

Department of Legislative Services
Maryland General Assembly
2025 Session

FISCAL AND POLICY NOTE
Enrolled - 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. To facilitate implementation, the bill establishes the Maryland Language Advisory Group (MLAG), jointly staffed by the Governor's Office of Immigrant Affairs (GOIA) and the Maryland Department of Disabilities (MDOD). By September 30 each year, each State entity identified by the bill must submit a report to MLAG that contains certain information for the previous fiscal year. By June 1 each year, MLAG must submit a report to the General Assembly that includes a description of its work and any recommendations.

Fiscal Summary

State Effect: General fund expenditures for GOIA increase by \$56,000 in FY 2026 to provide staff for MLAG; future years reflect annualization and inflation. State expenditures (mostly general funds) also increase, likely significantly, for affected State agencies, as discussed below; these expenditures are primarily assumed to begin in FY 2027 and are anticipated to exceed \$1.5 million on an annual basis. Potential increase in matching federal fund revenues for the Department of Human Services (DHS).

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 complaint 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 alters the definition of vital documents to mean all applications or informational materials, notices, and complaint forms *that are critical for accessing a State department, agency, or program*. Under the bill, “vital documents” specifically include (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 (1) develop a language access plan and (2) 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.

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 on or before July 1, 2028, by the (1) Workers' Compensation Commission (WCC); (2) Maryland Commission on Civil Rights (MCCR); (3) Department of State Police (DSP); (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 MLAG that contains the following information for the previous fiscal year: (1) a summary of all activities performed, including a self-assessment and explanation of any unmet objectives and (2) any other performance measures required by MLAG.

Maryland Language Advisory Group – Establishment

By January 1, 2026, GOIA and MDOD must convene MLAG to make findings and recommendations on oversight, monitoring, investigation, and enforcement of the bill's requirements. Annually by July 1, in consultation with the appropriate State and local agencies and community organizations, MLAG must (1) review any language access plans developed by State departments, agencies, and programs, to develop a template language access plan; (2) review laws and best practices of local jurisdictions and other states

relating to language access; (3) develop a template language access plan for State departments, agencies, or programs; (4) develop a template language access policy and template language access standard operating procedure for State departments, agencies, or programs; (5) recommend at least one State department, agency, or program to perform oversight, monitoring, investigation, and enforcement; (6) establish a framework to assess if State departments, agencies, and programs are in compliance; and (7) solicit input from stakeholders, as specified.

State Expenditures:

Staffing Costs for the Maryland Language Advisory Group

General fund expenditures increase by approximately \$56,000 in fiscal 2026, which accounts for the bill's October 1, 2025 effective date. This estimate reflects the cost of hiring one part-time director to support the work of MLAG. It includes a salary, fringe benefits, one-time start-up costs, and ongoing operating expenses.

Position	0.5
Salary and Fringe Benefits	\$49,036
Operating Expenses	<u>6,955</u>
FY 2026 State Expenditures – GOIA staff	\$55,991

Future year expenditures reflect a full salary with annual increases and employee turnover as well as annual increases in ongoing operating expenses. MDOD anticipates using existing resources to meet its staffing responsibilities under the bill.

Provision of Equal Access to Public Services

State expenditures (primarily general funds) further increase, likely significantly, on an annual basis beginning in fiscal 2027. Under the bill, the affected entities (other than GOIA and MDOD, who are tasked with staffing MLAG) 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 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 MLAG for language access plans. Additionally, the extent to which any agencies are selected by MLAG to oversee compliance with the bill and incur additional unknown costs cannot be accounted for at this time (under the bill, MLAG must annually

recommend at least one entity to assume these responsibilities). While some agencies provided a preliminary estimate of potential implementation costs, other agencies indicate an indeterminate impact that cannot be reliably predicted in advance. Many other affected agencies did not respond to a request for information on the fiscal and operational impact of the bill, and DLS is unable to independently verify the estimates provided by the agencies without experience under the bill. Therefore, the information below is provided only for context to illustrate potential costs.

- *Maryland State Department of Education:* General fund expenditures for MSDE may increase by as much as \$125,000 on an annual basis to preemptively provide additional translation services for individuals with disabilities. While MSDE already provides translation services for individuals with disabilities as specified by the bill, it currently does so only by request. 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 did not provide a specific estimate for associated translation services, but advises the cost is *potentially* significant.
- *Department of State Police:* DSP estimates the potential need for at least five administrative staff to manage and operate the language access plan, as well as significant additional expenditures on an annual basis for in-person translation services and updating the website, documents, and applications.
- *Maryland Department of Transportation:* MTA anticipates contractual costs to comply with the bill's reporting and assessment requirements, 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:* OAG anticipates expenditures for translation services at a cost of at least \$25,000 annually.
- *Department of Human Services:* To fulfill its responsibilities under the bill, DHS anticipates one-time system updates and/or notice translations for its various programs. Such costs may exceed \$250,000; however, federal funds are assumed to support a portion of the costs (with corresponding federal fund revenues).

- *Department of Aging:* The Maryland Department of Aging (MDOA) may incur additional contractual costs over a two-year period to develop, implement, and update a language access plan. Additional ongoing expenditures include increased translation costs and printing supplies to provide translated vital documents as needed.
- *Department of Commerce:* The Department of Commerce anticipates procuring translation services at a cost of \$14,000 on an annual basis, as well as \$28,000 in fiscal 2028 only for necessary supplies (computers, printers, etc.).
- *Department of Natural Resources:* The Department of Natural Resources (DNR) may require an additional staff member to oversee compliance with the bill. DNR also anticipates the need to procure additional translation services, the cost of which cannot be reliably determined without experience under the bill. For context, DNR notes it currently provides translation services for Spanish only.
- *Maryland Department of the Environment:* The Maryland Department of the Environment anticipates potentially needing one administrative staff person to oversee compliance, as well as additional expenditures for translation services.
- *Department of Information Technology:* The Department of Information Technology (DoIT) anticipates procuring translation services at a cost of \$50,000 on an annual basis.
- *Department of Planning:* The Department of Planning (MDP) may need additional staff to assist in translating vital documents and providing interpretive services at in-person public meetings. For context, MDP largely depends on translation services provided by DoIT's Google Translate integration services as well as automated translation captions for virtual meetings.
- *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; Maryland Department of Aging; Department of Commerce; Department of Natural Resources; Maryland Department of the Environment; Department of Information Technology; Maryland Department of Planning; Department of Legislative Services

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