

The Senate Judiciary Committee offered the following substitute to HB 149:

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 14 of Title 15 of the Official Code of Georgia Annotated, relating to training and certification for court reporters, so as to change provisions relating to prohibitions against certain contracts for court reporting services; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 14 of Title 15 of the Official Code of Georgia Annotated, relating to training and certification for court reporters, is amended by revising Code Section 15-14-37, relating to prohibitions against certain contracts for court reporting services, as follows:
"15-14-37.

(a) Contracts for court reporting services not related to a particular case or reporting incident between a certified court reporter or ~~any person with whom a certified court reporter has a principal and agency relationship~~ court reporting firm and any attorney at law, party to an action, party having a financial interest in an action, or agent for an attorney at law, party to an action, or party having a financial interest in an action ~~are~~ shall be prohibited; provided, however, that such contracts shall not be prohibited if the terms of such contract are offered to all other parties to the particular case or reporting incident and a certified court reporter performs the verbatim reporting services required for such court reporting services. Attorneys shall not be prohibited from negotiating or bidding reasonable fees for services on a case-by-case basis.

(b) In order to comply with subsection (a) of this Code section, each certified court reporter and court reporting firm shall make inquiry regarding the nature of the contract for ~~his or her~~ services directed to the employer or the person or entity engaging said court reporter's or court reporting firm's services as an independent contractor.

(c) This Code section shall not apply to contracts for court reporting services for the courts, agencies, or instrumentalities of the United States or of the State of Georgia.

(d) A court reporting firm doing business in Georgia shall register with the board by completing an application in the form adopted by the board and paying fees as required by the board.

(e) Each court reporting firm doing business in Georgia shall renew its registration annually on or before April 1 following the date of initial registration, by payment of a fee set by the board.

(f) ~~Court reporting firms doing business in Georgia are governed by this article.~~ The board shall have authority to promulgate rules and regulations not inconsistent with this article ~~for the conduct of court reporting firms.~~

(g) The board ~~is~~ shall be authorized to assess a reasonable fine, not to exceed \$5,000.00; ~~against any court reporting firm which violates~~ for violations of any provision of this article or rules and regulations promulgated in accordance with this Code section."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.