

GOVERNMENT CODE

TITLE 2. JUDICIAL BRANCH

SUBTITLE L. COURT PROFESSIONS REGULATION

CHAPTER 154. COURT REPORTERS CERTIFICATION AND SHORTHAND REPORTING

FIRMS REGISTRATION

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 154.001. DEFINITIONS. (a) In this chapter:

(1) "Advisory board" means the Court Reporters Certification Advisory Board.

(1-a) "Apprentice court reporter" means a person to whom an apprentice court reporter certification is issued as authorized by Section [154.1011](#).

(2) "Certification" means, notwithstanding Section [151.001](#), a certification issued by the supreme court on the commission's recommendation.

(3) "Official court reporter" means the shorthand reporter appointed by a judge as the official court reporter.

(3-a) "Provisional court reporter" means a court reporter to whom a provisional certification is issued as authorized by Section [154.1011](#).

(4) "Shorthand reporter" and "court reporter" mean a person who is certified as a court reporter, apprentice court reporter, or provisional court reporter under this chapter to engage in shorthand reporting.

(5) "Shorthand reporting" and "court reporting" mean the practice of shorthand reporting for use in litigation in the courts of this state by making a verbatim record of an oral court proceeding, deposition, or proceeding before a grand jury, referee, or court commissioner using written symbols in shorthand, machine shorthand, or oral stenography.

(6) "Shorthand reporting firm," "court reporting firm," and "affiliate office" mean an entity wholly or partly in the business of providing court reporting or other related services in this state.

(b) For purposes of Subsection (a)(6), a court reporting

firm, shorthand reporting firm, or affiliate office is considered to be providing court reporting or other related services in this state if:

(1) any act that constitutes a court reporting service or shorthand reporting service occurs wholly or partly in this state;

(2) the firm or affiliate office recruits a resident of this state through an intermediary located inside or outside of this state to provide court reporting services, shorthand reporting services, or other related services in this state; or

(3) the firm or affiliate office contracts with a resident of this state by mail or otherwise and either party is to perform court reporting services, shorthand reporting services, or other related services wholly or partly in this state.

Added by Acts 2013, 83rd Leg., R.S., Ch. 42 (S.B. 966), Sec. 1.01, eff. September 1, 2014.

Redesignated from Government Code, Subtitle K, Title 2 by Acts 2015, 84th Leg., R.S., Ch. 1236 (S.B. 1296), Sec. 21.001(21), eff. September 1, 2015.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 606 (S.B. 891), Sec. 7.07, eff. September 1, 2019.

Acts 2021, 87th Leg., R.S., Ch. 934 (H.B. 3774), Sec. 17.05, eff. September 1, 2021.

Sec. 154.002. RULES. The supreme court may adopt rules consistent with this subtitle, including rules governing:

(1) the certification and conduct of official and deputy court reporters and shorthand reporters; and

(2) the registration and conduct of court reporting and shorthand reporting firms.

Added by Acts 2013, 83rd Leg., R.S., Ch. 42 (S.B. 966), Sec. 1.01, eff. September 1, 2014.

Redesignated from Government Code, Subtitle K, Title 2 by Acts 2015, 84th Leg., R.S., Ch. 1236 (S.B. 1296), Sec. 21.001(21), eff. September 1, 2015.

SUBCHAPTER B. COURT REPORTERS CERTIFICATION ADVISORY BOARD

Sec. 154.051. ORGANIZATION. (a) The Court Reporters Certification Advisory Board is established as an advisory board to the commission. The advisory board is composed of at least seven members appointed by the supreme court as follows:

(1) one active district judge presiding over a court that employs an official court reporter;

(2) one active attorney licensed in this state who has been a practicing member of the State Bar for more than the five years immediately preceding the attorney's appointment to the advisory board;

(3) two active official court reporters who have practiced shorthand reporting in this state for more than the five years immediately preceding their appointment to the advisory board;

(4) two active certified shorthand reporters who work on a freelance basis and who have practiced shorthand reporting for more than the five years immediately preceding their appointment to the advisory board; and

(5) one representative of a shorthand reporting firm that has operated as a shorthand reporting firm in this state for more than the three years immediately preceding the representative's appointment to the advisory board.

(b) Appointments to the advisory board shall be made without regard to the race, color, disability, sex, religion, age, or national origin of the appointees.

(c) The advisory board member appointed under Subsection (a)(1) serves as presiding officer of the advisory board.

(d) A majority of the advisory board constitutes a quorum.

(e) Advisory board members serve staggered six-year terms of office as ordered by the supreme court.

(f) If a vacancy occurs on the advisory board, the supreme court shall appoint a similarly qualified person to serve the remainder of the term.

