

State of Arizona
Senate
Fifty-first Legislature
First Regular Session
2013

SENATE BILL 1489

AN ACT

AMENDING SECTION 3-1005, ARIZONA REVISED STATUTES; REPEALING SECTION 9-626, ARIZONA REVISED STATUTES; AMENDING SECTION 10-122, ARIZONA REVISED STATUTES; AMENDING SECTION 10-122, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2013, CHAPTER 165, SECTION 1; AMENDING SECTION 29-851, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 1, ARTICLE 2.1, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-151.24; AMENDING TITLE 41, CHAPTER 3, ARTICLE 7, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-610; AMENDING SECTION 41-3953, ARIZONA REVISED STATUTES; REPEALING SECTION 41-3954, ARIZONA REVISED STATUTES; AMENDING LAWS 2008, CHAPTER 291, SECTION 9, AS AMENDED BY LAWS 2010, CHAPTER 313, SECTION 16 AND LAWS 2011, CHAPTER 343, SECTION 25; RELATING TO GENERAL GOVERNMENT BUDGET RECONCILIATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 3-1005, Arizona Revised Statutes, is amended to
3 read:

4 3-1005. Arizona exposition and state fair fund

5 A. Monies received by the board, other than those referred to in
6 section 3-1003, subsection A, paragraph 9 and other than those received by
7 the board as ticket sales pursuant to a valid lease of the coliseum, shall be
8 deposited, pursuant to sections 35-146 and 35-147, in the Arizona exposition
9 and state fair fund and are subject to legislative appropriation. Ticket
10 sale monies received pursuant to a valid lease of the coliseum may be
11 deposited with a bank qualified to receive public deposits under title 35,
12 chapter 2, article 2.1, in which case the signature of the executive director
13 or ~~a bonded~~ AN employee designated by the executive director and the lessee
14 shall be required on any instrument withdrawing such a deposit. Vouchers for
15 authorized expenditures shall be signed by the executive director or by an
16 employee who ~~is bonded as prescribed by the terms of this article and~~ is
17 designated by the executive director. The receipt and expenditure of funds
18 shall be as prescribed by law and the rules of the director of the department
19 of administration. Balances remaining in the fund at the end of a fiscal
20 year shall not revert to the general fund.

21 B. On notice from the executive director, the state treasurer shall
22 invest and divest monies in the Arizona exposition and state fair fund in
23 obligations issued or guaranteed by the United States or any of the senior
24 debt of its agencies, sponsored agencies, corporations, sponsored
25 corporations or instrumentalities, and monies earned from investment shall be
26 credited to the Arizona exposition and state fair fund.

27 C. Disbursements from an account of ticket sales received pursuant to
28 a valid lease of the coliseum as described in subsection A of this section
29 shall be limited to payments of amounts due to the lessor or lessee pursuant
30 to the lease. No disbursements from this account shall be made for state
31 wages, salaries or expenses. Upon the completion or termination of any lease
32 pursuant to subsection A of this section, all monies accruing to the board
33 shall be deposited, pursuant to sections 35-146 and 35-147.

34 D. There is established an exposition and state fair board permanent
35 revolving fund for use in making change at fairs and for purchases and
36 activities requiring immediate cash outlay for events sponsored by the
37 Arizona exposition and state fair board that are proper as ultimate claims
38 for payment from the exposition and state fair fund. The amount of the fund
39 shall not exceed ~~twenty~~ SIXTY thousand dollars, except for a period beginning
40 October 1 and ending November 30 each year when the amount of the fund shall
41 not exceed ~~fifty~~ FOUR HUNDRED thousand dollars for use during the annual
42 state fair. Expenditures from this fund and reimbursement to the fund shall
43 be as prescribed by rules of the director of the department of
44 administration. All monies deposited in the revolving fund are appropriated
45 to the board for the purposes provided in this subsection and are exempt from

1 the provisions of section 35-190 relating to lapsing of appropriations. The
2 exposition and state fair board permanent revolving fund shall be established
3 as a separate account on the books of the exposition and state fair board and
4 a full accounting of its use shall be made to the director of the department
5 of administration annually or as required by the director of the department
6 of administration.

