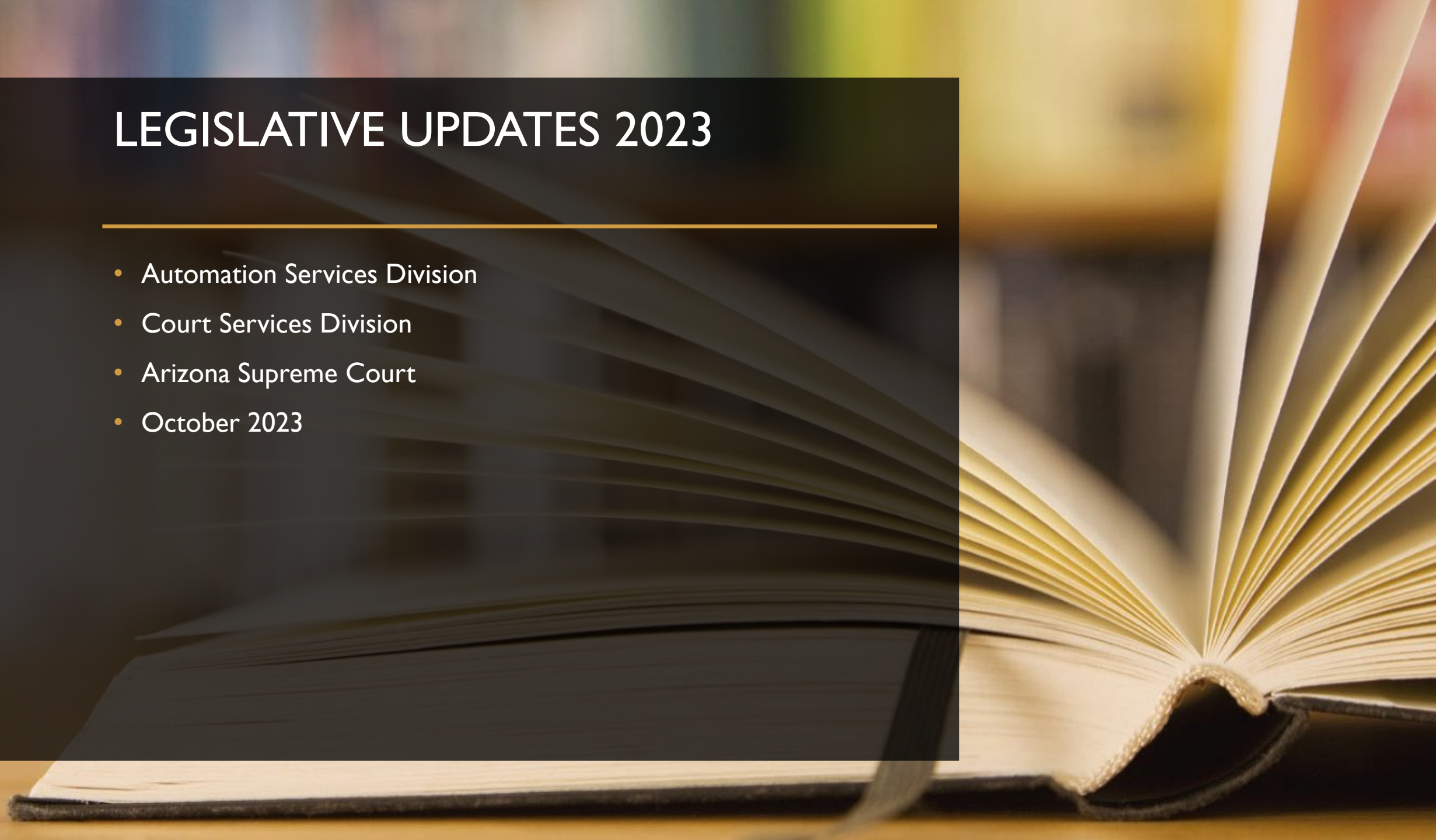
LEGISLATIVE UPDATES 2023

- Automation Services Division
- Court Services Division
- Arizona Supreme Court
- October 2023



56TH LEGISLATURE – 1ST REGULAR SESSION

- Emergency Effective Bills
- General Effective Bills
- Delayed Effective Bills
- Resolutions
- Automation Updates

EMERGENCY EFFECTIVE DATE BILLS

HB2169 (CHAPTER 153) CHILD SEX DOLL; EXPLOITATION

- **Jurisdiction:** Superior Court, Justice Court, Municipal Court
- An emergency measure that establishes new class 4 felony criminal offenses of possessing a child sex doll, trafficking a child sex doll and importing a child sex doll. Adds a class 2 felony offense under sexual exploitation of a minor to include conduct involving child sex dolls that use the face, image or likeness of a real infant or minor under the age of 12.
- The AOC is required to yearly submit a report to the legislature for the total number of persons who have been convicted of a violation under A.R.S. § 13-1429.
- Add Violations: 13-1429A, 13-1429B, 13-1429C, 13-3553A3
- Emergency effective date: 5/19/2023.

GENERAL EFFECTIVE DATE BILLS

GENERAL EFFECTIVE DATE

The General Effective date for the 56th Legislature – 1st Regular Session is October 30, 2023.

SB1036 (CHAPTER 3) SETTING ASIDE CONVICTION; CERTIFICATE ELIGIBILITY

- **Jurisdiction:** Superior Court, Justice Court, Municipal Court
- A certificate of second chance releases an individual from any barriers resulting from the set aside conviction while obtaining an occupational license. Additionally, a certificate restores the individual's right to possess a firearm and provides the individual's employer and other entities with protections pursuant to A.R.S. § 12-558.03.
- This bill prohibits an individual who has previously received a certificate of second chance on a set aside of a felony conviction from receiving any additional certificates. In addition, specifies that felony conviction includes multiple felony convictions resulting from the same act or course of conduct.

SB1036 (CHAPTER 3) SETTING ASIDE CONVICTION; CERTIFICATE ELIGIBILITY

- The following statewide forms will be updated to reflect the changes in statute:
  - Order Regarding Application to Set Aside Conviction and Restoration of Gun Rights, Application for Certificate of Second Chance
  - Order Regarding Application for Certificate of Second Chance.
- Post-Conviction Set Aside forms can be found at: Court Forms SharePoint site
- Rule Petition R-23-0038 was adopted on an emergency basis, effective October 30, 2023.

SB1036 (CHAPTER 3) SETTING ASIDE CONVICTION; CERTIFICATE ELIGIBILITY

- The merge forms referenced below will be updated in LJ AJACS. As a result, all customized forms will be updated with the statewide standard.
  - Order Regarding Application to Set Aside Conviction and Restoration of Gun Rights
  - Order Regarding Application for Certificate of Second Chance
- All GJ AJACS Courts should review form updates and determine if e-bench template updates are needed.

