

REFERENCE TITLE: criminal justice; budget reconciliation; 2019-2020.

State of Arizona  
House of Representatives  
Fifty-fourth Legislature  
First Regular Session  
2019

## **HB 2752**

Introduced by  
Representatives Bowers: Cobb

### **AN ACT**

AMENDING SECTIONS 13-2314.01, 21-202 AND 28-2007, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 12, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-1744; AMENDING SECTIONS 41-1752, 41-2832 AND 44-1531.02, ARIZONA REVISED STATUTES; AMENDING LAWS 2018, CHAPTER 278, SECTION 14; APPROPRIATING MONIES; RELATING TO CRIMINAL JUSTICE BUDGET RECONCILIATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Section 13-2314.01, Arizona Revised Statutes, is amended to read:

13-2314.01. Anti-racketeering revolving fund: use of monies: reports; audit

A. The anti-racketeering revolving fund is established. The attorney general shall administer the fund under the conditions and for the purposes provided by this section. Monies in the fund are exempt from the lapsing provisions of section 35-190.

B. Any prosecution and investigation costs, including attorney fees, ~~THAT ARE~~ recovered for the state by the attorney general as a result of enforcement of civil and criminal statutes pertaining to any offense included in the definition of racketeering in section 13-2301, subsection D, paragraph 4 or section 13-2312, whether by final judgment, settlement or otherwise, shall be deposited in the fund established by this section.

C. Any monies received by any department or agency of this state or any political subdivision of this state from any department or agency of the United States or another state as a result of participation in any investigation or prosecution, whether by final judgment, settlement or otherwise, shall be deposited in the fund established by this section or, if the recipient is a political subdivision of this state, may be deposited in the fund established pursuant to section 13-2314.03.

D. Any monies obtained as a result of a forfeiture by any department or agency of this state under this title or under federal law shall be deposited in the fund established by this section. Any monies or other property obtained as a result of a forfeiture by any political subdivision of this state or the federal government may be deposited in the fund established by this section. Monies deposited in the fund pursuant to this section or section 13-4315 shall accrue interest and shall be held for the benefit of the agency or agencies responsible for the seizure or forfeiture to the extent of their contribution.

E. Except as provided in subsections ~~G and~~ H AND I of this section, the monies and interest shall be distributed within thirty days ~~of~~ AFTER application to the agency or agencies responsible for the seizure or forfeiture. The agency or agencies applying for monies must submit an application in writing to the attorney general that includes a description of what the requested monies will be used for. The attorney general may deny an application that requests monies for a purpose that is not authorized by this section, section 13-4315 or federal law. Monies in the fund used by the attorney general for capital projects in excess of ~~one million dollars~~ \$1,000,000 are subject to review by the joint committee on capital review.

F. Monies in the fund may be used for the following:

1. ~~The~~ Funding ~~of~~ gang prevention programs, substance abuse prevention programs, substance abuse education programs, programs that

1 provide assistance to victims of a criminal offense that is listed in  
 2 section 13-2301 and witness protection pursuant to section 41-196 or for  
 3 any purpose permitted by federal law relating to ~~the disposition~~ DISPOSING  
 4 of any property that is transferred to a law enforcement agency.

5 2. ~~The investigation~~ INVESTIGATING and ~~prosecution of~~ PROSECUTING  
 6 any offense included in the definition of racketeering in section 13-2301,  
 7 subsection D, paragraph 4 or section 13-2312, including civil enforcement.

8 3. ~~The payment of~~ PAYING the relocation expenses of any law  
 9 enforcement officer and the officer's immediate family if the law  
 10 enforcement officer is the victim of a bona fide threat that occurred  
 11 because of the law enforcement officer's duties.

12 4. PAYING the costs of the reports, audits and application  
 13 approvals that are required by this section.

14 G. NOTWITHSTANDING SUBSECTION F OF THIS SECTION, BEGINNING FROM AND  
 15 AFTER THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION, THE ATTORNEY  
 16 GENERAL MAY NOT USE MONIES FROM THE FUND TO PAY SALARIES FOR ADDITIONAL  
 17 FULL-TIME EQUIVALENT POSITIONS IN THE ATTORNEY GENERAL'S OFFICE AND OTHER  
 18 RELATED PROGRAMMATIC COSTS THAT ARE EXPECTED, ONGOING YEARLY COSTS.

