

Senate Engrossed

2025-2026; criminal justice

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

SENATE BILL 1739

AN ACT

AMENDING SECTIONS 11-392, 13-2314.01, 13-3828, 31-227 AND 38-867, ARIZONA REVISED STATUTES; PROVIDING FOR TRANSFERRING AND RENUMBERING; AMENDING SECTION 41-1736, ARIZONA REVISED STATUTES, AS TRANSFERRED AND RENUMBERED; AMENDING SECTION 41-2409, ARIZONA REVISED STATUTES; REPEALING SECTIONS 41-2832 AND 41-2833, ARIZONA REVISED STATUTES; AMENDING SECTION 41-3030.11, ARIZONA REVISED STATUTES; REPEALING SECTION 41-3032.11, ARIZONA REVISED STATUTES; AMENDING SECTIONS 44-1531.01 AND 44-1531.02, ARIZONA REVISED STATUTES; AMENDING LAWS 2023, CHAPTER 137, SECTION 4, AS AMENDED BY LAWS 2024, CHAPTER 213, SECTION 8; 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 11-392, Arizona Revised Statutes, is amended to
3 read:

4 11-392. Coordinated reentry planning services programs;
5 cross-system recidivism tracking database; planning
6 committee; annual report

7 A. A county may establish a coordinated reentry planning services
8 program within a county jail for the purpose of screening and assessing
9 persons who are booked into a county jail and connecting those persons
10 with behavioral health and substance use disorder treatment providers at
11 the earliest possible stage in the criminal justice process.

12 B. Subject to available monies, a coordinated reentry planning
13 services program must:

14 1. Allow entities to access and use a cross-system recidivism
15 tracking database that incorporates data obtained from prearrest diversion
16 programs, reentry screenings that occur during the booking process,
17 reentry planning that occurs before and during release and postrelease
18 treatment engagement.

19 2. Allow entities to work in conjunction with counties, cities,
20 towns and other political subdivisions of this state and with superior
21 courts to establish an information exchange mechanism that includes
22 reentry planning efforts.

23 3. Allow county and community-wide collaborative efforts to be
24 established and maintained for jail reentry planning services that include
25 treatment, peer support, housing, transportation and employment services
26 and all branches of the criminal justice and court systems by developing a
27 new coalition or extending an existing coalition.

28 4. Establish working agreements with coalition partners in which
29 treatment providers use the cross-system recidivism tracking database to
30 record postrelease treatment engagement.

31 5. Use the cross-system recidivism tracking database to record
32 baseline and ongoing statistics for identified needs, referrals and future
33 recidivism of reentry coordination participants.

34 C. A county that establishes a coordinated reentry planning
35 services program shall establish a planning committee to develop the
36 program's policies and procedures, including eligibility criteria, ~~AND~~ AND
37 program implementation and operation. At a minimum the planning committee
38 shall consist of the following persons:

39 1. Representatives of the law enforcement agencies participating in
40 the program.

41 2. A representative of the program services provider.

42 3. A public defender or the public defender's designee.

43 4. A prosecuting attorney or the prosecuting attorney's designee.

44 5. A presiding superior court judge or the superior court judge's
45 designee.

1 6. A clerk of the court or the clerk's designee.
2 7. Other stakeholders.
3 D. ON OR BEFORE DECEMBER 1, 2027 AND EACH YEAR THEREAFTER, A COUNTY
4 THAT RECEIVES MONIES TO ESTABLISH OR MAINTAIN A COORDINATED REENTRY
5 PLANNING SERVICES PROGRAM SHALL REPORT TO THE GOVERNOR, THE GOVERNOR'S
6 OFFICE OF STRATEGIC PLANNING AND BUDGETING, THE PRESIDENT OF THE SENATE,
7 THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE JOINT LEGISLATIVE
8 BUDGET COMMITTEE ALL OF THE FOLLOWING:
9 1. FOR ALL PERSONS WHO COMPLETE SCREENING:
10 (a) THE PERCENTAGE WITH LOW, MODERATE AND HIGH MENTAL HEALTH RISKS.
11 (b) THE PERCENTAGE WITH LOW, MODERATE AND HIGH SUBSTANCE USE
12 DISORDER RISKS.
13 (c) THE PERCENTAGE WITH OTHER PRESENTING RISK FACTORS, INCLUDING:
14 (i) NO PRIMARY CARE PROVIDER.
15 (ii) NO EMPLOYMENT.
16 (iii) NO INSURANCE.
17 (iv) NO ACCESS TO TRANSPORTATION.
18 (v) PHYSICAL HEALTH CONCERNS.
19 (vi) NO HOME.
20 (vii) VETERAN STATUS.
21 2. INCIDENCE OF RECIDIVISM, INCLUDING:
22 (a) OVERALL POPULATION RECIDIVISM RATES.
23 (b) RECIDIVISM RATES BY MENTAL HEALTH AND SUBSTANCE USE RISK
24 FACTORS.
25 (c) RECIDIVISM RATES BY OTHER RISK FACTORS.
26 3. THE PERCENTAGE OF RELEASED INDIVIDUALS WHO ARE CONNECTED AND
27 DIVERTED TO SERVICES, INCLUDING BEHAVIORAL HEALTH AND HOUSING SERVICES.
28 Sec. 2. Section 13-2314.01, Arizona Revised Statutes, is amended to
29 read:
30 13-2314.01. Anti-racketeering revolving fund; use of monies;
31 reports; audit
32 A. The anti-racketeering revolving fund is established. The
33 attorney general shall administer the fund ONLY under the conditions and
34 for the purposes provided by this section. Monies in the fund are exempt
35 from the lapsing provisions of section 35-190 AND MAY NOT BE TRANSFERRED
36 TO THE STATE GENERAL FUND.
37 B. Any prosecution and investigation costs, including attorney
38 fees, that are recovered for the state by the attorney general as a result
39 of enforcement of civil and criminal statutes pertaining to any offense
40 included in the definition of racketeering in section 13-2301, subsection
41 D, paragraph 4 or section 13-2312, whether by final judgment, settlement
42 or otherwise, shall be deposited in the fund established by this section.
43 C. Any monies received by any department or agency of this state or
44 any political subdivision of this state from any department or agency of
45 the United States or another state as a result of participation in any

1 investigation or prosecution, whether by final judgment, settlement or
2 otherwise, shall be deposited in the fund established by this section or,
3 if the recipient is a political subdivision of this state, may be
4 deposited in the fund established pursuant to section 13-2314.03.

