

House Engrossed

courts; fees; assessments

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

HOUSE BILL 2265

AN ACT

AMENDING SECTIONS 11-584, 12-115 AND 12-253, ARIZONA REVISED STATUTES;
AMENDING TITLE 12, CHAPTER 3, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 12-306; AMENDING SECTIONS 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 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. Title 12, chapter 3, article 1, Arizona Revised Statutes,
9 is amended by adding section 12-306, to read:

10 12-306. New fees

11 THE COURT SHALL NOT ADOPT ANY NEW FEE, FINE, SURCHARGE OR ASSESSMENT
12 THAT APPLIES AGAINST A CRIMINAL DEFENDANT.

13 Sec. 5. Section 12-332, Arizona Revised Statutes, is amended to
14 read:

15 12-332. Taxable costs and jury fee in superior court;
16 prohibited in criminal actions

17 A. Costs in the superior court include:

18 1. Fees of officers and witnesses.

19 2. Cost of taking depositions.

20 3. Compensation of referees.

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

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

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

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

35 1. Only if the judgment fixing the jury fees is recorded in the
36 office of the county recorder not later than thirty days after the
37 judgment is rendered.

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

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

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

