

1 AN ACT concerning 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
5 Language Equity and Access Act.

6 Section 5. Legislative purpose. The purpose of this Act is
7 to ensure that all residents of the State have equal access to
8 State services and, in particular, to remove language as a
9 barrier for persons who have limited English proficiency and
10 who may, therefore, be excluded from equitable access to State
11 information, programs, services, and activities. It is the
12 intent of the General Assembly that the State adopt a language
13 equity and access policy that incorporates federal guidance
14 for ensuring meaningful access for persons with limited
15 English proficiency as provided by the Illinois Human Rights
16 Act, the Illinois Civil Rights Act of 2003, Title VI of the
17 Civil Rights Act of 1964, U.S. Presidential Executive Order
18 No. 13166 (Improving Access to Services for Persons with
19 Limited English Proficiency), U.S. Presidential Executive
20 Order 13985 (Advancing Racial Equity and Support for
21 Underserved Communities Through the Federal Government), U.S.
22 Presidential Executive Order 14091 (Further Advancing Racial
23 Equity and Support for Underserved Communities Through the

1 Federal Government), other non-discrimination provisions in
2 federal or State statutes, and any succeeding provisions of
3 federal or State law, regulation, or guidance.

4 Section 10. Definitions. In this Act:

5 "Interpretation" means listening to a communication in one
6 language and orally converting it to another language in a
7 manner that preserves the intent and meaning of the original
8 message.

9 "Language assistance services" means oral and written
10 language services needed to assist LEP individuals to
11 communicate effectively with staff, and to provide LEP
12 individuals with meaningful access to, and equal opportunity
13 to participate fully in, the services, activities, or other
14 programs administered by the State.

15 "Limited English proficient (LEP) person" means an
16 individual who does not speak English as his or her primary
17 language and who has a limited ability to read, speak, write,
18 or understand English.

19 "Meaningful access" means language assistance that results
20 in accurate, timely, and effective communication at no cost to
21 limited English proficient persons. For LEP persons,
22 meaningful access denotes access that is not unreasonably
23 restricted, delayed, or inferior as compared to access to
24 programs or activities provided to English proficient
25 individuals.

1 "State agency" means an executive agency, department,
2 board, commission, or authority directly responsible to the
3 Governor.

4 "Translation" means the conversion of text from one
5 language to another in a written form to convey the intent and
6 essential meaning of the original text.

7 "Vital documents" means paper or electronic written
8 material that contains information that affects a person's
9 access to, retention of, termination of, or exclusion from
10 program services or benefits or is required by law.

11 Section 15. Statewide Language Equity and Access.

12 (a) This Act is created to ensure meaningful access to
13 State programs and resources for limited proficient (LEP)
14 persons. This Act requires the Governor's Office of New
15 Americans, with the support of the Department of Human
16 Services and any other relevant agencies to, at a minimum:

17 (1) prepare, based on available U.S. Census data, a
18 Language Needs Assessment Report that identifies the
19 languages spoken throughout the State as described in
20 Section 25 of this Act;

21 (2) assist State agencies in the creation of language
22 access plans as detailed in Section 30 of this Act;

23 (3) develop standards and a compliance framework to
24 assess progress by State agencies, including both key
25 performance indicators and mechanisms to track them;

1 (4) provide annual reporting on State agency
2 compliance and progress to the Governor and the General
3 Assembly by December 31 of every year starting in 2026;

4 (5) establish requirements for the availability of
5 interpretation and translation services;

6 (6) set standards for adequate staffing of bilingual
7 employees at State agencies, including a methodology for
8 monitoring implementation and updating the State Services
9 Assurance Act and the Bilingual Employment Plan, based on
10 the Language Needs Assessment Report;

11 (7) incorporate language equity compliance provisions
12 in State contracts with vendors, grantees and purchase of
13 care entities; and

14 (8) ensure that whenever an emergency, weather,
15 health, or other crisis situation has been declared, the
16 State's limited English person population is adequately
17 notified of the emergency, information, any actions
18 required, and has equitable access to emergency resources.

19 (b) The Governor's Office of New Americans, with the
20 support of the Department of Human Services and any other
21 relevant agencies, shall lead statewide efforts in the
22 implementation of the State's language equity and access
23 policy for LEP persons and to ensure meaningful access to
24 information, services, programs, and activities offered by
25 State agencies for LEP persons. The role of the Governor's
26 Office of New Americans in this work is to advance and monitor

1 implementation of and compliance with this Act by:

2 (1) providing oversight, central coordination, and
3 technical assistance to State agencies in the
4 implementation of language access requirements under this
5 Act or under any other law, rule, or guidance related to
6 language access;

7 (2) reviewing and monitoring each State agency's
8 language access plan for compliance with this Act;

9 (3) consulting with Language Access Coordinators and
10 State agency directors or their equivalent;

11 (4) creating, distributing, and making available to
12 State agencies multilingual signage in the more frequently
13 encountered languages in the State and other languages as
14 needed, informing individuals of the individual's right to
15 free interpretation services and how to request language
16 services;

17 (5) ensuring that each State agency develops an
18 internal complaint and review process specific to the
19 provision of language assistance services and supporting
20 agencies in addressing complaints in a timely manner;

21 (6) developing recommendations for the use of
22 interpreters and translators, including standards for
23 certification and qualifications;

24 (7) assisting State agencies in developing
25 multilingual websites with information about relevant
26 policies, standards, plans, and complaint processes;

1 (8) assisting State agencies in preparing public
2 notices of the availability of translation or
3 interpretation services upon request;

4 (9) preparing an annual compliance report to be
5 submitted to the Governor and the General Assembly; and

6 (10) addressing other issues as necessary to ensure
7 equity and meaningful participation for persons with
8 limited English proficiency.

