

REFERENCE TITLE: *criminal justice; 2024-2025*

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2901

Introduced by
Representative Livingston (with permission of Committee on Rules)

AN ACT

AMENDING SECTIONS 5-568, 8-524, 12-268, 13-2314.01, 13-3112 AND 41-1758.06, ARIZONA REVISED STATUTES; AMENDING LAWS 2022, CHAPTER 311, SECTION 10; AMENDING LAWS 2023, CHAPTER 137, SECTIONS 4, 5 AND 6; APPROPRIATING MONIES; RELATING TO CRIMINAL JUSTICE.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 5-568, Arizona Revised Statutes, is amended to
3 read:

4 5-568. Disposition of unclaimed prize money

5 Unclaimed prize money for the prize on a winning ticket or share
6 shall be retained for the person entitled to the prize for one hundred
7 eighty days after the drawing in which the prize was won in the case of a
8 drawing prize and for one hundred eighty days after the announced end of
9 the game in question in the case of a prize determined in any manner other
10 than by means of a drawing. If a claim is not made for the money within
11 the applicable period, the money shall be transferred in the following
12 amounts:

13 1. Fifty-five percent of the prize money shall be held in the state
14 lottery prize fund for use as additional prizes in future games, except
15 that if the amount of monies transferred by the commission pursuant to
16 section 5-554, subsection H, paragraph 1 is less than \$900,000 each fiscal
17 year, the difference shall be transferred to the internet crimes against
18 children enforcement fund established by section 41-199 and if the amount
19 of monies transferred by the commission pursuant to section 5-554,
20 subsection H, paragraph 2 is less than \$100,000 each fiscal year, the
21 difference shall be transferred to the victims' rights enforcement fund
22 established by section 41-1727.

23 2. Thirty percent shall be transferred quarterly to the court
24 appointed special advocate **AND VULNERABLE PERSONS** fund established by
25 section 8-524.

26 3. Fifteen percent shall be transferred monthly to the tribal
27 college dual enrollment program fund established by section 15-244.01.
28 The amount transferred may not exceed \$325,000 in any fiscal year.

29 Sec. 2. Section 8-524, Arizona Revised Statutes, is amended to
30 read:

31 8-524. Court appointed special advocate and vulnerable
32 persons fund

33 A. The court appointed special advocate **AND VULNERABLE PERSONS** fund
34 is established consisting of monies received pursuant to section 5-568.
35 The fund is subject to annual legislative appropriation. Monies
36 appropriated by the legislature from the court appointed special advocate
37 **AND VULNERABLE PERSONS** fund ~~for the court appointed special advocate~~
38 ~~program~~ shall be used by the supreme court to operate, improve, maintain
39 and enhance the **COURT APPOINTED SPECIAL ADVOCATE** program **AND COURT**
40 **FUNCTIONS BENEFITING VULNERABLE PERSONS**.

41 B. A court may request fund monies by submitting a program plan and
42 funding request to the supreme court pursuant to rules adopted by the
43 court.

1 Sec. 3. Section 12-268, Arizona Revised Statutes, is amended to
2 read:

3 12-268. Juvenile probation fund; annual report; use

4 A. The board of supervisors shall designate a chief fiscal officer
5 who shall establish and administer a juvenile probation fund consisting
6 of:

7 1. County general fund appropriations for juvenile probation.

8 2. Court information cost monies received pursuant to section
9 8-134, subsection L.

10 3. State appropriations for juvenile probation, except monies in
11 the juvenile probation services fund established by section 8-322 and
12 except monies in the court appointed special advocate **AND VULNERABLE**
13 **PERSONS** fund established by section 8-524, but including:

14 (a) Monies for juvenile probation officers authorized by section
15 8-203.

16 (b) Monies for state aid for juvenile probation services authorized
17 by this article.

18 (c) Monies for family counseling services established by title 8,
19 chapter 2, article 5.

20 (d) Monies for juvenile intensive probation services established by
21 title 8, chapter 3, article 4.

22 4. Federal monies provided for juvenile probation services.

23 5. Juvenile probation monies from any other source.

24 B. The chief fiscal officer shall establish and maintain separate
25 accounts in the fund showing receipts and expenditures of monies from each
26 source listed in subsection A of this section. The presiding juvenile
27 judge of the superior court shall annually present to the board of
28 supervisors for approval a detailed expenditure plan for the juvenile
29 probation services fund accounts. Any modifications to the expenditure
30 plan affecting state appropriations shall be made in accordance with the
31 rules and procedures established by the supreme court. Any modifications
32 to the expenditure plan affecting county appropriated funds shall be made
33 in accordance with the policies established by the county. The chief
34 fiscal officer shall disburse monies from the fund accounts only at the
35 direction of the presiding juvenile judge of the superior court. The
36 chief fiscal officer, on or before August 31 of each year for the
37 preceding fiscal year, shall submit an annual report to the supreme court
38 showing the total amount of receipts and expenditures in each account of
39 the juvenile probation services fund.

40 C. The state monies in the juvenile probation services fund shall
41 be used in accordance with guidelines established by the supreme court or
42 the granting authority.

43 D. State monies expended from the juvenile probation services fund
44 shall be used to supplement, not supplant, county appropriations for the
45 superior court juvenile probation department.

