

House Engrossed Senate Bill

FILED

**KEN BENNETT
SECRETARY OF STATE**

State of Arizona
Senate
Fiftieth Legislature
First Regular Session
2011

CHAPTER 324

SENATE BILL 1402

AN ACT

AMENDING SECTIONS 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, 28-2439.01, 28-2439.02, 28-2440, 28-2441, 28-2442, 28-2443, 28-2444, 28-2445 AND 28-2446; 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 28-2351, Arizona Revised Statutes, is amended to
3 read:

4 28-2351. License plate provided; design

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

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

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

29 D. The department shall determine the color and design of the license
30 plate. All other plates issued by the department, except the plates issued
31 pursuant to sections 28-2404, 28-2412, 28-2413, 28-2414, 28-2416, 28-2416.01,
32 28-2417 through ~~28-2436~~ 28-2446, 28-2452, 28-2453, 28-2454 and 28-2455 and
33 article 14 of this chapter, shall be the same color as and similar in design
34 to the license plate as determined by the department.

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

37 Sec. 2. Section 28-2403, Arizona Revised Statutes, is amended to read:
38 28-2403. Special plates; transfers; violation; classification

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

43 1. Except as provided in sections 28-2416 and 28-2416.01, a person who
44 is the registered owner of a vehicle registered with the department or who
45 applies for an original or renewal registration of a vehicle may submit to

1 the department a completed application form as prescribed by the department
2 with the fee prescribed by section 28-2402 for special plates in addition to
3 the registration fee prescribed by section 28-2003.

4 2. Except for plates issued pursuant to sections 28-2404, 28-2412,
5 28-2413, 28-2414, 28-2416, 28-2416.01, 28-2417 through ~~28-2436~~ 28-2446,
6 28-2452, 28-2453, 28-2454 and 28-2455 and article 14 of this chapter, the
7 special plates shall be the same color as and similar to the design of the
8 regular license plates that is determined by the department.

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

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

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

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

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

33 1. Violates subsection B of this section.

34 2. Fraudulently gives false or fictitious information in the
35 application for or renewal of special plates or placards issued pursuant to
36 this article.

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

40 Sec. 3. Section 28-2430, Arizona Revised Statutes, is amended to read:
41 28-2430. In God we trust special plates

42 A. ~~If an entity receives thirty-two thousand dollars through donations~~
43 ~~for the issuance of the in God we trust special plate and INCORPORATED~~
44 ~~NONPROFIT CORPORATION gives the department the thirty-two thousand dollars,~~
45 the department shall issue the in God we trust special plates. The entity

1 that provides the thirty-two thousand dollars shall design the in God we
2 trust special plates. The design and color of the in God we trust special
3 plates are subject to the approval of the department. The director may allow
4 a request for in God we trust special plates to be combined with a request
5 for personalized special plates. If the director allows such a combination,
6 the request shall be in a form prescribed by the director and is subject to
7 the fees for the personalized special plates in addition to the fees required
8 for the in God we trust special plates.

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

12 C. The department shall deposit, pursuant to sections 35-146 and
13 35-147, all special plate administration fees ~~and all donations collected~~
14 ~~pursuant to this section~~ in the state highway fund established by section
15 28-6991 AND SHALL DISTRIBUTE ALL DONATIONS COLLECTED PURSUANT TO THIS SECTION
16 AS AUTHORIZED IN A WRITTEN RESOLUTION OF THE INCORPORATED NONPROFIT
17 CORPORATION THAT PROVIDED THE THIRTY-TWO THOUSAND DOLLARS FOR IMPLEMENTATION
18 OF THIS SECTION. THE INCORPORATED NONPROFIT CORPORATION SHALL FILE A COPY OF
19 THIS RESOLUTION WITH THE DEPARTMENT. THE INCORPORATED NONPROFIT CORPORATION
20 MUST USE THE DONATIONS TO PROMOTE THE NATIONAL MOTTO "IN GOD WE TRUST", FIRST
21 AMENDMENT RIGHTS AND THE HERITAGE OF THIS STATE AND NATION.