SB1176 (CHAPTER 37) HEALTH PROFESSIONALS; ADDRESS; CONFIDENTIALITY

- Jurisdiction: Superior Court
- ARS § 11-483, 11-484, 12-290, 16-153 and 28-454 allow eligible persons to petition the superior court to restrict public access to their home address and phone numbers in records maintained by the County Recorder, Assessor, Treasurer and the Arizona Motor Vehicle Division.
- This bill adds a certified nursing assistant or a registered nurse (Health Professional) to the eligible list.
- Personal Information Redaction Forms can be found at Court Forms SharePoint site.

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SB1582 (CHAPTER 70) LIFETIME INJUNCTION; PETITION; PROCEDURES

- **Jurisdiction:** Superior Court
- Legislation updates the No-Contact Lifetime Injunctions under A.R.S. §13-719.
  - A victim who did not request a lifetime injunction at the time of sentencing can file a petition at a later date to request a lifetime injunction.
  - Clarifies that a court cannot charge a filing fee for the lifetime injunction petition.
  - Clarifies that the set aside of a conviction under A.R.S. § 13-905 or the sealing of a conviction under A.R.S. § 13-911 does not affect the validity of a lifetime injunction or the victim's eligibility to submit a petition for a lifetime injunction.
  - Makes explicit that a conviction that is set aside under A.R.S. § 13-905 does not release the defendant from the provisions of a lifetime injunction issued based on that conviction.

SB1582 (CHAPTER 70) LIFETIME INJUNCTION; PETITION; PROCEDURES

- The following Lifetime No-Contact Injunction Forms will be updated in response to legislative and administrative changes. Forms listed below are paper forms only and will not be processed through AZPOINT:
  - Petition for Lifetime No-Contact Injunction
  - Order for Lifetime No-Contact Injunction
  - Confidential Victims Information Sheet Lifetime Injunction
  - Declaration of Service
  - Motion to Dismiss Lifetime No-Contact Injunction
  - Response (A.R.S. § 13-719) (NEW)

SB1582 (CHAPTER 70) LIFETIME INJUNCTION; PETITION; PROCEDURES

- Additional information on Lifetime No-Contact Injunction provided below:
  - Rule Petition 2023 R-22-0039 order adopting the emergency rule changes on a permanent basis, effective October 30, 2023.
  - Updated Lifetime No-Contact Injunction Forms can be found at Court Forms SharePoint site
  - Updated GJ AJACS training material for Lifetime Injunctions can be found at: Lifetime Injunction - Quick Tips

HB2041 (CHAPTER 103) MENTAL HEALTH; VOLUNTARY EVALUATIONS; PAYMENT

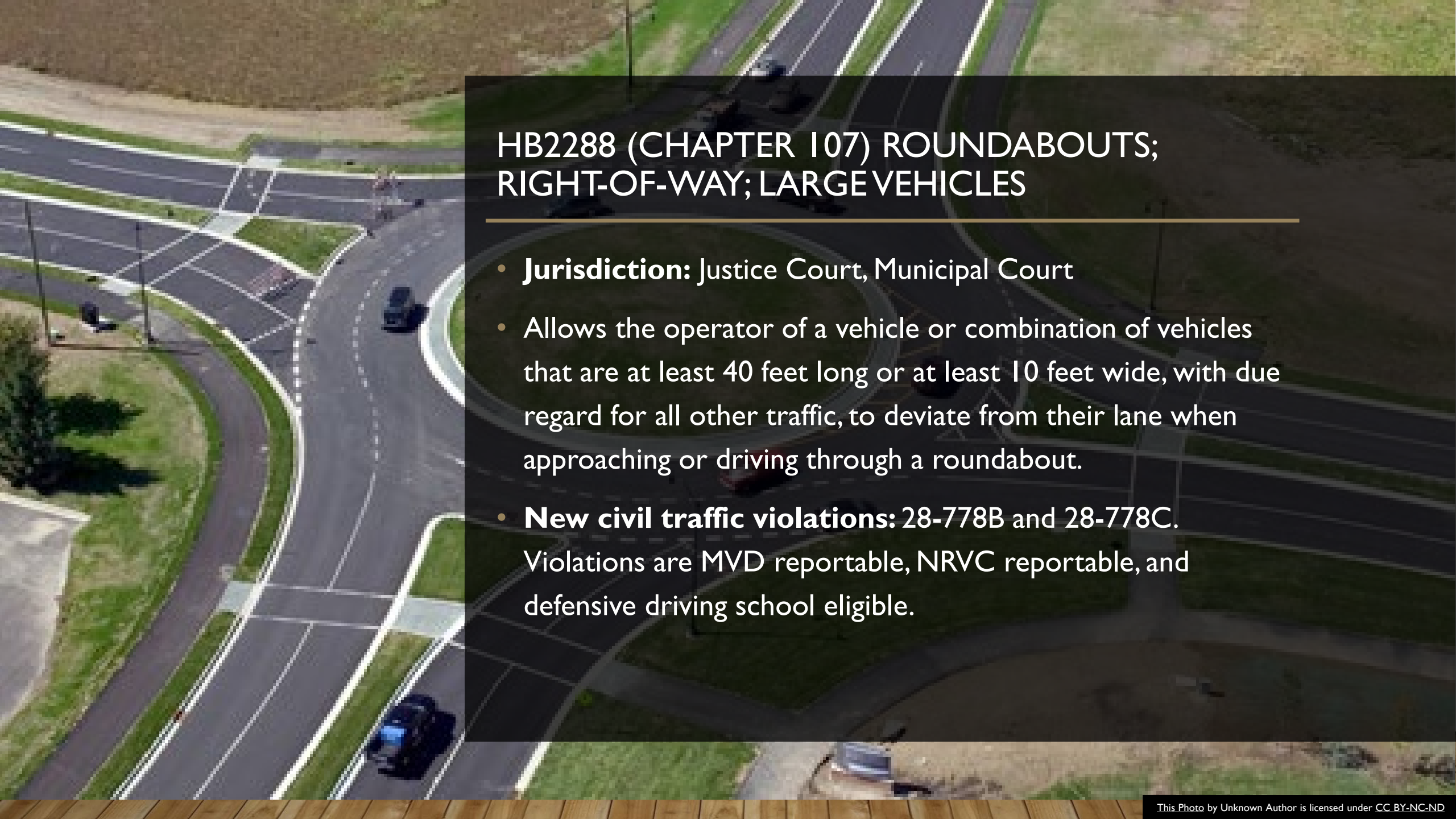
- **Jurisdiction:** Superior Court
- Requires a person who is given a voluntary evaluation to pay for all, or any portion that the person can afford, of the established charges for evaluation. No charges may be made against a patient who is indigent. Reimbursement may be assessed pursuant to A.R.S. § 36-545.05(B).

