

REFERENCE TITLE: gang and immigration intelligence; appropriation.

State of Arizona  
Senate  
Fifty-sixth Legislature  
Second Regular Session  
2024

## **SB 1640**

Introduced by  
Senators Carroll: Gowan

AN ACT

AMENDING SECTION 41-1724, ARIZONA REVISED STATUTES; APPROPRIATING MONIES;  
RELATING TO THE GANG AND IMMIGRATION INTELLIGENCE TEAM ENFORCEMENT MISSION  
FUND.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Section 41-1724, Arizona Revised Statutes, is amended to read:

41-1724. Gang and immigration intelligence team enforcement mission fund; southern Arizona counterterrorism information center; subaccount; use of monies; reporting requirements

A. The gang and immigration intelligence team enforcement mission fund is established consisting of monies deposited pursuant to section 11-1051, GRANTS and monies appropriated by the legislature. The department shall administer the fund. Any monies distributed from the fund to a county sheriff OR COUNTY ATTORNEY shall go directly to the county sheriff OR COUNTY ATTORNEY and are not subject to any form of approval by the board of supervisors. Monies in the fund are subject to legislative appropriation.

B. Monies in the fund shall be used for employer sanctions enforcement, enforcing AND PROSECUTING human smuggling and drug smuggling laws, gang and strict immigration enforcement AND PROSECUTION, county jail reimbursement costs relating to illegal immigration and any other use previously authorized in an allocation made by law for the gang and immigration intelligence team enforcement mission.

C. Each year that monies are available in the fund and as soon as is practicable after July 1 of each year, the first \$500,000 shall be allocated to a county sheriff of a county with a population of less than five hundred thousand persons but more than three hundred thousand persons and any remaining monies shall be used for agreements or contracts in accordance with subsection ~~D~~ E of this section, except that no monies may be used for agreements or contracts with a county sheriff of a county with a population of more than three million persons.

D. THE GANG AND IMMIGRATION INTELLIGENCE TEAM ENFORCEMENT MISSION SHALL PARTNER WITH SHERIFFS IN THE COUNTIES LOCATED ON THE BORDER BETWEEN THIS STATE AND MEXICO TO ESTABLISH AND MAINTAIN A SOUTHERN ARIZONA COUNTERTERRORISM INFORMATION CENTER TO RECEIVE, ANALYZE, GATHER AND SHARE ANY INFORMATION BETWEEN STATE, LOCAL, FEDERAL, TRIBAL AND PRIVATE SECTOR PARTICIPANTS RELATED TO ANY POTENTIAL THREATS.

~~D~~ E. If the department uses monies from the fund for an agreement or contract with a city, town, county or other entity to provide services for the gang and immigration intelligence team enforcement mission, the city, town, county or other entity shall provide not less than twenty-five percent of the cost of the services and the department shall provide not more than seventy-five percent of personal services and employee related expenditures for each agreement or contract but may fund all capital related equipment. This subsection does not apply to a county with a

1 population of less than five hundred thousand persons but more than three  
2 hundred thousand persons.

3 ~~F.~~ F. The gang and immigration intelligence team enforcement  
4 mission border security and law enforcement subaccount is established  
5 consisting of monies deposited pursuant to section 12-116.04 and monies  
6 appropriated by the legislature. The department shall administer the  
7 subaccount. Any monies distributed from the subaccount to a county  
8 sheriff shall go directly to the county sheriff and are not subject to any  
9 form of approval by the board of supervisors. Monies in the subaccount  
10 are subject to legislative appropriation. All appropriated monies in the  
11 subaccount shall be distributed each fiscal year to local entities and no  
12 monies may be retained by the department for its own use. The monies in  
13 the subaccount shall be used for law enforcement purposes related to  
14 border security, including border personnel, and for safety equipment that  
15 is worn or used by a peace officer who is employed by a county sheriff.

16 ~~F.~~ G. A law enforcement agency shall not receive any monies from  
17 the fund unless the law enforcement agency certifies each fiscal year in  
18 writing to the director of the department of public safety that the law  
19 enforcement agency is complying with section 11-1051 to the fullest extent  
20 allowed by law.

21 ~~G.~~ H. The department shall submit an expenditure plan to the joint  
22 legislative budget committee for review before expending any monies not  
23 identified in the department's previous expenditure plans. Within thirty  
24 days after the last day of each calendar quarter, the department shall  
25 provide a summary of quarterly and year-to-date expenditures and progress  
26 to the joint legislative budget committee, including any prior year  
27 appropriations that were nonlapsing.

28 ~~H.~~ I. Before the department spends any monies appropriated in the  
29 general appropriations act each fiscal year from the gang and immigration  
30 intelligence team enforcement mission border security and law enforcement  
31 subaccount established by subsection ~~F~~ F of this section, the department  
32 shall submit the subaccount's entire expenditure plan to the joint  
33 legislative budget committee for review.

34 Sec. 2. Appropriations; gang and immigration intelligence  
35 team enforcement mission fund; southern Arizona  
36 counterterrorism information center; exemption

37 A. The following amounts are appropriated in the following fiscal  
38 years from the consumer remediation subaccount of the consumer restitution  
39 and remediation revolving fund established by section 44-1531.02, Arizona  
40 Revised Statutes, to the gang and immigration intelligence team  
41 enforcement mission fund established by section 41-1724, Arizona Revised  
42 Statutes, as amended by this act:

- 43 1. \$2,000,000 in fiscal year 2024-2025.
- 44 2. \$2,000,000 in fiscal year 2025-2026.

1           B. The following amounts are appropriated in the following fiscal  
2 years from the gang and immigration intelligence team enforcement mission  
3 fund established by section 41-1724, Arizona Revised Statutes, as amended  
4 by this act, to the department of public safety to establish and maintain  
5 a southern Arizona counterterrorism information center:

6           1. \$2,000,000 in fiscal year 2024-2025.

7           2. \$2,000,000 in fiscal year 2025-2026.

8           C. The appropriations made in subsections A and B of this section  
9 are exempt from the provisions of section 35-190, Arizona Revised  
10 Statutes, relating to lapsing of appropriations.