1 E. County monies in the juvenile probation services fund shall be
2 used in accordance with the fiscal policies and procedures established by
3 the board of supervisors.

4 Sec. 4. Section 13-2314.01, Arizona Revised Statutes, is amended to
5 read:

6 13-2314.01. Anti-racketeering revolving fund; use of monies;
7 reports; audit

8 A. The anti-racketeering revolving fund is established. The
9 attorney general shall administer the fund under the conditions and for
10 the purposes provided by this section. Monies in the fund are exempt from
11 the lapsing provisions of section 35-190.

12 B. Any prosecution and investigation costs, including attorney
13 fees, that are recovered for the state by the attorney general as a result
14 of enforcement of civil and criminal statutes pertaining to any offense
15 included in the definition of racketeering in section 13-2301, subsection
16 D, paragraph 4 or section 13-2312, whether by final judgment, settlement
17 or otherwise, shall be deposited in the fund established by this section.

18 C. Any monies received by any department or agency of this state or
19 any political subdivision of this state from any department or agency of
20 the United States or another state as a result of participation in any
21 investigation or prosecution, whether by final judgment, settlement or
22 otherwise, shall be deposited in the fund established by this section or,
23 if the recipient is a political subdivision of this state, may be
24 deposited in the fund established pursuant to section 13-2314.03.

25 D. Any monies obtained as a result of a forfeiture by any
26 department or agency of this state under this title or under federal law
27 shall be deposited in the fund established by this section. Any monies or
28 other property obtained as a result of a forfeiture by any political
29 subdivision of this state or the federal government may be deposited in
30 the fund established by this section. Monies deposited in the fund
31 pursuant to this section or section 13-4315 shall accrue interest and
32 shall be held for the benefit of the agency or agencies responsible for
33 the seizure or forfeiture to the extent of their contribution.

34 E. Except as provided in subsections H and I of this section, the
35 monies and interest shall be distributed within thirty days after
36 application to the agency or agencies responsible for the seizure or
37 forfeiture. The agency or agencies applying for monies must submit an
38 application in writing to the attorney general that includes a description
39 of what the requested monies will be used for. The attorney general may
40 deny an application that requests monies for a purpose that is not
41 authorized by this section, section 13-4315 or federal law. Monies in the
42 fund used by the attorney general for capital projects in excess of
43 \$1,000,000 are subject to review by the joint committee on capital review.

1 F. Monies in the fund may be used for the following:

2 1. Funding gang prevention programs, substance abuse prevention
3 programs, substance abuse education programs, programs that provide
4 assistance to victims of a criminal offense that is listed in section
5 13-2301 and witness protection pursuant to section 41-196 or for any
6 purpose permitted by federal law relating to disposing of any property
7 that is transferred to a law enforcement agency.

8 2. Investigating and prosecuting any offense included in the
9 definition of racketeering in section 13-2301, subsection D, paragraph 4
10 or section 13-2312, including civil enforcement.

11 3. Paying the relocation expenses of any law enforcement officer
12 and the officer's immediate family if the law enforcement officer is the
13 victim of a bona fide threat that occurred because of the law enforcement
14 officer's duties.

15 4. Paying the costs of the reports, audits and application
16 approvals that are required by this section.

17 G. Notwithstanding subsection F of this section, beginning from and
18 after August 27, ~~2024~~ 2025, the attorney general may not use monies from
19 the fund to pay salaries for full-time equivalent positions in the
20 attorney general's office.

21 H. On or before January 28, April 28, July 28 and October 28 of
22 each year, each department or agency of this state receiving monies
23 pursuant to this section or section 13-2314.03 or 13-4315 or from any
24 department or agency of the United States or another state as a result of
25 participation in any investigation or prosecution shall file with the
26 attorney general, the board of supervisors if the sheriff received the
27 monies and the city or town council if the city's or town's department
28 received the monies a report for the previous calendar quarter. The
29 report shall be in an electronic form that is prescribed by the Arizona
30 criminal justice commission and approved by the director of the joint
31 legislative budget committee. The report shall set forth the sources of
32 all monies and all expenditures as required by subsection L of this
33 section. The report shall not include any identifying information about
34 specific investigations. If a department or agency of this state fails to
35 file a report within forty-five days after the report is due and there is
36 no good cause as determined by the Arizona criminal justice commission,
37 the attorney general shall make no expenditures from the fund for the
38 benefit of the department or agency until the report is filed. The
39 attorney general is responsible for collecting all reports from
40 departments and agencies of this state and transmitting the reports to the
41 Arizona criminal justice commission at the time that the report required
42 pursuant to subsection I of this section is submitted.

43 I. On or before February 21, May 21, August 21 and November 21 of
44 each year, the attorney general shall file with the Arizona criminal
45 justice commission a report for the previous calendar quarter. The report

1 shall be in an electronic form that is prescribed by the Arizona criminal
2 justice commission and approved by the director of the joint legislative
3 budget committee. The report shall set forth the sources of all monies
4 and all expenditures as required by subsections K and L of this section.
5 The report shall not include any identifying information about specific
6 investigations. If the attorney general fails to file a report within
7 sixty days after the report is due and there is no good cause as
8 determined by the Arizona criminal justice commission, the attorney
9 general shall make no expenditures from the fund for the benefit of the
10 attorney general until the report is filed. If a political subdivision of
11 this state fails to file a report with the county attorney pursuant to
12 section 13-2314.03 within forty-five days after the report is due and
13 there is no good cause as determined by the Arizona criminal justice
14 commission, the attorney general shall make no expenditures from the fund
15 for the benefit of the political subdivision until the report is filed.

