

AN ACT concerning government.

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

Section 1. Short title. This Act may be cited as the Language Equity and Access Act.

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

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

Section 10. Definitions. In this Act:

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

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

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

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

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

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

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

Section 15. Statewide Language Equity and Access.

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

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

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

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

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

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

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

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

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

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

implementation of and compliance with this Act by:

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

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

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

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

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

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

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

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

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

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

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

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

Section 25. Language access plans.

(a) Each State agency shall take reasonable steps to

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

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

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

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

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

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

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

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

will provide all of the following:

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

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

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

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

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

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



mechanism for collecting and analyzing State agency language access plans.

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

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

Section 30. Compliance and accountability.

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

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

(1) key performance metrics for the previous year;

(2) the following information for each State agency:

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

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

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

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

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

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

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

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

Public Act 103-0723

SB3762 Enrolled

LRB103 38804 JRC 68941 b

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

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

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