

REFERENCE TITLE: major incident division; repeal

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SB 1284

Introduced by
Senators Hoffman: Kern, Wadsack; Representatives Chaplik, Heap, Hendrix,
Parker J, Smith

AN ACT

AMENDING SECTION 41-1712, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2022, CHAPTER 311, SECTION 3; REPEALING TITLE 41, CHAPTER 12, ARTICLE 4.1, ARIZONA REVISED STATUTES; AMENDING LAWS 2023, CHAPTER 133, SECTION 24; AMENDING LAWS 2023, CHAPTER 133, SECTION 77; APPROPRIATING MONIES; RELATING TO THE MAJOR INCIDENT DIVISION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
 2 Section 1. Section 41-1712, Arizona Revised Statutes, as amended by
 3 Laws 2022, chapter 311, section 3, is amended to read:

4 41-1712. Organization of department; divisions

5 A. The department shall consist of the following divisions:

- 6 1. Arizona highway patrol.
- 7 2. Narcotics enforcement and criminal investigation.
- 8 3. Scientific criminal analysis.
- 9 4. Training and education.

10 ~~5. Major incident division.~~

11 B. The department may establish district headquarters and stations
 12 at various places in this state, using existing facilities wherever
 13 possible, with the personnel and equipment necessary for the proper
 14 functioning and operation of the headquarters and stations.

15 C. The director may establish other divisions or reserves or
 16 reorganize or consolidate the department.

17 Sec. 2. Repeal

18 Title 41, chapter 12, article 4.1, Arizona Revised Statutes, is
 19 repealed.

20 Sec. 3. Laws 2023, chapter 133, section 24 is amended to read:

21 Sec. 24. ARIZONA CRIMINAL JUSTICE COMMISSION

	<u>2023-24</u>	
22 FTE positions	11.0	
23 Operating lump sum appropriation	\$ 1,382,100	
24 Law enforcement crime victim		
25 notification fund deposit	10,000,000	
26 Major incident regional law		
27 enforcement task force	600,000	
28 State aid to county attorneys	973,700	
29 State aid to indigent defense	700,000	
30 State aid for juvenile dependency		
31 proceedings fund deposit	2,000,000	
32 Victim compensation and assistance	<u>6,224,600</u>	
33 Total appropriation – Arizona criminal		
34 justice commission	\$ 21,880,400	\$ 21,280,400
35 Fund sources:		
36 State general fund	\$ 14,600,000	\$ 14,000,000
37 Criminal justice enhancement fund	708,900	
38 Resource center fund	647,100	
39 State aid to county attorneys fund	973,700	
40 State aid to indigent defense fund	700,000	
41 Victim compensation and assistance		
42 fund	4,250,700	

1 Of the \$10,000,000 appropriated in the law enforcement crime victim
 2 notification fund deposit line item, the Arizona criminal justice
 3 commission may use up to \$400,000 in fiscal year 2023-2024 to evaluate,
 4 certify and pay for any costs associated with the law enforcement crime
 5 victim notification fund established by section 41-180, Arizona Revised
 6 Statutes.

7 All victim compensation and assistance fund monies received by the
 8 Arizona criminal justice commission in excess of \$4,250,700 in fiscal year
 9 2023-2024 are appropriated to the crime victims program. Before spending
 10 any victim compensation and assistance fund monies in excess of \$4,250,700
 11 in fiscal year 2023-2024, the Arizona criminal justice commission shall
 12 report the intended use of the monies to the joint legislative budget
 13 committee.

14 All monies received by the Arizona criminal justice commission in
 15 excess of \$973,700 in fiscal year 2023-2024 from the state aid to county
 16 attorneys fund established by section 11-539, Arizona Revised Statutes,
 17 are appropriated to the state aid to county attorneys program. Before
 18 spending any state aid to county attorneys fund monies in excess of
 19 \$973,700 in fiscal year 2023-2024, the Arizona criminal justice commission
 20 shall report the intended use of the monies to the joint legislative
 21 budget committee.

22 Sec. 4. Laws 2023, chapter 133, section 77 is amended to read:

23 Sec. 77. DEPARTMENT OF PUBLIC SAFETY

	<u>2023-24</u>
FTE positions	2,105.7
Operating lump sum appropriation	\$282,733,100
ACTIC	1,450,000
AZPOST	6,576,000
Border drug interdiction	17,145,900
Local border support	12,232,900
Civil air patrol infrastructure	10,000,000*
Civil air patrol maintenance and operations	150,000
Department of public safety crime lab assistance	400,000
Fentanyl prosecution, diversion and testing fund deposit	3,000,000
GIITEM	25,329,700
GIITEM subaccount	2,396,400
Land mobile radio expansion and upgrades	44,100,000*
Law enforcement retention initiatives	2,000,000
Major incident division	17,000,000*
Motor vehicle fuel	9,125,800

