

State of Arizona
Senate
Fiftieth Legislature
First Regular Session
2011

CHAPTER 324
SENATE BILL 1402

AN ACT

AMENDING SECTIONS 28-2351, 28-2403 AND 28-2430, ARIZONA REVISED STATUTES; AMENDING TITLE 28, CHAPTER 7, ARTICLE 12, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 28-2437, 28-2438, 28-2439, 28-2439.01, 28-2439.02, 28-2440, 28-2441, 28-2442, 28-2443, 28-2444, 28-2445 AND 28-2446; AMENDING SECTIONS 28-6501, 28-6991 AND 28-6993, ARIZONA REVISED STATUTES; AMENDING TITLE 36, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 36-120 AND 36-121; RELATING TO SPECIAL LICENSE PLATES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 28-2351, Arizona Revised Statutes, is amended to
3 read:

4 28-2351. License plate provided; design

5 A. The department shall provide to every owner one license plate for
6 each vehicle registered. At the request of the owner and on payment of any
7 required fee, the department shall provide either one or two license plates
8 for a vehicle for which a special plate is requested pursuant to this
9 chapter, except that the department shall provide one license plate if the
10 special plate is issued pursuant to section 28-2416 or 28-2416.01.

11 B. The license plate shall display the number assigned to the vehicle
12 and to the owner of the vehicle and the name of this state, which may be
13 abbreviated. The director shall coat the license plate with a reflective
14 material that is consistent with the determination of the department
15 regarding the color and design of license plates and special plates. The
16 director shall design the license plate and the letters and numerals on the
17 license plate to be of sufficient size to be plainly readable during daylight
18 from a distance of one hundred feet. In addition to the standard license
19 plate issued for a trailer before August 12, 2005, the director shall issue a
20 license plate for trailers that has a design that is similar to the standard
21 size license plate for trailers but that is the same size as the license
22 plate for motorcycles. The trailer owner shall notify the department which
23 size license plate the owner wants for the trailer.

24 C. Notwithstanding any other law, the department shall not contract
25 with a nongovernmental entity to purchase or secure reflective material for
26 the plates issued by the department unless the department has made a
27 reasonable effort to secure qualified bids or proposals from as many
28 individual responsible respondents as possible.

29 D. The department shall determine the color and design of the license
30 plate. All other plates issued by the department, except the plates issued
31 pursuant to sections 28-2404, 28-2412, 28-2413, 28-2414, 28-2416, 28-2416.01,
32 28-2417 through ~~28-2436~~ 28-2446, 28-2452, 28-2453, 28-2454 and 28-2455 and
33 article 14 of this chapter, shall be the same color as and similar in design
34 to the license plate as determined by the department.

35 E. A passenger motor vehicle rented without a driver shall receive the
36 same type of license plate as issued for a private passenger motor vehicle.

37 Sec. 2. Section 28-2403, Arizona Revised Statutes, is amended to read:
38 28-2403. Special plates; transfers; violation; classification

39 A. Except as otherwise provided in this article, the department shall
40 issue or renew special plates in lieu of the regular license plates pursuant
41 to the following conditions and procedures and only if the requirements
42 prescribed by this article for the requested special plates are met:

43 1. Except as provided in sections 28-2416 and 28-2416.01, a person who
44 is the registered owner of a vehicle registered with the department or who
45 applies for an original or renewal registration of a vehicle may submit to
46 the department a completed application form as prescribed by the department

1 with the fee prescribed by section 28-2402 for special plates in addition to
2 the registration fee prescribed by section 28-2003.

3 2. Except for plates issued pursuant to sections 28-2404, 28-2412,
4 28-2413, 28-2414, 28-2416, 28-2416.01, 28-2417 through ~~28-2436~~ 28-2446,
5 28-2452, 28-2453, 28-2454 and 28-2455 and article 14 of this chapter, the
6 special plates shall be the same color as and similar to the design of the
7 regular license plates that is determined by the department.

8 3. Except as provided in section 28-2416, the department shall issue
9 special plates only to the owner or lessee of a vehicle that is currently
10 registered, including any vehicle that has a declared gross weight, as
11 defined in section 28-5431, of twenty-six thousand pounds or less.

12 4. Except as provided in sections 28-2416 and 28-2416.01, the
13 department shall charge the fee prescribed by section 28-2402 for each annual
14 renewal of special plates in addition to the registration fee prescribed by
15 section 28-2003.

16 B. Except as provided in sections 28-2416 and 28-2416.01, on
17 notification to the department and on payment of the transfer fee prescribed
18 by section 28-2402, a person who is issued special plates may transfer the
19 special plates to another vehicle the person owns or leases. Persons who are
20 issued special plates for hearing impaired persons pursuant to section
21 28-2408 and international symbol of access special plates pursuant to section
22 28-2409 are exempt from the transfer fee. If a person who is issued special
23 plates sells, trades or otherwise releases ownership of the vehicle on which
24 the plates have been displayed, the person shall immediately report the
25 transfer of the plates to the department or the person shall surrender the
26 plates to the department as prescribed by the director. It is unlawful for a
27 person to whom the plates have been issued to knowingly permit them to be
28 displayed on a vehicle except the vehicle authorized by the department.

29 C. The special plates shall be affixed to the vehicle for which
30 registration is sought in lieu of the regular license plates.

31 D. A person is guilty of a class 3 misdemeanor who:

32 1. Violates subsection B of this section.

33 2. Fraudulently gives false or fictitious information in the
34 application for or renewal of special plates or placards issued pursuant to
35 this article.

36 3. Conceals a material fact or otherwise commits fraud in the
37 application for or renewal of special plates or placards issued pursuant to
38 this article.

39 Sec. 3. Section 28-2430, Arizona Revised Statutes, is amended to read:
40 28-2430. In God we trust special plates

41 A. If an ~~entity receives thirty-two thousand dollars through donations~~
42 ~~for the issuance of the in God we trust special plate and~~ INCORPORATED
43 NONPROFIT CORPORATION gives the department ~~the~~ thirty-two thousand dollars,
44 the department shall issue the in God we trust special plates. The entity
45 that provides the thirty-two thousand dollars shall design the in God we
46 trust special plates. The design and color of the in God we trust special

1 plates are subject to the approval of the department. The director may allow
2 a request for in God we trust special plates to be combined with a request
3 for personalized special plates. If the director allows such a combination,
4 the request shall be in a form prescribed by the director and is subject to
5 the fees for the personalized special plates in addition to the fees required
6 for the in God we trust special plates.

7 B. Of the twenty-five dollar fee required by section 28-2402 for the
8 original special plates and for renewal of special plates, eight dollars is a
9 special plate administration fee and seventeen dollars is an annual donation.

10 C. The department shall deposit, pursuant to sections 35-146 and
11 35-147, all special plate administration fees ~~and all donations collected~~
12 ~~pursuant to this section~~ in the state highway fund established by section
13 28-6991 AND SHALL DISTRIBUTE ALL DONATIONS COLLECTED PURSUANT TO THIS SECTION
14 AS AUTHORIZED IN A WRITTEN RESOLUTION OF THE INCORPORATED NONPROFIT
15 CORPORATION THAT PROVIDED THE THIRTY-TWO THOUSAND DOLLARS FOR IMPLEMENTATION
16 OF THIS SECTION. THE INCORPORATED NONPROFIT CORPORATION SHALL FILE A COPY OF
17 THIS RESOLUTION WITH THE DEPARTMENT. THE INCORPORATED NONPROFIT CORPORATION
18 MUST USE THE DONATIONS TO PROMOTE THE NATIONAL MOTTO "IN GOD WE TRUST", FIRST
19 AMENDMENT RIGHTS AND THE HERITAGE OF THIS STATE AND NATION.