22 Sec. 4. Title 28, chapter 7, article 12, Arizona Revised Statutes, is
23 amended by adding sections 28-2437, 28-2438, 28-2439, 28-2439.01, 28-2439.02,
24 28-2440, 28-2441, 28-2442, 28-2443, 28-2444, 28-2445 and 28-2446, to read:

25 28-2437. Law enforcement special plates; fund

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

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

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

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

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

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 28-2438. Youth development organization special plates; fund

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

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

34 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
35 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
36 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
37 SECTION IN THE YOUTH DEVELOPMENT ORGANIZATION SPECIAL PLATE FUND ESTABLISHED
38 BY THIS SECTION.

39 D. THE YOUTH DEVELOPMENT ORGANIZATION SPECIAL PLATE FUND IS
40 ESTABLISHED CONSISTING OF MONIES DEPOSITED PURSUANT TO THIS SECTION. THE
41 DIRECTOR SHALL ADMINISTER THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY
42 APPROPRIATED.

43 E. THE DIRECTOR SHALL ANNUALLY ALLOCATE MONIES FROM THE FUND TO THE
44 ENTITY IN THIS STATE THAT PAID THE IMPLEMENTATION FEE TO THE DEPARTMENT
45 PURSUANT TO SUBSECTION A OF THIS SECTION. THE ENTITY MUST BE AN INCORPORATED

1 NONPROFIT CORPORATION THAT IS QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED
2 STATES INTERNAL REVENUE CODE FOR FEDERAL INCOME TAX PURPOSES AND MUST BE ONE
3 OF THE NATION'S LARGEST AND MOST PROMINENT VALUES-BASED YOUTH DEVELOPMENT
4 ORGANIZATIONS THAT PROVIDES A PROGRAM FOR YOUNG PEOPLE THAT BUILDS CHARACTER,
5 THAT TRAINS THEM IN THE RESPONSIBILITIES OF PARTICIPATING CITIZENSHIP AND
6 THAT DEVELOPS PERSONAL FITNESS. THE INCORPORATED NONPROFIT CORPORATION MUST
7 HAVE BEEN IN EXISTENCE FOR AT LEAST ONE CENTURY AND MUST HELP BUILD THE
8 FUTURE LEADERS OF THIS COUNTRY BY COMBINING EDUCATIONAL ACTIVITIES AND
9 LIFELONG VALUES WITH FUN.

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

13 28-2439. Don't tread on me special plates

14 A. IF AN ENTITY RECEIVES THIRTY-TWO THOUSAND DOLLARS THROUGH DONATIONS
15 FOR THE ISSUANCE OF DON'T TREAD ON ME SPECIAL PLATES AND GIVES THE DEPARTMENT
16 THE THIRTY-TWO THOUSAND DOLLARS, THE DEPARTMENT SHALL ISSUE DON'T TREAD ON ME
17 SPECIAL PLATES. THE ENTITY THAT PROVIDES THE THIRTY-TWO THOUSAND DOLLARS
18 SHALL DESIGN THE DON'T TREAD ON ME SPECIAL PLATES, EXCEPT THAT THE BACKGROUND
19 OF THE DON'T TREAD ON ME SPECIAL PLATES SHALL BE IN THE IMAGE AND COLOR OF
20 THE GADSDEN FLAG. THE DESIGN OF THE DON'T TREAD ON ME SPECIAL PLATES IS
21 SUBJECT TO THE APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY ALLOW A REQUEST
22 FOR DON'T TREAD ON ME SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR
23 PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE
24 REQUEST SHALL BE IN A FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE
25 FEES FOR THE PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR
26 DON'T TREAD ON ME SPECIAL PLATES.

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

30 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
31 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
32 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
33 SECTION IN THE DON'T TREAD ON ME SPECIAL PLATES FUND ESTABLISHED BY SECTION
34 28-2439.02.

