

Senate Engrossed

sex offenders; fund; assessment; subcommittee

State of Arizona  
Senate  
Fifty-seventh Legislature  
Second Regular Session  
2026

# SENATE BILL 1585

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 13-3828.01; APPROPRIATING MONIES; RELATING TO SEX OFFENDER MONITORING.

(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,  
23 PURSUANT TO SECTIONS 35-146 AND 35-147, THE ASSESSMENTS IN THE SEX  
24 OFFENDER SURCHARGE FUND ESTABLISHED BY SECTION 13-3828.01.

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 one member who represents the department of economic security and  
43 who has recognizable expertise in intellectual and developmental  
44 disabilities.

1           4. The director of the department of child safety shall appoint the  
2 following members:

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

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

7           5. 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           6. 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           7. 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.

44           8. The speaker of the house of representatives shall appoint two  
45 public members who are from different political parties and who have

1 expertise in adult ~~and~~ OR juvenile, OR BOTH, issues that relate to sex  
2 offenders.

3 9. The president of the senate shall appoint two public members who  
4 are from different political parties and who have expertise in adult ~~and~~  
5 OR juvenile, OR BOTH, issues that relate to sex offenders.

6 10. The governor may appoint up to two additional members who are  
7 from different political parties AND WHO HAVE EXPERTISE IN ADULT OR  
8 JUVENILE, OR BOTH, ISSUES THAT RELATE TO SEX OFFENDERS.

9 11. The director of the department of health services shall appoint  
10 one member who represents the Arizona community protection and treatment  
11 center.

12 B. The board shall elect a chairperson from among its membership to  
13 serve a two-year term as chairperson.

14 C. Members who are appointed pursuant to subsection A of this  
15 section serve at the pleasure of the appointing authority. The initial  
16 members shall assign themselves by lot to terms of two, three and four  
17 years. All subsequent members serve four-year terms of office. The  
18 chairperson shall notify the governor's office of these terms. Board  
19 members are not eligible to receive compensation but are eligible for  
20 reimbursement of expenses pursuant to title 38, chapter 4, article 2.

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

23 1. Develop, prescribe and revise, as appropriate, standard  
24 procedures to evaluate adult sex offenders, including adult sex offenders  
25 with developmental disabilities and serious mental illness. The  
26 recommended procedures shall:

27 (a) Provide for evaluating adult sex offenders.

28 (b) Recommend management, monitoring and treatment based on  
29 existing research.

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

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

36 3. Develop and recommend methods of intervention for adult sex  
37 offenders. The methods must prioritize the physical and psychological  
38 safety of victims and potential victims. The methods must also be  
39 appropriate to the assessed needs of the particular adult sex offender.

40 4. Develop, implement and revise, as appropriate, guidelines and  
41 standards to treat adult sex offenders, including adult sex offenders with  
42 intellectual and developmental disabilities and serious mental illness.  
43 The recommended guidelines and standards must incorporate the concepts of  
44 the risk-need-responsivity or another evidence-based correctional model.  
45 The guidelines and standards may be used in the treatment of adult sex

1 offenders who are placed on probation, imprisoned in the state department  
2 of corrections or placed on community supervision. Programs recommended  
3 to be implemented pursuant to the guidelines and standards must:

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

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

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

17 5. Establish a subcommittee to make recommendations to the board on  
18 revising the guidelines and standards developed pursuant to paragraph 4 of  
19 this subsection. At least ~~eighty~~ SIXTY-TWO percent of the members of the  
20 subcommittee must be approved treatment providers, including one polygraph  
21 examiner.

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

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

38 8. CONSULT WITH THE LEGISLATURE, ON REQUEST, AND MAKE  
39 RECOMMENDATIONS REGARDING PROPOSED LEGISLATION INVOLVING SEXUAL OFFENSES  
40 OR SEX OFFENDER RISK MANAGEMENT.

