

AMENDED IN ASSEMBLY MAY 23, 2025

AMENDED IN ASSEMBLY MARCH 28, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

ASSEMBLY BILL

No. 1242

**Introduced by Assembly Members Nguyen and Lee
(Coauthors: Assembly Members Bonta, Krell, and
Celeste Rodriguez)**

February 21, 2025

An act to amend Sections 7295.2, 7295.4, 7296.2, 7299.3, 7299.4, and 7299.6 of the Government Code, and to add Division 115 (commencing with Section 135000) to the Health and Safety Code, relating to language access.

LEGISLATIVE COUNSEL’S DIGEST

AB 1242, as amended, Nguyen. Language access.

Existing law, the Dymally-Alatorre Bilingual Services Act, requires every state agency directly involved in the furnishing of information or the rendering of services to the public where contact is made with a substantial number of non-English-speaking people to employ a sufficient number of qualified bilingual persons in public contact positions to ensure provision of information and services to the public in the language of the non-English-speaking person, except as specified. The act requires every state agency that serves a substantial number of non-English-speaking people and provides materials in English explaining services to also provide the same type of materials in any non-English language spoken by a substantial number of the public served by the agency, as specified. The act also requires a state agency to distribute certain written materials in the appropriate non-English

language or provide other specified translation assistance at its statewide and local offices and facilities if the state agency finds, among other things, that the statewide or local office or facility serves a substantial number of non-English-speaking persons, as specified. The act defines “substantial number of non-English-speaking people” to mean members of a group who either do not speak English or who are unable to effectively communicate in English because it is not their native language, and who comprise 5% or more of the people served by the state agency, as specified.

This bill would revise the definition of “substantial number of non-English-speaking people” to also include persons eligible to be served by the state agency, and would make related conforming changes to the act.

The act requires each state agency to conduct a language survey of each of its statewide and local offices every 2 years to determine and provide, among other things, the number and percentage of non-English-speaking people served by each statewide and local office, broken down by native language. The act requires each state agency to develop and update an implementation plan that provides a detailed description of how the agency plans to address any deficiencies in meeting the requirements of the act, as specified. The act authorizes a state agency to rely upon data gathered from its most recent language survey in developing its implementation plan.

This bill would revise and recast the above-described language survey requirements to instead require each state agency to conduct an assessment and survey of the language needs of non-English-speaking and limited-English-speaking people, as specified. The bill would require a state agency to utilize specified information in conducting the assessment and survey and in developing and updating the above-described implementation plan, including, among other things, the most recent census data from the United States Census Bureau. The bill would authorize a state agency to rely on its most recent survey and assessment in developing its implementation plan.

The act requires each state agency to report to the Department of Human Resources the language survey results, its implementation plan, and any additional information requested by the department, as specified. The act requires the department to review the results of the surveys and implementation plans, compile that data, and provide a report to the Legislature every 2 years that identifies significant problems or deficiencies and propose solutions where warranted.

This bill would include each state agency's most recent language assessment in the materials required to be reported to and reviewed by the department, and would require the department's report to the Legislature to include each state agency's language assessment, survey results, and implementation plan.

This bill would also establish the position of Language Access Director, within the California Health and Human Services Agency, to ensure individuals with limited English proficiency and individuals who are deaf or hard of hearing have meaningful access to government programs and services. This bill would require the Language Access Director to, among other things, lead the implementation, monitoring, and periodic updating of every Language Access Plan within the agency and coordinate with language access coordinators throughout the agency to implement each Language Access Plan. The bill would require the Language Access Director, commencing no later than January 1, 2027, to engage communities with limited English proficiency and deaf and hard of hearing communities to assist in expanding access to the programs and services provided by the California Health and Human Services Agency and the various departments and offices within the agency. ~~The bill would require the Language Access Director, commencing November 1, 2027, and every other year thereafter, to submit a report to the Legislature and the relevant policy committees that contains specific information, including challenges encountered while implementing Language Access Plans, lessons learned, best practices, and metrics regarding individuals with limited English proficiency and individuals who are deaf or hard of hearing who use agency services.~~

