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HOUSE BILL 25-1153

BY REPRESENTATIVE(S) Velasco and Joseph, Brown, Clifford, Duran, Froelich, Hamrick, Lindsay, Rutinel, Woodrow, McCluskie;
also SENATOR(S) Jodeh, Amabile, Ball, Bridges, Cutter, Daugherty, Exum, Gonzales J., Hinrichsen, Kipp, Michaelson Jenet, Mullica, Sullivan, Wallace, Weissman, Coleman.

CONCERNING A STATEWIDE LANGUAGE ACCESS ASSESSMENT COVERING
PRINCIPAL DEPARTMENTS, 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** 24-30-105 as follows:

24-30-105. Statewide language access assessment - report - legislative declaration - definitions. (1) **Legislative declaration.** THE GENERAL ASSEMBLY FINDS AND DECLARES THAT:

(a) ALMOST NINE HUNDRED THOUSAND COLORADANS SPEAK A LANGUAGE OTHER THAN ENGLISH, WITH THE TOP FIVE LANGUAGES BEING SPANISH, CHINESE, VIETNAMESE, GERMAN, AND RUSSIAN, AND MORE THAN

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.

THREE HUNDRED THOUSAND COLORADANS FACE LINGUISTIC BARRIERS TO ACCESSING STATE GOVERNMENT SERVICES AND PROGRAMS;

(b) PROVIDING LANGUAGE ACCESS FOR STATE GOVERNMENT SERVICES AND PROGRAMS IS KEY TO IMPROVING THEIR EFFECTIVENESS AND SUPPORTING SUCCESSFUL INTEGRATION AND INCLUSION OF IMMIGRANTS AND THEIR FAMILIES INTO COLORADO'S CIVIC, ECONOMIC, AND SOCIAL LIFE;

(c) IT IS THE INTENT OF THE OFFICE OF NEW AMERICANS IN THE COLORADO DEPARTMENT OF LABOR AND EMPLOYMENT TO WORK ADMINISTRATIVELY, IN CONCERT WITH THE APPROPRIATE OFFICE OF THE DEPARTMENT OF PERSONNEL, TO ESTABLISH AN INTERIM LANGUAGE ACCESS WORKING GROUP MADE UP OF THE PRINCIPAL DEPARTMENTS OF THE STATE;

(d) ONCE ESTABLISHED, THE INTERIM LANGUAGE ACCESS WORKING GROUP WILL WORK TO DRAFT A STATEWIDE LANGUAGE ACCESS POLICY FOR THE CONSIDERATION OF THE GOVERNOR;

(e) UPON APPROVAL OF THE DRAFT POLICY BY THE GOVERNOR, A LANGUAGE ACCESS UNIVERSAL POLICY WILL BE ADOPTED AND PUBLISHED BY THE DIVISION OF HUMAN RESOURCES WITHIN THE DEPARTMENT OF PERSONNEL;

(f) THE LANGUAGE ACCESS ASSESSMENT CREATED IN THIS SECTION WILL ASSESS THE EFFECTIVENESS OF THE LANGUAGE ACCESS UNIVERSAL POLICY IN MEETING THE NEEDS OF MULTILINGUAL COLORADANS AND WILL ASSESS THE READINESS OF PRINCIPAL DEPARTMENTS TO MEET THE STATEWIDE LANGUAGE ACCESS STANDARDS; AND

