



# Preparing for the 2020 Census: How State Legislators Can Ensure That Every Person Counts

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**THIS POLICY BRIEF** was co-authored by Common Cause, State Innovation Exchange (SiX), and The Leadership Conference on Civil and Human Rights. Here you will find a selection of policy solutions, messaging guidance, and additional resources to support census preparation in your state. This brief is meant to serve as a starting point for thinking about census legislation and communication and is not meant to supersede direct discussions with local experts and advocates. To connect with state and national groups or to receive support on legislative research or drafting, please contact the [brief authors](#) (listed at the end of this document).

## About the 2020 Census: What Is It, and Can Legislators Make Sure It Works?

Article 1, Section 2 of the Constitution requires a count every 10 years of every person residing in the United States—citizens and noncitizens, newborns and seniors, documented and undocumented, and homeowners, renters, and homeless persons. The 2020 Census will be in full swing during the winter, spring and summer of 2020.

Counting hundreds of millions of people is an immense undertaking, and it's critical that state legislators start preparing now. Census data determine the allocation of more than \$800 billion in annual federal funding and are often used in state and local policymaking, decision making, and research. An inaccurate census in 2020 would jeopardize state funds for [over 300 federal programs](#) and compromise crucial supports for marginalized communities. (To understand how much census-guided funding is at stake in your state, see [state-by-state profiles](#) from the George Washington Institute of Public Policy and [Counting for Dollars: Why It Matters](#).)

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Census data are also used for the reapportionment and redistricting processes and, therefore, are vital to advancing a fair and representative democracy. Ensuring that all residents in your state are counted will require funding, coordination, and commitment from policymakers but will provide your constituents the resources and representation they deserve.

State legislators have a crucial role to play in 2020 Census preparations. In this brief, you'll be given concrete options and resources for:



**Legislating on the census;**



**Raising constituent awareness;**



**Engaging with and supporting the U.S. Census Bureau; and**



**Learning more from and connecting with national experts.**

## Challenges to an Accurate and Equitable Count

The census is one of the most logistically complex operations conducted by the federal government. However, state legislators can help mitigate critical challenges. (For upcoming census-important dates, see [Key 2020 Census Milestones](#) and the U.S. Census Bureau's [Operational Timeline](#).) The following are some challenges to a fair and equitable count in 2020:



**Hard-to-Count (HTC) Communities:** As with previous censuses, certain marginalized groups are at serious risk of being undercounted—and, therefore, at risk of being underfunded and underrepresented for the next decade. Historically, HTC communities have included communities of color, residents with low English proficiency, low-income residents, homeless

people, undocumented immigrants, young adults who move frequently, renters, young children, people who distrust the government, LGBTQ people, rural communities, and single-female-led households. (Links to [fact sheets on HTC communities](#) are provided at the end of this brief.)



**Increased Use of Technology:** The 2020 Census will be the first “high tech” census, with increased automation of several operations and an online response option. Poor internet access and low technology literacy could pose additional barriers to participation among already hard-to-count groups. Approximately 80 percent of households in mail-out areas will receive a letter inviting them to respond online or by phone with a unique ID. The remaining 20 percent of households in mail-out areas will receive the same letter *plus* a paper form in the first mailing. About 5 percent of households are in rural or remote areas. Census workers will hand-deliver a packet with a letter of invitation for online or phone response *plus* a paper form to those homes in mid-March. According to [The Annie E. Casey Foundation](#), “[i]n areas where large numbers of households lack internet access, public schools, libraries and local businesses can offer opportunities for families to fill out the census online.”



**Citizenship Question:** Perhaps the most visible and controversial aspect of 2020 Census preparation has been the Trump administration’s last-minute attempt to add an untested citizenship question—a move that would almost certainly depress participation by noncitizens and mixed-immigration-status households and reduce census accuracy. Two U.S. District Court judges recently [declared the Commerce Department’s decision to add the question to be unlawful](#), and the Supreme Court has agreed to hear the dispute in April.



