

House Engrossed Senate Bill

**FILED**

**KEN BENNETT  
SECRETARY OF STATE**

State of Arizona  
Senate  
Fiftieth Legislature  
First Regular Session  
2011

CHAPTER 320

## **SENATE BILL 1053**

AN ACT

AMENDING SECTIONS 15-719, 28-2351, 28-2403 AND 28-2430, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 7, ARTICLE 12, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 28-2437, 28-2438, 28-2439, 28-2440, 28-2441, 28-2442, 28-2443, 28-2444 AND 28-2445; AMENDING SECTIONS 28-6501, 28-6991 AND 28-6993, ARIZONA REVISED STATUTES; AMENDING TITLE 36, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 36-120 AND 36-121; RELATING TO SPECIAL LICENSE PLATES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-719, Arizona Revised Statutes, is amended to  
3 read:

4 15-719. Character education program instruction; fund

5 A. Each common, high and unified school district and charter school  
6 may provide instruction to kindergarten programs through the twelfth grade on  
7 character development.

8 B. Each district may develop its own course of study for each grade.  
9 At a minimum, the character education program must include:

10 1. Instruction in the definition and application of at least six of  
11 the following character traits: truthfulness, responsibility, compassion,  
12 diligence, sincerity, trustworthiness, respect, attentiveness, obedience,  
13 orderliness, forgiveness, virtue, fairness, caring, citizenship and  
14 integrity.

15 2. The use of activities, discussions and visual media and literacy  
16 presentations to illustrate and reinforce the application of the character  
17 traits.

18 3. Presentations by teachers or mentors who demonstrate the character  
19 traits.

20 C. At the request of the school district or charter school, the  
21 department of education may certify that the school district or charter  
22 school has a character development instruction program that meets all of the  
23 requirements in subsection B of this section.

24 D. Parents may elect for their child not to participate in the  
25 program.

26 E. The school district or charter school may accept donations or  
27 charge fees for the program if the program is not offered during regular  
28 school hours.

29 F. A character education special plate fund is established consisting  
30 of monies received pursuant to section 28-2421. The department of education  
31 shall administer the fund. NOT MORE THAN TEN PER CENT OF MONIES DEPOSITED IN  
32 THE FUND ANNUALLY SHALL BE USED FOR THE COST OF ADMINISTERING THE FUND.  
33 Monies in the fund are continuously appropriated. Monies from the fund shall  
34 be annually distributed by the department by July 1.

35 G. The character education and development division at the department  
36 of education shall allocate monies through at least two but no more than four  
37 private character education foundations that are incorporated nonprofit  
38 corporations in this state and that are qualified under section 501(c)(3) of  
39 the United States internal revenue code for federal income tax purposes. The  
40 director of the character education and development division at the  
41 department of education shall select private character education foundations  
42 that provide character education programs that demonstrate proven and  
43 effective research based curriculum and training to receive monies from the  
44 character education special plate fund.

1 H. On notice from the department of education, the state treasurer  
2 shall invest and divest monies in the fund as provided by section 35-313, and  
3 monies earned from investment shall be credited to the fund.

4 I. Monies in the fund are exempt from the provisions of section 35-190  
5 relating to lapsing of appropriations.

6 Sec. 2. Section 28-2351, Arizona Revised Statutes, is amended to read:  
7 28-2351. License plate provided; design

8 A. The department shall provide to every owner one license plate for  
9 each vehicle registered. At the request of the owner and on payment of any  
10 required fee, the department shall provide either one or two license plates  
11 for a vehicle for which a special plate is requested pursuant to this  
12 chapter, except that the department shall provide one license plate if the  
13 special plate is issued pursuant to section 28-2416 or 28-2416.01.

14 B. The license plate shall display the number assigned to the vehicle  
15 and to the owner of the vehicle and the name of this state, which may be  
16 abbreviated. The director shall coat the license plate with a reflective  
17 material that is consistent with the determination of the department  
18 regarding the color and design of license plates and special plates. The  
19 director shall design the license plate and the letters and numerals on the  
20 license plate to be of sufficient size to be plainly readable during daylight  
21 from a distance of one hundred feet. In addition to the standard license  
22 plate issued for a trailer before August 12, 2005, the director shall issue a  
23 license plate for trailers that has a design that is similar to the standard  
24 size license plate for trailers but that is the same size as the license  
25 plate for motorcycles. The trailer owner shall notify the department which  
26 size license plate the owner wants for the trailer.

27 C. Notwithstanding any other law, the department shall not contract  
28 with a nongovernmental entity to purchase or secure reflective material for  
29 the plates issued by the department unless the department has made a  
30 reasonable effort to secure qualified bids or proposals from as many  
31 individual responsible respondents as possible.

32 D. The department shall determine the color and design of the license  
33 plate. All other plates issued by the department, except the plates issued  
34 pursuant to sections 28-2404, 28-2412, 28-2413, 28-2414, 28-2416, 28-2416.01,  
35 28-2417 through ~~28-2436~~ 28-2445, 28-2452, 28-2453, 28-2454 and 28-2455 and  
36 article 14 of this chapter, shall be the same color as and similar in design  
37 to the license plate as determined by the department.

38 E. A passenger motor vehicle rented without a driver shall receive the  
39 same type of license plate as issued for a private passenger motor vehicle.

