

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE HOUSE BILL 1727

52nd Legislature
1991 Regular Session

Passed by the House March 20, 1991
Yeas 98 Nays 0

**Speaker of the
House of Representatives**

Passed by the Senate April 12, 1991
Yeas 38 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE HOUSE BILL 1727** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

Secretary of State
State of Washington

ENGROSSED SUBSTITUTE HOUSE BILL 1727

AS AMENDED BY THE SENATE

Passed Legislature - 1991 Regular Session

State of Washington 52nd Legislature 1991 Regular Session

By House Committee on Judiciary (originally sponsored by Representatives Appelwick, Jacobsen, Paris, Morton, Mielke, Brekke, Anderson, Forner, Day, Vance, R. Johnson and Wineberry).

Read first time March 6, 1991.

1 AN ACT Relating to interpreters; amending RCW 2.42.110, 2.42.130,
2 2.42.160, and 2.42.170; and repealing RCW 2.42.020, 2.42.030, and
3 2.42.040.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 2.42.110 and 1985 c 389 s 11 are each amended to read
6 as follows:

7 As used in this chapter, the following terms have the meanings
8 indicated unless the context clearly requires otherwise.

9 (1) (~~"Hearing"~~) "Impaired person" means a person who, because of
10 a hearing or speech impairment, cannot readily understand or
11 communicate in spoken language; and includes persons who are deaf, deaf
12 and blind, speech impaired, or hard of hearing.

13 (2) "Qualified interpreter" means (~~(an interpreter who is certified~~
14 ~~by the registry of interpreters for the deaf with the certificate level~~
15 ~~specified below and who meets the requirements of RCW 2.42.130.~~

1 ~~(a) For judicial proceedings involving a class A felony, use of the~~
2 ~~services of a qualified interpreter holding the specialist certificate~~
3 ~~legal is required.~~

4 ~~(b) For other judicial, quasi-judicial, or administrative~~
5 ~~proceedings, use of the services of a qualified interpreter holding the~~
6 ~~specialist certificate legal, master's comprehensive skills~~
7 ~~certificate, or comprehensive skills certificate is required.~~

8 ~~(c) For programs and activities other than judicial or~~
9 ~~administrative proceedings, the services of a qualified interpreter~~
10 ~~holding a partial certification shall be required. Efforts to obtain~~
11 ~~the services of a qualified interpreter holding the master's~~
12 ~~comprehensive certificate or comprehensive skills certificate shall be~~
13 ~~made before obtaining the services of a qualified interpreter holding~~
14 ~~the interpreting certificate and/or the transliterating certificate))~~
15 a visual language interpreter who is certified by the state or is
16 certified by the registry of interpreters for the deaf to hold the
17 comprehensive skills certificate or both certificates of interpretation
18 and transliteration, or an interpreter who can readily translate
19 statements of speech impaired persons into spoken language.

20 ~~((+4))~~ (3) "Intermediary interpreter" means a hearing impaired
21 interpreter who holds a reverse skills certificate by the state or is
22 certified by the registry of interpreters for the deaf with a reverse
23 skills certificate, who meets the requirements of RCW 2.42.130, and who
24 is able to assist in providing an accurate interpretation between
25 spoken and sign language or between variants of sign language by acting
26 as an intermediary between a hearing impaired person and a qualified
27 hearing interpreter.

28 ~~((+5))~~ (4) "Appointing authority" means the presiding officer or
29 similar official of any court, department, board, commission, agency,

1 licensing authority, or legislative body of the state or of any
2 political subdivision.

3 **Sec. 2.** RCW 2.42.130 and 1985 c 389 s 13 are each amended to read
4 as follows:

5 (1) If a qualified interpreter for a hearing impaired person is
6 required, the appointing authority shall request a qualified
7 interpreter and/or an intermediary interpreter through the department
8 of social and health services, office of deaf services, or through any
9 community center for hearing impaired persons which operates an
10 interpreter referral service. The office of deaf services and these
11 community centers shall maintain an up-to-date list or lists of
12 interpreters that are certified by the state and/or by the registry of
13 interpreters for the deaf.

14 (2) The appointing authority shall make a preliminary
15 determination, on the basis of testimony or stated needs of the hearing
16 impaired person, that the interpreter is able in that particular
17 proceeding, program, or activity to interpret accurately all
18 communication to and from the hearing impaired person. If at any time
19 during the proceeding, program, or activity, in the opinion of the
20 hearing impaired person or a qualified observer, the interpreter does
21 not provide accurate, impartial, and effective communication with the
22 hearing impaired person the appointing authority shall appoint another
23 qualified interpreter. No otherwise qualified interpreter who is a
24 relative of any participant in the proceeding may be appointed.

25 **Sec. 3.** RCW 2.42.160 and 1985 c 389 s 16 are each amended to read
26 as follows:

27 (1) A qualified and/or intermediary interpreter shall not, without
28 the written consent of the parties to the communication, be examined as

1 to any communication the interpreter interprets under circumstances
2 where the communication is privileged by law.

3 (2) A qualified and/or intermediary interpreter shall not, without
4 the written consent of the parties to the communication, be examined as
5 to any information the interpreter obtains while interpreting
6 pertaining to any proceeding then pending.

7 **Sec. 4.** RCW 2.42.170 and 1985 c 389 s 17 are each amended to read
8 as follows:

9 A qualified and/or intermediary interpreter appointed under this
10 chapter is entitled to a reasonable fee for services, including waiting
11 time and reimbursement for actual necessary travel expenses. The fee
12 for services for interpreters for hearing impaired persons shall be in
13 accordance with standards established by the department of social and
14 health services, office of deaf services.

15 NEW SECTION. **Sec. 5.** The following acts or parts of acts are
16 each repealed:

17 (1) RCW 2.42.020 and 1989 c 358 s 13, 1983 c 222 s 2, & 1973 c 22
18 s 2;

19 (2) RCW 2.42.030 and 1973 c 22 s 3; and

20 (3) RCW 2.42.040 and 1973 c 22 s 4.