## Legislating to Improve Census Participation

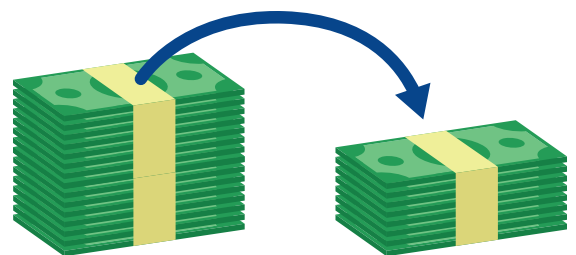
State legislators can support the 2020 Census by proposing bills and resolutions that:

- ✓ **Appropriate funds for census outreach;**
- ✓ **Establish a state “Complete Count” program;**
- ✓ **Denounce the inclusion of the citizenship question; and**
- ✓ **Affirm access to residential buildings & facilities for census employees.**

We offer examples of legislation below but encourage lawmakers to develop policies in coordination with the Census Bureau, local government officials, and community groups—particularly those representing HTC communities.

### ✓ **Appropriating Funds for Census Outreach**

Census outreach activities require funding to be successful. Appropriating state funds for the 2020 Census should be seen as an investment in your community’s future. By funding robust outreach and preparation today, [states can secure millions](#)—or possibly billions—of federal dollars in the future. Legislators should also speak out to advocate for full federal funding for the U.S. Census Bureau’s 2020 operations. Census stakehold-



ers estimate that the Census Bureau will need about \$8 billion in federal dollars, and possibly more, for 2020 Census activities in FY 2020.

Below, we highlight resources legislators can use to estimate the funds required for census outreach. We also showcase a variety of appropriation bills that direct census funding to different entities.

**How Much to Appropriate:** The amount of an appropriation will depend on a wide range of factors, including your state’s population size, demographics, geography, media market pricing (in a general election year), and more. The Leadership Conference Education Fund, State Voices, The City University of New York, and the Fiscal Policy Institute offer [guidance on how to develop budgets](#) and created a [50-state budget calculator](#) to help states estimate funding needs for census outreach. [Count All Kids](#) outlines considerations for funding Complete Count Committees (CCCs, discussed in the next section), including which constituencies to engage in appropriation decisions.

**Funding Strategy & Recipients:** Legislators have a wide range of options for appropriating dollars for census preparation. Many states have directed funds to the census using multiple bills and/or directed funds to several different sources. For instance, lawmakers can appropriate funds to support the work of state CCCs, create grant-making streams to fund local groups engaged in census outreach, or designate funds for [libraries](#) and civic centers facilitating census participation. Several legislatures have authorized public matching funds programs to incentivize private giving to census public education activities. Examples of appropriation bills are included below. Additional sample bills are available on the [National Conference of State Legislators](#) (NCSL) website.

- **California** ([2017 CA AB 97](#), [2017 CA AB 105](#), [2018 CA S 840](#)): Over the last two years, the California legislature has appropriated over \$100 million dollars for census activities through several bills. California’s census program [funding methodology](#), [program budget](#), and a [funding FAQ](#) are all available online.
- **Illinois** ([2019 IL SB 1408](#)): A live bill in Illinois would establish a 2020 Census Grant Program, which would be tasked with allocating funds for nonprofits to engage in broad census outreach to all Illinois’ hard-to-count communities—from seniors and college students; to urban dwellers and rural community members; to disabled persons, communities of color, and immigrant families.
- **Maryland** ([2018 MD SB 855](#)): Maryland allocated \$5 million for a 2020 Census Grant Program.
- **Michigan** ([2018 MI SB 848](#)): Michigan enacted legislation to match \$1 for every \$4 in private donations to fund the state’s Complete Count Committee, with up to \$500,000 in matching dollars. In the same bill, Michigan also granted \$500,000 to the community-led [Michigan Nonprofits Count Campaign](#).
- **New York:** [New York Library staff](#) urged lawmakers to dedicate funds to equip each library with “at least one computer on a secure network for the purpose of census taking” and to train library staff to provide assistance to visitors filling out the census questionnaire. [Legislators had previously advocated](#) for “\$1 million in the 2018-19 FY budget [to] be appropriated to public library systems across the state for census programming.”

## Establishing a State Complete Count Committee

The Census Bureau encourages state, tribal, and local governments to establish [Complete Count Committees](#) or Commissions (CCCs) through legislation or executive order. Designed to reflect the state's diversity, CCCs work to raise awareness of the census, develop messaging plans tailored to their constituents, identify and engage HTC communities, and motivate full participation in 2020. State-authorized CCCs typically work in close coordination with the Census Bureau and any local government or community-led census committees. As of February 2019, [nearly 20 states](#) had established CCCs through legislation, executive order, or a combination of the two.



