

BILL ANALYSIS

Senate Research Center
81R31918 KFF-D

H.B. 4445
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Jurisprudence
5/21/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

According to the Office of Court Administration of the Texas Judicial System, more than four million cases were filed in county and justice of the peace courts during 2008. Due to the basic nature of these courts, many of the cases the courts handle are misdemeanor offenses where the punishment consists only of a fine or civil claims where the amount in dispute is no more than \$10,000. Many of these cases are filed by Spanish-only speakers. As a result, Texas licensed court interpreters are overwhelmed by cases that do not require their level of expertise.

This bill creates a court interpreter's license with a master designation and a license with a basic designation applicable to courts in a county with a population of 3.3 million or more. The bill enables interpreters with a master designation to be assigned to those cases where their level of expertise is required, while enabling interpreters with a basic designation to be assigned to simpler cases, thereby reducing the unnecessary workload currently placed on licensed court interpreters.

H.B. 4445 amends current law relating to the licensing and appointment of certain court interpreters.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Commission on Licensing and Regulation is modified in SECTION 2 (Section 57.043, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 57.002, Government Code, by adding Subsection (b-1), as follows:

(b-1) Requires a licensed court interpreter appointed under Subsection (a) (relating to a court appointment of certain court interpreters) or (b) (relating to a court appointment of certain court interpreters on the court's motion) by a court located in a county with a population of 3.3 million or more to hold a license that includes the appropriate designation under Section 57.043(d) that indicates the interpreter is permitted to interpret in that court.

SECTION 2. Amends Section 57.043, Government Code, by adding Subsections (d) and (e), as follows:

(d) Requires the executive director of the Texas Department of Licensing and Regulation to establish license designations for persons who seek to be appointed to interpret in a court located in a county with a population of 3.3 million or more. Requires the person's license to include one of the following designations:

- (1) a basic designation that permits the interpreter to interpret court proceedings in justice and municipal courts; or
- (2) a master designation that permits the interpreter to interpret court proceedings in all state courts, including justice and municipal courts.

(e) Requires the Texas Commission on Licensing and Regulation, in adopting rules to licensing under this subchapter, to prescribe the qualifications required for a license that includes a basic designation and for a license that includes a master designation under Subsection (d).

SECTION 3. Makes application of Section 57.002 (b-1), Government Code, as added by this Act prospective to September 1, 2010.

SECTION 4. Effective date: September 1, 2009.