



STATE OF ARIZONA
OFFICE OF THE GOVERNOR

DOUGLAS A. DUCEY
GOVERNOR

EXECUTIVE OFFICE

March 22, 2019

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

Dear Secretary Hobbs:

I am transmitting to you the following bills from the Fifty-fourth Legislature, 1st Regular Session, which I signed on March 22nd, 2019:

SB 1004 insurance; surplus lines; reports; payments (Livingston)
SB 1006 internationally active insurance groups; supervision (Livingston)
SB 1008 insurance; prohibited inducements; exceptions (Livingston)
SB 1021 commission for postsecondary education; continuation (S. Allen)
SB 1052 certificates of title; applications (Livingston)
SB 1072 early voting centers; identification required (Ugenti-Rita)
SB 1093 prisoner accounts; use; ADOT credentialing. (Livingston)
SB 1113 insurance; information practices (Livingston)
SB 1212 prepaid legal insurance contracts; definition (Livingston)
SB 1218 beneficiary deeds; separate property; nonlapse (Leach)
SB 1309 renewal of judgments; applicability (E. Farnsworth)
SB 1317 bodily fluids exposure; testing (Boyer)
SB 1333 real estate appraisal (Mesnard)
SB 1474 POW/MIA flag; display (Contreras)
HB 2004 nuclear management fund; appropriation; assessment (Kavanagh)
HB 2007 ASRS; political subdivision plans; adjustments (Kavanagh)
HB 2009 navigable stream adjudication commission; extension (Griffin)
HB 2023 political signs; ballot measures; tampering (Kavanagh)
HB 2112 community property award; convicted spouse (Griffin)
HB 2230 writ of garnishment; certified mail (J. Allen)
HB 2284 credit unions; declaration of purpose (Weninger)
HB 2363 tax lien sales; procedures (Toma)
HB 2421 animal cruelty; working animal; harassment (Blackman)
HB 2463 occupational regulations; licenses; communications; notice (Petersen)

HB2464 water infrastructure finance; municipal approval (Shope)

Sincerely,

A handwritten signature in black ink that reads "Douglas A. Ducey". The signature is written in a cursive style with a large initial 'D' and 'A'.

Douglas A. Ducey
Governor
State of Arizona

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

Senate Engrossed
FILED
KATIE HOBBS
SECRETARY OF STATE

State of Arizona
Senate
Fifty-fourth Legislature
First Regular Session
2019

CHAPTER 20
SENATE BILL 1309

AN ACT

AMENDING SECTIONS 12-1551, 12-1611, 12-1612 AND 12-1613, ARIZONA REVISED
STATUTES; RELATING TO 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, is amended to
3 read:

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

6 A. The party in whose favor a judgment is given, at any time within
7 ten years after entry of the judgment and within ten 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 on a judgment
11 after the expiration of ten 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 ten 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. THIS SECTION APPLIES TO:

19 1. ALL JUDGMENTS ENTERED ON OR AFTER AUGUST 3, 2013.

20 2. ALL JUDGMENTS ENTERED ON OR BEFORE AUGUST 2, 2013 AND THAT WERE
21 RENEWED ON OR BEFORE AUGUST 2, 2018, EXCEPT THAT A WRIT OF EXECUTION OR
22 OTHER PROCESS MAY NOT BE ISSUED FOR A JUDGMENT ENTERED ON OR BEFORE AUGUST
23 2, 2013 THAT WAS NOT RENEWED ON OR BEFORE AUGUST 2, 2018.

24 ~~D.~~ E. This section does not apply to:

25 1. Criminal restitution orders entered pursuant to section 13-805.

26 2. Written judgments and orders for child support and spousal
27 maintenance and to associated costs and attorney fees.

28 3. Judgments for supervision fees or expenses associated with the
29 care of a juvenile pursuant to section 8-241 or 8-243 and to associated
30 costs and attorney fees.

31 4. Civil judgments obtained by this state.