This bill would require the Language Access Director to develop a Language Access Plan Guidance Document to support its various departments and offices in the development of their Language Access Plans. The bill would require each department and office within the agency to develop a Language Access Plan, as specified. The bill would require the California Health and Human Services Agency to allocate, from a specified appropriation, sufficient funds to implement and carry out the provisions relating to the Language Access Director and Language Access Plans.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares that this act
2 aligns with Executive Order No. N-16-22, which committed to
3 strengthening equity and language access, and the California Health
4 and Human Services Agency's Language Access Plan Guidance
5 Document.

6 SEC. 2. Section 7295.2 of the Government Code is amended
7 to read:

8 7295.2. Every state agency that serves or is eligible to serve a
9 substantial number of non-English-speaking people and that
10 provides materials in English explaining services shall also provide
11 the same type of materials in any non-English language spoken
12 by a substantial number of the public served or that is eligible to
13 be served by the agency. Whenever notice of the availability of
14 materials explaining services available is given, orally or in writing,
15 it shall be given in English and in the non-English language into
16 which any materials have been translated. This section shall not
17 be interpreted to require verbatim translations of any materials
18 provided in English by a state agency.

19 SEC. 3. Section 7295.4 of the Government Code is amended
20 to read:

21 7295.4. Whenever a state agency finds that the factors listed
22 in both subdivisions (a) and (c) or (b) and (c) exist, it shall
23 distribute the applicable written materials in the appropriate
24 non-English language through its statewide and local offices or
25 facilities to non-English-speaking persons, or, as an alternative,
26 the state agency may instead elect to furnish translation aids or
27 translation guides or provide assistance, through use of a qualified
28 bilingual person, at its statewide and local offices or facilities in
29 completing English forms or questionnaires and in understanding
30 English forms, letters, or notices:

31 (a) The written materials, whether forms, applications,
32 questionnaires, letters, or notices solicit or require the furnishing
33 of information from an individual or provide that individual with
34 information.

35 (b) The information solicited, required, or furnished affects or
36 may affect the individual's rights, duties, or privileges with regard
37 to that agency's services or benefits.

1 (c) The statewide or local office or facility of the agency with
2 which the individual is dealing, serves or is eligible to serve a
3 substantial number of non-English-speaking persons.

4 SEC. 4. Section 7296.2 of the Government Code is amended
5 to read:

6 7296.2. As used in Sections 7292, 7295.2, 7295.4, 7299.3, and
7 7299.4, a “substantial number of non-English-speaking people”
8 are members of a group who either do not speak English, or who
9 are unable to effectively communicate in English because it is not
10 their native language, and who comprise 5 percent or more of the
11 people served or eligible to be served by the statewide or any local
12 office or facility of a state agency.

13 SEC. 5. Section 7299.3 of the Government Code is amended
14 to read:

15 7299.3. Notwithstanding any other provision of this chapter,
16 by July 1, 2015, a state agency subject to the requirements of this
17 chapter shall translate and make accessible on the homepage of
18 its internet website forms and processes for submitting complaints
19 of alleged violations of this chapter, as referenced in paragraph
20 (15) of subdivision (b) of Section 7299.4. The forms and processes
21 shall be translated into all languages spoken by a substantial
22 number of non-English-speaking people served or eligible to be
23 served by the state agency. Translated copies of the forms shall
24 be printed and made available in the statewide office and any local
25 office or facility of the state agency.

26 SEC. 6. Section 7299.4 of the Government Code is amended
27 to read:

28 7299.4. (a) Notwithstanding any other provision in this chapter,
29 each state agency shall conduct an assessment and survey of the
30 language needs of non-English-speaking and
31 limited-English-speaking people, and develop and update an
32 implementation plan that complies with the requirements of this
33 chapter, utilizing all of the following information:

34 (1) The most recent census data from the United States Census
35 Bureau, or recent data from any other relevant databases, including,
36 but not limited to, both of the following:

37 (A) English Learner Data, available on the DataQuest reporting
38 system provided by the State Department of Education.

