



STATE OF ARIZONA  
OFFICE OF THE GOVERNOR

DOUGLAS A. DUCEY  
GOVERNOR

EXECUTIVE OFFICE

April 11, 2019

The Honorable Katie Hobbs  
Secretary of State  
1700 W. Washington, 7<sup>th</sup> 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 April 11th, 2019:

H.B. 2008 duty to report; supervisor; administrator (Kavanagh)  
H.B. 2053 competency evaluations; reports (J. Allen)  
H.B. 2092 health care directives; definitions (Grantham)  
H.B. 2107 municipalities; parking; public vehicles (Grantham)  
H.B. 2137 workers' compensation; excess insurance policies (Biasiucci)  
H.B. 2166 insurance; cost-sharing; calculation (Barto)  
H.B. 2229 cable licensing; video service providers (J. Allen)  
H.B. 2272 G&F; resident; definition (Dunn)  
H.B. 2487 state veterans' homes (Lawrence)  
H.B. 2695 funds; repeal (Udall)  
H.B. 2721 town elected officials; term limits (Lawrence)  
S.B. 1077 emergency medical services council; continuation (Brophy-McGee)  
S.B. 1142 trust land fund monies; distributions (D. Farnsworth)  
S.B. 1170 nonprescription drug permits; repeal (Carter)  
S.B. 1184 schools; economics; personal financial management (S. Allen)  
S.B. 1256 school districts; procurement practices; auditors (Gray)  
S.B. 1346 school; assessments; instruction; reporting (S. Allen)

Sincerely,

Douglas A. Ducey  
Governor  
State of Arizona

cc: Senate Secretary

Chief Clerk of the House of Representatives  
Arizona News Service

House Engrossed

**FILED**  
**KATIE HOBBS**  
**SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Fifty-fourth Legislature  
First Regular Session  
2019

**CHAPTER 71**  
**HOUSE BILL 2053**

AN ACT

AMENDING SECTION 13-4509, 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 13-4509, Arizona Revised Statutes, is amended to  
3 read:

4 13-4509. Expert's report

5 A. An expert who is appointed pursuant to section 13-4505 shall  
6 submit a written report of the examination to the court within ten working  
7 days after the examination is completed. The report shall include at  
8 least the following information:

9 1. The name of each mental health expert who examines the  
10 defendant.

11 2. A description of the nature, content, extent and results of the  
12 examination and any test conducted.

13 3. The facts on which the findings are based.

14 4. An opinion as to the competency of the defendant.

15 B. If the mental health expert determines that the defendant is  
16 incompetent to stand trial, the report shall also include the following  
17 information:

18 1. The nature of the mental disease, defect or disability that is  
19 the cause of the incompetency.

20 2. The defendant's prognosis.

21 3. The most appropriate form and place of treatment in this state,  
22 based on the defendant's therapeutic needs and potential threat to public  
23 safety.

24 4. Whether the defendant is incompetent to refuse treatment and  
25 should be subject to involuntary treatment.

26 C. If the mental health examiner determines that the defendant is  
27 currently competent by virtue of ongoing treatment with psychotropic  
28 medication, ~~the report shall address the necessity of continuing that  
29 treatment and shall include a description of any limitations that the  
30 medication may have on competency~~ THE COURT, IN ITS DISCRETION, MAY  
31 APPOINT A MENTAL HEALTH EXPERT WHO IS A PHYSICIAN TO ADDRESS THE NECESSITY  
32 OF CONTINUING THAT TREATMENT AND ANY LIMITATIONS THAT THE MEDICATION MAY  
33 HAVE ON COMPETENCY.

**APPROVED BY THE GOVERNOR APRIL 11, 2019.**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 11, 2019.**

Passed the House February 14, 20 19

Passed the Senate April 4, 20 19

by the following vote: 60 Ayes,

by the following vote: 27 Ayes,

0 Nays, 0 Not Voting

1 Nays, 2 Not Voting

[Signature]  
Speaker of the House

[Signature]  
President of the Senate

Pro Tempore

[Signature]  
Chief Clerk of the House

[Signature]  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

8 day of April, 20 19

at 3:29 o'clock P M.

[Signature]  
Secretary to the Governor

Approved this 11<sup>th</sup> day of

April 2019

at 10:18 o'clock A M.

[Signature]  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 11 day of April, 20 19

at 4:55 o'clock P. M.

[Signature]  
Secretary of State

H.B. 2053