

2009 ASSEMBLY BILL 46

February 17, 2009 – Introduced by Representatives SCHNEIDER, ZIEGELBAUER, NYGREN, KERKMAN, ROTH, HUEBSCH, TOWNSEND, VOS, MURSAU, BIES, M. WILLIAMS, A. OTT, LOTHIAN, GUNDERSON, STRACHOTA and KLEEFISCH, cosponsored by Senators A. LASEE, S. FITZGERALD, DARLING, SCHULTZ and LEIBHAM. Referred to Committee on State Affairs and Homeland Security.

1 **AN ACT to create** 1.101, 1.102, 1.103 and 1.104 of the statutes; **relating to:** an
2 official state language, encouragement of cultural diversity, use of English for
3 governmental written expression, acquiring language proficiency, and use of
4 languages for nongovernmental purposes.

Analysis by the Legislative Reference Bureau

This bill provides that the official language of this state is English. Currently, this state has no official language.

The bill provides that the legislature encourages the preservation of Wisconsin's ethnic, cultural, religious, and linguistic heritage, through the teaching, learning, and practice of languages other than English, to facilitate a multilingual exchange of ideas and to foster mutual understanding and trust among all peoples. However, this policy does not apply to any action that is specifically required to comply with any law. No specific legislative policy concerning cultural diversity exists currently.

The bill also provides that, unless otherwise specifically required by law, all written expression by all units of state and local government in this state shall be in the English language, except that such expression may be in another language when appropriate to the circumstances of an individual case, the implementation of a program in a specific instance, or the discharge of a responsibility in a particular situation.

In addition, the bill precludes any unit of state or local government in this state from prohibiting any person from becoming proficient in any language or restricting

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the oral or written use of any language for a nongovernmental purpose. Currently, such action is prohibited under the federal and state constitutions, except that a governmental employer may regulate the conduct of employees while the employees are engaged in official responsibilities.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 1.101 of the statutes is created to read:

2 **1.101 Official state language.** The official language of this state is English.

3 **SECTION 2.** 1.102 of the statutes is created to read:

4 **1.102 Encouragement of cultural diversity. (1)** Except as provided in sub.
5 (2), the legislature encourages the preservation of Wisconsin's ethnic, cultural,
6 religious, and linguistic heritage, through the teaching, learning, and practice of
7 languages other than English, to facilitate a multilingual exchange of ideas and to
8 foster mutual understanding and trust among all peoples.

9 **(2)** Subsection (1) does not apply to any action that is required to comply with
10 s. 1.103 or any other action that is specifically required by law.

11 **SECTION 3.** 1.103 of the statutes is created to read:

12 **1.103 Use of English for governmental written expression.** Unless
13 otherwise specifically authorized or required by law, all written expression by all
14 units of state and local government in this state shall be in the English language,
15 except that such expression may be in another language when appropriate to the
16 circumstances of an individual case, the implementation of a program in a specific
17 instance, or the discharge of a responsibility in a particular situation.

18 **SECTION 4.** 1.104 of the statutes is created to read:

