

REFERENCE TITLE: Arizona border coordination office; appropriation

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HB 2146

Introduced by
Representative Blackman

AN ACT

AMENDING SECTION 26-102, ARIZONA REVISED STATUTES; AMENDING TITLE 26, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 26-108; APPROPRIATING MONIES; RELATING TO EMERGENCY AND MILITARY AFFAIRS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 26-102, Arizona Revised Statutes, is amended to
3 read:

4 26-102. Powers and duties of the adjutant general

5 A. The adjutant general shall serve as head of the department and,
6 subject to the orders of the commander in chief, command the national
7 guard of this state. The governor as commander in chief shall administer
8 and control the national guard, and the adjutant general is responsible to
9 the governor for executing all orders relating to the militia, organizing,
10 activating, reactivating, inactivating and allocating units, recruiting
11 personnel, public relations and disciplining and training the national
12 guard and those members of the militia inducted into the service of this
13 state as provided in this chapter. The adjutant general shall act as
14 military chief of staff to the governor and as the commanding general of
15 all branches of the militia. The adjutant general may belong to the
16 national association and other organizations for the betterment of the
17 national guard, subscribe to and obtain periodicals, literature and
18 magazines of such other organizations and pay dues and charges from monies
19 of this state appropriated for that purpose. Except for the authority
20 expressly reserved for the governor, the adjutant general is responsible
21 for emergency management, and all emergency activities are subject to the
22 approval of the adjutant general.

23 B. The adjutant general, as the military chief of staff, shall:

24 1. Act as military advisor to the governor and perform, as the
25 governor prescribes, military duties not otherwise designated by law.

26 2. Adopt methods of administration for the national guard that are
27 not inconsistent with laws and regulations of the United States department
28 of defense or any subdivision of the United States department of defense.

29 3. Supervise and direct the organization, regulation, instruction
30 and other activities of the national guard.

31 4. Attest and record all commissions issued by the governor and
32 maintain a register of all commissioned personnel.

33 5. Keep a record of all orders and regulations pertaining to the
34 national guard and all other writings and papers relating to reports and
35 returns of units comprising the national guard and militia.

36 6. Superintend the preparation of returns, plans and estimates
37 required by this state, by the department of the army, air force or navy
38 and by the United States secretary of defense.

39 7. Control the use of and care for, preserve and maintain all
40 military property belonging to or issued to this state and pay from monies
41 appropriated by the legislature for these purposes the necessary expenses
42 for labor and material incurred in repairing military property.

43 8. Dispose of unserviceable military property belonging to this
44 state, account for the proceeds and transmit the proceeds to the morale,
45 welfare and recreational fund established by section 26-153.

1 9. Authenticate with the seal of the office of the adjutant general
2 all orders and copies of orders issued by the adjutant general's
3 office. An authenticated copy has the same force and effect as the
4 original.

5 10. Present to the governor before each regular session of the
6 legislature, or as otherwise required, an estimate of the financial
7 requirements for state monies for operating the department and the
8 national guard during the next fiscal year.

9 C. The adjutant general, as head of the department, shall:

10 1. Be the administrator of the department.

11 2. Coordinate the functions of the divisions and offices of the
12 department.

13 3. Subject to title 41, chapter 4, article 4 and, as applicable,
14 article 5, appoint, suspend, demote, promote or dismiss employees of the
15 department. The adjutant general may delegate this authority.

16 4. Appoint an auditor for the department to conduct periodic
17 financial and compliance audits of each division and office in the
18 department and perform other duties as prescribed by law. At least
19 annually the auditor shall audit accounts that are open for more than
20 twelve months. The auditor shall determine within the department
21 compliance with purchase and bidding procedures prescribed by law.

22 5. Adopt, with the approval of the governor, rules necessary for
23 operating the department and for organizing, governing, arming, equipping,
24 instructing and compensating the national guard and authorized
25 employees. Rules that are adopted for the national guard and authorized
26 employees pursuant to this paragraph shall be in force and effect when
27 approved by the governor.

28 6. Establish and administer accounts for federal, state or other
29 monies made available to carry out the functions of the department.

30 7. As deemed necessary, appoint to peace officer status members of
31 the Arizona national guard who have been awarded a United States army
32 military occupational specialty as military policeman or a United States
33 air force specialty code as security policeman or who have served as a law
34 enforcement officer in any branch of the United States armed forces or as
35 a special agent of a military criminal investigative organization within
36 the United States department of defense. Before appointment as peace
37 officers, the individuals must successfully complete a course of study
38 prescribed by the Arizona peace officer standards and training board.
39 Individuals appointed as peace officers pursuant to this paragraph, when
40 performing duties at facilities or on land operated or controlled by or
41 under the jurisdiction of the adjutant general, have all the powers,
42 privileges and immunities of peace officers provided by law. Individuals
43 appointed as peace officers pursuant to this paragraph are not eligible to
44 participate in funding provided by the peace officers' training fund

1 established by section 41-1825 or in the public safety personnel
2 retirement system.

