

Public Safety, Military & Technology Committee

Senator Steve Smith, Chairman



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PUBLIC SAFETY, MILITARY & TECHNOLOGY COMMITTEE

LEGISLATION ENACTED

aid; execution of process; injury (S.B. 1018) – Chapter 139

SEE THE JUDICIARY COMMITTEE.

tax anticipation bonds; technical correction (NOW: silver alert; Alzheimer’s disease) (S.B. 1196) – Chapter 146

Expands the conditions necessary to issue a Silver Alert to include missing persons with Alzheimer’s disease or dementia.

resource center fund; purposes (S.B. 1210) – Chapter 24

Allows the Arizona Criminal Justice Commission (ACJC) to spend monies in the Resource Center Fund (Fund) on the Arizona Statistical Analysis Center, an agency of ACJC. The Fund was previously restricted to use for the Arizona Youth Survey.

national guard; peace officers; appointment (S.B. 1212) – Chapter 147

Expands eligibility for National Guard members to be appointed to peace officer status by the Adjutant General by allowing members who have served as law enforcement officers in any branch of the U.S. Armed Forces or as Special Agents of a criminal investigative unit within the U.S. Department of Defense to be eligible. Previously only National Guard members who were Military Policemen or Air Force Security Policemen were eligible.

adjutant general; national guard rules (S.B. 1213) – Chapter 308

Clarifies the Adjutant General’s authority to adopt regulations for the organization, governance, armament, equipping, instruction and compensation of the Arizona National Guard and stipulates that such regulations become effective upon the Governor’s approval.

department of homeland security; continuation (S.B. 1226) – Chapter 149

Retroactive to July 1, 2016, the Arizona Department of Homeland Security is continued until July 1, 2024.

private postsecondary institutions; police officers (NOW: peace officers; appointment; training) (S.B. 1240) – Chapter 310

Allows private postsecondary institutions with full-time dormitories to appoint peace officers. Requires appointees to meet the minimum qualifications established by the Arizona Peace Officer Standards and Training Board (AZPOST). Grants private postsecondary institution officers all the powers of a peace officer in this state while on the institution’s property and

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engaged in official duties but requires that appropriate law enforcement agencies be notified whenever a felony arrest or investigation is conducted within their jurisdictions. Makes the appointing institution liable for the actions of its officers and exempts the state and all political subdivisions from any liability. Makes any documentation made or received by a private postsecondary institution police department a public record. Also requires the names of peace officers appointed by railroad companies, public airports and private postsecondary institutions be registered with AZPOST.

photo radar prohibition; state highways (S.B. 1241) – Chapter 55

SEE THE TRANSPORTATION COMMITTEE.

corrections department; revolving fund uses (S.B. 1246) – Chapter 153

Appropriates \$596,000 from the Transition Program Fund to the Arizona Department of Corrections (ADC) in FY 2017 for expansion of the Transition Program. Also allows monies in the ADC Separate Revolving Fund to be used for prisoner reentry and mental health assistance programs and specifies who may administer drug treatment programs for prisoners.

prisoners; community reentry; work program (S.B. 1247) – Chapter 311

Establishes the Community Reentry Work Program for prisoners who meet certain criteria, find employment and are within 90 days of their earliest release date including temporary release (90 days before final release) and the Prisoner Transition Program (an additional 90 days before temporary release). An inmate may be eligible for all three forms of early release, potentially allowing for an early release of up to nine months.

firearms; state preemption; penalties (S.B. 1266) – Chapter 132

Allows public officials to be terminated from employment and political subdivisions to be assessed a civil penalty of up to \$50,000 if a court determines that the official or subdivision knowingly and willfully enacted an ordinance, regulation, tax, measure, directive, rule, order or policy that violates state firearm preemption laws. Also allows a petitioner to file a civil action for declaratory and injunctive relief and up to \$100,000 in actual damages against a political subdivision that has violated state firearm preemption laws and requires the court to award reasonable attorney's fees and costs to any plaintiff that prevails in such a case.

military service; postsecondary academic credit (S.B. 1267) – Chapter 313

SEE THE EDUCATION COMMITTEE.

juvenile charged as adult; detention (S.B. 1308) – Chapter 314

Beginning January 1, 2017, allows a juvenile charged or on trial as an adult for a non-dangerous offense to be detained in a juvenile detention center if ordered by the court. Requires the court to consider specific factors when determining where to detain the juvenile, including existing programs and facilities at the county jail and the severity of the charge or crime.