7 Sec. 2. Repeal

8 Section 9-626, Arizona Revised Statutes, is repealed.

9 Sec. 3. Section 10-122, Arizona Revised Statutes, is amended to read:

10 10-122. Filing, service and copying fees; expedited report
11 filing and access; same day and next day services;
12 posted wait times; advance monies; definition

13 A. The commission shall collect and deposit, pursuant to sections
14 35-146 and 35-147, the following nonrefundable fees when the documents
15 described in this subsection are delivered to the commission:

<u>Document</u>	<u>Fee</u>
17 1. Articles of incorporation	\$50
18 2. Application for use of indistinguishable name	10
19 3. Application for reserved name	10
20 4. Notice of transfer of reserved name	10
21 5. Application for registered name	10
22 6. Application for renewal of registered name	10
23 7. Agent's statement of resignation	10
24 8. Amendment of articles of incorporation	25
25 9. Restatement of articles of incorporation with	
26 amendment of articles	25
27 10. Articles of merger or share exchange	100
28 11. Articles of dissolution	25
29 12. Articles of domestication	100
30 13. Articles of revocation of dissolution	25
31 14. Application for reinstatement following	
32 administrative dissolution, in addition	
33 to other fees and penalties due	100
34 15. Application for authority	150
35 16. Application for withdrawal	25
36 17. Annual report	45
37 18. Articles of correction	25
38 19. Application for certificate of good standing	10
39 20. Any other document required or permitted	
40 to be filed by chapters 1 through 17	
41 of this title	25

42 B. The commission shall collect a nonrefundable fee of twenty-five
43 dollars each time process is served on it under chapters 1 through 17 of this
44 title. The party to a proceeding causing service of process is entitled to
45 recover this fee as costs if the party prevails in the proceeding.

1 C. The commission shall charge and collect a reasonable fee for
2 copying documents on request, provided the fee does not exceed the cost of
3 providing the service as determined by the commission. The commission shall
4 also charge a reasonable fee for certifying the copy of a filed document,
5 provided the fee does not exceed the cost of providing the service as
6 determined by the commission.

7 D. A penalty of one hundred dollars payable in addition to other fees
8 accrues and is payable if a foreign corporation fails to file an amendment,
9 restated articles that include an amendment, or articles of merger within
10 sixty days of the time of filing in the jurisdiction in which the corporation
11 is domiciled. The penalty collected pursuant to this subsection shall be
12 deposited, pursuant to sections 35-146 and 35-147, in the state general fund.

13 E. One-third of the fees for the annual report of domestic and foreign
14 corporations paid pursuant to subsection A, paragraph 17 of this section
15 shall be deposited in the Arizona arts trust fund established by section
16 41-983.01 and two-thirds of these fees shall be deposited, pursuant to
17 sections 35-146 and 35-147, in the public access fund established by section
18 10-122.01.

19 F. The commission shall provide for and establish an expedited service
20 for the filing of all documents and services provided pursuant to this title
21 as follows:

22 1. The expedited filing shall be a priority service to be completed as
23 soon as possible after the documents are delivered to the commission.

24 2. In addition to any other fees required by this section or any other
25 law, the commission shall charge a nonrefundable fee for expedited services,
26 including those requested by fax. The fee shall be determined by a
27 supermajority vote of the commissioners.

28 3. The commission may provide for and establish same day and next day
29 services for the filing of any documents and services provided pursuant to
30 this title as follows:

31 ~~(a) The same day and next day services shall not be offered unless all~~
32 ~~expedited services filed pursuant to this title are processed within a~~
33 ~~maximum of five business days and all other documents and services filed~~
34 ~~pursuant to this title are processed within a maximum of thirty business~~
35 ~~days.~~

36 ~~(b)~~ (a) The commission shall suspend same day or next day service if
37 the commission determines that it does not have the necessary resources to
38 perform the service within the established time period.

39 ~~(c)~~ (b) In addition to any other fees required by this section or any
40 other law, the commissioners may charge a nonrefundable fee for the same day
41 or next day service or both. The fee shall be determined by a supermajority
42 vote of the commissioners.

43 4. The commission shall publicly post the current wait times for
44 processing regular, expedited and same day and next day services.

