

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 24-1368

BY REPRESENTATIVE(S) Lindsay and Velasco, Amabile, Bacon, Boesenecker, Clifford, deGruy Kennedy, Duran, Epps, Froelich, Garcia, Hamrick, Hernandez, Herod, Joseph, Kipp, Lieder, Lindstedt, Lukens, Mabrey, Martinez, Marvin, Mauro, McCormick, Ricks, Rutinel, Story, Titone, Vigil, Willford, Woodrow, Young, McCluskie;
also SENATOR(S) Gonzales, Bridges, Buckner, Cutter, Fields, Ginal, Jaquez Lewis, Michaelson Jenet, Priola, Sullivan, Winter F., Fenberg.

CONCERNING THE CREATION OF THE LANGUAGE ACCESS ADVISORY BOARD,
AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, **add** part 20 to article 3 of title 2 as follows:

PART 20 LANGUAGE ACCESS ADVISORY BOARD

2-3-2001. Definitions. AS USED IN THIS PART 20, UNLESS THE CONTEXT OTHERWISE REQUIRES:

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

(1) "ADVISORY BOARD" MEANS THE LANGUAGE ACCESS ADVISORY BOARD CREATED IN SECTION 2-3-2002.

(2) "LIMITED ENGLISH PROFICIENCY" MEANS A LEVEL OF ENGLISH LANGUAGE PROFICIENCY THAT LIMITS ACCESS TO AND PARTICIPATION IN THE LEGISLATIVE PROCESS.

(3) "STUDY" MEANS THE STUDY ON LANGUAGE ACCESS TO THE LEGISLATIVE PROCESS CONDUCTED PURSUANT TO THIS PART 20.

2-3-2002. Language access advisory board - creation - membership - meetings. (1) NOTWITHSTANDING SECTION 2-3-303.3, THERE IS CREATED THE LANGUAGE ACCESS ADVISORY BOARD. THE PURPOSE OF THE ADVISORY BOARD IS TO BRING TOGETHER THE APPROPRIATE STAKEHOLDERS, EXPERTS, AND IMPACTED GROUPS TO STUDY AND MAKE RECOMMENDATIONS ON IMPROVING MEANINGFUL ACCESS TO THE LEGISLATIVE PROCESS FOR POPULATIONS WITH LIMITED ENGLISH PROFICIENCY TO ENSURE EFFECTIVE COMMUNICATION AND EQUITABLE PARTICIPATION.

(2)(a) THE ADVISORY BOARD CONSISTS OF ELEVEN VOTING MEMBERS AS FOLLOWS:

(I) THREE MEMBERS OF THE HOUSE OF REPRESENTATIVES, WITH TWO MEMBERS OF THE MAJORITY PARTY APPOINTED BY THE MAJORITY LEADER OF THE HOUSE OF REPRESENTATIVES AND ONE MEMBER OF THE MINORITY PARTY APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES;

(II) TWO MEMBERS OF THE SENATE, WITH ONE MEMBER OF THE MAJORITY PARTY APPOINTED BY THE MAJORITY LEADER OF THE SENATE AND ONE MEMBER OF THE MINORITY PARTY APPOINTED BY THE MINORITY LEADER OF THE SENATE;

(III) ONE MEMBER REPRESENTING THE COLORADO LANGUAGE ACCESS COALITION, APPOINTED BY THE MAJORITY LEADER OF THE HOUSE OF REPRESENTATIVES;

(IV) ONE MEMBER REPRESENTING A LOCAL GOVERNMENT THAT HAS IMPLEMENTED A LANGUAGE ACCESS PLAN OR HAS A LANGUAGE ACCESS ADVISORY ENTITY, APPOINTED BY THE MAJORITY LEADER OF THE SENATE;

(V) ONE MEMBER REPRESENTING PERSONS WITH DISABILITIES, APPOINTED BY THE MAJORITY LEADER OF THE HOUSE OF REPRESENTATIVES;

(VI) ONE MEMBER WHO WORKS IN TRANSLATION OR INTERPRETATION SERVICES, APPOINTED BY THE MAJORITY LEADER OF THE SENATE;

(VII) ONE MEMBER WITH EXPERIENCE IN LANGUAGE ACCESS IN RURAL COMMUNITIES, APPOINTED BY THE MINORITY LEADER OF THE HOUSE OF REPRESENTATIVES; AND

(VIII) ONE MEMBER WITH EXPERTISE IN LANGUAGE ACCESS RELATING TO ELECTIONS, APPOINTED BY THE MINORITY LEADER OF THE SENATE.

