

Senate Engrossed House Bill

courts; fees; assessments

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

CHAPTER 195

HOUSE BILL 2265

AN ACT

AMENDING SECTIONS 11-584, 12-115, 12-253, 12-332, 13-4034 AND 22-371,
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 11-584, Arizona Revised Statutes, is amended to
3 read:

4 11-584. Public defender; duties; reimbursement prohibited

5 A. The public defender, on order of the court, shall defend, advise
6 and counsel any person who is entitled to counsel as a matter of law and
7 who is not financially able to employ counsel in the following proceedings
8 and circumstances:

9 1. Offenses triable in the superior court or justice courts at all
10 stages of the proceedings, including the preliminary examination.

11 2. Extradition hearings.

12 3. Mental disorder hearings only if appointed by the court under
13 title 36, chapter 5.

14 4. Involuntary commitment hearings held pursuant to title 36,
15 chapter 18, only if appointed by the court.

16 5. Involuntary commitment hearings held pursuant to title 36,
17 chapter 37, if appointed by the court as provided in section 36-3704,
18 subsection C and the board of supervisors has advised the presiding judge
19 of the county that the public defender is authorized to accept these
20 appointments.

21 6. Juvenile delinquency and incorrigibility proceedings only if
22 appointed by the court under section 8-221.

23 7. Appeals to a higher court or courts.

24 8. All juvenile proceedings other than delinquency and
25 incorrigibility proceedings under paragraph 6 of this subsection,
26 including serving as a guardian ad litem, if appointed by the court
27 pursuant to section 8-221 and the board of supervisors has advised the
28 presiding judge of the county that the public defender is authorized to
29 accept these appointments.

30 9. All mental health hearings regarding release recommendations
31 that are held in the superior court pursuant to title 13, chapter 38,
32 article 14 and the board of supervisors has advised the presiding judge of
33 the superior court in the county that the public defender is authorized to
34 accept these appointments.

35 10. As attorneys in any other proceeding or circumstance in which a
36 party is entitled to counsel as a matter of law if the court appoints the
37 public defender and the board of supervisors has advised the presiding
38 judge of the county that the public defender is authorized to accept these
39 appointments as specified.

40 B. The public defender shall perform the following duties:

41 1. Keep a record of all services rendered by the public defender in
42 that capacity and file with the board of supervisors an annual report of
43 those services.

1 2. By December 1 of each year, file with the presiding judge of the
2 superior court, the chief probation officer and the board of supervisors
3 an annual report on the average cost of defending a felony case.

4 C. ~~Although~~ The services of the public defender or court appointed
5 counsel shall be without expense to the defendant, the juvenile, a parent
6 or any other party. ~~;~~ The court may NOT make ~~the following~~ ANY
7 assessments ~~RELATED TO THE APPOINTMENT OR SERVICES OF A PUBLIC DEFENDER,~~
8 ~~INCLUDING:~~

9 1. ~~Order~~ An indigent administrative assessment ~~of not more than~~
10 ~~\$25.~~

11 2. ~~Require that the defendant, including a defendant who is placed~~
12 ~~on probation, or any other party who is appointed counsel under subsection~~
13 ~~A of this section repay to the county a reasonable amount to reimburse ANY~~
14 ~~REIMBURSEMENT TO~~ the county for the cost of the person's legal services.
15 Reimbursement for legal services in a guardianship or conservatorship
16 proceeding shall be ordered pursuant to section 14-5414. The court may
17 not order a juvenile or the juvenile's parent or guardian to pay
18 administrative assessments or ~~TO~~ reimburse the cost of legal services.

19 ~~D. In determining the amount and method of payment the court shall~~
20 ~~take into account the financial resources of the defendant and the nature~~
21 ~~of the burden that the payment will impose.~~

22 ~~E. Assessments collected pursuant to subsection C of this section~~
23 ~~shall be paid into the county general fund in the account designed for use~~
24 ~~solely by the public defender and court appointed counsel to defray the~~
25 ~~costs of public defenders and court appointed counsel. The assessments~~
26 ~~shall supplement, not supplant, funding provided by counties for public~~
27 ~~defense, legal defense and contract indigent defense counsel in each~~
28 ~~county.~~

29 Sec. 2. Section 12-115, Arizona Revised Statutes, is amended to
30 read:

31 12-115. Additional filing, appearance and answer or response
32 fees; deposit

33 A. In addition to any other assessment authorized by law, the
34 supreme court shall establish an additional fee on each filing, appearance
35 and answer or response fee charged by a clerk of the superior court.

36 B. The clerk shall collect the additional fee and monthly remit the
37 additional fees to the county treasurer. The county treasurer shall
38 transmit the fees to the state treasurer on or before the fifteenth day of
39 each month for deposit, pursuant to sections 35-146 and 35-147, in the
40 fair jury improvement fund established by section 21-222. The state
41 treasurer shall invest and divest monies in the fund as provided by
42 section 35-313, and monies earned from investment shall be credited to the
43 fund.

44 C. The additional fee may be deferred or waived pursuant to
45 sections 12-302 and 12-304.

1 D. In establishing the additional fees under subsection A of this
2 section, the supreme court may designate by rule that the additional fees
3 not be imposed on filings in types of cases that involve minimal use of
4 court resources, that are not afforded the opportunity for a trial by jury
5 or that do not involve the use of digital evidence. THE SUPREME COURT MAY
6 NOT IMPOSE THE ADDITIONAL FEES ON FILINGS FOR A JURY TRIAL IN A CRIMINAL
7 CASE.