HB2041 (CHAPTER 103) MENTAL HEALTH; VOLUNTARY EVALUATIONS; PAYMENT

- New Event Code

Jurisdiction	Code	Case Category	Description
GJ Only	4000004	PAYMENT	PAYMENT: VOLUNTARY EVALUATION REIMBURSEMENT

- New Financial Codes attached to new payment event code.
  - New Cost Type: **VOLEVAL**
  - New Cost General Ledger: **Voluntary Evaluation Reimbursement**
  - New Fee Schedule: **2023 Voluntary Evaluation Reimbursement**
- Monies remit to the County Treasurer with zcode ZVER.



HB2288 (CHAPTER 107) ROUNDABOUTS; RIGHT-OF-WAY; LARGE VEHICLES

- **Jurisdiction:** Justice Court, Municipal Court
- Allows the operator of a vehicle or combination of vehicles that are at least 40 feet long or at least 10 feet wide, with due regard for all other traffic, to deviate from their lane when approaching or driving through a roundabout.
- **New civil traffic violations:** 28-778B and 28-778C. Violations are MVD reportable, NRVC reportable, and defensive driving school eligible.

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SB1061 (CHAPTER 125) SOCIAL MEDIA PLATFORMS; STANDARDS; NOTIFICATION

- **Jurisdiction:** Superior Court
- In addition to SB1176 (chapter 37), this legislation adds "public officials" and "election officers" to the list of persons who are eligible to petition the court to restrict public access to the person's identifying information. Defines "public official" as a person who is duly elected or appointed to Congress, the Legislature, a statewide office or a county, city or town office. Defines "election officer" as a state, county or municipal employee who holds an election officer's certificate.
- Updates to the Personal Information Redaction Forms can be found at Court Forms SharePoint site.

SB1206 (CHAPTER 126) COMMERCIAL VEHICLES; PENALTY; CIVIL; CRIMINAL

- **Jurisdiction:** Justice Court, Municipal Court
- Legislation amends A.R.S. § 28-5240 and A.R.S. § 28-5241. These sections are the civil and criminal citing authority, violations, and penalties for drivers, motor carriers, shippers, and manufacturers for state and federal trucking code violations.
- The bill requires multiple violation updates in Title 28, Chapter 14, and criminal trucking (CFR) codes.

SB1206 (CHAPTER 126) COMMERCIAL VEHICLES; PENALTY; CIVIL; CRIMINAL

- **Violation Code Changes**
  - **Classification Updates**: 28-5236A & 28-5236B added as civil traffic offenses.
  - **Renumber and Classification Update**: 28-5281A1, 28-5281A2, 28-5281B1, 28-5281B2 renumbered to 28-5281C1, 28-5281C2, 28-5281D1, 28-5281D2 as class 2 misdemeanors.
  - **Turn-off**: All federal motor carrier violations set-up as criminal violations will be turned off per the repeal of the criminal classification in 28-5240(C). The only remaining criminal violations will be CFR-392.5C, CFR-395.13C, CFR-395.13D, and CFR-396.9C2 per 28-5241A.

SB1206 (CHAPTER 126) COMMERCIAL VEHICLES; PENALTY; CIVIL; CRIMINAL

- Additional information on legislation and federal motor carrier changes provided below.
  - Complete list of Federal Motor Carrier Violations that will be end dated can be found at: **Federal Motor Carrier Violations Workbook**
  - A summary document of title 28 violations and federal trucking code violations changes pursuant to SB1206 can be found at: **SB1206 Trucking Code Updates**

SB1197 (CHAPTER 162) JUVENILE OFFENDERS; MONETARY SANCTIONS; REPEAL

- **Jurisdiction:** Superior Court, Justice Court, Municipal Court
- Legislation removes juvenile court-ordered fees except for victim restitution, monetary assessments, fines, surcharges associated with specific violation-based offenses.
- Within 6 months after the general effective date, requires the AOC to develop and implement procedures for an individual to petition the court to vacate an eligible unpaid balance or unsatisfied civil judgment; the court is permitted to vacate eligible balances without petition.

SB1197 (CHAPTER 162) JUVENILE OFFENDERS; MONETARY SANCTIONS; REPEAL

- Requires the court to grant a request to vacate an eligible unpaid balance and unsatisfied civil judgment within 60 days after the request is filed with the court.
- If the court has referred an unpaid outstanding balance to a private collection agency, requires the court to promptly inform the agency that the balance is void and not collectable.
- Requires the clerk of the court to notify the county recorder of all applicable vacated civil judgments.
- Requires the Supreme Court to report the number of unpaid balances and unsatisfied civil judgments vacated and discharged or partially vacated, the amount of the balances vacated, and the number of orders vacated automatically or by request on or before December 31, 2025.

SB1197 (CHAPTER 162) JUVENILE OFFENDERS; MONETARY SANCTIONS; REPEAL

- **Automation and Training Updates**
  - Updated and New Forms
  - New Event Codes
  - Eligible Monetary Obligations to Vacate
  - Cost Type Updates
  - Sentencing/Disposition of Juvenile Cases after 10/30
  - Juvenile DUI Sentencing Updates
  - Determine Applicability of Local Ordinance Monetary Obligations
  - Time Payment Fee
  - Remittance Report

SB1197 (CHAPTER 162) JUVENILE OFFENDERS; MONETARY SANCTIONS; REPEAL

- The following updated and new forms will be made available at Court Forms SharePoint site.
  - Updated: Application to Set Aside Juvenile Adjudication
  - Updated: Application for Destruction of Juvenile Records
  - New: Instructions: How to Complete the Petition to Vacate Monetary Obligations or Civil Judgments
  - New: Petition To Vacate Eligible Monetary Obligations or Civil Judgments
  - New: Order To Vacate Eligible Monetary Obligations or Civil Judgments

SB1197 (CHAPTER 162) JUVENILE OFFENDERS; MONETARY SANCTIONS; REPEAL

- New Event Codes should be used when docketing the petition, order via petition, order via court's own motion, and satisfaction of judgment into AJACS.

