

Senate Engrossed

sheriffs; constables; service; mileage; fees

State of Arizona  
Senate  
Fifty-seventh Legislature  
First Regular Session  
2025

**CHAPTER 254**  
**SENATE BILL 1161**

AN ACT

AMENDING SECTION 11-445, ARIZONA REVISED STATUTES; RELATING TO SHERIFFS  
AND CONSTABLES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 11-445, Arizona Revised Statutes, is amended to  
3 read:

4 11-445. Fees chargeable in civil actions by sheriffs and  
5 constables; constables' standardized daily activity  
6 logs

7 A. The sheriff shall receive the following fees in civil actions:

8 1. For serving each true copy of the original summons in a civil  
9 suit, \$16, except that the sheriff shall not charge a fee for service of  
10 any document pursuant to section 13-3602 or any injunction against  
11 harassment pursuant to section 12-1809 if the court indicates the  
12 injunction arises out of sexual violence as defined in section 23-371.

13 2. For summoning each witness, \$16.

14 3. For levying and returning each writ of attachment or claim and  
15 delivery, \$48.

16 4. For taking and approving each bond and returning it to the  
17 proper court when necessary, \$12.

18 5. For endorsing the forfeiture of any bond required to be endorsed  
19 by the sheriff, \$12.

20 6. For levying each execution, \$24.

21 7. For returning each execution, \$16.

22 8. For executing and returning each writ of possession or  
23 restitution, \$48 plus a rate of \$40 per hour per deputy or constable for  
24 the actual time spent in excess of three hours.

25 9. For posting the advertisement for sale under execution, or any  
26 order of sale, \$12.

27 10. For posting or serving any notice, process, writ, order,  
28 pleading or paper required or allowed by law, not otherwise provided for,  
29 \$16 except that posting for a writ of restitution shall not exceed \$10.

30 11. For executing a deed to each purchaser of real property under  
31 execution or order of sale, \$24.

32 12. For executing a bill of sale to each purchaser of real and  
33 personal property under an execution or order of sale, when demanded by  
34 the purchaser, \$16.

35 13. For services in designating a homestead or other exempt  
36 property, \$12.

37 14. For receiving and paying money on redemption and issuing a  
38 certificate of redemption, \$24.

39 15. For serving and returning each writ of garnishment and related  
40 papers, \$40.

41 16. For the preparation, including notarization, of each affidavit  
42 of service or other document pertaining to service, \$8.

43 17. For every writ issued on behalf of a justice of the peace, a  
44 fee established by the board of supervisors ~~OF not to exceed \$5~~ MORE THAN  
45 \$10 per writ. Monies collected from the writ fees shall be deposited in

1 the constable ethics standards and training fund established by section  
2 22-138.

3 B. The sheriff shall also collect the appropriate recording fees,  
4 if applicable, and other appropriate disbursements.

5 C. The sheriff may charge:

6 1. \$56 plus disbursements for any skip tracing services performed.

7 2. A reasonable fee for executing a civil arrest warrant ordered  
8 pursuant to court rule by a judge or justice of the peace. The fee shall  
9 only be charged to the party requesting the issuance of the civil arrest  
10 warrant.

11 3. A reasonable fee for storing personal property levied on  
12 pursuant to title 12, chapter 9.

13 D. For traveling to serve or on each attempt to serve civil  
14 process, writs, orders, pleadings or papers, the sheriff shall receive  
15 \$2.40 for each mile actually and necessarily traveled but not to exceed  
16 two hundred miles, nor to be less than \$16. Mileage shall be charged one  
17 way only. For service made or attempted at the same time and place,  
18 regardless of the number of parties or the number of papers so served or  
19 attempted, only one charge for travel fees shall be made for such service  
20 or attempted service.

21 E. For collecting money on an execution when it is made by sale,  
22 the sheriff and the constable shall receive \$8 for each \$100 or major  
23 portion thereof not to exceed a total of \$2,000, but when money is  
24 collected by the sheriff without a sale, only one-half of such fee shall  
25 be allowed. When satisfaction or partial satisfaction of a judgment is  
26 received by the judgment creditor after the sheriff or constable has  
27 received an execution on the judgment, the commission is due the sheriff  
28 or constable and is established by an affidavit of the judgment creditor  
29 filed with the officer. If the affidavit is not lodged with the officer  
30 within thirty days of the request, the commission shall be based on the  
31 total amount of judgment due as billed by the officer and may be collected  
32 as any other debt by that officer.

33 F. The sheriff shall be allowed for all process issued from the  
34 supreme court and served by the sheriff the same fees as are allowed the  
35 sheriff for similar services on process issued from the superior court.

36 G. The constable shall receive the same fees as the sheriff for  
37 performing the same services in civil actions, except that mileage shall  
38 be computed from the office of the justice of the peace ~~originating the~~  
39 ~~civil action~~ IN THE PRECINCT WHERE THE CONSTABLE SERVES to the place of  
40 service.

41 H. Notwithstanding subsection G of this section, in a county with a  
42 population of more than three million persons, if an office of a justice  
43 of the peace is located outside of the precinct boundaries, the mileage  
44 for a constable shall be calculated pursuant to subsection D of this  
45 section, except that the distance between the precinct boundaries and the

1 office of the justice of the peace, as determined by the county and  
2 certified by the board of supervisors of that county, shall be subtracted  
3 from the mileage calculation. This certified mileage calculation shall be  
4 transmitted to the justice courts and the clerks of those courts shall  
5 calculate the mileage between the office of the justice of the peace and  
6 the location where the civil process, writ, order, pleading or paper was  
7 served and reduce the mileage used to calculate the mileage fee according  
8 to the certified mileage calculation for that respective jurisdiction.

9 I. Constables shall maintain a standardized daily activity log of  
10 work related activities, including a listing of all processes served and  
11 the number of processes attempted to be served by case number, the names  
12 of the plaintiffs and defendants, the names and addresses of the persons  
13 to be served except as otherwise precluded by law, the date of process and  
14 the daily mileage.

15 J. The standardized daily activity log maintained in subsection I  
16 of this section is a public record and shall be made available by the  
17 constable at the constable's office during regular office hours. The  
18 standardized daily activity log shall be filed monthly by the tenth day of  
19 the following month with the clerk of the board of supervisors. The board  
20 of supervisors shall determine the method for filing the standardized  
21 daily activity log.

22 Sec. 2. Requirements for enactment; two-thirds vote

23 Pursuant to article IX, section 22, Constitution of Arizona, this  
24 act is effective only on the affirmative vote of at least two-thirds of  
25 the members of each house of the legislature and is effective immediately  
26 on the signature of the governor or, if the governor vetoes this act, on  
27 the subsequent affirmative vote of at least three-fourths of the members  
28 of each house of the legislature.

APPROVED BY THE GOVERNOR JULY 1, 2025.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 1, 2025.