

House Engrossed

homeless shelter fund; performance audit

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
Second Regular Session  
2024

# HOUSE BILL 2782

AN ACT

AMENDING TITLE 13, CHAPTER 34, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-3411.01; AMENDING SECTION 41-2405, ARIZONA REVISED STATUTES; AMENDING TITLE 41, CHAPTER 37, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 41-3956 AND 41-3958; APPROPRIATING MONIES; RELATING TO HOMELESSNESS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 13, chapter 34, Arizona Revised Statutes, is  
3 amended by adding section 13-3411.01, to read:

4 13-3411.01. Sale or transfer or use of dangerous drugs or  
5 narcotic drugs; drug-free homeless service  
6 zone; violation; classification; definitions

7 A. IT IS UNLAWFUL FOR A PERSON TO DO EITHER OF THE FOLLOWING:

8 1. INTENTIONALLY BE PRESENT IN A DRUG-FREE HOMELESS SERVICE ZONE TO  
9 SELL OR TRANSFER DANGEROUS DRUGS OR NARCOTIC DRUGS.

10 2. AS AN EMPLOYEE OF A FACILITY-BASED SERVICE THAT PRIMARILY SERVES  
11 HOMELESS INDIVIDUALS AND THAT RECEIVES STATE, LOCAL OR FEDERAL MONIES,  
12 KNOWINGLY VIOLATES ANY FORMAL POLICY PURSUANT TO SUBSECTION F OF THIS  
13 SECTION, INCLUDING INTENTIONALLY ALLOWING THE POSSESSION OR USE OF  
14 DANGEROUS DRUGS OR NARCOTIC DRUGS IN A DRUG-FREE HOMELESS SERVICE ZONE.

15 B. A PERSON WHO VIOLATES SUBSECTION A, PARAGRAPH 1 OF THIS SECTION  
16 IS GUILTY OF THE SAME CLASS OF FELONY THAT THE PERSON WOULD OTHERWISE BE  
17 GUILTY OF HAD THE VIOLATION NOT OCCURRED WITHIN A DRUG-FREE HOMELESS  
18 SERVICE ZONE, EXCEPT THAT THE PRESUMPTIVE, MINIMUM AND MAXIMUM SENTENCES  
19 SHALL BE INCREASED BY ONE YEAR. THE ADDITIONAL SENTENCE IMPOSED UNDER THIS  
20 SUBSECTION IS IN ADDITION TO ANY ENHANCED PUNISHMENT THAT MAY BE  
21 APPLICABLE UNDER SECTIONS 13-703 OR 13-704 OR SECTION 13-708, SUBSECTION D  
22 OR ANY PROVISION IN THIS CHAPTER. A PERSON IS NOT ELIGIBLE FOR SUSPENSION  
23 OF SENTENCE, PROBATION, PARDON OR RELEASE FROM CONFINEMENT ON ANY BASIS  
24 EXCEPT PURSUANT TO SECTION 31-233, SUBSECTION A OR B UNTIL THE SENTENCE  
25 IMPOSED BY THE COURT HAS BEEN SERVED OR COMMUTED.

26 C. A PERSON WHO VIOLATES SUBSECTION A, PARAGRAPH 2 OF THIS SECTION  
27 IS GUILTY OF A CLASS 1 MISDEMEANOR.

28 D. IN ADDITION TO ANY OTHER PENALTY PRESCRIBED BY THIS TITLE, THE  
29 COURT SHALL ORDER A PERSON WHO IS CONVICTED OF A VIOLATION OF THIS SECTION  
30 TO PAY A FINE OF NOT LESS THAN \$2,000 OR THREE TIMES THE VALUE, AS  
31 DETERMINED BY THE COURT, OF THE DRUGS INVOLVED IN OR GIVING RISE TO THE  
32 CHARGE, WHICHEVER IS GREATER, AND NOT MORE THAN THE MAXIMUM AUTHORIZED BY  
33 CHAPTER 8 OF THIS TITLE. A JUDGE MAY NOT SUSPEND ANY PART OR ALL OF THE  
34 IMPOSITION OF ANY FINE REQUIRED BY THIS SUBSECTION.

