

REFERENCE TITLE: county seal; authority; sheriff's posse

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

HB 2270

Introduced by
Representative Marshall

AN ACT

AMENDING SECTIONS 11-251.17 AND 11-441, ARIZONA REVISED STATUTES; RELATING
TO COUNTY AUTHORITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Section 11-251.17, Arizona Revised Statutes, is amended to read:

11-251.17. Use of county seal, logo or insignia restricted; cease and desist order; violation; classification

A. A person may use, display or otherwise employ any facsimile, copy, likeness, imitation or other resemblance of the county seal, LOGO OR INSIGNIA OR ANOTHER VISUAL OR TEXTUAL IDENTIFIER OF A COUNTY OFFICE, WHETHER IDENTICAL OR SUBSTANTIALLY SIMILAR, THAT COULD IMPLY AFFILIATION WITH A COUNTY OFFICE only after obtaining the approval of the board of supervisors of that county OR THE ELECTED OFFICIAL IN CONTROL OF THE COUNTY OFFICE. The board of supervisors OR THE ELECTED OFFICIAL IN CONTROL OF THE COUNTY OFFICE may grant a certificate of approval on application by any person showing good cause for the use of the county seal, LOGO OR INSIGNIA OR ANOTHER VISUAL OR TEXTUAL IDENTIFIER OF A COUNTY OFFICE for a proper purpose. No person other than a county department may use the county seal ~~for the purpose of advertising or promoting~~, LOGO OR INSIGNIA OR ANOTHER VISUAL OR TEXTUAL IDENTIFIER OF A COUNTY OFFICE TO ADVERTISE OR PROMOTE the sale of any article of merchandise within this state or for promoting any other commercial purpose. The board of supervisors may adopt rules for the use of the county seal, LOGO OR INSIGNIA OR ANOTHER VISUAL OR TEXTUAL IDENTIFIER OF A COUNTY OFFICE or any facsimile, copy, likeness, imitation or other resemblance of the county seal, LOGO OR INSIGNIA OR ANOTHER VISUAL OR TEXTUAL IDENTIFIER OF A COUNTY OFFICE, including rules for the use of the county seal, LOGO OR INSIGNIA OR ANOTHER VISUAL OR TEXTUAL IDENTIFIER OF A COUNTY OFFICE for official county business.

B. If the county maintains a website, it shall display on its website the adopted seal, LOGO OR INSIGNIA and the text of subsection A of this section.

C. The board of supervisors shall issue a cease and desist order to any person who is in violation of this section. If the person fails to comply with the cease and desist order, the person is guilty of a class 3 misdemeanor.

Sec. 2. Section 11-441, Arizona Revised Statutes, is amended to read:

11-441. Powers and duties

A. The sheriff shall:

1. Preserve the peace.

2. Arrest and take before the nearest magistrate for examination all persons who attempt to commit or who have committed a public offense.

3. Prevent and suppress all affrays, breaches of the peace, riots and insurrections that may come to the knowledge of the sheriff.

1 4. Attend all courts, except justice and municipal courts, when an
2 element of danger is anticipated and attendance is requested by the
3 presiding judge and obey lawful orders and directions issued by the judge.

4 5. Take charge of and keep the county jail, including a county jail
5 under the jurisdiction of a county jail district, and the prisoners in the
6 county jail.

7 6. Endorse on all process and notices the year, month, day, hour
8 and minute of reception and issue to the person delivering the process or
9 notice, on payment of fees, a certificate showing the names of the
10 parties, the title of the paper and the time of reception.

11 7. Serve process and notices in the manner prescribed by law and
12 certify under the sheriff's hand on the process or notices the manner and
13 time of service, or if the sheriff fails to make service, the reasons for
14 failure, and return them without delay. When returnable to another
15 county, the sheriff may enclose such process or notices in an envelope,
16 addressed to the officer from whom received, and deposit the envelope
17 postage prepaid in the post office. The return of the sheriff is prima
18 facie evidence of the facts stated in the return.

19 8. Secure, as soon as possible, the home of a deceased person
20 located outside the boundaries of an incorporated city or town if the
21 sheriff is unable to determine or locate the heirs or executor of the
22 deceased person.

23 B. The sheriff, in executing the duties prescribed in subsection A,
24 paragraphs 1 through 4 of this section, may command the aid of as many
25 inhabitants of the county as the sheriff deems necessary.

26 C. The sheriff shall conduct or coordinate within the county search
27 or rescue operations involving the life or health of any person or may
28 assist in such operations in another county at the request of that
29 county's sheriff. The sheriff may request assistance from any persons or
30 agencies in fulfilling duties under this subsection. A search and rescue
31 unit established or recognized by a county may possess human remains as
32 defined in section 36-301 for the purpose of training canines used for
33 search and rescue work. The sheriff or the sheriff's designee shall keep
34 an inventory of all human remains that are kept for the purpose of
35 training search and rescue canines. The inventory must be updated when
36 the search and rescue unit receives human remains or disposes of human
37 remains that are no longer useful to the search and rescue unit. Each
38 search and rescue unit that possesses human remains for the purpose of
39 training search and rescue canines shall establish policies and standard
40 operating procedures for access to, the inventory of and the possession
41 and disposal of human remains kept for the purpose of training search and
42 rescue canines.

43 D. The sheriff, in executing the duties prescribed in this section,
44 may request the aid of volunteer posse and reserve organizations located
45 in the county.

1 E. The sheriff may assist in executing the duties prescribed in
2 this section in another county at the request of that county's sheriff.

3 F. The sheriff may require any prisoner who is on work release to
4 reimburse the county for reasonable expenses incurred in connection with
5 the release.

6 G. The board of supervisors of a county bordering Mexico may adopt
7 an ordinance pursuant to chapter 2 of this title allowing the sheriff to
8 prevent the entry from this state into Mexico at the border by any
9 resident of this state who is under eighteen years of age if the minor is
10 unaccompanied by a parent or guardian or does not have written consent for
11 entry from the minor's parent or guardian. The authority of the sheriff
12 is only to prevent entry and not to otherwise detain the minor. This
13 subsection does not limit the authority of the sheriff pursuant to any
14 other law. A county is not civilly or criminally liable for not adopting
15 an ordinance pursuant to this subsection.

16 H. Notwithstanding section 13-3112, the sheriff may authorize
17 members of the sheriff's volunteer posse who have received and passed
18 firearms training that is approved by the Arizona peace officer standards
19 and training board to carry a deadly weapon without a permit while on
20 duty.

21 I. THE SHERIFF HAS THE EXCLUSIVE RIGHT TO NAME ANY POSSE THAT IS
22 ASSOCIATED WITH THE SHERIFF'S OFFICE AND TO DISSOLVE ANY POSSE THAT
23 OPERATES UNDER THE SHERIFF'S JURISDICTION.