41 ~~8-~~ 9. Research, either through direct evaluation or through a  
42 review of relevant research articles and sex offender treatment empirical  
43 data, and analyze, through a comprehensive review of evidence-based  
44 practices, the effectiveness of the evaluation and treatment policies and  
45 procedures for adult sex offenders that are developed pursuant to

1 paragraph 4 of this subsection. This research shall specifically include  
2 reviewing and researching recidivism and factors that contribute to  
3 recidivism for adult sex offenders, the effective use of cognitive  
4 behavioral therapy to prevent recidivism, the use of polygraphs in  
5 treatment and the containment model for adult sex offender management and  
6 treatment and its effective application. The board shall advise the  
7 legislature regarding revision of the guidelines and standards for  
8 evaluation, identification and treatment, as appropriate, based on the  
9 results of the board's research and analysis. The board shall also  
10 develop and recommend a system to implement the guidelines and standards  
11 that are developed pursuant to paragraph 4 of this subsection.

12 ~~9.~~ 10. In collaboration with the state department of corrections,  
13 the judicial department and the board of executive clemency, develop  
14 proposed criteria and make recommendations, as appropriate, for measuring  
15 an adult sex offender's progress in treatment. The recommended criteria  
16 shall assist the court and the board of executive clemency in determining  
17 whether an adult sex offender may appropriately be released from  
18 incarceration, whether the adult sex offender's level of supervision may  
19 be reduced or whether the adult sex offender may appropriately be  
20 discharged from probation or parole. At a minimum, the recommended  
21 criteria must be designed to assist the court and the board of executive  
22 clemency in determining whether the adult sex offender could be  
23 appropriately supervised in the community if the offender were released  
24 from incarceration, released to a reduced level of supervision or  
25 discharged from probation or parole.

26 ~~10.~~ 11. In collaboration with the state department of corrections,  
27 the judicial department, the Arizona community protection and treatment  
28 center and the board of executive clemency, make recommendations for the  
29 establishment of standards for community entities that provide supervision  
30 and treatment specifically designed for adult sex offenders who have  
31 developmental disabilities or who are deemed sexually violent persons. At  
32 a minimum, the recommended standards must determine whether an entity  
33 would provide adequate support and supervision to minimize any threat that  
34 the adult sex offender may pose to the community.

35 ~~11.~~ 12. Review the current delivery of services and the  
36 establishment of release conditions at the Arizona community protection  
37 and treatment center. The Arizona community protection and treatment  
38 center shall implement any guidelines and standards for sex offender  
39 treatment and supervision that are established by the board.

40 ~~12.~~ 13. Research, analyze and make recommendations that reflect  
41 best practices for living arrangements for and the location of adult sex  
42 offenders within the community, including shared living arrangements. At  
43 a minimum, the board shall consider the safety issues raised by the  
44 location of adult sex offender residences, especially in proximity to  
45 public or private schools and child care facilities, and public

1 notification of the location of adult sex offender residences. The board  
2 shall make recommendations for the adoption and revision, as appropriate,  
3 of the guidelines as it deems appropriate regarding the living  
4 arrangements for and location of adult sex offenders and adult sex  
5 offender housing.

6 ~~13.~~ 14. Develop and make recommendations for revision, as  
7 appropriate, of recommended standard procedures to evaluate juveniles who  
8 have committed sexual offenses, including juveniles with developmental  
9 disabilities. The recommended procedures shall:

10 (a) Provide for evaluating juvenile offenders.

11 (b) Recommend behavior management, monitoring, treatment and  
12 compliance.

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

24 ~~14.~~ 15. Develop, implement and revise, as appropriate, guidelines  
25 and standards to treat juveniles who have committed sexual offenses,  
26 including juveniles with intellectual and developmental disabilities. The  
27 guidelines and standards must incorporate the concepts of the  
28 risk-need-responsivity or another evidence-based correctional model. The  
29 guidelines and standards may be used for juvenile offenders who are placed  
30 on probation or placed under the jurisdiction of the department of  
31 juvenile corrections or the state department of corrections. Programs  
32 recommended to be implemented pursuant to the guidelines and standards  
33 must:

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

37 (b) Include a continuing monitoring process and a continuum of  
38 treatment options that are available to a juvenile offender as the  
39 juvenile proceeds through the justice system. Treatment options may  
40 include group counseling, individual counseling, family counseling,  
41 outpatient treatment, inpatient treatment, shared living arrangements and  
42 treatment in a therapeutic community.

