

State of Arizona
Senate
Fiftieth Legislature
Second Regular Session
2012

SENATE BILL 1041

AN ACT

AMENDING SECTION 22-131, ARIZONA REVISED STATUTES; RELATING TO CONSTABLES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 22-131, Arizona Revised Statutes, is amended to
3 read:

4 22-131. Constables; powers and duties; prohibited acts

5 A. Constables shall attend the courts of justices of the peace within
6 their precincts when required, and within their counties execute, serve and
7 return all processes, warrants and notices directed or delivered to them by a
8 justice of the peace of the county or by competent authority. In addition to
9 any other provision of law these duties may be enforced by the presiding
10 judge of the superior court in the county, including the use of the power of
11 contempt.

12 B. Constables shall attend the training prescribed in section 22-137.

13 C. Constables, with the consent of and at salaries fixed by the board
14 of supervisors, may appoint deputies who are certified pursuant to section
15 41-1822, subsection A, paragraph 3, stenographers, clerks and assistants
16 necessary to conduct the affairs of their offices. The appointments shall be
17 in writing and filed in the office of the county recorder.

18 D. The provisions of law relating to sheriffs, as far as applicable,
19 shall govern the powers, duties and liabilities of constables.

20 E. A constable who is duly elected or who is appointed by the board of
21 supervisors has the authority of a peace officer only in the performance of
22 the constable's official duties.

23 F. A constable may execute, serve and return processes and notices as
24 prescribed in subsection A of this section within any precinct in another
25 county if that precinct adjoins the precinct in which the constable was
26 elected or appointed.

27 G. A CONSTABLE IS PROHIBITED FROM ENGAGING IN ANY ACT AS A PRIVATE
28 PROCESS SERVER OUTSIDE OF THE CONSTABLE'S ELECTED OR APPOINTED DUTIES. A
29 CONSTABLE SHALL NOT OWN AN INTEREST IN ANY ENTITY THAT OPERATES A PRIVATE
30 PROCESS SERVING BUSINESS. THIS SUBSECTION DOES NOT APPLY TO A CONSTABLE WHO
31 EMPLOYS A PRIVATE PROCESS SERVER ON BEHALF OF THE COUNTY.