(g) Advisory board members serve without compensation but are entitled to reimbursement for travel expenses and other actual

and necessary expenses incurred in the performance of official advisory board duties, as provided by the General Appropriations Act.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1987, 70th Leg., ch. 148, Sec. 2.68(a), eff. Sept. 1, 1987; Acts 1987, 70th Leg., ch. 167, Sec. 2.19(15), eff. Sept. 1, 1987; Acts 1991, 72nd Leg., ch. 561, Sec. 22, eff. Aug. 26, 1991; Acts 1995, 74th Leg., ch. 76, Sec. 5.95(28), eff. Sept. 1, 1995; Acts 2001, 77th Leg., ch. 29, Sec. 4, eff. Sept. 1, 2001; Acts 2003, 78th Leg., ch. 813, Sec. 4, eff. Sept. 1, 2003.

Amended by:

Acts 2009, 81st Leg., R.S., Ch. 808 (S.B. [1441](#)), Sec. 1, eff. June 19, 2009.

Transferred, redesignated and amended from Government Code, Section [52.011](#) by Acts 2013, 83rd Leg., R.S., Ch. 42 (S.B. [966](#)), Sec. 1.03, eff. September 1, 2014.

Redesignated from Government Code, Subtitle K, Title 2 by Acts 2015, 84th Leg., R.S., Ch. 1236 (S.B. [1296](#)), Sec. 21.001(21), eff. September 1, 2015.

Sec. 154.052. ADVISORY BOARD MEMBER TRAINING. (a) A person who is appointed to and qualifies for office as a member of the advisory board may not vote, deliberate, or be counted as a member in attendance at a meeting of the advisory board until the person completes a training program that complies with this section.

(b) The training program must provide the person with information regarding:

- (1) this chapter;
- (2) the role and functions of the advisory board;
- (3) the rules of the commission, with an emphasis on the rules that relate to disciplinary and investigatory authority; and

(4) any applicable ethics policies adopted by the commission.

(c) A person appointed to the advisory board is entitled to reimbursement, as provided by the General Appropriations Act, for

the travel expenses incurred in attending the training program regardless of whether the attendance at the program occurs before or after the person qualifies for office.

Added by Acts 2003, 78th Leg., ch. 813, Sec. 6, eff. Sept. 1, 2003.

Transferred, redesignated and amended from Government Code, Section 52.0111 by Acts 2013, 83rd Leg., R.S., Ch. 42 (S.B. 966), Sec. 1.03, eff. September 1, 2014.

Redesignated from Government Code, Subtitle K, Title 2 by Acts 2015, 84th Leg., R.S., Ch. 1236 (S.B. 1296), Sec. 21.001(21), eff. September 1, 2015.

SUBCHAPTER C. CERTIFICATION AND REGISTRATION

Sec. 154.101. CERTIFICATION OF REPORTERS. (a) A person may not be appointed an official court reporter or a deputy court reporter unless the person is certified as a shorthand reporter by the supreme court.

(b) A person may not engage in shorthand reporting in this state unless the person is certified as:

(1) a shorthand reporter by the supreme court under this section; or

(2) an apprentice court reporter or provisional court reporter certified as authorized by Section 154.1011, subject to the terms of the person's certification.

(c) A certification issued under this section must be for one or more of the following methods of shorthand reporting:

(1) written shorthand;

(2) machine shorthand;

(3) oral stenography; or

(4) any other method of shorthand reporting authorized by the supreme court.

(d) A person certified under state law as a court reporter before September 1, 1983, may retain a general certification authorizing the person to use any authorized method of shorthand reporting. The person must keep the certification in continuous effect.

(e) A person may not assume or use the title or designation

"court recorder," "court reporter," or "shorthand reporter," or any abbreviation, title, designation, words, letters, sign, card, or device tending to indicate that the person is a court reporter or shorthand reporter, unless the person is certified as a shorthand reporter or provisional court reporter by the supreme court. Nothing in this subsection shall be construed to either sanction or prohibit the use of electronic court recording equipment operated according to rules adopted or approved by the supreme court.

(f) Except as provided by Section 154.112 and by Section 20.001, Civil Practice and Remedies Code, all depositions conducted in this state must be recorded by a certified shorthand reporter.

(g) The commission may enforce this section by seeking an injunction or by filing a complaint against a person who is not certified by the supreme court. The commission may seek the injunction in the district court of the county in which that person resides or in Travis County. Said action for an injunction shall be in addition to any other action, proceeding, or remedy authorized by law. The commission shall be represented by the attorney general, the county or district attorney of this state, or counsel designated and empowered by the commission.

(h) A court reporting firm shall register with the commission by completing an application in a form adopted by the commission.

