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

Section 1. Title 41, chapter 11, article 1, Arizona Revised Statutes, is amended by adding section 41-1610.02, to read:

41-1610.02. Auditor general review; annual report

A. The auditor general shall annually review the department's compliance with all of the following:

1. The inmate transition program established pursuant to section 31-281.

2. The release and reporting provisions prescribed in section 31-285.

3. The requirement as prescribed in section 41-1602 to provide rehabilitation, and the number of inmates who enroll and participate in and complete the department's rehabilitative self-improvement and treatment programs by institution and a description of each program.

4. The earned release credit program pursuant to sections 41-1604.06, 41-1604.07 and 41-1604.10.

5. The reporting requirements pursuant to section 41-1604.14.

6. The department's own policies regarding industry recommended reporting guidelines.

B. On or before September 1, 2023 and each year thereafter, the auditor general shall submit a report to the governor, president of the senate, speaker of the house of representatives and joint legislative audit committee and shall provide a copy of this report to the secretary of state. The report shall contain the auditor general's findings relating to the review under subsection A of this section.

Sec. 2. Repeal

Section 41-3022.15, Arizona Revised Statutes, is repealed.

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

41-3030.15. State department of corrections; termination

July 1, 2030

A. The state department of corrections terminates on July 1, 2030.

B. Title 41, chapter 11 and this section are repealed on January 1, 2031.

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

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

B. This section is repealed from and after June 30, 2030.
Sec. 5. Purpose

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

Sec. 6. Retroactivity

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

APPROVED BY THE GOVERNOR JUNE 28, 2022.