

PROPOSED
SENATE AMENDMENTS TO H.B. 2028
(Reference to House engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 13-824, Arizona Revised Statutes, is amended to
3 read:

4 13-824. Community restitution in lieu of monetary obligation;
5 definition

6 A. Notwithstanding any other law **AND EXCEPT AS PROVIDED IN**
7 **SUBSECTION B OF THIS SECTION**, if a monetary obligation is imposed on a
8 defendant at sentencing and the court finds the defendant is unable to pay
9 all or part of the monetary obligation, on the defendant's request the
10 court may order the defendant to perform community restitution in lieu of
11 the payment for all or part of the monetary obligation. The court shall
12 credit community restitution performed at a rate that is equal to the
13 minimum wage prescribed by section 23-363, subsections A and B, rounded up
14 to the nearest dollar.

15 **B. IF THE COURT FINDS THAT THE DEFENDANT IS UNABLE TO PAY ALL OR**
16 **PART OF AN ASSESSMENT IMPOSED PURSUANT TO SECTION 12-114.01 AND THAT THE**
17 **DEFENDANT IS EXPERIENCING HOMELESSNESS AND IS INDIGENT PURSUANT TO THE**
18 **ARIZONA RULES OF CRIMINAL PROCEDURE, THE COURT MAY ORDER THE DEFENDANT TO**
19 **PERFORM MANDATORY COMMUNITY RESTITUTION IN LIEU OF THE PAYMENT OF ALL OF**
20 **THE ASSESSMENT.**

21 ~~B.~~ C. This section does not apply to the assessment imposed
22 pursuant to sections 12-116.05, 12-116.06, 12-116.07, 12-116.08 and
23 12-116.09 and to the surcharge imposed and collected pursuant to section
24 16-954, subsection A.

25 ~~C.~~ D. For the purposes of this section, "monetary obligation"
26 means a fine, a civil penalty, a surcharge, an assessment, a fee or
27 incarceration costs."

28 Amend title to conform

WENDY ROGERS

2028ROGERS SE
03/23/2026
1:03 PM
C: JV
130VNW BDF