

REFERENCE TITLE: health care liens; fees; exemption

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

HB 2154

Introduced by
Representative Kavanagh

AN ACT

AMENDING SECTIONS 11-475 AND 33-931, ARIZONA REVISED STATUTES; RELATING TO
LIEN FEES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 11-475, Arizona Revised Statutes, is amended to
3 read:

4 11-475. Fees; exemptions

5 A. The county recorder shall receive the following fees:

6 1. For recording papers required or authorized by law to be
7 recorded, if the fee is not otherwise specified in this section, ~~thirty~~
8 ~~dollars~~ \$30 per instrument.

9 2. For recording papers to which the United States, this state or a
10 political subdivision of this state, including cities, towns and
11 irrigation, drainage and electrical districts, is a party, when recorded
12 at the request of the United States, this state or the political
13 subdivision, ~~fifteen dollars~~ \$15 per instrument.

14 3. For preparing and certifying copies of a record in the
15 recorder's office, ~~one dollar~~ \$1 for each page or partial page, ~~.in~~
16 ~~addition~~ AND for attaching the recorder's certificate and seal, ~~three~~
17 ~~dollars~~ AN ADDITIONAL \$3.

18 4. For issuing a certificate pursuant to section 47-9523, ~~ten~~
19 ~~dollars~~ \$10 for each name, plus ~~one dollar~~ \$1 for each financing statement
20 or statement of assignment reported therein.

21 B. The fees provided in subsection A, paragraphs 1 and 2 of this
22 section include the amount charged pursuant to section 11-475.01.

23 C. Notwithstanding subsection A, paragraph 3 of this section, the
24 recorder shall prepare and furnish copies and certifications at one-half
25 of the established fee when requested by any state agency for official
26 purposes.

27 D. The county recorder shall not receive a fee for performing the
28 duties prescribed by this section for an office, agency or department of
29 the county where the document is to be recorded. This exemption shall
30 apply only when the fees would otherwise be paid from public monies.

31 E. NOTWITHSTANDING ANY OTHER LAW, THE COUNTY RECORDER SHALL NOT
32 RECEIVE A FEE FOR PERFORMING THE DUTIES PRESCRIBED BY THIS SECTION OR ANY
33 OTHER ACTION NECESSARY TO RECORD OR RELEASE A LIEN FILED PURSUANT TO
34 SECTION 33-931.

35 Sec. 2. Section 33-931, Arizona Revised Statutes, is amended to
36 read:

37 33-931. Lien of health care provider on damages recovered by
38 injured person receiving services; hospital
39 priority

40 A. Every individual, partnership, firm, association, corporation or
41 institution or any governmental unit that maintains and operates a health
42 care institution or provides health care services in this state and that
43 has been duly licensed by this state, or any political subdivision or
44 private entity with ambulances operated, licensed or registered pursuant
45 to title 36, chapter 21.1, is entitled to a lien for the care and

1 treatment or transportation of an injured person. The lien shall be for
2 the claimant's customary charges for care and treatment or transportation
3 of an injured person. A lien pursuant to this section extends to all
4 claims of liability or indemnity, except health insurance and underinsured
5 and uninsured motorist coverage as defined in section 20-259.01, for
6 damages accruing to the person to whom the services are rendered, or to
7 that person's legal representative, on account of the injuries that gave
8 rise to the claims and that required the services.

9 B. If a county maintains, operates or provides health care
10 services, ~~it~~ THE COUNTY is entitled to an assignment by operation of law
11 for the care and treatment or transportation of an injured person. The
12 assignment shall be for the claimant's customary charges for care and
13 treatment or transportation of an injured person. An assignment pursuant
14 to this section extends to any claims of liability or indemnity, except
15 health insurance and underinsured and uninsured motorist coverage as
16 defined in section 20-259.01, for damages accruing to the person to whom
17 the services are rendered, or to that person's legal representative, on
18 account of injuries that gave rise to the claims and that required the
19 services.

20 C. The lien entitlements authorized by subsection A of this section
21 and the assignment authorized by subsection B of this section are
22 applicable to all customary charges by hospitals or ambulances of
23 political subdivisions, but are restricted to customary charges in excess
24 of ~~two hundred fifty dollars~~ \$250 by all other providers and privately
25 owned ambulance companies, excluding interest and service charges.

26 D. Liens perfected pursuant to this article by a hospital have
27 priority for payment over all other liens authorized by this article.

28 E. A FILING FEE, A RECORDING FEE OR ANY OTHER CHARGE IS NOT
29 REQUIRED FOR FILING OR RELEASING A LIEN AUTHORIZED BY THIS SECTION.