

Senate Engrossed

~~technical correction; child hearing programs~~
(now: accident victims; public records)

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SENATE BILL 1090

AN ACT

AMENDING TITLE 39, CHAPTER 1, ARTICLE 2, ARIZONA REVISED STATUTES, BY
ADDING SECTION 39-123.02; RELATING TO PUBLIC RECORDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 39, chapter 1, article 2, Arizona Revised
3 Statutes, is amended by adding section 39-123.02, to read:
4 39-123.02. Withholding of names of accident victims; public
5 records; law enforcement and prosecution records
6 A. A LAW ENFORCEMENT AGENCY OR PROSECUTION AGENCY THAT CREATES OR
7 RECEIVES A PUBLIC RECORD THAT CONTAINS THE NAME OF A PERSON WHO IS
8 INVOLVED IN AN ACCIDENT THAT EITHER CAUSES THE DEATH OF OR SERIOUS
9 PHYSICAL INJURY TO THE PERSON SHALL WITHHOLD THE DISCLOSURE OF THE
10 DECEASED OR SERIOUSLY INJURED PERSON'S NAME FOR AT LEAST TWENTY-FOUR HOURS
11 AFTER THE ACCIDENT UNLESS ANY OF THE FOLLOWING OCCURS:
12 1. A COURT OF COMPETENT JURISDICTION ORDERS THE DISCLOSURE.
13 2. THE SERIOUSLY INJURED PERSON CONSENTS TO THE DISCLOSURE OF THE
14 PERSON'S NAME BEFORE TWENTY-FOUR HOURS HAVE PASSED.
15 3. AN IMMEDIATE FAMILY MEMBER OF THE DECEASED OR SERIOUSLY INJURED
16 PERSON CONSENTS TO THE DISCLOSURE OF THE PERSON'S NAME BEFORE TWENTY-FOUR
17 HOURS HAVE PASSED.
18 B. THIS SECTION DOES NOT AFFECT:
19 1. ANY RECORDS THAT ARE TRANSMITTED BETWEEN LAW ENFORCEMENT AND
20 PROSECUTION AGENCIES, COURTS AND CLERKS OF COURT.
21 2. ANY PROVISION OF LAW THAT GOVERNS THE DISCOVERY PROCESS OR THE
22 CONDUCT OF TRIALS.
23 Sec. 2. Short title
24 This act shall be known and cited as "Brett's Law".