

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

February 5, 2007

TO: Honorable Jeff Wentworth, Chair, Senate Committee on Jurisprudence

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: SB179 by Wentworth (Relating to the ownership and disposition of official court reporter notes and transcripts.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend Chapter 52 of the Government Code to make an official court reporter's shorthand notes of oral testimony and closing arguments the property of the court, as opposed to the property of the court reporter as is the case under current law. Upon taking shorthand notes, the court reporter would be required to deliver the shorthand notes to the clerk of the court. Court clerks would be obligated to preserve the notes and transcripts based on the notes for three years. A person would apply to the court clerk to obtain a transcript. The court clerk would collect a fee for the transcript, which would be set by the court clerk. The court could require the official court reporter to deliver a copy of the transcript to the clerk at no cost to the court. The court would be required to compensate the court reporter a reasonable amount for transcribing shorthand notes.

The bill would take effect September 1, 2007.

Local Government Impact

Court clerks will experience increased costs associated with receiving and maintaining the official court reporter's shorthand notes. However, court clerks would be authorized to collect a fee that should be set at an amount that will cover the increased expenses.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council

LBB Staff: JOB, MN, ZS, TB, KJG