

BILL ANALYSIS

C.S.H.B. 4445
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Judiciary & Civil Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

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 they 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.

C.S.H.B. 4445 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.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Commission of Licensing and Regulation in SECTION 2 of this bill.

ANALYSIS

C.S.H.B. 4445 amends the Government Code to require the executive director of the Texas Department of Licensing and Regulation to establish court interpreter 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. The bill requires such a court interpreter's license to include either a basic designation that permits the interpreter to interpret court proceedings in justice and municipal courts or a master designation that permits the interpreter to interpret court proceedings in all state courts, including justice and municipal courts. The bill requires the Texas Commission of Licensing and Regulation, in adopting rules relating to the licensing of court interpreters, to prescribe the qualifications required for a license that includes a basic designation and for a license that includes a master designation. The bill requires a licensed court interpreter appointed 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 indicating that the interpreter is permitted to interpret in that court.

C.S.H.B. 4445 makes the requirement that a court-appointed licensed court interpreter hold a license that includes the appropriate designation applicable only to the appointment of a licensed court interpreter on or after September 1, 2010.

EFFECTIVE DATE

September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 4445 adds a condition not in the original making its provisions applicable only to a court interpreter appointed to interpret in a court located in a county with a population of 3.3 million or more.

C.S.H.B. 4445 adds a provision not in the original requiring the executive director of the Texas Department of Licensing and Regulation to establish the license designations for persons working in an applicable county. The substitute differs from the original by requiring a court interpreter's license to include one of the designations, whereas the original required the license to include at least one of the designations.

C.S.H.B. 4445 removes a provision in the original making the provision relating to the issuance or renewal of a license with the appropriate designation applicable only to a court interpreter license issued or renewed on or after September 1, 2009.