40 Sec. 3. Section 28-2403, Arizona Revised Statutes, is amended to read:  
41 28-2403. Special plates; transfers; violation; classification

42 A. Except as otherwise provided in this article, the department shall  
43 issue or renew special plates in lieu of the regular license plates pursuant  
44 to the following conditions and procedures and only if the requirements  
45 prescribed by this article for the requested special plates are met:

1           1. Except as provided in sections 28-2416 and 28-2416.01, a person who  
2 is the registered owner of a vehicle registered with the department or who  
3 applies for an original or renewal registration of a vehicle may submit to  
4 the department a completed application form as prescribed by the department  
5 with the fee prescribed by section 28-2402 for special plates in addition to  
6 the registration fee prescribed by section 28-2003.

7           2. Except for plates issued pursuant to sections 28-2404, 28-2412,  
8 28-2413, 28-2414, 28-2416, 28-2416.01, 28-2417 through ~~28-2436~~ 28-2445,  
9 28-2452, 28-2453, 28-2454 and 28-2455 and article 14 of this chapter, the  
10 special plates shall be the same color as and similar to the design of the  
11 regular license plates that is determined by the department.

12           3. Except as provided in section 28-2416, the department shall issue  
13 special plates only to the owner or lessee of a vehicle that is currently  
14 registered, including any vehicle that has a declared gross weight, as  
15 defined in section 28-5431, of twenty-six thousand pounds or less.

16           4. Except as provided in sections 28-2416 and 28-2416.01, the  
17 department shall charge the fee prescribed by section 28-2402 for each annual  
18 renewal of special plates in addition to the registration fee prescribed by  
19 section 28-2003.

20           B. Except as provided in sections 28-2416 and 28-2416.01, on  
21 notification to the department and on payment of the transfer fee prescribed  
22 by section 28-2402, a person who is issued special plates may transfer the  
23 special plates to another vehicle the person owns or leases. Persons who are  
24 issued special plates for hearing impaired persons pursuant to section  
25 28-2408 and international symbol of access special plates pursuant to section  
26 28-2409 are exempt from the transfer fee. If a person who is issued special  
27 plates sells, trades or otherwise releases ownership of the vehicle on which  
28 the plates have been displayed, the person shall immediately report the  
29 transfer of the plates to the department or the person shall surrender the  
30 plates to the department as prescribed by the director. It is unlawful for a  
31 person to whom the plates have been issued to knowingly permit them to be  
32 displayed on a vehicle except the vehicle authorized by the department.

33           C. The special plates shall be affixed to the vehicle for which  
34 registration is sought in lieu of the regular license plates.

35           D. A person is guilty of a class 3 misdemeanor who:

36           1. Violates subsection B of this section.

37           2. Fraudulently gives false or fictitious information in the  
38 application for or renewal of special plates or placards issued pursuant to  
39 this article.

40           3. Conceals a material fact or otherwise commits fraud in the  
41 application for or renewal of special plates or placards issued pursuant to  
42 this article.

1           Sec. 4. Section 28-2430, Arizona Revised Statutes, is amended to read:  
2           28-2430. In God we trust special plates

3           A. ~~If an entity receives thirty-two thousand dollars through donations~~  
4 ~~for the issuance of the in God we trust special plate and~~ A NONPROFIT  
5 CORPORATION THAT IS INCORPORATED IN THIS STATE gives the department the  
6 thirty-two thousand dollars, the department shall issue the in God we trust  
7 special plates. The entity that provides the thirty-two thousand dollars  
8 shall design the in God we trust special plates. The design and color of the  
9 in God we trust special plates are subject to the approval of the department.  
10 The director may allow a request for in God we trust special plates to be  
11 combined with a request for personalized special plates. If the director  
12 allows such a combination, the request shall be in a form prescribed by the  
13 director and is subject to the fees for the personalized special plates in  
14 addition to the fees required for the in God we trust special plates.

15           B. Of the twenty-five dollar fee required by section 28-2402 for the  
16 original special plates and for renewal of special plates, eight dollars is a  
17 special plate administration fee and seventeen dollars is an annual donation.

18           C. The department shall deposit, pursuant to sections 35-146 and  
19 35-147, all special plate administration fees ~~and all donations collected~~  
20 ~~pursuant to this section~~ in the state highway fund established by section  
21 28-6991 AND SHALL DISTRIBUTE ALL DONATIONS COLLECTED PURSUANT TO THIS SECTION  
22 AS AUTHORIZED IN A WRITTEN RESOLUTION OF THE INCORPORATED NONPROFIT  
23 CORPORATION THAT PROVIDED THE THIRTY-TWO THOUSAND DOLLARS FOR IMPLEMENTATION  
24 OF THIS SECTION. THE INCORPORATED NONPROFIT CORPORATION SHALL FILE A COPY OF  
25 THIS RESOLUTION WITH THE DEPARTMENT. THE INCORPORATED NONPROFIT CORPORATION  
26 MUST USE THE DONATIONS TO PROMOTE THE NATIONAL MOTTO "IN GOD WE TRUST", FIRST  
27 AMENDMENT RIGHTS AND THE HERITAGE OF THIS STATE AND NATION.

28           Sec. 5. Title 28, chapter 7, article 12, Arizona Revised Statutes, is  
29 amended by adding sections 28-2437, 28-2438, 28-2439, 28-2440, 28-2441,  
30 28-2442, 28-2443, 28-2444 and 28-2445, to read:

31           28-2437. Law enforcement special plates; fund

32           A. IF, BY DECEMBER 31, 2011, AN ENTITY DESCRIBED IN SUBSECTION E OF  
33 THIS SECTION PAYS THIRTY-TWO THOUSAND DOLLARS TO THE DEPARTMENT FOR  
34 IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL ISSUE LAW ENFORCEMENT  
35 SPECIAL PLATES. THE ENTITY THAT PROVIDES THE THIRTY-TWO THOUSAND DOLLARS  
36 SHALL DESIGN THE LAW ENFORCEMENT SPECIAL PLATES. THE DESIGN AND COLOR OF THE  
37 LAW ENFORCEMENT SPECIAL PLATES ARE SUBJECT TO THE APPROVAL OF THE DEPARTMENT.  
38 THE DIRECTOR MAY ALLOW A REQUEST FOR LAW ENFORCEMENT SPECIAL PLATES TO BE  
39 COMBINED WITH A REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR  
40 ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED BY THE  
41 DIRECTOR AND IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL PLATES IN  
42 ADDITION TO THE FEES REQUIRED FOR THE LAW ENFORCEMENT SPECIAL PLATES.