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

1           ~~15.~~ 16. Establish a subcommittee to make recommendations to the  
2 board on revising the guidelines and standards developed pursuant to  
3 paragraph ~~13~~ 14 of this subsection. At least eighty percent of the  
4 members of the subcommittee must be approved treatment providers,  
5 including one polygraph examiner.

6           ~~16.~~ 17. Research and analyze the effectiveness of the evaluation,  
7 identification and treatment procedures developed pursuant to paragraph ~~13~~  
8 14 of this subsection for juveniles who have committed sexual offenses.  
9 The board shall make recommendations for the revision of the guidelines  
10 and standards for evaluation, identification and treatment, as  
11 appropriate, based on the results of the board's research and analysis.  
12 The board shall also develop and prescribe a system to implement the  
13 guidelines and standards that are developed pursuant to paragraph ~~13~~ 14 of  
14 this subsection.

15           ~~17.~~ 18. In collaboration with law enforcement agencies in this  
16 state, victim advocacy organizations, the department of education and the  
17 department of public safety, develop and revise, as appropriate, for use  
18 by schools educational materials regarding general information about adult  
19 sex offenders and juveniles who have committed sexual offenses, safety  
20 concerns related to the offenders and other relevant materials. The board  
21 shall provide the materials to the department of education, and the  
22 department of education shall make the materials available to schools in  
23 this state.

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

32           1. To evaluate the effectiveness of individuals or entities that  
33 provide evaluation, treatment or polygraph services specifically to sex  
34 offenders.

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

36           F. This section does not grant the board any rulemaking or spending  
37 authority.

38           G. The attorney general, each county attorney and every agency and  
39 political subdivision of this state shall supply the chairperson of the  
40 board, on request, with such assistance and information as is reasonably  
41 necessary to effectuate the purposes of this section.

42           H. The board shall adopt recommendations by majority vote, but the  
43 recommendations to be voted on are subject to the discretion of the  
44 chairperson, who must approve a recommendation that is to be voted on.

1 I. THE STATE DEPARTMENT OF CORRECTIONS, THE JUDICIAL BRANCH, THE  
2 CRIMINAL INVESTIGATIONS DIVISION IN THE DEPARTMENT OF PUBLIC SAFETY, THE  
3 CRIMINAL JUSTICE SERVICES BUREAU IN THE DEPARTMENT OF PUBLIC SAFETY AND  
4 THE DEPARTMENT OF HEALTH SERVICES SHALL NOT EMPLOY, CONTRACT WITH OR ALLOW  
5 AN ADULT SEX OFFENDER OR A JUVENILE WHO HAS COMMITTED A SEXUAL OFFENSE TO  
6 EMPLOY OR CONTRACT WITH AN INDIVIDUAL OR ENTITY TO PROVIDE SEX  
7 OFFENDER-SPECIFIC EVALUATION, TREATMENT OR POLYGRAPH SERVICES PURSUANT TO  
8 THIS SECTION UNLESS THE SEX OFFENDER-SPECIFIC EVALUATION, TREATMENT OR  
9 POLYGRAPH SERVICES CONFORM WITH THE GUIDELINES AND STANDARDS THAT ARE  
10 DEVELOPED PURSUANT TO THIS SECTION.

11 J. AN INDIVIDUAL WHO PROVIDES SEX OFFENDER-SPECIFIC EVALUATION OR  
12 TREATMENT MUST:

13 1. AT A MINIMUM HAVE A BACCALAUREATE DEGREE IN A BEHAVIORAL SCIENCE  
14 WITH ONE OF THE FOLLOWING:

15 (a) TRAINING IN COUNSELING OR THERAPY.

