

CHAPTER NO. 741

HOUSE BILL NO. 1574

By Representatives Buck, Boyer, Newton, Briley, Beavers, Sands, McMillan, Scroggs

Substituted for: Senate Bill No. 1762

By Senator Person

AN ACT to amend Tennessee Code Annotated, relative to court reporters.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Depositions taken in this State that are to be used in its courts shall be taken before:

- (a) A hearing examiner;
- (b) A judge, clerk, commissioner, or official reporter of a court;
- (c) A notary public; or
- (d) Before other persons and under other circumstances authorized by law.

SECTION 2.

(a) A deposition shall not be taken by a person who is:

- (1) A party to the action;
- (2) A relative, employee, or attorney of one (1) of the parties;
- (3) Someone with a financial interest in the action or its outcome; or

(4) A relative, employee, or attorney of someone with a financial interest in the action or its outcome. For the purposes of this subdivision, "employee" or "relative" shall not include an employee or relative of the attorney of one of the parties.

(b) For the purpose of subsection (a), "employee" includes a person who has a contractual relationship with a person or entity interested in the outcome of the litigation, including anyone who may ultimately be responsible for payment to provide reporting or other court services, and a person who is employed part-time or full-time under contract or otherwise by a person who has a contractual relationship with a party to provide reporting or other court services.

(c) If a deposition is taken by a person described in subdivisions (a)(1-4), then that deposition shall be void.

(d) The provisions of subsections (a) and (b) of Section 2 shall not apply to contracts for court reporting services for the courts, agencies, or instrumentalities of the United States or the State of Tennessee.

(e) Any person who takes a deposition in violation of subsection (a) of Section 2 shall be guilty of a Class C misdemeanor.

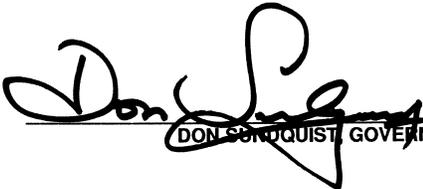
SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

**PASSED: May 8, 2000**

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

**APPROVED this 17<sup>th</sup> day of May 2000**

  
DON SUNDQUIST, GOVERNOR