

PROPOSED
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2430
(Reference to printed bill)

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

2 "Section 1. Section 12-119.01, Arizona Revised Statutes, is amended
3 to read:

4 12-119.01. Supreme court fees; distribution

5 A. Except as otherwise provided by law, fees for the supreme court
6 shall be established and classified as follows:

7 Class	Description	Fee
8 A	Initial case filing fee	
9	Petitions for review and	
10	cross petitions for	
11	review	\$ 140.00
12	Direct appeals and cross	
13	appeal appellant	140.00
14	Special actions petitioner	140.00
15 B	Subsequent case filing fee	
16	Intervenors direct appeals	
17	and special action	\$ 70.00
18	Direct appeals appellee	70.00
19	Special actions respondent	70.00
20	Response to petition	
21	for review	70.00
22 E	Minimum clerk fee	
23	Certifications alone	\$ 17.00

1	Certificate of good standing	
2	Certificates	17.00
3	F Per page fee	
4	Copies – each page	\$.50
5	G Special fees	
6	New and duplicate certificates	\$ 35.00

7 B. The clerk of the supreme court shall deposit, pursuant to
8 sections 35-146 and 35-147, all of the monies collected pursuant to
9 subsection A of this section as follows:

10 1. 27.78 ~~per cent~~ PERCENT in the judicial collection enhancement
11 fund established by section 12-113.

12 2. 26.00 ~~per cent~~ PERCENT with the state treasurer for transmission
13 to the ~~elected officials' retirement plan fund established by section~~
14 ~~38-802. The monies shall be transmitted by the state treasurer to the fund~~
15 PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM'S BOARD'S OFFICE FOR DISTRIBUTION
16 pursuant to section 38-810.

17 3. 46.22 ~~per cent~~ PERCENT in the state general fund.

18 C. The supreme court may increase the class A and B fees prescribed
19 in subsection A of this section.

20 Sec. 2. Section 12-120.31, Arizona Revised Statutes, is amended to
21 read:

22 12-120.31. Fees and costs; distribution

23 A. Fees and costs in the court of appeals shall be the same as
24 supreme court fees and costs pursuant to section 12-119.01.

25 B. Fees charged by the court of appeals for electronic filing of
26 documents and electronic access shall be the same amount as fees charged by
27 the supreme court and are subject to ~~the provisions of~~ section 12-119.02.

28 C. The court of appeals shall retain 8.36 ~~per cent~~ PERCENT of all of
29 the monies it collects monthly pursuant to subsection A of this section.
30 The retained monies shall be used to improve, maintain and enhance the
31 ability to collect and manage monies assessed or received by the court, to
32 improve court automation and to improve case processing or the

1 administration of justice. The clerk of the court of appeals shall submit
2 a plan to the supreme court that the supreme court shall approve before the
3 court spends the retained monies.

4 D. Excluding the monies that are retained pursuant to subsection C
5 of this section, the clerk of the court of appeals shall deposit, pursuant
6 to sections 35-146 and 35-147, all monies collected pursuant to subsection
7 A of this section as follows:

8 1. 19.42 ~~per cent~~ PERCENT in the judicial collection enhancement
9 fund established by section 12-113.

10 2. 26.00 ~~per cent~~ PERCENT with the state treasurer for transmission
11 to the ~~elected officials' retirement plan fund established by section~~
12 ~~38-802. The monies shall be transmitted by the state treasurer to the fund~~
13 PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM'S BOARD'S OFFICE FOR DISTRIBUTION
14 pursuant to section 38-810.

15 3. 46.22 ~~per cent~~ PERCENT in the state general fund.

16 Sec. 3. Section 12-284.03, Arizona Revised Statutes, is amended to
17 read:

18 12-284.03. Distribution of fees

19 A. Excluding the monies that are kept by the court pursuant to
20 subsection B of this section, the county treasurer shall transmit,
21 distribute or deposit all monies received from the clerk of the superior
22 court pursuant to section 12-284, subsection K as follows:

23 1. 1.20 percent to the state treasurer for deposit in the resource
24 center fund established by and for the purposes of section 41-2402,
25 subsection G.

26 2. 8.18 percent to the state treasurer for deposit in the domestic
27 violence services fund established by section 36-3002.

28 3. 1.78 percent to the state treasurer for deposit in the child
29 abuse prevention fund established by section 8-550.01.

30 4. In the county law library fund established by section 12-305,
31 either:

1 (a) 7.02 percent if the county treasurer is serving in a county with
2 a population of more than five hundred thousand persons.

3 (b) 14.09 percent if the county treasurer is serving in a county
4 with a population of five hundred thousand persons or less.

5 5. 0.32 percent to the state treasurer for deposit in the
6 alternative dispute resolution fund established by section 12-135.