5 D. Any monies obtained as a result of a forfeiture by any
6 department or agency of this state under this title or under federal law
7 shall be deposited in the fund established by this section. Any monies or
8 other property obtained as a result of a forfeiture by any political
9 subdivision of this state or the federal government may be deposited in
10 the fund established by this section. Monies deposited in the fund
11 pursuant to this section or section 13-4315 shall accrue interest and
12 shall be held for the benefit of the agency or agencies responsible for
13 the seizure or forfeiture to the extent of their contribution.

14 E. Except as provided in subsections H and I of this section, the
15 monies and interest shall be distributed within thirty days after
16 application to the agency or agencies responsible for the seizure or
17 forfeiture. The agency or agencies applying for monies must submit an
18 application in writing to the attorney general that includes a description
19 of what the requested monies will be used for. The attorney general may
20 deny an application that requests monies for a purpose that is not
21 authorized by this section, section 13-4315 or federal law. Monies in the
22 fund used by the attorney general for capital projects in excess of
23 \$1,000,000 are subject to review by the joint committee on capital review.

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

25 1. Funding gang prevention programs, substance abuse prevention
26 programs, substance abuse education programs, programs that provide
27 assistance to victims of a criminal offense that is listed in section
28 13-2301 and witness protection pursuant to section 41-196 or for any
29 purpose permitted by federal law relating to disposing of any property
30 that is transferred to a law enforcement agency.

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

34 3. Paying the relocation expenses of any law enforcement officer
35 and the officer's immediate family if the law enforcement officer is the
36 victim of a bona fide threat that occurred because of the law enforcement
37 officer's duties.

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

40 G. Notwithstanding subsection F of this section, beginning from and
41 after August 27, ~~2025~~ 2027, the attorney general may not use monies from
42 the fund to pay salaries for full-time equivalent positions in the
43 attorney general's office.

44 H. On or before January 28, April 28, July 28 and October 28 of
45 each year, each department or agency of this state receiving monies

1 pursuant to this section or section 13-2314.03 or 13-4315 or from any
2 department or agency of the United States or another state as a result of
3 participation in any investigation or prosecution shall file with the
4 attorney general, the board of supervisors if the sheriff received the
5 monies and the city or town council if the city's or town's department
6 received the monies a report for the previous calendar quarter. The
7 report shall be in an electronic form that is prescribed by the Arizona
8 criminal justice commission and approved by the director of the joint
9 legislative budget committee. The report shall set forth the sources of
10 all monies and all expenditures as required by subsection L of this
11 section. The report shall not include any identifying information about
12 specific investigations. If a department or agency of this state fails to
13 file a report within forty-five days after the report is due and there is
14 no good cause as determined by the Arizona criminal justice commission,
15 the attorney general shall make no expenditures from the fund for the
16 benefit of the department or agency until the report is filed. The
17 attorney general is responsible for collecting all reports from
18 departments and agencies of this state and transmitting the reports to the
19 Arizona criminal justice commission at the time that the report required
20 pursuant to subsection I of this section is submitted.

21 I. On or before February 21, May 21, August 21 and November 21 of
22 each year, the attorney general shall file with the Arizona criminal
23 justice commission a report for the previous calendar quarter. The report
24 shall be in an electronic form that is prescribed by the Arizona criminal
25 justice commission and approved by the director of the joint legislative
26 budget committee. The report shall set forth the sources of all monies
27 and all expenditures as required by subsections K and L of this section.
28 The report shall not include any identifying information about specific
29 investigations. If the attorney general fails to file a report within
30 sixty days after the report is due and there is no good cause as
31 determined by the Arizona criminal justice commission, the attorney
32 general shall make no expenditures from the fund for the benefit of the
33 attorney general until the report is filed. If a political subdivision of
34 this state fails to file a report with the county attorney pursuant to
35 section 13-2314.03 within forty-five days after the report is due and
36 there is no good cause as determined by the Arizona criminal justice
37 commission, the attorney general shall make no expenditures from the fund
38 for the benefit of the political subdivision until the report is filed.

39 J. On or before the last day of February, May, August and November
40 of each year, the Arizona criminal justice commission shall compile the
41 attorney general report and the reports of all departments and agencies of
42 this state into a single comprehensive report for the previous calendar
43 quarter and shall submit an electronic copy of the report to the governor,
44 the director of the department of administration, the president of the

1 senate, the speaker of the house of representatives, the director of the
2 joint legislative budget committee and the secretary of state.

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

6 1. The name of the law enforcement agency that seized the property.

7 2. The date of the seizure for forfeiture.

8 3. The type of property seized and a description of the property
9 seized, including, if applicable, the make, the model and the serial
10 number of the property.

11 4. The location of the original seizure by law enforcement.

12 5. The estimated value of the property seized for forfeiture, not
13 excluding encumbrances.

14 6. The criminal statute that allowed the seizure for forfeiture.

15 7. The criminal statute charged in the criminal case that is
16 related to the forfeiture case.

17 8. The court case number of the criminal case that is related to
18 the forfeiture case.

19 9. The outcome of the criminal case that is related to the
20 forfeiture case.

21 10. If the property was seized by a state agency and submitted for
22 state forfeiture proceedings but was transferred to federal authorities
23 for forfeiture proceedings, the reason for the federal transfer.

24 11. The forfeiture case number.

25 12. The method of forfeiture proceeding, including whether it was
26 criminal or civil, and if civil, whether a claim was filed by an owner or
27 interest holder.

28 13. The venue of the forfeiture action.

29 14. Whether a person or entity filed a claim or counterclaim or
30 submitted a petition asserting an interest in the property as an owner,
31 interest holder or injured person.

32 15. Whether the owner, interest holder or injured person was
33 assisted by an attorney in the forfeiture case.

34 16. The date of the forfeiture decision.

35 17. Whether there was a forfeiture settlement agreement.

36 18. Whether the property was awarded or partially awarded to the
37 owner, partial owner or injured person or if the property was forfeited to
38 the state.

39 19. Whether the property was sold, destroyed or retained by law
40 enforcement.

