

Second Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 24-0350.01 Jacob Baus x2173

HOUSE BILL 24-1031

HOUSE SPONSORSHIP

Bradley and Joseph, Duran, Evans, Froelich, Pugliese, Young

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House Committees
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A BILL FOR AN ACT

101 CONCERNING MEASURES TO INCREASE ACCESSIBILITY PROVIDED TO
102 PERSONS WHO ARE INVOLVED IN MATTERS REGARDING A
103 CHILD'S WELFARE.

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov/>.)

Colorado's Child Welfare System Interim Study Committee.

The bill requires that certain services provided to children or their families comply with the provisions of Title VI of the federal "Civil Rights Act of 1964" if they are provided by a county department, city and county, or a private-entity contractor. Furthermore, the bill requires that

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

the county department, city and county, or private-entity contractor make reasonable efforts to ensure meaningful language access to services in the person's primary language for a person with limited English proficiency in a timely manner and without unreasonable delay.

The bill requires a court to provide language access, including translation and interpretation services, to a child, parent, guardian, custodian, or other party in a dependency and neglect case if the person has limited English proficiency.

The bill requires that during a dispositional hearing concerning the best interests of a child, reasonable efforts must be made to ensure meaningful access to services in the person's primary language for a person with limited English proficiency in a timely manner and without unreasonable delay.

The bill requires the department of human services (department) to develop and implement a language access plan to address the rights and needs of persons with limited English proficiency. The department is also required to develop a resource bank of common documents that are in plain language, translated into non-English languages, and are made accessible to counties, cities and counties, or private-entity contractors.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 19-1-103, **add** (92.5)
3 and (95.5) as follows:

4 **19-1-103. Definitions.** As used in this title 19 or in the specified
5 portion of this title 19, unless the context otherwise requires:

6 (92.5) "LANGUAGE ACCESS" MEANS THE PROVISION OF
7 MEANINGFUL ACCESS TO SERVICES IN THE PERSON'S PRIMARY LANGUAGE
8 FOR A PERSON WITH LIMITED ENGLISH PROFICIENCY.

9 (95.5) "LIMITED ENGLISH PROFICIENCY" MEANS THE LIMITED
10 ABILITY TO SPEAK, READ, WRITE, OR UNDERSTAND THE ENGLISH
11 LANGUAGE FOR A PERSON WHOSE PRIMARY LANGUAGE IS NOT ENGLISH.

12 **SECTION 2.** In Colorado Revised Statutes, 19-3-208, **add** (2)(h)
13 as follows:

14 **19-3-208. Services - county required to provide - out-of-home**

1 **placement options - rules - definitions.** (2) (h) SERVICES PROVIDED
2 PURSUANT TO THIS SECTION MUST MEET THE PROVISIONS OF TITLE VI OF
3 THE FEDERAL "CIVIL RIGHTS ACT OF 1964", AND ITS RELATED
4 AMENDMENTS AND IMPLEMENTING REGULATIONS, REGARDLESS OF
5 WHETHER THE SERVICES ARE PROVIDED BY A COUNTY DEPARTMENT, CITY
6 AND COUNTY, OR PRIVATE-ENTITY CONTRACTOR. A COUNTY DEPARTMENT,
7 CITY AND COUNTY, OR PRIVATE-ENTITY CONTRACTOR SHALL MAKE
8 REASONABLE EFFORTS TO ENSURE MEANINGFUL LANGUAGE ACCESS TO A
9 PERSON WITH LIMITED ENGLISH PROFICIENCY IN ACCORDANCE WITH RULES
10 PROMULGATED PURSUANT TO SECTION 26-5-102.5. THE LANGUAGE
11 ACCESS MUST BE PROVIDED IN A TIMELY MANNER AND WITHOUT
12 UNREASONABLE DELAY.

