

APA-1

TRANSMITTAL SHEET FOR NOTICE OF INTENDED ACTION

Control: 257
Department or Agency: Alabama Board of Court Reporting
Rule No.: 257-X-3-.04
Rule Title: Renewal
Intended Action: Amend

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? No

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? Yes

Is there another, less restrictive method of regulation available that could adequately protect the public? No

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved? No

To what degree?: N/A

Is the increase in cost more harmful to the public than the harm that might result from the absence of the proposed rule? No

Are all facets of the rule-making process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? Yes

Does the proposed action relate to or affect in any manner any litigation which the agency is a party to concerning the subject matter of the proposed rule? No

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 41-22-23, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Services Agency.

Signature of certifying officer

Victor K. Biebighauser
Victor Biebighauser

Date

Thursday, November 14, 2024

REC'D & FILED
NOV 14, 2024
LEGISLATIVE SVC AGENCY

ALABAMA BOARD OF COURT REPORTING

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Court Reporting

RULE NO. & TITLE: 257-X-3-.04 Renewal

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION:

Clarifies the board's procedures for notifying licensees of expiration of a license, removes requirement for board investigator role, states the responsibility of the licensee with respect to renewal, and states the consequences of providing reporting services in Alabama without being licensed.

TIME, PLACE AND MANNER OF PRESENTING VIEWS:

In writing to ABCR, P.O. Box 241565, Montgomery, AL 36124-1565, or at public hearing at board meeting scheduled for January 23, 2025. The time and location of the board meeting will be published on the board's public web site and on the secretary of state's web site.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE:

Thursday, January 23, 2025

CONTACT PERSON AT AGENCY:

Victor K. Biebighauser, executive director.

Victor K. Biebighauser

Victor Biebighauser

(Signature of officer authorized
to promulgate and adopt
rules or his or her deputy)

257-X-3-.04 Renewal.

(1) Every Court Reporter License in Alabama shall lapse on September 30th of each year. The holder of the license may renew such license during the sixty (60) days preceding September 30th by paying the required fee and completion of the application for renewal.

(2) It is the responsibility of each licensee to notify the Board in writing of any change of address or legal name within thirty (30) days of such change. Failure to receive a renewal form from the Board shall not constitute an excuse for failure to renew licensure

(3) Late renewals may be received up to sixty (60) days following lapse of licensure with the required late renewal fee and application for renewal. An individual may not provide court reporting services under a lapsed license. Failure to renew a lapsed license within the period for late renewal established by the board shall result in an expired license.

(4) The Board ~~will notify all individuals with expired licenses of their licensure status in writing, copy the employer of record, and post all expired licenses on the Board web site. The Board Investigator will follow up on each expired license to ensure that court reporting services are not being provided under an expired license and provide a report to the Board's Executive Director~~ shall attempt to notify all individuals with expired licenses of their licensure status in writing, at their address of record, or by email at their email address of record, and post all expired licenses on the Board web site. Failure of the Board to provide such notice shall not relieve a person with an expired license of his or her obligations under these rules. Persons providing court reporting services ~~under a lapsed or expired license shall be subject to disciplinary action~~ by without licensure in Alabama shall be subject to such penalties as prescribed in Ala. Code § 34-8B-8 and may be subject to denial of a license application or other sanctions the Board may impose as a condition for the grant of a license application.

Author: Alabama Board of Court Reporting

Statutory Authority: Code of Ala. 1975, §§34-8B-1 thru 34-8B-18.

History: New Rule: Filed April 19, 2007; effective May 24, 2007. **Amended (Rule No. Only):** Filed October 6, 2009; effective November 11, 2009. **Amended:** Filed May 17, 2010; effective June 21, 2010. **Amended:** Filed June 19, 2012; effective July 24, 2012. **Amended:** Filed April 8, 2013; effective May 13, 2013. **Amended:** Filed May 25, 2017; effective July 9, 2017. **Amended:** Filed October 19, 2018; effective December 3, 2018. **Amended:** Published _____ ; effective _____ .