

BALLOT PROPOSITION #103
English as official language

FISCAL ANALYSIS

Description

Proposition 103 repeals Article 28 of the Constitution of Arizona and replaces it with new requirements establishing English as the official language of the state. The proposition requires official actions to be conducted in English, except for the following, which would be exempt:

- The teaching of, or encouragement of, learning languages other than English;
- Actions required under the federal Individuals with Disabilities Education Act or other federal laws;
- Actions or documents that protect the public health and safety, including law enforcement and emergency services; and
- Informal and nonbinding translations.

Additionally, Proposition 103 permits those who reside or do business in the state to file civil action for relief from actions that violate Proposition 103, if injury is caused to that person. In addition to receiving relief, an injured party may be awarded all costs expended or incurred in the action, including reasonable attorney fees.

Estimated Impact

Proposition 103 may have several different fiscal impacts. It may generate savings for state and local governments by eliminating official actions in non-English languages except when required by the proposition. Governmental entities may save on translation costs. State and local governments may also incur costs. In the event a civil action is filed for alleged violations of the proposition, state and local governments may realize additional costs in providing relief and reasonable attorney fees to successful parties who brought the action. The magnitude of these costs and savings is difficult to determine in advance.

The Arizona Association of Counties and the Arizona League of Cities and Towns have not provided a fiscal estimate for Proposition 103.

Local Government Impact

Please see the Estimated Impact and Analysis section for details, as local governments could be impacted in the same manner described above.

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This estimate was prepared by Martin Lorenzo (602-926-5491).
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