

SB 368 LANGUAGE ACCESS BILL

Sponsored by Senator Sedillo Lopez



To Increase State Agency Coordination in Providing Language Access

Every New Mexican should be able to access state services, regardless of the language they speak. Language barriers have always caused disparities in opportunity and access to state services, but they have been especially harmful during the pandemic. New Mexicans experienced delays in receiving Medicaid, unemployment insurance, and food assistance because of language barriers in the application process.

SB 368 changes the New Mexico Executive Reorganization Act to require state agency secretaries to submit plans to the Department of Finance and Administration and Legislative Finance Committee that include the following:

1

Assessment of the agency need to provide interpretation and translation for New Mexicans who primarily speak languages other than English.

2

A plan to provide meaningful access to state programs for New Mexicans who speak languages other than English. This includes the projected cost of providing language services.

3

Report upon the implementation of the language access plan.

Coordination among state agencies will decrease discrimination and increase efficiency.

- Many agencies have language access processes in place for translation and interpretation, while others do not. Without a clear plan, New Mexicans who speak languages other than English will continue to have decreased access to state services.
- Planning and reporting requirements will ensure state agencies are not contracting for services already available and ensure agencies start complying with federal law and state law concerning language access.

Language Access Plans Are Required by Federal Law.

- Title VI of the Civil Rights Act and federal guidance implementing that Act require interpretation when New Mexicans need to access state services or programs and require translation of documents for languages spoken by 1,000 people or 5% of the population, whichever is less*. In New Mexico, this is Spanish, Vietnamese, Chinese, and Diné**.

*67 FR 41455-01

**Data was downloaded from the Department of Justice Civil Rights Division, available here <https://www.leg.gov/maps/lma2014/Final>

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