

House Engrossed Senate Bill

~~full-service crime labs; funding~~

(now: full-service crime labs; funding; appropriation)

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State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SENATE BILL 1055

AN ACT

AMENDING SECTION 41-1730, ARIZONA REVISED STATUTES; RELATING TO THE
DEPARTMENT OF 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 41-1730, Arizona Revised Statutes, is amended to
3 read:
4 41-1730. Department of public safety forensics fund;
5 purposes; distributions; definition
6 A. The department of public safety forensics fund is established.
7 The department shall administer the fund. Monies in the fund are subject
8 to legislative appropriation. The department of public safety forensics
9 fund consists of the following:
10 1. Monies deposited pursuant to section 12-116.01, subsection J.
11 2. Monies deposited pursuant to section 41-2401, subsection D,
12 paragraphs 1 and 10.
13 3. Surcharge monies deposited pursuant to section 28-3396.
14 4. Monies contributed to the fund from any other source.
15 B. Monies in the department of public safety forensics fund shall
16 be used for the following purposes:
17 1. Purchasing and installing fingerprint identification equipment.
18 2. Operating, maintaining and administering the Arizona automated
19 fingerprint identification system and the system's remote terminals.
20 3. Crime laboratory operations and enhanced services.
21 4. Educating and training forensic scientists who are regularly
22 employed in a crime laboratory.
23 5. Purchasing and maintaining scientific equipment for crime
24 laboratory use.
25 6. Implementing, operating and maintaining deoxyribonucleic acid
26 testing and administering the Arizona deoxyribonucleic acid identification
27 system.
28 C. On a quarterly basis, the department of public safety shall
29 allocate and distribute the monies in the department of public safety
30 forensics fund that are collected pursuant to section 12-116.01 and
31 deposited pursuant to section 41-2401, subsection D, paragraph 10 **TO EACH**
32 **FULL-SERVICE CRIME LABORATORY.** ~~The department may use fifty-five percent~~
33 ~~of the monies for the purposes prescribed in subsection B of this section~~
34 ~~and shall distribute the remaining monies to political subdivisions that~~
35 ~~operate a crime laboratory as follows:~~
36 ~~1. Twenty-two percent to the Phoenix police department.~~
37 ~~2. Twelve percent to the Tucson police department.~~
38 ~~3. Seven percent to the Mesa police department.~~
39 ~~4. Four percent to the Scottsdale police department.~~
40 D. The distribution of monies pursuant to subsection C of this
41 section ~~may be adjusted~~ **SHALL BE DETERMINED** annually, ~~if appropriate,~~
42 based on ~~the crime laboratory services provided and the percentage of the~~
43 ~~state population served by each crime laboratory~~ **THE PROPORTION OF CRIMES**
44 **REPORTED TO THE DEPARTMENT FOR THE MOST RECENT YEAR FOR THE JURISDICTION**
45 **OR JURISDICTIONS WHERE EACH FULL-SERVICE CRIME LABORATORY PROVIDES**

1 FULL-SERVICE CRIME LABORATORY SERVICES IN RELATION TO THE TOTAL NUMBER OF
2 CRIMES REPORTED IN ALL JURISDICTIONS IN THIS STATE. ~~The crime laboratory~~
3 ~~directors of the political subdivisions providing crime laboratory~~
4 ~~services in this state must agree on the distribution formula and~~
5 ~~allocation.~~ The minimum allocation for a political subdivision that
6 provides FULL-SERVICE crime laboratory services is four percent. FOR THE
7 PURPOSES OF THIS SUBSECTION:

8 1. IN FISCAL YEARS 2023-2024, 2024-2025 AND 2025-2026, THE
9 DEPARTMENT SHALL CALCULATE THE NUMBER OF CRIMES REPORTED IN ACCORDANCE
10 WITH THE FEDERAL BUREAU OF INVESTIGATION'S UNIFORM CRIME REPORTING PROGRAM
11 SUMMARY REPORTING SYSTEM CLASSIFICATION CRITERIA.

12 2. IN FISCAL YEAR 2026-2027 AND EACH FISCAL YEAR THEREAFTER, THE
13 DEPARTMENT SHALL CALCULATE THE NUMBER OF CRIMES REPORTED IN ACCORDANCE
14 WITH THE FEDERAL BUREAU OF INVESTIGATION'S UNIFORM CRIME REPORTING PROGRAM
15 NATIONAL INCIDENT-BASED REPORTING SYSTEM CLASSIFICATION CRITERIA.

16 E. SUBSECTION D OF THIS SECTION APPLIES ONLY TO THE DEPARTMENT OF
17 PUBLIC SAFETY FORENSICS FUND AND MAY NOT BE USED IN THE DISTRIBUTION OF
18 OTHER GRANTS OR MONIES.

19 ~~E.~~ F. For the purposes of ~~subsections C and D~~ of this section,
20 "FULL-SERVICE crime laboratory" means a laboratory that meets all of the
21 following:

22 1. Is operated by a CRIMINAL JUSTICE AGENCY OF THE STATE OR A
23 political subdivision.

24 2. Has at least one ~~regularly employed~~ FULL-TIME forensic scientist
25 who holds a minimum of a bachelor's degree in a physical or natural
26 science.

27 3. Is registered as an analytical laboratory with the drug
28 enforcement administration of the United States department of justice for
29 the possession of all scheduled controlled substances.

30 4. IS ACCREDITED BY AN ORGANIZATION THAT PROVIDES ACCREDITATION
31 BASED ON THE INTERNATIONAL LABORATORY ACCREDITATION COOPERATION G19 AND
32 STANDARD ISO/IEC 17025 OR STANDARD ISO/IEC 17020 OR ANY RELEVANT FIELD
33 SPECIFIC STANDARDS.

34 5. PROVIDES A MINIMUM OF SIX FORENSIC DISCIPLINES IN THE FOLLOWING
35 AREAS, AT LEAST ONE OF WHICH MUST BE DNA, DIGITAL FORENSICS OR DRUG
36 TOXICOLOGY:

- 37 (a) TRACE EVIDENCE.
- 38 (b) BLOOD OR BREATH ALCOHOL.
- 39 (c) FIREARMS AND TOOLMARKS.
- 40 (d) CRIME SCENE PROCESSING.
- 41 (e) LATENT PRINT COMPARISONS.
- 42 (f) SEIZED DRUGS.
- 43 (g) DNA.
- 44 (h) DIGITAL FORENSICS.
- 45 (i) DRUG TOXICOLOGY.