

## JOINT LEGISLATIVE BUDGET COMMITTEE

### Committee References as of 10/22/21

#### **Coliseum**

1. Receive monthly financial report and minutes of all regular and special meetings from the Arizona Exposition and State Fair Board. (A.R.S. § 3-1001D as amended by Laws 1997, Ch. 18 § 1)

#### **Tourism & Sports Authority**

2. Within 3 weeks after the end of each calendar month, receive progress report of the activities of the Tourism and Sports Authority (TSA) during the previous month from the Director of the Tourism and Sports Authority. (A.R.S. § 5-814A as added by Laws 2002, Ch. 288, § 7) *Emergency*
3. At the request of the JLBC Chairman, the Director of the Tourism and Sports Authority (TSA) shall appear before the JLBC annually to report on the activities and financial performance of the Tourism and Sports Authority during the previous year. (A.R.S. § 5-814B as added by Laws 2002, Ch. 288, § 7) *Emergency*
4. Within 6 weeks after the end of each calendar quarter the [Pima County] Sports Authority shall prepare and transmit a report on the activities of the Sports Authority during the previous quarter. At the request of the Chairperson of the JLBC, the Executive Director of the Sports Authority shall appear before the JLBC to report on the activities and financial performance of the Sports Authority during the previous year. (A.R.S. § 5-1112 as added by Laws 2009, Ch. 122, § 1) *[Section 2 Pending a public vote, a Sports Authority District established pursuant to Title 5, Chapter 9, Arizona Revised Statutes, as added by this act, succeeds to the responsibilities of any pre-existing sports authority established by the Board of Supervisors in the county.]* As of July 2012, Pima County has established the authority under A.R.S. § 11-701, but not under the authority of Title 5, Article 9, therefore the reporting requirement is not in effect.
5. The Arizona Early Childhood Development and Health Board and the Department of Child Safety (DCS) shall jointly report to the JLBC on or before February 1 of each year, on their collaborative efforts to address child welfare issues of common concern during the prior year. The report shall include information about the level of coordination among the DCS, the Arizona Early Childhood Development and Health Board and community groups to promote the well-being of children and families that are identified in reports of abuse or neglect. (A.R.S. § 8-530.02 as added by Laws 2019, Ch. 271, § 1)

#### **State Treasurer**

6. The State Treasurer shall notify each county of the amount to be withheld for ALTCS services by July 1 or within 60 days after enactment of the annual appropriation for the maintenance and operation of AHCCCS, whichever is later, and after consulting with the JLBC and OSPB. (A.R.S. § 11-292K as amended by Laws 1997, 2<sup>nd</sup> S.S., Ch. 2, § 1; Laws 2001, Ch. 344, § 10; Laws 2007, Ch. 237, § 1)

7. Beginning in FY 2006 and in each fiscal year thereafter, the State Treasurer shall withhold a total of \$2,395,400 for the county contribution for the administrative costs of implementing section 36-2901.01 and 36-2901.04. Beginning in FY 2007, the State Treasurer shall adjust the amount withheld according to the annual changes in the GDP Price Deflator and as calculated by the JLBC Staff. Beginning in FY 2007, the JLBC shall calculate an additional adjustment of the allocation required for ALTCS Services based on changes in the population as reported by the Office of Economic Opportunity. (A.R.S. § 11-2920 as amended by Laws 2005, Ch. 328, § 1; Laws 2007, Ch. 237, § 1; Laws 2014, Ch. 215 § 14; Laws 2016, Ch. 372 § 3) **(See same one listed in Staff Responsibilities)**
8. Annually, receive an evaluation of the Deferred Prosecution program from the County Attorney of any county that has established a deferred prosecution program. (A.R.S. § 11-362B2 as amended by Laws 2014, Ch. 206 § 1)

