

By: Zaffirini, et al.
(Smithee)

S.B. No. 1537

A BILL TO BE ENTITLED

AN ACT

relating to the appointment of an interpreter in a criminal proceeding.

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

SECTION 1. Article 38.30(a), Code of Criminal Procedure, is amended to read as follows:

(a) In any criminal proceeding, when ~~[When]~~ a motion for appointment of an interpreter is filed by any party or on motion of the court and if the court determines ~~[, in any criminal proceeding, it is determined]~~ that a person charged or a witness does not understand and speak the English language, an interpreter must be appointed as provided by Section 57.002, Government Code, and sworn to interpret for the person charged or the witness. Subject to Section 57.002, Government Code, any ~~[Any]~~ person may be subpoenaed, attached, or recognized in any criminal action or proceeding~~[,]~~ to appear before the proper judge or court to act as interpreter ~~[therein]~~ under the same rules and penalties as are provided for witnesses. In the event that the only available interpreter is not considered to possess adequate interpreting skills for the particular situation or the interpreter is not familiar with use of slang, the person charged or witness may be permitted by the court to nominate another person to act as intermediary between the person charged or witness and the appointed interpreter during the proceedings.

1 SECTION 2. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2025.