

House Engrossed Senate Bill

State of Arizona
Senate
Fifty-second Legislature
Second Regular Session
2016

FILED
MICHELE REAGAN
SECRETARY OF STATE

CHAPTER 163

SENATE BILL 1398

AN ACT

AMENDING SECTION 28-6533, ARIZONA REVISED STATUTES; RELATING TO HIGHWAY USER REVENUES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-6533, Arizona Revised Statutes, is amended to
3 read:

4 28-6533. Arizona highway user revenue fund; reports

5 A. The officer collecting all highway user revenues, as defined in
6 section 28-6501 and in article IX, section 14, Constitution of Arizona, and
7 all fees, penalties and fines collected under sections 28-1101, 28-1103,
8 28-1105 and 28-1521 shall transfer the revenues to the department. After the
9 deduction of all exemptions and refunds and after taking actions required
10 under subsection C of this section, the department shall immediately deposit,
11 pursuant to sections 35-146 and 35-147, the revenues in a fund designated as
12 the Arizona highway user revenue fund.

13 B. The revenues in the Arizona highway user revenue fund shall only be
14 spent for the purposes prescribed in article IX, section 14, Constitution of
15 Arizona. Counties and incorporated cities and towns shall not spend highway
16 user revenue fund monies distributed to them pursuant to this article for
17 enforcement of traffic laws or administration of traffic safety programs. If
18 the auditor general reports to the state treasurer after conducting a
19 performance audit pursuant to section 41-1279.03, subsection A, paragraph 7
20 that a jurisdiction has not used revenues as required by this subsection, the
21 state treasurer shall withhold the noncomplying jurisdiction's revenues until
22 the noncomplying jurisdiction presents evidence that is satisfactory to the
23 auditor general and that shows that the jurisdiction has spent monies for
24 purposes prescribed in this subsection from another general revenue source
25 equal to the amount of the revenues diverted from the uses prescribed in this
26 subsection.

27 C. If there is any default, the department shall deduct all amounts
28 required by law or any resolution authorizing the issuance of bonds of the
29 board to be placed in the principal funds, interest funds, reserve funds or
30 sinking funds or any other funds established to service bonds issued or to be
31 issued by the board before the revenues are deposited in the Arizona highway
32 user revenue fund.

33 D. A COUNTY RECEIVING MONIES PURSUANT TO SECTION 28-6538 SHALL PUBLISH
34 AN ANNUAL FINANCIAL REPORT FOR THE PRIOR FISCAL YEAR OF FUNDS RECEIVED FROM
35 MOTOR VEHICLE FUEL AND USE FUEL TAXES. THE FINANCIAL REPORT SHALL CONTAIN
36 BUDGETED AND ACTUAL EXPENDITURES FOR THE PRECEDING FISCAL YEAR AND SHALL BE
37 PREPARED AND DISTRIBUTED BY DECEMBER 31 BY THE COUNTY.

APPROVED BY THE GOVERNOR MAY 11, 2016.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 11, 2016.

Passed the House April 6, 2016,

Passed the Senate February 29, 2016,

by the following vote: 59 Ayes,

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

1 Nays, 0 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 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. 1398

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate May 4, 2016

by the following vote: 28 Ayes,

0 Nays, 2 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

4th day of May, 2016

at 4:26 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 11th day of

May

at 10:52 o'clock A. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 12 day of May, 2016

at 8:50 o'clock A M.

[Signature]
Secretary of State