### ***Supreme Court***

9. Supreme Court shall report progress of the criminal case processing projects and the enforcement of court orders, including the collection of court ordered fees, fines, penalties, assessments, sanctions and forfeitures by the Supreme Court by January 8 of each year. (A.R.S. § 12-102.01D as added by Laws 1999, Ch. 346, § 4)
10. By January 8, 2001 and every year thereafter by January 8, the Supreme Court shall report to the Governor, the Legislature, the JLBC, each County Board of Supervisors and Arizona Criminal Justice Committee on the expenditures of the State Aid to the Courts Fund monies for the prior fiscal year and on the progress made in achieving the goal of improved criminal case processing. (A.R.S. § 12-102.02D as added by Laws 1999, Ch. 346, § 5, retroactively effective to June 30, 1999)
- \*11. NEW 2021: FOR FY 2022 AND FY 2023, BEFORE ANY MONIES ARE SPENT FROM THE GENERAL ADJUDICATION PERSONNEL AND SUPPORT FUND, THE SUPREME COURT AND THE DEPARTMENT OF WATER RESOURCES SHALL SUBMIT AN EXPENDITURE PLAN TO THE JLBC. THE CHAIRPERSON OF THE JLBC SHALL DETERMINE WHETHER THE SUBMITTED PLAN REQUIRES REVIEW BEFORE THE FULL COMMITTEE. (A.R.S. § 12-117.01 as added by Laws 2021, Ch. 403, § 4)
12. The Supreme Court shall report to the JLBC all amounts provided to any county pursuant to this article (State Aid for Probation Services) for Adult Probation Services or Juvenile Probation Services. (A.R.S. § 12-262C as amended by Laws 2006, Ch. 261, § 3)
- \*13. NEW 2021: ON OR BEFORE JULY 1, 2023 AND ANNUALLY THEREAFTER, THE ADMINISTRATIVE OFFICE OF THE COURTS SHALL SUBMIT TO THE JLBC A COMPREHENSIVE REPORT ON THE IMPLEMENTATION OF COUNTY AND STATEWIDE INCENTIVE PAYMENTS. (INDICATES WHAT THE REPORT IS TO INCLUDE). (A.R.S. § 12-270M as added by Laws 2021, Ch. 403, § 7)

### ***Education***

14. On or before November 30 of each year, the Department of Education shall submit an electronic report to the JLBC compiling teacher salary information for all charter schools statewide. [Indicates what the report shall include.] (A.R.S. § 15-189.05 as added by Laws 2018, Ch. 285, § 3)

15. The Department of Education shall report on December 31 and June 30 of each year to the JLBC the total number of adults who applied for instruction and the total number of adults who were denied instruction under this section because the applicant was not a citizen or legal resident of the United States or was not otherwise lawfully present in the United States. (A.R.S. § 15-232C as amended by Laws 2006, SCR 1031, § 2 and added by Proposition 300)
16. The Department of Education may contract with a third party to carry out the purposes of this section [Education Learning and Accountability System]. The terms of any contract for the Education Learning and Accountability System are subject to review by the JLBC before placement of any advertisement that solicits a response to a request for proposals. Any proposed notification or amendment to the contract is subject to prior review by the JLBC. (A.R.S. § 15-249K as added by Laws 2011, Ch. 29, § 5. Amended by Laws 2016, Ch. 330 § 3)
17. Establishes the Education Learning and Accountability Fund, which the Department of Education shall administer. Monies in the fund may only be used for the purposes prescribed in A.R.S. § 15-249 [Education Learning and Accountability System] and are subject to the requirements for review by the JLBC. (A.R.S. § 15-249.02 as added by Laws 2011, Ch. 29, § 6)
18. On or before November 30 of each year, the Department of Education shall electronically submit to the JLBC a report that lists the amount budgeted by individual school districts for the current fiscal year for each type of override conducted pursuant to A.R.S. § 15-481 or 15-482. (A.R.S. § 15-249.04 as added by Laws 2013, 1<sup>st</sup> S.S., Ch. 3, § 5)
19. Establishes the College Credit by Examination Incentive Program. The Arizona Board of Regents (ABOR) shall maintain a list of qualifying examinations that a high school student may take in order to receive college credit in mathematics, English language arts, social studies or science from any university under the jurisdiction of ABOR and the passing scores required on those examinations in order to receive college credit. On or before September 1, of each year, ABOR shall provide the list of qualifying examinations and passing scores to the Department of Education and shall submit this list to the JLBC. (A.R.S. § 15-249.06B as added by Laws 2016, Ch. 124 § 8. Amended by Laws 2018, Ch. 285, § 6; Laws 2019, Ch. 265 § 4; Laws 2019, Ch. 265 § 4)
- \*20. On or before December 15, 2018 and on or before December 15 of each year thereafter, the Department of Education shall submit to the JLBC a report on the College CREDIT BY Examination INCENTIVE Program. Contents specified. (A.R.S. § 15-249.06G as amended by Laws 2017, Ch. 304, § 2; Laws 2019, Ch. 98 § 14; Laws 2019, Ch. 265 § 4; Laws 2021, Ch. 285, § 5)
21. On or before June 30 and December 31 of each year, the Department of Education shall report to the JLBC information for each broadband connectivity construction project that the department has certified to receive a state matching contribution. Contents specified.  
  
