

State of Arizona
House of Representatives
Fifty-second Legislature
First Regular Session
2015

HOUSE BILL 2517

AN ACT

AMENDING SECTION 5-568, ARIZONA REVISED STATUTES; AMENDING TITLE 13, CHAPTER 35.1, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-3562; AMENDING TITLE 41, CHAPTER 1, ARTICLE 5, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-199; AMENDING SECTION 41-1727, ARIZONA REVISED STATUTES; RELATING TO INTERNET CRIMES AGAINST CHILDREN.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Section 5-568, Arizona Revised Statutes, is amended to read:

5-568. Disposition of unclaimed prize money

Unclaimed prize money for the prize on a winning ticket or share shall be retained for the person entitled to the prize for one hundred eighty days after the drawing in which the prize was won in the case of a drawing prize and for one hundred eighty days after the announced end of the game in question in the case of a prize determined in any manner other than by means of a drawing. If a claim is not made for the money within the applicable period, **THE MONEY SHALL BE TRANSFERRED IN THE FOLLOWING AMOUNTS:**

1. Seventy ~~per-cent~~ PERCENT of the prize money shall be held in the state lottery prize fund for use as additional prizes in future games ~~and~~ EXCEPT THAT FOUR MILLION FIVE HUNDRED THOUSAND DOLLARS SHALL BE DEPOSITED IN THE INTERNET CRIMES AGAINST CHILDREN ENFORCEMENT FUND ESTABLISHED BY SECTION 41-199 AND FIVE HUNDRED THOUSAND DOLLARS SHALL BE DEPOSITED IN THE VICTIMS' RIGHTS ENFORCEMENT FUND ESTABLISHED BY SECTION 41-1727.

2. Thirty ~~per-cent~~ PERCENT shall be transferred monthly to the court appointed special advocate fund established by section 8-524.

Sec. 2. Title 13, chapter 35.1, Arizona Revised Statutes, is amended by adding section 13-3562, to read:

13-3562. Notice to communication service provider of website hosting alleged sexual exploitation of children

A. IF A LAW ENFORCEMENT AGENCY RECEIVES INFORMATION THAT A COMMUNICATION SERVICE PROVIDER IS HOSTING A WEBSITE THAT CONTAINS AN ALLEGED VIOLATION OF THIS CHAPTER, THE LAW ENFORCEMENT AGENCY SHALL NOTIFY THE COMMUNICATION SERVICE PROVIDER BY SERVING A NOTICE OF THE ALLEGED VIOLATION ON THE STATUTORY AGENT OF THE COMMUNICATION SERVICE PROVIDER.

B. THE NOTICE SHALL INCLUDE SPECIFIC INFORMATION ON THE LOCATION OF THE ALLEGED VIOLATION.

Sec. 3. Title 41, chapter 1, article 5, Arizona Revised Statutes, is amended by adding section 41-199, to read:

41-199. Internet crimes against children enforcement fund: use: reporting

A. THE INTERNET CRIMES AGAINST CHILDREN ENFORCEMENT FUND IS ESTABLISHED CONSISTING OF MONIES DEPOSITED PURSUANT TO SECTION 5-568 AND MONIES AVAILABLE FROM ANY OTHER SOURCE. THE ATTORNEY GENERAL SHALL ADMINISTER THE FUND.

B. SUBJECT TO LEGISLATIVE APPROPRIATION, THE ATTORNEY GENERAL SHALL USE MONIES IN THE FUND TO ENTER INTO ONE OR MORE INTERGOVERNMENTAL AGREEMENTS TO CONTINUE THE OPERATION OF THE FEDERALLY RECOGNIZED INTERNET CRIMES AGAINST CHILDREN TASK FORCE PROGRAM THAT COORDINATES A NATIONAL NETWORK OF COORDINATED TASK FORCES THAT ASSIST FEDERAL, STATE, LOCAL AND TRIBAL LAW ENFORCEMENT AGENCIES IN INVESTIGATIONS, FORENSIC EXAMINATIONS AND PROSECUTIONS RELATED TO TECHNOLOGY-FACILITATED SEXUAL EXPLOITATION OF CHILDREN AND INTERNET CRIMES AGAINST CHILDREN. WHEN ENTERING INTO AGREEMENTS PURSUANT TO THIS SUBSECTION, CONSIDERATION SHALL BE GIVEN TO ENTITIES THAT

1 HIRE AND EQUIP VETERANS WHO ARE WOUNDED, ILL OR INJURED AS DIGITAL FORENSIC
2 ANALYSTS OR INVESTIGATORS TO SUPPORT CHILD EXPLOITATION INVESTIGATIONS.

3 C. THE ATTORNEY GENERAL SHALL SUBMIT AN EXPENDITURE PLAN TO THE JOINT
4 LEGISLATIVE BUDGET COMMITTEE FOR REVIEW BEFORE SPENDING ANY MONIES NOT
5 IDENTIFIED IN THE ATTORNEY GENERAL'S PREVIOUS EXPENDITURE PLANS. WITHIN
6 THIRTY DAYS AFTER THE LAST DAY OF EACH CALENDAR QUARTER, THE ATTORNEY GENERAL
7 SHALL PROVIDE A SUMMARY OF QUARTERLY AND YEAR-TO-DATE EXPENDITURES AND
8 PROGRESS TO THE JOINT LEGISLATIVE BUDGET COMMITTEE, INCLUDING ANY PRIOR YEAR
9 APPROPRIATIONS THAT WERE NONLAPSING.

10 Sec. 4. Section 41-1727, Arizona Revised Statutes, is amended to read:
11 41-1727. Victims' rights enforcement fund; use; reporting

12 A. The victims' rights enforcement fund is established consisting of
13 monies collected pursuant to ~~section~~ SECTIONS 5-568 AND 12-116.09 and monies
14 available from any other source. The department shall administer the fund,
15 shall distribute the monies to qualifying organizations and entities and may
16 use up to five ~~per cent~~ PERCENT of the monies deposited in the fund for its
17 administrative costs. Monies in the fund are continuously appropriated.

18 B. On application, the department shall annually distribute monies
19 from the fund to nonprofit organizations and entities that can demonstrate a
20 five-year history of providing, without cost to the crime victim, each of the
21 following services to crime victims:

22 1. Legal representation to enforce the rights of crime victims as
23 counsel of record in criminal cases.

24 2. Social services to assist the crime victim during the course of the
25 legal representation.

26 C. An organization or entity that applies for monies pursuant to this
27 section may establish its qualifications through an attorney who otherwise
28 meets the requirements of subsection B of this section.

29 D. An organization that qualifies under the terms of subsection B of
30 this section shall be funded to provide the services included in subsection B
31 of this section without limitation on the types of crimes against victims,
32 including administrative support for the services. Each organization and
33 entity that receives funding pursuant to this section shall submit an annual
34 report to the department that details the organization's or entity's budget
35 for the program and all of the sources and amounts of public monies that are
36 spent on the program that provides the services to crime victims included in
37 subsection B of this section. The report shall include the following:

38 1. The expenditures of the public monies.

39 2. The level of crime victim satisfaction with the services.

40 E. This section does not require the reporting of the name or personal
41 identifying information of any crime victim or crime victim advocate, any
42 information protected under the attorney-client privilege or any information
43 the crime victim requests to remain private.

44 Sec. 5. Emergency

45 This act is an emergency measure that is necessary to preserve the
46 public peace, health or safety and is operative immediately as provided by
47 law.