16 (b) PROFESSIONAL EXPERIENCE IN COUNSELING OR THERAPY

17 2. HOLD A PROFESSIONAL MENTAL HEALTH LICENSE OR BE APPROVED BY THE  
18 BOARD OF BEHAVIORAL HEALTH EXAMINERS AS AN UNLICENSED PSYCHOTHERAPIST,  
19 CERTIFIED ADDICTION COUNSELOR, LICENSED PROFESSIONAL COUNSELOR CANDIDATE,  
20 LICENSED MARRIAGE AND FAMILY THERAPIST CANDIDATE OR PSYCHOLOGIST  
21 CANDIDATE.

22 3. BE A CLINICAL SOCIAL WORKER.

23 K. A POLYGRAPH EXAMINER MUST HAVE GRADUATED FROM AN ACCREDITED  
24 AMERICAN POLYGRAPH ASSOCIATION SCHOOL AND HAVE A BACCALAUREATE DEGREE FROM  
25 A FOUR-YEAR INSTITUTION OF HIGHER EDUCATION. THE STATE DEPARTMENT OF  
26 CORRECTIONS SHALL COMPLETE COMPLIANCE MONITORING OF CONTRACTED PROVIDERS  
27 AND POLYGRAPH EXAMINERS WHO ARE NOT APPROVED BY THE BOARD PURSUANT TO  
28 SUBSECTION I OF THIS SECTION ON AN ANNUAL BASIS.

29 L. IF A PROVIDER WHO CONTRACTS WITH THE STATE DEPARTMENT OF  
30 CORRECTIONS IS FOUND TO HAVE VIOLATED THE GUIDELINES AND STANDARDS THAT  
31 ARE DEVELOPED PURSUANT TO THIS SECTION, THE STATE DEPARTMENT OF  
32 CORRECTIONS SHALL TERMINATE THE CONTRACT WITH THE PROVIDER.

33 M. SUPERVISING OFFICERS SHALL FOLLOW THE GUIDELINES AND STANDARDS  
34 THAT ARE DEVELOPED PURSUANT TO THIS SECTION WHEN WORKING WITH SEX  
35 OFFENDERS. THE AGENCIES THAT EMPLOY SUPERVISING OFFICERS SHALL  
36 COLLABORATE WITH THE SEX OFFENDER MANAGEMENT BOARD TO DEVELOP PROCEDURES  
37 TO HOLD ACCOUNTABLE A SUPERVISING OFFICER WHO FAILS TO FOLLOW THE  
38 GUIDELINES AND STANDARDS.

39 Sec. 3. Title 13, chapter 38, article 3, Arizona Revised Statutes,  
40 is amended by adding section 13-3828.01, to read:

41 13-3828.01. Sex offender surcharge fund

42 A. THE SEX OFFENDER SURCHARGE FUND IS ESTABLISHED AND CONSISTS OF  
43 MONIES DEPOSITED PURSUANT TO SECTION 12-116.13 AND LEGISLATIVE  
44 APPROPRIATIONS. THE DEPARTMENT OF PUBLIC SAFETY SHALL ADMINISTER THE  
45 FUND. MONIES IN THE FUND ARE SUBJECT TO LEGISLATIVE APPROPRIATION AND ARE

1 EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO THE LAPSING OF  
2 APPROPRIATIONS.

3 B. THE DEPARTMENT OF PUBLIC SAFETY SHALL USE MONIES IN THE FUND FOR  
4 THE PURPOSES OF DEFRAYING THE COSTS RELATED TO THE SEX OFFENDER MANAGEMENT  
5 BOARD.

6 Sec. 4. Appropriations; department of public safety; sex  
7 offender management board; exemption

8 A. The sum of \$200,000 and two FTEs are appropriated from the state  
9 general fund in fiscal year 2026-2027 to the department of public safety  
10 for support of the sex offender management board established by section  
11 13-3828, Arizona Revised Statutes.

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

15 Sec. 5. Effective date

16 Section 12-116.13, Arizona Revised Statutes, as added by this act,  
17 is effective from and after December 31, 2026.