

REFERENCE TITLE: advisory committee; subcommittee; exemption

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
Second Regular Session  
2024

# HB 2078

Introduced by  
Representative Hendrix

## AN ACT

AMENDING SECTION 38-431.08, ARIZONA REVISED STATUTES; RELATING TO PUBLIC MEETINGS AND PROCEEDINGS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 38-431.08, Arizona Revised Statutes, is amended  
3 to read:  
4 38-431.08. Exceptions; limitation  
5 A. This article does not apply to:  
6 1. Any judicial proceeding of any court or any political caucus of  
7 the legislature.  
8 2. Any conference committee of the legislature, except that all  
9 such meetings shall be open to the public.  
10 3. The commissions on appellate and trial court appointments and  
11 the commission on judicial qualifications.  
12 4. Good cause exception and central registry exception  
13 determinations and hearings conducted by the board of fingerprinting  
14 pursuant to sections 41-619.55 and 41-619.57.  
15 5. THE EXCHANGE OF COMMUNICATIONS AMONG A QUORUM OF A THREE-MEMBER  
16 ADVISORY COMMITTEE OR SUBCOMMITTEE THAT INVOLVES A DISCUSSION OR  
17 DELIBERATION CONCERNING A MATTER BEFORE THE ADVISORY COMMITTEE OR  
18 SUBCOMMITTEE.  
19 B. A hearing held within a prison facility by the board of  
20 executive clemency is subject to this article, except that the director of  
21 the state department of corrections may:  
22 1. Prohibit, on written findings that are made public within five  
23 days of so finding, any person from attending a hearing whose attendance  
24 would constitute a serious threat to the life or physical safety of any  
25 person or to the safe, secure and orderly operation of the prison.  
26 2. Require a person who attends a hearing to sign an attendance  
27 log. If the person is over sixteen years of age, the person shall produce  
28 photographic identification that verifies the person's signature.  
29 3. Prevent and prohibit any articles from being taken into a  
30 hearing except recording devices and, if the person who attends a hearing  
31 is a member of the media, cameras.  
32 4. Require that a person who attends a hearing submit to a  
33 reasonable search on entering the facility.  
34 C. The exclusive remedies available to any person who is denied  
35 attendance at or removed from a hearing by the director of the state  
36 department of corrections in violation of this section shall be those  
37 remedies available in section 38-431.07, as against the director only.  
38 D. Either house of the legislature may adopt a rule or procedure  
39 pursuant to article IV, part 2, section 8, Constitution of Arizona, to  
40 provide an exemption to the notice and agenda requirements of this article  
41 or to allow standing or conference committees to meet through  
42 technological devices rather than only in person.