

By: Hartnett, Alonzo

H.B. No. 1642

A BILL TO BE ENTITLED

AN ACT

relating to the appointment of interpreters for judicial proceedings.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 57.002, Government Code, is amended by amending Subsection (c) and adding Subsections (d) and (e) to read as follows:

(c) Subject to Subsection (e), in [~~In~~] a county with a population of less than 50,000, a court may appoint a spoken language interpreter who is not a certified or licensed court interpreter.

(d) Subject to Subsection (e), in a county with a population of 50,000 or more, a court may appoint a spoken language interpreter who is not a certified or licensed court interpreter if:

(1) the language necessary in the proceeding is a language other than Spanish; and

(2) the court makes a finding that there is no licensed court interpreter within 75 miles who can interpret in the language that is necessary in a proceeding.

(e) A person appointed under Subsection (c) or (d) [~~and~~ who]:

(1) must be [~~is~~] qualified by the court as an expert under the Texas Rules of Evidence;

(2) must be [~~is~~] at least 18 years of age; and

1           (3) may [~~is~~] not be a party to the proceeding.

2           SECTION 2. The change in law made by this Act applies only  
3 to the appointment of a court interpreter under Chapter 57,  
4 Government Code, as amended by this Act, on or after the effective  
5 date of this Act. The appointment of a court interpreter before the  
6 effective date of this Act is governed by the law in effect when the  
7 interpreter was appointed, and the former law is continued in  
8 effect for that purpose.

9           SECTION 3. This Act takes effect September 1, 2005.