

Department of Legislative Services
 Maryland General Assembly
 2025 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1473

(Delegate Acevero, *et al.*)

Health and Government Operations

Education, Energy, and the Environment

State Government - Equal Access to Public Services for Individuals With Limited English Proficiency and Individuals With Disabilities

This bill expands existing requirements for specified State departments, agencies, and programs regarding efforts to provide equal access to public services for individuals with limited English proficiency (LEP). Among other requirements, the entities must develop a language access plan and take reasonable steps to provide equal access to public services for individuals who need language assistance (based on LEP or a disability), as specified. By September 30 each year, each State entity identified by the bill must submit a report to the Governor’s Office of Immigrant Affairs (GOIA) that contains certain information for the previous fiscal year. GOIA must generally monitor and enforce compliance with the bill’s provisions, as specified.

Fiscal Summary

State Effect: General fund expenditures for GOIA increase by up to \$200,726 in FY 2026; future years reflect annualization, inflation, and additional staff in FY 2027. State expenditures (mostly general funds) also increase, potentially significantly, for other affected State agencies, as discussed below; these expenditures are primarily assumed to begin in FY 2027, are not reflected in the table below, and are anticipated to exceed \$1.0 million on an annual basis. Revenues are not affected.

(in dollars)	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	200,700	663,600	659,800	683,200	706,500
Net Effect	(\$200,700)	(\$663,600)	(\$659,800)	(\$683,200)	(\$706,500)

Note: () = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease

Local Effect: The bill does not materially affect local government operations or finances.

Small Business Effect: Potential meaningful.

Analysis

Bill Summary/Current Law:

Definitions

Under current law, “equal access” means to be informed of, participate in, and benefit from public services offered by a State department, agency, or program, at a level equal to English proficient individuals. Under the bill, equal access includes the ability to receive language assistance that (1) ensures accurate, timely, and effective communication at no cost to the individual and (2) is not significantly restricted, delayed, or of lower quality compared to programs or activities available to English-proficient individuals.

“Limited English proficiency” under existing statute means the inability to adequately understand or express oneself in the spoken or written English language. The bill repeals this definition. Under the bill, “limited English proficiency” means a limited ability to read, write, speak, or understand English in a manner that allows effective communication with a State department, agency, or program to have access to and participate in services, activities, programs, or other benefits administered by the State.

Under the bill, “language access plan” means a written document that standardizes the language access compliance policy, standard operating procedure, reporting, and compliant process for each State department, agency, or program.

Under current law, “oral language services” includes various methods to provide verbal information and interpretation such as staff interpreters, bilingual staff, telephone interpreter programs, and private interpreter programs. The bill renames this term to “language assistance services,” and includes additional verbal and interpretation methods, as specified (*e.g.*, sign languages, large print, plain language, etc.).

Under current law, “vital documents” means all applications or informational materials, notices, and complaint forms offered by State departments, agencies, and programs; the definition does not include applications and examinations related to certain licensure, certification, or registration, as specified. The bill expands the definition of vital documents to include all applications or informational materials *that are critical for accessing a State department, agency, or program*. Under the bill, vital documents includes (1) emergency preparedness and risk communications; (2) online and paper applications; (3) consent forms; (4) complaint forms; (5) all categories of letters or notices pertaining to the eligibility for State benefits; (6) written tests evaluating competency for a license, job, or skill for which English proficiency is not required; (7) documents that are required by law; and (8) notices at no cost regarding the availability of language assistance services for individuals with LEP.

State Department, Agency, or Program's Translation Obligations

Under § 10-1103 of the State Government Article, specified State departments, agencies, or programs must take reasonable steps to provide equal access to public services for individuals with LEP. Reasonable steps to provide equal access to public services include:

- the provision of oral language services for individuals with LEP, which must be through face-to-face, in-house oral language services if contact between the agency and individuals with LEP is on a weekly or more frequent basis;
- the translation of vital documents ordinarily provided to the public into any language spoken by any LEP population that constitutes 3% of the overall population within the geographic area served by a local office of a State program, as specified (and the provision of vital documents to any local office as necessary); and
- any additional methods or means necessary to achieve equal access to public services.

