

State of Arizona  
House of Representatives  
Fifty-third Legislature  
First Regular Session  
2017

# HOUSE BILL 2311

AN ACT

AMENDING SECTIONS 15-1601 AND 35-101, ARIZONA REVISED STATUTES; RELATING  
TO THE ARIZONA BOARD OF REGENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 15-1601, Arizona Revised Statutes, is amended to  
3 read:

4 15-1601. State universities; location; faculty powers; report

5 A. The Arizona board of regents shall maintain state universities  
6 at Flagstaff in Coconino county, at Tempe in Maricopa county and at Tucson  
7 in Pima county, and the universities are respectively designated northern  
8 Arizona university, Arizona state university and the university of  
9 Arizona. The board shall maintain an Arizona state university campus in  
10 western Maricopa county designated as Arizona state university west  
11 campus, ~~which shall be identified as a separate budget unit in the general~~  
12 ~~appropriations act. The board shall maintain~~ AND an Arizona state  
13 university campus in eastern Maricopa county designated as Arizona state  
14 university east campus, ~~which shall be identified as a separate budget~~  
15 ~~unit in the general appropriations act.~~ The board may establish and  
16 maintain other colleges and universities subject to legislative authority.  
17 Subject to review by the joint committee on capital review, the board may  
18 establish new campuses that are separate from any location in existence on  
19 July 1, 2007. The Arizona state university campus at Tempe shall provide  
20 administrative support for the Arizona state university campuses in  
21 western Maricopa county and in eastern Maricopa county.

22 B. The universities shall have colleges, schools and departments  
23 and give courses of study and academic degrees as the board  
24 approves. Subject to the responsibilities and powers of the board and the  
25 university presidents, the faculty members of the universities, through  
26 their elected faculty representatives, shall share responsibility for  
27 academic and educational activities and matters related to faculty  
28 personnel. The faculty members of each university, through their elected  
29 faculty representatives, shall participate in the governance of their  
30 respective universities and shall actively participate in the development  
31 of university policy.

32 C. ON OR BEFORE NOVEMBER 15 OF EACH YEAR, ARIZONA STATE UNIVERSITY  
33 SHALL REPORT TO THE JOINT LEGISLATIVE BUDGET COMMITTEE, THE GOVERNOR'S  
34 OFFICE OF STRATEGIC PLANNING AND BUDGETING, THE SPEAKER OF THE HOUSE OF  
35 REPRESENTATIVES AND THE PRESIDENT OF THE SENATE FOR EACH OF ITS SEPARATE  
36 CAMPUSES ALL OF THE FOLLOWING:

37 1. THE CAPITAL EXPENDITURE HISTORY MADE TO EACH CAMPUS FOR EACH OF  
38 THE TWO PREVIOUS FISCAL YEARS.

39 2. THE ACTUAL NUMBER OF FULL-TIME EQUIVALENT STUDENTS AT EACH  
40 CAMPUS OF ARIZONA STATE UNIVERSITY AS OF THE TWENTY-FIRST DAY AFTER  
41 CLASSES BEGIN FOR THE FALL SEMESTER AND THE TOTAL HEADCOUNT ENROLLMENT AT  
42 EACH CAMPUS.

43 3. ANY REVENUES OR ALLOCATIONS MADE TO EACH CAMPUS OF ARIZONA STATE  
44 UNIVERSITY THAT ARE AVAILABLE TO REPORT.

45 4. ANY LONG TERM CAPITAL OR EXPANSION PLANS FOR EACH CAMPUS.

1           Sec. 2. Section 35-101, Arizona Revised Statutes, is amended to  
2 read:

3           35-101. Definitions

4           In this chapter, unless the context otherwise requires:

5           1. "Allotment" means the allocation of an appropriation or other  
6 fund source over a full fiscal year within a budget program or expenditure  
7 class.

8           2. "Annual budget unit" means the following agencies:

9           (a) The department of education.

10           (b) The Arizona board of regents.

11           (c) Arizona state university.

12           ~~(d) Arizona state university west campus.~~

13           ~~(e) Arizona state university east campus.~~

14           ~~(f)~~ (d) The university of Arizona.

15           ~~(g)~~ (e) Northern Arizona university.

16           ~~(h)~~ (f) The school facilities board.

17           ~~(i)~~ (g) The department of economic security.

18           ~~(j)~~ (h) The state department of corrections.

19           ~~(k)~~ (i) The department of juvenile corrections.

20           ~~(l)~~ (j) The Arizona health care cost containment system.

