



Bill Number: S.B. 1660

Bolick Floor Amendment

**Reference to: Judiciary and
Elections Committee Amendment**

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

- 1. Appropriates \$200,000 and two FTEs, rather than one FTE, to the Department of Public Safety for the purposes of the Sex Offender Management Board.**
- 2. Delays the effective date of the additional sex offender assessments until January 1, 2026.**
- 3. Requires the Director of the Department of Health Services to appoint one member who represents the Arizona Community Protection and Treatment Center.**
- 4. Makes conforming changes.**

BOLICK FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1660
(Reference to JUDICIARY AND ELECTIONS Committee amendment)

Amendment instruction key:

[GREEN UPPERCASE UNDERLINING IN BRACKETS] indicates that the amendment is adding text to statute or previously enacted session law.

[Green lowercase underlining in brackets] indicates that the amendment is adding text to new session law or is restoring previously stricken text to existing statute.

~~[GREEN UPPERCASE STRIKEOUT IN BRACKETS]~~ indicates that the amendment is removing new text from statute or previously enacted session law.

~~[Green lowercase strikeout in brackets]~~ indicates that the amendment is removing text from existing statute, previously enacted session law or new session law.

<<Double green carets enclosing an entire section>> indicates that the amendment is adding the section to the bill.

~~<<Green strikeout with double green carets enclosing an entire section>>~~ indicates that the amendment is removing the section to the bill.

{{ORANGE UPPERCASE UNDERLINING IN DOUBLE CURLY BRACKETS}} indicates that the amendment to an amendment is adding text to statute or previously enacted session law.

{{Orange lowercase underlining in double curly brackets}} indicates that the amendment to an amendment is adding text to new session law or is restoring previously stricken text to existing statute.

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

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.

1 B. THE COURT SHALL TRANSMIT THE ASSESSMENTS COLLECTED PURSUANT TO
2 THIS SECTION TO THE COUNTY TREASURER, EXCEPT THAT MUNICIPAL COURTS SHALL
3 TRANSMIT THE ASSESSMENTS TO THE CITY OR TOWN TREASURER.

4 C. THE CITY, TOWN OR COUNTY TREASURER SHALL TRANSMIT THE
5 ASSESSMENTS TO THE STATE TREASURER. THE STATE TREASURER SHALL DEPOSIT THE
6 ASSESSMENTS IN THE SEX OFFENDER SURCHARGE FUND ESTABLISHED BY SECTION
7 13-3830.

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

10 13-3828. Sex offender management board; duties; report

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

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

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

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

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

22 2. The director of the state department of corrections shall
23 appoint one member who represents the state department of corrections.

24 3. The director of the department of economic security shall
25 appoint ~~[the following members:]~~

26 ~~[(a)]~~ one member who represents the department of economic security
27 and who has recognizable expertise in ~~[child welfare and case management]~~
28 ~~[INTELLECTUAL AND DEVELOPMENTAL DISABILITIES]~~.

29 [4. THE DIRECTOR OF THE DEPARTMENT OF CHILD SAFETY SHALL APPOINT
30 THE FOLLOWING MEMBERS:]

31 ~~[(b)]~~ [(a)] One member who is a provider of out-of-home placement
32 services and who has recognizable expertise in providing services to
33 juveniles who have committed sexual offenses.

34 ~~[(c)]~~ [(b)] One member who represents the department of child
35 safety.

36 4. The director of the department of public safety shall appoint
37 the following members:

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

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

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

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

1 (e) Three members who are recognized experts in the field of sexual
2 abuse and who represent sexual abuse victims and victims' rights
3 organizations.

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

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

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

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

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

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

20 5. The director of the Arizona prosecuting attorneys' advisory
21 council shall appoint one member who represents the interests of
22 prosecuting attorneys and who has recognizable expertise in prosecuting
23 sexual offenses.

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

27 7. The speaker of the house of representatives shall appoint ~~one~~
28 ~~member of the house of representatives who shall serve as cochairperson.~~
29 ~~The speaker of the house of representatives may appoint up to two~~
30 ~~additional~~ PUBLIC members ~~of the house of representatives WHO ARE~~ from
31 different political parties [AND WHO HAVE EXPERTISE IN ADULT AND JUVENILE
32 ISSUES THAT RELATE TO SEX OFFENDERS].

33 8. The president of the senate shall appoint ~~one member of the~~
34 ~~senate who shall serve as cochairperson. The president of the senate may~~
35 ~~appoint up to two additional~~ PUBLIC members ~~of the senate WHO ARE~~ from
36 different political parties [AND WHO HAVE EXPERTISE IN ADULT AND JUVENILE
37 ISSUES THAT RELATE TO SEX OFFENDERS].

