

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 312
HOUSE BILL 2527

AN ACT

AMENDING SECTION 12-114, ARIZONA REVISED STATUTES; AMENDING TITLE 12, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 12-116.08; AMENDING SECTION 41-1273, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 12, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 41-1731 AND 41-1732; APPROPRIATING MONIES; RELATING TO COURT SURCHARGES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 12-114, Arizona Revised Statutes, is amended to
3 read:

4 12-114. Surcharge on court ordered diversion programs for
5 traffic offenses; deposit

6 A. If a court authorizes individuals charged with civil or criminal
7 traffic offenses to attend a court authorized diversion program, including
8 a defensive driving school program, it shall require the assessment of a
9 ~~five~~ NINE dollar surcharge on the fees charged by ~~such~~ THE court
10 authorized diversion programs.

11 B. A court or a court authorized diversion program shall collect
12 the ~~five~~ NINE dollar surcharge and remit the surcharge to the supreme
13 court which shall deposit, pursuant to sections 35-146 and 35-147, FIVE
14 DOLLARS OF the surcharge in the judicial collection enhancement fund AND
15 THE REMAINING FOUR DOLLARS IN THE PEACE OFFICER TRAINING EQUIPMENT FUND
16 ESTABLISHED BY SECTION 41-1731.

17 Sec. 2. Title 12, chapter 1, article 1, Arizona Revised Statutes,
18 is amended by adding section 12-116.08, to read:

19 12-116.08. Assessment; peace officer training equipment fund

20 A. IN ADDITION TO ANY OTHER PENALTY ASSESSMENT PROVIDED BY LAW, A
21 PENALTY ASSESSMENT SHALL BE LEVIED IN AN AMOUNT OF FOUR DOLLARS ON EVERY
22 CIVIL PENALTY IMPOSED AND COLLECTED FOR A CIVIL TRAFFIC VIOLATION AND
23 FINE, PENALTY OR FORFEITURE FOR A CRIMINAL VIOLATION OF THE MOTOR VEHICLE
24 STATUTES OR FOR ANY LOCAL ORDINANCE RELATING TO THE STOPPING, STANDING OR
25 OPERATION OF A VEHICLE.

26 B. THE COURT SHALL TRANSMIT THE ASSESSMENTS COLLECTED PURSUANT TO
27 THIS SECTION AND A REMITTANCE REPORT OF THE FINES, CIVIL PENALTIES AND
28 FORFEITURES COLLECTED PURSUANT TO THIS SECTION TO THE COUNTY TREASURER,
29 EXCEPT THAT MUNICIPAL COURTS SHALL TRANSMIT THE ASSESSMENTS AND THE
30 REMITTANCE REPORT OF THE FINES, CIVIL PENALTIES AND FORFEITURES TO THE
31 CITY OR TOWN TREASURER.

32 C. THE CITY, TOWN OR COUNTY TREASURER SHALL TRANSMIT THE ASSESSMENT
33 AND THE REMITTANCE REPORT TO THE STATE TREASURER. THE STATE TREASURER
34 SHALL DEPOSIT THE ASSESSMENT IN THE PEACE OFFICER TRAINING EQUIPMENT FUND
35 ESTABLISHED BY SECTION 41-1731.

36 D. THE COURT MAY MITIGATE ALL OR PART OF THE ASSESSMENT IN THE SAME
37 MANNER AND SUBJECT TO THE SAME LIMITATIONS IN THE MITIGATION OF A FINE IN
38 SECTION 13-825, SUBSECTION B.

39 Sec. 3. Section 41-1273, Arizona Revised Statutes, is amended to
40 read:

41 41-1273. Budget analyst; employees; duties; reports

42 A. The joint legislative budget committee shall appoint a budget
43 analyst and other clerical and technical employees that may be required.

44 B. The budget analyst shall serve full time as staff director and
45 receive compensation as determined pursuant to section 38-611. The budget

1 analyst, as a prerequisite for appointment, shall have demonstrated the
2 budget analyst's competency and ability in the field of finance either in
3 private business or public work.

