

Assembly Bill No. 2808

CHAPTER 334

An act to add and repeal Article 3.5 (commencing with Section 8028) of Chapter 13 of Division 3 of the Business and Professions Code, relating to shorthand reporting.

[Approved by Governor September 6, 2000. Filed with Secretary of State September 7, 2000.]

LEGISLATIVE COUNSEL'S DIGEST

AB 2808, Papan. Shorthand reporting entities.

Existing law provides for the certification and regulation of shorthand reporters and for the regulation of shorthand reporting corporations by the Court Reporters Board. Under existing law, shorthand reporting corporations are professional corporations, governed generally under the Moscone-Knox Professional Corporations Act, that render professional services through certified shorthand reporters.

This bill would allow the board between January 1, 2001, and July 1, 2002, to examine, evaluate, and investigate complaints against shorthand reporting entities, as defined, for the purpose of determining the necessity to register these entities and would require the board to report its findings in this regard to the Legislature, as specified. This bill would provide that these provisions shall remain in effect only until January 1, 2004.

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

SECTION 1. Article 3.5 (commencing with Section 8028) is added to Chapter 13 of Division 3 of the Business and Professions Code, to read:

Article 3.5. Shorthand Reporting Entities Complaint Evaluation and Report to the Legislature

8028. (a) For the purposes of determining the necessity for the board to register shorthand reporting entities and subject those entities to its discipline and oversight, the board shall, until July 1, 2002, be authorized to examine, evaluate, and investigate complaints against shorthand reporting entities. Nothing in this subdivision shall be construed to grant the board any authority to discipline or sanction shorthand reporting entities that is not otherwise permitted by law.



(b) For purposes of this article, a “shorthand reporting entity” is an entity or person that holds itself out as a deposition agency, offers a booking or billing service for certified shorthand reporters, or in any manner whatsoever acts as an intermediary for a person, entity, or organization that employs, hires, or engages the services of any person licensed as a certified shorthand reporter. This article does not apply to any department or agency of the state that employs hearing reporters.

(c) The board may examine, evaluate, and investigate complaints pursuant to subdivision (a) beginning January 1, 2001, and continuing until no later than July 1, 2002.

8028.2. Based on the information gathered pursuant to Section 8028, the board shall, on or before July 1, 2002, submit a report to the Legislature, including recommendations on the necessity for the board to register shorthand reporting entities. If the report recommends the registration of shorthand reporting entities, the report shall include:

(a) A description of the problem that establishing the new registration requirement would address, including the specific evidence of the necessity for the state to address the problem.

(b) The reasons this proposed registration requirement was selected to address this problem, including the full range of alternatives considered and the reason each of these other alternatives was not selected.

(c) The specific public benefit or harm that would result from the establishment of the proposed registration requirements, the specific manner in which the registration requirements would achieve this public benefit, and the specific standards of performance that shall be used in reviewing the subsequent operation of the shorthand reporting entities.

(d) The specific source or sources of revenue and funding the board will utilize to regulate the newly registered entities in order to achieve its mandate.

8028.4. This article shall remain in effect only until January 1, 2004, and as of that date is repealed, unless a later enacted statute, that is enacted on or before January 1, 2004, deletes or extends that date.