(g) UPON COMPLETION OF THE ASSESSMENT AND NOT LATER THAN DECEMBER 31, 2026, THE INTERIM LANGUAGE ACCESS WORKING GROUP WILL DISSOLVE AND TRANSITION TO A COMMUNITY OF PRACTICE MAINTAINED BY THE APPROPRIATE OFFICE OF THE DEPARTMENT OF PERSONNEL. TO THE EXTENT POSSIBLE, THE DEPARTMENT OF PERSONNEL WILL WORK TO ENSURE REPRESENTATION IN THE COMMUNITY OF PRACTICE FROM LINGUISTICALLY DIVERSE INDIVIDUALS AND OTHER COMMUNITY MEMBERS WITH PROFESSIONAL OR LIVED EXPERIENCE WITH LANGUAGE ACCESS INITIATIVES AND FROM ACROSS STATE AGENCIES, WHILE LIMITING TOTAL PARTICIPATION TO TWENTY PEOPLE. THE ONGOING WORK OF THE LANGUAGE ACCESS COMMUNITY OF PRACTICE WILL BE INFORMED BY THE WORK OF THE INTERIM

LANGUAGE ACCESS WORKING GROUP AND WILL FOCUS ON IMPLEMENTING THE LANGUAGE ACCESS UNIVERSAL POLICY WITH ONGOING OBSERVATION OF BEST PRACTICES IN THE PRINCIPAL DEPARTMENTS.

(2) **Definitions.** AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "DEPARTMENT" MEANS THE DEPARTMENT OF PERSONNEL CREATED IN SECTION 24-1-128.

(b) "EXECUTIVE DIRECTOR" MEANS THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PERSONNEL.

(c) "LANGUAGE ACCESS ASSESSMENT" OR "ASSESSMENT" MEANS THE STATEWIDE ASSESSMENT ON LANGUAGE ACCESS READINESS REQUIRED BY SUBSECTION (3) OF THIS SECTION.

(d) "LANGUAGE ACCESS UNIVERSAL POLICY" MEANS THE STATEWIDE POLICY STANDARDS FOR LANGUAGE ACCESS IDENTIFIED BY THE INTERIM LANGUAGE ACCESS WORKING GROUP INITIATED BY THE OFFICE OF NEW AMERICANS AND THE DEPARTMENT IN 2025.

(e) "LINGUISTICALLY DIVERSE INDIVIDUALS" MEANS INDIVIDUALS SEEKING TO ACCESS STATE GOVERNMENT SERVICES IN THE LANGUAGE OF THEIR CHOICE WHO MAY HAVE ENGLISH LANGUAGE PROFICIENCY THAT REQUIRES LANGUAGE SUPPORT IN CERTAIN CONTEXTS. "LINGUISTICALLY DIVERSE INDIVIDUALS" INCLUDES INDIVIDUALS WITH LIMITED ENGLISH PROFICIENCY AS PROVIDED BY TITLE VI OF THE "CIVIL RIGHTS ACT OF 1964," 42 U.S.C. SEC. 2000D ET SEQ.; FEDERAL EXECUTIVE ORDER 13166, "IMPROVING ACCESS TO SERVICES FOR PERSONS WITH LIMITED ENGLISH PROFICIENCY," AS PUBLISHED IN 65 FED. REG. 50121 (AUGUST 11, 2000); AND OTHER FEDERAL ANTI-DISCRIMINATION STATUTES.

(f) "OFFICE OF NEW AMERICANS" MEANS THE COLORADO OFFICE OF NEW AMERICANS CREATED IN SECTION 8-3.7-103.

(g) "OTHER COVERED ENTITY" MEANS A PUBLIC OR PRIVATE ENTITY THAT RECEIVES STATE FUNDING OR CONTRACTS TO ADMINISTER PROGRAMS OR SERVICES FOR THE PUBLIC, INCLUDING RECEIVING STATE FUNDING THROUGH GRANTS, PURCHASE-OF-SERVICE CONTRACTS, OR ANY OTHER

ARRANGEMENT BY WHICH THE STATE PROVIDES OR OTHERWISE MAKES AVAILABLE ASSISTANCE IN THE FORM OF MONEY TO A PERSON FOR THE PURPOSE OF RENDERING SERVICES TO THE PUBLIC.

