

1-1 By: Hartnett, Alonzo (Senate Sponsor - Harris) H.B. No. 1642
1-2 (In the Senate - Received from the House April 21, 2005;
1-3 April 22, 2005, read first time and referred to Committee on
1-4 Jurisprudence; May 13, 2005, reported favorably by the following
1-5 vote: Yeas 5, Nays 0; May 13, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the appointment of interpreters for judicial
1-9 proceedings.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 57.002, Government Code, is amended by
1-12 amending Subsection (c) and adding Subsections (d) and (e) to read
1-13 as follows:

1-14 (c) Subject to Subsection (e), in [In] a county with a
1-15 population of less than 50,000, a court may appoint a spoken
1-16 language interpreter who is not a certified or licensed court
1-17 interpreter.

1-18 (d) Subject to Subsection (e), in a county with a population
1-19 of 50,000 or more, a court may appoint a spoken language interpreter
1-20 who is not a certified or licensed court interpreter if:

1-21 (1) the language necessary in the proceeding is a
1-22 language other than Spanish; and

1-23 (2) the court makes a finding that there is no licensed
1-24 court interpreter within 75 miles who can interpret in the language
1-25 that is necessary in a proceeding.

1-26 (e) A person appointed under Subsection (c) or (d) [and
1-27 who]:

1-28 (1) must be [is] qualified by the court as an expert
1-29 under the Texas Rules of Evidence;

1-30 (2) must be [is] at least 18 years of age; and

1-31 (3) may [is] not be a party to the proceeding.

1-32 SECTION 2. The change in law made by this Act applies only
1-33 to the appointment of a court interpreter under Chapter 57,
1-34 Government Code, as amended by this Act, on or after the effective
1-35 date of this Act. The appointment of a court interpreter before the
1-36 effective date of this Act is governed by the law in effect when the
1-37 interpreter was appointed, and the former law is continued in
1-38 effect for that purpose.

1-39 SECTION 3. This Act takes effect September 1, 2005.

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