

**SENATE . . . . . No. 2622**

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**The Commonwealth of Massachusetts**

—  
**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**  
—

SENATE, October 6, 2025.

The committee on State Administration and Regulatory Oversight to whom was referred the petition (accompanied by bill, Senate, No. 2125) of Sal N. DiDomenico, Jason M. Lewis, James B. Eldridge, Joanne M. Comerford and other members of the Senate for legislation relative to language access and inclusion, report the accompanying bill (Senate, No. 2622).

For the committee,  
Nick Collins

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**The Commonwealth of Massachusetts**

**In the One Hundred and Ninety-Fourth General Court  
(2025-2026)**

An Act relative to language access and inclusion.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           Consistent with Title VI of the Civil Rights Act of 1964, Executive Order No. 13166 and  
2 federal rules and regulations adopted in implementation thereof, this legislation seeks to codify  
3 and expand federally enacted protections for Limited English Proficient (LEP) and deaf or hard  
4 of hearing persons to receive equal access to services, programs, and activities from public-  
5 facing state agencies of the Commonwealth.

6           SECTION 1. Chapter 6 of the General Laws is hereby amended by inserting after section  
7 222 the following section:-

8           Section 223. The office of access and opportunity.

9           (a) There shall be within the office of the governor an office of access and opportunity  
10 (the “OAO”) to ensure ready access to the status of and advise on the work conducted by the  
11 OAO.

12 (b) The OAO shall be led by a deputy chief, access and opportunity (the “deputy chief”),  
13 who shall be appointed by the governor and directly report to the governor’s chief of staff. The  
14 deputy chief shall advise the governor and the cabinet and work to foster within state  
15 government non-discrimination and equal opportunity for all irrespective of race, color, age,  
16 gender, ethnicity, sexual orientation, gender identity or expression, religion, creed, ancestry,  
17 national origin, disability, veteran or active military status (including Vietnam-era veterans), or  
18 socio-economic background.

19 (c) There shall be a steering committee on access and opportunity (the “steering  
20 committee”) which the deputy chief will chair and convene regularly for advice on the state of  
21 access and opportunity across the executive branch and how best to achieve goals of the OAO.  
22 The steering committee shall include: the chief human resources officer, human resources  
23 division; assistant secretary, operational services division; executive director of the  
24 Massachusetts supplier diversity office; director of office of diversity and equal opportunity;  
25 director of Massachusetts office on disability; commissioner, division of capital asset  
26 management and maintenance; director, compliance unit, division of capital asset management  
27 and maintenance; the chief operating officer, Massachusetts Department of Transportation;  
28 deputy director, office on diversity and civil rights, Massachusetts Department of Transportation;  
29 secretary of the Executive Office of Labor and Workforce Development or their designee;  
30 secretary of the Executive Office of Veterans’ Services or their designee; and representative(s)  
31 designated by the Secretary of the Executive Office of Education.

32 (d) The deputy chief shall have the following responsibilities:

33 (1) collaborate with and maximize relevant initiatives, work and potential of all existing  
34 executive branch agencies, offices and resources with the explicit goal of:

35 (i) increasing the total number of and dollar volume earned by MBEs, WBEs, and DBEs  
36 contracting with or doing business for the state; and

37 (ii) maintaining or increasing the number of minorities, veterans and individuals with  
38 disabilities who are state employees;

39 (2) develop with partnering agencies and offices, in consultation with the Steering  
40 Committee:

41 (i) an integrated body of policies and actions that reflect best practices and remove  
42 barriers to advance non-discrimination and equity in access to and opportunity in employment,  
43 procurement and the provision of services within state government;

44 (ii) ideas on how best to implement and incentivize compliance with such policies and  
45 procedures; and

46 (iii) performance metrics focused on outcomes, such as increasing the total number of  
47 and dollar volume earned by MBEs, WBEs, DBEs contracting with or doing business for the  
48 state; and maintaining or increasing the number of minority, veterans and individuals with  
49 disabilities who are state employees;

50 (3) convene meetings of key offices, individuals and external stakeholders as needed to  
51 accomplish specified objectives, resolve issues, and make and implement recommendations;

52 (4) identify state laws and regulations that obstruct or frustrate the state's ability to  
53 provide within its own operations equity in access and opportunity for all persons;

54 (5) serve as a liaison to pertinent commissions, councils, task forces and offices  
55 throughout state government as needed to accomplish and advance the OAO's goals; and

56 (6) develop for adoption administrative orders and bulletins to further the OAO's goals,  
57 and prepare such other reports necessary to keep the Governor appropriately apprised of the  
58 work of the OAO.

