

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 64 Session of 2009

INTRODUCED BY PERRY, BAKER, BARRAR, BENNINGHOFF, BOYD, CLYMER, CREIGHTON, CUTLER, EVERETT, FAIRCHILD, FLECK, GEIST, GIBBONS, GOODMAN, HARPER, HARRIS, HESS, HUTCHINSON, KAUFFMAN, KORTZ, MARSICO, MILLER, MOUL, O'NEILL, PYLE, RAPP, READSHAW, ROAE, ROCK, ROHRER, SAYLOR, SOLOBAY, STEVENSON, SWANGER, TRUE AND VULAKOVICH, JANUARY 26, 2009

REFERRED TO COMMITTEE ON STATE GOVERNMENT, JANUARY 26, 2009

AN ACT

1 Providing for the English language as the official language of
2 the Commonwealth.

3 The General Assembly of the Commonwealth of Pennsylvania
4 hereby enacts as follows:

5 Section 1. Short title.

6 This act shall be known and may be cited as the Official
7 Language Act.

8 Section 2. Legislative findings.

9 The General Assembly finds and declares as follows:

10 (1) The people of the United States have brought to this
11 nation the cultural heritage of many nations.

12 (2) The people of the United States, despite their many
13 differences, have lived together harmoniously and
14 productively as citizens of one nation.

15 (3) The traditional and common language of the United
16 States and of this Commonwealth is English.

1 (4) A knowledge of the common language is essential to
2 full exercise of constitutional freedoms, informed and
3 knowledgeable empowerment as voters, citizen checks against
4 government abuses and individual prosperity and independence.

5 (5) The English language has been our strongest bond to
6 one another as fellow citizens and has contributed
7 substantially to national unity and societal cohesiveness.

8 (6) English has been this nation's language by custom
9 only and warrants special legal protection.

10 (7) Government has a fiduciary responsibility to the
11 citizenry to ensure that it operates as efficiently as
12 possible, and the growth of multiple language bureaucracies
13 and printing represents an abrogation of this fiduciary
14 responsibility.

15 (8) The Commonwealth and its municipalities and the
16 Federal Government also have a responsibility to ensure that
17 citizens have opportunities to learn English.

18 Section 3. Purpose.

19 (a) Unifying role.--It is the purpose of this act to
20 preserve, protect and strengthen the unifying role of English as
21 the official language of this Commonwealth.

22 (b) Rights preserved.--This act shall not be construed in
23 any way to infringe on the rights of citizens, who have every
24 right to choose their own primary language, in the use of
25 language for private conduct, nor shall this act be used to
26 dictate language policies for the operation and administration
27 of organizations or businesses in the unregulated private
28 sector.

29 Section 4. Definitions.

30 The following words and phrases when used in this act shall

1 have the meanings given to them in this section unless the
2 context clearly indicates otherwise:

3 "Official acts of government." Any of the following:

4 (1) Actions of the Commonwealth and of its political
5 subdivisions that carry the full weight and authority of law.

6 (2) Official documents recorded and maintained by the
7 Commonwealth and its political subdivisions for the public
8 domain, including tax records, professional licenses, deeds,
9 real estate records, publicly probated wills and other
10 documents of the court systems and public proceedings of the
11 governing bodies of the Commonwealth and its political
12 subdivisions.

13 Section 5. Designation of language of official acts.

14 English is hereby recognized as the official language of the
15 Commonwealth and shall also be designated as the language of
16 official acts of government.

17 Section 6. Policies.

18 The Commonwealth and its political subdivisions shall make no
19 policies expressing a preference for any language other than
20 English or diminishing or ignoring the unifying role of English
21 as designated in this act, subject to the limitations in section
22 8.

23 Section 7. Enforcement.

24 Elected and appointed officers of the Commonwealth and its
25 political subdivisions shall take all reasonable steps to ensure
26 that the role of English as the official language is preserved
27 and enhanced.

28 Section 8. Limitations.

29 The provisions of this act shall not apply to the following:

30 (1) When Federal law imposes contrary provisions.

1 (2) When the public safety, health or justice requires
2 the use of other languages.

3 (3) Instruction in foreign language courses.

4 (4) Instruction designed to aid students with limited
5 English proficiency in their transition and integration into
6 the education system.

7 (5) The promotion of international commerce or tourism.

8 Section 9. Appropriations.

9 The General Assembly and the governing bodies of political
10 subdivisions shall make no appropriations to promote the use of
11 or demonstrate a preference for any language other than the
12 official language, subject to the limitations in section 8.

13 Section 20. Effective date.

14 This act shall take effect in 90 days.