

SENATE BILL NO. 406—SENATOR HAMMOND

MARCH 20, 2017

Referred to Committee on Commerce, Labor and Energy

SUMMARY—Revises provisions relating to court reporters and court reporting firms. (BDR 54-949)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to court reporters; authorizing the issuance and renewal of a temporary certificate of registration to engage in the practice of court reporting in certain circumstances; prescribing a fee for the issuance and renewal of such a temporary certificate of registration; revising the qualifications for a certificate of registration as a court reporter; authorizing the Certified Court Reporters’ Board of Nevada to take additional actions against certain unlicensed practices; and providing other matters properly relating thereto.

Legislative Counsel’s Digest:

1 Existing law authorizes a person who meets certain requirements to practice
2 court reporting on a temporary basis, with the approval of the Certified Court
3 Reporters’ Board of Nevada, if there is an acknowledged shortage of court
4 reporters. (NRS 656.145) **Section 2** of this bill authorizes a natural person to obtain
5 a temporary certificate of registration from the Board to engage in the practice of
6 court reporting on a temporary basis if there is such an acknowledged shortage or
7 the applicant is an active member of, or the spouse of an active member of, the
8 Armed Forces of the United States and meets certain other requirements. **Section**
9 **19** of this bill sets forth the fee for the issuance and renewal of such a temporary
10 certificate of registration.

11 Existing law provides that willfully altering a transcript of stenographic notes
12 taken at any proceedings is a grounds for disciplinary action against a court reporter
13 or court reporting firm. (NRS 656.250) **Section 4** of this bill further prohibits, with
14 limited exceptions, a court reporter or a court reporting firm from altering the
15 record of a proceeding after the transcript of the proceeding has been certified.

16 **Sections 15, 20, 21, 24, 25, 29, 33 and 35** of this bill require licensed court
17 reporting firms to comply with certain existing laws which apply to certified court
18 reporters.



19 Existing law prohibits any person from putting out a sign or card or other
20 device which indicates to members of the public that the person is entitled to
21 engage in the practice of court reporting or conduct business as a court reporting
22 firm. (NRS 656.145, 656.185) **Sections 10 and 15** of this bill prohibit the use of
23 any identifying term by a natural person or business entity that may indicate to the
24 public that the natural person or business entity is entitled to: (1) practice as a court
25 reporter; or (2) conduct business as a court reporting firm.

26 Existing law requires an applicant for a certificate of registration as a court
27 reporter to pass an examination administered by the Board that includes a practical
28 demonstration portion. (NRS 656.160, 656.180) **Section 12-14** of this bill: (1)
29 eliminate the requirement for that portion of the examination and instead require
30 such an applicant to receive a passing grade on one of two enumerated national
31 examinations; (2) revise the requirements for admission to the examination
32 administered by the Board; and (3) revise the qualifications of an applicant for a
33 certificate of registration as a certified court reporter.

34 **Section 32** of this bill provides that only a certified court reporter is authorized
35 to perform the duties of an officer before whom depositions may be taken in any
36 court in this State.

37 Existing law authorizes the Attorney General of the State of Nevada, the district
38 attorney of any county in the State or any resident to maintain an action in the name
39 of the State of Nevada to enjoin any person from unlawfully engaging in the
40 practice of court reporting or unlawfully conducting business as a court reporting
41 firm without first obtaining a certificate or license or with a suspended or revoked
42 certificate or license. (NRS 656.300) **Section 29** of this bill instead authorizes the
43 Board to impose administrative fines against, issue citations to, and issue and serve
44 orders to cease and desist on natural persons who and business entities that engage
45 in such unlicensed practices or conduct.

46 Existing law provides that a person who violates any law or regulation
47 governing court reporters and court reporting firms is subject to a civil penalty of
48 not more than \$5,000 for each violation. (NRS 656.360) **Section 35** of this bill
49 removes that provision and instead authorizes the Board, after notice and hearing,
50 to impose upon a natural person or business entity who violates any law or
51 regulation governing certified court reporters and court reporting firms an
52 administrative fine of not more than \$5,000 for each violation for which the
53 administrative fine is imposed.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

1 **Section 1.** Chapter 656 of NRS is hereby amended by adding
2 thereto the provisions set forth as sections 2, 3 and 4 of this act.

3 **Sec. 2. 1.** *The Board may issue a temporary certificate of*
4 *registration to a natural person who meets the requirements set*
5 *forth in this section if:*

6 *(a) There is an acknowledged unavailability of a certified*
7 *court reporter; or*

8 *(b) The applicant is an active member of, or the spouse of an*
9 *active member of, the Armed Forces of the United States.*

10 **2.** *An applicant for a temporary certificate of registration*
11 *must file an application with the Executive Secretary of the Board*
12 *as required by NRS 656.150 and submit to the Board with his or*



1 *her application, satisfactory evidence to the Board that he or she*
2 *has:*

3 *(a) Satisfied the requirements set forth in subsections 1 to 5,*
4 *inclusive, of NRS 656.180;*

5 *(b) At least one continuous year of experience working as a*
6 *full-time court reporter;*

7 *(c) Received one of the following:*

8 *(1) A certificate as a registered professional reporter issued*
9 *to the applicant by the National Court Reporters Association;*

10 *(2) A certificate as a registered merit reporter issued to the*
11 *applicant by the National Court Reporters Association;*

12 *(3) A certificate as a certified verbatim reporter issued to*
13 *the applicant by the National Verbatim Reporters Association; or*

14 *(4) A valid certificate or license to practice court reporting*
15 *issued to the applicant by the District of Columbia or any state or*
16 *territory of the United States if the requirements for certification*
17 *or licensure in that jurisdiction are substantially equivalent to the*
18 *requirements of this State for obtaining a certificate;*