19 ~~H.~~ H. On or before January 28, April 28, July 28 and October 28 of  
 20 each year, each department or agency of this state receiving monies  
 21 pursuant to this section or section 13-2314.03 or 13-4315 or from any  
 22 department or agency of the United States or another state as a result of  
 23 participation in any investigation or prosecution shall file with the  
 24 attorney general, the board of supervisors if the sheriff received the  
 25 monies and the city or town council if the city's or town's department  
 26 received the monies a report for the previous calendar quarter. The  
 27 report shall be in an electronic form that is prescribed by the Arizona  
 28 criminal justice commission and approved by the director of the joint  
 29 legislative budget committee. The report shall set forth the sources of  
 30 all monies and all expenditures as required by subsection ~~K~~ L of this  
 31 section. The report shall not include any identifying information about  
 32 specific investigations. If a department or agency of this state fails to  
 33 file a report within forty-five days after the report is due and there is  
 34 no good cause as determined by the Arizona criminal justice commission,  
 35 the attorney general shall make no expenditures from the fund for the  
 36 benefit of the department or agency until the report is filed. The  
 37 attorney general is responsible for collecting all reports from  
 38 departments and agencies of this state and transmitting the reports to the  
 39 Arizona criminal justice commission at the time that the report required  
 40 pursuant to subsection ~~H~~ I of this section is submitted.

41 ~~H.~~ I. On or before February 21, May 21, August 21 and November 21  
 42 of each year, the attorney general shall file with the Arizona criminal  
 43 justice commission a report for the previous calendar quarter. The report  
 44 shall be in an electronic form that is prescribed by the Arizona criminal  
 45 justice commission and approved by the director of the joint legislative

1 budget committee. The report shall set forth the sources of all monies  
 2 and all expenditures as required by subsections ~~J~~ and K AND L of this  
 3 section. The report shall not include any identifying information about  
 4 specific investigations. If the attorney general fails to file a report  
 5 within sixty days after the report is due and there is no good cause as  
 6 determined by the Arizona criminal justice commission, the attorney  
 7 general shall make no expenditures from the fund for the benefit of the  
 8 attorney general until the report is filed. If a political subdivision of  
 9 this state fails to file a report with the county attorney pursuant to  
 10 section 13-2314.03 within forty-five days after the report is due and  
 11 there is no good cause as determined by the Arizona criminal justice  
 12 commission, the attorney general shall make no expenditures from the fund  
 13 for the benefit of the political subdivision until the report is filed.

14 ~~J~~. J. On or before the last day of February, May, August and  
 15 November of each year, the Arizona criminal justice commission shall  
 16 compile the attorney general report and the reports of all departments and  
 17 agencies of this state into a single comprehensive report for the previous  
 18 calendar quarter and shall submit an electronic copy of the report to the  
 19 governor, the director of the department of administration, the president  
 20 of the senate, the speaker of the house of representatives, the director  
 21 of the joint legislative budget committee and the secretary of state.

22 ~~J~~. K. The report that is required by subsection ~~H~~ I of this  
 23 section must include all of the following information if monies were  
 24 obtained as a result of a forfeiture:

- 25 1. The name of the law enforcement agency that seized the property.
- 26 2. The date of the seizure for forfeiture.
- 27 3. The type of property seized and a description of the property  
 28 seized, including, if applicable, the make, the model and the serial  
 29 number of the property.
- 30 4. The location of the original seizure by law enforcement.
- 31 5. The estimated value of the property seized for forfeiture, not  
 32 excluding encumbrances.
- 33 6. The criminal statute that allowed the seizure for forfeiture.
- 34 7. The criminal statute charged in any criminal case that is  
 35 related to the forfeiture case, if known at the time of the report.
- 36 8. The court case number of any criminal case that is related to  
 37 the forfeiture case, if known at the time of the report.
- 38 9. The outcome of any criminal case that is related to the  
 39 forfeiture case, if known at the time of the report.
- 40 10. If the property was seized by a state agency and submitted for  
 41 state forfeiture proceedings but was transferred to federal authorities  
 42 for forfeiture proceedings, the reason for the federal transfer.
- 43 11. The forfeiture case number.