43           B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE  
44 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A  
45 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

1 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND  
2 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND  
3 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS  
4 SECTION IN THE LAW ENFORCEMENT SPECIAL PLATE FUND ESTABLISHED BY THIS  
5 SECTION.

6 D. THE LAW ENFORCEMENT SPECIAL PLATE FUND IS ESTABLISHED CONSISTING OF  
7 MONIES DEPOSITED PURSUANT TO THIS SECTION. THE DIRECTOR SHALL ADMINISTER THE  
8 FUND. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED.

9 E. THE DIRECTOR SHALL ANNUALLY ALLOCATE MONIES FROM THE FUND TO THE  
10 ENTITY IN THIS STATE THAT PAID THE IMPLEMENTATION FEE TO THE DEPARTMENT  
11 PURSUANT TO SUBSECTION A OF THIS SECTION. THE ENTITY MUST BE AN INCORPORATED  
12 NONPROFIT CORPORATION THAT IS QUALIFIED UNDER SECTION 501(c)(5) OF THE UNITED  
13 STATES INTERNAL REVENUE CODE FOR FEDERAL INCOME TAX PURPOSES AND MUST BE A  
14 PROFESSIONAL ASSOCIATION THAT IS COMPOSED OF SINGULAR INDEPENDENT POLICE,  
15 CORRECTIONS AND DETENTION LABOR ASSOCIATIONS IN THIS STATE AND THAT HAS A  
16 PRIMARY MISSION OF REPRESENTING THOSE ASSOCIATIONS BEFORE THE STATE  
17 LEGISLATURE AND LOCAL GOVERNMENTS ON ISSUES THAT AFFECT THE WORKING LAW  
18 ENFORCEMENT OFFICER, INCLUDING ISSUES RELATING TO MEMBER BENEFITS, MEMBER  
19 RIGHTS, MEMBER PAY, EQUIPMENT, LEGISLATION AND FAIR TREATMENT.

20 F. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND  
21 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED  
22 FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

23 28-2438. Youth development organization special plates; fund

24 A. IF, BY DECEMBER 31, 2011, AN ENTITY DESCRIBED IN SUBSECTION E OF  
25 THIS SECTION PAYS THIRTY-TWO THOUSAND DOLLARS TO THE DEPARTMENT FOR  
26 IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL ISSUE YOUTH DEVELOPMENT  
27 ORGANIZATION SPECIAL PLATES. THE ENTITY THAT PROVIDES THE THIRTY-TWO  
28 THOUSAND DOLLARS SHALL DESIGN THE YOUTH DEVELOPMENT ORGANIZATION SPECIAL  
29 PLATES. THE DESIGN AND COLOR OF THE YOUTH DEVELOPMENT ORGANIZATION SPECIAL  
30 PLATES ARE SUBJECT TO THE APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY ALLOW  
31 A REQUEST FOR YOUTH DEVELOPMENT ORGANIZATION SPECIAL PLATES TO BE COMBINED  
32 WITH A REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH  
33 A COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED BY THE DIRECTOR AND  
34 IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL PLATES IN ADDITION TO THE  
35 FEES REQUIRED FOR THE YOUTH DEVELOPMENT ORGANIZATION SPECIAL PLATES.

36 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE  
37 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A  
38 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

39 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND  
40 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND  
41 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS  
42 SECTION IN THE YOUTH DEVELOPMENT ORGANIZATION SPECIAL PLATE FUND ESTABLISHED  
43 BY THIS SECTION.

44 D. THE YOUTH DEVELOPMENT ORGANIZATION SPECIAL PLATE FUND IS  
45 ESTABLISHED CONSISTING OF MONIES DEPOSITED PURSUANT TO THIS SECTION. THE

1 DIRECTOR SHALL ADMINISTER THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY  
2 APPROPRIATED.

3 E. THE DIRECTOR SHALL ANNUALLY ALLOCATE MONIES FROM THE FUND TO THE  
4 ENTITY IN THIS STATE THAT PAID THE IMPLEMENTATION FEE TO THE DEPARTMENT  
5 PURSUANT TO SUBSECTION A OF THIS SECTION. THE ENTITY MUST BE AN INCORPORATED  
6 NONPROFIT CORPORATION THAT IS QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED  
7 STATES INTERNAL REVENUE CODE FOR FEDERAL INCOME TAX PURPOSES AND MUST BE ONE  
8 OF THE NATION'S LARGEST AND MOST PROMINENT VALUES-BASED YOUTH DEVELOPMENT  
9 ORGANIZATIONS THAT PROVIDES A PROGRAM FOR YOUNG PEOPLE THAT BUILDS CHARACTER,  
10 THAT TRAINS THEM IN THE RESPONSIBILITIES OF PARTICIPATING CITIZENSHIP AND  
11 THAT DEVELOPS PERSONAL FITNESS. THE INCORPORATED NONPROFIT CORPORATION MUST  
12 HAVE BEEN IN EXISTENCE FOR AT LEAST ONE CENTURY AND MUST HELP BUILD THE  
13 FUTURE LEADERS OF THIS COUNTRY BY COMBINING EDUCATIONAL ACTIVITIES AND  
14 LIFELONG VALUES WITH FUN.

