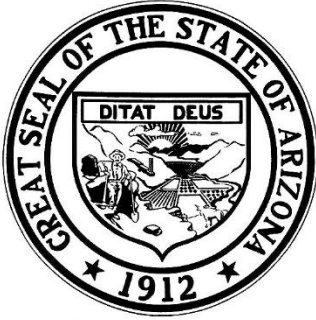


## HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: **HB 2435**

Gress Floor Amendment

- 
- Removes provisions requiring the Arizona Criminal Justice Commission (ACJC) to collect information and data from first responders, medical examiners and the Arizona Health Care Cost Containment System on drug overdoses and associated deaths among the homeless population.
  - Strikes language directing Arizona's criminal justice agencies to collect, and ACJC to record, information indicating crimes committed by and against homeless individuals.
  - Removes language requiring ACJC to submit an annual report of information collected on drug overdoses and crimes committed by and against homeless individuals to specified members of the executive and legislative branches.

Amendment explanation prepared by J. Hobbins

Phone Number 6-3649

jh

2/19/2025

GRESS FLOOR AMENDMENT  
HOUSE OF REPRESENTATIVES AMENDMENTS TO H. B. 2435  
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

~~[GREEN STRIKEOUT IN BRACKETS]~~ indicates new text removed from statute or previously enacted session law.

~~[Green strikeout in brackets]~~ indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

~~<<Green strikeout in carets>>~~ indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 <<Section 1. ~~Section 41-2405, Arizona Revised Statutes, is amended~~

3 ~~to read:~~

4 ~~41-2405. Arizona criminal justice commission, powers and~~

5 ~~duties, staff~~

6 ~~A. The Arizona criminal justice commission shall:~~

7 ~~1. Monitor the progress and implementation of new and continuing~~

8 ~~criminal justice legislation.~~

9 ~~2. Facilitate research among criminal justice agencies and maintain~~

10 ~~criminal justice system information.~~

11 ~~3. Facilitate coordinated statewide efforts to improve criminal~~

12 ~~justice information and data sharing.~~

13 ~~4. Prepare for the governor a biennial criminal justice system~~

14 ~~review report. The report shall contain:~~

15 ~~(a) An analysis of all criminal justice programs created by the~~

16 ~~legislature in the preceding two years.~~

17 ~~(b) An analysis of the effectiveness of the criminal code, with a~~

18 ~~discussion of any problems and recommendations for revisions if deemed~~

19 ~~necessary.~~

20 ~~(c) A study of the level of activity in the several areas of the~~

21 ~~criminal justice system, with recommendations for redistribution of~~

22 ~~criminal justice revenues if deemed necessary.~~

23 ~~(d) An overall review of the entire criminal justice system,~~

24 ~~including crime prevention, criminal apprehension, prosecution, court~~

25 ~~administration and incarceration at the state and local levels as well as~~

26 ~~funding needs for the system.~~

- 1       ~~(e) Recommendations for constitutional, statutory and~~  
2 ~~administrative revisions that are necessary to develop and maintain a~~  
3 ~~cohesive and effective criminal justice system.~~
- 4       ~~5. Provide supplemental reports on criminal justice issues of~~  
5 ~~special timeliness.~~
- 6       ~~6. In coordination with other governmental agencies, gather~~  
7 ~~information on programs that are designed to effectuate community crime~~  
8 ~~prevention and education using citizen participation and on programs for~~  
9 ~~alcohol and drug abuse prevention, education and treatment and disseminate~~  
10 ~~that information to the public, political subdivisions, law enforcement~~  
11 ~~agencies and the legislature.~~
- 12       ~~7. Make recommendations to the legislature and the governor~~  
13 ~~regarding the purposes and formula for allocation of fund monies as~~  
14 ~~provided in section 41-2401, subsection D and section 41-2402 through the~~  
15 ~~biennial agency budget request.~~
- 16       ~~8. Adopt rules for the purpose of allocating fund monies as~~  
17 ~~provided in sections 41-2401, 41-2402 and 41-2407 that are consistent with~~  
18 ~~the purposes set forth in those sections and that promote effective and~~  
19 ~~efficient use of the monies.~~
- 20       ~~9. Make reports to the governor and the legislature as they~~  
21 ~~require.~~
- 22       ~~10. Oversee the research, analyses, studies, reports and~~  
23 ~~publication of crime and criminal justice statistics prepared by the~~  
24 ~~Arizona statistical analysis center, which is an operating section of the~~  
25 ~~Arizona criminal justice commission.~~
- 26       ~~11. Prepare an annual report on law enforcement activities in this~~  
27 ~~state that are funded by the drug and gang enforcement fund or the~~  
28 ~~criminal justice enhancement fund and that relate to illicit drugs and~~  
29 ~~drug related DRUG-RELATED gang activity. The report shall be submitted by~~  
30 ~~October 31 of each year to the governor, the president of the senate and~~  
31 ~~the speaker of the house of representatives and a copy shall be submitted~~  
32 ~~to the secretary of state. The report shall include:~~

