

Municipal Court Revenue Survey Updates for fiscal year 2017 (52nd Legislature – Second Regular Session)

The following table includes updates to the revenue survey for fiscal year 2017.

Bill Number, Effective Date	Description	Section, Line Number
HB2103, CH 94 <i>EFF: 8/6/16</i>	Domestic Violence Services Fund Domestic Violence <u>Shelter</u> Fund is renamed Domestic Violence <u>Services</u> Fund. ZDVSF	Section 1, Line W State Treasurer
SB1256, CH 352 <i>EFF: 8/6/16</i>	Technical Registration Fund Removes the \$15 Drug Lab (ZTECH) fee on drug offenses. Any remaining fees collected should now be allocated to the State General Fund.	Section 1, Line W State Treasurer

Additional information regarding the bills can be found at <http://azcourts.gov/Default.aspx?alias=azcourts.gov/legislativeupdate>.

Information regarding the automation impact of these bills can be found at <http://www.azcourts.gov/courtservices/AutomationServicesUnit.aspx>.

Please contact 602-452-3584 or research@courts.az.gov if you have additional questions.

MUNICIPAL COURT REVENUE SURVEY INSTRUCTIONS

SECTION 1 DISTRIBUTION FROM FINES, SANCTIONS, MONETARY ASSESSMENTS, FORFEITURES

Report all fines, sanctions, monetary assessments, and forfeitures collected by your court in the appropriate revenue distribution categories described below:

- (A) DRUG/GANG ENFORCEMENT ACCOUNT: for violations of A.R.S. 13-34xx¹ (drug offenses), collected pursuant to A.R. S. 13-811(C). (ZDECJ)
- (B) COMMUNITY PUNISHMENT PROGRAM: a judge may order an additional fine against an adult or juvenile offender for violations of A.R.S. 13-34xx (drug offenses). The minimum fine amounts are \$ 1,000 and \$2,000 for a first and second or subsequent offense, respectively and collected pursuant to A.R.S. 13821. (ZCPP)
- (C) HIGHWAY USER REVENUE FUND: for violations of A.R.S. 28-1099, 28-1100, 28-5437, and 28-5438(G) (excess carrier weight), minus the \$10 court fee if applicable, collected pursuant to A.R.S. 28-1101. The \$10 court fee is reported on line (R), "CITY GENERAL FUND". Also includes 80% of the fine for violations of A.R.S. 28-2533(C). The remaining 20% of the fine for violations of A.R.S. 282533(C) is remitted to the citing law enforcement agency and is reported on line (T). (ZHRF1, ZHRF3)
- (D) WILDLIFE THEFT PREVENTION FUND: for violations of A.R.S. 17-xxx (fish and game offenses), collected pursuant to A.R.S. 17-313(A). (ZGF)
- (E) ARSON DETECTION REWARD FUND: for violations of A.R.S. 13-17xx (arson), collected pursuant to A.R.S. 41-2167(D) 1, 2. (ZADRF)
- (F) REGISTRAR OF CONTRACTORS: for violations of A.R.S. 32-11xx (license violations) collected pursuant to A.R.S. 32-1166(B).(ZRCA)
- (G) PROTECTED NATIVE PLANT FUND/STATE GENERAL FUND: for violations of A.R.S. 3-9xx (agriculture and horticulture), collected pursuant to A.R.S. 3-913(C).(ZANP)
- (H) DANGEROUS PLANTS, PESTS AND DISEASES FUND: for violations A.R.S.

¹ Throughout this document "xx" has been used to denote placeholders where multiple violations could apply.

3-20x and 3-21x, collected pursuant to A.R.S. 3-214.01.(ZDPP)