19 *(d) Paid the fee for a temporary certificate of registration set*
20 *forth in NRS 656.220; and*

21 *(e) Submitted all information required to complete an*
22 *application for a temporary certificate of registration.*

23 *3. A temporary certificate of registration issued pursuant to*
24 *this section is valid for not more than 12 months and, except as*
25 *otherwise provided in subsection 5, may be renewed on or before*
26 *January 2 of the succeeding year by:*

27 *(a) Applying to the Board for renewal;*

28 *(b) Paying the fee for the annual renewal of a temporary*
29 *certificate of registration set forth in NRS 656.220; and*

30 *(c) Submitting all information required to complete an*
31 *application for renewal of a temporary certificate of registration,*
32 *including, without limitation, proof of compliance with the*
33 *provisions of paragraph (b) of subsection 4.*

34 *4. A natural person to whom a temporary certificate of*
35 *registration is issued pursuant to this section may engage in the*
36 *practice of court reporting and must:*

37 *(a) Comply with all the provisions of this chapter and all*
38 *applicable laws, regulations and court and procedural rules*
39 *governing the practice of court reporting in this State; and*

40 *(b) Except as otherwise provided in this paragraph, pay the*
41 *applicable fees for examination and take the examinations*
42 *administered by the Board pursuant to NRS 656.160 and one of*
43 *the examinations described in paragraph (b) of subsection 2 of*
44 *NRS 656.170 until he or she satisfactorily passes the*
45 *examinations. In accordance with subsection 5, the holder of a*



1 *temporary certificate of registration is not entitled to a temporary*
2 *certificate of registration if the holder does not pass those*
3 *examinations within a period of 36 months after the issuance of*
4 *the original temporary certificate of registration.*

5 *5. A temporary certificate of registration must not be renewed*
6 *more than twice.*

7 **Sec. 3. 1.** *The Board may maintain in any court of*
8 *competent jurisdiction an action for an injunction against any*
9 *natural person or business entity who violates any provision of this*
10 *chapter.*

11 *2. Such an injunction:*

12 *(a) May be issued without proof of actual damage sustained by*
13 *any natural person or business entity.*

14 *(b) Does not relieve such natural person or business entity*
15 *from any criminal prosecution for the same violation.*

16 **Sec. 4. 1.** *Except as otherwise provided in subsection 2, a*
17 *certified court reporter or licensee shall not alter the record of a*
18 *proceeding after the transcript of the proceeding has been certified*
19 *unless:*

20 *(a) Each party to the proceeding stipulates to the alteration; or*

21 *(b) The judge or arbiter presiding over the proceeding orders*
22 *the alteration.*

23 *2. A licensee may, upon receiving a transcript from a certified*
24 *court reporter for the purposes of reproducing and distributing the*
25 *transcript, make typographical, clerical or other similar*
26 *nonsubstantive alterations to the transcript if the licensee notifies*
27 *the certified court reporter who certified the transcript of the*
28 *proposed alterations and receives the approval of the certified*
29 *court reporter for each alteration.*

30 **Sec. 5.** NRS 656.010 is hereby amended to read as follows:

31 656.010 This chapter is known and may be cited as the Nevada
32 Certified Court Reporters' *and Licensed Court Reporting Firms'*
33 Law.

34 **Sec. 6.** NRS 656.030 is hereby amended to read as follows:

35 656.030 As used in this chapter, unless the context otherwise
36 requires:

37 1. "Board" means the Certified Court Reporters' Board of
38 Nevada.

39 2. *"Business entity" means any form of business*
40 *organization, including, without limitation, a corporation,*
41 *partnership, sole proprietorship, limited-liability company or*
42 *limited-liability partnership. The term does not include a natural*
43 *person or governmental entity.*

44 3. "Certificate" means a certified court reporter's certificate
45 issued under the provisions of this chapter.



- 1 ~~13-~~ 4. “Certified court reporter” ~~for “court reporter”~~ means a
2 *natural* person who is technically qualified and registered under this
3 chapter to practice court reporting.
- 4 ~~14-~~ 5. “Court reporting firm” means a ~~person who,~~ *business*
5 *entity that*, for compensation, provides or arranges for the services
6 of a *certified* court reporter or provides referral services for *certified*
7 court reporters in this State.
- 8 ~~15-~~ 6. “Designated representative of a court reporting firm”
9 means the *natural* person designated to act as the representative of a
10 court reporting firm pursuant to NRS 656.186.
- 11 ~~16-~~ 7. “Distance education program” means a program that
12 offers instruction which is delivered by the Internet in such a
13 manner that the *natural* person supervising or providing the
14 instruction and the *natural* person receiving the instruction are
15 separated geographically for a majority of the time during which the
16 instruction is delivered.
- 17 ~~17-~~ 8. “License” means a license issued under the provisions
18 of this chapter to conduct business as a court reporting firm.
- 19 ~~18-~~ 9. “Licensee” means a ~~person~~ *business entity* to ~~whom~~
20 *which* a license has been issued.
- 21 ~~19-~~ 10. “Practice of court reporting” means reporting, in this
22 State, by the use of voice writing or any system of manual or
23 mechanical shorthand writing:
- 24 (a) Grand jury proceedings;
- 25 (b) Court proceedings, with the exception of proceedings before
26 a federal court;
- 27 (c) Pretrial examinations, depositions, motions and related
28 proceedings of like character; or
- 29 (d) Proceedings of any agency if the final decision of the agency
30 with reference thereto is subject to judicial review.
- 31 ~~10-~~ 11. “Stenographic notes” means:
- 32 (a) The original manually or mechanically produced notes in
33 shorthand or shorthand writing taken by a *certified* court reporter
34 while in attendance at a proceeding to report the proceeding; or
- 35 (b) The record produced by the use of voice writing by a
36 *certified* court reporter while in attendance at a proceeding.
- 37 ~~11-~~ 12 “*Temporary certificate of registration*” means a
38 *certificate issued to a natural person under the provisions of*
39 *section 2 this act.*
- 40 13. “Voice writing” means the making of a verbatim record of
41 a proceeding by repeating the words of the speaker into a device that
42 is capable of:
- 43 (a) Digitally translating the words into text; or
- 44 (b) Making a tape or digital recording of those words.