4 C. The budget analyst may be removed from office prior to
5 expiration of the budget analyst's term if, voting separately, a majority
6 of the members of each body constituting the joint legislative budget
7 committee votes in favor of removal.

8 D. The budget analyst shall prepare for distribution an analysis of
9 the governor's budget as soon after the budget is presented to the
10 legislature as is possible. The analysis, among other things, shall
11 include recommendations of the budget analyst for revisions in
12 expenditures.

13 E. In consultation with the governor's office of strategic planning
14 and budgeting, the budget analyst shall determine and report to the
15 governor and the legislature an estimate of appropriations subject to the
16 limit imposed by article IX, section 17, Constitution of Arizona. The
17 report shall be published on or before February 15 of each year for the
18 preceding fiscal year, for the current fiscal year and for the ensuing
19 fiscal year to reflect the budget recommendations of the joint legislative
20 budget committee.

21 F. On or before December 1 of each year, the budget analyst shall
22 report to the committee a listing of statutorily deleted and newly created
23 funds and funds that changed appropriated status from the prior fiscal
24 year.

25 G. On or before January 31 of each year, the budget analyst shall
26 report to the committee the expenditures for each retirement system for
27 the preceding fiscal year, including the expenditures made by this state
28 for the employer contribution for each retirement system.

29 H. The legislature in making its appropriation for the operation of
30 the legislature shall allocate a portion thereof for the operation of the
31 joint legislative budget committee.

32 I. ON OR BEFORE DECEMBER 1, 2019 AND ONCE EVERY SEVEN YEARS
33 THEREAFTER, THE BUDGET ANALYST SHALL REPORT TO THE COMMITTEE THE
34 FOLLOWING:

35 1. THE CURRENT AMOUNT OF EACH SURCHARGE AND ASSESSMENT THAT IS
36 AUTHORIZED BY LAW TO BE COLLECTED ON EVERY FINE, PENALTY AND FORFEITURE
37 IMPOSED AND COLLECTED BY THE COURTS FOR CRIMINAL OFFENSES AND EVERY CIVIL
38 PENALTY IMPOSED AND COLLECTED FOR A CIVIL TRAFFIC VIOLATION AND FINE,
39 PENALTY OR FORFEITURE FOR A VIOLATION OF THE MOTOR VEHICLE STATUTES, FOR
40 ANY LOCAL ORDINANCE RELATING TO THE STOPPING, STANDING OR OPERATION OF A
41 VEHICLE OR FOR A VIOLATION OF THE GAME AND FISH STATUTES IN TITLE 17.

42 2. THE ITEMS FOR WHICH THE COLLECTED SURCHARGE OR ASSESSMENT MONIES
43 ARE USED.

1 SECTION ARE ELIGIBLE FOR REIMBURSEMENT OF EXPENSES PURSUANT TO TITLE 38,
2 CHAPTER 4, ARTICLE 2.

3 D. THE COMMISSION MAY USE THE FACILITIES AND THE STAFF OF THE
4 ARIZONA CRIMINAL JUSTICE COMMISSION.

5 E. THE COMMISSION MAY ENTER INTO INTERAGENCY AGREEMENTS WITH THE
6 ARIZONA CRIMINAL JUSTICE COMMISSION AND OTHER AGENCIES FOR COMMISSION
7 BUSINESS.

8 F. ON OR BEFORE DECEMBER 1 OF EACH YEAR, THE COMMISSION SHALL
9 SUBMIT WRITTEN RECOMMENDATIONS TO THE PRESIDENT OF THE SENATE, THE SPEAKER
10 OF THE HOUSE OF REPRESENTATIVES, THE GOVERNOR AND THE CHAIRPERSONS OF THE
11 SENATE COMMERCE AND PUBLIC SAFETY COMMITTEE AND THE HOUSE OF
12 REPRESENTATIVES JUDICIARY AND PUBLIC SAFETY COMMITTEE, OR THEIR SUCCESSOR
13 COMMITTEES, ON THE ALLOCATION EACH YEAR OF FISCAL MONIES IN THE PEACE
14 OFFICER TRAINING EQUIPMENT FUND ESTABLISHED BY SECTION 41-1731. THE
15 COMMISSION SHALL PROVIDE A COPY OF THE RECOMMENDATIONS TO THE SECRETARY OF
16 STATE.