1	Onetime vehicle replacement	11,709,300	
2	Pharmaceutical diversion and		
3	drug theft task force	769,100	
4	Public safety equipment	2,890,000	
5	Real-time crime centers	<u>4,100,000</u>	
6	Total appropriation – department of public		
7	safety	\$453,108,200	\$436,108,200
8	Fund sources:		
9	State general fund	\$363,993,000	\$346,993,000
10	State highway fund	8,166,700	
11	Arizona highway patrol fund	38,214,500	
12	Criminal justice enhancement fund	2,989,100	
13	Department of public safety		
14	forensics fund	22,985,300	
15	Gang and immigration intelligence		
16	team enforcement mission border		
17	security and law enforcement		
18	subaccount	2,396,400	
19	Motorcycle safety fund	198,900	
20	Motor vehicle liability insurance		
21	enforcement fund	1,032,000	
22	Risk management revolving fund	1,396,900	
23	Parity compensation fund	4,088,100	
24	Public safety equipment fund	2,894,000	
25	Concealed weapons permit fund	3,172,200	
26	Fingerprint clearance card fund	1,581,100	

27 Of the \$25,329,700 appropriated to the GIITEM line item, \$13,275,800
 28 shall be used for one hundred department of public safety GIITEM
 29 personnel. The additional staff shall include at least fifty sworn
 30 department of public safety positions to be used for immigration
 31 enforcement and border security and fifty department of public safety
 32 positions to assist GIITEM in various efforts, including:

- 33 1. Strictly enforcing all federal laws relating to illegal aliens
 34 and arresting illegal aliens.
- 35 2. Responding to or assisting any county sheriff or attorney in
 36 investigating complaints of employment of illegal aliens.
- 37 3. Enforcing Arizona's law known as the Legal Arizona Workers Act,
 38 strictly enforcing Arizona's SB 1070, Arizona's "Support Our Law
 39 Enforcement and Safe Neighborhoods Act" and investigating crimes of
 40 identity theft in the context of hiring illegal aliens and the unlawful
 41 entry into this country.
- 42 4. Taking strict enforcement action.

43 Any change in the GIITEM mission or allocation of monies shall be
 44 approved by the joint legislative budget committee. The department shall
 45 submit an expenditure plan to the joint legislative budget committee for

1 review before expending any monies not identified in the department's
2 previous expenditure plans.

3 Of the \$25,329,700 appropriated to the GIITEM line item, only
4 \$1,403,400 is deposited in the GIITEM fund established by section 41-1724,
5 Arizona Revised Statutes, and is appropriated for the purposes of that
6 section. The \$1,403,400 is exempt from the provisions of section 35-190,
7 Arizona Revised Statutes, relating to lapsing of appropriations. This
8 state recognizes that states have inherent authority to arrest a person
9 for any immigration violation.

10 Any monies remaining in the department of public safety joint
11 account on June 30, 2024 revert to the funds from which they were
12 appropriated. The reverted monies shall be returned in direct proportion
13 to the amounts appropriated.

14 On or before September 1, 2023, the department of public safety
15 shall submit an expenditure plan for the local border support line item to
16 the joint legislative budget committee and the governor's office of
17 strategic planning and budgeting.

18 The \$12,232,900 appropriated for the local border support line item
19 shall be used to fund local law enforcement officer positions for border
20 drug interdiction to deter and apprehend any individuals who are charged
21 with drug trafficking, human smuggling, illegal immigration and other
22 border-related crimes. The monies shall also be used for grants to
23 cities, towns and counties for costs associated with prosecuting and
24 detaining individuals who are charged with drug trafficking, human
25 smuggling, illegal immigration and other border-related crimes. The
26 department may fund all capital-related equipment.

27 Until all of the monies in the civil air patrol infrastructure line
28 item have been distributed, on or before December 1 of each year, the
29 department of public safety shall submit a report to the joint legislative
30 budget committee on the monies distributed from the civil air patrol
31 infrastructure line item and the intended purposes of the distributions.

32 Of the amount appropriated for the department of public safety
33 onetime vehicle replacement line item in fiscal year 2022-2023 pursuant to
34 Laws 2022, chapter 313, section 77, \$11,709,300 from the state general
35 fund is exempt from the provisions of section 35-190, Arizona Revised
36 Statutes, relating to the lapsing of appropriations, until June 30, 2025
37 for the purpose of vehicle replacement.

38 Of the amount appropriated for the onetime vehicle replacement line
39 item, \$11,709,300 are exempt from the provisions of section 35-190,
40 Arizona Revised Statutes, relating to lapsing of appropriations, until
41 June 30, 2025.