1 ↳ The term includes, without limitation, stenomasking, verbatim
2 reporting and other similar titles.

3 **Sec. 7.** NRS 656.050 is hereby amended to read as follows:

4 656.050 The members of the Board must be appointed by the
5 Governor as follows:

6 1. One member of the Board must be an active member of the
7 State Bar of Nevada.

8 2. Three members of the Board must be holders of certificates
9 and must have been actively engaged as *certified* court reporters
10 within this State for at least 5 years immediately preceding their
11 appointment.

12 3. One member of the Board must be a representative of the
13 general public. This member must not be:

14 (a) A *certified* court reporter; or

15 (b) The spouse or the parent or child, by blood, marriage or
16 adoption, of a *certified* court reporter.

17 **Sec. 8.** NRS 656.105 is hereby amended to read as follows:

18 656.105 1. Except as otherwise provided in this section and
19 NRS 239.0115, a complaint filed with the Board, all documents
20 and other information filed with the complaint and all documents
21 and other information compiled as a result of an investigation
22 conducted to determine whether to initiate disciplinary action
23 against a *natural person or business entity* are confidential, unless
24 the *natural person or business entity* submits a written statement to
25 the Board requesting that such documents and information be made
26 public records.

27 2. The charging documents filed with the Board to initiate
28 disciplinary action pursuant to chapter 622A of NRS and all
29 documents and information considered by the Board when
30 determining whether to impose discipline are public records.

31 3. An order that imposes discipline and the findings of fact and
32 conclusions of law supporting that order are public records.

33 4. The provisions of this section do not prohibit the Board from
34 communicating or cooperating with or providing any documents or
35 other information to any other licensing board or any other agency
36 that is investigating a *natural person*  *or business entity*,
37 including, without limitation, a law enforcement agency.

38 **Sec. 9.** NRS 656.140 is hereby amended to read as follows:

39 656.140 The Board may aid in all matters pertaining to the
40 advancement of the practice of court reporting, including but not
41 limited to all matters that may advance the professional interests of
42 certified court reporters *and licensees* and such matters as concern
43 their relations with the public.



1 **Sec. 10.** NRS 656.145 is hereby amended to read as follows:

2 656.145 ~~{1. Except as otherwise provided in subsection 2, it~~

3 *It* is unlawful for any *natural* person to practice court reporting or *to*
4 advertise or ~~{put out any sign or card or other device which might}~~
5 *use any identifying term that may* indicate to the public that the
6 *natural* person is entitled to practice as a court reporter ~~{without}~~
7 *unless the natural person holds* a certificate of registration ,
8 *including a temporary certificate of registration,* as a certified
9 court reporter issued by the Board.

10 ~~{2. Any person may, with the approval of the Board, practice~~
11 ~~court reporting on a temporary basis when there is an acknowledged~~
12 ~~unavailability of a certified court reporter. A person requesting the~~
13 ~~approval of the Board to practice court reporting on a temporary~~
14 ~~basis shall submit to the Board:~~

15 ~~—(a) Documentation or other proof that the person has at least one~~
16 ~~continuous year of experience working full-time in the practice of~~
17 ~~court reporting; and~~

18 ~~—(b) A copy of:~~

19 ~~—(1) The certification as a registered professional reporter~~
20 ~~issued to the person by the National Court Reporters Association;~~

21 ~~—(2) The certification as a registered merit reporter issued to~~
22 ~~the person by the National Court Reporters Association; or~~

23 ~~—(3) A valid certificate or license to practice court reporting~~
24 ~~issued to the person by another state.}~~

25 **Sec. 11.** NRS 656.150 is hereby amended to read as follows:

26 656.150 1. ~~{Each}~~ *Except as otherwise provided in section 2*
27 *of this act, each* applicant for a certificate must file an application
28 with the Executive Secretary of the Board at least 30 days before the
29 date fixed for examination. The application must be accompanied by
30 the required fee and all information required to complete the
31 application.

32 2. ~~{No}~~ *Except as otherwise provided in section 2 of this act,*
33 *no* certificate may be issued until the applicant has ~~{passed}~~ :

34 (a) *Passed* the examination prescribed by the Board ~~{and paid}~~ ;

35 (b) *Passed one of the examinations described in paragraph (b)*
36 *of subsection 2 of NRS 656.170; and*

37 (c) *Paid* the fee as provided in NRS 656.220.

38 **Sec. 12.** NRS 656.160 is hereby amended to read as follows:

39 656.160 1. ~~{Every}~~ *Except as otherwise provided in section*
40 *2 of this act, every natural* person who files an application for an
41 original certificate must personally appear before the Board for an
42 examination and the answering of such questions as may be
43 prepared by the Board to enable it to determine the trustworthiness
44 of the applicant and his or her competency to engage in the practice



1 of court reporting in such a manner as to safeguard the interests of
2 the public.

3 2. In determining competency, the Board shall administer an
4 examination to determine whether the applicant has:

5 (a) A good understanding of the English language, including
6 reading, spelling, vocabulary, and medical and legal terminology;
7 *and*

8 (b) ~~Sufficient ability to report accurately any of the matters~~
9 ~~comprising the practice of court reporting consisting of material~~
10 ~~read at not less than 180 words per minute or more than 225 words~~
11 ~~per minute; and~~

12 ~~(c)~~ A clear understanding of the obligations owed by a court
13 reporter to the parties in any reported proceedings and the
14 obligations created by the provisions of this chapter and any
15 regulation adopted pursuant to this chapter.

