

EHB 2960

1 THE STATE SENATE  
2 Tuesday, April 11, 2006

3 ENGROSSED  
4 House Bill No. 2960  
5 As Amended

6 ENGROSSED HOUSE BILL NO. 2960 - By: SULLIVAN, SMITHSON, ROAN,  
7 SHERRER, NANCE, TERRILL, HILLIARD and BALKMAN of the House and  
8 LASTER of the Senate.

9 [ courts - amending 20 O.S., Sections 106.3B and 106.9 -  
10 court reporters - effective date ]

11 ~~BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:~~

12 SECTION 1. AMENDATORY 20 O.S. 2001, Section 106.3B, is  
13 amended to read as follows:

14 Section 106.3B A. Only the following persons may act and are  
15 eligible for appointment on a full-time or part-time basis as  
16 official court reporters for the courts, including the Workers'  
17 Compensation Court and the Corporation Commission:

18 ~~a.~~ 1. Persons now certified or hereafter certified by the State  
19 Board of Examiners of Official Shorthand Reporters shall be given  
20 primary consideration for appointment;

21 ~~b.~~ 2. Persons who, prior to July 1, 1978, were licensed as  
22 licensed shorthand reporters by the State Board of Examiners of  
23 Official Shorthand Reporters shall be given secondary consideration  
24 for appointment;

1       ~~e.~~ 3. Persons who, prior to July 1, 1978, were acting shorthand  
2 reporters under a certificate issued by the Chief Justice;

3       ~~e.~~ 4. When no person eligible for appointment as an official  
4 court reporter, as provided above, is available for appointment, a  
5 presiding judge or a district judge may make application to the  
6 Chief Justice to appoint a shorthand reporter on a temporary basis.  
7 The Chief Justice may issue a temporary certificate valid for not  
8 more than twelve (12) months, upon payment of a fee of Fifty Dollars  
9 (\$50.00) and a fee of Seventy-five Dollars (\$75.00) for the  
10 certified shorthand reporter examination which will be deposited  
11 with the Clerk of the Supreme Court. The temporary certificate  
12 shall be nonrenewable, except in emergency situations as determined  
13 by the Chief Justice and for no longer than ninety (90) additional  
14 days;

15       ~~e.~~ 5. The appointment of an official court reporter by a  
16 district or presiding judge shall be subject to the approval of the  
17 Chief Justice. Before giving ~~his~~ the approval to the appointment,  
18 the Chief Justice shall determine, with the aid of the  
19 Administrative Director of the Courts, that the appointing judge has  
20 given proper consideration to the statutory preference accorded  
21 herein to certified and licensed reporters; and

22       ~~f.~~ 6. A temporary court reporter, either while so serving or  
23 after the expiration of this appointment, shall be required to

1 transcribe any testimony and other proceedings taken ~~by him~~ and to  
2 certify that the transcription is true and correct. A transcript  
3 certified by a temporary court reporter shall have the same effect  
4 as one certified by a regular court reporter.

5 B. Absent good cause shown, as determined by the Oklahoma State  
6 Board of Examiners of Official Shorthand Reporters, a temporary  
7 certificate holder shall sit for at least one test administered by  
8 the Oklahoma State Board of Examiners of Official Shorthand  
9 Reporters during the term of their temporary certificate. The  
10 certificate holder shall be required to transcribe the test, and the  
11 test results of the transcription shall be reported by the same  
12 board of examiners to their supervisory board.

13 SECTION 2. AMENDATORY 20 O.S. 2001, Section 106.9, as  
14 amended by Section 1, Chapter 343, O.S.L. 2004 (20 O.S. Supp. 2005,  
15 Section 106.9), is amended to read as follows:

16 Section 106.9 A. ~~Until January 1, 2005, the~~ The salaries of  
17 all court reporters regularly engaged by the district court, the  
18 Workers' Compensation Court, or the Corporation Commission shall be  
19 paid by the state, ~~except as otherwise provided in this section.~~  
20 ~~Full-time court reporters regularly engaged by the district court,~~  
21 ~~the Workers' Compensation Court and the Corporation Commission who~~  
22 ~~are certified shorthand reporters shall be paid Thirty-three~~  
23 ~~Thousand Five Hundred Dollars (\$33,500.00) per year, payable~~

