

## **BILL ANALYSIS**

Senate Research Center  
84R6107 CAE-F

S.B. 418  
By: Whitmire  
Criminal Justice  
3/20/2015  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 418 authorizes the State Commission on Judicial Conduct (SCJC) to obtain from a court reporter a true and correct copy of the backup audio media recording if one exists, as part of the complaint review process.

- These recordings are often useful in determining the environment present within a court proceeding that is not attainable through transcripts of conversations.
- A court reporter who fails to comply with the request from SCJC is considered to have committed a wilful or negligent violation or failure of duty for the purposes of the disciplinary and certification of court reporters.

S.B. 418 proposes a simple requirement to aid SCJC in completion of its duties.

As proposed, S.B. 418 amends current law relating to requests by the State Commission on Judicial Conduct for certain records held by court reporters.

### **RULEMAKING AUTHORITY**

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

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 33.030, Government Code, by adding Subsection (c), to require the court reporter on request of the State Commission on Judicial Conduct (SCJC) to produce to SCJC at no cost to SCJC a true and correct copy of the backup audio media recording if an official court reporter has made a backup audio media recording of a court proceeding.

SECTION 2. Amends Section 52.046, Government Code, by adding Subsection (e), to provide that an official court reporter who does not comply with a request to produce a copy of a backup audio media recording under Section 33.030 (Assistance to Commission, Special Master, or Special Court of Review) is considered to have committed a wilful or negligent violation or failure of duty for purposes of Section 154.110 (Disciplinary Actions Against Court Reporters).

SECTION 3. Provides that Section 52.046, Government Code, as amended by this Act, applies only to conduct that occurs on or after the effective date of this Act. Provides that conduct that occurs before the effective date of this Act is governed by the law in effect on the date the conduct occurred, and the former law is continued in effect for that purpose.

SECTION 4. Effective date: September 15, 2015.