16 J. On or before the last day of February, May, August and November
17 of each year, the Arizona criminal justice commission shall compile the
18 attorney general report and the reports of all departments and agencies of
19 this state into a single comprehensive report for the previous calendar
20 quarter and shall submit an electronic copy of the report to the governor,
21 the director of the department of administration, the president of the
22 senate, the speaker of the house of representatives, the director of the
23 joint legislative budget committee and the secretary of state.

24 K. The report that is required by subsection I of this section must
25 include all of the following information if monies were obtained as a
26 result of a forfeiture:

- 27 1. The name of the law enforcement agency that seized the property.
- 28 2. The date of the seizure for forfeiture.
- 29 3. The type of property seized and a description of the property
30 seized, including, if applicable, the make, the model and the serial
31 number of the property.
- 32 4. The location of the original seizure by law enforcement.
- 33 5. The estimated value of the property seized for forfeiture, not
34 excluding encumbrances.
- 35 6. The criminal statute that allowed the seizure for forfeiture.
- 36 7. The criminal statute charged in the criminal case that is
37 related to the forfeiture case.
- 38 8. The court case number of the criminal case that is related to
39 the forfeiture case.
- 40 9. The outcome of the criminal case that is related to the
41 forfeiture case.
- 42 10. If the property was seized by a state agency and submitted for
43 state forfeiture proceedings but was transferred to federal authorities
44 for forfeiture proceedings, the reason for the federal transfer.
- 45 11. The forfeiture case number.

- 1 12. The method of forfeiture proceeding, including whether it was
2 criminal or civil, and if civil, whether a claim was filed by an owner or
3 interest holder.
- 4 13. The venue of the forfeiture action.
- 5 14. Whether a person or entity filed a claim or counterclaim or
6 submitted a petition asserting an interest in the property as an owner,
7 interest holder or injured person.
- 8 15. Whether the owner, interest holder or injured person was
9 assisted by an attorney in the forfeiture case.
- 10 16. The date of the forfeiture decision.
- 11 17. Whether there was a forfeiture settlement agreement.
- 12 18. Whether the property was awarded or partially awarded to the
13 owner, partial owner or injured person or if the property was forfeited to
14 the state.
- 15 19. Whether the property was sold, destroyed or retained by law
16 enforcement.
- 17 20. The earliest date that the property was disposed of or sent for
18 disposition.
- 19 21. The net amount of monies and proceeds received from the
20 forfeiture.
- 21 22. The estimated administrative and storage costs and any other
22 costs, including any costs of litigation.
- 23 23. The amount of attorney fees, costs, expenses and damages
24 awarded and to whom the fees, costs, expenses or damages were awarded.
- 25 L. The reports that are required by subsections H and I of this
26 section must include the following information with regard to all
27 expenditures made from the fund for:
 - 28 1. Crime, gang and substance abuse prevention programs.
 - 29 2. Any injured person as defined in section 13-4301.
 - 30 3. Witness protection.
 - 31 4. Investigation costs, including informant fees and buy money.
 - 32 5. Regular-time salaries, overtime pay and employee benefits of
33 prosecutors.
 - 34 6. Regular-time salaries, overtime pay and employee benefits of
35 sworn law enforcement agency personnel other than prosecutors.
 - 36 7. Regular-time salaries, overtime pay and employee benefits of
37 unsworn law enforcement agency personnel other than prosecutors.
 - 38 8. Professional or outside services, including services related to
39 auditing, outside attorney fees, court reporting, expert witnesses and
40 other court costs.
 - 41 9. Travel and meals.
 - 42 10. Training.
 - 43 11. Conferences.
 - 44 12. Vehicles purchased or leased.
 - 45 13. Vehicle maintenance.

1 14. Canines, firearms and related equipment, including tactical
2 gear.

3 15. Other capital expenditures, including furniture, computers and
4 office equipment.

5 16. External publications and communications.

6 17. Other operating expenses, including office supplies, postage
7 and printing. Expenses listed under this paragraph must be separately
8 categorized.

9 M. Beginning in 2018 and every other year thereafter, the auditor
10 general shall conduct a performance audit, as defined in section 41-1278,
11 and a financial audit of the attorney general's use of monies in the fund.
12 The audits must include all expenditures that were made by the attorney
13 general's office from the fund for the previous two years. The auditor
14 general shall submit copies of the performance and financial audits to the
15 president of the senate, the speaker of the house of representatives and
16 the chairpersons of the senate judiciary committee and the house of
17 representatives judiciary and public safety committee, or their successor
18 committees. The attorney general shall pay any fees and costs of the
19 audits under this section from the fund.

