

REFERENCE TITLE: reimbursement costs; DUI; drug offenses

State of Arizona
Senate
Forty-eighth Legislature
Second Regular Session
2008

SB 1231

Introduced by
Senator Gray L

AN ACT

AMENDING TITLE 13, CHAPTER 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-824; AMENDING TITLE 28, CHAPTER 4, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-1445; RELATING TO REIMBURSEMENT FOR COSTS OF CONVICTION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 13, chapter 8, Arizona Revised Statutes, is amended
3 by adding section 13-824, to read:

4 13-824. Reimbursement for costs of conviction; drug offenses

5 A. NOTWITHSTANDING ANY OTHER LAW, THE COURT SHALL ORDER A PERSON WHO
6 IS CONVICTED OF A VIOLATION OF SECTION 13-3402, 13-3404, 13-3404.01, 13-3405,
7 13-3406, 13-3407, 13-3408, 13-3415, 13-3456, 13-3457 OR 13-3458 TO REIMBURSE
8 THE POLITICAL SUBDIVISION THAT IS RESPONSIBLE FOR THE COSTS THAT ARE
9 ASSOCIATED WITH THE PERSON'S CONVICTION. REIMBURSEMENT COSTS INCLUDE THE
10 COST OF THE PERSON'S ARREST AND PROCESSING, ALL EVIDENCE STORAGE AND DISPOSAL
11 COSTS, ALL LABORATORY FEES AND COURT COSTS RELATED TO THE VIOLATION.

12 B. THE COURT MAY DETERMINE THE AMOUNT OF COSTS TO BE PAID BASED ON THE
13 FOLLOWING FACTORS:

14 1. AN ITEMIZED LIST OF THE COSTS SUBMITTED BY THE POLITICAL
15 SUBDIVISION.

16 2. THE PERSON'S ABILITY TO PAY PART OR ALL OF THE REIMBURSEMENT COSTS.

17 C. THE REIMBURSEMENT COSTS ORDERED PURSUANT TO THIS SECTION SHALL NOT
18 EXCEED THE FOLLOWING:

19 1. FOR A CONVICTION PURSUANT TO SECTION 13-3415, FIFTY DOLLARS.

20 2. FOR A CONVICTION PURSUANT TO SECTION 13-3402, 13-3404, 13-3404.01,
21 13-3405, 13-3406, 13-3407, 13-3408, 13-3456, 13-3457 OR 13-3458, THE
22 FOLLOWING AMOUNTS:

23 (a) IF THE AMOUNT OF DRUGS IS LESS THAN ONE OUNCE, ONE HUNDRED
24 DOLLARS.

25 (b) IF THE AMOUNT OF DRUGS IS AT LEAST ONE OUNCE BUT LESS THAN ONE
26 POUND, TWO HUNDRED DOLLARS.

27 (c) IF THE AMOUNT OF DRUGS IS AT LEAST ONE POUND BUT LESS THAN ONE
28 HUNDRED POUNDS, THREE HUNDRED DOLLARS.

29 (d) IF THE AMOUNT OF DRUGS IS ONE HUNDRED POUNDS OR MORE, FIVE HUNDRED
30 DOLLARS.

31 Sec. 2. Title 28, chapter 4, article 4, Arizona Revised Statutes, is
32 amended by adding section 28-1445, to read:

33 28-1445. Reimbursement for costs of conviction; driving under
34 the influence

35 A. NOTWITHSTANDING ANY OTHER LAW, THE COURT SHALL ORDER A PERSON WHO
36 IS CONVICTED OF A VIOLATION OF THIS CHAPTER TO REIMBURSE THE POLITICAL
37 SUBDIVISION THAT IS RESPONSIBLE FOR THE COSTS THAT ARE ASSOCIATED WITH THE
38 PERSON'S CONVICTION. REIMBURSEMENT COSTS INCLUDE THE COST OF THE PERSON'S
39 ARREST AND PROCESSING, ALL EVIDENCE STORAGE AND DISPOSAL COSTS, ALL
40 LABORATORY FEES AND COURT COSTS RELATED TO THE VIOLATION.

41 B. THE COURT MAY DETERMINE THE AMOUNT OF COSTS TO BE PAID BASED ON THE
42 FOLLOWING FACTORS:

43 1. AN ITEMIZED LIST OF THE COSTS SUBMITTED BY THE POLITICAL
44 SUBDIVISION.

45 2. THE PERSON'S ABILITY TO PAY PART OR ALL OF THE REIMBURSEMENT COSTS.

- 1 C. THE REIMBURSEMENT COSTS ORDERED PURSUANT TO THIS SECTION SHALL NOT
- 2 EXCEED THE FOLLOWING:
- 3 1. FOR A CONVICTION OF SECTION 28-1381 OR 28-1386, THREE HUNDRED
- 4 DOLLARS.
- 5 2. FOR A CONVICTION OF SECTION 28-1382, FOUR HUNDRED DOLLARS.
- 6 3. FOR A CONVICTION OF SECTION 28-1383, FIVE HUNDRED DOLLARS.