1 G. The commission may charge persons who access the commission's data
2 processing system that is maintained pursuant to section 10-122.01 from
3 remote locations and persons requesting special computer generated printouts,
4 reports and tapes a reasonable fee that does not exceed the cost of the time,
5 equipment and personnel necessary to provide this service or product as
6 determined by the commission.

7 H. Except as provided in section 10-122.01, subsection B, paragraph 3,
8 in addition to any fee charged pursuant to this section, the commission may
9 charge and collect the following nonrefundable fees to help defray the cost
10 of the improved data processing system that is maintained pursuant to section
11 10-122.01:

12 1. Filing articles of incorporation of a domestic corporation, ten
13 dollars.

14 2. Filing an application of a foreign corporation for authority to
15 transact business in this state, twenty-five dollars.

16 I. All monies received pursuant to subsections F, G and H of this
17 section shall be deposited, pursuant to sections 35-146 and 35-147, in the
18 public access fund established by section 10-122.01.

19 J. Fees charged pursuant to this section are exempt from section
20 39-121.03, subsection A, paragraph 3.

21 K. Any person may advance monies to the commission to pay fees
22 required pursuant to this section for future filings and services. All
23 monies received pursuant to this subsection shall be deposited, pursuant to
24 sections 35-146 and 35-147, in the money on deposit account in the public
25 access fund established by section 10-122.01.

26 L. For the purposes of this section, "supermajority" means an
27 affirmative vote of at least four commissioners.

28 Sec. 4. Section 10-122, Arizona Revised Statutes, as amended by Laws
29 2013, chapter 165, section 1, is amended to read:

30 10-122. Filing, service and copying fees; expedited report
31 filing and access; same day and next day services;
32 posted wait times; advance monies; definition

33 A. The commission shall collect and deposit, pursuant to sections
34 35-146 and 35-147, the following nonrefundable fees when the documents
35 described in this subsection are delivered to the commission:

36	<u>Document</u>	<u>Fee</u>
37	1. Articles of incorporation	\$50
38	2. Application for use of indistinguishable name	10
39	3. Application for reserved name	10
40	4. Notice of transfer of reserved name	10
41	5. Application for registered name	10
42	6. Application for renewal of registered name	10
43	7. Agent's statement of resignation	10
44	8. Amendment of articles of incorporation	25

1	9. Restatement of articles of incorporation with	
2	amendment of articles	25
3	10. Articles of merger or share exchange	100
4	11. Articles of dissolution	25
5	12. Articles of domestication	100
6	13. Articles of revocation of dissolution	25
7	14. Application for reinstatement following	
8	administrative dissolution, in addition	
9	to other fees and penalties due	100
10	15. Application for authority	150
11	16. Application for withdrawal	25
12	17. Annual report	45
13	18. Articles of correction	25
14	19. Application for certificate of good standing	10
15	20. Any other document required or permitted	
16	to be filed by chapters 1 through 17	
17	of this title	25

18 B. The commission shall collect a nonrefundable fee of twenty-five
19 dollars each time process is served on it under chapters 1 through 17 of this
20 title. The party to a proceeding causing service of process is entitled to
21 recover this fee as costs if the party prevails in the proceeding.

22 C. The commission shall charge and collect a reasonable fee for
23 copying documents on request, provided the fee does not exceed the cost of
24 providing the service as determined by the commission. The commission shall
25 also charge a reasonable fee for certifying the copy of a filed document,
26 provided the fee does not exceed the cost of providing the service as
27 determined by the commission.

28 D. A penalty of one hundred dollars payable in addition to other fees
29 accrues and is payable if a foreign corporation fails to file an amendment,
30 restated articles that include an amendment, or articles of merger within
31 sixty days of the time of filing in the jurisdiction in which the corporation
32 is domiciled. The penalty collected pursuant to this subsection shall be
33 deposited, pursuant to sections 35-146 and 35-147, in the state general fund.

34 E. One-third of the fees for the annual report of domestic and foreign
35 corporations paid pursuant to subsection A, paragraph 17 of this section
36 shall be deposited in the Arizona arts trust fund established by section
37 41-983.01 and two-thirds of these fees shall be deposited, pursuant to
38 sections 35-146 and 35-147, in the public access fund established by section
39 10-122.01.

