

State of Arizona  
Senate  
Fifty-fourth Legislature  
First Regular Session  
2019

**CHAPTER 261**  
**SENATE BILL 1533**

AN ACT

AMENDING SECTIONS 28-2351 AND 28-2403, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 7, ARTICLE 12, ARIZONA REVISED STATUTES, BY ADDING SECTION 28-2463; AMENDING SECTION 28-6501, ARIZONA REVISED STATUTES; AMENDING SECTION 28-6991, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 248, SECTION 1, CHAPTER 307, SECTION 7 AND CHAPTER 308, SECTION 3; AMENDING SECTION 28-6991, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 248, SECTION 1, CHAPTER 298, SECTION 7, CHAPTER 307, SECTION 7 AND CHAPTER 308, SECTION 3; AMENDING SECTION 28-6993, ARIZONA REVISED STATUTES; AMENDING TITLE 36, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 36-123.02; AMENDING SECTION 41-109, ARIZONA REVISED STATUTES; RELATING TO SPECIAL LICENSE PLATES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-2351, Arizona Revised Statutes, is amended to  
3 read:

4 28-2351. License plate provided; design

5 A. Notwithstanding any other law, the department shall provide to  
6 every owner one license plate for each vehicle registered. At the request  
7 of the owner and on payment of a fee in an amount prescribed by the  
8 director by rule, the department shall provide one additional license  
9 plate for a vehicle for which a special plate is requested pursuant to  
10 this chapter.

11 B. The license plate shall display the number assigned to the  
12 vehicle and to the owner of the vehicle and the name of this state, which  
13 may be abbreviated. The director shall coat the license plate with a  
14 reflective material that is consistent with the determination of the  
15 department regarding the color and design of license plates and special  
16 plates. The director shall design the license plate and the letters and  
17 numerals on the license plate to be of sufficient size to be plainly  
18 readable during daylight from a distance of one hundred feet. In addition  
19 to the standard license plate issued for a trailer before August 12, 2005,  
20 the director shall issue a license plate for trailers that has a design  
21 that is similar to the standard size license plate for trailers but that  
22 is the same size as the license plate for motorcycles. The trailer owner  
23 shall notify the department which size license plate the owner wants for  
24 the trailer.

25 C. Notwithstanding any other law, the department shall not contract  
26 with a nongovernmental entity to purchase or secure reflective material  
27 for the plates issued by the department unless the department has made a  
28 reasonable effort to secure qualified bids or proposals from as many  
29 individual responsible respondents as possible.

30 D. The department shall determine the color and design of the  
31 license plate. All other plates issued by the department, except the  
32 plates issued pursuant to sections 28-2404, 28-2412, 28-2413, 28-2414,  
33 28-2416, 28-2416.01, 28-2417 through ~~28-2462~~ 28-2463, 28-2472, 28-2473,  
34 28-2474, 28-2475 and 28-4533 and article 14 of this chapter, shall be the  
35 same color as and similar in design to the license plate as determined by  
36 the department.

37 E. A passenger motor vehicle that is rented without a driver shall  
38 receive the same type of license plate as is issued for a private  
39 passenger motor vehicle.

40 Sec. 2. Section 28-2403, Arizona Revised Statutes, is amended to  
41 read:

42 28-2403. Special plates; transfers; violation; classification

43 A. Except as otherwise provided in this article, the department  
44 shall issue or renew special plates in lieu of the regular license plates  
45 pursuant to the following conditions and procedures and only if the

1 requirements prescribed by this article for the requested special plates  
2 are met:

3 1. Except as provided in sections 28-2416 and 28-2416.01, a person  
4 who is the registered owner of a vehicle registered with the department or  
5 who applies for an original or renewal registration of a vehicle may  
6 submit to the department a completed application form as prescribed by the  
7 department with the fee prescribed by section 28-2402 for special plates  
8 in addition to the registration fee prescribed by section 28-2003.

9 2. Except for plates issued pursuant to sections 28-2404, 28-2412,  
10 28-2413, 28-2414, 28-2416, 28-2416.01, 28-2417 through ~~28-2462~~ 28-2463,  
11 28-2472, 28-2473, 28-2474 and 28-2475 and article 14 of this chapter, the  
12 special plates shall be the same color as and similar to the design of the  
13 regular license plates that is determined by the department.

