

PROPOSED AMENDMENT

SENATE AMENDMENTS TO H.B. 2353

(Reference to House engrossed bill)

1 Page 27, between lines 8 and 9, insert:

2 "Sec. 19. Section 21-411, Arizona Revised Statutes, is amended to  
3 read:

4 **21-411. Appointment of reporter; transcript**

5 A. The presiding judge of the superior court shall appoint a regularly  
6 appointed court reporter to record the proceedings before the grand jury,  
7 except the deliberations of the grand jury.

8 B. ON REQUEST OF THE STATE OR THE DEFENDANT, the reporter's notes  
9 containing the proceedings from which an indictment is returned shall be  
10 transcribed and filed with the clerk of the superior court not later than  
11 twenty days ~~following the return of the indictment~~ AFTER THE REQUEST HAS BEEN  
12 MADE BY THE STATE OR THE DEFENDANT, unless the court otherwise orders. ~~Such~~  
13 THE transcript shall be made available to the prosecuting officer and the  
14 defendant. The transcript or a portion of the transcript may be denied to a  
15 defendant by the court ~~upon~~ ON a showing of extraordinary circumstances by a  
16 prosecuting officer. The reporter's notes ~~which~~ THAT are not transcribed as  
17 provided in this section shall be filed with the clerk of the superior court  
18 and impounded and shall be transcribed only when ordered by the presiding  
19 judge of the superior court.

20 B. C. The reporter and typists who transcribe the reporter's notes of  
21 grand jury proceedings shall be sworn by the foreman or acting foreman not to  
22 disclose any testimony or the name of any witness except to the county  
23 attorney or other prosecuting officer or when testifying in court."

24 Renumber to conform

25 Amend title to conform

ADAM DRIGGS

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03/04/2011  
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