

SB 1281 -- Redline

Engrossed to Chaptered -- adjutant general; duties

Deletions ~~struck~~ · Insertions underlined

~~Senate~~House Engrossed Senate Bill adjutant general;

duties State of Arizona Senate Fifty-seventh Legislature First Regular Session CHAPTER 256 SENATE BILL 1281 AN ACT AMENDING SECTIONS ~~26-102~~26-101, 26-102, 26-104 AND 26-181, ARIZONA REVISED STATUTES;

Section 26-101, Arizona Revised Statutes, is amended to read:

26-101.

Department of emergency and military affairs;
organization;

adjutant general;

qualifications A.

The department of emergency and military affairs is established consisting of the division of emergency management and other divisions or offices as determined by the adjutant general pursuant to section 26-102, subsection C, paragraph 8.

B.

The department consists of the adjutant general and such other officers, warrant officers, enlisted personnel and employees as deemed necessary.

C.

The department shall be administered and controlled by the governor as commander-in-chief.

The adjutant general shall be the director of the department.

D.

The adjutant general shall be appointed by the governor pursuant to section 38-211 and shall serve at the pleasure of the governor.

The person appointed shall MUST:

1.

Be a citizen of the United States, .

2.

BE A CURRENT RESIDENT OF THIS STATE OR ESTABLISH DOMICILE IN THIS STATE FOR RESIDENCY PURPOSES WITHIN NINETY DAYS FOLLOWING APPOINTMENT.

3.

MEET EITHER OF THE FOLLOWING CRITERIA:

(a) Have served two of the five years immediately preceding appointment in the national guard in the state or territory where the person is an assigned member and establish domicile in Arizona for residency purposes within ninety days after appointment.

(b) BE A GENERAL OFFICER WHO IS CURRENTLY SERVING, OR A RETIRED GENERAL OFFICER WHO HAS BEEN ON RETIRED STATUS FOR NOT MORE THAN TWENTY-FOUR MONTHS, AND WHO HAS A MINIMUM OF FIVE YEARS OF SERVICE IN THE RANK OF COLONEL OR HIGHER IN THE NATIONAL GUARD IN A STATE WHERE THE OFFICER WAS ASSIGNED.

E.

In appointing the adjutant general, the governor may give preference to a person who has served in the national guard of this state.

At the time of the appointment, the person appointed shall have qualifications required by the United States department of defense for the adjutant general and, IF THE PERSON IS NOT ALREADY A GENERAL OFFICER, shall attain federal recognition in a grade of at least brigadier general not later than two years after the appointment.

BEFORE APPOINTMENT, ANY PERSON WHO IS CURRENTLY SERVING AND WHO IS NOTIFIED THAT THE PERSON IS BEING CONSIDERED BY THE GOVERNOR FOR APPOINTMENT SHALL PROVIDE EVIDENCE, BY THE DEADLINE STIPULATED, TO THE AGENCY, DEPARTMENT OR OFFICE DESIGNATED BY THE GOVERNOR THAT THE PERSON IS IN GOOD STANDING WITH CURRENT ARMY OR AIR FORCE REQUIREMENTS, DEPENDING ON THE PERSON'S BRANCH OF SERVICE, FOR MILITARY SERVICE.

IF A RETIRED GENERAL OFFICER IS SELECTED FOR - 1 - S.B.

1281 APPOINTMENT TO SERVE AS THE ADJUTANT GENERAL, THAT GENERAL OFFICER SHALL PROVIDE, WITHIN SIX MONTHS AFTER THE DATE OF APPOINTMENT, EVIDENCE TO THE OFFICE OF THE GOVERNOR OF GOOD STANDING WITH CURRENT ARMY OR AIR FORCE REQUIREMENTS, DEPENDING ON THE PERSON'S BRANCH OF SERVICE, FOR MILITARY SERVICE.

A PERSON'S failure to meet these SERVICE STANDARDS OR OTHER qualifications WITHIN THE TIME PRESCRIBED, failure to retain federal recognition or failure to meet the age provided by federal law relating to state adjutants general shall terminate TERMINATES the appointment.

E.

F.

The adjutant general shall receive compensation as determined pursuant to section 38-611 and shall devote full time to the office.

F.

G.

At the time of appointment, the adjutant general shall receive the state rank of major general and, at that time, shall become the ranking officer in the department of emergency and military affairs.

Sec.

2.

~~4.- 2 - S.B.~~

1281 4.

~~-9.-1 - S.B.~~

~~1281 9.~~

~~7.- 3 - S.B.~~

1281 7.

Individuals appointed as peace officers pursuant to this paragraph are not eligible to participate in funding provided by the peace officers' training fund ~~-established 2by -section S.B.41-1825 or in the public safety personnel retirement system.~~

~~1281 established by section 41-1825 or in the public safety personnel retirement system.~~

~~D.- 4 - S.B.~~

1281 D.

~~-5.-3 - S.B.~~

~~1281 5.~~

(e) MOVEMENT OR ~~STORGE~~STORAGE OF AIRCRAFT.

~~Sec.- 5 - S.B.~~

1281 Sec.

3.

Section 26-104, Arizona Revised Statutes, is amended to read:

26-104.

Assistant adjutants general;

appointment;

qualifications There shall be THE GOVERNOR SHALL APPOINT at least two assistant adjutants general of the THIS state, one OF WHOSE branch of service IS THE army and one OF WHOSE branch of service IS THE air force who shall be appointed by the governor.

THE GOVERNOR MAY APPOINT additional assistant adjutants general may be appointed if authorized by the chief national guard bureau.

They shall THE ASSISTANT ADJUTANTS GENERAL MUST MEET ALL OF THE FOLLOWING:

1.

Be ASSIGNED IN THE NATIONAL GUARD OF THIS STATE AND BE APPOINTED AS general officers and must possess the same qualifications prescribed for the adjutant general IN THE NATIONAL GUARD OF THIS STATE.

RECEIVE FEDERAL RECOGNITION OF THEIR GENERAL OFFICER RANK WITHIN TWENTY-FOUR MONTHS AFTER APPOINTMENT.

3.

AT THE TIME OF FEDERAL RECOGNITION, BE IN GOOD STANDING WITH CURRENT ARMY OR AIR FORCE STANDARDS OR REQUIREMENTS, DEPENDING ON THE APPOINTEE'S BRANCH OF SERVICE, FOR MILITARY SERVICE.

Sec.

4.

~~-C.-4 - S.B.~~

~~1281 C.~~

The total number of national guardsmen GUARD MEMBERS who received reimbursement payments pursuant to this section during the preceding fiscal year.

The number of newly recruited national guardsmen GUARD MEMBERS who received reimbursement payments pursuant to this section during the preceding fiscal year.

~~3.- 6 - S.B.~~

~~The1281 total3. number of spouses and dependents of national guardsmen who received reimbursement payments pursuant to this section during the preceding fiscal year.~~

The total number of spouses and dependents of national guardsmen GUARD MEMBERS who received reimbursement payments pursuant to this section during the preceding fiscal year.

~~Sec. 5~~

5.

Effective date Section 26-101, Arizona Revised Statutes, as amended by this act, is effective from and after December 31, 2026.

APPROVED BY THE GOVERNOR JULY 1, 2025.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JULY 1, 2025.

- 7 -