
HOUSE BILL 1861

State of Washington

68th Legislature

2023 Regular Session

By Representatives Shavers, Lekanoff, Fosse, Ortiz-Self, and Callan

Read first time 04/23/23. Referred to Committee on State Government & Tribal Relations.

1 AN ACT Relating to improving meaningful access to elections by
2 increasing language assistance; and adding a new section to chapter
3 29A.04 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 29A.04
6 RCW to read as follows:

7 (1) Except as provided under RCW 29A.92.050:

8 (a) If at least one and one-half percent of citizens residing in
9 a county who are of voting age or qualified to register to vote are
10 members of a single language minority group and have limited English
11 proficiency, and the illiteracy rate of the limited English
12 proficient citizens who speak the same language exceed the national
13 illiteracy rate, the county auditor shall provide election
14 instructions and material as required under this title in the
15 language of that language minority group as well as in English; and

16 (b) If a county contains all or any part of an Indian reservation
17 and at least one and one-half percent of the American Indian or
18 Alaska Native citizens residing within the Indian reservation who are
19 of voting age or qualified to register to vote are members of a
20 single language minority group and have limited English proficiency,
21 and the illiteracy rate of the limited English proficient citizens

1 who speak the same language exceed the national illiteracy rate, the
2 county auditor shall provide election instructions and material as
3 required under this title in the language of that language minority
4 group as well as in English.

5 (2) For purposes of this section:

6 (a) "Illiteracy" means the failure to complete the fifth primary
7 grade.

8 (b) "Indian reservation" means all lands, notwithstanding the
9 issuance of any patent, within the boundaries of areas set aside by
10 the United States for the use and occupancy of Indian tribes by
11 treaty, law, or executive order, or otherwise designated or described
12 "reservation" by any federal act, and that are currently recognized
13 as "Indian reservations" by the United States department of the
14 interior. The term applies to all land within the boundaries of the
15 Indian reservation, regardless of whether the land is owned by
16 nonmembers, tribal members, or an Indian tribe.

17 (c) "Limited English proficiency" means that the person is unable
18 to speak or understand English adequately enough to participate in
19 the electoral process.

20 (d) "Single language minority group" means persons who are
21 American Indian, Asian American, Alaskan Natives, or of Spanish
22 heritage.

23 (3) The obligation of counties to comply with the requirements
24 established in subsection (1) of this section is contingent on the
25 provision of state funding to counties for the specific purpose of
26 complying with these requirements.

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