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## SENATE BILL No. 206

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 25-1; IC 25-11.5.

**Synopsis:** Court reporter licensing. Prohibits a person from practicing court reporting after June 30, 2012, unless the person is a licensed court reporter. Establishes the court reporter board (board). Requires the board to determine the qualifications for licensure and establish requirements for ethical behavior and continuing education for licensed court reporters.

**Effective:** July 1, 2011.

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January 5, 2011, read first time and referred to Committee on Judiciary.

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First Regular Session 117th General Assembly (2011)

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 2010 Regular Session of the General Assembly.

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**SENATE BILL No. 206**



A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

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

1 SECTION 1. IC 25-1-2-2.1, AS AMENDED BY P.L.84-2010,  
2 SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2011]: Sec. 2.1. Rather than being issued annually, the  
4 following permits, licenses, certificates of registration, or evidences of  
5 authority granted by a state agency must be issued for a period of two  
6 (2) years or for the period specified in the article under which the  
7 permit, license, certificate of registration, or evidence of authority is  
8 issued if the period specified in the article is longer than two (2) years:  
9 (1) Certified public accountants, public accountants, and  
10 accounting practitioners.  
11 (2) Architects and landscape architects.  
12 (3) Dry cleaners.  
13 (4) Professional engineers.  
14 (5) Land surveyors.  
15 (6) Real estate brokers.  
16 (7) Real estate agents.  
17 (8) Security dealers' licenses issued by the securities



- 1 commissioner.  
 2 (9) Dental hygienists.  
 3 (10) Dentists.  
 4 (11) Veterinarians.  
 5 (12) Physicians.  
 6 (13) Chiropractors.  
 7 (14) Physical therapists.  
 8 (15) Optometrists.  
 9 (16) Pharmacists and assistants, drugstores or pharmacies.  
 10 (17) Motels and mobile home community licenses.  
 11 (18) Nurses.  
 12 (19) Podiatrists.  
 13 (20) Occupational therapists and occupational therapy assistants.  
 14 (21) Respiratory care practitioners.  
 15 (22) Social workers, marriage and family therapists, and mental  
 16 health counselors.  
 17 (23) Real estate appraiser licenses and certificates issued by the  
 18 real estate appraiser licensure and certification board.  
 19 (24) Wholesale legend drug distributors.  
 20 (25) Physician assistants.  
 21 (26) Dietitians.  
 22 (27) Athlete agents.  
 23 (28) Manufactured home installers.  
 24 (29) Home inspectors.  
 25 (30) Massage therapists.  
 26 (31) Interior designers.  
 27 (32) Genetic counselors.  
 28 **(33) Court reporters.**

29 SECTION 2. IC 25-1-2-6, AS AMENDED BY P.L.84-2010,  
 30 SECTION 7, AND AS AMENDED BY P.L.113-2010, SECTION 100,  
 31 IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 32 [EFFECTIVE JULY 1, 2011]: Sec. 6. (a) As used in this section,  
 33 "license" includes all occupational and professional licenses,  
 34 registrations, permits, and certificates issued under the Indiana Code,  
 35 and "licensee" includes all occupational and professional licensees,  
 36 registrants, permittees, and certificate holders regulated under the  
 37 Indiana Code.

38 (b) This section applies to the following entities that regulate  
 39 occupations or professions under the Indiana Code:

- 40 (1) Indiana board of accountancy.  
 41 (2) Indiana grain buyers and warehouse licensing agency.  
 42 (3) Indiana auctioneer commission.

