

REFERENCE TITLE: reviser's technical corrections; 2019

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

## **SB 1220**

Introduced by  
Senator Fann

### 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; AMENDING SECTION 33-1228, ARIZONA REVISED STATUTES, AS ADDED BY LAWS 1985, CHAPTER 192, SECTION 3; REPEALING SECTION 33-1228, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 235, SECTION 1; AMENDING SECTION 41-619.51, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 46, SECTION 3 AND CHAPTER 296, SECTION 12;

REPEALING SECTION 41-619.51, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 287, SECTION 3; AMENDING SECTION 41-1758, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 46, SECTION 4 AND CHAPTER 296, SECTION 13; REPEALING SECTION 41-1758, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 287, SECTION 4; AMENDING SECTION 41-1758.01, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 46, SECTION 5 AND CHAPTER 296, SECTION 14; REPEALING SECTION 41-1758.01, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2018, CHAPTER 287, SECTION 5; 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. Section 33-1228, Arizona Revised Statutes, was amended by Laws  
9 2018, chapter 235, section 1. However, this version did not reflect the  
10 previous valid version of the section. In order to comply with article  
11 IV, part 2, section 14, Constitution of Arizona, this act amends section  
12 33-1228, Arizona Revised Statutes, as added by Laws 1985, chapter 192,  
13 section 3, to incorporate the amendments made by Laws 2018, chapter 235  
14 and repeals the chapter 235 version.

15           9. Section 41-619.51, Arizona Revised Statutes, was amended by Laws  
16 2018, chapter 46, section 3, chapter 287, section 3 and chapter 296,  
17 section 12. The chapter 287 version could not be blended because of the  
18 delayed effective date. In order to combine these versions, this act  
19 amends the Laws 2018, chapter 46 and chapter 296 version of section  
20 41-619.51, Arizona Revised Statutes, to incorporate the amendments made by  
21 Laws 2018, chapter 287 and repeals the chapter 287 version.

22           10. Section 41-1758, Arizona Revised Statutes, was amended by Laws  
23 2018, chapter 46, section 4, chapter 287, section 4 and chapter 296,  
24 section 13. The chapter 287 version could not be blended because of the  
25 delayed effective date. In order to combine these versions, this act  
26 amends the Laws 2018, chapter 46 and chapter 296 version of section  
27 41-1758, Arizona Revised Statutes, to incorporate the amendments made by  
28 Laws 2018, chapter 287 and repeals the chapter 287 version.

29           11. Section 41-1758.01, Arizona Revised Statutes, was amended by  
30 Laws 2018, chapter 46, section 5, chapter 287, section 5 and chapter 296,  
31 section 14. The chapter 287 version could not be blended because of the  
32 delayed effective date. In order to combine these versions, this act  
33 amends the Laws 2018, chapter 46 and chapter 296 version of section  
34 41-1758.01, Arizona Revised Statutes, to incorporate the amendments made  
35 by Laws 2018, chapter 287 and repeals the chapter 287 version.

36           12. Laws 2018, chapter 199, section 3 and Laws 2018, chapter 258,  
37 section 3 both amended Laws 2008, chapter 243, section 6, as amended by  
38 Laws 2012, chapter 281, section 2. The chapter 199 and chapter 258  
39 versions are identical. In order to eliminate the double amendment  
40 activity, this act repeals Laws 2008, chapter 243, section 6, as amended  
41 by Laws 2012, chapter 281, section 2 and Laws 2018, chapter 258,  
42 section 3.

43           13. Laws 2018, chapter 42, section 16 referred to the conditional  
44 enactment of Laws 2017, chapter 163, section 24. However, Laws 2017,  
45 chapter 163, section 24 was amended by Laws 2018, chapter 140, section 3.

1 In order to reference the correct enactment, this act amends Laws 2018,  
2 chapter 42, section 16 to correct the reference to Laws 2017, chapter 163,  
3 section 24, as amended by Laws 2018, chapter 140, section 3.

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

6 10-130. Powers; duties; database

7 A. The commission has the power and authority reasonably necessary  
8 to enable it to administer this title efficiently and to perform the  
9 duties imposed on it by this title, including the power and authority to  
10 make rules for those purposes.

11 B. The commission shall establish and maintain a database for  
12 documents filed pursuant to sections 10-203, 10-1006, 10-1007, 10-1008,  
13 10-1105, 10-1403, 10-1503, 10-1520, 10-2077, 10-2143, 10-3203, 10-11006,  
14 10-11007, 10-11008, 10-11105, 10-11403, 10-11503, 10-11520, 29-633,  
15 29-635, ~~and~~ 29-754, 29-3201, 29-3202 AND 29-4005. The database shall only  
16 include documents that are filed for ~~an entity~~ A CORPORATION with a known  
17 place of business that is located in a county with a population of more  
18 than eight hundred thousand persons AND FOR A LIMITED LIABILITY COMPANY  
19 WHOSE STATUTORY AGENT'S STREET ADDRESS IS LOCATED IN A COUNTY WITH A  
20 POPULATION OF MORE THAN EIGHT HUNDRED THOUSAND PERSONS. The commission  
21 shall post the database on its website to allow the public to search for  
22 business information, including an entity's name, approval date and county  
23 of the known place of business. The information must be maintained in the  
24 database for at least ninety days. The commission may not charge a fee to  
25 any entity for information entered into the database pursuant to this  
26 subsection.

27 Sec. 3. Repeal

28 Section 10-130, Arizona Revised Statutes, as amended by Laws 2018,  
29 chapter 168, section 2, is repealed.

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

32 12-114. Surcharge on court authorized diversion programs for  
33 traffic offenses; deposit

34 A. If a court authorizes individuals charged with civil or criminal  
35 traffic offenses to attend a court authorized diversion program, including  
36 a defensive driving school program, it shall require the assessment of a  
37 nine dollar surcharge on the fees charged by the court authorized  
38 diversion programs. THE SURCHARGE APPLIES TO EVERY INDIVIDUAL WHO ATTENDS  
39 A COURT AUTHORIZED DIVERSION PROGRAM, INCLUDING AN INDIVIDUAL WHO HOLDS A  
40 COMMERCIAL DRIVER LICENSE.

41 B. A court or a court authorized diversion program shall collect  
42 the nine dollar surcharge and remit the surcharge to the supreme court  
43 which shall deposit, pursuant to sections 35-146 and 35-147, five dollars  
44 of the surcharge in the judicial collection enhancement fund and the

1 remaining four dollars in the peace officer training equipment fund  
2 established by section 41-1731.

3 Sec. 5. Repeal

4 Section 12-114, Arizona Revised Statutes, as amended by Laws 2018,  
5 chapter 322, section 1, is repealed.

6 Sec. 6. Repeal

7 Section 15-341, Arizona Revised Statutes, as amended by Laws 2018,  
8 chapter 329, section 1, is repealed.

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

11 15-392. Formation of career technical education districts

12 A. Notwithstanding any other provision of law, SCHOOL districts  
13 THAT ARE interested in forming a joint CAREER technical education district  
14 shall conduct a study to determine the need to establish a joint CAREER  
15 technical education district in an area consisting of two or more school  
16 districts. The SCHOOL districts shall also initiate a plan for the  
17 establishment and operation of the joint CAREER TECHNICAL EDUCATION  
18 district, which shall include a proposed budget based on a reasonable  
19 estimate of student enrollment in the new joint CAREER TECHNICAL EDUCATION  
20 district. Any school district may assist in the preparation and payment  
21 of costs of the study and plan. The SCHOOL districts shall file a copy of  
22 the plan with the governing board of each school district included in the  
23 plan for the joint CAREER TECHNICAL EDUCATION district. The SCHOOL  
24 districts shall submit the results of the study and the plan, along with  
25 evidence of approval by the governing board of each school district  
26 included in the selected plan for the joint CAREER TECHNICAL EDUCATION  
27 district, to the state board of education.

28 B. If the state board of education determines that the plan  
29 submitted for the proposed joint CAREER TECHNICAL EDUCATION district has  
30 met the requirements of this section, the question shall be submitted to  
31 the qualified electors of the SCHOOL district seeking to become a part of  
32 the joint CAREER TECHNICAL EDUCATION district at an election held on the  
33 first Tuesday after the first Monday in November. The question that is  
34 submitted to the qualified electors must describe the tax rate that is  
35 associated with joining the joint CAREER TECHNICAL EDUCATION district and  
36 the estimated cost of that tax rate for the owner of a single family home  
37 that is valued at one hundred thousand dollars. If the electors in a  
38 SCHOOL district approve, that SCHOOL district is authorized to participate  
39 in a joint CAREER technical education district. The joint CAREER  
40 TECHNICAL EDUCATION district shall become operational on July 1 following  
41 the election held pursuant to this subsection, except as provided in  
42 subsection D of this section.

43 C. The governing boards of the school districts participating in  
44 the joint CAREER TECHNICAL EDUCATION district may pay on a proportional  
45 basis the administrative, clerical and other expenses necessary for the

1 establishment and operation of the ~~joint~~ CAREER TECHNICAL EDUCATION  
2 district until monies are otherwise provided.

3 D. A ~~joint~~ CAREER technical education district after receiving  
4 voter approval as provided in subsection B of this section shall be  
5 governed by a ~~joint~~ CAREER TECHNICAL EDUCATION board consisting of members  
6 elected pursuant to section 15-393, except that the initial composition of  
7 the ~~joint~~ CAREER TECHNICAL EDUCATION board shall consist of one person who  
8 is not currently a board member of any school district and who is  
9 appointed by the governing board of each district participating in the  
10 ~~joint~~ CAREER technical education district. The terms of office of the  
11 ~~joint~~ CAREER TECHNICAL EDUCATION board members shall become effective on  
12 January 1 following the election held pursuant to subsection B of this  
13 section. ~~Upon~~ ON the effective date of the term of office for ~~joint~~  
14 CAREER TECHNICAL EDUCATION board members, the ~~joint~~ CAREER TECHNICAL  
15 EDUCATION board may begin necessary operations and activities related to  
16 making the district operational pursuant to subsection B of this section.  
17 If ~~less~~ FEWER than five SCHOOL districts are participating in the ~~joint~~  
18 CAREER TECHNICAL EDUCATION district, the initial composition of the ~~joint~~  
19 CAREER TECHNICAL EDUCATION board shall consist of two persons who are not  
20 currently board members of any school district and who are appointed by  
21 each participating SCHOOL district's governing board. The appointed  
22 members shall serve until January 1 following the next general election.  
23 At the general election held next following the formation of the ~~joint~~  
24 CAREER TECHNICAL EDUCATION district and thereafter, ~~joint~~ CAREER TECHNICAL  
25 EDUCATION board members shall be elected as prescribed in section 15-393.

26 Sec. 8. Repeal

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

29 Sec. 9. Section 15-1655, Arizona Revised Statutes, as added by Laws  
30 2017, chapter 310, section 5, is amended to read:

31 15-1655. Arizona teacher academy; tuition waiver; annual report

32 A. ~~For the 2017-2018 academic year,~~ Universities under the  
33 jurisdiction of the Arizona board of regents shall implement an Arizona  
34 teacher academy to incentivize Arizona resident students to enter the  
35 teaching profession and to commit to teach in Arizona public schools. The  
36 Arizona board of regents, in consultation with universities under the  
37 jurisdiction of the board, shall develop:

- 38 1. Metrics to assess the efficacy of the academy.
- 39 2. A marketing and promotion plan to recruit students for the  
40 academy.

41 B. The Arizona teacher academy may include new or existing teacher  
42 preparation program pathways that are student-focused and that employ  
43 proven, research-based models of best practices already being implemented.  
44 Each university may develop a portfolio of teacher preparation programs to

1 offer as part of the academy. Programs offered as part of the academy  
2 shall include accelerated models for:

3 1. High-demand teacher specializations, including science,  
4 technology, engineering and mathematics.

5 2. Individuals seeking postbaccalaureate coursework that results in  
6 professional certification.

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

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

17 1. If the student does not successfully complete the academic year  
18 in good academic standing, the student shall reimburse the university for  
19 the total amount of the waiver for tuition and fees the student received  
20 for that year.

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

25 3. If the student does not fulfill the student's agreement to teach  
26 in a public school, the student must reimburse the university for the  
27 proportional amount of the waiver for tuition and fees that the student  
28 received that corresponds to the number of school years the student agreed  
29 to teach but did not teach in a public school in this state.

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

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

38 1. The total number of students enrolled in the Arizona teacher  
39 academy of each university.

40 2. The percentage of students who completed each year of the  
41 academy and who plan to continue to the subsequent year, delineated by  
42 each teacher preparation program offered by each university as part of the  
43 Arizona teacher academy.

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



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

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

6           Sec. 10. Repeal

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

9           Sec. 11. Section 28-960, Arizona Revised Statutes, as added by Laws  
10 1996, chapter 76, section 18, is amended to read:

11           28-960. Flares; warning devices; requirements

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

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

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

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

25           (c) Each flare is substantially constructed to withstand reasonable  
26 shocks without leaking.

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

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

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

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

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

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

38           B. At the time and under the conditions stated in subsection A **OF**  
39 **THIS SECTION**, a person shall not operate a motor vehicle used in  
40 transporting flammable liquids in bulk or transporting compressed  
41 flammable gases, unless three red electric lanterns meeting the  
42 requirements stated in subsection A **OF THIS SECTION** are carried in the  
43 vehicle. A flare, fusee or signal produced by a flame shall not be  
44 carried in a vehicle described in this subsection.

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

7 Sec. 12. Repeal

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

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

12 28-2356. Transfer of license plates to another vehicle;  
13 credit

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

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

23 1. The owner makes proper application to the director or to an  
24 authorized third party.

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

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

31 ~~1. The other vehicle is of the same vehicle type.~~

32 ~~2. The owner is applying the available credit for the fees and~~  
33 ~~taxes to one other vehicle the owner owns or acquires.~~

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

39 ~~4. If the vehicle license tax, gross weight fees, commercial~~  
40 ~~registration fees, special plate fees and motor carrier fees are more than~~  
41 ~~the similar fees and taxes required to register the vehicle to which the~~  
42 ~~license plates were previously assigned, the owner pays any additional~~  
43 ~~fees and taxes required after subtracting any credit allowed under this~~  
44 ~~section.~~

1           ~~D.~~ C. If the other vehicle is not of the same vehicle type as the  
2 vehicle for which the license plates were provided by the department  
3 pursuant to section 28-2351, the owner shall either surrender the license  
4 plates to the department or an authorized third party or submit an  
5 affidavit of license plate destruction as prescribed by the director. On  
6 surrender of the license plates or submission of an affidavit of license  
7 plate destruction, the department shall provide new license plates of the  
8 proper vehicle type to the owner ~~and credit the owner with an amount equal~~  
9 ~~to the unexpended portion of the fees and taxes originally paid by the~~  
10 ~~owner for registration and license plates toward fees and taxes charged~~  
11 ~~for the registration and license plates of the appropriate new vehicle~~  
12 ~~type.~~

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

18           1. The fees and taxes are prorated on a monthly basis beginning on  
19 the first day of the registration month following the date of acquisition  
20 of the vehicle.

21           2. The credit ~~or refund~~ shall be an amount computed as follows:

22           ~~(a) If the vehicle is registered on an annual basis, one-twelfth~~  
23 ~~for each full month of the registration period not yet expired.~~

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

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

30           ~~(c)~~ (b) If the vehicle is permanently registered,  
31 one-twenty-fourth for each full month after acquisition of the vehicle to  
32 the twenty-fourth month after the date of initial permanent registration  
33 of the vehicle.

34           ~~F.~~ E. If the owner of a registered vehicle transfers the vehicle  
35 to another person but does not ~~transfer the license plates to another~~  
36 ~~vehicle, surrender the license plates to the department or an authorized~~  
37 ~~third party or submit an affidavit of license plate destruction~~ APPLY FOR  
38 A CREDIT within thirty days of the transfer as required by section  
39 28-2058, the unexpired portion of the fees and taxes shall decrease  
40 pursuant to subsection E of this section until the owner ~~either surrenders~~  
41 ~~the license plates to the department or an authorized third party or~~  
42 ~~submits an affidavit of license plate destruction~~ APPLIES FOR THE CREDIT.

43           ~~G.~~ Except as provided in subsection C of this section, an owner of  
44 a registered vehicle who transfers the vehicle to another person and  
45 either surrenders the license plates to the department or an authorized

~~1 third party or submits an affidavit of license plate destruction may apply  
2 to the department for a refund of the unexpired portion of the fees and  
3 taxes paid if the owner does not claim a credit pursuant to this section  
4 and the refundable amount calculated pursuant to subsection D of this  
5 section exceeds the twelve dollar fee prescribed in subsection B of this  
6 section. If the department determines that the owner is entitled to a  
7 refund, the department shall send the refund by first class mail to the  
8 address provided by the owner claiming the refund or, if no address is  
9 provided, to the latest address listed on the department's records for the  
10 owner claiming the refund.~~

11 ~~H.~~ F. An owner who transfers license plates to another vehicle  
12 pursuant to this section is subject to the same penalties for the use of  
13 the license plates on another vehicle or for improper use of the license  
14 plates as the owner would have been subject to for use of the license  
15 plates on the vehicle to which the plates were previously assigned.

16 ~~I.~~ G. The owner of a vehicle registered in this state is not  
17 entitled to a credit ~~or a refund~~ pursuant to this section if the vehicle  
18 is registered in another state unless the owner is applying the credit  
19 pursuant to this section to another vehicle the owner owns or acquires for  
20 registration in this state.

21 Sec. 14. Repeal

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

24 Sec. 15. Section 33-1228, Arizona Revised Statutes, as added by  
25 Laws 1985, chapter 192, section 3, is amended to read:

26 33-1228. Termination of condominium

27 A. Except in the case of a taking of all the units by eminent  
28 domain, a condominium may be terminated only by agreement of unit owners  
29 of units to which at least eighty ~~per cent~~ PERCENT of the votes in the  
30 association are allocated, or any larger percentage the declaration  
31 specifies. The declaration may specify a smaller percentage only if all  
32 of the units in the condominium are restricted exclusively to  
33 nonresidential uses.

34 B. An agreement to terminate shall be evidenced by the execution or  
35 ratifications of a termination agreement, in the same manner as a deed, by  
36 the requisite number of unit owners. The termination agreement shall  
37 specify a date after which the agreement will be void unless it is  
38 recorded before that date. A termination agreement and all ratifications  
39 of a termination agreement shall be recorded in each county in which a  
40 portion of the condominium is situated and is effective only on  
41 recordation.

42 C. A termination agreement may provide that all the common elements  
43 and units of the condominium shall be sold following termination. If,  
44 pursuant to the agreement, any real estate in the condominium is to be

1 sold following termination, the termination agreement shall set forth the  
2 minimum terms of the sale.

3 D. The association, on behalf of the unit owners, may contract for  
4 the sale of real estate in the condominium, but the contract is not  
5 binding on the unit owners until approved pursuant to subsections A and B  
6 OF THIS SECTION. If any real estate in the condominium is to be sold  
7 following termination, title to that real estate on termination vests in  
8 the association as trustee for the holders of all interest in the units.  
9 Thereafter, the association has all powers necessary and appropriate to  
10 effect the sale. Until the sale has been concluded and the proceeds of  
11 the sale distributed, the association continues in existence with all  
12 powers it had before termination. Proceeds of the sale shall be  
13 distributed to unit owners and lienholders as their interests may appear,  
14 in proportion to the respective interests of unit owners as provided in  
15 subsection G OF THIS SECTION. Unless otherwise specified in the  
16 termination agreement, as long as the association holds title to the real  
17 estate, each unit owner and ~~his~~ THE UNIT OWNER'S successors in interest  
18 have an exclusive right to occupancy of the portion of the real estate  
19 that formerly constituted ~~his~~ THE UNIT OWNER'S unit. During the period of  
20 that occupancy, each unit owner and ~~his~~ THE successors in interest remain  
21 liable for all assessments and other obligations imposed on unit owners by  
22 this chapter or the declaration.

23 E. If the real estate constituting the condominium is not to be  
24 sold following termination, title to all the real estate in the  
25 condominium vests in the unit owners on termination as tenants in common  
26 in proportion to their respective interests as provided in subsection G OF  
27 THIS SECTION, and liens on the units shift accordingly. While the tenancy  
28 in common exists, each unit owner and ~~his~~ THE UNIT OWNER'S successors in  
29 interest have an exclusive right to occupancy of the portion of the real  
30 estate that formerly constituted ~~his~~ THE UNIT OWNER'S unit.

31 F. Following termination of the condominium, the proceeds of any  
32 sale of real estate, together with the assets of the association, are held  
33 by the association as trustee for unit owners and holders of liens on the  
34 units as their interests may appear. Following termination, creditors of  
35 the association holding liens on the units ~~which~~ THAT were recorded before  
36 termination may enforce those liens in the same manner as any lienholder.

37 G. The respective interests of unit owners referred to in  
38 subsections D, E and F OF THIS SECTION are as follows:

39 1. Except as provided in paragraph 2 OF THIS SUBSECTION, the  
40 respective interests of unit owners are the fair market values of their  
41 units, limited common elements and common element interests immediately  
42 before the termination, ~~as determined by~~ AND AN ADDITIONAL FIVE PERCENT OF  
43 THAT TOTAL AMOUNT FOR RELOCATION COSTS FOR OWNER-OCCUPIED UNITS. An  
44 independent appraiser selected by the association SHALL DETERMINE THE  
45 TOTAL FAIR MARKET VALUES. The determination of the independent appraiser

1 shall be distributed to the unit owners and becomes final unless  
2 disapproved within ~~thirty~~ SIXTY days after distribution ~~by~~ TO THE unit  
3 ~~owners of units to which fifty per cent of the votes in the association~~  
4 ~~are allocated~~ OWNER. ANY UNIT OWNER MAY OBTAIN A SECOND INDEPENDENT  
5 APPRAISAL AT THE UNIT OWNER'S EXPENSE AND, IF THE UNIT OWNER'S INDEPENDENT  
6 APPRAISAL AMOUNT DIFFERS FROM THE ASSOCIATION'S INDEPENDENT APPRAISAL  
7 AMOUNT BY FIVE PERCENT OR LESS, THE HIGHER APPRAISAL IS FINAL. IF THE  
8 TOTAL AMOUNT OF COMPENSATION OWED AS DETERMINED BY THE SECOND APPRAISER IS  
9 MORE THAN FIVE PERCENT HIGHER THAN THE AMOUNT DETERMINED BY THE  
10 ASSOCIATION'S APPRAISER, THE UNIT OWNER SHALL SUBMIT TO ARBITRATION AT THE  
11 ASSOCIATION'S EXPENSE AND THE ARBITRATION AMOUNT IS THE FINAL SALE  
12 AMOUNT. AN ADDITIONAL FIVE PERCENT OF THE FINAL SALE AMOUNT SHALL BE  
13 ADDED FOR RELOCATION COSTS FOR OWNER-OCCUPIED UNITS. ~~The proportion of~~  
14 ~~any unit owner's interest to that of all unit owners is determined by~~  
15 ~~dividing the fair market value of that unit owner's unit and common~~  
16 ~~element interest by the total fair market values of all the units and~~  
17 ~~common elements.~~

18 2. If any unit or any limited common element is destroyed to the  
19 extent that an appraisal of the fair market value of the unit or element  
20 before destruction cannot be made, the interests of all unit owners are  
21 their respective common element interests immediately before the  
22 termination.

23 H. Except as provided in subsection I OF THIS SECTION, foreclosure  
24 or enforcement of a lien or encumbrance against the entire condominium  
25 does not of itself terminate the condominium, and foreclosure or  
26 enforcement of a lien or encumbrance against a portion of the condominium  
27 does not withdraw that portion from the condominium. Foreclosure or  
28 enforcement of a lien or encumbrance against withdrawable real estate does  
29 not of itself withdraw that real estate from the condominium, but the  
30 person taking title may require from the association, on request, an  
31 amendment excluding the real estate from the condominium.

32 I. If a lien or encumbrance against a portion of the real estate  
33 comprising the condominium has priority over the declaration, and the lien  
34 or encumbrance has not been partially released, the parties foreclosing  
35 the lien or encumbrance ~~may~~, on foreclosure, MAY record an instrument  
36 excluding the real estate subject to that lien or encumbrance from the  
37 condominium.

38 J. The provisions of subsections C, ~~through~~ D, E, F, H AND I OF  
39 THIS SECTION do not apply if the original declaration, an amendment to the  
40 original declaration recorded before the conveyance of any unit to an  
41 owner other than the declarant or an agreement by all of the unit owners  
42 ~~contain~~ CONTAINS provisions inconsistent with ~~such~~ THESE subsections.

43 K. BEGINNING ON AUGUST 3, 2018, ANY PROVISIONS IN THE DECLARATION  
44 THAT CONFLICT WITH SUBSECTION G, PARAGRAPH 1 OF THIS SECTION ARE VOID AS A  
45 MATTER OF PUBLIC POLICY.

1           Sec. 16. Repeal  
2           Section 33-1228, Arizona Revised Statutes, as amended by Laws 2018,  
3 chapter 235, section 1, is repealed.

4           Sec. 17. Section 41-619.51, Arizona Revised Statutes, as amended by  
5 Laws 2018, chapter 46, section 3 and chapter 296, section 12, is amended  
6 to read:

7           41-619.51. Definitions

8           In this article, unless the context otherwise requires:

9           1. "Agency" means the supreme court, the department of economic  
10 security, the department of child safety, the department of education, the  
11 department of health services, the department of juvenile corrections, the  
12 department of emergency and military affairs, the department of public  
13 safety, the department of transportation, the state real estate  
14 department, the department of financial institutions, the Arizona game and  
15 fish department, THE ARIZONA DEPARTMENT OF AGRICULTURE, the board of  
16 examiners of nursing care institution administrators and assisted living  
17 facility managers, the state board of dental examiners, the Arizona state  
18 board of pharmacy or the board of physical therapy or the state board of  
19 technical registration.

20           2. "Board" means the board of fingerprinting.

21           3. "Central registry exception" means notification to the  
22 department of economic security, the department of child safety or the  
23 department of health services, as appropriate, pursuant to section  
24 41-619.57 that the person is not disqualified because of a central  
25 registry check conducted pursuant to section 8-804.

26           4. "Expedited review" means an examination, in accordance with  
27 board rule, of the documents an applicant submits by the board or its  
28 hearing officer without the applicant being present.

29           5. "Good cause exception" means the issuance of a fingerprint  
30 clearance card to an employee pursuant to section 41-619.55.

31           6. "Person" means a person who is required to be fingerprinted  
32 pursuant to this article or who is subject to a central registry check and  
33 any of the following:

- 34           (a) SECTION 3-314.  
35           ~~(a)~~ (b) Section 8-105.  
36           ~~(b)~~ (c) Section 8-322.  
37           ~~(c)~~ (d) Section 8-463.  
38           ~~(d)~~ (e) Section 8-509.  
39           ~~(e)~~ (f) Section 8-802.  
40           ~~(f)~~ (g) Section 8-804.  
41           ~~(g)~~ (h) Section 15-183.  
42           ~~(h)~~ (i) Section 15-503.  
43           ~~(i)~~ (j) Section 15-512.  
44           ~~(j)~~ (k) Section 15-534.  
45           ~~(k)~~ (l) Section 15-763.01.

- 1       ~~(m)~~ (m) Section 15-782.02.
- 2       ~~(n)~~ (n) Section 15-1330.
- 3       ~~(o)~~ (o) Section 15-1881.
- 4       ~~(p)~~ (p) Section 17-215.
- 5       ~~(q)~~ (q) Section 28-3228.
- 6       ~~(r)~~ (r) Section 28-3413.
- 7       ~~(s)~~ (s) Section 32-122.02.
- 8       ~~(t)~~ (t) Section 32-122.05.
- 9       ~~(u)~~ (u) Section 32-122.06.
- 10      ~~(v)~~ (v) Section 32-1232.
- 11      ~~(w)~~ (w) Section 32-1276.01.
- 12      ~~(x)~~ (x) Section 32-1284.
- 13      ~~(y)~~ (y) Section 32-1297.01.
- 14      ~~(z)~~ (z) Section 32-1904.
- 15      ~~(aa)~~ (aa) Section 32-1941.
- 16      ~~(bb)~~ (bb) Section 32-2022.
- 17      ~~(cc)~~ (cc) Section 32-2108.01.
- 18      ~~(dd)~~ (dd) Section 32-2123.
- 19      ~~(ee)~~ (ee) Section 32-2371.
- 20      ~~(ff)~~ (ff) Section 32-3620.
- 21      ~~(gg)~~ (gg) Section 32-3668.
- 22      ~~(hh)~~ (hh) Section 32-3669.
- 23      ~~(ii)~~ (ii) Section 36-207.
- 24      ~~(jj)~~ (jj) Section 36-411.
- 25      ~~(kk)~~ (kk) Section 36-425.03.
- 26      ~~(ll)~~ (ll) Section 36-446.04.
- 27      ~~(mm)~~ (mm) Section 36-594.01.
- 28      ~~(nn)~~ (nn) Section 36-594.02.
- 29      ~~(oo)~~ (oo) Section 36-882.
- 30      ~~(pp)~~ (pp) Section 36-883.02.
- 31      ~~(qq)~~ (qq) Section 36-897.01.
- 32      ~~(rr)~~ (rr) Section 36-897.03.
- 33      ~~(ss)~~ (ss) Section 36-3008.
- 34      ~~(tt)~~ (tt) Section 41-619.53.
- 35      ~~(uu)~~ (uu) Section 41-1964.
- 36      ~~(vv)~~ (vv) Section 41-1967.01.
- 37      ~~(ww)~~ (ww) Section 41-1968.
- 38      ~~(xx)~~ (xx) Section 41-1969.
- 39      ~~(yy)~~ (yy) Section 41-2814.
- 40      ~~(zz)~~ (zz) Section 46-141, subsection A.
- 41      ~~(aaa)~~ (aaa) Section 46-321.

42       Sec. 18. [Repeal](#)  
43       Section [41-619.51](#), Arizona Revised Statutes, as amended by Laws  
44       2018, chapter 287, section 3, is repealed.



1           Sec. 19. Section 41-1758, Arizona Revised Statutes, as amended by  
2 Laws 2018, chapter 46, section 4 and chapter 296, section 13, is amended  
3 to read:

4           41-1758. Definitions

5           In this article, unless the context otherwise requires:

6           1. "Agency" means the supreme court, the department of economic  
7 security, the department of child safety, the department of education, the  
8 department of health services, the department of juvenile corrections, the  
9 department of emergency and military affairs, the department of public  
10 safety, the department of transportation, the state real estate  
11 department, the department of financial institutions, the board of  
12 fingerprinting, the Arizona game and fish department, **THE ARIZONA**  
13 **DEPARTMENT OF AGRICULTURE**, the board of examiners of nursing care  
14 institution administrators and assisted living facility managers, the  
15 state board of dental examiners, the Arizona state board of pharmacy or  
16 the board of physical therapy or the state board of technical  
17 registration.

18           2. "Division" means the fingerprinting division in the department  
19 of public safety.

20           3. "Electronic or internet-based fingerprinting services" means a  
21 secure system for digitizing applicant fingerprints and transmitting the  
22 applicant data and fingerprints of a person or entity submitting  
23 fingerprints to the department of public safety for any authorized purpose  
24 under this title. For the purposes of this paragraph, "secure system"  
25 means a system that complies with the information technology security  
26 policy approved by the department of public safety.

27           4. "Good cause exception" means the issuance of a fingerprint  
28 clearance card to an applicant pursuant to section 41-619.55.

29           5. "Person" means a person who is required to be fingerprinted  
30 pursuant to any of the following:

31           (a) **SECTION 3-314.**

- 32           ~~(a)~~ (b) Section 8-105.
- 33           ~~(b)~~ (c) Section 8-322.
- 34           ~~(c)~~ (d) Section 8-463.
- 35           ~~(d)~~ (e) Section 8-509.
- 36           ~~(e)~~ (f) Section 8-802.
- 37           ~~(f)~~ (g) Section 15-183.
- 38           ~~(g)~~ (h) Section 15-503.
- 39           ~~(h)~~ (i) Section 15-512.
- 40           ~~(i)~~ (j) Section 15-534.
- 41           ~~(j)~~ (k) Section 15-763.01.
- 42           ~~(k)~~ (l) Section 15-782.02.
- 43           ~~(l)~~ (m) Section 15-1330.
- 44           ~~(m)~~ (n) Section 15-1881.
- 45           ~~(n)~~ (o) Section 17-215.

- 1       ~~(p)~~ (p) Section 28-3228.
- 2       ~~(q)~~ (q) Section 28-3413.
- 3       ~~(r)~~ (r) Section 32-122.02.
- 4       ~~(s)~~ (s) Section 32-122.05.
- 5       ~~(t)~~ (t) Section 32-122.06.
- 6       ~~(u)~~ (u) Section 32-1232.
- 7       ~~(v)~~ (v) Section 32-1276.01.
- 8       ~~(w)~~ (w) Section 32-1284.
- 9       ~~(x)~~ (x) Section 32-1297.01.
- 10      ~~(y)~~ (y) Section 32-1904.
- 11      ~~(z)~~ (z) Section 32-1941.
- 12      ~~(aa)~~ (aa) Section 32-2022.
- 13      ~~(bb)~~ (bb) Section 32-2108.01.
- 14      ~~(cc)~~ (cc) Section 32-2123.
- 15      ~~(dd)~~ (dd) Section 32-2371.
- 16      ~~(ee)~~ (ee) Section 32-3620.
- 17      ~~(ff)~~ (ff) Section 32-3668.
- 18      ~~(gg)~~ (gg) Section 32-3669.
- 19      ~~(hh)~~ (hh) Section 36-207.
- 20      ~~(ii)~~ (ii) Section 36-411.
- 21      ~~(jj)~~ (jj) Section 36-425.03.
- 22      ~~(kk)~~ (kk) Section 36-446.04.
- 23      ~~(ll)~~ (ll) Section 36-594.01.
- 24      ~~(mm)~~ (mm) Section 36-594.02.
- 25      ~~(nn)~~ (nn) Section 36-882.
- 26      ~~(oo)~~ (oo) Section 36-883.02.
- 27      ~~(pp)~~ (pp) Section 36-897.01.
- 28      ~~(qq)~~ (qq) Section 36-897.03.
- 29      ~~(rr)~~ (rr) Section 36-3008.
- 30      ~~(ss)~~ (ss) Section 41-619.52.
- 31      ~~(tt)~~ (tt) Section 41-619.53.
- 32      ~~(uu)~~ (uu) Section 41-1964.
- 33      ~~(vv)~~ (vv) Section 41-1967.01.
- 34      ~~(ww)~~ (ww) Section 41-1968.
- 35      ~~(xx)~~ (xx) Section 41-1969.
- 36      ~~(yy)~~ (yy) Section 41-2814.
- 37      ~~(zz)~~ (zz) Section 46-141, subsection A.
- 38      ~~(aaa)~~ (aaa) Section 46-321.

39       6. "Vulnerable adult" has the same meaning prescribed in section  
40 13-3623.

41       Sec. 20. Repeal

42       Section 41-1758, Arizona Revised Statutes, as amended by Laws 2018,  
43 chapter 287, section 4, is repealed.

1           Sec. 21. Section 41-1758.01, Arizona Revised Statutes, as amended  
2 by Laws 2018, chapter 46, section 5 and chapter 296, section 14, is  
3 amended to read:

4           41-1758.01. Fingerprinting division: powers and duties

5           A. The fingerprinting division is established in the department of  
6 public safety and shall:

7           1. Conduct fingerprint background checks for persons and applicants  
8 who are seeking licenses from state agencies, employment with licensees,  
9 contract providers and state agencies or employment or educational  
10 opportunities with agencies that require fingerprint background checks  
11 pursuant to sections 3-314, 8-105, 8-322, 8-463, 8-509, 8-802, 15-183,  
12 15-503, 15-512, 15-534, 15-763.01, 15-782.02, 15-1330, 15-1881, 17-215,  
13 28-3228, 28-3413, 32-122.02, 32-122.05, 32-122.06, 32-1232, 32-1276.01,  
14 32-1284, 32-1297.01, 32-1904, 32-1941, 32-2022, 32-2108.01, 32-2123,  
15 32-2371, 32-3620, 32-3668, 32-3669, 36-207, 36-411, 36-425.03, 36-446.04,  
16 36-594.01, 36-594.02, 36-882, 36-883.02, 36-897.01, 36-897.03, 36-3008,  
17 41-619.52, 41-619.53, 41-1964, 41-1967.01, 41-1968, 41-1969 and 41-2814,  
18 section 46-141, subsection A and section 46-321.

19           2. Issue fingerprint clearance cards. On issuance, a fingerprint  
20 clearance card becomes the personal property of the cardholder and the  
21 cardholder shall retain possession of the fingerprint clearance card.

22           3. On submission of an application for a fingerprint clearance  
23 card, collect the fees established by the board of fingerprinting pursuant  
24 to section 41-619.53 and deposit, pursuant to sections 35-146 and 35-147,  
25 the monies collected in the board of fingerprinting fund.

26           4. Inform in writing each person who submits fingerprints for a  
27 fingerprint background check of the right to petition the board of  
28 fingerprinting for a good cause exception pursuant to section 41-1758.03,  
29 41-1758.04 or 41-1758.07.

30           5. If after conducting a state and federal criminal history records  
31 check the division determines that it is not authorized to issue a  
32 fingerprint clearance card to a person, inform the person in writing that  
33 the division is not authorized to issue a fingerprint clearance card. The  
34 notice shall include the criminal history information on which the denial  
35 was based. This criminal history information is subject to dissemination  
36 restrictions pursuant to section 41-1750 and Public Law 92-544.

37           6. Notify the person in writing if the division suspends, revokes  
38 or places a driving restriction notation on a fingerprint clearance card  
39 pursuant to section 41-1758.04. The notice shall include the criminal  
40 history information on which the suspension, revocation or placement of  
41 the driving restriction notation was based. This criminal history  
42 information is subject to dissemination restrictions pursuant to section  
43 41-1750 and Public Law 92-544.

44           7. Administer and enforce this article.

1 B. The fingerprinting division may contract for electronic or  
2 internet-based fingerprinting services through an entity or entities for  
3 the acquisition and transmission of applicant fingerprint and data  
4 submissions to the department, including identity verified fingerprints  
5 pursuant to section 15-106. The entity or entities contracted by the  
6 department of public safety may charge the applicant a fee for services  
7 provided pursuant to this article. The entity or entities contracted by  
8 the department of public safety shall comply with:

9 1. All information privacy and security measures and submission  
10 standards established by the department of public safety.

11 2. The information technology security policy approved by the  
12 department of public safety.

13 Sec. 22. Repeal

14 Section 41-1758.01, Arizona Revised Statutes, as amended by Laws  
15 2018, chapter 287, section 5, is repealed.

16 Sec. 23. Repeal

17 Laws 2008, chapter 243, section 6, as amended by Laws 2012, chapter  
18 281, section 2 and Laws 2018, chapter 258, section 3, is repealed.

19 Sec. 24. Laws 2018, chapter 42, section 16 is amended to read:

20 Sec. 16. Conditional enactment

21 Section 38-885.01, Arizona Revised Statutes, as amended by Laws  
22 2017, chapter 163, section 14 and this act, becomes effective on the date  
23 prescribed by Laws 2017, chapter 163, section 24, **AS AMENDED BY LAWS 2018,**  
24 **CHAPTER 140, SECTION 3,** but only on the occurrence of the condition  
25 prescribed by Laws 2017, chapter 163, section 24, **AS AMENDED BY LAWS 2018,**  
26 **CHAPTER 140, SECTION 3.**

27 Sec. 25. Retroactivity

28 Sections 6, 7, 8, 9, 10, 11, 12, 15, 16, 23 and 24 of this act apply  
29 retroactively to from and after August 2, 2018.

30 Sec. 26. Effective date

31 A. Sections 17, 18, 19, 20, 21 and 22 of this act are effective  
32 from and after August 3, 2019.

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