7 6. To the ~~elected officials' retirement plan fund established by~~
8 ~~section 38-802, either of the following percentages, which shall be~~
9 ~~distributed to the fund~~ PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM'S BOARD'S
10 OFFICE FOR DISTRIBUTION pursuant to section 38-810:

11 (a) 21.91 percent if the county treasurer is serving in a county
12 with a population of more than five hundred thousand persons.

13 (b) 14.09 percent if the county treasurer is serving in a county
14 with a population of five hundred thousand persons or less.

15 7. 17.62 percent to the state treasurer for deposit in the judicial
16 collection enhancement fund established by section 12-113.

17 8. 0.24 percent to the state treasurer for deposit in the
18 confidential intermediary and fiduciary fund established by section 8-135.

19 9. In the county general fund, the following percentages:

20 (a) 28.81 percent if the county treasurer is serving in a county
21 with a population of more than five hundred thousand persons.

22 (b) 29.56 percent if the county treasurer is serving in a county
23 with a population of five hundred thousand persons or less.

24 10. 6.00 percent to the ~~elected officials' retirement plan, fund~~
25 ~~established by section 38-802 for the purpose of funding a portion of the~~
26 ~~employers' contributions required~~ PUBLIC SAFETY PERSONNEL RETIREMENT
27 SYSTEM'S BOARD'S OFFICE FOR DISTRIBUTION pursuant to section 38-810.

28 B. 6.92 percent of the monies transmitted, distributed or deposited
29 pursuant to subsection A of this section shall be kept and used by the
30 court collecting the fees in the same manner as the ~~seven dollars~~ \$7 of the
31 time payment fee prescribed by section 12-116, subsection B.

1 Sec. 4. Section 22-281, Arizona Revised Statutes, is amended to
2 read:

3 22-281. Fees and deposits

4 A. Justices of the peace shall receive fees established and
5 classified as follows in civil actions:

6	Class Description	Fee
7	A Initial case filing fee	
8	Civil filing fees	\$ 73.00
9	B Subsequent case filing fee	
10	Civil filing fees – defendant	\$ 40.00
11	C Initial case filing fee	
12	Forcible entry and detainer filings	\$ 35.00
13	Small claims filing	25.00
14	D Subsequent case filing fee	
15	Small claims answer	\$ 15.00
16	E Minimum clerk fee	
17	Document and transcript transfer on appeal	\$ 28.00
18	Certification of any documents	28.00
19	Issuance of writs	28.00
20	Filing any paper or performing any act	
21	for which a fee is not specifically	
22	prescribed	28.00
23	Subpoena (civil)	28.00
24	Research in locating a document	28.00
25	Seal a court file	28.00
26	Reopen a sealed court file	28.00
27	Record duplication	28.00
28	F Per page fee	
29	Copies of any documents per page	\$ 0.50
30	G Special fees	
31	Small claims service by mail	\$ 8.00

1 B. This section does not deprive the parties to the action of the
2 privilege of depositing amounts with the justice, in addition to those set
3 forth in this section, for use in connection with the payment of
4 constable's and sheriff's fees for service of process, levying of writs and
5 other services for which fees are otherwise provided by law.

6 C. Excluding the monies that are kept by the court pursuant to
7 subsection D of this section, justices of the peace shall transmit monthly
8 to the county treasurer all monies collected pursuant to subsection A of
9 this section. The county treasurer shall distribute or deposit all of the
10 monies received pursuant to this subsection as follows:

11 1. To the state treasurer for deposit in the judicial collection
12 enhancement fund established by section 12-113, in the following
13 percentages:

14 (a) 14.80 percent if the county treasurer is serving in a county
15 with a population of more than five hundred thousand persons.

16 (b) 16.23 percent if the county treasurer is serving in a county
17 with a population of five hundred thousand persons or less.

18 2. To the state treasurer for deposit in the alternative dispute
19 resolution fund established by section 12-135, in the following
20 percentages:

21 (a) 1.69 percent if the county treasurer is serving in a county with
22 a population of more than five hundred thousand persons.

23 (b) 1.89 percent if the county treasurer is serving in a county with
24 a population of five hundred thousand persons or less.

25 3. To the ~~elected officials' retirement plan fund established by~~
26 ~~section 38-802, either of the following percentages, which shall be~~
27 ~~distributed to the fund~~ PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM'S BOARD'S
28 OFFICE FOR DISTRIBUTION pursuant to section 38-810:

29 (a) 21.91 percent if the county treasurer is serving in a county
30 with a population of more than five hundred thousand persons.

31 (b) 14.09 percent if the county treasurer is serving in a county
32 with a population of five hundred thousand persons or less.

1 4. To the county general fund, in the following percentages:

2 (a) 49.95 percent if the county treasurer is serving in a county
3 with a population of more than five hundred thousand persons.