Below, we highlight two key components of CCC legislation, drawing on bills enacted across the country. Notably, state CCCs are most effective when funded. As described above, census appropriation bills should include resources for CCCs and include other outreach mechanisms. (For additional examples of bills or executive action on CCCs, see [NCSL](#).)

**Note:** If it's too late in your state's legislative session to propose a CCC bill, you still have options! Work with the governor's office to authorize a state CCC through an executive order, urge your mayor or county officials to set up a CCC, and/or get involved in a local census committee organized by community groups.

**State CCC Membership:** The size and composition of a CCC is often shaped through legislation. When authorizing a committee, it is critical that a diversity of HTC community representatives have a seat at the table and that members reflect the state's geography. CCCs should include representatives from key constituencies, such as HTC communities, government, media, business, education, community organizations, and faith-based organizations. Below are examples of legislation with diverse CCC membership requirements.

- **Rhode Island** ([2018 RI S 3002](#), [Executive Order 18-09](#)): A bill enacted in Rhode Island requested that the governor establish a 31-member CCC with five governor-appointed representatives from different organizations representing the state's HTC populations. One of these representatives was required to be from a federally recognized tribe located in the state. The bill also provided for five local government designees representing communities with varying population sizes.
- **New Jersey** ([2018 NJ A 4208](#)): New Jersey's 21-member CCC includes three municipal and four county representatives who reflect the state's geographic diversity. The committee must also include members from four organizations representing the interests of minorities in the state. There are also three appointees from the small business community, including one member who must represent minority business interests.
- **Massachusetts** ([2019 MA SD 2082](#)): This live bill would create a 29-member Massachusetts Census Equity Commission with the goal to "ensure that Massachusetts Censuses accurately and completely count all residents of the Commonwealth, with a particular focus on undercounted communities." The bill proposes a distinctive set of membership requirements, including appointees from the Senate Black and Latino Caucus and House Asian Leg-

islative Caucus; representatives from agencies and organizations serving refugees and homeless persons; a representative from the Wampanoag tribe; and youth, elderly, and renter representatives.

**State CCC Authority & Operating Guidelines:** A CCC should be given sufficient authority and operating support to carry out its mission successfully. Legislators are encouraged to explicitly address committee powers, administrative requirements, and interagency coordination issues in bill language.

- **Illinois** ([2017 IL SB 100](#)): In Illinois, all state agencies are required to designate a census coordinator and provide support to the CCC if called upon. The secretary of state’s office provides administrative support to the committee and helps with interagency coordination.
- **New York** ([2018 NY A 9505D](#)): New York’s CCC is authorized to appoint staff; hold public hearings and events; and request assistance or data from any department, board, or office of the state (or of any political subdivision).

### Denouncing the Citizenship Question

While it is unclear if the 2020 Census will ask about citizenship, state legislators are using their positions to register opposition to the proposed question.

- **New Mexico** ([2019 NM HM 6](#)): Lawmakers in New Mexico filed a bill that expresses concern over the inclusion of the citizenship question and that declares the state House of Representatives’ support for the plaintiffs in the ongoing case *New York v. United States Department of Commerce No. 1:18-CV-2921 (S.D.N.Y.)*.
- **New Jersey** ([2018 NJ SCR 55](#)): In 2018, New Jersey lawmakers passed a “Concurrent Resolution opposing the inclusion of a citizenship question in the 2020 federal decennial census survey and urging the New Jersey Congressional Delegation to reject any measure directing the Census Bureau to include that question.”



### Affirming Access to Residential Buildings & Facilities for Census Employees

Legislators can affirm and facilitate access to residential facilities for census employees during the count—particularly access to multiunit buildings. According to The [Leadership Conference](#), “[m]ultiunit buildings are considered a factor that makes an area hard-to-count, and ... 61 percent of renters live in multiunit buildings,” which contributes to them being traditionally undercounted.

- **Minnesota** ([2019 MN HF 1644](#)): An active bill in Minnesota would prohibit denying a Census Bureau employee access to a multiunit residence, provided that the employee presents a “valid census credential and is engaging in official census business.” Under the bill, census employees also could not be barred from leaving census educational materials at residents’ doors.





## Raising Constituent Awareness of the Census

As trusted figures, legislators are encouraged to incorporate the census into regular community outreach. Drawing on messages tested by stakeholder groups and the Census Bureau, you can start highlighting the 2020 Census at your speaking engagements and through your communications platforms so that your residents gain familiarity with the program and why it's important.

