

SENATE BILL 203

Introduced by Harding, et al.

1/25	Introduced
1/25	Referred to Judiciary
1/26	First Reading
1/26	Fiscal Note Requested
1/31	Fiscal Note Printed
1/31	Fiscal Note Received
2/20	Tabled in Committee

1 *Senate* BILL NO. *203*
 2 INTRODUCED BY *Harding T. Bush*
 3

4 A BILL FOR AN ACT ENTITLED: "AN ACT REQUIRING A COURT
 5 REPORTER WHO IS A COUNTY EMPLOYEE TO DEPOSIT TRANSCRIPT FEES
 6 IN THE COUNTY GENERAL FUND OR IN THE DISTRICT COURT FUND;
 7 AND AMENDING SECTION 3-5-604, MCA."

8
 9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 **Section 1.** Section 3-5-604, MCA, is amended to read:

11 "3-5-604. Transcript of proceedings -- disposition of
 12 fees. (1) Each reporter must furnish, upon request, with all
 13 reasonable diligence, to a party or his attorney in a case
 14 in which he has attended the trial or hearing a transcript
 15 from his stenographic notes of the testimony and proceedings
 16 of the trial or hearing or a part thereof, upon payment by
 17 the person requiring the same of \$2 per page for the
 18 original transcript, 50 cents per page for the first copy,
 19 25 cents per page for each additional copy.

20 (2) If the county attorney, attorney general, or judge
 21 requires a transcript in a criminal case, the reporter is
 22 entitled to his fees therefor, but he must furnish it. Upon
 23 furnishing it, he shall receive a certificate for the sum to
 24 which he is entitled. The reporter shall submit the
 25 certificate to the department of commerce which, in

1 accordance with 3-5-902, is responsible for the prompt
 2 payment of all or a portion of the amount due the reporter.
 3 If the department, in accordance with 3-5-902, pays none or
 4 only a portion of the amount due, the county shall pay the
 5 balance upon receipt of a statement from the reporter.

6 (3) If the judge requires a copy in a civil case to
 7 assist him in rendering a decision, the reporter must
 8 furnish the same without charge therefor. In civil cases,
 9 all transcripts required by the county shall be furnished,
 10 and only the reporter's actual costs of preparation may be
 11 paid by the county.

12 (4) If it appears to the judge that a defendant in a
 13 criminal case is unable to pay for a transcript, it shall be
 14 furnished to him and paid for by the state in the manner
 15 provided in subsection (2) to the extent funds are
 16 available. The county shall pay the remainder as required in
 17 3-5-901.

18 (5) If the court reporter is an employee of the county
 19 in which the district court is located, all transcript fees
 20 received by the court reporter must be deposited in the
 21 county general fund or in the district court fund when one
 22 exists."

-End-



STATE OF MONTANA - FISCAL NOTE

Form BD-15

In compliance with a written request, there is hereby submitted a Fiscal Note for SB0203, as introduced.

DESCRIPTION OF PROPOSED LEGISLATION:

An act requiring a court reporter who is a county employee to deposit transcript fees in the county general fund or in the District Court fund; and amending section 3-5-604, MCA.

ASSUMPTIONS:

1. Proposed legislation does not effect the revenues or expenditures of any state agency.

FISCAL IMPACT:

None

EFFECT ON COUNTY OR OTHER LOCAL REVENUES OR EXPENDITURES:

District Court reimbursements for transcripts provided by court reporters who were county employees was approximately \$85,023 in FY89 and \$76,245 in FY90. County general/district court fund revenue will increase by similar amounts during the 1993 biennium under the proposed legislation.



ROD SUNDSTED, BUDGET DIRECTOR
Office of Budget and Program Planning

1-30-91

DATE



ETHEL M. HARDING, PRIMARY SPONSOR

1-31-91

DATE

Fiscal Note for SB0203, as introduced.

SB 203