

Senate Engrossed  
sex offender management board; fund

State of Arizona  
Senate  
Fifty-seventh Legislature  
First Regular Session  
2025

# **SENATE BILL 1660**

AN ACT

AMENDING TITLE 12, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 12-116.13; AMENDING SECTION 13-3828, ARIZONA REVISED STATUTES; AMENDING TITLE 13, CHAPTER 38, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-3830; AMENDING SECTION 41-3030.11, ARIZONA REVISED STATUTES; REPEALING SECTION 41-3032.11, ARIZONA REVISED STATUTES; APPROPRIATING MONIES; RELATING TO REGISTRATION OF SEX OFFENDERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2       Section 1. Title 12, chapter 1, article 1, Arizona Revised  
3 Statutes, is amended by adding section 12-116.13, to read:

4       12-116.13. Additional assessment for sexual offenses

5       A. IN ADDITION TO ANY OTHER ASSESSMENT OR RESTITUTION, IF A PERSON  
6 IS CONVICTED OF A VIOLATION OF TITLE 13, CHAPTER 14 OR 35.1, THE COURT  
7 SHALL ORDER THE PERSON TO PAY AN ADDITIONAL ASSESSMENT IN ONE OF THE  
8 FOLLOWING AMOUNTS:

- 9       1. FOR A CLASS 1 FELONY, \$2,000.
- 10      2. FOR A CLASS 2 FELONY, \$1,500.
- 11      3. FOR A CLASS 3 FELONY, \$1,000.
- 12      4. FOR A CLASS 4 FELONY, \$500.
- 13      5. FOR A CLASS 5 FELONY, \$375.
- 14      6. FOR A CLASS 6 FELONY, \$250.
- 15      7. FOR A CLASS 1 MISDEMEANOR, \$200.
- 16      8. FOR A CLASS 2 MISDEMEANOR, \$150.
- 17      9. FOR A CLASS 3 MISDEMEANOR, \$75.

18       B. THE COURT SHALL TRANSMIT THE ASSESSMENTS COLLECTED PURSUANT TO  
19 THIS SECTION TO THE COUNTY TREASURER, EXCEPT THAT MUNICIPAL COURTS SHALL  
20 TRANSMIT THE ASSESSMENTS TO THE CITY OR TOWN TREASURER.

21       C. THE CITY, TOWN OR COUNTY TREASURER SHALL TRANSMIT THE  
22 ASSESSMENTS TO THE STATE TREASURER. THE STATE TREASURER SHALL DEPOSIT THE  
23 ASSESSMENTS IN THE SEX OFFENDER SURCHARGE FUND ESTABLISHED BY SECTION  
24 13-3830.

25       Sec. 2. Section 13-3828, Arizona Revised Statutes, is amended to  
26 read:

27       13-3828. Sex offender management board: duties: report

28       A. The sex offender management board is established WITHIN THE  
29 DEPARTMENT OF PUBLIC SAFETY and consists of members who represent urban  
30 and rural areas of this state, who have expertise in adult and juvenile  
31 issues that relate to sex offenders and who are appointed as follows:

32       1. The chief justice of the supreme court shall appoint the  
33 following members, who may be active or retired and who have sufficient  
34 experience in the field:

- 35       (a) One member who represents the judicial department.
- 36       (b) One member who is a superior court judge.

37       (c) One member who is either a juvenile court judge or a juvenile  
38 hearing officer.

39       2. The director of the state department of corrections shall  
40 appoint one member who represents the state department of corrections.

41       3. The director of the department of economic security shall  
42 appoint the following members:

43       (at) one member who represents the department of economic security  
44 and who has recognizable expertise in child welfare and case management  
45 INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.

1       4. THE DIRECTOR OF THE DEPARTMENT OF CHILD SAFETY SHALL APPOINT THE  
2 FOLLOWING MEMBERS:

3       ~~(b)~~ (a) One member who is a provider of out-of-home placement  
4 services and who has recognizable expertise in providing services to  
5 juveniles who have committed sexual offenses.

6       ~~(c)~~ (b) One member who represents the department of child safety.

7       4. The director of the department of public safety shall appoint  
8 the following members:

9       (a) Two members who are licensed mental health professionals and  
10 who have recognizable expertise in the treatment of adult sex offenders.

