

Act No. 24  
Public Acts of 2007  
Approved by the Governor  
June 28, 2007  
Filed with the Secretary of State  
June 28, 2007  
EFFECTIVE DATE: June 28, 2007

**STATE OF MICHIGAN  
94TH LEGISLATURE  
REGULAR SESSION OF 2007**

Introduced by Reps. Spade, Miller, Clemente, LeBlanc, Coulouris and Leland

# **ENROLLED HOUSE BILL No. 4208**

AN ACT to amend 1982 PA 204, entitled "An act to provide for and regulate the use of interpreters in administrative and judicial proceedings and in certain other instances; to establish standards for interpreters; and to provide compensation for interpreters, and to provide for the promulgation of rules," by amending sections 2 and 3 (MCL 393.502 and 393.503) and by adding section 3a.

*The People of the State of Michigan enact:*

Sec. 2. As used in this act:

(a) "Appointing authority" means a court or a department, board, commission, agency, or licensing authority of this state or a political subdivision of this state or an entity that is required to provide a qualified interpreter in circumstances described under section 3a.

(b) "Deaf person" means a person whose hearing is totally impaired or whose hearing, with or without amplification, is so seriously impaired that the primary means of receiving spoken language is through other sensory input; including, but not limited to, lip reading, sign language, finger spelling, or reading.

(c) "Deaf-blind person" means a person who has a combination of hearing loss and vision loss, such that the combination necessitates specialized interpretation of spoken and written information in a manner appropriate to that person's dual sensory loss.

(d) "Division" means the division on deaf and hard of hearing of the department of labor and economic growth.

(e) "Intermediary interpreter" or "deaf interpreter" means any person, including any deaf or deaf-blind person, who is able to assist in providing an accurate interpretation between spoken English and sign language or between variants of sign language by acting as an intermediary between a deaf or deaf-blind person and a qualified interpreter.

(f) "Qualified interpreter" means a person who is certified through the national registry of interpreters for the deaf or certified through the state by the division.

(g) "Qualified oral interpreter" means a qualified interpreter who is able to convey information through facial and lip movement.

(h) "Qualified sign language interpreter" means a qualified interpreter who uses sign language to convey information.

Sec. 3. (1) In any action before a court or a grand jury where a deaf or deaf-blind person is a participant in the action, either as a plaintiff, defendant, or witness, the court shall appoint a qualified interpreter to interpret the proceedings to the deaf or deaf-blind person, to interpret the deaf or deaf-blind person's testimony or statements, and to assist in preparation of the action with the deaf or deaf-blind person's counsel.

(2) In a proceeding before an appointing authority, other than a court, the appointing authority shall appoint a qualified interpreter to interpret the proceedings to the deaf or deaf-blind person and to interpret the deaf or deaf-blind person's testimony or statements in any proceeding before the appointing authority.

(3) The right of a deaf or deaf-blind person to a qualified interpreter shall not be waived except by a request for waiver in writing by the deaf or deaf-blind person. A written waiver of a plaintiff or defendant is subject to the approval of the deaf or deaf-blind person's counsel and the approval of the appointing authority.

(4) A qualified interpreter shall not be appointed unless the appointing authority and the deaf or deaf-blind person make a preliminary determination that the qualified interpreter is able to readily communicate with the deaf or deaf-blind person and to interpret the proceedings in which the deaf or deaf-blind person is involved.

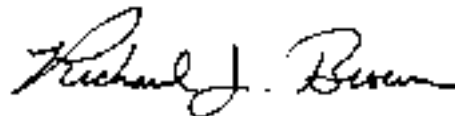
(5) If a qualified interpreter states that the interpreter is unable to render a satisfactory interpretation and that an intermediary interpreter or deaf interpreter will improve the quality of the interpretation, the appointing authority shall appoint an intermediary interpreter or deaf interpreter to assist the qualified interpreter.

Sec. 3a. If an interpreter is required as an accommodation for a deaf or deaf-blind person under state or federal law, the interpreter shall be a qualified interpreter.

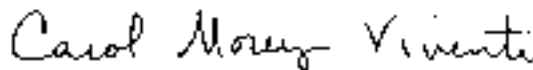
Enacting section 1. Subsection (1) of section 8b of the deaf persons' interpreters act, 1982 PA 204, MCL 393.508b, takes effect October 1, 2007 and applies to crimes committed on or after that date.

Enacting section 2. This amendatory act does not take effect unless Senate Bill No. 25 of the 94th Legislature is enacted into law.

This act is ordered to take immediate effect.



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Clerk of the House of Representatives



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Secretary of the Senate

Approved .....

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Governor