15 F. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND  
16 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED  
17 FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

18 28-2439. Multiple sclerosis awareness special plates

19 A. IF, BY DECEMBER 31, 2011, THIRTY-TWO THOUSAND DOLLARS IS PAID TO  
20 THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL  
21 ISSUE MULTIPLE SCLEROSIS AWARENESS SPECIAL PLATES. THE DIRECTOR OF THE  
22 DEPARTMENT, OR THE DIRECTOR'S DESIGNEE, SHALL DESIGN THE MULTIPLE SCLEROSIS  
23 AWARENESS SPECIAL PLATES. THE DIRECTOR MAY ALLOW A REQUEST FOR MULTIPLE  
24 SCLEROSIS AWARENESS SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR  
25 PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE  
26 REQUEST SHALL BE IN A FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE  
27 FEES FOR THE PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR  
28 MULTIPLE SCLEROSIS AWARENESS SPECIAL PLATES.

29 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE  
30 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A  
31 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

32 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND  
33 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND  
34 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS  
35 SECTION IN THE MULTIPLE SCLEROSIS AWARENESS FUND ESTABLISHED BY SECTION  
36 36-120.

37 28-2440. Hunger relief special plates; fund

38 A. IF, BY JUNE 30, 2012, AN ENTITY PAYS THIRTY-TWO THOUSAND DOLLARS TO  
39 THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL  
40 ISSUE HUNGER RELIEF SPECIAL PLATES. THE ENTITY THAT PROVIDES THE THIRTY-TWO  
41 THOUSAND DOLLARS SHALL DESIGN THE HUNGER RELIEF SPECIAL PLATES. THE DESIGN  
42 AND COLOR OF THE HUNGER RELIEF SPECIAL PLATES ARE SUBJECT TO THE APPROVAL OF  
43 THE DEPARTMENT. THE DIRECTOR MAY ALLOW A REQUEST FOR HUNGER RELIEF SPECIAL  
44 PLATES TO BE COMBINED WITH A REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE  
45 DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED

1 BY THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL  
2 PLATES IN ADDITION TO THE FEES REQUIRED FOR THE HUNGER RELIEF SPECIAL PLATES.

3 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE  
4 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A  
5 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

6 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND  
7 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND  
8 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS  
9 SECTION IN THE HUNGER RELIEF SPECIAL PLATE FUND ESTABLISHED BY SUBSECTION D  
10 OF THIS SECTION.

11 D. THE HUNGER RELIEF SPECIAL PLATE FUND IS ESTABLISHED CONSISTING OF  
12 MONIES RECEIVED PURSUANT TO THIS SECTION. THE DIRECTOR SHALL ADMINISTER THE  
13 FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS RECEIVED SHALL BE REIMBURSED TO  
14 THE ENTITY THAT PAID THE IMPLEMENTATION FEE TO THE DEPARTMENT PURSUANT TO  
15 SUBSECTION A OF THIS SECTION. MONIES IN THE FUND ARE CONTINUOUSLY  
16 APPROPRIATED. THE DIRECTOR SHALL ANNUALLY ALLOCATE ALL MONIES FROM THE FUND  
17 TO AN ORGANIZATION THAT OPERATES STATEWIDE TO COORDINATE FOOD BANK SERVICES  
18 AND THAT IS QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED STATES INTERNAL  
19 REVENUE CODE FOR FEDERAL INCOME TAX PURPOSES. THE ORGANIZATION SHALL  
20 ESTABLISH A PROCESS TO DISTRIBUTE THE MONIES ANNUALLY TO ORGANIZATIONS THAT  
21 PROVIDE FOOD DISTRIBUTION TO HUNGRY PEOPLE IN THIS STATE AND THAT ARE  
22 QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED STATES INTERNAL REVENUE CODE  
23 FOR FEDERAL INCOME TAX PURPOSES. TO THE EXTENT POSSIBLE, THE DISTRIBUTING  
24 ORGANIZATION SHALL DISTRIBUTE MONIES COLLECTED IN A GEOGRAPHIC REGION TO  
25 ORGANIZATIONS SERVING INDIVIDUALS IN THAT REGION. THE DIRECTOR SHALL FORWARD  
26 ALL MONIES DEPOSITED IN THE HUNGER RELIEF SPECIAL PLATE FUND TO THE  
27 ORGANIZATION ON AN ANNUAL BASIS. THE ORGANIZATION MAY RETAIN NOT MORE THAN  
28 TEN PER CENT OF THE MONIES FOR DOCUMENTED EXPENSES RELATED TO AN APPLICATION  
29 AND AWARD PROCESS.

30 E. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND  
31 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED  
32 FROM INVESTMENT SHALL BE CREDITED TO THE FUND. MONIES IN THE FUND ARE EXEMPT  
33 FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS.

34 28-2441. Childhood cancer research special plates

35 A. IF, BY DECEMBER 31, 2012, THIRTY-TWO THOUSAND DOLLARS IS PAID TO  
36 THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL  
37 ISSUE CHILDHOOD CANCER RESEARCH SPECIAL PLATES. THE PERSON OR ENTITY THAT  
38 PROVIDES THE THIRTY-TWO THOUSAND DOLLARS FOR IMPLEMENTATION OF THIS SECTION  
39 SHALL DESIGN THE CHILDHOOD CANCER RESEARCH SPECIAL PLATES. THE DESIGN AND  
40 COLOR OF THE CHILDHOOD CANCER RESEARCH SPECIAL PLATES ARE SUBJECT TO THE  
41 APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY ALLOW A REQUEST FOR CHILDHOOD  
42 CANCER RESEARCH SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR PERSONALIZED  
43 SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL  
44 BE IN A FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE

1 PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR CHILDHOOD  
2 CANCER RESEARCH SPECIAL PLATES.

3 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE  
4 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A  
5 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

6 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND  
7 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND  
8 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS  
9 SECTION IN THE CHILDHOOD CANCER AND RARE CHILDHOOD DISEASE RESEARCH FUND  
10 ESTABLISHED BY SECTION 36-121.

