

SUMMARY ANALYSIS OF AMENDED BILL

Franchise Tax Board

Author: Yee Analyst: Darrine Distefano Bill Number: AB 292

Related Bills: See Prior Analysis Telephone: 845-6458 Amended Date: August 4, 2004

Attorney: Patrick Kusiak Sponsor: _____

SUBJECT: State Agencies Prohibited To Use Children As Interpreters

DEPARTMENT AMENDMENTS ACCEPTED. Amendments reflect suggestions of previous analysis of bill as introduced/amended _____.

AMENDMENTS IMPACT REVENUE. A new revenue estimate is provided.

AMENDMENTS DID NOT RESOLVE THE DEPARTMENT'S CONCERNS stated in the previous analysis of bill as introduced/amended _____.

FURTHER AMENDMENTS NECESSARY.

DEPARTMENT POSITION CHANGED TO _____.

REMAINDER OF PREVIOUS ANALYSIS OF BILL AS AMENDED July 15, 2003 STILL APPLIES.

OTHER - See comments below.

SUMMARY

This bill would prohibit a state agency from using children as interpreters, except in specific circumstances.

SUMMARY OF AMENDMENTS

The August 4, 2004, amendments make the following changes:

- Exempt school districts, county boards of education, community colleges, the office of a county superintendent of schools, or a community college district from the bill's prohibition of the use of children as interpreters.
- Allow peace officers during an investigation to use a child to interpret only under extreme circumstances to preserve evidence, protect life and property, and prevent the escape of suspects. However, a competent interpreter must be provided as soon as possible.
- Makes various technical changes.

The department's implementation concern on the peace officer provisions is included below. The department's analysis of this bill as amended July 15, 2003, still applies.

POSITION

No position.

Board Position:

_____ S _____ NA X NP
_____ SA _____ O _____ NAR
_____ N _____ OUA _____ PENDING

Legislative Director

Date

Brian Putler

8/12/04

IMPLEMENTATION CONSIDERATIONS

Franchise Tax Board (FTB) investigators have peace officer status. To ensure the provisions of this bill are fulfilled, FTB would add procedures for department investigators when conducting enforcement activities to request age identification of a child who accompanies a non-English-speaking taxpayer. FTB also would ensure a competent interpreter is found as soon as possible. These procedures would not significantly impact the department.

LEGISLATIVE STAFF CONTACT

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