

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1892
By: Gallegos
Jurisprudence
4/30/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Justice of the peace courts have original criminal jurisdiction in Class C misdemeanor cases punishable by fine only and civil jurisdiction in matters involving not more than \$10,000. The large number of filings in some of these courts and the shortage of licensed court interpreters make it increasingly difficult to keep pace, resulting in potential delays in scheduling and processing cases. As jurisdictions continue to diversify, courts will increasingly require qualified and licensed interpreters to support non-English speaking defendants.

C.S.S.B. 1892 amends current law relating to the licensure of court interpreters.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Commission of Licensing and Regulation in SECTION 2 (Section 57.043, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 57.002, Government Code, by adding Subsection (b-1), to require a licensed court interpreter appointed by a court under Subsection (a) (relating to requiring a court to appoint a certified court interpreter or a licensed court interpreter on filing or request by a witness in a civil or criminal proceeding) or (b) (relating to authorizing the court to appoint a certified court interpreter or licensed court interpreter) to hold a license that includes the appropriate designation under Section 57.043(d) that indicates the interpreter is permitted to interpret in that court.

SECTION 2. Amends Section 57.043, Government Code, by amending Subsection (a) and adding Subsections (d) and (e), as follows:

(a) Requires the executive director of the Texas Department of Licensing and Regulation (executive director) to issue a court interpreter license to an applicant who meets certain criteria, including passing the appropriate examination prescribed by the executive director not earlier than two years before the date the executive director receives the applicant's application for a license.

(d) Requires a license issued under this subchapter to include at least one of the following designations:

(1) a basic designation that permits the interpreter to interpret court proceedings in justice and municipal courts created under Chapter 29 (Municipal Courts), other than proceedings referred by the judges of those courts to a magistrate, master, referee, associate judge, or hearing officer; or

(2) a master designation that permits the interpreter to interpret court proceedings in all state courts, including justice courts and municipal courts created under Chapter 29.

(e) Requires the Texas Commission of Licensing and Regulation, in adopting rules relating to licensing under this subchapter, after consulting with the licensed court interpreter advisory board, to prescribe the minimum score an individual must achieve on an examination to receive a license that includes a basic designation under Subsection (d)

and the minimum score an individual must achieve to receive a license that includes a master designation under that subsection.

SECTION 3. Amends Section 57.046(a), Government Code, to require that the same examinations be used for issuing a license that includes a basic designation or master designation as described by Section 57.043(d).

SECTION 4. (a) Requires the executive director, notwithstanding Section 57.043(e), Government Code, as added by this act, and not later than December 1, 2009, to issue to a person who, on September 1, 2009, holds a court interpreter license issued under Section 57.043(a), Government Code, a new court interpreter license that includes a master designation described by Section 57.043(d)(2), Government Code, as added by this Act.

(b) Provides that Section 57.043(d), Government Code, as added by this Act, applies only to a court interpreter license, other than a court interpreter license issued under Subsection (a) of this section, that is initially issued under Section 57.043(a), Government Code, on or after September 1, 2009, and to the subsequent renewal of that license.

(c) Makes application of Section 57.002(b-1), Government Code, as added by this Act, prospective to January 1, 2010.

SECTION 5. Effective date: September 1, 2009.