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- 1 (4) Board of registration for architects and landscape architects.  
 2 ~~(5) State board of barber examiners.~~  
 3 ~~(6) (5) State board of cosmetology and barber examiners.~~  
 4 ~~(7) (6) Medical licensing board of Indiana.~~  
 5 ~~(8) (7) Secretary of state.~~  
 6 ~~(9) (8) State board of dentistry.~~  
 7 ~~(10) (9) State board of funeral and cemetery service.~~  
 8 ~~(11) (10) Worker's compensation board of Indiana.~~  
 9 ~~(12) (11) Indiana state board of health facility administrators.~~  
 10 ~~(13) (12) Committee of hearing aid dealer examiners.~~  
 11 ~~(14) (13) Indiana state board of nursing.~~  
 12 ~~(15) (14) Indiana optometry board.~~  
 13 ~~(16) (15) Indiana board of pharmacy.~~  
 14 ~~(17) (16) Indiana plumbing commission.~~  
 15 ~~(18) (17) Board of podiatric medicine.~~  
 16 ~~(19) (18) Private investigator and security guard licensing board.~~  
 17 ~~(20) (19) State board of registration for professional engineers.~~  
 18 ~~(21) Board of environmental health specialists.~~  
 19 ~~(22) (20) State psychology board.~~  
 20 ~~(23) (21) Indiana real estate commission.~~  
 21 ~~(24) (22) Speech-language pathology and audiology board.~~  
 22 ~~(25) (23) Department of natural resources.~~  
 23 ~~(26) (24) State athletic commission.~~  
 24 ~~(26) (25) (24) Board of chiropractic examiners.~~  
 25 ~~(27) (26) (25) Mining board.~~  
 26 ~~(28) (27) (26) Indiana board of veterinary medical examiners.~~  
 27 ~~(29) (28) (27) State department of health.~~  
 28 ~~(30) (29) (28) Indiana physical therapy committee.~~  
 29 ~~(31) (30) (29) Respiratory care committee.~~  
 30 ~~(32) (31) (30) Occupational therapy committee.~~  
 31 ~~(33) (32) (31) Behavioral health and human services licensing~~  
 32 ~~board.~~  
 33 ~~(34) (33) (32) Real estate appraiser licensure and certification~~  
 34 ~~board.~~  
 35 ~~(35) (34) (33) State board of registration for land surveyors.~~  
 36 ~~(36) (35) (34) Physician assistant committee.~~  
 37 ~~(37) (36) (35) Indiana dietitians certification board.~~  
 38 ~~(38) Indiana hypnotist committee.~~  
 39 ~~(39) (37) (36) Attorney general (only for the regulation of athlete~~  
 40 ~~agents).~~  
 41 ~~(40) (38) (37) Manufactured home installer licensing board.~~  
 42 ~~(41) (39) (38) Home inspectors licensing board.~~

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1           ~~(#2) (#0)~~ (39) State board of massage therapy.  
 2           **(40) Court reporter board.**  
 3           ~~(#3) (#1)~~ (41) Any other occupational or professional agency  
 4           created after June 30, 1981.

5           (c) Notwithstanding any other law, the entities included in  
 6           subsection (b) shall send a notice of the upcoming expiration of a  
 7           license to each licensee at least sixty (60) days prior to the expiration  
 8           of the license. The notice must inform the licensee of the need to renew  
 9           and the requirement of payment of the renewal fee. If this notice of  
 10          expiration is not sent by the entity, the licensee is not subject to a  
 11          sanction for failure to renew if, once notice is received from the entity,  
 12          the license is renewed within forty-five (45) days of the receipt of the  
 13          notice.

14          SECTION 3. IC 25-1-4-0.3, AS AMENDED BY P.L.84-2010,  
 15          SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 16          JULY 1, 2011]: Sec. 0.3. As used in this chapter, "board" means any of  
 17          the following:

- 18           (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 19           (2) Board of registration for architects and landscape architects  
 20           (IC 25-4-1-2).
- 21           (3) Indiana athletic trainers board (IC 25-5.1-2-1).
- 22           (4) Indiana auctioneer commission (IC 25-6.1-2-1).
- 23           (5) Board of chiropractic examiners (IC 25-10-1).
- 24           (6) State board of cosmetology and barber examiners  
 25           (IC 25-8-3-1).
- 26           (7) State board of dentistry (IC 25-14-1).
- 27           (8) Indiana dietitians certification board (IC 25-14.5-2-1).
- 28           (9) State board of registration for professional engineers  
 29           (IC 25-31-1-3).
- 30           (10) State board of funeral and cemetery service (IC 25-15-9).
- 31           (11) Indiana state board of health facility administrators  
 32           (IC 25-19-1).
- 33           (12) Committee of hearing aid dealer examiners (IC 25-20-1-1.5).
- 34           (13) Home inspectors licensing board (IC 25-20.2-3-1).
- 35           (14) State board of registration for land surveyors  
 36           (IC 25-21.5-2-1).
- 37           (15) Manufactured home installer licensing board (IC 25-23.7).
- 38           (16) Medical licensing board of Indiana (IC 25-22.5-2).
- 39           (17) Indiana state board of nursing (IC 25-23-1).
- 40           (18) Occupational therapy committee (IC 25-23.5).
- 41           (19) Indiana optometry board (IC 25-24).
- 42           (20) Indiana board of pharmacy (IC 25-26).

