

AMENDED IN ASSEMBLY APRIL 15, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 611

Introduced by Assembly Member Fong
(Coauthor: Assembly Member Nava)

February 25, 2009

An act to add Section 8588.16 to the Government Code, relating to emergency services.

LEGISLATIVE COUNSEL'S DIGEST

AB 611, as amended, Fong. Emergency services: populations with limited English proficiency.

Existing law, the California Emergency Services Act, requires the California Emergency Management Agency to coordinate the emergency services of all state agencies in connection with emergencies, and to establish a standardized emergency management system for use by all emergency response agencies.

This bill would require the Secretary of California Emergency Management to consider the multiple languages and needs of populations who have limited proficiency in the English language ~~and to incorporate their needs in the curricula and scenarios related to critical~~ *during* emergency preparedness planning, response, and recovery ~~training~~. The bill would also require the secretary to ~~incorporate work in collaboration with ethnic media and local ethnic community-based organizations and ethnic media outlets in developing~~ communication ~~plans to alert them strategies~~ about ~~emergency alert and warning~~ information ~~strategies~~, and to use a registry of qualified bilingual persons in public contact positions, as defined, to assist in ~~emergencies~~

emergency preparedness, response, and recovery, as the secretary deems necessary.

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 hereby finds and declares all of
2 the following:

3 (a) Approximately 40 percent of the population in this state
4 speaks a language other than English at home. According to the
5 United States Department of Justice, individuals with limited
6 proficiency in English are those who have a limited ability to read,
7 write, speak, or understand English. In this state, more than
8 6,000,000 residents have limited proficiency in English.

9 (b) Recent disasters have highlighted the vulnerabilities of
10 individuals during an emergency who have limited proficiency in
11 English. At least 19,641 individuals within the Hurricane Katrina
12 and Hurricane Rita disaster areas spoke English with difficulty,
13 and a report presented to the Congressional Asian Pacific American
14 Caucus, highlighted the lack of evacuation orders during the
15 Hurricane Katrina disaster in any language other than English,
16 leaving individuals with limited proficiency in English vulnerable.

17 (c) In this state, wildfires in southern California struck parts of
18 cities having a significant population of individuals with limited
19 proficiency in English, potentially affecting almost 300,000 such
20 individuals. News reports highlighted the frustration and confusion
21 during evacuations for individuals unable to understand English.

22 (d) The Milton Marks “Little Hoover” Commission on California
23 State Government Organization and Economy has also highlighted
24 the need for developing plans to ensure that the needs of vulnerable
25 populations, including those with limited proficiency in English,
26 will be met during a catastrophe.

27 (e) This state, with its extraordinary language diversity, must
28 take steps to ensure emergency preparedness, response, and
29 recovery to address the needs of individuals with limited
30 proficiency in English.

31 SEC. 2. Section 8588.16 is added to the Government Code, to
32 read:

1 8588.16. (a) (1) The Secretary of California Emergency
2 Management shall take into consideration the multiple languages
3 and the needs of populations with limited English proficiency
4 during emergency preparedness planning, response, and recovery,
5 including when developing committee recommendations within
6 the Standardized Emergency Management System structure,
7 drafting guidance for local and regional governmental entities, and
8 reviewing emergency plans of state, regional, and local
9 governmental entities.

10 (2) Documents drafted for the purposes described in paragraph
11 (1) that are intended for emergency responders, including, but not
12 limited to, governmental entities do not have to be translated.

13 (3) Nothing in this section shall be construed to require changes
14 to existing documents until the time they are normally updated or
15 revised.

16 (b) The Secretary of California Emergency Management shall
17 ~~incorporate work in collaboration with~~ ethnic media and ethnic
18 ~~community-based organizations—into—the~~ in developing
19 communication strategies ~~that are developed~~ so that alert and
20 warning information sent to these entities can be more broadly
21 disseminated to populations with limited English proficiency.

22 (c) The Secretary of California Emergency Management shall
23 utilize a registry of qualified bilingual persons in public contact
24 positions, as defined in Sections 7296 and 7297, to assist with
25 emergency preparedness, response, and recovery pursuant to
26 Section 8595, *as the secretary deems necessary*.

27 (d) The Secretary of California Emergency Management shall
28 incorporate the needs of populations with limited English
29 proficiency in the curricula and scenarios related to critical
30 emergency preparedness, response, and recovery training and
31 exercises, including the exercises identified in the statewide
32 exercise strategy and those related to crisis communications. For
33 other training and exercises, the needs of the populations with
34 limited English proficiency shall be incorporated to the extent
35 reasonable.