1           12. The method of forfeiture proceeding, including whether it was  
2 criminal or civil, and if civil, whether the civil forfeiture was judicial  
3 or uncontested pursuant to section 13-4309.

4           13. The venue of the forfeiture action.

5           14. Whether a person or entity filed a claim or counterclaim or  
6 submitted a petition asserting an interest in the property as an owner,  
7 interest holder or injured person.

8           15. Whether the owner, interest holder or injured person was  
9 assisted by an attorney in the forfeiture case.

10          16. The date of the forfeiture decision.

11          17. Whether there was a forfeiture settlement agreement.

12          18. Whether the property was awarded or partially awarded to the  
13 owner, partial owner or injured person or if the property was forfeited to  
14 the state.

15          19. Whether the property was sold, destroyed or retained by law  
16 enforcement.

17          20. The earliest date that the property was disposed of or sent for  
18 disposition.

19          21. The net amount of monies received from the forfeiture.

20          22. The estimated administrative and storage costs and any other  
21 costs, including any costs of litigation.

22          23. The amount of attorney fees, costs, expenses and damages  
23 awarded and to whom the fees, costs, expenses or damages were awarded.

24          ~~K~~. L. The reports that are required by subsections ~~G and H~~ AND I  
25 of this section must include the following information with regard to all  
26 expenditures made from the fund for:

27           1. Crime, gang and substance abuse prevention programs.

28           2. Any injured person as defined in section 13-4301.

29           3. Witness protection.

30           4. Investigation costs, including informant fees and buy money.

31           5. Regular-time salaries, overtime pay and employee benefits of  
32 prosecutors.

33           6. Regular-time salaries, overtime pay and employee benefits of  
34 sworn law enforcement agency personnel other than prosecutors.

35           7. Regular-time salaries, overtime pay and employee benefits of  
36 unsworn law enforcement agency personnel other than prosecutors.

37           8. Professional or outside services, including services related to  
38 auditing, outside attorney fees, court reporting, expert witnesses and  
39 other court costs.

40           9. Travel and meals.

41           10. Training.

42           11. Conferences.

43           12. Vehicles purchased or leased.

44           13. Vehicle maintenance.

1           14. Canines, firearms and related equipment, including tactical  
2 gear.

3           15. Other capital expenditures, including furniture, computers and  
4 office equipment.

5           16. External publications and communications.

6           17. Other operating expenses, including office supplies, postage  
7 and printing. Expenses listed under this paragraph must be separately  
8 categorized.

9           ~~L.~~ M. Beginning in 2018 and every other year thereafter, the  
10 auditor general shall conduct a performance audit, as defined in section  
11 41-1278, and a financial audit of the attorney general's use of monies in  
12 the fund. The audits must include all expenditures that were made by the  
13 attorney general's office from the fund for the previous two years. The  
14 auditor general shall submit copies of the performance and financial  
15 audits to the president of the senate, the speaker of the house of  
16 representatives and the chairpersons of the senate judiciary committee and  
17 the house of representatives judiciary and public safety committee, or  
18 their successor committees. The attorney general shall pay any fees and  
19 costs of the audits under this section from the fund.

20           Sec. 2. Section 21-202, Arizona Revised Statutes, is amended to  
21 read:

22           21-202. Persons entitled to be excused from jury service

23           A. It is the policy of this state that all qualified citizens have  
24 an obligation to serve on juries when summoned by the courts of this  
25 state, unless excused.

26           B. On timely application to the court, the following persons shall  
27 be excused temporarily from service as a juror if the judge or jury  
28 commissioner finds that any of the following applies:

29           1. The prospective juror has a mental or physical condition that  
30 causes the juror to be incapable of performing jury service. The juror or  
31 the juror's personal representative shall provide to the court or jury  
32 commissioner a medical statement from a physician who is licensed pursuant  
33 to title 32, a physician assistant who is licensed pursuant to title 32,  
34 chapter 25 or a registered nurse practitioner who is licensed pursuant to  
35 title 32, chapter 15 that explains an existing mental or physical  
36 condition that renders the person unfit for jury service. If a  
37 prospective juror does not have a physician, a physician assistant or a  
38 registered nurse practitioner, the prospective juror or the juror's  
39 personal representative shall provide a sworn statement from a  
40 professional caregiver for the prospective juror that is deemed acceptable  
41 by the court or jury commissioner and that explains the mental or physical  
42 condition that renders the prospective juror incapable of performing jury  
43 service. For the purposes of this paragraph:

