

State of Arizona
Senate
Fifty-second Legislature
First Regular Session
2015

CHAPTER 43
SENATE BILL 1211

AN ACT

REPEALING SECTION 17-332, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2014, CHAPTER 55, SECTION 1; AMENDING SECTION 17-332, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2014, CHAPTER 215, SECTION 48; REPEALING SECTION 23-1065, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2014, CHAPTER 186, SECTION 16; AMENDING SECTION 23-1065, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2014, CHAPTER 215, SECTION 67; REPEALING SECTION 28-2409, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2014, CHAPTER 215, SECTION 75; AMENDING SECTION 28-2409, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2013, CHAPTER 162, SECTION 1; REPEALING SECTION 42-5015, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2014, CHAPTER 263, SECTION 11; AMENDING SECTION 42-5015, AS ADDED BY LAWS 2013, CHAPTER 255, SECTION 8; REPEALING SECTION 42-16258, AS AMENDED BY LAWS 2014, CHAPTER 249, SECTION 12; AMENDING SECTION 42-16258, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 1998, CHAPTER 1, SECTION 260; RELATING TO MULTIPLE, DEFECTIVE AND CONFLICTING LEGISLATIVE DISPOSITIONS OF STATUTORY TEXT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Purpose

3 1. Section 17-332, Arizona Revised Statutes, was amended by Laws 2014,
4 chapter 55, section 1 and chapter 215, section 48. However, the Laws 2014,
5 chapter 55 version did not reflect the previous valid version of the section.
6 In order to comply with article IV, part 2, section 14, Constitution of
7 Arizona, this act amends section 17-332, Arizona Revised Statutes, as amended
8 by Laws 2014, chapter 215, section 48, to incorporate the amendments made by
9 Laws 2014, chapter 55, and the chapter 55 version is repealed.

10 2. Section 23-1065, Arizona Revised Statutes, was amended by Laws
11 2014, chapter 186, section 16 and chapter 215, section 67. The chapter 186
12 version could not be blended because of the delayed effective date. In order
13 to combine these versions, this act amends the Laws 2014, chapter 215 version
14 of section 23-1065, Arizona Revised Statutes, to incorporate the amendments
15 made by Laws 2014, chapter 186, and the chapter 186 version is repealed.

16 3. Section 28-2409, Arizona Revised Statutes, was amended by Laws
17 2014, chapter 215, section 75. However, this version did not reflect the
18 previous valid version of the section. In order to comply with article IV,
19 part 2, section 14, Constitution of Arizona, this act amends section 28-2409,
20 Arizona Revised Statutes, as amended by Laws 2013, chapter 162, section 1, to
21 incorporate the amendments made by Laws 2014, chapter 215, and the chapter
22 215 version is repealed.

23 4. Section 42-5015, Arizona Revised Statutes, as added by Laws 2013,
24 chapter 255, section 8, was amended by Laws 2014, chapter 263, section 11.
25 The Laws 2013, chapter 255 version was not effective until January 1, 2015.
26 The Laws 2014, chapter 263 version was effective on July 24, 2014. In order
27 to correct a potentially defective enactment, this act amends the Laws 2013,
28 chapter 255 version of section 42-5015, Arizona Revised Statutes, to
29 incorporate the amendments made by Laws 2014, chapter 263, and the chapter
30 263 version is repealed.

31 5. Section 42-16258, Arizona Revised Statutes, was amended by Laws
32 2014, chapter 249, section 12. However, subsection D of this enactment
33 failed to conform to House of Representatives and Senate rules requiring that
34 new language be shown in capital letters when amending existing statutes.
35 This act amends the previous valid version of section 42-16258, Arizona
36 Revised Statutes, to incorporate the amendments made by Laws 2014, chapter
37 249, and the chapter 249 version is repealed.