8 Sec. 3. Section 12-253, Arizona Revised Statutes, is amended to
9 read:

10 12-253. Powers and duties

11 The adult probation officer shall:

12 1. Make and file a complete record of persons WHO ARE placed under
13 suspended sentence by the court, and of all reports THAT ARE made to the
14 ADULT PROBATION officer in writing or in person, in accordance with the
15 conditions imposed by the court.

16 2. Exercise general supervision and observation over persons WHO
17 ARE under suspended sentence and supervision pursuant to section 13-3994,
18 subject to control and direction by the court.

19 3. Serve warrants, make arrests and bring persons before the court
20 who are under suspended sentences. The ADULT PROBATION officer has the
21 authority of a peace officer in the performance of the ADULT PROBATION
22 officer's duties.

23 4. Investigate cases THAT ARE referred to the ADULT PROBATION
24 officer for investigation by the court in which the ADULT PROBATION
25 officer is serving and report to the court. In an investigation for a
26 presentence report, the adult probation officer shall promptly inquire
27 into the circumstances of the offense, AND the convicted person's history
28 of delinquency or criminality, social history, employment history, family
29 situation, economic status, ~~including the ability to contribute to~~
30 ~~reimbursement for the costs of the person's legal defense pursuant to~~
31 ~~section 11-584,~~ education and personal habits. ~~The presentence report~~
32 ~~shall contain a recommendation by the officer regarding contribution by~~
33 ~~the convicted person toward the costs of legal defense pursuant to section~~
34 ~~11-584.~~ The ADULT PROBATION officer shall also promptly inquire into the
35 physical, emotional and financial impact of the offense on the victim and
36 the emotional and financial impact of the offense on the VICTIM'S
37 immediate family ~~of the victim~~ and shall notify the victim or the VICTIM'S
38 immediate family ~~of the victim~~ of the right to appear personally or by
39 counsel at any aggravation or mitigation proceeding.

40 5. Secure and keep a complete identification record of every person
41 WHO IS released under a suspended sentence and a written statement of the
42 conditions of the suspension.

1 6. Obtain and assemble information ~~concerning~~ THAT CONCERNS the
2 conduct of persons WHO ARE placed under suspended sentence and report the
3 information to the court.

4 7. Bring defaulting probationers into court when in the ADULT
5 probation officer's judgment the conduct of the probationer justifies the
6 court to revoke suspension of the sentence.

7 8. Monitor the payment of restitution.

8 Sec. 4. Section 12-332, Arizona Revised Statutes, is amended to
9 read:

10 12-332. Taxable costs and jury fee in superior court:
11 prohibited in criminal actions

12 A. Costs in the superior court include:

13 1. Fees of officers and witnesses.

14 2. Cost of taking depositions.

15 3. Compensation of referees.

16 4. Cost of certified copies of papers or records.

17 5. Sums paid a surety company for executing any bond or other
18 obligation therein, not exceeding, ~~however,~~ one ~~per cent~~ PERCENT on the
19 amount of the liability on the bond or other obligation during each year
20 it was in force.

21 6. Other disbursements that are made or incurred pursuant to an
22 order or agreement of the parties.

23 B. IN A CIVIL CASE, a jury fee shall also be included in the
24 judgment and taxed as costs and shall be fixed by the court at the time
25 the judgment is given. The jury fee shall include the cost of
26 reimbursement for juror travel expenses. The jury fee shall be paid to
27 the clerk of the court for transmittal to the county treasurer who shall
28 dispose of it as other similar money is disposed of. An action to collect
29 jury fees shall be commenced:

30 1. Only if the judgment fixing the jury fees is recorded in the
31 office of the county recorder not later than thirty days after the
32 judgment is rendered.

33 2. At any time after the date of the recording of the judgment
34 fixing the jury fees and the judgment does not expire until it is paid in
35 full.

36 C. The court may at any time for good cause shown relieve a person
37 from payment of a jury fee IN A CIVIL CASE if the court believes that such
38 relief is proper.

39 D. A JURY FEE MAY NOT BE IMPOSED IN A CRIMINAL CASE.

40 Sec. 5. Section 13-4034, Arizona Revised Statutes, is amended to
41 read:

42 13-4034. Expense of record or transcript on appeal as county
43 charge

44 The expense of a certified copy of the record on appeal or of the
45 reporter's transcript, ~~or both, when appellant files an affidavit that he~~

1 ~~is without means or wholly unable to pay for such copies, and such~~
2 ~~affidavit is found true;~~ shall be a charge ~~upon~~ ON the county in which the
3 appellant was convicted.

4 Sec. 6. Section 22-371, Arizona Revised Statutes, is amended to
5 read:

6 22-371. Right of appeal; procedure for taking appeal;
7 transcript; appellate filing fee prohibited

8 A. The defendant in a criminal action may appeal to the superior
9 court from the final judgment of a justice or municipal court.

10 B. The procedure for appeals from a justice or municipal court to
11 the superior court shall be as provided by rules adopted by the supreme
12 court.

13 C. In a trial in a justice or municipal court, a transcript of the
14 proceedings may be ordered in the sole discretion of the superior court.

15 D. A defendant may not appeal from a judgment or sentence that is
16 entered pursuant to a plea agreement or from an admission to a probation
17 violation.

18 E. A victim, as defined in section 13-4401, may bring a special
19 action seeking to enforce any right or to challenge an order denying any
20 right guaranteed to victims.

21 F. THE COURT MAY NOT IMPOSE AN APPELLATE FILING FEE ON A CRIMINAL
22 DEFENDANT.

APPROVED BY THE GOVERNOR JUNE 19, 2026.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 22, 2026.