35 E. EACH OPERATOR OR PROVIDER OF FACILITY-BASED SERVICES THAT  
36 PRIMARILY SERVE HOMELESS INDIVIDUALS SHALL PLACE AND MAINTAIN A  
37 PERMANENTLY AFFIXED SIGN LOCATED IN A VISIBLE MANNER INSIDE THE FACILITY  
38 AND OUTSIDE THE MAIN ENTRANCE OF THE FACILITY THAT IDENTIFIES THE BUILDING  
39 AND ITS ACCOMPANYING GROUNDS AS A DRUG-FREE ZONE. IF AN OPERATOR OR  
40 PROVIDER OF FACILITY-BASED SERVICES PRIMARILY SERVES DOMESTIC VIOLENCE  
41 VICTIMS OR FAMILIES, THE OPERATOR OR PROVIDER SHALL PLACE AND MAINTAIN A  
42 PERMANENTLY AFFIXED SIGN LOCATED IN A VISIBLE MANNER INSIDE THE FACILITY  
43 THAT IDENTIFIES THE BUILDING AS A DRUG-FREE ZONE.

1 F. AN OPERATOR OF FACILITY-BASED SERVICES THAT SERVE HOMELESS  
2 INDIVIDUALS MUST ADOPT A FORMAL POLICY THAT PROHIBITS THE USE OR  
3 POSSESSION OF DANGEROUS DRUGS OR NARCOTIC DRUGS WITHIN DRUG-FREE HOMELESS  
4 SERVICE ZONES.

5 G. FOR THE PURPOSES OF THIS SECTION:

6 1. "DANGEROUS DRUG" HAS THE SAME MEANING PRESCRIBED IN SECTION  
7 13-3401.

8 2. "DRUG-FREE HOMELESS SERVICE ZONE" MEANS A FACILITY AND ITS  
9 ACCOMPANYING GROUNDS IN WHICH SERVICES, SHELTER OR PERMANENT SUPPORTIVE  
10 HOUSING ARE PROVIDED TO INDIVIDUALS WHO ARE EXPERIENCING HOMELESSNESS.

11 3. "HOMELESS INDIVIDUAL" MEANS AN INDIVIDUAL WHO DOES NOT HAVE A  
12 HOME OR PERMANENT PLACE OF RESIDENCE.

13 4. "NARCOTIC DRUG" HAS THE SAME MEANING PRESCRIBED IN SECTION  
14 13-3401.

15 Sec. 2. Section 41-2405, Arizona Revised Statutes, is amended to  
16 read:

17 41-2405. Arizona criminal justice commission; powers and  
18 duties; staff

19 A. The Arizona criminal justice commission shall:

20 1. Monitor the progress and implementation of new and continuing  
21 criminal justice legislation.

22 2. Facilitate research among criminal justice agencies and maintain  
23 criminal justice system information.

24 3. Facilitate coordinated statewide efforts to improve criminal  
25 justice information and data sharing.

26 4. Prepare for the governor a biennial criminal justice system  
27 review report. The report shall contain:

28 (a) An analysis of all criminal justice programs created by the  
29 legislature in the preceding two years.

30 (b) An analysis of the effectiveness of the criminal code, with a  
31 discussion of any problems and recommendations for revisions if deemed  
32 necessary.

33 (c) A study of the level of activity in the several areas of the  
34 criminal justice system, with recommendations for redistribution of  
35 criminal justice revenues if deemed necessary.

36 (d) An overall review of the entire criminal justice system,  
37 including crime prevention, criminal apprehension, prosecution, court  
38 administration and incarceration at the state and local levels as well as  
39 funding needs for the system.

40 (e) Recommendations for constitutional, statutory and  
41 administrative revisions that are necessary to develop and maintain a  
42 cohesive and effective criminal justice system.

43 5. Provide supplemental reports on criminal justice issues of  
44 special timeliness.

1           6. In coordination with other governmental agencies, gather  
2 information on programs that are designed to effectuate community crime  
3 prevention and education using citizen participation and on programs for  
4 alcohol and drug abuse prevention, education and treatment and disseminate  
5 that information to the public, political subdivisions, law enforcement  
6 agencies and the legislature.

7           7. Make recommendations to the legislature and the governor  
8 regarding the purposes and formula for allocation of fund monies as  
9 provided in section 41-2401, subsection D and section 41-2402 through the  
10 biennial agency budget request.

11           8. Adopt rules for the purpose of allocating fund monies as  
12 provided in sections 41-2401, 41-2402 and 41-2407 that are consistent with  
13 the purposes set forth in those sections and that promote effective and  
14 efficient use of the monies.

15           9. Make reports to the governor and the legislature as they  
16 require.

17           10. Oversee the research, analyses, studies, reports and  
18 publication of crime and criminal justice statistics prepared by the  
19 Arizona statistical analysis center, which is an operating section of the  
20 Arizona criminal justice commission.

