

## **BILL ANALYSIS**

C.S.H.B. 3009  
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Juvenile Justice & Family Issues  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

According to the Texas Education Agency, there are over 120 languages spoken by students enrolled in Texas public schools. For many of these students, members of their household do not speak English as their primary language, or at all. C.S.H.B. 3009 seeks to ensure that families involved in a child custody case have an adequate opportunity to have their case heard even if they are not fluent in English by requiring an interpreter to help effectively communicate with a child custody evaluator if the evaluator appointed is not fluent in the primary language of the party subject to evaluation.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **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**

C.S.H.B. 3009 amends the Family Code to require a court to ensure that a child custody evaluator appointed in a suit in which a party subject to the evaluation does not speak English as a primary language is able either to effectively communicate in the party's primary language or will be assisted by a licensed or certified interpreter. The interpreter may accompany the evaluator in person or assist through use of audio or video conferencing technology. The bill authorizes the court to require the parties to pay any costs associated with obtaining the interpreter's assistance.

### **EFFECTIVE DATE**

September 1, 2021.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 3009 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the original required an interpreter provided to be certified, the substitute provides for the interpreter to be either licensed or certified.

The substitute includes the following provisions not in the original:

- an authorization for an interpreter assisting the evaluator to accompany the evaluator in person or assist through use of audio or video conferencing technology; and
- an authorization for the court to require the parties to pay any costs associated with obtaining the interpreter's assistance.