ENGROSSED HOUSE
BILL NO. 1385

By: Dunlap, Kirby, Smaligo, O'Neal and Smith (Bill) of the House

and

Martin of the Senate

An Act relating to definitions and general provisions; providing for the use of English in all public records and public transactions; providing exceptions; prohibiting certain acts; providing exceptions; excluding the private sector from certain provisions; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 300 of Title 25, unless there is created a duplication in numbering, reads as follows:

A. The common language of this state is recognized to be English. English shall be designated as the language of official public documents and records and official public meetings. Official public documents and records include, but are not limited to, those which are officially compiled, published, or recorded by the state, including, but not limited to deeds, publicly probated wills, records of births, deaths and marriage.

B. The provisions of this section shall not apply:

1. To instruction in foreign language courses;

2. To instruction designed to aid students with limited English proficiency in a timely transition and integration into the general education system;

3. When deemed to interfere with needs of the justice system;

4. When the public safety, health, or emergency services require the use of other languages. Provided, however, that any such authorization for the use of languages other than English in printing informational materials or publications for general distribution must be approved in an open public meeting by the governing board or authority of the relevant entity of the state or political subdivision of the state; or

5. When expert testimony, witnesses or speakers may require a language other than English. Provided, however, that for purposes of deliberation, decision making, or record keeping, the official version of such testimony or commentary shall be the officially translated English language version.

C. No person shall be denied employment with the state or political subdivision of the state based solely upon that person's lack of facility in a foreign language except where related to bona fide job needs reflected in the exemptions specified in subsection B of this section.

D. This section shall not be construed to infringe upon the rights of citizens under the state or United States Constitution in the use of language in private activities. No agency or officer of the state or political subdivision of the state may place any restrictions or requirements regarding language usage in businesses operating in the private sector other than official documents, forms, submissions, or the communications directed to government agencies and officers, which communications shall be in English.

SECTION 2. This act shall become effective November 1, 1995.

Passed the House of Representatives the 14th day of March, 1995.

Speaker of the House of Representatives

Passed the Senate the ____ day of _____, 1995.

President of the Senate