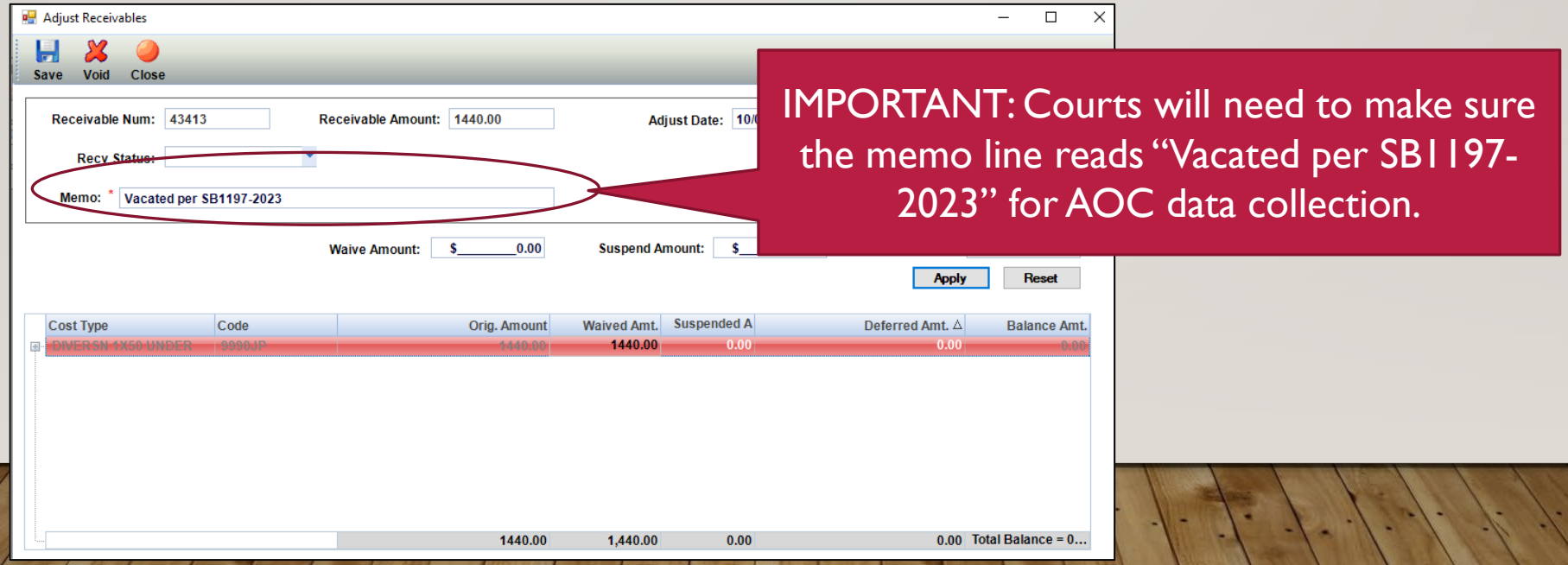
Jurisdiction	Code	Event Category	Description
GJ, LJ	4000015	PETITION	JV PETITION TO VACATE FEES
GJ, LJ	4000016	ORDER	JV ORDER TO VACATE FEES VIA PETITION
GJ, LJ	4000017	ORDER	JV ORDER TO VACATE FEES VIA COURTS OWN MOTION
GJ ONLY	4000018	JUDGMENT	SATISFACTION OF JV JUDGMENT

SB1197 (CHAPTER 162) JUVENILE OFFENDERS; MONETARY SANCTIONS; REPEAL

- **Monetary Obligation Eligible to be Vacated**
  - Court-appointed attorney costs imposed under A.R.S. § 8-221
  - Costs against a parent or guardian for counseling, treatment, or education required as part of a diversion program imposed under A.R.S. § 8-234
  - Supervision fees imposed under A.R.S. § 8-241
  - Foster care expenses imposed under A.R.S. § 8-243(A)
  - Department of juvenile corrections or other state department institution expenses imposed under A.R.S. § 8-243(B)
  - Juvenile detention expenses imposed under A.R.S. § 8-243(C)
  - Medical or surgical treatment expenses imposed under A.R.S. § 8-245
  - Family counseling program costs imposed under A.R.S. § 8-263
  - Community-based alternative program fees or costs imposed under A.R.S. § 8-321
  - Surcharges and Assessments on monetary assessments imposed under A.R.S. § 8-323(F)(5) for a non-Title 28 offense
  - Rehabilitative, incorrigibility, or minor consumption monetary assessment imposed under A.R.S. § 8-341
  - Alcohol or drug screening, education, or treatment costs imposed under A.R.S. § 8-343(L)
  - Detention costs imposed under A.R.S. § 8-343(M)
  - Victims' Rights Fund Implementation Fee imposed under A.R.S. § 8-418
  - $25 public defender or court-appointed counsel administrative assessment imposed under A.R.S. § 11-584(C)
  - $20 Time Payment Fee imposed pursuant to A.R.S. § 12-116
  - $500 Dangerous Crimes Against Children Assessment imposed under A.R.S. § 12-116.07)

SB1197 (CHAPTER 162) JUVENILE OFFENDERS; MONETARY SANCTIONS; REPEAL

- Financials vacated per court order should be waived in the Adjust Receivables Screen. Memo line should read "**Vacated per SB1197-2023**".
- If case is on an active contract, the court will need to adjust receivables via the Adjust Contract screen.



IMPORTANT: Courts will need to make sure the memo line reads "Vacated per SB1197-2023" for AOC data collection.

SB1197 (CH.162) JUVENILE OFFENDERS; MONETARY SANCTIONS; REPEAL

- **Cost Type Updates:** the following standalone cost types can no longer apply to any juvenile case, effective 10/30/2023. All cost types assessed only on juvenile cases will be end dated in GJ and LJ AJACS. Additional information on standalone assessments, fees, and reimbursements can be found at: **Juvenile Agency & Cost Type Guide**
  - Diversion/Community Based Alternative Program Fees or Costs (8-321)
  - $500 Dangerous Crimes Against Children and Sexual Assault Assessment
  - Supervision Fees
  - $25 Victims' Rights Fund Implementation Fee
  - Detention, Corrections, or Foster Care Costs
  - $25 Public Defender or Court-Appointed Counsel Administrative Assessment
  - Juvenile Restitution Order in Favor of the State
  - Family Counseling Program Costs
  - Counseling, Education, Screening, Treatment Costs (Including Drug & Alcohol)
  - Time Payment Fee (12-116)

SB1197 (CHAPTER 162) JUVENILE OFFENDERS; MONETARY SANCTIONS; REPEAL

- The following statewide standard juvenile GJ AJACS cost types will be end dated:

TYPE CODE	DESCRIPTION	END DATE
9227JE	EXTRA JUVENILE PROB	10/29/2023
9239FB	FAM COUNS REIMB DV	10/29/2023
9238FA	FAM COUNS REIMB JIPS	10/29/2023
1001JM	JIPS MON PROB UNDR 40	10/29/2023
9233J6	JIPS MONTH OVER 40	10/29/2023
9953FC	JUV FMLY COUNS STND	10/29/2023
JVDO	JUVENILE DIVERSION PROB OVER $40	10/29/2023
JVDU	JUVENILE DIVERSION PROB UNDER $40	10/29/2023
PRVRMB	PROVIDR REIMB SUPRM CRT	10/29/2023
9229JT	REIMB CO JUV DET FEE	10/29/2023
9232J5	STANDARD PROB UNDER $40	10/29/2023

