

HOUSE BILL 1473

P1

5lr2792

By: Delegates Acevero, Addison, Alston, Amprey, Fair, Fennell, Harris, Hill, Kerr, Lehman, R. Lewis, Martinez, Mireku-North, Roberson, Ruff, Sample-Hughes, Simmons, Simpson, Smith, Taveras, Turner, Williams, Woods, Woorman, and Young Young, Bagnall, Bhandari, Cullison, Guzzone, S. Johnson, Kaiser, Lopez, Pena-Melnyk, Rosenberg, Ross, and White Holland

Introduced and read first time: February 7, 2025

Assigned to: Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 6, 2025

CHAPTER _____

1 AN ACT concerning

2 **State Government – Equal Access to Public Services for Individuals With**
3 **Limited English Proficiency and Individuals With Disabilities**

4 FOR the purpose of altering provisions of law relating to equal access to public services for
5 individuals with limited English proficiency to include individuals with disabilities;
6 establishing certain requirements for equal access to public services for certain State
7 departments, agencies, or programs, including developing a language access plan for
8 certain individuals; requiring the Governor’s Office of Immigrant Affairs to oversee,
9 monitor, investigate, and enforce certain provisions of law; requiring certain State
10 departments, agencies, and programs to implement certain provisions of law on or
11 before certain dates; and generally relating to equal access to public services for
12 individuals with limited English proficiency and individuals with disabilities.

13 BY repealing and reenacting, without amendments,
14 Article – State Government
15 Section 9–3301(a) and (e)
16 Annotated Code of Maryland
17 (2021 Replacement Volume and 2024 Supplement)

18 BY adding to

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Article – State Government
2 Section 9–3303.1
3 Annotated Code of Maryland
4 (2021 Replacement Volume and 2024 Supplement)

5 BY repealing and reenacting, with amendments,
6 Article – State Government
7 Section 10–1102 and 10–1103
8 Annotated Code of Maryland
9 (2021 Replacement Volume and 2024 Supplement)

10 Preamble

11 WHEREAS, Maryland is a state rich in diverse languages and cultures with more
12 than 333,000 residents who identify as having limited English proficiency; and

13 WHEREAS, More than 670,000 Marylanders live with a disability or identify as
14 having limited English proficiency; and

15 WHEREAS, Limited English proficiency designations are impacted by the context,
16 such as school, courtroom, and online applications, and type of communication, such as
17 speaking, writing, and reading; and

18 WHEREAS, An individual’s primary and preferred language should never be a
19 barrier to access public services; and

20 WHEREAS, Certain departments, agencies, and programs in State government have
21 a duty to provide meaningful access to programs and services to all Marylanders, including
22 individuals with limited English proficiency; and

23 WHEREAS, It is in the interest and obligation of the State to ensure that individuals
24 with limited English proficiency are treated with dignity and respect and provided timely
25 and effective access to public services; now, therefore,

26 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
27 That the Laws of Maryland read as follows:

28 **Article – State Government**

29 9–3301.

30 (a) In this subtitle the following words have the meanings indicated.

31 (e) “Office” means the Governor’s Office of Immigrant Affairs.

32 **9–3303.1.**

1 (A) ON OR BEFORE JULY 1, 2027, THE OFFICE SHALL:

2 (1) DEVELOP A STRATEGY TO ENFORCE THE REQUIREMENTS UNDER
3 § 10-1103 OF THIS ARTICLE FOR EACH IDENTIFIED STATE DEPARTMENT, AGENCY,
4 OR PROGRAM;

5 (2) OVERSEE, MONITOR, INVESTIGATE, AND ENFORCE COMPLIANCE
6 WITH § 10-1103 OF THIS ARTICLE FOR EACH IDENTIFIED STATE DEPARTMENT,
7 AGENCY, OR PROGRAM;

8 (3) DESIGNATE A LANGUAGE ACCESS COMPLIANCE PROGRAM
9 DIRECTOR;

10 (4) PROVIDE GUIDANCE AND TECHNICAL ASSISTANCE, IN
11 CONSULTATION WITH THE MARYLAND DEPARTMENT OF DISABILITIES AND THE
12 GOVERNOR'S OFFICE OF THE DEAF AND HARD OF HEARING, ON THE
13 DEVELOPMENT AND IMPLEMENTATION OF LANGUAGE ACCESS PLANS AND POLICIES
14 TO STATE DEPARTMENTS, AGENCIES, AND PROGRAMS IDENTIFIED UNDER §
15 10-1103 OF THIS ARTICLE; AND

16 (5) IN PERFORMING THE DUTIES REQUIRED UNDER THIS
17 SUBSECTION, SOLICIT FEEDBACK FROM STAKEHOLDERS THROUGH PUBLIC
18 COMMENT.