41 20. The earliest date that the property was disposed of or sent for
42 disposition.

43 21. The net amount of monies and proceeds received from the
44 forfeiture.

1 22. The estimated administrative and storage costs and any other
2 costs, including any costs of litigation.

3 23. The amount of attorney fees, costs, expenses and damages
4 awarded and to whom the fees, costs, expenses or damages were awarded.

5 L. The reports that are required by subsections H and I of this
6 section must include the following information with regard to all
7 expenditures made from the fund for:

8 1. Crime, gang and substance abuse prevention programs.

9 2. Any injured person as defined in section 13-4301.

10 3. Witness protection.

11 4. Investigation costs, including informant fees and buy money.

12 5. Regular-time salaries, overtime pay and employee benefits of
13 prosecutors.

14 6. Regular-time salaries, overtime pay and employee benefits of
15 sworn law enforcement agency personnel other than prosecutors.

16 7. Regular-time salaries, overtime pay and employee benefits of
17 unsworn law enforcement agency personnel other than prosecutors.

18 8. Professional or outside services, including services related to
19 auditing, outside attorney fees, court reporting, expert witnesses and
20 other court costs.

21 9. Travel and meals.

22 10. Training.

23 11. Conferences.

24 12. Vehicles purchased or leased.

25 13. Vehicle maintenance.

26 14. Canines, firearms and related equipment, including tactical
27 gear.

28 15. Other capital expenditures, including furniture, computers and
29 office equipment.

30 16. External publications and communications.

31 17. Other operating expenses, including office supplies, postage
32 and printing. Expenses listed under this paragraph must be separately
33 categorized.

34 M. Beginning in 2018 and every other year thereafter, the auditor
35 general shall conduct a performance audit, as defined in section 41-1278,
36 and a financial audit of the attorney general's use of monies in the fund.
37 The audits must include all expenditures that were made by the attorney
38 general's office from the fund for the previous two years. The auditor
39 general shall submit copies of the performance and financial audits to the
40 president of the senate, the speaker of the house of representatives and
41 the chairpersons of the senate judiciary committee and the house of
42 representatives judiciary and public safety committee, or their successor
43 committees. The attorney general shall pay any fees and costs of the
44 audits under this section from the fund.

1 Sec. 3. Section 13-3828, Arizona Revised Statutes, is amended to
2 read:

3 13-3828. Sex offender management board; duties; report

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

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

11 (a) One member who represents the judicial department.

12 (b) One member who is a superior court judge.

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

15 2. The director of the state department of corrections shall
16 appoint one member who represents the state department of corrections.

17 3. The director of the department of economic security shall
18 appoint ~~the following members:~~

19 ~~(a)~~ one member who represents the department of economic security
20 and who has recognizable expertise in ~~child welfare and case management~~
21 **INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.**

22 **4. THE DIRECTOR OF THE DEPARTMENT OF CHILD SAFETY SHALL APPOINT THE**
23 **FOLLOWING MEMBERS:**

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

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

28 ~~4.~~ 5. The director of the department of public safety shall
29 appoint the following members:

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

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

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

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

39 (e) Three members who are recognized experts in the field of sexual
40 abuse and who represent sexual abuse victims and victims' rights
41 organizations.

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

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

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

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

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

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

13 ~~5.~~ 6. The director of the Arizona prosecuting attorneys' advisory
14 council shall appoint one member who represents the interests of
15 prosecuting attorneys and who has recognizable expertise in prosecuting
16 sexual offenses.

17 ~~6.~~ 7. The superintendent of public instruction shall appoint one
18 member who has experience with juveniles who have committed sexual
19 offenses and who is in the public school system.

20 ~~7.~~ 8. The speaker of the house of representatives shall appoint
21 ~~one member of the house of representatives who shall serve as~~
22 ~~cochairperson. The speaker of the house of representatives may appoint up~~
23 ~~to two additional~~ PUBLIC members ~~of the house of representatives~~ WHO ARE
24 from different political parties AND WHO HAVE EXPERTISE IN ADULT AND
25 JUVENILE ISSUES THAT RELATE TO SEX OFFENDERS.

26 ~~8.~~ 9. The president of the senate shall appoint ~~one member of the~~
27 ~~senate who shall serve as cochairperson. The president of the senate may~~
28 ~~appoint up to two additional~~ PUBLIC members ~~of the senate~~ WHO ARE from
29 different political parties AND WHO HAVE EXPERTISE IN ADULT AND JUVENILE
30 ISSUES THAT RELATE TO SEX OFFENDERS.

31 ~~9.~~ 10. The governor may appoint up to two additional members WHO
32 ARE from different political parties.

33 11. THE DIRECTOR OF THE DEPARTMENT OF HEALTH SERVICES SHALL APPOINT
34 ONE MEMBER WHO REPRESENTS THE ARIZONA COMMUNITY PROTECTION AND TREATMENT
35 CENTER.

36 B. THE BOARD SHALL ELECT A CHAIRPERSON FROM AMONG ITS MEMBERSHIP TO
37 SERVE A TWO-YEAR TERM AS CHAIRPERSON.

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

1 ~~C.~~ D. The board shall do all of the following and shall present
2 its recommendations, as applicable, to the legislature:

3 1. Develop, prescribe and revise, as appropriate, standard
4 procedures to evaluate adult sex offenders, including adult sex offenders
5 with developmental disabilities and serious mental illness. The
6 recommended procedures shall:

7 (a) Provide for evaluating adult sex offenders.

8 (b) Recommend management, monitoring and treatment based on
9 existing research.

10 (c) Incorporate the concepts of the risk-need-responsivity or
11 another evidence-based correctional model.

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

16 3. Develop and recommend methods of intervention for adult sex
17 offenders. The methods must prioritize the physical and psychological
18 safety of victims and potential victims. The methods must also be
19 appropriate to the assessed needs of the particular adult sex offender.

