

1-1 By: Paxton S.B. No. 1620  
1-2 (In the Senate - Filed March 8, 2013; March 20, 2013, read  
1-3 first time and referred to Committee on Jurisprudence;  
1-4 April 17, 2013, reported favorably by the following vote: Yeas 6,  
1-5 Nays 0; April 17, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	West	X		
1-9	Rodriguez	X		
1-10	Campbell	X		
1-11	Carona		X	
1-12	Garcia	X		
1-13	Hancock	X		
1-14	Paxton	X		

1-15 A BILL TO BE ENTITLED  
1-16 AN ACT

1-17 relating to certified Communication Access Realtime Translation  
1-18 providers.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Section 57.001, Government Code, is amended to  
1-21 read as follows:

1-22 Sec. 57.001. DEFINITIONS. In this subchapter and for  
1-23 purposes of Subchapter B:

1-24 (1) "Certified court interpreter" means an individual  
1-25 who is a qualified interpreter as defined in Article 38.31, Code of  
1-26 Criminal Procedure, or Section 21.003, Civil Practice and Remedies  
1-27 Code, or certified under Subchapter B by the Department of  
1-28 Assistive and Rehabilitative Services to interpret court  
1-29 proceedings for a hearing-impaired individual.

1-30 (2) "Department" means the Department of Assistive and  
1-31 Rehabilitative Services.

1-32 (3) "Commissioner" means the commissioner of the  
1-33 Department of Assistive and Rehabilitative Services.

1-34 (4) "Hearing-impaired individual" means an individual  
1-35 who has a hearing impairment, regardless of whether the individual  
1-36 also has a speech impairment, that inhibits the individual's  
1-37 comprehension of proceedings or communication with others.

1-38 (5) "Licensed court interpreter" means an individual  
1-39 licensed under Subchapter C by the Texas Commission of Licensing  
1-40 and Regulation to interpret court proceedings for an individual who  
1-41 can hear but who does not comprehend English or communicate in  
1-42 English.

1-43 (6) "Communication Access Realtime Translation  
1-44 (CART) ["Real-time captioning"] means the immediate verbatim  
1-45 translation of the spoken word into English text by a certified CART  
1-46 provider [transcribing the spoken words of an oral proceeding to  
1-47 simultaneously project the words on a screen].

1-48 (7) "Certified CART provider" means a person currently  
1-49 certified by the Texas Court Reporters Association as qualified to  
1-50 provide CART services at the Advanced or Master Level.

1-51 (8) "Court proceeding" includes an arraignment,  
1-52 deposition, mediation, court-ordered arbitration, or other form of  
1-53 alternative dispute resolution.

1-54 SECTION 2. Subsections (a) and (b), Section 57.002,  
1-55 Government Code, are amended to read as follows:

1-56 (a) A court shall appoint a certified court interpreter, a  
1-57 certified CART provider, or a licensed court interpreter if a  
1-58 motion for the appointment of an interpreter is filed by a party or  
1-59 requested by a witness in a civil or criminal proceeding in the  
1-60 court.

1-61 (b) A court may, on its own motion, appoint a certified

2-1 court interpreter, a certified CART provider, or a licensed court  
2-2 interpreter.

2-3 SECTION 3. Subsection (d), Section 57.021, Government Code,  
2-4 is amended to read as follows:

2-5 (d) The department shall [~~may~~] maintain a list of certified  
2-6 CART providers [~~persons certified by the Texas Court Reporters~~  
2-7 ~~Association as qualified to provide communication access real-time~~  
2-8 ~~translation services for a hearing-impaired individual in a court~~  
2-9 ~~proceeding]~~ and, on request, may send the list to a person or court.

2-10 SECTION 4. This Act takes effect immediately if it receives  
2-11 a vote of two-thirds of all the members elected to each house, as  
2-12 provided by Section 39, Article III, Texas Constitution. If this  
2-13 Act does not receive the vote necessary for immediate effect, this  
2-14 Act takes effect September 1, 2013.

2-15

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