



**ARIZONA STATE SENATE**  
*Fifty-Sixth Legislature, Second Regular Session*

FACT SHEET FOR S.B. 1669

peace officer nonlethal device fund

Purpose

Requires a penalty assessment in an amount of \$2 to be levied on outlined fines, penalties and forfeitures and requires the collected assessments to be deposited into the Peace Officer Nonlethal Device Fund (Fund).

Background

Statute outlines surcharges and assessments for fees associated with criminal, civil and motor vehicle violations. Surcharges are levied on every fine, penalty and forfeiture in specified percentages, or flat amounts for assessments. Statute currently imposes surcharges totaling 78 percent and assessments totaling \$44 on each applicable fine, penalty and forfeiture. Statute also outlines other surcharges and assessments that apply only to certain criminal offenses, including a \$50 assessment for kidnapping, sexual offenses, sexual exploitation of children, stalking or domestic violence that is deposited into the Address Confidentiality Program Fund, and a \$1,000 assessment on street racing violations that is deposited into the Drag Racing Prevention Enforcement Fund ([A.R.S. Title 12, Chapter 1, Article 1](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Requires a penalty assessment, in addition to any other penalty assessment provided by law, to be levied in amount of \$2 on every:
  - a) fine, penalty and forfeiture imposed and collected by the courts for criminal offenses;
  - b) civil penalty imposed and collected for a civil traffic violation; and
  - c) fine, penalty or forfeiture violation of the motor vehicle statutes or any local ordinance relating to the stopping, standing or operation of a vehicle.
2. Requires the court to transmit the collected assessments and a remittance report of the fines, civil penalties and forfeitures collected to the county treasurer.
3. Requires the municipal courts to transmit the assessments and the remittance report of the fines, civil penalties and forfeitures to the city or town treasurer.
4. Requires the city, town or county treasurer to transmit the assessments and remittance report to the State Treasurer.
5. Requires the State Treasurer to deposit the assessment in the Fund.

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6. Allows the court to mitigate all or part of the assessment in the same manner and subject to the same limitations prescribed in current statute.
7. Establishes the Fund consisting of monies deposited from the collected assessments and requires the State Treasurer to administer the Fund.
8. Specifies that monies in the Fund may only be used for nonlethal devices for peace officers that do not cause any permanent harm or injury when used during apprehending suspected offenders.
9. Requires the State Treasurer to invest and divest monies in the Fund and monies earned from the investment to be credited to the Fund.
10. Exempts the appropriation from lapsing.
11. Becomes effective on the general effective date.

Prepared by Senate Research

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