20 4. Develop, implement and revise, as appropriate, guidelines and
21 standards to treat adult sex offenders, including adult sex offenders with
22 intellectual and developmental disabilities and serious mental illness.
23 The recommended guidelines and standards must incorporate the concepts of
24 the risk-need-responsivity or another evidence-based correctional model.
25 The guidelines and standards may be used in the treatment of adult sex
26 offenders who are placed on probation, imprisoned in the state department
27 of corrections or placed on community supervision. Programs recommended
28 to be implemented pursuant to the guidelines and standards must:

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

32 (b) Include a continuing monitoring process and a continuum of
33 treatment options that are available to an adult sex offender as the adult
34 sex offender proceeds through the criminal justice system. Treatment
35 options must be determined by a current risk assessment and evaluation and
36 may include group counseling, individual counseling, family counseling,
37 outpatient treatment, inpatient treatment, shared living arrangements or
38 treatment in a therapeutic community.

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

42 5. Establish a subcommittee to make recommendations to the board on
43 revising the guidelines and standards developed pursuant to paragraph 4 of
44 this subsection. At least eighty percent of the members of the

1 subcommittee must be approved treatment providers, including one polygraph
2 examiner.

3 6. Develop annual recommendations to allocate monies deposited in
4 the state general fund pursuant to section 13-3821, subsection Q and
5 section 13-3824, subsection B. These **RECOMMENDATIONS** shall include
6 recommendations regarding the coordination of spending monies from the
7 state general fund with any monies spent by the state department of
8 corrections, the department of public safety or the judicial department to
9 evaluate and treat adult sex offenders and juveniles who have committed
10 sexual offenses. These recommendations shall be presented to the
11 legislature before the start of each legislative session.

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

19 8. Research, either through direct evaluation or through a review
20 of relevant research articles and sex offender treatment empirical data,
21 and analyze, through a comprehensive review of evidence-based practices,
22 the effectiveness of the evaluation and treatment policies and procedures
23 for adult sex offenders that are developed pursuant to paragraph 4 of this
24 subsection. This research shall specifically include reviewing and
25 researching recidivism and factors that contribute to recidivism for adult
26 sex offenders, the effective use of cognitive behavioral therapy to
27 prevent recidivism, the use of polygraphs in treatment and the containment
28 model for adult sex offender management and treatment and its effective
29 application. The board shall advise the legislature regarding revision of
30 the guidelines and standards for evaluation, identification and treatment,
31 as appropriate, based on the results of the board's research and
32 analysis. The board shall also develop and recommend a system to
33 implement the guidelines and standards that are developed pursuant to
34 paragraph 4 of this subsection.

35 9. In collaboration with the state department of corrections, the
36 judicial department and the board of executive clemency, develop proposed
37 criteria and make recommendations, as appropriate, for measuring an adult
38 sex offender's progress in treatment. The recommended criteria shall
39 assist the court and the board of executive clemency in determining
40 whether an adult sex offender may appropriately be released from
41 incarceration, whether the adult sex offender's level of supervision may
42 be reduced or whether the adult sex offender may appropriately be
43 discharged from probation or parole. At a minimum, the recommended
44 criteria must be designed to assist the court and the board of executive
45 clemency in determining whether the adult sex offender could be

1 appropriately supervised in the community if the offender were released
2 from incarceration, released to a reduced level of supervision or
3 discharged from probation or parole.

4 10. In collaboration with the state department of corrections, the
5 judicial department, [THE ARIZONA COMMUNITY PROTECTION AND TREATMENT CENTER](#)
6 and the board of executive clemency, make recommendations for the
7 establishment of standards for community entities that provide supervision
8 and treatment specifically designed for adult sex offenders who have
9 developmental disabilities or who are deemed sexually violent persons. At
10 a minimum, the recommended standards must determine whether an entity
11 would provide adequate support and supervision to minimize any threat that
12 the adult sex offender may pose to the community.

13 11. Review the current delivery of services and the establishment
14 of release conditions at the Arizona community protection and treatment
15 center. The Arizona community protection and treatment center shall
16 implement any guidelines and standards for sex offender treatment and
17 supervision that are established by the board.

18 12. Research, analyze and make recommendations that reflect best
19 practices for living arrangements for and the location of adult sex
20 offenders within the community, including shared living arrangements. At
21 a minimum, the board shall consider the safety issues raised by the
22 location of adult sex offender residences, especially in proximity to
23 public or private schools and child care facilities, and public
24 notification of the location of adult sex offender residences. The board
25 shall make recommendations for the adoption and revision, as appropriate,
26 of the guidelines as it deems appropriate regarding the living
27 arrangements for and location of adult sex offenders and adult sex
28 offender housing.

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

33 (a) Provide for evaluating juvenile offenders.

34 (b) Recommend behavior management, monitoring, treatment and
35 compliance.

36 (c) Incorporate the concepts of the risk-need-responsivity or
37 another evidence-based correctional model based on the knowledge that all
38 unlawful sexual behavior poses a risk to the community and that certain
39 juveniles may have the capacity to change their behavior with appropriate
40 intervention and treatment. The board shall develop and make
41 recommendations for the implementation of methods of intervention for
42 juveniles who have committed sexual offenses. The methods must have as a
43 priority the physical and psychological safety of victims and potential
44 victims and, if the methods do not reduce the safety of victims and

1 potential victims, the methods must also be appropriate to the needs of
2 the particular juvenile offender.

3 14. Develop, implement and revise, as appropriate, guidelines and
4 standards to treat juveniles who have committed sexual offenses, including
5 juveniles with intellectual and developmental disabilities. The
6 guidelines and standards must incorporate the concepts of the
7 risk-need-responsivity or another evidence-based correctional model. The
8 guidelines and standards may be used for juvenile offenders who are placed
9 on probation or placed under the jurisdiction of the department of
10 juvenile corrections or the state department of corrections. Programs
11 recommended to be implemented pursuant to the guidelines and standards
12 must:

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

16 (b) Include a continuing monitoring process and a continuum of
17 treatment options that are available to a juvenile offender as the
18 juvenile proceeds through the justice system. Treatment options may
19 include group counseling, individual counseling, family counseling,
20 outpatient treatment, inpatient treatment, shared living arrangements and
21 treatment in a therapeutic community.

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

25 15. Establish a subcommittee to make recommendations to the board
26 on revising the guidelines and standards developed pursuant to paragraph
27 13 of this subsection. At least eighty percent of the members of the
28 subcommittee must be approved treatment providers, including one polygraph
29 examiner.