(b) THE ADVISORY BOARD CONSISTS OF TWO NONVOTING MEMBERS AS FOLLOWS:

(I) THE DIRECTOR OF RESEARCH OF THE LEGISLATIVE COUNCIL OR THE DIRECTOR'S DESIGNEE; AND

(II) THE DIRECTOR OF THE OFFICE OF LEGISLATIVE LEGAL SERVICES OR THE DIRECTOR'S DESIGNEE.

(3) (a) THE APPOINTING AUTHORITIES SHALL MAKE THE APPOINTMENTS DESCRIBED IN SUBSECTION (2) OF THIS SECTION NO LATER THAN JUNE 15, 2024.

(b) THE MAJORITY LEADER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT THE CHAIR OF THE ADVISORY BOARD, AND THE MAJORITY LEADER OF THE SENATE SHALL APPOINT THE VICE-CHAIR OF THE ADVISORY BOARD.

(c) EACH MEMBER OF THE ADVISORY BOARD SERVES AT THE PLEASURE OF THE APPOINTING AUTHORITY. THE TERM OF APPOINTMENT IS FOR THE DURATION OF THE ADVISORY BOARD'S EXISTENCE.

(d) IF A VACANCY OCCURS ON THE ADVISORY BOARD FOR ANY REASON, THE ORIGINAL APPOINTING AUTHORITY SHALL APPOINT AN INDIVIDUAL WHO MEETS THE REQUIREMENTS OF THE VACANT POSITION TO

FILL THE VACANCY AS SOON AS POSSIBLE AFTER THE VACANCY OCCURS.

(4) (a) EACH LEGISLATIVE MEMBER OF THE ADVISORY BOARD IS ENTITLED TO RECEIVE PAYMENT OF PER DIEM AND REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES AS AUTHORIZED IN SECTION 2-2-326.

(b) EACH NONLEGISLATIVE MEMBER OF THE ADVISORY BOARD SERVES WITHOUT COMPENSATION BUT IS ENTITLED TO RECEIVE REIMBURSEMENT FOR ACTUAL AND NECESSARY TRAVEL EXPENSES INCURRED IN THE PERFORMANCE OF THE MEMBER'S DUTIES ON THE ADVISORY BOARD.

(5) MEMBERS OF THE ADVISORY BOARD MAY PARTICIPATE REMOTELY IN ADVISORY BOARD MEETINGS AND OTHER ACTIVITIES.

(6) THE CHAIR AND VICE-CHAIR OF THE ADVISORY BOARD SHALL CONVENE THE FIRST MEETING OF THE ADVISORY BOARD NO LATER THAN JULY 31, 2024. THE ADVISORY BOARD SHALL MEET AT LEAST FOUR TIMES IN 2024 TO COMPLETE THE DUTIES SPECIFIED IN SECTION 2-3-2003. THE CHAIR MAY CALL ADDITIONAL MEETINGS AS ARE NECESSARY FOR THE ADVISORY BOARD TO COMPLETE ITS DUTIES.

(7) THE LEGISLATIVE COUNCIL STAFF AND THE OFFICE OF LEGISLATIVE LEGAL SERVICES SHALL BE AVAILABLE TO ASSIST THE ADVISORY BOARD IN CARRYING OUT ITS DUTIES.

2-3-2003. Language access advisory board - powers and duties - report. (1) (a) THE PURPOSE OF THE ADVISORY BOARD IS TO STUDY AND MAKE RECOMMENDATIONS FOR IMPROVING MEANINGFUL ACCESS TO THE LEGISLATIVE PROCESS FOR POPULATIONS WITH LIMITED ENGLISH PROFICIENCY.

(b) IN COMPLETING THE STUDY REQUIRED BY THIS PART 20, THE ADVISORY BOARD SHALL, AT A MINIMUM:

(I) IDENTIFY CURRENT LANGUAGE-RELATED BARRIERS TO THE LEGISLATIVE PROCESS FOR STATE RESIDENTS WITH LIMITED ENGLISH PROFICIENCY;

(II) EXAMINE THE SUCCESS OF CURRENT LANGUAGE ACCESS MEASURES RELATING TO THE LEGISLATIVE PROCESS;

(III) CONSIDER THE DEVELOPMENT OF A LANGUAGE ACCESS PLAN COVERING THE GENERAL ASSEMBLY AND THE LEGISLATIVE PROCESS;