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- 1 (21) Indiana physical therapy committee (IC 25-27-1).
- 2 (22) Physician assistant committee (IC 25-27.5).
- 3 (23) Indiana plumbing commission (IC 25-28.5-1-3).
- 4 (24) Board of podiatric medicine (IC 25-29-2-1).
- 5 (25) Private investigator and security guard licensing board
- 6 (IC 25-30-1-5.2).
- 7 (26) State psychology board (IC 25-33).
- 8 (27) Indiana real estate commission (IC 25-34.1-2).
- 9 (28) Real estate appraiser licensure and certification board
- 10 (IC 25-34.1-8).
- 11 (29) Respiratory care committee (IC 25-34.5).
- 12 (30) Behavioral health and human services licensing board
- 13 (IC 25-23.6).
- 14 (31) Speech-language pathology and audiology board
- 15 (IC 25-35.6-2).
- 16 (32) Indiana board of veterinary medical examiners
- 17 (IC 25-38.1-2).
- 18 **(33) Court reporter board (IC 25-11.5-2-1).**

19 SECTION 4. IC 25-1-7-1, AS AMENDED BY P.L.84-2010,  
 20 SECTION 12, AND AS AMENDED BY P.L.113-2010, SECTION  
 21 101, IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
 22 [EFFECTIVE JULY 1, 2011]: Sec. 1. As used in this chapter:

23 "Board" means the appropriate agency listed in the definition of  
 24 regulated occupation in this section.

25 "Director" refers to the director of the division of consumer  
 26 protection.

27 "Division" refers to the division of consumer protection, office of  
 28 the attorney general.

29 "Licensee" means a person who is:

- 30 (1) licensed, certified, or registered by a board listed in this
- 31 section; and
- 32 (2) the subject of a complaint filed with the division.

33 "Person" means an individual, a partnership, a limited liability  
 34 company, or a corporation.

35 "Regulated occupation" means an occupation in which a person is  
 36 licensed, certified, or registered by one (1) of the following:

- 37 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 38 (2) Board of registration for architects and landscape architects
- 39 (IC 25-4-1-2).
- 40 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
- 41 ~~(4) State board of barber examiners (IC 25-7-5-1).~~
- 42 ~~(4) State athletic commission (IC 25-9-1).~~

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- 1           ~~(5)~~ **(4)** Board of chiropractic examiners (IC 25-10-1).  
 2           ~~(6)~~ **(5)** State board of cosmetology *and barber* examiners  
 3           (IC 25-8-3-1).  
 4           ~~(7)~~ **(6)** State board of dentistry (IC 25-14-1).  
 5           ~~(8)~~ **(7)** State board of funeral and cemetery service (IC 25-15-9).  
 6           ~~(9)~~ **(8)** State board of registration for professional engineers  
 7           (IC 25-31-1-3).  
 8           ~~(10)~~ **(9)** Indiana state board of health facility administrators  
 9           (IC 25-19-1).  
 10          ~~(11)~~ **(10)** Medical licensing board of Indiana (IC 25-22.5-2).  
 11          ~~(12)~~ **(11)** Indiana state board of nursing (IC 25-23-1).  
 12          ~~(13)~~ **(12)** Indiana optometry board (IC 25-24).  
 13          ~~(14)~~ **(13)** Indiana board of pharmacy (IC 25-26).  
 14          ~~(15)~~ **(14)** Indiana plumbing commission (IC 25-28.5-1-3).  
 15          ~~(16)~~ **(15)** Board of podiatric medicine (IC 25-29-2-1).  
 16          ~~(17)~~ *Board of environmental health specialists (IC 25-32-1)*.  
 17          ~~(17)~~ ~~(18)~~ **(16)** State psychology board (IC 25-33).  
 18          ~~(18)~~ ~~(19)~~ **(17)** Speech-language pathology and audiology board  
 19          (IC 25-35.6-2).  
 20          ~~(19)~~ ~~(20)~~ **(18)** Indiana real estate commission (IC 25-34.1-2).  
 21          ~~(20)~~ ~~(21)~~ **(19)** Indiana board of veterinary medical examiners  
 22          (IC 25-38.1).  
 23          ~~(21)~~ ~~(22)~~ **(20)** Department of natural resources for purposes of  
 24          licensing water well drillers under IC 25-39-3.  
 25          ~~(22)~~ ~~(23)~~ **(21)** Respiratory care committee (IC 25-34.5).  
 26          ~~(23)~~ ~~(24)~~ **(22)** Private investigator and security guard licensing  
 27          board (IC 25-30-1-5.2).  
 28          ~~(24)~~ ~~(25)~~ **(23)** Occupational therapy committee (IC 25-23.5).  
 29          ~~(25)~~ ~~(26)~~ **(24)** Behavioral health and human services licensing  
 30          board (IC 25-23.6).  
 31          ~~(26)~~ ~~(27)~~ **(25)** Real estate appraiser licensure and certification  
 32          board (IC 25-34.1-8).  
 33          ~~(27)~~ ~~(28)~~ **(26)** State board of registration for land surveyors  
 34          (IC 25-21.5-2-1).  
 35          ~~(28)~~ ~~(29)~~ **(27)** Physician assistant committee (IC 25-27.5).  
 36          ~~(29)~~ ~~(30)~~ **(28)** Indiana athletic trainers board (IC 25-5.1-2-1).  
 37          ~~(30)~~ ~~(31)~~ **(29)** Indiana dietitians certification board  
 38          (IC 25-14.5-2-1).  
 39          ~~(32)~~ *Indiana hypnotist committee (IC 25-20.5-1-7)*.  
 40          ~~(31)~~ ~~(33)~~ **(30)** Indiana physical therapy committee (IC 25-27).  
 41          ~~(32)~~ ~~(34)~~ **(31)** Manufactured home installer licensing board  
 42          (IC 25-23.7).