42 Of the amount appropriated in the real-time crime centers line item,
43 \$2,600,000 shall be distributed to the city of Peoria and \$1,500,000 to
44 the city of Tucson to operate real-time crime centers that:

1 1. Use technology to effectively and safely provide assistance to
2 law enforcement agencies and fire departments and districts.

3 2. Integrate crime investigation technology to provide real-time
4 information to responding law enforcement agencies and fire departments
5 and districts.

6 3. Are available for use by law enforcement agencies and fire
7 departments and districts that are located in any city, town or county in
8 the region.

9 Of the amount appropriated in the total appropriation for the
10 department of public safety, \$187,051,200 is designated for personal
11 services and \$76,864,000 is designated for employee-related expenditures.
12 The department shall submit an expenditure plan to the joint legislative
13 budget committee for review before spending these monies for other than
14 personal services or employee-related expenditures.

15 Of the amount appropriated in the fentanyl prosecution, diversion
16 and testing fund deposit line item, up to \$50,000 and 0.5 FTE positions
17 may be used for costs associated with administering the fentanyl
18 prosecution, diversion and testing fund.

19 Of the amount appropriated in the operating lump sum, \$798,600 is
20 for a onetime increase from the state general fund in fiscal year
21 2023-2024 for onetime operating expenses. The \$798,600 is exempt from the
22 provisions of section 35-190, Arizona Revised Statutes, relating to
23 lapsing of appropriations.

24 Of the amount appropriated in the law enforcement retention
25 initiatives line item, \$1,000,000 shall be used to acquire coaching
26 resources with a special emphasis on improved retention and development of
27 law enforcement professionals at the department of public safety.
28 Resource providers must have coaches with backgrounds in law enforcement
29 who have been trained in coaching with the best practices for law
30 enforcement coaching from current or former federal bureau of
31 investigation national academy instructors and must provide coaching
32 services on an online platform that allows law enforcement professionals
33 to choose a coach that fits their desired area of improvement. The
34 provider must offer a wide array of subject areas and must have analytics
35 to measure impacts specific to improvement, including officer retention.

36 Of the amount appropriated in the law enforcement retention
37 initiatives line item, \$1,000,000 shall be used for a law enforcement
38 recruitment and retention grant program to provide matching grants to
39 county, city and town law enforcement agencies for the purposes of
40 acquiring coaching resources with a special emphasis on improved retention
41 and development of law enforcement professionals at the county, city and
42 town law enforcement agencies. Resource providers must have coaches with
43 backgrounds in law enforcement who have been trained in coaching with the
44 best practices for law enforcement coaching from current or former federal
45 bureau of investigation national academy instructors and must provide

1 coaching services on an online platform that allows law enforcement
2 professionals to choose a coach that fits their desired area of
3 improvement. The provider must offer a wide array of subject areas and
4 must have analytics to measure impacts specific to improvement, including
5 officer retention. The county law enforcement agencies in Maricopa and
6 Pima counties must provide a fifty percent match to receive a grant and
7 county law enforcement agencies in all other counties must provide a
8 twenty-five percent match to receive a grant. The city law enforcement
9 agencies in Phoenix and Tucson must provide a fifty percent match to
10 receive a grant and city and town law enforcement agencies in all other
11 cities and towns must provide a twenty-five percent match to receive a
12 grant. The department of public safety shall establish procedures for
13 applying for grants, and county, city and town law enforcement agencies
14 that receive grant monies must use the monies to obtain recruitment and
15 retention resources and services.

16 Of the amount appropriated to the department of public safety for
17 onetime K-9 support in fiscal year 2022-2023 pursuant to Laws 2022,
18 chapter 313, section 77, \$1,900,000 from the state general fund is exempt
19 from the provisions of section 35-190, Arizona Revised Statutes, relating
20 to lapsing of appropriations.

21 Of the amount appropriated in the operating lump sum, \$1,500,000 is
22 for a onetime increase from the state general fund in fiscal year
23 2023-2024 for rapid DNA testing and analysis.

24 Sec. 5. Transfer of monies; retroactivity

25 A. All monies remaining unexpended and unencumbered on the
26 effective date of this act from the appropriation made by Laws 2023,
27 chapter 133, section 24 related to the major incident regional law
28 enforcement task force are transferred to the state general fund.

29 B. All monies remaining unexpended and unencumbered on the
30 effective date of this act from the appropriation made by Laws 2023,
31 chapter 133, section 77 related to the major incident division are
32 transferred to the state general fund.

33 C. This section is retroactive to from and after January 7, 2024.

34 Sec. 6. Effective date

35 Section 41-1712, Arizona Revised Statutes, as amended by Laws 2022,
36 chapter 311, section 3 and this act, is effective from and after June 30,
37 2025.