19 (B) THE OFFICE MAY DEVELOP AND UPDATE LANGUAGE ACCESS POLICY
20 AND LANGUAGE ACCESS STANDARD OPERATING PROCEDURE TEMPLATES FOR A
21 STATE DEPARTMENT, AGENCY, OR PROGRAM IDENTIFIED UNDER § 10-1103 OF THIS
22 ARTICLE.

23 ~~(C) BEGINNING IN FISCAL YEAR 2027, THE GOVERNOR SHALL INCLUDE IN~~
24 ~~THE ANNUAL BUDGET BILL AN APPROPRIATION OF \$400,000 FOR THE OFFICE TO~~
25 ~~IMPLEMENT THE PROVISIONS OF THIS SECTION.~~

26 10-1102.

27 (a) In this subtitle the following words have the meanings indicated.

28 (b) (1) "Equal access" means to be informed of, participate in, and benefit from
29 public services offered by a State department, agency, or program, at a level equal to
30 English proficient individuals.

31 (2) "EQUAL ACCESS" INCLUDES THE ABILITY TO RECEIVE LANGUAGE
32 ASSISTANCE THAT:

1 **(I) ENSURES ACCURATE, TIMELY, AND EFFECTIVE**
2 **COMMUNICATION AT NO COST TO THE INDIVIDUAL; AND**

3 **(II) IS NOT SIGNIFICANTLY RESTRICTED, DELAYED, OR OF**
4 **LOWER QUALITY COMPARED TO PROGRAMS OR ACTIVITIES AVAILABLE TO**
5 **ENGLISH-PROFICIENT INDIVIDUALS.**

6 [(c) “Limited English proficiency” means the inability to adequately understand
7 or express oneself in the spoken or written English language.]

8 **(C) “LANGUAGE ACCESS PLAN” MEANS A WRITTEN DOCUMENT THAT**
9 **STANDARDIZES THE LANGUAGE ACCESS COMPLIANCE POLICY, STANDARD**
10 **OPERATING PROCEDURE, REPORTING, AND COMPLAINT PROCESS FOR EACH STATE**
11 **DEPARTMENT, AGENCY, OR PROGRAM.**

12 (d) [“Oral language] **“LANGUAGE ASSISTANCE services”** includes various
13 methods to provide verbal information and interpretation such as:

14 **(1) staff interpreters, bilingual staff, telephone interpreter programs, and**
15 **private interpreter programs; AND**

16 **(2) SIGN LANGUAGES, BRAILLE, TDD/TT/TTY, LARGE PRINT, PLAIN**
17 **LANGUAGE, AND OTHER COMMUNICATION ACCOMMODATIONS USED BY**
18 **INDIVIDUALS WITH DISABILITIES.**

19 **(E) “LIMITED ENGLISH PROFICIENCY” MEANS A LIMITED ABILITY TO READ,**
20 **WRITE, SPEAK, OR UNDERSTAND ENGLISH IN A MANNER THAT ALLOWS EFFECTIVE**
21 **COMMUNICATION WITH A STATE DEPARTMENT, AGENCY, OR PROGRAM TO HAVE**
22 **ACCESS TO AND PARTICIPATE IN SERVICES, ACTIVITIES, PROGRAMS, OR OTHER**
23 **BENEFITS ADMINISTERED BY THE STATE.**

24 [(e)] **(F) “Program”** means all of the operations of a State department, State
25 agency, or any other instrumentality of the State.