20 Sec. 4. Title 28, chapter 7, article 12, Arizona Revised Statutes, is
21 amended by adding sections 28-2437, 28-2438, 28-2439, 28-2439.01, 28-2439.02,
22 28-2440, 28-2441, 28-2442, 28-2443, 28-2444, 28-2445 and 28-2446, to read:

23 28-2437. Law enforcement special plates; fund

24 A. IF, BY DECEMBER 31, 2011, AN ENTITY DESCRIBED IN SUBSECTION E OF
25 THIS SECTION PAYS THIRTY-TWO THOUSAND DOLLARS TO THE DEPARTMENT FOR
26 IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL ISSUE LAW ENFORCEMENT
27 SPECIAL PLATES. THE ENTITY THAT PROVIDES THE THIRTY-TWO THOUSAND DOLLARS
28 SHALL DESIGN THE LAW ENFORCEMENT SPECIAL PLATES. THE DESIGN AND COLOR OF THE
29 LAW ENFORCEMENT SPECIAL PLATES ARE SUBJECT TO THE APPROVAL OF THE DEPARTMENT.
30 THE DIRECTOR MAY ALLOW A REQUEST FOR LAW ENFORCEMENT SPECIAL PLATES TO BE
31 COMBINED WITH A REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR
32 ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED BY THE
33 DIRECTOR AND IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL PLATES IN
34 ADDITION TO THE FEES REQUIRED FOR THE LAW ENFORCEMENT SPECIAL PLATES.

35 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE
36 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A
37 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

38 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
39 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
40 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
41 SECTION IN THE LAW ENFORCEMENT SPECIAL PLATE FUND ESTABLISHED BY THIS
42 SECTION.

43 D. THE LAW ENFORCEMENT SPECIAL PLATE FUND IS ESTABLISHED CONSISTING OF
44 MONIES DEPOSITED PURSUANT TO THIS SECTION. THE DIRECTOR SHALL ADMINISTER THE
45 FUND. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED.

1 E. THE DIRECTOR SHALL ANNUALLY ALLOCATE MONIES FROM THE FUND TO THE
2 ENTITY IN THIS STATE THAT PAID THE IMPLEMENTATION FEE TO THE DEPARTMENT
3 PURSUANT TO SUBSECTION A OF THIS SECTION. THE ENTITY MUST BE AN INCORPORATED
4 NONPROFIT CORPORATION THAT IS QUALIFIED UNDER SECTION 501(c)(5) OF THE UNITED
5 STATES INTERNAL REVENUE CODE FOR FEDERAL INCOME TAX PURPOSES AND MUST BE A
6 PROFESSIONAL ASSOCIATION THAT IS COMPOSED OF SINGULAR INDEPENDENT POLICE,
7 CORRECTIONS AND DETENTION LABOR ASSOCIATIONS IN THIS STATE AND THAT HAS A
8 PRIMARY MISSION OF REPRESENTING THOSE ASSOCIATIONS BEFORE THE STATE
9 LEGISLATURE AND LOCAL GOVERNMENTS ON ISSUES THAT AFFECT THE WORKING LAW
10 ENFORCEMENT OFFICER, INCLUDING ISSUES RELATING TO MEMBER BENEFITS, MEMBER
11 RIGHTS, MEMBER PAY, EQUIPMENT, LEGISLATION AND FAIR TREATMENT.

12 F. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND
13 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED
14 FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

15 28-2438. Youth development organization special plates; fund

16 A. IF, BY DECEMBER 31, 2011, AN ENTITY DESCRIBED IN SUBSECTION E OF
17 THIS SECTION PAYS THIRTY-TWO THOUSAND DOLLARS TO THE DEPARTMENT FOR
18 IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL ISSUE YOUTH DEVELOPMENT
19 ORGANIZATION SPECIAL PLATES. THE ENTITY THAT PROVIDES THE THIRTY-TWO
20 THOUSAND DOLLARS SHALL DESIGN THE YOUTH DEVELOPMENT ORGANIZATION SPECIAL
21 PLATES. THE DESIGN AND COLOR OF THE YOUTH DEVELOPMENT ORGANIZATION SPECIAL
22 PLATES ARE SUBJECT TO THE APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY ALLOW
23 A REQUEST FOR YOUTH DEVELOPMENT ORGANIZATION SPECIAL PLATES TO BE COMBINED
24 WITH A REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH
25 A COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED BY THE DIRECTOR AND
26 IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL PLATES IN ADDITION TO THE
27 FEES REQUIRED FOR THE YOUTH DEVELOPMENT ORGANIZATION SPECIAL PLATES.

28 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE
29 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A
30 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

31 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
32 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
33 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
34 SECTION IN THE YOUTH DEVELOPMENT ORGANIZATION SPECIAL PLATE FUND ESTABLISHED
35 BY THIS SECTION.

36 D. THE YOUTH DEVELOPMENT ORGANIZATION SPECIAL PLATE FUND IS
37 ESTABLISHED CONSISTING OF MONIES DEPOSITED PURSUANT TO THIS SECTION. THE
38 DIRECTOR SHALL ADMINISTER THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY
39 APPROPRIATED.

40 E. THE DIRECTOR SHALL ANNUALLY ALLOCATE MONIES FROM THE FUND TO THE
41 ENTITY IN THIS STATE THAT PAID THE IMPLEMENTATION FEE TO THE DEPARTMENT
42 PURSUANT TO SUBSECTION A OF THIS SECTION. THE ENTITY MUST BE AN INCORPORATED
43 NONPROFIT CORPORATION THAT IS QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED
44 STATES INTERNAL REVENUE CODE FOR FEDERAL INCOME TAX PURPOSES AND MUST BE ONE
45 OF THE NATION'S LARGEST AND MOST PROMINENT VALUES-BASED YOUTH DEVELOPMENT
46 ORGANIZATIONS THAT PROVIDES A PROGRAM FOR YOUNG PEOPLE THAT BUILDS CHARACTER,

1 THAT TRAINS THEM IN THE RESPONSIBILITIES OF PARTICIPATING CITIZENSHIP AND
2 THAT DEVELOPS PERSONAL FITNESS. THE INCORPORATED NONPROFIT CORPORATION MUST
3 HAVE BEEN IN EXISTENCE FOR AT LEAST ONE CENTURY AND MUST HELP BUILD THE
4 FUTURE LEADERS OF THIS COUNTRY BY COMBINING EDUCATIONAL ACTIVITIES AND
5 LIFELONG VALUES WITH FUN.