11 28-2442. Litter prevention and cleanup special plates; fund

12 A. IF, BY DECEMBER 31, 2011, AN ENTITY PAYS THIRTY-TWO THOUSAND  
13 DOLLARS TO THE DEPARTMENT FOR IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT  
14 SHALL ISSUE LITTER PREVENTION AND CLEANUP SPECIAL PLATES. THE ENTITY THAT  
15 PROVIDES THE THIRTY-TWO THOUSAND DOLLARS SHALL DESIGN THE LITTER PREVENTION  
16 AND CLEANUP SPECIAL PLATES. THE DESIGN AND COLOR OF THE LITTER PREVENTION  
17 AND CLEANUP SPECIAL PLATES ARE SUBJECT TO THE APPROVAL OF THE DEPARTMENT.  
18 THE DIRECTOR MAY ALLOW A REQUEST FOR LITTER PREVENTION AND CLEANUP SPECIAL  
19 PLATES TO BE COMBINED WITH A REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE  
20 DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED  
21 BY THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL  
22 PLATES IN ADDITION TO THE FEES REQUIRED FOR THE LITTER PREVENTION AND CLEANUP  
23 SPECIAL PLATES.

24 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE  
25 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A  
26 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

27 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND  
28 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND  
29 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS  
30 SECTION IN THE LITTER PREVENTION AND CLEANUP SPECIAL PLATE FUND ESTABLISHED  
31 BY THIS SECTION.

32 D. THE LITTER PREVENTION AND CLEANUP SPECIAL PLATE FUND IS ESTABLISHED  
33 CONSISTING OF MONIES DEPOSITED PURSUANT TO THIS SECTION. THE DIRECTOR SHALL  
34 ADMINISTER THE FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS IN THE FUND SHALL  
35 BE REIMBURSED TO THE ENTITY THAT PAID THE IMPLEMENTATION FEE TO THE  
36 DEPARTMENT PURSUANT TO SUBSECTION A OF THIS SECTION. NOT MORE THAN TEN PER  
37 CENT OF MONIES DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR THE COST OF  
38 ADMINISTERING THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED.

39 E. THE DIRECTOR SHALL ANNUALLY DISTRIBUTE MONIES IN THE FUND TO AN  
40 ENTITY THAT IS QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED STATES  
41 INTERNAL REVENUE CODE, THAT IS ASSOCIATED WITH THE DEPARTMENT TO ASSIST WITH  
42 LITTER PREVENTION AND LITTER CLEANUP AND THAT OPERATES STATEWIDE.

43 F. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND  
44 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED  
45 FROM INVESTMENT SHALL BE CREDITED TO THE FUND.



1 APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY ALLOW A REQUEST FOR ARIZONA  
2 PUBLIC BROADCAST TELEVISION SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR  
3 PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE  
4 REQUEST SHALL BE IN A FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE  
5 FEES FOR THE PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR  
6 THE ARIZONA PUBLIC BROADCAST TELEVISION SPECIAL PLATES.

7 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE  
8 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A  
9 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

10 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND  
11 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND  
12 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS  
13 SECTION IN THE ARIZONA PUBLIC BROADCAST TELEVISION SPECIAL PLATE FUND  
14 ESTABLISHED BY THIS SECTION.

15 D. THE ARIZONA PUBLIC BROADCAST TELEVISION SPECIAL PLATE FUND IS  
16 ESTABLISHED CONSISTING OF MONIES DEPOSITED PURSUANT TO THIS SECTION. THE  
17 DIRECTOR SHALL ADMINISTER THE FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS IN  
18 THE FUND SHALL BE REIMBURSED TO THE ENTITY THAT PAID THE IMPLEMENTATION FEE  
19 TO THE DEPARTMENT PURSUANT TO SUBSECTION A OF THIS SECTION. NOT MORE THAN  
20 TEN PER CENT OF THE MONIES DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR  
21 THE COST OF ADMINISTERING THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY  
22 APPROPRIATED. THE DIRECTOR SHALL ALLOCATE MONIES FROM THE FUND TO A  
23 FOUNDATION OF PUBLIC BROADCAST TELEVISION IN THIS STATE THAT IS LICENSED AS A  
24 FULL-POWER NONCOMMERCIAL EDUCATIONAL STATION BY THE FEDERAL COMMUNICATIONS  
25 COMMISSION AND THAT PROVIDES A NONCOMMERCIAL AND NONSECTARIAN EDUCATIONAL  
26 BROADCAST SERVICE THAT IS AVAILABLE TO TELEVISION VIEWERS LOCATED IN CENTRAL  
27 AND NORTHERN ARIZONA. THE FOUNDATION MUST BE A CHARITABLE ORGANIZATION THAT  
28 IS QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED STATES INTERNAL REVENUE  
29 CODE FOR FEDERAL INCOME TAX PURPOSES. THE DIRECTOR SHALL FORWARD ALL MONIES  
30 DEPOSITED INTO THE ARIZONA PUBLIC BROADCAST TELEVISION SPECIAL PLATE FUND,  
31 EXCLUDING ADMINISTRATIVE FEES, TO THE FOUNDATION ON AN ANNUAL BASIS.

