

House Engrossed

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-first Legislature
First Regular Session
2013

CHAPTER 3

HOUSE BILL 2065

AN ACT

AMENDING SECTION 41-2818, ARIZONA REVISED STATUTES; RELATING TO THE
DEPARTMENT OF JUVENILE CORRECTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 41-2818, Arizona Revised Statutes, is amended to
3 read:

4 41-2818. Conditional liberty; notification; consent

5 A. After a determination by the department that a youth is not likely
6 to be a threat to the public safety if released and that the youth's
7 continued treatment, rehabilitation and education in a less restrictive
8 setting are consistent with the public's safety and interest, the youth may
9 be granted conditional liberty and placed under the care of the youth's
10 parent or legal guardian or a resident of this state of good moral character
11 or placed in a community based treatment center.

12 B. Each youth who is placed on conditional liberty is subject to the
13 conditions imposed by the department, including an assignment to an
14 educational program. When conditional liberty is granted, the youth shall
15 receive and sign a copy of the terms of conditional liberty.

16 C. The department shall notify the committing court and the county
17 attorney in the county in which the youth was committed twenty days before
18 granting conditional liberty. The department shall consider the
19 recommendation of the court, the county attorney and the victim, if any,
20 before granting conditional liberty.

21 D. If the department grants conditional liberty, the department shall
22 provide the court and county attorney with a copy of the youth's terms of
23 conditional liberty. If the youth was adjudicated for an offense involving
24 the purchase, possession or consumption of spirituous liquor or a violation
25 of title 13, chapter 34, the department may require the juvenile to:

26 1. Complete alcohol or other drug screening, education or treatment
27 that is licensed through the department of health services.

28 2. Submit to random drug and alcohol testing at least two times per
29 week as a condition of the youth's conditional liberty.

30 E. NOTWITHSTANDING ANY OTHER LAW, THE DEPARTMENT'S CONSENT TO PLACE A
31 YOUTH IN A COMMUNITY BASED RESIDENTIAL TREATMENT CENTER CONSTITUTES THE
32 CONSENT NECESSARY FOR THE PLACEMENT OF THE YOUTH PURSUANT TO THIS SECTION.

APPROVED BY THE GOVERNOR MARCH 21, 2013.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 21, 2013.

Passed the House February 6, 2013

Passed the Senate March 11, 2013

by the following vote: 58 Ayes,

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

0 Nays, 2 Not Voting

Speaker of the House

Pro Tempore

Chief Clerk of the House

President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

18 day of March, 2013

at 3:00 o'clock P M.

Secretary to the Governor

Approved this 21st day of

March, 2013

at 3:11 o'clock P M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 21 day of March, 2013

at 4:53 o'clock P M.

Secretary of State