

**CITY OF BALTIMORE
COUNCIL BILL 24-0584
(First Reader)**

Introduced by: The Council President and Councilmember Ramos
At the request of: The Administration (Mayor's Office of Immigrant Affairs)
Introduced and read first time: September 16, 2024
Assigned to: Public Safety and Government Operations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Finance, Department of Planning, Department of Housing and Community Development, Baltimore City Information Technology, Board of Municipal and Zoning Appeals, Baltimore Development Corporation, Department of Transportation, Housing Authority of Baltimore City, Mayor's Office of Employment Development, Baltimore City Fire Department, Parking Authority of Baltimore City, Health Department, Office of the Mayor, Mayor's Office of Neighborhood Safety and Engagement, Baltimore Police Department, Mayor's Office of Small and Minority Business Development, Department of Public Works, Department of Recreation and Parks, Commission on Aging, Mayor's Office of Disabilities, Pratt Library, Baltimore City Public School System, Mayor's Office of Economic and Neighborhood Development, Commission for Historical and Architectural Preservation, Office of Equity and Civil Rights, Department of Legislative Reference, Mayor's Office of Immigrant Affairs

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Baltimore City Government Entities – Language Access**

3 FOR the purpose of requiring a certain Baltimore government entity to appoint a language access
4 liaison and adopt a Language Access Plan; requiring a Baltimore government entity to
5 provide language access services to specified individuals; establishing certain reporting
6 requirements; defining certain terms; providing for a special effective date; and generally
7 relating to the provision of language access services by Baltimore government entities.

8 BY adding

9 Article 1 - Mayor, City Council, and Municipal Agencies
10 Sections 53-1 to 53-7 to be under the new subtitle designation,
11 "Subtitle 53. Language Access"
12 Baltimore City Code
13 (Edition 2000)

14 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
15 Laws of Baltimore City read as follows:

16 **Baltimore City Code**

17 **Article 1. Mayor, City Council, and Municipal Agencies**

18 **SUBTITLE 53. LANGUAGE ACCESS**

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 **§ 53-1. DEFINITIONS.**

2 (A) *IN GENERAL.*

3 IN THIS SUBTITLE, THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

4 (B) *COVERED ENTITY.*

5 “COVERED ENTITY” MEANS ANY BALTIMORE CITY GOVERNMENT DEPARTMENT, OFFICE,
6 OR OTHER ORGANIZATION THAT ADMINISTERS A PUBLICLY-FUNDED PROGRAM THAT
7 DELIVERS A DIRECT PUBLIC SERVICE, REGARDLESS OF WHETHER THE DEPARTMENT,
8 OFFICE, OR ORGANIZATION IS A RECIPIENT OF FEDERAL FINANCIAL SUPPORT.

9 (C) *DESIGNATED CITYWIDE LANGUAGE.*

10 “DESIGNATED CITYWIDE LANGUAGE” MEANS A LANGUAGE THAT, ACCORDING TO UNITED
11 STATES CENSUS DATA, IS THE PRIMARY LANGUAGE USED BY AT LEAST 3 PERCENT OF THE
12 CITY’S TOTAL POPULATION OR 500 LEP INDIVIDUALS, WHICHEVER IS LESS.

13 (D) *DIRECT PUBLIC SERVICE.*

14 “DIRECT PUBLIC SERVICE” MEANS THE PROVISION OF A GOOD OR SERVICE, INCLUDING
15 MONETARY GOODS, TO A CITY RESIDENT BY A COVERED ENTITY.

16 (E) *GRANT.*

17 “GRANT” MEANS FUNDS, REGARDLESS OF SOURCE, THAT ARE CONTROLLED BY THE CITY
18 AND ALLOCATED FROM THE CITY TO A GRANTEE FOR A SPECIFIC PURPOSE.

19 (F) *GRANTEE.*

20 “GRANTEE” MEANS A LEGAL ENTITY TO WHICH A GRANT IS MADE.

21 (G) *LANGUAGE ACCESS SERVICES.*

22 “LANGUAGE ACCESS SERVICES” MEANS THE METHODS USED BY A COVERED ENTITY TO
23 LIMIT LANGUAGE BARRIERS AND PROVIDE LEP INDIVIDUALS WITH MEANINGFUL ACCESS.

24 (H) *LIMITED ENGLISH PROFICIENT INDIVIDUAL.*

25 “LIMITED ENGLISH PROFICIENT INDIVIDUAL” OR “LEP INDIVIDUAL” MEANS:

26 (1) AN INDIVIDUAL WHO DOES NOT SPEAK ENGLISH AS THE INDIVIDUAL’S PRIMARY
27 LANGUAGE; AND

28 (2) AN INDIVIDUAL WHO HAS A LIMITED ABILITY TO READ, SPEAK, WRITE, OR
29 UNDERSTAND ENGLISH.

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1 (I) *MAJOR PUBLIC CONTACT.*

2 “MAJOR PUBLIC CONTACT” MEANS THE EMPLOYEES AND REPRESENTATIVES OF A COVERED
3 ENTITY REGULARLY INTERACT WITH MEMBERS OF THE PUBLIC IN THE COURSE OF DAILY
4 BUSINESS.

