

JAN 21 2022

S.B. NO. 2459

A BILL FOR AN ACT

RELATING TO LANGUAGE ACCESS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that one out of nine
2 persons living in Hawaii is limited English proficient. This
3 limitation is often a barrier that prevents persons with limited
4 English proficiency from accessing important benefits and
5 services, including access to health care and other public
6 benefits; essential information during public health
7 emergencies, pandemics, or natural disasters; and access to
8 earned benefits such as unemployment compensation or workers'
9 compensation.

10 The legislature further finds that the office of language
11 access was created in 2006 to address these language barriers
12 through central coordination, technical assistance, and
13 administration of a language access resource center for the
14 benefit of the executive, legislative, and judicial branches of
15 state government. Where a government entity fails to provide
16 language access, the office of language access is only
17 authorized to eliminate the language barrier through informal



1 methods including conferences, conciliation, mediation, and
2 persuasion.

3 Accordingly, the purpose of this Act is to:

4 (1) Require the office of language access to submit an
5 annual report to the governor and legislature as a
6 means of strengthening the office of language access's
7 ability to assure compliance with state and federal
8 language access laws; and

9 (2) Appropriate funds to establish limited English
10 proficiency language coordinator positions in the
11 departments of commerce and consumer affairs, health,
12 and agriculture, and the Hawaii emergency management
13 agency.

14 SECTION 2. Chapter 321C, Hawaii Revised Statutes, is
15 amended by adding a new section to be appropriately designated
16 and to read as follows:

17 "§321C- Annual report. The executive director shall
18 submit an annual written report to the governor and legislature
19 no later than twenty days prior to the convening of each regular
20 session detailing compliance of state agencies and covered
21 entities with this chapter, complaints of noncompliance with



1 this chapter, resolution of any such complaints, and
2 recommendations to enhance and promote language access."

3 SECTION 3. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so
5 much thereof as may be necessary for fiscal year 2022-2023 for
6 the establishment of one full-time equivalent (1.00 FTE) limited
7 English proficiency language coordinator position in the
8 department of commerce and consumer affairs.

9 The sum appropriated shall be expended by the department of
10 commerce and consumer affairs for the purposes of this Act.

11 SECTION 4. There is appropriated out of the general
12 revenues of the State of Hawaii the sum of \$ or so
13 much thereof as may be necessary for fiscal year 2022-2023 for
14 the establishment of one full-time equivalent (1.00 FTE) limited
15 English proficiency language coordinator position in the
16 department of health.

17 The sum appropriated shall be expended by the department of
18 health for the purposes of this Act.

19 SECTION 5. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$ or so
21 much thereof as may be necessary for fiscal year 2022-2023 for



S.B. NO. 2459

1 the establishment of one full-time equivalent (1.00 FTE) limited
2 English proficiency language coordinator position in the
3 department of agriculture.

4 The sum appropriated shall be expended by the department of
5 agriculture for the purposes of this Act.

6 SECTION 6. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$ or so
8 much thereof as may be necessary for fiscal year 2022-2023 for
9 the establishment of one full-time equivalent (1.00 FTE) limited
10 English proficiency language coordinator position in the Hawaii
11 emergency management agency.

12 The sum appropriated shall be expended by the Hawaii
13 emergency management agency for the purposes of this Act.

14 SECTION 7. New statutory material is underscored.

15 SECTION 8. This Act shall take effect on July 1, 2022.

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INTRODUCED BY:

Bennett J. Minkler



S.B. NO. 2459

Report Title:

Office of Language Access; Annual Report; Limited English Proficiency Language Coordinator; DCCA; DOH; DOA; HIEMA; Appropriation

Description:

Requires the executive director of the office of language access to submit an annual report to the governor and legislature on compliance, complaints, resolution of complaints, and recommendations to enhance and promote language access. Appropriates funds to establish limited English proficiency language coordinator positions in the departments of commerce and consumer affairs, health, and agriculture, and the Hawaii emergency management agency.

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