(i) Rules applicable to a court reporter are also applicable to a court reporting firm. The commission may enforce this subsection by assessing a reasonable fee against a court reporting firm. This subsection does not apply to court reporting services performed outside of this state by a foreign shorthand reporter who is not certified in this state for use in a court proceeding in this state, provided that the work resulting from those services is produced and billed wholly outside of this state.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1989, 71st Leg., ch. 367, Sec. 1, eff. Aug. 28, 1989; Acts 1991, 72nd Leg., ch. 799, Sec. 1, eff. Sept. 1, 1991; Acts 1993, 73rd Leg., ch. 1037, Sec. 2, eff. Sept. 1, 1993; Acts 1997, 75th Leg., ch. 122, Sec. 1, eff. Sept. 1, 1997; Acts 2001, 77th Leg., ch.

29, Sec. 8, 9, eff. Sept. 1, 2001; Acts 2003, 78th Leg., ch. 813, Sec. 10, eff. Sept. 1, 2003.

Transferred, redesignated and amended from Government Code, Subchapter C, Chapter 52 by Acts 2013, 83rd Leg., R.S., Ch. 42 (S.B. 966), Sec. 1.04, eff. September 1, 2014.

Redesignated from Government Code, Subtitle K, Title 2 by Acts 2015, 84th Leg., R.S., Ch. 1236 (S.B. 1296), Sec. 21.001(21), eff. September 1, 2015.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 516 (S.B. 43), Sec. 18, eff. September 1, 2017.

Acts 2019, 86th Leg., R.S., Ch. 606 (S.B. 891), Sec. 7.08, eff. September 1, 2019.

Acts 2021, 87th Leg., R.S., Ch. 934 (H.B. 3774), Sec. 17.06, eff. September 1, 2021.

Sec. 154.1011. APPRENTICE COURT REPORTER AND PROVISIONAL COURT REPORTER CERTIFICATIONS. (a) Subject to Section 152.101, the commission by rule may provide for:

(1) the certification of an apprentice court reporter who may engage in court reporting only:

(A) under the direct supervision of a certified court reporter; and

(B) for the types of legal proceedings authorized by commission rule; and

(2) the provisional certification of a court reporter, including a court reporter described by Section 154.1012(f), that allows a person to engage in court reporting only in accordance with the terms and for the period expressly authorized by commission rule.

(b) Rules adopted under Subsection (a) may allow for the issuance of a certification under Section 154.101 to:

(1) a certified apprentice court reporter who satisfactorily completes the apprenticeship and passes Part A of the examination required by Section 154.103; or

(2) a court reporter who holds a provisional certification on the reporter's completion of the terms of the

commission's conditional approval.

Added by Acts 2019, 86th Leg., R.S., Ch. 606 (S.B. 891), Sec. 7.09(a), eff. September 1, 2019.

Sec. 154.1012. RECIPROCITY. (a) The commission may waive any prerequisite to obtaining a court reporter certification for an applicant after reviewing the applicant's credentials and determining the applicant holds a certification or license issued by another jurisdiction that has certification or licensing requirements substantially equivalent to those of this state.

(b) The commission shall develop and periodically update on a schedule established by the commission a list of states that have certification or licensing requirements for court reporters substantially equivalent to those of this state.

(c) The commission shall certify to the supreme court the name of each qualified applicant who:

(1) holds a certification or license to engage in court reporting issued by another state that, as determined by the commission:

(A) has certification or licensing requirements to engage in court reporting that are substantially equivalent to the requirements of this state for a court reporter governed by this chapter and Chapter 52; or

(B) is included on the list developed by the commission under Subsection (b); and

(2) before certification in this state:

(A) passes Part B of the examination required by Section 154.103; and

(B) provides proof acceptable to the commission that the applicant has been actively performing court reporting in another jurisdiction for at least three of the preceding five years.

(d) A reciprocity agreement approved by the supreme court under Section 152.202(b) must require an applicant who holds a certification or license to engage in court reporting issued by another state and who applies for certification as a court reporter in this state to:

(1) pass Part B of the examination required by Section [154.103](#);

(2) provide proof acceptable to the commission that the applicant has been actively performing court reporting in another jurisdiction for at least three of the preceding five years; and

(3) hold a certification or license that the commission determines is at least equivalent to the registered professional reporter designation or similar designation.

(e) A person who applies for certification as a court reporter in this state and meets the requirements under Subsection (c) is not required to meet the requirement under Subsection (d)(3).

(f) Subject to Section [152.101](#), the commission may adopt rules requiring the issuance of a provisional certification under Section [154.1011](#) to an applicant described by Subsection (c) or (d) that authorizes the applicant to serve as a court reporter in this state for a limited time and under conditions the commission considers reasonably necessary to protect the public interest.

Added by Acts 2019, 86th Leg., R.S., Ch. 606 (S.B. [891](#)), Sec. 7.09(a), eff. September 1, 2019.

Sec. 154.102. APPLICATION FOR EXAMINATION. If applicable, a person seeking certification must file an application for examination with the commission not later than the 30th day before the date fixed for the examination. The application must be accompanied by the required fee.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985.

