

SENATE AMENDMENTS

2nd Printing

By: Alvarado

H.B. No. 4445

A BILL TO BE ENTITLED

AN ACT

relating to the licensing and appointment of certain court interpreters.

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

SECTION 1. Section 57.002, Government Code, is amended by adding Subsection (b-1) to read as follows:

(b-1) A licensed court interpreter appointed under Subsection (a) or (b) by a court located in a county with a population of 3.3 million or more must 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. Section 57.043, Government Code, is amended by adding Subsections (d) and (e) to read as follows:

(d) The executive director shall 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. The person's license must 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) In adopting rules relating to licensing under this

1 subchapter, the commission shall prescribe the qualifications
2 required for a license that includes a basic designation and for a
3 license that includes a master designation under Subsection (d).

4 SECTION 3. Section 57.002(b-1), Government Code, as added
5 by this Act, applies only to the appointment of a licensed court
6 interpreter on or after September 1, 2010. An appointment before
7 that date is governed by the law in effect on the date the
8 appointment was made, and the former law is continued in effect for
9 that purpose.

10 SECTION 4. This Act takes effect September 1, 2009.

ADOPTED

MAY 25 2009

Atty. Gen.
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: *Mario Gallego*

1 Amend H.B. No. 4445 (senate committee printing) by striking
2 all below the enacting clause and substituting the following:

3 SECTION 1. Section 57.002, Government Code, is amended by
4 adding Subsection (b-1) to read as follows:

5 (b-1) A licensed court interpreter appointed by a court
6 under Subsection (a) or (b) must hold a license that includes the
7 appropriate designation under Section 57.043(d) that indicates the
8 interpreter is permitted to interpret in that court.

9 SECTION 2. Section 57.043, Government Code, is amended by
10 amending Subsection (a) and adding Subsections (d) and (e) to read
11 as follows:

12 (a) The executive director shall issue a court interpreter
13 license to an applicant who:

14 (1) can interpret for an individual who can hear but
15 who does not comprehend English or communicate in English;

16 (2) passes the appropriate examination prescribed by
17 the executive director not earlier than two years before the date
18 the executive director receives the applicant's application for a
19 license; and

20 (3) possesses the other qualifications for the license
21 required by this subchapter or by rules adopted under this
22 subchapter.

23 (d) A license issued under this subchapter must include at
24 least one of the following designations:

25 (1) a basic designation that permits the interpreter
26 to interpret court proceedings in justice courts and municipal
27 courts that are not municipal courts of record, other than a
28 proceeding before the court in which the judge is acting as a
29 magistrate; or

1 (2) a master designation that permits the interpreter
2 to interpret court proceedings in all courts in this state,
3 including justice courts and municipal courts described by
4 Subdivision (1).

5 (e) In adopting rules relating to licensing under this
6 subchapter, the commission shall, after consulting with the board,
7 prescribe the minimum score an individual must achieve on an
8 examination to receive a license that includes a basic designation
9 under Subsection (d) and the minimum score an individual must
10 achieve to receive a license that includes a master designation
11 under that subsection.

12 SECTION 3. Section 57.046(a), Government Code, is amended
13 to read as follows:

14 (a) The executive director shall prepare examinations under
15 this subchapter that test an applicant's knowledge, skill, and
16 efficiency in interpreting under this subchapter. The same
17 examinations must be used for issuing a license that includes a
18 basic designation or master designation as described by Section
19 57.043(d).

20 SECTION 4. (a) Notwithstanding Section 57.043(e),
21 Government Code, as added by this Act, and not later than December
22 1, 2009, the executive director of the Texas Department of
23 Licensing and Regulation shall issue to a person who, on September
24 1, 2009, holds a court interpreter license issued under Section
25 57.043(a), Government Code, a new court interpreter license that
26 includes a master designation described by Section 57.043(d)(2),
27 Government Code, as added by this Act.

28 (b) Section 57.043(d), Government Code, as added by this
29 Act, applies only to a court interpreter license, other than a court
30 interpreter license issued under Subsection (a) of this section,
31 that is initially issued under Section 57.043(a), Government Code,

1 on or after September 1, 2009, and to the subsequent renewal of that
2 license.

3 (c) Section 57.002(b-1), Government Code, as added by this
4 Act, applies only to the appointment of a licensed court
5 interpreter on or after January 1, 2010. An appointment before that
6 date is governed by the law in effect on the date the appointment
7 was made, and the former law is continued in effect for that
8 purpose.

9 SECTION 5. This Act takes effect September 1, 2009.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 28, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

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

IN RE: HB4445 by Alvarado (relating to the licensing and appointment of certain court interpreters.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would require the Texas Department of Licensing and Regulation to adopt rules regarding the licensing of court interpreters and providing the minimum score an individual must achieve on the examination to qualify for a license with a basic designation or to qualify for a license with a master designation.

The Texas Department of Licensing and Regulation indicates duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 452 Department of Licensing and Regulation

LBB Staff: JOB, ES, MN

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 21, 2009

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

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

IN RE: HB4445 by Alvarado (Relating to the licensing and appointment of certain court interpreters.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would require the Texas Department of Licensing and Regulation to adopt rules regarding the licensing of court interpreters by a court located in a county with a population of 3.3 million or more and to establish the qualifications required for a license with a basic designation and for a license with a master designation.

The Texas Department of Licensing and Regulation indicates duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 452 Department of Licensing and Regulation

LBB Staff: JOB, ES, MN

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 8, 2009

TO: Honorable Todd Hunter, Chair, House Committee on Judiciary & Civil Jurisprudence

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

IN RE: HB4445 by Alvarado (Relating to the licensing and appointment of certain court interpreters.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would require the Texas Department of Licensing and Regulation to adopt rules regarding the licensing of court interpreters by a court located in a county with a population of 3.3 million or more and to establish the qualifications required for a license with a basic designation and for a license with a master designation.

The Texas Department of Licensing and Regulation indicates duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 452 Department of Licensing and Regulation

LBB Staff: JOB, ES, MN

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 14, 2009

TO: Honorable Todd Hunter, Chair, House Committee on Judiciary & Civil Jurisprudence

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

IN RE: HB4445 by Alvarado (Relating to the licensing of court interpreters.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would require the Texas Department of Licensing and Regulation to adopt rules regarding the licensing of court interpreters and providing the qualifications required for a license with a basic designation and the qualifications required for a license with a master designation.

The Texas Department of Licensing and Regulation indicates duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 452 Department of Licensing and Regulation

LBB Staff: JOB, MN, ES