



ARIZONA STATE SENATE
Fifty-Sixth Legislature, Second Regular Session

AMENDED

FACT SHEET FOR S.B. 1683

peace officers; mutual aid agreements

Purpose

Provides for the cross-certification of peace officers from states adjoining Arizona and provides that cross-certified peace officers may exercise all of the powers of Arizona peace officers, if directed by the peace officer's employer and if an emergency necessitates the aid or assistance from the adjoining state peace officer.

Background

The sheriff of each county must develop and adopt a policy on cross-certification of federal peace officers, including whether cross-certification shall be permitted in that county. A federal peace officer who is employed by an agency of the United States and who has completed the basic training curriculum for the officer's agency possesses and exercises all law enforcement powers of peace officers in Arizona for one year, including if directed by the officer's employer, the capability to enforce the criminal laws of Arizona if the federal peace officer: 1) submits to the sheriff a written request for certification as a peace officer in Arizona; and 2) submits evidence that the officer has been certified as a federal peace officer and is authorized to engage in law enforcement activities as specified. Neither the state or its political subdivisions is liable for any acts or failure to act by a federal peace officer ([A.R.S. § 13-3875](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires the sheriff of each county to develop and adopt a policy on cross-certification of peace officers from adjoining states, including whether to allow cross-certification in that county.
2. Provides a peace officer who is employed by a county of an adjoining state and who has completed the basic training curriculum for the peace officer's agency with all law enforcement powers of Arizona peace officers for the purpose of assisting with emergencies.
3. States that peace officer cross-certification remains active for one year.
4. Includes, among the powers possessed by qualified adjoining state peace officers, the capability to enforce criminal laws of Arizona, if directed by the peace officer's employer.

5. Requires a peace officer of an adjoining state, prior to possessing the same powers as Arizona peace officers, to:
 - a) submit a written request to the sheriff for certification as a peace officer in Arizona; and
 - b) submit evidence that the peace officer has been certified as a peace officer, is authorized by Arizona law to engage in or supervise the prevention, detection, investigation or prosecution of a violation of law and is authorized by Arizona law to make arrests, serve warrants and carry firearms.
6. Allows each peace officer from an adjoining state who requests cross-certification to submit a written request for certification with the sheriff.
7. Specifies that cross-certification remains in effect for one year from the date on which the certification was authorized by the sheriff.
8. Indemnifies the state and any political subdivision from liability for any act or failure to act by a peace officer from an adjoining state.
9. Asserts that the home state of a cross-certified peace officer is liable for an act or failure to act by the cross-certified peace officer.
10. Requires the Arizona Peace Officers Standards and Training Board (AZPOST Board) to maintain records of all peace officers from adjoining states who are certified as peace officers in Arizona.
11. Stipulates that the requirement for persons to be AZPOST-certified before exercising the authority of law in Arizona does not apply to peace officer from adjoining states if an emergency in a county in Arizona necessitates the aid of or assistance from the peace officer from an adjoining state.
12. Defines *emergency* as a situation in which a person is or is reasonably believed to be in imminent danger of serious physical injury or in which property is or is reasonably believed to be in imminent danger of damage or destruction.
13. Becomes effective on the general effective date.

Amendments Adopted by Additional Committee of the Whole

1. Specifies that the circumstances under which a cross-certified peace officer possesses the powers of Arizona peace officers include:
 - a) emergencies in Arizona that necessitate the aid of or assistance from the peace officer from an adjacent state; and
 - b) requests from Arizona sheriffs for aid or assistance from peace officer from adjacent states.
2. Asserts that the home state of a cross-certified peace officer is liable for an act or failure to act by the cross-certified peace officer.

Amendments Adopted by the House of Representatives

1. Specifies that peace officer cross-certification requirements and rules apply to peace officers from adjoining states, rather than adjacent states.

2. Removes, as an exemption to peace officers from adjoining states being required to be AZPOST-certified, that an Arizona sheriff has requested the aid or assistance from a peace officer from an adjoining state.
3. Provides a definition for *emergency*.

Senate Action

MAPS 2/14/24 DP
3rd Read 3/7/24

7-0-0
23-5-2

House Action

MAPS 3/18/24 DP 8-7-0-0
3rd Read 4/17/24 60-0-0

Prepared by Senate Research
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