

Senate Engrossed

**FILED**Jane Dee Hull  
Secretary of StateState of Arizona  
Senate  
Forty-second Legislature  
Second Regular Session  
1996CHAPTER 17  
**SENATE BILL 1072**

## AN ACT

AMENDING SECTIONS 28-2601 AND 28-2602, ARIZONA REVISED STATUTES; RELATING TO  
THE LOCAL TRANSPORTATION ASSISTANCE FUND.

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

2 Section 1. Section 28-2601, Arizona Revised Statutes, is amended to  
3 read:4 28-2601. Local transportation assistance fund5 A. There is established a local transportation assistance fund  
6 consisting of monies deposited from the state lottery fund pursuant to  
7 section 5-522, funds appropriated pursuant to subsection B of this section  
8 and interest earned on local transportation assistance monies as provided in  
9 section 28-2602, subsection ~~D~~ B.10 B. The legislature shall appropriate any amounts which are necessary  
11 in order to provide a total of the funds available in the local  
12 transportation assistance fund for each fiscal year in the amount of twenty  
13 million five hundred thousand dollars.14 C. A maximum amount of twenty-three million dollars may be deposited  
15 in the local transportation assistance fund each fiscal year from the state  
16 lottery fund as provided in section 5-522, subsection B.17 D. A maximum amount of eighteen million dollars may be deposited in  
18 the local transportation assistance fund each fiscal year from the state  
19 lottery fund as provided in section 5-522, subsection A, paragraph 4.

20 Sec. 2. Section 28-2602, Arizona Revised Statutes, is amended to read:

1           28-2602. Distribution from fund; definitions

2           ~~A. An incorporated city or town may apply to the department of~~  
3 ~~transportation prior to the third Monday in June for monies from the local~~  
4 ~~transportation assistance fund.~~

5           ~~B. On the first Monday in July of each year the director of the~~  
6 ~~department of transportation shall determine the total amount of requests for~~  
7 ~~local transportation assistance monies from cities and towns and, subject to~~  
8 ~~available monies, authorize payment to be distributed under subsection C of~~  
9 ~~this section.~~

10          ~~E. A. The state treasurer shall pay INCORPORATED cities and towns~~  
11 ~~requesting monies from the fund from the available monies deposited in the~~  
12 ~~local transportation assistance fund pursuant to section 5-522, subsection~~  
13 ~~B on a monthly basis, one twelfth of the annual amount. A city or town shall~~  
14 ~~receive monies in the proportion that the population of each city or town~~  
15 ~~bears to the total population of all cities and towns applying for monies~~  
16 ~~within this state, except that a city or town applying for local~~  
17 ~~transportation assistance monies is entitled to receive at least ten thousand~~  
18 ~~dollars.~~

19          ~~D. B. The state treasurer may invest inactive monies in the local~~  
20 ~~transportation assistance fund in bonds or other evidences of indebtedness~~  
21 ~~of the United States or any of its agencies or instrumentalities when the~~  
22 ~~obligations are guaranteed as to principal and interest by the United States~~  
23 ~~or by any agency or instrumentalities of the United States. The state~~  
24 ~~treasurer shall credit all interest earned on local transportation assistance~~  
25 ~~monies to the local transportation assistance fund.~~

26          ~~E. C. The state treasurer shall pay cities and towns as provided in~~  
27 ~~subsection E- A of this section a maximum amount of twenty-three million~~  
28 ~~dollars in any one fiscal year from the local transportation assistance fund.~~  
29 ~~The state treasurer shall pay counties, cities, towns and the public~~  
30 ~~transportation fund as provided in subsection F- D of this section a maximum~~  
31 ~~amount of eighteen million dollars in any one fiscal year from the local~~  
32 ~~transportation assistance fund.~~

33          ~~F. D. The state lottery director shall determine the proportion that~~  
34 ~~ticket sales of lottery games in each county each month bears to the total~~  
35 ~~ticket sales in this state each month and notify the state treasurer. The~~  
36 ~~state treasurer shall allocate the monies deposited in the local~~  
37 ~~transportation assistance fund pursuant to section 5-552 5-522, subsection~~  
38 ~~A, paragraph 4 to each county in the proportion that ticket sales of lottery~~  
39 ~~games in each county bears to the total ticket sales in this state. Each~~  
40 ~~month the state treasurer shall pay one-twelfth of the annual amount of~~  
41 ~~available monies deposited in the fund as follows:~~

42           1. To each county with a population of less than one million two  
43 hundred thousand persons and to each city and town within such a county, an  
44 amount in the proportion that the incorporated population of each city or

1 town and unincorporated population of the county bears to the total  
 2 population in that county. In a county with a population of less than five  
 3 hundred thousand persons, these monies shall be used for transportation  
 4 purposes. In a county with a population of five hundred thousand or more  
 5 persons, but less than one million two hundred thousand persons, these monies  
 6 shall be used for public transportation operating and related capital  
 7 purposes.

8 2. To each county with a population of one million two hundred  
 9 thousand or more persons ~~which does not receive monies allocated pursuant to~~  
 10 ~~paragraph 1 of this subsection, to~~ FOR DEPOSIT IN the public transportation  
 11 fund established by section 28-2502. These monies shall be used for public  
 12 transportation operating and related capital purposes.

13 ~~6-~~ E. A city or town with a population of three hundred thousand  
 14 persons or less shall use the monies received under subsection ~~6-~~ A of this  
 15 section for transportation purposes except as provided in section 28-2603.  
 16 Such a city or town may use the monies for public transportation operating  
 17 and related capital purposes. A city or town with a population exceeding  
 18 three hundred thousand persons shall use the monies received under subsection  
 19 ~~6-~~ A of this section for public transportation operating and related capital  
 20 purposes except as provided in section 28-2603.

21 ~~H-~~ F. In this section, unless the context otherwise requires:

22 1. "Population" means the population of a city, town or county as  
 23 defined pursuant to section 41-563.

24 2. "Public transportation" means local transportation of passengers  
 25 by means of a public conveyance.

26 Sec. 3. Emergency

27 This act is an emergency measure that is necessary to preserve the  
 28 public peace, health or safety and is operative immediately as provided by  
 29 law.

APPROVED BY THE GOVERNOR MARCH 21, 1996

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 22, 1996