20 Sec. 5. Section 13-3112, Arizona Revised Statutes, is amended to
21 read:

22 13-3112. Concealed weapons; qualification; application; permit
23 to carry; civil penalty; report; applicability;
24 annual report

25 A. The department of public safety shall issue a permit to carry a
26 concealed weapon to a person who is qualified under this section. The
27 person shall carry the permit at all times when the person is in actual
28 possession of the concealed weapon and is required by section 4-229 or
29 4-244 to carry the permit. If the person is in actual possession of the
30 concealed weapon and is required by section 4-229 or 4-244 to carry the
31 permit, the person shall present the permit for inspection to any law
32 enforcement officer on request. **THE DEPARTMENT OF PUBLIC SAFETY SHALL**
33 **PRIORITIZE APPLICATIONS OF IN-STATE RESIDENTS WHEN ISSUING A PERMIT TO**
34 **CARRY A CONCEALED WEAPON.**

35 B. The permit of a person who is arrested or indicted for an
36 offense that would make the person unqualified under section 13-3101,
37 subsection A, paragraph 7 or this section shall be immediately suspended
38 and seized. The permit of a person who becomes unqualified on conviction
39 of that offense shall be revoked. The permit shall be restored on
40 presentation of documentation from the court if the permittee is found not
41 guilty or the charges are dismissed. The permit shall be restored on
42 presentation of documentation from the county attorney that the charges
43 against the permittee were dropped or dismissed.

44 C. A permittee who carries a concealed weapon, who is required by
45 section 4-229 or 4-244 to carry a permit and who fails to present the

1 permit for inspection on the request of a law enforcement officer commits
2 a violation of this subsection and is subject to a civil penalty of not
3 more than \$300. The department of public safety shall be notified of all
4 violations of this subsection and shall immediately suspend the permit. A
5 permittee shall not be convicted of a violation of this subsection if the
6 permittee produces to the court a legible permit that is issued to the
7 permittee and that was valid at the time the permittee failed to present
8 the permit for inspection.

9 D. A law enforcement officer shall not confiscate or forfeit a
10 weapon that is otherwise lawfully possessed by a permittee whose permit is
11 suspended pursuant to subsection C of this section, except that a law
12 enforcement officer may take temporary custody of a firearm during an
13 investigatory stop of the permittee.

14 E. The department of public safety shall issue a permit to an
15 applicant who meets all of the following conditions:

16 1. Is a resident of this state or a United States citizen.

17 2. Is twenty-one years of age or older or is at least nineteen
18 years of age and provides evidence of current military service or proof of
19 honorable discharge or general discharge under honorable conditions from
20 the United States armed forces, the United States armed forces reserve or
21 a state national guard.

22 3. Is not under indictment for and has not been convicted in any
23 jurisdiction of a felony unless that conviction has been expunged, set
24 aside or vacated or the applicant's rights have been restored and the
25 applicant is currently not a prohibited possessor under state or federal
26 law.

27 4. Does not suffer from mental illness and has not been adjudicated
28 mentally incompetent or committed to a mental institution.

29 5. Is not unlawfully present in the United States.

30 6. Has ever demonstrated competence with a firearm as prescribed by
31 subsection N of this section and provides adequate documentation that the
32 person has satisfactorily completed a training program or demonstrated
33 competence with a firearm in any state or political subdivision in the
34 United States. For the purposes of this paragraph, "adequate
35 documentation" means:

36 (a) A current or expired permit issued by the department of public
37 safety pursuant to this section.

38 (b) An original or copy of a certificate, card or document that
39 shows the applicant has ever completed any course or class prescribed by
40 subsection N of this section or an affidavit from the instructor, school,
41 club or organization that conducted or taught the course or class
42 attesting to the applicant's completion of the course or class.

43 (c) An original or a copy of a United States department of defense
44 form 214 (DD-214) indicating an honorable discharge or general discharge
45 under honorable conditions, a certificate of completion of basic training

1 or any other document demonstrating proof of the applicant's current or
2 former service in the United States armed forces as prescribed by
3 subsection N, paragraph 5 of this section.

4 (d) An original or a copy of a concealed weapon, firearm or handgun
5 permit or a license as prescribed by subsection N, paragraph 6 of this
6 section.

7 F. The application shall be completed on a form prescribed by the
8 department of public safety. The form shall not require the applicant to
9 disclose the type of firearm for which a permit is sought. The applicant
10 shall attest under penalty of perjury that all of the statements made by
11 the applicant are true, that the applicant has been furnished a copy of
12 this chapter and chapter 4 of this title and that the applicant is
13 knowledgeable about the provisions contained in those chapters. The
14 applicant shall submit the application to the department with any
15 documentation prescribed by subsection E of this section, two sets of
16 fingerprints and a reasonable fee determined by the director of the
17 department.

18 G. On receipt of a concealed weapon permit application, the
19 department of public safety shall conduct a check of the applicant's
20 criminal history record pursuant to section 41-1750. The department of
21 public safety may exchange fingerprint card information with the federal
22 bureau of investigation for federal criminal history record checks.

