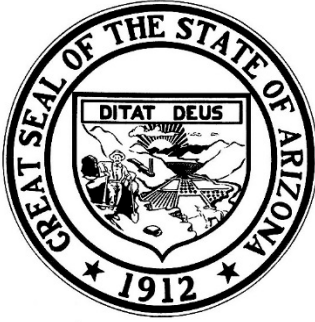




Bill Number: H.B. 2581

Payne Floor Amendment

Reference to: House engrossed bill

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

1. Includes, as sexual assault kit (SAK) evidence the SAK Evidence Tracking System (System) must track, evidence that is collected:
 - a) from a death investigation; or
 - b) for the purposes of prescribed federal rights.
2. Adds a medical examiner as a person who is authorized to track SAK evidence and access the System.
3. Exempts, from being required to submit information to or participate in the Department of Public Safety's System, a law enforcement agency (LEA) in a city with a population of more than 1,000,000 persons with a functional and operational SAK evidence tracking system that meets outlined requirements.
4. Stipulates that an exempted LEA is subject to annual reporting requirements and the statutory requirements for sexual assault investigations and collected biological evidence testing.
5. Stipulates that a victim must receive advance notice of destruction of a SAK, if the victim has chosen and provided contact information to receive notifications.
6. Removes the definition of an *LEA*.
7. Makes technical and conforming changes.

PAYNE FLOOR AMENDMENT
SENATE AMENDMENTS TO H.B. 2581
(Reference to House engrossed 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. Title 41, chapter 12, article 2, Arizona Revised
3 Statutes, is amended by adding section 41-1735, to read:

4 41-1735. Sexual assault kit evidence tracking system;
5 definition

6 A. THE DEPARTMENT SHALL ESTABLISH A SEXUAL ASSAULT KIT EVIDENCE
7 TRACKING SYSTEM TO TRACK SEXUAL ASSAULT KIT EVIDENCE THAT IS COLLECTED [AS
8 ~~PRESCRIBED IN~~] [PURSUANT TO ANY OF THE FOLLOWING:

9 1.] SECTION 13-1426.

10 [2. A DEATH INVESTIGATION.

11 3. 18 UNITED STATES CODE SECTION 3772.

12 4. THE VIOLENCE AGAINST WOMEN ACT REAUTHORIZATION ACT OF 2022
13 (P.L. 117-103; 136 STAT. 840).

14 B.] A MEDICAL PROVIDER, [MEDICAL EXAMINER,] LAW ENFORCEMENT AGENCY
15 [AS DEFINED IN SECTION 13-1426], PUBLIC ACCREDITED CRIME LABORATORY OR
16 OTHER PERSON OR ENTITY THAT HAS CUSTODY OR USE OF SEXUAL ASSAULT KIT
17 EVIDENCE SHALL SUBMIT [THAT] [THE] INFORMATION [COLLECTED PURSUANT TO
18 SUBSECTION A OF THIS SECTION] TO THE SEXUAL ASSAULT KIT EVIDENCE TRACKING
19 SYSTEM. THE SEXUAL ASSAULT KIT EVIDENCE TRACKING SYSTEM MUST:

20 1. TRACK THE LOCATION AND STATUS OF EACH SEXUAL ASSAULT KIT,
21 INCLUDING:

22 (a) THE INITIAL COLLECTION OF EVIDENCE FOR THE KIT IN A FORENSIC
23 MEDICAL EXAMINATION.

24 (b) THE RECEIPT AND STORAGE OF THE KIT AT A LAW ENFORCEMENT AGENCY.

25 (c) THE RECEIPT [AND ANALYSIS] OF THE KIT [AT] [BY] A PUBLIC
26 ACCREDITED CRIME LABORATORY.

27 [(d) THE COMPLETION OF THE ANALYSIS OF THE KIT BY A PUBLIC
28 ACCREDITED CRIME LABORATORY.]

29 [(d)] [(e)] THE STORAGE AND DESTRUCTION OF THE KIT.