5 (J) *MEANINGFUL ACCESS.*

6 “MEANINGFUL ACCESS” MEANS AN LEP INDIVIDUAL HAS THE ABILITY TO USE TIMELY,
7 ACCURATE, AND EFFECTIVE LANGUAGE ACCESS SERVICES AT NO COST TO THE INDIVIDUAL
8 IN ORDER TO RECEIVE SERVICES AND BENEFITS COMPARABLE TO THOSE ENJOYED BY
9 ENGLISH PROFICIENT INDIVIDUALS.

10 (K) *MIMA.*

11 “MIMA” MEANS THE MAYOR’S OFFICE OF IMMIGRANT AFFAIRS OR ITS SUCCESSOR
12 AGENCY.

13 (L) *SUBGRANT.*

14 “SUBGRANT” MEANS AN ALLOCATION OF GRANT FUNDS BY A GRANTEE TO A SEPARATE
15 LEGAL ENTITY.

16 (M) *SUBGRANTEE.*

17 “SUBGRANTEE” MEANS A LEGAL ENTITY TO WHICH A SUBGRANT IS AWARDED.

18 (N) *VITAL DOCUMENT.*

19 “VITAL DOCUMENT” MEANS ANY FORM, PERMIT, RECORD, OR OTHER OFFICIAL
20 GOVERNMENT DOCUMENT THAT AN INDIVIDUAL APPLYING FOR A SERVICE OR BENEFIT
21 FROM A COVERED ENTITY MUST UNDERSTAND, RESPOND TO, OR COMPLETE TO
22 ACCESS OR CONTINUE TO ACCESS A DIRECT PUBLIC SERVICE.

23 **§ 53-2. COVERED ENTITY WITH MAJOR PUBLIC CONTACT.**

24 (A) *IN GENERAL.*

25 A COVERED ENTITY WITH MAJOR PUBLIC CONTACT SHALL PROVIDE AN LEP INDIVIDUAL
26 WITH MEANINGFUL ACCESS TO ALL OF THE COVERED ENTITY’S SERVICES AND PROGRAMS.

27 (B) *LANGUAGE ACCESS LIAISON.*

28 (1) *IN GENERAL.*

29 A COVERED ENTITY WITH MAJOR PUBLIC CONTACT SHALL DESIGNATE AT LEAST 1
30 EMPLOYEE TO BE THE LANGUAGE ACCESS LIAISON FOR THE COVERED ENTITY.

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1 (2) *DUTIES.*

2 A LANGUAGE ACCESS LIAISON SHALL:

- 3 (I) CONSULT WITH MIMA AND THE DIRECTOR OF THE COVERED ENTITY TO
4 DEVELOP A LANGUAGE ACCESS PLAN AS REQUIRED UNDER SUBSECTION (C) OF
5 THIS SECTION.
- 6 (II) CONTINUALLY ASSESS THE COVERED ENTITY’S LANGUAGE ACCESS PLAN FOR
7 EFFECTIVENESS AND INITIATE CHANGES, IF NEEDED; AND
- 8 (III) COORDINATE THE PREPARATION AND SUBMISSION OF THE ANNUAL REPORT
9 REQUIRED UNDER § 53-4 OF THIS SUBTITLE.

10 (C) *LANGUAGE ACCESS PLAN.*

11 (1) *IN GENERAL.*

12 IN CONSULTATION WITH MIMA, THE LANGUAGE ACCESS LIAISON AND DIRECTOR OF A
13 COVERED ENTITY WITH MAJOR PUBLIC CONTACT SHALL DEVELOP AND IMPLEMENT A
14 LANGUAGE ACCESS PLAN.

15 (2) *CONTENTS.*

16 A LANGUAGE ACCESS PLAN SHALL INCLUDE:

- 17 (I) A DESCRIPTION OF HOW THE COVERED ENTITY WILL IMPLEMENT ITS LANGUAGE
18 ACCESS SERVICES;
- 19 (II) THE METHODS THE COVERED ENTITY WILL USE TO MONITOR THE COVERED
20 ENTITY’S COMPLIANCE WITH:
- 21 (A) THE LANGUAGE ACCESS PLAN;
- 22 (B) THE PROVISIONS OF THIS SUBTITLE; AND
- 23 (C) ANY OTHER APPLICABLE LAWS, RULES, AND REGULATIONS REGARDING
24 LANGUAGE ACCESS;
- 25 (III) THE TYPES OF ORAL LANGUAGE SERVICES THAT THE COVERED ENTITY WILL
26 PROVIDE;
- 27 (IV) THE TITLES OF TRANSLATED DOCUMENTS THAT THE COVERED ENTITY WILL
28 PROVIDE;
- 29 (V) THE NAMES AND CONTACT INFORMATION OF EMPLOYEES WHO WILL SERVE AS
30 POINTS OF CONTACT FOR LEP INDIVIDUALS;

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1 (VI) THE METHODS THE COVERED ENTITY WILL USE TO ASSESS AND EVALUATE THE
2 LANGUAGE ACCESS NEEDS OF A LEP INDIVIDUAL ATTEMPTING TO ACCESS THE
3 ENTITY’S SERVICES; AND

4 (VII) PROTOCOLS TO PROVIDE PUBLIC NOTICE OF THE AVAILABILITY OF LANGUAGE
5 SERVICES TO LEP INDIVIDUALS.