13 **SECTION 3.** In Colorado Revised Statutes, **add** 19-3-218 as
14 follows:

15 **19-3-218. Language access.** (1) PURSUANT TO THIS ARTICLE 3,
16 THE COURT SHALL PROVIDE LANGUAGE ACCESS TO A CHILD OR A PARENT,
17 GUARDIAN, OTHER CUSTODIAN, OR OTHER PARTY IF THE PERSON HAS
18 LIMITED ENGLISH PROFICIENCY AND THE PERSON REQUESTS LANGUAGE
19 ACCESS OR THE COURT FINDS THAT A PERSON HAS LIMITED ENGLISH
20 PROFICIENCY.

21 (2) A PERSON WHO RECEIVES LANGUAGE ACCESS PURSUANT TO
22 THIS SECTION MUST RECEIVE TRANSLATION AND INTERPRETATION
23 SERVICES IN CIRCUMSTANCES WHEN A SIMILARLY SITUATED PERSON
24 WOULD RECEIVE THE COMMUNICATION IN ENGLISH. TRANSLATION MUST
25 BE PROVIDED IN A TIMELY MANNER AND WITHOUT UNREASONABLE DELAY
26 IF REQUESTED BY THE PARTY, AND INTERPRETATION MUST BE PROVIDED
27 AT EVERY PROCEEDING.

1 **SECTION 4.** In Colorado Revised Statutes, 19-3-507, **add** (6) as
2 follows:

3 **19-3-507. Dispositional hearing - rules.** (6) REASONABLE
4 EFFORTS MUST BE MADE TO ENSURE MEANINGFUL LANGUAGE ACCESS TO
5 A PERSON WITH LIMITED ENGLISH PROFICIENCY IN ACCORDANCE WITH
6 RULES PROMULGATED PURSUANT TO SECTION 26-5-102.5. THE LANGUAGE
7 ACCESS MUST BE PROVIDED IN A TIMELY MANNER AND WITHOUT
8 UNREASONABLE DELAY.

9 **SECTION 5.** In Colorado Revised Statutes, **add** 26-5-102.5 as
10 follows:

11 **26-5-102.5. Persons who have limited English proficiency -**
12 **language access plan - rules.** (1) ON OR BEFORE JULY 1, 2025, THE
13 STATE DEPARTMENT SHALL DEVELOP AND IMPLEMENT A LANGUAGE
14 ACCESS PLAN TO ADDRESS THE RIGHTS AND NEEDS OF PERSONS WITH
15 LIMITED ENGLISH PROFICIENCY. AT A MINIMUM, THE PLAN MUST
16 CONSIDER:

17 (a) THE NUMBER OR PROPORTION OF PERSONS WITH LIMITED
18 ENGLISH PROFICIENCY WHO ARE ELIGIBLE TO BE SERVED BY, OR LIKELY TO
19 BE SERVED BY, THE DIVISION OF CHILD WELFARE IN THE STATE
20 DEPARTMENT;

21 (b) THE DIFFERENT LANGUAGES SPOKEN BY PEOPLE WITH LIMITED
22 ENGLISH PROFICIENCY IN COLORADO AND THE DEGREE THAT DIFFERENT
23 LANGUAGES ARE SPOKEN IN COMPARISON AND PROPORTION TO ALL
24 LANGUAGES SPOKEN IN COLORADO;

25 (c) THE BARRIERS CONFRONTED BY PEOPLE WITH LIMITED ENGLISH
26 PROFICIENCY WHO ARE SERVED BY THE DIVISION OF CHILD WELFARE IN
27 THE STATE DEPARTMENT AND HOW TO ADDRESS THOSE BARRIERS;

1 (d) THE FREQUENCY PERSONS WITH LIMITED ENGLISH PROFICIENCY
2 ARE SERVED BY THE DIVISION OF CHILD WELFARE IN THE STATE
3 DEPARTMENT;

4 (e) THE NATURE AND RELATIVE SIGNIFICANT EFFECT THAT EACH
5 PROGRAM, ACTIVITY, OR SERVICE PROVIDED BY THE DIVISION OF CHILD
6 WELFARE IN THE STATE DEPARTMENT, INCLUDING CONTRACTED SERVICES
7 SUCH AS MENTAL AND BEHAVIORAL HEALTH SERVICES, HAS ON A PERSON'S
8 LIFE; AND

9 (f) THE RESOURCES AVAILABLE TO THE DIVISION OF CHILD
10 WELFARE IN THE STATE DEPARTMENT.

