

REFERENCE TITLE: forcible entry; detainer; filing fee

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

HB 2484

Introduced by
Representatives Wilmeth: Weninger

AN ACT

AMENDING SECTION 22-281, ARIZONA REVISED STATUTES; RELATING TO COURT FEES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 22-281, Arizona Revised Statutes, is amended to
3 read:

4 22-281. Fees and deposits

5 A. Justices of the peace shall receive fees established and
6 classified as follows in civil actions:

7	Class Description	Fee
8 A	Initial case filing fee	
9	Civil filing fees	\$ 73.00
10 B	Subsequent case filing fee	
11	Civil filing fees – defendant	\$ 40.00
12 C	Initial case filing fee	
13	Forcible entry and detainer filings	\$ 35.00
14	Small claims filing	25.00
15 D	Subsequent case filing fee	
16	Small claims answer	\$ 15.00
17	Forcible entry and detainer	
18	filings – defendant	18.00
19 E	Minimum clerk fee	
20	Document and transcript transfer on appeal	\$ 28.00
21	Certification of any documents	28.00
22	Issuance of writs	28.00
23	Filing any paper or performing any act	
24	for which a fee is not specifically	
25	prescribed	28.00
26	Subpoena (civil)	28.00
27	Research in locating a document	28.00
28	Seal a court file	28.00
29	Reopen a sealed court file	28.00
30	Record duplication	28.00
31 F	Per page fee	
32	Copies of any documents per page	\$ 0.50
33 G	Special fees	
34	Small claims service by mail	\$ 8.00

35 B. This section does not deprive the parties to the action of the
36 privilege of depositing amounts with the justice, in addition to those set
37 forth in this section, for use in connection with the payment of
38 constable's and sheriff's fees for service of process, levying of writs
39 and other services for which fees are otherwise provided by law.

40 C. Excluding the monies that are kept by the court pursuant to
41 subsection D of this section, justices of the peace shall transmit monthly
42 to the county treasurer all monies collected pursuant to subsection A of
43 this section. The county treasurer shall distribute or deposit all of the
44 monies received pursuant to this subsection as follows:

1 1. To the state treasurer for deposit in the judicial collection
2 enhancement fund established by section 12-113, in the following
3 percentages:

4 (a) 14.80 percent if the county treasurer is serving in a county
5 with a population of more than five hundred thousand persons.

6 (b) 16.23 percent if the county treasurer is serving in a county
7 with a population of five hundred thousand persons or less.

8 2. To the state treasurer for deposit in the alternative dispute
9 resolution fund established by section 12-135, in the following
10 percentages:

11 (a) 1.69 percent if the county treasurer is serving in a county
12 with a population of more than five hundred thousand persons.

13 (b) 1.89 percent if the county treasurer is serving in a county
14 with a population of five hundred thousand persons or less.

15 3. To the elected officials' retirement plan fund established by
16 section 38-802, either of the following percentages, which shall be
17 distributed to the fund pursuant to section 38-810:

18 (a) 21.91 percent if the county treasurer is serving in a county
19 with a population of more than five hundred thousand persons.

20 (b) 14.09 percent if the county treasurer is serving in a county
21 with a population of five hundred thousand persons or less.

22 4. To the county general fund, in the following percentages:

23 (a) 49.95 percent if the county treasurer is serving in a county
24 with a population of more than five hundred thousand persons.

25 (b) 55.51 percent if the county treasurer is serving in a county
26 with a population of five hundred thousand persons or less.

27 5. 6.00 percent to the elected officials' retirement plan fund
28 established by section 38-802 for the purpose of funding a portion of the
29 employers' contributions required pursuant to section 38-810.

30 D. In counties with a population of more than five hundred thousand
31 persons, 5.65 percent of the monies transmitted pursuant to subsection C
32 of this section shall be kept and used by the court collecting the fees in
33 the same manner as the ~~seven dollars~~ \$7 of the time payment fee prescribed
34 by section 12-116, subsection B.

35 E. In counties with a population of five hundred thousand persons
36 or less, 6.28 percent of the monies transmitted pursuant to subsection C
37 of this section shall be kept and used by the court collecting the fees in
38 the same manner as the ~~seven dollars~~ \$7 of the time payment fee prescribed
39 by section 12-116, subsection B.

40 F. The supreme court may increase the fees prescribed in subsection
41 A of this section in an amount not to exceed the ~~per cent~~ PERCENT of
42 change in the average consumer price index as published by the United
43 States department of labor, bureau of labor statistics between that figure
44 for the latest calendar year and the calendar year in which the last fee
45 increase occurred.