6 (3) *PUBLICATION.*

7 A COVERED ENTITY SHALL MAKE THE ENTITY’S LANGUAGE ACCESS PLAN
8 AVAILABLE TO THE PUBLIC.

9 (4) *BIANNUAL UPDATE.*

10 A COVERED ENTITY SHALL UPDATE AND SUBMIT TO MIMA THE ENTITY’S
11 LANGUAGE ACCESS PLAN BY JANUARY 1 OF EVERY EVEN-NUMBERED YEAR.

12 **§ 53-3. GRANTEES AND SUBGRANTEES.**

13 A GRANTEE OR SUBGRANTEE WITH MAJOR PUBLIC CONTACT SHALL TAKE REASONABLE STEPS
14 TO PROVIDE LEP INDIVIDUALS WITH MEANINGFUL ACCESS.

15 **§ 53-4. LANGUAGE ACCESS SERVICES.**

16 A COVERED ENTITY SHALL PROVIDE THE FOLLOWING LANGUAGE ACCESS SERVICES TO AN LEP
17 INDIVIDUAL:

18 (1) TRANSLATE TO EACH DESIGNATED CITYWIDE LANGUAGE AND MAKE AVAILABLE ALL
19 VITAL DOCUMENTS, INCLUDING WEBSITE CONTENT AND OTHER MATERIALS NEEDED TO
20 ACCESS THE ENTITY’S SERVICES;

21 (2) MAKE AVAILABLE ORAL LANGUAGE SERVICES IN ALL DESIGNATED CITYWIDE
22 LANGUAGES AND, WHEN PRACTICABLE, OTHER LANGUAGES, TO AN LEP INDIVIDUAL
23 SEEKING TO PARTICIPATE IN A PROGRAM OR SERVICE OFFERED BY THE AGENCY; AND

24 (3) WHEN PRACTICABLE, HIRE QUALIFIED MULTILINGUAL INDIVIDUALS INTO EXISTING
25 BUDGETED VACANT POSITIONS THAT HAVE HIGH CONTACT WITH THE PUBLIC.

26 **§ 53-5. ANNUAL REPORT.**

27 (A) *IN GENERAL.*

28 ON OR BEFORE OCTOBER 31 OF EACH YEAR, EACH COVERED ENTITY SHALL FILE AN
29 ANNUAL REPORT WITH MIMA AND THE DEPARTMENT OF LEGISLATIVE REFERENCE.

30 (B) *CONTENTS.*

31 THE REPORT REQUIRED UNDER THIS SUBSECTION SHALL INCLUDE:

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1 (1) AN ASSESSMENT OF THE COVERED ENTITY’S PREPARATION AND IMPLEMENTATION
2 OF ITS LANGUAGE ACCESS PLAN; AND

3 (2) DATA AND PERFORMANCE METRICS AS REQUIRED BY THE DIRECTOR OF MIMA.

4 **§ 53-6. ROLE OF MIMA OR ITS SUCCESSOR AGENCY.**

5 MIMA SHALL:

6 (1) PROVIDE OVERSIGHT, COORDINATION, AND TECHNICAL ASSISTANCE TO A COVERED
7 ENTITY WITH MAJOR PUBLIC CONTACT AS THE COVERED ENTITY PREPARES AND
8 IMPLEMENTS A LANGUAGE ACCESS PLAN;

9 (2) PROVIDE GUIDANCE TO COVERED ENTITIES AS THE COVERED ENTITIES ADHERE TO THE
10 REQUIREMENTS OF THIS SUBTITLE;

11 (3) IDENTIFY AND DESIGNATE CITYWIDE DESIGNATED LANGUAGES;

12 (4) DESIGNATE COVERED ENTITIES WITH MAJOR PUBLIC FACING CONTACT; AND

13 (5) MAKE EACH COVERED ENTITY’S LANGUAGE ACCESS PLAN AVAILABLE ON MIMA’S
14 WEBSITE AND, UPON REQUEST, PROVIDE INFORMATION ABOUT COVERED ENTITIES’
15 COMPLIANCE WITH THIS SUBTITLE AVAILABLE TO THE PUBLIC IN ALL DESIGNATED
16 CITYWIDE LANGUAGES.

17 **§ 53-7. RULES AND REGULATIONS.**

18 SUBJECT TO TITLE 4 {“ADMINISTRATIVE PROCEDURE ACT – REGULATIONS”} OF THE CITY
19 GENERAL PROVISIONS ARTICLE, THE DIRECTOR OF MIMA SHALL ADOPT RULES AND
20 REGULATIONS TO CARRY OUT THIS SUBTITLE.

21 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 180th
22 day after the date it is enacted.