59 (e) All state agencies shall provide assistance to the OAO by sharing information and  
60 expertise, as requested.

61 SECTION 2. The General Laws are hereby amended by inserting after chapter 6E the  
62 following chapter:

63 CHAPTER 6F.

64 LANGUAGE ACCESS AND INCLUSION.

65 Section 1. Definitions. For the purposes of this Act, the following terms shall have the  
66 following meanings—

67 “Auxiliary aids and services” mean items, equipment or services that provide effective  
68 communication access for persons with communication disorders including but not limited to  
69 persons who are deaf, hard of hearing, late deafened or blind.

70 “Culturally competent” means having a set of behaviors, attitudes and policies that  
71 enables effective work in cross-cultural situations which respects and responds to an individual  
72 person's culture and language, in a nonjudgmental and supportive manner, considering the  
73 service recipient as an individual and not making assumptions based on perceived or actual  
74 membership in any group or class.

75 “Equal access” means to be informed of, participate in, and benefit from public programs  
76 or services offered by a public-facing state agency, at a level equal to English proficient persons.

77 “Language access plan” is an administrative blueprint that defines the obligations and  
78 action plan of a public-facing state agency to comply with this Act. The plan shall outline all  
79 policies, procedures, and guidance enacted to ensure the provision of language access services as  
80 a constitutive element of equal access to state benefits, services, and activities. The plan shall  
81 also establish deadlines by which remedial or proactive actions to ensure language access will be  
82 taken, identify personnel responsible for implementation of the plan and establish priorities  
83 relative to the implementation of these plans.

84 “Language access services” means oral language services and written translation  
85 services, including auxiliary aids and services.

86 “Limited English proficient” or “LEP” are persons whose primary language is not  
87 English or who have a limited ability to speak, read, write or understand English.

88 “Machine translation” is when computer software is utilized for the automated translation  
89 of a text from one language to another and vice versa without human intervention.

90 “Oral interpretation” means the act of listening, understanding and analyzing a spoken  
91 message in one language and re-expressing that message faithfully, accurately and objectively in  
92 another language and vice versa, enabling communication between two or more persons who do  
93 not speak one another’s languages.

94 “Oral language services” means the various methods of providing verbal information and  
95 interpretation through staff interpreters, bilingual or multilingual staff, telephone interpreter  
96 services, or private interpreter services.

97 “Outside service providers” include, but are not limited to, organizations or other persons  
98 that formally or informally, through direct or in-kind compensation, contracts, provides, or  
99 administers services which the relevant public-facing state agency is required to provide or  
100 requires, recommends or refers its clients to utilize.

101 “Primary language” means the language in which an LEP person can most effectively  
102 and comfortably communicate.

103 “Public contact position” means a position determined by the public-facing state agency  
104 to be one that includes meeting, contacting and dealing with the public in the performance of the  
105 agency's functions.

106 “Public-facing state agency” means a Massachusetts executive office, department, or  
107 division thereof that provides assistance, services or information to the public. Any state agency  
108 included in the implementation schedule of this Act shall be identified as a “public-facing state  
109 agency” or when deemed as such under Section 9(a)(6) of this Act.

110 “Qualified bilingual employee” means a staff person who is proficient in both the English  
111 language and a non-English language. Qualified bilingual employees may be categorized as  
112 “Tier 1 Bilingual Employees” or “Tier 2 Bilingual Employees”.

113 “Qualified interpreter” is a person who is fluent in both the English language and a non-  
114 English language and who, by certification, training or experience, is able to (1) perform

115 consecutive interpretation; (2) maintain the tone, style, and complex meaning of speech from one  
116 language to another and vice versa; (3) convey cultural nuances; and (4) remain impartial in all  
117 interpreted interactions.

118 “Qualified multilingual employee” means a staff person who is proficient in the English  
119 language and more than one non-English language. Qualified multilingual employees may be  
120 categorized as “Tier 1 Multilingual Employees” or “Tier 2 Multilingual Employees”.

121 “Qualified translator” means a person who is fluent in writing, reading and proofreading  
122 in both the English language and a non-English language and who, by certification, training or  
123 experience is able to (1) render a text from one language into another language and vice versa;  
124 (2) maintain the tone, style and complex meaning of the original text from one language to  
125 another and vice versa; (3) convey cultural nuances; and (4) remain impartial in the translation  
126 process.

