

REFERENCE TITLE: competency; duration of order

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

HB 2530

Introduced by
Representative Farnsworth

AN ACT

AMENDING SECTION 13-4515, ARIZONA REVISED STATUTES; RELATING TO COMPETENCY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-4515, Arizona Revised Statutes, is amended to
3 read:

4 13-4515. Duration of order; notice of dismissed charge or
5 voided order; petitions

6 A. An order or combination of orders that is issued pursuant to
7 section 13-4512 or 13-4514 shall not be in effect for more than ~~twenty-one~~
8 TWENTY-FOUR months or the maximum possible sentence the defendant could have
9 received pursuant to section 13-604, 13-604.01, 13-702, ~~OR~~ 13-703 or any
10 section for which a specific sentence is authorized, whichever is less. In
11 making this determination the court shall not consider the sentence
12 enhancements under section 13-604 for prior convictions.

13 B. The court shall notify the prosecutor, the defense attorney, the
14 medical supervisor and the treating facility if the charges against the
15 defendant are dismissed or if an order is voided by the court. No charges
16 shall be dismissed without a hearing prior to the dismissal.

17 C. If a defendant is discharged or released on the expiration of an
18 order or orders issued pursuant to section 13-4512 or 13-4514, the medical
19 supervisor may file a petition stating that the defendant requires further
20 treatment pursuant to title 36, chapter 5, or appointment of a guardian
21 pursuant to title 14.