

**FORTY-EIGHTH LEGISLATURE  
FIRST SPECIAL SESSION, 2007**

March 21, 2007

Mr. Speaker:

Your **JUDICIARY COMMITTEE**, to whom has been referred

**HOUSE BILL 7**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 1, line 18, strike "SECRETARY OF STATE" and insert in lieu thereof "ATTORNEY GENERAL".
2. On page 25, line 8, after the period, strike the remainder of the line, strike all of lines 9 through 25 and on page 26, strike line 1 through the period.
3. On page 28, between lines 13 and 14, insert the following new subsections:
  - "G. At any time, if the secretary of state finds that, based on identifiable facts, probable cause exists to believe that the Campaign Reporting Act has been violated, the secretary may refer to the attorney general a confidential request to compel the production of books, records and papers pertinent to an investigation conducted pursuant to that act. The attorney general may issue a subpoena that shall state with reasonable certainty the nature of the investigation, the nature of the information required to be produced, the time and place where information shall be produced and the consequences of failure to obey the subpoena.
  - H. After service of a subpoena upon a person pursuant to Subsection G of this section, if the person neglects or refuses to comply with the subpoena, the attorney general may apply to the district court where the custodian of the documents is located for an order compelling compliance. A person who fails to comply with the district court's order is subject to penalty for contempt of court.
  - I. Failure to cooperate with an investigation conducted by the secretary of state pursuant to this section is a violation of the Campaign Reporting Act.
  - J. Any request for a subpoena pursuant to this section, the issuance of a subpoena, compliance or noncompliance with a

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subpoena and any information submitted in compliance with a subpoena shall be kept confidential."

4. On page 28, line 14, strike "The" and insert in lieu thereof "Notwithstanding the provisions of this section relating to voluntary compliance or arbitration, at any time, the".

5. Reletter all subsections accordingly.

Respectfully submitted,

\_\_\_\_\_  
Al Park, Chairman

Adopted \_\_\_\_\_  
(Chief Clerk)

Not Adopted \_\_\_\_\_  
(Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 8 For 0 Against

Yes: 8

No: 0

Excused: Foley, Martinez, Rehm, Youngberg, Zanetti

Absent: None

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