  - 33       ~~(a) The name and a description of each law enforcement program~~  
34 ~~dealing with illegal drug activity or street gang activity, or both.~~
  - 35       ~~(b) The objective and goals of each program.~~
  - 36       ~~(c) The source and amount of monies received by each program.~~
  - 37       ~~(d) The name of the agency or entity that administers each program.~~
  - 38       ~~(e) The effectiveness of each program.~~
- 39       ~~12. Compile and disseminate information on best practices for cold~~  
40 ~~case investigations, including effective victim communication procedures.~~  
41 ~~For the purposes of this paragraph, "cold case" means a homicide or a~~  
42 ~~felony sexual offense that remains unsolved for one year or more after~~  
43 ~~being reported to a law enforcement agency and that has no viable and~~  
44 ~~unexplored investigatory leads.~~
- 45       ~~13. Beginning January 1, 2019, Submit an annual recidivism report~~  
46 ~~to the legislature that compares the recidivism rate for a person who~~  
47 ~~serves a term of mandatory incarceration in a county jail pursuant to~~

1 ~~section 28-1383 and a person who serves that term of mandatory~~  
2 ~~incarceration in prison.~~

3 ~~14. DIRECT FIRST RESPONDERS, MEDICAL EXAMINERS AND THE ARIZONA~~  
4 ~~HEALTH CARE COST CONTAINMENT SYSTEM TO PROVIDE INFORMATION AND DATA ON~~  
5 ~~DRUG OVERDOSES AMONG INDIVIDUALS EXPERIENCING HOMELESSNESS, INCLUDING THE~~  
6 ~~NUMBER OF DRUG OVERDOSES AND DEATHS CAUSED BY DRUG OVERDOSES, TO THE~~  
7 ~~ARIZONA CRIMINAL JUSTICE COMMISSION.~~

8 ~~15. DIRECT CRIMINAL JUSTICE AGENCIES IN THIS STATE TO COLLECT AND~~  
9 ~~PROVIDE INFORMATION INDICATING CRIMES COMMITTED BY INDIVIDUALS WHO ARE~~  
10 ~~IDENTIFIED AS HOMELESS AND CRIMES COMMITTED AGAINST INDIVIDUALS WHO ARE~~  
11 ~~IDENTIFIED AS HOMELESS.~~

12 ~~16. SUBMIT AN ANNUAL REPORT ON PARAGRAPHS 14 AND 15 OF THIS~~  
13 ~~SUBSECTION TO THE GOVERNOR, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF~~  
14 ~~THE HOUSE OF REPRESENTATIVES AND PROVIDE A COPY OF THIS REPORT TO THE~~  
15 ~~SECRETARY OF STATE.~~

16 ~~B. The Arizona criminal justice commission, as necessary to perform~~  
17 ~~its functions, may:~~

18 ~~1. Request any state or local criminal justice agency to submit any~~  
19 ~~necessary information.~~

20 ~~2. Form subcommittees, make studies, conduct inquiries and hold~~  
21 ~~hearings.~~

22 ~~3. Subject to chapter 4, article 4 of this title, employ~~  
23 ~~consultants for special projects and such staff as deemed necessary or~~  
24 ~~advisable to carry out this section.~~

25 ~~4. Delegate its duties to carry out this section, including:~~

26 ~~(a) The authority to enter into contracts and agreements on behalf~~  
27 ~~of the commission.~~

28 ~~(b) Subject to chapter 4, article 4 and, as applicable, articles 5~~  
29 ~~and 6 of this title, the authority to appoint, hire, terminate and~~  
30 ~~discipline all personnel of the commission, including consultants.~~

31 ~~5. Establish joint research and information facilities with~~  
32 ~~governmental and private agencies.~~

33 ~~6. Accept and expend public and private grants of monies, gifts and~~  
34 ~~contributions and expend SPEND, distribute or allocate monies appropriated~~  
35 ~~to the commission for the purpose of enhancing efforts to investigate or~~  
36 ~~prosecute and adjudicate any crime and to implement this chapter.>>~~

37 Section 1. Performance audit; report; delayed repeal

38 A. The auditor general shall conduct a special audit, as defined in  
39 section 41-1278, Arizona Revised Statutes, of the amount of monies spent  
40 on programs and services for individuals experiencing homelessness in this  
41 state, including all of the following:

42 1. Expenditures by this state.

43 2. Expenditures by municipalities and counties with homeless  
44 populations higher than the per capita average of this state.

45 3. Expenditures of federal monies allocated to this state for  
46 homeless programs.

1           4. Expenditures by state and local law enforcement agencies to  
2 address homelessness, including transportation to emergency shelters,  
3 responding to crisis calls, providing overnight shelter in jail and  
4 enforcing camping bans.

5           B. All state and local governmental entities of this state shall  
6 cooperate with the special audit and grant access, at no cost, to all  
7 financial records and any other information necessary to complete the  
8 special audit.

9           C. The special audit shall examine all of the following:

10          1. The awarding of any contracts and grants relating to homeless  
11 services and support.

12          2. Any metrics used to examine the success of any expenditures.

13          3. The efficiency of the use of data management systems in relation  
14 to the programs.

15          4. The expenditure for each individual experiencing homelessness  
16 for each service provided.

17          D. On or before December 31, 2026, the auditor general shall submit  
18 copies of the special audit report to the governor, the president of the  
19 senate and the speaker of the house of representatives and provide a copy  
20 of this report to the secretary of state.

21          E. This section is repealed from and after June 30, 2027.

22 Enroll and engross to conform

23 Amend title to conform

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