26 **(G) “PUBLIC CONTACT POSITIONS” ARE POSITIONS IN A STATE**
27 **DEPARTMENT, AGENCY, OR PROGRAM FOR WHICH THE PRIMARY RESPONSIBILITIES**
28 **INCLUDE GREETING, MEETING, OR PROVIDING INFORMATION OR SERVICES TO THE**
29 **PUBLIC.**

30 [(f)] **(H) (1) “Vital documents”** means all applications or informational
31 materials, notices, and complaint forms offered by State departments, agencies, and
32 programs **THAT ARE CRITICAL FOR ACCESSING A STATE DEPARTMENT, AGENCY, OR**
33 **PROGRAM.**

1 **(2) “VITAL DOCUMENTS” INCLUDE:**

2 **(I) EMERGENCY PREPAREDNESS AND RISK COMMUNICATIONS;**

3 **(II) ONLINE AND PAPER APPLICATIONS;**

4 **(III) CONSENT FORMS;**

5 **(IV) COMPLAINT FORMS;**

6 **(V) ALL CATEGORIES OF LETTERS OR NOTICES PERTAINING TO**
7 **THE ELIGIBILITY FOR STATE BENEFITS;**

8 **(VI) WRITTEN TESTS EVALUATING COMPETENCY FOR A LICENSE,**
9 **JOB, OR SKILL FOR WHICH ENGLISH PROFICIENCY IS NOT REQUIRED;**

10 **(VII) DOCUMENTS THAT ARE REQUIRED BY LAW; AND**

11 **(VIII) NOTICES AT NO COST REGARDING THE AVAILABILITY OF**
12 **LANGUAGE ASSISTANCE SERVICES FOR INDIVIDUALS WITH LIMITED ENGLISH**
13 **PROFICIENCY.**

14 **[(2)] (3)** “Vital documents” does not include applications and
15 examinations related to the licensure, certification, or registration under the Health
16 Occupations Article, Financial Institutions Article, Business Occupations and Professions
17 Article, and Business Regulation Article within the jurisdiction of the Maryland
18 Department of Health or the Maryland Department of Labor.

19 10–1103.

20 (a) Each State department, agency, or program listed or identified under
21 subsection (c) of this section shall:

22 **(1) SUBJECT TO SUBSECTION (B) OF THIS SECTION, DEVELOP A**
23 **LANGUAGE ACCESS PLAN;**

24 **(2) take reasonable steps to provide equal access to public services for**
25 **individuals with limited English proficiency[.] WHO NEED LANGUAGE ASSISTANCE,**
26 **INCLUDING ANY ORAL, WRITTEN, AND SIGN LANGUAGE SERVICES NEEDED TO ASSIST**
27 **INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY AND INDIVIDUALS WITH**
28 **DISABILITIES TO:**

29 **(I) COMMUNICATE EFFECTIVELY WITH STATE PERSONNEL AND**
30 **CONTRACTORS;**

1 (II) GAIN EQUAL ACCESS TO PUBLIC SERVICES; AND

2 (III) PROVIDE AN EQUAL OPPORTUNITY TO PARTICIPATE IN THE
3 SERVICES, ACTIVITIES, PROGRAMS, OR OTHER BENEFITS PROVIDED BY A STATE
4 DEPARTMENT, AGENCY, OR PROGRAM;

5 (3) PROVIDE ORAL LANGUAGE ASSISTANCE, INCLUDING
6 INTERPRETATION IN NON-ENGLISH LANGUAGES PROVIDED IN PERSON OR
7 REMOTELY BY A QUALIFIED INTERPRETER FOR AN INDIVIDUAL WITH LIMITED
8 ENGLISH PROFICIENCY;

9 (4) ARRANGE FOR QUALIFIED BILINGUAL OR MULTILINGUAL STAFF
10 TO COMMUNICATE DIRECTLY WITH INDIVIDUALS WITH LIMITED ENGLISH
11 PROFICIENCY;

12 (5) PROVIDE NOTICES OF THE LANGUAGE ASSISTANCE SERVICES
13 THAT ARE AVAILABLE; AND

14 (b) Reasonable steps to provide equal access to public services include:

15 (1) the provision of oral language services for individuals with limited
16 English proficiency, which must be through face-to-face, in-house oral language services
17 if contact between the agency and individuals with limited English proficiency is on a
18 weekly or more frequent basis;]

19 [(2) (i)] (6) ARRANGE FOR the translation of vital documents
20 ordinarily provided to the public into any language spoken by any limited English proficient
21 population that constitutes ~~[3%]~~ 0.5% of the [overall] population ~~[within the geographic~~
22 ~~area served by a local office of a]~~ ~~OF THE~~ State ~~[program]~~ ~~as measured by the United States~~
23 ~~Census~~; and

24 (ii) the provision of vital documents translated under item (i) of this
25 item on a statewide basis to any local office as necessary; and

26 (3) any additional methods or means necessary to achieve equal access to
27 public services].