4 (b) 55.51 percent if the county treasurer is serving in a county
5 with a population of five hundred thousand persons or less.

6 5. 6.00 percent to the ~~elected officials' retirement plan, fund~~
7 ~~established by section 38-802 for the purpose of funding a portion of the~~
8 ~~employers' contributions required~~ PUBLIC SAFETY PERSONNEL RETIREMENT
9 SYSTEM'S BOARD'S OFFICE FOR DISTRIBUTION pursuant to section 38-810.

10 D. In counties with a population of more than five hundred thousand
11 persons, 5.65 percent of the monies transmitted pursuant to subsection C of
12 this section shall be kept and used by the court collecting the fees in the
13 same manner as the \$7 of the time payment fee prescribed by section 12-116,
14 subsection B.

15 E. In counties with a population of five hundred thousand persons or
16 less, 6.28 percent of the monies transmitted pursuant to subsection C of
17 this section shall be kept and used by the court collecting the fees in the
18 same manner as the \$7 of the time payment fee prescribed by section 12-116,
19 subsection B.

20 F. The supreme court may increase the fees prescribed in subsection
21 A of this section in an amount not to exceed the percent of change in the
22 average consumer price index as published by the United States department
23 of labor, bureau of labor statistics between that figure for the latest
24 calendar year and the calendar year in which the last fee increase
25 occurred."

26 Renumber to conform

27 Page 1, line 20, after the period insert "THROUGH JUNE 30, 2023,"

28 Line 23, after the period insert "BEGINNING JULY 1, 2023, THE MONIES COLLECTED
29 PURSUANT TO THIS SUBSECTION SHALL BE DISTRIBUTED BY THE BOARD PURSUANT TO
30 SUBSECTION J OF THIS SECTION."

31 Page 2, line 34, after the period insert "THROUGH JUNE 30, 2023,"

1 Page 3, between lines 35 and 36, insert:

2 "J. FOR FISCAL YEAR 2023-2024 AND EACH FISCAL YEAR THEREAFTER, THE
3 MONIES COLLECTED PURSUANT TO SUBSECTION B OF THIS SECTION SHALL BE
4 DISTRIBUTED AS FOLLOWS:

5 1. AS DETERMINED BY THE BOARD, AN AMOUNT DIRECTLY TO THE QUALIFIED
6 GOVERNMENTAL EXCESS BENEFIT ARRANGEMENT ESTABLISHED PURSUANT TO SECTION
7 38-803.01.

8 2. AFTER TRANSFERRING MONIES PURSUANT TO PARAGRAPH 1 OF THIS
9 SUBSECTION, ON OR BEFORE JUNE 30, THE BOARD SHALL TRANSFER ANY REMAINING
10 MONIES COLLECTED DURING A FISCAL YEAR TO THE STATE GENERAL FUND."

11 Page 5, strike lines 9 through 12, insert:

12 "Sec. 7. Delayed repeal

13 Section 38-824, Arizona Revised Statutes, as added by this act, is
14 repealed from and after June 30, 2034.

15 Sec. 8. Section 41-178, Arizona Revised Statutes, is amended to
16 read:

17 41-178. Distribution of notary bond fees

18 The state treasurer shall transmit, distribute or deposit all monies
19 received pursuant to section 41-126, subsection A, paragraphs 11 and 12 as
20 follows:

21 1. 1.31 percent for deposit in the resource center fund established
22 by and for the purposes of section 41-2402, subsection G.

23 2. 8.87 percent for deposit in the domestic violence services fund
24 established by section 36-3002.

25 3. 1.93 percent for deposit in the child abuse prevention fund
26 established by section 8-550.01.

27 4. 7.62 percent for proportional deposit in each county's law
28 library fund established by section 12-305, based on the number of notaries
29 commissioned per county.

30 5. 0.35 percent for deposit in the alternative dispute resolution
31 fund established by section 12-135.

1 6. 23.79 percent for ~~deposit in the elected officials' retirement~~
2 ~~plan fund established by section 38-802, which shall be distributed to the~~
3 ~~fund~~ TRANSMISSION TO THE PUBLIC SAFETY PERSONNEL RETIREMENT SYSTEM'S
4 BOARD'S OFFICE FOR DISTRIBUTION pursuant to section 38-810.

5 7. 17.07 percent for deposit in the judicial collection enhancement
6 fund established by section 12-113.

7 8. 0.26 percent for deposit in the confidential intermediary and
8 fiduciary fund established by section 8-135.

9 9. 31.29 percent for deposit in the notary bond fund established by
10 section 41-314.

11 10. 7.51 percent shall be distributed to the county where the notary
12 is commissioned in the same manner as the ~~seven dollars~~ \$7 of the time
13 payment fee prescribed by section 12-116, subsection B."

14 Renumber to conform

15 Amend title to conform

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01/31/2023
08:34 AM
C: MH