21           ~~(m)~~ (k) The department of health services.

22           ~~(n)~~ (l) The department of administration.

23           ~~(o)~~ (m) The department of transportation.

24           ~~(p)~~ (n) The judiciary, including the supreme court, the court of  
25 appeals and the superior court.

26           ~~(q)~~ (o) The department of child safety.

27           3. "Authorized agent" means a commercial enterprise **THAT IS**  
28 contracted to process transactions on behalf of a state agency.

29           4. "Biennial budget unit" means any department, commission, board,  
30 institution or other agency of the state organization receiving, expending  
31 or disbursing state funds or incurring obligations against the state that  
32 is not an annual budget unit.

33           5. "Budget estimates" means statements with accompanying  
34 explanations, as provided by this chapter, in which a budget unit states  
35 its financial requirements and requests appropriations.

36           6. "Budget program" means functions and activities of a budget unit  
37 or within a budget unit that are preplanned to fulfill a distinct mission.

38           7. "Budget unit" means any department, commission, board,  
39 institution or other agency of the state organization receiving, expending  
40 or disbursing state funds or incurring obligations against the state.  
41 Budget unit includes the annual budget units and biennial budget units.

42           8. "Cardholder" means any person:

43           (a) Named on the face of a credit card to whom or for whose benefit  
44 the credit card is issued by an issuer.

1 (b) In possession of a credit card with the consent of the person  
2 to whom the credit card was issued.

3 9. "Claim" means a demand against the state for payment for either:

4 (a) Goods delivered or, in the case of highway construction, goods  
5 or facilities to be delivered by the federal government.

6 (b) Services performed.

7 10. "Convenience fee" means an additional fee that is imposed by an  
8 authorized agent on a web-based or voice response portal transaction for  
9 the acceptance of a credit card that would not be charged if the same  
10 transaction were completed by an alternate method of payment.

11 11. "Credit card" means:

12 (a) Any instrument or device, whether known as a credit card,  
13 charge card, credit plate, courtesy card or identification card or by any  
14 other name, **THAT IS** issued with or without a fee by an issuer for the use  
15 of the cardholder in obtaining money, goods, services or anything else of  
16 value, either on credit or in possession or in consideration of an  
17 undertaking or guaranty by the issuer of the payment of a check drawn by  
18 the cardholder, on a promise to pay in part or in full at a future time,  
19 whether or not all or any part of the indebtedness represented by this  
20 promise to make deferred payment is secured or unsecured.

21 (b) Any debit card, electronic benefit transfer card or other  
22 access instrument or device, other than a check that is signed by the  
23 holder or other authorized signatory on the deposit account, that draws  
24 monies from a deposit account in order to obtain money, goods, services or  
25 anything else of value.

26 (c) Any stored value card, smart card or other instrument or device  
27 that enables a person to obtain goods, services or anything else of value  
28 through the use of value stored on the instrument or device.

29 (d) The number assigned to an instrument or device described in  
30 subdivision (a), (b) or (c) of this paragraph even if the physical  
31 instrument or device is not used or presented.

32 12. "Discount fee" means the fee **THAT IS** calculated and charged by  
33 the credit card issuer or a financial institution pursuant to an agreement  
34 for the processing of any credit card transaction.

35 13. "Encumbrance" means an obligation in the form of any purchase  
36 order, contract or other commitment ~~which~~ **THAT** is chargeable to an  
37 appropriation or any other authorized fund source and for which a part of  
38 the fund source is reserved. It ceases to be an encumbrance when paid or  
39 canceled.

40 14. "Expenditure class" means one of the kinds of expenditure  
41 denoting a class of services or commodities purchased or properties  
42 acquired as specified in the classification of expenditures prescribed by  
43 the director of the department of administration for use in expenditure  
44 accounting, in making budget estimates and in the budget reports and  
45 budgets.

1           15. "Issuer" means any business organization, state agency or  
2 financial institution, or its duly authorized agent, that issues a credit  
3 card.

4           16. "Prepayment" means the payment of a claim before receiving the  
5 goods or services.

6           17. "Processing fee" means a fee THAT IS charged by an entity other  
7 than a credit card issuer or the processing financial institution to  
8 process a credit card transaction.

9           18. "Purchase order" means a document that is signed by the  
10 appropriate agency authorized signatory, that requests a vendor to deliver  
11 described goods or services at a specific price and that on delivery and  
12 acceptance of the goods or services by this state becomes an obligation of  
13 this state.

14           19. "Transaction amount" means the total amount due to the state  
15 for any goods, service or license or anything else of value.