1 2. ALLOW ~~[A HEALTH CARE FACILITY THAT PERFORMS A FORENSIC MEDICAL~~
2 ~~EXAMINATION OF A VICTIM, A LAW ENFORCEMENT AGENCY, A PUBLIC ACCREDITED~~
3 ~~CRIME LABORATORY, A PROSECUTOR OR ANOTHER ENTITY THAT PROVIDES A CHAIN OF~~
4 ~~CUSTODY FOR SEXUAL ASSAULT KIT EVIDENCE]~~ [THE PERSON OR ENTITY PURSUANT TO
5 SUBSECTION B OF THIS SECTION] TO UPDATE ~~[AND TRACK]~~ THE STATUS AND
6 LOCATION OF THE KITS.

7 3. ALLOW ~~[A]~~ [THE] VICTIM TO ANONYMOUSLY TRACK ~~[AND RECEIVE~~
8 ~~UPDATES REGARDING]~~ THE STATUS AND LOCATION OF THE VICTIM'S SEXUAL ASSAULT
9 KIT EVIDENCE, WITH ADVANCE NOTIFICATION OF DESTRUCTION OF THE KIT [, IF THE
10 VICTIM HAS CHOSEN TO RECEIVE NOTIFICATIONS AND HAS PROVIDED CONTACT
11 INFORMATION TO RECEIVE NOTIFICATIONS].

12 ~~[B.]~~ [C.] SEXUAL ASSAULT KIT EVIDENCE RECORDS THAT ARE ENTERED
13 INTO THE SEXUAL ASSAULT KIT EVIDENCE TRACKING SYSTEM ARE CONFIDENTIAL,
14 EXCEPT THAT THE RECORDS MAY BE ACCESSED BY:

15 1. THE VICTIM FOR WHOM THE SEXUAL ASSAULT KIT ~~[EVIDENCE]~~ WAS
16 COMPLETED.

17 2. [A PERSON OR] AN EMPLOYEE OF AN ENTITY LISTED IN SUBSECTION ~~[A]~~
18 ~~[B]~~ OF THIS SECTION FOR THE PURPOSES OF UPDATING ~~[OR TRACKING]~~ THE STATUS
19 OR LOCATION OF THE SEXUAL ASSAULT KIT EVIDENCE.

20 [D. A LAW ENFORCEMENT AGENCY IN A CITY WITH A POPULATION OF MORE
21 THAN ONE MILLION PERSONS WITH A FUNCTIONAL AND OPERATIONAL SEXUAL ASSAULT
22 KIT EVIDENCE TRACKING SYSTEM IN PLACE BEFORE THE EFFECTIVE DATE OF THIS
23 SECTION THAT MEETS THE REQUIREMENTS OF THIS SECTION IS NOT REQUIRED TO
24 SUBMIT INFORMATION TO OR PARTICIPATE IN THE DEPARTMENT'S SEXUAL ASSAULT
25 KIT EVIDENCE TRACKING SYSTEM. THE LAW ENFORCEMENT AGENCY IS SUBJECT TO
26 THE REQUIREMENTS OF SECTIONS 13-1426 AND 13-1427.]

27 ~~[C.]~~ [E.] FOR THE PURPOSES OF THIS SECTION [,] ~~[F.]~~

28 ~~[1. "LAW ENFORCEMENT AGENCY" HAS THE SAME MEANING PRESCRIBED IN~~
29 ~~SECTION 13-1426.]~~

30 ~~[2.]~~ "PUBLIC ACCREDITED CRIME LABORATORY" HAS THE SAME MEANING
31 PRESCRIBED IN SECTION 13-1426.

32 Enroll and engross to conform

33 Amend title to conform

KEVIN PAYNE

~~2581FloorPAYNE.docx~~

~~03/27/2025~~

~~3:12 PM~~

~~C: AH~~

2581FloorPAYNE.docx

03/31/2025

9:18 AM

S: KJA/ci