

REFERENCE TITLE: domestic violence treatment programs; providers

State of Arizona
Senate
Fifty-second Legislature
First Regular Session
2015

SB 1035

Introduced by
Senator Ward

AN ACT

AMENDING SECTION 13-3601.01, ARIZONA REVISED STATUTES; RELATING TO DOMESTIC VIOLENCE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-3601.01, Arizona Revised Statutes, is amended to
3 read:

4 13-3601.01. Domestic violence; treatment; definition

5 A. The judge shall order a person who is convicted of a misdemeanor
6 domestic violence offense to complete a domestic violence offender
7 treatment program that is provided by a facility approved by the COURT,
8 THE department of health services or a probation department. If a person
9 has previously been ordered to complete a domestic violence offender
10 treatment program pursuant to this section, the judge shall order the
11 person to complete a domestic violence offender treatment program unless
12 the judge deems that alternative sanctions are more appropriate. The
13 department of health services shall adopt and enforce guidelines that
14 establish standards for domestic violence offender treatment program
15 approval.

16 B. On conviction of a misdemeanor domestic violence offense, if a
17 person within a period of sixty months has previously been convicted of a
18 violation of a domestic violence offense or is convicted of a misdemeanor
19 domestic violence offense and has previously been convicted of an act in
20 another state, a court of the United States or a tribal court that if
21 committed in this state would be a domestic violence offense, the judge
22 may order the person to be placed on supervised probation and the person
23 may be incarcerated as a condition of probation. If the court orders
24 supervised probation, the court may conduct an intake assessment when the
25 person begins the term of probation and may conduct a discharge summary
26 when the person is released from probation. If the person is incarcerated
27 and the court receives confirmation that the person is employed or is a
28 student, the court, on pronouncement of any jail sentence, may provide in
29 the sentence that the person, if the person is employed or is a student
30 and can continue the person's employment or studies, may continue the
31 employment or studies for not more than twelve hours a day nor more than
32 five days a week. The person shall spend the remaining day, days or parts
33 of days in jail until the sentence is served and shall be allowed out of
34 jail only long enough to complete the actual hours of employment or
35 studies.

36 C. A person who is ordered to complete a domestic violence offender
37 treatment program shall pay the cost of the program.

38 D. If a person is ordered to attend a domestic violence offender
39 treatment program pursuant to this section, the program shall report to
40 the court whether the person has attended the program and has successfully
41 completed the program.

42 E. For the purposes of this section, prior convictions for
43 misdemeanor domestic violence offenses apply to convictions for offenses
44 that were committed on or after January 1, 1999.

45 F. For the purposes of this section, "domestic violence offense"
46 means an offense involving domestic violence as defined in section
47 13-3601.