A JOINT RESOLUTION

proposing a constitutional amendment to establish English as the official language of Texas and require that official acts of government be performed in English.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The Legislature finds and declares:

1. the people of the United States have brought to this nation the cultural heritage of many nations;

2. the people of the United States, despite their many differences, have lived together harmoniously and productively as citizens of one nation;

3. the traditional and common language of the United States and of this state is English;

4. a knowledge of the common language is essential to the full exercise of constitutional freedoms, the informed and knowledgeable empowerment of voters, citizen checks against government abuses, individual prosperity, and independence;

5. the English language has been the strongest bond among citizens of this nation and has contributed substantially to national unity and societal cohesiveness;

6. English has been this nation's language by custom only and warrants special legal protection;

7. government has a fiduciary responsibility to the citizenry to ensure that it operates as efficiently as possible, and the growth of multiple language bureaucracies and printing
represents an abrogation of this fiduciary responsibility; and

(8) this state, its political subdivisions, and the federal government have a responsibility to ensure that citizens have opportunities to learn English.

SECTION 2. Article XVI, Texas Constitution, is amended by adding Section 74 to read as follows:

Sec. 74. (a) In this section, "official act of government" means:

(1) an action of this state or a political subdivision of this state that carries the full weight and authority of law;

(2) an official document recorded or first maintained on or after December 1, 2011, by this state or a political subdivision of this 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

(3) a public proceeding of a governing body of this state or a political subdivision of this state held on or after December 1, 2011.

(b) It is the purpose of this section to preserve, protect, and strengthen the unifying role of English as the official language of this state.

(c) English is the official language of this state and is the language of official acts of government.

(d) This state or a political subdivision of this state may not make any policy expressing a preference for any language other than English or diminishing or ignoring the unifying role of English as designated by this section, except as provided by
Subsection (f).

(e) An elected or appointed officer of this state or a political subdivision of this state shall take all reasonable steps to ensure that the role of English as the official language of this state is preserved and enhanced.

(f) This section does not:

(1) supersede contrary provisions imposed under federal law;

(2) prohibit the use of another language for the public safety, health, or justice;

(3) prohibit instruction in foreign language courses;

(4) prohibit instruction designed to aid students with limited English proficiency in their transition and integration into the education system;

(5) prohibit the promotion of international commerce or tourism; or

(6) 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.

(g) The Legislature or a governing body of a political subdivision of this state may not appropriate any money to promote the use of or demonstrate a preference for any language other than the official language, except as provided by Subsection (f).

(h) This section may not be:

(1) construed in any way to infringe on the rights of
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citizens, who have every right to choose their own primary language, in the use of language for private conduct; or (2) used to dictate language policies for the operation and administration of organizations or businesses in the private sector.

SECTION 3. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 8, 2011. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment to establish English as the official language of Texas and to require that official acts of government be performed in English."