



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB1448

Introduced 2/9/2007, by Sen. Martin A. Sandoval

SYNOPSIS AS INTRODUCED:

New Act

Creates the Access to Governmental Services Act. Creates the Access to Governmental Services Act. Requires each constitutional officer, State agency, circuit court clerk, and State program to take reasonable steps to provide equal access to public services for individuals with limited English proficiency, including: (i) having a sufficient number of qualified bilingual persons in public contact positions or as interpreters and (ii) translation of important documents ordinarily provided to the public into any language spoken by at least 3% of the overall population of the State, as measured by the U.S. Census. Requires the Illinois Human Rights Commission to implement a process to address disputes arising under the Act.

LRB095 11076 AJO 31402 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning access to governmental services.

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 "Equal access" means to be informed of, participate in, and
8 benefit from public services offered by a State agency, circuit
9 court, constitutional office, or a State program at a level
10 equal to individuals who do not have limited English
11 proficiency.

12 "Limited English proficiency" means the inability to
13 adequately understand or express oneself in the spoken or
14 written English language.

15 "Oral language services" includes various methods to
16 provide verbal information and interpretations, such as staff
17 interpreters, bilingual staff, telephone interpreter programs,
18 and private interpreter programs.

19 "Important documents" means application or informational
20 materials, websites, notices, and complaint forms offered by
21 State agencies, constitutional officers, circuit court clerks,
22 and State programs, as defined by rule by the appropriate State
23 agency, constitutional officer, circuit court clerk, or State

1 program. "Important documents" does not include applications
2 and examinations related to the licensure, certification, or
3 registration of businesses and professionals.

4 "State program" means any program administered by a State
5 agency, but does not include any program administered, in whole
6 or in part, by a unit of local government or a school district,
7 regardless of whether State funds are expended under the
8 program.

9 "Sufficient number of qualified bilingual persons in
10 public contact positions" means the number of qualified
11 bilingual persons required in order to provide the same level
12 of service to non-English-speaking persons as is available to
13 English-speaking persons seeking the same service.

14 Section 10. Language access required.

15 (a) Each State agency, constitutional officer, circuit
16 court clerk, and State program shall take reasonable steps to
17 provide equal access to public services for individuals with
18 limited English proficiency.

19 (b) Reasonable steps to provide equal access to public
20 services include, but are not limited to:

21 (1) Having a sufficient number of qualified bilingual
22 persons in public contact positions or as interpreters to
23 assist persons in public contact positions in providing
24 services to individuals with limited English proficiency
25 where there is documented substantial need due to contact

1 between a State agency, constitutional officer, circuit
2 court clerk, or State program and individuals with limited
3 English proficiency.

4 (2) Translating important documents ordinarily
5 provided to the public into any language spoken by any
6 limited English proficient population that constitutes at
7 least 3% of the overall population of the State as measured
8 by the U.S. Census.

9 (c) Each State agency, constitutional officer, circuit
10 court clerk, and State program shall adopt rules regarding the
11 requirements of this Section not less than 6 months after the
12 date that this Act takes effect, or as soon thereafter as
13 possible.

14 (d) The Illinois Human Rights Commission shall implement a
15 process to address disputes arising under this Act, including,
16 but not limited to, disputes concerning the interpretation of
17 "important documents" and "sufficient number of qualified
18 bilingual persons in public contact positions", not less than 6
19 months after the date that this Act takes effect, or as soon
20 thereafter as possible.