

PUBLIC CHAPTER NO. 1123

SENATE BILL NO. 3110

By Marrero, Ketron, Beavers, Berke

Substituted for: House Bill No. 3385

By Sontany, Sherry Jones, Dennis, Casada, Weaver, Todd

AN ACT to amend Tennessee Code Annotated, Title 4; Title 20 and Title 24, relative to court reporters.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 20-9-603, is amended by adding the following new subsection (c):

(c) Notwithstanding any law to the contrary, a licensed court reporter is not required to be a notary public to record any court proceeding, administrative law proceeding, deposition or any other proceeding. A transcript taken and submitted by a licensed court reporter is not required to be notarized. A licensed court reporter is authorized to administer oaths and swear in witnesses.

SECTION 2. Tennessee Code Annotated, Section 20-9-603, is amended by adding the following new subsection (d):

(d) This part shall not apply to court reporting services paid for by a federal agency or other instrumentality of the United States.

SECTION 3. Tennessee Code Annotated, Section 20-9-608, is amended by deleting the language "January 1, 2010" and substituting instead the language "January 1, 2011".

SECTION 4. Tennessee Code Annotated, Section 20-9-611, is amended by inserting the following between the first and second sentences:

All licenses shall expire June 30 in the year of expiration and all renewals will be effective July 1; provided, however, an initial license not issued on July 1 shall be valid from the date of issuance until June 30 of the second year from the June 30 preceding the date of issuance. The board shall impose a prorated fee for any license that is for a period less than twenty-four (24) months.

SECTION 5. Tennessee Code Annotated, Section 20-9-613, is amended by deleting the language "on July 1, 2009" wherever it appears and substituting instead the language "on or before January 1, 2010".

SECTION 6. Tennessee Code Annotated, Section 20-9-613(a), is amended by deleting the present subsection (a) and substituting instead the following new subsection (a) and adding a new subsection (c):

(a) Any person who is engaged in the practice of court reporting on or before January 1, 2010 and who:

(1) Provides to the board an affidavit setting forth past education and work experience as a court reporter and:

(A) An affidavit of a judge for whom the person has worked as an official court reporter;

(B) Affidavits of three (3) licensed attorneys; or

(C) Affidavits of two (2) licensed attorneys and one (1) court reporting firm owner, unrelated by blood or marriage to the person, and who have utilized the services of the court reporter or the affidavit of the court reporting firm owner may state that the applicant has engaged in the practice of court reporting, which attest to the court reporter's proficiency in court reporting;

(2) Provides proof of passage of the National Court Reporters Association Registered Professional Reporter examination, the National Verbatim Reporters Association Certified Verbatim Reporter examination, or the American Association of Electronic Reporters and Transcribers Certified Electronic Court Reporter examination; or

(3) Provides proof of a court reporter license issued by any state; provided, that the state has the same or more stringent requirements of this chapter; and upon payment of a fee in an amount determined by the board, shall be licensed to practice as a court reporter.

(c) The deadline for receiving applications under subsections (a) and (b) of this section shall be July 1, 2011.

SECTION 7. Tennessee Code Annotated, Section 20-9-608, is amended by deleting the language "one thousand dollars (\$1,000)" and substituting instead the language "five hundred dollars (\$500)".

SECTION 8. Tennessee Code Annotated, Section 20-9-616(c), is amended by deleting the period at the end of the subsection and by adding the following language:

; except for the initial expenses of the board prior to the collection of licensure fees sufficient to defray such expenses.

SECTION 9. Tennessee Code Annotated, Section 24-9-135, is amended by adding the following new subdivision (3) and renumbering the existing subdivisions accordingly:

(3) A licensed court reporter;

SECTION 10. Tennessee Code Annotated, Section 20-9-603, is amended by adding the following new subsection (e):

(e) This part shall not apply to court reporting services provided pursuant to Title 40.

SECTION 11. Tennessee Code Annotated, Section 20-9-604(b), is amended by deleting the words "official court reporter employed by the state" and substituting instead the words "court reporter".

SECTION 12. Tennessee Code Annotated, Section 20-9-605(4), is amended by deleting all language following the semicolon after the word "licenses".

SECTION 13. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: June 8, 2010



RON RAMSEY
SPEAKER OF THE SENATE



KENT WILLIAMS, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 29th day of June 2010



PHIL BREDESEN, GOVERNOR