11       (b) Two members who are licensed mental health professionals and  
12 who have recognizable expertise in the treatment of juveniles who have  
13 committed sexual offenses.

14       (c) One member who is a public defender and who has recognizable  
15 expertise related to sexual offenses.

16       (d) One member who represents law enforcement and who has  
17 recognizable expertise in addressing sexual offenses and victimization.

18       (e) Three members who are recognized experts in the field of sexual  
19 abuse and who represent sexual abuse victims and victims' rights  
20 organizations.

21       (f) One public member who has expertise related to the evaluation,  
22 treatment or supervision of sex offenders.

23       (g) One member who is a clinical polygraph examiner and who is  
24 trained in postconviction sex offender testing.

25       (h) One member who is a current or former probation representative  
26 and who has recognizable expertise related to sexual offenses.

27       (i) One member who is a county director of human or social services  
28 and who is appointed after consultation with a statewide group  
29 representing counties.

30       (j) Two members who are members of a county board of supervisors or  
31 who are members of the governing council for a jurisdiction that is a  
32 contiguous city and county, one of whom represents an urban or suburban  
33 county and one of whom represents a rural county, and who are appointed  
34 after consultation with a statewide group representing counties.

35       (k) One member who represents the highway patrol division in the  
36 department of public safety.

37       5. The director of the Arizona prosecuting attorneys' advisory  
38 council shall appoint one member who represents the interests of  
39 prosecuting attorneys and who has recognizable expertise in prosecuting  
40 sexual offenses.

41       6. The superintendent of public instruction shall appoint one  
42 member who has experience with juveniles who have committed sexual  
43 offenses and who is in the public school system.

1       7. The speaker of the house of representatives shall appoint ~~one~~  
2 ~~member of the house of representatives who shall serve as cochairperson.~~  
3 ~~The speaker of the house of representatives may appoint up to~~ two  
4 ~~additional~~ PUBLIC members ~~of the house of representatives~~ WHO ARE from  
5 different political parties AND WHO HAVE EXPERTISE IN ADULT AND JUVENILE  
6 ISSUES THAT RELATE TO SEX OFFENDERS.

7       8. The president of the senate shall appoint ~~one member of the~~  
8 ~~senate who shall serve as cochairperson. The president of the senate may~~  
9 ~~appoint up to~~ two ~~additional~~ PUBLIC members ~~of the senate~~ WHO ARE from  
10 different political parties AND WHO HAVE EXPERTISE IN ADULT AND JUVENILE  
11 ISSUES THAT RELATE TO SEX OFFENDERS.

12       9. The governor may appoint up to two additional members WHO ARE  
13 from different political parties.

14       10. THE DIRECTOR OF THE DEPARTMENT OF HEALTH SERVICES SHALL APPOINT  
15 ONE MEMBER WHO REPRESENTS THE ARIZONA COMMUNITY PROTECTION AND TREATMENT  
16 CENTER.

17       B. THE BOARD SHALL ELECT A CHAIRPERSON FROM AMONG ITS MEMBERSHIP TO  
18 SERVE A TWO-YEAR TERM.

19       C. ~~Appointed~~ Members WHO ARE APPOINTED PURSUANT TO SUBSECTION A  
20 OF THIS SECTION serve at the pleasure of the appointing authority. The  
21 initial members shall assign themselves by lot to terms of two, three and  
22 four years. All subsequent members serve four-year terms of office. The  
23 ~~cochairpersons~~ CHAIRPERSON shall notify the governor's office of these  
24 terms. Board members are not eligible to receive compensation but are  
25 eligible for reimbursement of expenses pursuant to title 38, chapter 4,  
26 article 2.

27       D. The board shall do all of the following and shall present  
28 its recommendations, as applicable, to the legislature:

29       1. Develop, prescribe and revise, as appropriate, standard  
30 procedures to evaluate adult sex offenders, including adult sex offenders  
31 with developmental disabilities and serious mental illness. The  
32 recommended procedures shall:

33           (a) Provide for evaluating adult sex offenders.  
34           (b) Recommend management, monitoring and treatment based on  
35 existing research.  
36           (c) Incorporate the concepts of the risk-need-responsivity or  
37 another evidence-based correctional model.

38       2. Develop a procedure for evaluating, on a case-by-case basis,  
39 reliably lower-risk sex offenders whose risk to sexually reoffend may not  
40 be further reduced by participation in a treatment program that is  
41 implemented pursuant to paragraph 4 of this subsection.