9 Section 20. Statewide Language Needs Assessment. The
10 Governor's Office of New Americans, with the support of the
11 Department of Human Services and any other relevant State
12 agencies, shall compile available United States Census data on
13 languages used across the State, including the identification
14 of geographic patterns and trend data, to inform the Language
15 Needs Assessment Report. The report shall be updated at least
16 every 10 years in conjunction with the decennial federal
17 Census but may be updated more frequently using other Census
18 data reports.

19 The Language Needs Assessment report shall be made
20 available to State agencies for the development of their
21 language access plans and overall improvement in service
22 provision to LEP persons.

23 Section 25. Language access plans.

24 (a) Each State agency shall take reasonable steps to

1 ensure meaningful access to services, programs, and activities
2 by LEP persons. Therefore, each State agency shall prepare and
3 submit a language access plan to the Governor's Office of New
4 Americans. Each language access plan should describe the
5 population of LEP persons the agency serves, the policy and
6 programmatic actions the agency will implement to ensure
7 meaningful access, and the metrics the agency will use to
8 measure compliance with this Act.

9 (b) Each State agency shall designate a Language Access
10 Coordinator who is responsible for overseeing the development
11 and implementation of the agency's language access plan.

12 (c) The adequacy of a State agency's language access plan
13 shall be determined by the totality of the circumstances,
14 including an individualized assessment that balances the
15 following factors:

16 (1) the number or proportion of LEP persons who are
17 served or encountered in the eligible service population
18 of the State agency;

19 (2) the frequency with which LEP persons come in
20 contact with the services, programs, or activities
21 provided by the State agency;

22 (3) the nature and importance of the services,
23 programs, or activities provided by the State agency; and

24 (4) the resources available to the State agency and
25 the costs.

26 (d) Each State agency shall describe in its plans how it

1 will provide all of the following:

2 (1) competent, timely translation and interpretation
3 services to LEP persons who are seeking access to
4 information, services, programs, or activities provided by
5 the State agency; and

6 (2) vital document translation services for LEP
7 persons who are seeking access to information, services,
8 programs, or activities provided by the State agency, as
9 follows:

10 (A) if there are more than 1,000 LEP persons in the
11 population of persons served by the State agency or if
12 LEP persons comprise more than 5% of the population of
13 persons served by the State agency; or

14 (B) if there are fewer than 50 persons served by
15 the State agency that reach the 5% threshold in
16 subparagraph (A), the State agency shall provide
17 written notice in the primary language to the LEP
18 persons of the right to receive competent oral
19 interpretation of those written materials free of
20 cost.

21 (3) Following the first submitted plan, language
22 access plans shall include an assessment of performance
23 metrics for the previous State fiscal year.

24 (e) The Governor's Office of New Americans, with the
25 support of the Department of Human Services and any other
26 relevant State agencies, shall develop a template and

1 mechanism for collecting and analyzing State agency language
2 access plans.

3 (f) Following completion of the assessment, the Governor's
4 Office of New Americans, with the support of the Department of
5 Human Services and any other relevant State agencies, shall
6 provide guidance and feedback to each State agency, including
7 any recommendations to ensure compliance with this Act.

8 (g) Language access plans shall be made publicly
9 accessible by each State agency.

10 Section 30. Compliance and accountability.

11 (a) No later than July 1, 2025, the Governor's Office of
12 New Americans shall prepare and submit to the General Assembly
13 a Language Equity and Access Status Report detailing the
14 progress made by State agencies in the implementation of this
15 Act, including the development of Language Access Plans.

16 (b) By December 31, 2026, and every December 31
17 thereafter, the Governor's Office of New Americans shall
18 submit a Language Equity and Access Compliance Report to the
19 General Assembly. The Compliance Report shall be based on
20 information collected during the preceding fiscal year and
21 shall, at a minimum, include:

22 (1) key performance metrics for the previous year;

23 (2) the following information for each State agency:

24 (A) a high-level summary of the language access
25 plan, including language access services offered;

1 (B) as applicable, the number and percentage of
2 LEP persons who use the services of the State agency,
3 listed by language other than English;

4 (C) aggregate data on the number of bilingual
5 employees, by title, who are in roles designated as
6 requiring a person employed in that position to speak
7 or write in a language other than English, including
8 the languages that the persons are required to speak
9 in that role, and whether the employees are certified
10 as bilingual in those languages;

11 (D) the name and contact information of the
12 Language Access Coordinator for each State agency;

13 (E) an ongoing employee development and training
14 strategy to maintain well-trained bilingual employees
15 and general staff;

16 (F) data on the use of any interpretation or
17 translation vendor services such as number and type of
18 language services requested, languages requested, and
19 any other relevant data; and

20 (G) aggregate data on the number of complaints
21 filed and the status or resolution of the complaints.

22 (c) The Governor's Office of New Americans shall attempt
23 to resolve a language access complaint received by a State
24 agency if the agency does not resolve the complaint in a timely
25 manner or the resolution is inadequate. Upon referral of a
26 complaint, the Governor's Office of New Americans may engage

1 in informal processes, including mediation, conference, and
2 conciliation, to resolve the complaint.

3 Section 35. Implementation. The Governor's Office of New
4 Americans may work in collaboration with the Department of
5 Human Services and any other relevant State agency to
6 implement this Act.

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.