

# FINAL BILL REPORT

## SSB 5046

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Synopsis as Enacted

**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).

**Senate Committee on Local Government**  
**House Committee on Public Safety**  
**House Committee on Appropriations**

**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. 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. Every Political Subdivision must develop a local comprehensive emergency management plan to address all natural and man-made emergencies to which the Political Subdivision is vulnerable, and to 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:** State Agency Requirements. Beginning December 1, 2019, any state agency that provides life safety information during an emergency or disaster must provide the Legislature with a copy of its current communication plan for notifying significant population segments of that life safety information. Those state agencies must also submit an annual report to the Legislature identifying instances of emergency or disaster in the preceding year in which life

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safety information was provided, and identifying what public messaging strategies and means were used to notify citizens with limited English proficiency.

Local Organization Requirements. Each local emergency management organization that produces a local comprehensive emergency management plan must include a communication plan for notifying significant population segments of life safety information during an emergency. When developing these communication plans, local emergency management organizations are encouraged to consult with affected community organizations and should consider the following:

- the number or proportion of LEP individuals eligible to be served or likely to be encountered;
- the frequency with which LEP individuals come in contact with the emergency notification;
- the nature and importance of the emergency notification, service, or program to people's lives; and
- the resources available to the political subdivision to provide emergency notifications.

Local emergency management organizations must implement their communication plans and submit them to the Washington Military Department Emergency Management Division (WMD) at the next local emergency management plan update for that organization. Subsequent plans must be reviewed in accordance with the Washington Military Department Director's schedule.

When conducting emergency or disaster-related after-action reviews, local emergency management organizations must evaluate the effectiveness of communication of life safety information. They also must inform the WMD of technological challenges which limited communication efforts, and identify recommendations and resources needed to address those challenges.

Washington Military Department Reports. Beginning December 1, 2019, the WMD must submit a report every five years to the relevant committees of the Legislature containing the status of communication plans produced by local organizations. Each year, the WMD must submit a report to the Legislature that includes instances of emergency or disaster in which communication of life safety information was technologically infeasible.

Significant Population Segments. Significant population segments are defined as those LEP groups comprising 5 percent, or 1000 residents, whichever is fewer, of the population of persons eligible to be served or likely to be affected. The Office of Financial Management's population estimates must be used to determine eligible LEP groups.

Life Safety Information. Life safety information is defined as information provided to people during a response to a life-threatening emergency or disaster informing them of actions they can take to preserve their safety, such as information regarding evacuation, sheltering and sheltering in place, facility lockdown, and where to obtain food and water.

Funding. A null and void clause is included in the event specific funding is not provided in the budget.

**Votes on Final Passage:**

Senate	49	0	
House	52	45	(House amended)
Senate			(Senate refused to concur)
House	51	46	(House receded/amended)
Senate	48	0	(Senate concurred)

**Effective:** July 23, 2017