(a) The statement shall be in writing and shall contain a description and duration of any mobility restrictions, the specific symptoms that make the prospective juror mentally or physically unfit for jury service and their duration, the employment status of the prospective juror and the printed name, signature, professional license number if applicable, area of specialty and contact information of the authorizing physician, physician assistant, registered nurse practitioner or professional caregiver.

(b) A form that complies with this paragraph shall be made available at courthouses, the Arizona medical board website, the Arizona regulatory board of physician assistants website, the Arizona board of osteopathic examiners in medicine and surgery website, the [ARIZONA STATE](#) board of nursing website and other appropriate locations that are identified by the court or jury commissioner.

(c) These documents are not public records and shall not be disclosed to the general public.

2. Jury service by the prospective juror would substantially and materially affect the public interest or welfare in an adverse manner.

3. The prospective juror is not currently capable of understanding the English language.

4. Jury service would cause undue or extreme physical or financial hardship to the prospective juror or a person under the prospective juror's care or supervision. For the purposes of this paragraph:

(a) A judge or jury commissioner of the court for which the person was called to jury service shall determine whether jury service would cause the prospective juror undue or extreme physical or financial hardship.

(b) A person who requests to be excused under this paragraph shall take all actions necessary to obtain a ruling on the request before the date on which the person is scheduled to appear for jury duty.

(c) Undue or extreme physical or financial hardship is limited to the following circumstances in which a person:

(i) Would be required to abandon a person under the potential juror's care or supervision due to the impossibility of obtaining an appropriate substitute caregiver during the period of participation in the jury pool or on the jury.

(ii) Would incur costs that would have a substantial adverse impact on the payment of the person's necessary daily living expenses or on those for whom the potential juror provides regular employment or the principal means of support.

(iii) Would suffer physical hardship that would result in illness or disease.

(d) Undue or extreme physical or financial hardship does not exist solely based on the fact that a prospective juror will be required to be absent from the prospective juror's place of employment.

1 (e) A person who requests to be excused under this paragraph shall  
2 provide the judge or jury commissioner with documentation that supports  
3 the request to be excused, such as federal and state income tax returns,  
4 payroll records, medical statements from physicians licensed pursuant to  
5 title 32, physician assistants licensed pursuant to title 32, chapter 25  
6 or registered nurse practitioners licensed pursuant to title 32, chapter  
7 15, proof of dependency or guardianship or other similar documents. The  
8 judge or jury commissioner may excuse a person if the documentation  
9 clearly supports the request to be excused. These documents are not  
10 public records and shall not be disclosed to the general public.

11 5. The prospective juror is a peace officer who is certified by the  
12 Arizona peace officer standards and training board and who is employed as  
13 a peace officer by this state or any political subdivision of this  
14 state. The employer of a peace officer shall not in any way influence the  
15 peace officer to make or not to make an application to the court, pursuant  
16 to this section, to be excused from jury service.

17 6. A judge or jury commissioner of the court for which the person  
18 was called to jury service excuses the prospective juror for good cause  
19 based on a showing of undue or extreme hardship under the circumstances,  
20 including being temporarily absent from the jurisdiction or a lack of  
21 transportation.

22 7. The prospective juror is summoned within four years after the  
23 prospective juror's last day of service on a grand jury in this state.  
24 This paragraph does not apply to a person selected as an alternate grand  
25 juror.

26 8. THROUGH JANUARY 1, 2022, THE PROSPECTIVE JUROR IS EMPLOYED IN  
27 THE CORRECTIONAL OFFICER CLASS SERIES BY THE STATE DEPARTMENT OF  
28 CORRECTIONS.

