

H. B. 2573

(By Delegates Ireland, Longstreth, Overington, Espinosa, Sobonya,
Butler, Perry, Zatezalo, Border, Hamilton and Moffatt)

[Introduced February 3, 2015; referred to the
Committee on the Judiciary.]

A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section, designated §2-2-13, relating to establishing the English language to be the official language of the state; requiring all state activities and records to be in English; defining a term and providing exceptions.

Be it enacted by the Legislature of West Virginia:

That the Code of West Virginia, 1931, as amended, be amended by adding thereto a new section, designated §2-2-13, to read as follows:

ARTICLE 2. LEGAL HOLIDAYS; SPECIAL MEMORIAL DAYS; CONSTRUCTION OF STATUTES; DEFINITIONS; LANGUAGE.

§2-2-13. Official language; activities and records of the government to be in English; exceptions; definition.

(a) The English language is the official language of the state.

(b) All official business of this state shall be conducted in English. All official documents, rules, orders, and publications shall be printed in English and all official programs, meetings,

1 transactions, and actions conducted by or on behalf of the state and all its political subdivisions shall
2 be in English.

3 (c) Other languages may be used by government officials, and in official documents,
4 whenever necessary to:

5 (1) Protect the health and safety during a declared or apparent emergency;

6 (2) Teach or study other languages;

7 (3) Protect the rights of criminal defendants or victims of crime;

8 (4) Promote trade, tourism or commerce;

9 (5) Facilitate activities pertaining to the compilation of any census;

10 (6) Comply with the federal Individuals with Disabilities Education Act, PL 101-476;

11 (7) Use proper names, terms of art, legal terms or phrases from languages other than English;

12 or

13 (8) Comply with the Constitution and laws of the United States of America or the

14 Constitution of West Virginia. Except in exigent circumstances, when an official government

15 document is translated into any language other than English under this section, an English translation

16 shall also be provided in the same document, appearing in such a manner as to afford the reader the

17 opportunity to observe the English translation of all phrases used.

18 (d) This section may not be construed to:

19 (1) Diminish the usage of, prevent the study or development of, or discourage the use of, any
20 Native American language in any context or for any purpose;

21 (2) Prohibit an elected official from speaking to any person in a language other than English

22 while campaigning or providing constituent services. However, those officials are encouraged to

1 use English as much as possible to promote fluency in English;

2 (3) Disparage any language or discourage any person from learning or using any language;

3 or

4 (4) Prohibit informal and nonbinding translations or communications among or between

5 representatives of government and other persons if the activity does not affect or impair supervision,

6 management, conduct, or execution of official actions and if the representatives of government make

7 clear that these translations or communications are unofficial and not binding on the state or any

8 political subdivision of the state.

9 (e) As used in this section, "official" means any government action or document that binds

10 the government, is required by law, or is authorized by law.

NOTE: The purpose of this bill is to make English the official language of the state and require all state activities and records be in the English language. The bill provides exceptions and defines a term.

This section is new; therefore, it has been completely underscored.