6 F. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND
7 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED
8 FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

9 28-2439. Don't tread on me special plates

10 A. IF AN ENTITY RECEIVES THIRTY-TWO THOUSAND DOLLARS THROUGH DONATIONS
11 FOR THE ISSUANCE OF DON'T TREAD ON ME SPECIAL PLATES AND GIVES THE DEPARTMENT
12 THE THIRTY-TWO THOUSAND DOLLARS, THE DEPARTMENT SHALL ISSUE DON'T TREAD ON ME
13 SPECIAL PLATES. THE ENTITY THAT PROVIDES THE THIRTY-TWO THOUSAND DOLLARS
14 SHALL DESIGN THE DON'T TREAD ON ME SPECIAL PLATES, EXCEPT THAT THE BACKGROUND
15 OF THE DON'T TREAD ON ME SPECIAL PLATES SHALL BE IN THE IMAGE AND COLOR OF
16 THE GADSDEN FLAG. THE DESIGN OF THE DON'T TREAD ON ME SPECIAL PLATES IS
17 SUBJECT TO THE APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY ALLOW A REQUEST
18 FOR DON'T TREAD ON ME SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR
19 PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE
20 REQUEST SHALL BE IN A FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE
21 FEES FOR THE PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR
22 DON'T TREAD ON ME SPECIAL PLATES.

23 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE
24 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A
25 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

26 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
27 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
28 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
29 SECTION IN THE DON'T TREAD ON ME SPECIAL PLATES FUND ESTABLISHED BY SECTION
30 28-2439.02.

31 28-2439.01. Arizona tea party committee

32 A. THE ARIZONA TEA PARTY COMMITTEE IS ESTABLISHED CONSISTING OF THE
33 FOLLOWING THIRTEEN MEMBERS WHO RESIDE IN THIS STATE AND WHO ARE UNITED STATES
34 CITIZENS:

35 1. ONE MEMBER WHO IS APPOINTED BY THE PRESIDENT OF THE SENATE AND WHO
36 IS THE DIRECTOR OF AN INCORPORATED NONPROFIT CORPORATION THAT IS QUALIFIED
37 UNDER SECTION 501(c)(3) OR 501(c)(4) OF THE UNITED STATES INTERNAL REVENUE
38 CODE FOR FEDERAL INCOME TAX PURPOSES, THAT HAS A MISSION OF BRINGING
39 TOGETHER, EMPOWERING AND TRAINING TEA PARTY GROUPS AND THAT HAS AFFILIATED
40 MEMBERS THAT REPRESENT DIVERSE GEOGRAPHICAL LOCATIONS THROUGHOUT THIS STATE.

41 2. TWO MEMBERS WHO ARE APPOINTED BY THE PRESIDENT OF THE SENATE AND
42 WHO EACH REPRESENT AN ORGANIZATION IN THIS STATE THAT PROMOTES THE TEA PARTY
43 GOVERNING PRINCIPLES OF FISCAL RESPONSIBILITY, LIMITED GOVERNMENT AND FREE
44 MARKETS. ONE OF THE TWO MEMBERS MUST RESIDE IN A COUNTY WITH A POPULATION OF
45 MORE THAN ONE HUNDRED SIXTY THOUSAND PERSONS BUT LESS THAN ONE HUNDRED SIXTY
46 SEVEN THOUSAND PERSONS.

1 3. THREE MEMBERS WHO ARE APPOINTED BY THE SPEAKER OF THE HOUSE OF
2 REPRESENTATIVES AND WHO EACH REPRESENT AN ORGANIZATION IN THIS STATE THAT
3 PROMOTES THE TEA PARTY GOVERNING PRINCIPLES OF FISCAL RESPONSIBILITY, LIMITED
4 GOVERNMENT AND FREE MARKETS.

5 4. SEVEN MEMBERS WHO ARE APPOINTED BY THE GOVERNOR AND WHO EACH
6 REPRESENT AN ORGANIZATION IN THIS STATE THAT PROMOTES THE TEA PARTY GOVERNING
7 PRINCIPLES OF FISCAL RESPONSIBILITY, LIMITED GOVERNMENT AND FREE MARKETS.

8 B. THE ARIZONA TEA PARTY COMMITTEE MEMBERS SHALL SERVE FIVE YEAR
9 TERMS.

10 C. THE COMMITTEE SHALL:

11 1. DISTRIBUTE MONIES FROM THE DON'T TREAD ON ME SPECIAL PLATES FUND
12 ESTABLISHED BY SECTION 28-2439.02.

13 2. SUBMIT A WRITTEN REPORT TO THE GOVERNOR, THE PRESIDENT OF THE
14 SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES PURSUANT TO SECTION
15 28-2439.02.

16 3. NO LATER THAN SIXTY DAYS BEFORE THE EXPIRATION OF A MEMBER'S TERM,
17 DELIVER A LIST OF AT LEAST TWO, BUT NO MORE THAN FIVE, CANDIDATES TO THE
18 GOVERNOR, THE PRESIDENT OF THE SENATE OR THE SPEAKER OF THE HOUSE OF
19 REPRESENTATIVES IN ORDER TO FILL A VACANCY ON THE COMMITTEE. THE GOVERNOR,
20 THE PRESIDENT OF THE SENATE OR THE SPEAKER OF THE HOUSE OF REPRESENTATIVES
21 SHALL SELECT AND APPOINT A MEMBER TO THE COMMITTEE FROM THE LIST SUBMITTED BY
22 THE COMMITTEE.

23 D. MEMBERS OF THE COMMITTEE ARE NOT ELIGIBLE TO RECEIVE COMPENSATION
24 OR REIMBURSEMENT OF EXPENSES.

25 28-2439.02. Don't tread on me special plates fund; grants;
26 definition

27 A. THE DON'T TREAD ON ME SPECIAL PLATES FUND IS ESTABLISHED CONSISTING
28 OF MONIES RECEIVED PURSUANT TO SECTION 28-2439. THE ARIZONA TEA PARTY
29 COMMITTEE SHALL ADMINISTER THE FUND. NOT MORE THAN TEN PER CENT OF MONIES
30 DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR THE COST OF ADMINISTERING
31 THE FUND AND THE GRANT PROGRAM PURSUANT TO THIS SECTION. MONIES IN THE FUND
32 ARE CONTINUOUSLY APPROPRIATED.

33 B. THE ARIZONA TEA PARTY COMMITTEE SHALL ALLOCATE MONIES TO QUALIFYING
34 ENTITIES IN THIS STATE THAT USE MONIES TO PROMOTE TEA PARTY GOVERNING
35 PRINCIPLES. THE ARIZONA TEA PARTY COMMITTEE SHALL ANNUALLY DISTRIBUTE ALL
36 MONIES DEPOSITED IN THE DON'T TREAD ON ME SPECIAL PLATES FUND, EXCLUDING
37 ADMINISTRATIVE FEES, TO ANY QUALIFYING ENTITIES. FUNDS AWARDED PURSUANT TO
38 THIS SECTION MUST BE USED FOR THE PURPOSES FOR WHICH THE MONIES WERE AWARDED.

39 C. ON NOTICE FROM THE ARIZONA TEA PARTY COMMITTEE, THE STATE TREASURER
40 SHALL INVEST AND DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND
41 MONIES EARNED FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

42 D. MONIES IN THE FUND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190
43 RELATING TO LAPSING OF APPROPRIATIONS.

44 E. BEFORE ALLOCATING MONIES PURSUANT TO SUBSECTION B OF THIS SECTION:

1 1. THE ARIZONA TEA PARTY COMMITTEE SHALL ESTABLISH A GRANT PROGRAM TO
2 DISTRIBUTE FUND MONIES AND PREPARE AND ISSUE A REQUEST FOR GRANT APPLICATION
3 THAT INCLUDES AT LEAST THE FOLLOWING INFORMATION:

4 (a) A DESCRIPTION OF THE INTENDED USES OF GRANT MONIES.

