

Arizona Revised Statutes Annotated

Title 13. Criminal Code (Refs & Annos)

Chapter 8. Restitution and Fines (Refs & Annos)

A.R.S. § 13-802

§ 13-802. Fines for misdemeanors

Currentness

A. A sentence to pay a fine for a class 1 misdemeanor shall be a sentence to pay an amount, fixed by the court, not more than two thousand five hundred dollars.

B. A sentence to pay a fine for a class 2 misdemeanor shall be a sentence to pay an amount, fixed by the court, not more than seven hundred fifty dollars.

C. A sentence to pay a fine for a class 3 misdemeanor shall be a sentence to pay an amount, fixed by the court, not more than five hundred dollars.

D. A sentence to pay a fine for a petty offense shall be a sentence to pay an amount, fixed by the court, of not more than three hundred dollars.

E. A judgment that the defendant shall pay a fine, with or without the alternative of imprisonment, shall constitute a lien in like manner as a judgment for money rendered in a civil action.

F. This section does not apply to an enterprise.

Credits

Added as § 13-1002 by Laws 1977, Ch. 142, § 59, eff. Oct. 1, 1978. Renumbered as § 13-802 and amended by Laws 1978, Ch. 201, §§ 110, 112, eff. Oct. 1, 1978. Amended by [Laws 1989, Ch. 87, § 2](#).

A. R. S. § 13-802, AZ ST § 13-802

Current through legislation effective March 25, 2022 of the Second Regular Session of the Fifty-Fifth Legislature (2022).

Notes Of Decisions

Construction and application

Mandatory assessments, incarceration costs, and surcharges imposed on defendant charged with extreme driving under the influence (DUI) were to be excluded when calculating whether defendant was charged with a misdemeanor punishable by a fine not exceeding \$2500, and thus municipal court had jurisdiction over defendant's case. [Rogers v. Cota \(App. Div.1 2009\) 223 Ariz. 44, 219 P.3d 254](#) , review denied. [Automobiles 350](#)

Right to jury trial

Drag racing is not a jury-eligible offense; there is no common law antecedent for the statute prohibiting drag racing, offense is presumptively jury-ineligible, as it is a misdemeanor offense punishable by no more than six months incarceration, and there are insufficient severe, direct, uniformly applied, statutory consequences of violation of offense to overcome such presumption. [Derendal v. Griffith \(2005\) 209 Ariz. 416, 104 P.3d 147](#) . [Jury 22\(2\)](#)

Traffic

Municipal court sentences of \$408 fine and suspension of driver's license for 90 days for two civil violations and \$40 fine for violating restriction on driver's license requiring defendant to wear glasses were within prescribed legal limits; municipal court had no obligation to sentence defendant to driver's education classes. [State v. Harrison \(App. Div.1 1990\) 164 Ariz. 316, 792 P.2d 779](#) , review denied, certiorari denied [111 S.Ct. 979, 498 U.S. 1093, 112 L.Ed.2d 1064](#) . [Automobiles 144.5](#) ; [Automobiles 359.1](#)

Versions (1)

[§ 13-802. Fines for misdemeanors](#) 

AZ ST § 13-802

Effective [See Text Amendments]

Enacted Legislation Amended by [Laws 1989, Ch. 87](#) , § 2

Editor's and Revisor's Notes (1)

HISTORICAL AND STATUTORY NOTES

The 1978 amendment substituted "one" for "ten" in subsec. A; "seven hundred fifty dollars" for "three hundred dollars" in subsec. B; "five" for "two" in subsec. C; "three" for "two" in subsec. D; and "an enterprise" for "a corporation" in subsec. F.

The 1989 amendment increased the fine for a class 1 misdemeanor.

Former § 13-802, added by Laws 1977, Ch. 142, § 49, eff. Oct. 1, 1978, was renumbered as § 13-902 by Laws 1978, Ch. 201, § 116.

Another former § 13-802, relating to abandonment of wife, was renumbered as § 13-3610 by Laws 1977, Ch. 142, § 99, eff. Oct. 1, 1978.

Context and Analysis (7)

Law Review And Journal Commentaries (1)

[Criminal code revision. 26 Ariz.St.L.J. 341 \(1994\).](#)

ALR Library (1)

[16 American Law Reports 3rd 1373](#), Right to Trial by Jury in Criminal Prosecution for Driving While Intoxicated or Similar Offense.

Treatises and Practice Aids (5)

[9A Arizona Practice § 33:11](#), Introduction to Tort Liability--Infringement on Intellectual Property Rights.

[9 Arizona Practice § 12:16](#), Protection of Trade Secrets.

[15 Employment Coordinator Workplace Safety § 4:107](#), Criminal Penalties.

[2 HRS Fair Employment Practices § 26:42](#), Tobacco Use.

[5 Rathkopf's The Law of Zoning and Planning § 91:20 \(4th ed.\)](#), Sanctions for Failure to Comply--Available Penalties and Remedies.

Validity

There are no Validity results for this citation.

Bill Drafts

There are no Bill Drafts for this citation.

Legislative History Materials

There are no Legislative History Materials for this citation.