

BILL ANALYSIS

H.B. 1059
By: Thompson
Judicial Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The 77th Legislature passed a number of guidelines and procedures relating to the certification and appointment of court interpreters. Questions have arisen regarding what constitutes a “court procedure” requiring an interpreter.

H.B. 1059 clarifies which proceedings require an interpreter and tightens the definition of a “certified court interpreter” for the hearing-impaired.

RULEMAKING AUTHORITY

It is the committee’s opinion that rulemaking authority is expressly granted to the Texas Commission for the Deaf and Hard of Hearing in SECTION 4 (Section 57.022(b), Government Code) of this bill.

ANALYSIS

H.B. 1059 defines a “certified court interpreter” as an individual who is a qualified interpreter as defined by the Code of Criminal Procedure or who meets the qualifications set forth in the Civil Practice and Remedies Code, and is certified by the Texas Commission for the Deaf and Hard of Hearing (the “Commission”) to interpret court proceedings for a hearing-impaired individual.

H.B. 1059 clarifies language concerning spoken language interpreters in counties with a population of less than 50,000.

H.B. 1059 states that the provisions relating to the appointment and use of a certified or licensed court interpreter in a court proceeding also apply to the appointment and use of interpreters in a deposition, an alternative dispute resolution procedure to which the parties have been referred by a court, and a court ordered mental or physical examination.

H.B. 1059 requires the Commission by rule to provide for the establishment of guidelines and best practices for certified court interpreters.

EFFECTIVE DATE

September 1, 2003.