

**Department of Legislative Services**  
 Maryland General Assembly  
 2025 Session

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

Senate Bill 685

(Senator Augustine)

Education, Energy, and the Environment

Ways and Means

**Election Law - Local Boards of Elections - Language Assistance Program**

This bill establishes a Language Assistance Program, in which (1) the State Board of Elections (SBE) must identify, based on specified criteria, counties in which there is a significant need for language assistance for voters in the county in a language or languages other than English and (2) local boards of elections in counties SBE has identified must provide specified language assistance services, including the option for a voter to communicate with election judges at an early voting center or Election Day polling place through a translator. SBE must publish and maintain on its website a list of the local boards that must provide language assistance under the program by January 1, 2026.

**Fiscal Summary**

**State Effect:** General fund expenditures increase by \$122,000 in FY 2026 and by at least \$50,000 in FY 2028 and FY 2030. Revenues are not affected.

(in dollars)	FY 2026	FY 2027	FY 2028	FY 2029	FY 2030
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	122,000	0	50,000	0	50,000
Net Effect	(\$122,000)	\$0	(\$50,000)	\$0	(\$50,000)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease*

**Local Effect:** Local government expenditures are expected to increase beginning in FY 2026, as discussed below. Revenues are not affected. **This bill imposes a mandate on a unit of local government.**

**Small Business Effect:** Minimal.

## Analysis

### Bill Summary:

#### *Language Assistance Program, In General*

The bill establishes a Language Assistance Program and requires a local board of elections to participate in the program if SBE determines there is a significant need for language assistance to voters in the county in a language other than English.

Each local board that is required to participate in the program must, with oversight from SBE, provide to voters the language assistance services required by the bill.

SBE must provide to the local boards licensed translation software services to implement the program, and the county must pay for all other expenses associated with the program, including necessary hardware and each use of the translation software services.

SBE must adopt regulations to carry out the bill.

#### *Determination of Need for Language Assistance and Designated Languages*

SBE must determine by February 1 of the year of an election that a significant need for language assistance to voters exists in a county if, based on the best available data, including information from the U.S. Census Bureau's American Community Survey or data of comparable quality collected by a public office:

- more than 2% of the citizen voting age population of the county use a single shared language other than English and have limited English proficiency; or
- more than 4,000 individuals of the citizen voting age population of the county use a single shared language other than English and have limited English proficiency.

“Limited English proficiency” means that an individual (1) speaks a particular language other than English; (2) does not speak English as a primary language; and (3) speaks, reads, or understands the English language less than “very well,” as reported in available U.S. Census Bureau data or data of comparable quality collected by a public office.

SBE must determine that each language other than English that is used by individuals that make up more than 2%, or number more than 4,000, of the citizen voting age population of the county, and have limited English proficiency, is a designated language.

By January 1, 2026, SBE must (1) publish and maintain on its website a list of each local board that is required to provide language assistance in a language other than English and

each designated language in which the language assistance is required to be provided by the local board and (2) update the information published and maintained at least every two years.

The State Administrator of Elections must promptly notify each local board (and the chief financial officer of the county) included on the list of the bill's language assistance requirements.

### *Language Assistance Services*

Each local board that is required to participate in the program must, with oversight from SBE, provide to voters the following services:

- at each early voting center and Election Day polling place, the option for a voter who has a need for language assistance in a designated language to communicate with the election judges through a translator;
- SBE-approved signage in each early voting center and Election Day polling place in each designated language notifying voters that language assistance and interpretation services are available; and
- online voting materials (statewide voter registration applications, SBE-approved absentee ballot applications, specimen ballots, and forms and instructions SBE determines necessary to voting) in each designated language.

A local board may provide solely oral instructions or other assistance if the language does not have a written form, such as American Sign Language.

The local board must make reasonable efforts to recruit bilingual election judges to provide assistance to voters in designated languages and, with SBE approval, may provide additional language assistance services not required by the bill.

**Current Law:** Under [Section 203](#) of the federal Voting Rights Act of 1965, states and political subdivisions that meet specified thresholds of numbers of citizens of voting age who are members of a specified single language minority and are limited-English proficient must provide any registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots, in the language of the applicable minority group as well as in the English language. If the language of the applicable minority group is oral or unwritten, or in the case of Alaskan natives and American Indians, if the predominant language is historically unwritten, the State or political subdivision is only required to furnish oral instructions, assistance, or other information relating to registration and voting.

