Fifty-second Legislature
Second Regular Session

COMMITTEE ON JUDICIARY

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2221

(Reference to printed bill)

Page 1, line 5, strike "public"; after "records" insert "; definition"

Line 9, strike "AS A CONDITION OF PRACTICING LAW IN THIS STATE,"

Line 10, after "ATTORNEY" insert ", AS A CONDITION OF PRACTICING LAW IN THIS STATE,"

Line 26, after "COLLECT" insert "A"

Line 30, strike "SHALL:"

Strike lines 31 and 32

Line 33, strike "2." insert a comma

Line 34, after the comma insert "SHALL"

Line 35, after "PROVIDE" insert "FOR"

Line 38, after the period insert "ANY PERSON MAY REQUEST TO EXAMINE OR BE FURNISHED COPIES, PRINTOUTS OR PHOTOGRAPHS OF ANY RECORD DURING REGULAR OFFICE HOURS OR MAY REQUEST THAT THE STATE BAR OF ARIZONA MAIL TO THE PERSON A COPY OF ANY RECORD NOT OTHERWISE AVAILABLE ON THE STATE BAR'S WEBSITE. THE STATE BAR OF ARIZONA MAY REQUIRE ANY PERSON REQUESTING A COPY OF ANY RECORD TO PAY IN ADVANCE FOR ANY COPYING AND POSTAGE CHARGES. THE STATE BAR OF ARIZONA SHALL PROMPTLY FURNISH, AND MAY CHARGE A FEE FOR, THE COPIES, PRINTOUTS OR PHOTOGRAPHS. IF REQUESTED, THE STATE BAR OF ARIZONA SHALL FURNISH AN INDEX OF RECORDS OR CATEGORIES OF RECORDS THAT HAVE BEEN WITHHELD AND THE REASONS THE RECORDS OR CATEGORIES OF RECORDS HAVE BEEN WITHHELD FROM THE REQUESTING PERSON. THE STATE BAR OF ARIZONA MAY NOT INCLUDE IN THE INDEX INFORMATION THAT IS EXPRESSLY PRIVILEGED OR CONFIDENTIAL BY LAW. ANY PERSON WHO HAS REQUESTED TO EXAMINE OR COPY RECORDS PURSUANT TO THIS SUBSECTION AND

WHO HAS BEEN DENIED ACCESS TO OR THE RIGHT TO EXAMINE OR COPY SUCH RECORDS MAY APPEAL THE DENIAL THROUGH A SPECIAL ACTION IN THE SUPERIOR COURT, PURSUANT TO THE RULES OF PROCEDURE FOR SPECIAL ACTIONS AGAINST A PUBLIC BODY. THE COURT MAY AWARD ATTORNEY FEES AND OTHER LEGAL COSTS THAT ARE REASONABLY INCURRED IN ANY ACTION UNDER THIS SUBSECTION IF THE PERSON SEEKING RECORDS SUBSTANTIALLY PREVAILS. THIS SUBSECTION DOES NOT LIMIT THE RIGHTS OF ANY PARTY TO RECOVER ATTORNEY FEES, EXPENSES AND DOUBLE DAMAGES PURSUANT TO SECTION 12-349. ANY PERSON WHO IS WRONGFULLY DENIED ACCESS TO RECORDS PURSUANT TO THIS SUBSECTION HAS A CAUSE OF ACTION AGAINST THE STATE BAR OF ARIZONA FOR ANY DAMAGES RESULTING FROM THE DENIAL.

F. FOR THE PURPOSES OF THIS SECTION, "RECORD" MEANS ANY RECORD OR OTHER MATTER IN THE CUSTODY OF THE STATE BAR OF ARIZONA RELATED TO MANDATORY ASSESSMENT MONIES THAT ARE COLLECTED BY THE SUPREME COURT AND THAT ARE ACCEPTED BY THE STATE BAR OF ARIZONA PURSUANT TO SUBSECTION E OF THIS SECTION."

Amend title to conform

and, as so amended, it do pass

EDDIE FARNSWORTH
CHAIRMAN

2221JUDICIARY
02/10/2016
11:00 AM
H: KP/rca