32 Sec. 2. Section 12-1611, Arizona Revised Statutes, is amended to
33 read:

34 12-1611. Renewal by action

35 A judgment may be renewed by action thereon at any time within ten
36 years after the date of the judgment, EXCEPT THAT AN ACTION MAY NOT BE
37 BROUGHT TO RENEW A JUDGMENT ENTERED ON OR BEFORE AUGUST 2, 2013 THAT WAS
38 NOT RENEWED ON OR BEFORE AUGUST 2, 2018.

39 Sec. 3. Section 12-1612, Arizona Revised Statutes, is amended to
40 read:

41 12-1612. Renewal by affidavit

42 A. A judgment for the payment of money that has been entered and
43 docketed in the civil docket or civil order book of the United States
44 district court or superior court, whether originally rendered by it or
45 entered on a transcript of judgment from another court, or recorded with

1 the county recorder, may be renewed by filing an affidavit for renewal
2 with the clerk of the proper court, EXCEPT THAT AN AFFIDAVIT FOR RENEWAL
3 MAY NOT BE FILED TO RENEW A JUDGMENT ENTERED ON OR BEFORE AUGUST 2, 2013
4 UNLESS THAT JUDGMENT WAS RENEWED ON OR BEFORE AUGUST 2, 2018.

5 B. The judgment creditor or the judgment creditor's personal
6 representative or assignee, ~~may~~ within ninety days preceding the
7 expiration of ten years from the date of entry of such judgment, MAY make
8 and file an affidavit, known as a renewal affidavit, entitled as in the
9 action setting forth:

10 1. The names of the parties, the name of the court in which
11 docketed, if recorded the name of the county in which recorded, the date
12 and amount of the judgment, if recorded, the number and page of the book
13 in which recorded by the county recorder, the name of the owner of the
14 judgment, and ~~his~~ THE OWNER'S source and succession of title, if not the
15 judgment creditor.

16 2. That no execution is anywhere outstanding and unreturned on the
17 judgment, or if any execution is outstanding, that fact shall be stated.

18 3. The date and amount of all payments on the judgment and that all
19 payments have been duly credited on the judgment.

20 4. That there are no setoffs or counterclaims in favor of the
21 judgment debtor, and if a counterclaim or setoff does exist in favor of
22 the judgment debtor, the amount thereof, if certain, or, if the
23 counterclaim or setoff is unsettled or undetermined, a statement that when
24 it is settled or determined by action or otherwise, it may be allowed as a
25 payment or credit on the judgment.

26 5. The exact amount due on the judgment after allowing all setoffs
27 and counterclaims known to affiant, and other facts or circumstances
28 necessary to a complete disclosure as to the exact condition of the
29 judgment.

30 C. If the judgment was docketed by the clerk of the court on a
31 certified copy from any other court and subsequently an abstract recorded
32 with the county recorder, the affidavit, in addition to the foregoing,
33 shall set forth a statement of each county in which such transcript has
34 been docketed and abstract recorded. The affidavit shall be verified
35 positively by the person making it, and not on information and belief.

36 D. The filing of the affidavit in the office of the clerk of the
37 court where the judgment is entered and docketed shall renew and revive
38 the judgment to the extent of the balance shown due in the affidavit. AN
39 ORDER OF THE COURT, OR OTHER ACTION BY A JUDGE, IS NOT NECESSARY TO
40 COMPLETE THE RENEWAL.

41 E. Additional and successive renewal affidavits as provided for in
42 subsection B of this section may be made and filed within ninety days of
43 expiration of ten years from the date of the filing of a prior renewal
44 affidavit.

1 F. Recorded judgments that have been timely renewed by a renewal
2 affidavit and successive affidavits, even if such successive affidavits
3 were not authorized by prior law, may be renewed as provided in this
4 section if the prior renewal affidavits were filed within ninety days from
5 the expiration of each successive ten year period.

6 Sec. 4. Section 12-1613, Arizona Revised Statutes, is amended to
7 read:

8 12-1613. Docketing and recording affidavit of renewal; effect

9 A. The clerk shall docket the affidavit of renewal in the proper
10 docket and shall enter in the proper docket forthwith, after the statement
11 of the original judgment, the date and fact of the renewal, and the amount
12 for which the judgment is renewed.