Transferred, redesignated and amended from Government Code, Subchapter C, Chapter [52](#) by Acts 2013, 83rd Leg., R.S., Ch. 42 (S.B. [966](#)), Sec. 1.04, eff. September 1, 2014.

Redesignated from Government Code, Subtitle K, Title 2 by Acts 2015, 84th Leg., R.S., Ch. 1236 (S.B. [1296](#)), Sec. [21.001](#)(21), eff. September 1, 2015.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 606 (S.B. [891](#)), Sec. 7.10, eff. September 1, 2019.

Sec. 154.103. EXAMINATION. (a) The examination for certification in one or more of the authorized methods of shorthand reporting consists of two parts, designated Part A and Part B.

(b) Part A consists of five minutes of two-voice dictation of questions and answers given at 225 words per minute, five minutes of dictation of jury charges given at 200 words per minute, and five minutes of dictation of selected literary material given at 180 words per minute. Each applicant must personally take down the test material, either in writing or in voice, and must prepare a transcript of the material taken down. The minimum passing grade for each section of Part A is 95 percent. A dictionary may be used during Part A. Each applicant has three hours to complete the transcription of Part A. If an applicant finishes before the three hours have elapsed, the applicant may review the transcript but may use only the test material taken down by that applicant to review the transcript. An error is charged for:

- (1) each wrong word;
- (2) each omitted word;
- (3) each word added by the applicant that was not dictated;
- (4) each contraction interpreted by the applicant as two words;
- (5) two words interpreted by the applicant as a contraction;
- (6) each misplaced word;
- (7) each misplaced period that materially alters the sense of a group of words or a sentence;
- (8) each misspelled word;
- (9) the use of the plural or singular if the opposite was dictated; and
- (10) each wrong number.

(c) Part B consists of objective questions relating to elementary aspects of shorthand reporting, spelling, and grammar. The minimum passing grade for Part B is 75 percent. A dictionary may not be used during Part B.

(d) An applicant who cheats on the examination is

disqualified and may not take the examination again until two years have elapsed from the date of the examination at which the applicant was disqualified.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1987, 70th Leg., ch. 148, Sec. 2.70, eff. Sept. 1, 1987; Acts 1999, 76th Leg., ch. 562, Sec. 1, eff. June 18, 1999.

Transferred, redesignated and amended from Government Code, Subchapter C, Chapter 52 by Acts 2013, 83rd Leg., R.S., Ch. 42 (S.B. 966), Sec. 1.04, eff. September 1, 2014.

Redesignated from Government Code, Subtitle K, Title 2 by Acts 2015, 84th Leg., R.S., Ch. 1236 (S.B. 1296), Sec. 21.001(21), eff. September 1, 2015.

Sec. 154.104. CERTIFICATION TO SUPREME COURT. (a) The commission shall certify to the supreme court the name of each qualified applicant for certification under Section 154.101 who has passed the examination.

(b) The commission shall certify to the supreme court the name of each applicant who meets the qualifications for certification as:

- (1) an apprentice court reporter; or
- (2) a provisional court reporter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 2003, 78th Leg., ch. 813, Sec. 21, eff. Sept. 1, 2003.

Transferred, redesignated and amended from Government Code, Subchapter C, Chapter 52 by Acts 2013, 83rd Leg., R.S., Ch. 42 (S.B. 966), Sec. 1.04, eff. September 1, 2014.

Redesignated from Government Code, Subtitle K, Title 2 by Acts 2015, 84th Leg., R.S., Ch. 1236 (S.B. 1296), Sec. 21.001(21), eff. September 1, 2015.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 606 (S.B. 891), Sec. 7.11, eff. September 1, 2019.

Sec. 154.105. TITLE; OATHS. (a) On certification under Section 154.101 or as a provisional court reporter, a shorthand reporter may use the title "Certified Shorthand Reporter" or the

abbreviation "CSR."

(b) A shorthand reporter may administer oaths to witnesses:

(1) anywhere in this state;

(2) in a jurisdiction outside this state if:

(A) the reporter is at the same location as the witness; and

(B) the witness is or may be a witness in a case filed in this state; and

(3) at any location authorized in a reciprocity agreement between this state and another jurisdiction under Section [152.202\(b\)](#).

(c) Notwithstanding Subsection (b), a shorthand reporter may administer an oath as provided under this subsection to a person who is or may be a witness in a case filed in this state without being at the same location as the witness:

(1) if the reporter is physically located in this state at the time the oath is administered; or

(2) as authorized in a reciprocity agreement between this state and another jurisdiction under Section [152.202\(b\)](#) if:

(A) the witness is at a location in the other jurisdiction; and

(B) the reporter is at a location in the same jurisdiction as the witness.

