

Senate Engrossed

FILED

**KEN BENNETT
SECRETARY OF STATE**

State of Arizona
Senate
Fiftieth Legislature
First Regular Session
2011

CHAPTER 204

SENATE BILL 1054

AN ACT

AMENDING SECTIONS 8-356, 12-269 AND 13-919, ARIZONA REVISED STATUTES;
RELATING TO PROBATION OFFICERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 8-356, Arizona Revised Statutes, is amended to
3 read:

4 8-356. Waiver of standards

5 A. The SUPREME COURT MAY WAIVE THE requirements of section 8-353,
6 subsections A and B and subsection C, paragraph 2 ~~may be waived by the~~
7 ~~supreme court~~ for a county with a population of fewer than three hundred
8 ~~thousand persons~~ if the case load of ~~every officer~~ OFFICERS supervising
9 juveniles on intensive probation is not more than fifteen juveniles and the
10 program requires visual contact with each probationer at least one time a
11 week.

12 B. If a waiver is granted and the intensive probation case load for
13 each officer does not exceed fifteen, officers may supervise other additional
14 juveniles on probation who in the judgment of the chief probation officer
15 require additional supervision or pose a greater than normal risk to the
16 community, as long as the total case load does not exceed fifteen.

17 Sec. 2. Section 12-269, Arizona Revised Statutes, is amended to read:

18 12-269. Probation funding; counties with a population of two
19 million or more persons; assessment; support

20 A. The administrative office of the courts shall not disburse any
21 direct state aid for probation services monies, including motor pool costs,
22 that are appropriated for juvenile intensive probation services pursuant to
23 section 8-353, state aid for probation services pursuant to section 12-262,
24 adult intensive probation pursuant to title 13, chapter 9 and community
25 punishment programs pursuant to article 11 of this chapter to a county with a
26 population of two million or more persons.

27 B. A county with a population of two million or more persons shall
28 maintain probation standards that are otherwise prescribed by law, except
29 that the probation ratios AND TEAM COMPOSITIONS that are listed in sections
30 8-203, 8-353, 12-251 and 13-916 do not apply. The county shall maintain
31 appropriate ratios of officers to probationers consistent with evidence based
32 practices in differentiated case management and shall annually report its
33 performance to the chief justice of the Arizona supreme court, the speaker of
34 the house of representatives and the president of the senate on or before
35 October 1 of each year. The annual report shall include, for each probation
36 program, the rate of successful completion of probation, the rate of new
37 felony convictions and the rate of commitment to the state department of
38 corrections or the department of juvenile corrections.

39 C. In lieu of the ~~surchage~~ ASSESSMENT prescribed in section 12-114.01
40 and in addition to any other penalty, FINE, FEE SURCHARGE OR assessment
41 ~~provided~~ AUTHORIZED by law, a county with a population of two million or more
42 ~~persons shall levy a probation surcharge~~ PERSON SHALL PAY A PROBATION
43 ASSESSMENT in an amount determined by the A county WITH A POPULATION OF TWO
44 MILLION OR MORE PERSONS on every fine, penalty and forfeiture imposed and
45 ~~collected by the superior, justice and municipal courts for criminal offenses~~

1 ~~and any civil penalty imposed and collected~~ CONVICTION FOR A CRIMINAL OFFENSE
2 OR A FINDING OF RESPONSIBILITY for a civil traffic violation ~~and fine,~~
3 ~~penalty or forfeiture for a violation of the motor vehicle statutes,~~ for a
4 violation of any local ordinance relating to the stopping, standing or
5 operation of a vehicle, except parking violations, or for a violation of the
6 game and fish statutes in title 17.

7 D. The monies collected pursuant to this section shall be deposited,
8 pursuant to sections 35-146 and 35-147, in the adult probation services fund
9 established by section 12-267 or in the juvenile probation fund established
10 by section 12-268 in such proportion as determined by the board of
11 supervisors.

12 E. For the purposes of sections 12-267 and 12-268, in a county with a
13 population of two million or more persons, probation fees under section
14 13-901 and probation ~~surcharges~~ ASSESSMENTS under this section are not state
15 appropriations.

16 F. Notwithstanding any other provision of this section, the
17 administrative office of the courts shall provide centralized support
18 services to all counties from monies that are provided for probation
19 programs.

20 Sec. 3. Section 13-919, Arizona Revised Statutes, is amended to read:
21 13-919. Waiver of standards

22 The requirements of section 13-916, subsection A, subsection B and
23 subsection F, paragraph 2 may be waived for a county ~~with a population of~~
24 ~~fewer than three hundred thousand persons~~ if the case load of every adult
25 probation officer OFFICERS supervising persons on intensive probation is not
26 more than fifteen persons and the program requires visual contact with each
27 probationer at least one time a week.

APPROVED BY THE GOVERNOR APRIL 19, 2011.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 19, 2011.

Passed the House April 13, 2011,

by the following vote: 58 Ayes,

0 Nays, 2 Not Voting

[Signature]
Speaker of the House

Cheryl Laube
Chief Clerk of the House

Passed the Senate January 27, 2011,

by the following vote: 27 Ayes,

0 Nays, 3 Not Voting

[Signature]
President of the Senate

Charmen Bellinger
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

14 day of April, 2011,

at 4:46 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 19th day of

April, 2011,

at 3:33 o'clock P. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 19th day of April, 2011,

at 5:43 o'clock P. M.

[Signature]
Secretary of State

S.B. 1054