The information reported on or before June 30 each year shall be submitted to the JLBC for review. (A.R.S. § 15-249.07H&I as added by Laws 2017, Ch. 304, § 3)
22. On or before December 1 of each year, the Department of Education shall compile the results-based funding reports from each local education agency and provide that information to the JLBC. (A.R.S. § 15-249.08F as amended by Laws 2019, Ch. 265 § 5)

23. On or before March 1 of each year, the Department of Education shall publish on its website and submit to the JLBC for review the Career Technical Education Industry Credentials List that includes only those certificates, credentials and licenses that would qualify for the Arizona Industry Credentials Incentive Program in the subsequent school year. (A.R.S. § 15-249.15E as added by Laws 2019, Ch. 265 § 6)
24. On or before December 31 of each year, the Career and Technical Education Division of the Department of Education shall submit a Career Technical Education District annual report to the JLBC for review. [Indicates what the report shall include.] (A.R.S. § 15-393.01 as added by Laws 2016, Ch. 4, § 4. Amended by Laws 2016, Ch. 124, § 10; Laws 2018, Ch. 311 § 8) *Emergency*
25. Along with the Department of Education, receive notification and information required to project the costs of unification assistance to the new school districts for the first year of operation from the governing boards or the petitioners if they wish to receive unification assistance as provided in A.R.S. § 15-912.01. This notification shall be given by August 1 of the fiscal year before the new school districts would begin operation. (A.R.S. § 15-458G2)
26. Notwithstanding any other law, the Department of Education may not renew any current contract for any portion of the Statewide Assessment adopted pursuant to A.R.S. § 15-741 or reestablish a new contract for any portion of the Statewide Assessment adopted without a review from the JLBC. (A.R.S. § 15-741.03 as added by Laws 2018, Ch. 252, § 3)
27. The State Board of Education shall adopt and approve research-based models of Structured English Immersion for school districts and charter schools to use. At least 30 days before adoption or approval, the State Board of Education shall submit the research-based models of Structured English Immersion and the alternative English instruction models to the JLBC for review. (A.R.S. § 15-756.01F as added by Laws 2006, Ch. 4, § 4. Amended by Laws 2013, Ch. 20, § 6 Applies retroactively to December 31, 2012; Amended by Laws 2019, Ch. 3, § 2)
28. The Auditor General, in consultation with the Department of Education, shall modify the budget format, financial and accounting reporting forms to comply with the creation of the Arizona English Language Learner Fund and submit these updated documents to the State Board of Education and JLBC for review. (A.R.S. § 15-756.04E as added by Laws 2006, Ch. 4, § 4. Amended by Laws 2013, Ch. 20, § 9 Applies retroactively to December 31, 2012; Amended by Laws 2019, Ch. 3 § 5)
29. The Auditor General, in consultation with the Department of Education, shall modify the budget format, financial and accounting reporting forms to comply with the creation of the Statewide Compensatory Instruction Fund and submit these updated documents to the State Board of Education and JLBC for review. (A.R.S. § 15-756.11F as added by Laws 2006, Ch. 4, § 4. Amended by Laws 2013, Ch. 20, § 10 Applies retroactively to December 31, 2012)
- \*30. NEW 2021: ON OR BEFORE DECEMBER 15 OF EACH YEAR, THE DEPARTMENT OF EDUCATION SHALL SUBMIT A REPORT THAT OUTLINES ALL OF THE FOLLOWING TO THE JLBC:
  1. THE NUMBER OF EXTRAORDINARY SPECIAL EDUCATION NEEDS CLAIMS THAT WERE FUNDED IN THE PREVIOUS YEAR.
  2. HOW SCHOOL DISTRICTS AND CHARTER SCHOOLS USED CLAIM MONIES.
  3. THE TOTAL NUMBER OF CLAIMS RECEIVED IN THE PREVIOUS YEAR.
 (A.R.S. § 15-774G as added by Laws 2021, Ch. 404, § 24)