30 16. Research and analyze the effectiveness of the evaluation,
31 identification and treatment procedures developed pursuant to paragraph 13
32 of this subsection for juveniles who have committed sexual offenses. The
33 board shall make recommendations for the revision of the guidelines and
34 standards for evaluation, identification and treatment, as appropriate,
35 based on the results of the board's research and analysis. The board
36 shall also develop and prescribe a system to implement the guidelines and
37 standards that are developed pursuant to paragraph 13 of this subsection.

38 17. In collaboration with law enforcement agencies in this state,
39 victim advocacy organizations, the department of education and the
40 department of public safety, develop and revise, as appropriate, for use
41 by schools educational materials regarding general information about adult
42 sex offenders and juveniles who have committed sexual offenses, safety
43 concerns related to the offenders and other relevant materials. The board
44 shall provide the materials to the department of education, and the

1 department of education shall make the materials available to schools in
2 this state.

3 ~~D.~~ E. If sufficient monies are appropriated to the department of
4 public safety, the board may request that individuals or entities that
5 provide evaluation, treatment or polygraph services specifically to sex
6 offenders that conform with the standards developed by the board pursuant
7 to subsection D, paragraph 4 of this section submit to the board data and
8 information as determined by the board. The board may use this data and
9 information to evaluate the effectiveness of the guidelines and standards
10 developed pursuant to this section for all of the following:

11 1. To evaluate the effectiveness of individuals or entities that
12 provide evaluation, treatment or polygraph services specifically to sex
13 offenders.

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

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

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

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

25 Sec. 4. Section 31-227, Arizona Revised Statutes, is amended to
26 read:

27 31-227. Expenses of prosecution; reimbursement of counties

28 A. If a person is arrested within this state for any crime
29 committed in or adjacent and related to a correctional facility under the
30 jurisdiction of the state department of corrections or committed while
31 escaped from a correctional facility under the jurisdiction of the
32 department or from the custody of officials or employees of the department
33 while away from the correctional facility, the clerk of the court in which
34 the legal proceedings relating to the crime are held shall prepare an
35 itemized claim PURSUANT TO AN EXISTING INTERGOVERNMENTAL AGREEMENT WITH
36 THE STATE DEPARTMENT OF CORRECTIONS against the state for the court costs
37 and any other costs or fees incurred by the county on the prosecution and
38 defense of the case and the cost of confining and keeping the prisoner.
39 The claim shall be certified by the judge of the court; ~~AND~~ AND sent to the
40 state department of corrections.

41 B. ON RECEIPT OF THE CLAIM, THE STATE DEPARTMENT OF CORRECTIONS
42 SHALL FILE THE CLAIM WITH THE DEPARTMENT OF ADMINISTRATION and ~~paid~~ SHALL
43 PAY THE CLAIM from the appropriation for the support of the state
44 department of corrections to the county treasurer of the county where the

1 legal proceedings were held. The county treasurer shall deposit the
2 monies in the county general fund.

3 Sec. 5. Section 38-867, Arizona Revised Statutes, is amended to
4 read:

5 38-867. Contributions; member; employer; pickup

6 A. Each participant in the defined contribution plan shall
7 contribute the following percentage of the participant's gross pensionable
8 compensation by salary reduction that shall be deposited in the
9 participant's annuity account:

10 1. For a participant as defined in section 38-865, paragraph 7,
11 subdivision (a), item (ii), three percent.

12 2. For a participant as defined in section 38-865, paragraph 7,
13 subdivision (a), item (i), nine percent.

14 3. For a participant as defined in section 38-865, paragraph 7,
15 subdivision (b), seven percent.

16 B. A participant as defined in section 38-865 may make a onetime
17 irrevocable election, before the participant is eligible to participate in
18 any qualified plan of the employer, to contribute more than the percentage
19 of the participant's gross pensionable compensation specified in this
20 section, up to the amount allowable under section 415(c) of the internal
21 revenue code. A participant as defined in section 38-865, paragraph 7,
22 subdivision (b) may make a onetime irrevocable election, before the
23 participant is eligible to participate in any qualified plan of the
24 employer, to contribute less than the percentage of the participant's
25 gross pensionable compensation specified in this section but may not elect
26 to contribute less than five percent of the participant's gross
27 pensionable compensation. The election made pursuant to this subsection
28 shall be the participant's contribution rate for the remainder of the
29 participant's employment.

30 C. Although designated as employee contributions, all participant
31 contributions made to the defined contribution plan shall be picked up and
32 paid by the employer in lieu of contributions by the employee. The
33 contributions picked up by an employer may be made through a reduction in
34 the participant's compensation. A participant in the defined contribution
35 plan may not choose to receive the contributed amounts directly instead of
36 the employer paying the amounts to the defined contribution plan. All
37 participant contributions that are picked up by the employer as provided
38 in this subsection shall be treated as employer contributions under
39 section 414(h) of the internal revenue code, shall be excluded from the
40 participant's gross income for federal and state income tax purposes and
41 are includable in the gross income of the participant or the participant's
42 beneficiaries only in the taxable year in which they are distributed.

1 D. Each employer shall annually make a contribution equal to the
2 following percentages of each participant's gross pensionable
3 compensation:

4 1. For a participant as defined in section 38-865, paragraph 7,
5 subdivision (a), item (ii), three percent.

6 2. For a participant as defined in section 38-865, paragraph 7,
7 subdivision (a), item (i), nine percent.

8 3. For a participant as defined in section 38-865, paragraph 7,
9 subdivision (b), five AND ONE-HALF percent.

10 E. The pro rata share of the amount paid in subsection D of this
11 section shall be paid on each date that a participant contribution is made
12 and shall be credited to the participant's annuity account.

13 F. Each participant as defined in section 38-865, paragraph 7,
14 subdivision (a), item (i) and subdivision (b) and each employer shall
15 contribute:

16 1. To the public safety personnel defined contribution retirement
17 plan disability program established by article 4.2 of this chapter.

18 2. For participants who make an election pursuant to section
19 38-869, an equal amount for the group health benefits plan payments as
20 specified in section 38-869 as determined by actuarial valuations reported
21 by the board to the employer and local board, which shall be deposited in
22 a separate account established pursuant to section 38-869.