39 (B) Language Microdata for California, and any other language
40 database that is based on the census and includes limited English

1 proficiency by ZIP Code and census tract, available on the DRU
2 Data Portal provided by the Department of Finance.

3 (2) Community-level input from various mechanisms, including
4 focus groups, roundtables, and advisory bodies, especially during
5 times of emergencies.

6 (3) Any relevant factors other than those described in paragraphs
7 (1) and (2), including levels of linguistic isolation and percentages
8 of limited English proficiency within each language group.

9 (b) Each agency shall conduct the assessment of language needs
10 and language survey of each of its statewide and local offices every
11 two years to determine and provide all of the following:

12 (1) The name, position, and contact information of the employee
13 designated by the agency responsible for complying with this
14 chapter.

15 (2) The number of public contact positions in each statewide
16 and local office.

17 (3) The number of qualified bilingual employees in public
18 contact positions in each statewide and local office, and the
19 languages they speak or use, other than English.

20 (4) The number and percentage of non-English-speaking or
21 limited-English-speaking people served or eligible to be served
22 by each statewide and local office, broken down by native language
23 based on any of the information described in subdivision (a) to
24 assess the language needs of the non-English-speaking or
25 limited-English-speaking populations in each statewide or local
26 offices service area.

27 (5) The number of anticipated vacancies in public contact
28 positions.

29 (6) Whether the use of other available options, including
30 contracted ~~video~~ *video*- or telephone-based interpretation services,
31 in addition to qualified bilingual persons in public contact positions,
32 is serving the language needs of the people served by the agency.

33 (7) A list of all written materials that are required to be translated
34 or otherwise made accessible to non-English-speaking or
35 limited-English-speaking individuals by Sections 7295.2 and
36 7295.4.

37 (8) A list of materials identified in paragraph (7) that have been
38 translated and languages into which they have been translated.

39 (9) The number of additional qualified bilingual public contact
40 staff, if any, needed at each statewide and local office to comply

1 with this chapter based on any of the information described in
2 subdivision (a).

3 (10) A detailed description of the agency's procedures for
4 identifying written materials that are required to be translated.

5 (11) Each agency shall calculate the percentage of
6 non-English-speaking or limited-English-speaking people served
7 or eligible to be served by each statewide and local office by
8 rounding the percentage arrived at to the nearest whole percentage
9 point.

10 (12) A detailed description of the agency's procedures for
11 identifying language needs at statewide and local offices and
12 assigning qualified bilingual staff to those offices, based on the
13 number and percentage of non-English-speaking or
14 limited-English-speaking populations residing within each
15 statewide and local office service area, as determined by any of
16 the information described in subdivision (a).

17 (13) A detailed description of how the agency recruits qualified
18 bilingual staff in statewide and local offices.

19 (14) A detailed description of any training the agency provides
20 to its staff on the provision of services to non-English-speaking
21 or limited-English-speaking individuals, frequency of training,
22 and date of most recent training.

23 (15) A detailed description of complaints regarding language
24 access received by the agency and the agency's procedures for
25 accepting and resolving complaints of an alleged violation due to
26 failure to make available translated documents or provide
27 interpreter service through bilingual staff or contract services.

28 (16) A detailed description of how the agency complies with
29 any federal or other state laws that require the provision of
30 linguistically accessible services to the public.

31 (17) Any other relevant information requested by the Department
32 of Human Resources.

33 (c) The language assessment, survey results, and any additional
34 information requested shall be reported in the form and at the time
35 required by the Department of Human Resources, and delivered
36 to the department not later than October 1 of every even-numbered
37 year.