31. Notwithstanding A.R.S. § 35-173C, any transfer to or from the amount appropriated for Basic State Aid Entitlement, Additional State Aid to Schools, the Special Education Fund or Other State Aid to Districts Line Items shall require review by the JLBC. (A.R.S. § 15-901.03 as amended by Laws 2006, Ch. 353, § 5)
32. On or before November 30 of each year, the Department of Education shall submit an electronic report to the JLBC compiling teacher salary information for district schools statewide. [Indicates what the report shall include.] (A.R.S. § 15-903I as amended by Laws 2018, Ch. 285, § 10)
33. Chairmen of JLBC to receive report on or before November 1 of each year from the State Board of Education of the aggregate expenditures of local revenues as defined in Article IX, Section 12, Subsection (4), Constitution of Arizona, for all school districts for the current year. (A.R.S. § 15-911B)
- \*34. Subject to the review of the JLBC, the Superintendent of Public Instruction shall adjust state aid for a school district in the current year if the governing board of a school district requests the recalculation of state aid for a prior year due to a change in assessed valuation occurring as a result of ANY OF THE FOLLOWING:
  1. A COURT judgment in accordance with A.R.S. § 42-16213.
  2. A DECISION BY A COUNTY BOARD OF EQUALIZATION IN ACCORDANCE WITH A.R.S. § 42-16108.
  3. A DECISION BY THE STATE BOARD OF EQUALIZATION IN ACCORDANCE WITH A.R.S. § 42-16162.
  4. THE CORRECTION OF A PROPERTY TAX ERROR PURSUANT TO TITLE 42, CHAPTER 16, ARTICLE 6.(A.R.S. § 15-915B as amended by Laws 2021, Ch. 156, § 1, retroactively effective to June 30, 2019; Laws 2021, Ch. 156, § 1)
35. The Superintendent of Public Instruction on or before February 1 shall notify each school district of its preliminary Teacher Experience Index for the budget year. Between February 1 and March 1, a school district may submit corrections to data that it submitted pursuant to Subsection C of this section and the Superintendent of Public Instruction on or before March 15 shall recompute the Teacher Experience Index for all school districts for the budget year using the corrected data. (A.R.S. § 15-941D as amended by Laws 2006, Ch. 353, § 8; Laws 2014, Ch. 226, § 10)
36. The Arizona Department of Education (ADE) is to submit a report on or before December 1 of each year to the JLBC for review detailing all federal monies received by ADE, including differentiating between noncustodial federal monies and all other federal monies and how monies were allocated during each fiscal year. (A.R.S. § 15-1052 as added by Laws 2018, Ch. 250, § 1)
37. Each school district shall submit on or before September 1, 2009 to the JLBC the most recent actuarial study of the school district's existing other postemployment benefits offered by the school district and any prospective other postemployment benefits contemplated to be offered by the school district, including an analysis of defined contribution plans and defined benefit plans if appropriate and if the defined contribution or defined benefit plans are used to administer any other postemployment benefit. Each time a school district conducts a new actuarial study of the school district's existing or prospective other postemployment benefits,

the school district shall submit the new study to the JLBC within 30 days of the completion of the study. (A.R.S. § 15-1225H)

