

As Introduced

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H. B. No. 553

**Representatives Combs, Reidelbach, Brinkman, Blasdel, Seitz, Domenick,
Reinhard, Law, Fessler, Gilb, Aslanides**

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A B I L L

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

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

Section 1. That section 5.15 of the Revised Code be enacted 5
to read as follows: 6

Sec. 5.15. (A) As used in this section: 7

(1) "Meeting" and "public body" have the same meanings as in 8
section 121.22 of the Revised Code. 9

(2) "Political subdivision" means a municipal corporation, 10
township, county, school district, or other body corporate and 11
politic responsible for governmental activities in a geographic 12
area smaller than that of the state. 13

(3) "Public record" has the same meaning as in section 149.43 14
of the Revised Code. 15

(4) "State agency" means every organized body, office, or 16
agency, including the general assembly and the courts, established 17
by the laws of the state for the exercise of any function of state 18
government. 19

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

This section does not impose an English language use requirement upon any entity other than a public body, state agency, or political subdivision and does not infringe on the right of any individual to choose that individual's primary language.

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

(1) Comply with federal law;

(2) Comply with state law;

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

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

(5) Provide instruction in foreign language courses;

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

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

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

(9) Engage in informal and nonbinding translations or 49
communications among or between these representatives of 50
government and other individuals if this activity does not affect 51
or impair supervision, management, conduct, or execution of 52
official actions and if these representatives of government make 53
clear that the translations or communications are unofficial and 54
are not binding on the state or a political subdivision. 55

(D) No public body, state agency, or political subdivision 56
shall deny any individual employment solely on the basis that the 57
individual lacks facility in a foreign language, except when that 58
facility is a bona fide employment requirement to achieve a 59
purpose for which the public body, state agency, or political 60
subdivision may use a language other than the English language 61
under division (C) of this section. 62

(E) All projected expenditures to be made during a budget 63
period by a public body, state agency, or political subdivision 64
that are related to the use under division (C) of this section of 65
interpreters for, or the preparation, translation, printing, or 66
recording under division (C) of this section of documents, 67
records, brochures, pamphlets, flyers, or other informational 68
materials in, languages other than the English language shall, as 69
appropriate to the public body, state agency, or political 70
subdivision, be delineated in an individual appropriation item or 71
categorized in a separate and distinct manner that indicates the 72
proposed expenditure. 73

(F) Any resident of the state has standing to commence a 74
mandamus action to obtain a judgment that orders a public body, 75
state agency, or political subdivision to comply with this 76
section. The mandamus action may be commenced in the court of 77
common pleas of the county in which the resident resides. 78

(G) Nothing in this section shall be construed to limit or 79

otherwise affect the voting or civil rights of any person.