

REFERENCE TITLE: criminal defendant; attorney fees; acquittal

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
Second Regular Session  
2024

## **HB 2476**

Introduced by  
Representatives Kolodin: McGarr, Ortiz; Senators Hernandez, Rogers

AN ACT

AMENDING SECTION 13-3985, ARIZONA REVISED STATUTES; RELATING TO TRIALS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-3985, Arizona Revised Statutes, is amended to  
3 read:

4 13-3985. Effect of acquittal on merits

5 A. If a defendant in a criminal action is acquitted on the merits,  
6 ~~he~~ THE DEFENDANT is acquitted of the same offense notwithstanding any  
7 defect in form or substance in the indictment or information on which the  
8 trial was had.

9 B. A DEFENDANT WHO IS ACQUITTED ON THE MERITS AND WHO HIRED PRIVATE  
10 COUNSEL FOR THE DEFENDANT'S DEFENSE MAY BE AWARDED REASONABLE ATTORNEY  
11 FEES AND COSTS.