

AMENDED IN ASSEMBLY MARCH 17, 2011

AMENDED IN ASSEMBLY MARCH 14, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

**ASSEMBLY BILL**

**No. 305**

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**Introduced by Assembly Member Furutani**

February 9, 2011

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An act to amend Sections 7296.2 and 7299.6 of the Government Code, relating to state government.

LEGISLATIVE COUNSEL'S DIGEST

AB 305, as amended, Furutani. Dymally-Alatorre Bilingual Services Act.

**The Dymally-Alatorre Bilingual Services Act**

*Existing law, the Dymally-Alatorre Bilingual Services Act, requires that state agencies that serve a substantial number of non-English-speaking people employ a sufficient amount of bilingual persons in order to provide certain information and render certain services in a language other than English. The act requires each state agency to conduct a survey of its local offices every 2 years regarding their public contact positions and the provision of bilingual services, as specified. The act requires the State Personnel Board to compile the results of the survey and provide it in a report to the Legislature every 2 years.*

This bill would revise and expand the duties of the State Personnel Board with regard to the surveys and implementation plans, and the report required to be submitted by the board. This bill would require state agencies to use specified criteria ~~in determining the~~ *to determine*

*whether the state agency serves a substantial number of non-English-speaking people for purposes of the act.*

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. Section 7296.2 of the Government Code is  
 2 amended to read:

3 7296.2. (a) As applied to state agencies, a “substantial number  
 4 of non-English-speaking people” means members of a group who  
 5 either do not speak English, or who are unable to effectively  
 6 communicate in English because it is not their native language,  
 7 and who comprise the lesser of the following:

8 (1) One thousand or more of the residents of a county in which  
 9 the local office of a state agency is located.

10 (2) Five percent or more of the residents of a county in which  
 11 the local office of a state agency is located~~in~~.

12 (3) Five percent or more of the people served by any local office  
 13 or facility of a state agency.

14 (b) In determining the substantial number of  
 15 non-English-speaking people~~in~~ for purposes of *paragraphs (1)*  
 16 *and (2) of subdivision (a)*, each state agency shall utilize the most  
 17 accurate information *available* or data compiled by the United  
 18 States Bureau of the Census or the Department of Finance relating  
 19 to the language characteristics of the population. In the case of a  
 20 local office of a state agency that services multiple counties, the  
 21 determination *in paragraphs (1) and (2) of subdivision (a)* shall  
 22 be based on the geographic service area of each local office.

23 SEC. 2. Section 7299.6 of the Government Code is amended  
 24 to read:

25 7299.6. (a) The State Personnel Board shall review the results  
 26 of the surveys and implementation plans required to be made by  
 27 Section 7299.4, to better inform the Legislature about the language  
 28 needs of California residents and the available resources of state  
 29 agencies to meet those needs. The State Personnel Board shall  
 30 compile this data, and provide a report to the Legislature every  
 31 two years.

32 (b) The report shall do all of the following:

- 1 (1) Identify state agencies that are not complying with this  
2 chapter.
- 3 (2) List state agencies and their respective field office or offices  
4 that have staffing deficiencies.
- 5 (3) List state agencies that have deficiencies in translated  
6 materials.
- 7 (4) Present key survey results and implementation plans by state  
8 agency and field office.
- 9 (5) Identify significant problems or deficiencies and propose  
10 solutions where warranted.
- 11 (6) Be submitted in compliance with Section 9795.

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