The bill repeals the first and third provision listed above, and further requires that specified State departments, agencies, or programs must also:

- develop a language access plan;
- take reasonable steps to provide equal access to public services for individuals with LEP who need language assistance, including any oral, written, and sign language services needed to assist individuals with LEP and individuals with disabilities to (1) communicate effectively with State personnel and contractors; (2) gain equal access to public services; and (3) provide an equal opportunity to participate in the services, activities, programs, or other benefits provided by a State department, agency or program;
- provide oral language assistance, including interpretation in non-English languages provided in person or remotely by a qualified interpreter for an individual with LEP;
- arrange for qualified bilingual or multilingual staff to communicate directly with individuals with LEP; and
- provide notices of the language assistance services that are available.

In developing the language access plan, each State department, agency, or program must (1) determine the number or percentage of individuals with LEP who are eligible to be served by, or likely to have an encounter with, the State department, agency, or program; (2) estimate the frequency with which individuals with LEP will come into contact with the State department, agency, or program; and (3) determine the language assistance resources available to the State department, agency, or program.

Each State department, agency, or program must update the language access plan every two years and include:

- the types and descriptions of language assistance services that the State department, agency, or program will provide;
- a list of the languages, including dialects, or forms of communication for which a State department, agency, or program will provide language assistance services and the rationale for selecting the languages, dialects, or forms of communication;
- an evaluation and assessment of the adequacy of the language assistance services to be provided;
- a description and frequency of training for public contact staff on the language access plan;
- the process for filing a complaint related to a language assistance service; and
- a description of the funding and budgetary sources to implement the language access plan.

Implementation Schedule

Chapter 141 of 2002, which originally established the current law requirements, also included an implementation schedule within § 10-1103, setting forth the date by which designated State entities must fully implement the requirements. State departments, agencies, or programs that are not specified in § 10-1103 must monitor their operations to determine if they should take reasonable steps under statute to achieve equal access to public services for LEP individuals. The bill repeals the implementation schedule.

The bill requires full implementation by GOIA by July 1, 2027. By July 1, 2028, full implementation is required by the (1) Workers' Compensation Commission (WCC); (2) Maryland Commission on Civil Rights (MCCR); (3) Department of State Police; (4) Comptroller's Office; (5) Maryland Transit Administration (MTA); (6) Maryland State Department of Education (MSDE); (7) Office of the Attorney General (OAG); (8) five independent agencies, boards, or commissions, to be determined by the Secretary of Human Services, in collaboration with OAG; and (9) each principal department, as specified in § 8-201 of the State Government Article.

Under current law, if a principal department is created on or after October 1, 2024, the principal department must comply with the requirements beginning one year after the date on which the principal department is created. The bill replaces the reference to the year 2024 with 2028.

Reporting Requirements

By September 30 each year, each State department, agency, or program identified by the bill, as specified above, must submit a report to GOIA that contains specified information for the previous fiscal year, including (1) the total number of individuals served from the total population served by the State department, agency, or program, disaggregated by language; (2) the number and types of language assistance services provided, disaggregated by language; and (3) the number of language access complaints received, the current status of the complaints, and the steps taken to resolve the complaints.

Governor's Office of Immigrant Affairs – Enforcement

Under the bill, by July 1, 2027, GOIA must (1) develop a strategy to enforce the bill's requirements for each identified State department, agency, or program; (2) oversee, monitor, investigate, and enforce compliance with the bill for each identified State department, agency, or program; (3) designate a language access compliance program director; (4) provide guidance and technical assistance, in consultation with the Maryland Department of Disabilities (MDOD) and the Governor's Office of the Deaf and Hard of Hearing, on the development and implementation of language access plans and policies to State departments, agencies, and programs; and (5) in performing its duties, solicit feedback from stakeholders through public comment.

The office may develop and update language access policy and language access standard operating procedure templates for a State department, agency, or program.