23 H. The department of public safety shall complete all of the
24 required qualification checks within sixty days after receiving the
25 application and shall issue a permit within fifteen working days after
26 completing the qualification checks if the applicant meets all of the
27 conditions specified in subsection E of this section. If a permit is
28 denied, the department of public safety shall notify the applicant in
29 writing within fifteen working days after completing all of the required
30 qualification checks and shall state the reasons why the application was
31 denied. On receipt of the notification of the denial, the applicant has
32 twenty days to submit any additional documentation to the department. On
33 receipt of the additional documentation, the department shall reconsider
34 its decision and inform the applicant within twenty days of the result of
35 the reconsideration. If denied, the applicant shall be informed that the
36 applicant may request a hearing pursuant to title 41, chapter 6,
37 article 10. For the purposes of this subsection, "receiving the
38 application" means the first day that the department has physical control
39 of the application and that is presumed to be on the date of delivery as
40 evidenced by proof of delivery by the United States postal service or a
41 written receipt, which shall be provided by the department on request of
42 the applicant.

43 I. On issuance, a permit is valid for five years, except a permit
44 that is held by a member of the United States armed forces, including a
45 member of the Arizona national guard or a member of the reserves of any

1 military establishment of the United States, who is on federal active duty
2 and who is deployed overseas shall be extended until ninety days after the
3 end of the member's overseas deployment.

4 J. The department of public safety shall maintain a computerized
5 permit record system that is accessible to criminal justice agencies for
6 the purpose of confirming the permit status of any person who is contacted
7 by a law enforcement officer and who claims to hold a valid permit issued
8 by this state. This information and any other records that are maintained
9 regarding applicants, permit holders or instructors shall not be available
10 to any other person or entity except on an order from a state or federal
11 court. A criminal justice agency shall not use the computerized permit
12 record system to conduct inquiries on whether a person is a concealed
13 weapons permit holder unless the criminal justice agency has reasonable
14 suspicion to believe the person is carrying a concealed weapon and the
15 person is subject to a lawful criminal investigation, arrest, detention or
16 investigatory stop.

17 K. A permit issued pursuant to this section is renewable every five
18 years. At least sixty days before the expiration date of a permit, the
19 department of public safety shall send a renewal reminder notice and
20 renewal application form to the permit holder. Before a permit may be
21 renewed, a criminal history records check shall be conducted pursuant to
22 section 41-1750 within sixty days after receipt of the application for
23 renewal. For the purposes of permit renewal, the permit holder is not
24 required to submit additional fingerprints.

25 L. Applications for renewal shall be accompanied by a fee
26 determined by the director of the department of public safety.

27 M. The department of public safety shall suspend or revoke a permit
28 issued under this section if the permit holder becomes ineligible pursuant
29 to subsection E of this section. The department of public safety shall
30 notify the permit holder in writing within fifteen working days after the
31 revocation or suspension and shall state the reasons for the revocation or
32 suspension.

33 N. An applicant shall demonstrate competence with a firearm through
34 any of the following:

35 1. Completion of any firearms safety or training course or class
36 that is available to the general public, that is offered by a law
37 enforcement agency, a junior college, a college or a private or public
38 institution, academy, organization or firearms training school and that is
39 approved by the department of public safety or that uses instructors who
40 are certified by the national rifle association.

41 2. Completion of any hunter education or hunter safety course
42 approved by the Arizona game and fish department or a similar agency of
43 another state.

44 3. Completion of any national rifle association firearms safety or
45 training course.

1 4. Completion of any law enforcement firearms safety or training
2 course or class that is offered for security guards, investigators,
3 special deputies or other divisions or subdivisions of law enforcement or
4 security enforcement and that is approved by the department of public
5 safety.

6 5. Evidence of current military service or proof of honorable
7 discharge or general discharge under honorable conditions from the United
8 States armed forces.

9 6. A valid current or expired concealed weapon, firearm or handgun
10 permit or license that is issued by another state or a political
11 subdivision of another state and that has a training or testing
12 requirement for initial issuance.

13 7. Completion of any governmental police agency firearms training
14 course and qualification to carry a firearm in the course of normal police
15 duties.

16 8. Completion of any other firearms safety or training course or
17 class that is conducted by a department of public safety approved or
18 national rifle association certified firearms instructor.

19 O. The department of public safety shall maintain information
20 comparing the number of permits requested, the number of permits issued
21 and the number of permits denied. The department shall annually report
22 this information electronically to the governor and the legislature.

23 P. The director of the department of public safety shall adopt
24 rules for the purpose of implementing and administering this section
25 including fees relating to permits that are issued pursuant to this
26 section.

27 Q. This state and any political subdivision of this state shall
28 recognize a concealed weapon, firearm or handgun permit or license that is
29 issued by another state or a political subdivision of another state if
30 both:

31 1. The permit or license is recognized as valid in the issuing
32 state.

33 2. The permit or license holder is all of the following:

34 (a) Legally present in this state.

35 (b) Not legally prohibited from possessing a firearm in this state.

36 R. For the purpose of establishing mutual permit or license
37 recognition with other states, the department of public safety shall enter
38 into a written agreement if another state requires a written agreement.
39 The department of public safety shall submit an electronic report to the
40 governor and the legislature each year that includes any changes that were
41 made in the previous year to a written agreement with another state.