38 Sec. 2. Repeal

39 Section 17-332, Arizona Revised Statutes, as amended by Laws 2014,
40 chapter 55, section 1, is repealed.

1 Sec. 3. Section 17-332, Arizona Revised Statutes, as amended by Laws
2 2014, chapter 215, section 48, is amended to read:

3 17-332. Form and contents of license; duplicate licenses;
4 transfer or licenses prohibition; exemptions; period
5 of validity

6 A. Licenses and license materials shall be prepared by the department
7 and may be furnished and charged to dealers authorized to issue licenses.
8 The license shall be issued in the name of the department. Except as
9 provided by rule adopted by the commission, each license shall be signed by
10 the licensee in ink on the face of the license and any license not signed is
11 invalid. With each license authorizing the taking of big game the department
12 shall provide such tags as the commission may prescribe, which the licensee
13 shall attach to the big game animal in such manner as prescribed by the
14 commission. The commission shall limit the number of big game permits issued
15 to nonresidents in a random drawing to ten per cent or fewer of the total
16 hunt permits, but in extraordinary circumstances, at a public meeting the
17 commission may increase the number of permits issued to nonresidents in a
18 random drawing if, on separate roll call votes, the members of the commission
19 unanimously:

20 1. Support the finding of a specifically described extraordinary
21 circumstance.

22 2. Adopt the increased number of nonresident permits for the hunt.

23 B. The commission shall issue with each license a shipping permit
24 entitling the holder of the license to a shipment of game or fish as provided
25 by article 4 of this chapter.

26 C. It is unlawful, except as provided by the commission, for any
27 person to apply for or obtain in any one license year more than one original
28 license permitting the taking of big game. A duplicate license or tag may be
29 issued by the department or by a license dealer if the person requesting such
30 license or tag furnishes the information deemed necessary by the commission.

31 D. No license or permit is transferable, nor shall such license or
32 permit be used by anyone except the person to whom such license or permit was
33 issued, except that:

34 1. ~~THE COMMISSION MAY PRESCRIBE THE MANNER AND CONDITIONS OF~~
35 ~~TRANSFERRING AND USING PERMITS AND TAGS UNDER THIS PARAGRAPH, INCLUDING AN~~
36 ~~APPLICATION PROCESS FOR A QUALIFIED ORGANIZATION, TO ALLOW~~ a person ~~may~~ TO
37 transfer the person's big game permit or tag to a qualified organization for
38 use by:

39 (a) A minor child who has a life-threatening medical condition or by a
40 minor child who has a permanent physical disability. ~~The commission may~~
41 ~~prescribe the manner and conditions of transferring and using permits and~~
42 ~~tags under this paragraph.~~ If a child with a physical disability is under
43 fourteen years of age, the child must satisfactorily complete the Arizona
44 hunter education course or another comparable hunter education course that is
45 approved by the director.

1 (b) A VETERAN OF THE ARMED FORCES OF THE UNITED STATES WHO HAS A
2 SERVICE-CONNECTED DISABILITY. For the purposes of this paragraph:

3 ~~(a)~~ (i) "Disability" means a permanent physical impairment that
4 substantially limits one or more ~~of the child's~~ major life activities
5 requiring the assistance of another person or a mechanical device for
6 physical mobility.

7 ~~(b)~~ (ii) "Qualified organization" means a nonprofit organization that
8 is qualified under section 501(c)(3) of the United States internal revenue
9 code and that affords opportunities and experiences to children with
10 life-threatening medical conditions or with physical disabilities OR TO
11 VETERANS WITH SERVICE-CONNECTED DISABILITIES.

12 2. A parent, grandparent or legal guardian may allow the parent's,
13 grandparent's or guardian's minor child or minor grandchild to use the
14 parent's, grandparent's or guardian's big game permit or tag to take big game
15 pursuant to the following requirements:

16 (a) The parent, grandparent or guardian must transfer the permit or
17 tag to the child in a manner prescribed by the commission.

18 (b) The parent or guardian must accompany the child in the field or,
19 if a grandparent allows a minor grandchild to use the grandparent's permit or
20 tag, the grandparent, the parent or the child's guardian must accompany the
21 child in the field.

22 (c) The child must possess a valid hunting license and, if under
23 fourteen years of age, must satisfactorily complete the Arizona hunter
24 education course or another comparable hunter education course that is
25 approved by the director.

26 (d) Any big game that is taken counts toward the child's bag limit.