- (I) LIVESTOCK ACCOUNT: for violations of A.R.S. 3-12xx through 3-17xx (livestock), collected pursuant to A.R.S. 3-1210.(ZLA)
- (J) CHILD PASSENGER RESTRAINT FUND: \$50 civil penalty for violations of A.R.S. 28-907 (child passenger restraint), collected pursuant to A.R.S. 28907(C).(ZCPRF)
- (K) WATER QUALITY ASSURANCE FUND: for violations of A.R.S. 49-262 and 49-263 (discharging) prior to 7/20/1996, collected pursuant to A.R.S. 49-262(E) and 49-263(G).(ZWQAF)
- (L) DUI ABATEMENT FUND: Additional \$250 assessment on conviction of A.R.S. 28-1382 (Extreme DUI), collected pursuant to A.R.S. 28-1304(A). (ZDUIA)
- (M) EXTRA DUI ASSESSMENT: State General Fund, Additional \$500-\$1500 assessment on driving, boating and flying under the influence offenses. The amount assessed is based on whether the conviction is of a 1st, 2nd, 3rd or subsequent offense. (Effective Date: 8/12/2005) (ZGFDU)
- (N) PRISON CONSTRUCTION AND OPERATIONS FUND: for violations of A.R.S. 5-395.01, 5-397, 28-1381, 28-1382, 28-8282, 28-8287. Collected pursuant to A.R.S. 41-1651. (ZPCOF)
- (O) PUBLIC SAFETY EQUIPMENT FUND: Fund is established consisting of monies deposited in the fund pursuant to sections 5-395.01, 5-396, 5-397, 281381, 28-1382, 28-1383, 28-8284, 28-8286, 28-8287 and 28-8288. Effective 9/26/2008. (ZPSEF)
- (P) ARIZONA CLEAN AIR FUND: for violations of A.R.S. 28-737(A) and A.R.S. 28-2416(G) collected pursuant to A.R.S. 41-1516. Effective July 18, 2000. (ZACAF)
- (Q) STATE HIGHWAY FUND: For violations of A.R.S. 28-710(B). Fund receives one-half of the special assessment. The assessment amount is the same amount as fine [A.R.S. 28-710(D)2; A.R.S. 28-6991, A.R.S. 28-6993(F)]. (ZSHWY)
- (R) STATE HIGHWAY WORK ZONE SAFETY FUND: For violations of A.R.S. 28-710(B). Fund receives one-half of the special assessment. The assessment amount is same amount as fine [A.R.S. 28-710(D)1]. (ZSHWZ)
- (S) CITY GENERAL FUND: for offenses not specified in (A) - (R), collected pursuant to A.R.S.22-404. This includes all fines for violations of city ordinances collected

- by municipal courts and the \$10 court fee noted in (C) ["HIGHWAY USER REVENUE FUND"].(ZFINE,ZFORF,ZHRF2,ZFIF, ZCAA2)
- (T) SUSPENDED/DISPLAY LICENSE PLATE: for violations of A.R.S. 28-4139 (A). (ZSLPC,ZSLPD,ZSLPS)
 - (U) REGISTRATION VIOLATIONS, CITING AGENCY RECEIVES 20% OF THE FINES: (City Police, DPS, Sheriff's Office) A.R.S. 28-2533(C) (ZHRFC, ZHRFD, ZHRFS)
 - (V) INCARCERATION/JAIL ASSESSMENT: Local Ordinance (ZJF)
 - (W) STATE TREASURER: State General Fund (ZSTAT, ZDVSF, ZBULK, ZCAA1, ZLEAB, ZHTVA, ZTECH)
 - (X) PARKING VIOLATIONS: Local Ordinance
 - (Y) \$13 ADDITIONAL ASSESSMENT – CRIMINAL AND CIVIL TRAFFIC: Assessment Effective 7/20/11 per SB1398, Chapter 308 – Fines; Criminal & Civil Traffic; Assessment Effective 7/20/2011. \$8 allocated to State Treasurer, \$1 to County Treasurer and \$4 to Citing Agency. A.R.S. 12-116-04(B)(C)(D)
 - (Z) [~~REPEALED, now allocated to State General Fund, Sec. 1 Line W~~] ~~TECHNICAL REGISTRATION FUND – \$15 Additional Assessment on a violation of any Title 13, Chapter 34 (Drug) Offense. Assessment Effective August 2, 2012 per SB1438, Chapter 327. A.R.S. § 12-116.08. (ZTECH) Effective 8/6/2016~~
 - (AA) VICTIM RIGHTS ENFORCEMENT FUND: \$2 assessment for criminal offenses, all civil traffic offenses and all violations of game and fish statutes. Effective 01/01/15. (ZVREA)
 - (AB-AE) OTHER DISTRIBUTIONS: for any account not specified, please specify code and describe the account.
 - (AF) SUBTOTAL DISTRIBUTIONS FROM FINES: Subtotal Distributions From Fines, Etc.: Sum of (A) – (AE) above.