127 “Vital document” means a document or communication, in print or digital form,  
128 containing information that, if not provided accurately or in a timely manner, affects a person’s  
129 rights or access to, retention in, denial or termination of services, benefits or programs,  
130 including, but not limited to, applications, consent forms; complaint forms; intake forms;  
131 informational material on eligibility for benefits; notices; requests for documentation or  
132 information; documents that must be provided by law; and notices regarding the availability of  
133 free language assistance services for LEP persons.

134 “Written translation” means the rendering of a written text from one language to an  
135 equivalent written text of another language.

136 Section 2. Communications with the public.

137 (a) A public-facing state agency shall provide equal access to services, programs, and  
138 activities serving limited English proficient and deaf or hard of hearing persons by the provision  
139 of the following services:

140 (1) Oral interpretation and auxiliary aids and services

141 (i) A public-facing state agency shall provide timely, culturally competent oral language  
142 services to all LEP persons or auxiliary aids and services to deaf or hard of hearing persons who  
143 seek to access state services, programs, or activities or those of outside service providers.

144 (ii) A public-facing state agency shall notify every person of their right to timely oral  
145 interpretation in their primary language or auxiliary aids and services, regardless of their status  
146 as an inquirer into, applicant for, recipient or beneficiary of a state service, program, or  
147 information.

148 (iii) A public-facing state agency shall utilize qualified interpreters or Tier 1 bilingual or  
149 multilingual employees to provide oral language services or auxiliary aids and services.

150 (iv) A public-facing state agency may contract with telephone-based interpretation  
151 services or community-based organizations to provide interpretation to LEP and deaf or hard of  
152 hearing persons or utilize Tier 1 bilingual or multilingual employees.

153 (v) A public-facing state agency that contracts or utilizes an outside service provider to  
154 fulfill the agency's responsibilities to the public shall ensure that the outside service provider  
155 implements the requirements of Section 2(a)(1) of this Act.

156 (2) Written translation

157 (i) A public-facing state agency shall issue vital documents in the following languages:  
158 Arabic, Cape Verdean Creole, Chinese (Simplified and Traditional), French, Haitian Creole,  
159 Khmer, Korean, Portuguese, Russian, Spanish, Vietnamese and any other languages deemed  
160 necessary by the agency's assessments required under Section 4 of this Act.

161 (ii) A public-facing state agency shall translate all notices and materials that explain its  
162 services in the languages stated in Section 2(a)(2)(i) of this Act..

163 (iii) A LEP person whose primary language is not required to be translated into writing  
164 under Section 2(a)(2)(i) of this Act is entitled to the oral interpretation of vital documents,  
165 notices and materials into their primary language.

166 (iv) A public-facing state agency shall utilize qualified translators or Tier 1 bilingual or  
167 multilingual employees, to translate vital documents.

168 A) State agencies shall not solely rely on machine translation to translate vital documents.

169 B) State agencies shall have qualified translators or Tier 1 bilingual or multilingual  
170 employees verify all translations of vital documents generated through machine translation  
171 before such documents are published, conveyed, sent, or posted.

172 (v) A public-facing state agency that contracts or utilizes an outside service provider to  
173 fulfill the agency's responsibilities to the public shall ensure that the outside service provider  
174 implements the requirements of Section (2)(a)(2) of this Act.

175 (3) Websites

176 (i) If a public-facing state agency maintains one or more websites for use by the public,  
177 the agency shall provide the website in the following languages: Arabic, Cape Verdean Creole,

178 Chinese (Simplified and Traditional), French, Haitian Creole, Khmer, Korean, Portuguese,  
179 Russian, Spanish, Vietnamese and any other languages deemed necessary by the agency's  
180 assessments required under Section 4 of this Act.

181 A) The state agency shall ensure that its websites and online application materials are  
182 mobile compatible and that they satisfy or exceed the official Federal Plain Language  
183 Guidelines, March 2011, Rev. 1, May 2011 for the Plain Writing Act of 2010.

184 (ii) Agencies shall not solely rely on machine translation to translate its websites.

185 A) A public-facing state agency shall utilize qualified translators or Tier 1 bilingual or  
186 multilingual employees to verify the translation of its websites for accuracy.

