
State Government & Tribal Relations Committee

HB 2023

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 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.

Hearing Date: 1/10/24

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

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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.