- \*38. NEW 2021: ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, THE STATE TREASURER SHALL REPORT TO THE JLBC ON DISTRIBUTIONS MADE FROM THE STUDENT SUPPORT AND SAFETY FUND TO THE STATE TREASURER, AUDITOR GENERAL, DEPARTMENT OF EDUCATION, DEPARTMENT OF REVENUE AND STATE BOARD OF EDUCATION. THE REPORT SHALL INCLUDE ACTUAL DISTRIBUTIONS MADE TO EACH ENTITY IN THE PRIOR FISCAL YEAR AND ESTIMATED DISTRIBUTIONS FOR THE CURRENT FISCAL YEAR. (A.R.S. § 15-1286A as added by Laws 2021, Ch. 404, § 42)
- \*39. NEW 2021: ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, THE STATE TREASURER SHALL REPORT TO THE JLBC ON DISTRIBUTIONS MADE FROM THE CAREER TRAINING AND WORKFORCE FUND TO THE STATE TREASURER AND THE DEPARTMENT OF EDUCATION. THE REPORT SHALL INCLUDE ACTUAL DISTRIBUTIONS MADE TO EACH ENTITY IN THE PRIOR FISCAL YEAR AND ESTIMATED DISTRIBUTIONS FOR THE CURRENT FISCAL YEAR. (A.R.S. § 15-1286B as added by Laws 2021, Ch. 404, § 42)
- 40. By December 1 of each year, each Community College District shall make a report for the preceding fiscal year to the Governor, the President of the Senate, the Speaker of the House of Representatives and the JLBC and shall provide a copy of the report to the Secretary of State. Provision specifies contents of report.  
  
In each odd numbered calendar year, the report shall also contain information regarding dual enrollment programs operated pursuant to A.R.S. § 15-1821.01. (Indicates what the report shall contain, including such other information as the Governor and the JLBC deem proper.) (A.R.S. § 15-1427A, B & C as amended by Laws 2004, Ch. 336, § 6; Laws 2006, Ch. 352, § 1; Laws 2009, 3<sup>rd</sup> S.S., Ch. 9, § 1; Laws 2010, Ch. 43, § 1; Laws 2014, Ch. 21, § 1)
- 41. If a Community College District Board in an existing district determines the need for an additional campus or campuses, it shall submit a request to the JLBC for review. (A.R.S. § 15-1463B as amended by Laws 2002, Ch. 330, § 20)
- 42. On or before December 1 of every even-numbered year, receive a report from each Community College District of its science, technology, engineering and mathematics and workforce programs plan activities and the expenditures authorized in this section. (A.R.S. § 15-1464H&I as amended by Laws 2013, Ch. 223, § 1; Laws 2015, Ch. 16, § 3; Laws 2017, Ch. 310, § 1)
- 43. Each Community College District or Community College that is owned, operated or chartered by a qualifying Indian tribe on its own Indian reservation shall submit a report once every 2 years of its Workforce Development Plan activities and the expenditures authorized in this section to the Governor, President of the Senate, Speaker of the House of Representatives, JLBC and the Arizona Commerce Authority by each December 1 of every even-numbered year. Indicates what the report is to include. (A.R.S. § 15-1472G as amended by Laws 2004, Ch. 336, § 12; Laws 2004, Ch. 88, § 1; Laws 2011, Ch. 248, § 8; Laws 2011, Ch. 248, § 1; Laws 2011, Ch. 30, § 2; Laws 2012, Ch. 170, § 5; Laws 2012, Ch. 301, § 2).

