

## **BILL ANALYSIS**

Senate Research Center

H.B. 3060  
By: King (Madla)  
Jurisprudence  
5-8-97  
Engrossed

### **DIGEST**

The Texas Supreme Court granted its permission to the Medina County Court at Law to electronically record civil proceedings after July 7, 1995. The Medina County Court at Law has recorded civil proceeding since that time and has reported substantial savings. The Texas Court of Criminal Appeals has granted its permission for criminal proceedings to be electronically recorded to several counties across the state. The Texas Court of Criminal Appeals has yet to grant permission to record criminal matters to the Medina County Court at Law. The Medina County Court at Law has been required to sporadically use independently contracted court reporters at a high cost to the county. The Medina County Commissioners Court unanimously voted in favor of a resolution requesting legislation which would allow the Medina County Court at Law to electronically record criminal proceedings. Such legislation would save Medina County an estimated \$5,000 per year. This bill would authorize the Medina County Court at Law to electronically record all criminal proceedings without first obtaining permission to do so from the Texas Court of Criminal Appeals.

### **PURPOSE**

As proposed, H.B. 3060 authorizes the Medina County Court at Law to electronically record all criminal proceedings without first obtaining permission to do so from the Texas Court of Criminal Appeals.

### **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 25.1652, Government Code, by adding Subsection (j), to authorize a judge of a county court at law in Medina County to provide that any criminal proceeding in the county court at law be recorded by a good quality electronic recording device instead of by a court reporter unless, on written motion filed with the court no later than the 10th day before the trial, the defendant requests that a court reporter be present. Provides that if a recording device is used, the court reporter need not be present at the proceeding to certify the statement of facts.

SECTION 2. Emergency clause.  
Effective date: upon passage.