42       3. Develop and recommend methods of intervention for adult sex  
43 offenders. The methods must prioritize the physical and psychological  
44 safety of victims and potential victims. The methods must also be  
45 appropriate to the assessed needs of the particular adult sex offender.

1        4. Develop, implement and revise, as appropriate, guidelines and  
2 standards to treat adult sex offenders, including adult sex offenders with  
3 intellectual and developmental disabilities and serious mental illness.  
4 The recommended guidelines and standards must incorporate the concepts of  
5 the risk-need-responsivity or another evidence-based correctional model.  
6 The guidelines and standards may be used in the treatment of adult sex  
7 offenders who are placed on probation, imprisoned in the state department  
8 of corrections or placed on community supervision. Programs recommended  
9 to be implemented pursuant to the guidelines and standards must:

10        (a) Be as flexible as possible so that the programs may be accessed  
11 by each adult sex offender to prevent the adult sex offender from harming  
12 victims and potential victims.

13        (b) Include a continuing monitoring process and a continuum of  
14 treatment options that are available to an adult sex offender as the adult  
15 sex offender proceeds through the criminal justice system. Treatment  
16 options must be determined by a current risk assessment and evaluation and  
17 may include group counseling, individual counseling, family counseling,  
18 outpatient treatment, inpatient treatment, shared living arrangements or  
19 treatment in a therapeutic community.

20        (c) To the extent possible, be accessible to all adult sex  
21 offenders in the criminal justice system, including those adult sex  
22 offenders with behavioral, mental health and co-occurring disorders.

23        5. Establish a subcommittee to make recommendations to the board on  
24 revising the guidelines and standards developed pursuant to paragraph 4 of  
25 this subsection. At least eighty percent of the members of the  
26 subcommittee must be approved treatment providers, including one polygraph  
27 examiner.

28        6. Develop annual recommendations to allocate monies deposited in  
29 the state general fund pursuant to section 13-3821, subsection Q and  
30 section 13-3824, subsection B. These **RECOMMENDATIONS** shall include  
31 recommendations regarding the coordination of spending monies from the  
32 state general fund with any monies spent by the state department of  
33 corrections, the department of public safety or the judicial department to  
34 evaluate and treat adult sex offenders and juveniles who have committed  
35 sexual offenses. These recommendations shall be presented to the  
36 legislature before the start of each legislative session.

37        7. Consult on and propose revisions to the legislature, as  
38 necessary, to the sex offender community notification risk assessment  
39 prescribed in section 13-3825. The board shall consider research on adult  
40 sex offender risk assessment and shall consider as one element the risk  
41 posed by an adult sex offender who suffers from a paraphilic disorder,  
42 psychopathy or a personality disorder that makes the person more likely to  
43 engage in sexually violent predatory offenses.

1       8. Research, either through direct evaluation or through a review  
2 of relevant research articles and sex offender treatment empirical data,  
3 and analyze, through a comprehensive review of evidence-based practices,  
4 the effectiveness of the evaluation and treatment policies and procedures  
5 for adult sex offenders that are developed pursuant to paragraph 4 of this  
6 subsection. This research shall specifically include reviewing and  
7 researching recidivism and factors that contribute to recidivism for adult  
8 sex offenders, the effective use of cognitive behavioral therapy to  
9 prevent recidivism, the use of polygraphs in treatment and the containment  
10 model for adult sex offender management and treatment and its effective  
11 application. The board shall advise the legislature regarding revision of  
12 the guidelines and standards for evaluation, identification and treatment,  
13 as appropriate, based on the results of the board's research and  
14 analysis. The board shall also develop and recommend a system to  
15 implement the guidelines and standards that are developed pursuant to  
16 paragraph 4 of this subsection.

17       9. In collaboration with the state department of corrections, the  
18 judicial department and the board of executive clemency, develop proposed  
19 criteria and make recommendations, as appropriate, for measuring an adult  
20 sex offender's progress in treatment. The recommended criteria shall  
21 assist the court and the board of executive clemency in determining  
22 whether an adult sex offender may appropriately be released from  
23 incarceration, whether the adult sex offender's level of supervision may  
24 be reduced or whether the adult sex offender may appropriately be  
25 discharged from probation or parole. At a minimum, the recommended  
26 criteria must be designed to assist the court and the board of executive  
27 clemency in determining whether the adult sex offender could be  
28 appropriately supervised in the community if the offender were released  
29 from incarceration, released to a reduced level of supervision or  
30 discharged from probation or parole.

