

Amendment No. 414

Senate Amendment to Senate Bill No. 325	(BDR 19-760)
Proposed by: Senate Committee on Government Affairs	
Amendment Box: Consistent with Amendment Nos. 491 and 499.	
Amends: Summary: No Title: Yes Preamble: Add Joint Sponsorship: No Digest: Yes	

ASSEMBLY ACTION				Initial and Date	SENATE ACTION				Initial and Date	
Adopted	☐	Lost	☐	_____		Adopted	☐	Lost	☐	_____
Concurred In	☐	Not	☐	_____		Concurred In	☐	Not	☐	_____
Receded	☐	Not	☐	_____		Receded	☐	Not	☐	_____

EXPLANATION: Matter in (1) *blue bold italics* is new language in the original bill; (2) *green bold italic underlining* is new language proposed in this amendment; (3) ~~red strikethrough~~ is deleted language in the original bill; (4) ~~purple double strikethrough~~ is language proposed to be deleted in this amendment; (5) orange double underlining is deleted language in the original bill that is proposed to be retained in this amendment; and (6) *green bold* is newly added transitory language.

EGO



Date: 4/19/2007

S.B. No. 325—Makes various changes concerning the English language.
(BDR 19-760)



SENATE BILL NO. 325—SENATORS BEERS,
HECK, CEGAVSKE AND HARDY

MARCH 19, 2007

JOINT SPONSORS: ASSEMBLYMEN BEERS, HARDY,
COBB, GOEDHART, GRADY AND MARVEL

Referred to Committee on Government Affairs

SUMMARY—Makes various changes concerning the English language.
(BDR 19-760)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in **bolded italics** is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to governmental administration; designating English as the official language of the State of Nevada; requiring certain proceedings ~~to be in English; and records of this State to be in English; prohibiting certain employment discrimination by governmental officers and agencies; requiring state agencies to record certain expenditures made to provide services in a language other than English;~~ and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Section 1 of this bill designates English as the official language of the State of Nevada and, with limited exceptions, requires that all official proceedings of the State be conducted in English ~~and requires all official records of the State to be prepared, stored and made available in English . and requires all official publications of the State to be printed in English.~~

~~Existing law prohibits employment discrimination by state and local governmental officers and agencies based on race, creed, color, national origin, sex, sexual orientation, age, political affiliation or disability except when based on a bona fide occupational qualification (NRS 281.370). Section 2 of this bill adds to this list of prohibited bases of employment discrimination the inability of a person to converse in a language other than English.~~

~~Section 3 of this bill requires state agencies to record expenditures made to provide services in languages other than English.~~

WHEREAS, English is the common language of the people of the United States of America and the State of Nevada and should be preserved, protected and strengthened; and

WHEREAS, English is the most widely used language in the areas of finance, trade, technology, diplomacy and entertainment, and is the living library of the last 100 years of scientific and technological advances; and

WHEREAS, There are more persons who speak English as a second language in the world than there are native speakers of English, and the numerous schools that teach English around the world demonstrate that English is soon to become the prevalent language used throughout the world; and

WHEREAS, It is universally accepted that a common language promotes unity and fosters better communication; and

WHEREAS, Knowledge of the different languages existing in today's world enhances competitiveness and growth in world trade and promotes economic expansion; and

WHEREAS, A skilled labor force is crucial to the competitiveness of the State of Nevada in today's national and global economy, and a knowledge of both English and foreign languages enhances communication and diplomatic efforts by fostering greater communication and understanding between nations and can promote a greater understanding between different ethnic and racial groups within the United States; now, therefore,

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Chapter 235 of NRS is hereby amended by adding thereto a new section to read as follows:

1. The Legislature hereby:

(a) Pledges that it:

(1) Will not enact any law which diminishes or ignores the role of English as the common language of this State; and

(2) Will take all steps necessary to ensure that English is preserved and enhanced as the common language of this State.

(b) Encourages other state officials to take appropriate steps to ensure that English is preserved and enhanced as the common language of this State.

(c) Recognizes:

(1) The importance of English as the unifying language of the United States and the importance of speaking English fluently to succeed in American society;

(2) That a command of English is a critical component of the success and productivity of the children in this State and should be encouraged at all ages; and

(3) That a skilled labor force is crucial to this State's competitiveness in a global economy and the ability to speak one or more languages in addition to English is a significant skill.

(d) Supports educational programs designed to teach English as well as other languages.

(e) Encourages the residents of this State:

(1) To master English as well as other languages; and

(2) To take advantage of all educational opportunities to realize their potential in the mastery of English as well as other languages.

2. English is hereby designated as the official language of the State of Nevada.

3. Except as otherwise provided in subsection ~~2~~ 4:

(a) All official proceedings of this State must be conducted in the English language.

(b) All official records of this State must be prepared, stored and made available in the English language.

~~(c) All official publications of this State must be printed in the English language.~~

~~3.1~~ 4. The provisions of subsection ~~4.1~~ 3 do not apply to:

(a) State employees when conducting official state business orally.

(b) Classes that teach students a language other than English.

(c) Classes that teach students whose proficiency in the English language is limited.

(d) Situations in which the exclusive use of the English language would interfere with the functions and requirements of the judicial system of this State.

(e) Situations in which the exclusive use of the English language would interfere with public health or safety or the provision of emergency services.

(f) The promotion of international trade or tourism by an officer, employee or agent of this State.

~~4.1~~ 5. Notwithstanding the provisions of any other specific statute:

(a) No court of this State has jurisdiction to hear a claim against this State that is based solely on the failure of this State to provide copies of statutes, regulations, reports, forms or other documents in a language other than English.

(b) Neither this State nor an officer, employee or agent of this State is liable, civilly or criminally, for an act or omission committed to carry out the provisions of subsection ~~4.1~~ 3.

Sec. 2. ~~[NRS 281.370 is hereby amended to read as follows:~~

~~281.370 1. All personnel actions taken by state, county or municipal departments, housing authorities, agencies, boards or appointing officers thereof must be based solely on merit and fitness.~~

~~2. State, county or municipal departments, housing authorities, agencies, boards or appointing officers thereof shall not refuse to hire a person, discharge or bar any person from employment or discriminate against any person in compensation or in other terms or conditions of employment because of his race, creed, color, national origin, sex, sexual orientation, age, inability to converse in a language other than English, political affiliation or disability, except when based upon a bona fide occupational qualification.~~

~~3. As used in this section:~~

~~(a) "Disability" means, with respect to a person:~~

~~(1) A physical or mental impairment that substantially limits one or more of the major life activities of the person;~~

~~(2) A record of such an impairment; or~~

~~(3) Being regarded as having such an impairment.~~

~~(b) "Sexual orientation" means having or being perceived as having an orientation for heterosexuality, homosexuality or bisexuality.} (Deleted by amendment.)~~

Sec. 3. ~~[Chapter 353 of NRS is hereby amended by adding thereto a new section to read as follows:~~

~~1. A state agency shall record each expenditure made by the state agency to provide services in a language other than English, including, without limitation, the preparation, translation, printing and recording of documents, papers and brochures. Such expenditures must be set forth separately in the budget estimates of the state agency.~~

1 ~~2. As used in this section, "state agency" means an agency, bureau, board,~~
2 ~~commission, department, division or any other unit of the Executive, Judicial or~~
3 ~~Legislative Branch of State Government.~~ (Deleted by amendment.)