

Fifty-seventh
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1304

Introduced by

Representatives Maragos, Brekke

Senator Traynor

1 A BILL for an Act to create and enact a new chapter to title 43 of the North Dakota Century
2 Code, relating to the practice of interpreting for the deaf and hard-of-hearing.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new chapter to title 43 of the North Dakota Century Code is created and
5 enacted as follows:

6 **Definitions.** As used in this chapter, unless the context otherwise requires:

- 7 1. "Consumer" means an individual who is deaf, deaf-blind, speech-impaired,
8 hard-of-hearing, or who requires special communication techniques in order to
9 communicate.
- 10 2. "Interpreter" means an individual who engages in the practice of interpreting.
- 11 3. "Interpreting" means the translating or transliterating of English concepts to any
12 necessary specialized vocabulary used by a consumer or translating of a
13 consumer's specialized vocabulary to English concepts. Necessary specialized
14 vocabularies include American sign language, English-based sign language, and
15 oral interpreting.
- 16 4. "Nationally recognized certification" means certification granted by a national
17 organization that is based on a skills assessment of the applicant. These
18 organizations include the registry of interpreters for the deaf and the national
19 association of the deaf.

20 **Practice of interpreting.** An individual may not practice or represent oneself as an
21 interpreter for deaf, deaf-blind, speech-impaired, or hard-of-hearing individuals in the state
22 unless the individual holds a valid nationally recognized certification. However, an individual
23 who was practicing as an interpreter in this state before August 1, 2001, has until July 31, 2003,
24 to meet the certification requirement under this section.

Exceptions. This chapter does not prevent or restrict:

1. A nonresident interpreter working in this state not more than nineteen days per year.
2. An interpreter working at a religious activity.
3. An interpreter working as a volunteer without compensation.
4. An interpreter working in an emergency. An emergency is a situation in which the consumer decides that the length of time needed to obtain a licensed interpreter is likely to cause injury or loss to the consumer.
5. The activities and services of an interpreter intern or student-in-training enrolled in a program of study in interpreting at an accredited institution of higher learning; interpreting under the supervision of a licensed interpreter as part of a supervised program; and identified as an interpreter intern or student-in-training.
6. An individual using sign language or a manual communication system as a means of communication with or on behalf of a family member, a deaf individual, a deaf-blind individual, a speech-impaired individual, or hard-of-hearing individual who has specifically requested that use by that individual.
7. A communication made as a reasonable accommodation for the employment of a deaf, deaf-blind, speech-impaired, or hard-of-hearing individual.
8. A communication with a deaf, deaf-blind, speech-impaired, or hard-of-hearing individual who could not communicate using American sign language or English-based sign language.