

PROPOSED
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1060
(Reference to Senate engrossed bill)

- 1 Strike everything after the enacting clause and insert:
2 "Section 1. Title 15, chapter 13, article 2, Arizona Revised
3 Statutes, is amended by adding section 15-1650.07, to read:
4 15-1650.07. Foreign adversary monies, support and
5 collaboration; higher educational institutions;
6 prohibition; review; university reporting
7 requirements
8 A. NOTWITHSTANDING ANY OTHER LAW, A PUBLIC INSTITUTION OF HIGHER
9 EDUCATION IN THIS STATE, INCLUDING ANY UNIVERSITY UNDER THE JURISDICTION
10 OF THE ARIZONA BOARD OF REGENTS, MAY NOT KNOWINGLY SOLICIT, ACCEPT, ENTER
11 INTO OR CONTINUE ANY LOAN, GIFT, GRANT, CONTRACT, AGREEMENT, RESEARCH
12 PARTNERSHIP, MEMORANDUM OF UNDERSTANDING OR SPONSORED PROJECT THAT
13 ORIGINATES FROM, IS FUNDED BY OR IS AFFILIATED WITH ANY OF THE FOLLOWING
14 ENTITIES:
15 1. THE GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA.
16 2. THE CHINESE COMMUNIST PARTY.
17 3. ANY POLITICAL SUBDIVISION, INSTRUMENTALITY, STATE-OWNED
18 ENTERPRISE, MILITARY-AFFILIATED ENTITY OR AGENT ACTING ON BEHALF OF THE
19 PEOPLE'S REPUBLIC OF CHINA OR THE CHINESE COMMUNIST PARTY.
20 4. BEIHANG UNIVERSITY, FORMERLY KNOWN AS BEIJING UNIVERSITY OF
21 AERONAUTICS AND ASTRONAUTICS.
22 5. BEIJING INSTITUTE OF TECHNOLOGY.
23 6. HARBIN ENGINEERING UNIVERSITY.
24 7. HARBIN INSTITUTE OF TECHNOLOGY.
25 8. NANJING UNIVERSITY OF AERONAUTICS AND ASTRONAUTICS.
26 9. NANJING UNIVERSITY OF SCIENCE AND TECHNOLOGY.
27 10. NORTHWESTERN POLYTECHNICAL UNIVERSITY.
28 B. ANY PROPOSED ACCEPTANCE OF MONIES, SUPPORT OR COLLABORATION WITH
29 AN ENTITY LISTED IN SUBSECTION A OF THIS SECTION MUST BE SUBMITTED TO THE
30 ARIZONA BOARD OF REGENTS FOR REVIEW AND WRITTEN APPROVAL BEFORE THE
31 ACCEPTANCE OF MONIES, SUPPORT OR COLLABORATION MAY OCCUR. THE ARIZONA
32 BOARD OF REGENTS IS THE SOLE REVIEWING AND DECISION-MAKING AUTHORITY FOR
33 DETERMINING WHETHER THE ACCEPTANCE OF ANY MONIES, SUPPORT OR COLLABORATION
34 IS CONSISTENT WITH THE LAWS OF THIS STATE, NATIONAL SECURITY INTERESTS AND
35 THE PUBLIC INTEREST OF THIS STATE.
36 C. A PUBLIC INSTITUTION OF HIGHER EDUCATION MAY NOT DELEGATE,
37 BYPASS OR PRESUME APPROVAL AUTHORITY AS PRESCRIBED IN THIS SECTION, AND
38 ANY AGREEMENT ENTERED INTO OR EXECUTED WITHOUT PRIOR APPROVAL BY THE
39 ARIZONA BOARD OF REGENTS IS VOID AND UNENFORCEABLE AS A MATTER OF LAW.

1 D. IF THE ARIZONA BOARD OF REGENTS APPROVES THE ACCEPTANCE OF
2 MONIES OR AN AGREEMENT PURSUANT TO THIS SECTION AND THE ACCEPTANCE IS
3 LATER DETERMINED TO NOT COMPLY WITH THIS SECTION, THE PUBLIC INSTITUTION
4 OF HIGHER EDUCATION SHALL FORFEIT AN AMOUNT EQUAL TO ONE HUNDRED FIFTY
5 PERCENT OF THE TOTAL VALUE OF THE MONIES, GRANT, LOAN, GIFT OR AGREEMENT.
6 THE FORFEITED AMOUNT SHALL BE PAID FROM THE INSTITUTION'S GENERAL
7 OPERATING BUDGET TO THE STATE TREASURER FOR DEPOSIT IN THE STATE GENERAL
8 FUND. THE LEGISLATURE MAY NOT INCREASE OR DECREASE AN APPROPRIATION TO
9 THE INSTITUTION TO OFFSET THE FORFEITURE.

10 E. THE ARIZONA BOARD OF REGENTS SHALL ESTABLISH A SUBCOMMITTEE,
11 ADVISORY BOARD OR SIMILAR ENTITY TO REVIEW AND APPROVE, IF APPROPRIATE
12 PURSUANT TO SUBSECTION B OF THIS SECTION, ANY PROPOSED MONIES, SUPPORT OR
13 COLLABORATION BETWEEN A UNIVERSITY UNDER THE JURISDICTION OF THE ARIZONA
14 BOARD OF REGENTS AND AN ENTITY THAT IS LISTED IN SUBSECTION A OF THIS
15 SECTION. THE ARIZONA BOARD OF REGENTS SHALL ADOPT REPORTING REQUIREMENTS
16 FOR UNIVERSITIES THAT ARE UNDER THE JURISDICTION OF THE ARIZONA BOARD OF
17 REGENTS REGARDING ANY MONIES, SUPPORT OR COLLABORATION THAT IS APPROVED
18 PURSUANT TO THIS SECTION. THE REPORTING REQUIREMENTS MUST ENSURE THAT ANY
19 REPORT UNDER THIS SUBSECTION COMPLY WITH BASIC ACCOUNTING GUIDELINES AS
20 PRESCRIBED BY THE AUDITOR GENERAL. REPORTS UNDER THIS SUBSECTION MAY BE
21 INSPECTED BY THE AUDITOR GENERAL."

22 Amend title to conform

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