28 (B) (1) IN DEVELOPING THE LANGUAGE ACCESS PLAN REQUIRED UNDER
29 SUBSECTION (A)(1) OF THIS SECTION, EACH STATE DEPARTMENT, AGENCY, OR
30 PROGRAM SHALL:

31 (I) DETERMINE THE NUMBER OR PERCENTAGE OF
32 INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY WHO ARE ELIGIBLE TO BE
33 SERVED BY, OR LIKELY TO HAVE AN ENCOUNTER WITH, THE STATE DEPARTMENT,
34 AGENCY, OR PROGRAM;

1 (II) ESTIMATE THE FREQUENCY WITH WHICH INDIVIDUALS
2 WITH LIMITED ENGLISH PROFICIENCY WILL COME INTO CONTACT WITH THE STATE
3 DEPARTMENT, AGENCY, OR PROGRAM; AND

4 (III) DETERMINE THE LANGUAGE ASSISTANCE RESOURCES
5 AVAILABLE TO THE STATE DEPARTMENT, AGENCY, OR PROGRAM.

6 (2) EACH STATE DEPARTMENT, AGENCY, OR PROGRAM SHALL
7 UPDATE THE LANGUAGE ACCESS PLAN EVERY 2 YEARS AND INCLUDE:

8 (i) THE TYPES AND DESCRIPTIONS OF LANGUAGE ASSISTANCE
9 SERVICES THAT THE STATE DEPARTMENT, AGENCY, OR PROGRAM WILL PROVIDE;

10 (ii) A LIST OF THE LANGUAGES, INCLUDING DIALECTS, OR
11 FORMS OF COMMUNICATION FOR WHICH A STATE DEPARTMENT, AGENCY, OR
12 PROGRAM WILL PROVIDE LANGUAGE ASSISTANCE SERVICES AND THE RATIONALE
13 FOR SELECTING THE LANGUAGES, DIALECTS, OR FORMS OF COMMUNICATION;

14 (iii) AN EVALUATION AND ASSESSMENT OF THE ADEQUACY OF
15 THE LANGUAGE ASSISTANCE SERVICES TO BE PROVIDED;

16 (iv) A DESCRIPTION AND FREQUENCY OF TRAINING FOR PUBLIC
17 CONTACT STAFF ON THE LANGUAGE ACCESS PLAN;

18 (v) THE PROCESS FOR FILING A COMPLAINT RELATED TO A
19 LANGUAGE ASSISTANCE SERVICE; AND

20 (vi) A DESCRIPTION OF THE FUNDING AND BUDGETARY
21 SOURCES TO IMPLEMENT THE LANGUAGE ACCESS PLAN.

22 (c) (1) The provisions of this section shall be fully implemented according to
23 the following schedule:

24 [(1)] (i) ON OR BEFORE JULY 1, 2027, FULL IMPLEMENTATION BY
25 THE GOVERNOR'S OFFICE OF IMMIGRANT AFFAIRS; AND

26 (ii) on or before July 1, [2003] 2028, full implementation by:

27 [(i)] the Department of Human Services;

28 [(ii)] the Maryland Department of Labor;

29 [(iii)] the Maryland Department of Health;