3 8. Establish, abolish or reorganize the positions or organizational
4 structure within the department, subject to legislative appropriation, if,
5 in the adjutant general's judgment, the modification would make the
6 operation of the department more efficient, effective or economical.

7 9. Establish an educational program for persons who have previously
8 dropped out of high school and who are under twenty years of age but who
9 are not adjudicated delinquent. The educational program shall be
10 designated "project challenge" and shall be conducted by the national
11 guard of Arizona in a paramilitary environment. The goal of the
12 educational program is to provide persons who are enrolled in the program
13 with the knowledge and skills necessary to become productive citizens and
14 to obtain a general equivalency diploma. In addition to monies
15 appropriated for the program, the adjutant general may accept and spend
16 monies from any other lawful public or private source.

17 10. Submit to the governor, the president of the senate and the
18 speaker of the house of representatives annually by September 1 a report
19 for the department for the preceding fiscal year that includes:

20 (a) The strength and condition of the national guard.

21 (b) The business transactions of the department.

22 (c) A detailed statement of expenditures for all military and
23 civilian purposes.

24 (d) The disposition of all military and civilian property on hand or
25 issued.

26 (e) A description of the activity in the camp Navajo fund
27 established by section 26-152.

28 (f) A detailed statement of the national guard postsecondary
29 education reimbursement program pursuant to section 26-181, subsection D.

30 (g) A DETAILED FINANCIAL REPORT OUTLINING THE USE OF MONIES, ANY
31 FEDERAL GRANTS SECURED AND MEASURABLE OUTCOMES ACHIEVED BY THE ARIZONA
32 BORDER COORDINATION OFFICE ESTABLISHED BY SECTION 26-108.

33 D. The adjutant general, with the approval of the governor, may:

34 1. Enter into contracts with individuals, this state, political
35 subdivisions of this state or the federal government and its agencies to
36 purchase, acquire, rent or lease lands, buildings or military materiel and
37 take title in the name of this state for establishing and maintaining
38 armories, subject to legislative appropriation for these purposes.

39 2. Procure and contract for procurement of equipment and its
40 issuance to members of the militia inducted into the service of this
41 state.

42 3. Enter into agreements and plans with the state universities, the
43 community colleges or any educational institution supported by federal or
44 state monies to promote the best interests of the national guard and
45 military training of students of the institutions.

1 4. Lease property acquired under this chapter for any public
2 purpose for a period of one year that is renewable.

3 5. Convey for any public purpose in the name of this state
4 easements on real property acquired under this chapter.

5 6. Enter into contracts or agreements with the federal government
6 that are deemed to be in the best interest of this state and the national
7 guard.

8 7. Delegate the powers and duties prescribed in this section.

9 8. Adopt methods of security for the national guard reservations or
10 facilities that are consistent with the laws, regulations or directives of
11 the United States department of defense or any subdivision of the United
12 States department of defense and the laws of this state.

13 Sec. 2. Title 26, chapter 1, article 1, Arizona Revised Statutes,
14 is amended by adding section 26-108, to read:

15 26-108. Arizona border coordination office; director; duties;
16 annual report; definition

17 A. THE ARIZONA BORDER COORDINATION OFFICE IS ESTABLISHED IN THE
18 DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS. THE OFFICE SHALL ENHANCE
19 COOPERATION AND COORDINATION BETWEEN AGENCIES IN THIS STATE, FEDERAL
20 AGENCIES, LOCAL LAW ENFORCEMENT AGENCIES AND COMMUNITY ORGANIZATIONS TO
21 ADDRESS BORDER-RELATED SECURITY, PUBLIC SAFETY AND HUMANITARIAN CONCERNS.

22 B. THE DIRECTOR OF THE DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS
23 SHALL APPOINT A QUALIFIED DIRECTOR OF THE ARIZONA BORDER COORDINATION
24 OFFICE WHO HAS A BACKGROUND IN BORDER SECURITY, EMERGENCY MANAGEMENT OR
25 PUBLIC ADMINISTRATION.

26 C. THE OFFICE SHALL:

27 1. COORDINATE WITH FEDERAL AGENCIES TO ENSURE ALIGNMENT WITH
28 FEDERAL LAWS GOVERNING BORDER SECURITY, INCLUDING ALL OF THE FOLLOWING:

29 (a) THE UNITED STATES DEPARTMENT OF HOMELAND SECURITY.

30 (b) THE UNITED STATES CUSTOMS AND BORDER PROTECTION.

31 (c) THE UNITED STATES IMMIGRATION AND CUSTOMS ENFORCEMENT.

