

REFERENCE TITLE: legislative subpoena; perjury; refusal; contempt

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HB 2745

Introduced by
Representative Rivero

AN ACT

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

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

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

41-1152. Sworn testimony; immunity of witnesses

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

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

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

41-1153. Disobedience of subpoena as legislative contempt

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

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

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

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