

House Engrossed

criminal justice commission; data collection

**State of Arizona
House of Representatives
Fifty-fifth Legislature
First Regular Session
2021**

HOUSE BILL 2166

AN ACT

**AMENDING TITLE 41, CHAPTER 21, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 41-2408; RELATING TO THE ARIZONA CRIMINAL JUSTICE
COMMISSION.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 41, chapter 21, article 1, Arizona Revised Statutes, is amended by adding section 41-2408, to read:

41-2408. Criminal justice data collection; reporting requirements; definition

A. THE ARIZONA CRIMINAL JUSTICE COMMISSION IS DESIGNATED AS THE CENTRAL COLLECTION POINT FOR CRIMINAL JUSTICE DATA COLLECTION.

B. UNLESS PROHIBITED BY FEDERAL OR STATE LAW, THE ARIZONA CRIMINAL JUSTICE COMMISSION MAY REQUIRE ANY STATE OR LOCAL CRIMINAL JUSTICE AGENCY TO SUBMIT ANY NECESSARY INFORMATION THAT IS CURRENTLY COLLECTED AND READILY REPORTABLE BY THE AGENCY AT THE TIME OF THE REQUEST, INCLUDING AN AGENCY'S COMPLIANCE WITH STATUTORILY REQUIRED REPORTS OR MANDATED FEDERAL OR STATE REPORTING, OR ANY OTHER INFORMATION THAT IS DEEMED NECESSARY BY A VOTE OF THE FULL COMMISSION.

C. THIS SECTION DOES NOT AUTHORIZE THE ARIZONA CRIMINAL JUSTICE COMMISSION TO REQUIRE STATE OR LOCAL CRIMINAL JUSTICE AGENCIES TO COLLECT OR MAINTAIN ANY NEW DATA THAT IS NOT REQUIRED UNDER SUBSECTION B OF THIS SECTION.

D. FOR THE PURPOSES OF THIS SECTION, "CRIMINAL JUSTICE AGENCY" HAS THE SAME MEANING PRESCRIBED IN SECTION 41-1750.

Sec. 2. Arizona criminal justice commission; criminal justice data inventory report

A. The Arizona criminal justice commission shall conduct a comprehensive survey of data contained in criminal justice records systems housed at local and state criminal justice agencies, including courts, law enforcement agencies, prosecuting attorney and county and municipal public defender offices, the state department of corrections, the department of juvenile corrections and county and municipal jails in order to create a state criminal justice data inventory report identifying what data is housed at each type of agency.

B. On or before August 1, 2022, the Arizona criminal justice commission shall submit the criminal justice data inventory report to the governor, the secretary of state, the speaker of the house of representatives, the president of the senate, the house of representatives minority leader and the senate minority leader and provide a copy of this report to the secretary of state. The Arizona criminal justice commission shall ensure that the reporting is completed in a uniform and consistent manner and that the report is available in an online format on the commission's website.

C. The criminal justice data inventory report must contain cost estimates and recommendations on the technology elements that are necessary for the Arizona criminal justice commission to implement a statewide criminal justice data reporting system that is published on the commission's website in a modern, open, electronic format and that is readily accessible to the public. The report must also include, where identifiable, cost estimates for the necessary reprogramming or updating of local and state criminal justice agency data record systems to be able to transmit the required criminal justice data into the statewide reporting system.

D. On or before November 1, 2022, the Arizona criminal justice commission shall develop a comprehensive list of the data that local and state criminal justice agencies are required to report into the statewide criminal justice data reporting system after the reporting system becomes operational.

Sec. 3. Legislative intent

The legislature intends to implement a model for uniform criminal justice data collection by requiring state and local criminal justice agencies to report complete, accurate and timely criminal justice data and to make this information available to the public. The legislature finds that implementing a uniform criminal justice data collection model is an important state interest and promotes criminal justice data transparency.