38 (d) Every odd-numbered year, each agency that served or was
39 eligible to serve a substantial number of non-English-speaking
40 people shall develop an implementation plan that provides a

1 detailed description of how the agency plans to address any
2 deficiencies in meeting the requirements of this chapter, including,
3 but not limited to, the failure to translate written materials or
4 employ sufficient numbers of qualified bilingual employees in
5 public contact positions at statewide and local offices, the proposed
6 actions to be taken to address the deficiencies, and the proposed
7 dates by when the deficiencies will be remedied.

8 (e) In developing its implementation plan, each state agency
9 may rely upon data gathered from its most recent language survey
10 and assessment.

11 (f) Each state agency shall submit its implementation plan to
12 the Department of Human Resources no later than October 1 of
13 each applicable year. The Department of Human Resources shall
14 review each implementation plan, and, if it determines that the
15 implementation plan fails to address the identified deficiencies,
16 shall order the agency to supplement or make changes to its plan.
17 A state agency that has been determined to be deficient shall report
18 to the Department of Human Resources every six months on its
19 progress in addressing the identified deficiencies.

20 (g) If the Department of Human Resources determines that a
21 state agency has not made reasonable progress toward complying
22 with this chapter, the department shall issue orders that it deems
23 appropriate to effectuate the purposes of this chapter.

24 SEC. 7. Section 7299.6 of the Government Code is amended
25 to read:

26 7299.6. The Department of Human Resources shall review the
27 results of the language assessments, surveys, and implementation
28 plans required to be made by Section 7299.4, compile this data,
29 and provide a report to the Legislature every two years. The report
30 shall meet all of the following requirements:

31 (a) The report shall identify significant problems or deficiencies
32 and propose solutions where warranted.

33 (b) The report shall include each state agency's language
34 assessment, survey results, and implementation plan.

35 (c) The report shall be submitted in compliance with Section
36 9795.

37 SEC. 8. Division 115 (commencing with Section 135000) is
38 added to the Health and Safety Code, to read:

DIVISION 115. LANGUAGE ACCESS DIRECTOR

135000. There is hereby established within the California Health and Human Services Agency the Language Access Director to provide critical oversight, accountability, and coordination across various state departments and agencies to ensure individuals with limited English proficiency and individuals who are deaf or hard of hearing have meaningful access to government programs and services.

135001. For the purposes of this division, the following terms have the following meanings:

(a) “Interpretation” means the process of understanding and analyzing a spoken or signed message and re-expressing that message faithfully, accurately, and objectively in another language, taking the cultural and social context into account.

(b) “Limited English proficiency” means individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English, and are eligible to receive language assistance with respect to services, benefits, or challenges encountered.

(c) (1) “Qualified interpreter” means a person who satisfies all of the following:

(A) Demonstrated proficiency in both English and the target language.

(B) Knowledge in both English and the target language of health care and other appropriate terminology and concepts relevant to health care or social services delivery systems.

(C) Adherence to generally accepted interpreter ethics and principles, including, but not limited to, client confidentiality.

(2) “Qualified interpreter” does not mean a person who provides oral interpretation using a machine or done online, including, but not limited to, providing interpretation using an online, machine-based interpreter service or artificial intelligence, unless a person reviews and appropriately corrects the interpretation before the final interpretation reaches its intended audience.

(d) (1) “Qualified translator” means a person who satisfies all of the following:

(A) Demonstrated proficiency in both English and the target language.

1 (B) Knowledge in both English and the target language of health
2 care and other appropriate terminology and concepts relevant to
3 health care or social services delivery systems.

4 (C) Adherence to generally accepted translator ethics and
5 principles, including, but not limited to, client confidentiality.

6 (2) “Qualified translator” does not mean a person who makes
7 a translation using a machine or done online, including, but not
8 limited to, making a translation using an online, machine-based
9 translation service or artificial intelligence, unless the person
10 reviews and appropriately revises the translation before the final
11 translation reaches its intended audience.

