

State of Arizona
House of Representatives
Forty-sixth Legislature
First Regular Session
2003

CHAPTER 142

HOUSE BILL 2131

AN ACT

AMENDING SECTION 12-1551, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2002, CHAPTER 310, SECTION 1; REPEALING SECTION 12-1551, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 1999, CHAPTER 283, SECTION 2; RELATING TO EXECUTION OF JUDGMENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 12-1551, Arizona Revised Statutes, as amended by
3 Laws 2002, chapter 310, section 1, is amended to read:

4 12-1551. Issuance of writ of execution; limitation; renewal;
5 death of judgment debtor; exemptions

6 A. The party in whose favor a judgment is given, at any time within
7 five years after entry of the judgment and within five years after any
8 renewal of the judgment either by affidavit or by an action brought on it,
9 may have a writ of execution or other process issued for its enforcement.

10 B. An execution or other process shall not be issued upon a judgment
11 after the expiration of five years from the date of its entry unless the
12 judgment is renewed by affidavit or process pursuant to section 12-1612 or
13 an action is brought on it within five years from the date of the entry of
14 the judgment or of its renewal.

15 C. The court shall not issue a writ of execution after the death of
16 the judgment debtor unless it is for the recovery of real or personal
17 property or enforcement of a lien.

18 ~~D. These limitations do not apply to criminal restitution orders~~
19 ~~entered pursuant to section 13-805 or to judgments and orders for the support~~
20 ~~of a minor or for those children whose support is extended beyond the age of~~
21 ~~emancipation pursuant to section 25-501, subsection A or section 25-320,~~
22 ~~subsection B. It is not necessary to renew criminal restitution orders~~
23 ~~entered pursuant to section 13-805 or to renew judgments and orders during~~
24 ~~the minority of the children or during the period of their disability. These~~
25 ~~actions are limited only as prescribed by section 25-503, subsection I.~~

26 D. THIS SECTION DOES NOT APPLY TO:

27 1. CRIMINAL RESTITUTION ORDERS ENTERED PURSUANT TO SECTION 13-805.

28 2. WRITTEN JUDGMENTS AND ORDERS FOR CHILD SUPPORT AND SPOUSAL
29 MAINTENANCE AND TO ASSOCIATED COSTS AND ATTORNEY FEES.

30 3. JUDGMENTS FOR SUPERVISION FEES OR EXPENSES ASSOCIATED WITH THE CARE
31 OF A JUVENILE PURSUANT TO SECTION 8-241 OR 8-243 AND TO ASSOCIATED COSTS AND
32 ATTORNEY FEES.

33 Sec. 2. Repeal

34 Section 12-1551, Arizona Revised Statutes, as amended by Laws 1999,
35 chapter 283, section 2, is repealed.

APPROVED BY THE GOVERNOR MAY 5, 2003.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 5, 2003.

Passed the House February 11, 2003,

Passed the Senate April 8, 2003

by the following vote: 58 Ayes,

by the following vote: 30 Ayes,

0 Nays, 1 Not Voting
1 VACANCY

0 Nays, 0 Not Voting

Jake Flake
Speaker of the House

Kelu Blumenthal
President of the Senate

Norman L. Fyooce
Chief Clerk of the House

Charmine Ballejo
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

_____ day of _____, 20__

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20__

at _____ o'clock _____ M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this _____ day of _____, 20__

at _____ o'clock _____ M.

Secretary of State

H.B. 2131

HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

April 29, 2003,

by the following vote: 57 Ayes,

0 Nays, 3 Not Voting

Jake Flake
Speaker of the House

Norman L. Moore
Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

29 day of April, 2003,

at 11:00 o'clock A M.

Sandra Gamiser
Secretary to the Governor

Approved this 5 day of

May, 2003,

at 10⁵⁰ o'clock A M.

J. D. Nagel
Governor of Arizona

H.B. 2131

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 5 day of May, 2003

at 3:59 o'clock P M.

Janice K. Brewer
Secretary of State