

REFERENCE TITLE: **critical incident bureau; establishment; DPS**

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

HB 2650

Introduced by
Representatives Bowers: Chávez, Longdon, Payne, Toma

AN ACT

AMENDING SECTION 41-1712, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 12, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 4.1; APPROPRIATING MONIES; RELATING TO PUBLIC SAFETY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 41-1712, Arizona Revised Statutes, is amended to
3 read:

- 4 41-1712. Organization of department; divisions
5 A. The department shall consist of the following divisions:
6 1. Arizona highway patrol.
7 2. Narcotics enforcement and criminal investigation.
8 3. Scientific criminal analysis.
9 4. Training and education.
10 5. CRITICAL INCIDENT BUREAU.
11 B. The department may establish district headquarters and stations
12 at various places in the state, using existing facilities wherever
13 possible, with the personnel and equipment necessary for the proper
14 functioning and operation of the headquarters and stations.
15 C. The director may establish other divisions or reserves or
16 reorganize or consolidate the department.

17 Sec. 2. Title 41, chapter 12, Arizona Revised Statutes, is amended
18 by adding article 4.1, to read:

- 19 ARTICLE 4.1. CRITICAL INCIDENT BUREAU
20 41-1762. Critical incident bureau; superintendent;
21 qualifications; powers; jurisdiction; definition
22 A. SUBJECT TO LEGISLATIVE APPROPRIATION, THE DEPARTMENT SHALL
23 MAINTAIN A DIVISION KNOWN AS THE CRITICAL INCIDENT BUREAU.
24 B. THE SUPERINTENDENT OF THE CRITICAL INCIDENT BUREAU SHALL BE
25 SELECTED ON THE BASIS OF TRAINING AND EXPERIENCE AND HAVE A MINIMUM OF
26 FIVE YEARS OF EXPERIENCE IN THE ADMINISTRATION OF LAW ENFORCEMENT.
27 C. THE DIRECTOR MAY ADOPT RULES GOVERNING THE POLICIES, PROCEDURES
28 AND ADMINISTRATION OF ALL ACTIVITIES OF THE CRITICAL INCIDENT BUREAU.
29 D. THE CRITICAL INCIDENT BUREAU SHALL:
30 1. USE INVESTIGATORS WHO ARE CERTIFIED BY THE ARIZONA PEACE OFFICER
31 STANDARDS AND TRAINING BOARD AND WHO HAVE SUCCESSFULLY COMPLETED
32 INVESTIGATIVE COURSES IDENTIFIED BY THE DIRECTOR AND APPROVED BY THE
33 ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD TO CONDUCT INDEPENDENT
34 INVESTIGATIONS OF CRITICAL FORCE INCIDENTS. EACH LAW ENFORCEMENT AGENCY IN
35 THIS STATE SHALL REQUIRE THE CRITICAL INCIDENT BUREAU, A REGIONAL LAW
36 ENFORCEMENT TASK FORCE OR ANOTHER LAW ENFORCEMENT AGENCY TO INVESTIGATE
37 ANY CRITICAL FORCE INCIDENTS IN THIS STATE.
38 2. AT THE WRITTEN REQUEST OF A CHIEF OF POLICE OR A COUNTY SHERIFF,
39 INVESTIGATE A CRIMINAL MISCONDUCT ALLEGATION AGAINST A PEACE OFFICER
40 EMPLOYED BY THE LAW ENFORCEMENT AGENCY.
41 E. FOR THE PURPOSES OF THIS SECTION, "CRITICAL FORCE INCIDENT"
42 MEANS:
43 1. ANY DISCHARGE OF A FIREARM BY A PEACE OFFICER, DUE TO A USE OF
44 FORCE ENCOUNTER, REGARDLESS OF WHETHER IT RESULTS IN THE INJURY OR DEATH
45 OF AN INDIVIDUAL.

1 2. AN INCIDENT INVOLVING THE USE OF OR THE INTENDED USE OF DEADLY
2 FORCE BY ANY OTHER MEANS TOWARDS ANOTHER PERSON, EITHER DURING AN ON-DUTY
3 INCIDENT OR OFF-DUTY INCIDENT WHILE ACTING UNDER THE COLOR OF AUTHORITY.

4 Sec. 3. Appropriations; critical incident bureau; task
5 forces; exemption

6 A. The sum of \$24,400,000 is appropriated from the state general
7 fund in fiscal year 2022-2023 to the department of public safety to
8 establish and maintain a critical incident bureau.

9 B. The sum of \$600,000 is appropriated from the state general fund
10 in fiscal year 2022-2023 to the Arizona criminal justice commission to
11 distribute to regional law enforcement task forces.

12 C. The appropriations made in subsection A and B of this section
13 are exempt from the provisions of section 35-190, Arizona Revised
14 Statutes, relating to lapsing of appropriations.

15 Sec. 4. Effective date

16 Section 41-1712, Arizona Revised Statutes, as amended by this act,
17 and title 41, chapter 12, article 4.1, Arizona Revised Statutes, as added
18 by this act, are effective from and after June 30, 2025.