

**Department of Legislative Services**  
 Maryland General Assembly  
 2024 Session

**FISCAL AND POLICY NOTE**  
**Third Reader - Revised**

House Bill 981

(Delegate Martinez, *et al.*)

Health and Government Operations

Education, Energy, and the Environment

**Principal Departments - Individuals With Limited English Proficiency - Access to Public Services**

This bill requires the principal departments of the Executive Branch to fully implement, by July 1, 2025, statutory provisions that require certain reasonable steps to provide equal access to public services for individuals with limited English proficiency (LEP). Any principal department that is created on or after October 1, 2024, must comply with the aforementioned requirements beginning one year after the date the principal department is created.

**Fiscal Summary**

**State Effect:** General fund expenditures increase by approximately \$100,000 in FY 2025 and \$200,000 annually thereafter to implement the bill, as discussed below. Revenues are not affected.

(in dollars)	FY 2025	FY 2026	FY 2027	FY 2028	FY 2029
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	100,000	200,000	200,000	200,000	200,000
Net Effect	(\$100,000)	(\$200,000)	(\$200,000)	(\$200,000)	(\$200,000)

*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:** Minimal.

## Analysis

**Bill Summary/Current Law:** 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.

Chapter 141 of 2002, which originally established the aforementioned 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.

Under the bill, each principal department listed in § 8-201 of the State Government Article must implement the aforementioned requirements. Principal departments listed in § 8-201 that were not explicitly included in the aforementioned implementation schedule must therefore implement the requirements discussed above by July 1, 2025. These departments are (1) the Department of Budget and Management (DBM); (2) the Maryland Department of Disabilities (MDOD); (3) the Maryland Department of Emergency Management (MDEM); (4) the Department of General Services (DGS); (5) the Department of Information Technology (DoIT); (6) the Maryland Department of Planning (MDP); and (7) the Department of Service and Civic Innovation (DSCI).

**State Expenditures:** The fiscal impact associated with the bill's implementation for affected agencies varies, as discussed below.

MDEM advises that it must expand its translation services to include Chinese and Korean languages in order to comply with the bill. Contractual costs are estimated at approximately \$200,000 on an *annual* basis, which, according to MDEM, accounts for higher rates

associated with the need for continuous accessibility 24/7 (such services are already available for Spanish-speaking individuals). Although costs in fiscal 2025 depend on MDEM implementation decisions, for purposes of this analysis, it is assumed that costs are incurred *no earlier* than January 1, 2025 (which gives MDEM time to expand/modify its existing services while still meeting the bill's requirement for full implementation by July 1, 2025). Accordingly, MDEM general fund expenditures are assumed to increase by *up to* \$100,000 in fiscal 2025 and by an estimated \$200,000 annually thereafter.

General fund expenditures for MDP may increase to the extent it utilizes contractual services to translate necessary documents and update its website. Based on preliminary information from MDP, this analysis assumes any impact on expenditures is likely minimal.

MDOD advises that it contracts with interpreters on an as-needed basis. Current costs for interpretation services vary between in-person continuous translation (\$78 per hour) and virtual interpretation (\$60 to \$70 per hour); these amounts are exclusive of the language needed, duration of services, and number of individuals requiring services, all of which may further increase costs. To comply with the bill, MDOD anticipates an increased need for both in-person and virtual interpretation services, as well as the translation of numerous public-facing documents. However, it is anticipated that minimal costs incurred for compliance are absorbable within existing budgeted resources.

DGS, DoIT, and DSCI also advise it can implement the bill using existing resources.

Although DBM did not respond to requests for information on the fiscal and operational impact of the bill, this analysis assumes there is no material effect on the department.

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### **Additional Information**

**Recent Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Office of the Attorney General; Judiciary (Administrative Office of the Courts); Maryland Department of Disabilities; Maryland Department of Emergency Management; Department of General Services; Department of Information Technology; Maryland Department of Planning; Department of Service and Civic Innovation; Department of Legislative Services

**Fiscal Note History:** First Reader - March 4, 2024  
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