187 (iii) A public-facing state agency that maintains one or more websites for use by the  
188 public shall (1) provide forms and instructions for submitting complaints of alleged violations of  
189 this Act; (2) link such and instructions on the homepage of the state agency's website; and (3)  
190 translate all such forms and instructions into the languages listed in Section 2(a)(3)(i) of this Act.

191 Section 3. Language access plan.

192 (a) A public-facing state agency shall develop a language access plan every 2 years based  
193 on community and agency assessments required by Section 4 of this Act, to guide the provision  
194 of language access services to LEP and deaf or hard of hearing persons. When drafting the  
195 language access plan, a public-facing state agency shall ensure that:

196 (1) a summary of the rights of LEP and deaf or hard of hearing persons to oral  
197 interpretation or auxiliary aids and services, respectively, and the public-facing state agency's  
198 obligations to protect these rights are detailed at the outset of the language access plan;

199 (2) the mandated translated languages are listed, as required by Section 2(a)(2)(i) and  
200 Section 2(a)(3)(i);

201 (3) a plan of action is instituted for the implementation of all provisions of Sections 2, 4,  
202 5 and 7 of this Act;

203 (4) the plan is made publicly available in the translated languages required by Section  
204 2(a)(2) on the main page of the public-facing state agency's website and in its central and local  
205 offices; and

206 (5) a complaint process is developed with complaint forms that are publicly accessible on  
207 the main page of the public-facing state agency's website and in its central and local offices.

208 Section 4. Assessments.

209 (a) Community needs assessment.

210 (1) A public-facing state agency shall conduct a community needs assessment every 2  
211 years that compiles data on the language composition of the agency's eligible populations,  
212 including American Sign Language. The community needs assessment shall also collect data on  
213 the engagement and interaction of eligible populations with the public-facing state agency. The  
214 agency shall determine:

215 (i) the percentage of the eligible service population who are LEP or deaf or hard of  
216 hearing;

217 (ii) the primary languages used by LEP or deaf or hard of hearing persons in all  
218 geographic areas the agency serves its eligible populations ;

219 (iii) the frequency with which the agency provides services to LEP or deaf or hard of  
220 hearing persons;

221 (iv) all points of contact whereby the eligible populations can engage with the public-  
222 facing state agency; and

223 (v) all potential language or language-related barriers that may arise in the engagement of  
224 eligible populations with the public-facing state agency.

225 (b) Internal state agency assessments.

226 (1) A public-facing state agency shall conduct a language services inventory every 2  
227 years to identify available language services and staff to serve LEP persons and deaf or hard of  
228 hearing persons. A public-facing state agency shall:

229 (i) determine the number of qualified bilingual or multilingual employees in public  
230 contact positions in each central and local office, who can provide linguistically, culturally and  
231 technically proficient language access services. This data shall be disaggregated by language and  
232 by the Tier 1 and Tier 2 classification required by Section 5(b)(3) of this Act.

233 (ii) detail the language access services, including technology and equipment, available  
234 within the state's resources or under state contracts, including in-person interpretation, telephone  
235 interpretation, video interpretation, translation and auxiliary aids and services.

236 (2) A public-facing state agency shall generate a language access status report every 2  
237 years of each of its statewide and local offices evaluating the agency's capacities in serving LEP  
238 and deaf or hard of hearing persons. This status report shall include the following:

239 (i) a calculation of the percentage of LEP and deaf or hard of hearing persons presently  
240 served by the public-facing state agency's central and local offices, categorized by primary  
241 language;

242 (ii) a determination of whether the current oral language and written translation services  
243 are effectively meeting the language needs of LEP persons served by the public-facing state  
244 agency;

245 (iii) a determination of whether the current auxiliary aids and services are effectively  
246 meeting the language needs of deaf or hard of hearing persons served by the public-facing state  
247 agency;

248 (iv) a description of the agency's procedures for identifying vital documents for  
249 translation;

250 (v) an evaluation of whether contracted interpreter services are effectively meeting the  
251 language needs of LEP and deaf or hard of hearing persons;

252 (vi) an evaluation of operational protocols for staff to effectively access language access  
253 services as outlined in Section 5(c) of this Act;

254 (vii) an evaluation of staff proficiency to effectively and appropriately utilize language  
255 access services as outlined in Section 5(c) of this Act;

256 (viii) a description of any language access training the public-facing state agency  
257 provides to its staff to ensure the agency is effectively serving provision of services to LEP and  
258 deaf or hard of hearing persons individuals, including the frequency of training, and date of most  
259 recent training;

260 (ix) a determination of whether the allocation and assignment of qualified bilingual and  
261 multilingual employees to central and local offices is effectively meeting the identified language  
262 needs in those offices;

263 (x) an evaluation of agency procedures for recruiting and retaining qualified bilingual or  
264 multilingual employees in central and local offices; and

265 (xi) a description of the public-facing state agency's procedures for receiving and  
266 resolving complaints regarding language access as well as the number of complaints received.

267 (c) The assessments in this Section shall be completed prior to the drafting of the  
268 language access plan as required by Section 3 of this Act. The results of these assessments shall  
269 inform all content, policies, recommendations and guidance in the language access plan.

## 270 Section 5. Personnel.

271 (a) Language access coordinator.

272 (1) A public-facing state agency shall designate a language access coordinator whose sole  
273 responsibility on a full-time basis shall be to address language access needs and the public-facing  
274 state agency's compliance with this Act, in consultation with the language access advisory board  
275 established in Section 6 of this Act.

276 (2) Language access coordinators shall maintain a centralized, electronic, searchable  
277 language access database of the following:

278 (i) all formal and informal requests for language access services and the status of those  
279 requests;

- 280 (ii) all language access-related complaints, including complaints of language  
281 discrimination and/or disability discrimination in cases of the deaf or hard of hearing;
- 282 (iii) the status and progress of all such requests and complaints;
- 283 (iv) the resolution of all such requests and complaints, including decisions by the regional  
284 and central offices;
- 285 (v) the reasons for full and partial denials of requests for language services; and
- 286 (vi) the office(s) handling the relevant case or request for service.

287 (3) A public-facing state agency may also designate regional language access  
288 coordinators to address the language access needs of relevant regions and train the regions' staff  
289 on compliance with this Act.

290 (i) Regional language access coordinators shall report to the language access coordinator  
291 of their respective public-facing state agency's central office.

292 (b) Staffing.

293 (1) A public-facing state agency shall employ a sufficient number of qualified bilingual  
294 or multilingual employees in public contact positions or as interpreters to assist employees in  
295 public contact positions, to ensure the provision of information and services in a person's  
296 primary language.

297 (2) A bilingual or multilingual staff member shall not provide interpretation in adversarial  
298 proceedings when the public-facing state agency that employs the bilingual or multilingual staff  
299 member is a party to the proceedings.

300 (3) A bilingual or multilingual staff member may provide language services to LEP and  
301 deaf or hard of hearing persons, in accordance with their skill level as determined by the  
302 language access coordinator. A state agency shall classify bilingual or multilingual employees  
303 into one of two tiers, and shall only provide interpretation services in accordance with that tier as  
304 follows:

305 (i) Tier 1 bilingual or multilingual employee: Tier 1 employees must have formal  
306 certification, training, or sufficient experience in interpretation in the specific subject matter. If  
307 the employer does not regularly employ a person that may be classified as a Tier 1 employee, the  
308 employer must hire a third-party contractor to fulfill the need for interpretation services Tier 1  
309 employees shall agree to abide by the ethical and confidentiality requirements for interpreters  
310 and translators in accordance with the American Translators Association Code of Ethics and  
311 Professional Practice.

312 (ii) Tier 2 bilingual or multilingual employee: Tier 2 employees have the language  
313 proficiency to communicate directly with LEP or deaf or hard of hearing persons regarding  
314 routine or common business matters. Tier 2 employees shall not serve as interpreters or  
315 translators.

316 (4) An employee of a public-facing state agency who regularly acts as an interpreter or  
317 translator shall be reasonably compensated for that additional work.

318 (5) A public-facing state agency shall ensure that all processes and procedures for staff to  
319 request language access services require minimal approval or documentation and are not overly  
320 burdensome.

321 (c) Training.

322 (1) Language access coordinators shall train employees about all processes and  
323 procedures needed to effectively obtain and utilize all language access services mandated by  
324 Section 2 of this Act as part of an employee’s onboarding process and on an annual basis  
325 thereafter.

326 (i) Training shall include (1) instruction on process and procedures for requesting  
327 language access service, (2) guidance on how to effectively work with interpreters or translators  
328 and (3) explanation of procedures for reporting deficiencies to language access services.

329 (2) A public-facing state agency shall ensure the provision of language access training for  
330 an outside service provider.