14 3. Except as provided in section 28-2416, the department shall  
15 issue special plates only to the owner or lessee of a vehicle that is  
16 currently registered, including any vehicle that has a declared gross  
17 weight, as defined in section 28-5431, of twenty-six thousand pounds or  
18 less.

19 4. Except as provided in sections 28-2416 and 28-2416.01, the  
20 department shall charge the fee prescribed by section 28-2402 for each  
21 annual renewal of special plates in addition to the registration fee  
22 prescribed by section 28-2003.

23 B. Except as provided in sections 28-2416 and 28-2416.01, on  
24 notification to the department and on payment of the transfer fee  
25 prescribed by section 28-2402, a person who is issued special plates may  
26 transfer the special plates to another vehicle the person owns or leases.  
27 Persons who are issued special plates for hearing impaired persons  
28 pursuant to section 28-2408 and international symbol of access special  
29 plates pursuant to section 28-2409 are exempt from the transfer fee. If a  
30 person who is issued special plates sells, trades or otherwise releases  
31 ownership of the vehicle on which the plates have been displayed, the  
32 person shall immediately report the transfer of the plates to the  
33 department or the person shall surrender the plates to the department as  
34 prescribed by the director. It is unlawful for a person to whom the  
35 plates have been issued to knowingly permit them to be displayed on a  
36 vehicle except the vehicle authorized by the department.

37 C. The special plates shall be affixed to the vehicle for which  
38 registration is sought in lieu of the regular license plates.

39 D. A person is guilty of a class 3 misdemeanor who:

40 1. Violates subsection B of this section.

41 2. Fraudulently gives false or fictitious information in the  
42 application for or renewal of special plates or placards issued pursuant  
43 to this article.

1           3. Conceals a material fact or otherwise commits fraud in the  
2 application for or renewal of special plates or placards issued pursuant  
3 to this article.

4           Sec. 3. Title 28, chapter 7, article 12, Arizona Revised Statutes,  
5 is amended by adding section 28-2463, to read:

6           28-2463. Alzheimer's disease research special plates

7           A. IF, BY DECEMBER 31, 2019, A PERSON PAYS \$32,000 TO THE  
8 DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL  
9 ISSUE ALZHEIMER'S DISEASE RESEARCH SPECIAL PLATES. THE PERSON THAT  
10 PROVIDES THE \$32,000 SHALL DESIGN THE ALZHEIMER'S DISEASE RESEARCH SPECIAL  
11 PLATES. THE DESIGN AND COLOR OF THE ALZHEIMER'S DISEASE RESEARCH SPECIAL  
12 PLATES ARE SUBJECT TO THE APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY  
13 ALLOW A REQUEST FOR ALZHEIMER'S DISEASE RESEARCH SPECIAL PLATES TO BE  
14 COMBINED WITH A REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR  
15 ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED BY  
16 THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL  
17 PLATES IN ADDITION TO THE FEES REQUIRED FOR THE ALZHEIMER'S DISEASE  
18 RESEARCH SPECIAL PLATES.

19           B. OF THE \$25 FEE REQUIRED BY SECTION 28-2402 FOR THE ORIGINAL  
20 SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, \$8 IS A SPECIAL PLATE  
21 ADMINISTRATION FEE AND \$17 IS AN ANNUAL DONATION.

22           C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND  
23 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND  
24 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO  
25 THIS SECTION IN THE ALZHEIMER'S DISEASE RESEARCH FUND ESTABLISHED BY  
26 SECTION 36-123.02.

27           Sec. 4. Section 28-6501, Arizona Revised Statutes, is amended to  
28 read:

29           28-6501. Definition of highway user revenues

30           In this article, unless the context otherwise requires or except as  
31 otherwise provided by statute, "highway user revenues" means all monies  
32 received in this state from licenses, taxes, penalties, interest and fees  
33 authorized by the following:

34           1. Chapters 2, 7, 8 and 15 of this title, except for:

35           (a) The special plate administration fees prescribed in sections  
36 28-2404, 28-2407, 28-2412 through ~~28-2462~~ 28-2463 and 28-2514.

