HOUSE BILL 983

G1 (5lr2170)

ENROLLED BILL

— Ways and Means/Education, Energy, and the Environment — Introduced by **Delegates Mireku–North and Wilkins**

Read and Examined by Proofreaders: Proofreader. Proofreader. Sealed with the Great Seal and presented to the Governor, for his approval this ____ day of ____ at ____ o'clock, ___M. Speaker. CHAPTER AN ACT concerning Election Law - Local Boards of Elections - Language-Related Assistance Language Assistance Program FOR the purpose of requiring the State Board of Elections to determine whether there is a significant and substantial need for language-related assistance in certain languages by a local board of elections during an election based on certain criteria; requiring local boards to provide certain language-related assistance and materials in voting and elections to certain voters in certain languages; requiring local boards to make reasonable efforts to recruit election judges who are fluent in certain languages; and generally relating to language-related assistance establishing the Language Assistance Program; requiring a local board of elections to participate in the Program if the State Board determines that there is a significant need for language assistance to voters in the county in a language other than English; requiring the State Board to designate, not later than a certain date, certain languages other than English in which a local board that is required to participate

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

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Strike out indicates matter stricken from the bill by amendment or deleted from the law by amendment.

Italics indicate opposite chamber/conference committee amendments.



1 2 3 4	in the Program must provide assistance to voters; requiring a local board that is required to participate in the Program to provide, with the assistance of oversight from the State Board, certain language—related services to voters; and generally relating to the Language Assistance Program.
5 6 7 8 9 10	BY adding to Article – Election Law Section 15.5–101 through 15.5–106 15.5–104 to be under the new title "Title 15.5. Language – Related Assistance Language Assistance Program" Annotated Code of Maryland (2022 Replacement Volume and 2024 Supplement)
11 12	SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:
13	Article – Election Law
14 15	TITLE 15.5. LANGUAGE RELATED ASSISTANCE PROGRAM.
16	15.5–101.
17 18	(A) IN THIS TITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.
19 20 21	(B) "DESIGNATED LANGUAGE" MEANS A LANGUAGE OTHER THAN ENGLISH IN WHICH THE STATE BOARD DETERMINES A LOCAL BOARD IS REQUIRED TO PROVIDE ASSISTANCE TO VOTERS UNDER THIS TITLE.
22	(C) "LIMITED ENGLISH PROFICIENCY" MEANS THAT AN INDIVIDUAL:
23	(1) SPEAKS A PARTICULAR LANGUAGE OTHER THAN ENGLISH;
24	(2) DOES NOT SPEAK ENGLISH AS A PRIMARY LANGUAGE; AND
25 26 27	(3) SPEAKS, READS, OR UNDERSTANDS THE ENGLISH LANGUAGE LESS THAN "VERY WELL", AS REPORTED IN AVAILABLE U.S. CENSUS BUREAU DATA OR DATA OF COMPARABLE QUALITY COLLECTED BY A PUBLIC OFFICE.
28	(D) "PROGRAM" MEANS THE LANGUAGE ASSISTANCE PROGRAM.
29	(E) "VOTING MATERIALS" INCLUDES:
30 31	(1) <u>VOTER REGISTRATION FORMS</u> <u>STATEWIDE VOTER REGISTRATION</u> <u>APPLICATIONS</u> ;