SECTION 2 DISTRIBUTION FROM SURCHARGES

Report all surcharges collected by your court in the appropriate revenue distribution categories described below:

- (A) CLEAN ELECTIONS FUND: the 10% assessment on fines, sanctions, and forfeitures, collected pursuant to A.R.S. 16-954(C). Please note that the 10% assessment applies to violations occurring on and after February 17, 1999. (ZCEF)
- (B) CRIMINAL JUSTICE ENHANCEMENT FUND: the 46% or 47% assessment on fines, sanctions, and forfeitures, collected pursuant to A.R.S. 12-116.01(A). Please note that the 47% assessment applies to violations occurring on and after September 1, 1996. (ZCJEF)
- (C) MEDICAL SERVICES ENHANCEMENT FUND: the 11% or 13% assessment on fines, sanctions, and forfeitures, collected pursuant to A.R.S. 12-116.02. Please note that the 13% assessment applies to violations occurring on and after September 1, 1995. (ZMSEF)
- (D) FILL THE GAP SURCHARGE: the 7% assessment collected pursuant to A.R.S. 12-116.01(B). Please note that the 7% assessment applies to violations occurring on and after September 1, 1999. (ZFTGS)
- (E) PROBATION SURCHARGE: \$10 OR \$20 amount "levied on every fine, penalty and forfeiture imposed and collected by the courts for criminal offenses and any civil penalty imposed and collected for a civil traffic violation and fine, penalty and forfeiture for a violation of the motor vehicle statutes, for a violation of any local ordinance relating to the stopping, standing or operation of a vehicle (except parking violations), or for violation of the game and fish statutes in Title 17." [12114.01] (\$5 Effective 08/22/2002, \$10 Effective 09/21/2006, \$20 Effective in Maricopa County Only on 7/1/2008. (ZPRSU)
- (F) DNA STATE 7% SURCHARGE (6% Effective 1/1/12): Originally a 3% surcharge, and currently, a 7% surcharge "levied on every fine, penalty and forfeiture imposed and collected by the courts for criminal offenses and any civil penalty imposed and collected for a civil traffic violation and fine, penalty and forfeiture for a violation of the motor vehicle statutes, for a violation of any local ordinance relating to the stopping, standing or operation of a vehicle, or for violation of the game and fish statutes in Title 17." (7% effective 09/19/2007) Funds go to Arizona Deoxyribonucleic Acid Identification System Fund established by A.R.S. 41-2419. (ZDNAS)
- (G-J) OTHER SURCHARGES: for any account not specified in (A) - (F). Write the names of those accounts and their amounts on the lines provided.
- (K) SUBTOTAL DISTRIBUTIONS FROM SURCHARGES: Subtotal distributions from surcharges, (A) – (J) above.

SECTION 3 DISTRIBUTION FROM FEES

Report all fees collected by your court in the appropriate revenue distribution categories described below:

STATE JUDICIAL COLLECTION ENHANCEMENT FUND (A.R.S. 12-113):

- (A) FILING FEES: 19.18% of filing, appearance, and clerk fees distributed pursuant to A.R.S. 22-404(C). (ZJCSF)
- (B) TIME PAYMENTS: \$11 portion submitted to JCEF and \$2 portion submitted to PDTF collected pursuant to A.R.S. 12-116(A). Please note that the \$20 time-payment assessment applies to cases with sentencing dates occurring on or after January 1, 1998. (ZJCS)
- (C) LOCAL JUDICIAL COLLECTION ENHANCEMENT FUND: Includes the \$7 local portion of the time payment fee, collected pursuant to A.R.S. 12-116(A). Please note that the \$20 time-payment assessment applies to cases with sentencing dates occurring on or after January 1, 1998. (ZJCL)
- (D) LOCAL JUDICIAL COLLECTION ENHANCEMENT FUND: 8.31% portion of the base filing and Clerk's fee distributed pursuant to A.R.S. 22-404(C). (ZJCLF)
- (E) JUVENILE VICTIM'S RIGHTS FEE: Up to a \$25 fee to be assessed the parent of a juvenile adjudicated delinquent for offenses involving a victim, based on the ability to pay, and collected pursuant to A.R.S. 8-418 (ZVRIF)
- (F) ELECTRONIC FILING AND ACCESS FEE: A.R.S. 22-408 (ZELEC)
- (G) FARE SPECIAL COLLECTIONS FEE: Fines/Fees and Restitution Enforcement Program (F.A.R.E.) special collections Fee: Supreme Court Administrative Order 2003-126. (ZFAR1)
- (H) FARE DELINQUENCY FEE: Fines/Fees and Restitution Enforcement Program (F.A.R.E) Delinquency Fee: Supreme Court Administrative Order 2003-126. (ZFAR2)
- (I) FARE GENERAL SERVICES FEE: Fines/Fees and Restitution Enforcement Program (F.A.R.E) General Services Fee: Supreme Court Administrative Order 2003-126. (nonAZTEC)
- (J) FARE INSTALLMENT PAYMENT PLAN FEE: Fines/Fees and Restitution Enforcement Program (F.A.R.E) Installment Payment Plan Fee-Local Court Option. Supreme Court Administrative Order 2003-126. (non AZTEC)