SB1197 (CHAPTER 162) JUVENILE OFFENDERS; MONETARY SANCTIONS; REPEAL

- The following statewide standard juvenile LJ AJACS cost types will be end dated:

TYPE CODE	DESCRIPTION	END DATE
JUVVTMRTS	Juvenile Victim's Rights Fee	10/29/2023
JE	EXTRA JUV PROBATION	10/29/2023
JFMCN	Juv Family Counseling Fee	10/29/2023
JVPRNT	Juv Parent Fee	10/29/2023
JP	JUV PARNTL ASSESSMNT	10/29/2023

SB1197 (CHAPTER 162) JUVENILE OFFENDERS; MONETARY SANCTIONS; REPEAL

- **Sentencing/Disposition of Juvenile Cases after 10/30:** all offense based financial imposition for juveniles and or parents/guardians are the following:
  - **Title 28 civil traffic-** all standard penalties, surcharges, and assessments.
  - **Title 28 criminal traffic (non-felony)** – victim restitution and all standard penalties, surcharges, and assessments except $20 Probation Assessment.
  - **Title 28 DUIs (non-felony)** – victim restitution and all standard penalties, surcharges, and assessments except $20 Probation Assessment.
  - **All other violations, including Title 28 Felony criminal traffic-** only monetary assessment and victim restitution.

Juvenile Financial Matrix For Sentencing Juveniles Effective 10/30

SB1197: Juvenile Offenses and Eligible Cost Types Matrix

Directions: Matrix should only be used as a guide for a case where a juvenile is dispositioned, deferred, or completing a diversion program as a juvenile. All local cost types created from a local ordinance or order will need to be reviewed on a case by case basis to determine if eligible on a juvenile case.

Offense	Diversion/Community Based Alternative Program (8-321)	Defensive Driving School (12-114)	Base Fine/Monetary Assessment/Penalty	68% Surcharge	10% Clean Elections Surcharge	1% Clean Elections Surcharge	$20 Probation Assessment	$13 Additional Assessment	$9 Victims' Rights Assessment	$2 Victims' Rights Enforcement Assessment	$4 Peace Officer Training Equipment Fund Assessment	Prison Construction Assessment	Public Safety Equipment Fund Assessment	DUI Abatement Fund Assessment	$1000 Drag Racing Assessment	Dangerous Crime Against Children and Sexual Assault Assessment	Supervision Fees	$25 Victims' Rights Fund Implementation Fee (Repealed)	Detention, Corrections, Foster Care Costs	$25 Public Defender/Court-Appointed Counsel Administrative Assessment	Juvenile Restitution Order in Favor of the State	Victim Restitution	Family Counseling Program Costs	Counseling, Education, Screening, Treatment Costs (Including Drug & Alcohol)	Time Payment Fee (12-116)
Civil Traffic	N/A	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N
Criminal Traffic (Title 28 Non-Felony and Non-DUI)	N	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	N/A	N/A	N/A	Y	N/A	N	N	N	N	N	Y	N	N	N
DUI	N/A	N/A	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	N/A	N/A	N	N	N	N	N	Y	N	N	N
Criminal Traffic (Title 28 Felony and Non-DUI)	N	N/A	Y	N	N	N	N	N	N	N	N	N/A	N/A	N/A	N	N/A	N	N	N	N	N	Y	N	N	N
Civil Marijuana	N	N/A	Y	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N	N	N	N	N	Y	N	N	N
Local ordinance	N	N/A	Y	N	N	N	N	N	N	N	N	N/A	N/A	N/A	N/A	N/A	N	N	N	N	N	Y	N	N	N
Petty Offense, Status Offense (Non-Traffic)	N	N/A	Y	N	N	N	N	N	N	N	N	N/A	N/A	N/A	N/A	N/A	N	N	N	N	N	Y	N	N	N
Misdemeanor (Non-Traffic)	N	N/A	Y	N	N	N	N	N	N	N	N	N/A	N/A	N/A	N/A	N	N	N	N	N	N	Y	N	N	N
Felony (Non-Traffic)	N	N/A	Y	N	N	N	N	N	N	N	N	N/A	N/A	N/A	N/A	N	N	N	N	N	N	Y	N	N	N

Note: $20.00 Probation Surcharge is only applicable to juvenile civil traffic violations.

SB1197 (CHAPTER 162) JUVENILE OFFENDERS; MONETARY SANCTIONS; REPEAL

- **Juvenile DUI Sentencing Updates**
  - Reduces the maximum fine from $500 to $250 for juveniles adjudicated delinquent for driving under the influence violations.
  - Reduces community restitution requirement from at least 80 hours to no more than 20 hours.
  - Removes authority for court to assess reimbursable treatment and detention costs.
  - Note: $20.00 Probation Surcharge is only applicable to juvenile civil traffic violations.

