
Public Safety Committee

SSB 5046

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

Sponsors: Senate Committee on Local Government (originally sponsored by Senators Hasegawa, Chase, Darneille and Rolfes).

Brief Summary of Substitute Bill

- Requires state agencies and local jurisdictions to provide specified emergency and safety related notices and services in a manner that has been determined to be most effective in communicating with significant segments of a community that speak a language other than English.
- Requires each political subdivision to maintain or have access to updated demographic and language information for its jurisdiction.

Hearing Date: 3/13/17

Staff: Omeara Harrington (786-7136).

Background:

Limited English Proficiency.

Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write in, or understand English may be considered to have limited English proficiency. Services for persons with limited English proficiency may include interpreters, translation, and other services.

By Presidential executive order, each federal agency is required to examine the services it provides and develop and implement a system by which persons with limited English proficiency can meaningfully access those services. The executive order also requires that federal agencies ensure that recipients of federal financial assistance provide meaningful access to their limited English proficiency applicants and beneficiaries, in accordance with Title VI of the Civil Rights

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.

Act of 1964. Many state agencies are among the recipients of federal funds expected to provide limited English proficiency access.

State of Emergency.

The Governor may proclaim a state of emergency after finding that a public disorder, disaster, energy emergency, or riot exists within the state that affects life, health, property, or public peace. The proclamation allows the Governor to impose certain restrictions within the area affected by the proclamation, and is also a prerequisite for accessing certain state and federal relief funding. The Governor must give as much public notice as practical of the issuance of proclamations and associated orders through the news media.

Local Emergency Management Organizations.

Each political subdivision of the state must establish or jointly create a local organization for carrying out emergency management functions in accordance with the State Comprehensive Emergency Management Plan. Each local emergency management organization must develop its own written comprehensive emergency management plan addressing all natural and manmade emergencies and disasters to which the jurisdiction is vulnerable. Each plan must contain a functional description of several elements, including warning and emergency public information systems. When a disaster occurs, political subdivisions may enter into contracts and incur obligations necessary to provide emergency assistance to disaster victims.

An "emergency or disaster," as described in statute, is an event or set of circumstances which: demands immediate action to preserve public health, protect life, protect public property, or to provide relief to any stricken community overtaken by such occurrences; or reaches such a dimension or degree of destructiveness as to warrant the Governor declaring a state of emergency.

Summary of Bill:

State agencies and local jurisdictions must provide specified emergency and public health and safety related notices and services in a manner that has been determined to be most effective in communicating with significant segments of a community that speak a language other than English. The notices and services that must be provided in this manner are:

- legally required public notices issued by state agencies that advise or inform the public about an imminent or emergent public health, safety, or welfare risk. These notices include, but are not limited to, locations for criminal facilities or facilities intended to house sex offenders, as well as notices, information, and services provided under a state of emergency; and
- notices provided by local jurisdictions or their emergency management contractors during emergencies, including, but not limited to, evacuation and shelter information.

In addition, each political subdivision must maintain or have access to updated demographic data for its jurisdiction and information on the languages represented in its communities. Those authorized to issue emergency notices on behalf of a political subdivision must have access to the updated demographic data. During a disaster, political subdivisions may enter into contracts and incur obligations to communicate with victims using methods most likely, and in a manner determined to be most effective, in reaching significant segments of the population.

A "significant segment" of the population is defined as at least 5 percent of the overall population, or 1,000 residents, whichever is fewer, who are of limited English proficiency. Agencies must provide required notifications and communications within existing funds.

Appropriation: None.

Fiscal Note: Requested on March 9, 2017.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.