

HOUSE BILL No. 2140

AN ACT designating English as the official language of the state of Kansas and concerning its use by state agencies and political or taxing subdivisions.

Be it enacted by the Legislature of the State of Kansas:

Section 1. (a) English shall be designated as the official language of the state of Kansas.

(b) The official language is designated as the language of any official public document or record and any official public meeting:

(1) An official public document or record is any document officially compiled, published or recorded by the state including deeds, publicly probated wills and any other document or record required to be kept open for public inspection pursuant to the open records act.

(2) An official public meeting is any meeting required to be open pursuant to K.S.A. 75-4317 et seq., and amendments thereto.

(c) Except as otherwise provided by law, no state agency or political or taxing subdivision of the state shall be required to provide any documents, information, literature or other written materials in any language other than English. Nothing shall prohibit state agencies or political or taxing subdivisions from: (1) Publishing any official public document or record in languages other than English at their discretion, so long as the document or record is also published in English; or (2) permitting a person who does not speak English to speak or communicate at an official public meeting with the assistance of an interpreter.

Sec. 2. A state agency or political or taxing subdivision, or its officers or employees, may use a language other than the English language to:

(a) Provide information orally to individuals in the course of delivering services to the general public;

(b) comply with federal law;

(c) protect the public health or safety;

(d) protect the rights of parties and witnesses in a civil or criminal action in a court or in an administrative proceeding;

(e) provide instruction in foreign and native American language courses;

(f) provide instruction designed to aid students with limited English proficiency so they can make a timely transition to use of the English language in the public schools;

(g) promote international commerce, trade or tourism;

(h) use terms of art or phrases from languages other than the English language in documents;

(i) provide signage and documents in braille; and

(j) communicate in American Sign Language.

Sec. 3. This act shall not be construed in any way to infringe upon the rights of citizens under the constitution of the state of Kansas or the constitution of the United States in the use of language in any private activity. No agency or officer of the state or any political or taxing subdivision of the state may place any restrictions or requirements regarding language usage in any business operating in the private sector other than official documents, forms, submissions or other communications directed to government agencies and officers, which communications shall be in the common language as recognized in this act.

Sec. 4. This act may not be construed in any way to limit the use of any other language by a tribal government of native Americans located in the state of Kansas. A school district and a tribe, by mutual agreement, may provide for the instruction of students that recognizes the cultural identity of native American children and promotes the use of a common language for communication.

Sec. 5. Nothing in this act shall diminish or expand any existing rights under the laws of Kansas or the United States relative to services or materials provided by the government of Kansas in any language other than English.

Sec. 6. The state of Kansas recognizes the importance of establishing and actively promoting English language classes, English language training or citizenship classes for non-native speakers. The local entity designated by the state board of regents to offer such services shall seek the assistance of local political subdivisions, community-based agencies and organizations, migrant worker groups, refugee resettlement programs, schools, churches and others in making non-native speakers aware of the

availability of such classes and training and ensuring their continuation and expansion.

Sec. 7. The provisions of this act are severable and any provision held invalid shall not affect or impair any of the remaining provisions of this act.

Sec. 8. This act shall take effect and be in force from and after its publication in the statute book.

I hereby certify that the above BILL originated in the HOUSE, and passed that body

HOUSE concurred in
SENATE amendments _____

Speaker of the House.

Chief Clerk of the House.

Passed the SENATE
as amended _____

President of the Senate.

Secretary of the Senate.

APPROVED _____

Governor.