STATE OF ARIZONA
OFFICE OF THE GOVERNOR

DOUGLAS A. DUCEY
GOVERNOR

EXECUTIVE OFFICE

March 28, 2020

The Honorable Katie Hobbs
Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

Dear Secretary Hobbs:

I am transmitting to you the following bills from the Fifty-fourth Legislature, 2nd Regular Session, which I signed on March 28th, 2020:

H.B. 2902 K-12 education; budget reconciliation; 2020-2021 (Bowers)
H.B. 2903 higher education; budget reconciliation; 2020-2021 (Bowers)
S.B. 1683 criminal justice; budget reconciliation; 2020-2021. (Fann)
S.B. 1684 revenue; budget reconciliation; 2020-2021. (Fann)
S.B. 1687 human services; budget reconciliation; 2020-2021. (Fann)
S.B. 1688 health; budget reconciliation; 2020-2021. (Fann)
S.B. 1689 environment; budget reconciliation; 2020-2021. (Fann)
S.B. 1690 budget procedures; budget reconciliation; 2020-2021. (Fann)
S.B. 1691 capital outlay; appropriations; 2020-2021. (Fann)
S.B. 1692 general appropriations act; 2020-2021. (Fann)

Sincerely,

Douglas A. Ducey
Governor
State of Arizona

cc: Senate Secretary
Chief Clerk of the House of Representatives
Arizona News Service

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Senate Engrossed

FILED
KATIE HOBBS
SECRETARY OF STATE

State of Arizona
Senate
Fifty-fourth Legislature
Second Regular Session
2020

CHAPTER 51
SENATE BILL 1683

AN ACT

AMENDING SECTIONS 41-1722, 41-1724 AND 41-1752, ARIZONA REVISED STATUTES; AMENDING LAWS 2018, CHAPTER 278, SECTION 14, AS AMENDED BY LAWS 2019, CHAPTER 268, SECTION 6; APPROPRIATING MONIES; RELATING TO CRIMINAL JUSTICE BUDGET RECONCILIATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 41-1722, Arizona Revised Statutes, is amended to read:

41-1722. Concealed weapons permit fund

A. The concealed weapons permit fund is established consisting of fees collected pursuant to section 13-3112.

B. The department shall administer the fund. Monies deposited in the fund are subject to legislative appropriation and must only be used by the department to:

1. Administer the concealed weapons permit process established by section 13-3112 and all matters related to that section.

2. PAY FOR THE DEPARTMENT'S OPERATING EXPENSES.

C. Monies in the fund are exempt from the provisions of section 35-190 relating to lapsing of appropriations.

Sec. 2. Section 41-1724, Arizona Revised Statutes, is amended to read:

41-1724. Gang and immigration intelligence team enforcement mission fund; subaccount; use of monies; reporting requirements

A. The gang and immigration intelligence team enforcement mission fund is established consisting of monies deposited pursuant to section 11-1051 and monies appropriated by the legislature. The department shall administer the fund. Any monies distributed from the fund to a county sheriff shall go directly to the county sheriff and are not subject to any form of approval by the board of supervisors. Monies in the fund are subject to legislative appropriation.

B. Monies in the fund shall be used for employer sanctions enforcement, enforcing human smuggling and drug smuggling laws, gang and strict immigration enforcement, county jail reimbursement costs relating to illegal immigration and any other use previously authorized in an allocation made by law for the gang and immigration intelligence team enforcement mission.

C. Each year that monies are available in the fund and as soon as is practicable after July 1 of each year, the first ~~five hundred thousand dollars~~ $500,000 shall be allocated to a county sheriff of a county with a population of less than five hundred thousand persons but more than three hundred thousand persons and any remaining monies shall be used for agreements or contracts in accordance with subsection D of this section, except that no monies may be used for agreements or contracts with a county sheriff of a county with a population of more than three million persons.

D. If the department uses monies from the fund for an agreement or contract with a city, town, county or other entity to provide services for the gang and immigration intelligence team enforcement mission, the city, town, county or other entity shall provide not less than twenty-five

percent of the cost of the services and the department shall provide not more than seventy-five percent of personal services and employee related expenditures for each agreement or contract but may fund all capital related equipment. This subsection does not apply to a county with a population of less than five hundred thousand persons but more than three hundred thousand persons.

E. The gang and immigration intelligence team enforcement mission border security and law enforcement subaccount is established consisting of monies deposited pursuant to section 12-116.04 and monies appropriated by the legislature. The department shall administer the subaccount. Any monies distributed from the subaccount to a county sheriff shall go directly to the county sheriff and are not subject to any form of approval by the board of supervisors. Monies in the subaccount are subject to legislative appropriation. All appropriated monies in the subaccount shall be distributed each fiscal year to local entities and no monies may be retained by the department for its own use. The monies in the subaccount shall be used for law enforcement purposes related to border security, including border personnel, and for safety equipment that is worn or used by a peace officer who is employed by a county sheriff.

F. A law enforcement agency shall not receive any monies from the fund unless the law enforcement agency certifies each fiscal year in writing to the director of the department of public safety that the law enforcement agency is complying with section 11-1051 to the fullest extent allowed by law.

