

# STATE OF NEW YORK

4036

2019-2020 Regular Sessions

## IN SENATE

February 26, 2019

Introduced by Sen. GOUNARDES -- read twice and ordered printed, and when printed to be committed to the Committee on Elections

AN ACT to amend the election law, in relation to provision of interpreters at certain poll sites

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The election law is amended by adding a new section 8-110  
2 to read as follows:

3 § 8-110. Boards of elections; provision of interpreters. 1. Notwith-  
4 standing any provision of law to the contrary, the board of elections  
5 for each county shall, at a minimum, provide at least one interpreter  
6 for each of the six most common languages spoken by individuals with  
7 limited English proficiency residing in such county at all poll sites  
8 that contain an election district with at least fifty voting age resi-  
9 dents with limited English proficiency. The six most common limited  
10 English proficiency languages, as well as the voting districts with at  
11 least fifty voting age residents with limited English proficiency, shall  
12 be determined by the board of elections based upon the most recent  
13 United States census data or American community service data, whichever  
14 is more recent, and beginning on January first, two thousand twenty-two,  
15 such data shall be reviewed every two years. Unless an election district  
16 has at least fifty voting age residents with limited English proficiency  
17 who speak one of the six common languages spoken by individuals with  
18 limited English proficiency residing in such county, an interpreter for  
19 such language shall not be required for any poll site in such election  
20 district.

21 2. Notwithstanding any provision of law to the contrary, the New York  
22 city board of elections shall, at a minimum, provide interpreters for  
23 all languages that are designated city-wide languages pursuant to  
24 section 23-1101 of the administrative code of the city of New York at  
25 all poll sites that contain an election district with at least fifty

EXPLANATION--Matter in italics (underscored) is new; matter in brackets  
[-] is old law to be omitted.

LBD08999-02-9

1 voting age residents whose limited English proficiency language is a  
2 designated city-wide language. The voting districts with at least fifty  
3 voting age residents with limited English proficiency shall be made by  
4 the New York city board of elections based upon the most recent United  
5 States census data or American community service data, whichever is more  
6 recent, and beginning on January first, two thousand twenty-two, such  
7 data shall be reviewed every two years. Unless an election district has  
8 at least fifty voting age residents with limited English proficiency who  
9 speak a specific city-wide language, an interpreter for such city-wide  
10 language shall not be required for any poll site in such election  
11 district.

12 3. All interpreters provided by a board of elections pursuant to  
13 subdivision one or two of this section shall be made available to the  
14 public inside the poll site. Any interpreter who engages in any activity  
15 in violation of subdivision one of section 8-104 of this article shall  
16 be immediately relieved of his or her duties as an interpreter.

17 4. Nothing in this section shall restrict or prohibit a board of  
18 elections from providing interpreters for languages that are not  
19 required pursuant to this section.

20 5. The state board of elections shall promulgate rules and regulations  
21 that include establishing standards for the number of interpreters that  
22 will be required at each poll site based upon the number of voting age  
23 residents in an election district with limited English proficiency that  
24 speak a specific language.

25 § 2. This act shall take effect on the first of January next succeed-  
26 ing the date on which it shall have become a law. Effective immediately,  
27 the addition, amendment and/or repeal of any rule or regulation neces-  
28 sary for the implementation of this act on its effective date are  
29 authorized to be made and completed on or before such effective date.