

FINAL

COUNTY COUNCIL OF ANNE ARUNDEL COUNTY, MARYLAND

Legislative Session 2022, Legislative Day No. 5

Bill No. 25-22

Introduced by Ms. Rodvien, Chair
(by request of the County Executive)

By the County Council, February 22, 2022

Introduced and first read on February 22, 2022
Public Hearing set for and held on March 21, 2022
Bill Expires May 28, 2022

By Order: Laura Corby, Administrative Officer

A BILL ENTITLED

1 AN ORDINANCE concerning: General Provisions – Language Access

2
3 FOR the purpose of defining certain terms; requiring County agencies to provide equal
4 access to public services, meetings, websites, and webpages for individuals with
5 limited English proficiency; providing for the coordination, technical assistance, and
6 formulation of minimum standards for equal language access; and generally relating to
7 general provisions.

8
9 BY adding: §§ 1-10-101 through 1-10-104 to be under the new title “Title 10. Language
10 Access”
11 Anne Arundel County Code (2005, as amended)

12
13 SECTION 1. *Be it enacted by the County Council of Anne Arundel County, Maryland,*
14 That Section(s) of the Anne Arundel County Code (2005, as amended) read as follows:

15 16 ARTICLE 1. GENERAL PROVISIONS

17 18 TITLE 10. LANGUAGE ACCESS

19 20 1-10-101. Definitions.

21
22 IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

23
24 (1) “COUNTY AGENCY” INCLUDES ANY COUNTY DEPARTMENT, OFFICE, BOARD, OR
25 COMMISSION.

EXPLANATION: CAPITALS indicate new matter added to existing law.
[[Brackets]] indicate matter deleted from existing law.
Captions and taglines in **bold** in this bill are catchwords and are not law.

(2) "EQUAL ACCESS" MEANS TO BE INFORMED OF, PARTICIPATE IN, AND BENEFIT FROM PUBLIC SERVICES OFFERED AND PUBLIC MEETINGS HELD BY A COUNTY AGENCY AT A LEVEL EQUAL TO ENGLISH PROFICIENT INDIVIDUALS.

(3) "LIMITED ENGLISH PROFICIENCY INDIVIDUAL" OR "LEP INDIVIDUAL" MEANS AN INDIVIDUAL WHOSE PRIMARY LANGUAGE FOR COMMUNICATION IS NOT ENGLISH AND WHO HAS A LIMITED ABILITY TO READ, SPEAK, WRITE, OR UNDERSTAND ENGLISH.

(4) "ORAL LANGUAGE SERVICES" INCLUDE VARIOUS METHODS TO PROVIDE VERBAL INFORMATION AND INTERPRETATION, SUCH AS STAFF INTERPRETERS, BILINGUAL STAFF, TELEPHONE INTERPRETER PROGRAMS, AND PRIVATE INTERPRETER PROGRAMS.

(5) "VITAL DOCUMENTS" MEANS DOCUMENTS THAT CONTAIN INFORMATION THAT IS CRITICAL TO BEING INFORMED OF, PARTICIPATING IN, AND BENEFITING FROM PUBLIC SERVICES OFFERED AND PUBLIC MEETINGS HELD BY A COUNTY AGENCY, INCLUDING ALL APPLICATIONS OR INFORMATIONAL MATERIALS, NOTICES, AND COMPLAINT FORMS OFFERED BY COUNTY AGENCIES.

1-10-102. Equal access to public services and public meetings.

(A) **In general.** EACH COUNTY AGENCY SHALL TAKE REASONABLE STEPS TO PROVIDE EQUAL ACCESS TO PUBLIC SERVICES AND PUBLIC MEETINGS FOR INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY.

(B) **Reasonable steps.** REASONABLE STEPS TO PROVIDE EQUAL ACCESS TO PUBLIC SERVICES AND PUBLIC MEETINGS INCLUDE:

(1) THE PROVISION OF ORAL LANGUAGE SERVICES FOR INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY;

(2) FACE-TO-FACE, IN-HOUSE ORAL LANGUAGE SERVICES, IF CONTACT BETWEEN THE COUNTY AGENCY AND INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY IS ON A WEEKLY OR MORE FREQUENT BASIS;

(3) THE TRANSLATION OF VITAL DOCUMENTS ORDINARILY PROVIDED TO THE PUBLIC INTO ANY LANGUAGE SPOKEN BY ANY LIMITED ENGLISH PROFICIENT POPULATION THAT CONSTITUTES AT LEAST 3% OF THE COUNTY POPULATION AS MEASURED BY THE MOST RECENT UNITED STATES CENSUS OR THAT A COUNTY AGENCY REGULARLY SERVES; AND

(4) ANY ADDITIONAL METHODS OR MEANS NECESSARY TO ACHIEVE EQUAL ACCESS TO PUBLIC SERVICES OFFERED BY AND PUBLIC MEETINGS HELD BY COUNTY AGENCIES.

