

## ORDINANCE

### AMENDING THE CITY CODE, CHAPTER 20, ENTITLED, MUNICIPAL COURT, TO PROVIDE FOR THE ELECTRONIC RECORDING OF COURT PROCEEDINGS

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**WHEREAS**, pursuant to Chapter 20 of the City Code, the City of San Antonio provides a court reporter when requested for the purpose of preserving a record in cases tried before the municipal courts; and

**WHEREAS**, the state law governing the operation of municipal courts permits the use of a good quality electronic recording device to report court proceedings, without the need for a court reporter to be present at the proceeding; and

**WHEREAS**, during the 88<sup>th</sup> Regular Legislative Session, with the support of former Councilmember now State Representative Diego Bernal, the City of San Antonio was successful in seeking an amendment to the state law to authorize the City of San Antonio to use this alternative recording of court proceedings; and

**WHEREAS**, it is now necessary for the City Council to amend the City Code to enable the Municipal Courts to utilize electronic recordings without a court reporter present during court proceedings; **NOW THEREFORE:**

#### **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** The City of San Antonio City Code, Chapter 20 is amended to reflect the following establishment of processes and fees for services. Additions are underlined and deletions are [bracketed] and ~~struck through~~:

#### **Sec. 20-7. - Court reporter and Recording of Proceedings**

(a) The municipal court of record shall comply with the recording procedures set forth in Chapter 30 of the Texas Government Code.

(b) A court reporter ~~may~~shall be provided for the purpose of preserving a record in cases tried before the municipal courts. The court reporter shall:

- (1) Meet the qualifications provided by law;
- (2) Be selected by the city manager with the recommendation of the presiding judge;
- (3) Receive compensation as set by the city manager on the recommendation of the presiding judge;
- (4) Preserve the record through written notes, transcribing equipment, recording equipment or any combination of these methods; and

(5) Not be required to record testimony in a case in which neither the defendant, the prosecutor nor the municipal judge demands it.

(c) In lieu of a court reporter, a good quality electronic recording device may be used to report court proceedings. A court reporter is not required to be present to certify the reporter's record.

**SECTION 2.** Section 20-12 (d) is repealed in its entirety.

**SECTION 3.** This Ordinance is effective immediately upon the receipt of eight affirmative votes, otherwise, it is effective ten days after appointment.

**PASSED AND APPROVED this \_\_\_\_ day of \_\_\_\_\_ 2024.**

**M A Y O R**  
Ron Nirenberg

**ATTEST:**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Debbie Racca-Sittre, City Clerk

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Andrew Segovia, City Attorney