(d) The identity of a witness who is not in the physical presence of a shorthand reporter may be proven by:

(1) a statement under oath on the record by a party to the case stating that the party has actual knowledge of the witness's identity;

(2) a statement on the record by an attorney for a party to the case, or an attorney for the witness, verifying the witness's identity;

(3) a statement on the record by a notary who is in the presence of the witness verifying the witness's identity; or

(4) the witness's presentation for inspection by the court reporter of an official document issued by this state, another state, a federal agency, or another jurisdiction that verifies the witness's identity.

(e) A shorthand reporter to which this section applies shall state on the record and certify in each transcript of the deposition the physical location of:

(1) the witness; and

(2) the reporter.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985.

Transferred, redesignated and amended from Government Code, Subchapter C, Chapter 52 by Acts 2013, 83rd Leg., R.S., Ch. 42 (S.B. 966), Sec. 1.04, eff. September 1, 2014.

Redesignated from Government Code, Subtitle K, Title 2 by Acts 2015, 84th Leg., R.S., Ch. 1236 (S.B. 1296), Sec. 21.001(21), eff. September 1, 2015.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 606 (S.B. 891), Sec. 7.12, eff. September 1, 2019.

Acts 2021, 87th Leg., R.S., Ch. 934 (H.B. 3774), Sec. 17.07, eff. September 1, 2021.

Sec. 154.106. FIRM REGISTRATION. (a) A shorthand reporting firm or an affiliate office may not assume or use the title or designation "court recording firm," "court reporting firm," or "shorthand reporting firm" or any abbreviation, title, designation, words, letters, sign, card, or device tending to indicate that the firm is a court reporting firm or shorthand reporting firm, or offer services as a court reporting firm or shorthand reporting firm, unless the firm and its affiliate offices are registered with the commission on a form prescribed by the commission as required by this subchapter.

(b) The commission may enforce this section against a firm, its affiliate office, or both, if the firm or affiliate office is not registered with the commission, by seeking an injunction or by filing a complaint in the district court of the county in which the firm or affiliate office is located or in Travis County. An action for an injunction is in addition to any other action, proceeding, or remedy authorized by law. The attorney general, a county or district attorney of this state, or counsel designated and empowered by the commission shall represent the commission.

Added by Acts 2001, 77th Leg., ch. 29, Sec. 10, eff. Sept. 1, 2001.
Transferred, redesignated and amended from Government Code,
Subchapter C, Chapter 52 by Acts 2013, 83rd Leg., R.S., Ch. 42 (S.B.
966), Sec. 1.04, eff. September 1, 2014.

Redesignated from Government Code, Subtitle K, Title 2 by Acts
2015, 84th Leg., R.S., Ch. 1236 (S.B. 1296), Sec. 21.001(21), eff.
September 1, 2015.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 516 (S.B. 43), Sec. 19, eff.
September 1, 2017.

Sec. 154.107. CERTIFICATION AND REGISTRATION FEE AND
RENEWAL. (a) A person who receives certification as a shorthand
reporter or a shorthand reporting firm or affiliate office that
registers with the commission must pay the initial fee and any other
required fee before receiving the certification or registration.

(b) A certification or registration expires on the last day
of the month in which the second anniversary of the date on which it
was issued occurs unless the certification or registration is
renewed on or before that day.

(c) On each renewal of the certification or registration, a
fee is charged in accordance with Section 152.2015. A firm or the
affiliate office of a firm that may not renew an expired
registration as described by Section 152.2015(e) must pay all
unpaid renewal and late fees charged for the expired registration,
in addition to complying with all registration requirements and
procedures, in order to obtain a new registration under Section
152.2015(e).

(d) Notwithstanding Section 152.2015 and Subsection (c) of
this section, a shorthand reporting firm shall pay a registration
or renewal fee in an amount equal to the fee for court reporter
certification under Section 154.101 in lieu of the fee required for
a shorthand reporting firm registration if a certified court
reporter of the firm:

(1) has an ownership interest in the firm of more than
50 percent; and

(2) maintains actual control of the firm.

(e) Repealed by Acts 2017, 85th Leg., R.S., Ch. 516 (S.B. 43), Sec. 35(1), eff. September 1, 2017.

(f) Repealed by Acts 2017, 85th Leg., R.S., Ch. 516 (S.B. 43), Sec. 35(1), eff. September 1, 2017.

(g) Repealed by Acts 2017, 85th Leg., R.S., Ch. 516 (S.B. 43), Sec. 35(1), eff. September 1, 2017.

(h) Repealed by Acts 2017, 85th Leg., R.S., Ch. 516 (S.B. 43), Sec. 35(1), eff. September 1, 2017.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 2001, 77th Leg., ch. 29, Sec. 11, eff. Sept. 1, 2001; Acts 2003, 78th Leg., ch. 813, Sec. 12, eff. Sept. 1, 2003.