29 C. Notwithstanding subsection B of this section, a prospective  
30 juror who is at least seventy-five years of age may submit a written  
31 statement to the court requesting that the person be excused from  
32 service. The prospective juror may request to be excused temporarily or  
33 permanently. On receipt of the request, the judge or jury commissioner  
34 shall excuse the prospective juror from service.

35 D. A person who is excused temporarily pursuant to this section  
36 becomes eligible for qualification as a juror when the temporary excuse  
37 expires unless the person is permanently excused from jury service.

38 E. A person may be permanently excused only if the deciding judge  
39 or jury commissioner determines that the underlying grounds for being  
40 excused are permanent in nature or the person is permanently excused under  
41 subsection C of this section.

42 F. If the judge, jury commissioner or jury manager permanently  
43 excuses the person from jury service, the person shall be notified that  
44 the person is permanently excused.



1       Sec. 3. Section 28-2007, Arizona Revised Statutes, is amended to  
2 read:

3       28-2007. Highway safety fee; rulemaking exemption

4       A. At the time of application for and before registration each year  
5 of a vehicle, the registering officer shall collect a highway safety fee  
6 in an amount to be determined by the director ~~annually for each fiscal~~  
7 ~~year~~. The director shall deposit, pursuant to sections 35-146 and 35-147,  
8 all monies collected pursuant to this section:

9       1. ~~THROUGH JUNE 30, 2020, in the Arizona highway patrol fund~~  
10 ~~established by section 41-1752. The highway safety fee shall fully fund~~  
11 ~~one hundred ten percent of the department of public safety highway patrol~~  
12 ~~budget for each fiscal year less any prior unencumbered balance in the~~  
13 ~~Arizona highway patrol fund established by section 41-1752 that exceeds~~  
14 ~~ten percent of the prior year's deposits of highway safety fee monies~~  
15 ~~pursuant to this section.~~

16       2. BEGINNING JULY 1, 2020, IN THE HIGHWAY SAFETY FEE FUND  
17 ESTABLISHED BY SECTION 41-1744.

18       B. NOTWITHSTANDING SUBSECTION A OF THIS SECTION, THE HIGHWAY SAFETY  
19 FEE AMOUNT DETERMINED BY THE DIRECTOR MAY NOT EXCEED THE FOLLOWING  
20 AMOUNTS:

21       1. FOR ANY REGISTRATION BEGINNING FROM AND AFTER DECEMBER 31, 2019  
22 THROUGH DECEMBER 31, 2020, \$26.

23       2. FOR ANY REGISTRATION BEGINNING FROM AND AFTER DECEMBER 31, 2020  
24 THROUGH DECEMBER 31, 2021, \$20.

25       3. FOR ANY REGISTRATION BEGINNING FROM AND AFTER DECEMBER 31, 2021  
26 THROUGH DECEMBER 31, 2022, \$15.

27       4. FOR ANY REGISTRATION BEGINNING FROM AND AFTER DECEMBER 31, 2022  
28 THROUGH DECEMBER 31, 2023, \$10.

29       C. NOTWITHSTANDING SUBSECTION A OF THIS SECTION, BEGINNING FROM AND  
30 AFTER DECEMBER 31, 2023, THE REGISTERING OFFICER MAY NOT COLLECT A HIGHWAY  
31 SAFETY FEE.

32       ~~B.~~ D. The department is exempt from the rulemaking requirements of  
33 title 41, chapter 6 for the purpose of determining the highway safety fee  
34 pursuant to this section.

35       Sec. 4. Title 41, chapter 12, article 3, Arizona Revised Statutes,  
36 is amended by adding section 41-1744, to read:

37       41-1744. Highway safety fee fund

38       A. THE HIGHWAY SAFETY FEE FUND IS ESTABLISHED CONSISTING OF MONIES  
39 DEPOSITED PURSUANT TO SECTION 28-2007. THE DEPARTMENT SHALL ADMINISTER  
40 THE FUND. MONIES IN THE FUND ARE SUBJECT TO LEGISLATIVE APPROPRIATION.

41       B. MONIES IN THE HIGHWAY SAFETY FEE FUND SHALL BE USED TO  
42 ADMINISTER THE PROVISIONS OF LAW RELATING TO THE ARIZONA HIGHWAY PATROL  
43 AND THE ARIZONA HIGHWAY PATROL RESERVE AND ALL MATTERS PERTAINING TO THOSE  
44 LAWS.