State Expenditures: General fund expenditures increase by up to \$200,700 in fiscal 2026, which accounts for the bill's October 1, 2025 effective date. State expenditures (primarily general funds) further increase, potentially significantly, on an annual basis beginning in fiscal 2027, including known expenditures of approximately \$680,000 for GOIA. Under the bill, the affected entities (other than GOIA) have until July 1, 2028, to come into full compliance with the bill. Accordingly, while the expenditures in the initial years depend on implementation decisions made by each entity, this analysis generally assumes that any significant expenditures are not incurred by agencies other than GOIA until fiscal 2027 at the earliest.

The Department of Legislative Services (DLS) further notes that the impact likely varies widely among State entities, depending on the extent to which they interact with members of the public who may require translation services, as well as the eventual guidance developed by GOIA for language access plans. Some agencies indicate an indeterminate impact that cannot be reliably predicted in advance, and not all affected entities are reflected below. The information provided below therefore represents a *minimum* estimate of anticipated costs only.

- Governor's Office of Immigrant Affairs:* To fulfill its responsibilities under the bill, GOIA is anticipated to require five new staff members (one director of the language compliance program, two language compliance program coordinators, one special assistant for individuals with LEP, and one special assistant for individuals with disabilities). This analysis assumes that the director begins October 1, 2025, with the remaining new staff beginning July 1, 2026. GOIA also anticipates incurring contractual costs of up to \$100,000 in fiscal 2026 to assist in the development of language access plan templates and standard operating procedures. Contractual costs of approximately \$100,000 are expected on an annual basis for translation services, call center services, and the general support of language access plans. Thus, general fund expenditures increase by up to \$200,726 in fiscal 2026 and by approximately \$680,000 annually thereafter; the estimate reflects salaries, fringe benefits, ongoing operating costs, and the contractual services referenced above.
- Maryland State Department of Education:* MSDE can likely implement the bill using existing budgeted resources. While annual reporting requirements may increase some operational efforts, particularly in the initial year of implementation, DLS assumes that continued reporting in the out years does not materially affect MSDE finances or operations. MSDE notes generally that it already provides a multitude of services to 24 local education agencies, 7,000 childcare providers, and numerous constituents statewide, including those who are LEP and/or persons with disabilities. For context, MSDE advises that under current practice, it expended approximately \$226,000 in communication services for individuals with disabilities, and an additional \$175,000 for individuals with LEP within an 18-month period.
- Maryland Commission on Civil Rights:* MCCR anticipates needing at least one administrative staff person at a cost of approximately \$74,000 on an annual basis. MCCR also anticipates the need to procure additional translation services. While MCCR did not provide a specific estimate for associated translation services, it advises the cost is *potentially* significant.
- Maryland Department of Transportation:* MTA anticipates the need for additional contractual services of approximately \$55,000 annually, in addition to indeterminate costs to hire specialists for in-office communication translations. Such costs are supported by the Transportation Trust Fund. In addition, the Motor Vehicle Administration (MVA) likely requires additional upgrades to its language access plan, however, these costs are anticipated to be absorbable within existing budgeted resources. MVA notes that it has been actively engaged in efforts to expand customer service for Marylanders with LEP, including offering the noncommercial driver's license test in 17 languages (and plain language) and offering the commercial driver's license test in both English and Spanish.

- *Office of the Attorney General:* To fulfill its responsibilities under the bill, OAG anticipates procuring translation services at a cost of \$40,000 in the first year of implementation, with ongoing costs of \$25,000 annually thereafter.
- *Comptroller's Office and Worker's Compensation Commission:* The Comptroller's Office and WCC advise that, without actual experience under the bill, any specific impact cannot be reliably predicted at this time.
- MDOD advises it can implement the bill using existing resources.

Small Business Effect: Small businesses that provide language translation services may receive increased business opportunities as a result of the bill.

Additional Information

Recent Prior Introductions: Similar legislation has been introduced within the last three years. See HB 987 of 2024 and HB 1144 of 2023.

Designated Cross File: None.

Information Source(s): Maryland Commission on Civil Rights; Office of the Attorney General; Comptroller's Office; Governor's Office; Maryland State Department of Education; Department of Budget and Management; Maryland Department of Disabilities; Department of Human Services; Department of State Police; Maryland Department of Transportation; Worker's Compensation Commission; Department of Legislative Services

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