40 F. The commission shall provide for and establish an expedited service
41 for the filing of all documents and services provided pursuant to this title
42 as follows:

43 1. The expedited filing shall be a priority service to be completed as
44 soon as possible after the documents are delivered to the commission.

1 2. In addition to any other fees required by this section or any other
2 law, the commission shall charge a nonrefundable fee for expedited services,
3 including those requested by fax. The fee shall be determined by a
4 supermajority vote of the commissioners.

5 3. The commission may provide for and establish same day and next day
6 services for the filing of any documents and services provided pursuant to
7 this title as follows:

8 ~~(a) The same day and next day services shall not be offered unless all~~
9 ~~expedited services filed pursuant to this title are processed within a~~
10 ~~maximum of five business days and all other documents and services filed~~
11 ~~pursuant to this title are processed within a maximum of thirty business~~
12 ~~days.~~

13 ~~(b)~~ (a) The commission shall suspend same day or next day service if
14 the commission determines that it does not have the necessary resources to
15 perform the service within the established time period.

16 ~~(c)~~ (b) In addition to any other fees required by this section or any
17 other law, the commissioners may charge a nonrefundable fee for the same day
18 or next day service or both. The fee shall be determined by a supermajority
19 vote of the commissioners.

20 4. The commission shall publicly post the current wait times for
21 processing regular, expedited and same day and next day services.

22 G. The commission may charge persons who access the commission's data
23 processing system that is maintained pursuant to section 10-122.01 from
24 remote locations and persons requesting special computer generated printouts,
25 reports and tapes a reasonable fee that does not exceed the cost of the time,
26 equipment and personnel necessary to provide this service or product as
27 determined by the commission.

28 H. Except as provided in section 10-122.01, subsection B, paragraph 3,
29 in addition to any fee charged pursuant to this section, the commission may
30 charge and collect the following nonrefundable fees to help defray the cost
31 of the improved data processing system that is maintained pursuant to section
32 10-122.01:

33 1. Filing articles of incorporation of a domestic corporation, ten
34 dollars.

35 2. Filing an application of a foreign corporation for authority to
36 transact business in this state, twenty-five dollars.

37 I. All monies received pursuant to subsections F, G and H of this
38 section shall be deposited, pursuant to sections 35-146 and 35-147, in the
39 public access fund established by section 10-122.01.

40 J. Fees charged pursuant to this section are exempt from section
41 39-121.03, subsection A, paragraph 3.

42 K. Any person may advance monies to the commission to pay fees
43 required pursuant to this section for future filings and services. All
44 monies received pursuant to this subsection shall be deposited, pursuant to

1 sections 35-146 and 35-147, in the money on deposit account in the public
2 access fund established by section 10-122.01.

3 L. In addition to any other fees prescribed by law, the commission may
4 establish a fee for the filing of an annual benefit report delivered to the
5 commission pursuant to section 10-2442. The fee shall be determined by a
6 majority vote of the commissioners.

7 M. For the purposes of this section, "supermajority" means an
8 affirmative vote of at least four commissioners.

9 Sec. 5. Section 29-851, Arizona Revised Statutes, is amended to read:

10 29-851. Filing, service and copying fees; expedited filing and
11 services; same day and next day services; posted wait
12 times; advance monies; definition

13 A. The commission shall collect and deposit, pursuant to sections
14 35-146 and 35-147, the following nonrefundable fees when the following
15 documents are delivered to the commission:

- 16 1. The initial articles of organization, fifty dollars.
- 17 2. An application for registration of a foreign limited liability
18 company, one hundred fifty dollars.
- 19 3. An amendment to the articles of organization, twenty-five dollars.
- 20 4. Articles of termination and a certificate of termination,
21 thirty-five dollars.
- 22 5. A certificate for any purpose not otherwise provided for, ten
23 dollars.
- 24 6. Articles of merger, fifty dollars.
- 25 7. Written information on any limited liability company, ten dollars.
- 26 8. A copy of any document or instrument, five dollars plus fifty cents
27 per page.
- 28 9. An application for reservation of a name or for filing a notice of
29 the transfer or cancellation of any name reservation, ten dollars.
- 30 10. Five dollars for a statement of change of address of one or more of
31 the following:
 - 32 (a) Known place of business.
 - 33 (b) Statutory agent.
 - 34 (c) Manager.
 - 35 (d) Member.
- 36 11. Any service of notice, demand or process on the commission as
37 resident agent of a limited liability company, twenty-five dollars. This
38 amount may be recovered as taxable costs by the party to the suit, action or
39 proceeding causing the service to be made if the party prevails in the suit,
40 action or proceeding.
- 41 12. Articles of correction, the fee prescribed in section 10-122,
42 subsection A, paragraph 18.
- 43 13. Application for reinstatement following administrative dissolution,
44 in addition to other fees and penalties due, the fee prescribed in section
45 10-122, subsection A, paragraph 14.