(IV) EVALUATE OPTIONS FOR ORAL INTERPRETATION AND WRITTEN TRANSLATION OF LEGISLATIVE ACTIVITIES, INCLUDING:

(A) THE INTERPRETATION OF COMMITTEE HEARINGS, PUBLIC TESTIMONY, AND FLOOR PROCEEDINGS;

(B) THE TRANSLATION OF WRITTEN PUBLICATIONS OF THE GENERAL ASSEMBLY, INCLUDING LEGISLATIVE DOCUMENTS AND MATERIALS, AND THE GENERAL ASSEMBLY WEBSITE;

(C) WHETHER INTERPRETATION SHOULD BE SIMULTANEOUS OR CONSECUTIVE;

(D) WHETHER TRANSLATION AND INTERPRETATION SERVICES SHOULD BE PROVIDED BY LEGISLATIVE STAFF OR A THIRD PARTY; AND

(E) NECESSARY QUALIFICATIONS OR OTHER REQUIREMENTS FOR INDIVIDUALS PROVIDING TRANSLATION OR INTERPRETATION SERVICES; AND

(V) ASSESS LANGUAGE ACCESS CONCERNING THE BALLOT INFORMATION BOOKLET, REQUIRED PURSUANT TO SECTION 1-40-124.5 AND SECTION 1 OF ARTICLE V OF THE STATE CONSTITUTION, INCLUDING:

(A) SOLUTIONS TO MAKE THE BALLOT INFORMATION BOOKLET MORE ACCESSIBLE TO STATE RESIDENTS WITH LIMITED ENGLISH PROFICIENCY;

(B) METHODS FOR DETERMINING THE LANGUAGES INTO WHICH THE BALLOT INFORMATION BOOKLET IS TRANSLATED;

(C) METHODS OF DISTRIBUTION TO BEST SERVE COMMUNITIES OF STATE RESIDENTS WITH LIMITED ENGLISH PROFICIENCY;

(D) MONETARY AND PUBLICATION-RELATED CONSTRAINTS; AND

(E) THE IMPACT OF FEDERAL AND STATE CONSTITUTIONAL REQUIREMENTS.

(c) IN COMPLETING THE STUDY, THE ADVISORY BOARD:

(I) SHALL CONDUCT AT LEAST ONE PUBLIC COMMENT SESSION FOR THE PUBLIC TO PROVIDE INPUT REGARDING LANGUAGE ACCESS TO THE LEGISLATIVE PROCESS;

(II) MAY CONDUCT ADDITIONAL PUBLIC COMMENT SESSIONS OR ENGAGE WITH THE COMMUNITY THROUGH INTERVIEWS AND OTHER METHODS DESIGNED TO GARNER PUBLIC INPUT AND COMMENT; AND

(III) SHALL ALLOW SUBJECT MATTER EXPERTS TO PARTICIPATE IN ADVISORY BOARD DISCUSSIONS UPON INVITATION FROM THE ADVISORY BOARD AND, AT A MINIMUM, SHALL SOLICIT INPUT FROM:

(A) THE SECRETARY OF STATE OR THE SECRETARY OF STATE'S DESIGNEE;

(B) A REPRESENTATIVE OF THE SOUTHERN UTE INDIAN TRIBE;

(C) A REPRESENTATIVE OF THE UTE MOUNTAIN UTE TRIBE; AND

(D) A REPRESENTATIVE FOR COUNTY CLERKS OF THE STATE.

(2) ON OR BEFORE DECEMBER 15, 2024, THE ADVISORY BOARD SHALL SUBMIT A REPORT TO THE EXECUTIVE COMMITTEE OF THE LEGISLATIVE COUNCIL THAT INCLUDES A SUMMARY OF THE WORK ACCOMPLISHED BY THE ADVISORY BOARD, THE FINDINGS OF THE STUDY, AND ANY LEGISLATIVE RECOMMENDATIONS TO THE GENERAL ASSEMBLY CONCERNING MATTERS STUDIED BY THE ADVISORY BOARD.

2-3-2004. Repeal of part. THIS PART 20 IS REPEALED, EFFECTIVE JANUARY 1, 2025.

SECTION 2. Appropriation. (1) For the 2024-25 state fiscal year, \$29,741 is appropriated to the legislative department. This appropriation is from the general fund. To implement this act, the department may use this appropriation as follows:

(a) \$22,047 for use by the legislative council, which amount is based on an assumption that the council will require an additional 0.3 FTE; and

(b) \$7,694 for use by the general assembly.

SECTION 3. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Steve Fenberg
PRESIDENT OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO