

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

CHAPTER 279
SENATE BILL 1220

AN ACT

AMENDING SECTION 10-130, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 119, SECTION 1; REPEALING SECTION 10-130, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 168, SECTION 2; AMENDING SECTION 12-114, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 312, SECTION 1; REPEALING SECTION 12-114, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 322, SECTION 1; REPEALING SECTION 15-341, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 329, SECTION 1; AMENDING SECTION 15-392, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2010, CHAPTER 17, SECTION 5; REPEALING SECTION 15-392, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 311, SECTION 6; AMENDING SECTION 15-1655, ARIZONA REVISED STATUTES, AS ADDED BY LAWS 2017, CHAPTER 310, SECTION 5; REPEALING SECTION 15-1655, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 281, SECTION 3; AMENDING SECTION 28-960, ARIZONA REVISED STATUTES, AS ADDED BY LAWS 1996, CHAPTER 76, SECTION 18; REPEALING SECTION 28-960, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 260, SECTION 6; AMENDING SECTION 28-2356, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 260, SECTION 16; REPEALING SECTION 28-2356, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 166, SECTION 8; REPEALING LAWS 2008, CHAPTER 243, SECTION 6, AS AMENDED BY LAWS 2012, CHAPTER 281, SECTION 2 AND LAWS 2018, CHAPTER 258, SECTION 3; AMENDING LAWS 2018, CHAPTER 42, SECTION 16; RELATING TO MULTIPLE, DEFECTIVE AND CONFLICTING LEGISLATIVE DISPOSITION 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 10-130, Arizona Revised Statutes, was amended by Laws
4 2018, chapter 119, section 1 and chapter 168, section 2. The chapter 168
5 version could not be blended because of the delayed effective date. In
6 order to combine these versions, this act amends the Laws 2018, chapter
7 119 version of section 10-130, Arizona Revised Statutes, to incorporate
8 the amendments made by Laws 2018, chapter 168 and repeals the chapter 168
9 version.

10 2. Section 12-114, Arizona Revised Statutes, was amended by Laws
11 2018, chapter 312, section 1 and chapter 322, section 1. The chapter 322
12 version could not be blended because of the delayed effective date. In
13 order to combine these versions, this act amends the Laws 2018, chapter
14 312 version of section 12-114, Arizona Revised Statutes, to incorporate
15 the amendments made by Laws 2018, chapter 322 and repeals the chapter 322
16 version.

17 3. Section 15-341, Arizona Revised Statutes, was amended by Laws
18 2018, chapter 285, section 8, chapter 292, section 2 and chapter 329,
19 section 1. However, the chapter 329 version did not reflect the previous
20 valid version of the section. In order to comply with article IV, part 2,
21 section 14, Constitution of Arizona, this act repeals the chapter 329
22 version since all the changes made by the chapter 329 version were
23 included in the chapter 292 version.

24 4. Section 15-392, Arizona Revised Statutes, was amended by Laws
25 2018, chapter 311, section 6. However, this version did not reflect the
26 previous valid version of the section. In order to comply with article
27 IV, part 2, section 14, Constitution of Arizona, this act amends section
28 15-392, Arizona Revised Statutes, as amended by Laws 2010, chapter 17,
29 section 5, to incorporate the amendments made by Laws 2018, chapter 311
30 and repeals the chapter 311 version.

31 5. Section 15-1655, Arizona Revised Statutes, was amended by Laws
32 2018, chapter 281, section 3. However, this version did not reflect the
33 previous valid version of the section. In order to comply with article
34 IV, part 2, section 14, Constitution of Arizona, this act amends section
35 15-1655, Arizona Revised Statutes, as added by Laws 2017, chapter 310,
36 section 5, to incorporate the amendments made by Laws 2018, chapter 281
37 and repeals the chapter 281 version.

38 6. Section 28-960, Arizona Revised Statutes, was amended by Laws
39 2018, chapter 260, section 6. However, this version did not reflect the
40 previous valid version of the section. In order to comply with article
41 IV, part 2, section 14, Constitution of Arizona, this act amends section
42 28-960, Arizona Revised Statutes, as added by Laws 1996, chapter 76,
43 section 18, to incorporate the amendments made by Laws 2018, chapter 260
44 and repeals the chapter 260 version.

1 7. Section 28-2356, Arizona Revised Statutes, was amended by Laws
2 2018, chapter 166, section 8 and chapter 260, section 16. The chapter 166
3 version could not be blended because of the delayed effective date. In
4 order to combine these versions, this act amends the Laws 2018, chapter
5 260 version of section 28-2356, Arizona Revised Statutes, to incorporate
6 the amendments made by Laws 2018, chapter 166 and repeals the chapter 166
7 version.

8 8. Laws 2018, chapter 199, section 3 and Laws 2018, chapter 258,
9 section 3 both amended Laws 2008, chapter 243, section 6, as amended by
10 Laws 2012, chapter 281, section 2. The chapter 199 and chapter 258
11 versions are identical. In order to eliminate the double amendment
12 activity, this act repeals Laws 2008, chapter 243, section 6, as amended
13 by Laws 2012, chapter 281, section 2 and Laws 2018, chapter 258,
14 section 3.

15 9. Laws 2018, chapter 42, section 16 referred to the conditional
16 enactment of Laws 2017, chapter 163, section 24. However, Laws 2017,
17 chapter 163, section 24 was amended by Laws 2018, chapter 140, section 3.
18 In order to reference the correct enactment, this act amends Laws 2018,
19 chapter 42, section 16 to correct the reference to Laws 2017, chapter 163,
20 section 24, as amended by Laws 2018, chapter 140, section 3.

21 Sec. 2. Section 10-130, Arizona Revised Statutes, as amended by
22 Laws 2018, chapter 119, section 1, is amended to read:

23 10-130. Powers; duties; database

24 A. The commission has the power and authority reasonably necessary
25 to enable it to administer this title efficiently and to perform the
26 duties imposed on it by this title, including the power and authority to
27 make rules for those purposes.

28 B. The commission shall establish and maintain a database for
29 documents filed pursuant to sections 10-203, 10-1006, 10-1007, 10-1008,
30 10-1105, 10-1403, 10-1503, 10-1520, 10-2077, 10-2143, 10-3203, 10-11006,
31 10-11007, 10-11008, 10-11105, 10-11403, 10-11503, 10-11520, 29-633,
32 29-635, ~~and~~ 29-754, 29-3201, 29-3202 AND 29-4005. The database shall only
33 include documents that are filed for ~~an entity~~ A CORPORATION with a known
34 place of business that is located in a county with a population of more
35 than eight hundred thousand persons AND FOR A LIMITED LIABILITY COMPANY
36 WHOSE STATUTORY AGENT'S STREET ADDRESS IS LOCATED IN A COUNTY WITH A
37 POPULATION OF MORE THAN EIGHT HUNDRED THOUSAND PERSONS. The commission
38 shall post the database on its website to allow the public to search for
39 business information, including an entity's name, approval date and county
40 of the known place of business. The information must be maintained in the
41 database for at least ninety days. The commission may not charge a fee to
42 any entity for information entered into the database pursuant to this
43 subsection.

1 Sec. 3. Repeal
2 Section 10-130, Arizona Revised Statutes, as amended by Laws 2018,
3 chapter 168, section 2, is repealed.

4 Sec. 4. Section 12-114, Arizona Revised Statutes, as amended by
5 Laws 2018, chapter 312, section 1, is amended to read:

6 12-114. Surcharge on court authorized diversion programs for
7 traffic offenses; deposit

8 A. If a court authorizes individuals charged with civil or criminal
9 traffic offenses to attend a court authorized diversion program, including
10 a defensive driving school program, it shall require the assessment of a
11 nine dollar surcharge on the fees charged by the court authorized
12 diversion programs. **THE SURCHARGE APPLIES TO EVERY INDIVIDUAL WHO ATTENDS**
13 **A COURT AUTHORIZED DIVERSION PROGRAM, INCLUDING AN INDIVIDUAL WHO HOLDS A**
14 **COMMERCIAL DRIVER LICENSE.**

15 B. A court or a court authorized diversion program shall collect
16 the nine dollar surcharge and remit the surcharge to the supreme court
17 which shall deposit, pursuant to sections 35-146 and 35-147, five dollars
18 of the surcharge in the judicial collection enhancement fund and the
19 remaining four dollars in the peace officer training equipment fund
20 established by section 41-1731.

21 Sec. 5. Repeal
22 Section 12-114, Arizona Revised Statutes, as amended by Laws 2018,
23 chapter 322, section 1, is repealed.

24 Sec. 6. Repeal
25 Section 15-341, Arizona Revised Statutes, as amended by Laws 2018,
26 chapter 329, section 1, is repealed.

27 Sec. 7. Section 15-392, Arizona Revised Statutes, as amended by
28 Laws 2010, chapter 17, section 5, is amended to read:

29 15-392. Formation of career technical education districts

30 A. Notwithstanding any other provision of law, **SCHOOL** districts
31 **THAT ARE** interested in forming a **joint CAREER** technical education district
32 shall conduct a study to determine the need to establish a **joint CAREER**
33 technical education district in an area consisting of two or more school
34 districts. The **SCHOOL** districts shall also initiate a plan for the
35 establishment and operation of the **joint CAREER TECHNICAL EDUCATION**
36 district, which shall include a proposed budget based on a reasonable
37 estimate of student enrollment in the new **joint CAREER TECHNICAL EDUCATION**
38 district. Any school district may assist in the preparation and payment
39 of costs of the study and plan. The **SCHOOL** districts shall file a copy of
40 the plan with the governing board of each school district included in the
41 plan for the **joint CAREER TECHNICAL EDUCATION** district. The **SCHOOL**
42 districts shall submit the results of the study and the plan, along with
43 evidence of approval by the governing board of each school district
44 included in the selected plan for the **joint CAREER TECHNICAL EDUCATION**
45 district, to the state board of education.

1 B. If the state board of education determines that the plan
2 submitted for the proposed ~~joint~~ CAREER TECHNICAL EDUCATION district has
3 met the requirements of this section, the question shall be submitted to
4 the qualified electors of the SCHOOL district seeking to become a part of
5 the ~~joint~~ CAREER TECHNICAL EDUCATION district at an election held on the
6 first Tuesday after the first Monday in November. The question that is
7 submitted to the qualified electors must describe the tax rate that is
8 associated with joining the ~~joint~~ CAREER TECHNICAL EDUCATION district and
9 the estimated cost of that tax rate for the owner of a single family home
10 that is valued at one hundred thousand dollars. If the electors in a
11 SCHOOL district approve, that SCHOOL district is authorized to participate
12 in a ~~joint~~ CAREER technical education district. The ~~joint~~ CAREER
13 TECHNICAL EDUCATION district shall become operational on July 1 following
14 the election held pursuant to this subsection, except as provided in
15 subsection D of this section.

16 C. The governing boards of the school districts participating in
17 the ~~joint~~ CAREER TECHNICAL EDUCATION district may pay on a proportional
18 basis the administrative, clerical and other expenses necessary for the
19 establishment and operation of the ~~joint~~ CAREER TECHNICAL EDUCATION
20 district until monies are otherwise provided.

21 D. A ~~joint~~ CAREER technical education district after receiving
22 voter approval as provided in subsection B of this section shall be
23 governed by a ~~joint~~ CAREER TECHNICAL EDUCATION board consisting of members
24 elected pursuant to section 15-393, except that the initial composition of
25 the ~~joint~~ CAREER TECHNICAL EDUCATION board shall consist of one person who
26 is not currently a board member of any school district and who is
27 appointed by the governing board of each district participating in the
28 ~~joint~~ CAREER technical education district. The terms of office of the
29 ~~joint~~ CAREER TECHNICAL EDUCATION board members shall become effective on
30 January 1 following the election held pursuant to subsection B of this
31 section. ~~upon~~ ON the effective date of the term of office for ~~joint~~
32 CAREER TECHNICAL EDUCATION board members, the ~~joint~~ CAREER TECHNICAL
33 EDUCATION board may begin necessary operations and activities related to
34 making the district operational pursuant to subsection B of this section.
35 If ~~less~~ FEWER than five SCHOOL districts are participating in the ~~joint~~
36 CAREER TECHNICAL EDUCATION district, the initial composition of the ~~joint~~
37 CAREER TECHNICAL EDUCATION board shall consist of two persons who are not
38 currently board members of any school district and who are appointed by
39 each participating SCHOOL district's governing board. The appointed
40 members shall serve until January 1 following the next general election.
41 At the general election held next following the formation of the ~~joint~~
42 CAREER TECHNICAL EDUCATION district and thereafter, ~~joint~~ CAREER TECHNICAL
43 EDUCATION board members shall be elected as prescribed in section 15-393.

1 Sec. 8. Repeal

2 Section 15-392, Arizona Revised Statutes, as amended by Laws 2018,
3 chapter 311, section 6, is repealed.

4 Sec. 9. Section 15-1655, Arizona Revised Statutes, as added by Laws
5 2017, chapter 310, section 5, is amended to read:

6 15-1655. Arizona teacher academy; tuition waiver; annual report

7 A. ~~For the 2017-2018 academic year,~~ Universities under the
8 jurisdiction of the Arizona board of regents shall implement an Arizona
9 teacher academy to incentivize Arizona resident students to enter the
10 teaching profession and to commit to teach in Arizona public schools. The
11 Arizona board of regents, in consultation with universities under the
12 jurisdiction of the board, shall develop:

13 1. Metrics to assess the efficacy of the academy.

14 2. A marketing and promotion plan to recruit students for the
15 academy.

16 B. The Arizona teacher academy may include new or existing teacher
17 preparation program pathways that are student-focused and that employ
18 proven, research-based models of best practices already being implemented.
19 Each university may develop a portfolio of teacher preparation programs to
20 offer as part of the academy. Programs offered as part of the academy
21 shall include accelerated models for:

22 1. High-demand teacher specializations, including science,
23 technology, engineering and mathematics.

24 2. Individuals seeking postbaccalaureate coursework that results in
25 professional certification.

26 C. Each university shall develop formalized partnerships with
27 public schools in this state to build commitments for teacher employment
28 on completion of the Arizona teacher academy. The targeted deployment of
29 teachers who have completed the academy shall be based on the needs of
30 each school system and the community that is being served as well as the
31 individual skills of each teacher.

32 D. Each university shall provide **TO** each full-time student **WHO IS**
33 enrolled in the Arizona teacher academy an annual waiver for all tuition
34 and fees associated with the student's program of study, subject to the
35 following:

36 1. If the student does not successfully complete the academic year
37 in good academic standing, the student shall reimburse the university for
38 the total amount of the waiver for tuition and fees the student received
39 for that year.

40 2. For each academic year that the student successfully completes
41 and for which the student receives a waiver for all tuition and fees, the
42 student must agree to teach for one full school year in a public school in
43 this state.

44 3. If the student does not fulfill the student's agreement to teach
45 in a public school, the student must reimburse the university for the

1 proportional amount of the waiver for tuition and fees that the student
2 received that corresponds to the number of school years the student agreed
3 to teach but did not teach in a public school in this state.

4 4. If the student is physically or mentally unable to fulfill the
5 requirements of the academy, the university shall assess the student's
6 ability to repay the financial assistance received and shall make a
7 determination on any terms of repayment.

8 E. On or before July 1, 2018 and each year thereafter, the Arizona
9 board of regents shall report to the governor, the president of the senate
10 and the speaker of the house of representatives, and submit a copy to the
11 secretary of state, on all of the following:

12 1. The total number of students enrolled in the Arizona teacher
13 academy of each university.

14 2. The percentage of students who completed each year of the
15 academy and who plan to continue to the subsequent year, delineated by
16 each teacher preparation program offered by each university as part of the
17 Arizona teacher academy.

18 3. The number of teachers who completed a program of study through
19 the Arizona teacher academy.

20 4. The number of teachers currently teaching in a public school in
21 this state as part of an agreement for receiving a full tuition and fee
22 waiver.

23 5. The number of students who have defaulted on their agreement and
24 who are in repayment agreements.

25 Sec. 10. Repeal

26 Section 15-1655, Arizona Revised Statutes, as amended by Laws 2018,
27 chapter 281, section 3, is repealed.

28 Sec. 11. Section 28-960, Arizona Revised Statutes, as added by Laws
29 1996, chapter 76, section 18, is amended to read:

30 28-960. Flares; warning devices; requirements

31 A. Except as provided in subsection B OF THIS SECTION, a person
32 shall not operate a motor truck, passenger bus or truck tractor on a
33 highway outside the corporate limits of a city or town from a half hour
34 after sunset to a half hour before sunrise unless the following equipment
35 is carried in the vehicle:

36 1. At least three flares or three red electric lanterns that comply
37 with the following:

38 (a) Each flare or lantern is capable of being seen and
39 distinguished at a distance of five hundred feet under normal atmospheric
40 conditions at nighttime.

41 (b) Each flare or liquid-burning pot torch is capable of burning
42 for at least twelve hours in five miles per hour wind velocity and capable
43 of burning in any air velocity from zero to forty miles per hour.

44 (c) Each flare is substantially constructed to withstand reasonable
45 shocks without leaking.

1 (d) Each flare is carried in the vehicle in a metal rack or box.

2 (e) Each red electric lantern is capable of operating continuously
3 for at least twelve hours and is substantially constructed to withstand
4 reasonable shock without breakage.

5 2. At least three red-burning fusees, unless red electric lanterns
6 are carried, that are:

7 (a) Made in accordance with specifications of the bureau of
8 explosives, 30 Vesey Street, New York City and so marked.

9 (b) Capable of burning at least fifteen minutes.

10 3. At least two red cloth flags that are at least twelve inches
11 square and have standards to support the flags.

12 B. At the time and under the conditions stated in subsection A OF
13 THIS SECTION, a person shall not operate a motor vehicle used in
14 transporting flammable liquids in bulk or transporting compressed
15 flammable gases, unless three red electric lanterns meeting the
16 requirements stated in subsection A OF THIS SECTION are carried in the
17 vehicle. A flare, fusee or signal produced by a flame shall not be
18 carried in a vehicle described in this subsection.

19 C. A person is in compliance with this section if the person
20 operates a motor vehicle described in this section and carries in the
21 vehicle three portable reflector units ~~on standards and of a type approved~~
22 ~~by the department. The department shall not approve a portable reflector~~
23 ~~unit unless it is~~ THAT ARE designed and constructed to meet the
24 requirements of 49 Code of Federal Regulations section 571.125.

25 Sec. 12. Repeal

26 Section 28-960, Arizona Revised Statutes, as amended by Laws 2018,
27 chapter 260, section 6, is repealed.

28 Sec. 13. Section 28-2356, Arizona Revised Statutes, as amended by
29 Laws 2018, chapter 260, section 16, is amended to read:

30 28-2356. Transfer of license plates to another vehicle;
31 credit

32 A. Except as otherwise provided in this chapter, the owner of a
33 vehicle for which the department provided license plates pursuant to
34 section 28-2351 shall retain those license plates when the owner transfers
35 the vehicle to another person.

36 B. The owner may apply for ~~a refund or~~ a credit THAT IS POSTED TO
37 THE OWNER'S RECORD OR FINANCIAL ACCOUNT of the unexpired portion of the
38 VEHICLE LICENSE TAXES, GROSS WEIGHT FEES, COMMERCIAL REGISTRATION FEES,
39 SPECIAL PLATE FEES AND MOTOR CARRIER fees ~~and taxes~~ as prescribed in this
40 section if both of the following apply:

41 1. The owner makes proper application to the director or to an
42 authorized third party.

43 2. The owner agrees to allow the department to deduct a twelve
44 dollar processing fee from the amount of the ~~refund or~~ credit.

1 ~~C. If the owner applies for a credit as prescribed in this section,~~
2 ~~the department may assign the license plates retained pursuant to~~
3 ~~subsection A of this section to another vehicle that belongs to the owner~~
4 ~~if all of the following apply:~~

5 ~~1. The other vehicle is of the same vehicle type.~~
6 ~~2. The owner is applying the available credit for the fees and~~
7 ~~taxes to one other vehicle the owner owns or acquires.~~

8 ~~3. If the available credit exceeds the amount required to pay the~~
9 ~~fees and taxes, the department issues a refund for the remaining amount of~~
10 ~~credit as prescribed in this section. The department shall not charge an~~
11 ~~additional twelve dollar fee pursuant to subsection B of this section for~~
12 ~~issuing a refund under this paragraph.~~

13 ~~4. If the vehicle license tax, gross weight fees, commercial~~
14 ~~registration fees, special plate fees and motor carrier fees are more than~~
15 ~~the similar fees and taxes required to register the vehicle to which the~~
16 ~~license plates were previously assigned, the owner pays any additional~~
17 ~~fees and taxes required after subtracting any credit allowed under this~~
18 ~~section.~~

19 ~~D.~~ C. If the other vehicle is not of the same vehicle type as the
20 vehicle for which the license plates were provided by the department
21 pursuant to section 28-2351, the owner shall either surrender the license
22 plates to the department or an authorized third party or submit an
23 affidavit of license plate destruction as prescribed by the director. On
24 surrender of the license plates or submission of an affidavit of license
25 plate destruction, the department shall provide new license plates of the
26 proper vehicle type to the owner ~~and credit the owner with an amount equal~~
27 ~~to the unexpended portion of the fees and taxes originally paid by the~~
28 ~~owner for registration and license plates toward fees and taxes charged~~
29 ~~for the registration and license plates of the appropriate new vehicle~~
30 ~~type.~~

31 ~~E.~~ D. The owner of a registered vehicle who transfers license
32 plates to another vehicle or who claims a ~~refund~~ CREDIT pursuant to this
33 section is entitled to a credit ~~or a refund~~ for the unexpired portion of
34 the fees and taxes paid as required by law in accordance with the
35 following conditions:

36 1. The fees and taxes are prorated on a monthly basis beginning on
37 the first day of the registration month following the date of acquisition
38 of the vehicle.

39 2. The credit ~~or refund~~ shall be an amount computed as follows:
40 ~~(a) If the vehicle is registered on an annual basis, one-twelfth~~
41 ~~for each full month of the registration period not yet expired.~~

42 ~~(b) If the vehicle is registered on a biennial basis pursuant to~~
43 ~~section 28-2159, one-twenty-fourth for each full month of the registration~~
44 ~~period not yet expired.~~

1 (a) FOR EACH FULL MONTH REMAINING IN THE REGISTRATION CYCLE, THE
2 RECORD OR FINANCIAL ACCOUNT CREDIT SHALL BE PRORATED USING THE ASSESSED
3 VALUE OF THE VEHICLE FOR THE YEAR THAT THE FULL MONTH IS IN.

4 ~~(c)~~ (b) If the vehicle is permanently registered,
5 one-twenty-fourth for each full month after acquisition of the vehicle to
6 the twenty-fourth month after the date of initial permanent registration
7 of the vehicle.

8 ~~F.~~ E. If the owner of a registered vehicle transfers the vehicle
9 to another person but does not ~~transfer the license plates to another~~
10 ~~vehicle, surrender the license plates to the department or an authorized~~
11 ~~third party or submit an affidavit of license plate destruction~~ APPLY FOR
12 A CREDIT within thirty days of the transfer as required by section
13 28-2058, the unexpired portion of the fees and taxes shall decrease
14 pursuant to subsection E of this section until the owner ~~either surrenders~~
15 ~~the license plates to the department or an authorized third party or~~
16 ~~submits an affidavit of license plate destruction~~ APPLIES FOR THE CREDIT.

17 ~~G.~~ Except as provided in subsection C of this section, an owner of
18 a registered vehicle who transfers the vehicle to another person and
19 either surrenders the license plates to the department or an authorized
20 third party or submits an affidavit of license plate destruction may apply
21 to the department for a refund of the unexpired portion of the fees and
22 taxes paid if the owner does not claim a credit pursuant to this section
23 and the refundable amount calculated pursuant to subsection D of this
24 section exceeds the twelve dollar fee prescribed in subsection B of this
25 section. If the department determines that the owner is entitled to a
26 refund, the department shall send the refund by first class mail to the
27 address provided by the owner claiming the refund or, if no address is
28 provided, to the latest address listed on the department's records for the
29 owner claiming the refund.

30 ~~H.~~ F. An owner who transfers license plates to another vehicle
31 pursuant to this section is subject to the same penalties for the use of
32 the license plates on another vehicle or for improper use of the license
33 plates as the owner would have been subject to for use of the license
34 plates on the vehicle to which the plates were previously assigned.

35 ~~I.~~ G. The owner of a vehicle registered in this state is not
36 entitled to a credit ~~or a refund~~ pursuant to this section if the vehicle
37 is registered in another state unless the owner is applying the credit
38 pursuant to this section to another vehicle the owner owns or acquires for
39 registration in this state.

40 Sec. 14. Repeal

41 Section 28-2356, Arizona Revised Statutes, as amended by Laws 2018,
42 chapter 166, section 8, is repealed.

43 Sec. 15. Repeal

44 Laws 2008, chapter 243, section 6, as amended by Laws 2012, chapter
45 281, section 2 and Laws 2018, chapter 258, section 3, is repealed.

1 Sec. 16. Laws 2018, chapter 42, section 16 is amended to read:

2 Sec. 16. Conditional enactment

3 Section 38-885.01, Arizona Revised Statutes, as amended by Laws
4 2017, chapter 163, section 14 and this act, becomes effective on the date
5 prescribed by Laws 2017, chapter 163, section 24, [AS AMENDED BY LAWS 2018,](#)
6 [CHAPTER 140, SECTION 3](#), but only on the occurrence of the condition
7 prescribed by Laws 2017, chapter 163, section 24, [AS AMENDED BY LAWS 2018,](#)
8 [CHAPTER 140, SECTION 3](#).

9 Sec. 17. Retroactivity

10 Sections 6, 7, 8, 9, 10, 11, 12, 15 and 16 of this act apply
11 retroactively to from and after August 2, 2018.

12 Sec. 18. Effective date

13 Sections 2, 3, 4, 5, 13 and 14 of this act are effective from and
14 after August 31, 2019.

APPROVED BY THE GOVERNOR JUNE 6, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 6, 2019.