11 (2) THE LANGUAGE ACCESS PLAN MUST INCLUDE THE MANNER IN
12 WHICH THE DIVISION OF CHILD WELFARE IN THE STATE DEPARTMENT
13 SHALL:

14 (a) IDENTIFY PERSONS WITH LIMITED ENGLISH PROFICIENCY WHO
15 NEED LANGUAGE ACCESS;

16 (b) PROVIDE LANGUAGE ACCESS FOR PEOPLE SERVED BY THE
17 DIVISION OF CHILD WELFARE INCLUDING, BUT NOT LIMITED TO, SERVICES
18 PROVIDED BY MULTILINGUAL STAFF, ORAL INTERPRETATION SERVICES,
19 AND WRITTEN LANGUAGE TRANSLATIONS;

20 (c) TRAIN STAFF ON IDENTIFYING PERSONS WITH LIMITED ENGLISH
21 PROFICIENCY, PROVIDING LANGUAGE ACCESS, AND DOCUMENTING THE
22 PERSON'S PRIMARY LANGUAGE IN CHILD WELFARE RECORDS;

23 (d) PROVIDE NOTICE TO PERSONS WITH LIMITED ENGLISH
24 PROFICIENCY OF THE AVAILABILITY OF LANGUAGE ACCESS; AND

25 (e) MONITOR AND UPDATE THE LANGUAGE ACCESS PLAN.

26 (3) THE LANGUAGE ACCESS PLAN MUST ESTABLISH CLEAR GOALS,
27 MANAGEMENT ACCOUNTABILITY, AND OPPORTUNITIES FOR COMMUNITY

1 INPUT INCLUDING, BUT NOT LIMITED TO, A PROCESS TO SOLICIT PUBLIC
2 INPUT FROM PERSONS WHO HAVE LIMITED ENGLISH PROFICIENCY.

3 (4) (a) THE STATE DEPARTMENT SHALL DEVELOP A RESOURCE
4 BANK OF COMMON DOCUMENTS ISSUED PURSUANT TO THIS SECTION THAT
5 ARE IN PLAIN LANGUAGE, TRANSLATED INTO NON-ENGLISH LANGUAGES,
6 AND ARE MADE ACCESSIBLE TO COUNTIES, CITIES AND COUNTIES, OR
7 PRIVATE-ENTITY CONTRACTORS.

8 (b) THE STATE DEPARTMENT SHALL PROVIDE RESOURCES AND
9 ASSISTANCE TO COUNTIES, CITIES AND COUNTIES, AND PRIVATE-ENTITY
10 CONTRACTORS TO ENSURE COMPLIANCE WITH REASONABLE
11 ACCOMMODATION AND LANGUAGE ACCESS REQUIREMENTS.

12 (5) THE STATE DEPARTMENT SHALL PROMULGATE RULES
13 CONCERNING CHILD WELFARE AND AMEND EXISTING RULES CONCERNING
14 CHILD WELFARE, IF NECESSARY, TO ENSURE FULL AND EQUAL
15 OPPORTUNITY FOR CHILDREN, PARENTS, GUARDIANS, AND LEGAL
16 CUSTODIANS WHO HAVE LIMITED ENGLISH PROFICIENCY AND TO COMPLY
17 WITH TITLE VI OF THE FEDERAL "CIVIL RIGHTS ACT OF 1964" AND ITS
18 RELATED AMENDMENTS AND IMPLEMENTING REGULATIONS.

19 **SECTION 6. Act subject to petition - effective date.** This act
20 takes effect at 12:01 a.m. on the day following the expiration of the
21 ninety-day period after final adjournment of the general assembly; except
22 that, if a referendum petition is filed pursuant to section 1 (3) of article V
23 of the state constitution against this act or an item, section, or part of this
24 act within such period, then the act, item, section, or part will not take
25 effect unless approved by the people at the general election to be held in
26 November 2024 and, in such case, will take effect on the date of the
27 official declaration of the vote thereon by the governor.