



Legislation Text

File #: Int 1695-2017, Version: *

Int. No. 1695

By Council Members Torres, Chin, Rosenthal and Salamanca

A Local Law to amend the New York city charter, in relation to requiring the provision of simultaneous language services at public presentations held by city agencies in priority language access service areas

Be it enacted by the Council as follows:

Section 1. Subdivision c of section 15 of the New York city charter, as added by vote of the electors on November 7, 1989, is amended by adding new paragraphs 6 and 7 to read as follows:

6. To designate neighborhood tabulation areas, as determined by the department of city planning, as priority language access service areas if 37 percent or more of the population is limited english proficient, and to reevaluate such designations every three years.

7. To monitor and report on the performance of city agencies in delivering simultaneous language services pursuant to section 1063.1.

§ 2. Chapter 47 of the New York city charter is amended by adding a new section 1063.1 as follows:

§ 1063.1. Simultaneous language services for public presentations held by city agencies. a. Definitions.

As used in this section, the following terms have the following meanings:

Public presentation. The term “public presentation” means a city agency sponsored meeting, forum, town hall or other form of public gathering that is held for the purpose of disseminating information or seeking public input and that is expected to be attended by 40 or more members of the public.

Simultaneous language services. The term “simultaneous language services” means (i) the contemporaneous translation of everything that is spoken in a public presentation from english into another

language, whether in person or via a real-time feed and whether by means of another person or by means of software, and, (ii) if practicable, prior written or contemporaneous oral translation of text used during the public presentation.

b. Each city agency that plans to conduct a public presentation in or targeting residents of a priority language access service area, as designated by the office of the language services coordinator pursuant to paragraph 6 of subdivision c of section 15, shall advertise such public presentation:

1. In the top non-english language spoken by the limited english proficient population in such area, as determined by the department of city planning; or

2. In the top two non-english languages spoken by the limited english proficient population in such area, as determined by the department of city planning, if such city agency is required to provide simultaneous language services pursuant to paragraph 2 of subdivision c of this section.

c. Each city agency that conducts a public presentation in or targeting residents of a priority language access service area, as designated by the office of the language services coordinator pursuant to paragraph 6 of subdivision c of section 15, shall provide simultaneous language services:

1. In the top non-english language spoken by the limited english proficient population in such area, as determined by the department of city planning; or

2. In the top two non-english languages if the second most commonly spoken non-english language is spoken by 10 percent or more of the limited english proficient population in the priority language access service area, as determined by the department of city planning.

d. If technical or resource limitations prevent the provision of simultaneous language services to the second most commonly spoken non-english language pursuant to paragraph 2 of subdivision c of this section, the city agency shall notify the office of the language services coordinator and shall:

1. Repeat the public presentation and provide simultaneous language services in such language;

2. Distribute a translated recording of the public presentation in such language;

3. Distribute a summary of the public presentation in such language; or

4. Provide another equivalent language access service to make the content of the public presentation accessible in such language.

e. Each city agency for every public presentation shall provide a mechanism by which members of the public may request simultaneous language services for any language not required by subdivision c of this section. Such city agency shall, upon receiving such a request, provide the requested simultaneous language services if practicable.

f. This section does not create any cause of action or constitute a defense in any legal, administrative or other proceeding and does not authorize any violation of any federal, state or local law.

§ 3. This local law takes effect 270 days after it becomes law.

BAM
LS 8813
12/13/16