

House Engrossed

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

CHAPTER 23

HOUSE BILL 2020

AN ACT

AMENDING SECTION 8-243, ARIZONA REVISED STATUTES; RELATING TO JUVENILE
DISPOSITION AND COMMITMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 8-243, Arizona Revised Statutes, is amended to
3 read:

4 8-243. Liability of parents to bear expense; exception

5 A. The supreme court shall administer the activities, including
6 providing the cost of services, for children who are referred to the juvenile
7 court as incorrigible or delinquent and who are placed in foster care other
8 than in a state institution or who require shelter care or treatment. IF THE
9 JUVENILE COURT PLACES A REFERRED CHILD IN FOSTER CARE OR ORDERS A REFERRED
10 CHILD TO PARTICIPATE IN TREATMENT OR AN EDUCATION PROGRAM OR IF A PROBATION
11 OFFICER REQUIRES A CHILD TO COMPLY WITH A PROGRAM PURSUANT TO SECTION 8-321,
12 SUBSECTION F, THE JUVENILE COURT SHALL INQUIRE INTO THE ABILITY OF THE CHILD
13 OR THE CHILD'S PARENT TO BEAR THE CHARGE OR EXPENSE OF THE FOSTER CARE,
14 TREATMENT, EDUCATION PROGRAM OR PROGRAM REQUIRED PURSUANT TO SECTION 8-321,
15 SUBSECTION F. IF THE COURT IS SATISFIED THAT THE CHILD OR THE CHILD'S PARENT
16 CAN BEAR THE CHARGE OR EXPENSE OR ANY PORTION OF THE CHARGE OR EXPENSE, THE
17 JUVENILE COURT MAY FIX THE AMOUNT OF THE PAYMENT AND SHALL DIRECT THE CHILD
18 OR PARENT TO PAY THE AMOUNT MONTHLY TO THE CLERK OF THE COURT UNTIL THE CHILD
19 IS DISCHARGED FROM FOSTER CARE, TREATMENT, AN EDUCATION PROGRAM OR A PROGRAM
20 REQUIRED PURSUANT TO SECTION 8-321, SUBSECTION F. THE CLERK OF THE COURT
21 SHALL TRANSMIT MONIES COLLECTED MONTHLY TO THE SUPREME COURT FOR DEPOSIT IN
22 THE JUVENILE PROBATION SERVICES FUND TO REIMBURSE THE COST OF SERVICES
23 INCURRED UNDER SECTIONS 8-321 AND 8-322. MONIES COLLECTED FOR THIS PURPOSE
24 ARE EXEMPT FROM SECTION 41-2421, SUBSECTION C.

25 B. If the juvenile court awards or commits a child to the department
26 of juvenile corrections or other state department or institution, the
27 juvenile court shall inquire into the ability of the child, the child's
28 estate, parent or guardian or the person who has custody of the child to bear
29 the charge, expense and maintenance including the medical, dental and mental
30 health care of the child while the child is committed to the custody of the
31 department of juvenile corrections or other public or private institution or
32 agency, or private person or persons. If the court is satisfied that the
33 child, the child's estate, parent or guardian or the person who has custody
34 of the child can bear the charges, expense and maintenance or any portion of
35 them, the juvenile court shall fix the amount thereof and direct that the
36 child, the child's estate, parent or guardian or the person who has custody
37 of the child pay the amount monthly to the department of juvenile corrections
38 or other public or private institution or agency, or private person or
39 persons to which the child is awarded or committed. The department of
40 juvenile corrections or other public or private institution or agency or
41 private person or persons shall acknowledge the receipt of the monies. The
42 department of juvenile corrections shall retain and utilize the money it
43 receives to fund work restitution programs for juveniles. Except as provided
44 in section 8-243.01, other state institutions or agencies shall deposit,
45 pursuant to sections 35-146 and 35-147, the money in the state general

1 fund. The juvenile court shall transmit a copy of its orders concerning
2 payment along with its order of commitment.

3 C. If the juvenile court awards or commits a child to a juvenile
4 detention facility, the juvenile court shall inquire into the ability of the
5 child, the child's estate, parent or guardian or the person who has custody
6 of the child to bear the charge, expense and maintenance including food,
7 clothing, shelter and supervision of the child while the child is detained
8 in a juvenile detention facility. If the juvenile court is satisfied that
9 the child, the child's estate, parent or guardian or the person who has
10 custody of the child can bear the charges, expense and maintenance or any
11 portion of them, the juvenile court may fix the amount of the costs PAYMENT
12 and direct that the child, the child's estate, parent or guardian or the
13 person who has custody of the child pay the amount monthly to the juvenile
14 court. The assessment is collectible as a civil judgment. The juvenile
15 court shall acknowledge the receipt of the monies and shall transmit the
16 monies monthly to the county treasurer for deposit in the county general
17 fund. The juvenile court shall transmit a copy of its orders concerning
18 payment along with its order of commitment.

19 D. Subsection C of this section does not apply to foster parents and
20 group homes.

APPROVED BY THE GOVERNOR APRIL 7, 2003.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 7, 2003.

Passed the House February 3, 2003

Passed the Senate April 1, 2003

by the following vote: 56 Ayes,

by the following vote: 27 Ayes,

1 Nays, 1 Not Voting
2 Vacancies

2 Nays, 1 Not Voting

Jake Flake
Speaker of the House

Ken Bennett
President of the Senate

Norman G. Moore
Chief Clerk of the House

Chermin Ballington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

2 day of April, 2003

at 12:40 o'clock P. M.

Sandra Ramirez
Secretary to the Governor

Approved this 7 day of

April, 2003,

at 2³⁰ o'clock P. M.

J. N. Noyes
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 7 day of April, 2003;

at 4:27 o'clock P. M.

Janice K. Brewer
Secretary of State

H.B. 2020