Transferred, redesignated and amended from Government Code, Subchapter C, Chapter 52 by Acts 2013, 83rd Leg., R.S., Ch. 42 (S.B. 966), Sec. 1.04, eff. September 1, 2014.

Redesignated from Government Code, Subtitle K, Title 2 by Acts 2015, 84th Leg., R.S., Ch. 1236 (S.B. 1296), Sec. 21.001(21), eff. September 1, 2015.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 516 (S.B. 43), Sec. 20, eff. September 1, 2017.

Acts 2017, 85th Leg., R.S., Ch. 516 (S.B. 43), Sec. 35(1), eff. September 1, 2017.

Acts 2019, 86th Leg., R.S., Ch. 606 (S.B. 891), Sec. 7.13, eff. September 1, 2019.

Sec. 154.108. CONTINUING EDUCATION. Subject to Section 152.101, the commission by rule shall require each court reporter who holds a certification issued by the commission and at least one person who has management responsibility for a shorthand reporting firm registered in this state to complete continuing professional education.

Added by Acts 2019, 86th Leg., R.S., Ch. 606 (S.B. 891), Sec. 7.14, eff. September 1, 2019.

Sec. 154.110. DISCIPLINARY ACTIONS AGAINST COURT REPORTERS.

(a) After receiving a complaint and giving the certified shorthand reporter notice and an opportunity for a hearing as

prescribed by Subchapter B, Chapter 153, the commission shall revoke, suspend, or refuse to renew the shorthand reporter's certification or issue a reprimand to the reporter for:

- (1) fraud or corruption;
- (2) dishonesty;
- (3) wilful or negligent violation or failure of duty;
- (4) incompetence;
- (5) fraud or misrepresentation in obtaining certification;
- (6) a final conviction of a felony or misdemeanor that directly relates to the duties and responsibilities of a certified shorthand reporter, as determined by supreme court rules;
- (7) engaging in the practice of shorthand reporting using a method for which the reporter is not certified;
- (8) engaging in the practice of shorthand reporting while certification is suspended;
- (9) unprofessional conduct, including giving directly or indirectly, benefiting from, or being employed as a result of any gift, incentive, reward, or anything of value to attorneys, clients, or their representatives or agents, except for nominal items that do not exceed \$100 in the aggregate for each recipient each year;
- (10) entering into or providing services under a prohibited contract described by Section 154.115; or
- (11) committing any other act that violates this chapter or a rule or provision of the code of ethics adopted under this subtitle.

(b) The commission may suspend the certification:

- (1) for a designated period of time not to exceed 12 months;
- (2) until the person corrects the deficiencies that were the grounds for the suspension; or
- (3) until the person complies with any conditions imposed by the commission to ensure the person's future performance as a shorthand reporter.

(c) A suspended shorthand reporter may apply for reinstatement by presenting proof that:

(1) the designated time has expired;
(2) the person has corrected the deficiencies; or
(3) the person has complied with the conditions imposed by the commission.

(d) Repealed by Acts 2017, 85th Leg., R.S., Ch. 516 (S.B. 43), Sec. 35(3), eff. September 1, 2017.

(e) Repealed by Acts 2019, 86th Leg., R.S., Ch. 506 (S.B. 37), Sec. 7(3), eff. June 7, 2019.

(f) The commission may place on probation a person whose certification is suspended. If a certification suspension is probated, the commission may require the person to:

(1) report regularly to the commission on matters that are the basis of the probation;

(2) limit practice to the areas prescribed by the commission; or

(3) continue or review professional education until the person attains a degree of skill satisfactory to the commission in those areas that are the basis of the probation.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended by Acts 1995, 74th Leg., ch. 91, Sec. 1, eff. Sept. 1, 1995; Acts 1997, 75th Leg., ch. 729, Sec. 1, eff. Sept. 1, 1997; Acts 2001, 77th Leg., ch. 29, Sec. 13, eff. Sept. 1, 2001; Acts 2003, 78th Leg., ch. 813, Sec. 17, eff. Sept. 1, 2003.

Transferred, redesignated and amended from Government Code, Subchapter C, Chapter 52 by Acts 2013, 83rd Leg., R.S., Ch. 42 (S.B. 966), Sec. 1.04, eff. September 1, 2014.

Redesignated from Government Code, Subtitle K, Title 2 by Acts 2015, 84th Leg., R.S., Ch. 1236 (S.B. 1296), Sec. 21.001(21), eff. September 1, 2015.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 516 (S.B. 43), Sec. 21, eff. September 1, 2017.

Acts 2017, 85th Leg., R.S., Ch. 516 (S.B. 43), Sec. 35(3), eff. September 1, 2017.

Acts 2019, 86th Leg., R.S., Ch. 506 (S.B. 37), Sec. 7(3), eff. June 7, 2019.

