

BILL ANALYSIS

Senate Research Center

H.B. 697
By: Dutton (Brown)
Jurisprudence
5-15-97
Engrossed

DIGEST

Currently, court reporters are subject to standards of conduct established to ensure neutrality and equal fairness to all parties to any litigation. Many court reporting firms are owned by non-court reporters and are not subject to the standards of conduct established for the profession. This bill sets standards upon which contracts between court reporters and reporting firms may be entered into to protect the record and ensure neutrality to all parties.

PURPOSE

As proposed, H.B. 697 sets standards upon which contracts between court reporters and reporting firms may be entered into to protect the record and ensure neutrality to all parties.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 52.029(a), Government Code, to authorize the Court Reporters Certification Board to revoke a shorthand reporter's certificate or reprimand a reporter for unprofessional conduct, including giving directly or indirectly, benefitting from or being employed as a result of any gift or anything of value to attorneys, except for nominal items or providing services under a prohibited contract described by Section 52.034, Government Code. Makes conforming changes.

SECTION 2. Amends Chapter 52C, Government Code, by adding Section 52.034, as follows:

Sec. 52.034. PROHIBITED CONTRACTS. Prohibits a court reporter from entering into or providing services under any contractual agreement that has certain characteristics. Provides that this section does not apply to a contract for court reporting services for a court, agency, or instrumentality of the United States or this state.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. (a) Makes application of this Act prospective. Provides that this Act applies to a contract entered into before the effective date with a term that expires more than one year after the effective date of this act.

(b) Provides that this Act does not apply to contracts entered into before the effective date with a term that expires more than one year of the effective date of this Act.

SECTION 5. Emergency clause.