1 2	(2) ABSENTEE BALLOT APPLICATIONS STATE BOARD APPROVED ABSENTEE BALLOT APPLICATIONS;
3	(3) SPECIMEN BALLOTS; AND
4 5	(4) FORMS AND INSTRUCTIONS THAT THE STATE BOARD DETERMINES APPROPRIATE TO FACILITATE VOTING NECESSARY TO VOTING.
6	<u>15.5–102.</u>
7	(A) THERE IS A LANGUAGE ASSISTANCE PROGRAM.
8	(B) A LOCAL BOARD SHALL PARTICIPATE IN THE PROGRAM IF THE STATE
9	BOARD DETERMINES IN ACCORDANCE WITH SUBSECTION (C) OF THIS SECTION THAT
0	THERE IS A SIGNIFICANT NEED FOR LANGUAGE ASSISTANCE TO VOTERS IN THE
1	COUNTY IN A LANGUAGE OTHER THAN ENGLISH.
LI	COCKTT IIVII EMIGENCIE OTTIER TIME ENGLISH.
2	(C) THE STATE BOARD SHALL DETERMINE NOT LATER THAN FEBRUARY 1
13	OF THE YEAR OF THE ELECTION THAT A SIGNIFICANT NEED FOR LANGUAGE
4	ASSISTANCE TO VOTERS EXISTS IN A COUNTY IF, BASED ON THE BEST AVAILABLE
15	DATA, INCLUDING INFORMATION FROM THE U.S. CENSUS BUREAU'S AMERICAN
6	COMMUNITY SURVEY OR DATA OF COMPARABLE QUALITY COLLECTED BY A PUBLIC
L 7	OFFICE:
18	(1) MORE THAN 2% OF THE CITIZEN VOTING AGE POPULATION OF THE
19	COUNTY:
20 21	(I) USE A SINGLE SHARED LANGUAGE OTHER THAN ENGLISH; AND
22	(II) HAVE LIMITED ENGLISH PROFICIENCY; OR
23	(2) MORE THAN 4,000 INDIVIDUALS OF THE CITIZEN VOTING AGE
24	POPULATION OF THE COUNTY USE A SINGLE SHARED LANGUAGE OTHER THAN
25	ENGLISH AND HAVE LIMITED ENGLISH PROFICIENCY.
10	ENGLISH AND HAVE LIMITED ENGLISH I ROFICIENCI.
26 27	(D) THE STATE BOARD SHALL DETERMINE THAT EACH LANGUAGE OTHER THAN ENGLISH THAT IS USED BY AT LEAST THE NUMBER OF INDIVIDUALS SPECIFIED
28	IN SUBSECTION (C) OF THIS SECTION IS A DESIGNATED LANGUAGE.
10	in bodsection (o) of this section is a besignated landuage.

(E) (1) THE STATE BOARD SHALL PUBLISH AND MAINTAIN ON ITS

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WEBSITE A LIST OF:

- 1 (I) EACH LOCAL BOARD THAT IS REQUIRED TO PROVIDE 2 LANGUAGE ASSISTANCE IN A LANGUAGE OTHER THAN ENGLISH; AND
- 3 (II) EACH DESIGNATED LANGUAGE IN WHICH THE LANGUAGE
 4 ASSISTANCE IS REQUIRED TO BE PROVIDED BY THE LOCAL BOARD.
- 5 (2) THE STATE BOARD SHALL UPDATE THE INFORMATION
 6 PUBLISHED AND MAINTAINED UNDER PARAGRAPH (1) OF THIS SUBSECTION AT
 7 LEAST EVERY 2 YEARS.
- 8 (F) THE STATE BOARD ADMINISTRATOR SHALL PROMPTLY NOTIFY EACH
 9 LOCAL BOARD AND THE CHIEF FINANCIAL OFFICER OF THE COUNTY INCLUDED ON
 10 THIS LIST UNDER SUBSECTION (E) OF THIS SECTION OF THE REQUIREMENTS OF THIS
 11 TITLE.
- 12 **15.5–103.**
- 13 (A) EACH LOCAL BOARD THAT IS REQUIRED TO PARTICIPATE IN THE
 14 PROGRAM SHALL, WITH THE ASSISTANCE OF OVERSIGHT FROM THE STATE BOARD,
 15 PROVIDE TO VOTERS THE SERVICES DESCRIBED IN THIS SECTION.
- 16 (B) (1) AT EACH EARLY VOTING CENTER AND ELECTION DAY POLLING
 17 PLACE, A VOTER WHO HAS A NEED FOR LANGUAGE ASSISTANCE IN A DESIGNATED
 18 LANGUAGE SHALL HAVE THE OPTION TO COMMUNICATE WITH THE ELECTION
 19 JUDGES THROUGH A TRANSLATOR WHO IS MADE AVAILABLE BY MEANS OF VIDEO
 20 CONFERENCE TECHNOLOGY.
- 21 (2) THE STATE SHALL PROVIDE TO THE LOCAL BOARDS LICENSED
 22 TRANSLATION SOFTWARE SERVICES TO IMPLEMENT THE PROGRAM AND THE
 23 COUNTY SHALL PAY FOR ALL OTHER EXPENSES ASSOCIATED WITH THE PROGRAM,
 24 INCLUDING NECESSARY HARDWARE AND EACH USE OF THE TRANSLATION SOFTWARE
 25 SERVICES.
- 26 (C) SUBJECT TO SUBSECTION (E) OF THIS SECTION, THE LOCAL BOARD
 27 SHALL POST STATE BOARD APPROVED SIGNAGE IN EACH EARLY VOTING CENTER
 28 AND ELECTION DAY POLLING PLACE IN EACH DESIGNATED LANGUAGE NOTIFYING
 29 VOTERS THAT LANGUAGE ASSISTANCE AND INTERPRETATION SERVICES ARE
 30 AVAILABLE.
- 31 (D) SUBJECT TO SUBSECTION (E) OF THIS SECTION, THE LOCAL BOARD 32 SHALL PROVIDE ONLINE VOTING MATERIALS IN EACH DESIGNATED LANGUAGE.