1           Sec. 5. Section 41-1752, Arizona Revised Statutes, is amended to  
2 read:

3           41-1752. Arizona highway patrol fund

4           A. ~~Am~~ THE Arizona highway patrol fund is established.

5           B. The Arizona highway patrol fund consists of:

6           1. Monies distributed to the fund from the Arizona highway user  
7 revenue fund by the legislature subject to section 28-6537.

8           2. Miscellaneous service fees.

9           3. Rewards.

10          4. Awards.

11          5. Insurance recoveries.

12          6. Receipts from the sale or disposal of any property held by the  
13 Arizona highway patrol or purchased with Arizona highway patrol monies.

14          7. Monies received from the public safety personnel retirement  
15 system pursuant to section 20-224.01.

16          8. Monies deposited pursuant to section 28-3513.

17          ~~9. Monies deposited pursuant to section 28-2007.~~

18          C. Subject to legislative appropriation, the patrol superintendent  
19 shall administer and spend monies in the Arizona highway patrol fund in  
20 conformity with the laws governing state financial operations.

21          D. Monies in the Arizona highway patrol fund:

22          1. Do not revert to the state general fund or Arizona highway user  
23 revenue fund.

24          2. Are exempt from the provisions of section 35-190 relating to  
25 lapsing of appropriations.

26          E. Subject to legislative appropriation, monies in the Arizona  
27 highway patrol fund shall be used to administer the provisions of law  
28 relating to the highway patrol and the Arizona highway patrol reserve and  
29 all matters pertaining to those laws, except that monies received pursuant  
30 to subsection B, paragraph 7 of this section shall be used for the  
31 department of public safety.

32       Sec. 6. Section 41-2832, Arizona Revised Statutes, is amended to  
33 read:

34       41-2832. County contributions for committed youth in secure  
35       care facilities; county payments; excluded costs

36       A. The department shall annually assess a committed youth  
37 confinement cost sharing fee to each county WITH A POPULATION OF MORE THAN  
38 FIVE HUNDRED THOUSAND PERSONS.

39       B. Each county WITH A POPULATION OF MORE THAN FIVE HUNDRED THOUSAND  
40 PERSONS shall pay the monies owed within thirty days after a request by  
41 the department. If a county does not make the payment, the director shall  
42 notify the state treasurer of the amount owed and the state treasurer  
43 shall withhold the amount, including any additional interest as provided  
44 in section 42-1123, from any transaction privilege tax revenues that would  
45 otherwise be distributed to the county. The state treasurer shall

1 deposit, pursuant to sections 35-146 and 35-147, the withholdings in the  
2 department of juvenile corrections local cost sharing fund established by  
3 section 41-2833. The department shall deposit the monies received from a  
4 county in the department of juvenile corrections local cost sharing fund  
5 established by section 41-2833.

6 C. County contributions made pursuant to this section are excluded  
7 from the county expenditure limitations.

8 D. Notwithstanding any other law, a county may meet the cost  
9 sharing requirements of this section from any source of county revenue  
10 designated by the county, including monies of any countywide special  
11 taxing jurisdiction in which the board of supervisors serves as the board  
12 of directors.

13 Sec. 7. Section 44-1531.02, Arizona Revised Statutes, is amended to  
14 read:

15 44-1531.02. Consumer restitution and remediation revolving  
16 fund; subaccounts

17 A. The consumer restitution and remediation revolving fund is  
18 established to be administered by the attorney general under the  
19 conditions and for the purposes provided by this section. On notice from  
20 the attorney general, the state treasurer shall invest and divest monies  
21 in the fund as provided by section 35-313, and monies earned from  
22 investment shall be credited to the appropriate subaccount of the fund.

