

**Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 24-1002.01 Rebecca Bayetti x4348

HOUSE BILL 24-1368

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Appropriations

A BILL FOR AN ACT

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

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill creates the language access advisory board (advisory board). The advisory board consists of 13 members, including 11 voting and 2 nonvoting members. Each voting member of the advisory board is appointed, as specified in the bill, by either the majority leader or minority leader of either the house of representatives or the senate, and

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
*Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.*

SENATE
2nd Reading Unamended
May 1, 2024

HOUSE
3rd Reading Unamended
April 17, 2024

HOUSE
Amended 2nd Reading
April 15, 2024

the voting members are:

- 3 members of the house of representatives;
- 2 members of the senate;
- One member representing the Colorado Language Access Coalition;
- One member representing a local government that has implemented a language access plan or has a language access advisory entity;
- One member representing persons with disabilities;
- One member who works in translation or interpretation services;
- One member with experience in language access in rural communities; and
- One member with expertise in language access relating to elections.

The nonvoting members of the advisory board are:

- The director of research of the legislative council or the director's designee; and
- The director of the office of legislative legal services or the director's designee.

The purpose of the advisory board is to assess and develop recommendations for improving meaningful access to the legislative process for populations with limited English proficiency. In performing this assessment, the advisory board must solicit public comment and input from subject matter experts. The advisory board must:

- Identify current language-related barriers to the legislative process for state residents with limited English proficiency;
- Examine the success of current language access measures relating to the legislative process;
- Consider the development of a language access plan covering the general assembly and the legislative process;
- Evaluate options for oral interpretation and written translation of legislative activities, including:
 - The interpretation of committee hearings, public testimony, and floor proceedings;
 - The translation of written publications of the general assembly, including legislative documents and materials, and the general assembly website;
 - Whether interpretation should be simultaneous or consecutive;
 - Whether translation and interpretation services should be provided by legislative staff or a third party; and
 - Necessary qualifications or other requirements for individuals providing translation or interpretation

- services; and
- Assess language access concerning the ballot information booklet, including:
 - Solutions to make the ballot information booklet more accessible to state residents with limited English proficiency;
 - Methods for determining the languages into which the ballot information booklet is translated;
 - Methods of distribution to best serve communities of state residents with limited English proficiency;
 - Monetary and publication-related constraints; and
 - The impact of federal and state constitutional requirements.

In addition, the advisory board must:

- Be appointed on or before June 15, 2024;
- Hold its first meeting on or before July 31, 2024; and
- Submit the report of its findings and recommendations to the executive committee of the legislative council on or before December 15, 2024.

The advisory board is repealed on January 1, 2025.

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

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

4 PART 20

5 LANGUAGE ACCESS ADVISORY BOARD

6 **2-3-2001. Definitions.** AS USED IN THIS PART 20, UNLESS THE
 7 CONTEXT OTHERWISE REQUIRES:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

26 (c) EACH MEMBER OF THE ADVISORY BOARD SERVES AT THE
27 PLEASURE OF THE APPOINTING AUTHORITY. THE TERM OF APPOINTMENT IS

1 FOR THE DURATION OF THE ADVISORY BOARD'S EXISTENCE.

2 (d) IF A VACANCY OCCURS ON THE ADVISORY BOARD FOR ANY
3 REASON, THE ORIGINAL APPOINTING AUTHORITY SHALL APPOINT AN
4 INDIVIDUAL WHO MEETS THE REQUIREMENTS OF THE VACANT POSITION TO
5 FILL THE VACANCY AS SOON AS POSSIBLE AFTER THE VACANCY OCCURS.

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

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

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

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

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

25 **2-3-2003. Language access advisory board - powers and duties**
26 **- report.** (1) (a) THE PURPOSE OF THE ADVISORY BOARD IS TO STUDY AND
27 MAKE RECOMMENDATIONS FOR IMPROVING MEANINGFUL ACCESS TO THE

1 LEGISLATIVE PROCESS FOR POPULATIONS WITH LIMITED ENGLISH
2 PROFICIENCY.

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

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

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

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

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

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

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

19 (C) WHETHER INTERPRETATION SHOULD BE SIMULTANEOUS OR
20 CONSECUTIVE;

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

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

26 (V) ASSESS LANGUAGE ACCESS CONCERNING THE BALLOT
27 INFORMATION BOOKLET, REQUIRED PURSUANT TO SECTION 1-40-124.5 AND

1 SECTION 1 OF ARTICLE V OF THE STATE CONSTITUTION, INCLUDING:

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

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

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

9 (D) MONETARY AND PUBLICATION-RELATED CONSTRAINTS; AND

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

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

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

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

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

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

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

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

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

27 (2) ON OR BEFORE DECEMBER 15, 2024, THE ADVISORY BOARD

1 SHALL SUBMIT A REPORT TO THE EXECUTIVE COMMITTEE OF THE
2 LEGISLATIVE COUNCIL THAT INCLUDES A SUMMARY OF THE WORK
3 ACCOMPLISHED BY THE ADVISORY BOARD, THE FINDINGS OF THE STUDY,
4 AND ANY LEGISLATIVE RECOMMENDATIONS TO THE GENERAL ASSEMBLY
5 CONCERNING MATTERS STUDIED BY THE ADVISORY BOARD.

6 **2-3-2004. Repeal of part.** THIS PART 20 IS REPEALED, EFFECTIVE
7 JANUARY 1, 2025.

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

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

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

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