32 E. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND  
33 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED  
34 FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

35 28-2445. Global graduate management school special plates; fund

36 A. IF, BY DECEMBER 31, 2011, THIRTY-TWO THOUSAND DOLLARS IS PAID TO  
37 THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL  
38 ISSUE GLOBAL GRADUATE MANAGEMENT SCHOOL SPECIAL PLATES. THE ENTITY THAT  
39 PROVIDES THE THIRTY-TWO THOUSAND DOLLARS SHALL DESIGN THE GLOBAL GRADUATE  
40 MANAGEMENT SCHOOL SPECIAL PLATES. THE DESIGN AND COLOR OF THE GLOBAL  
41 GRADUATE MANAGEMENT SCHOOL SPECIAL PLATES ARE SUBJECT TO THE APPROVAL OF THE  
42 DEPARTMENT. THE DIRECTOR MAY ALLOW A REQUEST FOR GLOBAL GRADUATE MANAGEMENT  
43 SCHOOL SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR PERSONALIZED SPECIAL  
44 PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE IN A  
45 FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE

1 PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR THE GLOBAL  
2 GRADUATE MANAGEMENT SCHOOL SPECIAL PLATES.

3 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE  
4 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A  
5 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

6 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND  
7 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND  
8 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS  
9 SECTION IN THE GLOBAL GRADUATE MANAGEMENT SCHOOL SPECIAL PLATE FUND  
10 ESTABLISHED BY SUBSECTION D OF THIS SECTION.

11 D. THE GLOBAL GRADUATE MANAGEMENT SCHOOL SPECIAL PLATE FUND IS  
12 ESTABLISHED CONSISTING OF MONIES RECEIVED PURSUANT TO THIS SECTION. THE  
13 DIRECTOR SHALL ADMINISTER THE FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS IN  
14 THE FUND SHALL BE REIMBURSED TO THE ENTITY THAT PROVIDES THE THIRTY-TWO  
15 THOUSAND DOLLARS PURSUANT TO SUBSECTION A OF THIS SECTION. NOT MORE THAN TEN  
16 PER CENT OF MONIES DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR THE COST  
17 OF ADMINISTERING THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED.  
18 THE DIRECTOR SHALL ANNUALLY ALLOCATE MONIES FROM THE FUND, EXCLUDING  
19 ADMINISTRATIVE FEES, TO A GRADUATE MANAGEMENT SCHOOL IN THIS STATE THAT IS  
20 FOCUSED EXCLUSIVELY ON GLOBAL BUSINESS, THAT IS REGARDED AS THE WORLD'S  
21 LEADING INSTITUTION IN THE EDUCATION OF GLOBAL MANAGERS AND THAT HAS  
22 OPERATIONS IN THE UNITED STATES AND IN OTHER NATIONS. THE GRADUATE  
23 MANAGEMENT SCHOOL SHALL USE THE ALLOCATED MONIES FOR THE GRADUATE MANAGEMENT  
24 SCHOOL'S OPERATIONS AND ACTIVITIES, INCLUDING EDUCATING GLOBAL LEADERS WHO  
25 CREATE SUSTAINABLE PROSPERITY WORLDWIDE AND FACILITATING THE DEVELOPMENT OF  
26 THE GLOBAL MINDSET.

27 E. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND  
28 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED  
29 FROM INVESTMENT SHALL BE CREDITED TO THE FUND. MONIES IN THE FUND ARE EXEMPT  
30 FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS.

31 Sec. 6. Section 28-6501, Arizona Revised Statutes, is amended to read:  
32 28-6501. Definition of highway user revenues

33 In this article, unless the context otherwise requires or except as  
34 otherwise provided by statute, "highway user revenues" means all monies  
35 received in this state from licenses, taxes, penalties, interest and fees  
36 authorized by the following:

37 1. Chapters 2, 7, 8 and 15 of this title, except for:

38 (a) The special plate administration fees prescribed in sections  
39 28-2404, 28-2412 through ~~28-2436~~ 28-2445 and 28-2514.

40 (b) The donations prescribed in sections 28-2404, 28-2412 through  
41 28-2415, 28-2417 through ~~28-2436~~ 28-2445, 28-2453, 28-2454 and 28-2455.

42 2. Section 28-1177.

43 3. Chapters 10 and 11 of this title.

44 4. Chapter 16, articles 1, 2 and 4 of this title, except as provided  
45 in sections 28-5926 and 28-5927.