23 B. The consumer restitution subaccount of the consumer restitution  
24 and remediation revolving fund is established consisting of monies  
25 collected or received by the attorney general as the result of an order of  
26 a court of competent jurisdiction, or as the result of a settlement or  
27 compromise, for the purpose of compensating specific, identifiable  
28 persons, including this state, for economic loss resulting from violations  
29 or alleged violations of consumer protection laws. The attorney general  
30 shall administer the subaccount. Monies in the subaccount are  
31 continuously appropriated. Monies in the subaccount are exempt from the  
32 provisions of section 35-190, relating to lapsing of appropriations. The  
33 attorney general shall distribute monies in the subaccount to specific,  
34 identifiable persons as directed by a court order. The attorney general  
35 may distribute any unexpended ~~funds~~ **MONIES** in the consumer restitution  
36 subaccount to the consumer protection-consumer fraud revolving fund  
37 established by section 44-1531.01.

38 C. The consumer remediation subaccount of the consumer restitution  
39 and remediation revolving fund is established consisting of monies  
40 collected or received by the attorney general from a party as the result  
41 of an order of a court of competent jurisdiction, or as the result of a  
42 settlement or compromise, to rectify violations or alleged violations of  
43 consumer protection laws, other than monies collected for the benefit of  
44 specific, identifiable persons and monies for investigative or court  
45 costs, attorney fees, civil penalties or other monies recovered as a

1 result of the enforcement of consumer protection laws deposited in the  
 2 consumer protection-consumer fraud revolving fund pursuant to section  
 3 44-1531.01. The attorney general shall administer the subaccount. Monies  
 4 in the subaccount up to the amount of ~~three million five hundred thousand~~  
 5 ~~dollars~~ \$4,000,000 annually are continuously appropriated. Any amounts in  
 6 excess of ~~three million five hundred thousand dollars~~ \$4,000,000 are  
 7 subject to legislative appropriation. Monies in the subaccount are exempt  
 8 from the provisions of section 35-190, relating to lapsing of  
 9 appropriations. The attorney general may ~~expend~~ SPEND monies in the  
 10 subaccount for programs, including consumer fraud education programs, that  
 11 are intended to rectify violations or alleged violations of consumer  
 12 protection laws. The attorney general may ~~expend~~ SPEND monies in the  
 13 consumer remediation subaccount for operating expenses incurred by the  
 14 department of law in administering or implementing programs intended to  
 15 rectify violations or alleged violations of consumer protection laws. The  
 16 attorney general shall submit an expenditure plan to the joint legislative  
 17 budget committee for review before ~~expending~~ SPENDING any monies in the  
 18 subaccount.

19 D. On or before January 15, April 15, July 15 and October 15 EACH  
 20 YEAR, the attorney general shall file with the governor, with copies to  
 21 the director of the department of administration, the president of the  
 22 senate, the speaker of the house of representatives, the secretary of  
 23 state and the staff director of the joint legislative budget committee, a  
 24 full and complete account of the receipts and disbursements from the fund  
 25 by subaccount in the previous calendar quarter.

26 Sec. 8. Laws 2018, chapter 278, section 14 is amended to read:

27 Sec. 14. Department of emergency and military affairs;  
 28 military installation fund; fiscal years 2018-2019  
 29 and 2019-2020; exemption

30 A. Notwithstanding section 26-262, Arizona Revised Statutes, the  
 31 department of emergency and military affairs may use up to \$1,250,000 in  
 32 the military installation fund established by section 26-262, Arizona  
 33 Revised Statutes, in fiscal ~~year~~ YEARS 2018-2019 AND 2019-2020 to  
 34 construct a readiness center.

35 B. THE APPROPRIATION MADE IN SUBSECTION A OF THIS SECTION IS EXEMPT  
 36 FROM THE PROVISIONS OF SECTION 35-190, ARIZONA REVISED STATUTES, RELATING  
 37 TO THE LAPSING OF APPROPRIATIONS UNTIL JUNE 30, 2020.

38 Sec. 9. Colorado River land claims revolving fund; transfer  
 39 of monies

40 All unexpended and unencumbered monies remaining in the Colorado  
 41 River land claims revolving fund established by section 41-191.05, Arizona  
 42 Revised Statutes, are transferred to the state general fund on the  
 43 effective date of this act.

1           Sec. 10. Department of public safety; board of fingerprinting  
2                                   fund; fiscal year 2019-2020

3           Notwithstanding section 41-619.56, Arizona Revised Statutes, the  
4 department of public safety may use the monies appropriated to the  
5 department of public safety in fiscal year 2019-2020 from the board of  
6 fingerprinting fund established by section 41-619.56, Arizona Revised  
7 Statutes, for capital expenditures.