42 S. Notwithstanding the provisions of this section, a person with a
43 concealed weapons permit from another state may not carry a concealed
44 weapon in this state if the person is under twenty-one years of age or is
45 under indictment for, or has been convicted of, a felony offense in any

1 jurisdiction, unless that conviction is expunged, set aside or vacated or
2 the person's rights have been restored and the person is currently not a
3 prohibited possessor under state or federal law.

4 T. The department of public safety may issue certificates of
5 firearms proficiency according to the Arizona peace officer standards and
6 training board firearms qualification for the purposes of implementing the
7 law enforcement officers safety act of 2004 (P.L. 108-277; 118 Stat. 865;
8 18 United States Code sections 926B and 926C). A law enforcement or
9 prosecutorial agency shall issue to a qualified retired law enforcement
10 officer who has honorably retired a photographic identification that
11 states that the officer has honorably retired from the agency. A person
12 who was a municipal, county or state prosecutor is deemed to meet the
13 qualifications of 18 United States Code section 926C(c)(2). The chief law
14 enforcement officer shall determine whether an officer has honorably
15 retired and the determination is not subject to review. A law enforcement
16 or prosecutorial agency has no obligation to revoke, alter or modify the
17 honorable discharge photographic identification based on conduct that the
18 agency becomes aware of or that occurs after the officer has separated
19 from the agency. For the purposes of this subsection, "qualified retired
20 law enforcement officer" has the same meaning prescribed in 18 United
21 States Code section 926C.

22 U. The initial and renewal application fees collected pursuant to
23 this section shall be deposited, pursuant to sections 35-146 and 35-147,
24 in the concealed weapons permit fund established by section 41-1722.

25 V. ON OR BEFORE JULY 31 OF EACH YEAR, THE DEPARTMENT OF PUBLIC
26 SAFETY SHALL REPORT TO THE JOINT LEGISLATIVE BUDGET COMMITTEE ON THE
27 NUMBER OF CONCEALED WEAPONS PERMITS ISSUED IN THE PRIOR FISCAL YEAR. THE
28 REPORT SHALL ALSO INCLUDE THE NUMBER OF OUTSTANDING CONCEALED WEAPONS
29 PERMIT APPLICATIONS THAT HAVE NOT BEEN ISSUED AND THE AVERAGE TURNAROUND
30 TIME TO ISSUE A CONCEALED WEAPONS PERMIT.

31 Sec. 6. Section 41-1758.06, Arizona Revised Statutes, is amended to
32 read:

33 41-1758.06. Fingerprint clearance card fund; exemption

34 A. The fingerprint clearance card fund is established consisting of
35 fees collected from applicants or contract providers for a fingerprint
36 clearance card. The department shall administer the fund. Monies in the
37 fund are subject to legislative appropriation. The department may use any
38 appropriated monies from the fund for the expenses of the department's
39 crime laboratory AND REAL PROPERTY USE. Any monies remaining in the fund
40 in excess of the monies appropriated from the fund each fiscal year are
41 continuously appropriated to the department for the costs of the
42 fingerprinting division.

1 B. Monies deposited in the fund are exempt from the provisions of
2 section 35-190 relating to lapsing of appropriations.

3 Sec. 7. Laws 2022, chapter 311, section 10 is amended to read:

4 Sec. 10. Effective date

5 Section 41-1712, Arizona Revised Statutes, as amended by ~~this act~~
6 LAWS 2022, CHAPTER 311, SECTION 3, and title 41, chapter 12, article 4.1,
7 Arizona Revised Statutes, as added by ~~this act~~ LAWS 2022, CHAPTER 311,
8 SECTION 5, are effective from and after June 30, ~~2025~~ 2027.

9 Sec. 8. Laws 2023, chapter 137, section 4 is amended to read:

10 Sec. 4. Fentanyl prosecution, diversion and testing fund;
11 exemption; delayed repeal; transfer of monies

12 A. The fentanyl prosecution, diversion and testing fund is
13 established consisting of monies appropriated by the legislature. The
14 department of public safety shall administer the fund and may use monies
15 in the fund for costs that are associated with administering the
16 fund. Monies in the fund are continuously appropriated AND ARE EXEMPT
17 FROM THE PROVISIONS OF SECTION 35-190, ARIZONA REVISED STATUTES, RELATING
18 TO LAPSING OF APPROPRIATIONS. ~~in fiscal year 2023-2024;~~ The department
19 shall allocate monies in the fund on a first-come, first-served basis to:

20 1. County attorneys, county sheriffs and courts to reimburse costs
21 related to fentanyl prosecutions in this state that involve a violation of
22 either of the following:

23 (a) Section 13-3408, subsection A, paragraph 2, 3 or 4, Arizona
24 Revised Statutes.

25 (b) Section 13-3408, subsection A, paragraph 7, Arizona Revised
26 Statutes, unless the violation involves the transfer or offer to transfer
27 fentanyl.

28 2. Law enforcement agencies in this state to reimburse costs
29 related to fentanyl testing.

30 3. Law enforcement agencies in this state to reimburse costs
31 related to fentanyl diversion activities.