35 28-2439.01. Arizona tea party committee

36 A. THE ARIZONA TEA PARTY COMMITTEE IS ESTABLISHED CONSISTING OF THE
37 FOLLOWING THIRTEEN MEMBERS WHO RESIDE IN THIS STATE AND WHO ARE UNITED STATES
38 CITIZENS:

39 1. ONE MEMBER WHO IS APPOINTED BY THE PRESIDENT OF THE SENATE AND WHO
40 IS THE DIRECTOR OF AN INCORPORATED NONPROFIT CORPORATION THAT IS QUALIFIED
41 UNDER SECTION 501(c)(3) OR 501(c)(4) OF THE UNITED STATES INTERNAL REVENUE
42 CODE FOR FEDERAL INCOME TAX PURPOSES, THAT HAS A MISSION OF BRINGING
43 TOGETHER, EMPOWERING AND TRAINING TEA PARTY GROUPS AND THAT HAS AFFILIATED
44 MEMBERS THAT REPRESENT DIVERSE GEOGRAPHICAL LOCATIONS THROUGHOUT THIS STATE.

1 2. TWO MEMBERS WHO ARE APPOINTED BY THE PRESIDENT OF THE SENATE AND
2 WHO EACH REPRESENT AN ORGANIZATION IN THIS STATE THAT PROMOTES THE TEA PARTY
3 GOVERNING PRINCIPLES OF FISCAL RESPONSIBILITY, LIMITED GOVERNMENT AND FREE
4 MARKETS. ONE OF THE TWO MEMBERS MUST RESIDE IN A COUNTY WITH A POPULATION OF
5 MORE THAN ONE HUNDRED SIXTY THOUSAND PERSONS BUT LESS THAN ONE HUNDRED SIXTY
6 SEVEN THOUSAND PERSONS.

7 3. THREE MEMBERS WHO ARE APPOINTED BY THE SPEAKER OF THE HOUSE OF
8 REPRESENTATIVES AND WHO EACH REPRESENT AN ORGANIZATION IN THIS STATE THAT
9 PROMOTES THE TEA PARTY GOVERNING PRINCIPLES OF FISCAL RESPONSIBILITY, LIMITED
10 GOVERNMENT AND FREE MARKETS.

11 4. SEVEN MEMBERS WHO ARE APPOINTED BY THE GOVERNOR AND WHO EACH
12 REPRESENT AN ORGANIZATION IN THIS STATE THAT PROMOTES THE TEA PARTY GOVERNING
13 PRINCIPLES OF FISCAL RESPONSIBILITY, LIMITED GOVERNMENT AND FREE MARKETS.

14 B. THE ARIZONA TEA PARTY COMMITTEE MEMBERS SHALL SERVE FIVE YEAR
15 TERMS.

16 C. THE COMMITTEE SHALL:

17 1. DISTRIBUTE MONIES FROM THE DON'T TREAD ON ME SPECIAL PLATES FUND
18 ESTABLISHED BY SECTION 28-2439.02.

19 2. SUBMIT A WRITTEN REPORT TO THE GOVERNOR, THE PRESIDENT OF THE
20 SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES PURSUANT TO SECTION
21 28-2439.02.

22 3. NO LATER THAN SIXTY DAYS BEFORE THE EXPIRATION OF A MEMBER'S TERM,
23 DELIVER A LIST OF AT LEAST TWO, BUT NO MORE THAN FIVE, CANDIDATES TO THE
24 GOVERNOR, THE PRESIDENT OF THE SENATE OR THE SPEAKER OF THE HOUSE OF
25 REPRESENTATIVES IN ORDER TO FILL A VACANCY ON THE COMMITTEE. THE GOVERNOR,
26 THE PRESIDENT OF THE SENATE OR THE SPEAKER OF THE HOUSE OF REPRESENTATIVES
27 SHALL SELECT AND APPOINT A MEMBER TO THE COMMITTEE FROM THE LIST SUBMITTED BY
28 THE COMMITTEE.

