



April 6, 1999

**ENGROSSED  
HOUSE BILL No. 1594**

DIGEST OF HB 1594 (Updated April 5, 1999 2:08 pm - DI 51)

**Citations Affected:** IC 33-15; noncode.

**Synopsis:** Court reporting services. Imposes restrictions on who may take a deposition for use in a proceeding in an Indiana court. Requires a person, when reducing a deposition to writing, to transcribe a page unit of the deposition in the same form as the form required for a record of proceedings under Indiana Rule of Appellate Procedure 7.2.

**Effective:** July 1, 1999.

**Dvorak, Robertson, Ulmer, Foley**  
(SENATE SPONSORS — BRAY, ALEXA, LONG)

January 21, 1999, read first time and referred to Committee on Judiciary.  
February 16, 1999, amended, reported — Do Pass.  
February 24, 1999, read second time, ordered engrossed. Engrossed.  
February 25, 1999, read third time, passed. Yeas 95, nays 1.

**SENATE ACTION**

March 3, 1999, read first time and referred to Committee on Judiciary.  
April 5, 1999, amended, reported favorably — Do Pass.

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EH 1594—LS 6449/DI 51+



April 6, 1999

First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

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# ENGROSSED HOUSE BILL No. 1594



A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 33-15-27 IS ADDED TO THE INDIANA CODE  
2 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE  
3 JANUARY 1, 2000]:

4 **Chapter 27. Court Reporting Services; Depositions**

5 **Sec. 1. This chapter does not apply to contracts for court**  
6 **reporting services for any of the following:**

7 (1) A court.

8 (2) An agency or instrumentality of a state or political  
9 subdivision.

10 (3) An agency or instrumentality of the government of the  
11 United States.

12 **Sec. 2. As used in this chapter, "employee" includes the**  
13 **following:**

14 (1) A person who provides reporting or other court services  
15 under a contractual relationship with a person interested in  
16 the outcome of litigation, including anyone that may be

EH 1594—LS 6449/DI 51+



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ultimately responsible for payment.

(2) A person who is employed to provide reporting or other court services part time or full time under a contract or otherwise by a person that has a contractual relationship with a party.

Sec. 3. A deposition to be used in a proceeding in a circuit, superior, probate, county, city, or town court, the court of appeals, or the supreme court must be taken before an individual who:

- (1) is described in section 4 of this chapter; and
- (2) does not have a prohibited interest or relationship described in section 5 of this chapter.

Sec. 4. A deposition must be taken before:

- (1) a hearing officer;
- (2) a judge, clerk, commissioner, or official reporter of a court;
- (3) a notary public; or
- (4) another individual authorized by law to take a deposition.

Sec. 5. (a) Subsection (b)(4) does not apply to a relative or employee of the attorney of one (1) of the parties to the proceeding.

(b) A deposition may not be taken by a person who is:

- (1) a party to the proceeding;
- (2) a relative, employee, or attorney of one (1) of the parties to the proceeding;
- (3) someone with a financial interest in the proceeding or its outcome; or
- (4) a relative, employee, or attorney of a person with a financial interest in the proceeding or its outcome.

Sec. 6. A deposition that is not taken in conformity with section 3 of this chapter is void.

Sec. 7. A person, when reducing a deposition to writing, shall transcribe a page unit of the deposition in the same form as the form required for a record of proceedings under Indiana Rule of Appellate Procedure 7.2.

SECTION 2. [EFFECTIVE JANUARY 1, 2000] IC 33-15-27, as added by this act, applies only to a deposition taken after December 31, 1999.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1594, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 14, delete "An individual" and insert "**A person**".

Page 1, line 15, delete "an individual".

Page 1, line 16, delete "or other" and insert "**a**".

Page 2, line 2, delete "An individual" and insert "**A person**".

Page 2, line 4, delete "an individual or other" and insert "**a**".

Page 2, line 20, delete "an individual" and insert "**a person**".

Page 2, line 26, delete "an individual or other" and insert "**a**".

Page 2, delete lines 31 through 32, begin a new paragraph and insert:

**"Sec. 7. A person, when reducing a deposition to writing, shall transcribe a page unit of the deposition in the same form as the form required for a record of proceedings under Indiana Rule of Appellate Procedure 7.2."**

and when so amended that said bill do pass.

(Reference is to HB 1594 as introduced.)

VILLALPANDO, Chair

Committee Vote: yeas 14, nays 0.

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SENATE MOTION

Mr. President: I move that Senator Long be added as cosponsor of Engrossed House Bill 1594.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Judiciary, to which was referred House Bill No. 1594, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Replace the effective dates in SECTIONS 1 through 2 with "[EFFECTIVE JANUARY 1, 2000]".

Page 2, line 6, after "superior," insert "**probate,**".

Page 2, line 34, delete "June 30," and insert "**December 31,**".

and when so amended that said bill do pass.

(Reference is to HB 1594 as printed February 17, 1999.)

BRAY, Chairperson

Committee Vote: Yeas 6, Nays 0.

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