

# Legislative Analysis

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## DESIGNATE ENGLISH AS OFFICIAL LANGUAGE

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**House Bill 5633 (Substitute H-2)**  
**Sponsor: Rep. Jacob Hoogendyk**  
**Committee: Government Operations**

**Complete to 5-15-06**

## A SUMMARY OF HOUSE BILL 5633 AS REPORTED FROM COMMITTEE

The bill would create a new act to designate the English language as the official language of the state.

The bill specifies that, except as provided by law, a state agency would not be required to provide documents, public written materials, or provide website content in any language other than English. However, the bill would not prohibit a state agency or local unit of government from providing such materials in a language other than English.

The bill defines "state agency" to mean means a department, board, commission, office, agency, authority, or other unit of state government. State agency does not include an institution of higher education or a community college.

### **FISCAL IMPACT:**

The bill would have an indeterminate fiscal impact on state and local governments.

### **BACKGROUND INFORMATION:**

According to ProEnglish<sup>1</sup>, a national organization "working to educate the public about the need to protect English as our common language and to make it the official language of the United States," about half of the states have designated English as their official state language. The scope of each state's law varies, from a single sentence law in Indiana ("The English language is adopted as the official language of the State of Indiana"; Indiana Code 1-2-10-1) to more detailed laws that specifically define the scope and effect the designation has on the state and local governments.

For example, Iowa enacted an English language law in 2002 (Iowa Code §1.18) that provides that, with certain exceptions, the English language shall be the language of government in Iowa, and that "[a]ll official documents, regulations, orders, transactions, proceedings, programs, meetings, publications, or actions taken or issued, which are conducted or regulated by, or on behalf of, or representing the state and all of its political subdivisions shall be in the English language."

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<sup>1</sup> See <http://www.proenglish.org>.

Exceptions include (1) the teaching of languages; (2) requirements under the federal Individuals with Disabilities Act; (3) actions, documents, or policies necessary for trade, tourism, or commerce; (4) actions or documents that protect the public health and safety; (5) actions or documents that facilitate activities pertaining to compiling any census of populations; (6) actions or documents that protect the rights of crime victims or criminal defendants; (7) the use of proper names, terms of art, of phrases from languages other than English; (8) any language usage required by or necessary to secure the rights guaranteed by the Constitution and laws of the U.S. or the state; and (9) any oral or written communications, examinations, or publications produced or utilized by a driver's license station, provided public safety is not jeopardized.

According to 2004 census figures, approximately 8.9 percent of Michigan's population five years of age and older speaks a language other than English at home. An additional, 3.3 percent of the population does not speak English "very well".

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.