



STATE OF ARIZONA

JANICE K. BREWER  
GOVERNOR

EXECUTIVE OFFICE

April 12, 2012

The Honorable Andy Tobin  
Speaker of the House  
Arizona House of Representatives  
1700 W. Washington  
Phoenix, Arizona 85007

Re: House Bill 2062 (DUI; incarceration; assessment)

Dear Speaker Tobin,

Today, I vetoed House Bill 2062. This bill would allow a city or town council to impose an assessment on a DUI offender if the court does not order the person to reimburse the political subdivision for incarceration costs.

I understand the fiscal burdens that incarceration costs place upon our municipalities. However, the statute which House Bill 2062 amends already requires the court to order a DUI offender to reimburse the city or town for incarceration costs and allows the court discretion in determining the amount to be reimbursed. The post-adjudication assessment created in House Bill 2062 is in conflict with the discretion given to the court to impose a sufficient and just assessment to a DUI offender. Moreover, the assessment proposed in House Bill 2062 is post-adjudication; therefore, I have concerns about the due process rights of those who have already been through the judicial process.

I am confident the cities and towns can work to develop an alternative solution to address my concerns.

Sincerely,

A handwritten signature in cursive script that reads "Janice K. Brewer".

Janice K. Brewer  
Governor

cc: The Honorable Steve Pierce  
The Honorable Kate Brophy McGee