29 D. MEMBERS OF THE COMMITTEE ARE NOT ELIGIBLE TO RECEIVE COMPENSATION
30 OR REIMBURSEMENT OF EXPENSES.

31 28-2439.02. Don't tread on me special plates fund; grants;
32 definition

33 A. THE DON'T TREAD ON ME SPECIAL PLATES FUND IS ESTABLISHED CONSISTING
34 OF MONIES RECEIVED PURSUANT TO SECTION 28-2439. THE ARIZONA TEA PARTY
35 COMMITTEE SHALL ADMINISTER THE FUND. NOT MORE THAN TEN PER CENT OF MONIES
36 DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR THE COST OF ADMINISTERING
37 THE FUND AND THE GRANT PROGRAM PURSUANT TO THIS SECTION. MONIES IN THE FUND
38 ARE CONTINUOUSLY APPROPRIATED.

39 B. THE ARIZONA TEA PARTY COMMITTEE SHALL ALLOCATE MONIES TO QUALIFYING
40 ENTITIES IN THIS STATE THAT USE MONIES TO PROMOTE TEA PARTY GOVERNING
41 PRINCIPLES. THE ARIZONA TEA PARTY COMMITTEE SHALL ANNUALLY DISTRIBUTE ALL
42 MONIES DEPOSITED IN THE DON'T TREAD ON ME SPECIAL PLATES FUND, EXCLUDING
43 ADMINISTRATIVE FEES, TO ANY QUALIFYING ENTITIES. FUNDS AWARDED PURSUANT TO
44 THIS SECTION MUST BE USED FOR THE PURPOSES FOR WHICH THE MONIES WERE AWARDED.

1 C. ON NOTICE FROM THE ARIZONA TEA PARTY COMMITTEE, 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 D. MONIES IN THE FUND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190
5 RELATING TO LAPSING OF APPROPRIATIONS.

6 E. BEFORE ALLOCATING MONIES PURSUANT TO SUBSECTION B OF THIS SECTION:

7 1. THE ARIZONA TEA PARTY COMMITTEE SHALL ESTABLISH A GRANT PROGRAM TO
8 DISTRIBUTE FUND MONIES AND PREPARE AND ISSUE A REQUEST FOR GRANT APPLICATION
9 THAT INCLUDES AT LEAST THE FOLLOWING INFORMATION:

10 (a) A DESCRIPTION OF THE INTENDED USES OF GRANT MONIES.

11 (b) WHETHER A SINGLE AWARD OR MULTIPLE AWARDS MAY BE MADE.

12 (c) THE CRITERIA OR FACTORS UNDER WHICH AN APPLICATION WILL BE
13 EVALUATED FOR AWARD AND THE RELATIVE IMPORTANCE OF EACH CRITERIA OR FACTOR.

14 (d) THE DUE DATE FOR SUBMITTAL OF AN APPLICATION AND THE ANTICIPATED
15 TIME THE AWARDS MAY BE MADE.

16 (e) ANY ADDITIONAL INFORMATION REQUIRED BY THE COMMITTEE.

17 2. ADEQUATE PUBLIC NOTICE OF REQUEST FOR GRANT APPLICATION SHALL BE
18 GIVEN A REASONABLE TIME BEFORE THE DATE SET FORTH IN THE REQUEST FOR
19 APPLICATION.

20 3. A GRANT APPLICATION SHALL BE PUBLICLY RECEIVED AT THE TIME AND
21 PLACE DESIGNATED IN THE REQUEST FOR GRANT APPLICATION. THE NAME OF EACH
22 APPLICANT SHALL BE PUBLICLY RECORDED. ALL OTHER INFORMATION IN THE
23 APPLICATION IS CONFIDENTIAL DURING THE PROCESS OF EVALUATION. ALL
24 APPLICATIONS SHALL BE OPEN FOR PUBLIC INSPECTION AFTER GRANT MONIES ARE
25 AWARDED.

