

REFERENCE TITLE: major event public safety reimbursement

State of Arizona
House of Representatives
Fifty-first Legislature
Second Regular Session
2014

HB 2547

Introduced by
Representatives Gowan, Contreras, Larkin, Livingston, Orr, Stevens,
Townsend, Senator Driggs; Representatives Alston, Borrelli, Boyer,
Coleman, Dial, Escamilla, Fann, Forese, Gray, Hale, Lovas, Mesnard,
Miranda, Mitchell, Montenegro, Pierce J, Pratt, Saldate, Seel, Shope,
Thorpe, Senators Ableser, Farnsworth D, McComish, Melvin, Murphy, Pierce,
Reagan, Worsley

AN ACT

AMENDING TITLE 41, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-710.02; RELATING TO THE MAJOR EVENT PUBLIC SAFETY REIMBURSEMENT FUND.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 41, chapter 4, article 1, Arizona Revised Statutes,
3 is amended by adding section 41-710.02, to read:

4 41-710.02. Major event public safety reimbursement fund:
5 purpose; exemption; source and disposition of
6 monies; definitions

7 A. THE MAJOR EVENT PUBLIC SAFETY REIMBURSEMENT FUND IS ESTABLISHED
8 CONSISTING OF MONIES THAT ARE DEPOSITED PURSUANT TO THIS SECTION. THE
9 DEPARTMENT OF ADMINISTRATION SHALL ADMINISTER THE FUND. MONIES FROM THE FUND
10 ARE CONTINUOUSLY APPROPRIATED. THE PURPOSE OF THE FUND IS TO REIMBURSE THE
11 HOST COMMUNITY FOR THE EXTRA EXPENSE OF PROVIDING PUBLIC SAFETY PERSONNEL AND
12 PUBLIC SAFETY EQUIPMENT THAT IS DIRECTLY ATTRIBUTABLE TO A MAJOR EVENT THAT
13 IS HELD IN THIS STATE. MONIES IN THE FUND ARE EXEMPT FROM THE PROVISIONS OF
14 SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS, EXCEPT THAT ALL MONIES
15 ATTRIBUTABLE TO A MAJOR EVENT THAT REMAIN IN THE FUND ONE HUNDRED FIFTY DAYS
16 AFTER THE CONCLUSION OF THE MAJOR EVENT REVERT TO THE STATE GENERAL FUND.

17 B. IF A SITE SELECTION ORGANIZATION SELECTS FOR A MAJOR EVENT A SITE
18 IN THIS STATE, THE HOST COMMUNITY SHALL NOTIFY THE JOINT LEGISLATIVE BUDGET
19 COMMITTEE AND THE DEPARTMENT OF THE YEAR IN WHICH THE EVENT WILL BE HELD NO
20 LATER THAN THIRTY DAYS AFTER THE SELECTION IS MADE AND SHALL PREPARE A MAJOR
21 EVENT PUBLIC SAFETY REPORT THAT, CONSIDERING ALL RELEVANT AND CREDIBLE
22 INFORMATION AVAILABLE, DEMONSTRATES THE ESTIMATED COST TO THE HOST COMMUNITY
23 OF PROVIDING PUBLIC SAFETY PERSONNEL OR PUBLIC SAFETY EQUIPMENT FOR THE MAJOR
24 EVENT. THE HOST COMMUNITY SHALL TRANSMIT THE REPORT TO THE JOINT LEGISLATIVE
25 BUDGET COMMITTEE AND THE DEPARTMENT NO LATER THAN NINETY DAYS BEFORE THE DATE
26 OF THE MAJOR EVENT. THE DEPARTMENT, WITHIN THIRTY DAYS, SHALL REVIEW THE
27 REPORT AND VERIFY THAT ALL COSTS REFLECTED THEREIN ARE ELIGIBLE FOR
28 REIMBURSEMENT UNDER THIS SECTION AND SHALL COMMUNICATE ANY OBJECTIONS TO THE
29 HOST COMMUNITY FOR CORRECTION. MONIES IN THE MAJOR EVENT PUBLIC SAFETY
30 REIMBURSEMENT FUND MUST BE SPENT FOR PURPOSES THAT MEET THE APPLICABLE LEGAL
31 REQUIREMENTS IMPOSED ON THEIR USE ON THE REVIEW OF THE JOINT LEGISLATIVE
32 BUDGET COMMITTEE.

