

SENATE BILL No. 304

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, 2014, 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, 2013.

Taylor

January 8, 2013, read first time and referred to Committee on Public Policy.

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First Regular Session 118th General Assembly (2013)

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 2012 Regular Session of the General Assembly.

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SENATE BILL No. 304



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, 2013]: 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.197-2011,
 30 SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2013]: Sec. 6. (a) As used in this section, "license" includes
 32 all occupational and professional licenses, registrations, permits, and
 33 certificates issued under the Indiana Code, and "licensee" includes all
 34 occupational and professional licensees, registrants, permittees, and
 35 certificate holders regulated under the Indiana Code.
 36 (b) This section applies to the following entities that regulate
 37 occupations or professions under the Indiana Code:
 38 (1) Indiana board of accountancy.
 39 (2) Indiana grain buyers and warehouse licensing agency.
 40 (3) Indiana auctioneer commission.
 41 (4) Board of registration for architects and landscape architects.
 42 (5) State board of cosmetology and barber examiners.

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- 1 (6) Medical licensing board of Indiana.
 2 (7) Secretary of state.
 3 (8) State board of dentistry.
 4 (9) State board of funeral and cemetery service.
 5 (10) Worker's compensation board of Indiana.
 6 (11) Indiana state board of health facility administrators.
 7 (12) Committee of hearing aid dealer examiners.
 8 (13) Indiana state board of nursing.
 9 (14) Indiana optometry board.
 10 (15) Indiana board of pharmacy.
 11 (16) Indiana plumbing commission.
 12 (17) Board of podiatric medicine.
 13 (18) Private investigator and security guard licensing board.
 14 (19) State board of registration for professional engineers.
 15 (20) State psychology board.
 16 (21) Indiana real estate commission.
 17 (22) Speech-language pathology and audiology board.
 18 (23) Department of natural resources.
 19 (24) Board of chiropractic examiners.
 20 (25) Mining board.
 21 (26) Indiana board of veterinary medical examiners.
 22 (27) State department of health.
 23 (28) Indiana physical therapy committee.
 24 (29) Respiratory care committee.
 25 (30) Occupational therapy committee.
 26 (31) Behavioral health and human services licensing board.
 27 (32) Real estate appraiser licensure and certification board.
 28 (33) State board of registration for land surveyors.
 29 (34) Physician assistant committee.
 30 (35) Indiana dietitians certification board.
 31 (36) Attorney general (only for the regulation of athlete agents).
 32 (37) Manufactured home installer licensing board.
 33 (38) Home inspectors licensing board.
 34 (39) State board of massage therapy.
 35 **(40) Court reporter board**
 36 ~~(40)~~ **(41)** Any other occupational or professional agency created
 37 after June 30, 1981.
 38 (c) Notwithstanding any other law, the entities included in
 39 subsection (b) shall send a notice of the upcoming expiration of a
 40 license to each licensee at least sixty (60) days prior to the expiration
 41 of the license. The notice must inform the licensee of the need to renew
 42 and the requirement of payment of the renewal fee. If this notice of

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1 expiration is not sent by the entity, the licensee is not subject to a
 2 sanction for failure to renew if, once notice is received from the entity,
 3 the license is renewed within forty-five (45) days of the receipt of the
 4 notice.

5 (d) Notwithstanding any other law, the entities included in
 6 subsection (b) shall send notice of the expiration of a license to each
 7 individual whose license has expired within thirty (30) days following
 8 the expiration of the license. The notice must meet the following
 9 requirements:

10 (1) Inform the individual of the following:

11 (A) That the individual's license has expired.

12 (B) Any requirements that must be met before reinstatement
 13 of a license may occur.

14 (2) Be sent electronically. However, if the entity does not have an
 15 electronic mail address on record for the individual, the notice
 16 must be sent via United States mail.

17 SECTION 3. IC 25-1-4-0.3, AS AMENDED BY P.L.84-2010,
 18 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2013]: Sec. 0.3. As used in this chapter, "board" means any of
 20 the following:

21 (1) Indiana board of accountancy (IC 25-2.1-2-1).

22 (2) Board of registration for architects and landscape architects
 23 (IC 25-4-1-2).

24 (3) Indiana athletic trainers board (IC 25-5.1-2-1).