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- 1           ~~(33)~~ ~~(35)~~ **(32)** Home inspectors licensing board (IC 25-20.2-3-1).  
2           ~~(34)~~ ~~(36)~~ **(33)** State department of health, for out-of-state mobile  
3           health care entities.  
4           ~~(35)~~ ~~(37)~~ **(34)** State board of massage therapy (IC 25-21.8-2-1).  
5           **(35) Court reporter board (IC 25-11.5-2-1).**  
6           ~~(36)~~ ~~(38)~~ **(36)** Any other occupational or professional agency  
7           created after June 30, 1981.
- 8           SECTION 5. IC 25-1-8-1, AS AMENDED BY P.L.84-2010,  
9           SECTION 14, AND AS AMENDED BY P.L.113-2010, SECTION  
10          102, IS CORRECTED AND AMENDED TO READ AS FOLLOWS  
11          [EFFECTIVE JULY 1, 2011]: Sec. 1. As used in this chapter, "board"  
12          means any of the following:
- 13               (1) Indiana board of accountancy (IC 25-2.1-2-1).  
14               (2) Board of registration for architects and landscape architects  
15               (IC 25-4-1-2).  
16               (3) Indiana auctioneer commission (IC 25-6.1-2-1).  
17               ~~(4) State board of barber examiners (IC 25-7-5-1).~~  
18               ~~(4) State athletic commission (IC 25-9-1).~~  
19               ~~(5)~~ **(4)** Board of chiropractic examiners (IC 25-10-1).  
20               ~~(6)~~ **(5)** State board of cosmetology *and barber* examiners  
21               (IC 25-8-3-1).  
22               ~~(7)~~ **(6)** State board of dentistry (IC 25-14-1).  
23               ~~(8)~~ **(7)** State board of funeral and cemetery service (IC 25-15).  
24               ~~(9)~~ **(8)** State board of registration for professional engineers  
25               (IC 25-31-1-3).  
26               ~~(10)~~ **(9)** Indiana state board of health facility administrators  
27               (IC 25-19-1).  
28               ~~(11)~~ **(10)** Medical licensing board of Indiana (IC 25-22.5-2).  
29               ~~(12)~~ **(11)** Mining board (IC 22-10-1.5-2).  
30               ~~(13)~~ **(12)** Indiana state board of nursing (IC 25-23-1).  
31               ~~(14)~~ **(13)** Indiana optometry board (IC 25-24).  
32               ~~(15)~~ **(14)** Indiana board of pharmacy (IC 25-26).  
33               ~~(16)~~ **(15)** Indiana plumbing commission (IC 25-28.5-1-3).  
34               ~~(17) Board of environmental health specialists (IC 25-32-1).~~  
35               ~~(17)~~ ~~(18)~~ **(16)** State psychology board (IC 25-33).  
36               ~~(18)~~ ~~(19)~~ **(17)** Speech-language pathology and audiology board  
37               (IC 25-35.6-2).  
38               ~~(19)~~ ~~(20)~~ **(18)** Indiana real estate commission (IC 25-34.1-2-1).  
39               ~~(20)~~ ~~(21)~~ **(19)** Indiana board of veterinary medical examiners  
40               (IC 25-38.1-2-1).  
41               ~~(21)~~ ~~(22)~~ **(20)** Department of insurance (IC 27-1).  
42               ~~(22)~~ ~~(23)~~ **(21)** State police department (IC 10-11-2-4), for