G. The department shall submit an expenditure plan to the joint legislative budget committee for review before expending any monies not identified in the department's previous expenditure plans. Within thirty days after the last day of each calendar quarter, the department shall provide a summary of quarterly and year-to-date expenditures and progress to the joint legislative budget committee, including any prior year appropriations that were nonlapsing.

H. BEFORE THE DEPARTMENT SPENDS ANY MONIES APPROPRIATED IN THE GENERAL APPROPRIATIONS ACT EACH FISCAL YEAR FROM THE GANG AND IMMIGRATION INTELLIGENCE TEAM ENFORCEMENT MISSION BORDER SECURITY AND LAW ENFORCEMENT SUBACCOUNT ESTABLISHED BY SUBSECTION E OF THIS SECTION, THE DEPARTMENT SHALL SUBMIT THE SUBACCOUNT'S ENTIRE EXPENDITURE PLAN TO THE JOINT LEGISLATIVE BUDGET COMMITTEE FOR REVIEW.

Sec. 3. Section 41-1752, Arizona Revised Statutes, is amended to read:

41-1752. Arizona highway patrol fund

A. ~~An~~ THE Arizona highway patrol fund is established.

B. The Arizona highway patrol fund consists of:

1. Monies distributed to the fund from the Arizona highway user revenue fund by the legislature subject to section 28-6537.

2. Miscellaneous service fees.
3. Rewards.
4. Awards.
5. Insurance recoveries.
6. Receipts from the sale or disposal of any property held by the Arizona highway patrol or purchased with Arizona highway patrol monies.
7. Monies received from the public safety personnel retirement system pursuant to section 20-224.01.
8. Monies deposited pursuant to section 28-3513.
9. Monies deposited pursuant to section 28-2007.

C. Subject to legislative appropriation, the patrol superintendent shall administer and spend monies in the Arizona highway patrol fund in conformity with the laws governing state financial operations.

D. Monies in the Arizona highway patrol fund:

1. Do not revert to the state general fund or Arizona highway user revenue fund.

2. Are exempt from the provisions of section 35-190 relating to lapsing of appropriations.

E. Subject to legislative appropriation, monies in the Arizona highway patrol fund:

1. Shall be used to administer the provisions of law relating to the highway patrol and the Arizona highway patrol reserve and all matters pertaining to those laws, except that monies received pursuant to subsection B, paragraph 7 of this section shall be used for the department of public safety.

2. MAY BE USED FOR THE PHARMACEUTICAL DIVERSION AND DRUG THEFT TASK FORCE.

Sec. 4. Laws 2018, chapter 278, section 14, as amended by Laws 2019, chapter 268, section 6, is amended to read:

Sec. 14. <u>Department of emergency and military affairs; military installation fund; fiscal years 2018-2019, 2019-2020, 2020-2021 and 2021-2022; exemption</u>

A. Notwithstanding section 26-262, Arizona Revised Statutes, the department of emergency and military affairs may use up to $1,250,000 in the military installation fund established by section 26-262, Arizona Revised Statutes, in fiscal years 2018-2019, ~~and~~ 2019-2020, 2020-2021 AND 2021-2022 to construct a readiness center.

B. The appropriation made in subsection A of this section is exempt from the provisions of section 35-190, Arizona Revised Statutes, relating to the lapsing of appropriations until June 30, ~~2020~~ 2022.

Sec. 5. <u>GIITEM fund; county sheriff allocation; fiscal year 2020-2021</u>

Notwithstanding section 41-1724, subsection C, Arizona Revised Statutes, as amended by this act, in fiscal year 2020-2021, of the monies

deposited in the gang and immigration intelligence team enforcement mission fund established by section 41-1724, Arizona Revised Statutes, as amended by this act, after allocation of the first $500,000 to the county sheriff of a county with a population of less than five hundred thousand persons but more than three hundred thousand persons, $400,000 shall be allocated in fiscal year 2020-2021 to the county sheriff of a county with a population of less than two million persons but more than eight hundred thousand persons.

Sec. 6. State department of corrections; budget structure

Notwithstanding any other law, the state department of corrections shall report actual fiscal year 2019-2020, estimated fiscal year 2020-2021 and requested fiscal year 2021-2022 expenditures in the same structure and detail as the prior fiscal year when the department submits the fiscal year 2021-2022 budget estimate pursuant to section 35-113, Arizona Revised Statutes. The information submitted for each line item shall contain as much detail as submitted in previous years for prior line items.

Sec. 7. Department of public safety; state aid to indigent defense fund; fiscal year 2019-2020

Notwithstanding section 11-588, Arizona Revised Statutes, the department of public safety may use monies in the state aid to indigent defense fund established by section 11-588, Arizona Revised Statutes, in fiscal year 2020-2021 for operating expenses.

APPROVED BY THE GOVERNOR MARCH 28, 2020.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 28, 2020.

Passed the House March 23, 2020,

by the following vote: 46 Ayes,

14 Nays, 0 Not Voting

Speaker of the House

Pro Tempore

Chief Clerk of the House

Passed the Senate March 19, 2020,

by the following vote: 28 Ayes,

2 Nays, 0 Not Voting

President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

23rd day of March, 2020,

at 1:32 o'clock P M.

Secretary to the Governor

Approved this 28th day of

March, 2020,

at 12:35 o'clock P M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 28th day of March, 2020,

at 2:00 o'clock P. M.

Secretary of State

S.B. 1683