

REFERENCE TITLE: gang and immigration intelligence; appropriation

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2278

Introduced by
Representatives Biasiucci: Gillette, Peña, Willoughby, Wilmeth

AN ACT

AMENDING SECTION 41-1724, ARIZONA REVISED STATUTES; APPROPRIATING MONIES;
RELATING TO THE GANG AND IMMIGRATION INTELLIGENCE TEAM ENFORCEMENT MISSION
FUND.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 41-1724, Arizona Revised Statutes, is amended to
3 read:

4 41-1724. Gang and immigration intelligence team enforcement
5 mission fund; southern Arizona counterterrorism
6 information center; subaccount; use of monies;
7 reporting requirements

8 A. The gang and immigration intelligence team enforcement mission
9 fund is established consisting of monies deposited pursuant to section
10 11-1051, GRANTS and monies appropriated by the legislature. The
11 department shall administer the fund. Any monies distributed from the
12 fund to a county sheriff OR COUNTY ATTORNEY shall go directly to the
13 county sheriff OR COUNTY ATTORNEY and are not subject to any form of
14 approval by the board of supervisors. Monies in the fund are subject to
15 legislative appropriation.

16 B. Monies in the fund shall be used for employer sanctions
17 enforcement, enforcing AND PROSECUTING human smuggling and drug smuggling
18 laws, gang and strict immigration enforcement AND PROSECUTION, county jail
19 reimbursement costs relating to illegal immigration and any other use
20 previously authorized in an allocation made by law for the gang and
21 immigration intelligence team enforcement mission.

22 C. Each year that monies are available in the fund and as soon as
23 is practicable after July 1 of each year, the first \$500,000 shall be
24 allocated to a county sheriff of a county with a population of less than
25 five hundred thousand persons but more than three hundred thousand persons
26 and any remaining monies shall be used for agreements or contracts in
27 accordance with subsection ~~D~~ E of this section, except that no monies may
28 be used for agreements or contracts with a county sheriff of a county with
29 a population of more than three million persons.

30 D. THE GANG AND IMMIGRATION INTELLIGENCE TEAM ENFORCEMENT MISSION
31 SHALL PARTNER WITH SHERIFFS IN THE COUNTIES LOCATED ON THE BORDER BETWEEN
32 THIS STATE AND MEXICO TO ESTABLISH AND MAINTAIN A SOUTHERN ARIZONA
33 COUNTERTERRORISM INFORMATION CENTER TO RECEIVE, ANALYZE, GATHER AND SHARE
34 ANY INFORMATION BETWEEN STATE, LOCAL, FEDERAL, TRIBAL AND PRIVATE SECTOR
35 PARTICIPANTS RELATED TO ANY POTENTIAL THREATS.

36 ~~D~~ E. If the department uses monies from the fund for an agreement
37 or contract with a city, town, county or other entity to provide services
38 for the gang and immigration intelligence team enforcement mission, the
39 city, town, county or other entity shall provide not less than twenty-five
40 percent of the cost of the services and the department shall provide not
41 more than seventy-five percent of personal services and employee related
42 expenditures for each agreement or contract but may fund all capital
43 related equipment. This subsection does not apply to a county with a
44 population of less than five hundred thousand persons but more than three
45 hundred thousand persons.

1 ~~F.~~ F. The gang and immigration intelligence team enforcement
2 mission border security and law enforcement subaccount is established
3 consisting of monies deposited pursuant to section 12-116.04 and monies
4 appropriated by the legislature. The department shall administer the
5 subaccount. Any monies distributed from the subaccount to a county
6 sheriff shall go directly to the county sheriff and are not subject to any
7 form of approval by the board of supervisors. Monies in the subaccount
8 are subject to legislative appropriation. All appropriated monies in the
9 subaccount shall be distributed each fiscal year to local entities and no
10 monies may be retained by the department for its own use. The monies in
11 the subaccount shall be used for law enforcement purposes related to
12 border security, including border personnel, and for safety equipment that
13 is worn or used by a peace officer who is employed by a county sheriff.

14 ~~F.~~ G. A law enforcement agency shall not receive any monies from
15 the fund unless the law enforcement agency certifies each fiscal year in
16 writing to the director of the department of public safety that the law
17 enforcement agency is complying with section 11-1051 to the fullest extent
18 allowed by law.

19 ~~G.~~ H. The department shall submit an expenditure plan to the joint
20 legislative budget committee for review before expending any monies not
21 identified in the department's previous expenditure plans. Within thirty
22 days after the last day of each calendar quarter, the department shall
23 provide a summary of quarterly and year-to-date expenditures and progress
24 to the joint legislative budget committee, including any prior year
25 appropriations that were nonlapsing.

26 ~~H.~~ I. Before the department spends any monies appropriated in the
27 general appropriations act each fiscal year from the gang and immigration
28 intelligence team enforcement mission border security and law enforcement
29 subaccount established by subsection ~~F.~~ F of this section, the department
30 shall submit the subaccount's entire expenditure plan to the joint
31 legislative budget committee for review.

32 Sec. 2. Appropriation; gang and immigration intelligence team
33 enforcement mission fund; exemption

34 A. The sum of _____ is appropriated from the _____ fund in
35 fiscal year 2024-2025 to the gang and immigration intelligence team
36 enforcement mission fund established by section 41-1724, Arizona Revised
37 Statutes, as amended by this act, and is appropriated from the gang and
38 immigration intelligence team enforcement mission fund to the department
39 of public safety to ESTABLISH AND MAINTAIN A SOUTHERN ARIZONA
40 COUNTERTERRORISM INFORMATION CENTER.

41 B. The appropriation made in subsection A of this section is exempt
42 from the provisions of section 35-190, Arizona Revised Statutes, relating
43 to lapsing of appropriations.