

REFERENCE TITLE: county attorney; special prosecutor; appointment

State of Arizona  
House of Representatives  
Forty-eighth Legislature  
Second Regular Session  
2008

## **HB 2548**

Introduced by  
Representatives Sinema, Ableser, Lujan: Brown, Campbell CH, DeSimone,  
Farley, Gallardo, Lopes, Prezelski, Schapira, Thrasher

AN ACT

AMENDING TITLE 11, CHAPTER 3, ARTICLE 6, ARIZONA REVISED STATUTES, BY ADDING  
SECTION 11-540: RELATING TO THE COUNTY ATTORNEY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 11, chapter 3, article 6, Arizona Revised Statutes,  
3 is amended by adding section 11-540, to read:

4 11-540. Conflict of interest; special prosecutor; appointment

5 A. IN ANY CRIMINAL PROSECUTION IN WHICH THE COUNTY ATTORNEY HAS AN  
6 ACTUAL CONFLICT OF INTEREST, THE COUNTY ATTORNEY SHALL REQUEST ANOTHER COUNTY  
7 ATTORNEY OR THE ATTORNEY GENERAL TO PROSECUTE THE MATTER.

8 B. IF ANOTHER COUNTY ATTORNEY OR THE ATTORNEY GENERAL DECLINES TO  
9 PROSECUTE THE MATTER, THE COUNTY ATTORNEY SHALL REQUEST THE COURT TO APPOINT  
10 A SPECIAL PROSECUTOR TO PERFORM THE DUTIES OF THE COUNTY ATTORNEY. THE  
11 SPECIAL PROSECUTOR SHALL RECEIVE REASONABLE COMPENSATION FIXED BY THE COURT  
12 AND, AFTER THE COURT'S REVIEW OF THE WORK COMPLETED, SHALL BE PAID BY THE  
13 COUNTY TREASURER. THE AMOUNT SHALL BE DEDUCTED FROM THE COUNTY ATTORNEY'S  
14 BUDGET.