12 (e) “Translation” means the conversion of written text into the
13 corresponding written text in a different language, taking cultural
14 and social context into account. “Translation” does not include the
15 conversion of written text into the corresponding written text in a
16 different language made by a machine or done online, including,
17 but not limited to, through the use of an online, machine-based
18 translation service or artificial intelligence, unless a qualified
19 translator reviews and appropriately revises the translation before
20 the final translation reaches its intended audience.

21 135002. The Language Access Director shall do all of the
22 following:

23 (a) Lead the implementation, monitoring, and periodic updating
24 of Language Access Plans within the California Health and Human
25 Services Agency, which shall include both of the following:

26 (1) A Language Access Plan for each department and office
27 within the California Health and Human Services Agency, as
28 required by Section 135003.

29 (2) The California Health and Human Services Agency’s
30 Language Access Plan Guidance Document, as required by
31 subdivision (h).

32 (b) Coordinate with the language access coordinators from the
33 various departments and offices within the California Health and
34 Human Services Agency to implement each departments’ and
35 offices’ Language Access Plan.

36 (c) Increase the provision of language assistance services,
37 including translation and interpreter services, through various
38 options, which may include, but are not limited to, hiring bilingual
39 staff and contracting with community-based organizations and
40 third-party vendors.

1 (d) Ensure the use of qualified interpreters and qualified
2 translators for any language assistance provided to persons with
3 limited English proficiency or persons who are deaf or hard of
4 hearing.

5 (e) Ensure each Language Access Plan, as required by Section
6 135003, includes all of the following:

7 (1) Methods to identify individuals with limited English
8 proficiency who require language assistance, including both of the
9 following:

10 (A) A demographic assessment of the department's service
11 population.

12 (B) An effective system of recording and utilizing spoken, sign,
13 and written language preferences, including processes to identify
14 the correct linguistic variant.

15 (2) Language assistance measures and information about the
16 ways that language assistance will be provided, including all of
17 the following:

18 (A) The types of services available, including both of the
19 following:

20 (i) How a department or office will provide free sign language
21 interpretation and oral interpretation services in a language and
22 linguistic variant, upon request, for all public contacts, including
23 sight translation of vital documents pursuant to the California
24 Health and Human Services Agency's Language Access Plan
25 Guidance Document.

26 (ii) How the department or office will use the safe harbor
27 provisions described in pages 47311 and 47319 in Volume 68 of
28 the Federal Register to determine the languages that a vital
29 document shall be translated into.

30 (B) How staff can obtain those services.

31 (C) How to respond to an individual who requires language
32 assistance, including via telephone, written communication, and
33 in-person contact.

34 (D) Ensuring the competency of qualified interpreters and
35 qualified translators.

36 (3) (A) Training for staff to ensure they know about policies,
37 procedures, and best practices related to the provision of
38 meaningful language access.

1 (B) Ensuring staff who have contact with the public are trained
2 to work effectively with in-person, video, and telephone
3 interpreters.

4 (4) Notice for individuals containing the language services that
5 are available at no cost for an individual with limited English
6 proficiency or, to the extent that a service area exists, who reside
7 in its service area and are eligible for services.

8 (5) A mechanism to do both of the following:

9 (A) Monitor the implementation of the plan.

10 (B) (i) Update the plan every two years, which shall include
11 whether new documents, programs, services, and activities shall
12 be made accessible for individuals with limited English proficiency
13 and who are deaf or hard of hearing.

14 (ii) When reviewing a plan for updates, the Language Access
15 Director may also consider all of the following:

16 (I) Changed demographics.

17 (II) An analysis of internal and external data.

18 (III) Responses to new and unexpected language needs.

19 (IV) Assessment and measures of client satisfaction.

20 (V) Capacity-building efforts regarding funding, staffing, and
21 training.

22 (f) Collect data from the various departments and offices within
23 the California Health and Human Services Agency to create the
24 report required in Section 135004. This includes, but is not limited
25 to, all of the information described in subdivision (b) of Section
26 135004.

