



Office of Arizona Attorney General  
**Kris Mayes**



Legislator Request for Attorney General Investigation of  
 Alleged State-Law Violation by County, City, or Town

\*Identify the member(s) of the Legislature submitting this request for investigation (attach additional sheet if necessary):

*Senator John Kavanagh*

\*Provide a contact person for communications from the Attorney General's Office regarding this request (may be a Legislator listed above or an employee of the Legislature).

\*Name: *Chase Boeke*

\*Email address: *cboeke@azleg.gov*

\*Phone number: *602-926-6170*

\*Mailing address: *Arizona State Senate Building*  
*1700 W. Washington Street*  
*Phoenix, AZ 85007*

\*The specific question for the Attorney General to investigate is:

*Whether the City of Surprise's policy on public*

*comments during City Council meetings (see attached) violates ARS § 38-431.01(1) or the AZ Constitution*

\*The name of the county, city, or town that is the subject of this request:

*Surprise, AZ*

\*The specific ordinance, regulation, order, or other official action adopted or taken by the governing body of the county, city, or town and the date thereof:

*Rules for the Public Council Meetings, 2e*

*See attached*

\*The specific Arizona statute(s) and/or constitutional provision(s) with which the action conflicts:

*A.R.S. § 38-431.01(1); Ariz. Const. art. 2 § 6*

\*required field

\*All relevant facts of which you are aware (attach separate sheet if necessary):

See attached

\*All relevant legal authority, including federal and state case law, of which you are aware (attach separate sheet if necessary):

See attached

\* Any litigation involving this issue of which you are aware (include case name, number, and court where filed):

Potential litigation related to the rule and the first Amendment has been mentioned in recent news articles, but I am not aware of any specific cases at this time

Check this box if you are attaching supporting documentation.

X

NOTE: This form and other information submitted to the Attorney General's Office is subject to the public records law, A.R.S. § 39-121 et seq.

I, a current member of the Legislature, verify that I and the other Legislators listed on the previous page (if any) are submitting this request for investigation under A.R.S. § 41-194.01.

\*First Name: John \*Last Name: Kavanagh

\*Signature: [Signature] \*Date: 9/10/24

Please submit the completed form to: Arizona Attorney General's Office, Attn: Solicitor General's Office, Special Litigation Section, 1700 North Central Avenue, Phoenix, AZ 85004-1592, AGOpinionRequests@az.gov

Required