25 (4) Indiana auctioneer commission (IC 25-6.1-2-1).

26 (5) Board of chiropractic examiners (IC 25-10-1).

27 (6) State board of cosmetology and barber examiners
 28 (IC 25-8-3-1).

29 (7) State board of dentistry (IC 25-14-1).

30 (8) Indiana dietitians certification board (IC 25-14.5-2-1).

31 (9) State board of registration for professional engineers
 32 (IC 25-31-1-3).

33 (10) State board of funeral and cemetery service (IC 25-15-9).

34 (11) Indiana state board of health facility administrators
 35 (IC 25-19-1).

36 (12) Committee of hearing aid dealer examiners (IC 25-20-1-1.5).

37 (13) Home inspectors licensing board (IC 25-20.2-3-1).

38 (14) State board of registration for land surveyors
 39 (IC 25-21.5-2-1).

40 (15) Manufactured home installer licensing board (IC 25-23.7).

41 (16) Medical licensing board of Indiana (IC 25-22.5-2).

42 (17) Indiana state board of nursing (IC 25-23-1).

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- 1 (18) Occupational therapy committee (IC 25-23.5).
 2 (19) Indiana optometry board (IC 25-24).
 3 (20) Indiana board of pharmacy (IC 25-26).
 4 (21) Indiana physical therapy committee (IC 25-27-1).
 5 (22) Physician assistant committee (IC 25-27.5).
 6 (23) Indiana plumbing commission (IC 25-28.5-1-3).
 7 (24) Board of podiatric medicine (IC 25-29-2-1).
 8 (25) Private investigator and security guard licensing board
 9 (IC 25-30-1-5.2).
 10 (26) State psychology board (IC 25-33).
 11 (27) Indiana real estate commission (IC 25-34.1-2).
 12 (28) Real estate appraiser licensure and certification board
 13 (IC 25-34.1-8).
 14 (29) Respiratory care committee (IC 25-34.5).
 15 (30) Behavioral health and human services licensing board
 16 (IC 25-23.6).
 17 (31) Speech-language pathology and audiology board
 18 (IC 25-35.6-2).
 19 (32) Indiana board of veterinary medical examiners
 20 (IC 25-38.1-2).
 21 **(33) Court reporter board (IC 25-11.5-2-1).**
 22 SECTION 4. IC 25-1-7-1, AS AMENDED BY P.L.42-2011,
 23 SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 24 JULY 1, 2013]: Sec. 1. As used in this chapter:
 25 "Board" means the appropriate agency listed in the definition of
 26 regulated occupation in this section.
 27 "Director" refers to the director of the division of consumer
 28 protection.
 29 "Division" refers to the division of consumer protection, office of
 30 the attorney general.
 31 "Licensee" means a person who is:
 32 (1) licensed, certified, or registered by a board listed in this
 33 section; and
 34 (2) the subject of a complaint filed with the division.
 35 "Person" means an individual, a partnership, a limited liability
 36 company, or a corporation.
 37 "Regulated occupation" means an occupation in which a person is
 38 licensed, certified, or registered by one (1) of the following:
 39 (1) Indiana board of accountancy (IC 25-2.1-2-1).
 40 (2) Board of registration for architects and landscape architects
 41 (IC 25-4-1-2).
 42 (3) Indiana auctioneer commission (IC 25-6.1-2-1).