17 G. THE COMMISSION ESTABLISHED BY THIS SECTION ENDS ON JULY 1, 2026
18 PURSUANT TO SECTION 41-3103.

19 Sec. 5. Appropriations; peace officer training equipment;
20 public safety and court automation expenses

21 Notwithstanding section 41-1731, subsection C, paragraph 3, Arizona
22 Revised Statutes, as added by this act, monies in the peace officer
23 training equipment fund established by section 41-1731, Arizona Revised
24 Statutes, as added by this act, are continuously appropriated until all of
25 the following appropriations are made:

26 1. The first \$500,000 that is deposited in the peace officer
27 training equipment fund established by section 41-1731, Arizona Revised
28 Statutes, as added by this act, is appropriated to the department of
29 public safety for employee overtime pay.

30 2. The next \$2,300,000 is appropriated after the appropriation made
31 in paragraph 1 of this section from the peace officer training equipment
32 fund established by section 41-1731, Arizona Revised Statutes, as added by
33 this act, to the department of public safety to purchase all of the
34 following:

35 (a) Ten virtual firing ranges that:

36 (i) Are ballistically accurate to a degree of .08 milliradian, as
37 verified by the United States army.

38 (ii) Take into account the exact weapon and round being fired.

39 (iii) Emulate the real world as closely as possible, including
40 ballistic fly-out projectiles, weapon behavior, projectile size,
41 environmental effects and impact results.

42 (iv) Will work with the virtual firing range simulators that are
43 used by this state before the effective date of this section.

1 (v) Are capable of generating unlimited custom high definition
2 video scenarios, skill drills, targeting exercises and firearms training
3 in any setting.

4 (b) Three virtual training simulators, including one for the Tucson
5 police department, one in Pinal county for the sheriff's office and one in
6 Yuma county for the sheriff's office. The virtual training simulators
7 must:

8 (i) Have the ability to display, and for the trainee to engage
9 with, characters and scenario content simultaneously across at least a
10 three hundred degree screen environment.

11 (ii) Have the ability to accurately replicate real-world ballistic
12 characteristics of a projectile in flight.

13 (iii) Be equipped with transducers to recreate sound vibrations.

14 (iv) Include a stress component, including the use of a wireless
15 device capable of delivering an adjustable electric impulse, during
16 training engagements.

17 (c) Software that is used with the virtual firing ranges and
18 virtual training simulators.

19 3. The next \$203,000 is appropriated after the appropriation made
20 in paragraphs 1 and 2 of this section from the peace officer training
21 equipment fund established by section 41-1731, Arizona Revised Statutes,
22 as added by this act, to the department of public safety to maintain and
23 service the seven existing virtual training simulators in this state.

24 4. The next \$50,000 is appropriated after the appropriations made
25 in paragraphs 1, 2 and 3 of this section from the peace officer training
26 equipment fund established by section 41-1731, Arizona Revised Statutes,
27 as added by this act, to the governor's office of highway safety to
28 provide public service announcements that educate drivers in this state on
29 how to act when subject to a peace officer's traffic stop.

30 5. The next \$20,000 is appropriated after the appropriations made
31 in paragraphs 1, 2, 3 and 4 of this section from the peace officer
32 training equipment fund established by section 41-1731, Arizona Revised
33 Statutes, as added by this act, to the supreme court to cover a onetime
34 programming cost.

35 Sec. 6. Effective date

36 This act is effective from and after December 31, 2018.

APPROVED BY THE GOVERNOR MAY 16, 2018.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 16, 2018.