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

40 {{10. THE DIRECTOR OF THE DEPARTMENT OF HEALTH SERVICES SHALL
41 APPOINT ONE MEMBER WHO REPRESENTS THE ARIZONA COMMUNITY PROTECTION AND
42 TREATMENT CENTER.}}

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

45 ~~B.~~ C. ~~Appointed~~ Members WHO ARE APPOINTED PURSUANT TO SUBSECTION A
46 OF THIS SECTION serve at the pleasure of the appointing authority. The
47 initial members shall assign themselves by lot to terms of two, three and
48 four years. All subsequent members serve four-year terms of office. The

1 ~~cochairpersons~~ CHAIRPERSON shall notify the governor's office of these
2 terms. Board members are not eligible to receive compensation but are
3 eligible for reimbursement of expenses pursuant to title 38, chapter 4,
4 article 2.

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

7 1. Develop, prescribe and revise, as appropriate, standard
8 procedures to evaluate adult sex offenders, including adult sex offenders
9 with developmental disabilities and serious mental illness. The
10 recommended procedures shall:

11 (a) Provide for evaluating adult sex offenders.

12 (b) Recommend management, monitoring and treatment based on
13 existing research.

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

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

20 3. Develop and recommend methods of intervention for adult sex
21 offenders. The methods must prioritize the physical and psychological
22 safety of victims and potential victims. The methods must also be
23 appropriate to the assessed needs of the particular adult sex offender.

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

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

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

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

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

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

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

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

38 9. In collaboration with the state department of corrections, the
39 judicial department and the board of executive clemency, develop proposed
40 criteria and make recommendations, as appropriate, for measuring an adult
41 sex offender's progress in treatment. The recommended criteria shall
42 assist the court and the board of executive clemency in determining
43 whether an adult sex offender may appropriately be released from
44 incarceration, whether the adult sex offender's level of supervision may
45 be reduced or whether the adult sex offender may appropriately be
46 discharged from probation or parole. At a minimum, the recommended
47 criteria must be designed to assist the court and the board of executive
48 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
6 CENTER} 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
45 potential victims, the methods must also be appropriate to the needs of
46 the particular juvenile offender.

47 14. Develop, implement and revise, as appropriate, guidelines and
48 standards to treat juveniles who have committed sexual offenses, including

1 juveniles with intellectual and developmental disabilities. The
2 guidelines and standards must incorporate the concepts of the
3 risk-need-responsivity or another evidence-based correctional model. The
4 guidelines and standards may be used for juvenile offenders who are placed
5 on probation or placed under the jurisdiction of the department of
6 juvenile corrections or the state department of corrections. Programs
7 recommended to be implemented pursuant to the guidelines and standards
8 must:

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

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

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

21 15. Establish a subcommittee to make recommendations to the board
22 on revising the guidelines and standards developed pursuant to paragraph
23 13 of this subsection. At least eighty percent of the members of the
24 subcommittee must be approved treatment providers, including one polygraph
25 examiner.

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

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

43 ~~D.~~ E. If sufficient monies are appropriated to the department of
44 public safety, the board may request that individuals or entities that
45 provide evaluation, treatment or polygraph services specifically to sex
46 offenders that conform with the standards developed by the board pursuant
47 to subsection D, paragraph 4 of this section submit to the board data and
48 information as determined by the board. The board may use this data and

1 information to evaluate the effectiveness of the guidelines and standards
2 developed pursuant to this section for all of the following:

3 1. To evaluate the effectiveness of individuals or entities that
4 provide evaluation, treatment or polygraph services specifically to sex
5 offenders.

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

7 ~~F.~~ F. This section does not grant the board any rulemaking or
8 spending authority.

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

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

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

19 13-3830. Sex offender surcharge fund

20 A. THE SEX OFFENDER SURCHARGE FUND IS ESTABLISHED AND CONSISTS OF
21 MONIES DEPOSITED PURSUANT TO SECTION 12-116.13 AND LEGISLATIVE
22 APPROPRIATIONS. THE DEPARTMENT OF PUBLIC SAFETY SHALL ADMINISTER THE
23 FUND. MONIES IN THE FUND ARE SUBJECT TO LEGISLATIVE APPROPRIATION AND ARE
24 EXEMPT FROM THE PROVISIONS OF SECTION 35-190 RELATING TO THE LAPSING OF
25 APPROPRIATIONS.

26 B. THE DEPARTMENT OF PUBLIC SAFETY SHALL USE MONIES IN THE FUND FOR
27 THE PURPOSES OF DEFRAYING THE COSTS RELATED TO THE SEX OFFENDER MANAGEMENT
28 BOARD.

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

31 41-3030.11. Department of public safety; termination July 1,
32 2030

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

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

36 Sec. 5. Repeal

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

38 Sec. 6. Appropriations; department of public safety;
39 exemption

40 A. The sum of ~~{{{\$—}}}~~ {{{\$200,000}}} and ~~{{one FTE is}}~~ {{two FTEs
41 are}} appropriated from the state general fund in fiscal year 2025-2026 to
42 the department of public safety for the purposes of the sex offender
43 management board established by section 13-3828, Arizona Revised Statutes,
44 as amended by this act.

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

1 <<Sec. 7. Effective date
2 {{Section 12-116.13, Arizona Revised Statutes, as added by this act,
3 is effective from and after December 31, 2025.}}>>

4 Enroll and engross to conform

5 Amend title to conform

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