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- 1 (4) Board of chiropractic examiners (IC 25-10-1).
- 2 (5) State board of cosmetology and barber examiners
- 3 (IC 25-8-3-1).
- 4 (6) State board of dentistry (IC 25-14-1).
- 5 (7) State board of funeral and cemetery service (IC 25-15-9).
- 6 (8) State board of registration for professional engineers
- 7 (IC 25-31-1-3).
- 8 (9) Indiana state board of health facility administrators
- 9 (IC 25-19-1).
- 10 (10) Medical licensing board of Indiana (IC 25-22.5-2).
- 11 (11) Indiana state board of nursing (IC 25-23-1).
- 12 (12) Indiana optometry board (IC 25-24).
- 13 (13) Indiana board of pharmacy (IC 25-26).
- 14 (14) Indiana plumbing commission (IC 25-28.5-1-3).
- 15 (15) Board of podiatric medicine (IC 25-29-2-1).
- 16 (16) State psychology board (IC 25-33).
- 17 (17) Speech-language pathology and audiology board
- 18 (IC 25-35.6-2).
- 19 (18) Indiana real estate commission (IC 25-34.1-2).
- 20 (19) Indiana board of veterinary medical examiners (IC 25-38.1).
- 21 (20) Department of natural resources for purposes of licensing
- 22 water well drillers under IC 25-39-3.
- 23 (21) Respiratory care committee (IC 25-34.5).
- 24 (22) Private investigator and security guard licensing board
- 25 (IC 25-30-1-5.2).
- 26 (23) Occupational therapy committee (IC 25-23.5).
- 27 (24) Behavioral health and human services licensing board
- 28 (IC 25-23.6).
- 29 (25) Real estate appraiser licensure and certification board
- 30 (IC 25-34.1-8).
- 31 (26) State board of registration for land surveyors
- 32 (IC 25-21.5-2-1).
- 33 (27) Physician assistant committee (IC 25-27.5).
- 34 (28) Indiana athletic trainers board (IC 25-5.1-2-1).
- 35 (29) Indiana dietitians certification board (IC 25-14.5-2-1).
- 36 (30) Indiana physical therapy committee (IC 25-27).
- 37 (31) Manufactured home installer licensing board (IC 25-23.7).
- 38 (32) Home inspectors licensing board (IC 25-20.2-3-1).
- 39 (33) State department of health, for out-of-state mobile health
- 40 care entities.
- 41 (34) State board of massage therapy (IC 25-21.8-2-1).
- 42 **(35) Court reporter board (IC 25-11.5-2-1).**

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- 1 ~~(35)~~ **(36)** Any other occupational or professional agency created
 2 after June 30, 1981.
- 3 SECTION 5. IC 25-1-8-1, AS AMENDED BY P.L.42-2011,
 4 SECTION 52, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 5 JULY 1, 2013]: Sec. 1. As used in this chapter, "board" means any of
 6 the following:
- 7 (1) Indiana board of accountancy (IC 25-2.1-2-1).
 - 8 (2) Board of registration for architects and landscape architects
 9 (IC 25-4-1-2).
 - 10 (3) Indiana auctioneer commission (IC 25-6.1-2-1).
 - 11 (4) Board of chiropractic examiners (IC 25-10-1).
 - 12 (5) State board of cosmetology and barber examiners
 13 (IC 25-8-3-1).
 - 14 (6) State board of dentistry (IC 25-14-1).
 - 15 (7) State board of funeral and cemetery service (IC 25-15).
 - 16 (8) State board of registration for professional engineers
 17 (IC 25-31-1-3).
 - 18 (9) Indiana state board of health facility administrators
 19 (IC 25-19-1).
 - 20 (10) Medical licensing board of Indiana (IC 25-22.5-2).
 - 21 (11) Mining board (IC 22-10-1.5-2).
 - 22 (12) Indiana state board of nursing (IC 25-23-1).
 - 23 (13) Indiana optometry board (IC 25-24).
 - 24 (14) Indiana board of pharmacy (IC 25-26).
 - 25 (15) Indiana plumbing commission (IC 25-28.5-1-3).
 - 26 (16) State psychology board (IC 25-33).
 - 27 (17) Speech-language pathology and audiology board
 28 (IC 25-35.6-2).
 - 29 (18) Indiana real estate commission (IC 25-34.1-2-1).
 - 30 (19) Indiana board of veterinary medical examiners
 31 (IC 25-38.1-2-1).
 - 32 (20) Department of insurance (IC 27-1).
 - 33 (21) State police department (IC 10-11-2-4), for purposes of
 34 certifying polygraph examiners under IC 25-30-2.
 - 35 (22) Department of natural resources for purposes of licensing
 36 water well drillers under IC 25-39-3.
 - 37 (23) Private investigator and security guard licensing board
 38 (IC 25-30-1-5.2).
 - 39 (24) Occupational therapy committee (IC 25-23.5-2-1).
 - 40 (25) Behavioral health and human services licensing board
 41 (IC 25-23.6-2-1).
 - 42 (26) Real estate appraiser licensure and certification board

