

ASSEMBLY BILL

No. 2727

Introduced by Assembly Member Chu

February 19, 2016

An act to amend Section 751 of the Evidence Code, relating to courts.

LEGISLATIVE COUNSEL’S DIGEST

AB 2727, as introduced, Chu. Courts: interpreters.

Under existing law, if a witness in a court action is incapable of understanding the English language or is incapable of expressing himself or herself in the English language so as to be understood directly by counsel, court, and jury, an interpreter whom the witness can understand and who can understand the witness must be sworn to interpret for the witness. Existing law requires an interpreter to take an oath that he or she will make a true interpretation to the witness in a language that the witness understands and that the interpreter will make a true interpretation of the witness’ answers to questions to counsel, court, or jury, in the English language, with the interpreter’s best skill and judgment.

This bill would make technical, nonsubstantive changes to the latter provision.

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

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

1 SECTION 1. Section 751 of the Evidence Code is amended to
2 read:

1 751. (a) An interpreter shall take an oath that he or she will
2 make a true interpretation to the witness in a language that the
3 witness understands and that he or she will make a true
4 interpretation of the witness' answers to questions to counsel,
5 court, or jury, in the English language, with his or her best skill
6 and judgment.

7 (b) In ~~any~~ *a* proceeding in which a deaf or ~~hard-of-hearing~~ *hard*
8 *of hearing* person is testifying under oath, the interpreter certified
9 pursuant to subdivision (f) of Section 754 shall advise the court
10 whenever he or she is unable to comply with his or her oath taken
11 pursuant to subdivision (a).

12 (c) A translator shall take an oath that he or she will make a true
13 translation in the English language of any writing he or she is to
14 decipher or translate.

15 (d) An interpreter regularly employed by the court and certified
16 or registered in accordance with Article 4 (commencing with
17 Section 68560) of Chapter 2 of Title 8 of the Government Code,
18 or a translator regularly employed by the court, may file an oath
19 as prescribed by this section with the clerk of the court. The filed
20 oath shall serve for all subsequent court proceedings until the
21 appointment is revoked by the court.