21           11. Prepare an annual report on law enforcement activities in this  
22 state that are funded by the drug and gang enforcement fund or the  
23 criminal justice enhancement fund and that relate to illicit drugs and  
24 ~~drug-related~~ DRUG-RELATED gang activity. The report shall be submitted by  
25 October 31 of each year to the governor, the president of the senate and  
26 the speaker of the house of representatives and a copy shall be submitted  
27 to the secretary of state. The report shall include:

28           (a) The name and a description of each law enforcement program  
29 dealing with illegal drug activity or street gang activity, or both.

30           (b) The objective and goals of each program.

31           (c) The source and amount of monies received by each program.

32           (d) The name of the agency or entity that administers each program.

33           (e) The effectiveness of each program.

34           12. Compile and disseminate information on best practices for cold  
35 case investigations, including effective victim communication procedures.  
36 For the purposes of this paragraph, "cold case" means a homicide or a  
37 felony sexual offense that remains unsolved for one year or more after  
38 being reported to a law enforcement agency and that has no viable and  
39 unexplored investigatory leads.

40           13. ~~Beginning January 1, 2019,~~ Submit an annual recidivism report  
41 to the legislature that compares the recidivism rate for a person who  
42 serves a term of mandatory incarceration in a county jail pursuant to  
43 section 28-1383 and a person who serves that term of mandatory  
44 incarceration in prison.

1 14. DIRECT FIRST RESPONDERS, MEDICAL EXAMINERS AND THE ARIZONA  
2 HEALTH CARE COST CONTAINMENT SYSTEM TO PROVIDE INFORMATION AND DATA ON  
3 DRUG OVERDOSES AMONG INDIVIDUALS EXPERIENCING HOMELESSNESS, INCLUDING THE  
4 NUMBER OF DRUG OVERDOSES AND DEATHS CAUSED BY DRUG OVERDOSES, TO THE  
5 ARIZONA CRIMINAL JUSTICE COMMISSION.

6 15. DIRECT CRIMINAL JUSTICE AGENCIES IN THIS STATE TO COLLECT AND  
7 PROVIDE INFORMATION INDICATING CRIMES COMMITTED BY INDIVIDUALS WHO ARE  
8 IDENTIFIED AS HOMELESS AND CRIMES COMMITTED AGAINST INDIVIDUALS WHO ARE  
9 IDENTIFIED AS HOMELESS.

10 16. SUBMIT AN ANNUAL REPORT ON PARAGRAPHS 14 AND 15 OF THIS  
11 SUBSECTION TO THE GOVERNOR, THE PRESIDENT OF THE SENATE AND THE SPEAKER OF  
12 THE HOUSE OF REPRESENTATIVES AND PROVIDE A COPY OF THIS REPORT TO THE  
13 SECRETARY OF STATE.

14 B. The Arizona criminal justice commission, as necessary to perform  
15 its functions, may:

16 1. Request any state or local criminal justice agency to submit any  
17 necessary information.

18 2. Form subcommittees, make studies, conduct inquiries and hold  
19 hearings.

20 3. Subject to chapter 4, article 4 of this title, employ  
21 consultants for special projects and such staff as deemed necessary or  
22 advisable to carry out this section.

23 4. Delegate its duties to carry out this section, including:

24 (a) The authority to enter into contracts and agreements on behalf  
25 of the commission.

26 (b) Subject to chapter 4, article 4 and, as applicable, articles 5  
27 and 6 of this title, the authority to appoint, hire, terminate and  
28 discipline all personnel of the commission, including consultants.

29 5. Establish joint research and information facilities with  
30 governmental and private agencies.

31 6. Accept and expend public and private grants of monies, gifts and  
32 contributions and ~~expend~~ SPEND, distribute or allocate monies appropriated  
33 to the commission for the purpose of enhancing efforts to investigate or  
34 prosecute and adjudicate any crime and to implement this chapter.

35 Sec. 3. Title 41, chapter 37, article 2, Arizona Revised Statutes,  
36 is amended by adding sections 41-3956 and 41-3958, to read:

37 41-3956. Homeless shelter and services fund; exception;  
38 grants; civil action; definition

39 A. THE HOMELESS SHELTER AND SERVICES FUND IS ESTABLISHED. THE  
40 DEPARTMENT SHALL ADMINISTER THE FUND. THE FUND CONSISTS OF LEGISLATIVE  
41 APPROPRIATIONS. MONIES IN THE FUND ARE SUBJECT TO LEGISLATIVE  
42 APPROPRIATION AND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190  
43 RELATING TO LAPSING OF APPROPRIATIONS.