23 G. A participant's contributions and earnings on those
24 contributions are immediately vested.

25 H. A participant as defined in section 38-865, paragraph 7,
26 subdivision (a) or section 38-865.01 is fully vested in the defined
27 contribution plan after ten years of service, with employer contributions
28 vesting at a rate of ten percent per year. If a participant described in
29 this subsection dies or is determined to be eligible for an accidental or
30 catastrophic disability pension pursuant to section 38-844 before
31 completing ten years of service, the employer contributions are
32 immediately fully vested.

33 I. A participant as defined in section 38-865, paragraph 7,
34 subdivision (b) is fully vested in the defined contribution plan after
35 three years of service, with the employer contributions vesting at the
36 following rates:

37 1. Twenty-five percent after the first year of service.

38 2. Fifty percent after the second year of service.

39 3. One hundred percent after the third year of service.

40 J. If a participant as defined in section 38-865, paragraph 7,
41 subdivision (b) dies or is determined to be eligible for an accidental or
42 total and permanent disability pension pursuant to section 38-886 before
43 completing three years of service, the employer contributions are
44 immediately fully vested.

1 Sec. 6. Section 26-106, Arizona Revised Statutes, is transferred
2 and renumbered for placement in title 41, chapter 12, article 2, Arizona
3 Revised Statutes, as section 41-1736 and, as so renumbered, is amended to
4 read:

5 41-1736. Anti-human trafficking grant fund

6 The anti-human trafficking grant fund is established consisting of
7 monies appropriated by the legislature. Monies in the fund are
8 continuously appropriated. The department ~~of emergency and military~~
9 ~~affairs~~ shall administer the fund and distribute monies from the fund to
10 programs to reduce human trafficking in this state. To be eligible for
11 grant monies, an anti-human trafficking program shall do either of the
12 following:

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

15 2. Provide services to victims and training to law enforcement
16 agencies, prosecutorial agencies and the public on preventing and
17 identifying human trafficking.

18 Sec. 7. Section 41-2409, Arizona Revised Statutes, is amended to
19 read:

20 41-2409. State aid; administration; report

21 A. The Arizona criminal justice commission shall administer the
22 state aid to county attorneys fund established by section 11-539. On or
23 before September 1 of each year, the commission shall distribute monies in
24 the fund to each county according to the following composite index
25 formula:

26 1. The three-year average of the total felony filings in the
27 superior court in the county, divided by the statewide three-year average
28 of the total felony filings in the superior court.

29 2. The county population, as adopted by the office of economic
30 opportunity, divided by the statewide population, as adopted by the office
31 of economic opportunity.

32 3. The sum of paragraphs 1 and 2 of this subsection divided by two
33 equals the composite index.

34 4. The composite index for each county shall be used as the
35 multiplier against the total ~~funds~~ **MONIES** appropriated from the state
36 general fund and other monies distributed to the fund pursuant to section
37 41-2421.

38 B. The board of supervisors in each county shall separately account
39 for the monies transmitted pursuant to subsection A of this section and
40 may expend these monies only for the purposes specified in section
41 11-539. The county treasurer shall invest these monies and interest
42 earned shall be expended only for the purposes specified in section
43 11-539.

44 C. The Arizona criminal justice commission shall administer the
45 state aid to indigent defense fund established by section 11-588. By

1 September 1 of each fiscal year, the commission shall distribute monies in
2 the fund to each county according to the following composite index
3 formula:

4 1. The three-year average of the total felony filings in the
5 superior court in the county divided by the statewide three-year average
6 of the total felony filings in the superior court.

7 2. The county population, as adopted by the office of economic
8 opportunity, divided by the statewide population, as adopted by the office
9 of economic opportunity.

10 3. The sum of paragraphs 1 and 2 of this subsection divided by two
11 equals the composite index.

12 4. The composite index for each county shall be used as the
13 multiplier against the total ~~funds~~ MONIES appropriated from the state
14 general fund and other monies distributed to the fund pursuant to section
15 41-2421.

16 D. The board of supervisors shall separately account for the monies
17 transmitted pursuant to subsection C of this section and may expend these
18 monies only for the purposes specified in section 11-588. The county
19 treasurer shall invest these monies and interest earned shall be expended
20 only for the purposes specified in section 11-588.

21 E. The Arizona criminal justice commission shall administer the
22 state aid for juvenile dependency proceedings fund established by section
23 41-2410. On or before September 1 of each fiscal year, the Arizona
24 criminal justice commission shall distribute monies in the fund to each
25 ~~eligible county in which the three-year average of the total juvenile~~
26 ~~dependency case filings in the superior court in the county exceeds the~~
27 ~~three-year average juvenile dependency case filings in the superior court~~
28 ~~of the county for fiscal years 2012-2013, 2013-2014 and 2014-2015~~ based on
29 the proportional share of ~~the increase in petitions~~ FILINGS for each
30 county IN THE MOST RECENT FISCAL YEAR FOR WHICH JUVENILE DEPENDENCY CASE
31 FILING FIGURES ARE AVAILABLE. DISTRIBUTIONS FROM THE STATE AID FOR
32 JUVENILE DEPENDENCY PROCEEDINGS FUND TO A COUNTY MAY NOT EXCEED \$250,000
33 IN ANY FISCAL YEAR. IF A COUNTY DISTRIBUTION IN ANY FISCAL YEAR IS
34 PROJECTED TO EXCEED \$250,000, THE ARIZONA CRIMINAL JUSTICE COMMISSION
35 SHALL DISTRIBUTE MONIES IN EXCESS OF \$250,000 TO THE REMAINING COUNTIES
36 BASED ON THE PROPORTIONAL SHARE OF JUVENILE DEPENDENCY CASE FILINGS
37 STATEWIDE FOR EACH COUNTY LESS THE JUVENILE DEPENDENCY CASE FILINGS FROM
38 THE COUNTIES THAT HAVE REACHED THE MAXIMUM DISTRIBUTION IN THE FISCAL
39 YEAR.

40 F. The board of supervisors shall separately account for the monies
41 distributed pursuant to subsection E of this section and may spend these
42 monies only for the purposes specified in section 41-2410. The county
43 treasurer shall invest these monies and interest earned shall be spent
44 only for the purposes specified in section 41-2410.

