



**ARIZONA STATE SENATE**  
*Fifty-Fifth Legislature, First Regular Session*

**AMENDED**  
FACT SHEET FOR H.B. 2158

protective orders; central repository; notification

Purpose

Modifies record-keeping procedures for protective orders between the Arizona Supreme Court and sheriffs.

Background

Statute requires, within 24 hours after the filing of an affidavit, declaration, acceptance or return of service, excluding weekends and legal holidays, the court from which an injunction against harassment, injunction against workplace harassment, order of protection or any modified injunction or order was issued to register the injunction or order with the National Crime Information Center (NCIC). The Arizona Supreme Court is required to maintain a central repository for injunctions against harassment, injunctions against workplace harassment and orders of protection so that the existence and validity of the injunctions and orders can be easily verified (A.R.S. §§ [12-1809](#); [12-1810](#); and [13-3602](#)).

Statute allows an order of protection and an emergency order of protection to grant one party the use and exclusive possession of the parties' residence on a showing that there is reasonable cause to believe that physical harm may otherwise result. While the order of protection is in effect, if a party was granted the use and exclusive possession of the parties' residence and subsequently moves out of the house, the party must notify the court within five days after moving out of the residence (A.R.S. §§ [13-3624](#) and [13-3602](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires the court from which an injunction against harassment, injunction against workplace harassment or order of protection was issued to enter the protective order and proof of service into the Supreme Court's central repository for injunctions and orders, rather than register the injunctions and orders directly with NCIC.
2. Requires the Supreme Court, rather than the court that issued the order or injunction, to register the order or injunction with NCIC.
3. Removes the requirement that, while an emergency order of protection is in place, a party granted the use and exclusive possession of the parties' residence notify the court within five days after moving out of the residence.

4. Removes the stipulation that the purpose of the central repositories for injunctions against harassment and orders of protection is to easily verify the existence and validity of the injunctions.
5. Makes technical and conforming changes.
6. Becomes effective on the general effective date.

Amendments Adopted by Committee

1. Requires the Supreme Court to register the injunction or order with NCIC, rather than the county sheriff.
2. Removes the requirement that the Supreme Court transmit copies of the order and proof of service from the Court's repository to the county sheriff.
3. Requires only the order and proof of service, rather than all filings for an injunction or order, to be entered into the Supreme Court's central repository.

House Action

JUD            2/10/21    DP    10-0-0-0  
3<sup>rd</sup> Read      2/22/21            60-0-0

Senate Action

JUD            3/25/21    DPA    8-0-0

Prepared by Senate Research

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JA/RC/gs