1           B. ALL PRIOR AND FUTURE GRANTS FROM THIS FUND SHALL BE MADE ONLY TO  
2 OPERATORS OR PROVIDERS WITHIN A DRUG-FREE HOMELESS SERVICE ZONE AS DEFINED  
3 IN SECTION 13-3411.01.

4           C. GRANTS FOR ANY OTHER SERVICES FOR INDIVIDUALS EXPERIENCING  
5 HOMELESSNESS SHALL BE PERFORMANCE BASED AND SHALL TRACK KEY METRICS.  
6 GRANTS SHALL BE PERFORMANCE BASED AND SHALL TRACK EACH INDIVIDUAL  
7 EXPERIENCING HOMELESSNESS WHO RECEIVES SERVICES FROM THE GRANTEE FOR A  
8 PERIOD OF THREE YEARS ON THE FOLLOWING KEY METRICS:

- 9           1. DURATION OF TIME THE INDIVIDUAL HAS MAINTAINED STABLE HOUSING.  
10           2. DURATION OF TIME AND TYPE OF EMPLOYMENT OBTAINED BY THE  
11 INDIVIDUALS.  
12           3. DURATION OF TIME THE INDIVIDUAL HAS MAINTAINED SOBRIETY.  
13           4. ANY INSTANCES AND DURATION OF TIME THE INDIVIDUAL HAS RETURNED  
14 TO HOMELESSNESS.

15           D. ON OR BEFORE DECEMBER 1, 2024 AND EACH YEAR THEREAFTER FOR THREE  
16 YEARS, EACH GRANT RECIPIENT PURSUANT TO THIS SECTION SHALL SUBMIT A REPORT  
17 TO THE DEPARTMENT THAT INCLUDES A SUMMARY OF ALL OF THE KEY METRICS  
18 TRACKED PURSUANT TO SUBSECTION C OF THIS SECTION FOR EACH HOMELESS  
19 INDIVIDUAL ON WHICH GRANT MONIES WERE SPENT.

20           E. THE DEPARTMENT SHALL PRESCRIBE A SIMPLIFIED FORM AND PROCEDURE  
21 TO APPLY FOR AND APPROVE GRANTS AND ESTABLISH REQUIREMENTS AND CRITERIA BY  
22 WHICH GRANTS WILL BE AWARDED.

23           F. THE DEPARTMENT SHALL PRIORITIZE PROVIDING GRANTS FOR SERVICES  
24 FOR INDIVIDUALS EXPERIENCING HOMELESSNESS WHO ARE ANY OF THE FOLLOWING:

- 25           1. CHILDREN.  
26           2. PARENTS OR LEGAL GUARDIANS WITH CHILDREN.  
27           3. SENIOR CITIZENS.  
28           4. VETERANS.

29           G. ANY POLITICAL SUBDIVISION OF THIS STATE THAT RECEIVES MONIES  
30 PURSUANT TO THIS SECTION MAY NOT RECEIVE ANY FURTHER FUNDING UNDER THIS  
31 SECTION UNTIL THE DEPARTMENT DETERMINES THAT THE POLITICAL SUBDIVISION OF  
32 THIS STATE IS IN COMPLIANCE WITH SUBSECTION I OF THIS SECTION.

33           H. A PERSON MAY NOT USE OR ALLOW TO BE USED STATE OR LOCAL  
34 GOVERNMENT-OWNED LANDS FOR ANY UNAUTHORIZED SLEEPING, CAMPING OR LONG-TERM  
35 SHELTER. A PERSON WHO VIOLATES THIS SUBSECTION SHALL RECEIVE A WARNING  
36 FOR ANY OFFENSE, AND A CITATION MAY NOT BE ISSUED, EXCEPT THAT SERVICES OR  
37 SHELTER MAY BE OFFERED INSTEAD OF A CRIMINAL CITATION IF THE INDIVIDUAL  
38 DOES NOT CONTINUE TO USE THE LAND FOR PROHIBITED PURPOSES.

39           I. A POLITICAL SUBDIVISION OF THIS STATE MAY NOT:  
40           1. ADOPT OR ENFORCE ANY POLICIES THAT DIRECTLY PROHIBIT OR  
41 DISCOURAGE ENFORCING ANY ORDER OR ORDINANCE THAT PROHIBITS PUBLIC CAMPING,  
42 SLEEPING OR OBSTRUCTING A PUBLIC RIGHT-OF-WAY, INCLUDING ROADS AND  
43 SIDEWALKS.

