

House Engrossed

appropriation; correction officers; retention bonus

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HOUSE BILL 2649

AN ACT

AMENDING LAWS 2022, CHAPTER 313, SECTION 110; RELATING TO CORRECTION OFFICERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Laws 2022, chapter 313, section 110 is amended to read:

3 Sec. 110. Department of emergency and military affairs;
4 border security; exemption; fiscal year 2022-2023

5 A. The sum of \$209,205,000 is appropriated from the border security
6 fund established by section 26-105, Arizona Revised Statutes, in fiscal
7 year 2022-2023 to the department of emergency and military affairs. The
8 department of emergency and military affairs shall allocate, in
9 consultation with the department of public safety, the following amounts:

10 1. \$20,000,000 to Cochise county to construct a new county jail
11 facility. The monies allocated in this paragraph are intended to fund up
12 to twenty percent of the total jail facility construction cost but not to
13 exceed \$20,000,000. The monies allocated in this paragraph shall not be
14 distributed until Cochise county has submitted to the director of the
15 joint legislative budget committee, the director of the governor's office
16 of strategic planning and budgeting and the director of the department of
17 administration a report that the county has raised sufficient monies to
18 fund the remainder of the project's budget. Notwithstanding section
19 41-1252, Arizona Revised Statutes, the monies allocated in this paragraph
20 are not subject to review by the joint committee on capital review. Any
21 monies allocated pursuant to this paragraph that remain unexpended and
22 unencumbered on June 30, 2027 revert to the border security fund
23 established by section 26-105, Arizona Revised Statutes.

24 2. \$15,000,000 to reimburse a county or local law enforcement
25 agency for costs incurred by the county or local law enforcement agency
26 for participating in a program with the United States immigration and
27 customs enforcement pursuant to 8 United States code section 1357(g).

28 3. \$10,000,000 for deposit in the antihuman trafficking grant fund
29 established by section 26-106, Arizona Revised Statutes. The monies shall
30 be allocated as follows:

31 (a) \$2,000,000 to the department of public safety Arizona counter
32 terrorism information center for antihuman trafficking operations that
33 comply with the requirements prescribed in section 26-106, Arizona Revised
34 Statutes.

35 (b) \$8,000,000 in award grants to city, town and county law
36 enforcement agencies, in an amount of not more than \$500,000 per agency,
37 for programs that reduce human trafficking and that comply with the
38 requirements prescribed in section 26-106, Arizona Revised Statutes.

39 4. \$30,000,000 to distribute to cities, towns or counties for costs
40 associated with prosecuting and imprisoning individuals charged with drug
41 trafficking, human smuggling, illegal immigration and other border-related
42 crimes.

1 5. \$10,000,000 for costs incurred by Arizona national guard assets
2 augmenting and supporting the department of public safety and local law
3 enforcement agencies relating to violations of the laws of this state in
4 the southern Arizona border region.

5 6. \$10,000,000 for emergency health care and testing for immigrants
6 along the southern Arizona border.

7 7. \$15,000,000 for transportation of individuals who entered
8 Arizona seeking asylum to other states in the United States, including the
9 cost of meals, onboard staffing and support.

10 8. \$53,405,000 for deputy sheriff compensation to be distributed to
11 the department of administration for the following purposes:

12 (a) \$48,310,000 to counties for the purposes of a \$10,000 onetime
13 payment to line-level deputies and detention officers employed by each
14 county sheriff's office as of May 1, 2022. The county shall distribute
15 the payment to eligible employees **OVER TWO YEARS. IN THE FIRST YEAR, THE**
16 **PAYMENT SHALL BE DISTRIBUTED** in equal quarterly installments ~~over two~~
17 ~~years.~~ **IN THE SECOND YEAR, THE PAYMENT SHALL BE DISTRIBUTED IN A LUMP SUM**
18 **DURING THE FIRST MONTH OF THE YEAR.** If the amount is insufficient for a
19 \$10,000 per employee payment, the department shall distribute a prorated
20 amount based on the total number of deputies and detention officers
21 employed. **THE COUNTY MAY USE MONIES THAT ARE UNEXPENDED AFTER APRIL 30,**
22 **2023 FOR THE PURPOSES PRESCRIBED IN SUBDIVISION (b) OF THIS PARAGRAPH.** On
23 or before August 30, 2023 and August 30, 2024, each county sheriff shall
24 submit a report to the department of administration on the actual use of
25 the monies received and the most recent staffing and retention data for
26 the positions receiving the payment. On or before September 30, 2023 and
27 September 23, 2024, the department of administration shall submit a report
28 to the directors of the joint legislative budget committee and the
29 governor's office of strategic planning and budgeting detailing the total
30 amounts distributed by county and summarizing the individual county
31 reports.

32 (b) \$5,095,000 to counties for the purposes of a \$5,000 onetime
33 payment to line-level deputies and detention officers hired ~~between~~ **AFTER**
34 **May 1, 2022** ~~and May 1, 2023.~~ The county shall distribute the payment to
35 eligible employees in ~~equal quarterly installments over one year~~ **A LUMP**
36 **SUM.** On June 1, 2023, the department of administration shall distribute
37 the funding to the counties based on the actual number of hires during
38 this time period, as demonstrated by each county. If the amount is
39 insufficient for a \$5,000 per employee payment, the department shall
40 distribute a prorated amount based on the total number of hired detention
41 officers and sheriff's deputies. **THE DEPARTMENT SHALL DISTRIBUTE THE**
42 **FUNDING TO THE COUNTIES BASED ON THE TOTAL NUMBER OF VACANCIES FOR**
43 **LINE-LEVEL DEPUTIES AND DETENTION OFFICERS ON MAY 1, 2022. A COUNTY MAY**
44 **USE MONIES FOR THE PURPOSES OF THIS SUBDIVISION UNTIL THE COUNTY HAS**
45 **EXHAUSTED ITS PRO RATA SHARE OF THE FUNDING.** On or before June 30, 2023,

1 the department shall submit a report to the directors of the joint
2 legislative budget committee and the governor's office of strategic
3 planning and budgeting detailing the amounts distributed to each county.

4 9. \$800,000 for the purposes prescribed in section 26-174, Arizona
5 Revised Statutes, regarding the established chain of command within the
6 Arizona state guard.

7 10. \$30,000,000 for the construction costs of a state emergency
8 operations center. Pursuant to section 41-1252, Arizona Revised Statutes,
9 before spending the monies allocated in this paragraph, the department of
10 emergency and military affairs shall submit for review by the joint
11 committee on capital review the scope, purpose and estimated cost of the
12 capital improvements.

13 11. \$15,000,000 to the department of public safety for the
14 construction costs of a southern border coordinated response center.
15 Pursuant to section 41-1252, Arizona Revised Statutes, before spending the
16 monies allocated in this paragraph, the department of public safety shall
17 submit for review by the joint committee on capital review the scope,
18 purpose and estimated cost of the capital improvements.

19 B. Within thirty days after the end of each calendar quarter until
20 the monies appropriated by this section are fully expended, the department
21 of emergency and military affairs, in consultation with the Arizona
22 department of homeland security and the department of public safety, shall
23 report to the joint legislative budget committee on the status of the
24 project allocations and monies expended as prescribed by this section.

25 C. The department of emergency and military affairs may transfer
26 spending authority between and within the programs and purposes listed in
27 subsection A of this section. Before making a transfer, the department
28 shall submit the proposed transfer to the joint legislative budget
29 committee for review.

30 D. The appropriations made in subsection A of this section are
31 exempt from the provisions of section 35-190, Arizona Revised Statutes,
32 relating to lapsing of appropriations.

33 Sec. 2. Retroactivity

34 This act applies retroactively to from and after June 30, 2022.