

COMMITTEE ON GOVERNMENT  
SENATE AMENDMENTS TO S.B. 1475  
(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 16-1021, Arizona Revised Statutes, is amended to  
3 read:

4 16-1021. Enforcement by attorney general and county, city or  
5 town attorney; definition

6 A. In any election for state office, members of the legislature,  
7 justices of the supreme court, judges of the court of appeals, ~~or~~ statewide  
8 initiative or referendum, **MEMBERS OF CONGRESS, UNITED STATES SENATOR OR**  
9 **PRESIDENTIAL ELECTORS**, the attorney general may enforce ~~the provisions of~~  
10 this title through civil and criminal actions. In any election for county,  
11 city or town office, community college district governing board, judge or  
12 ~~a~~ county, city or town initiative or referendum, the appropriate county,  
13 city or town attorney may enforce ~~the provisions of~~ this title through  
14 civil and criminal actions. In any special district election, the county  
15 attorney of any county in which the district or a portion of the district  
16 is located or the attorney general may enforce the laws governing ~~such~~ **THE**  
17 election.

18 B. **IN ORDER TO CARRY OUT THE DUTIES PRESCRIBED IN SUBSECTION A OF**  
19 **THIS SECTION, THE ATTORNEY GENERAL MAY:**

20 1. **ISSUE WRITTEN INVESTIGATIVE DEMANDS TO ANY PERSON.**

21 2. **ADMINISTER AN OATH OR AFFIRMATION TO ANY PERSON FOR TESTIMONY.**

22 3. **EXAMINE UNDER OATH ANY PERSON IN CONNECTION WITH THE**  
23 **INVESTIGATION OF THE ALLEGED VIOLATION OF THIS TITLE.**

24 4. **EXAMINE BY MEANS OF INSPECTING, STUDYING OR COPYING ANY ACCOUNT,**  
25 **BOOK, COMPUTER, DOCUMENT, MINUTES, PAPER, RECORDING OR RECORD.**

26 5. **REQUIRE ANY PERSON TO FILE ON PRESCRIBED FORMS A STATEMENT OR**  
27 **REPORT IN WRITING AND UNDER OATH OF ALL THE FACTS AND CIRCUMSTANCES**  
28 **REQUESTED BY THE ATTORNEY GENERAL.**

1           6. ISSUE ALL FORMS OF SUBPOENAS TO ANY PERSON, WHETHER OR NOT THE  
2 PERSON IS LOCATED WITHIN THIS STATE. TO EFFECTUATE THIS PARAGRAPH FOR  
3 PERSONS WHO ARE NOT SUBJECT TO SERVICE WITHIN THIS STATE, THE ATTORNEY  
4 GENERAL MAY INITIATE A PRE-SUIT ENFORCEMENT PROCEEDING IN SUPERIOR COURT  
5 AND REQUEST THAT THE SUPERIOR COURT ISSUE THE SUBPOENA AS PART OF THAT  
6 PROCEEDING. THE SUBPOENA ISSUED BY THE SUPERIOR COURT MUST STATE THE  
7 CAPTION AND CASE NUMBER OF THE PRE-SUIT ENFORCEMENT PROCEEDING IN THE  
8 SUPERIOR COURT AND THAT THE CASE IS PENDING IN THE SUPERIOR COURT.

9           C. A WRITTEN INVESTIGATIVE DEMAND SHALL:

10           1. BE SERVED ON THE PERSON IN THE MANNER REQUIRED FOR SERVICE OF  
11 PROCESS IN THIS STATE OR BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED.

12           2. DESCRIBED THE CLASS OR CLASSES OF DOCUMENTS OR OBJECTS WITH  
13 SUFFICIENT DEFINITENESS TO ALLOW THEM TO BE FAIRLY IDENTIFIED.

14           3. PRESCRIBE A REASONABLE TIME AT WHICH THE PERSON MUST APPEAR TO  
15 TESTIFY AND WITHIN WHICH THE DOCUMENT OR OBJECT MUST BE PRODUCED AND ADVISE  
16 THE PERSON THAT OBJECTIONS TO OR REASONS FOR NOT COMPLYING WITH THE DEMAND  
17 MAY BE FILED WITH THE ATTORNEY GENERAL ON OR BEFORE THAT TIME.

18           4. SPECIFY A PLACE FOR TAKING TESTIMONY OR FOR PRODUCING A DOCUMENT  
19 OR OBJECT AND DESIGNATE A PERSON WHO IS THE CUSTODIAN OF THE DOCUMENT OR  
20 OBJECT.

21           D. FOR THE PURPOSES OF THIS SECTION, "PERSON" HAS THE SAME MEANING  
22 PRESCRIBED IN SECTION 1-215 AND INCLUDES GOVERNMENT ENTITIES AND OFFICERS."

23 Amend title to conform

1475GOV  
02/07/2022  
03:10 PM  
C: myr