13 B. The entry and docketing of the affidavit by the clerk shall
14 renew the judgment for a period of ten years from the time of docketing.
15 AN ORDER OF THE COURT, OR OTHER ACTION BY A JUDGE, IS NOT NECESSARY TO
16 COMPLETE THE RENEWAL.

17 C. No lien on or against the real property of the judgment debtor
18 shall be continued by an affidavit of renewal until a copy of the
19 affidavit, certified by the clerk of the court, is recorded in the office
20 of the county recorder.

21 D. From and after recordation of the copy of the affidavit of
22 renewal, certified by the clerk of the court, the judgment shall be a lien
23 to the extent of the balance shown in the affidavit of renewal against all
24 real property of the judgment debtor, except such as is exempt from
25 execution, including interest in the homestead, for a period of ten years
26 from the date of docketing the affidavit of renewal with the clerk.

27 E. A copy of the renewal affidavit and of the docket entries
28 thereon, certified by the clerk of the court wherein they are filed, may
29 be docketed in any other county of the state in which a transcript of the
30 original judgment was filed, and a copy of the renewal affidavit may be
31 recorded with the county recorder of any county wherein the original
32 judgment has been previously filed or docketed or wherein the judgment
33 creditor desires the judgment to become a lien on real property of the
34 judgment debtor.

APPROVED BY THE GOVERNOR MARCH 22, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 22, 2019.

Passed the House March 14, 20 19,

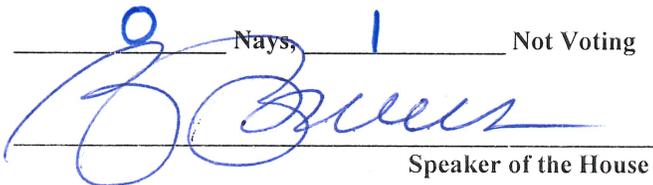
Passed the Senate February 21, 20 19

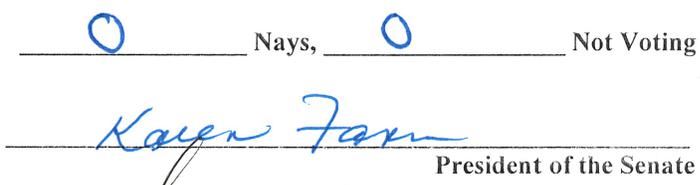
by the following vote: 59 Ayes,

by the following vote: 30 Ayes,

0 Nays, 1 Not Voting

0 Nays, 0 Not Voting


Speaker of the House


President of the Senate


Chief Clerk of the House

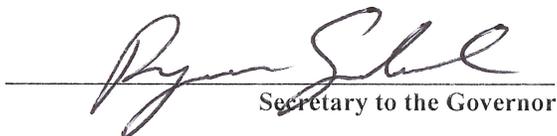

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

18th day of March, 20 19,

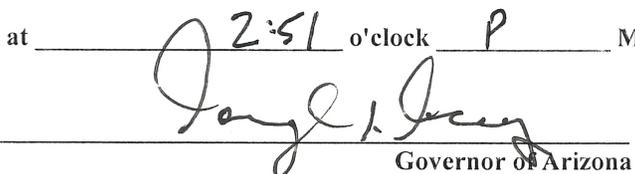
at 1:50 o'clock P M.


Secretary to the Governor

Approved this 22nd day of

March, 20 19,

at 2:51 o'clock P M.

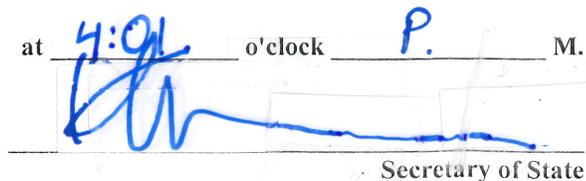

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 22 day of March, 20 19,

at 4:01 o'clock P M.


Secretary of State

S.B. 1309