



**ARIZONA STATE SENATE**  
*Fifty-Second Legislature, Second Regular Session*

**AMENDED**  
FACT SHEET FOR S.B. 1521

~~technical correction; traffic violations~~  
~~(PREV NOW Title: authorized payroll deductions; associations)~~  
~~(NOW Title: officers; employees; payroll deductions; appeals)~~

Purpose

Lowers the membership threshold for certain associations to be eligible to receive payroll deductions from state employees and requires retroactive compensation be awarded to a law enforcement officer whose termination has been reversed.

Background

Pursuant to A.R.S. § 38-612, state officers and employees may authorize deductions from their salaries or wages for the payment of dues in an association composed principally of current or former state agency employees if the association's membership:

- a) includes at least 1,000 state employees, other than employees of the state universities, the Department of Public Safety (DPS) and academic personnel of the Arizona state schools for the deaf and the blind;
- b) includes at least 25 percent of the academic personnel or of the nonacademic employees of any state university;
- c) includes at least 25 percent of the academic personnel of the Arizona state schools for the deaf and the blind; or
- d) includes at least 500 state employees who are certified as peace officers by the Arizona Peace Officer Standards and Training Board (AZPOST).

Pursuant to A.R.S. § 38-1106, a law enforcement officer who prevails in an appeal where a termination has been reversed *may* be awarded retroactive compensation from the date of the officer's separation to the date of reinstatement. The hearing officer, administrative law judge or appeals board hearing the appeal may determine the amount to be awarded but may reduce the amount in certain circumstances.

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Allows state officers and employees to authorize deductions from their salaries or wages for the payment of dues in an association, if the association's membership includes:
  - a) at least 400, instead of 500, state employees who are AZPOST certified peace officers; or

- b) a combined total of at least 800 state employees who are AZPOST certified peace officers or law enforcement officers or employees of the Arizona Department of Corrections (ADC).
- 2. Requires retroactive compensation, from the date of separation to the date of reinstatement, be awarded to a law enforcement officer who prevails in an appeal where a termination has been reversed.
- 3. Allows the amount of retroactive compensation awarded to an officer as described above be reduced if the hearing officer, judge or appeals board finds that the affected officer's actions or misconduct warrants suspension or demotion.
- 4. Makes technical and conforming changes.
- 5. Becomes effective on the general effective date.

Amendments Adopted in Committee

- Adopted the strike-everything amendment relating to authorized payroll deductions; associations.

Amendments Adopted by the House of Representatives

- 1. Modifies the thresholds for an association to be eligible to receive payroll deductions as follows:
  - a) reinstates the original threshold, reduced to 350 in the strike-everything amendment, of 1,000 state employees, other than employees of state universities, DPS and academic personnel of the Arizona state schools for the deaf and blind;
  - b) increases the threshold, reduced to 350 in the strike-everything amendment, to 400 state-employed AZPOST certified peace officers; and
  - c) allows the combined total of at least 800 state employees that are certified peace officers to include ADC employees and state-employed law enforcement officers.
- 2. Requires retroactive compensation, from the date of separation to the date of reinstatement, be awarded to a law enforcement officer who prevails in an appeal where a termination has been reversed.
- 3. Allows the amount of retroactive compensation awarded to an officer as described above be reduced if the hearing officer, judge or appeals board finds that the affected officer's actions or misconduct warrants suspension or demotion.

Senate Action

PSMT            2/17/16    DPA/SE    5-0-1  
3<sup>rd</sup> Read        2/29/16                    30-0-0

House Action

MAPS            3/10/16    DP    6-0-0-2  
3<sup>rd</sup> Read        5/06/16                    55-1-4-0