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- 1 purposes of certifying polygraph examiners under IC 25-30-2.  
 2 ~~(23) (24)~~ **(22)** Department of natural resources for purposes of  
 3 licensing water well drillers under IC 25-39-3.  
 4 ~~(24) (25)~~ **(23)** Private investigator and security guard licensing  
 5 board (IC 25-30-1-5.2).  
 6 ~~(25) (26)~~ **(24)** Occupational therapy committee (IC 25-23.5-2-1).  
 7 ~~(26) (27)~~ **(25)** Behavioral health and human services licensing  
 8 board (IC 25-23.6-2-1).  
 9 ~~(27) (28)~~ **(26)** Real estate appraiser licensure and certification  
 10 board (IC 25-34.1-8).  
 11 ~~(28) (29)~~ **(27)** State board of registration for land surveyors  
 12 (IC 25-21.5-2-1).  
 13 ~~(29) (30)~~ **(28)** Physician assistant committee (IC 25-27.5).  
 14 ~~(30) (31)~~ **(29)** Indiana athletic trainers board (IC 25-5.1-2-1).  
 15 ~~(31) (32)~~ **(30)** Board of podiatric medicine (IC 25-29-2-1).  
 16 ~~(32) (33)~~ **(31)** Indiana dietitians certification board  
 17 (IC 25-14.5-2-1).  
 18 ~~(33) (34)~~ **(32)** Indiana physical therapy committee (IC 25-27).  
 19 ~~(34) (35)~~ **(33)** Manufactured home installer licensing board  
 20 (IC 25-23.7).  
 21 ~~(35) (36)~~ **(34)** Home inspectors licensing board (IC 25-20.2-3-1).  
 22 ~~(36) (37)~~ **(35)** State board of massage therapy (IC 25-21.8-2-1).  
 23 **(36) Court reporter board (IC 25-11.5-2-1).**  
 24 ~~(37) (38)~~ **(37)** Any other occupational or professional agency  
 25 created after June 30, 1981.  
 26 SECTION 6. IC 25-1-8-6, AS AMENDED BY P.L.84-2010,  
 27 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
 28 JULY 1, 2011]: Sec. 6. (a) As used in this section, "board" means any  
 29 of the following:  
 30 (1) Indiana board of accountancy (IC 25-2.1-2-1).  
 31 (2) Board of registration for architects and landscape architects  
 32 (IC 25-4-1-2).  
 33 (3) Indiana athletic trainers board (IC 25-5.1-2-1).  
 34 (4) Indiana auctioneer commission (IC 25-6.1-2-1).  
 35 (5) Board of chiropractic examiners (IC 25-10-1).  
 36 (6) State board of cosmetology and barber examiners  
 37 (IC 25-8-3-1).  
 38 (7) State board of dentistry (IC 25-14-1).  
 39 (8) Indiana dietitians certification board (IC 25-14.5-2-1).  
 40 (9) State board of registration for professional engineers  
 41 (IC 25-31-1-3).  
 42 (10) State board of funeral and cemetery service (IC 25-15-9).

