

1 STATE OF OKLAHOMA

2 2nd Session of the 51st Legislature (2008)

3 HOUSE BILL 2630

By: Faught

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5
6 AS INTRODUCED

7 An Act relating to the English language; ordering a
8 legislative referendum pursuant to the Oklahoma
9 Constitution; enacting the Oklahoma English Language
10 Act; specifying findings; providing for an official
11 language of Oklahoma; requiring the business of this
state be done in the official language; providing
12 exceptions; defining term; providing for
13 codification; providing ballot title; and directing
filing.

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

15 SECTION 1. Pursuant to Section 3 of Article V of the Oklahoma
16 Constitution, there is hereby ordered the following legislative
17 referendum which shall be filed with the Secretary of State and
18 addressed to the Governor of the state, who shall submit the same to
19 the people for their approval or rejection at the next General
20 Election, to be held on November 4, 2008.

21 SECTION 2. NEW LAW A new section of law to be codified
22 in the Oklahoma Statutes as Section 401 of Title 25, unless there is
23 created a duplication in numbering, reads as follows:
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1 This act shall be known and may be cited as the "Oklahoma
2 English Language Act".

3 SECTION 3. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 402 of Title 25, unless there is
5 created a duplication in numbering, reads as follows:

6 The Legislature of the State of Oklahoma finds and declares the
7 following:

8 1. The State of Oklahoma is comprised of individuals from
9 diverse ethnic, cultural, and linguistic backgrounds, and continues
10 to benefit from this rich diversity;

11 2. Command of the English language is necessary to participate
12 in and take full advantage of the opportunities afforded by American
13 life. Absent a rudimentary command of the English language,
14 citizens of this state are unable to make their voices heard in the
15 legislative process, effectively exercise their right to vote, or
16 fully understand the rights afforded them by the United States and
17 Oklahoma Constitutions. Such citizens also have a more difficult
18 time finding gainful employment, affordable housing, health
19 insurance, and otherwise availing themselves of the full benefits of
20 American life for themselves and their families; and

21 3. Among the powers reserved to the states respectively is the
22 power to establish English as the official language of the
23 respective states, and otherwise to promote the English language
24 within the respective states, subject to the prohibitions enumerated

1 in the Constitution of the United States and in the laws of the
2 respective states.

3 SECTION 4. NEW LAW A new section of law to be codified
4 in the Oklahoma Statutes as Section 403 of Title 25, unless there is
5 created a duplication in numbering, reads as follows:

6 A. The English language is the official language of the State
7 of Oklahoma.

8 B. All official business of this state will be conducted in
9 English absent compelling circumstances. All official documents,
10 regulations, orders, and publications shall be printed in English
11 and all official programs, meetings, transactions, and actions
12 conducted by or on behalf of this state and all its political
13 subdivisions shall be in English.

14 C. Other languages may be used by officials, and in official
15 documents, whenever necessary to:

- 16 1. Protect the health, safety, or liberty of any citizen;
- 17 2. Teach or study other languages;
- 18 3. Protect the rights of criminal defendants or the victims of
19 crime;
- 20 4. Promote trade, tourism, or commerce;
- 21 5. Facilitate activities pertaining to the compilation of any
22 census;
- 23 6. Comply with the federal Individuals with Disabilities
24 Education Act;

1 7. Use proper names, terms of art, or phrases from languages
2 other than English; or

3 8. Comply with the Constitution and laws of the United States
4 of America, or the Constitution of the State of Oklahoma.

5 Except in exigent circumstances, when an official document is
6 translated into any language other than English under this section,
7 an English translation will also be provided in the same document,
8 appearing in such a manner as to afford the reader the opportunity
9 to observe the English translation of all phrases used.

10 D. Nothing in this section shall be construed to:

11 1. Prohibit any elected official from speaking to any person in
12 a language other than English while campaigning or providing
13 constituent services, although such officials are encouraged to use
14 English as much as possible to promote fluency in English; or

15 2. Disparage any language other than English, or discourage any
16 person from learning or using a language other than English.

17 E. As used in this section, "official" means any government
18 action or document that binds the government, is required by law, or
19 is authorized by law.

20 SECTION 5. The Ballot Title for the proposed act shall be in
21 the following form:

22 BALLOT TITLE
23 Legislative Referendum No. _____ State Question No. _____

24 THE GIST OF THE PROPOSITION IS AS FOLLOWS:

1 This measure would make English the official language of
2 Oklahoma. All official state business will be done in English.
3 Other languages may be used to protect the health, safety or
4 liberty of any citizen. Learning or using other languages shall
5 not be discouraged.

6 SHALL THIS ACT BE APPROVED BY THE PEOPLE?

7 FOR THE ACT - YES _____

8 AGAINST THE ACT - NO _____

9 SECTION 6. The Chief Clerk of the House of Representatives,
10 immediately after the passage of this order for legislative
11 referendum, shall prepare and file in accordance with Section 3 of
12 Article V of the Oklahoma Constitution one copy thereof, including
13 the Ballot title set forth in Section 5 hereof, with the Secretary
14 of State and one copy with the Attorney General.

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