27 E. No refunds may be made for the purchase of a license or permit.

28 F. Licenses are valid for a license year as prescribed in rule by the
29 commission. Lifetime licenses and benefactor licenses are valid for the
30 lifetime of the licensee.

31 Sec. 4. Repeal

32 Section 23-1065, Arizona Revised Statutes, as amended by Laws 2014,
33 chapter 186, section 16, is repealed.

34 Sec. 5. Section 23-1065, Arizona Revised Statutes, as amended by Laws
35 2014, chapter 215, section 67, is amended to read:

36 23-1065. Special fund; purposes; investment committee

37 A. The industrial commission may direct the payment into the state
38 treasury of not to exceed one ~~and one-half~~ per cent of all premiums received
39 by private insurance carriers during the immediately preceding calendar year.
40 The same percentage shall be assessed against self-insurers based on the
41 total cost to the self-insured employer as provided in section 23-961,
42 subsection ~~J~~ G. Such assessments shall be computed on the same premium
43 basis as provided for in section 23-961, subsections ~~J~~ G, ~~K~~ H, ~~L~~ I, ~~M~~ J
44 and ~~N~~ K and shall be no more than is necessary to keep the special fund
45 actuarially sound. Such payments shall be placed in a special fund within
46 the administrative fund to provide, at the discretion of the commission, such

1 additional awards as may be necessary to enable injured employees to accept
2 the benefits of any law of this state or of the United States, or both
3 jointly, for promotion of vocational rehabilitation of persons with
4 disabilities in industry.

5 B. In claims involving an employee who has a preexisting
6 industrially-related permanent physical impairment of the type specified in
7 section 23-1044, subsection B and who thereafter suffers an additional
8 permanent physical impairment of the type specified in such subsection, the
9 claim involving the subsequent impairment is eligible for reimbursement, as
10 provided by subsection D of this section, according to the following:

11 1. The employer in whose employ the subsequent impairment occurred or
12 its insurance carrier is solely responsible for all temporary disability
13 compensation to which the employee is entitled and for an amount equal to the
14 permanent disability compensation provided by section 23-1044, subsection B
15 for the subsequent impairment. If the employee is determined to have
16 sustained no loss of earning capacity after the medically stationary date,
17 the employer or carrier shall pay him as a vocational rehabilitation bonus
18 the amount calculated under this paragraph as a lump sum, which shall be a
19 credit against any permanent compensation benefits awarded in any subsequent
20 proceeding. The amount of the vocational rehabilitation bonus for which the
21 employer or carrier is responsible under this paragraph shall be calculated
22 solely on physical, medically rated permanent impairment and not on
23 occupational or other factors.

24 2. If the commission determines that the employee is entitled to
25 compensation for loss of earning capacity under section 23-1044, subsection C
26 or permanent total disability under section 23-1045, subsection B, the total
27 amount of permanent benefits for which the employer or carrier is solely
28 responsible under paragraph 1 of this subsection shall be expended first,
29 with monthly payments made according to the loss of earning capacity or
30 permanent total disability award. The employer or carrier and the special
31 fund are equally responsible for the remaining amount of compensation for
32 loss of earning capacity under section 23-1044, subsection C or permanent
33 total disability under section 23-1045, subsection B. This paragraph shall
34 not be construed as requiring payment of any benefits under section 23-1044,
35 subsection B in any case in which an employee is entitled to benefits for
36 loss of earning capacity under section 23-1044, subsection C or permanent
37 total disability benefits under section 23-1045, subsection B.

38 C. In claims involving an employee who has a preexisting physical
39 impairment that is not industrially-related and, whether congenital or due to
40 injury or disease, is of such seriousness as to constitute a hindrance or
41 obstacle to employment or to obtaining reemployment if the employee becomes
42 unemployed, and the impairment equals or exceeds a ten per cent permanent
43 impairment evaluated in accordance with the American medical association
44 guides to the evaluation of permanent impairment, and the employee thereafter
45 suffers an additional permanent impairment not of the type specified in
46 section 23-1044, subsection B, the claim involving the subsequent impairment

1 is eligible for reimbursement, as provided by subsection D of this section,
2 under the following conditions:

3 1. The employer in whose employ the subsequent impairment occurred or
4 its carrier is solely responsible for all temporary disability compensation
5 to which the employee is entitled.

