



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB1921

Introduced 2/9/2023, by Sen. Rachel Ventura

#### SYNOPSIS AS INTRODUCED:

New Act  
30 ILCS 805/8.47 new

Creates the Access to Public Services for Non-English Speakers Act. Provides that a State or local department or agency shall take reasonable steps to provide equal access to public services for individuals with limited English proficiency. Includes examples of reasonable steps that shall be taken. Provides that a State or local department or agency shall adopt rules regarding the requirements within 6 months after the effective date of the Act. Provides that the Department of Human Resources, in consultation with the Office of the Attorney General, shall provide central coordination and technical assistance to departments and agencies to help them comply with the provisions. Limits the concurrent exercise of home rule powers. Amends the State Mandates Act to require implementation without reimbursement.

LRB103 28924 AWJ 55310 b

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

A BILL FOR

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 Access  
5 to Public Services for Non-English Speakers Act.

6 Section 5. Definitions. As used in this Act:

7 "Equal access" means to be informed of, participate in,  
8 and benefit from public services or programs offered by the  
9 State of Illinois, its departments, agencies, or political  
10 subdivisions, including, but not limited to, municipalities  
11 and counties, at a level equal to English-proficient  
12 individuals.

13 "Limited English proficiency" means the inability to  
14 adequately and effectively understand or express oneself in  
15 either spoken or written English.

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

20 "Vital documents" means applications or informational  
21 materials and notice and complaint forms offered by State or  
22 local departments, agencies, and programs. "Vital documents"  
23 does not include applications and examinations related to the

1 licensure, certification, or registration of businesses and  
2 professionals.

3 Section 10. Language access requirements.

4 (a) Each State and local department and agency shall take  
5 reasonable steps to provide equal access to public services  
6 for individuals with limited English proficiency.

7 (b) Reasonable steps, as referenced in subsection (a), to  
8 provide equal access to public services include:

9 (1) in-house oral language services for individuals  
10 with limited English proficiency, if the contact between a  
11 department or agency and the individuals with limited  
12 English proficiency is on a weekly or more frequent basis;

13 (2) the translation of vital documents ordinarily  
14 provided to the public into any language English  
15 proficiency population that constitutes at least 3% of the  
16 population of the State as measured by the federal  
17 decennial census. Any changes needed to be made to be in  
18 compliance with this requirement following a new federal  
19 decennial census shall result in the modification of the  
20 languages offered as required by this Act; and

21 (3) any additional method that is necessary for the  
22 department or agency to carry out its activities  
23 effectively and efficiently.

24 (c) Each department and agency shall adopt rules regarding  
25 the requirements of this Section within 6 months after the

1 effective date of this Act.

2 (d) The Department of Human Resources, in consultation  
3 with the Office of the Attorney General, shall provide central  
4 coordination and technical assistance to departments and  
5 agencies to help them comply with this Section.

6 Section 90. Home rule. A home rule unit may not regulate  
7 the unit's departments or agencies in a manner inconsistent  
8 with this Act. This Act is a limitation under subsection (i) of  
9 Section 6 of Article VII of the Illinois Constitution on the  
10 concurrent exercise by home rule units of powers and functions  
11 exercised by the State.

12 Section 95. The State Mandates Act is amended by adding  
13 Section 8.47 as follows:

14 (30 ILCS 805/8.47 new)

15 Sec. 8.47. Exempt mandate. Notwithstanding Sections 6 and  
16 8 of this Act, no reimbursement by the State is required for  
17 the implementation of any mandate created by this amendatory  
18 Act of the 103rd General Assembly.