31       10. In collaboration with the state department of corrections, the  
32 judicial department, **THE ARIZONA COMMUNITY PROTECTION AND TREATMENT CENTER**  
33 and the board of executive clemency, make recommendations for the  
34 establishment of standards for community entities that provide supervision  
35 and treatment specifically designed for adult sex offenders who have  
36 developmental disabilities or who are deemed sexually violent persons. At  
37 a minimum, the recommended standards must determine whether an entity  
38 would provide adequate support and supervision to minimize any threat that  
39 the adult sex offender may pose to the community.

40       11. Review the current delivery of services and the establishment  
41 of release conditions at the Arizona community protection and treatment  
42 center. The Arizona community protection and treatment center shall  
43 implement any guidelines and standards for sex offender treatment and  
44 supervision that are established by the board.

1       12. Research, analyze and make recommendations that reflect best  
2 practices for living arrangements for and the location of adult sex  
3 offenders within the community, including shared living arrangements. At  
4 a minimum, the board shall consider the safety issues raised by the  
5 location of adult sex offender residences, especially in proximity to  
6 public or private schools and child care facilities, and public  
7 notification of the location of adult sex offender residences. The board  
8 shall make recommendations for the adoption and revision, as appropriate,  
9 of the guidelines as it deems appropriate regarding the living  
10 arrangements for and location of adult sex offenders and adult sex  
11 offender housing.

12       13. Develop and make recommendations for revision, as appropriate,  
13 of recommended standard procedures to evaluate juveniles who have  
14 committed sexual offenses, including juveniles with developmental  
15 disabilities. The recommended procedures shall:

16           (a) Provide for evaluating juvenile offenders.

17           (b) Recommend behavior management, monitoring, treatment and  
18 compliance.

19           (c) Incorporate the concepts of the risk-need-responsivity or  
20 another evidence-based correctional model based on the knowledge that all  
21 unlawful sexual behavior poses a risk to the community and that certain  
22 juveniles may have the capacity to change their behavior with appropriate  
23 intervention and treatment. The board shall develop and make  
24 recommendations for the implementation of methods of intervention for  
25 juveniles who have committed sexual offenses. The methods must have as a  
26 priority the physical and psychological safety of victims and potential  
27 victims and, if the methods do not reduce the safety of victims and  
28 potential victims, the methods must also be appropriate to the needs of  
29 the particular juvenile offender.

30       14. Develop, implement and revise, as appropriate, guidelines and  
31 standards to treat juveniles who have committed sexual offenses, including  
32 juveniles with intellectual and developmental disabilities. The  
33 guidelines and standards must incorporate the concepts of the  
34 risk-need-responsivity or another evidence-based correctional model. The  
35 guidelines and standards may be used for juvenile offenders who are placed  
36 on probation or placed under the jurisdiction of the department of  
37 juvenile corrections or the state department of corrections. Programs  
38 recommended to be implemented pursuant to the guidelines and standards  
39 must:

40           (a) Be as flexible as possible so that the programs may be accessed  
41 by each juvenile offender to prevent the juvenile from harming victims and  
42 potential victims.

43           (b) Include a continuing monitoring process and a continuum of  
44 treatment options that are available to a juvenile offender as the  
45 juvenile proceeds through the justice system. Treatment options may

1 include group counseling, individual counseling, family counseling,  
2 outpatient treatment, inpatient treatment, shared living arrangements and  
3 treatment in a therapeutic community.

4 (c) To the extent possible, be accessible to all juveniles who have  
5 committed sexual offenses and who are in the justice system, including  
6 juveniles with behavioral, mental health or co-occurring disorders.

7 15. Establish a subcommittee to make recommendations to the board  
8 on revising the guidelines and standards developed pursuant to paragraph  
9 13 of this subsection. At least eighty percent of the members of the  
10 subcommittee must be approved treatment providers, including one polygraph  
11 examiner.