DUI Sentencing Chart and Juvenile DUI Sentencing Chart

CHARGE and SENTENCING REFERENCE	OFFENSE	BASE FINE Min $250	68% SURCHARGE	10% CLEAN ELECTIONS FUND	1% CLEAN ELECTIONS FUND	*$20 PROBATION ASSESSMENT	PRISON CONSTRUCTION ASSESSMENT	PUBLIC SAFETY EQUIPMENT FUND	DUI ABATEMENT FEE	$13 ADDITIONAL ASSESSMENT	VICTIMS' RIGHTS ASSESSMENT	PEACE OFFICER TRAINING EQUIPMENT FUND	$2 VICTIMS' RIGHTS ENFORCEMENT ASSESSMENT	DETENTION REIMBUSEMENT FEE A.R.S. 8-343(M)	BASE DETENTION TIME	DETENTION TIME SUSPENDED UPON ALC/DRUG SCREENING	NUMBER OF CONSECUTIVE DAYS IN DETENTION	ALCOHOL/DRUG SCREENING ARS 8-343(L)	COMMUNITY RESTITUTION HOURS
The juvenile sentencing chart only addresses offenses listed in A.R.S. 8-343		Per A.R.S. § 8-343(J) fines, surcharges and assessments MAY be waived if the court orders not more than 20 hours of community restitution.												Per A.R.S § 8-343(L) & § 8-343(M) the court may not order the juvenile or the juvenile's parents to pay the costs of screening, education, treatment, or the reimbursement costs for detention.					
28-1381A1 (DUI) -- per 28-1381																			
DUI Liquor/drugs/vapors	First	250	170.00	25.00	2.50	N/A	500	500	NONE	13	9	4	2	NO	10 DAYS	10 DAYS	0	YES	MAY*
DUI Liquor/drugs/vapors	Second	250	170.00	25.00	2.50	N/A	1250	1250	NONE	13	9	4	2	NO	90 DAYS	60 DAYS	30 DAYS	YES	MAY*
28-1381A2 (DUI) -- per 28-1381																			
DUI Liquor BAC .08 or more	First	250	170.00	25.00	2.50	N/A	500	500	NONE	13	9	4	2	NO	10 DAYS	10 DAYS	0	YES	MAY*
DUI Liquor BAC .08 or more	Second	250	170.00	25.00	2.50	N/A	1250	1250	NONE	13	9	4	2	NO	90 DAYS	60 DAYS	30 DAYS	YES	MAY*
28-1381A3 (DUI) -- per 28-1381																			
DUI Drug listed in 13-3401 or metabolite	First	250	170.00	25.00	2.50	N/A	500	500	NONE	13	9	4	2	NO	10 DAYS	10 DAYS	0	YES	MAY*
DUI Drug listed in 13-3401 or metabolite	Second	250	170.00	25.00	2.50	N/A	1250	1250	NONE	13	9	4	2	NO	90 DAYS	60 DAYS	30 DAYS	YES	MAY*
28-1382A1 (DUI) -- per 28-1382																			
DUI **Extreme** BAC .15 - 0.19	First	250	170.00	25.00	2.50	N/A	1000	1000	250	13	9	4	2	NO	30 DAYS	20 DAYS	10 DAYS	YES	MAY*
DUI **Extreme** BAC .15 - 0.19	Second	250	170.00	25.00	2.50	N/A	1250	1250	250	13	9	4	2	NO	120 DAYS	60 DAYS	60 DAYS	YES	MAY*
28-1382A2 (DUI) -- per 28-1382																			
DUI **Extreme** BAC .20 or more	First	250	170.00	25.00	2.50	N/A	1000	1000	250	13	9	4	2	NO	45 DAYS	30 DAYS	15 DAYS	YES	MAY*
DUI **Extreme** BAC .20 or more	Second	250	170.00	25.00	2.50	N/A	1250	1250	250	13	9	4	2	NO	180 DAYS	90 DAYS	90 DAYS	YES	MAY*
28-1383A1 (DUI) -- per 28-1383																			
DUI **Aggrav** w/driver license restriction	First	250	170.00	25.00	2.50	N/A	1500	1500	250	13	9	4	2	NO	4 MOS	2 MOS	2 MOS	YES	MAY*
28-1383A2 (DUI) -- per 28-1383																			
DUI **Aggrav** with priors	First	250	170.00	25.00	2.50	N/A	1500	1500	250	13	9	4	2	NO	4 MOS	2 MOS	2 MOS	YES	MAY*
DUI Aggrav w/3 or more priors in 84 MOS	Second	250	170.00	25.00	2.50	N/A	1500	1500	250	13	9	4	2	NO	8 MOS	6 MOS	2 MOS	YES	MAY*
28-1383A3A (DUI) -- per 28-1383																			
DUI **Aggrav** child under 15 in car Ref 28-1381	First	250	170.00	25.00	2.50	N/A	1500	1500	250	13	9	4	2	NO	10 DAYS	10 DAYS	0	YES	MAY*
DUI **Aggr** child undr 15 in car Ref 28-1381I(1)	Second	250	170.00	25.00	2.50	N/A	1500	1500	250	13	9	4	2	NO	90 DAYS	60 DAYS	30 DAYS	YES	MAY*
28-1383A3B (DUI) -- per 28-1383																			
DUI **Aggrav** child under 15 in car Ref 28-1382	First	250	170.00	25.00	2.50	N/A	1500	1500	250	13	9	4	2	NO	45	30 DAYS	15 DAYS	YES	MAY*
DUI **Agg** child undr 15 in car Ref 28-1382D	Second	250	170.00	25.00	2.50	N/A	1500	1500	250	13	9	4	2	NO	180 DAYS	90 DAYS	90 DAYS	YES	MAY*

* Pursuant to 28-1381H3 & 28-1382D4, community restitution hours are ordered by the court as a condition of sentencing. Effective 1/1/2016, the court may order the defendant to perform community restitution in lieu of the payment for all or part of the fine, fee, assessment or incarceration costs per 13-824 (excluding AGG DUI). Any community resitution hours submitted for DUI sentencing compliance should not be used to reduce fines and fees.

*$20 Probation Assessment is not eligible to be assessed on Juvenile DUI cases.

SB1197 (CHAPTER 162) JUVENILE OFFENDERS; MONETARY SANCTIONS; REPEAL

- **Determine Applicability of Local Ordinance Monetary Obligations-** Courts will need to review their local assessments against 8-341.02 Prohibited Fees, Fines and Costs to determine their applicability going forward.

Sec. 14. Title 8, chapter 3, article 3, Arizona Revised Statutes, is amended by adding section 8-341.02, to read:

8-341.02. Prohibited fees, fines and costs

A. THE COURT MAY NOT ORDER A JUVENILE WHO IS UNDER THE JURISDICTION OF THE JUVENILE COURT OR THE JUVENILE'S PARENT OR GUARDIAN TO PAY EITHER OF THE FOLLOWING:

1. A FEE THAT IS ASSOCIATED WITH COURT SERVICES OR PROBATION.

2. A FINE OR MONETARY SANCTION THAT IS NOT SPECIFICALLY REQUIRED BY THE OFFENSE OR CITATION.

B. NOTWITHSTANDING ANY OTHER LAW, THIS SECTION DOES NOT PREVENT A JUVENILE OR THE JUVENILE'S PARENT OR GUARDIAN FROM PAYING A FINE IN LIEU OF PERFORMING COMMUNITY RESTITUTION IF THE COURT PROVIDES THAT OPTION.

SB1197 (CHAPTER 162) JUVENILE OFFENDERS; MONETARY SANCTIONS; REPEAL

- **Limited Jurisdiction Civil Traffic and Civil Marijuana Cases.** No restrictions on imposing local monetary obligations if the Presiding Judge of the Superior Court declines jurisdiction pursuant to A.R.S. § 8-802(E).
- **Superior and Limited Jurisdiction all Juvenile Cases** (including civil traffic or civil marijuana if the presiding Judge of the Superior Court has not declined Jurisdiction) can only impose local monetary obligations that are not prohibited in A.R.S. § 8-341.02.
- Courts should submit a remedy, if they have questions on their local ordinance or resolution.