- 1 (E) A LOCAL BOARD MAY PROVIDE SOLELY ORAL INSTRUCTIONS OR OTHER
 2 ASSISTANCE IF THE LANGUAGE DOES NOT HAVE A WRITTEN FORM, SUCH AS SIGN
 3 LANGUAGE AMERICAN SIGN LANGUAGE.
- 4 (F) THE LOCAL BOARD SHALL MAKE REASONABLE EFFORTS TO RECRUIT
 5 BILINGUAL ELECTION JUDGES TO PROVIDE ASSISTANCE TO VOTERS IN DESIGNATED
 6 LANGUAGES.
- 7 (G) THE LOCAL BOARD, WITH STATE BOARD APPROVAL, MAY PROVIDE 8 LANGUAGE ASSISTANCE SERVICES THAT ARE IN ADDITION TO THE LANGUAGE 9 ASSISTANCE SERVICES REQUIRED IN THIS SECTION.
- 10 **15.5–104.**
- THE STATE BOARD MAY SHALL ADOPT REGULATIONS TO CARRY OUT THIS
 12 TITLE.
- SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1, 2026, the State Board of Elections shall publish on its website the information required under § 15.5–102(e) of the Election Law Article, as enacted by Section 1 of this Act.
- 16 In this title, "Limited English proficiency" means that an 17 individual:
- 18 (1) SPEAKS A PARTICULAR LANGUAGE OTHER THAN ENGLISH;
- 19 **(2)** DOES NOT SPEAK ENGLISH AS A PRIMARY LANGUAGE; AND
- 20 (3) SPEAKS, READS, OR UNDERSTANDS THE ENGLISH LANGUAGE
 21 LESS THAN "VERY WELL", AS REPORTED IN AVAILABLE U.S. CENSUS BUREAU DATA
 22 OR DATA OF COMPARABLE QUALITY COLLECTED BY A PUBLIC OFFICE.
- 23 **15.5-102.**
- 24 (A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, THE STATE BOARD
 25 SHALL DETERMINE WHETHER THERE IS A SIGNIFICANT AND SUBSTANTIAL NEED
 26 FOR LANGUAGE-RELATED ASSISTANCE IN ONE OR MORE LANGUAGES OTHER THAN
 27 ENGLISH BY A LOCAL BOARD DURING AN ELECTION.
- 28 (B) THE STATE BOARD SHALL DETERMINE THAT A SIGNIFICANT AND
 29 SUBSTANTIAL NEED FOR LANGUAGE-RELATED ASSISTANCE BY A LOCAL BOARD
 30 DURING AN ELECTION EXISTS IN A COUNTY IF, BASED ON THE BEST AVAILABLE
 31 DATA, INCLUDING INFORMATION FROM THE U.S. CENSUS BUREAU'S AMERICAN

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UNDER § 15.5-102 OF THIS TITLE.

