

REFERENCE TITLE: justice courts; criminal actions; jurisdiction

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

# HB 2554

Introduced by  
Representative Biggs

AN ACT

AMENDING SECTION 22-301, ARIZONA REVISED STATUTES; RELATING TO CRIMINAL PROCEEDINGS IN JUSTICE COURTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 22-301, Arizona Revised Statutes, is amended to  
3 read:

4 22-301. Jurisdiction of criminal actions

5 A. The justice of the peace courts shall have jurisdiction of the  
6 following offenses committed within their respective precincts in which such  
7 courts are established, subject only to the right to change of venue as  
8 provided by law:

9 1. Misdemeanors and criminal offenses punishable by a fine not  
10 exceeding two thousand five hundred dollars, or imprisonment in the county  
11 jail for not to exceed six months, or by both a fine and imprisonment. ~~A-~~  
12 ~~ANY~~ penalty ~~assessment OR OTHER ADDED ASSESSMENTS~~ levied ~~pursuant to section~~  
13 ~~12-116.01 or 12-116.02~~ shall not be considered as part of the fine for  
14 purposes of determining jurisdiction. The amount of restitution, **TIME**  
15 **PAYMENT FEES** or incarceration costs shall not be considered as part of the  
16 fine for purposes of determining jurisdiction.

17 2. Felonies, but only for the purpose of commencing action and  
18 conducting proceedings through preliminary examinations and holding the  
19 defendant to answer to the superior court or to discharge the defendant if it  
20 appears that there is not probable cause to believe the defendant is guilty  
21 of an offense.

22 B. In a county with a population of more than two million persons, the  
23 justice of the peace of each justice precinct shall have original  
24 jurisdiction to hear misdemeanor offenses as set forth in subsection A,  
25 paragraph 1 of this section that occur within the respective precinct in  
26 which the justice of the peace is elected unless either of the following  
27 applies:

28 1. The offense is filed by a municipal officer or agent in a municipal  
29 court.

30 2. The offense is consolidated with a felony offense in the complaint,  
31 information or indictment.

32 C. For purposes of subsection A or B of this section, an offense is  
33 committed within the precinct of a justice of the peace court if conduct  
34 constituting any element of the offense or a result of such conduct occurs  
35 within the precinct.