CITY GENERAL FUND DISTRIBUTIONS FROM:

- (K) INDIGENT DEFENSE FEES: CR RULE 6.7; (C) (D) ARS 11-584(B) (ZPUBZ, ZATT, ZATTO)
- (L) DEFENSIVE DRIVING DIVERSION FEE: Fund established by A.R.S. 28-3398 and collected pursuant to A.R.S. 28-3397. (ZDDS)
- (M) ALL OTHER CITY GENERAL FUND FEES: A.R.S. 22-404. (ZEXT, ZJURY, ZLCL, ZMISC, ZOVER)
- (N) LOCAL PROSECUTION/ATTORNEY FEE: Local Ordinance
- (O) LOCAL COURT ENHANCEMENT/AUTOMATION/TECHNOLOGY/CASE MANAGEMENT/USER FEE: Local Ordinance
- (P) COURT DIVERSION/DEFERRED PROSECUTION FEE: Local Ordinance
- (Q) NON-FARE REVENUE COLLECTION/RECOVERY FEE: Local Ordinance
- (R) DEFAULT/WARRANT FEE: Local Ordinance
- (S) ADMINISTRATIVE/SCREENING FEE: Local Ordinance
- (T) CONSTABLE FEES: and other service of process fees pursuant to A.R.S. 11445.
- (U) LABORATORY SERVICES: Local Ordinance
- (V) ELECTRONIC MONITORING SERVICES: Local Ordinance
- (W) BANKING SERVICES: Local Ordinance
- (X) EXTRADITION SERVICES: Local Ordinance
- (Y) TREATMENT PROVIDER SERVICES: Local Ordinance (ZIAFF)
- (Z-AC) OTHER DISTRIBUTIONS: For any account not specified above, please include code and description of account.
- (AD) SUBTOTAL DISTRIBUTION FROM FEES: Sum of (A) – (AC) above.

SECTION 4 DISTRIBUTION FROM OTHER REVENUE

Report all other revenue collected by your court in the appropriate revenue distribution categories described below:

STATE GENERAL FUND DISTRIBUTIONS FROM:

- (A) ESCHEAT OF UNCLAIMED MONIES: unclaimed monies previously deposited in trust with your court which reverted to the state, pursuant to A.R.S. 12-941(C).
- (B) SALE OF UNCLAIMED PROPERTY: monies collected for the state from auctions of unclaimed property held by your court, pursuant to A.R.S. 12-885(B) and 12-945(B).

CITY GENERAL FUND DISTRIBUTIONS FROM:

- (C) ESCHEAT/REVERSION OF UNCLAIMED MONIES: unclaimed monies previously deposited in trust with your court which reverted to the court, pursuant to A.R.S. 12-941(C).
- (D) SALE OF UNCLAIMED PROPERTY: monies collected for the court from auctions of unclaimed property held by your court, pursuant to A.R.S. 12-945(B).
- (E-H) OTHER DISTRIBUTIONS: for any account not specified in Sections 1 - 3 or in (A) – (D) above.
- (I) SUBTOTAL REVENUE DISTRIBUTIONS: Subtotal Revenue Distribution from Distributions, (A) – (H) above.

GRAND TOTAL OF SECTIONS 1-4

- (A) GRAND TOTAL: Total Revenue Distributions from Section 1-4.

SECTION 5 TRUST MONIES COLLECTED

Report all trust monies deposited with your court in the appropriate trust categories described below.

"Trust" monies are funds, defined by A.R.S. 12-286(F), which are held by the court for safekeeping and later distribution.

- (A) BAIL BONDS: bail bond monies collected by your court and deposited for later refund or forfeiture. [Monies actually forfeited are reported in Section 1, (S) with other general fund penalty monies.] (ZBND)
- (B) RESTITUTION PAYMENTS: restitution monies collected by your court from adult and juvenile offenders for later distribution to injured parties. (ZREST)

(C-E) OTHER TRUSTS: other trust monies defined by A.R.S. 12-286(F) and not specified in (A) & (B) above. (ZOT)

(F) TOTAL TRUST MONIES COLLECTED: the sum of the amounts entered in (A) - (E) above.