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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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HOUSE BILL

No. 1241 Session of  
2017

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INTRODUCED BY DAWKINS, CALTAGIRONE, BULLOCK AND KINSEY,  
APRIL 18, 2017

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REFERRED TO COMMITTEE ON STATE GOVERNMENT, APRIL 18, 2017

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AN ACT

1 Requiring State agencies to establish language access plans.

2 The General Assembly of the Commonwealth of Pennsylvania

3 hereby enacts as follows:

4 Section 1. Short title.

5 This act shall be known and may be cited as the State Agency  
6 Language Access Plan Act.

7 Section 2. Declaration of policy.

8 The General Assembly finds and declares as follows:

9 (1) The inability to speak, understand or read the  
10 English language is a barrier that prevents access to public  
11 services provided by State departments, agencies and  
12 programs.

13 (2) The public services available through these entities  
14 are essential to the welfare of Pennsylvania residents.

15 (3) It is the intent of the General Assembly to ensure  
16 that State departments, agencies and programs provide equal  
17 access to public services for individuals with limited

1 English proficiency.

2 Section 3. Definitions.

3 The following words and phrases when used in this act shall  
4 have the meanings given to them in this section unless the  
5 context clearly indicates otherwise:

6 "Equal access." The ability to be informed of, participate  
7 in and benefit from public services offered by a State  
8 department, agency or program at a level equal to English-  
9 proficient individuals.

10 "Language access plan." A written plan that identifies the  
11 languages spoken by at least 3% of the overall population within  
12 the geographic area served by a local office of a State program  
13 as measured by the United States Census and that demonstrates  
14 the steps that will be taken to provide meaningful language  
15 access to populations with limited English proficiency.

16 "Limited English proficiency." The inability to adequately  
17 understand or express oneself in the spoken or written English  
18 language.

19 "Oral language services." Methods to provide verbal  
20 information and interpretation, including, but not limited to,  
21 staff interpreters, bilingual staff, telephone interpreter  
22 programs and private interpreter programs.

23 "Program." The operations of a State agency.

24 "Secretary." The Secretary of Administration of the  
25 Commonwealth.

26 "State agency." A department, agency, board, commission or  
27 office of the Commonwealth, including the Auditor General,  
28 Attorney General and State Treasurer.

29 "Vital documents." Applications or informational materials,  
30 notices and complaint forms offered by State agencies.

1 Section 4. Language access plans.

2 (a) Duty to establish.--The Senate, the House of  
3 Representatives and a State agency shall create a language  
4 access plan that demonstrates reasonable steps that will be  
5 taken to provide equal access to public services for individuals  
6 with limited English proficiency.

7 (b) Reasonable steps.--Reasonable steps include, but are not  
8 limited to:

9 (1) The provision of oral language services for  
10 individuals with limited English proficiency, which services  
11 must be face-to-face, in-house oral language services if  
12 contact between the agency and individuals with limited  
13 English proficiency is on a weekly or more frequent basis.

14 (2) The translation of vital documents ordinarily  
15 provided to the public into any language spoken by a limited  
16 English proficient population that constitutes 3% of the  
17 overall population within the geographic area served by a  
18 local office of a State program or a member of the Senate or  
19 the House of Representatives as measured by the United States  
20 Census.

21 (3) The provision of vital documents translated under  
22 paragraph (2) on a Statewide basis to local offices as  
23 necessary.

24 (4) Additional methods or means necessary to achieve  
25 equal access to public services.

26 Section 5. Publication.

27 (a) Submission to secretary.--

28 (1) Each State agency, except the Auditor General,  
29 Attorney General and State Treasurer, shall submit its  
30 language access plan to the secretary within six months of

1 the effective date of this section.

2 (2) The secretary shall provide central coordination and  
3 technical assistance to aid compliance with this section.

4 (3) The secretary shall publish the language access  
5 plans on a publicly accessible Internet website.

6 (b) Other agencies.--The Auditor General, Attorney General,  
7 State Treasurer, Senate and House of Representatives shall  
8 develop a language access plan and publish the language access  
9 plan on a publicly accessible Internet website within six months  
10 of the effective date of this section.

11 (c) Implementation.--Language access plans published under  
12 this section shall be implemented within one year of  
13 publication.

14 (d) Biennial review.--A language access plan published under  
15 subsection (a) shall be reviewed and resubmitted every two years  
16 based on a schedule determined by the secretary.

17 Section 6. Municipalities.

18 (a) General rule.--A municipality may adopt a language  
19 access plan.

20 (b) Duty of Governor's Center for Local Government  
21 Services.--The Governor's Center for Local Government Services  
22 shall assist municipalities in drafting and implementing  
23 language access plans under this act.

24 Section 7. Effective date.

25 This act shall take effect immediately.