

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

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

34 35-101. Definitions

35 In this chapter, unless the context otherwise requires:

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

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

40 (a) The department of education.

41 (b) The Arizona board of regents.

42 (c) Arizona state university.

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

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

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

- 1 ~~(g)~~ (e) Northern Arizona university.
- 2 ~~(h)~~ (f) The school facilities board.
- 3 ~~(i)~~ (g) The department of economic security.
- 4 ~~(j)~~ (h) The state department of corrections.
- 5 ~~(k)~~ (i) The department of juvenile corrections.
- 6 ~~(l)~~ (j) The Arizona health care cost containment system.
- 7 ~~(m)~~ (k) The department of health services.
- 8 ~~(n)~~ (l) The department of administration.
- 9 ~~(o)~~ (m) The department of transportation.
- 10 ~~(p)~~ (n) The judiciary, including the supreme court, the court of
11 appeals and the superior court.
- 12 ~~(q)~~ (o) The department of child safety.

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

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

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

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

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

28 8. "Cardholder" means any person:

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

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

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

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

36 (b) Services performed.

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

41 11. "Credit card" means:

42 (a) Any instrument or device, whether known as a credit card,
43 charge card, credit plate, courtesy card or identification card or by any
44 other name, **THAT IS** issued with or without a fee by an issuer for the use
45 of the cardholder in obtaining money, goods, services or anything else of

1 value, either on credit or in possession or in consideration of an
2 undertaking or guaranty by the issuer of the payment of a check drawn by
3 the cardholder, on a promise to pay in part or in full at a future time,
4 whether or not all or any part of the indebtedness represented by this
5 promise to make deferred payment is secured or unsecured.

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

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

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

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

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

25 14. "Expenditure class" means one of the kinds of expenditure
26 denoting a class of services or commodities purchased or properties
27 acquired as specified in the classification of expenditures prescribed by
28 the director of the department of administration for use in expenditure
29 accounting, in making budget estimates and in the budget reports and
30 budgets.

31 15. "Issuer" means any business organization, state agency or
32 financial institution, or its duly authorized agent, that issues a credit
33 card.

34 16. "Prepayment" means the payment of a claim before receiving the
35 goods or services.

36 17. "Processing fee" means a fee **THAT IS** charged by an entity other
37 than a credit card issuer or the processing financial institution to
38 process a credit card transaction.

39 18. "Purchase order" means a document that is signed by the
40 appropriate agency authorized signatory, that requests a vendor to deliver
41 described goods or services at a specific price and that on delivery and
42 acceptance of the goods or services by this state becomes an obligation of
43 this state.

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