

AMENDED IN ASSEMBLY MAY 6, 2013

AMENDED IN ASSEMBLY APRIL 22, 2013

AMENDED IN ASSEMBLY APRIL 8, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 543

Introduced by Assembly Member Campos

February 20, 2013

An act to add Section 21097 to the Public Resources Code, relating to environmental quality.

LEGISLATIVE COUNSEL'S DIGEST

AB 543, as amended, Campos. California Environmental Quality Act: translation.

Existing law, the California Environmental Quality Act, referred to as CEQA, requires a lead agency, as defined, to prepare, or cause to be prepared, and certify the completion of, an environmental impact report on a project that it proposes to carry out or approve that may have a significant effect on the environment or to adopt a negative declaration if it finds that the project will not have that effect. CEQA also requires a lead agency to prepare a mitigated negative declaration for a project that may have a significant effect on the environment if revisions in the project would avoid or mitigate that effect and there is no substantial evidence that the project, as revised, would have a significant effect on the environment.

This bill would require a lead agency to translate, as specified, certain notices required by the act and a summary of any negative declaration, mitigated negative declaration, or environmental impact report when ~~the impacted community has a substantial number~~ *a group* of

non-English-speaking people, as defined, *comprises at least 5% of the population within the lead agency’s jurisdiction and the project is proposed to be located at or near an area where the group of non-English-speaking people comprises at least 5% of the residents of that area.* By requiring a lead agency to translate these notices and documents, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 21097 is added to the Public Resources
2 Code, to read:

3 21097. (a) ~~When a group of non-English-speaking people~~
4 ~~comprises at least 5 percent of the population within a lead~~
5 ~~agency’s jurisdiction, and a project is proposed to be located at~~
6 ~~or near an area where the group of non-English-speaking people~~
7 ~~comprises at least 5 percent of the residents of that area, a lead~~
8 ~~agency shall translate each of the following when the impacted~~
9 ~~community has a substantial number into the language spoken by~~
10 ~~that group of non-English-speaking people:~~

11 (1) Any notice required pursuant to Section 21083.9, 21092,
12 21152, 21161 or any notice authorized pursuant to subdivision (b)
13 of Section 21108 or subdivision (b) of Section 21152.

14 (2) A summary of any negative declaration, mitigated negative
15 declaration, or environmental impact report.

16 ~~(b) A document described pursuant to subdivision (a) shall be~~
17 ~~translated into all languages understood by a substantial number~~
18 ~~of non-English-speaking people.~~

19 (e)
20 (b) For the purposes of this section, ~~“substantial number~~ “group
21 of non-English-speaking people” means ~~members of a group who~~
22 ~~whose members~~ either do not speak English or who are unable to
23 effectively communicate in English because it is not their native
24 language, and who comprise 5 percent or more of the people who

1 ~~are likely to be affected by the project within the jurisdiction of~~
2 ~~the lead agency.~~

3 SEC. 2. No reimbursement is required by this act pursuant to
4 Section 6 of Article XIII B of the California Constitution because
5 a local agency or school district has the authority to levy service
6 charges, fees, or assessments sufficient to pay for the program or
7 level of service mandated by this act, within the meaning of Section
8 17556 of the Government Code.

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