

Conference Engrossed

State of Arizona  
Senate  
Fifty-first Legislature  
First Regular Session  
2013

# SENATE BILL 1088

AN ACT

AMENDING SECTION 22-131, ARIZONA REVISED STATUTES; RELATING TO CONSTABLES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 22-131, Arizona Revised Statutes, is amended to  
3 read:

4 22-131. Constables; powers and duties; prohibited acts

5 A. Constables shall attend the courts of justices of the peace within  
6 their precincts when required, and within their counties execute, serve and  
7 return all processes, warrants and notices directed or delivered to them by a  
8 justice of the peace of the county or by competent authority. In addition to  
9 any other provision of law these duties may be enforced by the presiding  
10 judge of the superior court in the county, including the use of the power of  
11 contempt.

12 B. Constables shall attend the training prescribed in section 22-137.

13 C. Constables, with the consent of and at salaries fixed by the board  
14 of supervisors, may appoint deputies who are certified pursuant to section  
15 41-1822, subsection A, paragraph 3, stenographers, clerks and assistants  
16 necessary to conduct the affairs of their offices. The appointments shall be  
17 in writing.

18 D. The provisions of law relating to sheriffs, as far as applicable,  
19 shall govern the powers, duties and liabilities of constables.

20 E. A constable who is duly elected or who is appointed by the board of  
21 supervisors has the authority of a peace officer only in the performance of  
22 the constable's official duties.

23 F. A constable may execute, serve and return processes and notices as  
24 prescribed in subsection A of this section within any precinct in another  
25 county if that precinct adjoins the precinct in which the constable was  
26 elected or appointed.

27 G. A CONSTABLE IS PROHIBITED FROM ENGAGING IN ANY ACT AS A PRIVATE  
28 PROCESS SERVER OUTSIDE OF THE CONSTABLE'S ELECTED OR APPOINTED DUTIES. A  
29 CONSTABLE SHALL NOT OWN AN INTEREST IN ANY ENTITY THAT OPERATES A PRIVATE  
30 PROCESS SERVING BUSINESS.

31 Sec. 2. Applicability

32 Section 22-131, subsection G, Arizona Revised Statutes, as added by  
33 this act, does not apply to a constable who is serving the remaining portion  
34 of a term of office that began before the effective date of this act.