6 2. The employer had knowledge of the permanent impairment at the time
7 the employee was hired, or that the employee continued in employment after
8 the employer acquired such knowledge.

9 3. The employee's preexisting impairment is due to one or more of the
10 following:

- 11 (a) Epilepsy.
- 12 (b) Diabetes.
- 13 (c) Cardiac disease.
- 14 (d) Arthritis.
- 15 (e) Amputated foot, leg, arm or hand.
- 16 (f) Loss of sight of one or both eyes or a partial loss of uncorrected
17 vision of more than seventy-five per cent bilaterally.
- 18 (g) Residual disability from poliomyelitis.
- 19 (h) Cerebral palsy.
- 20 (i) Multiple sclerosis.
- 21 (j) Parkinson's disease.
- 22 (k) Cerebral vascular accident.
- 23 (l) Tuberculosis.
- 24 (m) Silicosis.
- 25 (n) Psychoneurotic disability following treatment in a recognized
26 medical or mental institution.
- 27 (o) Hemophilia.
- 28 (p) Chronic osteomyelitis.
- 29 (q) Hyperinsulinism.
- 30 (r) Muscular dystrophies.
- 31 (s) Arteriosclerosis.
- 32 (t) Thrombophlebitis.
- 33 (u) Varicose veins.
- 34 (v) Heavy metal poisoning.
- 35 (w) Ionizing radiation injury.
- 36 (x) Compressed air sequelae.
- 37 (y) Ruptured intervertebral disk.

38 4. The employer or carrier and the special fund are equally
39 responsible for the amount of compensation for loss of earning capacity under
40 section 23-1044, subsection C or permanent total disability under section
41 23-1045, subsection B.

42 D. The employer or insurance carrier shall notify the commission of
43 its intent to claim reimbursement for an eligible claim under subsection B or
44 C of this section not later than the time the employer or insurance carrier
45 notifies the commission pursuant to section 23-1047, subsection A. Upon
46 receiving notice the commission may expend funds from the special fund

1 created by this section for travel and discovery procedures and for the
2 employment of such independent legal, medical, rehabilitation, claims or
3 labor market consultants or experts as may be deemed necessary by the
4 commission to assist in the determination of the liability of the special
5 fund, if any, under subsection B or C of this section. In the event there is
6 any dispute regarding liability to the special fund pursuant to subsection B
7 or C of this section, the commission shall not delay the issuance of a
8 permanent award pursuant to section 23-1047, subsection B.

9 E. If the special fund created by this section is determined to be
10 liable under either subsection B or C of this section, the employer or
11 insurance carrier that is primarily liable shall pay the entire amount of the
12 award to the injured employee and the commission shall by rule provide for
13 the reimbursement of the employer or insurance carrier on an annual basis.
14 In any case arising out of subsection B or C of this section, the written
15 approval of the special fund is required for the compromise of any claim made
16 pursuant to section 23-1023. In any such case, written approval shall not be
17 unreasonably withheld by the special fund, carrier, self-insured employer or
18 other person responsible for the payment of compensation. Failure to obtain
19 the written approval of the special fund shall not cause the injured worker
20 to lose any benefits but ends the special fund's liability for reimbursement
21 and makes the employer or carrier solely responsible for the payment of the
22 remaining benefits.

23 F. The employer or insurance carrier shall make its claim for
24 reimbursement to the commission no later than November 1 each year, for
25 payments made pursuant to subsection B or C of this section during the twelve
26 months prior to October 1 each year. Claims shall be paid before December 31
27 each year. If the total annual reserved liabilities of the special fund
28 obligated under subsections B and C of this section exceed six million
29 dollars, as determined by the annual actuarial study performed pursuant to
30 subsection I of this section, the commission, after notice and a hearing, may
31 levy an additional assessment under subsection A of this section of up to
32 one-half per cent to meet such liabilities. Any insurance carrier or
33 employer who may be adversely affected by the additional assessment may at
34 any time prior to the sixtieth day after such additional assessment is
35 ordered file a complaint challenging the validity of the additional
36 assessment in the superior court in Maricopa county for a judicial review of
37 the additional assessment. On judicial review the determination of the
38 commission shall be upheld if supported by substantial evidence in the record
39 considered as a whole.

