

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 6

BY REVENUE AND TAXATION COMMITTEE

AN ACT

1 RELATING TO THE USE OF FOREIGN LANGUAGES; AMENDING SECTION 73-121, IDAHO
2 CODE, TO PERMIT THE STATE TAX COMMISSION TO USE LANGUAGES OTHER THAN
3 ENGLISH TO INFORM TAXPAYERS OF THEIR OBLIGATIONS UNDER THE TAX LAWS OF
4 THIS STATE AND TO ENCOURAGE OR FACILITATE COMPLIANCE WITH THOSE OBLIGA-
5 TIONS AND TO MAKE TECHNICAL CORRECTIONS.
6

7 Be It Enacted by the Legislature of the State of Idaho:

8 SECTION 1. That Section 73-121, Idaho Code, be, and the same is hereby
9 amended to read as follows:

10 73-121. ENGLISH THE OFFICIAL STATE LANGUAGE. (1) English is hereby de-
11 clared to be the official language of the state of Idaho.

12 (2) Except as provided in this section, the English language is the sole
13 language of the government.

14 (3) Except as provided in subsection (4) of this section, any document,
15 certificate or instrument required to be filed, recorded or endorsed by any
16 officer of this state, or of any county, city or district in this state, shall
17 be in the English language or shall be accompanied by a certified translation
18 in English and all transactions, proceedings, meetings or publications is-
19 sued, conducted or regulated by, or on behalf of, or representing the state
20 of Idaho, or any county, city or other political subdivision in this state
21 shall be in the English language.

22 (4) Language other than English may be used when required:

23 (a) By the United States Constitution, the Idaho Constitution, federal
24 law or federal regulation;

25 (b) By law enforcement or public health and safety needs;

26 (c) By public schools according to the rules promulgated by the state
27 board of education pursuant to subsection (6) of this section;

28 (d) By the public postsecondary educational institutions to pursue ed-
29 ucational purposes;

30 (e) To promote and encourage tourism and economic development, includ-
31 ing the hosting of international events;

32 (f) To change the use of non-English terms of art, phrases, proper names
33 or expressions included as part of communication otherwise in English;

34 and

35 (g) By libraries to:

36 (i) Collect and promote foreign language materials; and

37 (ii) Provide foreign language services and activities; and

38 (h) By the state tax commission to inform taxpayers of their obliga-
39 tions under the tax laws of this state and to encourage or facilitate
40 compliance with those obligations.

41 (5) Unless exempted by subsection (4) of this section, all state funds
42 appropriated or designated for the printing or translation of materials or

1 the provision of services or information in a language other than English
2 shall be returned to the state general fund.

3 (a) Each state agency that has state funds appropriated or designated
4 for the printing or translation of materials or the provision of ser-
5 vices or information in a language other than English shall:

6 (i) Notify the state controller that those moneys exist and the
7 amount of those moneys; and

8 (ii) Return those moneys to the state controller for deposit into
9 the state general fund.

10 (b) The state controller shall account for those moneys and inform the
11 legislature of the existence and amount of those moneys at the beginning
12 of the legislature's annual general session.

13 (6) The state board of education shall make rules governing the use of
14 foreign languages in the public schools that promote the following princi-
15 ples:

16 (a) Non-English speaking children and adults should become able to
17 read, write and understand English as quickly as possible;

18 (b) Foreign language instruction should be encouraged;

19 (c) Formal and informal programs in English as a second language should
20 be initiated, continued and expanded; and

21 (d) Public schools should establish communication with non-English
22 speaking parents within their systems, using a means designed to maxi-
23 mize understanding when necessary, while encouraging those parents who
24 do not speak English to become more proficient in English.

25 (7) Nothing in this section shall restrict the rights of governmental
26 employees, private businesses, not-for-profit organizations or private in-
27 dividuals to exercise their right under the first amendment of the United
28 States eConstitution or section 9, article I, of the Idaho eConstitution.