44. On or before November 15 of each year, Arizona State University shall report to the JLBC for each of its separate campuses all of the following:
  1. The capital expenditure history made to each campus for each of the 2 previous fiscal years.
  2. The actual number of full-time equivalent students at each campus of ASU as of the 21<sup>st</sup> day after classes begin for the fall semester and the total headcount enrollment at each campus.
  3. Any revenues or allocations made to each campus of ASU that are available to report.
  4. Any long term capital or expansion plans for each campus.(A.R.S. § 15-1601C as added by Laws 2017, Ch. 199, § 1)
45. On or before October 15 of each year, the Board of Regents shall report to the JLBC the number of in-state students and out-of-state students who were enrolled at universities under the jurisdiction of the board during the previous fiscal year and who met or exceeded the undergraduate credit hour threshold prescribed in this paragraph. (A.R.S. § 15-1626A5 as amended by Laws 2006, Ch. 352, § 2; Laws 2013, 1<sup>st</sup> S.S., Ch. 7, § 1; Laws 2018, Ch. 107, § 1)
46. On or before August 1 of each year, the Arizona Board of Regents (ABOR) is to report to JLBC the graduation rate by University campus during the previous fiscal year. ABOR shall also report the retention rate by University campus and by class, as determined by date of entry during the previous fiscal year. (A.R.S. § 15-1626A21 as amended by Laws 2011, Ch. 30, § 3)
47. In conjunction with the Auditor General, the Board of Regents shall develop a uniform accounting and reporting system, which shall be reviewed by the JLBC before final adoption by the Board of Regents. The Board of Regents shall require each university to comply with the uniform accounting and reporting system. (A.R.S. § 15-1626C as amended by Laws 2009, 3<sup>rd</sup> S.S., Ch. 9, § 7)
48. On or before November 1 of each year, the Arizona Board of Regents shall submit to the JLBC a report on University debt and obligations, including:
  1. Long-term notes and obligations.
  2. Certificates of participation and other obligations pursuant to any lease-purchase agreements.
  3. Revenue bonds.
  4. Bonds issued pursuant to A.R.S. § 15-1682.03.
  5. Commercial paper issue pursuant to A.R.S. § 15-1696.(A.R.S. § 15-1626K & L as amended by Laws 2013, 1<sup>st</sup> S.S., Ch. 7, § 1; Laws 2016, Ch. 238, § 1; Laws 2018, Ch. 107 § 1) Version 1 – Effective August 6, 2016.
49. Receive a financial aid report with information from the 2 prior fiscal years on or before December 1 of each year from the Arizona Board of Regents. The report shall provide information for each institution under the jurisdiction of the board, a comparison to peer institutions, and summary information for the entire university system. (Indicates further what the report shall include.) The Arizona Board of Regents and the JLBC Staff shall jointly determine the methodology and format of the financial aid report. (A.R.S. § 15-1650A-D) **(See same one listed in Staff Responsibilities)**

50. On or before December 15, 2017 and every 5 years thereafter, the Arizona Board of Regents (ABOR) shall conduct and complete a comprehensive cost study to determine the actual cost of educating a full-time resident undergraduate student at each university under the jurisdiction of ABOR and submit the cost study to the JLBC. The cost study shall include a detailed breakdown of the costs associated with educating a full-time resident undergraduate student. Indicates further what the report is to include. (A.R.S. § 15-1650.03A as added by Laws 2017, Ch. 310, § 3)
51. On or before September 1, 2018 and each year thereafter, the Arizona Board of Regents (ABOR) shall submit a comprehensive university cost containment report for each university under the jurisdiction of ABOR to the JLBC. The report shall demonstrate the actions taken by each university to contain increases in the cost of attendance for full-time resident undergraduate students. Indicates what the report shall include. (A.R.S. § 15-1650.03B as added by Laws 2017, Ch. 310, § 3. Amended by Laws 2018, Ch. 281 § 2)
- \*52. ~~On or before March 1, 2020 and each year thereafter, the Arizona Board of Regents shall report to the JLBC on all of the following:~~
- ~~1. The total number of students enrolled in the Arizona Teachers Academy by eligible postsecondary institution in the current academic year.~~
  - ~~2. The number of Arizona Teachers Academy graduates receiving induction services in the current academic year.~~
  - ~~3. The estimated amount of monies committed from the Arizona Teachers Academy Fund in the current fiscal year.~~
- (A.R.S. § 15-1655H as amended by Laws 2019, Ch. 266, § 4; Laws 2020, Ch. 85, § 1; Repealed by Laws 2021, Ch. 43, § 2)
- \*53. NEW 2021: ON OR BEFORE MARCH 1, 2020 AND EACH YEAR THEREAFTER, THE ARIZONA BOARD OF REGENTS SHALL REPORT TO THE JLBC ON ALL OF THE FOLLOWING:
- 1. THE TOTAL NUMBER OF STUDENTS ENROLLED IN THE ARIZONA TEACHERS ACADEMY BY ELIGIBLE POSTSECONDARY INSTITUTION IN THE CURRENT ACADEMIC YEAR.
  - 2. THE NUMBER OF ARIZONA TEACHERS ACADEMY GRADUATES RECEIVING INDUCTION SERVICES IN THE CURRENT ACADEMIC YEAR.
  - 3. THE ESTIMATED AMOUNT OF MONIES COMMITTED FROM THE ARIZONA TEACHERS ACADEMY FUND IN THE CURRENT FISCAL YEAR.
- (A.R.S. § 15-1655H G as amended by 2020 Proposition 208, § 4; Laws 2021, Ch. 43, § 1, retroactively effective to December 31, 2020.) *Emergency*
54. Beginning in FY 2006, each university shall submit to the Auditor General a summary of its full-time equivalent student enrollment accounting policies and procedures, compilation procedures and source records used for calculating full-time equivalent student enrollment. These accounting policies and procedures, compilation procedures and source records shall comply with policies developed on or before June 30, 2006 by the Arizona Board of Regents, in consultation with the Auditor General and reviewed by the JLBC. (A.R.S. § 15-1661B) Received



