

House Amendment 8085

Amendment Text

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1 1 Amend [Senate File 165](#), as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 #1. By striking everything after the enacting
1 4 clause and inserting the following:
1 5 "Section 1. NEW SECTION. 1.18 GOVERNMENT
1 6 OFFICIAL ACTION LANGUAGE.
1 7 1. Except as otherwise provided for in subsections
1 8 2 and 3, the English language shall be the language of
1 9 government in Iowa. All official documents,
1 10 regulations, orders, transactions, proceedings,
1 11 programs, meetings, publications, or actions taken or
1 12 issued, which are conducted or regulated by, or on
1 13 behalf of, or representing the state and all of its
1 14 political subdivisions shall be in the English
1 15 language.
1 16 For the purposes of this section, "official action"
1 17 means any action taken by the government in Iowa or by
1 18 an authorized officer or agent of the government in
1 19 Iowa that does any of the following:
1 20 a. Binds the government.
1 21 b. Is required by law.
1 22 c. Is otherwise subject to scrutiny by either the
1 23 press or the public.
1 24 2. This section shall not apply to:
1 25 a. The teaching of languages.
1 26 b. Requirements under the federal Individuals with
1 27 Disabilities Education Act.
1 28 c. Actions, documents, or policies necessary for
1 29 trade, tourism, or commerce.
1 30 d. Actions or documents that protect the public
1 31 health and safety.
1 32 e. Actions or documents that facilitate activities
1 33 pertaining to compiling any census of populations.
1 34 f. Actions or documents that protect the rights of
1 35 victims of crimes or criminal defendants.
1 36 g. Use of proper names, terms of art, or phrases
1 37 from languages other than English.
1 38 h. Any language usage required by or necessary to
1 39 secure the rights guaranteed by the Constitution and
1 40 laws of the United States of America or the
1 41 Constitution of the State of Iowa.
1 42 i. Any oral or written communications,
1 43 examinations, or publications produced or utilized by
1 44 a driver's license station, provided public safety is
1 45 not jeopardized except that examinations for
1 46 commercial driver's licenses shall be given only in
1 47 the English language.
1 48 3. Nothing in this section shall be construed to
1 49 do any of the following:
1 50 a. Prohibit an individual member of the general
2 1 assembly or officer of state government, while
2 2 performing official business, from communicating
2 3 through any medium with another person in a language
2 4 other than English, if that member or officer deems it
2 5 necessary or desirable to do so.
2 6 b. Limit the preservation or use of Native
2 7 American languages, as defined in the federal Native

2 8 American Languages Act of 1992.
2 9 c. Disparage any language other than English or
2 10 discourage any person from learning or using a
2 11 language other than English.
2 12 Sec. 2. NEW SECTION. 4.14 GENERAL RULES OF
2 13 CONSTRUCTION FOR ENGLISH LANGUAGE LAWS.
2 14 It is presumed that English language requirements
2 15 in the public sector are consistent with the laws of
2 16 Iowa and any ambiguity in the English language text of
2 17 the laws of Iowa shall be resolved, in accordance with
2 18 the ninth and tenth amendments of the Constitution of
2 19 the United States, not to deny or disparage rights
2 20 retained by the people, and to reserve powers to the
2 21 states or to the people.
2 22 Sec. 3. CITATION. This Act may be cited as the
2 23 "Government Official Action Language Act of 2002".
2 24 #2. Title page, by striking lines 1 and 2, and
2 25 inserting the following: "An Act relating to the
2 26 government official action language Act of 2002."
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2 29 _____
2 30 MYERS of Johnson
2 31 SF 165.3 63 79
2 32 av/cf