16 **Sec. 13.** NRS 656.170 is hereby amended to read as follows:

17 656.170 1. Examinations must be held not less than twice a
18 year at such times and places as the Board may designate.

19 2. No *natural* person may be admitted to the examination
20 unless the *natural* person first ~~presents~~ *applies to the Board as*
21 *required by NRS 656.150. The application must include, without*
22 *limitation, satisfactory evidence to the Board that ~~he or she has:~~*

23 ~~(a) Received~~ *the applicant has, at the time of filing his or her*
24 *application, a valid temporary certificate of registration or has:*

25 (a) *Satisfied the requirements set forth in subsections 1 to 5,*
26 *inclusive, of NRS 656.180;*

27 (b) *Received* a passing grade on ~~the~~ *:*

28 (1) *The* National Court Reporters Association's examination
29 for registered professional reporters ~~, if the Board has approved the~~
30 ~~examination;~~

31 ~~(b) Received a passing grade on the~~ *; or*

32 (2) *The* National Verbatim Reporters Association's
33 examination for certified verbatim reporters ~~, if the Board has~~
34 ~~approved the examination;~~

35 ~~(c) Completed course work at a school for court reporters or~~
36 ~~completed course work offered through a distance education~~
37 ~~program for court reporters in English grammar, reading, spelling~~
38 ~~and vocabulary, medical and legal terminology, transcription and~~
39 ~~computer aided transcription, reporting procedures and court~~
40 ~~reporting at 200 words per minute with an accuracy of 95 percent;~~

41 ~~(d) A~~ *;*

42 (c) *Received one of the following:*

43 (1) *A* certificate as a registered professional reporter ~~,~~
44 ~~registered merit reporter, certified CART provider, certified~~
45 ~~broadcast captioner or certified realtime reporter from~~ *issued to the*



1 *applicant by the National Court Reporters Association* ~~if the~~
2 ~~Board has approved each such certificate;~~

3 ~~—(e) ;~~

4 *(2) A certificate as a registered merit reporter issued to the*
5 *applicant by the National Court Reporters Association;*

6 *(3) A certificate as a certified verbatim reporter* ~~realtime~~
7 ~~verbatim reporter, registered CART provider or registered broadcast~~
8 ~~captioner or a certificate of merit from~~ *issued to the applicant by*
9 *the National Verbatim Reporters Association* ~~if the Board has~~
10 ~~approved each such certificate;~~

11 ~~—(f) ; or~~

12 *(4) A valid certificate or license to practice court reporting*
13 *issued to the applicant by another state* ~~or~~ *if the requirements*
14 *for certification or licensure in that state are substantially*
15 *equivalent to the requirements of this State for obtaining a*
16 *certificate;*

17 ~~[(g) One]~~

18 *(d) Either:*

19 *(1) At least one* year of continuous experience ~~as a full time~~
20 ~~court reporter using voice writing or any system of manual or~~
21 ~~mechanical shorthand writing.]~~ *within the 5 years immediately*
22 *preceding the application, in the practice of court reporting or*
23 *producing verbatim records of meetings and conferences by the*
24 *use of voice writing or any system of manual or mechanical*
25 *shorthand writing and transcribing those records; or*

26 *(2) Obtained in the 12 months immediately preceding the*
27 *application, a certificate of satisfactory completion of a prescribed*
28 *course of study from a court reporting program that, as*
29 *determined by the Board, evidences a proficiency substantially*
30 *equivalent to subparagraph (1); and*

31 *(e) Paid the fee for filing an application for an examination set*
32 *forth in NRS 656.220.*

33 *3. As used in this section, “practice of court reporting”*
34 *includes reporting by use of voice writing or any system of manual*
35 *or mechanical shorthand writing, regardless of the state in which*
36 *the reporting took place.*

37 **Sec. 14.** NRS 656.180 is hereby amended to read as follows:
38 656.180 ~~Am~~ *Except as otherwise provided in section 2 of this*

39 *act, an applicant for a certificate of registration as a certified court*
40 *reporter is entitled to a certificate if the applicant:*

- 41 1. Is a citizen of the United States or lawfully entitled to
42 remain and work in the United States;
43 2. Is at least 18 years of age;
44 3. Is of good moral character;



* S B 4 0 6 *

1 4. *Has not been convicted of a felony relating to the practice*
2 *of court reporting;*

3 5. Has a high school education or its equivalent;

4 ~~5.~~ 6. Satisfactorily passes ~~an~~ :

5 (a) An examination administered by the Board pursuant to
6 NRS 656.160;

7 ~~6.~~ and

8 (b) *One of the examinations described in paragraph (b) of*
9 *subsection 2 of NRS 656.170;*

10 7. Pays the requisite fees; and

11 ~~7.~~ 8. Submits all information required to complete an
12 application for a certificate of registration.

13 **Sec. 15.** NRS 656.185 is hereby amended to read as follows:

14 656.185 1. It is unlawful for any ~~person~~ *business entity* to
15 conduct business as a court reporting firm or to advertise or ~~put out~~
16 ~~any sign or card or other device which~~ *use any identifying term*
17 *that* may indicate to members of the public that ~~he or she~~ *the*
18 *business entity* is entitled to conduct such a business without first
19 obtaining a license from the Board.

20 2. Each applicant for a license as a court reporting firm must
21 file an application with the Executive Secretary of the Board on a
22 form prescribed by the Board.

23 3. The application must:

24 (a) Include the federal identification number of the applicant;

25 (b) Include the name of the *natural* person who will be
26 appointed as the designated representative of the court reporting
27 firm and such other identifying information about that *natural*
28 person as required by the Board;

29 (c) Be accompanied by the required fee; and

30 (d) Include all information required to complete the application.

