

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1299

(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Subject to the requirements of article IV, part 1,
3 section 1, Constitution of Arizona, section 36-2856, Arizona Revised
4 Statutes, is amended to read:

5 36-2856. Smart and safe Arizona fund; disposition of monies;
6 exemption

7 A. The smart and safe Arizona fund is established consisting of all
8 monies deposited pursuant to sections 36-2853, 36-2854, 36-2859, 42-5452
9 and 42-5453, private donations and interest earned on those monies. Monies
10 in the fund are continuously appropriated. Monies in the fund and its
11 accounts may not be transferred to any other fund except as provided in
12 this section, do not revert to the state general fund and are exempt from
13 the provisions of section 35-190 relating to the lapsing of appropriations.
14 The state treasurer shall administer the fund.

15 B. All monies in the smart and safe Arizona fund must first be
16 spent, and the state treasurer shall transfer monies from the fund, to pay:

17 1. The actual reasonable costs incurred by the department to
18 implement, carry out and enforce this chapter and rules adopted pursuant to
19 this chapter.

20 2. The actual reasonable costs incurred by the department of revenue
21 to impose and enforce the tax authorized and levied by section 42-5452.

22 3. The actual reasonable costs incurred by the supreme court and the
23 department of public safety to process petitions for expungement and

1 expungement orders pursuant to section 36-2862 and to otherwise implement
2 section 36-2862.

3 4. The actual reasonable costs incurred by the state treasurer to
4 administer the fund.

5 5. Any other mandatory expenditure of state revenues required by
6 this chapter to implement or enforce the provisions of this chapter.

7 C. The state treasurer may prescribe forms necessary to make
8 transfers from the smart and safe Arizona fund pursuant to subsection B of
9 this section.

10 D. BEGINNING IN FISCAL YEAR 2025-2026 THROUGH FISCAL YEAR 2029-2030,
11 ON OR BEFORE JUNE 30 AND DECEMBER 31 OF EACH YEAR, THE STATE TREASURER
12 SHALL TRANSFER \$2,500,000 FROM THE SMART AND SAFE ARIZONA FUND TO THE SAFE
13 COMMUNITY ENFORCEMENT FUND ESTABLISHED BY SECTION 36-2856.01.

14 ~~D.~~ E. On or before June 30 and December 31 of each year, the state
15 treasurer shall transfer all monies in the smart and safe Arizona fund in
16 excess of the amounts paid pursuant to ~~subsection~~ SUBSECTIONS B AND D of
17 this section as follows:

18 1. Thirty-three percent to community college districts and
19 provisional community college districts, but not to community college
20 tuition financing districts established pursuant to section 15-1409, for
21 the purposes of investing in and providing workforce development programs,
22 job training, career and technical education, and science, technology,
23 engineering and mathematics programs, as follows:

24 (a) Fifteen percent of the thirty-three percent divided equally
25 between each community college district.

26 (b) One-half of one percent of the thirty-three percent divided
27 equally between each provisional community college district, if one or more
28 provisional community college districts exist.

29 (c) The remainder to community college districts and provisional
30 community colleges districts in proportion to each district's full-time
31 equivalent student enrollment percentage of the total statewide audited

1 full-time equivalent student enrollment in the preceding fiscal year
2 prescribed in section 15-1466.01.

3 2. 31.4 percent to municipal police departments, municipal fire
4 departments, fire districts and joint powers authorities established
5 pursuant to title 48, chapter 5 and county sheriffs' departments in
6 proportion to the number of members as defined in section 38-842 for each
7 such agency in the public safety personnel retirement system established by
8 title 38, chapter 5, article 4 and the public safety personnel defined
9 contribution retirement plan established pursuant to title 38, chapter 5,
10 article 4.1, for personnel costs.

11 3. 25.4 percent to the Arizona highway user revenue fund established
12 by section 28-6533.

13 4. Ten percent to the justice reinvestment fund established by
14 section 36-2863.

15 5. 0.2 percent to the attorney general to use to enforce this
16 chapter or to grant to localities to enforce this chapter.

17 ~~E.~~ F. The monies transferred and received pursuant to this section:

18 1. Are in addition to any other appropriation, transfer or other
19 allocation of monies and may not supplant, replace or cause a reduction in
20 other funding sources.

21 2. Are not considered local revenues for the purposes of article IX,
22 sections 20 and 21, Constitution of Arizona.

23 Sec. 2. Subject to the requirements of article IV, part 1,
24 section 1, Constitution of Arizona, title 36, chapter 28.2, Arizona Revised
25 Statutes, is amended by adding section 36-2856.01, to read:

26 36-2856.01. Safe community enforcement fund; disposition of
27 monies; grants

28 A. THE SAFE COMMUNITY ENFORCEMENT FUND IS ESTABLISHED CONSISTING OF
29 MONIES DEPOSITED PURSUANT TO SECTION 36-2856, SUBSECTION D. MONIES IN THE
30 FUND ARE CONTINUOUSLY APPROPRIATED AND ARE EXEMPT FROM THE PROVISIONS OF
31 SECTION 35-190 RELATING TO THE LAPSING OF APPROPRIATIONS. THE DEPARTMENT
32 OF PUBLIC SAFETY SHALL ADMINISTER THE FUND.

1 B. THE DEPARTMENT OF PUBLIC SAFETY SHALL DISTRIBUTE MONIES DEPOSITED
2 IN THE SAFE COMMUNITY ENFORCEMENT FUND AS GRANTS TO CITIES, TOWNS, COUNTY
3 SHERIFFS, COUNTY PROSECUTORS AND THE ATTORNEY GENERAL FOR THE PURPOSE OF
4 ENFORCING THIS CHAPTER. THE DEPARTMENT OF PUBLIC SAFETY SHALL DISTRIBUTE
5 GRANTS FROM THE SAFE COMMUNITY ENFORCEMENT FUND ON OR BEFORE OCTOBER 31 AND
6 MARCH 30 OF EACH YEAR.

7 C. THE DEPARTMENT OF PUBLIC SAFETY MAY PRESCRIBE PROCEDURES AND
8 FORMS NECESSARY TO APPLY FOR THE GRANTS AUTHORIZED BY THIS SECTION.

9 D. THE SAFE COMMUNITY ENFORCEMENT FUND MONIES DISTRIBUTED PURSUANT
10 TO THIS SECTION MAY NOT SUPPLANT OR CAUSE A REDUCTION IN OTHER FUNDING
11 SOURCES FOR THE ENFORCEMENT OF THIS CHAPTER.

12 Sec. 3. Delayed repeal

13 Section 36-2856.01, Arizona Revised Statutes, as added by this act,
14 is repealed from and after December 31, 2030.

15 Sec. 4. Requirements for enactment; three-fourths vote

16 Pursuant to article IV, part 1, section 1, Constitution of Arizona,
17 section 36-2856, Arizona Revised Statutes, as amended by this act, section
18 36-2856.01, Arizona Revised Statutes, as added by this act, and section
19 36-2856.01, Arizona Revised Statutes, as repealed by this act, are
20 effective only on the affirmative vote of at least three-fourths of the
21 members of each house of the legislature."

22 Amend title to conform

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