

By: Stevens, Chism, Clarke, Frierson,  
Masterson, Montgomery (74th)

To: Judiciary A

HOUSE BILL NO. 837

1 AN ACT TO AMEND SECTION 9-13-107, MISSISSIPPI CODE OF 1972,  
2 TO DEFINE THE PRACTICE OF COURT REPORTING; TO PROHIBIT THE  
3 UNAUTHORIZED PRACTICE OF COURT REPORTING; TO PROVIDE PENALTIES FOR  
4 THE UNAUTHORIZED PRACTICE OF COURT REPORTING; TO PROVIDE THAT  
5 FINES COLLECTED FOR VIOLATIONS OF THIS SECTION SHALL BE PLACED IN  
6 A SPECIAL FUND; TO AMEND SECTION 9-13-121, MISSISSIPPI CODE OF  
7 1972, TO REVISE THE DURATION OF A TEMPORARY PERMIT; AND FOR  
8 RELATED PURPOSES.

9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

10 SECTION 1. Section 9-13-107, Mississippi Code of 1972, is  
11 amended as follows:

12 9-13-107. (1) No person shall be qualified or authorized to  
13 report testimony or proceedings relevant to matters under the  
14 jurisdiction of the courts of the State of Mississippi, all state  
15 agencies or the Legislature or any committee or subcommittee  
16 thereof, or where appeal to any court of the State of Mississippi  
17 is allowable by law, unless such person satisfies the provisions  
18 of Sections 10 through 20 of this act with respect to  
19 certification. Sections 10 through 20 of this act shall not be  
20 construed to apply to any proceedings that take place outside the  
21 borders of the State of Mississippi.

22 (2) Every applicant for examination for certification as a  
23 Certified Shorthand Reporter shall file with the person designated  
24 by the board a written application in the form prescribed by the

25 board. At the time the application is filed, the applicant shall  
26 pay to the board an application fee established by regulation,  
27 which fee shall not be subject to withdrawal by the applicant in  
28 the event he should decide not to take the examination or is  
29 denied the right to take the examination. Upon request, the board  
30 shall forward to any interested person application forms together  
31 with the text of this act and copies of regulations promulgated by  
32 the board under the provisions of this chapter.

33 (3) "Court Reporting" is defined as the practice of  
34 compiling a verbatim record of an oral judicial, administrative or  
35 legislative hearing, deposition or any other proceeding by  
36 shorthand, mechanical, electronic or other means.

37 (4) It shall be unlawful for any person to engage in the  
38 practice of court reporting who has not been certified under  
39 Sections 9-13-101 through 9-13-121. Any person who is found to be  
40 in violation of this provision, after a hearing conducted by the  
41 board in keeping with its regulations and consistent with due  
42 process considerations, shall be liable for a monetary penalty of  
43 not more than One Hundred Dollars (\$100.00) per day for each day  
44 that the board has determined that the violation occurred. The  
45 fine shall be paid to the board by the violator or the firm  
46 employing the violator. Any monies collected by the board under  
47 this section shall be deposited into the special fund created in  
48 Section 9-13-119(2).

49 (5) Nothing in this section shall be construed as barring  
50 criminal prosecution for violation of the provisions of this  
51 chapter where such violations are deemed as criminal offenses in  
52 other statutes of this state or of the United States.

53 SECTION 2. Section 9-13-121, Mississippi Code of 1972, is  
54 amended as follows:

55 9-13-121. (1) Examinations for certification shall be given

56 not less than each six (6) months, at a time and place designated  
57 by the board. Notification of such examinations shall be given  
58 each applicant in writing not less than thirty (30) days before  
59 examination date.

60 (2) Unsuccessful examinees may apply to the board for  
61 another examination by resubmission of their applications and  
62 payment of the fee to the board.

63 (3) Temporary certificates issued by the board shall not  
64 exceed six (6) months in duration from the date of issue.

65 SECTION 3. This act shall take effect and be in force from  
66 and after July 1, 2000.