40 G. In the event the injured employee is awarded additional
41 compensation, under subsection A of this section, the commission retains
42 jurisdiction to amend, alter or change the award upon a change in the
43 physical condition of the injured employee resulting from the injury.

44 H. On receiving notice that the special fund may be liable under this
45 chapter, the commission may spend monies from the special fund established by
46 this section for expenses that are necessary to assist in the processing,

1 payment or determination of liability of the fund. These expenses may
2 include travel, discovery procedures and employing any legal, medical,
3 rehabilitation, claims or labor market consultant, examiner or expert.

4 I. The commission shall cause an annual actuarial study of the special
5 award fund to be made by a qualified actuary who is a member of the society
6 of actuaries. The actuary shall make specific recommendations for
7 maintaining the fund on a sound actuarial basis. The actuarial study shall
8 be completed on or before September 1.

9 J. The special fund of the commission consists of all monies from
10 premiums and assessments, except penalties assessed pursuant to this chapter,
11 received and paid into the fund, property and securities acquired by the use
12 of monies in the fund, interest earned on monies in the fund and other monies
13 derived from the sale, use or lease of properties belonging to the fund. The
14 special fund created by this section shall be administered by the director of
15 the industrial commission, subject to the authority of the industrial
16 commission. The director of the commission with approval of the investment
17 committee, in the administration of the special fund, may provide loans,
18 subject to repayment, budgetary review and legislative appropriation, to the
19 administrative fund for the purposes and subject to section 23-1081, acquire
20 real property and acquire or construct a building or other improvements on
21 the real property as may be necessary to house, contain, furnish, equip and
22 maintain offices and space for departmental and operational facilities of the
23 commission. The commission when using space constructed pursuant to this
24 section shall make equal payments of rent on a semiannual basis, which shall
25 be deposited in the special fund. The investment committee shall determine
26 the amount of the rent, which must be at least equal to or greater than that
27 determined by the joint committee on capital review for buildings of similar
28 design and construction as provided by section 41-792.01.

29 K. There is established an investment committee consisting of the
30 director and the chairman of the commission and three persons knowledgeable
31 in investments and economics appointed by the governor. Of the members
32 appointed by the governor, one shall be a professional in the investment
33 business, one shall represent workers' compensation insurers and one shall
34 represent self-insurers. The term of members appointed by the governor is
35 three years, which shall begin on July 1 and end on June 30 three years
36 later. The committee shall prescribe by rule investment policies and
37 supervise the investment activities of the special fund.

38 L. Each member of the investment committee, other than the director of
39 the commission, is eligible to receive from the special fund:

40 1. Compensation of fifty dollars for each day while in actual
41 attendance at meetings of the investment committee.

42 2. Reimbursement for expenses pursuant to title 38, chapter 4,
43 article 2.

44 M. The investment committee shall meet at least once every month.

45 N. The investment committee shall periodically review and assess the
46 investment strategy.

1 O. The investment committee, by resolution, may invest and reinvest
2 the surplus or reserves in the funds established under this chapter in any
3 legal investments authorized under section 38-718.

4 P. In addition to the investments authorized under section 38-718, the
5 investment committee may approve the investment in real property and
6 improvements on real property to house and maintain offices of the
7 commission, including spaces for its departmental and operational facilities.
8 Title to the real estate and improvements on the real estate vests in the
9 special fund of the commission, and the assets become part of the fund as
10 provided by this section.