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- 1 (IC 25-34.1-8).
 2 (27) State board of registration for land surveyors
 3 (IC 25-21.5-2-1).
 4 (28) Physician assistant committee (IC 25-27.5).
 5 (29) Indiana athletic trainers board (IC 25-5.1-2-1).
 6 (30) Board of podiatric medicine (IC 25-29-2-1).
 7 (31) Indiana dietitians certification board (IC 25-14.5-2-1).
 8 (32) Indiana physical therapy committee (IC 25-27).
 9 (33) Manufactured home installer licensing board (IC 25-23.7).
 10 (34) Home inspectors licensing board (IC 25-20.2-3-1).
 11 (35) State board of massage therapy (IC 25-21.8-2-1).
 12 **(36) Court reporter board (IC 25-11.5-2-1).**
 13 ~~(36)~~ **(37)** Any other occupational or professional agency created
 14 after June 30, 1981.
 15 SECTION 6. IC 25-1-8-6, AS AMENDED BY P.L.84-2010,
 16 SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 17 JULY 1, 2013]: Sec. 6. (a) As used in this section, "board" means any
 18 of the following:
 19 (1) Indiana board of accountancy (IC 25-2.1-2-1).
 20 (2) Board of registration for architects and landscape architects
 21 (IC 25-4-1-2).
 22 (3) Indiana athletic trainers board (IC 25-5.1-2-1).
 23 (4) Indiana auctioneer commission (IC 25-6.1-2-1).
 24 (5) Board of chiropractic examiners (IC 25-10-1).
 25 (6) State board of cosmetology and barber examiners
 26 (IC 25-8-3-1).
 27 (7) State board of dentistry (IC 25-14-1).
 28 (8) Indiana dietitians certification board (IC 25-14.5-2-1).
 29 (9) State board of registration for professional engineers
 30 (IC 25-31-1-3).
 31 (10) State board of funeral and cemetery service (IC 25-15-9).
 32 (11) Indiana state board of health facility administrators
 33 (IC 25-19-1).
 34 (12) Committee of hearing aid dealer examiners (IC 25-20-1-1.5).
 35 (13) Home inspectors licensing board (IC 25-20.2-3-1).
 36 (14) State board of registration for land surveyors
 37 (IC 25-21.5-2-1).
 38 (15) Manufactured home installer licensing board (IC 25-23.7).
 39 (16) Medical licensing board of Indiana (IC 25-22.5-2).
 40 (17) Indiana state board of nursing (IC 25-23-1).
 41 (18) Occupational therapy committee (IC 25-23.5).
 42 (19) Indiana optometry board (IC 25-24).



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- 1 (20) Indiana board of pharmacy (IC 25-26).
 2 (21) Indiana physical therapy committee (IC 25-27).
 3 (22) Physician assistant committee (IC 25-27.5).
 4 (23) Indiana plumbing commission (IC 25-28.5-1-3).
 5 (24) Board of podiatric medicine (IC 25-29-2-1).
 6 (25) Private investigator and security guard licensing board
 7 (IC 25-30-1-5.2).
 8 (26) State psychology board (IC 25-33).
 9 (27) Indiana real estate commission (IC 25-34.1-2).
 10 (28) Real estate appraiser licensure and certification board
 11 (IC 25-34.1-8).
 12 (29) Respiratory care committee (IC 25-34.5).
 13 (30) Behavioral health and human services licensing board
 14 (IC 25-23.6).
 15 (31) Speech-language pathology and audiology board
 16 (IC 25-35.6-2).
 17 (32) Indiana board of veterinary medical examiners (IC 25-38.1).
 18 (33) State board of massage therapy (IC 25-21.8-2-1).
 19 **(34) Court reporter board (IC 25-11.5-2-1).**
 20 (b) This section does not apply to a license, certificate, or
 21 registration that has been revoked or suspended.
 22 (c) Notwithstanding any other law regarding the reinstatement of a
 23 delinquent or lapsed license, certificate, or registration and except as
 24 provided in section 8 of this chapter, the holder of a license, certificate,
 25 or registration that was issued by the board that is three (3) years or less
 26 delinquent must be reinstated upon meeting the following
 27 requirements:
 28 (1) Submission of the holder's completed renewal application.
 29 (2) Payment of the current renewal fee established by the board
 30 under section 2 of this chapter.
 31 (3) Payment of a reinstatement fee established by the Indiana
 32 professional licensing agency.
 33 (4) If a law requires the holder to complete continuing education
 34 as a condition of renewal, the holder:
 35 (A) shall provide the board with a sworn statement, signed by
 36 the holder, that the holder has fulfilled the continuing
 37 education requirements required by the board; or
 38 (B) shall, if the holder has not complied with the continuing
 39 education requirements, meet any requirements imposed under
 40 IC 25-1-4-5 and IC 25-1-4-6.
 41 (d) Notwithstanding any other law regarding the reinstatement of a
 42 delinquent or lapsed license, certificate, or registration and except as