(C) **No charge to LEP individual.** EQUAL ACCESS DESCRIBED IN THIS SECTION SHALL BE PROVIDED FREE OF CHARGE TO LEP INDIVIDUALS.

(D) **Implementation.** THE PROVISIONS OF THIS SECTION SHALL BE FULLY IMPLEMENTED BY JULY 1, 2022.

1-10-103. Equal access version of a government website or webpage.

(A) **In general.**

(1) EXCEPT AS PROVIDED IN SUBSECTIONS (B) AND (C), EACH COUNTY AGENCY SHALL PROVIDE FOR EACH WEBSITE OR WEBPAGE THAT MAY REASONABLY BE EXPECTED

TO BE AVAILABLE TO AND USED BY MEMBERS OF THE GENERAL PUBLIC EQUAL ACCESS VERSIONS OF THE WEBSITE IN ANY LANGUAGE THAT:

(I) IS SPOKEN BY ANY LIMITED ENGLISH PROFICIENT POPULATION THAT CONSTITUTES AT LEAST 0.5% OF THE OVERALL POPULATION WITHIN THE COUNTY, AS MEASURED BY THE MOST RECENT UNITED STATES CENSUS; AND

(II) CAN BE TRANSLATED FREE OF CHARGE.

(2) IF MACHINE TRANSLATION SERVICES ARE USED TO CARRY OUT THE PROVISIONS OF PARAGRAPH (1), THE COUNTY AGENCY MAY POST A DISCLAIMER CONSPICUOUSLY ON THE WEBSITE OR WEBPAGE THAT THE COUNTY AGENCY:

(I) DOES NOT GUARANTEE THE ACCURACY OR RELIABILITY OF THE TRANSLATION; AND

(II) IS NOT LIABLE FOR ANY LOSS OR DAMAGE ARISING OUT OF THE USE OF OR RELIANCE ON THE TRANSLATED CONTENT.

(B) Exceptions. A COUNTY AGENCY IS NOT REQUIRED TO PROVIDE EQUAL ACCESS TO WEBSITE OR WEBPAGE CONTENT IF:

(1) THE COUNTY AGENCY PROGRAM DETERMINES THAT AN INACCURATE TRANSLATION OF THE CONTENT COULD LEAD TO A DENIAL OF SERVICES OR BENEFITS; OR

(2) THE CONTENT CANNOT BE TRANSLATED DUE TO THE LIMITATIONS OF MACHINE TRANSLATION SOFTWARE, INCLUDING FILES IN PDF FORMAT, IMAGES, AND VIDEOS.

(C) County websites. EACH COUNTY AGENCY IS ENCOURAGED TO PROVIDE EQUAL ACCESS VERSIONS OF WEBSITES OR WEBPAGES TO THE SAME EXTENT COUNTY AGENCIES ARE REQUIRED TO UNDER SUBSECTION (A), BUT MAY NOT BE REQUIRED TO DO SO.

1-10-104. Coordination and technical assistance; standards.

(A) In general. THE HUMAN RELATIONS OFFICER AND THE DEPARTMENT OF INFORMATION TECHNOLOGY, SHALL PROVIDE COORDINATION AND TECHNICAL ASSISTANCE TO COUNTY AGENCIES TO AID COMPLIANCE WITH THIS SUBTITLE.

(B) Standards for equal access versions of Web sites. THE HUMAN RELATIONS OFFICER SHALL ESTABLISH MINIMUM STANDARDS TO WHICH THE EQUAL ACCESS VERSIONS OF WEBSITES OR WEBPAGES REQUIRED UNDER § 1-10-103 MUST CONFORM, INCLUDING A STANDARD REGARDING THE PROMINENT PLACEMENT OF LINKS ON THE ENGLISH VERSION OF A WEBSITE OR WEBPAGE TO EACH EQUAL ACCESS VERSION OF THE WEBSITE.

SECTION 2. *And be it further enacted,* That this Ordinance shall take effect 45 days from the date it becomes law.

By Order:



Laura Corby
Administrative Officer

PRESENTED to the County Executive for his approval this 22nd day of March, 2022



Laura Corby
Administrative Officer

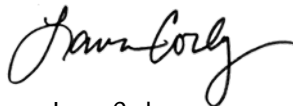
APPROVED AND ENACTED this 31st day of March, 2022



Steuart Pittman
County Executive

EFFECTIVE DATE: May 15, 2022

I HEREBY CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF
BILL NO. 25-22 THE ORIGINAL OF WHICH IS RETAINED IN THE FILES
OF THE COUNTY COUNCIL.



Laura Corby
Administrative Officer