32 B. FROM AND AFTER JUNE 30, 2025, THIS SECTION IS REPEALED AND ANY
33 UNEXPENDED OR UNENCUMBERED MONIES IN THE FENTANYL PROSECUTION, DIVERSION
34 AND TESTING FUND ESTABLISHED BY THIS SECTION ARE TRANSFERRED TO THE STATE
35 GENERAL FUND.

36 Sec. 9. Laws 2023, chapter 137, section 5 is amended to read:

37 Sec. 5. Antihuman trafficking grant fund; program
38 eligibility; exemption; delayed repeal; transfer of
39 monies

40 A. The antihuman trafficking grant fund is established consisting
41 of monies appropriated by the legislature. Monies in the fund are
42 continuously appropriated AND ARE EXEMPT FROM THE PROVISIONS OF SECTION
43 35-190, ARIZONA REVISED STATUTES, RELATING TO LAPSING OF
44 APPROPRIATIONS. The Arizona department of homeland security shall
45 administer the fund. ~~in fiscal year 2023-2024;~~ The department shall

1 distribute monies from the fund to programs to reduce human trafficking in
2 this state. To be eligible for grant monies, an antihuman trafficking
3 program must do either of the following:

4 1. Work to reduce human trafficking by providing assistance and
5 analytical services to law enforcement agencies.

6 2. Provide services to victims and training to law enforcement
7 agencies, prosecutorial agencies and the public on preventing and
8 identifying human trafficking.

9 B. FROM AND AFTER JUNE 30, 2025, THIS SECTION IS REPEALED AND ANY
10 UNEXPENDED OR UNENCUMBERED MONIES IN THE ANTIHUMAN TRAFFICKING GRANT FUND
11 ESTABLISHED BY THIS SECTION ARE TRANSFERRED TO THE STATE GENERAL FUND.

12 Sec. 10. Laws 2023, chapter 137, section 6 is amended to read:

13 Sec. 6. Arizona state nonprofit security grant program;
14 informal review panel; fund; delayed repeal;
15 transfer of monies; definitions

16 A. The Arizona state nonprofit security grant program is
17 established to provide ~~funding for safety and security projects to~~
18 ~~nonprofit organizations~~ GRANTS TO ELIGIBLE NONPROFIT ORGANIZATIONS that
19 are at ~~high~~ GREATEST risk of a terrorist attack or at GREATEST risk of
20 hate crimes or attacks because of the nonprofit's ideology, beliefs or
21 mission TO HIRE PERMANENT OR CONTRACTED SECURITY PERSONNEL AND for target
22 hardening and other security enhancements and activities. The Arizona
23 department of homeland security shall administer the grant program. In
24 each of fiscal years 2023-2024, 2024-2025, 2025-2026, 2026-2027 and
25 2027-2028, the department shall issue grants from the Arizona state
26 nonprofit security grant program fund established by this section.

27 B. Permissible activities for target hardening and other safety and
28 security projects shall include internal and external facility hardening
29 structures, devices or equipment that mitigates vulnerabilities identified
30 in a vulnerability assessment that is completed by the nonprofit
31 organization, as a self-assessment, or by a vendor with whom the nonprofit
32 organization has contracted. The activities shall include planning,
33 equipment, training and security personnel. The department may prescribe
34 requirements for a vulnerability assessment and may allow other activities
35 for target hardening and safety and security projects in addition to those
36 activities prescribed by this subsection.

37 C. The department shall award up to \$1,000,000 in each fiscal year.
38 A nonprofit organization may not receive more than \$100,000 in any fiscal
39 year. The department shall give priority to nonprofit organizations that
40 are unable to apply for federal funding due to their size or inability to
41 wait for reimbursements for projects ~~and to nonprofit organizations that~~
42 ~~are unable to secure a contractor to conduct a vulnerability assessment~~
43 AND THAT HAVE NOT RECEIVED FEDERAL FUNDING IN THE LAST THREE FEDERAL GRANT
44 CYCLES, EXCLUDING THE CURRENT FEDERAL FISCAL YEAR IN WHICH THE APPLICANT
45 APPLIES. Grant monies may not be used to supplant a nonprofit

1 organization's current expenses for target hardening, safety or security
2 projects but may be used for additional needs beyond the nonprofit
3 organization's current expenses. The nonprofit organization may not use
4 grant monies to purchase equipment for security personnel.

5 D. An applicant for a grant must ~~meet either of the following:~~

6 ~~1. Have applied for the federal nonprofit security grant and not~~
7 ~~received funding for the same year the applicant is applying for the state~~
8 ~~grant.~~

9 ~~2. Have been unable to apply for the~~ BE ABLE TO DEMONSTRATE A RISK
10 OR THREAT PURSUANT TO SUBSECTION A OF THIS SECTION THAT IS OCCURRING AT
11 THE TIME OF APPLICATION OR HAS OCCURRED IN THE TWO YEARS PRIOR TO APPLYING
12 FOR THE GRANT AND THAT THE NONPROFIT DID NOT RECEIVE federal nonprofit
13 security grant ~~due to an inability to fund the request up front and wait~~
14 ~~for reimbursement~~ FUNDING IN ANY OF THE LAST THREE FEDERAL GRANT CYCLES,
15 EXCLUDING THE CURRENT FEDERAL FISCAL YEAR.