- COMMUNITY SURVEY OR DATA OF COMPARABLE QUALITY COLLECTED BY A PUBLIC 1 OFFICE: 3 (1) MORE THAN 2%. BUT IN NO INSTANCE FEWER THAN 100 4 INDIVIDUALS, OF THE VOTING AGE POPULATION OF THE COUNTY: 5 (I) USE A SINGLE SHARED LANGUAGE OTHER THAN ENGLISH: 6 AND 7 HAVE LIMITED ENGLISH PROFICIENCY; OR (II) 8 MORE THAN 4.000 INDIVIDUALS OF THE VOTING AGE POPULATION 9 OF THE COUNTY USE A SINGLE SHARED LANGUAGE OTHER THAN ENGLISH AND HAVE 10 LIMITED ENGLISH PROFICIENCY. (C) THE STATE BOARD MAY ADOPT REGULATIONS THAT ESTABLISH 11 12 ADDITIONAL CRITERIA FOR DETERMINING WHETHER A SIGNIFICANT AND 13 SUBSTANTIAL NEED FOR LANGUAGE-RELATED ASSISTANCE BY A LOCAL BOARD 14 DURING AN ELECTION EXISTS IN A COUNTY. 15 **15.5-103** 16 (A) ON OR BEFORE JANUARY 1, 2026, AND EVERY 2 YEARS THEREAFTER. THE STATE BOARD SHALL PUBLISH AND MAINTAIN ON ITS WEBSITE A LIST OF: 17 18 EACH LOCAL BOARD THAT IS REQUIRED TO PROVIDE 19 LANGUAGE RELATED ASSISTANCE IN A LANGUAGE OTHER THAN ENGLISH: AND 20 (2) EACH LANGUAGE IN WHICH THE LANGUAGE-RELATED 21 ASSISTANCE IS REQUIRED TO BE PROVIDED BY THE LOCAL BOARD. 22THE STATE BOARD SHALL DISTRIBUTE THIS LIST TO EACH LOCAL 23BOARD IN TIME TO ALLOW LOCAL BOARDS TO PROVIDE LANGUAGE-RELATED ASSISTANCE UNDER § 15.5-104 OF THIS TITLE. 2425 15.5-104. 26 (A) A LOCAL BOARD SHALL PROVIDE LANGUAGE-RELATED ASSISTANCE 27 AND MATERIALS IN VOTING AND ELECTIONS TO VOTERS WHO HAVE LIMITED 28 FNGLISH PROFICIENCY IN EACH LANGUAGE DESIGNATED BY THE STATE BOARD
- 30 (B) WHENEVER THE STATE BOARD DETERMINES THAT
 31 LANGUAGE-RELATED ASSISTANCE SHALL BE PROVIDED BY A LOCAL BOARD, THE