- 1 (iv) the Department of Juvenile Services; and
- 2 (v) the Workers' Compensation Commission;
- 3 (2) on or before July 1, 2004, full implementation by:
- 4 (i) the Department of Aging;
- 5 (ii) the Department of Public Safety and Correctional Services;
- 6 (iii) the Department of Transportation, not including the Maryland
7 Transit Administration;
- 8 (iv) the Commission on Civil Rights;
- 9 (v) the Department of State Police; and
- 10 (vi) five independent agencies, boards, or commissions, to be
11 determined by the Secretary of Human Services, in consultation with the Office of the
12 Attorney General;
- 13 (3) on or before July 1, 2005, full implementation by:
- 14 (i) the Comptroller of Maryland;
- 15 (ii) the Department of Housing and Community Development;
- 16 (iii) the Maryland Transit Administration;
- 17 (iv) the Department of Natural Resources;
- 18 (v) the Maryland State Department of Education;
- 19 (vi) the Office of the Attorney General; and
- 20 (vii) five independent agencies, boards, or commissions to be
21 determined by the Secretary of Human Services, in consultation with the Office of the
22 Attorney General;
- 23 (4) on or before July 1, 2006, full implementation by:
- 24 (i) the Department of Agriculture;
- 25 (ii) the Department of Commerce;
- 26 (iii) the Department of Veterans and Military Families;

1 (iv) the Department of the Environment; and

2 (v) five independent agencies, boards, or commissions to be
3 determined by the Secretary of Human Services, in consultation with the Office of the
4 Attorney General;]

5 1. THE WORKERS' COMPENSATION COMMISSION;

6 2. THE COMMISSION ON CIVIL RIGHTS;

7 3. THE DEPARTMENT OF STATE POLICE;

8 4. THE COMPTROLLER OF MARYLAND;

9 5. THE MARYLAND TRANSIT ADMINISTRATION;

10 6. THE STATE DEPARTMENT OF EDUCATION;

11 7. THE OFFICE OF THE ATTORNEY GENERAL;

12 8. FIVE INDEPENDENT AGENCIES, BOARDS, OR
13 COMMISSIONS, TO BE DETERMINED BY THE SECRETARY OF HUMAN SERVICES, IN
14 COLLABORATION WITH THE OFFICE OF THE ATTORNEY GENERAL; AND

15 [(5)] 9. [on or before July 1, 2025, full implementation by] each
16 principal department listed under § 8–201 of this article[; and].

17 [(6)] (2) [if] IF a principal department is created on or after October 1,
18 [2024] 2028, the principal department shall comply with the requirements of this section
19 beginning 1 year after the date on which the principal department is created.

20 (D) ON OR BEFORE SEPTEMBER 30 EACH YEAR, EACH STATE DEPARTMENT,
21 AGENCY, OR PROGRAM IDENTIFIED UNDER SUBSECTION (C) OF THIS SECTION SHALL
22 SUBMIT A REPORT TO THE GOVERNOR'S OFFICE OF IMMIGRANT AFFAIRS THAT
23 CONTAINS THE FOLLOWING INFORMATION FOR THE PREVIOUS FISCAL YEAR:

24 (1) A SUMMARY OF ALL ACTIVITIES PERFORMED, INCLUDING A
25 SELF-ASSESSMENT AND EXPLANATION OF ANY UNMET OBJECTIVES;

26 (2) THE TOTAL NUMBER OF INDIVIDUALS SERVED FROM THE TOTAL
27 POPULATION SERVED BY THE STATE DEPARTMENT, AGENCY, OR PROGRAM,
28 DISAGGREGATED BY LANGUAGE;

29 (3) THE NUMBER AND TYPES OF LANGUAGE ASSISTANCE SERVICES
30 PROVIDED, DISAGGREGATED BY LANGUAGE;

1 **(4) THE NAMES OF ALL ORGANIZATIONS RECEIVING GRANTS OR**
2 **CONTRACTS TO PROVIDE LANGUAGE ASSISTANCE SERVICES FROM THE STATE**
3 **DEPARTMENT, AGENCY, OR PROGRAM;**

4 **(5) AN ITEMIZED BUDGET FOR LANGUAGE ASSISTANCE SERVICES**
5 **EXPENDITURES;**

6 **(6) A LIST OF QUALIFIED BILINGUAL OR MULTILINGUAL PERSONNEL**
7 **EMPLOYED IN PUBLIC CONTACT POSITIONS BY THE STATE DEPARTMENT, AGENCY,**
8 **OR PROGRAM; AND**

9 **(7) THE NUMBER OF LANGUAGE ACCESS COMPLAINTS RECEIVED, THE**
10 **CURRENT STATUS OF THE COMPLAINTS, AND THE STEPS TAKEN TO RESOLVE THE**
11 **COMPLAINTS.**

12 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
13 October 1, 2025.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.