11 Q. The investment committee may appoint a custodian for the
12 safekeeping of all or any portion of the investments owned by the special
13 fund of the commission and may register stocks, bonds and other investments
14 in the name of a nominee. Except for investments held by a custodian or in
15 the name of a nominee, all securities purchased pursuant to subsection O of
16 this section shall promptly be deposited with the state treasurer as
17 custodian thereof, who shall collect the dividends, interest and principal
18 thereof, and pay, when collected, into the special fund. The state treasurer
19 shall pay all vouchers drawn for the purchase of securities. The director
20 may sell any of the securities as the director deems appropriate, if
21 authorized by resolution of the investment committee, and the proceeds
22 therefrom shall be payable to the state treasurer for the account of the
23 special fund upon delivery of the securities to the purchaser or the
24 purchaser's agent.

25 Sec. 6. Repeal

26 Section 28-2409, Arizona Revised Statutes, as amended by Laws 2014,
27 chapter 215, section 75, is repealed.

28 Sec. 7. Section 28-2409, Arizona Revised Statutes, as amended by Laws
29 2013, chapter 162, section 1, is amended to read:

30 28-2409. International symbol of access special plates:
31 placard; definitions

32 A. The department shall issue special plates bearing the international
33 symbol of access to either:

34 1. A person who ~~is permanently physically disabled~~ HAS PERMANENT
35 PHYSICAL DISABILITIES and who is an owner or lessee of a motor vehicle.

36 2. An organization that owns or leases a motor vehicle that primarily
37 transports ~~physically disabled~~ persons WITH PHYSICAL DISABILITIES.

38 B. A ~~permanently disabled~~ PERMANENT DISABILITY special plate issued
39 under this section is valid for as long as the person to whom the plate is
40 issued qualifies for issuance under this section.

41 C. A person who ~~is permanently physically disabled~~ HAS PERMANENT
42 PHYSICAL DISABILITIES may obtain, if qualified, a ~~permanently disabled~~
43 PERMANENT DISABILITY removable windshield placard. A person who ~~is~~
44 ~~temporarily physically disabled~~ HAS A TEMPORARY PHYSICAL DISABILITY may
45 obtain, if qualified, a ~~temporarily disabled~~ TEMPORARY DISABILITY removable
46 windshield placard. An organization described in subsection A, paragraph 2

1 of this section may obtain, if qualified, a placard for each of the qualified
2 vehicles. The department shall issue only one valid placard to ~~a temporarily~~
3 ~~or permanently physically disabled~~ AN applicant WITH A TEMPORARY OR PERMANENT
4 PHYSICAL DISABILITY, except to replace a lost, stolen or mutilated placard or
5 if the department determines, on receiving the applicant's written request,
6 that the needs of the applicant are such that up to three valid placards are
7 required. The department shall issue a placard pursuant to this section at
8 no additional charge.

9 D. The department may issue up to three ~~permanently disabled~~ PERMANENT
10 DISABILITY removable windshield placards to a nonprofit organization that
11 provides assistance to senior citizens. The nonprofit organization shall
12 maintain records on each volunteer who uses these placards to transport
13 persons ~~who are temporarily or permanently disabled~~ WITH TEMPORARY OR
14 PERMANENT DISABILITIES.

15 E. A ~~permanently disabled~~ PERMANENT DISABILITY removable windshield
16 placard issued or renewed under this section is valid for five years. A
17 ~~temporarily disabled~~ TEMPORARY DISABILITY removable windshield placard issued
18 or renewed under this section is valid for a period of time as determined by
19 the department. A person who desires to obtain a ~~temporarily disabled~~
20 TEMPORARY DISABILITY removable windshield placard for an additional period of
21 time shall submit a new application.

22 F. A person or an organization described in subsection A, paragraph 2
23 of this section that desires to obtain a ~~permanently disabled~~ PERMANENT
24 DISABILITY or ~~temporarily disabled~~ TEMPORARY DISABILITY removable windshield
25 placard or international symbol of access special plates shall submit an
26 application to the department of transportation on a form furnished by the
27 department of transportation that contains one of the following:

28 1. If a ~~permanently or temporarily disabled~~ person WITH A PERMANENT OR
29 TEMPORARY DISABILITY, a medical certificate completed by a hospital
30 administrator, an authorized physician or a registered nurse practitioner
31 that certifies that the applicant ~~is physically disabled~~ HAS A PHYSICAL
32 DISABILITY.