31 4. To obtain a license pursuant to this section, an applicant
32 need not hold a certificate of registration as a certified court
33 reporter.

34 **Sec. 16.** NRS 656.186 is hereby amended to read as follows:

35 656.186 1. Each court reporting firm shall appoint one
36 *natural* person affiliated with the court reporting firm to act as the
37 designated representative for the firm. The *natural* person so
38 appointed must:

39 (a) Hold a certificate; or

40 (b) Pass an examination administered by the Board pursuant to
41 subsection 2.

42 2. The Board shall administer an examination to determine
43 whether a designated representative of a court reporting firm
44 understands:



1 (a) The ethics and professionalism required for the practice of
2 court reporting; and

3 (b) The obligations owed by a *certified* court reporter to the
4 parties in any reported proceedings and the obligations created by
5 the provisions of this chapter and any regulation adopted thereto.

6 3. The Board may adopt regulations to carry out the provisions
7 of this section and to establish additional subject areas to be
8 included in the examination administered by the Board pursuant to
9 this section.

10 **Sec. 17.** NRS 656.200 is hereby amended to read as follows:
11 656.200 *Except as otherwise provided in section 2 of this act:*

12 1. To renew a certificate of registration a *certified* court
13 reporter must:

14 (a) Apply to the Board for renewal;

15 (b) Pay the annual renewal fee prescribed by the Board;

16 (c) Submit evidence to the Board of completion of the
17 requirements for continuing education established by the Board; and

18 (d) Submit all information required to complete the renewal.

19 2. The Board shall adopt regulations requiring *certified* court
20 reporters to participate in continuing education or training as a
21 prerequisite to the renewal or restoration of a certificate. If a
22 *certified* court reporter fails to comply with the requirements, the
23 Board may suspend or revoke his or her certificate.

24 3. The failure of any *certified* court reporter to submit all
25 information required to complete the renewal or pay in advance the
26 annual renewal fee which may be fixed by the Board as necessary to
27 defray the expense of administering the provisions of this chapter
28 results in the suspension of the reporter's right to engage in the
29 practice of court reporting. The suspension must not be terminated
30 until all required information has been submitted and all delinquent
31 fees have been paid.

32 4. A *certified* court reporter whose certificate of registration
33 has been suspended because of failure to submit all required
34 information or pay the renewal fee:

35 (a) May within 2 years thereafter have the certificate reinstated
36 without examination upon submission of all required information
37 and payment of the fees set forth in paragraph (e) of subsection 1 of
38 NRS 656.220.

39 (b) While he or she was on active military duty or in training
40 before induction, may have the certificate renewed without payment
41 of any fee if he or she files an application for renewal, an
42 affidavit of such service with the Board within 2 years after the
43 termination of the service and all information required to complete
44 the renewal.



1 **Sec. 18.** NRS 656.205 is hereby amended to read as follows:
2 656.205 1. The Board may:

3 (a) Develop and conduct programs of continuing education
4 relating to the practice of court reporting.

5 (b) Charge and collect a reasonable fee from persons who attend
6 such a program.

7 2. The Board shall not refuse to renew or restore the
8 ~~certificate~~ :

9 (a) *Certificate* of a *certified* court reporter who does not attend
10 such a program but who otherwise complies with the requirements
11 for continuing education prescribed by the Board ~~†~~ ; or

12 (b) *License of a licensee whose designated representative does*
13 *not attend such a program but who otherwise complies with the*
14 *requirements for continuing education prescribed by the Board.*

15 **Sec. 19.** NRS 656.220 is hereby amended to read as follows:

16 656.220 1. The fees required by this chapter are fixed by the
17 following schedule:

18 (a) The fee for filing an application for an examination must be
19 fixed by the Board annually at not more than \$250 and not less than
20 \$90.

21 (b) The fee for the original issuance of a certificate must be
22 fixed by the Board annually at not more than \$250 and not less than
23 \$150.

24 (c) For a certificate issued after July 1, 1973, the fee is an
25 amount equal to the renewal fee in effect on the last regular renewal
26 date before the date on which the certificate is issued, except that if
27 the certificate will expire less than 1 year after its issuance, then the
28 fee is 50 percent of the renewal fee in effect on the last regular
29 renewal date before the date on which the certificate is issued. The
30 Board may by regulation provide for the waiver or refund of the
31 initial certificate fee if the certificate is issued less than 45 days
32 before the date on which it will expire.

33 (d) The annual renewal fee for a certificate must be fixed by the
34 Board annually at not more than \$250 and not less than \$150. Every
35 holder of a certificate desiring renewal must pay the annual renewal
36 fee to the Board on or before May 15 of each year.

37 (e) For the renewal of a certificate which was suspended for
38 failure to renew, the fee is an amount equal to all unpaid renewal
39 fees accrued plus a reinstatement fee that must be fixed by the
40 Board annually at not more than \$125 and not less than \$75.

41 (f) *The fee for the original issuance of a temporary certificate*
42 *of registration is \$100.*

43 (g) *The fee for the annual renewal of a temporary certificate*
44 *of registration is \$100.*



1 (h) The fee for the original issuance of a license as a court
2 reporting firm is \$250.

3 ~~(e)~~ (i) The fee for the annual renewal of a license as a court
4 reporting firm is \$175.

5 ~~(h)~~ (j) The fee for the reinstatement of a license as a court
6 reporting firm is \$175.

7 2. In addition to the fees set forth in subsection 1, the Board
8 may charge and collect a fee for the expedited processing of a
9 request or for any other incidental service it provides. The fee must
10 not exceed the cost incurred by the Board to provide the service.

