

REFERENCE TITLE: nonprofit security grant program fund

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SB 1713

Introduced by
Senator Gowan

AN ACT

AMENDING TITLE 41, CHAPTER 41, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 41-4256; APPROPRIATING MONIES; RELATING TO THE ARIZONA
DEPARTMENT OF HOMELAND SECURITY.

(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 41, article 1, Arizona Revised
3 Statutes, is amended by adding section 41-4256, to read:

4 41-4256. Arizona state nonprofit security grant program;
5 fund; definitions

6 A. THE ARIZONA STATE NONPROFIT SECURITY GRANT PROGRAM IS
7 ESTABLISHED TO PROVIDE FUNDING FOR SAFETY AND SECURITY PROJECTS TO
8 NONPROFIT ORGANIZATIONS THAT ARE AT HIGH RISK OF A TERRORIST ATTACK OR AT
9 RISK OF HATE CRIMES OR ATTACKS BECAUSE OF THE NONPROFIT'S IDEOLOGY,
10 BELIEFS OR MISSION FOR TARGET HARDENING AND OTHER SECURITY ENHANCEMENTS
11 AND ACTIVITIES. THE DEPARTMENT SHALL ADMINISTER THE GRANT PROGRAM AND
12 SHALL BEGIN ISSUING GRANTS FROM THE ARIZONA STATE NONPROFIT SECURITY GRANT
13 PROGRAM FUND ESTABLISHED BY THIS SECTION ON JANUARY 1, 2024.

14 B. PERMISSIBLE ACTIVITIES FOR TARGET HARDENING AND OTHER SAFETY AND
15 SECURITY PROJECTS SHALL INCLUDE INTERNAL AND EXTERNAL FACILITY HARDENING
16 STRUCTURES, DEVICES OR EQUIPMENT THAT MITIGATES VULNERABILITIES IDENTIFIED
17 IN A VULNERABILITY ASSESSMENT THAT IS COMPLETED BY THE NONPROFIT
18 ORGANIZATION, AS A SELF-ASSESSMENT, OR BY A VENDOR WITH WHOM THE NONPROFIT
19 ORGANIZATION HAS CONTRACTED. THE ACTIVITIES SHALL INCLUDE PLANNING,
20 EQUIPMENT, TRAINING AND SECURITY PERSONNEL. THE DEPARTMENT MAY PRESCRIBE
21 REQUIREMENTS FOR A VULNERABILITY ASSESSMENT AND MAY ALLOW OTHER ACTIVITIES
22 FOR TARGET HARDENING AND SAFETY AND SECURITY PROJECTS IN ADDITION TO THOSE
23 ACTIVITIES PRESCRIBED BY THIS SUBSECTION.

24 C. THE DEPARTMENT SHALL AWARD UP TO \$1,000,000 IN ANY GRANT YEAR. A
25 NONPROFIT ORGANIZATION MAY NOT RECEIVE MORE THAN \$100,000 IN ANY GRANT
26 YEAR. THE DEPARTMENT SHALL GIVE PRIORITY TO NONPROFIT ORGANIZATIONS THAT
27 ARE UNABLE TO APPLY FOR FEDERAL FUNDING DUE TO THEIR SIZE OR INABILITY TO
28 WAIT FOR REIMBURSEMENTS FOR PROJECTS AND TO NONPROFIT ORGANIZATIONS THAT
29 ARE UNABLE TO SECURE A CONTRACTOR TO CONDUCT A VULNERABILITY ASSESSMENT.
30 GRANT MONIES MAY NOT BE USED TO SUPPLANT A NONPROFIT ORGANIZATION'S
31 CURRENT EXPENSES FOR TARGET HARDENING, SAFETY OR SECURITY PROJECTS BUT MAY
32 BE USED FOR ADDITIONAL NEEDS BEYOND THE NONPROFIT ORGANIZATION'S CURRENT
33 EXPENSES. THE NONPROFIT ORGANIZATION MAY NOT USE GRANT MONIES TO PURCHASE
34 EQUIPMENT FOR SECURITY PERSONNEL.

35 D. AN APPLICANT FOR A GRANT MUST MEET EITHER OF THE FOLLOWING:

36 1. HAVE APPLIED FOR THE FEDERAL NONPROFIT SECURITY GRANT AND NOT
37 RECEIVED FUNDING FOR THE SAME YEAR THE APPLICANT IS APPLYING FOR THE STATE
38 GRANT.

39 2. HAVE BEEN UNABLE TO APPLY FOR THE FEDERAL NONPROFIT SECURITY
40 GRANT DUE TO AN INABILITY TO FUND THE REQUEST UP FRONT AND WAIT FOR
41 REIMBURSEMENT.

42 E. APPLICANTS SHALL SUBMIT AN APPLICATION ON A FORM PRESCRIBED BY
43 THE DEPARTMENT. THE DEPARTMENT MAY ACCEPT AN APPLICATION SUBMITTED TO THE
44 FEDERAL GOVERNMENT FOR THE FEDERAL NONPROFIT SECURITY GRANT INSTEAD OF THE
45 STATE APPLICATION PRESCRIBED BY THE DEPARTMENT IF THE APPLICANT APPLIED

1 FOR A FEDERAL NONPROFIT SECURITY GRANT AND DID NOT RECEIVE FUNDING FOR THE
2 SAME YEAR THE APPLICANT APPLIED FOR THE STATE GRANT.

