

AMENDED IN ASSEMBLY APRIL 20, 2016

AMENDED IN ASSEMBLY MARCH 18, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

ASSEMBLY BILL

No. 2629

Introduced by Assembly Member Roger Hernández

February 19, 2016

An act to amend Section 69951 of, and to amend, repeal, and add Section 69950 of, the Government Code, relating to court reporters.

LEGISLATIVE COUNSEL'S DIGEST

AB 2629, as amended, Roger Hernández. Court reporters.

Existing law provides that the fee for original transcripts prepared by an official court reporter or by a court reporter pro tempore is \$0.85 for each 100 words, and for each copy purchased at the same time, \$0.15 for each 100 words. Existing law provides that the fee for a first copy of a transcript by a person who does not simultaneously purchase the original transcript is \$0.20 for each 100 words, and for each additional copy purchased at the same time, \$0.15 for each 100 words. Existing law authorizes a court reporter, in civil cases, to charge an additional 50% for special daily copy service.

This bill would increase the fee charged for original transcripts and copies incrementally commencing January 1, 2017. The bill would provide that on and after January 1, ~~2019~~, 2021, the fee for an original transcript is \$1.24 for each 100 words, and for each copy purchased at the same time, \$0.22 for each 100 words. The bill would provide that on and after January 1, ~~2019~~, 2021, the fee for a first copy of a transcript that is not simultaneously purchased with the original transcript is \$0.29 for each 100 words, and for each additional copy purchased at the same

time, \$0.22 for each 100 words. ~~The bill would provide that on and after April 1, 2020, and on or before each April 1 thereafter, the fee charged for original transcripts and copies shall be increased proportionally by the increase in the Consumer Price Index for All Urban Consumers, as specified, and would require the Administrative Office of the Courts to publish an updated transcript fee schedule.~~ The bill would also provide that the fee for transcription is an additional 50% for special daily copy service.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
 2 following:
 3 (a) Official court reporters and court reporters pro tempore
 4 employed by the courts are currently paid under a dual
 5 compensation structure in which the base salary of the court
 6 reporter is supplemented by income from preparing required
 7 transcripts and providing other required transcription services.
 8 (b) The dual compensation structure protects the state from
 9 bearing the full cost of transcript preparation and other transcription
 10 services and avoids the resulting consequences of overtime liability
 11 related to these services.
 12 (c) The fees for original transcripts prepared by official court
 13 reporters and court reporters pro tempore have not been adjusted
 14 in 26 years, and fees for copies purchased at the same time as the
 15 original transcript have only increased once in 103 years.
 16 (d) In order to ensure full and fair compensation of official court
 17 reporters and court reporters pro tempore employed by the court,
 18 and in order to attract and retain official court reporters and court
 19 reporters pro tempore employed by the courts that have sufficient
 20 skills and competence to serve the needs of the justice system, it
 21 is imperative that the system of dual compensation provide
 22 sufficient payment for transcription services.
 23 (e) Therefore, it is necessary to revise the fees for transcripts
 24 prepared by official court reporters and court reporters pro tempore.
 25 SEC. 2. Section 69950 of the Government Code is amended
 26 to read:

1 69950. (a) From January 1, 2017, to December 31, ~~2017~~, 2018,
2 inclusive, the fee for transcription for the original printed copy is
3 ninety-eight cents (\$0.98) for each 100 words, and for each copy
4 purchased at the same time by the court, party, or other person
5 purchasing the original, seventeen cents (\$0.17) for each 100
6 words.

7 (b) From January 1, 2017, to December 31, ~~2017~~, 2018,
8 inclusive, the fee for a first copy to any court, party, or other person
9 who does not simultaneously purchase the original shall be
10 twenty-three cents (\$0.23) for each 100 words, and for each
11 additional copy, purchased at the same time, seventeen cents
12 (\$0.17) for each 100 words.

13 (c) This section shall remain in effect only until January 1, ~~2018~~;
14 2019, and as of that date is repealed, unless a later enacted statute,
15 that is enacted before January 1, ~~2018~~, 2019, deletes or extends
16 that date.

17 SEC. 3. Section 69950 is added to the Government Code, to
18 read:

19 69950. (a) From January 1, ~~2018~~, 2019, to December 31,
20 ~~2018~~, 2020, inclusive, the fee for transcription for the original
21 printed copy is one dollar and thirteen cents (\$1.13) for each 100
22 words, and for each copy purchased at the same time by the court,
23 party, or other person purchasing the original, twenty cents (\$0.20)
24 for each 100 words.

25 (b) From January 1, ~~2018~~, 2019, to December 31, ~~2018~~, 2020,
26 inclusive, the fee for a first copy to any court, party, or other person
27 who does not simultaneously purchase the original shall be
28 twenty-six cents (\$0.26) for each 100 words, and for each
29 additional copy, purchased at the same time, twenty cents (\$0.20)
30 for each 100 words.

31 (c) This section shall become operative on January 1, ~~2018~~.
32 2019.

33 (d) This section shall remain in effect only until January 1, ~~2019~~,
34 2021, and as of that date is repealed, unless a later enacted statute,
35 that is enacted before January 1, ~~2019~~, 2021, deletes or extends
36 that date.

37 SEC. 4. Section 69950 is added to the Government Code, to
38 read:

39 69950. (a) On and after January 1, ~~2019~~, 2021, the fee for
40 transcription for the original printed copy is one dollar twenty-four

1 cents (\$1.24) for each 100 words, and for each copy purchased at
2 the same time by the court, party, or other person purchasing the
3 original, twenty-two cents (\$0.22) for each 100 words.

4 (b) On and after January 1, ~~2019~~, 2021, the fee for a first copy
5 to any court, party, or other person who does not simultaneously
6 purchase the original shall be twenty-nine cents (\$0.29) for each
7 100 words, and for each additional copy, purchased at the same
8 time, twenty-two cents (\$0.22) for each 100 words.

9 ~~(c) On or before April 1, 2020, and on or before each April 1~~
10 ~~thereafter, the amounts described in subdivisions (a) and (b) shall~~
11 ~~be increased proportionally by the increase in the Consumer Price~~
12 ~~Index for All Urban Consumers, as published by the United States~~
13 ~~Bureau of Statistics, for the previous calendar year, to be rounded~~
14 ~~up to the nearest cent by the Administrative Office of the Courts.~~
15 ~~The Administrative Office of the Courts shall also publish an~~
16 ~~updated transcript fee schedule, and those increased fees shall take~~
17 ~~effect on that April 1.~~

18 ~~(d)~~

19 (c) This section shall become operative on January 1, ~~2019~~.
20 2021.

21 SEC. 5. Section 69951 of the Government Code is amended
22 to read:

23 69951. The fee for transcription is an additional 50 percent for
24 special daily copy service.