(h) "PRINCIPAL DEPARTMENT" MEANS A PRINCIPAL DEPARTMENT LISTED IN SECTION 24-1-110; EXCEPT THAT "PRINCIPAL DEPARTMENT" DOES NOT INCLUDE THE DEPARTMENT OF STATE, THE DEPARTMENT OF THE TREASURY, OR THE DEPARTMENT OF LAW.

(i) "THIRD-PARTY ENTITY" MEANS AN ENTITY THAT HAS ENTERED INTO AN AGREEMENT WITH THE DEPARTMENT TO CONDUCT ALL OR PART OF THE LANGUAGE ACCESS ASSESSMENT.

(3) Statewide language access assessment. (a) THE EXECUTIVE DIRECTOR, IN PARTNERSHIP WITH THE OFFICE OF NEW AMERICANS, SHALL ASSESS OR CONTRACT FOR AN ASSESSMENT OF THE READINESS OF PRINCIPAL DEPARTMENTS TO MEET THE LANGUAGE ACCESS STANDARDS OUTLINED IN THE LANGUAGE ACCESS UNIVERSAL POLICY. IN ADDITION TO ANY AREA OF ASSESSMENT DEEMED APPROPRIATE BY THE EXECUTIVE DIRECTOR, THE OFFICE OF NEW AMERICANS, OR THE THIRD-PARTY ENTITY, THE ASSESSMENT MUST IDENTIFY:

(I) THE NEEDS OF PRINCIPAL DEPARTMENTS TO MEET THE STANDARDS OUTLINED IN THE LANGUAGE ACCESS UNIVERSAL POLICY, INCLUDING REQUESTS FOR GUIDANCE, TRAINING, AND TECHNICAL ASSISTANCE;

(II) RELEVANT LANGUAGE ACCESS MATERIALS FROM PRINCIPAL DEPARTMENTS, INCLUDING LANGUAGE ACCESS PLANS, POSITION DESCRIPTIONS RELATED TO LANGUAGE ACCESS, PROCEDURES RELATED TO LANGUAGE ACCESS, AND TECHNICAL ASSISTANCE OR TRAINING MATERIALS;

(III) INFORMATION ON CURRENT LANGUAGE SERVICES CONTRACTS, EXPENDITURES, AND FUNDING SOURCES RELATED TO LANGUAGE ACCESS;

(IV) THE PUBLIC-FACING RESPONSIBILITIES OF PRINCIPAL DEPARTMENTS, INCLUDING DESIGNATING WHICH PRINCIPAL DEPARTMENTS AND THEIR SUBCONTRACTORS DO AND DO NOT HAVE FREQUENT CONTACT WITH LINGUISTICALLY DIVERSE INDIVIDUALS; AND

(V) OTHER COVERED ENTITIES THAT MAY BE SUBJECT TO THE STANDARDS OUTLINED IN THE LANGUAGE ACCESS UNIVERSAL POLICY.

(b) A PRINCIPAL DEPARTMENT SHALL PROVIDE ANY NONCONFIDENTIAL DATA AND NON-PERSONALLY IDENTIFIABLE INFORMATION THAT IS NECESSARY TO COMPLETE THE ASSESSMENT, AS AVAILABLE, UPON REQUEST OF THE EXECUTIVE DIRECTOR OR THE THIRD-PARTY ENTITY.

(c) (I) THE EXECUTIVE DIRECTOR MAY ENTER INTO AN AGREEMENT WITH ONE OR MORE THIRD-PARTY ENTITIES TO CONDUCT ALL OR PART OF THE ASSESSMENT.

(II) A THIRD-PARTY ENTITY THAT ENTERS INTO AN AGREEMENT WITH THE EXECUTIVE DIRECTOR TO CONDUCT ALL OR PART OF THE ASSESSMENT MUST HAVE DEMONSTRATED EXPERTISE IN WORKING WITH STATE GOVERNMENTS ON LANGUAGE ACCESS INITIATIVES, SUCH AS DEVELOPING LANGUAGE ACCESS POLICIES OR PLANS.

