their representation in the state’s general population” for the first time since this data was reported. In contrast, however, “other minority race groups and Latinos remained significantly underrepresented in comparison to their numbers in the state’s general population.”

According to SOTS, a new report is currently in progress, but an expected timeframe was not provided.

According to research conducted by the National Conference for State Legislatures (NCSL), at least eight other states require diversity and inclusion on state boards and commissions, generally following one of two approaches. Some states have broad policies like Connecticut that apply to any state board, commission, committee, council, or similar body. Other states, like Arkansas, have such policies in place only for a specific industry or individual boards and commissions. Table 1 below outlines these statutory requirements.

Table 1: Other States with Laws Requiring Diversity on State Boards and Commissions

State	Diversity Requirement Applicability
<p>Alabama</p> <p>Ala. Code § 12-17-226.15 (Citizen Justice Advisory Boards for Pretrial Diversion);</p> <p>Ala. Code § 9-21-3 (Alabama Board for Aquatic Plant Management); and</p>	<p>Only to specific entities. For example:</p> <ul style="list-style-type: none"> the Citizen Justice Advisory Boards for Pretrial Diversion are required to be inclusive and reflect the racial, gender, geographic, urban and rural, and economic diversity of the circuit. the Alabama Board for Aquatic Plant Management membership must “be inclusive and reflect the racial, gender, geographic, urban/rural and economic diversity of the state” and the board must submit an annual compliance report to the legislature.

Table 1 (continued)

State	Diversity Requirement Applicability
Arkansas Arkansas Code, Ark. Code § 17-80-301	For boards and commissions that license or otherwise regulate health-related professions. Appointment recommendations must “reflect the diversity of the state of Arkansas.” The law’s stated purposes include ensuring “that cultural competency, health disparities and other minority health issues are adequately represented in the health policy decisions determined by state health-related agencies, boards and commissions.”
Florida Fla. Stat. § 760.80	Minority representation (including race and women) on statutorily created decision-making and regulatory boards, commissions, councils, and committees must be included to ensure the membership represents the state population as a whole. Requires each appointing authority to annually report to the Secretary of State, governor, and legislative majority leaders the number of minority and nonminority appointments made and their percentages of the total membership. The report must also provide the number of physically disabled persons appointed.
Illinois 225 ILL. Comp. Stat. 20/6 (Social Work Examining and Disciplinary Board) and 325 ILL. Comp. Stat. 27/15 (Illinois Youth Development Council)	Only to specific entities. For example: <ul style="list-style-type: none"> the Social Work Examining and Disciplinary Board membership “should represent racial and cultural diversity and reasonably reflect representation from different geographic areas of Illinois.” the Illinois Youth Development Council is required to “reflect the regional, racial, socioeconomic and cultural diversity of the state to ensure representation of the needs of all Illinois youth.”
Kentucky Ky. Rev. Stat. 12.070	In cases where current membership of a board or commission is not representative of the ethnic diversity of the state’s population, the governor, tasked with making appointments, may appoint a member of a minority group even if the list of nominees does not include a minority nominee.
Missouri Mo. Rev. Stat. § 324.021	Requires the governor, when making appointments to public boards in the state, to take affirmative action to appoint women and minority group members.

Table 1 (continued)

State	Diversity Requirement Applicability
Rhode Island R.I. Gen. Laws §§ 28-5.1-1, -5.1-2, -5.1-3, -5.1-3.1	Appointing authorities must “endeavor to ensure that, to the fullest extent possible, the composition of the board, commission, or governing body reflects the diversity of Rhode Island’s population.” Requires the governor and legislature, when examining new candidates for appointment to state boards, commissions, public authorities, and quasi-public corporations to give due consideration to recommendations made by representatives of the state’s minority community-based organizations. State boards, commissions, public authorities and quasi-public corporations must annually report current membership, designating race, gender and appointment dates, with the state equal opportunity office. The equal opportunity employment administrator is responsible for annually analyzing these appointments, with diversity as a key factor.
Tennessee Tenn. Code Ann. § 10-7-611	Requires appointing authorities to (1) make a conscientious effort to appoint individuals from underrepresented, minority groups to state regulatory boards, commissions, councils, and committees to reflect the diversity in the state’s population and (2) submit an annual report disclosing the number of appointments and how many are representatives of minority groups.

Source: NCSL research, Westlaw research

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