

By: Paxton

S.B. No. 1620

A BILL TO BE ENTITLED

AN ACT

relating to certified Communication Access Realtime Translation providers.

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

SECTION 1. Section 57.001, Government Code, is amended to read as follows:

Sec. 57.001. DEFINITIONS. In this subchapter and for purposes of Subchapter B:

(1) "Certified court interpreter" means an individual who is a qualified interpreter as defined in Article 38.31, Code of Criminal Procedure, or Section 21.003, Civil Practice and Remedies Code, or certified under Subchapter B by the Department of Assistive and Rehabilitative Services to interpret court proceedings for a hearing-impaired individual.

(2) "Department" means the Department of Assistive and Rehabilitative Services.

(3) "Commissioner" means the commissioner of the Department of Assistive and Rehabilitative Services.

(4) "Hearing-impaired individual" means an individual who has a hearing impairment, regardless of whether the individual also has a speech impairment, that inhibits the individual's comprehension of proceedings or communication with others.

(5) "Licensed court interpreter" means an individual licensed under Subchapter C by the Texas Commission of Licensing

1 and Regulation to interpret court proceedings for an individual who
2 can hear but who does not comprehend English or communicate in
3 English.

4 (6) "Communication Access Realtime Translation"
5 (CART) ["Real-time captioning"] means the immediate verbatim
6 translation of the spoken word into English text by a certified CART
7 provider [~~transcribing the spoken words of an oral proceeding to~~
8 ~~simultaneously project the words on a screen~~].

9 (7) "Certified CART provider" means a person currently
10 certified by the Texas Court Reporters Association as qualified to
11 provide CART services at the Advanced or Master Level.

12 (8) "Court proceeding" includes an arraignment,
13 deposition, mediation, court-ordered arbitration, or other form of
14 alternative dispute resolution.

15 SECTION 2. Subsections (a) and (b), Section 57.002,
16 Government Code, are amended to read as follows:

17 (a) A court shall appoint a certified court interpreter, a
18 certified CART provider, or a licensed court interpreter if a
19 motion for the appointment of an interpreter is filed by a party or
20 requested by a witness in a civil or criminal proceeding in the
21 court.

22 (b) A court may, on its own motion, appoint a certified
23 court interpreter, a certified CART provider, or a licensed court
24 interpreter.

25 SECTION 3. Subsection (d), Section 57.021, Government Code,
26 is amended to read as follows:

27 (d) The department shall [~~may~~] maintain a list of certified

1 CART providers [~~persons certified by the Texas Court Reporters~~
2 ~~Association as qualified to provide communication access real-time~~
3 ~~translation services for a hearing-impaired individual in a court~~
4 ~~proceeding]~~ and, on request, may send the list to a person or court.

5 SECTION 4. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2013.