



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

**AMENDED**

**FACT SHEET FOR S.C.R. 1006**

death benefit; assault; first responders.

Purpose

Subject to voter approval, effective July 1, 2025, through January 1, 2033, statutorily requires Arizona to pay the sum of \$250,000 to the surviving spouse or dependent of a first responder killed in the line of duty and establishes a \$20 penalty fee on every criminal conviction for the purpose of providing funding for the death benefit.

Background

The Public Safety Officers' Benefits Program (PSOB Program) provides benefits to federal, state and local law enforcement officers, firefighters and emergency medical service members who are killed or permanently and totally disabled as a result of personal injuries sustained in the line of duty. Benefits are also available to officers of correctional facilities ([34 U.S.C. § 10284](#)). The PSOB Program benefit amount for eligible deaths and disabilities occurring on or after October 1, 2022, through September 30, 2023, is \$422,035 ([U.S. DOJ](#)).

The aggravated assault classification includes a person who commits assault and: 1) causes serious physical injury; 2) uses a deadly weapon or dangerous instrument; or 3) knows or has reason to know that the victim is a peace officer, firefighter, emergency medical technician, teacher, judicial officer or other specified profession. The penalty for aggravated assault ranges from a class 6 felony to a class 2 felony, depending on the nature and severity of the offense ([A.R.S. § 13-1204](#)).

If approved by the voters, S.C.R. 1006 would increase state revenues by establishing a \$20 penalty fee on criminal convictions and would subsequently have an impact to state revenues in an amount depending on the number of first responders killed in the line of duty every year.

Provisions

***First Responder Death Benefit Penalty Fee***

1. Requires Arizona, in addition to any other death benefit and upon written notice to the State Treasurer, to pay the surviving spouse or dependent of a first responder killed in the line of duty the sum of \$250,000.
2. Requires the \$250,000 death benefit to be divided equally among the first responder's children, if the first responder does not have a spouse.
3. Requires the benefit to be paid within 30 days of receiving the written notice from the first responder's employer.

4. Establishes, effective July 1, 2025, through January 1, 2033, a \$20 penalty fee on every criminal conviction.
5. Establishes the State Supplemental Benefit Fund (Fund), consisting of monies collected from the \$20 penalty fee and legislative appropriations, to be administered by the State Treasurer.
6. Allows the Legislature, if monies in the Fund exceed \$2,000,000 at any time, to appropriate excess monies for peace officer training, equipment and other benefits, including assistance to first responders who are seriously injured in the line of duty and the first responder's family.
7. Requires the court to transmit collected penalty fees to the county treasurer or city or town treasurer as appropriate.
8. Requires the city, town or county treasurer to transmit the penalty fee to the State Treasurer to be deposited into the Fund.
9. Prohibits the court from waiving or mitigating the penalty fee.
10. Defines *first responder* as:
  - a) a peace officer;
  - b) a firefighter, fire investigator, fire inspector, emergency medical technician or paramedic engaged in the execution of any official duties (fire or EMT professional); or
  - c) a tribal police officer.
11. Defines *killed in the line of duty* as a first responder's death as the result of another person's criminal act.
12. Requires appropriate authorities to transmit revenues from the \$20 penalty fee to the State Treasurer by the 15th day of each month for deposit in the Fund.
13. Specifies that monies in the Fund are continuously appropriated.
14. Repeals the Fund, the \$20 penalty fee and the \$250,000 state death benefit for first responders on January 1, 2033.

#### ***Aggravated Assault Against First Responders***

15. Classifies, as *aggravated assault*, committing assault against a first responder, rather than a peace officer, while knowing or having reason to know that the victim is a first responder.
16. Removes, from the *aggravated assault* classification, committing assault against a person summoned or directed by a fire or EMT professional while engaged in the execution of any official duties.
17. Increases, from a class 3 felony to a class 2 felony, *aggravated assault* against a fire or EMT professional that causes serious physical injury or involves the use of a deadly weapon or dangerous instrument.

18. Increases, from a class 4 felony to a class 3 felony, *aggravated assault* against a fire or EMT professional by any means of force that causes temporary but substantial disfigurement, loss or impairment of any body organ or part or a fracture of any body part.
19. Increases, from a class 5 felony to a class 4 felony, *aggravated assault* against a first responder, rather than only a peace officer, if the person knows or has reason to know that the victim is a first responder.
20. Increases, from a class 4 felony to a class 3 felony, *aggravated assault* against a first responder, rather than only a peace officer, if the person knows the victim is a first responder and the assault results in any physical injury.
21. Classifies, as *aggravated assault*, a person knowingly taking or attempting to exercise control over a first responder's firearm, any weapon other than a firearm or any defined implement being used by the first responder, rather than only a peace officer's firearm or other object, if the person knows the victim is a first responder.

#### *Miscellaneous*

22. Contains a legislative findings and intent clause.
23. Contains a severability clause.
24. Cites this legislation as the *Back the Blue Act*.
25. Requires the Secretary of State to submit the proposition to the voters at the next general election.
26. Becomes effective if approved by the voters and on proclamation of the Governor, with a delayed effective date as noted.

#### Amendments Adopted by the Military Affairs, Public Safety and Border Security Committee

1. Modifies the funding mechanism for the Fund from a two percent surcharge to a \$20 penalty fee.
2. Delays the effective date of the \$20 penalty fee and the first responder's death benefit to July 1, 2025.
3. Adds a delayed repeal date for the penalty fee.
4. Specifies the process through which fee collections are transmitted to appropriate entities.
5. Prohibits the court from waiving or mitigating the penalty fee.
6. Allows the Legislature, if monies in the Fund exceed \$2,000,000 at any time, to appropriate excess monies for peace officer training, equipment and other benefits, including assistance to first responders who are seriously injured in the line of duty and the first responder's family.
7. Adds a tribal police officer to the definition of *first responder*.

FACT SHEET – Amended

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Senate Action

APPROP      2/7/23      DP      7-2-1

MAPS        1/25/23      DPA    5-2-0

Prepared by Senate Research

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ZD/sr