



ARIZONA STATE SENATE
Fifty-Sixth Legislature, Second Regular Session

FACT SHEET FOR S.B. 1364

probation; transfer

Purpose

Requires the probation department to transfer a probationer's intensive probation supervision or supervised probation to the jurisdiction in Arizona in which the probationer is requesting to reside, if the probationer can provide proof of: 1) family care giver obligations; 2) employment or housing; or 3) an offer of employment or housing.

Background

Intensive probation means a program of highly structured and closely supervised probation that emphasizes individualized intervention for a person who is deemed appropriate for the program. Includes the payment of restitution as required. Intensive probation must be conditioned on the offender: 1) maintaining employment or full-time student status or a combination of employment and student status; 2) paying restitution; 3) paying probation fees of not less than \$75 unless the court assesses a lesser fee; 4) paying monetary obligations imposed by the court; and 5) complying with any other conditions imposed by the court (A.R.S. §§ [13-913](#) and [13-914](#)).

If the court imposes a term of probation, the court may require the defendant to report to a probation officer. The court or the defendant's probation officer may allow the defendant to fulfill a reporting requirement through remote reporting. The probation officer may take into consideration and make accommodations for the probationer's work schedule, family caregiver obligations, substance abuse treatment or recovery program, mental health treatment, transportation availability and medical care requirements before setting the reporting time and location requirements for the probationer ([A.R.S. § 13-901](#)).

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

Provisions

1. Requires the probation department to transfer a probationer's intensive probation supervision or supervised probation to the jurisdiction in Arizona in which the probationer is requesting to reside, if the probationer can provide proof of:
 - a) family care giver obligations;
 - b) employment or housing; or
 - c) an offer of employment or housing.
2. Requires the probation department to grant the probationer's request within seven business days after the date of request and transfer the probationer's intensive probation supervision or supervised probation to the other jurisdiction.

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3. Prohibits the new jurisdiction in which the probationer resides from transferring the probationer's intensive probation supervision or supervised probation back to the original jurisdiction if the probationer violates the terms of their probation or commits an additional offense while in the new jurisdiction.
4. Makes technical changes.
5. Becomes effective on general effective date.

Prepared by Senate Research

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