5 (b) WHETHER A SINGLE AWARD OR MULTIPLE AWARDS MAY BE MADE.

6 (c) THE CRITERIA OR FACTORS UNDER WHICH AN APPLICATION WILL BE
7 EVALUATED FOR AWARD AND THE RELATIVE IMPORTANCE OF EACH CRITERIA OR FACTOR.

8 (d) THE DUE DATE FOR SUBMITTAL OF AN APPLICATION AND THE ANTICIPATED
9 TIME THE AWARDS MAY BE MADE.

10 (e) ANY ADDITIONAL INFORMATION REQUIRED BY THE COMMITTEE.

11 2. ADEQUATE PUBLIC NOTICE OF REQUEST FOR GRANT APPLICATION SHALL BE
12 GIVEN A REASONABLE TIME BEFORE THE DATE SET FORTH IN THE REQUEST FOR
13 APPLICATION.

14 3. A GRANT APPLICATION SHALL BE PUBLICLY RECEIVED AT THE TIME AND
15 PLACE DESIGNATED IN THE REQUEST FOR GRANT APPLICATION. THE NAME OF EACH
16 APPLICANT SHALL BE PUBLICLY RECORDED. ALL OTHER INFORMATION IN THE
17 APPLICATION IS CONFIDENTIAL DURING THE PROCESS OF EVALUATION. ALL
18 APPLICATIONS SHALL BE OPEN FOR PUBLIC INSPECTION AFTER GRANT MONIES ARE
19 AWARDED.

20 4. AN APPLICATION SHALL BE EVALUATED BY AT LEAST THREE MEMBERS OF THE
21 ARIZONA TEA PARTY COMMITTEE. THE MEMBERS SHALL REVIEW EACH APPLICATION BASED
22 SOLELY ON THE EVALUATION CRITERIA OR FACTORS SET FORTH IN THE REQUEST FOR
23 GRANT APPLICATION.

24 5. THE ARIZONA TEA PARTY COMMITTEE MAY ENTER INTO AGREEMENTS WITH
25 OTHER STATE GOVERNMENTAL UNITS TO FURNISH ASSISTANCE IN CONDUCTING THE
26 SOLICITATION OF GRANT APPLICATIONS.

27 6. THE ARIZONA TEA PARTY COMMITTEE MAY RESOLVE PROTESTS OF THE AWARD
28 OR PROPOSED AWARD OF A GRANT. AN APPEAL FROM A DECISION OF THE ARIZONA TEA
29 PARTY COMMITTEE MAY BE MADE TO THE DIRECTOR OF THE DEPARTMENT OF
30 ADMINISTRATION. A PROTEST OF AN AWARD OR PROPOSED AWARD OF A GRANT AND ANY
31 APPEALS SHALL BE RESOLVED IN ACCORDANCE WITH THE RULES OF PROCEDURE ADOPTED
32 BY THE DEPARTMENT OF ADMINISTRATION PURSUANT TO SECTION 41-2611.

33 F. ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE ARIZONA TEA PARTY
34 COMMITTEE SHALL SUBMIT A WRITTEN REPORT TO THE GOVERNOR, THE PRESIDENT OF THE
35 SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES ON ALL EXPENDITURES
36 MADE FROM THE FUND IN THAT CALENDAR YEAR. THE REPORT SHALL INCLUDE ALL
37 ADMINISTRATIVE EXPENSES, ALL GRANTS OF MONIES, THE NAMES OF GRANTEEES AND ANY
38 REMAINING BALANCE IN THE FUND. THE COMMITTEE SHALL PROVIDE A COPY OF THE
39 REPORT TO THE SECRETARY OF STATE.

40 G. THE ARIZONA TEA PARTY COMMITTEE SHALL MAKE AVAILABLE TO THE PUBLIC
41 A LIST OF ALL GRANTS AWARDED PURSUANT TO THIS SECTION ON REQUEST.

42 H. GRANTEEES SHALL MAINTAIN A WRITTEN RECORD OF ALL EXPENDITURES MADE
43 USING GRANT MONIES AND SHALL FURNISH THOSE RECORDS ON THE REQUEST OF THE
44 ARIZONA TEA PARTY COMMITTEE. THE ARIZONA TEA PARTY COMMITTEE MAY REQUEST AND
45 REVIEW THE WRITTEN RECORDS MAINTAINED BY GRANTEEES.

1 I. FOR THE PURPOSES OF THIS SECTION, "QUALIFYING ENTITIES" MEANS
2 ORGANIZATIONS THAT FOSTER TEA PARTY GOVERNING PRINCIPLES, INCLUDING ALL OF
3 THE FOLLOWING:

4 1. TO PROMOTE THE CONSTITUTION OF THE UNITED STATES AS THE SUPREME LAW
5 OF THE LAND THROUGH EDUCATION AND PRESERVATION OF THE FOUNDING PRINCIPLES OF
6 THE CONSTITUTION OF THE UNITED STATES.

7 2. TO PROTECT STATE SOVEREIGNTY, AS PROVIDED FOR UNDER THE TENTH
8 AMENDMENT OF THE CONSTITUTION OF THE UNITED STATES.

9 3. TO ADHERE TO THE TENETS OF LIMITED GOVERNMENT, FREE ENTERPRISE FOR
10 BUSINESSES AND FISCAL RESPONSIBILITY BY FEDERAL, STATE AND LOCAL GOVERNMENTS.

11 4. TO STAND FOR THE SECURITY OF BORDERS WITH OTHER NATIONS FOR THE
12 STABILITY AND SAFETY OF THE UNITED STATES.

13 28-2440. Multiple sclerosis awareness special plates

14 A. IF, BY DECEMBER 31, 2011, THIRTY-TWO THOUSAND DOLLARS IS PAID TO
15 THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL
16 ISSUE MULTIPLE SCLEROSIS AWARENESS SPECIAL PLATES. THE DIRECTOR OF THE
17 DEPARTMENT, OR THE DIRECTOR'S DESIGNEE, SHALL DESIGN THE MULTIPLE SCLEROSIS
18 AWARENESS SPECIAL PLATES. THE DIRECTOR MAY ALLOW A REQUEST FOR MULTIPLE
19 SCLEROSIS AWARENESS SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR
20 PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE
21 REQUEST SHALL BE IN A FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE
22 FEES FOR THE PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR
23 MULTIPLE SCLEROSIS AWARENESS SPECIAL PLATES.

24 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE
25 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A
26 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

27 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
28 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
29 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
30 SECTION IN THE MULTIPLE SCLEROSIS AWARENESS FUND ESTABLISHED BY SECTION
31 36-120.

32 28-2441. Hunger relief special plates; fund

33 A. IF, BY JUNE 30, 2012, AN ENTITY PAYS THIRTY-TWO THOUSAND DOLLARS TO
34 THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL
35 ISSUE HUNGER RELIEF SPECIAL PLATES. THE ENTITY THAT PROVIDES THE THIRTY-TWO
36 THOUSAND DOLLARS SHALL DESIGN THE HUNGER RELIEF SPECIAL PLATES. THE DESIGN
37 AND COLOR OF THE HUNGER RELIEF SPECIAL PLATES ARE SUBJECT TO THE APPROVAL OF
38 THE DEPARTMENT. THE DIRECTOR MAY ALLOW A REQUEST FOR HUNGER RELIEF SPECIAL
39 PLATES TO BE COMBINED WITH A REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE
40 DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED
41 BY THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL
42 PLATES IN ADDITION TO THE FEES REQUIRED FOR THE HUNGER RELIEF SPECIAL PLATES.

43 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE
44 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A
45 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

1 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
2 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
3 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
4 SECTION IN THE HUNGER RELIEF SPECIAL PLATE FUND ESTABLISHED BY SUBSECTION D
5 OF THIS SECTION.

6 D. THE HUNGER RELIEF SPECIAL PLATE FUND IS ESTABLISHED CONSISTING OF
7 MONIES RECEIVED PURSUANT TO THIS SECTION. THE DIRECTOR SHALL ADMINISTER THE
8 FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS RECEIVED SHALL BE REIMBURSED TO
9 THE ENTITY THAT PAID THE IMPLEMENTATION FEE TO THE DEPARTMENT PURSUANT TO
10 SUBSECTION A OF THIS SECTION. MONIES IN THE FUND ARE CONTINUOUSLY
11 APPROPRIATED. THE DIRECTOR SHALL ANNUALLY ALLOCATE ALL MONIES FROM THE FUND
12 TO AN ORGANIZATION THAT OPERATES STATEWIDE TO COORDINATE FOOD BANK SERVICES
13 AND THAT IS QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED STATES INTERNAL
14 REVENUE CODE FOR FEDERAL INCOME TAX PURPOSES. THE ORGANIZATION SHALL
15 ESTABLISH A PROCESS TO DISTRIBUTE THE MONIES ANNUALLY TO ORGANIZATIONS THAT
16 PROVIDE FOOD DISTRIBUTION TO HUNGRY PEOPLE IN THIS STATE AND THAT ARE
17 QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED STATES INTERNAL REVENUE CODE
18 FOR FEDERAL INCOME TAX PURPOSES. TO THE EXTENT POSSIBLE, THE DISTRIBUTING
19 ORGANIZATION SHALL DISTRIBUTE MONIES COLLECTED IN A GEOGRAPHIC REGION TO
20 ORGANIZATIONS SERVING INDIVIDUALS IN THAT REGION. THE DIRECTOR SHALL FORWARD
21 ALL MONIES DEPOSITED IN THE HUNGER RELIEF SPECIAL PLATE FUND TO THE
22 ORGANIZATION ON AN ANNUAL BASIS. THE ORGANIZATION MAY RETAIN NOT MORE THAN
23 TEN PER CENT OF THE MONIES FOR DOCUMENTED EXPENSES RELATED TO AN APPLICATION
24 AND AWARD PROCESS.

25 E. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND
26 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED
27 FROM INVESTMENT SHALL BE CREDITED TO THE FUND. MONIES IN THE FUND ARE EXEMPT
28 FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS.

29 28-2442. Childhood cancer research special plates

30 A. IF, BY DECEMBER 31, 2012, THIRTY-TWO THOUSAND DOLLARS IS PAID TO
31 THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL
32 ISSUE CHILDHOOD CANCER RESEARCH SPECIAL PLATES. THE PERSON OR ENTITY THAT
33 PROVIDES THE THIRTY-TWO THOUSAND DOLLARS FOR IMPLEMENTATION OF THIS SECTION
34 SHALL DESIGN THE CHILDHOOD CANCER RESEARCH SPECIAL PLATES. THE DESIGN AND
35 COLOR OF THE CHILDHOOD CANCER RESEARCH SPECIAL PLATES ARE SUBJECT TO THE
36 APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY ALLOW A REQUEST FOR CHILDHOOD
37 CANCER RESEARCH SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR PERSONALIZED
38 SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL
39 BE IN A FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE
40 PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR CHILDHOOD
41 CANCER RESEARCH SPECIAL PLATES.

42 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE
43 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A
44 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

45 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
46 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND

1 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
2 SECTION IN THE CHILDHOOD CANCER AND RARE CHILDHOOD DISEASE RESEARCH FUND
3 ESTABLISHED BY SECTION 36-121.

4 28-2443. Litter prevention and cleanup special plates; fund

5 A. IF, BY DECEMBER 31, 2011, AN ENTITY PAYS THIRTY-TWO THOUSAND
6 DOLLARS TO THE DEPARTMENT FOR IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT
7 SHALL ISSUE LITTER PREVENTION AND CLEANUP SPECIAL PLATES. THE ENTITY THAT
8 PROVIDES THE THIRTY-TWO THOUSAND DOLLARS SHALL DESIGN THE LITTER PREVENTION
9 AND CLEANUP SPECIAL PLATES. THE DESIGN AND COLOR OF THE LITTER PREVENTION
10 AND CLEANUP SPECIAL PLATES ARE SUBJECT TO THE APPROVAL OF THE DEPARTMENT.
11 THE DIRECTOR MAY ALLOW A REQUEST FOR LITTER PREVENTION AND CLEANUP SPECIAL
12 PLATES TO BE COMBINED WITH A REQUEST FOR PERSONALIZED SPECIAL PLATES. IF THE
13 DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE IN A FORM PRESCRIBED
14 BY THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE PERSONALIZED SPECIAL
15 PLATES IN ADDITION TO THE FEES REQUIRED FOR THE LITTER PREVENTION AND CLEANUP
16 SPECIAL PLATES.

17 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE
18 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A
19 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

20 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
21 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
22 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
23 SECTION IN THE LITTER PREVENTION AND CLEANUP SPECIAL PLATE FUND ESTABLISHED
24 BY THIS SECTION.

25 D. THE LITTER PREVENTION AND CLEANUP SPECIAL PLATE FUND IS ESTABLISHED
26 CONSISTING OF MONIES DEPOSITED PURSUANT TO THIS SECTION. THE DIRECTOR SHALL
27 ADMINISTER THE FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS IN THE FUND SHALL
28 BE REIMBURSED TO THE ENTITY THAT PAID THE IMPLEMENTATION FEE TO THE
29 DEPARTMENT PURSUANT TO SUBSECTION A OF THIS SECTION. NOT MORE THAN TEN PER
30 CENT OF MONIES DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR THE COST OF
31 ADMINISTERING THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED.

32 E. THE DIRECTOR SHALL ANNUALLY DISTRIBUTE MONIES IN THE FUND TO AN
33 ENTITY THAT IS QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED STATES
34 INTERNAL REVENUE CODE, THAT IS ASSOCIATED WITH THE DEPARTMENT TO ASSIST WITH
35 LITTER PREVENTION AND LITTER CLEANUP AND THAT OPERATES STATEWIDE.

