



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

Senate: APPROP DP 7-2-1-0 | MAPS DPA 5-2-0-0 | 3rd Read 16-13-1-0
House: MAPS DPA 14-1-0-0 | 3rd Read 47-13-0-0

SCR 1006: death benefit; assault; first responders (Substituted for HCR 2025)

Sponsor: Representative Payne, LD 27

Transmitted to the Governor

Overview

Subject to voter approval, creates a State Death Benefit of \$250,000 to be paid to the family of first responders killed in the line of duty. Additionally, increases criminal penalties for assaulting first responders.

History

The Public Safety Officers' Benefits Program (PSOB) is a federal program that provides benefits to the family of federal, state and local first responders whose death or permanent disability is the direct and proximate result of an injury sustained in the line of duty. PSOB provides a one-time death benefit to eligible family of public safety officers who died in the line of duty. Currently, for Fiscal Year 2023, the PSOB's death benefit is \$422,035.

A person may be charged with aggravated assault pursuant to A.R.S. § 13-1204 if the person commits assault with one or more aggravating circumstances, including: 1) committing assault against a victim who the person knows to be a peace officer, firefighter, emergency treatment paramedic, teacher or other specified profession; or 2) gaining control or attempting to gain control of a peace officer's firearm, weapon or other specified implements. The penalty for aggravated assault ranges from a class 6 felony to a class 2 felony, depending on the nature and severity of the offense.

Provisions

State Death Benefit

1. Requires the State of Arizona to pay \$250,000 to the surviving spouse or children of a first responder killed in the line of duty. (Sec. 5)
2. Establishes the State Supplemental Benefit Fund (Fund) to pay the State Death Benefit. (Sec. 5)
3. Specifies that monies in the Fund are administered by the State Treasurer and continuously appropriated. (Sec. 5)
4. Creates, to provide monies for the Fund, a \$20 penalty fee on every fine, penalty and forfeiture imposed for any criminal offence. (Sec. 1)
5. Permits the legislature to appropriate any monies in the Fund above \$2,000,000 for peace officer training, equipment and other benefits. (Sec. 5)
6. Defines *first responder*, for the purpose of the State Death Benefit, as a:
 - a) Peace officer;
 - b) Firefighter, fire marshal, fire inspector, emergency medical care technician or paramedic who is engaged in the execution of any official duties;

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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- c) Tribal police officer;
 - d) Member of the Arizona National Guard who is on state active duty in Arizona; or
 - e) Correctional officer. (Sec. 5)
7. Repeals the State Death Benefit on January 1, 2033. (Sec. 6)
 8. Repeals the \$20 penalty fee for the State Death Benefit on January 1, 2033. (Sec. 2)
- Aggravated Assault Against First Responders***
9. Broadens aggravated assault to include committing assault against a first responder who the person knows is a first responder, rather than committing the same against a peace officer. (Sec. 3)
 10. Broadens aggravated assault to include knowingly taking a weapon or specified implement from a first responder, rather than engaging in the same against a peace officer. (Sec. 3)
 11. Increases various penalties for aggravated assault committed against a first responder. (Sec. 3)
 12. Defines *first responder*, for the purpose of the aggravated assault classification, as a:
 - a) Peace officer;
 - b) Firefighter, fire marshal, fire inspector, emergency medical care technician or paramedic who is engaged in the execution of any official duties; or
 - c) Tribal police officer. (Sec. 3)
 13. Repeals the increased penalties for aggravated assault committed against first responders on January 1, 2033. (Sec. 3, 4)

Miscellaneous

14. Defines *killed in the line of duty*. (Sec. 5)
15. Contains finding, intent, purpose and severability clauses. (Sec. 7, 8)
16. Designates this legislation with the short title *Back the Blue Act*. (Sec. 9)
17. Contains technical and conforming changes. (Sec. 3, 4)
18. Requires the Secretary of State to submit the proposition to the voters at the next general election.
19. Becomes effective if approved by the voters and on proclamation of the Governor.