

SB0167S02 compared with SB0167S01

~~text~~ shows text that was in SB0167S01 but was deleted in SB0167S02.

text shows text that was not in SB0167S01 but was inserted into SB0167S02.

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Senator Todd D. Weiler proposes the following substitute bill:

COURT TRANSCRIPT FEE AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Todd D. Weiler

House Sponsor: _____

LONG TITLE

General Description:

This bill modifies statutory provisions that relate to court ~~transcript fees~~ transcripts.

Highlighted Provisions:

This bill:

- ▶ modifies state certification requirements for state certified court reporters; and
- ▶ modifies the cost and cost structure of court transcript fees.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

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58-74-302, as last amended by Laws of Utah 2020, Chapter 339

78A-2-408, as last amended by Laws of Utah 2021, Chapter 224

Be it enacted by the Legislature of the state of Utah:

Section 1. Section 58-74-302 is amended to read:

58-74-302. Qualifications for state certification.

(1) Each applicant for state certification as a state certified court reporter under this chapter shall:

- (a) be at least 18 years of age;
- (b) be a citizen of the United States ~~[and a resident of the state]~~;
- (c) submit an application in a form prescribed by the division;
- (d) pay a fee determined by the department under Section 63J-1-504;
- (e) possess a high degree of skill and ability in the art of court reporting; and
- (f) submit evidence that the applicant has completed and passed the Registered

Professional Reporter Examination of the National Court Reporters Association or the Certified Verbatim Reporter Examination of the National Verbatim Reporters Association.

(2) ~~A~~ person granted a certificate to practice as a state certified court reporter may use the abbreviation "C.C.R." or "C.V.R." as long as the person's certificate is current and valid.

Section ~~11~~2. Section 78A-2-408 is amended to read:

78A-2-408. Transcripts and copies -- Fees.

(1) The Judicial Council shall by rule provide for a standard page format for transcripts of court ~~[hearings]~~ proceedings.

(2) (a) Except as provided in ~~[Subsections (2)(c) and (e)]~~ Subsections (2)(c), (2)(e), and (2)(g), the ~~[fee]~~ base rate for a transcript of a court session, or any part of a court session, may not be more than ~~[\$4.50]~~:

(i) \$6.00 per page for the body of the transcript, which includes the initial preparation of the transcript and one certified copy; plus

(ii) \$0.50 per page for the word index.

(b) The preparer shall:

(i) deposit the original text file ~~[and printed transcript]~~ with the clerk of the court by means of an approved electronic filing service provider; and

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(ii) provide the person requesting the transcript with ~~[the]~~ an electronic certified copy.

(c) The cost of additional copies of the transcript shall be ~~[as provided in Subsection 78A-2-301(1)]~~ \$0.50 per page.

(d) The transcript for an appeal shall be prepared within the time period permitted by the Utah Rules of Appellate Procedure.

(e) The fee for a transcript that is guaranteed to be prepared:

~~[(i) within three business days of the request, shall be 1-1/2 times the base rate; and]~~

~~[(ii)]~~ (i) within one business day of the request~~[-];~~ shall be double the base rate~~[-];~~

(ii) within three business days of the request shall be 1.75 times the base rate;

(iii) within one calendar week shall be 1.5 times the base rate; and

(iv) within two calendar weeks shall be 1.25 times the base rate.

(f) Payment for a transcript under this section is the responsibility of the party requesting the transcript, except for a court ordered transcript as provided in Subsection (3)(a), and the time for production of the transcript begins once financial arrangements are made with the certified court transcriber.

(g) Child welfare cases shall be billed at the two calendar week rate to meet the deadlines of the Utah Appellate Courts.

(3) (a) When a transcript is ordered by the court, the fees shall be paid by the parties to the action in equal proportion or as ordered by the court.

(b) The fee for a transcript in a criminal case in which the defendant is found to be an indigent individual, as defined in Section 78B-22-102, shall be paid in accordance with Subsection 78B-22-203(3).

~~[(4)(a) The fee for the preparation of a transcript of a court hearing by an official court transcriber and the fee for the preparation of the transcript by a certified court reporter of a hearing before any court, referee, master, board, or commission of this state shall be:]~~

~~[(i) in accordance with Subsection (2); and]~~

~~[(ii) payable to the person preparing the transcript.]~~

~~[(b) Payment for a transcript under this section is the responsibility of the party requesting the transcript.]~~

Section ~~{2}~~3. **Effective date.**

This bill takes effect on May 1, 2024.

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