

COMMITTEE ON JUDICIARY
SENATE AMENDMENTS TO H.B. 2326
(Reference to House engrossed bill)

1 Page 1, between lines 1 and 2, insert:

2 "Section 1. Section 11-441, Arizona Revised Statutes, is amended to
3 read:

4 11-441. Powers and duties

5 A. The sheriff shall:

6 1. Preserve the peace.

7 2. Arrest and take before the nearest magistrate for examination all
8 persons who attempt to commit or who have committed a public offense.

9 3. Prevent and suppress all affrays, breaches of the peace, riots
10 and insurrections ~~which~~ THAT may come to the knowledge of the sheriff.

11 4. Attend all courts, except justice and municipal courts, when an
12 element of danger is anticipated and attendance is requested by the
13 presiding judge, ~~and~~ and obey lawful orders and directions issued by the
14 judge.

15 5. Take charge of and keep the county jail, including a county jail
16 under the jurisdiction of a county jail district, and the prisoners in the
17 county jail.

18 6. Endorse ~~upon~~ ON all process and notices the year, month, day,
19 hour and minute of reception, ~~and~~ and issue to the person delivering it, on
20 payment of fees, a certificate showing the names of the parties, THE title
21 of THE paper and THE time of reception.

22 7. Serve process and notices in the manner prescribed by law and
23 certify under the sheriff's hand ~~upon~~ ON the process or notices the manner
24 and time of service, or if the sheriff fails to make service, the reasons
25 for failure, and return them without delay. When returnable to another

1 county, the sheriff may enclose such process or notices in an envelope,
2 addressed to the officer from whom received, and deposit it postage prepaid
3 in the post office. The return of the sheriff is prima facie evidence of
4 the facts stated in the return.

5 8. Secure, as soon as possible, the home of a deceased person
6 located outside the boundaries of an incorporated city or town if the
7 sheriff is unable to determine or locate the heirs or executor of the
8 deceased person.

9 9. UNLESS PROHIBITED BY FEDERAL LAW, RELEASE TO THE PUBLIC THROUGH
10 AN ONLINE INMATE SEARCH FUNCTION OR BY TELEPHONE WHETHER A FEDERAL
11 IMMIGRATION HOLD IS IN PLACE ON ANY SPECIFIC PRISONER IN THE SHERIFF'S
12 CUSTODY.

13 B. The sheriff, ~~may~~ in the execution of the duties prescribed in
14 subsection A, paragraphs 1 through 4 OF THIS SECTION, MAY command the aid
15 of as many inhabitants of the county as the sheriff deems necessary.

16 C. The sheriff shall conduct or coordinate within the county search
17 or rescue operations involving the life or health of any person, or may
18 assist in such operations in another county at the request of that county's
19 sheriff, and may request assistance from any persons or agencies in the
20 fulfillment of duties under this subsection.

21 D. The sheriff, in the execution of the duties prescribed in this
22 section, may request the aid of volunteer posse and reserve organizations
23 located in the county.

24 E. The sheriff may assist in the execution of the duties prescribed
25 in this section in another county at the request of that county's sheriff.

26 F. The sheriff may require any prisoner who is on work release to
27 reimburse the county for reasonable expenses incurred in connection with
28 the release.

29 G. The board of supervisors of a county bordering ~~the Republic of~~
30 Mexico may adopt an ordinance pursuant to chapter 2 of this title allowing
31 the sheriff to prevent the entry from this state into ~~the Republic of~~
32 Mexico at the border by any resident of this state who is under eighteen

1 years of age if the minor is unaccompanied by a parent or guardian or does
2 not have written consent for entry from ~~a~~ THE MINOR'S parent or guardian.
3 The authority of the sheriff is only to prevent entry and not to otherwise
4 detain the minor. This subsection ~~shall~~ DOES not ~~be construed to~~ limit the
5 authority of the sheriff pursuant to any other law. A county is not
6 civilly or criminally liable for not adopting an ordinance pursuant to this
7 subsection.

8 H. Notwithstanding section 13-3112, the sheriff may authorize
9 members of the sheriff's volunteer posse who have received and passed
10 firearms training that is approved by the Arizona peace officer standards
11 and training board to carry a deadly weapon without a permit while on
12 duty."

13 Renumber to conform

14 Page 1, line 15, after "C." insert "FOR EACH PERSON WHO IS IN THIS STATE IN
15 VIOLATION OF A FEDERAL IMMIGRATION LAW AND WHO IS CONVICTED OF A
16 MISDEMEANOR OR FELONY OFFENSE AND PLACED ON SUPERVISED PROBATION,"

17 Strike lines 20 through 22

18 Line 23, strike "(a)" insert "1."

19 Line 24, strike "(b)" insert "2."

20 Line 25, strike "(c)" insert "3."

21 Line 26, strike "(d)" insert "4."

22 Line 27, strike "(e)" insert "5."

23 Amend title to conform

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03/09/2022
11:22 AM
C: AH