

HOUSE BILL 1144

F1

9lr1988
CF SB 964

By: **Delegates Lehman, Pena–Melynk, Acevero, B. Barnes, Barron, Boyce, Charkoudian, Charles, Fennell, W. Fisher, Hettleman, Ivey, Jackson, Moon, Palakovich Carr, Proctor, Rogers, Solomon, Stewart, Turner, Valentino–Smith, Washington, Wells, and K. Young**

Introduced and read first time: February 8, 2019

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 12, 2019

CHAPTER _____

1 AN ACT concerning

2 **County Boards of Education – Equal Access to Public Services for Individuals**
3 **With Limited English Proficiency**

4 FOR the purpose of ~~requiring certain county boards of education to fully implement a~~
5 ~~certain requirement to provide equal access to public services for individuals with~~
6 ~~limited English proficiency on or before a certain date; making conforming changes~~
7 requiring county boards to take certain reasonable steps to provide equal access to
8 public services for certain individuals with limited English proficiency; and generally
9 relating to county boards of education and equal access to public services for
10 individuals with limited English proficiency.

11 BY adding to

12 Article – Education

13 Section 4–135

14 Annotated Code of Maryland

15 (2018 Replacement Volume and 2018 Supplement)

16 ~~BY repealing and reenacting, without amendments,~~

17 ~~Article – State Government~~

18 ~~Section 10–1103(a)~~

19 ~~Annotated Code of Maryland~~

20 ~~(2014 Replacement Volume and 2018 Supplement)~~

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 ~~BY repealing and reenacting, with amendments,~~
 2 ~~Article — State Government~~
 3 ~~Section 10-1103(b)~~
 4 ~~Annotated Code of Maryland~~
 5 ~~(2014 Replacement Volume and 2018 Supplement)~~

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

8 **Article – Education**

9 **4-135.**

10 ~~ON OR BEFORE JULY 1, 2022, EACH COUNTY BOARD SHALL FULLY IMPLEMENT~~
 11 ~~THE REQUIREMENTS OF § 10-1103 OF THE STATE GOVERNMENT ARTICLE TO~~
 12 ~~PROVIDE EQUAL ACCESS TO PUBLIC SERVICES FOR INDIVIDUALS WITH LIMITED~~
 13 ~~ENGLISH PROFICIENCY.~~

14 (A) EACH COUNTY BOARD SHALL TAKE REASONABLE STEPS TO PROVIDE
 15 EQUAL ACCESS TO PUBLIC SERVICES FOR INDIVIDUALS WITH LIMITED ENGLISH
 16 PROFICIENCY.

17 (B) REASONABLE STEPS TO PROVIDE EQUAL ACCESS TO PUBLIC SERVICES
 18 UNDER SUBSECTION (A) OF THIS SECTION INCLUDE:

19 (1) THE PROVISION OF ORAL LANGUAGE SERVICES FOR PARENTS
 20 AND GUARDIANS WITH LIMITED ENGLISH PROFICIENCY, WHICH MUST BE THROUGH
 21 FACE-TO-FACE, IN-HOUSE ORAL LANGUAGE SERVICES IF IN-PERSON CONTACT IS
 22 ON A WEEKLY OR MORE FREQUENT BASIS; AND

23 (2) THE TRANSLATION OF VITAL DOCUMENTS ORDINARILY
 24 PROVIDED TO THE PUBLIC INTO ANY LANGUAGE SPOKEN BY ANY LIMITED ENGLISH
 25 PROFICIENT POPULATION THAT CONSTITUTES 3% OF THE OVERALL POPULATION
 26 WITHIN THE COUNTY AS MEASURED BY THE UNITED STATES CENSUS.

27 ~~Article — State Government~~

28 ~~10-1103.~~

29 ~~(a) Each State department, agency, or program listed or identified under~~
 30 ~~subsection (c) of this section shall take reasonable steps to provide equal access to public~~
 31 ~~services for individuals with limited English proficiency.~~

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

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

~~(2) (i) the translation of vital documents ordinarily provided to the public into any language spoken by any limited English proficient population that constitutes 3% of the overall population within the geographic area served by a local office of a State program OR A COUNTY BOARD, AS DEFINED IN § 1 101 OF THE EDUCATION ARTICLE, as measured by the United States Census; and~~

~~(ii) the provision of vital documents translated under item (i) of this item on a statewide basis to any local office OR A COUNTY BOARD, AS DEFINED IN § 1 101 OF THE EDUCATION ARTICLE, as necessary; and~~

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2019.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.