1 B. The commission shall provide for and establish an expedited service
2 for the filing of all documents and services provided pursuant to this
3 chapter as follows:

4 1. The expedited filing shall be a priority service to be completed as
5 soon as possible after the documents are delivered to the commission.

6 2. In addition to any other fees required by this section or any other
7 law, the commission shall charge a nonrefundable fee for expedited services,
8 including those requested by fax. The fee shall be determined by a
9 supermajority vote of the commissioners.

10 C. The commission may provide for and establish same day and next day
11 services for the filing of any documents and services provided pursuant to
12 this chapter as follows:

13 ~~1. The same day and next day services shall not be offered unless all~~
14 ~~expedited services filed pursuant to this chapter are processed within a~~
15 ~~maximum of five business days and all other documents and services filed~~
16 ~~pursuant to this chapter are processed within a maximum of thirty business~~
17 ~~days.~~

18 ~~2.~~ 1. The commission shall suspend same day or next day service if
19 the commission determines that it does not have the necessary resources to
20 perform the service within the established time period.

21 ~~3.~~ 2. In addition to any other fees required by this section or any
22 other law, the commissioners may charge a nonrefundable fee for the same day
23 or next day service or both. The fee shall be determined by a supermajority
24 vote of the commissioners.

25 D. The commission shall publicly post the current wait times for
26 processing regular, expedited and same day and next day services.

27 E. All monies received pursuant to subsections B and C of this section
28 shall be deposited, pursuant to sections 35-146 and 35-147, in the public
29 access fund established by section 10-122.01.

30 F. Any person may advance monies to the commission to pay fees
31 required pursuant to this section for future filings and services. All
32 monies received pursuant to this subsection shall be deposited, pursuant to
33 sections 35-146 and 35-147, in the money on deposit account in the public
34 access fund established by section 10-122.01.

35 G. For the purposes of this section, "supermajority" means an
36 affirmative vote of at least four commissioners.

37 Sec. 6. Title 41, chapter 1, article 2.1, Arizona Revised Statutes, is
38 amended by adding section 41-151.24, to read:

39 41-151.24. Museum gift shop revolving fund; exemption

40 A. THE MUSEUM GIFT SHOP REVOLVING FUND IS ESTABLISHED CONSISTING OF
41 GIFT SHOP PROCEEDS RECEIVED FROM THE SALE OF GOODS, GIFTS, NONFEDERAL GRANTS
42 AND DONATIONS. THE DIRECTOR SHALL ADMINISTER THE FUND. MONIES IN THE FUND
43 ARE CONTINUOUSLY APPROPRIATED. THE DIRECTOR SHALL USE THE MONIES IN THE FUND
44 TO PROVIDE TO THE PUBLIC GOODS FOR SALE THAT ARE REFLECTIVE OF THE THEMES OF
45 THE STATE CAPITOL MUSEUM AND THIS STATE.

1 B. MONIES IN THE FUND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190
2 RELATING TO LAPSING OF APPROPRIATIONS.

3 Sec. 7. Title 41, chapter 3, article 7, Arizona Revised Statutes, is
4 amended by adding section 41-610, to read:

5 41-610. Capital projects; federal monies; annual report

6 ON OR BEFORE NOVEMBER 1 OF EACH YEAR, THE DEPARTMENT SHALL SUBMIT A
7 REPORT TO THE DIRECTORS OF THE JOINT LEGISLATIVE BUDGET COMMITTEE AND THE
8 GOVERNOR'S OFFICE OF STRATEGIC PLANNING AND BUDGETING ON CAPITAL PROJECTS FOR
9 WHICH THE DEPARTMENT HAS REQUESTED FEDERAL MONIES IN THE LAST TWELVE MONTHS.
10 FOR EACH PROJECT, THE REPORT SHALL INCLUDE:

- 11 1. THE STATUS OF THE REQUEST FOR AND RECEIPT OF THE FEDERAL MONIES.
- 12 2. THE ESTIMATED CONSTRUCTION START DATE.
- 13 3. THE ESTIMATED CONSTRUCTION END DATE.
- 14 4. THE FUND SOURCES AND ESTIMATED COST FOR CONSTRUCTION.
- 15 5. THE FUND SOURCES AND ESTIMATED ONGOING OPERATIONAL COST.