12 16. Research and analyze the effectiveness of the evaluation,  
13 identification and treatment procedures developed pursuant to paragraph 13  
14 of this subsection for juveniles who have committed sexual offenses. The  
15 board shall make recommendations for the revision of the guidelines and  
16 standards for evaluation, identification and treatment, as appropriate,  
17 based on the results of the board's research and analysis. The board  
18 shall also develop and prescribe a system to implement the guidelines and  
19 standards that are developed pursuant to paragraph 13 of this subsection.

20 17. In collaboration with law enforcement agencies in this state,  
21 victim advocacy organizations, the department of education and the  
22 department of public safety, develop and revise, as appropriate, for use  
23 by schools educational materials regarding general information about adult  
24 sex offenders and juveniles who have committed sexual offenses, safety  
25 concerns related to the offenders and other relevant materials. The board  
26 shall provide the materials to the department of education, and the  
27 department of education shall make the materials available to schools in  
28 this state.

29 ~~D.~~ E. If sufficient monies are appropriated to the department of  
30 public safety, the board may request that individuals or entities that  
31 provide evaluation, treatment or polygraph services specifically to sex  
32 offenders that conform with the standards developed by the board pursuant  
33 to subsection D, paragraph 4 of this section submit to the board data and  
34 information as determined by the board. The board may use this data and  
35 information to evaluate the effectiveness of the guidelines and standards  
36 developed pursuant to this section for all of the following:

37 1. To evaluate the effectiveness of individuals or entities that  
38 provide evaluation, treatment or polygraph services specifically to sex  
39 offenders.

40 2. For any other purpose consistent with this section.

41 ~~E.~~ F. This section does not grant the board any rulemaking or  
42 spending authority.

1        F. G. The attorney general, each county attorney and every agency  
2 and political subdivision of this state shall supply ~~a cochairperson~~ THE  
3 CHAIRPERSON OF THE BOARD, on request, with such assistance and information  
4 as is reasonably necessary to effectuate the purposes of this section.

5        ~~G.~~ H. The board shall adopt recommendations by majority vote, but  
6 the recommendations to be voted on are subject to the discretion of the  
7 ~~cochairpersons~~ CHAIRPERSON, who must ~~both~~ approve a recommendation that is  
8 to be voted on.

9        Sec. 3. Title 13, chapter 38, article 3, Arizona Revised Statutes,  
10 is amended by adding section 13-3830, to read:

11 13-3830. Sex offender surcharge fund

12 A. THE SEX OFFENDER SURCHARGE FUND IS ESTABLISHED AND CONSISTS OF  
13 MONIES DEPOSITED PURSUANT TO SECTION 12-116.13 AND LEGISLATIVE  
14 APPROPRIATIONS. THE DEPARTMENT OF PUBLIC SAFETY SHALL ADMINISTER THE  
15 FUND. MONIES IN THE FUND ARE SUBJECT TO LEGISLATIVE APPROPRIATION AND ARE  
16 EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO THE LAPSE OF  
17 APPROPRIATIONS.

18 B. THE DEPARTMENT OF PUBLIC SAFETY SHALL USE MONIES IN THE FUND FOR  
19 THE PURPOSES OF DEFRAYING THE COSTS RELATED TO THE SEX OFFENDER MANAGEMENT  
20 BOARD.

21 Sec. 4. Section 41-3030.11, Arizona Revised Statutes, is amended to  
22 read:

23 41-3030.11. Department of public safety: termination July 1,  
24 2030

25       A. The department of public safety terminates on July 1, 2030.  
26       B. **SECTION 13-3828**, title 41, chapter 12 and this section are  
27 repealed on January 1, 2031.

28 Sec. 5. Repeal

29 Section 41-3032.11, Arizona Revised Statutes, is repealed.

30 Sec. 6. Appropriations; department of public safety;  
31 exemption

32       A. The sum of \$200,000 and two FTEs are appropriated from the state  
33 general fund in fiscal year 2025-2026 to the department of public safety  
34 for the purposes of the sex offender management board established by  
35 section 13-3828, Arizona Revised Statutes, as amended by this act.

36       B. The appropriation made in subsection A of this section is exempt  
37 from the provisions of section 35-190, Arizona Revised Statutes, relating  
38 to lapsing of appropriations.

## 39 Sec. 7. Effective date

40 Section 12-116.13, Arizona Revised Statutes, as added by this act,  
41 is effective from and after December 31, 2025.