

Senate Engrossed House Bill

~~legislative subpoena; refusal; contempt~~
(now: legislative subpoena; perjury; refusal; contempt)

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HOUSE BILL 2824

AN ACT

AMENDING SECTIONS 41-1152 AND 41-1153, ARIZONA REVISED STATUTES; RELATING
TO THE LEGISLATURE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 41-1152, Arizona Revised Statutes, is amended to
3 read:

4 41-1152. Sworn testimony; immunity of witnesses

5 A. ALL TESTIMONY PRODUCED PURSUANT TO THIS CHAPTER THAT IS
6 AUTHORIZED BY THE SENATE OR THE HOUSE OF REPRESENTATIVES SHALL BE SWORN
7 TESTIMONY UNDER THE PENALTY OF PERJURY.

8 B. Testimony or evidence produced pursuant to this article may not
9 be admitted in evidence or used in any manner in any criminal prosecution
10 against a natural person sworn and examined before either house of the
11 legislature or any committee of either house, except for perjury, false
12 swearing, tampering with physical evidence or any other offense committed
13 in connection with an appearance required by section 41-1151 if it
14 constitutes either the compelled testimony or the private papers of such
15 person ~~which~~ THAT would be privileged evidence pursuant to the fifth
16 amendment of the Constitution of the United States or article II, section
17 10, ~~of the~~ Constitution of Arizona, and such person claimed the privilege
18 against self-incrimination and a majority of the committee, after
19 consultation with the attorney general, votes to order such person to
20 testify or produce such papers.

21 Sec. 2. Section 41-1153, Arizona Revised Statutes, is amended to
22 read:

23 41-1153. Disobedience of subpoena as legislative contempt

24 A. If a witness neglects or refuses to obey a legislative subpoena,
25 or, appearing, neglects or refuses to testify, ~~the senate or the house~~
26 ~~may, by resolution entered in the journal, commit him~~ THE WITNESS MAY BE
27 COMMITTED for contempt BY EITHER OF THE FOLLOWING:

28 1. AFTER THE WITNESS IS GIVEN NOTICE AND AN OPPORTUNITY FOR A
29 HEARING TO PRESENT EVIDENCE, AT THE DISCRETION OF THE CHAIRPERSON, TO SHOW
30 CAUSE AS TO WHY THE WITNESS IS NOT IN CONTEMPT, AN ORDER OF CONTEMPT BY
31 THE CHAIRPERSON OF ANY COMMITTEE OR THE PRESIDENT OF THE SENATE OR SPEAKER
32 OF THE HOUSE OF REPRESENTATIVES THAT FINDS THAT THE WITNESS HAD KNOWLEDGE
33 OF THE SUBPOENA, HAD THE ABILITY TO COMPLY WITH THE SUBPOENA AND FAILED TO
34 COMPLY WITH THE SUBPOENA.

35 2. A RESOLUTION ENTERED IN THE JOURNAL BY THE SENATE OR THE HOUSE
36 OF REPRESENTATIVES.

37 B. A witness ~~neglecting~~ WHO NEGLECTS or ~~refusing~~ REFUSES to attend
38 in obedience to a subpoena may be arrested by the sergeant-at-arms OR A
39 COUNTY SHERIFF and brought before the senate or house ~~upon~~ OF
40 REPRESENTATIVES ON authority of a copy of the ORDER OF CONTEMPT THAT SHALL
41 BE SIGNED BY THE CHAIRPERSON OR THE PRESIDENT OF THE SENATE OR THE SPEAKER
42 OF THE HOUSE OF REPRESENTATIVES AND THAT SHALL BE COUNTERSIGNED BY THE
43 SECRETARY OF THE SENATE OR CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES OR
44 ON AUTHORITY OF A COPY OF THE resolution THAT SHALL BE signed by the
45 president OF THE SENATE or speaker OF THE HOUSE OF REPRESENTATIVES, and
46 THAT SHALL BE countersigned by the secretary OF THE SENATE or chief clerk
47 OF THE HOUSE OF REPRESENTATIVES.