

**As Reported by the House State Government and Elections
Committee**

**127th General Assembly
Regular Session
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Am. H. B. No. 477

Representative Mecklenborg

Cosponsors: Representatives Collier, Flowers, Reinhard, Schneider

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A B I L L

To enact sections 5.15, 5.151, and 5.152 of the 1
Revised Code to require the use of the English 2
language by state and local government entities in 3
official actions and proceedings, subject to 4
certain exceptions. 5

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 6
Revised Code be enacted to read as follows: 7

Sec. 5.15. As used in sections 5.151 and 5.152 of the Revised 8
Code: 9

(A) "Meeting" and "public body" have the same meanings as in 10
section 121.22 of the Revised Code. 11

(B) "Political subdivision" means a municipal corporation, 12
township, county, school district, or other body corporate and 13
politic responsible for governmental activities in a geographic 14
area smaller than that of the state. 15

(C) "Record" has the same meaning as in section 149.011 of 16
the Revised Code. 17

(D) "State agency" means every organized body, office, or 18

agency, including the general assembly and the courts, established 19
by the laws of the state for the exercise of any function of state 20
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 individual lacks facility in a foreign language, except when that facility is a bona fide employment requirement to achieve a purpose for which the public body, state agency, or political subdivision may use a language other than the English language under division (B) of this section.

(D) The commission on Hispanic-Latino affairs may respond to correspondence that the commission receives and that is written in a language other than English in that other language, but the commission shall maintain as a record of the commission an English translation of that correspondence.

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

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

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