

House Engrossed Senate Bill

continuation; state department of corrections.

State of Arizona  
Senate  
Fifty-fifth Legislature  
Second Regular Session  
2022

## **CHAPTER 327**

# **SENATE BILL 1401**

AN ACT

AMENDING TITLE 41, CHAPTER 11, ARTICLE 1, ARIZONA REVISED STATUTES BY ADDING SECTION 41-1610.02; REPEALING SECTION 41-3022.15, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 27, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-3030.15; RELATING TO THE STATE DEPARTMENT OF CORRECTIONS.

(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 11, article 1, Arizona Revised  
3 Statutes, is amended by adding section 41-1610.02, to read:

4 41-1610.02. Auditor general review; annual report

5 A. THE AUDITOR GENERAL SHALL ANNUALLY REVIEW THE DEPARTMENT'S  
6 COMPLIANCE WITH ALL OF THE FOLLOWING:

7 1. THE INMATE TRANSITION PROGRAM ESTABLISHED PURSUANT TO SECTION  
8 31-281.

9 2. THE RELEASE AND REPORTING PROVISIONS PRESCRIBED IN SECTION  
10 31-285.

11 3. THE REQUIREMENT AS PRESCRIBED IN SECTION 41-1602 TO PROVIDE  
12 REHABILITATION, AND THE NUMBER OF INMATES WHO ENROLL AND PARTICIPATE IN  
13 AND COMPLETE THE DEPARTMENT'S REHABILITATIVE SELF-IMPROVEMENT AND  
14 TREATMENT PROGRAMS BY INSTITUTION AND A DESCRIPTION OF EACH PROGRAM.

15 4. THE EARNED RELEASE CREDIT PROGRAM PURSUANT TO SECTIONS  
16 41-1604.06, 41-1604.07 AND 41-1604.10.

17 5. THE REPORTING REQUIREMENTS PURSUANT TO SECTION 41-1604.14.

18 6. THE DEPARTMENT'S OWN POLICIES REGARDING INDUSTRY RECOMMENDED  
19 REPORTING GUIDELINES.

20 B. ON OR BEFORE SEPTEMBER 1, 2023 AND EACH YEAR THEREAFTER, THE  
21 AUDITOR GENERAL SHALL SUBMIT A REPORT TO THE GOVERNOR, PRESIDENT OF THE  
22 SENATE, SPEAKER OF THE HOUSE OF REPRESENTATIVES AND JOINT LEGISLATIVE  
23 AUDIT COMMITTEE AND SHALL PROVIDE A COPY OF THIS REPORT TO THE SECRETARY  
24 OF STATE. THE REPORT SHALL CONTAIN THE AUDITOR GENERAL'S FINDINGS  
25 RELATING TO THE REVIEW UNDER SUBSECTION A OF THIS SECTION.

26 Sec. 2. Repeal

27 Section 41-3022.15, Arizona Revised Statutes, is repealed.

28 Sec. 3. Title 41, chapter 27, article 2, Arizona Revised Statutes,  
29 is amended by adding section 41-3030.15, to read:

30 41-3030.15. State department of corrections; termination  
31 July 1, 2030

32 A. THE STATE DEPARTMENT OF CORRECTIONS TERMINATES ON JULY 1, 2030.

33 B. TITLE 41, CHAPTER 11 AND THIS SECTION ARE REPEALED ON JANUARY 1,  
34 2031.

35 Sec. 4. Legislative assessment; state department of  
36 corrections; audit; delayed repeal

37 A. The legislature may annually assess whether the state department  
38 of corrections is meeting the requirements prescribed in sections 31-281,  
39 31-285 and 41-1602, Arizona Revised Statutes. The legislature may request  
40 that the auditor general conduct an additional audit of the state  
41 department of corrections and may amend the termination date of the state  
42 department of corrections.

43 B. This section is repealed from and after June 30, 2030.

1           Sec. 5. Purpose

2           Pursuant to section 41-2955, subsection B, Arizona Revised Statutes,  
3 the legislature continues the state department of corrections to encompass  
4 the correctional programs of this state and to provide supervisory staff  
5 and administrative functions at the state level for all matters relating  
6 to the institutionalization, rehabilitation, parole and community  
7 supervision functions of all adult offenders.

8           Sec. 6. Retroactivity

9           Sections 2 and 3 of this act apply retroactively to from and after  
10 July 1, 2022.

APPROVED BY THE GOVERNOR JUNE 28, 2022.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 28, 2022.