37           (b) The donations prescribed in sections 28-2404, 28-2407, 28-2412  
38 through 28-2415, 28-2417 through ~~28-2462~~ 28-2463, 28-2473, 28-2474 and  
39 28-2475.

40           2. Section 28-1177.

41           3. Chapters 10 and 11 of this title.

42           4. Chapter 16, articles 1, 2 and 4 of this title, except as  
43 provided in sections 28-5926 and 28-5927.

1           Sec. 5. Section 28-6991, Arizona Revised Statutes, as amended by  
2 Laws 2018, chapter 248, section 1, chapter 307, section 7 and chapter 308,  
3 section 3, is amended to read:

4           28-6991. State highway fund; sources

5           The state highway fund is established that consists of:

6           1. Monies distributed from the Arizona highway user revenue fund  
7 pursuant to chapter 18 of this title.

8           2. Monies appropriated by the legislature.

9           3. Monies received from donations for the construction, improvement  
10 or maintenance of state highways or bridges. These monies shall be  
11 credited to a special account and shall be spent only for the purpose  
12 indicated by the donor.

13           4. Monies received from counties or cities under cooperative  
14 agreements, including proceeds from bond issues. The state treasurer  
15 shall deposit these monies to the credit of the fund in a special account  
16 on delivery to the treasurer of a concise written agreement between the  
17 department and the county or city stating the purposes for which the  
18 monies are surrendered by the county or city, and these monies shall be  
19 spent only as stated in the agreement.

20           5. Monies received from the United States under an act of Congress  
21 to provide aid for the construction of rural post roads, but monies  
22 received on projects for which the monies necessary to be provided by this  
23 state are wholly derived from sources mentioned in paragraphs 2 and 3 of  
24 this section shall be allotted by the department and deposited by the  
25 state treasurer in the special account within the fund established for  
26 each project. On completion of the project, on the satisfaction and  
27 discharge in full of all obligations of any kind created and on request of  
28 the department, the treasurer shall transfer the unexpended balance in the  
29 special account for the project into the state highway fund, and the  
30 unexpended balance and any further federal aid thereafter received on  
31 account of the project may be spent under the general provisions of this  
32 title.

33           6. Monies in the custody of an officer or agent of this state from  
34 any source that is to be used for the construction, improvement or  
35 maintenance of state highways or bridges.

36           7. Monies deposited in the state general fund and arising from the  
37 disposal of state personal property belonging to the department.

38           8. Receipts from the sale or disposal of any or all other property  
39 held by the department and purchased with state highway monies.

40           9. Monies generated pursuant to section 28-410.

41           10. Monies distributed pursuant to section 28-5808, subsection B,  
42 paragraph 2, subdivision (d).

43           11. Monies deposited pursuant to sections 28-1143, 28-2353 and  
44 28-3003.

1 12. Except as provided in section 28-5101, the following monies:

2 (a) Monies deposited pursuant to section 28-2206 and section  
3 28-5808, subsection B, paragraph 2, subdivision (e).

4 (b) ~~One dollar~~ \$1 of each registration fee and ~~one dollar~~ \$1 of  
5 each title fee collected pursuant to section 28-2003.

6 (c) ~~Two dollars~~ \$2 of each late registration penalty collected by  
7 the director pursuant to section 28-2162.

8 (d) The air quality compliance fee collected pursuant to section  
9 49-542.

10 (e) The special plate administration fees collected pursuant to  
11 sections 28-2404, 28-2407, 28-2412 through 28-2416, 28-2416.01, 28-2417  
12 through ~~28-2462~~ 28-2463 and 28-2514.

13 (f) Monies collected pursuant to sections 28-372, 28-2155 and  
14 28-2156 if the director is the registering officer.

15 13. Monies deposited pursuant to chapter 5, article 5 of this  
16 title.

17 14. Donations received pursuant to section 28-2269.

18 15. Dealer and registration monies collected pursuant to section  
19 28-4304.

20 16. Abandoned vehicle administration monies deposited pursuant to  
21 section 28-4804.

22 17. Monies deposited pursuant to section 28-710, subsection D,  
23 paragraph 2.

24 18. Monies deposited pursuant to section 28-2065.

25 19. Monies deposited pursuant to section 28-7311.

26 20. Monies deposited pursuant to section 28-7059.

