

Senate Engrossed  
environment; 2023-2024.

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

**CHAPTER 138**  
**SENATE BILL 1725**

AN ACT

AMENDING TITLE 26, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY  
ADDING SECTION 26-107; REPEALING SECTION 26-107, ARIZONA REVISED STATUTES;  
APPROPRIATING MONIES; RELATING TO THE ENVIRONMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 26, chapter 1, article 1, Arizona Revised  
3 Statutes, is amended by adding section 26-107, to read:

4 26-107. Hazard mitigation revolving fund

5 THE HAZARD MITIGATION REVOLVING FUND IS ESTABLISHED CONSISTING OF  
6 MONIES APPROPRIATED BY THE LEGISLATURE AND MONIES RECEIVED FROM THE  
7 FEDERAL GOVERNMENT. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED.  
8 THE DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS SHALL ADMINISTER THE  
9 FUND. MONIES IN THE FUND MAY BE USED IN FISCAL YEARS 2023-2024,  
10 2024-2025, 2025-2026, 2026-2027 AND 2027-2028 IN ACCORDANCE WITH THE  
11 GUIDELINES ESTABLISHED PURSUANT TO THE SAFEGUARDING TOMORROW THROUGH  
12 ONGOING RISK MITIGATION ACT (P.L. 116-284; 134 STAT. 4869).

13 Sec. 2. Delayed repeal

14 Section 26-107, Arizona Revised Statutes, as added by this act, is  
15 repealed from and after June 30, 2028.

16 Sec. 3. Fire incident management fund

17 A. The fire incident management fund is established for fiscal year  
18 2023-2024 consisting of legislative appropriations. The department of  
19 administration shall administer the fund. Not more than \$200,000 of  
20 monies appropriated to the fund may be used by the department of  
21 administration to administer the fund. Monies in the fund are  
22 continuously appropriated and shall be used to provide grants to municipal  
23 fire departments and fire districts for hardware and software that:

24 1. Enables the statewide deployment of a secure incident management  
25 platform to fire and law enforcement agencies.

26 2. Provides a standardized incident command and management platform  
27 based on federal emergency management agency standards that enable diverse  
28 incident management and support entities to work together and ensure the  
29 following:

30 (a) A clearly defined chain of command.

31 (b) The use of common terminology.

32 (c) The safety of first responders and others.

33 (d) The achievement of response objectives.

34 (e) The efficient use of resources.

35 3. Provides a collaboration and communications solution that does  
36 the following:

37 (a) Identifies the location, status and assignment of assigned  
38 resources.

39 (b) Allows status updates, tracking and management of an incident.

40 (c) Allows secure messaging and file sharing to all users involved  
41 in an incident.

42 (d) Allows the sharing of collaborative maps, building floor plans  
43 and images between public safety agencies.

44 (e) Allows collaboration and information sharing between disparate  
45 agencies during a mass casualty incident.

1 (f) Defines a federal emergency management agency or national  
2 incident management systems-based organizational structure for the  
3 management of incidents.

4 (g) Provides the ability to print standard integrated computer  
5 solutions forms for tracking and cost reimbursement.

6 (h) Provides enhanced telemetry-based firefighter safety  
7 monitoring.

8 (i) Works in areas without internet access in a disconnected mode.

9 (j) Provides a seamless and connected platform for notification,  
10 response and rostering.

11 (k) Provides cross-platform functionality.

12 (l) Provides a smartphone-based application for notification,  
13 accountability and situational awareness.

14 B. Each municipal fire department or fire district in this state  
15 may submit a grant request to the department of administration for the  
16 costs of the secure incident management system that meets all of the  
17 criteria described in subsection A of this section.

18 C. The department of administration shall award grants on a  
19 first-come, first-served basis. Grants that are awarded shall fully fund  
20 the costs of the secure incident management system for each municipal fire  
21 department or fire district for three years.

22 Sec. 4. Arizona water protection fund; use of monies

23 Notwithstanding section 45-2114, Arizona Revised Statutes, in fiscal  
24 year 2023-2024, the Arizona water protection fund commission may grant to  
25 the department of water resources up to \$336,000 of the unobligated  
26 balance in the Arizona water protection fund established by section  
27 45-2111, Arizona Revised Statutes, to pay for administrative costs of the  
28 department in fiscal year 2023-2024.

29 Sec. 5. Underground storage tank revolving fund; use of  
30 monies

31 Notwithstanding any other law, in fiscal year 2023-2024, the  
32 department of environmental quality may use up to \$6,531,000 from the  
33 underground storage tank revolving fund established by section 49-1015,  
34 Arizona Revised Statutes, in fiscal year 2023-2024 for:

35 1. Administrative costs of the department.

36 2. Remediating sewage discharge issues in Naco, Arizona and other  
37 border areas of this state.

38 Sec. 6. Arizona water banking fund; use of monies

39 In addition to the purposes provided in section 45-2425, Arizona  
40 Revised Statutes, monies appropriated to the Arizona navigable stream  
41 adjudication commission from the Arizona water banking fund established by  
42 section 45-2425, Arizona Revised Statutes, may be used in fiscal year  
43 2023-2024 to pay legal fees.

1           Sec. 7. Appropriation limit; water quality assurance  
2                               revolving fund

3           Notwithstanding section 49-282, Arizona Revised Statutes, the  
4           appropriation from the state general fund to the water quality assurance  
5           revolving fund established by section 49-282, Arizona Revised Statutes,  
6           for fiscal year 2023-2024 may not exceed \$15,000,000.

7           Sec. 8. Department of environmental quality; vehicle  
8                               emissions testing fees; exemption from rulemaking

9           A. Notwithstanding any other law, the director of environmental  
10          quality shall charge fees in fiscal year 2023-2024 that are not more than  
11          the fees that were charged in fiscal year 2022-2023 for tests conducted in  
12          Area A, as defined in section 49-541, Arizona Revised Statutes.

13          B. The department of environmental quality is exempt from the  
14          rulemaking requirements of title 41, chapter 6, Arizona Revised Statutes,  
15          until July 1, 2024 for the purpose of establishing fees pursuant to this  
16          section.

17          Sec. 9. Agricultural fees; continuation; intent; exemption  
18                               from rulemaking

19          A. Notwithstanding any other law, the director of the Arizona  
20          department of agriculture, with the assistance of the department of  
21          agriculture advisory council, may continue to increase or lower existing  
22          fees from fiscal years 2021-2022 and 2022-2023 in fiscal year 2023-2024  
23          for services provided in fiscal year 2023-2024.

24          B. The legislature intends that the additional revenue generated by  
25          the fees prescribed in subsection A of this section not exceed \$218,000 to  
26          the state general fund, \$113,000 to the pesticide trust fund established  
27          by section 3-350, Arizona Revised Statutes, and \$26,000 to the dangerous  
28          plants, pests and diseases trust fund established by section 3-214.01,  
29          Arizona Revised Statutes, in fiscal year 2023-2024.

30          C. The Arizona department of agriculture is exempt from the  
31          rulemaking requirements of title 41, chapter 6, Arizona Revised Statutes,  
32          until July 1, 2024 for the purpose of establishing fees pursuant to this  
33          section.

APPROVED BY THE GOVERNOR MAY 11, 2023.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 12, 2023.