26 4. AN APPLICATION SHALL BE EVALUATED BY AT LEAST THREE MEMBERS OF THE
27 ARIZONA TEA PARTY COMMITTEE. THE MEMBERS SHALL REVIEW EACH APPLICATION BASED
28 SOLELY ON THE EVALUATION CRITERIA OR FACTORS SET FORTH IN THE REQUEST FOR
29 GRANT APPLICATION.

30 5. THE ARIZONA TEA PARTY COMMITTEE MAY ENTER INTO AGREEMENTS WITH
31 OTHER STATE GOVERNMENTAL UNITS TO FURNISH ASSISTANCE IN CONDUCTING THE
32 SOLICITATION OF GRANT APPLICATIONS.

33 6. THE ARIZONA TEA PARTY COMMITTEE MAY RESOLVE PROTESTS OF THE AWARD
34 OR PROPOSED AWARD OF A GRANT. AN APPEAL FROM A DECISION OF THE ARIZONA TEA
35 PARTY COMMITTEE MAY BE MADE TO THE DIRECTOR OF THE DEPARTMENT OF
36 ADMINISTRATION. A PROTEST OF AN AWARD OR PROPOSED AWARD OF A GRANT AND ANY
37 APPEALS SHALL BE RESOLVED IN ACCORDANCE WITH THE RULES OF PROCEDURE ADOPTED
38 BY THE DEPARTMENT OF ADMINISTRATION PURSUANT TO SECTION 41-2611.

39 F. ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE ARIZONA TEA PARTY
40 COMMITTEE SHALL SUBMIT A WRITTEN REPORT TO THE GOVERNOR, THE PRESIDENT OF THE
41 SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES ON ALL EXPENDITURES
42 MADE FROM THE FUND IN THAT CALENDAR YEAR. THE REPORT SHALL INCLUDE ALL
43 ADMINISTRATIVE EXPENSES, ALL GRANTS OF MONIES, THE NAMES OF GRANTEEES AND ANY
44 REMAINING BALANCE IN THE FUND. THE COMMITTEE SHALL PROVIDE A COPY OF THE
45 REPORT TO THE SECRETARY OF STATE.

1 G. THE ARIZONA TEA PARTY COMMITTEE SHALL MAKE AVAILABLE TO THE PUBLIC
2 A LIST OF ALL GRANTS AWARDED PURSUANT TO THIS SECTION ON REQUEST.

3 H. GRANTEEES SHALL MAINTAIN A WRITTEN RECORD OF ALL EXPENDITURES MADE
4 USING GRANT MONIES AND SHALL FURNISH THOSE RECORDS ON THE REQUEST OF THE
5 ARIZONA TEA PARTY COMMITTEE. THE ARIZONA TEA PARTY COMMITTEE MAY REQUEST AND
6 REVIEW THE WRITTEN RECORDS MAINTAINED BY GRANTEEES.

7 I. FOR THE PURPOSES OF THIS SECTION, "QUALIFYING ENTITIES" MEANS
8 ORGANIZATIONS THAT FOSTER TEA PARTY GOVERNING PRINCIPLES, INCLUDING ALL OF
9 THE FOLLOWING:

10 1. TO PROMOTE THE CONSTITUTION OF THE UNITED STATES AS THE SUPREME LAW
11 OF THE LAND THROUGH EDUCATION AND PRESERVATION OF THE FOUNDING PRINCIPLES OF
12 THE CONSTITUTION OF THE UNITED STATES.

13 2. TO PROTECT STATE SOVEREIGNTY, AS PROVIDED FOR UNDER THE TENTH
14 AMENDMENT OF THE CONSTITUTION OF THE UNITED STATES.

15 3. TO ADHERE TO THE TENETS OF LIMITED GOVERNMENT, FREE ENTERPRISE FOR
16 BUSINESSES AND FISCAL RESPONSIBILITY BY FEDERAL, STATE AND LOCAL GOVERNMENTS.