36 F. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND
37 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED
38 FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

39 28-2444. Arizona professional hockey club special plates; fund

40 A. IF, BY DECEMBER 31, 2011, AN ENTITY PAYS THIRTY-TWO THOUSAND
41 DOLLARS TO THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE
42 DEPARTMENT SHALL ISSUE ARIZONA PROFESSIONAL HOCKEY CLUB SPECIAL PLATES. THE
43 ENTITY THAT PROVIDES THE THIRTY-TWO THOUSAND DOLLARS SHALL DESIGN THE ARIZONA
44 PROFESSIONAL HOCKEY CLUB SPECIAL PLATES. THE DESIGN AND COLOR OF THE ARIZONA
45 PROFESSIONAL HOCKEY CLUB SPECIAL PLATES ARE SUBJECT TO THE APPROVAL OF THE
46 DEPARTMENT. THE DIRECTOR MAY ALLOW A REQUEST FOR ARIZONA PROFESSIONAL HOCKEY

1 CLUB SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR PERSONALIZED SPECIAL
2 PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE IN A
3 FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE
4 PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR THE ARIZONA
5 PROFESSIONAL HOCKEY CLUB SPECIAL PLATES.

6 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE
7 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A
8 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

9 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
10 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
11 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
12 SECTION IN THE ARIZONA PROFESSIONAL HOCKEY CLUB SPECIAL PLATE FUND
13 ESTABLISHED BY THIS SECTION.

14 D. THE ARIZONA PROFESSIONAL HOCKEY CLUB SPECIAL PLATE FUND IS
15 ESTABLISHED CONSISTING OF MONIES DEPOSITED PURSUANT TO THIS SECTION. THE
16 DIRECTOR SHALL ADMINISTER THE FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS IN
17 THE FUND SHALL BE REIMBURSED TO THE ENTITY THAT PAID THE IMPLEMENTATION FEE
18 TO THE DEPARTMENT PURSUANT TO SUBSECTION A OF THIS SECTION. NOT MORE THAN
19 TEN PER CENT OF THE MONIES DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR
20 THE COST OF ADMINISTERING THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY
21 APPROPRIATED. THE DIRECTOR SHALL ALLOCATE MONIES FROM THE FUND THROUGH A
22 PRIVATE ARIZONA PROFESSIONAL HOCKEY ORGANIZATION'S FOUNDATION THAT IS
23 QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED STATES INTERNAL REVENUE CODE
24 FOR FEDERAL INCOME TAX PURPOSES. THE DIRECTOR SHALL FORWARD ALL MONIES
25 DEPOSITED IN THE ARIZONA PROFESSIONAL HOCKEY CLUB SPECIAL PLATE FUND,
26 EXCLUDING ADMINISTRATIVE FEES, TO THE FOUNDATION ON AN ANNUAL BASIS.

27 E. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND
28 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED
29 FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

30 28-2445. Arizona public broadcast television special plates:
31 fund

32 A. IF, BY DECEMBER 31, 2011, AN ENTITY PAYS THIRTY-TWO THOUSAND
33 DOLLARS TO THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE
34 DEPARTMENT SHALL ISSUE ARIZONA PUBLIC BROADCAST TELEVISION SPECIAL PLATES.
35 THE ENTITY THAT PROVIDES THE THIRTY-TWO THOUSAND DOLLARS SHALL DESIGN THE
36 ARIZONA PUBLIC BROADCAST TELEVISION SPECIAL PLATES. THE DESIGN AND COLOR OF
37 THE ARIZONA PUBLIC BROADCAST TELEVISION SPECIAL PLATES ARE SUBJECT TO THE
38 APPROVAL OF THE DEPARTMENT. THE DIRECTOR MAY ALLOW A REQUEST FOR ARIZONA
39 PUBLIC BROADCAST TELEVISION SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR
40 PERSONALIZED SPECIAL PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE
41 REQUEST SHALL BE IN A FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE
42 FEES FOR THE PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR
43 THE ARIZONA PUBLIC BROADCAST TELEVISION SPECIAL PLATES.

44 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE
45 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A
46 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

1 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
2 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
3 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
4 SECTION IN THE ARIZONA PUBLIC BROADCAST TELEVISION SPECIAL PLATE FUND
5 ESTABLISHED BY THIS SECTION.

6 D. THE ARIZONA PUBLIC BROADCAST TELEVISION SPECIAL PLATE FUND IS
7 ESTABLISHED CONSISTING OF MONIES DEPOSITED PURSUANT TO THIS SECTION. THE
8 DIRECTOR SHALL ADMINISTER THE FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS IN
9 THE FUND SHALL BE REIMBURSED TO THE ENTITY THAT PAID THE IMPLEMENTATION FEE
10 TO THE DEPARTMENT PURSUANT TO SUBSECTION A OF THIS SECTION. NOT MORE THAN
11 TEN PER CENT OF THE MONIES DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR
12 THE COST OF ADMINISTERING THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY
13 APPROPRIATED. THE DIRECTOR SHALL ALLOCATE MONIES FROM THE FUND TO A
14 FOUNDATION OF PUBLIC BROADCAST TELEVISION IN THIS STATE THAT IS LICENSED AS A
15 FULL-POWER NONCOMMERCIAL EDUCATIONAL STATION BY THE FEDERAL COMMUNICATIONS
16 COMMISSION AND THAT PROVIDES A NONCOMMERCIAL AND NONSECTARIAN EDUCATIONAL
17 BROADCAST SERVICE THAT IS AVAILABLE TO TELEVISION VIEWERS LOCATED IN CENTRAL
18 AND NORTHERN ARIZONA. THE FOUNDATION MUST BE A CHARITABLE ORGANIZATION THAT
19 IS QUALIFIED UNDER SECTION 501(c)(3) OF THE UNITED STATES INTERNAL REVENUE
20 CODE FOR FEDERAL INCOME TAX PURPOSES. THE DIRECTOR SHALL FORWARD ALL MONIES
21 DEPOSITED INTO THE ARIZONA PUBLIC BROADCAST TELEVISION SPECIAL PLATE FUND,
22 EXCLUDING ADMINISTRATIVE FEES, TO THE FOUNDATION ON AN ANNUAL BASIS.

23 E. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND
24 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED
25 FROM INVESTMENT SHALL BE CREDITED TO THE FUND.

26 28-2446. Global graduate management school special plates: fund

27 A. IF, BY DECEMBER 31, 2011, THIRTY-TWO THOUSAND DOLLARS IS PAID TO
28 THE DEPARTMENT FOR THE IMPLEMENTATION OF THIS SECTION, THE DEPARTMENT SHALL
29 ISSUE GLOBAL GRADUATE MANAGEMENT SCHOOL SPECIAL PLATES. THE ENTITY THAT
30 PROVIDES THE THIRTY-TWO THOUSAND DOLLARS SHALL DESIGN THE GLOBAL GRADUATE
31 MANAGEMENT SCHOOL SPECIAL PLATES. THE DESIGN AND COLOR OF THE GLOBAL
32 GRADUATE MANAGEMENT SCHOOL SPECIAL PLATES ARE SUBJECT TO THE APPROVAL OF THE
33 DEPARTMENT. THE DIRECTOR MAY ALLOW A REQUEST FOR GLOBAL GRADUATE MANAGEMENT
34 SCHOOL SPECIAL PLATES TO BE COMBINED WITH A REQUEST FOR PERSONALIZED SPECIAL
35 PLATES. IF THE DIRECTOR ALLOWS SUCH A COMBINATION, THE REQUEST SHALL BE IN A
36 FORM PRESCRIBED BY THE DIRECTOR AND IS SUBJECT TO THE FEES FOR THE
37 PERSONALIZED SPECIAL PLATES IN ADDITION TO THE FEES REQUIRED FOR THE GLOBAL
38 GRADUATE MANAGEMENT SCHOOL SPECIAL PLATES.

