

BILL ANALYSIS

H.B. 3313
By: Paxton
Judiciary & Civil Jurisprudence
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, a probate court is not allowed to use electronic recording devices in lieu of a court reporter. H.B. 3313 seeks to allow the judge of a Collin County statutory probate court to authorize a proceeding to be recorded by an electronic recording device instead of by a court reporter.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3313 amends the Government Code to authorize the judge of a statutory probate court in Collin County to provide that a proceeding be recorded by a good quality electronic recording device instead of by a court reporter and to specify that a stenographic record of an electronically recorded proceeding is not required except on order of the judge. The bill establishes that a court reporter is not required to be present to certify the record if a recording device is used. The bill authorizes the judge to designate one or more persons to act as the court recorder and requires the judge to assign to a court recorder the duties and responsibilities necessary to act in that capacity.

EFFECTIVE DATE

September 1, 2011.