16 Sec. 8. Section 41-3953, Arizona Revised Statutes, is amended to read:

17 41-3953. Department powers and duties

18 A. The department is responsible for establishing policies, procedures
19 and programs that the department is authorized to conduct to address the
20 affordable housing issues confronting this state, including housing issues of
21 low income families, moderate income families, housing affordability, special
22 needs populations and decaying housing stock. Among other things, the
23 department shall provide to qualified housing participants and political
24 subdivisions of this state financial, advisory, consultative, planning,
25 training and educational assistance for the development of safe, decent and
26 affordable housing, including housing for low and moderate income households.

27 B. Under the direction of the director, the department shall:

28 1. Establish guidelines applicable to the programs and activities of
29 the department for the construction and financing of affordable housing and
30 housing for low and moderate income households in this state. These
31 guidelines shall meet or exceed all applicable state or local building and
32 health and safety code requirements and, if applicable, the national
33 manufactured home construction and safety standards act of 1974 and title VI
34 of the housing and community development act of 1974 (P.L. 93-383, as amended
35 by P.L. 95-128, 96-153 and 96-339). Guidelines established pursuant to this
36 paragraph do not apply to the department's activities prescribed in section
37 35-726, subsection E.

38 ~~2. Provide staff support to the Arizona housing commission and~~
39 ~~coordinate its activities.~~

40 ~~3.~~ 2. Accept and allocate any monies as from time to time may be
41 appropriated by the legislature for the purposes set forth in this article.

42 ~~4.~~ 3. Perform other duties necessary to administer this chapter.

43 ~~5.~~ 4. Perform the duties prescribed in sections 35-726, 35-728 and
44 35-913 ~~and chapter 4.3 of this title.~~

1 ~~6-~~ 5. Stimulate and encourage all local, state, regional and federal
2 governmental agencies and all private persons and enterprises that have
3 similar and related objectives and purposes, cooperate with the agencies,
4 persons and enterprises and correlate department plans, programs and
5 operations with those of the agencies, persons and enterprises.

6 ~~7-~~ 6. Conduct research on its own initiative or at the request of the
7 governor, the legislature or state or local agencies pertaining to any
8 department objectives.

9 ~~8-~~ 7. Provide information and advice on request of any local, state
10 or federal agencies, private persons and business enterprises on matters
11 within the scope of department activities.

12 ~~9-~~ 8. Consult with and make recommendations to the governor and the
13 legislature on all matters concerning department objectives.

14 ~~10-~~ 9. Make annual reports to the governor and the legislature on its
15 activities, including the geographic location of its activities, its finances
16 and the scope of its operations.

17 C. Under the direction of the director, the department may:

18 1. Assist in securing construction and mortgage financing from public
19 and private sector sources.

20 2. Assist mortgage financing programs established by industrial
21 development authorities and political subdivisions of this state.

22 3. Assist in the acquisition and use of federal housing assistance
23 programs pertinent to enhance the economic feasibility of a proposed
24 residential development.

25 4. Assist in the compliance of a proposed residential development with
26 applicable federal, state and local codes and ordinances.

27 5. Prepare and publish planning and development guidelines for the
28 establishment and delivery of housing assistance programs.

29 6. Contract with a federal agency to carry out financial work on the
30 federal agency's behalf and accept payment for the work.

31 7. Subcontract for the financial work prescribed in paragraph 6 of
32 this subsection and make payments for that subcontracted work based on the
33 expectation that the federal agency will pay for that work.

34 8. Accept payment from a federal agency for work prescribed in
35 paragraph 6 of this subsection and deposit those payments in the Arizona
36 department of housing program fund established by section 41-3957.

