

CORRECTED

House Engrossed

~~technical correction; public records~~
(now: sheriff; exclusive authority; auxiliary)

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

HOUSE BILL 4018

AN ACT

AMENDING SECTION 11-441, ARIZONA REVISED STATUTES; RELATING TO COUNTY OFFICERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 11-441, Arizona Revised Statutes, is amended to
3 read:

4 11-441. Powers and duties

5 A. The sheriff shall:

6 1. Preserve the peace.

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

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

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

14 5. Take charge of and keep the county jail, including a county jail
15 under the jurisdiction of a county jail district, and the prisoners in the
16 county jail.

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

21 7. Serve process and notices in the manner prescribed by law and
22 certify under the sheriff's hand on the process or notices the manner and
23 time of service, or if the sheriff fails to make service, the reasons for
24 failure, and return them without delay. When returnable to another
25 county, the sheriff may enclose such process or notices in an envelope,
26 addressed to the officer from whom received, and deposit the envelope
27 postage prepaid in the post office. The return of the sheriff is prima
28 facie evidence of the facts stated in the return.

29 8. Secure, as soon as possible, the home of a deceased person
30 located outside the boundaries of an incorporated city or town if the
31 sheriff is unable to determine or locate the heirs or executor of the
32 deceased person.

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

36 C. The sheriff shall conduct or coordinate within the county search
37 or rescue operations involving the life or health of any person or may
38 assist in such operations in another county at the request of that
39 county's sheriff. The sheriff may request assistance from any persons or
40 agencies in fulfilling duties under this subsection. A search and rescue
41 unit established or recognized by a county may possess human remains as
42 defined in section 36-301 for the purpose of training canines used for
43 search and rescue work. The sheriff or the sheriff's designee shall keep
44 an inventory of all human remains that are kept for the purpose of
45 training search and rescue canines. The inventory must be updated when

1 the search and rescue unit receives human remains or disposes of human
2 remains that are no longer useful to the search and rescue unit. Each
3 search and rescue unit that possesses human remains for the purpose of
4 training search and rescue canines shall establish policies and standard
5 operating procedures for access to, the inventory of and the possession
6 and disposal of human remains kept for the purpose of training search and
7 rescue canines.

8 D. The sheriff, in executing the duties prescribed in this section,
9 INCLUDING THE DUTIES PRESCRIBED IN SUBSECTION A OF THIS SECTION, may
10 request AND USE the aid of volunteer posse and reserve organizations
11 located in the county. WHEN ACTIVATED BY THE SHERIFF, THE SHERIFF HAS
12 EXCLUSIVE AUTHORITY TO REGULATE THE ORGANIZATION AND EQUIPMENT THAT IS
13 USED BY A POSSE OR RESERVE ORGANIZATION OR MEMBERS OF A POSSE OR RESERVE
14 ORGANIZATION THAT ARE ACTING WITHIN THE SHERIFF'S AUTHORITY AND WRITTEN
15 POLICY IN SUPPORT OF THE SHERIFF'S OFFICE, CONSISTENT WITH LAW.

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

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

21 G. The board of supervisors of a county bordering Mexico may adopt
22 an ordinance pursuant to chapter 2 of this title allowing the sheriff to
23 prevent the entry from this state into Mexico at the border by any
24 resident of this state who is under eighteen years of age if the minor is
25 unaccompanied by a parent or guardian or does not have written consent for
26 entry from the minor's parent or guardian. The authority of the sheriff
27 is only to prevent entry and not to otherwise detain the minor. This
28 subsection does not limit the authority of the sheriff pursuant to any
29 other law. A county is not civilly or criminally liable for not adopting
30 an ordinance pursuant to this subsection.

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