



STATE OF ARIZONA
OFFICE OF THE GOVERNOR

DOUGLAS A. DUCEY
GOVERNOR

EXECUTIVE OFFICE

April 5, 2018

The Honorable Michele Reagan
Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

Dear Secretary Reagan:

I am transmitting to you the following bills from the Fifty-third Legislature, 2nd Regular Session, which I signed on April 5, 2018:

- HB 2027 alternative fuel special plates; veterans (Friese)
- HB 2031 spousal maintenance; significant contribution; reduction (Lawrence)
- HB 2107 pharmacies; practices; pharmacy benefits managers (Syms)
- HB 2153 campaign finance; nonprofits; disclosure (Leach)
- HB 2248 incompetency; screening; sexually violent persons (Farnsworth, E.)
- HB 2259 juvenile court facilities; shelters; use (Carter)
- HB 2311 limited liability; employers; ex-offenders (Farnsworth, E.)
- HB 2456 stadium district; extension; Rio Nuevo (Finchem)
- HB 2503 building code exemptions; public notice (Barton)
- HB 2545 EORP; cost-of-living adjustment (Livingston)
- HB 2548 health professionals; continuing education; opioids (Carter)
- HB 2647 internal revenue code conformity (Mesnard)
- SB 1043 county recorder; recording fees (Kavanagh)
- SB 1071 adoption; subsidy; review; nonrecurring expenses (Brophy McGee)
- SB 1165 child care assistance; rates (Brophy McGee)
- SB 1179 memorial; buffalo soldiers (Miranda)
- SB 1203 vehicle towing (Worsley)
- SB 1235 Native American day; state holiday (Peshlakai)
- SB 1380 children; out-of-home placement (Petersen)
- SB 1381 service contracts (Petersen)
- SB 1396 group home beds; mentally ill (Barto)

SB 1397 behavioral health; dependent children; reports (Barto)
SB 1473 kinship care; aggravated circumstances; dependency (Barto)

Sincerely,

A handwritten signature in black ink that reads "Douglas A. Ducey". The signature is written in a cursive, flowing style.

Douglas A. Ducey
Governor
State of Arizona

cc: Senate Secretary
Chief Clerk of the House of Representatives
Arizona News Service

House Engrossed
FILED

MICHELE REAGAN
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 135
HOUSE BILL 2248

AN ACT

AMENDING SECTION 13-4518, ARIZONA REVISED STATUTES; RELATING TO
INCOMPETENCE TO STAND TRIAL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-4518, Arizona Revised Statutes, is amended to
3 read:

4 13-4518. Screening; sexually violent person; appointment of
5 competent professional

6 A. If the county attorney receives a report that determines a
7 defendant is incompetent to stand trial, the county attorney may request
8 that the defendant be screened to determine if the defendant may be a
9 sexually violent person, if both:

10 1. The report concludes that there is no substantial probability
11 that the defendant will regain competency within twenty-one months after
12 the date of the original finding of incompetency.

13 2. The defendant is charged with OR HAS EVER BEEN CONVICTED OF OR
14 FOUND GUILTY EXCEPT INSANE FOR a sexually violent offense as defined in
15 section 36-3701.

16 B. If the court orders a screening to determine if the defendant
17 may be a sexually violent person, both of the following apply:

18 1. The court shall appoint a competent professional as defined in
19 section 36-3701 to conduct the screening and submit a report to the court
20 and the parties within thirty days after the appointment.

21 2. The criminal case may not be dismissed until the competent
22 professional's report is provided to the court and the parties and a
23 hearing is held pursuant to subsection C of this section or the county
24 attorney files a petition pursuant to section 36-3704.

25 C. If the county attorney has not filed a petition pursuant to
26 section 36-3704, the court may hold a hearing to determine if the county
27 attorney is or will be filing a petition. If the county attorney has
28 filed a petition or advises the court that it is or will be filing a
29 petition, the court shall set a date on which the petition is due and
30 further proceedings will be conducted pursuant to title 36, chapter 37.
31 If a petition will not be filed, the court shall proceed pursuant to
32 section 13-4517, subsection A, paragraph 1, 2 or 3.

APPROVED BY THE GOVERNOR APRIL 5, 2018

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 5, 2018

Passed the House February 7, 20 18

Passed the Senate April 3, 20 18

by the following vote: 57 Ayes,

by the following vote: 30 Ayes,

0 Nays, 2 Not Voting

0 Nays, 0 Not Voting

W. L. Boyce
Speaker of the House

1 vacant

Pro Tempore

Stan B. Van Hook
President of the Senate

Jim Dunbar
Chief Clerk of the House

Susan Owens
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

3rd day of April, 20 18

at 2:18 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 5th day of

April 2018

at 2:50 o'clock P. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 5 day of April, 20 18

at 4:41 o'clock P. M.

[Signature]
Secretary of State

H.B. 2248