

PROPOSED
SENATE AMENDMENTS TO S.B. 1090
(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

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
6 records; victim rights

7 A. A LAW ENFORCEMENT AGENCY OR PROSECUTION AGENCY THAT CREATES OR
8 RECEIVES A PUBLIC RECORD THAT CONTAINS THE NAME OF A PERSON WHO IS INVOLVED
9 IN AN ACCIDENT THAT EITHER CAUSES THE DEATH OF OR SERIOUS PHYSICAL INJURY
10 TO THE PERSON MAY WITHHOLD THE DISCLOSURE OF THE DECEASED OR INJURED
11 PERSON'S NAME FOR AT LEAST TWENTY-FOUR HOURS AFTER THE ACCIDENT UNLESS A
12 COURT OF COMPETENT JURISDICTION ORDERS THE DISCLOSURE.

13 B. THIS SECTION DOES NOT AFFECT:

14 1. ANY RECORDS THAT ARE TRANSMITTED BETWEEN LAW ENFORCEMENT AND
15 PROSECUTION AGENCIES, COURTS AND CLERKS OF COURT.

16 2. ANY PROVISION OF LAW THAT GOVERNS THE DISCOVERY PROCESS OR THE
17 CONDUCT OF TRIALS.

1 C. THE PERSON WHOSE NAME IS INCLUDED IN A RECORD DESCRIBED IN
2 SUBSECTION A OF THIS SECTION HAS THE RIGHT TO BE PRESENT AT AND TO BE HEARD
3 IN ANY ACTION BROUGHT PURSUANT TO THIS ARTICLE FOR THE RELEASE OF THE
4 RECORDS DESCRIBED IN SUBSECTION A OF THIS SECTION.

5 Sec. 2. Short title

6 This act shall be known and cited as "Brett's Law".

7 Amend title to conform

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