32 (d) THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

33 2. IN CONSULTATION WITH FEDERAL AND STATE TRAINING CENTERS, DEVELOP
34 AND IMPLEMENT STATE-LEVEL TRAINING PROGRAMS TO ASSIST EMERGENCY RESPONSE
35 AND PUBLIC SAFETY PERSONNEL IN RESPONDING TO BORDER-RELATED INCIDENTS.

36 3. SERVE AS A CENTRAL HUB FOR RESOURCE ALLOCATION REGARDING
37 BORDER-RELATED OPERATIONS, INCLUDING GRANT MANAGEMENT, PERSONNEL
38 DEPLOYMENT AND DATA SHARING.

39 4. COLLABORATE WITH THE ARIZONA NATIONAL GUARD UNDER THE AUTHORITY
40 OF THE GOVERNOR TO ENSURE COMPLIANCE WITH ALL FEDERAL MANDATES GOVERNING
41 THE DEPLOYMENT OF NATIONAL GUARD UNITS.

42 5. SERVE AS A LIAISON BETWEEN THIS STATE AND FEDERAL AUTHORITIES TO
43 ENSURE EFFICIENT COMMUNICATION, RESOURCE ALLOCATION AND SUPPORT FOR LAWFUL
44 BORDER-RELATED OPERATIONS.

1 6. ACTIVELY APPLY FOR FEDERAL GRANTS TO SUPPLEMENT STATE FUNDING,
2 INCLUDING ALL OF THE FOLLOWING:

- 3 (a) FEDERAL EMERGENCY MANAGEMENT AGENCY GRANTS.
4 (b) UNITED STATES DEPARTMENT OF HOMELAND SECURITY GRANT PROGRAMS.
5 (c) BUREAU OF JUSTICE ASSISTANCE GRANTS UNDER THE STATE CRIMINAL
6 ALIEN ASSISTANCE PROGRAM.

7 7. ON OR BEFORE DECEMBER 31 OF EACH YEAR, SUBMIT A REPORT TO THE
8 GOVERNOR, THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF
9 REPRESENTATIVES, THE CHAIRPERSON OF THE SENATE MILITARY AND BORDER
10 COMMITTEE, OR ITS SUCCESSOR COMMITTEE, AND THE CHAIRPERSON OF THE HOUSE OF
11 REPRESENTATIVES FEDERALISM, MILITARY AFFAIRS AND ELECTIONS COMMITTEE, OR
12 ITS SUCCESSOR COMMITTEE, THAT INCLUDES ALL OF THE FOLLOWING:

13 (a) A SUMMARY OF THE PROGRESS MADE ON STATE-COORDINATED BORDER
14 SECURITY INITIATIVES.

15 (b) THE STATUS AND EFFECTIVENESS OF STATE-SUPPORTED EMERGENCY
16 OPERATIONS IN BORDER REGIONS.

17 (c) ANY RECOMMENDATIONS FOR FURTHER IMPROVING STATE, FEDERAL AND
18 LOCAL COORDINATION IN ADDRESSING BORDER-RELATED ISSUES.

19 D. THE OFFICE SHALL OPERATE STRICTLY WITHIN THE PARAMETERS OF
20 FEDERAL LAWS GOVERNING BORDER SECURITY AND MAY NOT ASSUME OR EXERCISE ANY
21 FEDERAL ENFORCEMENT AUTHORITY. ALL STATE-SUPPORTED BORDER OPERATIONS AND
22 PERSONNEL ACTING PURSUANT TO THIS SECTION MUST COMPLY WITH CONSTITUTIONAL
23 PROTECTIONS, INCLUDING RIGHTS UNDER THE FOURTH AMENDMENT TO THE UNITED
24 STATES CONSTITUTION AND ANY RELEVANT STATE LAWS RELATING TO LAWFUL
25 SEARCHES AND SEIZURES AND DETENTION.

26 E. FOR THE PURPOSES OF THIS SECTION, "OFFICE" MEANS THE ARIZONA
27 BORDER COORDINATION OFFICE.

28 Sec. 3. Appropriation; Arizona border coordination office;
29 exemption

30 A. The sum of \$50,000,000 is appropriated from the state general
31 fund in fiscal year 2025-2026 to the department of emergency and military
32 affairs for the purposes of supporting the Arizona border coordination
33 office established by section 26-108, Arizona Revised Statutes, as added
34 by this act.

35 B. Monies appropriated pursuant to this section:

36 1. Shall prioritize all of the following:

- 37 (a) Local law enforcement support and training.
38 (b) Emergency response operations regarding border-related public
39 safety incidents.
40 (c) Humanitarian assistance for local communities that are impacted
41 by migration and border challenges.

42 2. May not be used to engage in any immigration enforcement
43 activities reserved exclusively for federal authorities.

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

4 Sec. 4. Short title

5 This act may be cited as the "Arizona Border Coordination and
6 Support Act".