

HOUSE BILL REPORT

HB 2023

As Reported by House Committee On:
State Government & Tribal Relations
Appropriations

Title: An act relating to improving meaningful access to elections by increasing language assistance.

Brief Description: Improving meaningful access to elections by increasing language assistance.

Sponsors: Representatives Shavers, Ramel, Reed, Ormsby, Callan, Timmons, Berg, Lekanoff, Doglio, Reeves and Santos.

Brief History:

Committee Activity:

State Government & Tribal Relations: 1/10/24, 1/19/24 [DP];
Appropriations: 2/1/24, 2/3/24 [DP].

Brief Summary of Bill

- Requires counties to provide language assistance during elections when more than 2.5 percent of voting-age citizens in certain language minority groups in the county do not speak or understand English adequately enough to participate in the electoral process and have not completed the fifth grade at a rate higher than the national average.
- Requires the Secretary of State to determine which counties are subject to these language assistance provisions.

HOUSE COMMITTEE ON STATE GOVERNMENT & TRIBAL RELATIONS

Majority Report: Do pass. Signed by 7 members: Representatives Ramos, Chair; Stearns, Vice Chair; Cheney, Ranking Minority Member; Christian, Assistant Ranking Minority Member; Gregerson, Low and Mena.

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

Staff: Jason Zolle (786-7124).

Background:

The federal Voting Rights Act specifies that states and political subdivisions must provide language assistance during elections for certain language minority groups (LMG) that meet specific criteria. Voting materials that must be translated include voter registration forms, ballots, and other forms of instructions or assistance.

In general, language assistance is required for an Asian-American or Hispanic LMG if: (a) the rate of voting-age citizens in the LMG who have not completed the fifth grade is higher than the national average; and (b) at least one of the following is true:

- more than 5 percent of voting-age citizens in the LMG do not speak or understand English adequately enough to participate in the electoral process; or
- the subdivision contains more than 10,000 voting-age citizens in the LMG who do not speak or understand English adequately enough to participate in the electoral process.

Additionally, political subdivisions must provide language assistance for American Indians or Alaska Natives if the subdivision contains all or part of an American Indian Area, when the American Indians or Alaska Natives meet the requirements listed above.

The Census Bureau Director is responsible for determining which states and political subdivisions are subject to these language assistance provisions. The list of covered jurisdictions is determined using American Community Survey census data and is updated every five years.

Summary of Bill:

Counties must provide language assistance during elections when more than 2.5 percent of voting-age citizens in an Asian-American or Hispanic LMG in the county do not speak or understand English adequately enough to participate in the electoral process and have not completed the fifth grade at a rate higher than the national average. The type of assistance required is defined the same as in federal law.

Additionally, counties must provide language assistance for American Indians or Alaska Natives if the county contains all or part of an Indian reservation, when the American Indians or Alaska Natives meet the requirements listed above.

The Secretary of State (SOS) is responsible for determining which counties are subject to these language assistance provisions. The list of covered counties is determined using the American Community Survey and relevant decennial census data and is updated every five years. Counties have one year to reach full compliance. A county's status as a covered jurisdiction remains in effect unless terminated by the SOS. County auditors may petition

for the SOS to terminate the designation if the LMG no longer meets the criteria for assistance.

The SOS must establish a grant program to provide funding to counties that are not covered jurisdictions but choose to voluntarily provide electoral assistance in a language other than English.

The requirements in this act are subject to the availability of amounts appropriated for this specific purpose.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) People are less likely to vote if they cannot understand the ballot. Voter participation increases when people have access to ballots and voter materials in their native language. Democracy is stronger with every citizen taking part in the election, as it increases faith and trust in government that it is truly representative. Language barriers have a tangible impact on democracy. The federal Voting Rights Act imposes a floor, not a ceiling. As long as it is funded, this bill will be effective. The state should also fund counties that do not meet the threshold but voluntarily choose to provide language assistance. This bill is a strong step toward giving all citizens an equal voice and helping community members feel like they belong.

(Opposed) None.

Persons Testifying: Representative Clyde Shavers, prime sponsor; Sandy Perkins, Skagit County; Subha Vadlamannati, Northwest Progressive Institute; Brian Hatfield, Office of the Secretary of State; and Marco Morales, North Sound Accountable Community of Health.

Persons Signed In To Testify But Not Testifying: M. Lynn Campbell; and Eric Pratt.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass. Signed by 22 members: Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Corry, Ranking Minority Member; Berg, Callan, Chopp, Davis, Fitzgibbon, Harris, Lekanoff, Pollet, Riccelli, Ryu,

Senn, Simmons, Slatter, Springer, Stonier, Tharinger and Wilcox.

Minority Report: Do not pass. Signed by 3 members: Representatives Dye, Rude and Sandlin.

Minority Report: Without recommendation. Signed by 4 members: Representatives Chambers, Assistant Ranking Minority Member; Connors, Assistant Ranking Minority Member; Couture, Assistant Ranking Minority Member; Schmick.

Staff: Ryan Blake (786-7303).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On State Government & Tribal Relations:

The Appropriations Committee did not recommend any new changes.

Appropriation: None.

Fiscal Note: Available.

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

Staff Summary of Public Testimony:

(In support) Democracy is strongest when everyone who is eligible to vote gets to participate. One barrier that we know of is that the voting process can be overwhelming for members of our community who have been naturalized, and for them to have access to information is helpful.

(Opposed) None.

Persons Testifying: Alex Hur, OneAmerica.

Persons Signed In To Testify But Not Testifying: None.