

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

A BILL TO BE ENTITLED
AN ACT

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

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

6 Article 2 of Chapter 14 of Title 15 of the Official Code of Georgia Annotated, relating to
7 training and certification for court reporters, is amended by revising Code Section 15-14-37,
8 relating to prohibitions against certain contracts for court reporting services, as follows:
9

10 "15-14-37.

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

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

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

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

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

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

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

39

SECTION 2.

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