



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session

House: GOV DP 4-3-0-0

HB 2824: legislative subpoena; refusal; contempt

Sponsor: Representative Rivero, LD 27

House Engrossed

Overview

Establishes an alternate legislative procedure following a witness who commits contempt of the Legislature.

History

If a witness fails to comply with a legislative subpoena or refuses to testify, the Senate or House may hold them in contempt through a resolution recorded in the journal. The Sergeant at Arms may arrest a non-compliant witness and bring them before the Legislature, based on a resolution signed by the President or Speaker and countersigned by the Secretary or Chief Clerk ([A.R.S. § 41-1153](#)).

Provisions

1. Establishes the following alternate procedure for a witness who refuses to obey a legislative subpoena:
 - a) at the discretion of the chairman, allow the witness an opportunity to present evidence in a hearing to demonstrate why they should not be held in contempt; and
 - b) if the committee, President of the Senate or Speaker of the House determines that the witness had prior knowledge of the subpoena, the ability to comply, but still refused, then the committee can officially declare the witness in contempt. (Sec. 1)
2. Authorizes the Sergeant at Arms to arrest the witness and compel their appearance before the House or Senate upon a contempt order signed by the chairman, President of the Senate or Speaker of the House, and countersigned by the Secretary of the Senate or Chief Clerk of the House. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note