

The Senate Public Safety Committee offered the following substitute to SB 335:

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 50-3-100 of the Official Code of Georgia Annotated, relating to the
2 designation of English as the official language of Georgia, so as to prohibit a state agency
3 or political subdivision of this state from requiring an employee to speak or learn any
4 language other than the official language of the state in order to be employed, maintain
5 employment, or be eligible for a promotion; to provide for applicability and exceptions; to
6 provide an effective date; to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

8 Code Section 50-3-100 of the Official Code of Georgia Annotated, relating to the designation
9 of English as the official language of Georgia, is revised by adding a new subsection (e) to
10 read as follows:
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12 "(e)(1) For purposes of this subsection, 'foreign language' means any language other than
13 the official language of the State of Georgia.

14 (2) Except as provided in this subsection, a state agency, county government,
15 municipality, or any governmental entity or political subdivision of this state shall not
16 require an employee or person seeking employment to speak a foreign language or to
17 complete foreign language training as a condition of employment or promotion.

18 (3) Except as provided in this subsection, no such governmental entity shall give
19 preferential treatment to any employee for the ability to speak a foreign language or for
20 attending foreign language training where such preferential treatment has an adverse
21 impact on the employment or any benefit of employment of an employee who is unable
22 to speak a foreign language or who has not attended foreign language training.

23 (4) This subsection shall not apply to any employee who holds a position of employment
24 for which the ability to speak a foreign language is a primary function of that position,
25 including, but not limited to, a foreign language instructor, translator, a victim services

1 employee with a solicitor or prosecutor's office, a specialized law enforcement task team
2 member, and ambassador.

3 (5) Any governing authority, including any county, municipality, or consolidated
4 government, local agency, department, board, commission, authority, or other subdivision
5 of this state, that:

6 (A) Complies with the requirements of Code Section 13-10-91 and demonstrates such
7 compliance by the registration and participation in the federal work authorization
8 program administered by the Georgia Department of Labor;

9 (B) Complies with the provisions of Code Section 50-36-1, provided that such Code
10 section is applicable to the services provided by such entity; and

11 (C) Adopts and enforces a policy requiring the reporting of the suspected commission
12 or attempted commission of a crime involving the submission of false or fraudulent
13 identification documentation which policy shall require copies of such documentation
14 to be forwarded to the law enforcement agency having jurisdiction over the suspected
15 offense

16 shall be exempt from the provisions of this subsection."

17 **SECTION 2.**

18 This Act shall become effective on July 1, 2008.

19 **SECTION 3.**

20 All laws and parts of laws in conflict with this Act are repealed.