
A BILL FOR AN ACT

RELATING TO LANGUAGE ACCESS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 371-36, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " ~~[§] §371-36 [§]~~ ~~[Executive director of the office]~~ Office
4 of language access; executive director; duties. There is
5 established within the department of labor and industrial
6 relations, for administrative purposes only, an office of
7 language access. The head of the office shall be known as the
8 executive director of the office of language access, hereinafter
9 referred to as executive director. Employees of the office of
10 language access shall include a legal analyst, two research
11 analysts, and a clerk, who shall be appointed by the executive
12 director without regard to chapter 76. The executive director
13 shall be appointed by the governor without regard to chapter 76.

14 The executive director shall:

15 (1) Provide oversight, central coordination, and technical
16 assistance to state agencies in their implementation
17 of language access requirements under this part or
18 under any other law, regulation, or guidance;



- 1 (2) Provide technical assistance to covered entities in
2 their implementation of this part;
- 3 (3) Review and monitor each state agency's language access
4 plan for compliance with this part;
- 5 (4) Where reasonable access is not provided, endeavor to
6 eliminate the barrier using informal methods such as
7 conference, conciliation, mediation, or persuasion.
8 Where the language access barrier cannot be eliminated
9 by informal methods, the executive director shall
10 submit a written report with the executive director's
11 opinion and recommendation to the state agency or the
12 covered entity. The executive director may request
13 the state agency or the covered entity to notify the
14 executive director, within a specified time, of any
15 action taken on the executive director's
16 recommendation;
- 17 (5) Consult with language access coordinators, the
18 language access advisory council, and department
19 directors or their equivalent;
- 20 (6) Subject to section 371-33, create, distribute to the
21 State, and make available to covered entities'
22 multilingual signage in the more frequently



1 encountered languages in the State, and other
2 languages as needed, informing individuals of their
3 right to free oral language services and inviting them
4 to identify themselves as persons needing services;
5 and

6 (7) Adopt rules pursuant to chapter 91 to address the
7 language needs of limited English proficient persons."

8 SECTION 2. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

John M. Pappas
[Signature]
Tom Brown
Anthony. Nguyen
[Signature]
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JAN 20 2010



Report Title:

Office of Language Access

Description:

Includes hiring of a senior legal analyst, research analysts, and clerks who are exempt from civil service requirements as part of the duties of the Executive Director of the Office of Language Access.

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