

CONFERENCE COMMITTEE REPORT

SB 142

2023 Regular Session

Carter

June 7, 2023

To the Honorable President and Members of the Senate and to the Honorable Speaker and Members of the House of Representatives.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning Senate Bill No. 142 by Senator Carter, recommend the following concerning the Reengrossed bill:

1. That the House Committee Amendment No. 1 proposed by the House Committee on Judiciary and adopted by the House of Representatives on May 31, 2023, be adopted.
2. That the House Committee Amendments No. 2, 3, 4, 5, 6, and 7 proposed by the House Committee on Judiciary and adopted by the House of Representatives on May 31, 2023, be rejected.
3. That Legislative Bureau Amendment No. 2 proposed by the Legislative Bureau and adopted by the House of Representatives on May 31, 2023, be adopted.
4. That Legislative Bureau Amendment No. 1 proposed by the Legislative Bureau and adopted by the House of Representatives on May 31, 2023, be rejected.
5. That the House Floor Amendments No. 1 proposed by Representative Orgeron and adopted by the House of Representatives on June 5, 2023, be adopted.
5. That the House Floor Amendments No. 2, 3, 4, 5, 6, 7, 8, and 9 proposed by Representative Orgeron and adopted by the House of Representatives on June 5, 2023, be rejected.
6. That the following amendment to the reengrossed bill be adopted:

AMENDMENT NO. 1

On page 1, between lines 13 and 14, insert the following:

**"(2) Prior to engaging in duties as a certified official or deputy reporter as provided in Subsection B of this Section, the Louisiana Board of Examiners of Certified Shorthand Reporters shall have five days after receipt of both the letter of appointment and a completed application for waiver of regular examination, as provided in R.S. 37:2554(B)(1), to approve or reject the application. The out-of-state reporter shall not engage in duties as a certified official or deputy reporter until the expiration of the five day period allotted for the review.**

**"(3) Upon the expiration of the five day period, the board shall recognize the reporter's appointment as effective, unless it was rejected as provided by Paragraph 2 of this Section."**

AMENDMENT NO. 2

On page 2, after line 10, insert the following:

**"(6) Not perform duties as a free-lance reporter."**

Respectfully submitted,

Senators:

Representatives:

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Senator Gary Carter Jr.

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Representative Edmond Jordan

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Senator Barrow Peacock

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Representative Randal L. Gaines

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Senator Jimmy Harris

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Representative Jason Hughes

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The legislative instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Nicholas Davison.

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## CONFERENCE COMMITTEE REPORT DIGEST

SB 142

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### Keyword and summary of the bill as proposed by the Conference Committee

COURTS. Authorizes the utilization of court reporters licensed in another state in certain circumstances. (8/1/23)

#### Report adopts House amendments to:

1. Provide for technical changes to bill.

#### Report rejects House amendments which would have:

1. Added provisions relative to the effective date of the appointment.

#### Report amends the bill to:

1. Make the provisions of the bill applicable to both certified official reporters and deputy official court reporters
2. Add that prior to engaging in duties as a certified official or deputy reporter the Louisiana Board of Examiners of Certified Shorthand Reporters shall have five days after receipt of both the letter of appointment and a completed application for waiver of regular examination, as provided in R.S. 37:2554(B)(1), to approve or reject the application.
3. Provide that as out-of-state reporter shall not engage in duties as a certified official or deputy reporter until the expiration of the five day period allotted for the review.
4. Add that upon the expiration of the five day period, the board shall recognize the reporter's appointment as effective, unless it was rejected as provided under paragraph two.

### Digest of the bill as proposed by the Conference Committee

Present law (R.S. 37:2556) requires that all official court reporters and deputy official court reporters employed as such in a court of record, be subject to the certification requirements of the certified shorthand reporter law and the regulatory authority of the Board of Examiners of Certified Shorthand Reporters.

Proposed law provides an exception to present law. Authorizes the judges of a district court, acting en banc, to declare a shortage of available certified official or deputy official court reporters in their district. Provides that upon such a declaration and for the duration of the shortage, a judge of that district may appoint as an official or deputy court reporter a court reporter who is properly licensed in another state.

Proposed law provides that prior to engaging in duties as a certified official or deputy reporter the Louisiana Board of Examiners of Certified Shorthand Reporters shall have five days after receipt of both the letter of appointment and a completed application for waiver of regular examination, as provided in R.S. 37:2554(B)(1), to approve or reject the application.

Proposed law provides that upon the expiration of the five day period provided to the Board of Examiners of Shorthand Reporters, the board shall recognize the appointment as effective.

Proposed law provides requirements for the appointment to be the effective.

Proposed law provides that a court reporter appointed pursuant to proposed law shall:

- (1) Have the same duties and responsibilities as provided for other official and deputy reporters in that court district.
- (2) Be entitled to the same fees paid in the same manner as other official and deputy reporters in that court district.
- (3) Be paid an equivalent salary, take an oath, and provide a bond as other official and deputy reporters in that court district.
- (4) Perform duties under the supervision and direction of the district court judge to whom he is assigned.
- (5) Complete a reciprocal application for certification with the Louisiana Board of Examiners for Certified Shorthand Reporters in accordance with the provisions of R.S. 37:2554.
- (6) Be prohibited from performing duties as a free-lance reporter.

Effective August 1, 2023.

(Adds R.S. 13:981.1)