27 (g) Ensure a document is translated if an individual with limited
28 English proficiency submits a written request to the California
29 Health and Human Services Agency, or any of its departments or
30 offices, that the document be translated into the individual's
31 preferred language.

32 (h) Develop a Language Access Plan Guidance Document to
33 support the various departments and offices within the California
34 Health and Human Services Agency in their development of a
35 language access plan.

36 135003. Each department and office within the California
37 Health and Human Services Agency shall do both of the following:

38 (a) Develop a Language Access Plan, as described in subdivision
39 (e) of Section 135002.

(b) Delegate a coordinator to work with the Language Access Director to achieve the purposes of this division.

~~135004. (a) Commencing November 1, 2027, and every other year thereafter, the California Health and Human Services Agency, under the oversight of the Language Access Director, shall submit a report for the two prior fiscal years to the Legislature and the relevant policy committees containing the information described in subdivision (b).~~

~~(b) The report shall provide information by fiscal year and, at a minimum, contain all of the following:~~

~~(1) Challenges encountered while implementing the various Language Access Plans.~~

~~(2) The Language Access Director's efforts to address the problems it encountered, if any.~~

~~(3) Lessons learned and best practices.~~

~~(4) The number and percentage of individuals with limited English proficiency and who are deaf or hard of hearing who use each department's or office's services, listed by language other than English, in comparison to the estimated population with limited English proficiency and who are deaf or hard of hearing who are eligible for the department's or office's services, including a description of the methodology or data collection system used to make this determination.~~

~~(5) The name and contact information for each language access coordinator.~~

~~(6) A list of ongoing employee development and training strategies to maintain well-trained multilingual employees and general staff, including a description of both of the following:~~

~~(A) Quality control protocols for multilingual employees.~~

~~(B) Language service protocols for individuals with limited English proficiency, or who are deaf or hard of hearing, who are in crisis situations.~~

~~(7) A list of goals for the upcoming year and, except for the first year of the report, an assessment of each department's and office's success at meeting the prior year's goals.~~

~~(8) The number of translation requests received and provided, the languages used to translate materials, and which materials were translated and completed during the prior fiscal year.~~

~~(9) The number of interpretation requests received and the number of interpretation services provided, by language, including~~

1 ~~services provided in person, by video, and via telephone, for~~
2 ~~services provided by department and office staff, as well as by~~
3 ~~contracted vendors.~~

4 ~~(e) The report shall be submitted in accordance with Section~~
5 ~~9795 of the Government Code.~~

6 135005. Commencing no later than January 1, 2027, the
7 Language Access Director shall engage communities with limited
8 English proficiency and deaf and hard of hearing communities to
9 assist in expanding access to the programs and services provided
10 by the California Health and Human Services Agency and the
11 various departments and offices within the agency, including, but
12 not limited to, by doing ~~all~~ *both* of the following:

13 (a) Conducting targeted outreach to communities who are limited
14 English proficient or deaf and hard of hearing to solicit advice on
15 policies and practices affecting individuals who are eligible for
16 the California Health and Human Services Agency's department's
17 and offices' services and benefits and provide input and feedback
18 to the agency about its language access plan and policies.

19 (b) Marketing and promoting those programs and services in a
20 variety languages to the general public and
21 limited-English-proficient communities.

22 ~~(c) Establishing a grant program lasting at least two years to~~
23 ~~provide funding for community-based organizations working with~~
24 ~~communities with limited English proficiency to provide outreach~~
25 ~~and education to them and to provide feedback to the California~~
26 ~~Health and Human Services Agency regarding its language access~~
27 ~~plan and policies.~~

28 135006. The California Health and Human Services Agency
29 shall, from funds appropriated to it in the Budget Act of 2023
30 (Chapter 12 of the Statutes of 2023), allocate sufficient funds to
31 implement and carry out the provisions of this division, including
32 the requirement for the departments and offices within the agency
33 to assign a language access coordinator, as required by subdivision
34 (a) of Section 135003.