33 2. If a ~~disabled~~ person WITH A DISABILITY who is a veteran and who is
34 one hundred per cent ~~disabled~~ A PERSON WITH A DISABILITY, a copy of the
35 person's certificate of one hundred per cent disability issued by the United
36 States department of veterans affairs.

37 3. If an organization, a signed statement by an authorized officer of
38 the organization affirming that the registered vehicle that is owned or
39 leased by the organization and that will display the placard or the
40 international symbol of access special plates primarily transports ~~physically~~
41 ~~disabled~~ persons WITH PHYSICAL DISABILITIES.

42 G. On receipt of the application containing the medical certificate,
43 the certificate of one hundred per cent disability issued by the United
44 States department of veterans affairs or the signed statement, if the
45 department of transportation finds that the applicant qualifies for the
46 parking privileges pursuant to chapter 3, article 14 of this title, the

1 department of transportation shall issue the placard or international symbol
2 of access special plates.

3 H. A person or an organization described in subsection A, paragraph 2
4 of this section that desires to renew a ~~permanently-disabled~~ PERMANENT
5 DISABILITY removable windshield placard shall submit an application to the
6 department containing one of the following:

7 1. If a ~~permanently-disabled~~ PERMANENT DISABILITY person, a signed
8 statement by the person that is witnessed by a department agent or notary
9 public, that requests the renewal of the placard and that affirms that the
10 person ~~is physically-disabled~~ HAS A PHYSICAL DISABILITY.

11 2. If an organization, a signed statement by an authorized officer of
12 the organization affirming that the registered vehicle that is owned or
13 leased by the organization and that will display the placard primarily
14 transports ~~physically-disabled~~ persons WITH PHYSICAL DISABILITIES.

15 I. The placard or international symbol of access special plates shall
16 be displayed on or in the motor vehicle in the manner prescribed by the
17 department.

18 J. A request for special plates issued under this section may be
19 combined with a request for an honored military license plate issued under
20 article 13 of this chapter or any other special plate. The department shall
21 prescribe the form for the request. The request is subject to payment of
22 only the fee required for the honored military license plate or other special
23 plate and is not subject to any other special plate fee under section
24 28-2402. An international symbol of access special plate that is combined
25 with an honored military license plate or any other special plate is not a
26 personalized special plate under section 28-2406.

27 K. For the purposes of this section:

28 1. "Authorized physician" means a doctor of medicine, osteopathy,
29 podiatry or chiropractic licensed to practice medicine in this state or
30 another state or authorized by the United States government to practice
31 medicine.

32 2. "~~Permanently-disabled~~ PERMANENT DISABILITY removable windshield
33 placard" means a two-sided, hooked placard that includes on each side all of
34 the following:

35 (a) The international symbol of access that is at least three inches
36 in height, that is centered on the placard and that is white on a blue
37 shield.

38 (b) An identification number.

39 (c) An expiration date.

40 (d) The seal or other identification of the issuing authority.

41 3. "~~Physically-disabled~~ Person WITH A PHYSICAL DISABILITY" means a
42 person who, as determined by a hospital administrator or authorized
43 physician, meets any of the following conditions:

44 (a) Cannot walk two hundred feet without stopping to rest.

1 (b) Cannot walk without the use of or assistance from any brace, cane,
2 crutch, other person, prosthetic device, wheelchair or other assistive
3 device.

4 (c) Is restricted by lung disease to such an extent that the person's
5 forced respiratory, expiratory volume for one second, if measured by
6 spirometry, is less than one liter, or the arterial oxygen tension is less
7 than sixty mm/Hg on room air at rest.

8 (d) Uses portable oxygen.

9 (e) Has a cardiac condition to the extent that the person's functional
10 limitations are classified in severity as class III or class IV according to
11 standards set by the American heart association.

12 (f) Is severely limited in the person's ability to walk due to an
13 arthritic, neurological or orthopedic condition.

14 4. "~~Temporarily disabled~~ TEMPORARY DISABILITY removable windshield
15 placard" means a two-sided, hooked placard that includes on each side all of
16 the following:

17 (a) The international symbol of access that is at least three inches
18 in height, that is centered on the placard and that is white on a red shield.

