

REFERENCE TITLE: indigent defense fund; distribution; purpose

State of Arizona  
Senate  
Fifty-sixth Legislature  
First Regular Session  
2023

## **SB 1579**

Introduced by  
Senators Diaz: Alston, Gabaldón, Gonzales, Hatathlie, Mendez, Terán

AN ACT

AMENDING SECTION 11-588, ARIZONA REVISED STATUTES; RELATING TO THE STATE  
AID TO INDIGENT DEFENSE FUND.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 11-588, Arizona Revised Statutes, is amended to  
3 read:

4 11-588. State aid to indigent defense fund

5 A. The state aid to indigent defense fund is established consisting  
6 of monies appropriated to the fund and monies allocated to the fund  
7 pursuant to section 41-2421, subsections B and J. The **SOLE** purpose of the  
8 fund is to provide state aid to the county public defender, legal defender  
9 and contract indigent defense counsel for the processing of criminal  
10 cases.

11 B. The Arizona criminal justice commission shall administer the  
12 fund. **EACH FISCAL YEAR** the commission shall ~~allocate~~ **DISTRIBUTE** monies in  
13 the fund to each county pursuant to section 41-2409, subsection C **FOR THE**  
14 **SOLE PURPOSE SPECIFIED IN SUBSECTION A OF THIS SECTION.**

15 C. All monies distributed or spent from the fund shall be used to  
16 supplement, not supplant, funding at the level provided in fiscal year  
17 1997-1998 by counties for the processing of criminal cases by the county  
18 public defender, legal defender and contract indigent defense counsel in  
19 each county.

20 D. Monies in the state aid to indigent defense fund are exempt from  
21 the provisions of section 35-190 relating to lapsing of appropriations and  
22 monies allocated pursuant to section 41-2421, subsections B and J are  
23 subject to legislative appropriation. Any state general fund monies  
24 appropriated to the fund may be spent without further legislative  
25 appropriation.

26 E. On notice from the commission, the state treasurer shall invest  
27 and divest monies in the fund as provided by section 35-313, and monies  
28 earned from investment shall be credited to the fund.