1           2. DIRECTLY PROHIBIT OR DISCOURAGE A PEACE OFFICER OR PROSECUTING  
2 ATTORNEY WHO IS EMPLOYED BY OR UNDER THE DIRECTION OR CONTROL OF THE  
3 POLITICAL SUBDIVISION OF THIS STATE FROM ENFORCING ANY ORDER OR ORDINANCE  
4 THAT PROHIBITS PUBLIC CAMPING, SLEEPING OR OBSTRUCTING A PUBLIC  
5 RIGHT-OF-WAY, INCLUDING ROADS AND SIDEWALKS.

6           J. THIS SECTION DOES NOT PROHIBIT A POLITICAL SUBDIVISION OF THIS  
7 STATE FROM OFFERING DIVERSION PROGRAMS OR SERVICES INSTEAD OF ISSUING A  
8 CITATION OR MAKING AN ARREST IF THE INDIVIDUAL DOES NOT CONTINUE TO USE  
9 THE LAND FOR PROHIBITED PURPOSES.

10          K. A COUNTY ATTORNEY MAY BRING A CIVIL ACTION IN ANY COURT OF  
11 COMPETENT JURISDICTION AGAINST ANY POLITICAL SUBDIVISION OF THIS STATE TO  
12 ENJOIN THE POLITICAL SUBDIVISION OF THIS STATE FROM VIOLATING THIS  
13 SECTION. THE COUNTY ATTORNEY MAY RECOVER REASONABLE EXPENSES INCURRED IN  
14 ANY CIVIL ACTION BROUGHT UNDER THIS SECTION, INCLUDING COURT COSTS,  
15 ATTORNEY FEES, INVESTIGATIVE COSTS, WITNESS FEES AND DEPOSITION COSTS.

16          L. THE DEPARTMENT SHALL PROVIDE A QUARTERLY REPORT TO THE JOINT  
17 LEGISLATIVE BUDGET COMMITTEE THAT OUTLINES FUND EXPENDITURES, GRANT  
18 RECIPIENTS, THE NUMBER OF INDIVIDUALS SERVED, SELECTED VENDORS AND OTHER  
19 INFORMATION AS REQUESTED BY THE CHAIRMAN OF THE JOINT LEGISLATIVE BUDGET  
20 COMMITTEE.

21          M. FOR THE PURPOSES OF THIS SECTION, "INDIVIDUAL EXPERIENCING  
22 HOMELESSNESS" MEANS AN INDIVIDUAL WHO DOES NOT HAVE A HOME OR PERMANENT  
23 PLACE OF RESIDENCE AND WHO IS A UNITED STATES CITIZEN.

24           41-3958. Hotel owners; mixed hoteling; signs; definitions

25          A. IF A HOTEL OWNER ENGAGES IN MIXED HOTELING, THE HOTEL OWNER  
26 SHALL POST SIGNS OVER EACH ENTRANCE AND EXIT TO THE BUILDING AND IN A  
27 PLACE CLEARLY VISIBLE FROM THE RECEPTION DESK THAT STATES:

28                   THIS BUSINESS IS BEING USED TO HOUSE HOMELESS  
29 INDIVIDUALS ALONGSIDE THE GENERAL PUBLIC. IT IS RECOMMENDED  
30 THAT ALL GUESTS KEEP HOTEL DOORS LOCKED, SAFELY STORE THEIR  
31 BELONGINGS AND REPORT ANY HEALTH OR SAFETY CONCERNS TO LOCAL  
32 LAW ENFORCEMENT.

33          B. ALL SIGNS REQUIRED BY SUBSECTION A OF THIS SECTION MUST BE IN  
34 RED TWENTY-FIVE POINT HIGHWAY GOTHIC BOLDED FONT, ON A WHITE BACKGROUND  
35 AND ON A SIGN THAT IS AT LEAST EIGHTEEN INCHES IN WIDTH AND TWENTY-FOUR  
36 INCHES IN HEIGHT. ALL HOTELS PARTICIPATING IN MIXED HOTELING MUST  
37 DISCLOSE THAT THE HOTEL IS ENGAGING IN MIXED HOTELING AND MUST SHARE THE  
38 TEXT OF THE SIGN WITH THE CUSTOMER AT THE TIME OF ARRIVAL. AT THE TIME OF  
39 ARRIVAL, ANY GUEST WHO OBJECTS TO MIXED HOTELING SHALL BE ISSUED A FULL  
40 REFUND.

