

REFERENCE TITLE: technical correction; public records

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HB 2423

Introduced by
Representative Gress

AN ACT

AMENDING SECTION 41-735, ARIZONA REVISED STATUTES; RELATING TO STATE FINANCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 41-735, Arizona Revised Statutes, is amended to
3 read:

4 41-735. Internal audit; authority to examine records;
5 divulgence of restricted information; violation;
6 classification; public records exception

7 A. Except as provided in subsection C **OF THIS SECTION**, the
8 department shall have access to, and authority to examine, any and all
9 books, accounts, reports, vouchers, correspondence files and other
10 records, bank accounts, money and other property of any state agency,
11 whether created by the constitution or otherwise. An officer or employee
12 of any such agency, having such records under his control, shall permit
13 access to and examination thereof upon the request of the director or his
14 authorized representative. Any officer or person who knowingly fails or
15 refuses to permit such access and examination is guilty of a class 2
16 misdemeanor.

17 B. If the director or any member of his staff or other employee
18 knowingly divulges or makes known in any manner not permitted by law any
19 particulars of any record, document or information the disclosure of which
20 is restricted by law he is guilty of a class 5 felony.

21 C. Books, accounts, reports or other records which are prescribed
22 confidential with limited access by either state or federal law are not
23 subject to examination under this section.

24 D. Draft working papers and other draft audit files maintained by
25 the department are not public records and are exempt from title 39,
26 chapter 1. The information contained in draft working papers and draft
27 audit files prepared pursuant to a specific audit is not subject to
28 disclosure, except to the attorney general or to any county attorney in
29 connection with an investigation made or action taken in the course of
30 ~~their~~ **THE ATTORNEY GENERAL'S OR COUNTY ATTORNEY'S** official duties. On
31 completion and issuance of the final audit report, draft working papers
32 and draft audit files become public records.