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- 1 (11) Indiana state board of health facility administrators  
 2 (IC 25-19-1).  
 3 (12) Committee of hearing aid dealer examiners (IC 25-20-1-1.5).  
 4 (13) Home inspectors licensing board (IC 25-20.2-3-1).  
 5 (14) State board of registration for land surveyors  
 6 (IC 25-21.5-2-1).  
 7 (15) Manufactured home installer licensing board (IC 25-23.7).  
 8 (16) Medical licensing board of Indiana (IC 25-22.5-2).  
 9 (17) Indiana state board of nursing (IC 25-23-1).  
 10 (18) Occupational therapy committee (IC 25-23.5).  
 11 (19) Indiana optometry board (IC 25-24).  
 12 (20) Indiana board of pharmacy (IC 25-26).  
 13 (21) Indiana physical therapy committee (IC 25-27).  
 14 (22) Physician assistant committee (IC 25-27.5).  
 15 (23) Indiana plumbing commission (IC 25-28.5-1-3).  
 16 (24) Board of podiatric medicine (IC 25-29-2-1).  
 17 (25) Private investigator and security guard licensing board  
 18 (IC 25-30-1-5.2).  
 19 (26) State psychology board (IC 25-33).  
 20 (27) Indiana real estate commission (IC 25-34.1-2).  
 21 (28) Real estate appraiser licensure and certification board  
 22 (IC 25-34.1-8).  
 23 (29) Respiratory care committee (IC 25-34.5).  
 24 (30) Behavioral health and human services licensing board  
 25 (IC 25-23.6).  
 26 (31) Speech-language pathology and audiology board  
 27 (IC 25-35.6-2).  
 28 (32) Indiana board of veterinary medical examiners (IC 25-38.1).  
 29 (33) State board of massage therapy (IC 25-21.8-2-1).  
 30 **(34) Court reporter board (IC 25-11.5-2-1).**  
 31 (b) This section does not apply to a license, certificate, or  
 32 registration that has been revoked or suspended.  
 33 (c) Notwithstanding any other law regarding the reinstatement of a  
 34 delinquent or lapsed license, certificate, or registration and except as  
 35 provided in section 8 of this chapter, the holder of a license, certificate,  
 36 or registration that was issued by the board that is three (3) years or less  
 37 delinquent must be reinstated upon meeting the following  
 38 requirements:  
 39 (1) Submission of the holder's completed renewal application.  
 40 (2) Payment of the current renewal fee established by the board  
 41 under section 2 of this chapter.  
 42 (3) Payment of a reinstatement fee established by the Indiana

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professional licensing agency.

(4) If a law requires the holder to complete continuing education as a condition of renewal, the holder:

(A) shall provide the board with a sworn statement, signed by the holder, that the holder has fulfilled the continuing education requirements required by the board; or

(B) shall, if the holder has not complied with the continuing education requirements, meet any requirements imposed under IC 25-1-4-5 and IC 25-1-4-6.

(d) Notwithstanding any other law regarding the reinstatement of a delinquent or lapsed license, certificate, or registration and except as provided in section 8 of this chapter, unless a statute specifically does not allow a license, certificate, or registration to be reinstated if it has lapsed for more than three (3) years, the holder of a license, certificate, or registration that was issued by the board that is more than three (3) years delinquent must be reinstated upon meeting the following requirements:

- (1) Submission of the holder's completed renewal application.
- (2) Payment of the current renewal fee established by the board under section 2 of this chapter.
- (3) Payment of a reinstatement fee equal to the current initial application fee.
- (4) If a law requires the holder to complete continuing education as a condition of renewal, the holder:
  - (A) shall provide the board with a sworn statement, signed by the holder, that the holder has fulfilled the continuing education requirements required by the board; or
  - (B) shall, if the holder has not complied with the continuing education requirements, meet any requirements imposed under IC 25-1-4-5 and IC 25-1-4-6.
- (5) Complete such remediation and additional training as deemed appropriate by the board given the lapse of time involved.
- (6) Any other requirement that is provided for in statute or rule that is not related to fees.

SECTION 7. IC 25-1-11-1, AS AMENDED BY P.L.84-2010, SECTION 18, AND AS AMENDED BY P.L.113-2010, SECTION 103, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2011]: Sec. 1. As used in this chapter, "board" means any of the following:

- (1) Indiana board of accountancy (IC 25-2.1-2-1).
- (2) Board of registration for architects and landscape architects (IC 25-4-1-2).

