

Fiscal Note & Local Impact Statement

127th General Assembly of Ohio

Ohio Legislative Service Commission
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BILL: **H.B. 477** DATE: **May 1, 2008**
STATUS: **As Introduced** SPONSOR: **Rep. Mecklenborg**
LOCAL IMPACT STATEMENT REQUIRED: **No — Minimal cost**
CONTENTS: **To require the use of the English language by state and local government entities in official actions and proceedings and impose other related requirements**

State Fiscal Highlights

STATE FUND	FY 2009	FY 2010	FUTURE YEARS
General Revenue Fund and Other State Funds			
Revenues	- 0 -	- 0 -	- 0 -
Expenditures	Potential minimal increase for revising budget presentations	Potential minimal increase for revising budget presentations	Potential minimal increase for revising budget presentations
	Potential minimal savings in document production costs	Potential minimal savings in document production costs	Potential minimal savings in document production costs

Note: The state fiscal year is July 1 through June 30. For example, FY 2009 is July 1, 2008 – June 30, 2009.

- The bill requires the use of the English language in the official records of, and in the actions and proceedings of, state agencies and political subdivisions. Although the direct fiscal impact of the change is unclear, the bill would presumably have more effect on agencies, boards, and commissions that deal regularly with foreign-speaking clientele.
- Based on an LSC survey of state agencies, boards, and commissions conducted in 2005, which covered expenses for FY 2003 and FY 2004, and if the same trend holds true today, it appears as though state entities do not spend significant sums of money on foreign language or bilingual materials. Thus, any savings derived from ceasing their publication would most likely be minimal.
- The bill also requires that state spending for foreign language or bilingual information be noted distinctly in whatever manner budgets are presented. On the state level, this could mean that such information is presented as a line item, or as an earmark within a line item, during the budget process. Agencies, boards, and commissions might thus incur some small administrative expenses for distinguishing these planned expenditures.



Local Fiscal Highlights

LOCAL GOVERNMENT	FY 2008	FY 2009	FUTURE YEARS
Counties, Townships, and Municipalities			
Revenues	- 0 -	- 0 -	- 0 -
Expenditures	Potential minimal increase for revising budget presentations	Potential minimal increase for revising budget presentations	Potential minimal increase for revising budget presentations
	Potential increase in common pleas court expenses	Potential increase in common pleas court expenses	Potential increase in common pleas court expenses
Other Political Subdivisions			
Revenues	- 0 -	- 0 -	- 0 -
Expenditures	Potential minimal increase for revising budget presentations	Potential minimal increase for revising budget presentations	Potential minimal increase for revising budget presentations

Note: For most local governments, the fiscal year is the calendar year. The school district fiscal year is July 1 through June 30.

- Although the impact on political subdivisions is unclear, the prohibition on using foreign languages under the circumstances described in the bill would probably have a greater impact on those that serve areas with greater numbers of non-English speaking residents.
- Political subdivisions might also incur new administrative costs for budgeting and tracking expenses related to documents printed in foreign languages.
- If citizens opt to file actions in county common pleas courts under the authority provided in the bill, there could be some additional costs for holding hearings and related activities.

Detailed Fiscal Analysis

Official proceedings and public meetings

The bill requires the use of the English language in the official records of, and in the actions and proceedings of, state agencies, boards, commissions, and political subdivisions. However, the bill sets out several exceptions in which this requirement does not apply. Please see the LSC bill analysis for more detail on these exceptions. LSC assumes that most state agencies, boards, and commissions, as well as political subdivisions, conduct official business and record these activities in English. Prohibiting foreign languages in these circumstances, then, would seem to have little, if any, fiscal effect.

Foreign language publications

The total amount the state spends on producing foreign language documents is difficult to track in state budget records. However, based on an LSC survey of state agencies, boards, and commissions conducted in 2005, it appears as though they do not spend significant sums of money on foreign language or bilingual materials. Although the response rate was very low – only 18 agencies responded – 13 agencies indicated that they did not spend any money on documents printed in foreign languages during the FY 2003-FY 2004 period. Of the five other agencies that responded, it was not clear whether the foreign language matter that they printed was required under federal or state law, was related to public health, safety, and welfare, or would otherwise be exempted under the bill.

Budgeting procedures

The bill requires state agencies, boards, commissions, and political subdivisions to illustrate expenditures for providing services in languages other than English. There could be some administrative costs associated with tracking and delineating these specific expenses. For the state, this means that amounts spent and set aside for foreign language publications might have to be presented as separate line items or as earmarks within them. Political subdivisions would also have to adapt their budgeting procedures so that these actual and planned expenses would be presented distinctly. Presumably, state and political subdivisions could adapt their budget formats to meet this requirement without significant additional cost.

County common pleas courts

Additionally, the bill allows citizens to commence a mandamus action against a state agency or political subdivision which orders the agency or political subdivision to comply with the bill. There could be some additional costs to county courts for the filing of such a mandamus and subsequent court hearings.

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