

As Introduced

**127th General Assembly
Regular Session
2007-2008**

H. B. No. 477

Representative Mecklenborg

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A BILL

To enact sections 5.15, 5.151, and 5.152 of the
Revised Code to require the use of the English
language by state and local government entities in
official actions and proceedings, subject to
certain exceptions.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF OHIO:

Section 1. That sections 5.15, 5.151, and 5.152 of the
Revised Code be enacted to read as follows:

Sec. 5.15. As used in sections 5.151 and 5.152 of the Revised
Code:

(A) "Meeting" and "public body" have the same meanings as in
section 121.22 of the Revised Code.

(B) "Political subdivision" means a municipal corporation,
township, county, school district, or other body corporate and
politic responsible for governmental activities in a geographic
area smaller than that of the state.

(C) "Record" has the same meaning as in section 149.011 of
the Revised Code.

(D) "State agency" means every organized body, office, or
agency, including the general assembly and the courts, established
by the laws of the state for the exercise of any function of state

government. 21

Sec. 5.151. (A) Except as otherwise provided in division (B) 22
of this section or in section 317.113 or another section of the 23
Revised Code, the English language shall be used for each meeting 24
of a public body and for each official action of any state agency 25
or political subdivision, including each record prepared, meeting 26
held, policy issued, or other action taken under color of law. 27

(B) A public body, state agency, or political subdivision 28
through its officers or employees may use a language other than 29
the English language, notwithstanding division (A) of this 30
section, to do any of the following: 31

(1) Comply with federal law; 32

(2) Comply with state law; 33

(3) Protect or promote the public health, safety, or welfare; 34

(4) Protect the rights of parties and witnesses in a civil or 35
criminal action or proceeding in a court or in an administrative 36
proceeding; 37

(5) Provide instruction in foreign language courses; 38

(6) Provide instruction designed to aid students with limited 39
English language proficiency so they can make a timely transition 40
to use of the English language in the public schools; 41

(7) Promote international commerce, trade, or tourism; 42

(8) Utilize in documents terms of art or phrases from 43
languages other than the English language; 44

(9) Engage in informal and nonbinding translations or 45
communications. 46

(C) No public body, state agency, or political subdivision 47
shall deny any individual employment solely on the basis that the 48
individual lacks facility in a foreign language, except when that 49

facility is a bona fide employment requirement to achieve a 50
purpose for which the public body, state agency, or political 51
subdivision may use a language other than the English language 52
under division (B) of this section. 53

(D) All projected expenditures to be made during a budget 54
period by a public body, state agency, or political subdivision 55
that are related to the use under division (B) of this section of 56
interpreters for, or the preparation, translation, printing, or 57
recording under division (B) of this section of documents, 58
records, brochures, pamphlets, flyers, or other informational 59
materials in, languages other than the English language shall, as 60
appropriate to the public body, state agency, or political 61
subdivision, be delineated in an individual appropriation item or 62
categorized in a separate and distinct manner that indicates the 63
proposed expenditure. 64

(E) Nothing in this section shall be construed to limit or 65
otherwise affect the voting or civil rights of any person. 66

Sec. 5.152. Any resident of the state has standing to 67
commence a mandamus action to obtain a judgment that orders a 68
public body, state agency, or political subdivision to comply with 69
section 5.151 of the Revised Code. The mandamus action may be 70
commenced in the court of common pleas of the county in which the 71
resident resides. 72