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- 1 (3) Indiana auctioneer commission (IC 25-6.1-2).
- 2 ~~(4) State board of barber examiners (IC 25-7-5-1).~~
- 3 ~~(4) State athletic commission (IC 25-9-1).~~
- 4 ~~(5) (4) State board of cosmetology and barber examiners~~
- 5 ~~(IC 25-8-3-1).~~
- 6 ~~(6) (5) State board of registration of for land surveyors~~
- 7 ~~(IC 25-21.5-2-1).~~
- 8 ~~(7) (6) State board of funeral and cemetery service (IC 25-15-9).~~
- 9 ~~(8) (7) State board of registration for professional engineers~~
- 10 ~~(IC 25-31-1-3).~~
- 11 ~~(9) (8) Indiana plumbing commission (IC 25-28.5-1-3).~~
- 12 ~~(10) (9) Indiana real estate commission (IC 25-34.1-2-1).~~
- 13 ~~(11) (10) Real estate appraiser licensure and certification board~~
- 14 ~~(IC 25-34.1-8).~~
- 15 ~~(12) (11) Private investigator and security guard licensing board~~
- 16 ~~(IC 25-30-1-5.2).~~
- 17 ~~(13) (12) Manufactured home installer licensing board~~
- 18 ~~(IC 25-23.7).~~
- 19 ~~(14) (13) Home inspectors licensing board (IC 25-20.2-3-1).~~
- 20 ~~(15) (14) State board of massage therapy (IC 25-21.8-2-1).~~
- 21 **(15) Court reporter board (IC 25-11.5-2-1).**

22 SECTION 8. IC 25-11.5 IS ADDED TO THE INDIANA CODE AS  
 23 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,  
 24 2011]:

25 **ARTICLE 11.5. COURT REPORTERS**

26 **Chapter 1. Definitions**

27 **Sec. 1. The definitions in this chapter apply throughout this**  
 28 **article.**

29 **Sec. 2. "Board" refers to the court reporter board established**  
 30 **by IC 25-11.5-2-1.**

31 **Sec. 3. (a) "Court reporting" means the making of a verbatim**  
 32 **record by means of:**

- 33 (1) manual shorthand;
- 34 (2) machine shorthand;
- 35 (3) closed microphone voice dictation silencer; or
- 36 (4) electronic recording of any testimony given under oath;
- 37 where a verbatim record is required. The taking of a deposition is
- 38 the making of a verbatim record.

39 **(b) "Court reporting" does not include the following:**

- 40 (1) Tape recordings made by attorneys or the use of video
- 41 equipment and recordings by attorneys representing parties
- 42 in any court proceeding, administrative law proceeding,

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1           deposition, or any other proceeding.  
2           (2) Use of tape recorders, video equipment, and recordings  
3           by:  
4           (A) judges, court officers, and employees;  
5           (B) administrative agency officials; or  
6           (C) officials and employees of any board, commission, or  
7           other governmental body.  
8           Sec. 4. "Licensed court reporter" means an individual who is  
9           licensed under this article.  
10          Sec. 5. "Licensing agency" refers to the Indiana professional  
11          licensing agency.  
12          Chapter 2. Court Reporter Board  
13          Sec. 1. The court reporter board is established.  
14          Sec. 2. The board consists of seven (7) members appointed by  
15          the governor as follows:  
16               (1) One (1) circuit or superior court judge.  
17               (2) Two (2) attorneys licensed to practice in Indiana.  
18               (3) Two (2) freelance court reporters who practice machine  
19               shorthand.  
20               (4) One (1) court reporter employed by the state who  
21               practices any method of court reporting.  
22               (5) One (1) freelance court reporter who practices:  
23                    (A) electronic court reporting;  
24                    (B) closed microphone voice dictation silencer reporting;  
25                    or  
26                    (C) manual shorthand reporting.  
27          Sec. 3. The members of the board are appointed for a term of  
28          four (4) years and shall serve until a successor is appointed. A  
29          member may not serve more than two (2) consecutive terms.  
30          Sec. 4. At the first meeting of the board, and annually  
31          thereafter, the board shall elect a chairperson, a vice chairperson,  
32          and a secretary. A member may not be elected to serve more than  
33          two (2) consecutive terms in the same office.  
34          Sec. 5. A quorum of the board consists of a majority of the  
35          appointed members.  
36          Sec. 6. The board shall adopt and use an official seal.  
37          Sec. 7. Each member of the board who is not a state employee  
38          is entitled to the minimum salary per diem provided by  
39          IC 4-10-11-2.1(b). The member is also entitled to reimbursement  
40          for traveling expenses and other expenses actually incurred in  
41          connection with the member's duties, as provided in the state  
42          policies and procedures established by the Indiana department of

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1 administration and approved by the budget agency.

