



## 98TH GENERAL ASSEMBLY

### State of Illinois

#### 2013 and 2014

#### SB3099

Introduced 2/7/2014, by Sen. Martin A. Sandoval

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Access to Governmental Services Act. Requires each executive branch State agency to take reasonable steps to provide the following in each county where the number of residents in a single language group is more than 5% of all residents of that county as measured by the most recent federal census: (1) having a sufficient number of qualified bilingual persons in public contact positions or as interpreters in at least one office in the county, determined by the agency to be in an area of need, to assist in providing services to individuals having limited English proficiency; and (2) having available in at least one office in the county, determined by the agency to be in an area of need, personnel to interpret, upon request, important documents ordinarily provided to the public. Requires each executive branch State agency to adopt rules regarding the requirements of this Act not less than 6 months after the date that this Act takes effect, or as soon thereafter as possible. Requires the Illinois Human Rights Commission to implement a process to address disputes arising under this Act, including, but not limited to, disputes concerning the interpretation of "important documents" and "sufficient number of qualified bilingual persons in public contact positions" and agency determinations of the offices where the services are provided, not less than 6 months after the date that this Act takes effect, or as soon thereafter as possible. Defines terms.

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FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the Access  
5 to Governmental Services Act.

6 Section 5. Definitions.

7 "Executive branch State agency" or "agency" means each  
8 Department of State government created under the Civil  
9 Administrative Code of Illinois.

10 "Having limited English proficiency" means indicated on  
11 the most recent federal decennial census as speaking a language  
12 other than English and speaking English "not well" or "not at  
13 all".

14 "Important documents" means application or informational  
15 materials, notices, and complaint forms offered by executive  
16 branch State agencies, as defined by rule by the appropriate  
17 executive branch State agency. "Important documents" does not  
18 include applications and examinations related to the  
19 licensure, certification, or registration of businesses and  
20 professionals.

21 "Sufficient number of qualified bilingual persons in  
22 public contact positions" means the number of qualified  
23 bilingual persons required in order to provide the same level

1 of service to non-English-speaking persons as is available to  
2 English-speaking persons seeking the same service.

3 Section 10. Language access required.

4 (a) Each executive branch State agency shall take  
5 reasonable steps to provide the following in each county where  
6 the number of residents in a single language group is more than  
7 5% of all residents of that county as measured by the most  
8 recent federal decennial census:

9 (1) Having a sufficient number of qualified bilingual  
10 persons in public contact positions or as interpreters in  
11 at least one office in the county, determined by the agency  
12 to be in an area of need, to assist in providing services  
13 to individuals having limited English proficiency.

14 (2) Having available in at least one office in the  
15 county, determined by the agency to be in an area of need,  
16 personnel to interpret, upon request, important documents  
17 ordinarily provided to the public.

18 Nothing in this Act requires an executive branch State  
19 agency to establish an office in a county where it would not  
20 otherwise maintain an office.

21 (b) Each executive branch State agency shall adopt rules  
22 regarding the requirements of this Act not less than 6 months  
23 after the date that this Act takes effect, or as soon  
24 thereafter as possible.

25 (c) The Illinois Human Rights Commission shall implement a

1 process to address disputes arising under this Act, including,  
2 but not limited to, disputes concerning the interpretation of  
3 "important documents" and "sufficient number of qualified  
4 bilingual persons in public contact positions" and agency  
5 determinations of the offices where the services are provided,  
6 not less than 6 months after the date that this Act takes  
7 effect, or as soon thereafter as possible.