

CHAPTER 1037

H.B. No. 2073

AN ACT

relating to the practice of court reporting and taking of depositions.

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Sections 52.001(4) and (5), Government Code, are amended to read as follows:

(4) "Shorthand reporter" and "court reporter" mean ~~mean~~ [means] a person who engages in shorthand reporting.

(5) "Shorthand reporting" and "court reporting" mean [means] the practice of shorthand reporting for use in litigation in the courts of this state by making a verbatim record of an oral court proceeding, deposition, or proceeding before a grand jury, referee, or court commissioner using written symbols in shorthand, machine shorthand, or oral stenography.

SECTION 2. Section 52.021, Government Code, is amended by adding Subsections (e), (f), and (g) to read as follows:

*(e) A person may not assume or use the title or designation "court recorder," "court reporter," or "shorthand reporter," or any abbreviation, title, designation, words, letters, sign, card, or device tending to indicate that the person is a court reporter or shorthand reporter, unless the person is certified as a shorthand reporter by the supreme court. Nothing in this subsection shall be construed to either sanction or prohibit the use of electronic court recording equipment operated by a noncertified court reporter pursuant and according to rules adopted or approved by the supreme court.*

*(f) Except as provided by Section 52.031 and by Section 20.001, Civil Practice and Remedies Code, all depositions conducted in this state must be recorded by a certified shorthand reporter.*

*(g) The board may enforce this section by seeking an injunction or by filing a complaint against a person who is not certified by the supreme court in the district court of the county in which that person resides. Said action for an injunction shall be in addition to any other action, proceeding, or remedy authorized by law. The board shall be represented by the attorney general and/or the county or district attorney of this state, or counsel designated and empowered by the board.*

SECTION 3. Section 52.032(a), Government Code, is amended to read as follows:

(a) Except as provided by Section 52.031, a person commits an offense if the person engages in shorthand reporting in violation of Section 52.021 [~~52.021(b)~~] of this code. Each day of violation constitutes a separate offense.

SECTION 4. Section 20.001(a), Civil Practice and Remedies Code, is amended to read as follows:

(a) A deposition *on written questions* of a witness who is alleged to reside or to be in this state may be taken by:

- (1) a clerk of a district court;
- (2) a judge or clerk of a county court; or
- (3) a notary public of this state.

SECTION 5. This Act takes effect September 1, 1993.

SECTION 6. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 8, 1993, by a non-record vote; the House concurred in Senate amendments to H.B. No. 2073 on May 30, 1993: Yeas 92, Nays 42, 2 present, not voting; passed by the Senate, with amendments, on May 20, 1993, by a viva-voce vote.

Filed without signature June 19, 1993.

Effective Sept. 1, 1993.