27 21. Monies deposited pursuant to section 28-1105.

28 22. Monies deposited pursuant to section 28-2448, subsection D.

29 23. Monies deposited pursuant to section 28-3415.

30 24. Monies deposited pursuant to section 28-3002, subsection A,  
31 paragraph 14.

32 25. Monies deposited pursuant to section 28-7316.

33 26. Monies deposited pursuant to section 28-4302.

34 27. Monies deposited pursuant to section 28-3416.

35 28. Monies deposited pursuant to section 28-4504.

36 Sec. 6. Section 28-6991, Arizona Revised Statutes, as amended by  
37 Laws 2018, chapter 248, section 1, chapter 298, section 7, chapter 307,  
38 section 7 and chapter 308, section 3, is amended to read:

39 ~~28-6991.~~ State highway fund; sources

40 The state highway fund is established that consists of:

41 1. Monies distributed from the Arizona highway user revenue fund  
42 pursuant to chapter 18 of this title.

43 2. Monies appropriated by the legislature.

1           3. Monies received from donations for the construction, improvement  
2 or maintenance of state highways or bridges. These monies shall be  
3 credited to a special account and shall be spent only for the purpose  
4 indicated by the donor.

5           4. Monies received from counties or cities under cooperative  
6 agreements, including proceeds from bond issues. The state treasurer  
7 shall deposit these monies to the credit of the fund in a special account  
8 on delivery to the treasurer of a concise written agreement between the  
9 department and the county or city stating the purposes for which the  
10 monies are surrendered by the county or city, and these monies shall be  
11 spent only as stated in the agreement.

12           5. Monies received from the United States under an act of Congress  
13 to provide aid for the construction of rural post roads, but monies  
14 received on projects for which the monies necessary to be provided by this  
15 state are wholly derived from sources mentioned in paragraphs 2 and 3 of  
16 this section shall be allotted by the department and deposited by the  
17 state treasurer in the special account within the fund established for  
18 each project. On completion of the project, on the satisfaction and  
19 discharge in full of all obligations of any kind created and on request of  
20 the department, the treasurer shall transfer the unexpended balance in the  
21 special account for the project into the state highway fund, and the  
22 unexpended balance and any further federal aid thereafter received on  
23 account of the project may be spent under the general provisions of this  
24 title.

25           6. Monies in the custody of an officer or agent of this state from  
26 any source that is to be used for the construction, improvement or  
27 maintenance of state highways or bridges.

28           7. Monies deposited in the state general fund and arising from the  
29 disposal of state personal property belonging to the department.

30           8. Receipts from the sale or disposal of any or all other property  
31 held by the department and purchased with state highway monies.

32           9. Monies generated pursuant to section 28-410.

33           10. Monies distributed pursuant to section 28-5808, subsection B,  
34 paragraph 2, subdivision (d).

35           11. Monies deposited pursuant to sections 28-1143, 28-2353 and  
36 28-3003.

37           12. Except as provided in section 28-5101, the following monies:

38           (a) Monies deposited pursuant to section 28-2206 and section  
39 28-5808, subsection B, paragraph 2, subdivision (e).

40           (b) ~~One dollar~~ \$1 of each registration fee and ~~one dollar~~ \$1 of  
41 each title fee collected pursuant to section 28-2003.

42           (c) ~~Two dollars~~ \$2 of each late registration penalty collected by  
43 the director pursuant to section 28-2162.

44           (d) The air quality compliance fee collected pursuant to section  
45 49-542.

1 (e) The special plate administration fees collected pursuant to  
2 sections 28-2404, 28-2407, 28-2412 through 28-2416, 28-2416.01, 28-2417  
3 through ~~28-2462~~ 28-2463 and 28-2514.

4 (f) Monies collected pursuant to sections 28-372, 28-2155 and  
5 28-2156 if the director is the registering officer.

6 13. Monies deposited pursuant to chapter 5, article 5 of this  
7 title.

8 14. Donations received pursuant to section 28-2269.

9 15. Dealer and registration monies collected pursuant to section  
10 28-4304.

11 16. Abandoned vehicle administration monies deposited pursuant to  
12 section 28-4804.

13 17. Monies deposited pursuant to section 28-710, subsection D,  
14 paragraph 2.