- 1 LOCAL BOARD SHALL PROVIDE COMPETENT ASSISTANCE AND PHYSICAL AND
 2 ONLINE VOTING MATERIALS IN EACH DESIGNATED LANGUAGE UNDER § 15.5–102 OF
 3 THIS TITLE.
 4 (C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION.
- 4 (C) (1) EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,
 5 FOR EACH DESIGNATED LANGUAGE UNDER § 15.5-102 OF THIS TITLE, THE
 6 LANGUAGE RELATED ASSISTANCE AND MATERIALS SHALL INCLUDE:
- 7 (I) TRANSLATED REGISTRATION AND VOTING FORMS AND 8 NOTICES;
- 9 (II) ELECTION-RELATED MATERIALS;
- 10 (III) SIGNAGE AT ALL EARLY VOTING CENTERS AND POLLING
 11 PLACES IN DESIGNATED LANGUAGES NOTIFYING VOTERS THAT LANGUAGE
 12 ASSISTANCE AND TELEPHONE INTERPRETERS ARE AVAILABLE; AND
- 13 (IV) SAMPLE BALLOTS AND OTHER MATERIALS OR
 14 INFORMATION RELATING TO THE ELECTORAL PROCESS.
- 15 (2) IN THE CASE OF A LANGUAGE THAT IS ORAL OR UNWRITTEN,
 16 INCLUDING SIGN LANGUAGE, THE LOCAL BOARD MAY PROVIDE ONLY ORAL
 17 INSTRUCTIONS, ASSISTANCE, OR OTHER INFORMATION RELATING TO THE
 18 ELECTORAL PROCESS IN THE APPLICABLE LANGUAGE.
- 19 (D) (1) MATERIALS PROVIDED IN A DESIGNATED LANGUAGE SHALL:
- 20 (I) BE OF AN EQUAL QUALITY TO THE CORRESPONDING 21 ENGLISH LANGUAGE MATERIALS; AND
- 22 (H) BE MADE AVAILABLE AT THE SAME TIME AS THE 23 CORRESPONDING ENGLISH LANGUAGE MATERIALS.
- 24 (2) ALL TRANSLATIONS SHALL CONVEY THE INTENT AND ESSENTIAL
 25 MEANING OF THE ORIGINAL TEXT OR COMMUNICATION AND MAY NOT SOLELY RELY
 26 ON AUTOMATIC ELECTRONIC TRANSLATION SERVICES, INCLUDING MACHINE
 27 TRANSLATION OR OTHER ARTIFICIAL INTELLIGENCE APPLICATIONS.
- 28 (3) (I) In Addition to the other requirements of this
 29 SECTION, LANGUAGE-RELATED ASSISTANCE SHALL INCLUDE THE PRESENCE OF
 30 BILLINGUAL ELECTION HIDGES WHERE AVAILABLE.
- 31 (II) A LOCAL BOARD SHALL MAKE REASONABLE EFFORTS TO
 32 RECRUIT ELECTION JUDGES WHO ARE FLUENT IN EACH LANGUAGE DESIGNATED BY

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	IIO COLI BILLI VOO
1	THE STATE BOARD UNDER § 15.5-102 OF THIS TITLE, INCLUDING BY USING NOTICES
2	IN NEWSPAPERS, RADIO, TELEVISION, AND OTHER FORMS OF MEDIA, WITH A
3	PARTICULAR FOCUS ON MEDIA THAT SERVE NON-ENGLISH-SPEAKING CITIZENS IN
4	THE COUNTY.
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5	(III) BILINGUAL ELECTION JUDGES SHALL PROVIDE DIRECT
6	ASSISTANCE TO VOTERS WHO HAVE LIMITED ENGLISH PROFICIENCY AND MAY NOT
7	ATTEMPT TO INTERPRET OR TRANSLATE ENGLISH LANGUAGE MATERIALS.
8	(E) THIS SECTION MAY NOT BE CONSTRUED TO PREVENT A LOCAL BOARD
9	FROM VOLUNTARILY PROVIDING LANGUAGE-RELATED ASSISTANCE IN ADDITION TO
10	THE ASSISTANCE REQUIRED BY THIS TITLE.
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11	15.5-105.
12	(A) THE STATE BOARD SHALL ADOPT REGULATIONS THAT ESTABLISH A
13	REVIEW PROCESS TO DETERMINE WHETHER A SIGNIFICANT AND SUBSTANTIAL
14	NEED EXISTS FOR A LANGUAGE TO BE DESIGNATED UNDER § 15.5–102 OF THIS
15	TITLE.
10	11122.
16	(B) THE PROCESS ESTABLISHED BY THE STATE BOARD UNDER SUBSECTION
17	(A) OF THIS SECTION SHALL INCLUDE, AT MINIMUM:
18	(1) AN OPPORTUNITY FOR THE FOLLOWING TO REQUEST THAT THE
19	STATE BOARD CONSIDER DESIGNATING A LANGUAGE UNDER § 15.5-102 OF THIS
20	TITLE:
21	(I) A VOTER;
22	(H) A GROUP OF VOTERS;
20	()
23	(III) AN ORGANIZATION WHOSE MEMBERSHIP INCLUDES VOTERS
24	OR IS LIKELY TO INCLUDE VOTERS;
25	(IV) AN ORGANIZATION WHOSE MISSION WOULD BE
$\frac{25}{26}$	(IV) AN ORGANIZATION WHOSE MISSION WOULD BE FRUSTRATED BY A FAILURE TO PROVIDE LANGUAGE-RELATED ASSISTANCE UNDER
$\frac{20}{27}$	THIS TITLE: AND
41	THE THE MAD
28	(V) AN ORGANIZATION THAT WOULD EXPEND RESOURCES TO

