

REFERENCE TITLE: appropriation; correction officers; retention bonus

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

## **HB 2649**

Introduced by  
Representatives Martinez: Biasiucci, Bliss, Carter, Diaz, Dunn, Gillette,  
Jones, Marshall, Nguyen, Payne, Peña, Seaman, Senator Fernandez

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. On or before August 30, 2023 and August 30, 2024, each county  
22 sheriff shall submit a report to the department of administration on the  
23 actual use of the monies received and the most recent staffing and  
24 retention data for the positions receiving the payment. On or before  
25 September 30, 2023 and September 23, 2024, the department of  
26 administration shall submit a report to the directors of the joint  
27 legislative budget committee and the governor's office of strategic  
28 planning and budgeting detailing the total amounts distributed by county  
29 and summarizing the individual county reports.

30           (b) \$5,095,000 to counties for the purposes of a \$5,000 onetime  
31 payment to line-level deputies and detention officers hired between May 1,  
32 2022 and May 1, 2023. The county shall distribute the payment to eligible  
33 employees in ~~equal quarterly installments over one year~~ **A LUMP SUM.** On  
34 June 1, 2023, the department of administration shall distribute the  
35 funding to the counties based on the actual number of hires during this  
36 time period, as demonstrated by each county. If the amount is  
37 insufficient for a \$5,000 per employee payment, the department shall  
38 distribute a prorated amount based on the total number of hired detention  
39 officers and sheriff's deputies. On or before June 30, 2023, the  
40 department shall submit a report to the directors of the joint legislative  
41 budget committee and the governor's office of strategic planning and  
42 budgeting detailing the amounts distributed to each county.

43          9. \$800,000 for the purposes prescribed in section 26-174, Arizona  
44 Revised Statutes, regarding the established chain of command within the  
45 Arizona state guard.

1           10. \$30,000,000 for the construction costs of a state emergency  
2 operations center. Pursuant to section 41-1252, Arizona Revised Statutes,  
3 before spending the monies allocated in this paragraph, the department of  
4 emergency and military affairs shall submit for review by the joint  
5 committee on capital review the scope, purpose and estimated cost of the  
6 capital improvements.

7           11. \$15,000,000 to the department of public safety for the  
8 construction costs of a southern border coordinated response center.  
9 Pursuant to section 41-1252, Arizona Revised Statutes, before spending the  
10 monies allocated in this paragraph, the department of public safety shall  
11 submit for review by the joint committee on capital review the scope,  
12 purpose and estimated cost of the capital improvements.

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

19           C. The department of emergency and military affairs may transfer  
20 spending authority between and within the programs and purposes listed in  
21 subsection A of this section. Before making a transfer, the department  
22 shall submit the proposed transfer to the joint legislative budget  
23 committee for review.

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