

REFERENCE TITLE: public safety equipment fund; appropriation

State of Arizona
House of Representatives
Fiftieth Legislature
First Regular Session
2011

HB 2718

Introduced by
Representatives Montenegro, Adams, Lesko, Proud, Tobin

AN ACT

AMENDING LAWS 2010, CHAPTER 266, SECTION 11; MAKING AN APPROPRIATION;
RELATING TO THE PURCHASE OF EQUIPMENT AND SUPPLIES FOR COUNTY DEPUTIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Laws 2010, chapter 266, section 11 is amended to read:

3 Sec. 11. State photo enforcement system penalties: public
4 safety equipment fund

5 A. Notwithstanding ~~section~~ SECTIONS 41-1722, ~~Arizona Revised Statutes,~~
6 ~~as amended by this act,~~ and ~~section~~ 41-1723, Arizona Revised Statutes, in
7 fiscal year 2010-2011, forty per cent of the monies remaining in the photo
8 enforcement fund after paying all expenses and court costs that cover the
9 processing of photo enforcement violations and citations, but not to exceed
10 seven million dollars, shall be deposited, pursuant to sections 35-146 and
11 35-147, Arizona Revised Statutes, in the public safety equipment fund
12 established by section 41-1723, Arizona Revised Statutes, and:

13 1. THE FIRST FIVE MILLION DOLLARS DEPOSITED SHALL BE USED BY THE
14 DEPARTMENT OF PUBLIC SAFETY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH
15 A COUNTY WITH A POPULATION OF MORE THAN TWO HUNDRED FIFTY THOUSAND BUT LESS
16 THAN EIGHT HUNDRED THOUSAND PERSONS TO PURCHASE EQUIPMENT AND SUPPLIES FOR
17 DEPUTIES IN THE COUNTY FOR BORDER SECURITY. ON OR BEFORE JUNE 30 OF EACH
18 YEAR OF THE MEMORANDUM OF UNDERSTANDING, THE DEPARTMENT OF PUBLIC SAFETY
19 SHALL REPORT TO THE JOINT LEGISLATIVE BUDGET COMMITTEE REGARDING THE USE OF
20 THESE MONIES.

21 2. ANY REMAINING MONIES DEPOSITED IN THE FUND shall be used for the
22 purposes described in section 41-1723, paragraph 1, Arizona Revised Statutes.

23 B. MONIES DEPOSITED PURSUANT TO THIS SECTION IN THE PUBLIC SAFETY
24 EQUIPMENT FUND ESTABLISHED BY SECTION 41-1723, ARIZONA REVISED STATUTES, ARE
25 EXEMPT FROM THE PROVISIONS OF SECTION 35-190, ARIZONA REVISED STATUTES,
26 RELATING TO LAPSING OF APPROPRIATIONS.

27 Sec. 2. Appropriation: condition

28 If the public safety equipment fund established by section 41-1723,
29 Arizona Revised Statutes, does not receive \$5,000,000 under Laws 2010,
30 chapter 266, section 11, subsection A, paragraph 1, as amended by this act,
31 the difference between the amount that was transferred to the public safety
32 equipment fund and \$5,000,000 is appropriated from the state general fund in
33 fiscal year 2010-2011 to the department of public safety for the purposes
34 specified in Laws 2010, chapter 266, section 11, subsection A, paragraph 1,
35 as amended by this act.

36 Sec. 3. Short title

37 This act shall be known as the "Border Crime Unit Act".

38 Sec. 4. Emergency

39 This act is an emergency measure that is necessary to preserve the
40 public peace, health or safety and is operative immediately as provided by
41 law.