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technical correction; traffic violations (NOW: officers; employees; payroll deductions; appeals) (S.B. 1521) – Chapter 318

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

liquor premises; firearms; retired officers (H.B. 2030) – Chapter 285

Allows a retired peace or law enforcement officer to carry a firearm on the premises of an on-sale liquor retailer. Also allows bankruptcy trustees to be granted a temporary liquor permit of any series to sell liquor, acquired from a debtor, at a public auction.

post-9/11 veteran education relief fund (H.B. 2033) – Chapter 319

Establishes the Post-9/11 Veteran Education Relief Fund consisting of donations, grants, investment earnings and other available monies. Establishes eligibility criteria for veterans to receive tuition assistance and an advisory committee to evaluate applications and make recommendations.

public safety employees; omnibus (H.B. 2074) – Chapter 178

Expands eligibility for the *Public Safety Cancer Insurance Policy Program* to include any employee that: 1) participates in the Public Safety Personnel Retirement System or Corrections Officer Retirement Plan; and 2) works full-time for an employer that participates in the cancer insurance program. Allows the Department of Public Safety to participate in the cancer insurance program. Also grants qualified immunity to public entities and their employees for any liability resulting from an injury caused by a peace officer providing emergency care at the scene of an emergency, unless the officer intended to cause injury or was grossly negligent.

VLT exemption; military members; spouses (H.B. 2153) – Chapter 213

SEE THE TRANSPORTATION COMMITTEE.

failure to appear; arrest; fingerprinting (S.B. 2154) – Chapter 95

Beginning January 1, 2017, specifies the procedures and which agencies are responsible for fingerprinting persons arrested for driving under the influence, domestic violence, a sexual offense or any felony. Also consolidates existing statutes related to failing to appear in court.

peace officer memorial board; members (H.B. 2165) – Chapter 64

Allows certain members of the Peace Officer Memorial Board to appoint designees.

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inmate body scans; contraband (H.B. 2183) – Chapter 39

Allows the Arizona Department of Corrections and county jails to perform low-dose ionizing radiation body scans on inmates suspected of possessing or attempting to bring contraband inside a correctional facility.

county merit system; terms; hearing (H.B. 2247) – Chapter 41

SEE THE GOVERNMENT COMMITTEE.

constables; duties; training; discipline (H.B. 2288) – Chapter 252

Modifies the membership of the Constable Ethics Standards and Training Board (Board) as well as the process and manner in which the Board may discipline a constable. Establishes the offices of Presiding Constable and Associate Presiding Constable in counties with four or more constables.

educational institutions; firearms; rights-of-way (H.B. 2338) – Chapter 131

SEE THE GOVERNMENT COMMITTEE

~~occupational disease; post-traumatic stress disorder~~ (NOW: traumatic events counseling) (H.B. 2350) – Chapter 240

Requires the state and all political subdivisions that employ public safety personnel to establish a program that provides up to 12 visits of counseling, paid for by the employer, to public safety employees that experience certain traumatic events. Exempts employers that have an existing program that meets specific criteria.

release of prisoners; detainees; repeal (H.B. 2451) – Chapter 89

Repeals the statutory authority of the Director of the Arizona Department of Corrections to release prisoners to the custody and control of U.S. Immigration and Customs Enforcement if the prisoner has an order of deportation, meets certain eligibility criteria and has served at least 50 percent of the person's sentence.

~~restricted vehicle use; DUI; repeal~~ (NOW: restricted vehicle use; DUI; exemption) (H.B. 2514) – Chapter 73

Exempts anyone licensed by the state Real Estate Department, except those employed by specific state agencies, from the statutory prohibition on fingerprint clearance card applicants who are awaiting trial for or have been convicted of driving under the influence within five years transporting clients or other employees as part of their employment.

prisoner education services budget; uses (H.B. 2515) – Chapter 262

Allows funds from the Arizona Department of Corrections dedicated prisoner education services budget to be used for programs for prisoners housed in a special management unit. Prohibits these funds from being used on programs for prisoners sentenced to life imprisonment or classified as maximum custody, unless the program is for prisoners under 18 years of age or who have a disability and are under 22 years of age.

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peace officer employment; study committee (H.B. 2677) – Chapter 324

Establishes the Peace Officer Employment Study Committee consisting of 16 appointed members, including four legislative members, eight members representing the law enforcement community and eight public members, to research staffing levels, recruitment and retention policies and the impact these have on attrition rates and public safety.