

House Engrossed

**FILED**  
**KEN BENNETT**  
**SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Fifty-first Legislature  
First Regular Session  
2013

CHAPTER 225

# **HOUSE BILL 2297**

AN ACT

AMENDING TITLE 37, CHAPTER 1, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 37-132.01; RELATING TO THE STATE LAND COMMISSIONER.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 37, chapter 1, article 2, Arizona Revised Statutes,  
3 is amended by adding section 37-132.01, to read:

4 37-132.01. Performance and restoration account; agreements with  
5 public and private entities

6 A. THE PROCEEDS OF ANY SECURITY IMPOSED BY THE COMMISSIONER AS A  
7 CONDITION OF SALE PURSUANT TO SECTION 37-132, SUBSECTION A, PARAGRAPH 5 AND  
8 THE PROCEEDS OF A BOND, COLLATERAL OR SECURITY RECEIVED PURSUANT TO SECTION  
9 37-132, SUBSECTION B, PARAGRAPH 3 OR SECTION 37-335.06, SUBSECTION B SHALL BE  
10 DEPOSITED IN A SEPARATE ACCOUNT OF THE STATE LAND DEPARTMENT FUND THAT IS  
11 DESIGNATED AS THE PERFORMANCE AND RESTORATION ACCOUNT AND THAT SHALL BE USED  
12 FOR THE PERFORMANCE OR RESTORATION PURPOSES FOR WHICH THE BOND, COLLATERAL OR  
13 SECURITY WAS ACQUIRED. THE COMMISSIONER SHALL ADMINISTER THE ACCOUNT.

14 B. THE COMMISSIONER MAY ENTER INTO AN AGREEMENT WITH A PRIVATE ENTITY  
15 OR AN INTERGOVERNMENTAL AGREEMENT PURSUANT TO TITLE 11, CHAPTER 7, ARTICLE 3  
16 TO COORDINATE THE REVIEW AND APPROVAL OF PLANS FOR PERFORMANCE OR RESTORATION  
17 PURPOSES AND TO PERFORM THE PERFORMANCE OR RESTORATION ACTION, INCLUDING:

18 1. DESIGNATING A LEAD AGENCY FOR THE PERFORMANCE OR RESTORATION  
19 ACTION.

20 2. ISSUING THE LEAD AGENCY OR ENTITY TEMPORARY RIGHTS OF ENTRY ON,  
21 UNDER AND OVER STATE TRUST LANDS FOR THE PURPOSE OF ACCESS FOR THE  
22 PERFORMANCE OR RESTORATION ACTION. THE TEMPORARY RIGHTS OF ENTRY SHALL BE  
23 ISSUED PURSUANT TO APPLICABLE LAW.

24 3. AUTHORIZING THE LEAD AGENCY OR ENTITY TO USE THE PROCEEDS OF THE  
25 BOND, COLLATERAL OR SECURITY FOR THE PERFORMANCE OR RESTORATION ACTION.

APPROVED BY THE GOVERNOR JUNE 19, 2013.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 19, 2013.

Passed the House February 18, 2013

Passed the Senate May 9, 2013

by the following vote: 58 Ayes,

by the following vote: 28 Ayes,

0 Nays, 2 Not Voting

0 Nays, 2 Not Voting

[Signature]  
Speaker of the House

[Signature]  
President of the Senate

[Signature]  
Chief Clerk of the House

[Signature]  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

13 day of June, 20 13

at 4:45 o'clock P M.

[Signature]  
Secretary to the Governor

Approved this 19<sup>th</sup> day of

June

at 2:07 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 19<sup>th</sup> day of June, 20 13

at 4:53 o'clock P. M.

[Signature]  
Secretary of State

H.B. 2297