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1 provided in section 8 of this chapter, unless a statute specifically does
 2 not allow a license, certificate, or registration to be reinstated if it has
 3 lapsed for more than three (3) years, the holder of a license, certificate,
 4 or registration that was issued by the board that is more than three (3)
 5 years delinquent must be reinstated upon meeting the following
 6 requirements:

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

24 SECTION 7. IC 25-1-11-1, AS AMENDED BY P.L.42-2011,
 25 SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 26 JULY 1, 2013]: Sec. 1. As used in this chapter, "board" means any of
 27 the following:

- 28 (1) Indiana board of accountancy (IC 25-2.1-2-1).
- 29 (2) Board of registration for architects and landscape architects
 30 (IC 25-4-1-2).
- 31 (3) Indiana auctioneer commission (IC 25-6.1-2).
- 32 (4) State board of cosmetology and barber examiners
 33 (IC 25-8-3-1).
- 34 (5) State board of registration for land surveyors (IC 25-21.5-2-1).
- 35 (6) State board of funeral and cemetery service (IC 25-15-9).
- 36 (7) State board of registration for professional engineers
 37 (IC 25-31-1-3).
- 38 (8) Indiana plumbing commission (IC 25-28.5-1-3).
- 39 (9) Indiana real estate commission (IC 25-34.1-2-1).
- 40 (10) Real estate appraiser licensure and certification board
 41 (IC 25-34.1-8).
- 42 (11) Private investigator and security guard licensing board



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1 (IC 25-30-1-5.2).
 2 (12) Manufactured home installer licensing board (IC 25-23.7).
 3 (13) Home inspectors licensing board (IC 25-20.2-3-1).
 4 (14) State board of massage therapy (IC 25-21.8-2-1).
 5 **(15) Court reporter board (IC 25-11.5-2-1).**
 6 SECTION 8. IC 25-11.5 IS ADDED TO THE INDIANA CODE AS
 7 A NEW ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1,
 8 2013]:
 9 **ARTICLE 11.5. COURT REPORTERS**
 10 **Chapter 1. Definitions**
 11 **Sec. 1. The definitions in this chapter apply throughout this**
 12 **article.**
 13 **Sec. 2. "Board" refers to the court reporter board established**
 14 **by IC 25-11.5-2-1.**
 15 **Sec. 3. (a) "Court reporting" means the making of a verbatim**
 16 **record by means of:**
 17 **(1) manual shorthand;**
 18 **(2) machine shorthand;**
 19 **(3) closed microphone voice dictation silencer; or**
 20 **(4) electronic recording of any testimony given under oath;**
 21 **where a verbatim record is required. The taking of a deposition is**
 22 **the making of a verbatim record.**
 23 **(b) "Court reporting" does not include the following:**
 24 **(1) Tape recordings made by attorneys or the use of video**
 25 **equipment and recordings by attorneys representing parties**
 26 **in any court proceeding, administrative law proceeding,**
 27 **deposition, or any other proceeding.**
 28 **(2) Use of tape recorders, video equipment, and recordings**
 29 **by:**
 30 **(A) judges, court officers, and employees;**
 31 **(B) administrative agency officials; or**
 32 **(C) officials and employees of any board, commission, or**
 33 **other governmental body.**
 34 **Sec. 4. "Licensed court reporter" means an individual who is**
 35 **licensed under this article.**
 36 **Sec. 5. "Licensing agency" refers to the Indiana professional**
 37 **licensing agency.**
 38 **Chapter 2. Court Reporter Board**
 39 **Sec. 1. The court reporter board is established.**
 40 **Sec. 2. The board consists of seven (7) members appointed by**
 41 **the governor as follows:**
 42 **(1) One (1) circuit or superior court judge.**