17 4. TO STAND FOR THE SECURITY OF BORDERS WITH OTHER NATIONS FOR THE
18 STABILITY AND SAFETY OF THE UNITED STATES.

19 28-2440. Multiple sclerosis awareness special plates

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

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

33 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
34 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
35 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
36 SECTION IN THE MULTIPLE SCLEROSIS AWARENESS FUND ESTABLISHED BY SECTION
37 36-120.

38 28-2441. Hunger relief special plates; fund

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

1 DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED
2 BY THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL
3 PLATES IN ADDITION TO THE FEES REQUIRED FOR THE HUNGER RELIEF SPECIAL PLATES.

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

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

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

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

35 28-2442. Childhood cancer research special plates

36 A. IF, BY DECEMBER 31, 2012, THIRTY-TWO THOUSAND DOLLARS IS PAID TO
37 THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL
38 ISSUE CHILDHOOD CANCER RESEARCH SPECIAL PLATES. THE PERSON OR ENTITY THAT
39 PROVIDES THE THIRTY-TWO THOUSAND DOLLARS FOR IMPLEMENTATION OF THIS SECTION
40 SHALL DESIGN THE CHILDHOOD CANCER RESEARCH SPECIAL PLATES. THE DESIGN AND
41 COLOR OF THE CHILDHOOD CANCER RESEARCH SPECIAL PLATES ARE SUBJECT TO THE
42 APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY ALLOW A REQUEST FOR CHILDHOOD
43 CANCER RESEARCH SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR PERSONALIZED
44 SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL
45 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 28-2443. 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 28-2446. 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. 5. 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~~ 28-2446 and 28-2514.

40 (b) The donations prescribed in sections 28-2404, 28-2412 through
41 28-2415, 28-2417 through ~~28-2436~~ 28-2446, 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. 6. 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~~ 28-2446 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. 7. 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.

1 4. To pay land damages incurred by reason of establishing, opening,
2 altering, relocating, widening or abandoning portions of a state route or
3 state highway.

4 5. To reimburse the department revolving account.

5 6. To pay premiums on authorized indemnity bonds and on compensation
6 insurance under the workers' compensation act.

7 7. To defray lawful expenses and costs required to administer and
8 carry out the intent, purposes and provisions of this title, including
9 repayment of obligations entered into pursuant to this title, payment of
10 interest on obligations entered into pursuant to this title, repayment of
11 loans and other financial assistance, including repayment of advances and
12 interest on advances made to the department pursuant to section 28-7677, and
13 payment of all other obligations and expenses of the board and department
14 pursuant to chapter 21 of this title.

15 8. To pay lawful bills and charges incurred by the state engineer.

16 9. To acquire, construct or improve entry roads to state parks or
17 roads within state parks.

18 10. To acquire, construct or improve entry roads to state prisons.

19 11. To pay the cost of relocating a utility facility pursuant to
20 section 28-7156.

21 12. For the purposes provided in subsections C, D and E of this section
22 and sections 28-1143, 28-2353 and 28-3003.

23 B. For each fiscal year, the department of transportation shall
24 allocate and transfer monies in the state highway fund to the department of
25 public safety for funding a portion of highway patrol costs in eight
26 installments in each of the first eight months of a fiscal year that do not
27 exceed ten million dollars.

28 C. Subject to legislative appropriation, the department may use the
29 monies in the state highway fund as prescribed in section 28-6991, paragraph
30 12 to carry out the duties imposed by this title for registration or titling
31 of vehicles, to operate joint title, registration and driver licensing
32 offices, to cover the administrative costs of issuing the air quality
33 compliance sticker, modifying the year validating tab and issuing the
34 windshield sticker and to cover expenses and costs in issuing special plates
35 pursuant to sections 28-2404, 28-2412 through ~~28-2436~~ 28-2446 and 28-2514.

36 D. The department shall use monies deposited in the state highway fund
37 pursuant to chapter 5, article 5 of this title only as prescribed by that
38 article.

