_____ BILL NO. _____

INTRODUCED BY _____

BY REQUEST OF THE SUPREME COURT ADMINISTRATOR

A BILL FOR AN ACT ENTITLED: "AN ACT REVISING TRANSCRIPT PER PAGE RATES; AMENDING SECTION 3-5-604, MCA; AND PROVIDING AN EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 3-5-604, MCA, is amended to read:

"**3-5-604. Court reporters -- transcript of district court proceedings -- costs.** (1) When a transcript of the testimony and proceedings of a trial or hearing or a part of a trial or hearing is requested, a court reporter shall furnish the transcript to the requester with all reasonable diligence. The court reporter shall submit an invoice with the transcript when it is furnished. The court reporter may withhold delivery of the transcript until the transcription fee is paid or satisfactory arrangement for payment is made.

(2) Compensation for transcripts under this section is as follows:

(a) (i) Ordinary transcript - ~~$2~~ $3 per page for the original furnished to a state or local government agency, ~~$2.50~~ $3.50 per page for the original furnished to any other party, ~~50~~ 55 cents per page for the first copy to each party, and 25 cents per page for each additional copy to the same party.

(ii) Expedited transcript - ~~$4~~ $5 per page for the original, ~~50~~ 55 cents per page for the first copy to each party, and 25 cents per page for each additional copy to the same party.

(iii) Daily transcript - ~~$5~~ $6 per page for the original, ~~50~~ 55 cents per page for the first copy to each party, and 25 cents per page for each additional copy to the same party.

(b) (i) The transcript cost is subject to a cost-of-living adjustment as provided in subsection (2)(b)(ii).

(ii) Prior to June 30 of each even-numbered year, the office of the court administrator shall determine whether an increase of the transcript amount specified in subsections (2)(a)(i) through (2)(a)(iii) must be made based on the increase, if any, from June of the preceding year to May of the year in which the

calculation is made in the consumer price index, U.S. city average, all urban consumers, for all items, as published by the bureau of labor statistics of the United States department of labor.

(iii) The transcript amount established under subsection (2)(b)(ii) must be rounded to the nearest 5 cents and becomes effective as the new transcript cost, replacing the costs specified in subsections (2)(a)(i) through (2)(a)(iii), on July 1 of the year following the year the calculation was made. The office of the court administrator shall publish the adjusted costs on the judicial branch website prior to July 1 of each year.

(3) If the court reporter is not entitled to retain transcription fees under 3-5-601, the transcription fees required by subsection (2) must be paid to the clerk of district court, who shall forward the amount to the department of revenue for deposit in the state general fund.

(4) (a) If the county attorney, attorney general, or judge requires a transcript in a criminal case, the reporter shall furnish it. The transcription fee must be paid by the office of court administrator as provided in 3-5-901. The office of the court administrator may pay only for ordinary transcripts and may not pay for daily or expedited transcripts.

(b) If the judge requires a copy in a civil case to assist in rendering a decision, the reporter shall furnish the copy without charge.

(c) In civil cases, all transcripts required by the county must be furnished and must be paid for by the county pursuant to subsection (2).

(5) (a) If a public defender, as defined in 47-1-103, requests a transcript, the transcript must be furnished to the public defender and paid for by the office of state public defender, as provided in 47-1-119.

(b) If an indigent party is eligible for a public defender but is acting pro se and requests a transcript, the transcript must be furnished to the party and paid for by the office of court administrator, as provided in 3-5-901.

(6) As used in this section, the following definitions apply:

(a) "Copy" means any replication of the original transcript regardless of the medium.

(b) "Daily transcript" means a transcript of all or part of the proceedings to be delivered the following day.

(c) "Expedited transcript" means a transcript of all or part of the proceedings to be delivered within 7 calendar days.

(d) "Ordinary transcript" means a transcript of all or part of the proceedings."

NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 2027.

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