



Issue Summary

National Association of Judiciary Interpreters & Translators

DATE: JUNE 24, 2010

THE ISSUE: STATE AND LOCAL EFFORTS TO IMPOSE ENGLISH-ONLY STANDARDS

IMPORTANCE: The Civil Rights Act of 1964 guarantees Limited English Proficient individuals access to governmental services, including legal services. Imposing an English-only standard would abridge LEP individuals civil rights. More important, such a standard would have unintended consequences on the legal system by making it impossible for witnesses or victims to adequately access law enforcement or judicial proceedings.

BACKGROUND & STATUS

U.S. English (<http://www.us-english.org/>) and other groups have launched a program to support the adoption of English as the official language of all governments. These groups are well-organized and mounting significant grass-roots efforts on this topic. As of this writing, here is a listing of PENDING English-Only legislation in the states:

Connecticut: H.B. 5968 makes English as the state's official language.

Delaware: S.B. 123 makes English as the state's official language.

Georgia: S.B. 67 requires that drivers license applicants take their drivers tests in English. The bill exempts temporary residents. The bill passed both the State Senate and House, but did not make it out of reconciliation. At the close of the legislative session on April 3rd, the Senate voted 22-22, failing to reach the 29 votes needed to pass. However the legislation is not yet dead.

Michigan: H.B. 4500 makes English as the state's official language.

Minnesota: H.F. 585, S.F. 544, and S.F. 577 make English as the state's official language.

Missouri: HB 1231 has been introduced to require English Proficiency in order to obtain a drivers' license. Hearings were held in early 2010.

Nevada: A.B. 70 makes English as the state's official language.

New Jersey: A.B. 468, S.B. 1090 makes English as the state's official language

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New York: A05350 makes English as the state's official language.

Oklahoma: In 2009 Oklahoma adopted a requirement for English proficiency when applying for a driver's license. On November 2 2010, the citizens will consider a state referendum on English Only. The language of the referendum is as follows:

This measure amends the Oklahoma Constitution. It would add a new Article 30. This amendment states that English is the common and unifying language of the state. All official actions of the state would be in English, except as required by federal law. No one would have a cause of action against an agency or subdivision of the state for failure to provide actions in any other language. The amendment could not be construed to diminish or impair uses of Native American languages. The Legislature would be able to enact related laws.

Pennsylvania: H.B. 64, H.B. 694 make English as the state's official language.

South Carolina: S. 0003 provides that all state agencies and political subdivisions of the state offer all services, publications, printed, audio and video materials, and drivers tests in an English-only format unless otherwise required by Federal Law or Regulation.

Texas: H.B. 81, H.B. 370, H.J.R. 27 amend the Texas constitution to require English only.

Washington State: H.B. 1645 makes English as the state's official language.

West Virginia: H.B. 2106, H.B. 3014 makes English as the state's official language.

Wisconsin: A.B. 46 makes English the state's official language.

At least one state is moving in the opposite direction. In California, SB 242 would amend the state's civil rights laws to make language a protected civil right. The bill was passed by the legislature, but vetoed by Governor Schwarzenegger in 2009.

NAJIT ACTIONS TO DATE:

In 2008 and 2009, NAJIT and TAPIT worked together to defeat an English-Only proposal in Nashville, TN. In 2010 NAJIT and TAPIT expressed their opposition to English-Only proposals in Tennessee.

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