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- 1 (2) Two (2) attorneys licensed to practice law in Indiana.
 2 (3) Two (2) freelance court reporters who practice machine
 3 shorthand.
 4 (4) One (1) court reporter employed by the state who
 5 practices any method of court reporting.
 6 (5) One (1) freelance court reporter who practices:
 7 (A) electronic court reporting;
 8 (B) closed microphone voice dictation silencer reporting;
 9 or
 10 (C) manual shorthand reporting.
- 11 **Sec. 3.** The members of the board are appointed for a term of
 12 four (4) years and shall serve until a successor is appointed. A
 13 member may not serve more than two (2) consecutive terms.
- 14 **Sec. 4.** At the first meeting of the board, and annually
 15 thereafter, the board shall elect a chairperson, a vice chairperson,
 16 and a secretary. A member may not be elected to serve more than
 17 two (2) consecutive terms in the same office.
- 18 **Sec. 5.** A quorum of the board consists of a majority of the
 19 appointed members.
- 20 **Sec. 6.** The board shall adopt and use an official seal.
- 21 **Sec. 7.** Each member of the board who is not a state employee
 22 is entitled to the minimum salary per diem provided by
 23 IC 4-10-11-2.1(b). The member is also entitled to reimbursement
 24 for traveling expenses and other expenses actually incurred in
 25 connection with the member's duties, as provided in the state
 26 policies and procedures established by the Indiana department of
 27 administration and approved by the budget agency.
- 28 **Sec. 8. (a)** The board has the following duties:
 29 (1) Determine the requirements an individual must meet for
 30 licensure as a licensed court reporter.
 31 (2) Establish and maintain requirements for the ethical
 32 behavior of court reporters, including requirements
 33 concerning:
 34 (A) conflict of interest;
 35 (B) inappropriate relationships with a party or a party's
 36 attorney; and
 37 (C) failure to honor a contract or commitment to furnish
 38 transcripts.
 39 (3) Establish procedures for the investigation of complaints
 40 against licensed court reporters.
 41 (4) Maintain a current registry of licensed court reporters.
 42 (5) Adopt continuing education requirements to be

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implemented not later than January 2, 2015.
(b) The board shall consider complaints concerning licensed court reporters.

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

Chapter 3. Licensed Court Reporters

Sec. 1. (a) After June 30, 2014, a person may not practice or attempt to practice court reporting unless the person is a licensed court reporter.

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

- (1) court proceeding;
- (2) administrative proceeding;
- (3) deposition; or
- (4) other proceeding.

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

Sec. 2. The board shall issue a license to an individual who submits proof of passage of the:

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

Sec. 3. (a) Any person who has been engaged in court reporting for at least two (2) years on July 1, 2013, may apply for licensure without meeting other licensing requirements established by the board under this article if the individual is proficient in court reporting. The individual must provide:

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

and provide an affidavit from a judge for whom the court reporter has worked as an official court reporter or affidavits from three (3)

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1 attorneys licensed in Indiana certifying that the individual is
2 proficient as a court reporter.

3 (b) Any member in good standing of the Indiana Shorthand
4 Reporters Association who is certified as a certified shorthand
5 reporter on July 1, 2013, may apply for licensure and shall be
6 licensed by the board without meeting other licensing requirements
7 established by the board under this article.

8 (c) To be licensed under this section, a court reporter must
9 apply to the board by January 1, 2014.

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

14 (b) The board shall adopt rules under IC 4-22-2 to administer
15 this chapter. The rules adopted under this section must establish
16 fees under IC 25-1-8-2.

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

19 SECTION 9. [EFFECTIVE JULY 1, 2013] (a) As used in this
20 SECTION, "board" refers to the court reporter board established
21 by IC 25-11.5-2-1, as added by this act.

22 (b) Notwithstanding IC 25-11.5-2-3, as added by this act, the
23 governor shall appoint the initial members of the board before
24 September 1, 2013, for terms expiring as follows:

25 (1) Three (3) members for a term expiring June 30, 2017.

26 (2) Two (2) members for a term expiring June 30, 2015.

27 (3) Two (2) members for a term expiring August 31, 2014.

28 (c) This SECTION expires July 1, 2017.

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