37 9. Contract for the services of outside advisers, consultants and
38 aides reasonably necessary or desirable to enable the department to
39 adequately perform its duties.

40 10. Contract **FOR** and incur obligations reasonably necessary or
41 desirable within the general scope of department activities and operations to
42 enable the department to adequately perform its duties.

43 11. Use any media of communication, publication and exhibition in the
44 dissemination of information, advertising and publicity in any field of its
45 purposes, objectives or duties.

1 12. Adopt rules deemed necessary or desirable to govern its procedures
2 and business.

3 13. Contract with other agencies in furtherance of any department
4 program.

5 14. Use monies, facilities or services to provide contributions under
6 federal or other programs that further the objectives and programs of the
7 department.

8 15. Accept gifts, grants, matching monies or direct payments from
9 public or private agencies or private persons and enterprises for the conduct
10 of programs that are consistent with the general purposes and objectives of
11 this article and deposit these monies in the Arizona department of housing
12 program fund established by section 41-3957.

13 16. Establish and collect fees and receive reimbursement of costs in
14 connection with any programs or duties performed by the department and
15 deposit the fees and cost reimbursements in the Arizona department of housing
16 program fund established by section 41-3957.

17 17. Provide staff support to the Arizona housing finance authority and
18 coordinate its activities.

19 D. For the purposes of this section, the department is exempt from
20 chapter 23 of this title.

21 E. The department is the designated state public housing agency as
22 defined in the United States housing act of 1937 (42 United States Code
23 sections 1401 through 1440) for the purpose of accepting federal housing
24 assistance monies and may participate in the housing assistance payments
25 program. Federal monies may be secured for all areas of this state subject
26 only to the limitations prescribed in subsection F of this section.

27 F. For areas of this state where an existing public housing authority
28 has not been established pursuant to section 36-1404, subsection A, the
29 department acting as a public housing agency may undertake all activities
30 under the section 8 tenant-based rental housing assistance payment program,
31 except that the department shall not undertake a section 8 tenant-based
32 rental housing assistance payment program within the boundaries of a city,
33 town or county unless authorized by resolution of the governing body of the
34 city, town or county. If the department accepts monies for a section 8
35 tenant-based rental housing assistance payment program for areas of this
36 state where an existing public housing authority has been established
37 pursuant to section 36-1404, subsection A, the department shall only accept
38 and secure federal monies to provide housing for the seriously mentally ill
39 or other disabled populations. The department may accept and secure federal
40 monies for undertaking all contract administrator activities authorized under
41 a section 8 project-based rental housing assistance payment program in all
42 areas of this state, and this participation does not require the
43 authorization of any local governing body.

1 G. The department shall not itself directly own, construct, operate or
2 rehabilitate any housing units, except as may be necessary to protect the
3 department's collateral or security interest arising out of any department
4 programs.

5 H. Notwithstanding any other provision of this section, the department
6 may obligate monies as loans or grants applicable to programs and activities
7 of the department for the purpose of providing housing opportunities for low
8 or moderate income households or for housing affordability or to prevent or
9 combat decaying housing stock. Unless otherwise required by federal or state
10 law, any loan repayments shall be deposited in the Arizona department of
11 housing program fund established by section 41-3957.

12 I. For any construction project financed by the department pursuant to
13 subsection C ~~OF THIS SECTION~~, except for contract administration activities
14 in connection with the project-based section 8 program, the department shall
15 notify a city, town, county or tribal government that a project is planned
16 for its jurisdiction and, before proceeding, shall seek comment from the
17 governing body of the city, town, county or tribal government or an official
18 authorized by the governing body of the city, town, county or tribal
19 government. The department shall not interfere with or attempt to override
20 the local jurisdiction's planning, zoning or land use regulations.

21 Sec. 9. Repeal; housing commission

22 Section 41-3954, Arizona Revised Statutes, is repealed.

23 Sec. 10. Laws 2008, chapter 291, section 9, as amended by Laws 2010,
24 chapter 313, section 16 and Laws 2011, chapter 343, section 25, is amended to
25 read:

26 Sec. 9. Delayed implementation; professional employer
27 organization registration; retroactivity

28 A. Notwithstanding any other law, the secretary of state shall not
29 implement title 23, chapter 3, article 4, Arizona Revised Statutes, relating
30 to professional employer organization registration, or any rules adopted
31 pursuant to title 23, chapter 3, article 4, Arizona Revised Statutes, until
32 ~~July 1, 2013~~ JUNE 30, 2023.