1 G. On or before January 8 each year, the commission shall report to
2 each county board of supervisors, the governor, the legislature, the joint
3 legislative budget committee, the chief justice of the supreme court and
4 the attorney general on the expenditure of the monies in the state aid to
5 county attorneys fund and the state aid to indigent defense fund for the
6 prior fiscal year and on the progress made in achieving the goal of
7 improved criminal case processing.

8 Sec. 8. Delayed repeal

9 Sections 41-2832 and 41-2833, Arizona Revised Statutes, are repealed
10 from and after June 30, 2028.

11 Sec. 9. Section 41-3030.11, Arizona Revised Statutes, is amended to
12 read:

13 41-3030.11. Department of public safety; termination July 1,
14 2030

15 A. The department of public safety terminates on July 1, 2030.

16 B. SECTION 13-3828, title 41, chapter 12 and this section are
17 repealed on January 1, 2031.

18 Sec. 10. Repeal

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

20 Sec. 11. Section 44-1531.01, Arizona Revised Statutes, is amended
21 to read:

22 44-1531.01. Consumer protection-consumer fraud revolving
23 fund; use of fund

24 A. The consumer protection-consumer fraud revolving fund is
25 established to be administered by the attorney general under the
26 conditions and for the purposes provided by this section. Monies in the
27 fund are subject to legislative appropriation. Monies in the fund are
28 exempt from the provisions of section 35-190, relating to lapsing of
29 appropriations.

30 B. The fund consists of the following:

31 1. Any investigative or court costs, attorney fees or civil
32 penalties recovered for the state by the attorney general as a result of
33 enforcement of either state or federal statutes pertaining to consumer
34 protection or consumer fraud, whether by final judgment, settlement or
35 otherwise, except that the costs, penalties or fees recovered by a county
36 attorney shall be retained in the county and used for investigative
37 operations for consumer protection in the county.

38 2. Monies deposited pursuant to section 41-5603.

39 C. The attorney general shall use the monies in the fund for
40 operating expenses, including any cost or expense associated with the
41 tobacco master settlement agreement arbitration, consumer fraud education
42 and investigative and enforcement operations of the consumer protection
43 division.

1 D. NOTWITHSTANDING SUBSECTION C OF THIS SECTION, THE ATTORNEY
2 GENERAL MAY USE UP TO \$335,000 ANNUALLY FROM THE FUND TO CONTINUE THE
3 OPERATION OF THE FEDERALLY RECOGNIZED INTERNET CRIMES AGAINST CHILDREN
4 TASK FORCE PROGRAM. THIS PROGRAM SHALL COORDINATE A NATIONAL NETWORK OF
5 TASK FORCES THAT ASSIST FEDERAL, STATE, LOCAL AND TRIBAL LAW ENFORCEMENT
6 AGENCIES IN INVESTIGATIONS, FORENSIC EXAMINATIONS AND PROSECUTIONS RELATED
7 TO THE TECHNOLOGY-FACILITATED SEXUAL EXPLOITATION OF CHILDREN AND INTERNET
8 CRIMES AGAINST CHILDREN.

9 ~~D.~~ E. On or before January 15, April 15, July 15 and October 15,
10 the attorney general shall file with the governor, with copies to the
11 director of the department of administration, the president of the senate,
12 the speaker of the house of representatives, the secretary of state and
13 the staff director of the joint legislative budget committee, a full and
14 complete account of the receipts and disbursements from the fund in the
15 previous calendar quarter.

16 ~~E.~~ F. On or before January 15, April 15, July 15 and October 15,
17 each county attorney who retains monies pursuant to subsection B of this
18 section shall provide the county board of supervisors with a full and
19 complete account of the receipts and disbursements of the monies in the
20 previous calendar quarter.

21 Sec. 12. Section 44-1531.02, Arizona Revised Statutes, is amended
22 to read:

23 44-1531.02. Consumer restitution and remediation revolving
24 fund; subaccounts; annual report

25 A. The consumer restitution and remediation revolving fund is
26 established to be administered by the attorney general under the
27 conditions and for the purposes provided by this section. On notice from
28 the attorney general, the state treasurer shall invest and divest monies
29 in the fund as provided by section 35-313, and monies earned from
30 investment shall be credited to the appropriate subaccount of the fund.

31 B. The consumer restitution subaccount of the consumer restitution
32 and remediation revolving fund is established consisting of monies
33 collected or received by the attorney general as the result of an order of
34 a court of competent jurisdiction, or as the result of a settlement or
35 compromise, for the purpose of compensating specific, identifiable
36 persons, including this state, for economic loss resulting from violations
37 or alleged violations of consumer protection laws. The attorney general
38 shall administer the subaccount. Monies in the subaccount are
39 continuously appropriated. Monies in the subaccount are exempt from the
40 provisions of section 35-190 relating to lapsing of appropriations. The
41 attorney general shall distribute monies in the subaccount to specific,
42 identifiable persons as directed by a court order. The attorney general
43 may distribute any unexpended monies in the consumer restitution
44 subaccount to the consumer protection-consumer fraud revolving fund
45 established by section 44-1531.01.

1 C. The consumer remediation subaccount of the consumer restitution
2 and remediation revolving fund is established consisting of monies
3 collected or received by the attorney general from a party as the result
4 of an order of a court of competent jurisdiction, or as the result of a
5 settlement or compromise, to rectify violations or alleged violations of
6 consumer protection laws, other than monies collected for the benefit of
7 specific, identifiable persons and monies for investigative or court
8 costs, attorney fees, civil penalties or other monies recovered as a
9 result of the enforcement of consumer protection laws deposited in the
10 consumer protection-consumer fraud revolving fund pursuant to section
11 44-1531.01. The attorney general shall administer the subaccount. All
12 monies deposited in the subaccount pursuant to opioid claims-related
13 litigation or settlements are subject to legislative appropriation. All
14 monies that are not from opioid claims-related litigation or settlements
15 and that are in the subaccount up to the amount of \$4,000,000 annually are
16 continuously appropriated. Any amounts in excess of \$4,000,000 are
17 subject to legislative appropriation. Monies in the subaccount are exempt
18 from the provisions of section 35-190 relating to lapsing of
19 appropriations. The attorney general may spend monies in the subaccount
20 for programs, including consumer fraud education programs, that are
21 intended to rectify violations or alleged violations of consumer
22 protection laws. The attorney general may spend monies in the consumer
23 remediation subaccount for operating expenses incurred by the department
24 of law in administering or implementing programs intended to rectify
25 violations or alleged violations of consumer protection laws. The
26 attorney general shall submit an expenditure plan to the joint legislative
27 budget committee for review before spending any monies in the subaccount.