1           Sec. 7. Section 28-6991, Arizona Revised Statutes, is amended to read:  
2           28-6991. State highway fund; sources  
3           A state highway fund is established that consists of:  
4           1. Monies distributed from the Arizona highway user revenue fund  
5           pursuant to chapter 18 of this title.  
6           2. Monies appropriated by the legislature.  
7           3. Monies received from donations for the construction, improvement or  
8           maintenance of state highways or bridges. These monies shall be credited to  
9           a special account and shall be spent only for the purpose indicated by the  
10          donor.  
11          4. Monies received from counties under cooperative agreements,  
12          including proceeds from bond issues. The state treasurer shall deposit these  
13          monies to the credit of the fund in a special account on delivery to the  
14          treasurer of a concise written agreement between the department and the  
15          county stating the purposes for which the monies are surrendered by the  
16          county, and these monies shall be spent only as stated in the agreement.  
17          5. Monies received from the United States under an act of Congress to  
18          provide aid for the construction of rural post roads, but monies received on  
19          projects for which the monies necessary to be provided by this state are  
20          wholly derived from sources mentioned in paragraphs 2 and 3 of this section  
21          shall be allotted by the department and deposited by the state treasurer in  
22          the special account within the fund established for each project. On  
23          completion of the project, on the satisfaction and discharge in full of all  
24          obligations of any kind created and on request of the department, the  
25          treasurer shall transfer the unexpended balance in the special account for  
26          the project into the state highway fund, and the unexpended balance and any  
27          further federal aid thereafter received on account of the project may be  
28          spent under the general provisions of this title.  
29          6. Monies in the custody of an officer or agent of this state from any  
30          source that is to be used for the construction, improvement or maintenance of  
31          state highways or bridges.  
32          7. Monies deposited in the state general fund and arising from the  
33          disposal of state personal property belonging to the department.  
34          8. Receipts from the sale or disposal of any or all other property  
35          held by the department and purchased with state highway monies.  
36          9. Monies generated pursuant to section 28-410.  
37          10. Monies distributed pursuant to section 28-5808, subsection B,  
38          paragraph 2, subdivision (d).  
39          11. Monies deposited pursuant to sections 28-1143, 28-2353 and 28-3003.  
40          12. Except as provided in section 28-5101, the following monies:  
41               (a) Monies deposited pursuant to section 28-2206 and section 28-5808,  
42               subsection B, paragraph 2, subdivision (e).  
43               (b) One dollar of each registration fee and one dollar of each title  
44               fee collected pursuant to section 28-2003.

1 (c) Two dollars of each late registration penalty collected by the  
2 director pursuant to section 28-2162.

3 (d) The air quality compliance fee collected pursuant to section  
4 49-542.

5 (e) The special plate administration fees collected pursuant to  
6 sections 28-2404, 28-2412 through 28-2416, 28-2416.01, 28-2417 through  
7 ~~28-2436~~ 28-2445 and 28-2514.

8 (f) Monies collected pursuant to sections 28-372, 28-2155 and 28-2156  
9 if the director is the registering officer.

10 13. Monies deposited pursuant to chapter 5, article 5 of this title.

11 14. Donations received pursuant to section 28-2269.

12 15. Dealer and registration monies collected pursuant to section  
13 28-4304.

14 16. Abandoned vehicle administration monies deposited pursuant to  
15 section 28-4804.

16 17. Monies deposited pursuant to section 28-710, subsection D,  
17 paragraph 2.

18 18. Monies deposited pursuant to section 28-2065.

19 ~~19. Donations deposited pursuant to section 28-2430.~~

20 ~~20.~~ 19. Monies deposited pursuant to section 28-7311.

21 ~~21.~~ 20. Monies deposited pursuant to section 28-7059.

22 Sec. 8. Section 28-6993, Arizona Revised Statutes, is amended to read:  
23 28-6993. State highway fund; authorized uses

24 A. Except as provided in subsection B of this section and section  
25 28-6538, the state highway fund shall be used for any of the following  
26 purposes in strict conformity with and subject to the budget as provided by  
27 this section and by sections 28-6997 through 28-7003:

28 1. To pay salaries, wages, necessary travel expenses and other  
29 expenses of officers and employees of the department and the incidental  
30 office expenses, including telegraph, telephone, postal and express charges  
31 and printing, stationery and advertising expenses.

32 2. To pay for both:

33 (a) Equipment, supplies, machines, tools, department offices and  
34 laboratories established by the department.

35 (b) The construction and repair of buildings or yards of the  
36 department.

37 3. To pay the cost of both:

38 (a) Engineering, construction, improvement and maintenance of state  
39 highways and parts of highways forming state routes.

40 (b) Highways under cooperative agreements with the United States that  
41 are entered into pursuant to this chapter and an act of Congress providing  
42 for the construction of rural post roads.

43 4. To pay land damages incurred by reason of establishing, opening,  
44 altering, relocating, widening or abandoning portions of a state route or  
45 state highway.

- 1           5. To reimburse the department revolving account.
- 2           6. To pay premiums on authorized indemnity bonds and on compensation
- 3 insurance under the workers' compensation act.
- 4           7. To defray lawful expenses and costs required to administer and
- 5 carry out the intent, purposes and provisions of this title, including
- 6 repayment of obligations entered into pursuant to this title, payment of
- 7 interest on obligations entered into pursuant to this title, repayment of
- 8 loans and other financial assistance, including repayment of advances and
- 9 interest on advances made to the department pursuant to section 28-7677, and
- 10 payment of all other obligations and expenses of the board and department
- 11 pursuant to chapter 21 of this title.
- 12           8. To pay lawful bills and charges incurred by the state engineer.
- 13           9. To acquire, construct or improve entry roads to state parks or
- 14 roads within state parks.
- 15           10. To acquire, construct or improve entry roads to state prisons.
- 16           11. To pay the cost of relocating a utility facility pursuant to
- 17 section 28-7156.
- 18           12. For the purposes provided in subsections C, D and E of this section
- 19 and sections 28-1143, 28-2353 and 28-3003.
- 20           B. For each fiscal year, the department of transportation shall
- 21 allocate and transfer monies in the state highway fund to the department of
- 22 public safety for funding a portion of highway patrol costs in eight
- 23 installments in each of the first eight months of a fiscal year that do not
- 24 exceed ten million dollars.
- 25           C. Subject to legislative appropriation, the department may use the
- 26 monies in the state highway fund as prescribed in section 28-6991, paragraph
- 27 12 to carry out the duties imposed by this title for registration or titling
- 28 of vehicles, to operate joint title, registration and driver licensing
- 29 offices, to cover the administrative costs of issuing the air quality
- 30 compliance sticker, modifying the year validating tab and issuing the
- 31 windshield sticker and to cover expenses and costs in issuing special plates
- 32 pursuant to sections 28-2404, 28-2412 through 28-2436 28-2445 and 28-2514.
- 33           D. The department shall use monies deposited in the state highway fund
- 34 pursuant to chapter 5, article 5 of this title only as prescribed by that
- 35 article.
- 36           E. Monies deposited in the state highway fund pursuant to section
- 37 28-2269 shall be used only as prescribed by that section.
- 38           F. Monies deposited in the state highway fund pursuant to section
- 39 28-710, subsection D, paragraph 2 shall only be used for state highway work
- 40 zone traffic control devices.
- 41           G. The department may exchange monies distributed to the state highway
- 42 fund pursuant to section 28-6538, subsection A, paragraph 1 for local
- 43 government surface transportation program federal monies suballocated to
- 44 councils of government and metropolitan planning organizations if the local
- 45 government scheduled to receive the federal monies concurs. An exchange of