11 **Sec. 20.** NRS 656.240 is hereby amended to read as follows:

12 656.240 The Board may refuse to issue or to renew or may
13 suspend or revoke any certificate or license for any one or a
14 combination of the following causes:

15 1. If the applicant ~~for~~, *certified* court reporter *or licensee* has
16 by false representation obtained or sought to obtain a certificate or
17 license for himself, ~~for~~ herself *or itself* or any other *natural* person
18 ~~+~~ *or business entity*.

19 2. If the applicant ~~for~~, *certified* court reporter *or designated*
20 *representative of a court reporting firm* has been found in contempt
21 of court, arising out of ~~this or her~~ *the* conduct *of the applicant,*
22 *court reporter or designated representative* in performing or
23 attempting to perform any act as a *certified* court reporter.

24 3. If the applicant ~~for~~, *certified* court reporter *or designated*
25 *representative of a court reporting firm* has been convicted of a
26 crime related to the qualifications, functions and responsibilities of a
27 certified ~~for licensed~~ court reporter ~~+~~ *or licensee*.

28 4. If the applicant ~~for~~, *certified* court reporter *or designated*
29 *representative of a court reporting firm* has been convicted of any
30 offense involving moral turpitude.

31 ➤ The judgment of conviction or a certified copy of the judgment is
32 conclusive evidence of conviction of an offense.

33 **Sec. 21.** NRS 656.250 is hereby amended to read as follows:

34 656.250 The Board may refuse to issue or renew or may
35 suspend or revoke any certificate or license if the *certified* court
36 reporter, including a *designative representative of a court reporting*
37 *firm if he or she holds a certificate*, in performing or attempting to
38 perform or pretending to perform any act as a *certified* court
39 reporter has:

40 1. Willfully failed to take full and accurate stenographic notes
41 of any proceedings;

42 2. Willfully altered any stenographic notes taken at any
43 proceedings;

44 3. Willfully failed accurately to transcribe verbatim any
45 stenographic notes taken at any proceedings;



- 1 4. Willfully altered a transcript of stenographic notes taken at
2 any proceedings;
- 3 5. Affixed his or her signature to any transcript of his or her
4 stenographic notes or certified to the correctness of such a transcript
5 unless the transcript was prepared by the *certified* court reporter or
6 was prepared under the *certified* court reporter's immediate
7 supervision;
- 8 6. Demonstrated unworthiness or incompetency to act as a
9 *certified* court reporter in such a manner as to safeguard the interests
10 of the public;
- 11 7. Professionally associated with or loaned his or her name to
12 another for the illegal practice by another of court reporting, or
13 professionally associated with any natural person ~~+, firm,~~
14 ~~copartnership or corporation~~ or *business entity* holding itself out in
15 any manner contrary to the provisions of this chapter;
- 16 8. Habitually been intemperate in the use of intoxicating liquor
17 or controlled substances;
- 18 9. Except as otherwise provided in subsection 10, willfully
19 violated any of the provisions of this chapter or the regulations
20 adopted by the Board to enforce this chapter;
- 21 10. Violated any regulation adopted by the Board relating to:
 - 22 (a) Unprofessional conduct;
 - 23 (b) Agreements for the provision of ongoing services as a
24 *certified* court reporter or ongoing services which relate to the
25 practice of court reporting;
 - 26 (c) The avoidance of a conflict of interest; or
 - 27 (d) The performance of the practice of court reporting in a
28 uniform, fair and impartial manner and avoiding the appearance of
29 impropriety;
- 30 11. Failed within a reasonable time to provide information
31 requested by the Board as the result of a formal or informal
32 complaint to the Board, which would indicate a violation of this
33 chapter; or
- 34 12. Failed without excuse to transcribe stenographic notes of a
35 proceeding and file or deliver to an ordering party a transcript of the
36 stenographic notes:
 - 37 (a) Within the time required by law or agreed to by verbal or
38 written contract;
 - 39 (b) Within a reasonable time required for filing the transcript; or
 - 40 (c) Within a reasonable time required for delivery of the
41 transcript.
- 42 **Sec. 22.** NRS 656.253 is hereby amended to read as follows:
43 656.253 The Board may refuse to issue or renew or may
44 suspend or revoke a certificate or license if, after notice and a
45 hearing as required by law, the Board determines that the *certified*



1 *court reporter or* licensee ~~for certificate holder~~ has committed any
2 of the acts set forth in NRS 656.240 or 656.250.

3 **Sec. 23.** NRS 656.255 is hereby amended to read as follows:

4 656.255 1. If the Board receives a copy of a court order
5 issued pursuant to NRS 425.540 that provides for the suspension of
6 all professional, occupational and recreational licenses, certificates
7 and permits issued to a *natural* person who is the holder of a license
8 or certificate issued pursuant to this chapter, the Board shall deem
9 the license or certificate issued to that *natural* person to be
10 suspended at the end of the 30th day after the date on which the
11 court order was issued unless the Board receives a letter issued to
12 the holder of the license or certificate by the district attorney or
13 other public agency pursuant to NRS 425.550 stating that the holder
14 of the license or certificate has complied with the subpoena or
15 warrant or has satisfied the arrearage pursuant to NRS 425.560.

16 2. The Board shall reinstate a license or certificate issued
17 pursuant to this chapter that has been suspended by a district court
18 pursuant to NRS 425.540 if the Board receives a letter issued by the
19 district attorney or other public agency pursuant to NRS 425.550 to
20 the *natural* person whose license or certificate was suspended
21 stating that the *natural* person whose license or certificate was
22 suspended has complied with the subpoena or warrant or has
23 satisfied the arrearage pursuant to NRS 425.560.