2 **Sec. 8. (a) The board has the following duties:**

3 (1) Determine the requirements an individual must meet for  
4 licensure as a licensed court reporter.

5 (2) Establish and maintain requirements for the ethical  
6 behavior of court reporters, including requirements  
7 concerning:

8 (A) conflict of interest;

9 (B) inappropriate relationships with a party or a party's  
10 attorney; and

11 (C) failure to honor a contract or commitment to furnish  
12 transcripts.

13 (3) Establish procedures for the investigation of complaints  
14 against licensed court reporters.

15 (4) Maintain a current registry of licensed court reporters.

16 (5) Adopt continuing education requirements to be  
17 implemented no later than January 2, 2013.

18 (b) The board shall consider complaints concerning licensed  
19 court reporters.

20 **Sec. 9. The board may enter into reciprocal agreements with**  
21 **any state or other entity that licenses, certifies, or registers court**  
22 **reporters, including the National Court Reporters Association, the**  
23 **National Verbatim Reporters Association, and the American**  
24 **Association of Electronic Reporters and Transcribers, if the board**  
25 **finds that the state or other entity has licensing, certification, or**  
26 **registration requirements that are substantially the same as or**  
27 **more stringent than the licensing requirements established by the**  
28 **board under this article.**

29 **Chapter 3. Licensed Court Reporters**

30 **Sec. 1. (a) After June 30, 2012, a person may not practice or**  
31 **attempt to practice court reporting unless the person is a licensed**  
32 **court reporter.**

33 (b) This article may not be construed to require a court reporter  
34 at any:

35 (1) court proceeding;

36 (2) administrative proceeding;

37 (3) deposition; or

38 (4) other proceeding.

39 (c) A person who knowingly engages in the practice of court  
40 reporting without being licensed under this article commits a Class  
41 B misdemeanor.

42 **Sec. 2. The board shall issue a license to an individual who**

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1 submits proof of passage of the:

- 2 (1) National Court Reporters Association registered  
3 professional reporter examination;  
4 (2) National Verbatim Reporters Association certified  
5 verbatim reporter examination; or  
6 (3) American Association of Electronic Reporters and  
7 Transcribers certified electronic court reporter examination.

8 **Sec. 3. (a)** Any person who has been engaged in court reporting  
9 for at least two (2) years on July 1, 2011, may apply for licensure  
10 without meeting other licensing requirements established by the  
11 board under this article if the individual is proficient in court  
12 reporting. The individual must provide:

- 13 (1) an affidavit of past education; and  
14 (2) payment of the certification fee;

15 and provide an affidavit from a judge for whom the court reporter  
16 has worked as an official court reporter or affidavits from three (3)  
17 attorneys licensed in Indiana certifying that the individual is  
18 proficient as a court reporter.

19 (b) Any member in good standing of the Indiana Shorthand  
20 Reporters Association who is certified as a certified shorthand  
21 reporter on July 1, 2011, may apply for licensure and shall be  
22 licensed by the board without meeting other licensing requirements  
23 established by the board under this article.

24 (c) To be licensed under this section, a court reporter must  
25 apply to the board by January 1, 2012.

26 **Sec. 4. (a)** A license issued under this chapter expires after four  
27 (4) years, on a date established by the licensing agency. Failure to  
28 renew a license on or before the expiration date makes the license  
29 invalid without any action by the board.

30 (b) The board shall adopt rules under IC 4-22-2 to administer  
31 this chapter. The rules adopted under this section must set fees  
32 under IC 25-1-8-2.

33 (c) To be eligible for the renewal of a license, an individual must  
34 meet the continuing education requirement set by the board.

35 **SECTION 9. [EFFECTIVE JULY 1, 2011] (a)** As used in this  
36 SECTION, "board" refers to the court reporter board established  
37 by IC 25-11.5-2-1, as added by this act.

38 (b) Notwithstanding IC 25-11.5-2-3, as added by this act, the  
39 governor shall appoint the initial members of the board before  
40 September 1, 2011, for terms expiring as follows:

- 41 (1) Three (3) members for a term expiring June 30, 2015.  
42 (2) Two (2) members for a term expiring June 30, 2014.

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1           **(3) Two (2) members for a term expiring August 31, 2013.**  
2           **(c) This SECTION expires July 1, 2015.**

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