Acts 2019, 86th Leg., R.S., Ch. 606 (S.B. 891), Sec. 7.15,

eff. September 1, 2019.

Sec. 154.111. DISCIPLINARY ACTIONS AGAINST FIRMS.

(a) After receiving a complaint and giving the shorthand reporting firm or affiliate office notice and an opportunity for a hearing as prescribed by Subchapter B, Chapter 153, the commission shall reprimand, assess a reasonable fine against, or suspend, revoke, or refuse to renew the registration of a shorthand reporting firm or affiliate office for:

(1) fraud or corruption;

(2) dishonesty;

(3) conduct on the part of an officer, director, or managerial employee of the shorthand reporting firm or affiliate office if the officer, director, or managerial employee orders, encourages, or permits conduct that the officer, director, or managerial employee knows or should have known violates this subtitle;

(4) conduct on the part of an officer, director, or managerial employee or agent of the shorthand reporting firm or affiliate office who has direct supervisory authority over a person for whom the officer, director, employee, or agent knows or should have known violated this subtitle and knowingly fails to take reasonable remedial action to avoid or mitigate the consequences of the person's actions;

(5) fraud or misrepresentation in obtaining registration;

(6) a final conviction of an officer, director, or managerial employee of a shorthand reporting firm or affiliate office for a felony or misdemeanor that is directly related to the provision of court reporting services, as determined by supreme court rules;

(7) engaging the services of a reporter that the shorthand reporting firm or affiliate office knew or should have known was using a method for which the reporter is not certified;

(8) knowingly providing court reporting services while the shorthand reporting firm's or affiliate office's registration is suspended or engaging the services of a shorthand

reporter whose certification the shorthand reporting firm or affiliate office knew or should have known was suspended;

(9) unprofessional conduct, including:

(A) giving directly or indirectly or benefiting from or being employed as a result of giving any gift, incentive, reward, or anything of value to attorneys, clients, or their representatives or agents, except for nominal items that do not exceed \$100 in the aggregate for each recipient each year; or

(B) repeatedly committing to provide at a specific time and location court reporting services for an attorney in connection with a legal proceeding and unreasonably failing to fulfill the commitment under the terms of that commitment;

(10) entering into or providing services under a prohibited contract described by Section [154.115](#); or

(11) committing any other act that violates this chapter or a rule or provision of the code of ethics adopted under this subtitle.

(b) Nothing in Subsection (a)(9)(A) shall be construed to define providing value-added business services, including long-term volume discounts, such as the pricing of products and services, as prohibited gifts, incentives, or rewards.

(c) The commission may suspend the registration of a shorthand reporting firm or affiliate office:

(1) for a designated period of time in accordance with Section [154.110](#)(b);

(2) until the shorthand reporting firm or affiliate office corrects the deficiencies that were the grounds for the suspension; or

(3) until the shorthand reporting firm or affiliate office complies with any conditions imposed by the commission to ensure the shorthand reporting firm's or affiliate office's future performance.

(d) A shorthand reporting firm or affiliate office whose registration is suspended may apply for reinstatement by presenting proof that:

(1) the designated time has expired;

(2) the shorthand reporting firm or affiliate office

has corrected the deficiencies; or

(3) the shorthand reporting firm or affiliate office has complied with the conditions imposed by the commission.

(e) Repealed by Acts 2017, 85th Leg., R.S., Ch. 516 (S.B. 43), Sec. 35(4), eff. September 1, 2017.

(f) The commission may place on probation a shorthand reporting firm or affiliate office whose registration is suspended. If a registration suspension is probated, the commission may require the firm or office to:

(1) report regularly to the commission on matters that are the basis of the probation;

(2) limit practice to the areas prescribed by the commission; or

(3) through its officers, directors, managerial employees, or agents, continue or review professional education until those persons attain a degree of skill satisfactory to the commission in those areas that are the basis of the probation.

(g) The commission by rule shall define the conditions under which a shorthand reporting firm's or affiliate office's repeated failure to fulfill a commitment to provide court reporting services as described by Subsection (a)(9)(B) is considered unprofessional conduct and grounds for disciplinary action.

Added by Acts 2001, 77th Leg., ch. 29, Sec. 14, eff. Sept. 1, 2001.

Amended by Acts 2003, 78th Leg., ch. 813, Sec. 18, eff. Sept. 1, 2003.

Transferred, redesignated and amended from Government Code, Subchapter C, Chapter 52 by Acts 2013, 83rd Leg., R.S., Ch. 42 (S.B. 966), Sec. 1.04, eff. September 1, 2014.

Redesignated from Government Code, Subtitle K, Title 2 by Acts 2015, 84th Leg., R.S., Ch. 1236 (S.B. 1296), Sec. 21.001(21), eff. September 1, 2015.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 516 (S.B. 43), Sec. 22, eff. September 1, 2017.