39 E. Monies deposited in the state highway fund pursuant to section
40 28-2269 shall be used only as prescribed by that section.

41 F. Monies deposited in the state highway fund pursuant to section
42 28-710, subsection D, paragraph 2 shall only be used for state highway work
43 zone traffic control devices.

1 G. The department may exchange monies distributed to the state highway
2 fund pursuant to section 28-6538, subsection A, paragraph 1 for local
3 government surface transportation program federal monies suballocated to
4 councils of government and metropolitan planning organizations if the local
5 government scheduled to receive the federal monies concurs. An exchange of
6 state highway fund monies pursuant to this subsection shall be in an amount
7 that is at least equal to ninety per cent of the federal obligation authority
8 that exists in the project for which the exchange is proposed.

9 Sec. 8. Title 36, chapter 1, article 1, Arizona Revised Statutes, is
10 amended by adding sections 36-120 and 36-121, to read:

11 36-120. Multiple sclerosis awareness fund

12 A. THE MULTIPLE SCLEROSIS AWARENESS FUND IS ESTABLISHED CONSISTING OF
13 MONIES RECEIVED PURSUANT TO SECTION 28-2440. THE DIRECTOR SHALL ADMINISTER
14 THE FUND. NOT MORE THAN TEN PER CENT OF MONIES DEPOSITED IN THE FUND
15 ANNUALLY SHALL BE USED FOR THE COST OF ADMINISTERING THE FUND. MONIES IN THE
16 FUND ARE CONTINUOUSLY APPROPRIATED. THE DIRECTOR SHALL DISTRIBUTE MONIES IN
17 THE FUND BEFORE JULY 1 OF EACH YEAR.

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

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

22 36-121. Childhood cancer and rare childhood disease research
23 fund

24 A. THE CHILDHOOD CANCER AND RARE CHILDHOOD DISEASE RESEARCH FUND IS
25 ESTABLISHED CONSISTING OF MONIES RECEIVED PURSUANT TO SECTION 28-2442. THE
26 DIRECTOR SHALL ADMINISTER THE FUND. NOT MORE THAN TEN PER CENT OF MONIES
27 DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR THE COST OF ADMINISTERING
28 THE FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS RECEIVED SHALL BE REIMBURSED
29 TO THE PERSON OR ENTITY THAT PAID THE IMPLEMENTATION FEE. MONIES IN THE FUND
30 ARE CONTINUOUSLY APPROPRIATED. THE DIRECTOR SHALL ANNUALLY DISTRIBUTE MONIES
31 IN THE FUND.

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

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

1 Sec. 9. Initial terms of members of the Arizona tea party
2 committee

- 3 A. Notwithstanding section 28-2439.01, Arizona Revised Statutes, as
4 added by this act, the initial terms of members are:
5 1. Two terms ending January 1, 2013.
6 2. Two terms ending January 1, 2014.
7 3. Three terms ending January 1, 2015.
8 4. Three terms ending January 1, 2016.
9 5. Three terms ending January 1, 2017.
10 B. The governor, the president of the senate and the speaker of the
11 house of representatives shall make all subsequent appointments as prescribed
12 by statute.

APPROVED BY THE GOVERNOR APRIL 28, 2011.

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

Passed the House April 18, 2011,

by the following vote: 31 Ayes,

28 Nays, 1 Not Voting

[Signature]
Speaker of the House

Cheryl Laube
Chief Clerk of the House

Passed the Senate March 8, 2011,

by the following vote: 21 Ayes,

9 Nays, 0 Not Voting

[Signature]
President of the Senate

Susan Reeves
~~Assistant~~ 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

S.B. 1402

**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

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 19, 20 11

by the following vote: 22 Ayes,

8 Nays, 0 Not Voting

[Signature]
President of the Senate

Chermin Billeter
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 28th day of

April

at 6:42 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 29th day of April, 20 11

at 8:41 o'clock a M.

[Signature]
Secretary of State

S.B. 1402