33 C. AFTER THE HOSTING OF A MAJOR EVENT, BUT NOT LATER THAN ONE HUNDRED
34 TWENTY DAYS AFTER THE LAST DAY OF THE MAJOR EVENT, THE STATE TREASURER SHALL
35 DEPOSIT AN AMOUNT EQUAL TO THE ESTIMATED COST IN THE MAJOR EVENT PUBLIC
36 SAFETY REPORT THAT THE DEPARTMENT APPROVED, BUT NOT MORE THAN FOUR MILLION
37 DOLLARS, FROM THE STATE GENERAL FUND TO THE MAJOR EVENT PUBLIC SAFETY
38 REIMBURSEMENT FUND. THE DEPARTMENT SHALL SEPARATELY ACCOUNT FOR THE MONIES
39 FOR EACH MAJOR EVENT.

40 D. TO MEET ITS OBLIGATIONS TO PROVIDE PUBLIC SAFETY PERSONNEL AND
41 PUBLIC SAFETY EQUIPMENT FOR A MAJOR EVENT, NO LATER THAN ONE HUNDRED TWENTY
42 DAYS AFTER A MAJOR EVENT, THE HOST COMMUNITY MAY SUBMIT TO THE DEPARTMENT A
43 REQUEST FOR REIMBURSEMENT FROM THE MAJOR EVENT PUBLIC SAFETY REIMBURSEMENT
44 FUND. THE HOST COMMUNITY SHALL ALSO PROVIDE A COPY OF THE REQUEST TO THE
45 JOINT LEGISLATIVE BUDGET COMMITTEE. THE HOST COMMUNITY SHALL INCLUDE IN ITS
46 REQUEST A SUMMARY OF THE ACTUAL EXPENSES IT INCURRED IN HOSTING THE EVENT.

1 E. A HOST COMMUNITY SHALL PROVIDE INFORMATION REQUIRED BY THIS SECTION
2 TO THE DEPARTMENT TO FULFILL ITS DUTIES UNDER THIS SECTION. THIS INFORMATION
3 INCLUDES CERTIFIED STATEMENTS OF ANY FINANCIAL RECORDS THAT THE DEPARTMENT
4 REQUIRES AND THAT ARE RELATED TO THE COST OF PROVIDING PUBLIC SAFETY
5 PERSONNEL OR PUBLIC SAFETY EQUIPMENT FOR A MAJOR EVENT.

6 F. ON RECEIPT OF A REIMBURSEMENT APPLICATION FROM A HOST COMMUNITY,
7 THE DEPARTMENT SHALL REMIT WITHIN THIRTY DAYS AFTER RECEIPT OF THE
8 APPLICATION TO THE HOST COMMUNITY MONIES FROM THE MAJOR EVENT PUBLIC SAFETY
9 REIMBURSEMENT FUND TO COVER THE COSTS OF PROVIDING PUBLIC SAFETY PERSONNEL OR
10 PUBLIC SAFETY EQUIPMENT.

11 G. A HOST COMMUNITY THAT RECEIVES MONIES FROM THE MAJOR EVENT PUBLIC
12 SAFETY REIMBURSEMENT FUND SHALL SUBMIT, AS PART OF ITS REQUIRED FINANCIAL
13 AUDIT PURSUANT TO SECTION 9-481, A DETERMINATION THAT MAJOR EVENT PUBLIC
14 SAFETY REIMBURSEMENT FUND MONIES WERE USED SOLELY FOR THE PURPOSES THAT ARE
15 AUTHORIZED BY THIS SECTION.

