ARIZONA EXEMPTIONS

The following exemptions became effective on October 1, 2013, and are used **for anyone that has resided in AZ for at least 730 days prior to filing Bankruptcy**. Each state has a different list of exemptions. **NOTE: ASSETS YOU OWN WHICH ARE NOT LISTED BELOW ARE NOT EXEMPT AND WILL BECOME THE PROPERTY OF THE TRUSTEE FOR THE BENEFIT OF CREDITORS INCLUDING TAX REFUNDS OWED TO YOU AT THE TIME YOU FILED BANKRUPTCY.**

Q: What state's law do you use for your exemptions? A: The state you lived in for the 730 days (2 years) before filing; or If you did not live in one single state for the previous 2 years, then use the exemptions allowed by the state where you lived 2 ½ years prior to filing bankruptcy; or If the preceding renders you ineligible for any state law exemptions then the debtor is allowed to choose the federal exemptions.

Assuming that you lived in Arizona for the last 2 years, these exemptions apply whether or not you are filing for bankruptcy protection. The Arizona Legislature can amend the exemptions at any time.

If you are filing for bankruptcy protection and reside in Arizona then you must use this list of exemptions and cannot use of federal bankruptcy exemptions in 11 U.S.C. 522(d). See A.R.S. § 33-1133.)

Pursuant to A.R.S. § 33-1121.01 - each spouse/person can claim a separate exemption for the amounts indicated below. Therefore, $6,000 in household furnishings is for each adult in the house. The exception to this rule is the homestead exemption which is capped at $150,000 (A.R.S. § 33-1101). If you have owned the home for less than 1210 days the maximum homestead exemption is $125,000 in bankruptcy. In order to qualify for a homestead the homestead must be your primary residence. **Items not on this list are not protected from your creditors**. Nor, are items on this list protected from creditors that have liens on the property: for example a Deed of Trust on the home or security interest in personal property such as your car or appliances etc. purchased with credit from a store like Best Buy. **All property set forth below may be executed upon for back child support and/or alimony/maintenance.** The law changes occasionally and you must make sure that you have the latest list of exemptions. There are also federal non-bankruptcy exemption laws such as an exemption for Social Security benefits and Veteran's Benefits.

The dollar amounts listed below are the resale, not retail, value of the items (e.g.: what your couch would sell for at a yard sale is the resale value). But, if you are filing for chapter 7 or 13 bankruptcy and have personal property (not land/house) which is collateral for a loan associated with a security instrument granting a lien on that collateral, then the "replacement value is the price a retail merchant would charge for property of similar kind and condition [§506(a)(2)]. A retail merchant might be someone like E-bay, Goodwill or Salvation Army or any other commercial entity selling used items.

TYPE OF PROPERTY	AMOUNT OF EXEMPTION	STATUTE
Homestead, consisting of debtor's equity in real property used as residence. 1 apartment of horizontal property regime, or mobile home and land upon which located. You cannot exempt a home in another state. IT MUST BE YOUR PRIMARY RESIDENCE	$150,000 (as of 8/25/04) – as against nonconsensual liens. Total exemption of $150,000 for **both** spouses. Applies to identifiable cash proceeds of homestead sale for 18 months after sale.	A.R.S. § 33-1101 A.R.S. § 33-1104 – **Consensual Liens Excluded**; A.R.S. § 33-1102
Household furniture and furnishings, household goods, including consumer electronic devices, and **household appliances** personally used by the debtor or a dependent of the debtor	$6,000 aggregate value	A.R.S. § 33-1123
Food, fuel and provisions for 6 months used by Debtor and family	100%	A.R.S. § 33-1124
Wearing apparel	$500	A.R.S. § 33-1125
Musical instruments of Debtor and family	$400	A.R.S. § 33-1125
All Domestic animals or pets	100%	A.R.S. § 33-1125
Engagement and Wedding rings	$2,000	A.R.S. § 33-1125
Library	$250	A.R.S. § 33-1125
Typewriter, **one computer** bicycle, sewing machine, family bible, or a lot in any burial ground	$2000	A.R.S. § 33-1125
Watch	$250	A.R.S. § 33-1125
All **firearms** an aggregate FMV up to	$2,000	A.R.S. § 33-1125 (10)
Wheel Chair and prescribed health aids	100%	A.R.S. § 33-1125

Interest in retirement plan qualified under Internal Revenue Code 401(a), 403(a)(b), 408, 408(a), 409, 457 (deferred comp)	100% (except contributions within 120 days before filing petition	A.R.S. § 33-1126(C)
Prepaid rent and security deposits for Debtor's residence	Lesser of $2,000 or 1 ½ month's rent.	A.R.S. § 33-1126(D)
Life Insurance proceeds paid or payable to surviving Spouse or child.	$20,000	A.R.S. § 33-1126(A)
Earning of minor child	100%	A.R.S. § 33-1126(A)
Health, accident or disability insurance	100% (certain debts excepted)	A.R.S. § 33-1126(A)
Insurance proceeds for damage or destruction of exempt property	100% of exemption given for damaged or destroyed property.	A.R.S. § 33-1126(A)
Cash surrender value of life insurance policies owned by the debtor (owned for at least two unexpired continuous years).	$25,000 (beneficiary must be a dependant)	A.R.S. § 33-1126(A)
Damages for wrongful levy or execution	100%	A.R.S. § 33-1126(A)
Annuity (owned by debtor for at least 2 years, beneficiary must be family member and dependent of debtor for half of dependent's support)	100%	A.R.S. § 33-1126(A)
One single bank account. (cash on hand is not exempt)	$300	A.R.S. § 33-1126(A)
Prepaid rent including security deposits if no homestead exemption was claimed	$2,000	A.R.S. § 33-1126(B)
Necessary tools, equipment, instruments and books including telephone numbers, client or customer contact information, marketing tools such as websites, domain names or any other intangible work product **used to carry on or develop commercial activity** or profession.	$5,000 (does not include personal motor vehicle)	A.R.S. § 33-1130
Machinery, utensils, fee, grain, seed and animals of farmer.	$2,500 (primary income from farming)	A.R.S. § 33-1130
Arms, uniforms/ accoutrements required by law	100%	A.R.S. § 33-1130
Net disposable earnings (less deductions required by law) includes pension and retirements payment until deposited into bank account. This is what you were owed for work done prior to the bankruptcy.	75% or 30 X the federal minimum hourly wage, per week, whichever is greater. One half for child support obligations.	A.R.S. § 33-1131
Unemployment compensation benefits	100%	A.R.S. § 23-783
Workmen's compensation benefits	100%	A.R.S. § 23-1068
Welfare assistance	100%	A.R.S. § 46-208
Child support or maintenance (Court ordered)	100%	A.R.S. § 33-1126(A)
Firemen's relief and pension benefits	100%	A.R.S. § 9-968
Police pension benefits	100%	A.R.S. § 9-931
Teacher's retirement benefits	100%	A.R.S. § 43-1201
State employee's retirement benefits	100%	A.R.S. § 38-792
Fraternal Benefit Society benefits	100%	A.R.S. § 20-881
School Equipment used to teach	100%	A.R.S. § 33-1127
Firefighting equipment	100%	A.R.S. § 33-1128
Property that belongs to the public	100%	A.R.S. § 33-1129