28 D. On or before January 15, April 15, July 15 and October 15 each
29 year, the attorney general shall file with the governor, with copies to
30 the director of the department of administration, the president of the
31 senate, the speaker of the house of representatives, the secretary of
32 state and the staff director of the joint legislative budget committee, a
33 full and complete account of the receipts and disbursements from the fund
34 by subaccount in the previous calendar quarter. The account must include
35 a separate delineated report that includes the receipts and disbursements
36 for all opioid claims-related litigation monies.

37 E. ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE ATTORNEY GENERAL
38 SHALL FILE WITH THE GOVERNOR'S OFFICE OF STRATEGIC PLANNING AND BUDGETING
39 AND THE STAFF DIRECTOR OF THE JOINT LEGISLATIVE BUDGET COMMITTEE A REPORT
40 ON THE ATTORNEY GENERAL'S CURRENT PROJECTIONS FOR TOTAL OPIOID
41 CLAIMS-RELATED LITIGATION MONIES THAT ARE TO BE DEPOSITED IN THE FUND
42 THROUGH THE LIFETIME OF ALL OPIOID SETTLEMENTS. THE REPORT SHALL ALSO
43 INCLUDE A DETAILED ACCOUNTING OF ALL OPIOID CLAIMS-RELATED LITIGATION
44 MONIES THAT THE ATTORNEY GENERAL HAS SPENT AS OF THE DATE OF THE REPORT,
45 OUTLINED BY THE USE OF MONIES AND THE FISCAL YEAR.

1 Sec. 13. Laws 2023, chapter 137, section 4, as amended by Laws
2 2024, chapter 213, section 8 is amended to read:

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

5 A. The fentanyl prosecution, diversion and testing fund is
6 established consisting of monies appropriated by the legislature. The
7 department of public safety shall administer the fund and may use monies
8 in the fund for costs that are associated with administering the
9 fund. Monies in the fund are continuously appropriated and are exempt
10 from the provisions of section 35-190, Arizona Revised Statutes, relating
11 to lapsing of appropriations. The department shall allocate monies in the
12 fund on a first-come, first-served basis to:

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

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

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

21 2. Law enforcement agencies in this state to reimburse costs
22 related to fentanyl testing.

23 3. Law enforcement agencies in this state to reimburse costs
24 related to fentanyl diversion activities.

25 B. From and after June 30, ~~2025~~ 2027, this section is repealed and
26 any unexpended or unencumbered monies in the fentanyl prosecution,
27 diversion and testing fund established by this section are transferred to
28 the state general fund.

29 Sec. 14. Child and family representation; report; delayed
30 repeal

31 A. The child and family representation program is established in
32 the administrative office of the courts for the purpose of collaborating
33 with superior courts, judges and attorneys to ensure uniform, high-quality
34 legal representation by attorneys appointed pursuant to section 8-221,
35 Arizona Revised Statutes.

36 B. The supreme court shall employ administrative and other
37 personnel that it determines are necessary to properly administer the
38 program, including a child and family representation compliance chief.

39 C. The program shall enhance the provision of legal representation
40 for children and parents by doing the following:

41 1. Assessing the provision and availability of high-quality,
42 accessible training in this state for persons who serve as counsel for
43 children and parents and for judges who regularly hear dependency matters.

1 2. Making recommendations to the supreme court concerning the
2 establishment or modification, by court rule, of minimum training
3 requirements and practice standards that attorneys who serve as counsel
4 shall meet, including appropriate maximum caseloads, minimum
5 responsibilities and duties and practice guidelines.

6 3. Auditing the practice of counsel to ensure compliance with all
7 relevant statutes, court rules, other directives, policies or procedures
8 and contract provisions.

9 4. Filing ethical complaints against attorneys who violate the
10 rules of professional conduct related to the representation of children
11 and parents in dependency proceedings.

12 5. Working cooperatively with the department of child safety, the
13 office of the attorney general, judges, attorneys, children and parents
14 who have been impacted by the child welfare system to form partnerships
15 for the purpose of ensuring high quality legal representation for children
16 and parents.

17 6. Recommending fair and realistic compensation rates that are
18 sufficient to attract and retain high quality, experienced attorneys to
19 serve as court appointed counsel for children and parents.

20 7. Seeking to enhance existing funding sources for the provision of
21 high quality counsel services for children and parents and studying the
22 availability of or developing new funding sources for the provision of
23 counsel.

24 8. Developing measures to assess and document the effectiveness of
25 counsel and the outcomes achieved by children who are represented by
26 counsel in consultation with state and national interest groups with an
27 understanding of best practices for representing children and parents in
28 dependency proceedings.

29 9. Assisting foster parents, foster children, biological parents
30 and other persons who have knowledge of an alleged violation with filing
31 ethical complaints related to the representation of children and parents
32 in dependency proceedings.

33 D. On or before June 30 of each year, the program shall report to
34 the president of the senate, the speaker of the house of representatives
35 and the governor's office of strategic planning and budgeting on the
36 measures taken to assess and document the effectiveness of counsel.

37 E. This section is repealed from and after June 29, 2028.

38 Sec. 15. Legislative intent

39 The legislature intends that \$1,000,000 of state general fund monies
40 will be used in fiscal year 2026-2027 to fully cover the costs of the
41 corrections officer retirement plan employer contribution rate increase as
42 prescribed by section 38-867, Arizona Revised Statutes, as amended by this
43 act. This amount is intended to fully cover the costs for all state
44 agencies and local governments on an ongoing basis.

1 Sec. 16. Effective date
2 Section 38-867, Arizona Revised Statutes, as amended by this act, is
3 effective from and after June 30, 2026.
4 Sec. 17. Retroactivity
5 A. Section 13-2314.01, Arizona Revised Statutes, as amended by this
6 act, applies retroactively to from and after August 26, 2025.
7 B. Laws 2023, chapter 137, section 4, as amended by Laws 2024,
8 chapter 213, section 8, applies retroactively to from and after June 29,
9 2025.