39 B. OF THE TWENTY-FIVE DOLLAR FEE REQUIRED BY SECTION 28-2402 FOR THE
40 ORIGINAL SPECIAL PLATES AND FOR RENEWAL OF SPECIAL PLATES, EIGHT DOLLARS IS A
41 SPECIAL PLATE ADMINISTRATION FEE AND SEVENTEEN DOLLARS IS AN ANNUAL DONATION.

42 C. THE DEPARTMENT SHALL DEPOSIT, PURSUANT TO SECTIONS 35-146 AND
43 35-147, ALL SPECIAL PLATE ADMINISTRATION FEES IN THE STATE HIGHWAY FUND
44 ESTABLISHED BY SECTION 28-6991 AND ALL DONATIONS COLLECTED PURSUANT TO THIS
45 SECTION IN THE GLOBAL GRADUATE MANAGEMENT SCHOOL SPECIAL PLATE FUND
46 ESTABLISHED BY SUBSECTION D OF THIS SECTION.

1 D. THE GLOBAL GRADUATE MANAGEMENT SCHOOL SPECIAL PLATE FUND IS
2 ESTABLISHED CONSISTING OF MONIES RECEIVED PURSUANT TO THIS SECTION. THE
3 DIRECTOR SHALL ADMINISTER THE FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS IN
4 THE FUND SHALL BE REIMBURSED TO THE ENTITY THAT PROVIDES THE THIRTY-TWO
5 THOUSAND DOLLARS PURSUANT TO SUBSECTION A OF THIS SECTION. NOT MORE THAN TEN
6 PER CENT OF MONIES DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR THE COST
7 OF ADMINISTERING THE FUND. MONIES IN THE FUND ARE CONTINUOUSLY APPROPRIATED.
8 THE DIRECTOR SHALL ANNUALLY ALLOCATE MONIES FROM THE FUND, EXCLUDING
9 ADMINISTRATIVE FEES, TO A GRADUATE MANAGEMENT SCHOOL IN THIS STATE THAT IS
10 FOCUSED EXCLUSIVELY ON GLOBAL BUSINESS, THAT IS REGARDED AS THE WORLD'S
11 LEADING INSTITUTION IN THE EDUCATION OF GLOBAL MANAGERS AND THAT HAS
12 OPERATIONS IN THE UNITED STATES AND IN OTHER NATIONS. THE GRADUATE
13 MANAGEMENT SCHOOL SHALL USE THE ALLOCATED MONIES FOR THE GRADUATE MANAGEMENT
14 SCHOOL'S OPERATIONS AND ACTIVITIES, INCLUDING EDUCATING GLOBAL LEADERS WHO
15 CREATE SUSTAINABLE PROSPERITY WORLDWIDE AND FACILITATING THE DEVELOPMENT OF
16 THE GLOBAL MINDSET.

17 E. ON NOTICE FROM THE DIRECTOR, THE STATE TREASURER SHALL INVEST AND
18 DIVEST MONIES IN THE FUND AS PROVIDED BY SECTION 35-313, AND MONIES EARNED
19 FROM INVESTMENT SHALL BE CREDITED TO THE FUND. MONIES IN THE FUND ARE EXEMPT
20 FROM THE PROVISIONS OF SECTION 35-190 RELATING TO LAPSING OF APPROPRIATIONS.

21 Sec. 5. Section 28-6501, Arizona Revised Statutes, is amended to read:

22 28-6501. Definition of highway user revenues

23 In this article, unless the context otherwise requires or except as
24 otherwise provided by statute, "highway user revenues" means all monies
25 received in this state from licenses, taxes, penalties, interest and fees
26 authorized by the following:

27 1. Chapters 2, 7, 8 and 15 of this title, except for:

28 (a) The special plate administration fees prescribed in sections
29 28-2404, 28-2412 through ~~28-2436~~ 28-2446 and 28-2514.

30 (b) The donations prescribed in sections 28-2404, 28-2412 through
31 28-2415, 28-2417 through ~~28-2436~~ 28-2446, 28-2453, 28-2454 and 28-2455.

32 2. Section 28-1177.

33 3. Chapters 10 and 11 of this title.

34 4. Chapter 16, articles 1, 2 and 4 of this title, except as provided
35 in sections 28-5926 and 28-5927.

36 Sec. 6. Section 28-6991, Arizona Revised Statutes, is amended to read:

37 28-6991. State highway fund; sources

38 A state highway fund is established that consists of:

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

41 2. Monies appropriated by the legislature.

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

1 4. Monies received from counties under cooperative agreements,
2 including proceeds from bond issues. The state treasurer shall deposit these
3 monies to the credit of the fund in a special account on delivery to the
4 treasurer of a concise written agreement between the department and the
5 county stating the purposes for which the monies are surrendered by the
6 county, and these monies shall be spent only as stated in the agreement.

7 5. Monies received from the United States under an act of Congress to
8 provide aid for the construction of rural post roads, but monies received on
9 projects for which the monies necessary to be provided by this state are
10 wholly derived from sources mentioned in paragraphs 2 and 3 of this section
11 shall be allotted by the department and deposited by the state treasurer in
12 the special account within the fund established for each project. On
13 completion of the project, on the satisfaction and discharge in full of all
14 obligations of any kind created and on request of the department, the
15 treasurer shall transfer the unexpended balance in the special account for
16 the project into the state highway fund, and the unexpended balance and any
17 further federal aid thereafter received on account of the project may be
18 spent under the general provisions of this title.

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

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

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

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

27 10. Monies distributed pursuant to section 28-5808, subsection B,
28 paragraph 2, subdivision (d).

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

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

31 (a) Monies deposited pursuant to section 28-2206 and section 28-5808,
32 subsection B, paragraph 2, subdivision (e).

33 (b) One dollar of each registration fee and one dollar of each title
34 fee collected pursuant to section 28-2003.

35 (c) Two dollars of each late registration penalty collected by the
36 director pursuant to section 28-2162.

37 (d) The air quality compliance fee collected pursuant to section
38 49-542.

39 (e) The special plate administration fees collected pursuant to
40 sections 28-2404, 28-2412 through 28-2416, 28-2416.01, 28-2417 through
41 ~~28-2436~~ 28-2446 and 28-2514.

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

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

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

1 15. Dealer and registration monies collected pursuant to section
2 28-4304.

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

5 17. Monies deposited pursuant to section 28-710, subsection D,
6 paragraph 2.

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

8 ~~19. Donations deposited pursuant to section 28-2430.~~

9 ~~20.~~ 19. Monies deposited pursuant to section 28-7311.

10 ~~21.~~ 20. Monies deposited pursuant to section 28-7059.

11 Sec. 7. Section 28-6993, Arizona Revised Statutes, is amended to read:

12 ~~28-6993.~~ State highway fund; authorized uses

13 A. Except as provided in subsection B of this section and section
14 28-6538, the state highway fund shall be used for any of the following
15 purposes in strict conformity with and subject to the budget as provided by
16 this section and by sections 28-6997 through 28-7003:

17 1. To pay salaries, wages, necessary travel expenses and other
18 expenses of officers and employees of the department and the incidental
19 office expenses, including telegraph, telephone, postal and express charges
20 and printing, stationery and advertising expenses.

21 2. To pay for both:

22 (a) Equipment, supplies, machines, tools, department offices and
23 laboratories established by the department.