In general, a state or political subdivision is subject to Section 203 if the Director of the Census determines, based on specified data, that:

- (1) more than 5% of the citizens of voting age of such state or political subdivision are members of a single language minority and are limited-English proficient; (2) more than 10,000 of the citizens of voting age of such political subdivision are members of a single language minority and are limited-English proficient; or (3) in the case of a political subdivision that contains all or any part of an Indian reservation, more than 5% of the American Indian or Alaska Native citizens of voting age within the Indian reservation are members of a single language minority and are limited-English proficient; and
- the illiteracy rate of the citizens in the language minority group is higher than the national illiteracy rate.

**State Expenditures:** General fund expenditures increase by \$122,000 in fiscal 2026, reflecting costs for SBE to (1) hire a demographics consultant to assist SBE in determining, every two years, which local boards must provide language assistance under the program, and in which designated languages, based on the best available data (\$50,000) and (2) procure translation software services licenses to be made available to the local boards (\$72,000).

This estimate assumes that the licensed translation software services are procured for local boards that collectively manage approximately 50% of early voting centers and Election Day polling places in the State, assuming that while only a relatively small number of counties may be required to participate in the program, those counties likely are larger counties that contain a significant portion of overall early voting centers and Election Day polling places in the State. The estimate of the cost of translation software services licenses is based on costs incurred by the Prince George's County board of elections for similar services during the 2024 presidential election cycle. The estimate assumes that similar to the Prince George's County board of elections, SBE incurs a one-time cost (\$99) per license for each device (phone or tablet) on which the services are used (approximately one license per Election Day polling place, assuming one device is used in each Election Day polling place and devices used at early voting centers are reused at Election Day polling places).

General fund expenditures increase by at least \$50,000 in fiscal 2028 and 2030, consisting of (1) ongoing consultant costs to assist SBE in determining, at least every two years, the local boards required to participate in the program (\$50,000) and (2) costs to purchase any additional translation software services licenses to the extent additional local boards are required to participate in the program in the 2028 and 2030 elections.

The estimate assumes that the bill's requirement that local boards participating in the program provide online voting materials (including statewide voter registration applications and SBE-approved absentee ballot applications) in each designated language is not interpreted to require that SBE's online voter registration and mail-in ballot request system incorporate designated languages.

**Local Expenditures:** Local government expenditures are expected to increase, beginning in fiscal 2026, for counties that must participate in the program to cover (1) costs incurred by local boards of elections to provide licensed translation software services, beyond the cost of the licenses, including costs of any necessary hardware (phones, tablets) the local board does not already possess and the cost for each use of the translation software services; (2) costs for signage at early voting centers and Election Day polling places indicating the availability of language assistance; and (3) costs of written translation services needed to provide online voting materials in each designated language.

Overall local government costs to comply with the bill cannot be reliably estimated at this time; however, for context:

- the Prince George's County board of elections incurred costs of approximately \$13,000 that were in addition to the cost of the translation software services licenses, which included costs for tablet kiosks used at the board's headquarters and early voting centers (the board's total costs were \$37,000, \$23,900 of which was the cost of the licenses);
  - the overall cost for each use of the licensed translation software services is expected to be minimal;
  - one-time signage costs, based on local board estimates for voting location signage, are likely not more than \$5,000 and may be less, potentially in the range of \$3,000;
  - costs of written translation services are expected to be relatively minimal based on (1) costs provided by SBE for written translation services under a State master contract; (2) the fact that there is a certain amount of existing translation of statewide voting materials; and (3) the potential for translation of additional statewide voting materials to be coordinated among counties that must provide language assistance services under the program in the same designated language(s), reducing costs; and
  - future year costs may be relatively minimal and include (1) costs for wireless data plans for any devices purchased to implement the bill; (2) cost for each use of the licensed translation software services; (3) costs of written translation services; and (4) costs of any additional/replacement devices or signage.
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## **Additional Information**

**Recent Prior Introductions:** Similar legislation has been introduced within the last three years. See HB 563 of 2024.

**Designated Cross File:** HB 983 (Delegates Mireku-North and Wilkins) - Ways and Means.

**Information Source(s):** Howard, Montgomery, and Prince George's counties; Department of General Services; Maryland State Board of Elections; Department of Legislative Services

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