3 F. THE ARIZONA STATE NONPROFIT SECURITY GRANT PROGRAM FUND IS
4 ESTABLISHED CONSISTING OF GRANTS, GIFTS, DONATIONS AND LEGISLATIVE
5 APPROPRIATIONS. THE DIRECTOR SHALL ADMINISTER THE FUND. MONIES IN THE
6 FUND ARE CONTINUOUSLY APPROPRIATED. MONIES IN THE FUND SHALL BE SPENT
7 ONLY ON GRANTS TO APPLICANTS WHO QUALIFY FOR THE ARIZONA STATE NONPROFIT
8 SECURITY GRANT PROGRAM. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER
9 SHALL INVEST AND DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313,
10 AND MONIES EARNED FROM INVESTMENT SHALL BE CREDITED TO THE FUND. INTEREST
11 OR OTHER INCOME DERIVED FROM THE ARIZONA STATE NONPROFIT SECURITY GRANT
12 PROGRAM FUND MAY BE USED ONLY FOR THE PURPOSES OF THIS SECTION AND MAY NOT
13 BE USED TO SUPPLANT OTHER APPROPRIATIONS.

14 G. FOR THE PURPOSES OF THIS SECTION:

15 1. "EQUIPMENT" INCLUDES TARGET HARDENING, PHYSICAL AND INFORMATION
16 TECHNOLOGY SECURITY ENHANCEMENTS, ACQUISITION AND INSTALLATION OF SECURITY
17 EQUIPMENT ON REAL PROPERTY, INCLUDING BUILDINGS AND IMPROVEMENTS, THAT IS
18 OWNED OR LEASED BY THE NONPROFIT ORGANIZATION, REINFORCED DOORS AND GATES,
19 PERIMETER LIGHTING, EXTERIOR AND INTERIOR DOOR LOCKING, ALARM SYSTEMS,
20 CAMERA-BASED SECURITY SYSTEMS, ACCESS CONTROL SYSTEMS, BLAST RESISTANT
21 FILM FOR WINDOWS OR SHATTER RESISTANT GLASS, LOCK-DOWN SYSTEMS, PUBLIC
22 ADDRESS SYSTEMS, HIGH-INTENSITY LIGHTING AND ALARMS, INSPECTION AND
23 SCREENING SYSTEMS AND ACCESS CONTROL.

24 2. "PLANNING":

25 (a) MEANS THOSE ACTIVITIES THAT ARE RELATED TO PROTECTING A
26 FACILITY, THE PEOPLE WITHIN THE FACILITY AND THOSE WITH ACCESS TO THE
27 FACILITY AND PROVIDING FOR THEIR FUNCTIONAL NEEDS.

28 (b) INCLUDES DEVELOPING AND ENHANCING A NONPROFIT ORGANIZATION'S
29 SECURITY PLANS AND PROTOCOLS, EMERGENCY CONTINGENCY PLANS AND EVACUATION
30 OR SHELTER-IN-PLACE PLANS AND THE MATERIALS THAT ARE REQUIRED TO CONDUCT
31 PLANNING ACTIVITIES.

32 3. "SECURITY PERSONNEL" INCLUDES PERSONNEL WHO ARE CONTRACTED WITH
33 AND EMPLOYED BY THE NONPROFIT.

34 4. "TRAINING":

35 (a) MEANS TRAINING THAT ADDRESSES A SPECIFIC THREAT OR
36 VULNERABILITY.

37 (b) INCLUDES:

38 (i) ATTENDANCE AND TRAVEL FEES FOR TRAINING THE NONPROFIT
39 ORGANIZATION'S STAFF OR MEMBERS AND SECURITY TRAINING AND EXERCISES OR
40 DRILLS, INCLUDING STOP THE BLEED, ACTIVE SHOOTER AND SHELTER-IN-PLACE, FOR
41 THE NONPROFIT ORGANIZATION'S STAFF, MEMBERS AND VISITORS.

42 (ii) TRAINING-RELATED EXPENSES, INCLUDING SUPPLIES, MATERIALS AND
43 EQUIPMENT.

1 Sec. 2. Appropriation: Arizona state nonprofit security grant
2 program fund; exemption

3 A. The sum of \$5,000,000 is appropriated from the state general
4 fund in fiscal year 2023-2024 to the Arizona state nonprofit security
5 grant program fund established by section 41-4256, Arizona Revised
6 Statutes, as added by this act.

7 B. The department of homeland security may use not more than five
8 percent of the monies appropriated pursuant to subsection A of this
9 section for administering the Arizona state nonprofit security grant
10 program.

11 C. The appropriation made in subsection A of this section is exempt
12 from the provisions of section 35-190, Arizona Revised Statutes, relating
13 to lapsing of appropriations.