(2) AN OPPORTUNITY FOR PUBLIC COMMENT.

LANGUAGE-RELATED ASSISTANCE UNDER THIS TITLE; AND

FULFILL THE ORGANIZATION'S MISSION AS A RESULT OF A FAILURE TO PROVIDE

1	(c) On receipt of a request and consideration of any public
2	COMMENT, THE STATE BOARD SHALL DESIGNATE ANY LANGUAGE FOR WHICH IT
3	DETERMINES THE CRITERIA FOR DESIGNATION ARE MET.
4	15.5–106.
_	(A) White politicalities persons MAN FILE AN ASSESS SO ENTROPOSE WHICH
5	(A) THE FOLLOWING PERSONS MAY FILE AN ACTION TO ENFORCE THIS
6	TITLE:
7	(1) AN AGGRIEVED PERSON;
•	(1) Invitability ED 1 Ensow;
8	(2) AN ORGANIZATION WHOSE MEMBERSHIP INCLUDES OR IS LIKELY
9	TO INCLUDE AGGRIEVED PERSONS;
	,
0	(3) AN ORGANIZATION WHOSE MISSION WOULD BE FRUSTRATED BY A
1	VIOLATION OF THIS SECTION;
2	(4) AN ORGANIZATION THAT WOULD EXPEND RESOURCES TO FULFILE
13	ITS MISSION AS A RESULT OF A VIOLATION OF THIS SECTION; OR
4	(5) THE STATE BOARD.
15	(B) (1) IN THE CASE OF A LOCAL BOARD THAT SEEKS TO PROVIDE ONLY
6	ENGLISH LANGUAGE MATERIALS DESPITE A DETERMINATION BY THE STATE BOARD
7	THAT THE LOCAL BOARD IS REQUIRED TO PROVIDE LANGUAGE-RELATED
8	ASSISTANCE UNDER THIS TITLE, THE LOCAL BOARD MAY FILE AN ACTION AGAINST
9	THE STATE BOARD SEEKING A DECLARATORY JUDGMENT ALLOWING THE LOCAL
20	BOARD TO PROVIDE ONLY ENGLISH LANGUAGE MATERIALS.
21	(2) THE COURT SHALL ENTER THE DECLARATORY JUDGMENT IN
22	FAVOR OF THE LOCAL BOARD ONLY IF THE COURT FINDS THAT THE DETERMINATION
23	BY THE STATE BOARD WAS ARBITRARY AND CAPRICIOUS OR AN ABUSE OF
24	DISCRETION.
25	(c) The Attorney General may issue subpoenas and hold
26	FACT-FINDING HEARINGS TO ENFORCE THE PROVISIONS OF THIS TITLE.

SECTION $\stackrel{2}{=}$ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.