16 H. IF REQUESTED BY THE JOINT LEGISLATIVE AUDIT COMMITTEE, THE AUDITOR
17 GENERAL SHALL CONDUCT AN INVESTIGATION OF A HOST COMMUNITY THAT RECEIVES
18 MAJOR EVENT PUBLIC SAFETY REIMBURSEMENT FUND MONIES TO DETERMINE IF THE
19 MONIES ARE BEING SPENT PURSUANT TO THE REQUIREMENTS OF THIS SECTION. IF, ON
20 REVIEW BY THE AUDITOR GENERAL, THE AUDITOR GENERAL DETERMINES THAT A HOST
21 COMMUNITY HAS NOT USED MONIES AS REQUIRED BY THIS SECTION, THE HOST COMMUNITY
22 SHALL REIMBURSE THE STATE GENERAL FUND IN AN AMOUNT EQUAL TO THE AMOUNT OF
23 MONIES DIVERTED FROM THE USES PRESCRIBED BY THIS SECTION, AND THE HOST
24 COMMUNITY IS NOT ELIGIBLE FOR REIMBURSEMENT FROM THE MAJOR EVENT PUBLIC
25 SAFETY REIMBURSEMENT FUND FOR A PERIOD OF THREE YEARS.

26 I. FOR THE PURPOSES OF THIS SECTION:

27 1. "HOST COMMUNITY" MEANS A CITY OR TOWN IN WHOSE JURISDICTION THE
28 PHYSICAL FACILITIES USED FOR THE MAJOR EVENT ARE LOCATED AND THAT PROVIDES
29 PUBLIC SAFETY PERSONNEL OR PUBLIC SAFETY EQUIPMENT FOR A MAJOR EVENT.

30 2. "MAJOR EVENT" MEANS A NATIONALLY OR INTERNATIONALLY RECOGNIZED
31 EVENT WITH EVENT ATTENDANCE OF AT LEAST FOURTEEN THOUSAND PERSONS THAT IS
32 BROADCAST OVER THE AIRWAVES ON LIVE TELEVISION, AND OTHER ACTIVITIES DIRECTLY
33 RELATED TO THE EVENT, THE HOSTING OF WHICH IS AWARDED THROUGH A FORMALIZED
34 COMPETITIVE PROCESS BY A SITE SELECTION ORGANIZATION THAT ACTS ON BEHALF OF
35 THE EVENT, EXCEPT FOR EVENTS BROADCAST ONLY ON PUBLIC TELEVISION.

36 3. "PUBLIC SAFETY EQUIPMENT" MEANS OPERATIONAL COSTS, NONDURABLE
37 DISPOSABLE EQUIPMENT AND SUPPLIES, EQUIPMENT AND MATERIALS THAT A HOST
38 COMMUNITY TEMPORARILY USES DURING A MAJOR EVENT. PUBLIC SAFETY EQUIPMENT
39 DOES NOT INCLUDE THE PURCHASE OF CAPITAL ITEMS.

40 4. "PUBLIC SAFETY PERSONNEL" MEANS PEACE OFFICERS, FIREFIGHTERS,
41 EMERGENCY MEDICAL SERVICES PERSONNEL, FIRE INSPECTION AND EMERGENCY
42 MANAGEMENT PERSONNEL OR TRAFFIC SAFETY PERSONNEL WHO A HOST COMMUNITY EMPLOYS
43 OR CONTRACTS WITH DURING A MAJOR EVENT.

44 5. "SITE SELECTION ORGANIZATION" MEANS A NATIONALLY OR INTERNATIONALLY
45 RECOGNIZED ORGANIZATION THAT IS RESPONSIBLE FOR DETERMINING THE LOCATION OF A
46 MAJOR EVENT THAT IS RELATED TO THE ORGANIZATION'S ACTIVITIES.