

# House Bill 3264

Sponsored by Representative ALONSO LEON; Senator JAMA

## SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure **as introduced**.

Requires Legislative Assembly to provide translator and interpreter services free of charge in order to facilitate witness participation in hearings or informal meetings with one or more members of Legislative Assembly, as required by federal Americans with Disabilities Act, or in conjunction with constituent outreach services. Requires that verbal or written request be made to Legislative Administrator by specified date before translator and interpreter services will be provided. Requires Legislative Administrator, upon request of member of Legislative Assembly, to provide translator or interpreter services for specified types of written material.

Requires each Senator and Representative to develop language access plan for their offices to address communication of critical legislative information to limited English proficiency constituents and residents of their districts. Specifies factors each plan must take into account and methods members may choose to implement plan.

Appropriates moneys to Legislative Administration Committee to fund translator and interpreter services and language access plan development.

Takes effect on 91st day following adjournment sine die.

## A BILL FOR AN ACT

1  
2 Relating to language services for the Legislative Assembly; and prescribing an effective date.

3       Whereas the ability to deliver quality legislative services is closely connected to the ability to  
4 communicate and effect change on behalf of all Oregonians; and

5       Whereas because the population of refugees and immigrants is growing in Oregon, the Legisla-  
6 tive Assembly recognizes that steps must be taken to enhance communication with individuals and  
7 families whose primary language is not English; and

8       Whereas the utilization of professional, culturally competent translators and interpreters will  
9 improve the delivery of social services, will improve outreach efforts, will build community trust,  
10 will decrease the burden of relying on untrained staff or family members to be interpreters and will  
11 avoid inadequate or erroneous service delivery; and

12       Whereas all legislative districts in Oregon contain residents with limited English proficiency but  
13 legislative offices have not hired staff or taken other measures to communicate in or translate im-  
14 portant legislative information into languages commonly spoken in respective legislative districts;  
15 and

16       Whereas the United States Census Bureau's American Community Survey has data on the fre-  
17 quency and types of languages other than English that are spoken in respective legislative districts;  
18 and

19       Whereas the development of language access plans for each legislative district will facilitate  
20 enhancements in communicating critical legislative information to limited English proficiency con-  
21 stituents in a timely manner and improve their participation in the legislative process; now, there-  
22 fore,

23 **Be It Enacted by the People of the State of Oregon:**

24       **SECTION 1.** (1) **The Legislative Assembly shall provide the translator and interpreter**

**NOTE:** Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing law to be omitted. New sections are in **boldfaced** type.

1 services described in subsections (2) and (4) of this section to interested members of the  
 2 public that request those services.

3 (2) Translator and interpreter services that are provided under this section shall include:

4 (a) Language translation and interpretation to facilitate witness testimony in legislative  
 5 committee or subcommittee hearings;

6 (b) Language translation and interpretation to facilitate dialogue in informal meetings  
 7 with one or more legislators;

8 (c) Sign language or other translator and interpreter services to comply with the federal  
 9 Americans with Disabilities Act, 42 U.S.C. 12101 et seq.; or

10 (d) Language translation and interpretation to initiate and enhance effectiveness in con-  
 11 stituent outreach activities.

12 (3) A member of the public or a member of the Legislative Assembly seeking to have  
 13 translation and interpretation services provided shall make a written or verbal request to  
 14 the Legislative Administrator:

15 (a) In interim periods when the Legislative Assembly is not in session, at least three  
 16 business days before the scheduled time of the hearing or other meeting at which translator  
 17 and interpreter services are to be provided or the constituent outreach activities are to take  
 18 place;

19 (b) During a legislative session, at least one business day before the scheduled time of  
 20 the hearing or other meeting at which translator and interpreter services are to be provided  
 21 or the constituent outreach activities are to take place; and

22 (c) Notwithstanding paragraphs (a) and (b) of this subsection, if the translator and in-  
 23 terpreter services consist of sign language or other translator and interpreter services  
 24 needed to comply with the Americans with Disabilities Act, at least three business days be-  
 25 fore the scheduled time of the hearing or other meeting at which translator and interpreter  
 26 services are to be provided.

27 (4) In addition to the translator and interpreter services described in subsection (2) of  
 28 this section, upon the request of a member of the Legislative Assembly, the Legislative Ad-  
 29 ministrator shall cause public service posters, flyers, letters, brochures and other publicity  
 30 materials describing public services, or official communications from agencies, to be trans-  
 31 lated to languages accessible to communities within the member's district.

32 (5) A translator or interpreter performing services under this section is expected to be  
 33 true to the original message being translated and shall strive to phrase the materials being  
 34 translated or interpreted in a way that is accessible to the community being served.

35 (6) The Legislative Administrator shall provide the translator and interpreter services  
 36 described in this section free of charge.

37 **SECTION 2.** (1) Each Senator and each Representative shall develop a language access  
 38 plan that addresses how their respective offices shall communicate critical legislative infor-  
 39 mation in a timely manner to limited English proficiency constituents.

40 (2) The language access plan shall be a self-assessment that each member and their  
 41 personal staff shall develop to determine their need for the provision of language access  
 42 services, and that shall incorporate the following factors:

43 (a) Demographic factors based on the United States Census Bureau American Commu-  
 44 nity Survey data that indicate the number or proportion of limited English proficiency con-  
 45 stituents that are present in the member's district and the languages spoken by these

1 constituents;

2 (b) The frequency with which limited English proficiency individuals interact with the  
3 member's office;

4 (c) The nature and importance of the information and the impact of access to the infor-  
5 mation on day-to-day lives; and

6 (d) An assessment of the appropriate balance the member's office should strike between  
7 achieving meaningful access for limited English proficiency constituents and the financial  
8 burden on the member's legislative office operations in achieving this access.

9 (3) Upon developing a language access plan described in subsection (2) of this section,  
10 each member shall determine the most effective way to implement the plan so as to ensure  
11 that the member's office is delivering timely accessible communications to their limited  
12 English proficiency constituents, including but not limited to:

13 (a) The member hiring bilingual or multilingual staff;

14 (b) Relying on translator and interpreter services provided by the Legislative Adminis-  
15 trator under section 1 of this 2021 Act; and

16 (c) Contracting with one or more third-party language service providers utilizing existing  
17 member office budget resources.

18 (4) The Legislative Administrator shall provide technical assistance to each member to  
19 develop and implement a language access plan, including but not limited to:

20 (a) American Community Survey data;

21 (b) Assistance in recruitment of bilingual or multilingual staff; and

22 (c) Assistance in acquiring third-party providers of language services.

23 **SECTION 3.** In addition to and not in lieu of any other appropriation, there is appropri-  
24 ated to the Legislative Administration Committee, for the biennium beginning July 1, 2021,  
25 out of the General Fund, the amount of \$\_\_\_\_\_, which may be expended for the purpose of  
26 providing the translator and interpreter services described in sections 1 and 2 of this 2021  
27 Act.

28 **SECTION 4.** This 2021 Act takes effect on the 91st day after the date on which the 2021  
29 regular session of the Eighty-first Legislative Assembly adjourns sine die.

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