

1                                   **ENGLISH AS OFFICIAL LANGUAGE OF**  
2   **STATE**

3   1998 GENERAL SESSION

4   STATE OF UTAH

5   **Sponsor: Tammy J. Rowan**

6 AN ACT RELATING TO STATE AFFAIRS IN GENERAL; DECLARING ENGLISH TO BE  
7 THE OFFICIAL LANGUAGE FOR THE CONDUCT OF GOVERNMENT BUSINESS IN  
8 UTAH; REQUIRING THE RETURN TO THE GENERAL FUND OF ANY FUNDS  
9 APPROPRIATED OR DESIGNATED FOR PROVIDING SERVICES IN ANOTHER  
10 LANGUAGE; AND PROVIDING EXCEPTIONS.

11 This act affects sections of Utah Code Annotated 1953 as follows:

12 ENACTS:

13                   **63-13-1.5**, Utah Code Annotated 1953

14 *Be it enacted by the Legislature of the state of Utah:*

15                   Section 1. Section **63-13-1.5** is enacted to read:

16                   **63-13-1.5. Official state language.**

17                   (1) English is declared to be the official language of Utah.

18                   (2) Except as provided in Subsection (3), all official documents, transactions, proceedings,  
19 meetings, or publications issued, conducted, or regulated by, on behalf of, or representing the state  
20 and its political subdivisions shall be in English.

21                   (3) Languages other than English may be used:

22                   (a) when required by the United States Constitution, the Utah State Constitution, federal  
23 law, or federal regulation;

24                   (b) when public health and safety needs require it;

25                   (c) in the public and higher education systems according to rules made by the State Board  
26 of Education and the State Board of Regents that meet the requirements of Subsection (4);

27                   (d) in judicial proceedings, when necessary to insure that justice is served;

1 (e) to promote and encourage tourism and economic development; and

2 (f) by libraries when:

3 (i) collecting and promoting foreign language materials; and

4 (ii) providing foreign language services and activities.

5 (4) The State Board of Education and the State Board of Regents shall make rules  
6 governing the use of foreign languages in the public and higher education systems that promote  
7 the following principles:

8 (a) that non-English speaking children and adults should become able to read, write, and  
9 understand English as quickly as possible;

10 (b) that foreign language instruction should be encouraged;

11 (c) that formal and informal programs in English as a second language should be initiated,  
12 continued, and expanded; and

13 (d) that public schools establish communication with parents of children within their  
14 system using, when necessary, a means designed to maximize understanding while encouraging  
15 those parents who do not speak English to become more proficient in English.

16 (5) Unless exempted by Subsection (2) or (3), all state funds appropriated or designated  
17 for the printing or translation of materials or the provision of services or information in a language  
18 other than English shall be returned to the General Fund.

19 (6) (a) Each state agency that has state funds appropriated or designated for the printing  
20 or translation of materials or the provision of services or information in a language other than  
21 English shall:

22 (i) notify the Division of Finance that those monies exist and the amount of those monies;

23 and

24 (ii) return those monies to the Division of Finance.

25 (b) The Division of Finance shall account for those monies and inform the Legislature of  
26 the existence and amount of those monies at the beginning of the Legislature's annual general  
27 session.

28 (c) The Legislature may appropriate any monies received under this section to the State  
29 School Board for use in English as a second language programs.

30 (7) Nothing in this section affects the ability of government employees, private businesses,  
31 nonprofit organizations, or private individuals to exercise their rights under:

- 1           (a) the First Amendment of the United States Constitution; or
- 2           (b) Utah Constitution, Article 1, Sections 4 and 15.

---

---

**Legislative Review Note**  
**as of 11-20-97 10:37 AM**

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

**Office of Legislative Research and General Counsel**

**Committee Note**

The Government Operations Interim Committee recommended this bill.