

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

SENATE BILL 1035

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 treatment
7 program that is provided by a facility approved by the COURT PURSUANT TO
8 RULES ADOPTED BY THE SUPREME COURT, THE department of health services or a
9 probation department. If a person has previously been ordered to complete a
10 domestic violence offender treatment program pursuant to this section, the
11 judge shall order the person to complete a domestic violence offender
12 treatment program unless the judge deems that alternative sanctions are more
13 appropriate. The department of health services shall adopt and enforce
14 guidelines that establish standards for domestic violence offender treatment
15 program 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 may
22 order the person to be placed on supervised probation and the person may be
23 incarcerated as a condition of probation. If the court orders supervised
24 probation, the court may conduct an intake assessment when the person begins
25 the term of probation and may conduct a discharge summary when the person is
26 released from probation. If the person is incarcerated and the court
27 receives confirmation that the person is employed or is a student, the court,
28 on pronouncement of any jail sentence, may provide in the sentence that the
29 person, if the person is employed or is a student and can continue the
30 person's employment or studies, may continue the employment or studies for
31 not more than twelve hours a day nor more than five days a week. The person
32 shall spend the remaining day, days or parts of days in jail until the
33 sentence is served and shall be allowed out of jail only long enough to
34 complete the actual hours of employment or studies.

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

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

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

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

6 Sec. 2. Effective date

7 This act is effective from and after December 31, 2015.