

BILL ANALYSIS

H.B. 301
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State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Many observers have made the case that the financial benefit of making English the official language of Texas extends to every taxpayer. Printing official government documents in English only and not in additional languages could save the state valuable tax dollars and further the goal of running government more efficiently.

The goal of H.B. 301 is to save taxpayer money by making English the official language of Texas, with specified limitations on its applicability, including voting ballots, which are governed by federal election law, and ESL classes in Texas schools.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 301 amends the Government Code to establish that English is the official language of this state and is the language of official acts of government and that it is the purpose of the bill to preserve, protect, and strengthen the unifying role of English as the official language of the state. The bill defines "official act of government" to mean, for the bill's purposes, an action of the state or a political subdivision of the state that carries the full weight and authority of law; an official document recorded or first maintained on or after September 1, 2011, by the state or a political subdivision of the state for the public domain, including a tax record, professional license, deed, real estate record, or publicly probated will or other document of a court system; or a public proceeding of a governing body of the state or a political subdivision of the state held on or after September 1, 2011. The bill prohibits the state or a political subdivision of the state from making any policy expressing a preference for any language other than English or diminishing or ignoring the unifying role of English as designated by the bill's provisions, except as provided by limits of applicability specified in the bill. The bill requires an elected or appointed officer of the state or a political subdivision of the state to take all reasonable steps to ensure that the role of English as the official language of the state is preserved and enhanced.

H.B. 301 limits applicability of its provisions by specifying that it does not supersede contrary provisions imposed under federal law; does not prohibit the use of another language for the public safety, health, or justice; does not prohibit instruction in foreign language courses; does not prohibit instruction designed to aid students with limited English proficiency in their transition and integration into the education system; does not prohibit the promotion of international commerce or tourism; and does not prohibit a court or an administrative agency from admitting into evidence or relying on a record that is from another jurisdiction and originally written in another language, if the court or agency determines the record is necessary for a proceeding or hearing.

H.B. 301 prohibits the legislature or a governing body of a political subdivision of the state from

appropriating any money to promote the use of or demonstrate a preference for any language other than the official language, except as provided by the limits to applicability as described. The bill prohibits its provisions from being construed in any way to infringe on the rights of citizens, who have every right to choose their own primary language, in the use of language for private conduct or from being used to dictate language policies for the operation and administration of organizations or businesses in the private sector. The bill makes legislative findings and declarations relating to the English language.

EFFECTIVE DATE

September 1, 2011.