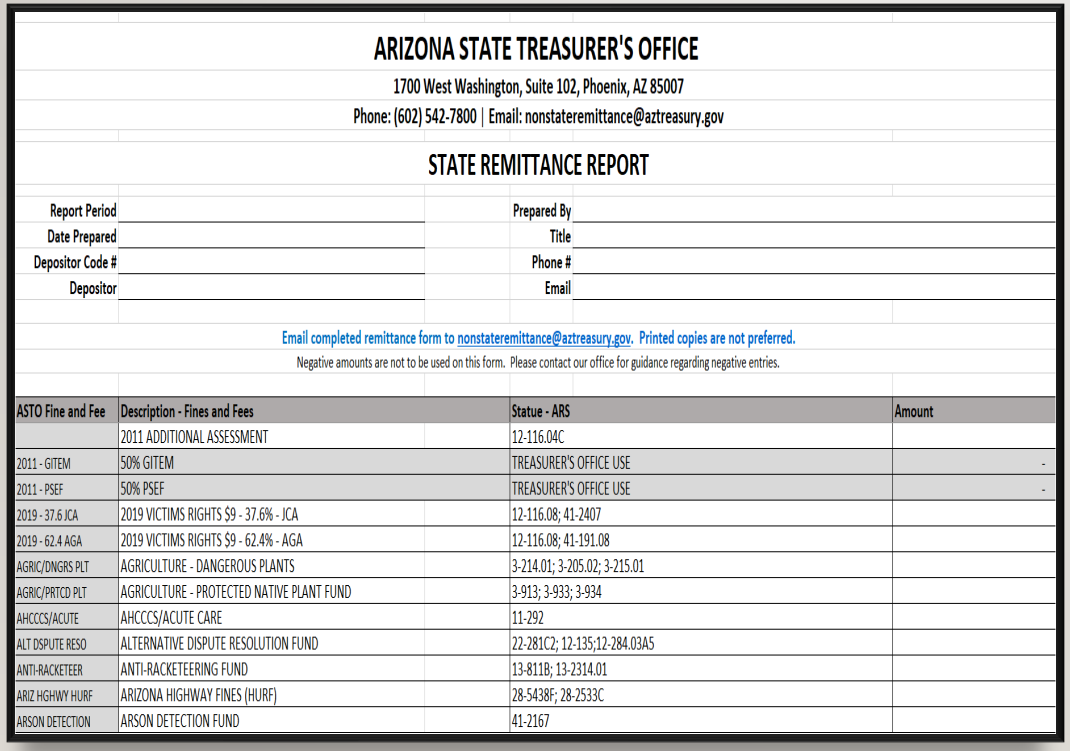
SB1197 (CHAPTER162) JUVENILE OFFENDERS; MONETARY SANCTIONS; REPEAL

- **State Time Payment Fee (TPF)**
  - Effective October 30, 2023, the court can no longer assess the $20 time payment fee (A.R.S. § 12-116) against a defendant who was a juvenile at the time of disposition, unless the juvenile was prosecuted as an adult.
  - Beginning October 30th, the court cannot assess the $20 time payment fee (A.R.S. §12-116) on a penalty, fine, or sanction imposed against a parent or guardian pursuant to Title 8.

- GJ AJCS Courts should not assess the TPF when allowing a juvenile and/or parent/guardian to make payments on a juvenile case.

- LJ AJACS Court, if removing the TPF only, courts should manually waive the TPF if added overnight or by default in the Adjust Receivables Screen. Courts can adjust the payment contract and waive the time payment fee when placing a juvenile on a payment contract.

SB1197 (CHAPTER 162) JUVENILE OFFENDERS; MONETARY SANCTIONS; REPEAL



ARIZONA STATE TREASURER'S OFFICE

1700 West Washington, Suite 102, Phoenix, AZ 85007

Phone: (602) 542-7800 | Email: nonstateremittance@aztreasury.gov

STATE REMITTANCE REPORT

Report Period		Prepared By	
Date Prepared		Title	
Depositor Code #		Phone #	
Depositor		Email	

Email completed remittance form to nonstateremittance@aztreasury.gov. Printed copies are not preferred.

Negative amounts are not to be used on this form. Please contact our office for guidance regarding negative entries.

ASTO Fine and Fee	Description - Fines and Fees	Statue - ARS	Amount
	2011 ADDITIONAL ASSESSMENT	12-116.04C	
2011 - GITEM	50% GITEM	TREASURER'S OFFICE USE	-
2011 - PSEF	50% PSEF	TREASURER'S OFFICE USE	-
2019 - 37.6 JCA	2019 VICTIMS RIGHTS $9 - 37.6% - JCA	12-116.08; 41-2407	
2019 - 62.4 AGA	2019 VICTIMS RIGHTS $9 - 62.4% - AGA	12-116.08; 41-191.08	
AGRIC/DNGRS PLT	AGRICULTURE - DANGEROUS PLANTS	3-214.01; 3-205.02; 3-215.01	
AGRIC/PRTCD PLT	AGRICULTURE - PROTECTED NATIVE PLANT FUND	3-913; 3-933; 3-934	
AHCCCS/ACUTE	AHCCCS/ACUTE CARE	11-292	
ALT DSPUTE RESO	ALTERNATIVE DISPUTE RESOLUTION FUND	22-281C2; 12-135;12-284.03A5	
ANTI-RACKETEER	ANTI-RACKETEERING FUND	13-811B; 13-2314.01	
ARIZ HGHWY HURF	ARIZONA HIGHWAY FINES (HURF)	28-5438F; 28-2533C	
ARSON DETECTION	ARSON DETECTION FUND	41-2167	

Remittance Report Updates:

The Victim Rights Juvenile Implementation Fee (ZVRIF) and the Juvenile Family Counseling Fee (ZJFC) will be removed from the state remittance report. All monies received by the court after 10/30/23 should be added to the State General Fund (ZSTAT) line.

SB1197 (CHAPTER162) JUVENILE OFFENDERS; MONETARY SANCTIONS; REPEAL

- Additional information on SB1197 updates and processing juvenile cases in GJ and LJ AJACS can be found at:
  - 2023 Juvenile Justice Sentencing Reform (SB1197): Arizona Court Automation Project (ACAP)
  - Juvenile Delinquency Case Processing: Juvenile Delinquency Case Management

SB1291 (CHAPTER 195) CONSERVATORSHIP; GUARDIANSHIP; POLICIES; PROCEDURES

- **Jurisdiction:** Superior Court
- The legislation modifies the petition requirements for guardianship and conservatorship cases to require a statement regarding whether the subject person is a principal under a healthcare or durable power of attorney (if so, a copy must be attached to the petition) or holds a vested interest in a trust (if so, the trust and current trustee names must be provided).
- Creates notice requirements regarding any jury trial rights under A.R.S. § 14-5309(C) or 14-5405(C).
- Creates restrictions relating to the court's ability to appoint a conservator or enter a protective order if the person allegedly in need of protection has not appeared before the court in person or by virtual means and requires a standard of proof of clear and convincing evidence for appointing a conservator or making another protective order.