24 **Sec. 24.** NRS 656.257 is hereby amended to read as follows:

25 656.257 ~~++~~ In addition to or in lieu of suspending, revoking
26 or refusing to issue or renew the certificate of a *certified* court
27 reporter or the license of a court reporting firm pursuant to NRS
28 656.240, 656.250 or 656.253, the Board may, by a majority vote:

29 ~~(a)~~ 1. Place the *certified* court reporter or ~~court reporting~~
30 ~~firm~~ licensee on probation for a period not to exceed 1 year; or

31 ~~(b)~~ 2. Impose an administrative fine against the *certified*
32 court reporter or ~~court reporting firm in an amount not to exceed~~
33 ~~\$5,000 for each violation for which the administrative fine is~~
34 ~~imposed.~~

35 ~~—2. Any penalty imposed pursuant to this section must be~~
36 ~~imposed by the Board at a hearing conducted pursuant to chapter~~
37 ~~622A of NRS.~~ *licensee as provided in NRS 656.360.*

38 **Sec. 25.** NRS 656.260 is hereby amended to read as follows:

39 656.260 1. A ~~holder of a license or certificate~~ licensee or
40 *certified court reporter* shall notify the Chair or Executive Secretary
41 of the Board in writing within 30 days after ~~changing his or her~~ a
42 *change in* name or address.

43 2. ~~[Any change of ownership]~~ *A licensee shall report any*
44 *change of:*



1 (a) *Ownership* or corporate officers of a court reporting firm ~~for~~
2 ~~of the~~; and

3 (b) *The* designated representative of the court reporting firm
4 must be reported to the Chair or Executive Secretary within 30 days
5 after the change.

6 3. The Board may suspend or revoke a license or certificate if
7 the ~~holder thereof~~ *licensee or certified court reporter* fails so to
8 notify the Board.

9 **Sec. 26.** NRS 656.270 is hereby amended to read as follows:

10 656.270 The entry of a decree by a court of competent
11 jurisdiction establishing the mental illness of any *natural* person
12 ~~holding a license or certificate~~ *who is a certified court reporter or*
13 *a designated representative of a court reporting firm licensed*
14 under this chapter operates as a suspension of the ~~license or~~
15 certificate ~~or~~ *license*. Such a *natural* person may resume his or
16 her business or practice only upon a finding by the Board that the
17 ~~holder of the license or certificate~~ *natural person* has been
18 determined to be recovered from mental illness by a court of
19 competent jurisdiction and upon the Board's recommendation that
20 the ~~holder~~ *certified court reporter or licensee* be permitted to
21 resume his or her business or practice.

22 **Sec. 27.** NRS 656.280 is hereby amended to read as follows:

23 656.280 1. The Board may upon its own motion and shall
24 upon the verified complaint in writing of any *natural* person *or*
25 *business entity* setting forth facts which if proven would constitute
26 grounds for refusal, suspension or revocation of a certificate or
27 license or other disciplinary action as set forth in NRS 656.240 to
28 656.300, inclusive, investigate the actions of a current or former
29 ~~certificate holder~~ *certified court reporter* or licensee, including a
30 ~~firm or any other~~ *natural* person *or business entity that*
31 applies for, or holds or represents that he or she or the ~~firm~~
32 *business entity* holds a license or certificate.

33 2. The Board shall, before refusing to issue any license or
34 certificate, notify the applicant in writing of the reasons for the
35 refusal. The notice must be served by delivery personally to the
36 applicant or by mailing by registered or certified mail to the last
37 known place of business of the applicant.

38 3. The time set in the notice must not be less than 10 nor more
39 than 30 days after delivery or mailing.

40 4. The Board may continue the hearing from time to time.

41 **Sec. 28.** NRS 656.290 is hereby amended to read as follows:

42 656.290 1. The Board may subpoena and bring before it any
43 *natural* person *or business entity* in this State and take testimony
44 orally or by deposition, or both, with the same fees and mileage and



1 in the same manner as prescribed in civil cases in courts of this
2 State.

3 2. Any district court, upon the application of the accused or
4 complainant or of the Board may, by order, require the attendance of
5 witnesses and the production of relevant books and papers before
6 the Board in any hearing relative to the application for or refusal,
7 recall, suspension or revocation of a license or certificate, and the
8 court may compel obedience to its order by proceedings for
9 contempt.

10 3. At any time after the suspension of any license or certificate,
11 the Board may restore it to the accused without examination upon
12 unanimous vote by the Board.

13 4. In a manner consistent with the provisions of chapter 622A
14 of NRS, after the revocation of any license or certificate, the Board
15 may reinstate the license or certificate without examination upon
16 unanimous vote by the Board.

17 **Sec. 29.** NRS 656.300 is hereby amended to read as follows:

18 656.300 1. ~~¶The practice of court reporting by any~~ *A natural*
19 *person who has not been issued a certificate, including a temporary*
20 *certificate of registration, or whose certificate has been suspended*
21 *or revoked ~~¶, or conducting a~~ shall not engage in the practice of*
22 *court reporting.*

23 2. *A business entity that has not been issued a license or*
24 *whose license has been suspended or revoked shall not conduct*
25 *business as a court reporting firm. ~~¶without first obtaining a license~~*
26 *~~therefor or with a suspended or revoked license, is hereby declared~~*
27 *~~to be inimical to public health and welfare and to constitute a public~~*
28 *~~nuisance. The Attorney General of the State of Nevada, the district~~*
29 *~~attorney of any county in the State or any resident may maintain an~~*
30 *~~action in the name of the State of Nevada perpetually to enjoin any~~*
31 *~~person from so unlawfully practicing court reporting, or unlawfully~~*
32 *~~conducting business as a court reporting firm, and from doing,~~*
33 *~~committing or continuing such an unlawful act.~~*

34 ~~—2. In all proceedings under this section, the court may~~
35 ~~apportion the costs among the parties interested in the suit, including~~
36 ~~the costs of filing the complaint, service of process, witness fees and~~
37 ~~expenses, charges for a court reporter and reasonable attorney's~~
38 ~~fees.~~

