

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1184

(Reference to Senate engrossed bill)

1 Page 1, line 6, strike the colon

2 Strike lines 7 through 10

3 Line 11, strike "2."

4 Strike lines 15 through 20, insert:

5 "Sec. 2. Section 28-369, Arizona Revised Statutes, is amended to
6 read:

7 28-369. Law enforcement powers; ports of entry; violation;
8 classification

9 A. The director and officers, agents and employees of the department
10 or local or state law enforcement agencies the director designates are
11 peace officers. The director may designate:

12 1. Regular peace officers with like authority of other peace
13 officers of this state or cities and towns of this state.

14 2. Specialty peace officers whose powers are limited to the
15 enforcement of motor vehicle laws and rules.

16 B. The director and designated officers, agents and employees may
17 exercise the powers prescribed in subsection A of this section ~~throughout~~
18 ~~this state~~ WITHIN FIVE MILES OF A PORT OF ENTRY THAT IS CONTROLLED BY THIS
19 STATE.

20 C. A regular peace officer designated pursuant to subsection A,
21 paragraph 1 of this section:

22 1. Shall meet the minimum qualifications established for peace
23 officers pursuant to section 41-1822.

1 2. Except as provided in title 38, chapter 5, article 4, is not
2 eligible to participate in the public safety personnel retirement system.

3 D. This section does not preempt the authority and jurisdiction of
4 established agencies and political subdivisions of this state.

5 E. A peace officer as defined in section 41-1701 or a peace officer
6 designated in subsection A of this section may require a vehicle that is
7 subject to the fee in section 28-5433 or the requirements of sections
8 28-2321, ~~through 28-2322, 28-2323~~ AND 28-2324 to stop at a port of entry in
9 this state for the purpose of enforcing a motor vehicle law prescribed in
10 this title. A person who fails to stop as required by this subsection is
11 guilty of a class 1 misdemeanor."

12 Renumber to conform

13 Page 2, strike lines 12 through 14, insert:

14 "D. IF THE DEPARTMENT DISPUTES THE AUDITOR GENERAL'S DETERMINATION
15 OF THE PERCENTAGE OF IMPLEMENTED RECOMMENDATIONS, THE DEPARTMENT HAS THE
16 BURDEN TO PRESENT CLEAR AND CONVINCING EVIDENCE TO THE COURT ESTABLISHING
17 THAT THE AUDITOR GENERAL'S DETERMINATION IS ERRONEOUS."

18 Line 29, strike "2 AND 3" insert "3 AND 4"

19 Amend title to conform

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