

House Engrossed

peace officer nonlethal device fund

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

HOUSE BILL 2326

AN ACT

AMENDING SECTION 12-114, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 12, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-1735; RELATING TO PEACE OFFICERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 12-114, Arizona Revised Statutes, is amended to
3 read:
4 12-114. Surcharge on court authorized diversion programs for
5 traffic offenses; deposit
6 A. If a court authorizes individuals charged with civil or criminal
7 traffic offenses to attend a court authorized diversion program, including
8 a defensive driving school program, it shall require the assessment of a
9 nine dollar surcharge on the fees charged by the court authorized
10 diversion programs. The surcharge applies to every individual who attends
11 a court authorized diversion program, including an individual who holds a
12 commercial driver license.
13 B. A court or a court authorized diversion program shall collect
14 the nine dollar surcharge and remit the surcharge to the supreme court
15 which shall deposit, pursuant to sections 35-146 and 35-147, ~~five dollars~~
16 \$5 of the surcharge in the judicial collection enhancement fund, \$2 IN THE
17 PEACE OFFICER NONLETHAL DEVICE FUND ESTABLISHED BY SECTION 41-1735 and the
18 remaining ~~four dollars~~ \$2 in the peace officer training equipment fund
19 established by section 41-1731.
20 Sec. 2. Title 41, chapter 12, article 2, Arizona Revised Statutes,
21 is amended by adding section 41-1735, to read:
22 41-1735. Peace officer nonlethal device fund
23 A. THE PEACE OFFICER NONLETHAL DEVICE FUND IS ESTABLISHED
24 CONSISTING OF MONIES DEPOSITED PURSUANT TO SECTION 12-116.12. THE STATE
25 TREASURER SHALL ADMINISTER THE FUND. MONIES IN THE FUND MAY BE USED ONLY
26 FOR NONLETHAL DEVICES FOR PEACE OFFICERS THAT DO NOT CAUSE ANY PERMANENT
27 HARM OR INJURY WHEN USED DURING THE APPREHENSION OF SUSPECTED OFFENDERS.
28 B. THE STATE TREASURER SHALL INVEST AND DIVEST MONIES IN THE FUND
29 AS PROVIDED BY SECTION 35-313, AND MONIES EARNED FROM INVESTMENT SHALL BE
30 CREDITED TO THE FUND.
31 C. MONIES IN THE FUND ARE EXEMPT FROM THE PROVISIONS OF SECTION
32 35-190 RELATING TO LAPSING OF APPROPRIATIONS AND ARE SUBJECT TO
33 LEGISLATIVE APPROPRIATION.