SB1291 (CHAPTER 195) CONSERVATORSHIP; GUARDIANSHIP; POLICIES; PROCEDURES

- Requires that the initial hearing on a petition contesting a contact order in a guardianship matter occur within 15 judicial days of receipt of the petitioner's request to set an initial hearing.
- Creates duties for appointed attorneys.
- Adds definitions and provisions related to supported decision-making agreements as a method of assistance without formal guardianship or conservatorship appointments.

SB1291 (CHAPTER 195) CONSERVATORSHIP; GUARDIANSHIP; POLICIES; PROCEDURES

- New Event Code for adding a filed supported decision-making agreement in a guardianship or conservatorship case.

Jurisdiction	Code	Case Category	Description
GJ Only	4000001	MISCELLANEOUS	MISCELLANEOUS: SUPPORTED DECISION-MAKING AGREEMENT

DELAYED EFFECTIVE DATE BILLS

HB2055 (CHAPTER 53) PROBATION; WORK TIME CREDITS; REPORTING

- The bill adds *work time credit* as a basis for a court to adjust a probationer's supervised probation period if recommended by an adult probation officer.
- Specifies that work time credit equals 30 days for every 30 days provided that a probationer does all the following:
  - Is engaged in verified, eligible employment
  - Exhibits positive progression toward the goals and treatment of their case plan
  - Is current on all restitution payments and community restitution
  - Is in compliance with all other nonmonetary obligations.
- Requires a probationer to provide supporting documentation to a supervising probation officer within 5 business days after completing 30 days of eligible employment.

HB2055 (CHAPTER 53) PROBATION; WORK TIME CREDITS; REPORTING

- Instructs a supervising probation officer to verify a probationer's employment and document any denied request for work time credit.
- Requires that awarded work time credit be revoked if a probationer violates probation conditions.
- Allows a court to require a probationer to report to a probation officer.
- Authorizes a probation officer to allow a probationer to fulfill a reporting requirement remotely.
- Delayed effective date: 1/1/2024

RESOLUTIONS

SCR1006: DEATH BENEFIT; ASSAULT; FIRST RESPONDERS

- The 2024 general election ballot will carry the question to create a State Death Benefit of $250,000 to be paid to the family of first responders killed in the line of duty.
- The State Death Benefit will be funded by a new $20 penalty fee on every fine, penalty and forfeiture imposed for any criminal offense. The court may not waive or mitigate the penalty fee.
- If voter approved, the fee would be effective 7/1/2025.

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AUTOMATION UPDATES

All automation updates can be found at Court Services > Automation Services Unit (azcourts.gov).

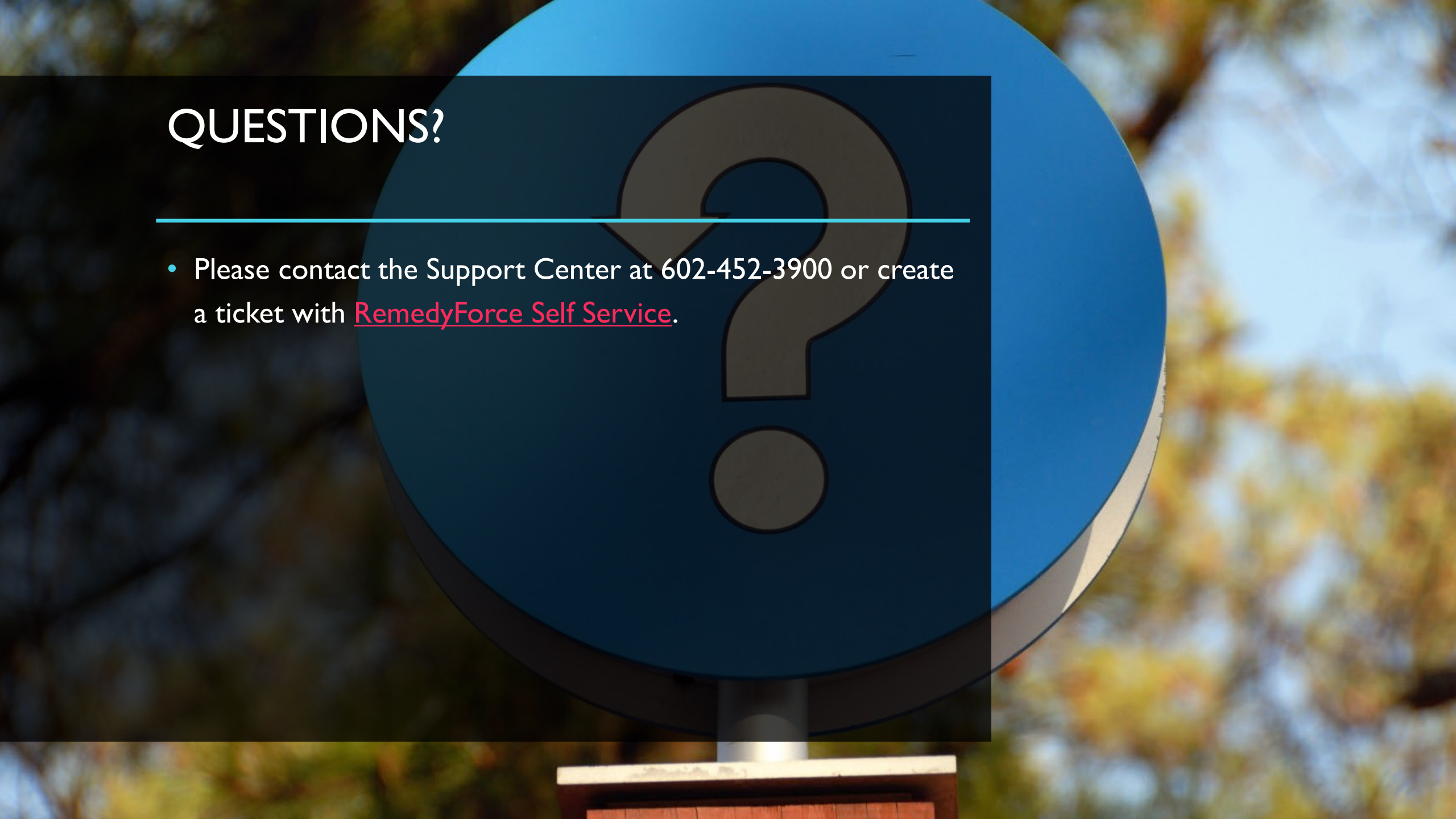
ADDITIONAL RESOURCES

AZ Supreme Court, End-of-Session Legislative Report: http://www.azcourts.gov/legislativeupdate/Home.aspx

Arizona State Legislature: http://www.azleg.gov

Arizona Secretary of State: http://www.azsos.gov/

Arizona Criminal Justice Commission: azcjc.gov/Programs/Criminal-Justice-Systems-Improvement/Criminal-Statutes



QUESTIONS?

- Please contact the Support Center at 602-452-3900 or create a ticket with RemedyForce Self Service.