24 (b) The construction and repair of buildings or yards of the
25 department.

26 3. To pay the cost of both:

27 (a) Engineering, construction, improvement and maintenance of state
28 highways and parts of highways forming state routes.

29 (b) Highways under cooperative agreements with the United States that
30 are entered into pursuant to this chapter and an act of Congress providing
31 for the construction of rural post roads.

32 4. To pay land damages incurred by reason of establishing, opening,
33 altering, relocating, widening or abandoning portions of a state route or
34 state highway.

35 5. To reimburse the department revolving account.

36 6. To pay premiums on authorized indemnity bonds and on compensation
37 insurance under the workers' compensation act.

38 7. To defray lawful expenses and costs required to administer and
39 carry out the intent, purposes and provisions of this title, including
40 repayment of obligations entered into pursuant to this title, payment of
41 interest on obligations entered into pursuant to this title, repayment of
42 loans and other financial assistance, including repayment of advances and
43 interest on advances made to the department pursuant to section 28-7677, and
44 payment of all other obligations and expenses of the board and department
45 pursuant to chapter 21 of this title.

46 8. To pay lawful bills and charges incurred by the state engineer.

1 9. To acquire, construct or improve entry roads to state parks or
2 roads within state parks.

3 10. To acquire, construct or improve entry roads to state prisons.

4 11. To pay the cost of relocating a utility facility pursuant to
5 section 28-7156.

6 12. For the purposes provided in subsections C, D and E of this section
7 and sections 28-1143, 28-2353 and 28-3003.

8 B. For each fiscal year, the department of transportation shall
9 allocate and transfer monies in the state highway fund to the department of
10 public safety for funding a portion of highway patrol costs in eight
11 installments in each of the first eight months of a fiscal year that do not
12 exceed ten million dollars.

13 C. Subject to legislative appropriation, the department may use the
14 monies in the state highway fund as prescribed in section 28-6991, paragraph
15 12 to carry out the duties imposed by this title for registration or titling
16 of vehicles, to operate joint title, registration and driver licensing
17 offices, to cover the administrative costs of issuing the air quality
18 compliance sticker, modifying the year validating tab and issuing the
19 windshield sticker and to cover expenses and costs in issuing special plates
20 pursuant to sections 28-2404, 28-2412 through ~~28-2436~~ 28-2446 and 28-2514.

21 D. The department shall use monies deposited in the state highway fund
22 pursuant to chapter 5, article 5 of this title only as prescribed by that
23 article.

24 E. Monies deposited in the state highway fund pursuant to section
25 28-2269 shall be used only as prescribed by that section.

26 F. Monies deposited in the state highway fund pursuant to section
27 28-710, subsection D, paragraph 2 shall only be used for state highway work
28 zone traffic control devices.

29 G. The department may exchange monies distributed to the state highway
30 fund pursuant to section 28-6538, subsection A, paragraph 1 for local
31 government surface transportation program federal monies suballocated to
32 councils of government and metropolitan planning organizations if the local
33 government scheduled to receive the federal monies concurs. An exchange of
34 state highway fund monies pursuant to this subsection shall be in an amount
35 that is at least equal to ninety per cent of the federal obligation authority
36 that exists in the project for which the exchange is proposed.

37 Sec. 8. Title 36, chapter 1, article 1, Arizona Revised Statutes, is
38 amended by adding sections 36-120 and 36-121, to read:

39 36-120. Multiple sclerosis awareness fund

40 A. THE MULTIPLE SCLEROSIS AWARENESS FUND IS ESTABLISHED CONSISTING OF
41 MONIES RECEIVED PURSUANT TO SECTION 28-2440. THE DIRECTOR SHALL ADMINISTER
42 THE FUND. NOT MORE THAN TEN PER CENT OF MONIES DEPOSITED IN THE FUND
43 ANNUALLY SHALL BE USED FOR THE COST OF ADMINISTERING THE FUND. MONIES IN THE
44 FUND ARE CONTINUOUSLY APPROPRIATED. THE DIRECTOR SHALL DISTRIBUTE MONIES IN
45 THE FUND BEFORE JULY 1 OF EACH YEAR.

1 B. THE DIRECTOR SHALL ALLOCATE MONIES FROM THE FUND FOR MULTIPLE
2 SCLEROSIS AWARENESS AND OUTREACH SERVICES IN THIS STATE.

3 C. MONIES IN THE FUND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190
4 RELATING TO LAPSING OF APPROPRIATIONS.

5 36-121. Childhood cancer and rare childhood disease research
6 fund

7 A. THE CHILDHOOD CANCER AND RARE CHILDHOOD DISEASE RESEARCH FUND IS
8 ESTABLISHED CONSISTING OF MONIES RECEIVED PURSUANT TO SECTION 28-2442. THE
9 DIRECTOR SHALL ADMINISTER THE FUND. NOT MORE THAN TEN PER CENT OF MONIES
10 DEPOSITED IN THE FUND ANNUALLY SHALL BE USED FOR THE COST OF ADMINISTERING
11 THE FUND. THE FIRST THIRTY-TWO THOUSAND DOLLARS RECEIVED SHALL BE REIMBURSED
12 TO THE PERSON OR ENTITY THAT PAID THE IMPLEMENTATION FEE. MONIES IN THE FUND
13 ARE CONTINUOUSLY APPROPRIATED. THE DIRECTOR SHALL ANNUALLY DISTRIBUTE MONIES
14 IN THE FUND.

15 B. THE DIRECTOR SHALL ALLOCATE MONIES FROM THE FUND TO HEALTH CARE
16 PROVIDERS AND RESEARCH INSTITUTIONS THAT ARE LOCATED IN THIS STATE, THAT ARE
17 NONPROFIT ORGANIZATIONS AND THAT ARE ENGAGED IN PHASE I CLINICAL TRIALS
18 RELATING TO RESEARCH ON PEDIATRIC CANCER OR OTHER RARE PEDIATRIC DISEASES.
19 THE MONIES MAY BE USED IN A COLLABORATIVE STUDY OR RESEARCH PROGRAM WITH
20 OTHER FACILITIES OUTSIDE OF THIS STATE. NONPROFIT ORGANIZATIONS RECEIVING
21 MONIES FROM THE FUND SHALL USE THE MONIES FOR THE PURPOSES PRESCRIBED IN THIS
22 SUBSECTION EVEN IF THE MONIES ARE AGGREGATED WITH OTHER MONIES.

23 C. MONIES IN THE FUND ARE EXEMPT FROM THE PROVISIONS OF SECTION 35-190
24 RELATING TO LAPSING OF APPROPRIATIONS.

25 Sec. 9. Initial terms of members of the Arizona tea party
26 committee

27 A. Notwithstanding section 28-2439.01, Arizona Revised Statutes, as
28 added by this act, the initial terms of members are:

- 29 1. Two terms ending January 1, 2013.
- 30 2. Two terms ending January 1, 2014.
- 31 3. Three terms ending January 1, 2015.
- 32 4. Three terms ending January 1, 2016.
- 33 5. Three terms ending January 1, 2017.

34 B. The governor, the president of the senate and the speaker of the
35 house of representatives shall make all subsequent appointments as prescribed
36 by statute.

APPROVED BY THE GOVERNOR APRIL 28, 2011.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 29, 2011.