331 Section 6. Language access advisory board.

332 (a) Mission, organization and institution.

333 (1) There shall be a language access advisory board to provide guidance and technical  
334 assistance to public-facing state agencies in order to ensure equal access for LEP and deaf or  
335 hard of hearing persons to services, programs, and activities offered by a public-facing state  
336 agency.

337 (2) The board shall be co-chaired by a staff member from the office of access and  
338 opportunity, and one other member of the advisory board elected by the board.

339 (3) The members of the advisory board shall be appointed within 6 months of the  
340 effective date of this Act, and shall serve 4-year terms. Members whose terms have expired may  
341 serve until a successor is appointed.

342 (4) The board shall meet no less than 4 times annually.

343 (b) Composition.

344 (1) The language access advisory board shall include: 3 members appointed by the  
345 Massachusetts Immigrant and Refugee Advocacy Coalition from prevalent LEP populations  
346 within Massachusetts, as determined by the most recent United States Census data; 1 member  
347 appointed by the Disability Law Center from the deaf or hard of hearing community; 1 member  
348 appointed by the Massachusetts Law Reform Institute; 1 member appointed by the  
349 Massachusetts Appleseed Center for Law & Justice; 1 member appointed by the Massachusetts  
350 Language Access Coalition; 1 member appointed by Greater Boston Legal Services; 1 member  
351 appointed by the Justice Center of Southeast Massachusetts; 1 member appointed by MetroWest  
352 Legal Services; 1 member appointed by the Central West Justice Center; and 1 member  
353 appointed by the Northeast Justice Center.

354 (c) Advisory board responsibilities.

355 (1) The advisory board shall support public-facing state agencies to achieve compliance  
356 with this Act by:

357 (i) providing guidance and technical assistance to the state agencies;

358 (ii) advising language access coordinators of public-facing state agencies in the  
359 development and review of language access plans;

360 (iii) reviewing all assessments and surveys from state agencies as required by Section 4  
361 of this Act; and

362 (iv) providing recommendations to state agencies to reduce identified barriers for the LEP  
363 and deaf or hard of hearing persons.

364 (2) The language access advisory board, in formulating its recommendations, shall take  
365 into account the best practices and policies in other states and jurisdictions, and may undertake  
366 further steps to help state agencies achieve compliance with this Act.

367 Section 7. Reporting requirements.

368 (a) Upon a public-facing state agency's full implementation of this Act as required by  
369 Section 11 and every 2 years thereafter, the agency shall submit to the office of access and  
370 opportunity and the language access advisory board the following:

371 (1) the community needs assessment as stated in Section 4(a)(1);

372 (2) the language services inventory as stated in Section 4(b)(1); and

373 (3) the language access plan as stated in Section 3.

374 (b) Upon a public-facing state agency's full implementation of this Act as required by  
375 Section 11 and every 2 years thereafter, the agency shall submit the language access status report  
376 required by Section 4(b)(2) of this Act to the joint committee on ways and means, the joint  
377 committee on state administration and regulatory oversight, the office of access and opportunity  
378 and the language access advisory board.

379 (c) Upon a public-facing state agency's full implementation of this Act as required by  
380 Section 11 and every year thereafter, the agency shall submit the language access database as  
381 outlined in Section 5(a)(2) to the office of access and opportunity and the language access  
382 advisory board.

383 (d) A public-facing state agency shall ensure, in reporting of all materials outlined in this  
384 Section, that the following standards are maintained:

385 (1) all data is disaggregated and cross-tabulated by primary language, disability status,  
386 race, ethnicity, age, gender and low-income status;

387 (2) all materials are made publicly available in the list of translated languages required by  
388 Section 2(a)(2);

389 (3) all materials are presented in plain language; and

390 (4) all data is presented in a manner that protects the privacy of all surveyed persons.

391 Section 8. Relief.

392 (a) Any person claiming to be aggrieved by a public-facing state agency for failure in the  
393 provision of language access services in order to provide equal access to services, programs, and  
394 activities of a public-facing state agency according to the provisions of this Act shall have the  
395 right to initiate and prosecute a civil action in the district, superior, housing, probate and family,  
396 Boston municipal or land court department for injunctive and other appropriate equitable relief  
397 or an award of actual and consequential damages.