33 B. This section, ~~is effective~~ AS AMENDED BY THIS ACT, APPLIES
34 retroactively to from and after ~~February 29, 2008~~ JUNE 30, 2013.

35 Sec. 11. Arizona centennial special plate fund; allocation;
36 secretary of state; fund use; reversion;
37 retroactivity

38 A. Notwithstanding section 28-2448, Arizona Revised Statutes, any
39 monies transferred to the Arizona historical society in fiscal year 2012-2013
40 pursuant to section 28-2448, subsection E, Arizona Revised Statutes, shall
41 revert to the Arizona centennial special plate fund established by section
42 28-2448, Arizona Revised Statutes, on the effective date of this section.

43 B. Notwithstanding section 28-2448, Arizona Revised Statutes, before
44 allocating any monies pursuant to section 28-2448, subsection E, Arizona
45 Revised Statutes, in fiscal year 2013-2014, the department of transportation

1 shall allocate the first \$135,000 from the Arizona centennial special plate
2 fund established by section 28-2448, Arizona Revised Statutes, including fund
3 balances and new revenues, to the Arizona historical advisory commission for
4 the purpose of completing and transporting the statue authorized by house
5 joint resolution 2001, forty-eighth legislature, second regular session.

6 C. Notwithstanding any other law, the secretary of state may authorize
7 the Arizona historical advisory commission to use up to \$65,000 of in-kind
8 gifts, donations, devises or fee-based monies generated by either the Arizona
9 state library, archives and public records or the secretary of state's office
10 from fiscal year 2012-2013 or 2013-2014 for the purposes of completing and
11 transporting the statue authorized by house joint resolution 2001,
12 forty-eighth legislature, second regular session.

13 D. The monies allocated pursuant to subsection B of this section and
14 authorized pursuant to subsection C of this section shall not be used for
15 more than fifty per cent of the total cost of completing and transporting the
16 statue authorized by house joint resolution 2001, forty-eighth legislature,
17 second regular session.

18 E. Any monies allocated pursuant to subsection B of this section that
19 are unencumbered and unexpended as of June 30, 2014 shall revert to the
20 Arizona centennial special plate fund established by section 28-2448, Arizona
21 Revised Statutes.

22 F. This section is effective retroactively to July 1, 2013.

23 Sec. 12. Board of massage therapy; transfer of monies;
24 retroactivity

25 A. All monies remaining in the separate account established for the
26 board of massage therapy in the naturopathic physicians medical board fund
27 pursuant to section 32-1505, Arizona Revised Statutes, on July 1, 2013 are
28 transferred to the board of massage therapy fund established by section
29 32-4205, Arizona Revised Statutes, as added by Laws 2013, chapter 108,
30 section 5.

31 B. This section is effective retroactively to July 1, 2013.

32 Sec. 13. Alarm business certificates and alarm agent
33 certificates; retroactivity

34 A. Notwithstanding sections 32-122.05 and 32-122.06, Arizona Revised
35 Statutes, on or before June 30, 2014, the state board of technical
36 registration may issue alarm business certificates and alarm agent
37 certificates that are valid for either one year or two years from the date of
38 issuance at the executive director's discretion.

39 B. This section is effective retroactively to from and after May 1,
40 2013.

1 Sec. 14. Department of economic security: drug testing: TANF
2 cash benefits recipients

3 During fiscal year 2013-2014, the department of economic security shall
4 screen and test each adult recipient who is otherwise eligible for temporary
5 assistance for needy families cash benefits and who the department has
6 reasonable cause to believe engages in the illegal use of controlled
7 substances. Any recipient who is found to have tested positive for the use
8 of a controlled substance that was not prescribed for the recipient by a
9 licensed health care provider is ineligible to receive benefits for a period
10 of one year.

11 Sec. 15. Delayed effective date

12 Section 10-122, Arizona Revised Statutes, as amended by Laws 2013,
13 chapter 165, section 1 and this act, is effective from and after December 31,
14 2014.