

**BILL SUMMARY**  
1<sup>st</sup> Session of the 52<sup>nd</sup> Legislature

<b>Bill No.:</b>	<b>SB 1156</b>
<b>Version:</b>	<b>Proposed Committee Sub (7658)</b>
<b>Author:</b>	<b>Representative Billy/ Senator Anderson</b>
<b>Date:</b>	<b>April 6, 2009</b>
<b>Impact:</b>	<b>Potential Savings: Printing, Signage, Translators/Translations</b>

**Bill Summary**

Research Analyst:       Dusty Darr

The Proposed Committee Substitute for Senate Bill 1156 directs the Secretary of State to refer to the people of Oklahoma for their approval or rejection a proposed amendment to the Oklahoma Constitution that would create a new Article declaring the English language to be the official language of the state. If approved, the measure would require that official actions of the state be taken in the English language. The Article would provide that no law, ordinance, decree, program or policy of the state may require or permit the use of any language other than English for any governmental documents, regulations, orders, transactions, proceedings, meetings, programs, or publication, or for any other purpose, unless such other use is specifically required by federal law. The Article would, however, permit the state to use a language other than English for a number of specified purposes.

**Fiscal Summary**

Fiscal Analyst:         Terry McKenna

The Proposed Committee Substitute for SB 1156 provides that the English language is the official language of the State of Oklahoma, and requires the official actions of the state to be conducted in English unless such other use is specifically required by federal law. The state may use a language other than English for any of the following purposes if the use is essential: teach or encourage the learning of languages other than English; to protect the public health and safety; teach English to those who are not fluent in the language; to teach and use sign language for the deaf and hard-of-hearing or Braille for the blind or sight-impaired; comply with the Native American Languages Act, the Individuals with Disabilities Education Act, the Voting Rights Act, the Rehabilitation Act of 1973, as amended, or if otherwise specifically required by federal or state law; protect the rights of victims of crime and criminal defendants; promote trade, commerce, and tourism; promote relations with Native American tribes or organizations; and create or promote mottos or designations, inscribe public monuments, or utilize terms of art or similar terms or phrases from other languages which are commonly used as part of communications otherwise in English.

**Fiscal Analysis**

Various state agencies produce bi-lingual manuals, rules, regulations and employ translators. House Fiscal Staff queried the largest agencies regarding any potential savings or costs that might be associated with the provisions of the Proposed Committee Substitute for SB 1156.

**Department of Public Safety (DPS)** – In 2005, DPS translated and published a Driver Manual in Spanish in accordance with SB 966 (2004 Session) at a cost of \$22,000. Also, it currently provides a Driver License test in Spanish given by computer; the translation for the test is provided at no cost by University of Oklahoma Spanish language students who are involved in IT projects. DPS advises that if the proposed amendment is passed it would simply “pull the plug” on the Spanish language test. Therefore, the agency reports no fiscal impact.

**Department of Corrections (DOC)** - The agency publishes bi-lingual inmate orientation materials and signage for correctional facilities. DOC believes that it is a public health and safety issue to have its offender rules and inmate orientation in Spanish. The agency also regards the limited signage at its institutions as a safety issue, identifying emergency exits for example. DOC thus reports no fiscal impact.

**Oklahoma Health Care Authority (OHCA)** - The agency provides bi-lingual materials (educational information, provider directories, and member handbooks) in compliance with federal Medicaid law. In administering the state and federal Medicaid program, the agency is bound by 42 CFR 438.10 to establish a methodology for identifying the prevalent non-English languages spoken by enrollees and potential enrollees throughout the State. The State must make available written information in each prevalent non-English language. Therefore, the agency concludes that HJR 1042 has no fiscal impact to OHCA as federal law requires it to continue current practices

**Oklahoma Department of Health (ODH)** - All federal programs (e.g., the Women, Infants and Children program, Vaccinations for Children, etc) that provide funding for public health services presently mandate the provision of bilingual services to non-English-speaking populations seeking such services. Implementation of the provisions of HJR 1042 that restrict use of languages other than English for official actions of the State should have a nominal fiscal impact.

**Department of Education (DOE)** – The Department advises that a preliminary examination of the effect of this measure on school operations indicates minimal savings in translation/translator expenses. In order to produce a complete report, DOE would have to conduct a statewide survey of all Oklahoma school districts.

### **Long Term Fiscal Considerations**

The Proposed Committee Substitute for SB 1156 would yield minimal immediate savings to the state as detailed above. Also the Legislature would be prohibited from mandating bi-lingual materials, as was the case with the DPS Driver Manual. Any future economies realized by state agencies would most likely be related to that prohibition.

Fiscal Analysis Reviewed By:

*Janice Buchanan*

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