Acts 2017, 85th Leg., R.S., Ch. 516 (S.B. 43), Sec. 35(4), eff. September 1, 2017.

Acts 2019, 86th Leg., R.S., Ch. 606 (S.B. 891), Sec. 7.16(a),

eff. September 1, 2019.

Sec. 154.112. EMPLOYMENT OF NONCERTIFIED PERSON FOR SHORTHAND REPORTING. (a) A person who is not certified as a court reporter may be employed to engage in shorthand reporting until a certified shorthand reporter is available.

(b) A person who is not certified as a court reporter may engage in shorthand reporting to report an oral deposition only if:

(1) the person delivers an affidavit to the parties or to their counsel present at the deposition stating that a certified shorthand reporter is not available; or

(2) the parties or their counsel stipulate on the record at the beginning of the deposition that a certified shorthand reporter is not available.

(c) This section does not apply to a deposition taken outside this state for use in this state.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985.

Transferred, redesignated and amended from Government Code, Subchapter C, Chapter 52 by Acts 2013, 83rd Leg., R.S., Ch. 42 (S.B. 966), Sec. 1.04, eff. September 1, 2014.

Redesignated from Government Code, Subtitle K, Title 2 by Acts 2015, 84th Leg., R.S., Ch. 1236 (S.B. 1296), Sec. 21.001(21), eff. September 1, 2015.

Amended by:

Acts 2021, 87th Leg., R.S., Ch. 934 (H.B. 3774), Sec. 17.08, eff. September 1, 2021.

Sec. 154.113. CRIMINAL PENALTY. (a) Except as provided by Section 154.112, a person commits an offense if the person engages in shorthand reporting in violation of Section 154.101. Each day of violation constitutes a separate offense.

(a-1) A person commits an offense if the person provides shorthand reporting firm services in this state in violation of Section 154.106. Each day of violation constitutes a separate offense.

(b) An offense under this section is a Class A misdemeanor.
Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985. Amended

by Acts 1993, 73rd Leg., ch. 1037, Sec. 3, eff. Sept. 1, 1993; Acts 2003, 78th Leg., ch. 813, Sec. 19, eff. Sept. 1, 2003.

Transferred, redesignated and amended from Government Code, Subchapter C, Chapter 52 by Acts 2013, 83rd Leg., R.S., Ch. 42 (S.B. 966), Sec. 1.04, eff. September 1, 2014.

Redesignated from Government Code, Subtitle K, Title 2 by Acts 2015, 84th Leg., R.S., Ch. 1236 (S.B. 1296), Sec. 21.001(21), eff. September 1, 2015.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 606 (S.B. 891), Sec. 7.17, eff. September 1, 2019.

Sec. 154.114. EXEMPTIONS. This chapter does not apply to:

- (1) a party to the litigation involved;
- (2) the attorney of the party; or
- (3) a full-time employee of a party or a party's attorney.

Acts 1985, 69th Leg., ch. 480, Sec. 1, eff. Sept. 1, 1985.

Transferred, redesignated and amended from Government Code, Subchapter C, Chapter 52 by Acts 2013, 83rd Leg., R.S., Ch. 42 (S.B. 966), Sec. 1.04, eff. September 1, 2014.

Redesignated from Government Code, Subtitle K, Title 2 by Acts 2015, 84th Leg., R.S., Ch. 1236 (S.B. 1296), Sec. 21.001(21), eff. September 1, 2015.

Sec. 154.115. PROHIBITED CONTRACTS. (a) A court reporter or shorthand reporting firm may not enter into or provide services under any contractual agreement, written or oral, exclusive or nonexclusive, that:

- (1) undermines the impartiality of the court reporter;
- (2) requires a court reporter to relinquish control of an original deposition transcript and copies of the transcript before it is certified and delivered to the custodial attorney;
- (3) requires a court reporter to provide any service not made available to all parties to an action;
- (4) gives or appears to give an exclusive advantage to any party; or

(5) restricts an attorney's choice in the selection of a court reporter or shorthand reporting firm.

(b) Subsections (a)(2) and (3) do not apply to a contract for court reporting services for a court, agency, or instrumentality of the United States or this state.

Added by Acts 1997, 75th Leg., ch. 729, Sec. 2, eff. Sept. 1, 1997.

Transferred, redesignated and amended from Government Code, Subchapter C, Chapter 52 by Acts 2013, 83rd Leg., R.S., Ch. 42 (S.B. 966), Sec. 1.04, eff. September 1, 2014.

Redesignated from Government Code, Subtitle K, Title 2 by Acts 2015, 84th Leg., R.S., Ch. 1236 (S.B. 1296), Sec. 21.001(21), eff. September 1, 2015.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 606 (S.B. 891), Sec. 7.18, eff. September 1, 2019.