39 ~~—3. The proceeding authorized by this section is in addition to~~
40 ~~and not in lieu of criminal prosecutions or proceedings to revoke or~~
41 ~~suspend licenses or certificates as authorized by this chapter.~~

42 3. *In addition to any other penalty prescribed by law, if the*
43 *Board determines that a natural person or business entity has*
44 *committed any act described in this section or NRS 656.145 or*
45 *645.185, the Board may:*



1 (a) *Issue and serve on the natural person or business entity an*
2 *order to cease and desist until the natural person or business*
3 *entity obtains from the Board the proper certificate or license or*
4 *otherwise demonstrates that the natural person or business entity*
5 *is no longer in violation of this section. An order to cease and*
6 *desist must include a telephone number with which to contact the*
7 *Board.*

8 (b) *Issue a citation to a natural person or business entity. A*
9 *citation issued pursuant to this paragraph must be in writing,*
10 *describe with particularity the nature of the violation and inform*
11 *the natural person or business entity of the provisions of this*
12 *paragraph. Each activity in which the natural person or business*
13 *entity is engaged constitutes a separate offense for which a*
14 *separate citation may be issued. To appeal a citation, the natural*
15 *person or business entity must submit a written request for a*
16 *hearing to the Board not later than 30 days after the date of*
17 *issuance of the citation.*

18 (c) *Assess against the natural person or business entity an*
19 *administrative fine as provided in NRS 656.360.*

20 (d) *Impose any combination of the penalties set forth in*
21 *paragraphs (a), (b) and (c).*

22 **Sec. 30.** NRS 656.310 is hereby amended to read as follows:

23 656.310 1. Except as otherwise provided in subsection 2,
24 each *natural* person to whom a valid existing certificate of
25 registration as a certified court reporter has been issued under this
26 chapter:

27 (a) Must be designated as a certified court reporter;

28 (b) May, in connection with his or her practice of court
29 reporting, use the abbreviation "C.C.R."; and

30 (c) Shall not, in connection with his or her practice of court
31 reporting, use the abbreviation "C.C.R.-V."

32 2. Each *natural* person to whom a valid existing certificate of
33 registration as a certified court reporter has been issued under this
34 chapter and who has only passed the portion of the examination
35 required pursuant to paragraph (b) of subsection 2 of NRS ~~656.160~~
36 **656.170** through the use of voice writing:

37 (a) Must be designated as a certified court reporter-voice writer;

38 (b) May, in connection with his or her practice of court
39 reporting, use the abbreviation "C.C.R.-V.";

40 (c) Shall not, in connection with his or her practice of court
41 reporting, use the abbreviation "C.C.R."; and

42 (d) Shall engage in the practice of court reporting only through
43 the use of voice writing.

44 3. No *natural* person other than the holder of a valid
45 existing certificate of registration under this chapter may use the



1 title or designation of “certified court reporter,” “certified court
2 reporter-voice writer,” “C.C.R.” or “C.C.R.-V.,” either directly or
3 indirectly, in connection with his or her profession or business.

4 4. Every ~~{holder of a certificate}~~ *certified court reporter* shall
5 place the number of the certificate:

6 (a) On the cover page and certificate page of all transcripts of
7 proceedings; and

8 (b) On all business cards.

9 **Sec. 31.** NRS 656.315 is hereby amended to read as follows:

10 656.315 A *certified* court reporter may administer oaths and
11 affirmations without being appointed as a notary public pursuant to
12 chapter 240 of NRS.

13 **Sec. 32.** NRS 656.320 is hereby amended to read as follows:

14 656.320 ~~{No}~~ *Only a natural* person ~~{may}~~ *who is a certified*
15 *court reporter:*

16 1. *May* be appointed to the position of official reporter of any
17 court in this state ~~{except a court reporter who holds a current and~~
18 ~~valid certificate under the provisions of this chapter.}~~ ; and

19 2. *May, notwithstanding any other provision of law or court*
20 *rule to the contrary, perform the duties of an officer before whom*
21 *depositions may be taken in any court in this State.*

22 **Sec. 33.** NRS 656.330 is hereby amended to read as follows:

23 656.330 No action or suit may be instituted, nor recovery
24 therein be had, in any court of this state by any *natural* person *or*
25 *business entity* for compensation for any act done or service
26 rendered, the doing or rendering of which is prohibited under the
27 provisions of this chapter.

28 **Sec. 34.** NRS 656.335 is hereby amended to read as follows:

29 656.335 A *certified* court reporter shall retain his or her notes,
30 whether or not transcribed, for 8 years if they concern any matter
31 subject to judicial review. These notes must be kept in a manner
32 which is reasonably secure against theft, tampering or accidental
33 destruction.

34 **Sec. 35.** NRS 656.360 is hereby amended to read as follows:

35 656.360 In addition to any other penalty provided by law, *the*
36 *Board may, after notice and a hearing, as required by law, impose*
37 *upon a natural person or business entity* who violates any provision
38 of this chapter or any regulation adopted ~~{by the Board is subject to~~
39 ~~a civil penalty}~~ *pursuant thereto an administrative fine* of not more
40 than \$5,000 for each violation ~~{. Any such penalty must be imposed~~
41 ~~by the Board:~~

42 ~~—1.— If the person is a certified court reporter or court reporting~~
43 ~~firm, at a hearing conducted pursuant to the provisions of chapter~~
44 ~~622A of NRS.~~



1 ~~—2.— If the person is not a licensee, at a hearing for which written~~
2 ~~notice has been given not less than 30 days before the hearing.]~~ *for*
3 *which the administrative fine is imposed.*

4 **Sec. 36.** This act becomes effective:

5 1. Upon passage and approval for the purpose of adopting
6 regulations or performing any preparatory administrative tasks that
7 are necessary to carry out the provisions of this act; and

8 2. On January 1, 2018, for all other purposes.