1 ~~monthly. Effective January 1, 2005, the salaries of all court~~  
2 ~~reporters regularly engaged by the district court, the Workers'~~  
3 ~~Compensation Court, or the Corporation Commission shall be paid by~~  
4 ~~the state, except as otherwise provided in this section. Full-time~~  
5 ~~court reporters regularly engaged by the district court, the~~  
6 ~~Workers' Compensation Court and the Corporation Commission who are~~  
7 ~~certified shorthand reporters shall be paid Thirty-four Thousand~~  
8 ~~Nine Hundred Dollars (\$34,900.00) per year, payable monthly.~~  
9 ~~Effective July 1, 2005, the salaries of all court reporters~~  
10 ~~regularly engaged by the district court, the Workers' Compensation~~  
11 ~~Court, or the Corporation Commission shall be paid by the state,~~  
12 ~~except as otherwise provided in this section. Full-time court~~  
13 ~~reporters regularly engaged by the district court, the Workers'~~  
14 ~~Compensation Court and the Corporation Commission who are certified~~  
15 ~~shorthand reporters shall be paid Thirty-five Thousand Six Hundred~~  
16 ~~Dollars (\$35,600.00) per year, payable monthly and shall be paid an~~  
17 annual salary of Forty-seven Thousand Dollars (\$47,000.00), payable  
18 monthly.

19 B. In addition to their base salaries, official court reporters  
20 who are certified or licensed shorthand reporters and those acting  
21 shorthand reporters pursuant to paragraph c of Section 106.3B of  
22 this title shall be paid annually the sum of Four Hundred Dollars  
23 (\$400.00) for each year of service to the district court, the

1 Workers' Compensation Court and the Corporation Commission, with a  
2 maximum of twenty (20) years of service only to be used for the  
3 purpose of longevity, not to exceed Eight Thousand Dollars  
4 (\$8,000.00) per year, payable monthly. For the purpose of payment  
5 for longevity, "years of service" is defined as all years served as  
6 a certified or licensed court reporter in the district court, the  
7 Workers' Compensation Court and, the Corporation Commission after  
8 June 30, 1978. Such longevity payments shall begin on July 1 of  
9 each year following completion of one (1) year's service as defined  
10 herein.

11 C. In addition to their base salaries, official court reporters  
12 who are certified shorthand reporters shall be paid the following:

13 1. The sum of One Thousand Five Hundred Dollars (\$1,500.00) per  
14 year, payable monthly, to any official court reporter who is a  
15 holder of a certificate of proficiency, as certified by the State  
16 Board of Examiners of Certified Shorthand Reporters. To qualify for  
17 a certificate of proficiency, an official court reporter must have a  
18 proficiency level in reporting testimony and proceedings of a speed  
19 of not less than two hundred twenty-five (225) words per minute in  
20 taking a question-and-answer-type dictation, two hundred (200) words  
21 per minute in taking a jury charge and one hundred eighty (180)  
22 words per minute in taking literary material all as determined by an  
23 examination administered by the Board or recognized by the Board;

1           2. The sum of Three Thousand Dollars (\$3,000.00) per year,  
2 payable monthly, to any official court reporter who is a Registered  
3 Merit Reporter (RMR), as certified by the State Board of Examiners  
4 of Certified Shorthand Reporters. To qualify as a Registered Merit  
5 Reporter (RMR), an official court reporter must have a proficiency  
6 level in reporting testimony and proceedings of a speed of not less  
7 than two hundred sixty (260) words per minute in taking a question-  
8 and-answer-type dictation, two hundred forty (240) words per minute  
9 in taking a jury charge and two hundred (200) words per minute in  
10 taking literary material, all as determined by an examination  
11 administered by the Board or recognized by the Board;

12           3. The sum of One Thousand Five Hundred Dollars (\$1,500.00) per  
13 year, payable monthly, to any official court reporter who is a  
14 Registered Diplomat Reporter (RDR), as certified by the State Board  
15 of Examiners of Certified Shorthand Reporters;

16           4. The sum of One Thousand Five Hundred Dollars (\$1,500.00) per  
17 year, payable monthly, to any official court reporter who is a  
18 Certified Realtime Reporter (CRR), as certified by the State Board  
19 of Examiners of Certified Shorthand Reporters; or

20           5. Any official court reporter who is the holder of more than  
21 one certification shall be compensated in the additional amounts  
22 specified in paragraphs 1 through 4 of this subsection for each

1 certification up to a maximum of Six Thousand Dollars (\$6,000.00)  
2 per year over and above the reporter's base salary, payable monthly.

3 D. Court reporters temporarily employed by the district court,  
4 Workers' Compensation Court, or Corporation Commission shall be  
5 compensated by the court fund of the court which they serve at the  
6 rate of Fifty-seven Dollars and sixty cents (\$57.60) per day. In  
7 addition, court reporters temporarily employed pursuant to this  
8 subsection who are required by the terms of their employment to  
9 travel outside their county of residence, shall receive  
10 reimbursement for mileage actually and necessarily traveled to and  
11 from the place of attendance at a rate not to exceed the rate of  
12 reimbursement specified in the State Travel Reimbursement Act for  
13 state employees. Any travel reimbursement shall be paid from the  
14 court fund of the court where the service of the temporarily  
15 employed court reporter is provided.

16 SECTION 3. This act shall become effective November 1, 2006.

17 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS, dated 4-5-06 - DO  
18 PASS, As Amended.