1 state highway fund monies pursuant to this subsection shall be in an amount  
2 that is at least equal to ninety per cent of the federal obligation authority  
3 that exists in the project for which the exchange is proposed.

4 Sec. 9. Title 36, chapter 1, article 1, Arizona Revised Statutes, is  
5 amended by adding sections 36-120 and 36-121, to read:

6 36-120. Multiple sclerosis awareness fund

7 A. THE MULTIPLE SCLEROSIS AWARENESS FUND IS ESTABLISHED CONSISTING OF  
8 MONIES RECEIVED PURSUANT TO SECTION 28-2439. THE DIRECTOR SHALL ADMINISTER  
9 THE FUND. NOT MORE THAN TEN PER CENT OF MONIES DEPOSITED IN THE FUND  
10 ANNUALLY SHALL BE USED FOR THE COST OF ADMINISTERING THE FUND. MONIES IN THE  
11 FUND ARE CONTINUOUSLY APPROPRIATED. THE DIRECTOR SHALL DISTRIBUTE MONIES IN  
12 THE FUND BEFORE JULY 1 OF EACH YEAR.

13 B. THE DIRECTOR SHALL ALLOCATE MONIES FROM THE FUND FOR MULTIPLE  
14 SCLEROSIS AWARENESS AND OUTREACH SERVICES IN THIS STATE.

15 C. MONIES IN THE FUND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190  
16 RELATING TO LAPSING OF APPROPRIATIONS.

17 36-121. Childhood cancer and rare childhood disease research  
18 fund

19 A. THE CHILDHOOD CANCER AND RARE CHILDHOOD DISEASE RESEARCH FUND IS  
20 ESTABLISHED CONSISTING OF MONIES RECEIVED PURSUANT TO SECTION 28-2441. THE  
21 DIRECTOR SHALL ADMINISTER THE FUND. NOT MORE THAN TEN PER CENT OF MONIES  
22 DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR THE COST OF ADMINISTERING  
23 THE FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS RECEIVED SHALL BE REIMBURSED  
24 TO THE PERSON OR ENTITY THAT PAID THE IMPLEMENTATION FEE. MONIES IN THE FUND  
25 ARE CONTINUOUSLY APPROPRIATED. THE DIRECTOR SHALL ANNUALLY DISTRIBUTE MONIES  
26 IN THE FUND.

27 B. THE DIRECTOR SHALL ALLOCATE MONIES FROM THE FUND TO HEALTH CARE  
28 PROVIDERS AND RESEARCH INSTITUTIONS THAT ARE LOCATED IN THIS STATE, THAT ARE  
29 NONPROFIT ORGANIZATIONS AND THAT ARE ENGAGED IN PHASE I CLINICAL TRIALS  
30 RELATING TO RESEARCH ON PEDIATRIC CANCER OR OTHER RARE PEDIATRIC DISEASES.  
31 THE MONIES MAY BE USED IN A COLLABORATIVE STUDY OR RESEARCH PROGRAM WITH  
32 OTHER FACILITIES OUTSIDE OF THIS STATE. NONPROFIT ORGANIZATIONS RECEIVING  
33 MONIES FROM THE FUND SHALL USE THE MONIES FOR THE PURPOSES PRESCRIBED IN THIS  
34 SUBSECTION EVEN IF THE MONIES ARE AGGREGATED WITH OTHER MONIES.

35 C. MONIES IN THE FUND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190  
36 RELATING TO LAPSING OF APPROPRIATIONS.

APPROVED BY THE GOVERNOR APRIL 28, 2011.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 29, 2011.

Passed the House April 19, 20 11,

by the following vote: 35 Ayes,

24 Nays, 1 Not Voting

[Signature]  
Speaker of the House

Cheryl Laube  
Chief Clerk of the House

Passed the Senate February 3, 20 11,

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

[Signature]  
President of the Senate

[Signature]  
Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR**

This Bill was received by the Governor this

\_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary to the Governor

Approved this \_\_\_\_\_ day of

\_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Governor of Arizona

**EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE**

This Bill was received by the Secretary of State

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State

**S.B. 1053**

SENATE CONCURS IN HOUSE  
AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 19, 20 11

by the following vote: 25 Ayes,

5 Nays, 0 Not Voting

[Signature]  
President of the Senate

[Signature]  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

20 day of April, 20 11

at 12:00 o'clock P. M.

[Signature]  
Secretary to the Governor

Approved this 28<sup>th</sup> day of

April

at 6:40 o'clock P. M.

[Signature]  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 29<sup>th</sup> day of April, 20 11

at 8:41 o'clock a M.

[Signature]  
Secretary of State

S.B. 1053