

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 30

BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

1 RELATING TO CERTIFIED SHORTHAND REPORTERS; AMENDING SECTION 54-3103, IDAHO
2 CODE, TO REVISE LANGUAGE RELATING TO CERTIFICATION; AMENDING SEC-
3 TION 54-3105, IDAHO CODE, TO PROVIDE A NAME CHANGE; AMENDING SECTION
4 54-3109, IDAHO CODE, TO CLARIFY THE NUMBER OF PERMITS ALLOWED; AMEND-
5 ING SECTION 54-3110, IDAHO CODE, TO REMOVE A PROVISION RELATING TO
6 REINSTATEMENT FEES; AMENDING SECTION 54-3111, IDAHO CODE, TO REMOVE
7 LANGUAGE RELATING TO AN APPLICATION DEADLINE; AND AMENDING SECTION
8 54-3114, IDAHO CODE, TO CLARIFY THAT PERMIT HOLDERS MAY SEEK JUDICIAL
9 REVIEW.
10

11 Be It Enacted by the Legislature of the State of Idaho:

12 SECTION 1. That Section 54-3103, Idaho Code, be, and the same is hereby
13 amended to read as follows:

14 54-3103. CERTIFICATION REQUIRED. Except as expressly provided in this
15 chapter, no person shall engage in the practice of shorthand reporting or be
16 appointed to the position of district court reporter in any state district
17 court, or before any master or referee, or as reporter for any board or com-
18 mission of the state requiring shorthand reporting for any hearing, proceed-
19 ing or trial unless such person is a certified shorthand reporter as defined
20 in this chapter; provided that any district court reporter, or any reporter
21 before a master or referee shall also possess such additional qualifications
22 as the supreme court may prescribe by rule.

23 No person shall use the title of certified shorthand reporter or its
24 abbreviations C.S.R. or CSR, or any similar words or letters in conjunc-
25 tion with such person's name to indicate the possession of qualifications
26 to practice in this state as a certified shorthand reporter without having
27 a valid temporary permit or regular certificate issued pursuant to this
28 chapter and not revoked or suspended. A certificate or permit to practice
29 shorthand reporting shall not be transferable.

30 SECTION 2. That Section 54-3105, Idaho Code, be, and the same is hereby
31 amended to read as follows:

32 54-3105. CERTIFIED SHORTHAND REPORTERS BOARD -- MEMBERS -- TERM -- AP-
33 POINTMENT. (1) There is hereby created a state certified shorthand reporters
34 board of the state of Idaho which shall consist of five (5) members. Three
35 (3) members of the board shall be persons who have been nominated by the Idaho
36 ~~shorthand court~~ shorthand court reporters association. Nominees must possess a current li-
37 cense as a certified shorthand reporter and have had at least five (5) years
38 continuous experience immediately prior to their nomination as a freelance
39 shorthand reporter or official court reporter. One (1) other member of the
40 board shall be an Idaho district judge nominated by the Idaho supreme court.

1 The other member of the board shall be a member of the Idaho state bar and nom-
 2 inated by the Idaho state bar association. At least two (2) nominees for each
 3 position must be nominated by the nominating body.

4 (2) The members of the board shall hold office for terms of three (3)
 5 years each. Appointments to fill vacancies shall be for the unexpired term
 6 of such vacancies.

7 (3) Appointments to the board shall be made by the governor from the
 8 nominees set forth in this section and each member of the board shall hold
 9 office for the specified term and until a successor is duly appointed by the
 10 governor.

11 SECTION 3. That Section 54-3109, Idaho Code, be, and the same is hereby
 12 amended to read as follows:

13 54-3109. QUALIFICATIONS FOR TEMPORARY PERMIT -- RENEWAL. (1) A tempo-
 14 rary certified shorthand reporter permit may be issued to an applicant who
 15 pays the required fees and who:

16 (a) Is of good moral character; and

17 (b) Has graduated from an accredited high school or has an equivalent
 18 education; and

19 (i) Is currently licensed in good standing in another state as
 20 a certified shorthand reporter, or its equivalent, or has other-
 21 wise demonstrated proficiency by a certificate from an agency of
 22 another state; or

23 (ii) Has graduated from a national court reporters association
 24 (NCRA) approved school.

25 (2) The application shall be upon such forms as are prescribed by the
 26 board and the board may in its discretion make additional investigation and
 27 inquiry, or require further information from the applicant, as it shall deem
 28 necessary in order to make a determination of the qualifications of the ap-
 29 plicant.

30 (3) ~~All~~ An individual shall only be issued one (1) temporary certified
 31 shorthand reporter permits. The permit shall be issued valid for a period
 32 of one (1) year and may be ~~renewable~~ renewed for a single additional period
 33 of one (1) year upon the payment of required fees and upon a showing of just
 34 cause.

35 SECTION 4. That Section 54-3110, Idaho Code, be, and the same is hereby
 36 amended to read as follows:

37 54-3110. FEES. The board shall be entitled to charge and collect the
 38 following fees:

39 (1) The sum of fifty dollars (\$50.00) as an application fee for any cer-
 40 tificate or temporary permit.

41 (2) The sum of fifty dollars (\$50.00) as an examination fee for the ad-
 42 ministration of the reporters examination to any applicant.

43 (3) A sum not to exceed seventy-five dollars (\$75.00) as a renewal fee
 44 for any certificate or temporary permit.

45 ~~(4) A sum not to exceed one hundred dollars (\$100) as a reinstatement~~
 46 ~~fee for any application for reinstatement of a temporary permit or certifi-~~
 47 ~~cate which has been revoked or suspended.~~

1 (54) The failure to renew a certificate annually, prior to expiration,
2 shall not deprive such person of the right of renewal or reinstatement in ac-
3 cordance with section 67-2614, Idaho Code.

4 (65) A sum not to exceed twenty dollars (\$20.00) as a fee for examina-
5 tion preparation materials.

6 SECTION 5. That Section 54-3111, Idaho Code, be, and the same is hereby
7 amended to read as follows:

8 54-3111. EXAMINATIONS. The board shall conduct the Idaho certified
9 shorthand reporter examination at least once every year and may conduct ad-
10 ditional examinations. The board shall give public notice of the time and
11 place of each examination ~~at least one hundred twenty (120) days in advance~~
12 ~~of the date set for the examination and any person desiring to take the re-~~
13 ~~porters examination must file his application with the board at least thirty~~
14 ~~(30) days prior to the date of the examination.~~

15 SECTION 6. That Section 54-3114, Idaho Code, be, and the same is hereby
16 amended to read as follows:

17 54-3114. JUDICIAL REVIEW OF BOARD ACTION. Any person who shall be ag-
18 grieved by any action of the board in denying, refusing to renew, suspend-
19 ing, revoking or otherwise disciplining a certified shorthand reporter cer-
20 tificate or temporary permit may seek judicial review thereof as provided in
21 chapter 52, title 67, Idaho Code. A copy of the petition for judicial re-
22 view shall be served upon the board and upon the board's administrative legal
23 counsel who shall represent the board in such appeal.