16 E. Applicants shall submit an application on a form prescribed by
17 the department. ~~The department may accept an application submitted to the~~
18 ~~federal government for the federal nonprofit security grant instead of the~~
19 ~~state application prescribed by the department if the applicant applied~~
20 ~~for a federal nonprofit security grant and did not receive funding for the~~
21 ~~same year the applicant applied for the state grant.~~ THE DEPARTMENT SHALL
22 CREATE AN INFORMAL REVIEW PANEL CONSISTING OF AT LEAST THREE MEMBERS WITH
23 EXPERIENCE IN SECURITY RISKS FOR NONPROFITS TO REVIEW THE DEPARTMENT'S
24 SCORING OF APPLICATIONS FOR EACH FISCAL YEAR IN ORDER TO ENSURE THE
25 APPLICATIONS MEET THE CRITERIA PRESCRIBED BY THIS SECTION. AT LEAST ONE
26 MEMBER SHALL HAVE KNOWLEDGE OF RURAL NONPROFIT SECURITY NEEDS AND AT LEAST
27 ONE MEMBER SHALL HAVE KNOWLEDGE OF URBAN NONPROFIT SECURITY NEEDS.
28 MEMBERS OF THE INFORMAL REVIEW PANEL ARE NOT ELIGIBLE TO RECEIVE
29 COMPENSATION OR REIMBURSEMENT OF EXPENSES UNDER TITLE 38, CHAPTER 4,
30 ARTICLE 2, ARIZONA REVISED STATUTES.

31 F. The Arizona state nonprofit security grant program fund is
32 established consisting of grants, gifts, donations and legislative
33 appropriations. The Arizona department of homeland security shall
34 administer the fund. Monies in the fund are continuously appropriated AND
35 ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190, ARIZONA REVISED
36 STATUTES, RELATING TO LAPSING OF APPROPRIATIONS. In each of fiscal years
37 2023-2024, 2024-2025, 2025-2026, 2026-2027 and 2027-2028, monies in the
38 fund shall be spent only on grants to applicants who qualify for the
39 Arizona state nonprofit security grant program. On notice from the
40 director, the state treasurer shall invest and divest monies in the fund
41 as provided by section 35-313, Arizona Revised Statutes, and monies earned
42 from investment shall be credited to the fund. Interest or other income
43 derived from the Arizona state nonprofit security grant program fund may
44 be used only for the purposes of this section and may not be used to
45 supplant other appropriations.

1 G. ~~This section is repeated~~ From and after September 30, 2028, THIS
2 SECTION IS REPEALED AND ANY UNEXPENDED OR UNENCUMBERED MONIES IN THE
3 ARIZONA STATE NONPROFIT SECURITY GRANT PROGRAM FUND ESTABLISHED BY THIS
4 SECTION ARE TRANSFERRED TO THE STATE GENERAL FUND.

5 H. For the purposes of this section:

6 1. "Equipment" includes target hardening, physical and information
7 technology security enhancements, acquisition and installation of security
8 equipment on real property, including buildings and improvements, that is
9 owned or leased by the nonprofit organization, reinforced doors and gates,
10 perimeter lighting, exterior and interior door locking, alarm systems,
11 camera-based security systems, access control systems, blast resistant
12 film for windows or shatter resistant glass, lock-down systems, public
13 address systems, high-intensity lighting and alarms, inspection and
14 screening systems and access control.

15 2. "Planning":

16 (a) Means those activities that are related to protecting a
17 facility, the people within the facility and those with access to the
18 facility and providing for their functional needs.

19 (b) Includes developing and enhancing a nonprofit organization's
20 security plans and protocols, emergency contingency plans and evacuation
21 or shelter-in-place plans and the materials that are required to conduct
22 planning activities.

23 3. "Security personnel" includes personnel who are contracted with
24 and employed by the nonprofit.

25 4. "Training":

26 (a) Means training that addresses a specific threat or
27 vulnerability.

28 (b) Includes:

29 (i) Attendance and travel fees for training the nonprofit
30 organization's staff or members and security training and exercises or
31 drills, including stop the bleed, active shooter and shelter-in-place, for
32 the nonprofit organization's staff, members and visitors.

33 (ii) Training-related expenses, including supplies, materials and
34 equipment.

35 Sec. 11. State department of corrections; use of monies;
36 transition program fund; fiscal year 2024-2025

37 Notwithstanding section 31-284, Arizona Revised Statutes, the state
38 department of corrections, at the director's discretion, may use the
39 monies appropriated to the department from the transition program fund
40 established by section 31-284, Arizona Revised Statutes, in fiscal year
41 2024-2025 for any department expenses.

1 Sec. 12. State department of corrections; use of monies;
2 alcohol abuse treatment fund; fiscal year
3 2024-2025

4 Notwithstanding section 31-255, Arizona Revised Statutes, the state
5 department of corrections, at the director's discretion, may use the
6 monies appropriated to the department from the alcohol abuse treatment
7 fund established by section 31-255, Arizona Revised Statutes, in fiscal
8 year 2024-2025 for any department expenses.

9 Sec. 13. Retroactivity

10 Laws 2023, chapter 137, section 6, as amended by this act, applies
11 retroactively to from and after June 30, 2024.