8           Sec. 11. GIITEM fund; county sheriff allocation; fiscal year  
9                                   2019-2020

10          Notwithstanding section 41-1724, subsection C, Arizona Revised  
11 Statutes, in fiscal year 2019-2020, of the monies deposited in the gang  
12 and immigration intelligence team enforcement mission fund established by  
13 section 41-1724, Arizona Revised Statutes, after allocation of the first  
14 \$500,000 to the county sheriff of a county with a population of less than  
15 five hundred thousand persons but more than three hundred thousand  
16 persons, \$400,000 shall be allocated in fiscal year 2019-2020 to the  
17 county sheriff of a county with a population of less than two million  
18 persons but more than eight hundred thousand persons.

19          Sec. 12. GIITEM border security and law enforcement  
20                                   subaccount; expenditure plan; review

21          Notwithstanding section 41-1724, subsection G, Arizona Revised  
22 Statutes, before the department of public safety spends any monies  
23 appropriated in the general appropriations act for fiscal year 2019-2020  
24 from the gang and immigration intelligence team enforcement mission border  
25 security and law enforcement subaccount established by section 41-1724,  
26 Arizona Revised Statutes, the department shall submit the subaccount's  
27 entire expenditure plan to the joint legislative budget committee for  
28 review.

29          Sec. 13. GIITEM border security and law enforcement  
30                                   subaccount; use; fiscal year 2019-2020

31          Notwithstanding section 41-1724, subsection E, Arizona Revised  
32 Statutes, the department of public safety may use up to \$144,900 of the  
33 amount appropriated in the fiscal year 2019-2020 general appropriations  
34 act from the gang and immigration intelligence team enforcement mission  
35 border security and law enforcement subaccount established by section  
36 41-1724, Arizona Revised Statutes, in fiscal year 2019-2020 for costs  
37 related to an increase in the public safety personnel retirement system  
38 employer contribution rate.

39          Sec. 14. State department of corrections; budget structure

40          Notwithstanding any other law, the state department of corrections  
41 shall report actual fiscal year 2018-2019, estimated fiscal year 2019-2020  
42 and requested fiscal year 2020-2021 expenditures in the same structure and  
43 detail as the prior fiscal year when the department submits the fiscal  
44 year 2020-2021 budget request pursuant to section 35-113, Arizona Revised

1 Statutes. The information submitted for each line item shall contain as  
2 much detail as submitted in previous years for prior line items.

3 Sec. 15. Department of public safety; state aid to indigent  
4 defense fund; concealed weapons permit fund;  
5 fiscal year 2019-2020

6 Notwithstanding sections 11-588 and 41-1722, Arizona Revised  
7 Statutes, the department of public safety may use monies in the state aid  
8 to indigent defense fund established by section 11-588, Arizona Revised  
9 Statutes, and the concealed weapons permit fund established by section  
10 41-1722, Arizona Revised Statutes, in fiscal year 2019-2020 for operating  
11 expenses.

12 Sec. 16. Department of public safety; Arizona highway patrol  
13 fund; fiscal year 2019-2020

14 Notwithstanding section 41-1752, Arizona Revised Statutes, as  
15 amended by this act, the department of public safety may use monies in the  
16 Arizona highway patrol fund established by section 41-1752, Arizona  
17 Revised Statutes, as amended by this act, in fiscal year 2019-2020 for the  
18 pharmaceutical diversion and drug theft task force.

19 Sec. 17. Department of juvenile corrections; county  
20 contribution amount for committed youth in secure  
21 facilities; suspension in fiscal year 2019-2020

22 Notwithstanding section 41-2832, Arizona Revised Statutes, as  
23 amended by this act, the director of the department of juvenile  
24 corrections may not assess a committed youth confinement cost sharing fee  
25 to any county for committed youth in secure care facilities in fiscal year  
26 2019-2020.

27 Sec. 18. Effective date

28 The following sections are effective from and after June 30, 2020:

29 1. Section 41-1744, Arizona Revised Statutes, as added by this act.

30 2. Section 41-1752, Arizona Revised Statutes, as amended by this  
31 act.