Senate Engrossed House Bill

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Forty-ninth Legislature
Second Regular Session
2010

CHAPTER 254

HOUSE BILL 2198

AN ACT

AMENDING SECTION 41-608.04, ARIZONA REVISED STATUTES; RELATING TO THE MILITARY FAMILY RELIEF FUND.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Section 41-608.04, Arizona Revised Statutes, is amended to read:

41-608.04. Military family relief fund; advisory committee

A. The military family relief fund is established through December 31, 2013. The fund consists of private donations, grants, bequests and any other monies received for that purpose. The department shall administer the fund. On notice from the director, the state treasurer shall invest and divest monies in the fund as provided by section 35-313, and monies earned from investment shall be credited to the fund. The monies in the fund are continuously appropriated to the department solely for the purposes described in this section. Any monies remaining unexpended and unencumbered on December 31, 2013 shall be transferred for deposit in the veterans' donations fund established by section 41-608.

B. The military family relief advisory committee is established to determine appropriate uses of the monies in the military family relief fund as provided by this section. The advisory committee consists of the director or the director's designee and twelve additional members, including widows and widowers of military personnel who died in the line of duty, military retirees, veterans who have a service-connected disability and their family members, Arizona army and air national guard unit commanders and active and retired senior enlisted military personnel. Except for the director, the governor shall appoint the members based on recommendations by the director, the adjutant general and commanders of military bases in this state. Appointed members serve at the pleasure of the governor. The advisory committee shall elect a chairperson from among the appointed members.

C. The advisory committee shall:

1. Establish criteria for the use of monies in the fund.

2. Establish and revise as necessary the application process for financial assistance.

3. Review and evaluate applications.

4. Make other recommendations as necessary.

D. The advisory committee may establish a subcommittee, consisting of not more than five members of the full committee, to recommend approval of a grant to an applicant of not more than three thousand dollars.

E. Notwithstanding section 38-431.03, the subcommittee may meet in executive session without advance notice. The full advisory committee may meet in executive session, with notice pursuant to section 38-431.02, to review and evaluate applications or review recommendations of the subcommittee. Applications for financial assistance and all committee considerations and evaluations of the applications are confidential.

F. The monies in the fund shall be used to provide financial assistance pursuant to ~~paragraphs 1, 2 and 3 of~~ this subsection. The service member of an applying family must have been deceased, wounded or injured or

1 become seriously ill after September 11, 2001, been deployed from a military
2 base in this state or entered active United States military service from this
3 state AFTER SEPTEMBER 11, 2001, claimed this state as the service member's
4 home of record or been a member of the Arizona national guard at the time of
5 deployment. If discharged from military service, the service member must
6 have been discharged under honorable conditions. The assistance shall be
7 based on financial need up to ten thousand dollars per family. Eligible
8 assistance is as follows:
9 1. Widows, widowers or dependent children of service members who died
10 in the line of duty in a combat zone or a zone where the person was receiving
11 hazardous duty pay may apply for a stipend for living expenses for up to six
12 months. For the purposes of the stipend, qualifying living expenses are
13 residential mortgage, rent and utility payments and other basic living
14 expenses. Payments with respect to any deceased person under this paragraph
15 are limited to a total of ten thousand dollars.
16 2. An immediate family member may apply for payment of costs of
17 temporary residence near the medical facility where the service member or
18 former service member is being treated, including living, travel and housing
19 expenses. Payments may be payable in monthly installments as long as the
20 person is hospitalized or receiving medical care or rehabilitation services
21 as authorized by military or veterans' medical personnel.
22 3. An immediate family member, service member or former service member
23 may apply for:
24 (a) Living expenses.
25 (b) OTHER APPROPRIATE EXPENSES AS DETERMINED BY THE MILITARY FAMILY
26 RELIEF ADVISORY COMMITTEE.
27 G. The director may allocate up to five per cent of the donations
28 received for administering the fund and the financial assistance program
29 under this section INCLUDING THE HIRING OF AN EMPLOYEE TO PROCESS
30 APPLICATIONS AND PROVIDE SUPPORT TO THE COMMITTEE. THE DEPARTMENT SHALL
31 PROVIDE REASONABLE OFFICE SPACE AND OTHER NECESSARY RESOURCES FOR THE
32 EMPLOYEE.
33 H. The director shall receive private donations for deposit in the
34 fund and issue receipts to the donors. Private donations may qualify for the
35 purposes of income tax credits under section 43-1086. The director may
36 receive donations in any amount, but donations that qualify for tax credits
37 are subject to the limits prescribed by section 43-1086. Donations to the
38 fund that otherwise qualify under the tax credit limits prescribed by section
39 43-1086 but that exceed a combined total of one million dollars in any
40 calendar year, on a first come first served basis, do not qualify for the
41 income tax credits. The director shall provide the taxpayer a donation
42 receipt, which shall include the taxpayer's full name and address, the last
43 four digits of the taxpayer's social security number and the amount of the
44 donation. The director shall designate on the donation receipt whether the

donation qualifies under the limits prescribed by this subsection and section 43-1086. The director shall send a record of receipts that qualify under this subsection to the department of revenue.

I. On or before March 31 of each year, the director shall provide for an audit by an independent certified public accountant of the fund and of the aggregate amount authorized by the director for income tax credits under subsection H of this section. The director shall promptly submit a certified copy of the audit to the auditor general. The auditor general may make further audits and examinations as necessary and may take appropriate action relating to the audit or examination pursuant to chapter 7, article 10.1 of this title. If the auditor general does not take further action within thirty days after the audit is filed, the audit is considered to be sufficient. The director shall pay the costs of the certified public accountant and the auditor general from the administration allocation under subsection G of this section.

Sec. 2. Military family relief fund; grant awards

Notwithstanding section 41-608.04, Arizona Revised Statutes, and through December 31, 2011, the military family relief fund advisory committee may:

1. Use monies in the military family relief fund to provide financial assistance to an applying family if the service member of the family was deployed to a combat zone after September 11, 2001.

2. Award up to twenty thousand dollars to an applying family if every member of the committee agrees to recommend approval of the grant at a meeting of the entire committee.

APPROVED BY THE GOVERNOR MAY 7, 2010.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 7, 2010.

Passed the House March 23, 2010

by the following vote: 54 Ayes,

0 Nays, 6 Not Voting

Speaker of the House

Cheryl Laube

Chief Clerk of the House

Passed the Senate April 28, 2010

by the following vote: 30 Ayes,

0 Nays, 0 Not Voting

President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

_____ day of _____, 20_____

at _____ o'clock _____M.

_____
Secretary to the Governor

Approved this _____day of

_____

at _____o'clock _____M.

_____
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this _____ day of _____, 20_____

at _____ o'clock _____M.

_____
Secretary of State

H.B. 2198

HOUSE CONCURS IN SENATE AMENDMENTS AND FINAL PASSAGE

April 28, 2010,

by the following vote: 59 Ayes,

0 Nays, 1 Not Voting

Speaker of the House

Cheryl Laube

Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

29 day of April, 2010,

at 11:50 o'clock A. M.

Nicole Bondie

Secretary to the Governor

Approved this 7 day of

May, 2010,

at 10:37 o'clock A. M.

Janice K. Brewer

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 7th day of May, 2010,

at 4:30 o'clock P. M.

Ken Bennett

Secretary of State

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