15 18. Monies deposited pursuant to section 28-2065.

16 19. Monies deposited pursuant to section 28-7311.

17 20. Monies deposited pursuant to section 28-7059.

18 21. Monies deposited pursuant to section 28-1105.

19 22. Monies deposited pursuant to section 28-2448, subsection D.

20 23. Monies deposited pursuant to section 28-3415.

21 24. Monies deposited pursuant to section 28-3002, subsection A,  
22 paragraph 14.

23 25. Monies deposited pursuant to section 28-7316.

24 26. Monies deposited pursuant to section 28-4302.

25 27. Monies deposited pursuant to section 28-3416.

26 28. Monies deposited pursuant to section 28-4504.

27 29. Monies deposited pursuant to section 28-2098.

28 Sec. 7. Section 28-6993, Arizona Revised Statutes, is amended to  
29 read:

30 28-6993. State highway fund; authorized uses

31 A. Except as provided in subsection B of this section and section  
32 28-6538, the state highway fund shall be used for any of the following  
33 purposes in strict conformity with and subject to the budget as provided  
34 by this section and by sections 28-6997 through 28-7003:

35 1. To pay salaries, wages, necessary travel expenses and other  
36 expenses of officers and employees of the department and the incidental  
37 office expenses, including telegraph, telephone, postal and express  
38 charges and printing, stationery and advertising expenses.

39 2. To pay for both:

40 (a) Equipment, supplies, machines, tools, department offices and  
41 laboratories established by the department.

42 (b) The construction and repair of buildings or yards of the  
43 department.



1           3. To pay the cost of both:

2           (a) Engineering, construction, improvement and maintenance of state  
3 highways and parts of highways forming state routes.

4           (b) Highways under cooperative agreements with the United States  
5 that are entered into pursuant to this chapter and an act of Congress  
6 providing for the construction of rural post roads.

7           4. To pay land damages incurred by reason of establishing, opening,  
8 altering, relocating, widening or abandoning portions of a state route or  
9 state highway.

10          5. To reimburse the department revolving account.

11          6. To pay premiums on authorized indemnity bonds and on  
12 compensation insurance under the workers' compensation act.

13          7. To defray lawful expenses and costs required to administer and  
14 carry out the intent, purposes and provisions of this title, including  
15 repayment of obligations entered into pursuant to this title, payment of  
16 interest on obligations entered into pursuant to this title, repayment of  
17 loans and other financial assistance, including repayment of advances and  
18 interest on advances made to the department pursuant to section 28-7677,  
19 and payment of all other obligations and expenses of the board and  
20 department pursuant to chapter 21 of this title.

21          8. To pay lawful bills and charges incurred by the state engineer.

22          9. To acquire, construct or improve entry roads to state parks or  
23 roads within state parks.

24          10. To acquire, construct or improve entry roads to state prisons.

25          11. To pay the cost of relocating a utility facility pursuant to  
26 section 28-7156.

27          12. For the purposes provided in subsections C, D and E of this  
28 section and sections 28-1143, 28-2353 and 28-3003.

29          13. To pay the cost of issuing an Arizona centennial special plate  
30 pursuant to section 28-2448.

31          B. For each fiscal year, the department of transportation shall  
32 allocate and transfer monies in the state highway fund to the department  
33 of public safety for funding a portion of highway patrol costs in eight  
34 installments in each of the first eight months of a fiscal year that do  
35 not exceed ~~ten million dollars~~ \$10,000,000.

36          C. Subject to legislative appropriation, the department may use the  
37 monies in the state highway fund as prescribed in section 28-6991,  
38 paragraph 12 to carry out the duties imposed by this title for  
39 registration or titling of vehicles, to operate joint title, registration  
40 and driver licensing offices, to cover the administrative costs of issuing  
41 the air quality compliance sticker, modifying the year validating tab and  
42 issuing the windshield sticker and to cover expenses and costs in issuing  
43 special plates pursuant to sections 28-2404, 28-2407, 28-2412 through  
44 ~~28-2462~~ 28-2463 and 28-2514.

1 D. The department shall use monies deposited in the state highway  
2 fund pursuant to chapter 5, article 5 of this title only as prescribed by  
3 that article.

4 E. Monies deposited in the state highway fund pursuant to section  
5 28-2269 shall be used only as prescribed by that section.

6 F. Monies deposited in the state highway fund pursuant to section  
7 28-710, subsection D, paragraph 2 shall only be used for state highway  
8 work zone traffic control devices.

9 G. The department may exchange monies distributed to the state  
10 highway fund pursuant to section 28-6538, subsection A, paragraph 1 for  
11 local government surface transportation program federal monies  
12 suballocated to councils of government and metropolitan planning  
13 organizations if the local government scheduled to receive the federal  
14 monies concurs. An exchange of state highway fund monies pursuant to this  
15 subsection shall be in an amount that is at least equal to ninety percent  
16 of the federal obligation authority that exists in the project for which  
17 the exchange is proposed.

18 H. The department shall use monies deposited in the state highway  
19 fund pursuant to section 28-1105, subsection A, paragraph 2, subdivision  
20 (a) only for a transportation facility that is located within twenty  
21 drivable miles of the international port of entry and shall spend the  
22 monies proportionally based on the amount of total monies collected  
23 pursuant to section 28-1105, subsection A, paragraph 2, subdivision (a).  
24 For the purposes of this subsection, "transportation facility" means a  
25 highway or a state route or a county, city or town road that is used by a  
26 commercial vehicle or a commercial vehicle combination for which an axle  
27 fee is paid pursuant to section 28-5474.

28 Sec. 8. Title 36, chapter 1, article 1, Arizona Revised Statutes,  
29 is amended by adding section 36-123.02, to read:

30 36-123.02. Alzheimer's disease research fund; exemption

31 A. THE ALZHEIMER'S DISEASE RESEARCH FUND IS ESTABLISHED CONSISTING  
32 OF MONIES RECEIVED PURSUANT TO SECTION 28-2463. THE DIRECTOR SHALL  
33 ADMINISTER THE FUND. THE FIRST \$32,000 RECEIVED SHALL BE REIMBURSED TO  
34 THE PERSON WHO PAYS THE IMPLEMENTATION FEE PURSUANT TO SECTION 28-2463.  
35 NOT MORE THAN TEN PERCENT OF MONIES DEPOSITED IN THE FUND ANNUALLY SHALL  
36 BE USED FOR THE COST OF ADMINISTERING THE FUND. MONIES IN THE FUND ARE  
37 CONTINUOUSLY APPROPRIATED. THE DIRECTOR SHALL ANNUALLY DISTRIBUTE MONIES  
38 IN THE FUND.

39 B. THE DIRECTOR SHALL ANNUALLY ALLOCATE MONIES FROM THE FUND,  
40 EXCLUDING ADMINISTRATIVE FEES, TO A CHARITABLE ORGANIZATION THAT IS  
41 QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED STATES INTERNAL REVENUE  
42 CODE FOR FEDERAL INCOME TAX PURPOSES AND THAT MEETS ALL OF THE FOLLOWING:

- 43 1. IS HEADQUARTERED IN THIS STATE.
- 44 2. HAS BEEN OPERATING IN THIS STATE FOR AT LEAST TEN YEARS.

1           3. HAS PARTICIPATING MEMBER INSTITUTIONS THAT WORK TOGETHER TO END  
2 ALZHEIMER'S DISEASE BY USING THEIR COMPLEMENTARY STRENGTHS IN BRAIN  
3 IMAGING, COMPUTER SCIENCE, GENOMICS, BASIC AND COGNITIVE NEUROSCIENCES AND  
4 CLINICAL AND NEUROPATHOLOGY RESEARCH WITHIN A STATE-WIDE COLLABORATIVE  
5 MODEL.

6           4. HAS MEMBER INSTITUTIONS THAT EDUCATE RESIDENTS OF THIS STATE  
7 ABOUT ALZHEIMER'S DISEASE, RESEARCH PROGRESS AND RESOURCES NEEDED TO HELP  
8 PATIENTS, FAMILIES AND PROFESSIONALS MANAGE THE DISEASE.

9           C. MONIES IN THE FUND ARE EXEMPT FROM THE PROVISIONS OF SECTION  
10 35-190 RELATING TO LAPSING OF APPROPRIATIONS.

11           Sec. 9. Section 41-109, Arizona Revised Statutes, is amended to  
12 read:

13           41-109. Prevention of child abuse fund; definitions

14           A. The prevention of child abuse fund is established consisting of  
15 monies received pursuant to section 28-2417. The director of the ~~division~~  
16 ~~for children in the~~ governor's office OF YOUTH, FAITH AND FAMILY shall  
17 administer the fund. Not more than three ~~per cent~~ PERCENT of monies  
18 deposited in the fund annually shall be used for the cost of administering  
19 the fund. Monies in the fund are continuously appropriated.

20           B. The ~~director of the division for children in the~~ governor's  
21 office OF YOUTH, FAITH AND FAMILY shall allocate monies ~~through a private~~  
22 ~~foundation that is qualified under section 501(c)(3) of the United States~~  
23 ~~internal revenue code for federal income tax purposes, that guarantees~~  
24 ~~matching all or a portion of the monies and that further allocates the~~  
25 ~~monies~~ to primary prevention programs that strengthen families and that  
26 increase public and professional awareness to prevent child abuse in all  
27 its forms to children in this state. ~~The director of the division for~~  
28 ~~children in the governor's office shall forward all monies deposited in~~  
29 ~~the prevention of child abuse fund, excluding administrative fees, to the~~  
30 ~~private foundation on an annual basis.~~ BEGINNING JANUARY 1, 2020, MONIES  
31 RECEIVED PURSUANT TO SECTION 28-2417 MAY BE ALLOCATED TO CHILD AND FAMILY  
32 ADVOCACY CENTERS TO PROVIDE SUPPORT TO VICTIMS OF CHILD ABUSE.

33           C. On notice from the director of the ~~division for children in the~~  
34 governor's office OF YOUTH, FAITH AND FAMILY, the state treasurer shall  
35 invest and divest monies in the fund as provided by section 35-313 and  
36 monies earned from investment shall be credited to the fund.

37           D. Monies in the fund are exempt from the provisions of section  
38 35-190 relating to lapsing of appropriations.

39           E. Before allocating monies pursuant to subsection B of this  
40 section:

41           1. The director of the ~~division for children in the~~ governor's  
42 office OF YOUTH, FAITH AND FAMILY shall prepare and issue a request for  
43 donation application that includes at least the following information:

44           (a) A description of the nature of the donation project, including  
45 the scope of the work to be performed by an awardee.

1 (b) Identification of the funding source and the total amount of  
2 available ~~funds~~ MONIES.

3 (c) Whether a single award or multiple awards may be made.

4 (d) Encouragement of collaboration by entities for community  
5 partnerships, if appropriate.

6 (e) Any additional information required by the applications.

7 (f) The criteria or factors under which an application will be  
8 evaluated for award and the relative importance of each criteria or  
9 factor.

10 (g) The due date for submittal of an application and the  
11 anticipated time the awards may be made.

12 2. Adequate public notice of the request for donation application  
13 shall be given a reasonable time before the date set forth in the request  
14 for application. The notice may include publication one or more times in  
15 a newspaper of general circulation in this state a reasonable time before  
16 the application opening.

17 3. A preapplication conference may be conducted before the due date  
18 for the submittal of an application to explain the donation application  
19 requirements. Statements made at a preapplication conference are not  
20 amendments to a request for a donation application unless a written  
21 amendment is issued.

22 4. A donation application shall be publicly received at the time  
23 and place designated in the request for donation application. The name of  
24 each applicant shall be publicly read and recorded. All other information  
25 in the donation application is confidential during the process of  
26 evaluation. All applications shall be open for public inspection after  
27 donations are awarded. To the extent the applicant designates and the  
28 state concurs, trade secrets and other proprietary information contained  
29 in the application shall remain confidential.

30 5. An application shall be evaluated by at least three evaluators  
31 who are peers or other qualified individuals. The evaluators may allow an  
32 applicant to make an oral or written presentation regarding the scope of  
33 work, terms and conditions of the donations, budget and other relevant  
34 matters set forth in the request for application. An applicant shall be  
35 accorded fair treatment with respect to any opportunity for oral or  
36 written presentations. The evaluators may require an applicant to revise  
37 the application to reflect information provided in an oral or written  
38 presentation. Any person who has information contained in the application  
39 of competing applicants shall not disclose that information.

40 6. The evaluators shall review each application based solely on the  
41 evaluation criteria or factors set forth in the request for donation  
42 application. Each evaluator shall maintain a written record of the  
43 evaluator's assessment of each application, which shall include comments  
44 regarding compliance with each evaluation criteria or factor, the citation  
45 of a specific criteria or factor as the basis of each stated strength or

1 weakness and a clear differentiation between comments based on facts  
2 presented in the application and comments based on professional judgment.

3 7. The evaluators shall make award recommendations to the director  
4 of the ~~division for children in the~~ governor's office OF YOUTH, FAITH AND  
5 FAMILY based on the evaluators' reviews of each application. The  
6 evaluators' recommendations may include the adjustment of the budgets of  
7 the applicants individually or collectively.

8 8. The director of the ~~division for children in the~~ governor's  
9 office OF YOUTH, FAITH AND FAMILY may affirm, modify or reject the  
10 evaluators' recommendations in whole or in part. Modification of the  
11 evaluators' recommendations may include the adjustment of the budget on  
12 any proposed award individually or on all awards by an amount or  
13 percentage. If the director of the division modifies or rejects the  
14 recommendations, the director shall document in writing the specific  
15 justifications for the action taken.

16 9. The director of the ~~division for children in the~~ governor's  
17 office OF YOUTH, FAITH AND FAMILY may enter into agreements with other  
18 state governmental units to furnish assistance in conducting the  
19 solicitation of donation applications.

20 10. The director of the ~~division for children in the~~ governor's  
21 office OF YOUTH, FAITH AND FAMILY may resolve protests of the award or  
22 proposed award of a donation. An appeal from a decision of the director  
23 of the ~~division for children in the~~ governor's office OF YOUTH, FAITH AND  
24 FAMILY may be made to the director of the department of administration. A  
25 protest of an award or proposed award of a donation and any appeals shall  
26 be resolved in accordance with the rules of procedure adopted by the  
27 department of administration pursuant to section 41-2611.

28 F. On or before December 31 of each year, the director of the  
29 ~~division for children in the~~ governor's office OF YOUTH, FAITH AND FAMILY  
30 shall submit a written report to the governor, the president of the senate  
31 and the speaker of the house of representatives on all expenditures made  
32 from the fund in that calendar year. The report shall include all  
33 administrative expenses, all grants of monies, the names of grantees and  
34 any remaining balance in the fund. The director shall provide a copy of  
35 the report to the secretary of state and the director of the Arizona state  
36 library, archives and public records.

37 G. The director of the ~~division for children in the~~ governor's  
38 office OF YOUTH, FAITH AND FAMILY shall make available to the public a  
39 list of all grants awarded pursuant to this section.

40 H. For the purposes of this section, ~~unless the context otherwise~~  
41 ~~requires:~~

42 1. "Donation" means furnishing financial or other assistance,  
43 including state ~~funds~~ MONIES or federal grant ~~funds~~ MONIES, by the  
44 director of the ~~division for children in the~~ governor's office OF YOUTH,  
45 FAITH AND FAMILY to any person for the purpose of supporting or

1 stimulating primary prevention programs that strengthen families and that  
2 increase public and professional awareness to prevent child abuse in all  
3 its forms to children of this state if no substantial involvement between  
4 the ~~division for children~~ GOVERNOR'S OFFICE OF YOUTH, FAITH AND FAMILY and  
5 the recipient occurs during performance.

6 2. "Person" means any corporation, business, individual, committee,  
7 club or other organization or group of individuals.

8 Sec. 10. Effective date

9 Except as provided in section 11 of this act, this act is effective  
10 from and after September 30, 2019.

11 Sec. 11. Conditional enactment

12 Section 28-6991, Arizona Revised Statutes, as amended by Laws 2018,  
13 chapter 248, section 1, chapter 298, section 7, chapter 307, section 7 and  
14 chapter 308, section 3 and this act, becomes effective on the date  
15 prescribed by Laws 2018, chapter 298, section 12 but only on the  
16 occurrence of the condition prescribed by Laws 2018, chapter 298,  
17 section 12 and not before from and after September 30, 2019.

APPROVED BY THE GOVERNOR MAY 27, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 27, 2019.