

BILL ANALYSIS

C.S.H.B. 1642
By: Hartnett
Judiciary
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Chapter 57, Government Code, requires counties of over 50,000 population to use licensed court interpreters. Licensed interpreters of the many languages spoken over the state are not always locally available, while persons who are otherwise available to translate for the court may be readily available. Finding, hiring and paying expenses for a licensed interpreter can be a large expense for a county. It does not make sense that a county should shoulder this added expense when persons qualified to interpret in smaller counties are available.

H.B. 1642 amends Chapter 57, Government Code, to allow a trial judge in a large county to use judicial discretion in certain circumstances to determine when a licensed court interpreter is required. If a licensed interpreter is not available locally, the judge may certify an interpreter that the judge determines is competent to perform the interpretation duties.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

The bill amends Section 57.002 of the Government Code to permit a court in a county with a population over 50,000 to appoint a non-licensed spoken language interpreter for a language other than Spanish if the court finds that no licensed interpreter is available within 75 miles.

EFFECTIVE DATE

September 1, 2005

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute leaves the current law unchanged with respect to counties under 50,000. The substitute adds requirements for a judicial finding and a 75 mile radius for unavailability of licensed interpreters, which were not part of the original bill.