

HOUSE BILL No. 1366

DIGEST OF INTRODUCED BILL

Citations Affected: IC 4-1-12.

Synopsis: State materials to be printed in English. Requires official documents or communications issued by, on behalf of, or representing the state to be issued in the English language. Provides for certain exceptions.

Effective: July 1, 2009.

Crouch, Tincher, Walorski

January 13, 2009, read first time and referred to Committee on Interstate and International Cooperation.

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First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

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HOUSE BILL No. 1366



A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 4-1-12 IS ADDED TO THE INDIANA CODE AS
2 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2009]:

4 **Chapter 12. English Language Requirement**

5 **Sec. 1. As used in this chapter, "official document or**
6 **communication" means a written document or written**
7 **communication that:**

- 8 (1) binds or commits the state;
9 (2) is required by law; or
10 (3) gives the appearance of presenting the official views or
11 positions of the state.

12 **Sec. 2. As used in this chapter, "state" means Indiana or any**
13 **agency of state government and includes a body corporate and**
14 **politic established as an instrumentality of the state. The term does**
15 **not include a political subdivision (as defined in IC 3-5-2-38).**

16 **Sec. 3. Except as provided in sections 4 and 5 of this chapter, an**
17 **official document or communication issued:**



1 (1) by;
 2 (2) on behalf of; or
 3 (3) representing;
 4 **the state shall be issued in the English language.**
 5 **Sec. 4. A language other than English may be used when**
 6 **required:**
 7 (1) by the Constitution of the United States, federal law, or the
 8 Constitution of the State of Indiana;
 9 (2) by law enforcement or public health and safety needs;
 10 (3) to protect the rights of parties and witnesses in a civil or
 11 criminal action in a court or in an administrative proceeding;
 12 (4) to promote and encourage tourism and economic
 13 development;
 14 (5) to teach:
 15 (A) another language to students proficient in English; or
 16 (B) English to students of limited English proficiency; and
 17 (6) by libraries:
 18 (A) to collect and promote foreign language materials; and
 19 (B) to provide foreign language services and activities.
 20 **Sec. 5. This chapter may not be construed to prohibit an officer**
 21 **or employee of the state from using a language other than English**
 22 **to provide information to individuals in the course of delivering**
 23 **services to the general public.**
 24 **Sec. 6. This chapter may not be construed to affect the ability of**
 25 **a person to exercise the person's rights under:**
 26 (1) the First Amendment to the United States Constitution; or
 27 (2) Article 1, Section 9 of the Constitution of the State of
 28 Indiana.

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