

SENATE BILL REPORT

SB 6530

As of February 2, 2016

Title: An act relating to providing public notices of public health, safety, and welfare in a language other than English.

Brief Description: Providing public notices of public health, safety, and welfare in a language other than English.

Sponsors: Senators Hasegawa, Roach, Keiser, McAuliffe, Conway and Jayapal.

Brief History:

Committee Activity: Government Operations & Security: 2/02/16.

SENATE COMMITTEE ON GOVERNMENT OPERATIONS & SECURITY

Staff: Alex Kearns (786-7416)

Background: Limited English Proficient Services. Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English are referred to as limited English proficient (LEP) individuals. In 2000, the President signed the LEP Executive Order which requires federal agencies and all recipients of federal financial assistance to provide meaningful access to LEP individuals, in accordance with Title VI of the Civil Rights Act of 1964. LEP services commonly include interpreter services and translation of printed materials.

Many state agencies within Washington provide LEP services, including the Department of Labor and Industries, the Department of Social and Health Services, and the Department of Transportation. Agency rules regarding publication of notices are determined by each individual agency.

Emergency Management. The Washington State Emergency Management Program is administered by the Military Department (Department) and led by an appointed director (Director), who is responsible for developing and maintaining a comprehensive emergency management plan (State Plan) for the state. The State Plan includes procedures used during emergencies, instructions on coordinating local resources, and directions on how the Department must operate the state's emergency operations center.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Each county, city, and town (Political Subdivision) in Washington must establish an emergency management organization by ordinance or resolution, either independently or in cooperation with another Political Subdivision. The Political Subdivision must submit a local comprehensive emergency management plan (Local Plan) and program to the Director for recommendations and to verify that the Local Plan complies with the State Plan. Each Local Plan must address all natural and man-made emergencies to which the Political Subdivision is vulnerable, and provide a functional description of how warnings and emergency information will be addressed. Each plan must be tested each year and reviewed and updated every two years.

Summary of Bill: State agencies that are required to provide public notices advising or informing communities about public health, safety, and welfare risks must provide those notices in a foreign language if at least 5 percent of the city, town, or county residents speak that foreign language and are of limited English proficiency. Under a state of emergency, state agencies must provide notices, information, and services in languages represented by an affected area's demographic data.

The emergency management organization of each Political Subdivision must maintain updated demographic data for its jurisdiction as well as information on the languages represented within the community. During emergencies, emergency management departments must provide written and verbal notices in languages represented by their communities who speak a language other than English.

Agencies must implement these notice requirements within existing funds.

Appropriation: None.

Fiscal Note: Requested on January 29, 2016.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: In Washington State, 13.2 percent of the population is foreign born, and much of the community data doesn't account for undocumented people. There need to be public emergency notices published in languages that people understand and the messages need to be culturally relevant. Last fire season there were people who didn't speak English who didn't know what to do to avoid the dangers of spreading fires. Many displaced families resided on the sides of local roads, where they were exposed to ash, smoke, debris, and cars. Of the notices that were translated for these communities most were in literal Spanish, not in plain Spanish, so they didn't make any sense. Outreach to these types of populations should already be taking place but it is not, so local emergency management departments need to accomplish this with existing funds.

Persons Testifying: PRO: Senator Hasegawa, Prime Sponsor; Emilio Vela, Jr., Executive Director, Washington State Independent Living Council; Mynor Lopez, The Washington State Commission on Hispanic Affairs.

Persons Signed In To Testify But Not Testifying: No one.