

HOUSE BILL 443

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HB 657/95 - CGM

1998 Regular Session
8r1259
CF 8r1460

By: **Delegates Edwards, Holt, La Vay, Brinkley, Conroy, Bissett, Owings, Jacobs, V. Mitchell, Cadden, Flanagan, Wood, McClenahan, Linton, Baldwin, Malone, Weir, Redmer, McKee, DeCarlo, Donoghue, Bonsack, Bozman, Guns, Slade, Conway, Mossburg, Greenip, Klima, Ports, M. Burns, Morgan, Schade, Rzepkowski, Faulkner, Elliott, Snodgrass, Stup, Getty, Stocksdale, Stull, Harkins, Hecht, Kittleman, and Comeau**

Introduced and read first time: February 4, 1998
Assigned to: Commerce and Government Matters

Committee Report: Favorable with amendments
House action: Adopted with floor amendments
Read second time: March 20, 1998

CHAPTER _____

1 AN ACT concerning

2 **English Language - Formal Recognition**

3 FOR the purpose of designating the English language as the official language of the
4 State of Maryland; providing for certain exceptions; providing that this Act may
5 not be construed to require the translation into English of any official motto or
6 slogan; and making provisions of this Act severable.

7 BY adding to
8 Article 41 - Governor - Executive and Administrative Departments
9 Section 18-207
10 Annotated Code of Maryland
11 (1997 Replacement Volume and 1997 Supplement)

12 **Preamble**

13 ~~WHEREAS, Maryland is comprised of people from many ethnic, cultural, and~~
14 ~~linguistic backgrounds, each of whom has contributed to this State the richness of~~
15 ~~their heritage; and~~

16 ~~WHEREAS, Maryland has been greatly enriched by this diversity, and the~~
17 ~~government should always take steps to promote the dignity of all the heritages that~~
18 ~~form this State's pluralistic society; and~~

1 WHEREAS, It is not the purpose of this Act nor may this Act be construed, to
2 infringe upon the rights of citizens to exercise the use of a language of their choice for
3 private conduct; now, therefore,

4 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
5 MARYLAND, That the Laws of Maryland read as follows:

6 **Article 41 - Governor - Executive and Administrative Departments**

7 18-207.

8 (A) (1) ENGLISH IS RECOGNIZED AS THE OFFICIAL LANGUAGE OF
9 GOVERNMENT OF THIS STATE.

10 (2) AS THE OFFICIAL LANGUAGE OF THE STATE, ENGLISH IS THE
11 LANGUAGE OF GOVERNMENT FUNCTIONS AND ACTIONS.

12 (B) THE PROVISIONS OF THIS SECTION APPLY TO:

13 (1) THE LEGISLATIVE, EXECUTIVE, AND JUDICIAL BRANCHES OF
14 GOVERNMENT; AND

15 (2) THE STATE AND EACH POLITICAL SUBDIVISION AND MUNICIPAL
16 CORPORATION OF THE STATE, INCLUDING EACH DEPARTMENT, AGENCY, UNIT,
17 ORGANIZATION, AND INSTRUMENTALITY THEREOF.

18 (C) EXCEPT AS PROVIDED IN SUBSECTION (D) OF THIS SECTION, AN ENTITY
19 SUBJECT TO THE PROVISIONS OF THIS SECTION SHALL:

20 (1) WRITE AND PUBLISH EACH OFFICIAL DOCUMENT IN ENGLISH; AND

21 (2) CONDUCT EACH MEETING AND OTHER OFFICIAL ORAL
22 COMMUNICATION IT AUTHORIZES IN ENGLISH.

23 (D) THE STATE AND EACH POLITICAL SUBDIVISION AND MUNICIPAL
24 CORPORATION OF THE STATE MAY CONDUCT ITS AFFAIRS IN A LANGUAGE OTHER
25 THAN ENGLISH TO:

26 (1) COMPLY WITH FEDERAL LAW;

27 (2) PROTECT PUBLIC HEALTH AND SAFETY;

28 (3) PROTECT THE RIGHTS OF CIVIL LITIGANTS, CRIMINAL DEFENDANTS,
29 OR VICTIMS OF CRIME;

30 (4) ASSIST STUDENTS WHO ARE NOT PROFICIENT IN THE ENGLISH
31 LANGUAGE BY PROVIDING ENGLISH INSTRUCTION TO FACILITATE AS ~~RAPID~~
32 RAPIDLY AS POSSIBLE A TRANSITION TO THE ENGLISH LANGUAGE;

33 (5) PROVIDE INTERPRETATION FOR DEAF INDIVIDUALS IN AMERICAN
34 SIGN LANGUAGE;

1 (6) TEACH A FOREIGN LANGUAGE;

2 (7) PROMOTE THE ARTS, INTERNATIONAL COMMERCE, OR TOURISM; OR

3 (8) ASSIST PERSONS WHO ARE NOT PROFICIENT IN ENGLISH IN THE
4 CONDUCT OF GOVERNMENT AFFAIRS.

5 (E) THIS SECTION MAY NOT BE CONSTRUED TO REQUIRE THE TRANSLATION
6 INTO ENGLISH OF ANY OFFICIAL MOTTO OR SLOGAN.

7 SECTION 2. AND BE IT FURTHER ENACTED, That if any provision of this
8 Act or the application thereof to any person or circumstance is held invalid for any
9 reason in a court of competent jurisdiction, the invalidity does not affect other
10 provisions or any other application of this Act which can be given effect without the
11 invalid provision or application, and for this purpose the provisions of this Act are
12 declared severable.

13 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take
14 effect October 1, 1998.