Here are a few specific ways to elevate awareness of the upcoming count with your constituents:

- Hold town halls, telephone town halls, or community meetings on the importance of the census with representatives from local Complete Count Committees or organizations serving HTC communities. Or host a Facebook Live town hall! ([See here](#) for suggestions.)
- Highlight the census and what's at stake for your community in constituent newsletters.
- Post about the census on social media and share content from census experts and advocates.
- Ask your constituents to sign a digital pledge to be counted in 2020.

### Messaging Guidance

The Funders' Committee for Civic Participation compiled a [full set of message testing results](#) for 2020 Census outreach. This includes results specific to the [African American](#), [Latinx](#), [Asian American and Pacific Islander](#), [Native American](#), and [Arab American](#) communities, as well as cross-group message testing results from the [U.S. Census Bureau](#). Below, we highlight key communication takeaways from this research.

- Funding for public services and programs is the single most important reason that residents respond to the census, across all races and ethnicities. The strongest motivators and messages stress the importance of participation to secure a fair share of resources for communities, families, and children. For example:
  - » “Participating in the 2020 Census will ensure funding for programs in our community.”
  - » “The government relies on the Census population count to determine funding for state and local services, including education, police, fire, and health care. Our community schools, hospitals, and first responders are depending on us to do our part and participate in the Census.” ([NALEO Educational Fund](#), tested for the Latinx community)
  - » “Census data is critical to our families’ (OR our children’s) future and the next generation. It helps us get the health care, transportation, schools, affordable housing, and higher education that our families (OR our children) need to get a good start and be successful.” ([Asian Americans Advancing Justice](#), tested for the Asian American community)
  - » “When you respond to the Census, you help your community get its fair share of the more than [\$800] billion per year in federal funds for programs including Medicaid, SNAP, Head Start, school lunch programs, Section 8 housing vouchers, programs for seniors and disabled veterans, and unemployment benefits.” ([Color of Change](#), tested for the African American community)

- Messages should also stress the convenience and security of the 2020 Census. (Note that recommended language on the security of the census may change if the citizenship question is ultimately included.)
  - » “Participating in the [c]ensus is safe and really easy, just a few clicks online. The [c]ensus protects your personal data and keeps your identity anonymous. By federal law, your response is required, and your information cannot be given out or shared.” ([NALEO Educational Fund](#), tested for the Latinx community)

In March 2019, the Census Bureau announced its 2020 Census Integrated Communications campaign platform: “[Shape your future. START HERE.](#)” The Census Bureau describes the campaign platform as “[conveying] the importance and impact of the 2020 Census to individuals, families and communities for the next 10 years. The information provided by the census is used to shape communities, identifying where schools, senior centers, health clinics, public transportation, and fire stations are needed—all things that offer a better future. It all starts with responding to the census, and each one of us has a chance to be counted.” The census tagline and logo are available [here](#). Guidelines for implementation are available [here](#).

## Engage Online

Suggested social media posts are shown below.

- Full participation in the [#2020Census](#) will ensure [STATE] gets the funding we deserve for state and local services, including schools, police and firefighters, and health care
- Help make sure your community gets counted in the [#2020Census](#) to ensure resources reach your local schools and health care systems
- Want to help end gerrymandering? The [#2020Census](#) is coming and new districts will be drawn 2021-2022
- The [#2020Census](#) will impact our country for AT LEAST 10 years ... so let's make sure to count everyone
- The [#2020Census](#) is critical to our state's future. It will help us get funding for the health care, transportation, schools, affordable housing, and higher education that our families need to be successful



## Engaging with the U.S. Census Bureau

In addition to proposing legislation and raising public awareness, here are a few direct ways legislators can engage with and support the U.S. Census Bureau:

- Get in touch with your [2020 Census regional office](#).
- Let your constituents know about [census jobs](#) coming to your community and how they can apply.
- Invite the U.S. Census Bureau and community advocates to brief you and your colleagues about the census and ongoing preparations in your state.
- Coordinate a sign-on letter with your colleagues to advocate for full federal funding for the U.S. Census Bureau's 2020 operations.





## Learn More & Connect with National Experts on the 2020 Census

Below is a list of expert resources and organizations that you can access to deepen your knowledge and engagement on the census. SiX, Common Cause, and The Leadership Conference look forward to working with you to ensure a fair and accurate count in 2020. Please reach out to us if you have questions or would like support advancing census participation in your state (contact information below, under “Brief Contributors”).

