

BILL SUMMARY
1st Session of the 60th Legislature

Bill No.:	HB1568
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Request Number:	10638
Author:	Rep. Duel
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Research Analysis

HB 1568 modifies the procedure for advising grand juries. The measure provides that a transcript is not to be used for any purpose other than in proceedings relating to the grand jury testimony, civil asset forfeiture proceedings, or an accusation for removal of a public official from the grand jury, without good cause shown supported by clear and convincing evidence after written motion and hearing before the judge presiding over the grand jury. The prosecutor serving as a legal advisor to the grand jury must receive timely notice of the motion and hearing and be allowed an opportunity to object to any order of release of grand jury transcripts. An attorney who obtains a copy of a grand jury transcript is precluded from representing any party in a civil case related to the grand jury testimony or using the grand jury transcripts to the benefit or detriment of a party in a civil proceeding. The attorney general or a district attorney are allowed to prosecute an indictment or accusation for removal while his or her office is engaged in related civil litigation if the grand jury transcripts are not provided to the staff of the attorney general or district attorney involved in the civil litigation. Any witness who is provided a transcript of his or her testimony is subject to the same restrictions on disclosure as any other person.

Prepared By: Brad Wolgamott

Fiscal Analysis

HB1568 modifies the administrative procedures related to the transcripts of certain testimonies. Any costs related to this measure are expected be either immaterial or absorbed by the Administrative Office of the Courts (AOC) in accordance with the ordinary duties of the agency. Therefore, in its current form, HB1568 is not anticipated to have an impact on state budget or appropriations.

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Other Considerations

None.