

State of Arizona
Senate
Fifty-third Legislature
First Regular Session
2017

CHAPTER 14
SENATE BILL 1157

AN ACT

AMENDING SECTION 13-4503, ARIZONA REVISED STATUTES; RELATING TO COMPETENCY HEARINGS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 13-4503, Arizona Revised Statutes, is amended to
3 read:
4 13-4503. Request for competency examination; jurisdiction
5 over competency hearings; referral
6 A. At any time after the prosecutor charges a criminal offense by
7 complaint, information or indictment, any party or the court on its own
8 motion may request in writing that the defendant be examined to determine
9 the defendant's competency to stand trial, to enter a plea or to assist
10 the defendant's attorney. The motion shall state the facts on which the
11 mental examination is sought.
12 B. Within three working days after a motion is filed pursuant to
13 this section, the parties shall provide all available medical and criminal
14 history records to the court.
15 C. The court may request that a mental health expert assist the
16 court in determining if reasonable grounds exist for examining a
17 defendant.
18 D. ~~Once~~ EXCEPT AS PROVIDED IN SUBSECTION E OF THIS SECTION, AFTER
19 any court determines that reasonable grounds exist for further competency
20 proceedings, the superior court shall have exclusive jurisdiction over all
21 competency hearings.
22 E. THE PRESIDING JUDGE OF THE SUPERIOR COURT IN EACH COUNTY, WITH
23 THE AGREEMENT OF THE JUSTICE OF THE PEACE OR MUNICIPAL COURT JUDGE, MAY
24 AUTHORIZE A JUSTICE COURT OR MUNICIPAL COURT TO EXERCISE JURISDICTION OVER
25 A COMPETENCY HEARING IN A MISDEMEANOR CASE THAT ARISES OUT OF THE JUSTICE
26 COURT OR MUNICIPAL COURT.
27 F. A JUSTICE OF THE PEACE OR MUNICIPAL COURT JUDGE, WITH THE
28 APPROVAL OF THE PRESIDING JUDGE OF THE SUPERIOR COURT AND THE JUSTICE OR
29 JUDGE OF THE RECEIVING COURT, MAY REFER A COMPETENCY HEARING TO ANOTHER
30 JUSTICE COURT OR MUNICIPAL COURT THAT IS LOCATED IN THE COUNTY.

APPROVED BY THE GOVERNOR MARCH 14, 2017.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 14, 2017.