

88 (c) a subpoena requiring a person to produce accounts, books, papers, documents,
 89 electronically stored information, or tangible things designated in the subpoena at a time and
 90 place designated in the subpoena.

91 [~~6~~] (8) "Special investigative committee" is as defined in Subsection 36-12-9(1).

92 Section 2. Section 36-14-5 is repealed and reenacted to read:

93 **36-14-5. Legislative subpoenas -- Challenges -- Enforcement.**

94 (1) A legislative subpoena:

95 (a) is an order issued by the legislative branch of state government, backed by the
 96 power vested in the Legislature under the Utah Constitution, and backed by the authority of
 97 state law, to enable the Legislature to fulfill the Legislature's constitutional and statutory duties
 98 and to exercise the Legislature's constitutional and statutory power, to the fullest extent, in the
 99 interests of the citizens of Utah; and

100 (b) is not a mere discovery device.

101 (2) A legislative review committee has the sole authority to hear and decide a
 102 disputative motion.

103 (3) (a) A person may not file with a court, and a court does not have jurisdiction to hear
 104 or decide, a disputative motion or any other motion or action challenging the scope, breadth, or
 105 validity of a legislative subpoena.

106 (b) Except as expressly authorized by this section, a person may not take legal action to
 107 challenge or limit a legislative subpoena.

108 (c) If a person attempts to take legal action that is not expressly authorized by this
 109 section to challenge or limit a legislative subpoena, the person:

110 (i) is not relieved from the duty to fully, strictly, and timely comply with the legislative
 111 subpoena; and

112 (ii) is subject to the criminal penalty described in Section 36-14-7 if the person fails to
 113 fully, strictly, and timely comply with the legislative subpoena.

114 (4) A person may file a disputative motion only upon the grounds that the legislative
 115 subpoena seeks an item, information, or testimony that is protected under:

116 (a) the United States Constitution or the Utah Constitution; or

117 (b) a ~~§~~ [recognized common law] ~~←~~§ privilege ~~§~~→, recognized by Utah court rules,

117a ~~←~~§ that has not been waived.

118 (5) A person who files a disputative motion shall file the disputative motion by serving

243 the United States Constitution, the Utah Constitution, or a §→ [recognized common law] ←§
243a privilege §→ , recognized by Utah court rules, ←§

244 that has not been waived;

245 (c) (i) the legislative review committee has not issued a decision on the motion
246 described in Subsection (3)(a);

247 (ii) the legislative review committee grants the motion described in Subsection (3)(a),
248 provided that, if the legislative review committee grants a protective order, the person fully and
249 strictly complies with all aspects of the legislative subpoena for which the person sought a
250 protective order but for which a protective order was denied, within seven days, or a different
251 time ordered by the legislative review committee, after the day on which the legislative review
252 committee grants the protective order; or

253 (iii) the legislative review committee denies the motion described in Subsection (3)(a)
254 and the person fully complies with the subpoena within seven days, or a different time ordered
255 by the legislative review committee, after the day on which the legislative review committee
256 denies the motion; and

257 (d) the person fully, strictly, and timely provides all information, items, and testimony
258 that are responsive to the legislative subpoena and are not subject to a good faith claim
259 described in Subsections (3)(a) and (b).

260 (4) A criminal action under this section may be brought by the attorney general, the
261 Salt Lake County district attorney, or a county attorney or district attorney where the defendant
262 resides or has a business presence.