(III) THE THIRD-PARTY ENTITY MAY BE FROM OUTSIDE COLORADO.

(4) **Report.** (a) AT THE CONCLUSION OF THE ASSESSMENT AND NOT LATER THAN DECEMBER 31, 2026, THE EXECUTIVE DIRECTOR, THE OFFICE OF NEW AMERICANS, OR THE THIRD-PARTY ENTITY, AS APPROPRIATE, SHALL CREATE A REPORT SUMMARIZING THE FINDINGS AND RECOMMENDATIONS OF THE ASSESSMENT, INCLUDING RECOMMENDATIONS CONCERNING:

(I) IMPROVING EFFICIENCY, INCREASING QUALITY OF SERVICE, REDUCING COST, AVOIDING DUPLICATIVE WORK, BUILDING ON EXISTING BEST PRACTICES, AND MINIMIZING ADMINISTRATIVE BURDEN WITH RESPECT TO THE PROVISION OF LINGUISTICALLY ACCESSIBLE GOVERNMENT SERVICES AND PROGRAMS TO LINGUISTICALLY DIVERSE INDIVIDUALS;

(II) ADDRESSING GAPS AND IMPROVING MEANINGFUL SERVICE THROUGH CHANGES TO LANGUAGE ACCESS SERVICES, PRACTICES, AND PROCEDURES;

(III) EVALUATING POTENTIAL TECHNOLOGICAL OPTIONS FOR INCREASING LANGUAGE ACCESS, SUCH AS ARTIFICIAL INTELLIGENCE; AND

(IV) DETERMINING WHAT INFRASTRUCTURE IS NEEDED TO ENSURE FULL AND SUSTAINABLE IMPLEMENTATION OF THE STANDARDS OUTLINED IN THE LANGUAGE ACCESS UNIVERSAL POLICY.

(b) THE REPORT MUST INCLUDE AN EXECUTIVE SUMMARY OF THE FINDINGS AND RECOMMENDATIONS THAT DOES NOT EXCEED TWO PAGES. THE EXECUTIVE SUMMARY MUST BE WRITTEN IN PLAIN LANGUAGE AND MUST BE AVAILABLE IN ENGLISH AND THE OTHER FIVE MOST COMMONLY SPOKEN LANGUAGES IN THE STATE BY POPULATION OF LINGUISTICALLY DIVERSE INDIVIDUALS.

(c) (I) THE EXECUTIVE DIRECTOR SHALL MAKE THE REPORT ON THE ASSESSMENT PUBLICLY AVAILABLE ON THE DEPARTMENT'S WEBSITE.

(II) THE DIRECTOR OF THE OFFICE OF NEW AMERICANS SHALL MAKE THE REPORT ON THE ASSESSMENT PUBLICLY AVAILABLE ON THE OFFICE'S WEBSITE.

(III) UPON REQUEST, THE EXECUTIVE DIRECTOR OR THE DIRECTOR OF THE OFFICE OF NEW AMERICANS SHALL PROVIDE A COPY OF THE REPORT IN ANY REQUESTED LANGUAGE.

(d) IN JANUARY 2027, THE DEPARTMENT SHALL INCLUDE, AS PART OF ITS PRESENTATION DURING ITS "SMART ACT" HEARING REQUIRED BY SECTION 2-7-203, A SUMMARY OF THE INFORMATION INCLUDED IN THE REPORT REQUIRED BY THIS SUBSECTION (4) CONCERNING THE LANGUAGE ACCESS ASSESSMENT.

SECTION 2. Appropriation. For the 2025-26 state fiscal year, \$100,000 is appropriated to the department of personnel for use by the Colorado equity office. This appropriation is from the general fund. To implement this act, the office may use this appropriation for personal services. Any money appropriated in this section not expended prior to July 1, 2026, is further appropriated to the office through December 31, 2026, for the same purpose.

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

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

APPROVED _____
(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO