

REFERENCE TITLE: VLT; cities and towns; counties

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SB 1245

Introduced by
Senator Farnsworth

AN ACT

AMENDING SECTIONS 28-5808 AND 28-6991, ARIZONA REVISED STATUTES; RELATING
TO THE VEHICLE LICENSE TAX.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Section 28-5808, Arizona Revised Statutes, is amended to read:

28-5808. Vehicle license tax distribution

A. Except as provided in subsection D of this section, the director shall distribute monies collected by the director pursuant to section 28-5801, except monies deposited in the state general fund, on the first and fifteenth calendar day of each month as follows:

1. On the first calendar day, the director shall deposit, pursuant to sections 35-146 and 35-147, all of the Arizona highway user revenue fund monies received from the first through the fifteenth calendar day of the preceding month in the Arizona highway user revenue fund, except that on the first calendar day the director shall deposit, pursuant to sections 35-146 and 35-147, in the parity compensation fund established by section 41-1720, 1.51 ~~per cent~~ PERCENT of the portion of vehicle license tax revenues that otherwise would be deposited in the state highway fund from the first through the fifteenth calendar day of the preceding month.

2. On the fifteenth calendar day, the director shall deposit, pursuant to sections 35-146 and 35-147, all of the Arizona highway user revenue fund monies received from the sixteenth through the last day of the preceding month in the Arizona highway user revenue fund, except that on the fifteenth calendar day, the director shall deposit, pursuant to sections 35-146 and 35-147, in the parity compensation fund established by section 41-1720, 1.51 ~~per cent~~ PERCENT of the portion of vehicle license tax revenues that otherwise would be deposited in the state highway fund from the sixteenth through the last day of the preceding month. On the fifteenth calendar day, the director shall distribute or deposit all other monies received during the entire preceding month as follows:

(a) The county general fund monies ~~to the county general fund.~~

~~(b)~~ AND the county transportation monies to the state treasurer to be apportioned among the counties for any purposes related to transportation, as determined by the board of supervisors, on the basis that the population of the unincorporated area of each county bears to the population of the unincorporated areas of all counties in this state.

~~(c)~~ (b) The incorporated cities and towns monies to the incorporated cities and towns of the county in proportion to the population of each FOR ANY PURPOSES RELATED TO TRANSPORTATION.

3. The deposit of the monies in the parity compensation fund pursuant to paragraphs 1 and 2 of this subsection shall not impact the distribution of vehicle license tax revenues to the state general fund and to cities, towns and counties pursuant to this section.

B. The director shall distribute monies collected by the director pursuant to sections 28-5804, 28-5805, 28-5806 and 28-5810, except monies deposited in the state general fund, on the first and fifteenth calendar day of each month as follows:

1 1. On the first calendar day, the director shall deposit, pursuant
2 to sections 35-146 and 35-147, 37.61 ~~per cent~~ PERCENT of all monies
3 received from the first through the fifteenth calendar day of the
4 preceding month in the highway user revenue fund.

5 2. On the fifteenth calendar day, the director shall deposit,
6 pursuant to sections 35-146 and 35-147, 37.61 ~~per cent~~ PERCENT of all
7 monies received from the sixteenth through the last day of the preceding
8 month in the highway user revenue fund and distribute or deposit the
9 following amounts as a percentage of all monies received pursuant to
10 sections 28-5804, 28-5805, 28-5806 and 28-5810 during the entire preceding
11 month as follows:

12 ~~(a) 20.45 per cent to the county general fund.~~

13 ~~(b)~~ (a) 4.91 ~~per cent~~ 25.36 PERCENT to the state treasurer to be
14 apportioned among the counties for any purposes related to transportation,
15 as determined by the board of supervisors, on the basis that the
16 population of the unincorporated area of each county bears to the
17 population of the unincorporated areas of all counties in this state.

18 ~~(c)~~ (b) 20.45 ~~per cent~~ PERCENT to the incorporated cities and
19 towns of the county in proportion to the population of each FOR ANY
20 PURPOSES RELATED TO TRANSPORTATION.

21 ~~(d)~~ (c) 1.64 ~~per cent~~ PERCENT, pursuant to sections 35-146 and
22 35-147, in the state highway fund established by section 28-6991.

23 ~~(e)~~ (d) 4.09 ~~per cent~~ PERCENT in the state highway fund
24 established by section 28-6991.

25 ~~(f)~~ (e) 10.85 ~~per cent~~ PERCENT, pursuant to sections 35-146 and
26 35-147, in the state general fund to aid school financial assistance.

27 C. For purposes of this section the population of a county, city or
28 town shall be determined as provided by section 28-6532 or 42-5033.01. If
29 an incorporated city or town has had no federal enumeration of population,
30 the supervisors shall both:

31 1. Appoint a qualified person to take an accurate census of the
32 incorporated city or town.

33 2. Certify the results to the county treasurer, and the
34 incorporated city or town shall share in the distribution as provided by
35 this section.

36 D. On the fifteenth calendar day of each month, the director shall
37 transfer to the state general fund from the portion of vehicle license tax
38 revenues that otherwise would be deposited in the state highway fund
39 pursuant to section 28-6538, subsection A, paragraph 1 the following
40 amounts:

41 1. An amount equal to ninety ~~per cent~~ PERCENT of the fees collected
42 pursuant to section 28-4802, subsection A in the preceding month.

43 2. An amount equal to sixty ~~per cent~~ PERCENT of the fees collected
44 pursuant to section 28-4802, subsection B in the preceding month.

1 E. On the fifteenth calendar day of each month, the director shall
 2 transfer to the state general fund from the portion of vehicle license tax
 3 revenues that otherwise would be deposited in the state highway fund
 4 pursuant to section 28-6538, subsection A, paragraph 1 the difference
 5 between the actual amount of the vehicle license tax revenue collected as
 6 a result of registration of vehicles pursuant to section 28-2159 in the
 7 preceding month for a five-year registration period and the amount that
 8 would have been collected if those same vehicles had been registered for a
 9 two-year vehicle registration period.

10 Sec. 2. Section 28-6991, Arizona Revised Statutes, is amended to
 11 read:

12 28-6991. State highway fund; sources

13 The state highway fund is established that consists of:

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

16 2. Monies appropriated by the legislature.

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

21 4. Monies received from counties or cities under cooperative
 22 agreements, including proceeds from bond issues. The state treasurer
 23 shall deposit these monies to the credit of the fund in a special account
 24 on delivery to the treasurer of a concise written agreement between the
 25 department and the county or city stating the purposes for which the
 26 monies are surrendered by the county or city, and these monies shall be
 27 spent only as stated in the agreement.

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

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

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

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

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

4 10. Monies distributed pursuant to section 28-5808, subsection B,
5 paragraph 2, subdivision ~~(d)~~ (c).

6 11. Monies deposited pursuant to sections 28-1143, 28-2353 and
7 28-3003.

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

9 (a) Monies deposited pursuant to section 28-2206 and section
10 28-5808, subsection B, paragraph 2, subdivision ~~(e)~~ (d).

11 (b) \$1 of each registration fee and \$1 of each title fee collected
12 pursuant to section 28-2003.

13 (c) \$2 of each late registration penalty collected by the director
14 pursuant to section 28-2162.

15 (d) The air quality compliance fee collected pursuant to section
16 49-542.

17 (e) The special plate administration fees collected pursuant to
18 sections 28-2404, 28-2407, 28-2412 through 28-2416, 28-2416.01, 28-2417
19 through 28-2470.17 and 28-2514.

20 (f) Monies collected pursuant to sections 28-372, 28-2155 and
21 28-2156 if the director is the registering officer.

22 13. Monies deposited pursuant to chapter 5, article 5 of this
23 title.

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

25 15. Dealer and registration monies collected pursuant to section
26 28-4304.

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

29 17. Monies deposited pursuant to section 28-710, subsection D,
30 paragraph 2.

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

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

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

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

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

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

37 24. Monies deposited pursuant to section 28-3002, subsection A,
38 paragraph 14.

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

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

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

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

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

44 30. Monies deposited pursuant to sections 28-2321, 28-2324,
45 28-2325, 28-5474, 28-5739, 28-5863 and 28-5864.