41          C. STATE OR LOCAL MONIES MAY NOT BE USED FOR MIXED HOTELING.

42          D. FOR THE PURPOSES OF THIS SECTION:

43           1. "HOMELESS INDIVIDUAL" MEANS AN INDIVIDUAL WHO DOES NOT HAVE A  
44 HOME OR PERMANENT PLACE OF RESIDENCE AND FOR WHOM THE HOTEL KNOWS THAT

1 ACCOMMODATIONS ARE BEING SUBSIDIZED BY A GOVERNMENT OR A NONPROFIT  
2 ORGANIZATION.

3 2. "MIXED HOTELING" MEANS PROVIDING ROOMS OR SHELTER SERVICES,  
4 WHETHER EMERGENCY, TEMPORARY OR TRANSITIONAL ROOMS OR SHELTER, TO HOMELESS  
5 INDIVIDUALS WHILE CONCURRENTLY PROVIDING HOTEL SERVICES TO THE GENERAL  
6 PUBLIC IN THE SAME BUILDING OR ON THE SAME PREMISES. MIXED HOTELING DOES  
7 NOT INCLUDE PROVIDING EMERGENCY OR TEMPORARY SHELTER TO INDIVIDUALS WHO  
8 ARE VICTIMS OF DOMESTIC VIOLENCE OR PARENTS OR LEGAL GUARDIANS WITH  
9 CHILDREN.

10 Sec. 4. Performance audit; report

11 A. The auditor general shall conduct a special audit, as defined in  
12 section 41-1278, Arizona Revised Statutes, of the amount of monies spent  
13 on programs and services for individuals experiencing homelessness in this  
14 state, including all of the following:

15 1. Expenditures by this state.

16 2. Expenditures by municipalities and counties or any political  
17 subdivision thereof, with homeless populations higher than the per capita  
18 average of this state.

19 3. Expenditures of federal monies allocated to this state for  
20 homeless programs.

21 4. Expenditures by state and local law enforcement agencies to  
22 address homelessness, including transportation to emergency shelters,  
23 responding to crisis calls, providing overnight shelter in jail and  
24 enforcing camping bans.

25 B. All state and local governmental entities of this state shall  
26 cooperate with the special audit and grant access, at no cost, to all  
27 financial records and any other information necessary to complete the  
28 special audit.

29 C. The special audit shall examine all of the following:

30 1. The awarding of any contracts and grants relating to homeless  
31 services and support.

32 2. Any metrics used to examine the success of any expenditures.

33 3. The efficiency of the use of data management systems in relation  
34 to such programs.

35 4. The expenditure for each individual experiencing homelessness  
36 for each service provided.

37 D. On or before December 31, 2025, the auditor general shall submit  
38 copies of the special audit report to the governor, the president of the  
39 senate, the speaker of the house of representatives and provide a copy of  
40 this report to the secretary of state.

41 Sec. 5. Applicability of requirements; transfer of monies;  
42 appropriation

43 A. Notwithstanding Laws 2023, chapter 133, sections 49 and 104, any  
44 monies expended for programs that provide shelter and services to  
45 unsheltered persons who are experiencing homelessness are subject to the



1 requirements established by section 41-3956, Arizona Revised Statutes, as  
2 added by this act. These appropriations may only be used for individuals  
3 who are United States citizens.

4 B. Notwithstanding Laws 2023, chapter 133, section 49, \$5,500,000  
5 from the \$150,000,000 appropriation in the housing trust fund deposit line  
6 item is transferred to the following agencies:

7 1. \$5,000,000 shall be transferred to the auditor general for all  
8 necessary costs to conduct the special audit of the amount of monies spent  
9 on programs and services for individuals experiencing homelessness in this  
10 state pursuant to this act.

11 2. \$500,000 shall be transferred to the Arizona criminal justice  
12 commission to implement the data collection requirements pursuant to  
13 section 41-2405, subsection A, paragraphs 14 through 16, Arizona Revised  
14 Statutes, as added by this act.

15 C. The sum of \$50,000,000 is appropriated from the consumer  
16 remediation subaccount of the consumer restitution and remediation  
17 revolving fund established by section 44-1531.02, Arizona Revised  
18 Statutes, to the Arizona health care cost containment system to establish  
19 five additional secure behavioral health residential facilities for  
20 individuals experiencing homelessness and for provider support for the new  
21 facilities established pursuant to this subsection.