398 (1) Should the person or persons prevail, they shall be entitled to an award of actual and  
399 consequential damages, that is the costs of the litigation including expert witness fees, reasonable  
400 attorneys' fees in an amount to be fixed by the court, and prejudgment and post judgment  
401 interest.

402 (b) The attorney general may commence a civil action to seek relief for a violation of this  
403 Act.

404 Section 9. Office of access and opportunity.

405 (a) The office of access and opportunity within the governor's office shall have the  
406 following responsibilities:

407 (1) accept and investigate complaints submitted to the office of access and opportunity by  
408 persons who have been unable to obtain timely language access services in any public-facing  
409 state agency;

410 (2) provide copies of all complaints annually as required by Section 5(a)(2) of this Act to  
411 the language access advisory board;

412 (3) eliminate the language access barrier when an agency does not provide equal access  
413 using informal methods, including conference, conciliation, mediation, or persuasion. Where the  
414 language access barrier cannot be eliminated by informal methods, the office of access and  
415 opportunity shall submit written compliance requirements to the public-facing state agency. The  
416 office of access and opportunity may request the public-facing state agency to notify it within a  
417 specified time of any action taken on its requirements, and may require a public-facing state  
418 agency to increase the frequency of reporting required by Section 9(a)(2) of this Act every six  
419 months, as needed, or as requested by the language access advisory board;

420 (4) create, in consultation with the language access advisory board, multilingual signage  
421 informing LEP and deaf or hard of hearing persons of their right to free oral language services or  
422 auxiliary aids and services, for dissemination to state agencies

423 (5) shall promulgate regulations no later than 1 year after the effective date of this Act  
424 after receiving input from stakeholders and the language access advisory board; and

425 (6) identify additional state agencies that shall be subject to this Act upon its  
426 determination in consultation with the language access advisory board.

427 (i) This determination shall be made:

428 A) in the 5th year following the enactment of this Act and every 5 years thereafter or at  
429 the discretion of the office of access and opportunity in consultation with the language access  
430 advisory board; and,

431 B) by conducting an inventory and evaluation of newly formed and existing state  
432 agencies' engagement with the public.

433 Section 10. Conflicting law.

434 (a) In the event any law of the Commonwealth prescribes stronger protections, the  
435 services, programs and activities of public-facing state agencies required by this Act shall be  
436 subject to the stronger protections.

437 SECTION 3. Public-facing state agencies shall comply with the requirements set forth in  
438 Sections 2, 3, 4, 5 and 7 of SECTION 2 of this Act in the manner established by the following  
439 implementation schedule:

440 (a) On or before the second year after enactment, there shall be implementation by each  
441 of the following public-facing state agencies and their divisions thereof:

442 (1) MassHealth;

443 (2) the department of children and families;

444 (3) the department of transitional assistance;

445 (4) the department of unemployment assistance; and

446 (5) all departments, divisions and offices within the executive office of housing and  
447 livable communities that administer emergency shelter assistance, rental assistance, housing  
448 subsidies or other housing benefits to state residents.

449 (b) On or before the third year after enactment, there shall be implementation by each of  
450 the following public-facing state agencies and their divisions thereof:

451 (1) the department of early education and care

452 (2) the registry of motor vehicles;

453 (3) the department of public health; and

454 (4) the department of mental health.

455 (c) On or before the fourth year after enactment, there shall be implementation by each of  
456 the following public-facing state agencies and their divisions thereof:

457 (1) the child support enforcement division of the department of revenue;

458 (2) the department of elementary and secondary education;

459 (3) the Massachusetts office on disability;

460 (4) the department of public utilities; and

461 (5) MassDigital.

462 (d) On or before the fifth year after enactment, there shall be implementation by each of  
463 the following public-facing state agencies and their divisions thereof:

464 (1) the department of revenue;

465 (2) the executive office of health and human services, specifically,

466 (i) the department of youth services,

467 (ii) the department of developmental services,

468 (iii) the executive office of elder affairs,

469 (iv) MassAbility,

470 (v) the office for refugees and immigrants;

471 (3) the executive office of labor and workforce development, specifically,

472 (i) the department of family and medical leave,

473 (ii) the department of industrial accidents; and

474 (4) the executive office of public safety and security, specifically,

475 (i) the Massachusetts department of correction,

476 (ii) the department of fire services,

477 (iii) the Massachusetts state police,

478 (iv) the Massachusetts emergency management agency,

479 (v) the state 911 department.

480 SECTION 4. This Act shall take effect upon passage.