

Intro. Res. No. 1016-2020  
Introduced by Legislators Gonzalez, Hahn, Fleming and Richberg

Laid on Table 1/2/2020

**RESOLUTION NO. 462 -2020, ADOPTING LOCAL LAW  
NO. 25 -2020, A LOCAL LAW TO EXPAND LANGUAGE  
ACCESS LAWS IN SUFFOLK COUNTY**

**WHEREAS**, there was duly presented and introduced to this County Legislature at a meeting held on January 2, 2020, a proposed local law entitled, "**A LOCAL LAW TO EXPAND LANGUAGE ACCESS LAWS IN SUFFOLK COUNTY**"; now, therefore be it

**RESOLVED**, that said local law be enacted in form as follows:

**LOCAL LAW NO. 25 -2020, SUFFOLK COUNTY, NEW YORK**

**A LOCAL LAW TO EXPAND LANGUAGE ACCESS LAWS IN  
SUFFOLK COUNTY**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF  
SUFFOLK**, as follows:

**Section 1. Legislative Intent.**

This Legislature hereby finds and determines that Article I of Chapter 143 of the SUFFOLK COUNTY CODE was adopted through Local Law No. 16-2018 to ensure language access for members of the public interfacing with County government.

This Legislature also finds and determines that Chapter 143 requires that all vital documents provided by a County agency providing direct public services shall be completely translated into the six most common non-English languages spoken by individuals with limited English proficiency in the County.

This Legislature further finds and determines that the way that Chapter 143 is currently drafted, County correctional facilities are not expressly included as needing to adhere to these requirements for incarcerated individuals.

This Legislature finds that Suffolk County is committed to protecting the interests of all of its residents, including individuals who are incarcerated or awaiting trial in a County correctional facility.

This Legislature determines that in order to further protect the interests of people who are in County custody, Article I of Chapter 143 should be amended to ensure language access for individuals held in County correctional facilities.

Therefore, the purpose of this law is to amend Chapter 143 of the SUFFOLK COUNTY CODE to require that County correctional facilities comply with the language access law.

**Section 2. Amendments.**

Chapter 143 of the SUFFOLK COUNTY CODE is hereby amended as follows:

**CHAPTER 143. LANGUAGE ASSISTANCE**

**Article I. Access to County Programs and Services**

\* \* \* \*

**§143-2 Definitions.**

As used in this article, the following terms shall have the meanings indicated:

COUNTY AGENCY - Any agency, department, division or office in Suffolk County government which provides programs and/or services to the public or programs and/or services made available to individuals in the custody of Suffolk County at a County correctional facility.

DIRECT PUBLIC SERVICES – Services administered by an agency directly to program beneficiaries and/or participants, including any services administered by an agency directly to individuals in the custody of Suffolk County at a County correctional facility.

VITAL DOCUMENTS – Those documents most commonly distributed to the public and individuals in County correctional facilities that contain or elicit important and necessary information regarding the provision of basic County services.

**§143-3. Language access requirements.**

- A. Any County agency that provides direct public services, including services provided to individuals in the custody of Suffolk County in any County correctional facility, shall, in all relevant programs and services, competently translate vital documents, including, but not limited to, forms and instructions provided to or completed by program participants and beneficiaries, into the six most common non-English languages spoken by individuals with limited English proficiency in the County, based on United States census data, and relevant to services offered by the agency. "Competent translation" shall mean a trans-language rendition of a written message in which the translator comprehends the source language and can write comprehensively in the target language to convey the meaning intended in the source language. Online translation tools shall not be used for translating documents.

\* \* \* \*

**Section 3. Applicability.**

This law shall apply to all actions occurring on or after the effective date of this law.

**Section 4. Severability.**

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or

circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

**Section 5. SEQRA Determination.**

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(26) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as routine or continuing administration and management not including new programs or major reordering of priorities that may affect the environment. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

**Section 6. Effective Date.**

This law shall take effect immediately upon its filing in the Office of the Secretary of State.

[ ] Brackets denote deletion of existing language  
\_\_\_ Underlining denotes addition of new language

DATED: June 23, 2020

APPROVED BY:

/s/ Steven Bellone  
County Executive of Suffolk County

Date: July 9, 2020

After a public hearing duly held on July 6, 2020  
Filed with the Secretary of State on July 23, 2020