

## **BILL ANALYSIS**

Senate Research Center  
79R1208 MXM-D

S.B. 213  
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Government Organization  
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As Filed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

Nearly a third of all Texans speak Spanish and 10 percent of all Texans do not speak English. In 18 Texas border counties, over 70 percent of the population speak a language other than English in their homes. Even more important, in some counties, more than twenty percent of the population have limited English proficiency, meaning they do not speak English. Given the significant number of Spanish-speaking Texans, it is imperative that the state government provide access to state information services in Spanish. Language barriers should not translate into barriers to accessing vital information, particularly information from and about state services.

The Internet has changes our lives and our society in the past decade. Ready and fast access to information has changed the way that students learn, people communicate, and businesses operate. With the growth of E-government, Texans can now complete many necessary tasks online that otherwise would cost time and money in traveling to a government agency. For example, with *Texas Online*, the state's website, Texans can renew occupational licenses and driver's licenses, pay business sales taxes, and obtain oil and gas drilling permits.

Addressing the demand of the large number of Spanish-speaking Texans and their equal need to access state resources is a responsibility of the state. Federal guidelines require that agencies that have direct and constant contact with Spanish-speaking constituents make vital information and forms available in Spanish. Currently, only five agencies have the entire contents of their websites fully translated to Spanish, and only another 10 percent of agencies publish some content in Spanish. Conversely, many more agencies have constant and direct contact with Spanish speaking Texans and should provide online information and services in both English and Spanish.

As proposed, S.B. 213 directs state agencies that have direct and constant contact with Spanish-speaking constituents to make a reasonable effort to translate vital information and forms into Spanish, so Texans with limited English proficiency can meaningfully access state agency online information and services.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter F, Chapter 2054, Government Code, by adding Section 2054.116, as follows:

Sec. 2054.116. SPANISH LANGUAGE CONTENT ON AGENCY WEBSITES. (a) Defines "person of limited English proficiency."

(b) Requires the TexasOnline Authority and each state agency to make a reasonable effort to develop and implement a system that ensures that Spanish-speaking persons of limited English proficiency can meaningfully access state agency online services, including services provided through TexasOnline. Requires that an agency's system be consistent with, and yet prohibits from unduly burdening, the fundamental mission of the agency.

(c) Requires each agency to make certain considerations in determining whether a system described by Subsection (b) provides meaningful access.

(d) Provides that in making a reasonable effort to develop and implement a system described by Subsection (b), the agency must avoid certain access-limiting activities.

SECTION 2. Defines "person of limited English proficiency" and "state agency." Requires each state agency to examine the online services that it provides to the public in relation to Section 2054.116, Government Code, as added by this Act. Requires the agency, in performing the examination, to provide adequate opportunity for individuals interested in the examination to provide input, including persons of limited English proficiency and related organizations.

SECTION 3. Effective date: September 1, 2005