

# Commission on Local Government

## Estimate of Local Fiscal Impact

2020 General Assembly Session

**Bill:** HB420

**Patron:** Price

**Date:** 1/22/2020

In accordance with the provisions of §30-19.03 of the Code of Virginia, the staff of the Commission on Local Government offers the following analysis of the above-referenced legislation:

### Bill Summary:

Department of Emergency Management; responsibilities of political subdivisions; provision of emergency preparedness information to individuals with limited English proficiency, disabilities, or other special needs. Directs the Department of Emergency Management (the Department) to ensure that the model school crisis and emergency management plan developed by the Board of Education in consultation with the Department is designed to include and reach individuals with limited English proficiency, disabilities, and other special needs. The bill also directs the Department to develop an emergency response plan to (i) address the needs of such individuals in the event of a disaster, including the provision of competent interpretation services and translated documents, and (ii) assist and coordinate with local agencies in developing similar emergency response plans for such individuals. The bill requires that every local and interjurisdictional emergency management agency include in its emergency operations plan provisions to ensure that adequate and timely emergency relief assistance, including competent interpretation services and translated documents, is provided to such individuals. The bill requires the governing body of each locality that is required to establish an alert and warning plan to ensure that such plan provides adequate and timely warnings for such individuals. The bill contains technical amendments.

### Executive Summary:

Localities have evaluated a negative fiscal impact ranging from \$0.00 - \$130,000.00. Some localities responded that the cost of the bill would be related to consulting fees for updating the Emergency Operation Plan (EOP) to include translated sections, updating/translating outreach materials, 911 database to include a preferred language, and marketing materials to allow land-line users to become aware of language preferences. One locality noted that it would be difficult for any local government to meet the requirements, and the cost to implement the program in a disaster is unknown because it depends on the scope, and the impact area event. Another locality noted that they need to incorporate special needs protocols in training, including retaining an interpreter. Of those who responded with no to little cost, noted that they are already in compliance with the requirements of the bill. Others noted that the cost of the bill is indeterminate, but would create tremendous workload for the localities with residents speaking a significant number of different languages.

### Local Analysis:

**Locality:** City of Danville

**Estimated Fiscal Impact:** \$15,000.00

According to our Emergency Management Division, costs for compliance with this proposed bill would include updating parts of the EOP to include translated sections and updating/translating outreach materials. Our current emergency notification system allows for users to select their language preference and automatically provides translation if they opt-in. However, the 911 database which automatically updates does not include a preferred language, so there would be a cost for marketing materials to allow for landline users to become aware of language preferences. Costs are reflective of EOP update, translation services, and marketing/outreach materials.

**Locality:** City of Harrisonburg

**Estimated Fiscal Impact:** \$0.00

The City is not able to calculate but this would create a tremendous workload for City staff. Currently there is over 70 different languages spoken by students in the school system.

**Locality:** City of Norfolk

**Estimated Fiscal Impact:** \$0.00

Unknown impact at this time. The city's Emergency Management department is working with the school seem to consolidate plans and meet standards so that most of what would be required in the bill would already be addressed.

**Locality:** City of Roanoke

**Estimated Fiscal Impact:** \$0.00

The City of Roanoke does not see any additional direct costs associated with the passage of this bill as we are already incorporating into our emergency operations plans to use these services in a disaster/emergency.

**Locality:** City of Winchester

**Estimated Fiscal Impact:** \$0.00

We feel we already do a great job already in complying with language barriers. If this passes, I would imagine that VDEM would generate guidance for localities. I support what they are trying to do.

**Locality:** Henrico County.

**Estimated Fiscal Impact:** \$95,000.00

Estimate includes \$80,000 for one-time consulting costs to update the County's emergency plan and \$15,000 in annual costs for increased costs related to the County's notification system.

**Locality:** Prince Edward County

**Estimated Fiscal Impact:** \$43,400.00

The Bill is over reaching as written and the mandates can not be achieved. The bill as written would require local government to be able to provide interpretation services and translate documents for each and every language spoken. As there are approximately 4,500 languages spoken by more than 1,000 people it would be impossible for any local government to meet this requirement. Just addressing the needs of the languages commonly encountered in Prince Edward would require the County to have interpreters of at least 7 languages available (Spanish, Vietnamese, Chinese, Korean, French, Hindi, Bengali) during times of emergencies. It is estimated the County will have to pay a \$5,000 retainer to each of the 7 interpreters and then \$50 an hour while using their services which is estimated to be 24 hours each year for a total of 168 hours at a cost of \$8,400 for a grand total of \$43,400. The County is not sure how we will provide this service if we encounter a language for which we have no one on retainer.

**Locality:** Town of Ashland

**Estimated Fiscal Impact:** \$10,000.00

Initial estimate is \$10,000 to translate relevant documents and create templates for public announcements to be used online, in print and telephonic. Cost to implement the program in a disaster is unknown because it will depend on the scope and impact area of the event.

**Locality:** Town of Blacksburg

**Estimated Fiscal Impact:** \$0.00

This bill would have minimal operational and financial impact to the Town's emergency services operations.

**Locality:** Town of Buchanan

**Estimated Fiscal Impact:** \$130,000.00

Breakdown of fiscal impact; \$75,000 for updated (bilingual) software for alert system software. \$30,000 for staff time, updating emergency response plan, and development of translated documents. \$25,000 for either software that provides interpretation services or contract with a provider that can be called/ conference over the phone.

**Locality:** Town of Marion.

**Estimated Fiscal Impact:** \$25,000.00

While Smyth County formally is charged with Emergency Management duties, the Town of Marion, as a first responders agency and through mutual aid, would need to incorporate special needs protocol in training, including retaining an interpreter.

**Locality:** Town of Scottsville

**Estimated Fiscal Impact:** \$0.00

Small towns with population under 5,000 defer this and other emergency management obligations to their surrounding county government. This example of a small town would not bear costs for translation and other service provisions.