19 (b) An identification number.

20 (c) A date of expiration.

21 (d) The seal or other identification of the issuing authority.

22 Sec. 8. Repeal

23 Section 42-5015, Arizona Revised Statutes, as amended by Laws 2014,
24 chapter 263, section 11, is repealed.

25 Sec. 9. Section 42-5015, Arizona Revised Statutes, as added by Laws
26 2013, chapter 255, section 8, is amended to read:

27 42-5015. Filing by electronic means

28 On or before January 1, 2015, ~~the online portal prescribed by section~~
29 ~~42-6001 shall be modified so that~~ a taxpayer who is required to pay any
30 transaction privilege and affiliated excise taxes to this state or a county
31 or municipality may report and pay the required tax through ~~the online portal~~
32 ELECTRONIC MEANS. The ~~online portal~~ ELECTRONIC SYSTEM shall be administered
33 by the department of revenue. ~~The costs of the online portal shall be paid~~
34 ~~by~~ THE DEPARTMENT MAY ENTER INTO AN AGREEMENT WITH the cities and towns that
35 did not have an intergovernmental contract or agreement in effect as of
36 January 1, 2013 with the department to provide for unified or coordinated
37 licensing, collection and auditing programs FOR THE CITIES AND TOWNS TO
38 CONTRIBUTE TO THE PAYMENT OF THE ELECTRONIC SYSTEM THROUGH MONEY OR
39 RESOURCES. The ~~expanded online portal~~ ELECTRONIC SYSTEM shall:

40 1. Include a single point for licensing, filing a single return and
41 paying transaction privilege and affiliated excise taxes for all state,
42 county and municipal taxing jurisdictions.

43 2. Consolidate data in a manner compatible with the data systems of
44 the department of revenue.

45 3. Capture data with sufficient specificity to meet the needs of the
46 taxing jurisdictions.

1 4. Allow for identification of the correct taxing jurisdictions and
2 tax rates based on the place where the transaction is sourced.

3 Sec. 10. Repeal

4 Section ~~42-16258~~, Arizona Revised Statutes, as amended by Laws 2014,
5 chapter 249, section 12, is repealed.

6 Sec. 11. Section 42-16258, Arizona Revised Statutes, as amended by
7 Laws 1998, chapter 1, section 260, is amended to read:

8 ~~42-16258.~~ Correcting tax roll by county treasurer

9 A. After receiving the tax roll, if the county treasurer determines
10 that any property is omitted from the roll, or has reason to believe that any
11 personal property that is omitted from the roll has not been taxed in any
12 other county for that year, the treasurer shall ~~immediately list and~~ request
13 the assessor to determine the valuation of the property.

14 B. The treasurer shall enter the valuation on the roll following the
15 levies made and delivered by the county board of supervisors. The entries
16 shall be designated as additional valuations, and the taxes so computed by
17 the county treasurer are valid for all purposes.

18 C. If there is an error on the roll in the name of the ~~person~~ TAXPAYER
19 WHO SHOULD BE assessed or taxed, the county treasurer may change the name and
20 collect the tax from the ~~person who should be taxed, if that person is liable~~
21 ~~for the tax and can be identified by the treasurer~~ CORRECT TAXPAYER.

22 D. IF AN ERROR OR OMISSION IS DETERMINED UNDER THIS SECTION, THE
23 TAXPAYER SHALL BE NOTIFIED OF THE PROPOSED CORRECTION AND THE TAXPAYER MAY
24 APPEAL THE PROPOSED CORRECTION PURSUANT TO SECTION 42-16252.

25 Sec. 12. Retroactive application

26 A. Sections 2, 3, 6, 7, 10 and 11 of this act apply retroactively to
27 from and after July 23, 2014.

28 B. Sections 8 and 9 of this act apply retroactively to from and after
29 December 31, 2014.

30 C. Sections 4 and 5 of this act apply retroactively to from and after
31 June 30, 2015.

APPROVED BY THE GOVERNOR MARCH 23, 2015.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 23, 2015.