



Senate Fiscal Agency
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**BILL ANALYSIS**

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Senate Bill 25 (Substitute S-4 as reported by the Committee of the Whole)
Sponsor: Senator John J. Gleason
Committee: Judiciary

CONTENT

The bill would amend the Deaf Persons' Interpreters Act to do all of the following:

- Provide for interpreters for a "deaf-blind person", as well as a deaf person.
- Delete references to a "certified interpreter".
- Require each deaf or deaf-blind person entitled to a qualified interpreter as an accommodation under State or Federal law to provide reasonable notice to an appointing authority of the need for a qualified interpreter.
- Require the Division on Deaf and Hard of Hearing of the Department of Labor and Economic Growth to promulgate rules governing certain, procedures and allow the Division to promulgate rules establishing minimum credential requirements and levels and minimum standards of practice and continuing education.
- Prescribe criminal penalties and administrative sanctions for violations.
- Codify certification and examination fees at increased levels.

A person who knowingly misrepresented himself or herself as a qualified interpreter would be guilty of a misdemeanor punishable by up to 90 days' imprisonment and/or a fine of not less than \$500 or more than \$1,000. An appointing authority that willfully failed to appoint a qualified interpreter when one was required under State or Federal law would be subject to a civil fine of not less than \$1,000 or more than \$10,000. Certification could be denied, revoked, suspended, or limited for an applicant for certification as a qualified interpreter or a qualified interpreter who was certified, who violated the Act.

A person who was certified through a national organization described in the bill would have to be issued a State certification upon applying and submitting a \$30 fee. A person having a Michigan Quality Assurance certification at levels I, II, or III on the bill's effective date would be considered a qualified interpreter until that certification expired, and could renew the certification annually until it expired and retesting was required. The proposed fee increases are described below.

MCL 393.504 et al.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

This bill would increase the application fee from \$15 to \$30, the renewal fee from \$15 to \$30, the in-State examination fee for in-State residents from \$70 to \$125, and the examination fee for out-of-State residents from \$120 to \$175. There are currently 1,000 interpreters who are identified in Michigan. Of those, approximately 700 would be subject to the renewal fee, and approximately 500 would need to take the examination for certification. Annual revenue that would be generated from the increased renewal fee would be approximately \$10,500 annually, and the additional revenue that would be generated from the examination fee would be approximately \$27,500 in the first year. The

examinations are required every four years and new interpreters may enter the system in the off years, also providing additional revenue. The amount of the revenue depends on the number of new interpreters who apply and complete the examination. The additional revenue would be used to support the administrative responsibilities of the Division and to support additional examinations as needed.

There are no data to indicate how many offenders would be convicted of the proposed offenses. Local governments would incur the costs of misdemeanor probation and incarceration in local facilities, which vary by county. Additional penal fine revenue would benefit public libraries. To the extent that entities of State or local governments committed violations, there could be additional costs.

Date Completed: 5-18-07

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.