### Additional 2020 Census Resources

#### Census-Allocated Funding

- [Counting for Dollars 2020: The Role of the Decennial Census in the Geographic Distribution of Federal Funds](#) (George Washington Institute of Public Policy)
  - » This [landing page](#) links to 50 state profiles detailing the amount of census-guided funding each state received in FY 2016 (e.g., [Florida](#), [North Carolina](#), and [Pennsylvania](#)).
  - » [2020 Census: How the Count Affects State Budgets](#)
  - » [Initial Analysis: 16 Large Census-Guided Financial Assistance Programs](#)
  - » [Estimating Fiscal Costs of a Census Undercount to States](#)
  - » [Federal Funding for Rural America: The Role of the Decennial Census](#)
  - » [How to Use Counting for Dollars](#) (The Leadership Conference)

#### Complete Count Committees

- [Complete Count Committees homepage](#) (U.S. Census Bureau)
- [2020 Census Complete Count Committee Guide](#)
- [State Complete Count Commissions: 2020 Census Timeline](#)
- [Webinar: Complete Count Committees and the 2020 Census](#) (Partnership for America’s Children)

#### Hard-to-Count Communities

- [Hard-to-Count Communities Fact Sheets](#) (The Leadership Conference)
  - » [Will Your Kids Count? Young Children and Their Families in the 2020 Census](#)
  - » [Will You Count? Latinos in the 2020 Census](#)
  - » [Will You Count? Asian Americans and Native Hawaiians and Pacific Islanders \(NHPis\) in the 2020 Census](#)
  - » [Will You Count? African Americans in the 2020 Census](#)
  - » [Will You Count? American Indians and Alaska Natives in the 2020 Census](#)
  - » [Will You Count? Middle Eastern and North African Americans \(MENA\) in the 2020 Census](#)
  - » [Will You Count? People Experiencing Homelessness in the 2020 Census](#)
  - » [Will You Count? Households with Low Incomes in the 2020 Census](#)
  - » [Will You Count? Renters in the 2020 Census](#)
- [Hard-to-Count Communities Map](#)

#### Other Resources

- [2020 Census Operational Plan](#) (U.S. Census Bureau)
- [Key 2020 Census Milestones](#) (Funders Census Initiative)

- [Counting Everyone in the Digital Age](#) (The Leadership Conference & Georgetown Center on Poverty and Inequality)
- [Municipal Action Guide: Preparing for the 2020 Census](#) (National League of Cities)

## Organizations Working Towards a Fair Count

### Brief Contributors

- [Common Cause](#) (Contact: [Keshia Morris](#))
- [State Innovation Exchange](#) (Contact: [Sean Hinga](#), [Na'ilah Amaru](#), and [Sunila Chilukuri](#))
- [The Leadership Conference on Civil and Human Rights](#) (Contact: [Beth Lynk](#), [Sonum Nerurkar](#), and [Jheanelle Wilkins](#))

### Partners

- [Arab American Institute](#)
- [Asian Americans Advancing Justice](#)
- [The Census Project](#)
- [Color of Change](#)
- [National Association of Latino Elected and Appointed Officials](#)
- [National LGBTQ Task Force](#)
- [Partnership for America's Children](#)

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**The State Innovation Exchange (SiX)** is a national resource and strategy center that supports state legislators in advancing and defending progressive policies across the country. With a long-term vision of building progressive power and infrastructure at the state level, we have built a network of more than 3,000 state legislators who represent all 50 states. SiX offers a variety of resources and support to help legislators succeed.

**The Leadership Conference on Civil and Human Rights** is a coalition charged by its diverse membership of more than 200 national organizations to promote and protect the civil and human rights of all persons in the United States. Through advocacy and outreach to targeted constituencies, The Leadership Conference works toward the goal of a more open and just society – an America as good as its ideals.

**Common Cause** was founded in 1970 by John Gardner. Common Cause is a nonpartisan, grassroots organization dedicated to upholding the core values of American democracy. We work to create open, honest, and accountable government that serves the public interest; promote equal rights, opportunity, and representation for all; and empower all people to make their voices heard in the political process.

This report was produced with the support of small dollar contributions from Americans who believe in transparent, open, and accountable government and a democracy that works for all of us.