

**BILL SUMMARY**  
2<sup>nd</sup> Session of the 59<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>HB3777</b>
<b>Version:</b>	<b>INT</b>
<b>Request Number:</b>	<b>9144</b>
<b>Author:</b>	<b>Duel</b>
<b>Date:</b>	<b>2/6/2024</b>
<b>Impact:</b>	<b>Minimal</b>

**Research Analysis**

HB 3777 establishes requirements for the issuance of criminal subpoenas issued on behalf of criminal defendants. Parties responsible for the issuance and service of a subpoena are to take steps to avoid imposing undue burdens or expenses on a person subject to the subpoena. The measure outlines situations under which the court must quash or modify a subpoena. A subpoena that directs the production of documents or inspection of premises before trial must be served on each party. The measure allows for the nonappearance of persons required to submit documents, unless commanded to appear. A person subject to a subpoena to produce documents may serve written objections to the subpoena within 14 days of service of the subpoena. A subpoena may be served by any person 18 years of age or older and may be accomplished by certified mail with return receipt requested.

Prepared By: Brad Wolgamott

**Fiscal Analysis**

This measure modifies procedure related to criminal subpoenas. Per the amendments of this measure, upon service of certain subpoenas the demanded person is to be tendered the fees for 1 day of attendance and the mileage allowed by law. Any costs related to this are expected to be negligible and in accordance with the normal duties pursuant to the issuance of subpoenas. Therefore, in its current form, HB3777 is not anticipated to have a negative impact on state budget or appropriations.

Prepared By: Robert Flipping IV, House Fiscal Staff

**Other Considerations**

None.