55. On or before October 1 of each year, each University shall report to the JLBC the total amount of income and the total amount of net income the University received in the preceding fiscal year from each category of income that is subject to deposit pursuant to subsection F of this section (University Research Infrastructure Facilities). (A.R.S. § 15-1670I as added by Laws 2003, Ch. 267, § 1. Amended by Laws 2016, Ch. 130 § 2; Laws 2017, Ch. 328, § 1; Laws 2018, Ch. 281, § 6; Laws 2019, Ch. 266, § 6)
56. On or before December 1 of each year, the Postsecondary Education Commission shall submit an approved report to the Governor, Speaker of the House of Representatives, President of the Senate and JLBC. The report shall include the number of applicants, the number of loan recipients, the qualifying postsecondary institution each loan recipient attends, the name of the school at which each loan recipient is employed, the number of good cause repayment exceptions granted by the commission, the reason for each good cause exception granted and teacher retention data. The commission shall collect and maintain data on the retention of teachers who received loans pursuant to this article. The commission shall collect this data for at least 5 years after each loan recipient completes the recipient's service commitment. (A.R.S. § 15-1782G as added by Laws 2007, Ch. 265, § 7; Laws 2010, Ch. 332, § 21. Repealed by Laws 2011, Ch. 238, § 26). Amended by Laws 2010, Ch. 257, § 1; Laws 2011, Ch. 238, § 25, retroactively effective to June 30, 2011; Laws 2017, Ch. 244, § 3) *Emergency*
- \*57. Each Community College and University shall report on December 31 and June 30 of each year to the JLBC the total number of students who were entitled to classification as an in-state student and the total number of students who were not entitled to classification as an in-state student under this section because the student was not a citizen or legal resident of the United States or is without lawful immigration status. (A.R.S. § 15-1803C as amended by Laws 2006, SCR 1031, § 3 and added by Proposition 300. Laws 2021, SCR 1044, § 2 refers the repeal of this provision to the voters at the next general election as provided by article IV, part 1, section 1, Constitution of Arizona.)
- \*58. ~~Dual Enrollment students shall be admitted to the Community College under the policies adopted by each district. A Community College may waive the class status requirements. All exceptions and the justification for the exceptions shall be reported annually to the JLBC on or before December 1.~~ (A.R.S. § 15-1821.01 paragraph 2 as amended by Laws 2009, 3<sup>rd</sup> S.S., Ch. 9, § 10; Laws 2019, Ch. 86, § 3; Laws 2019, Ch. 148, § 1; Laws 2021, Ch. 414, § 2)
59. The Arizona Board of Regents and the Community College Districts shall submit an annual report of their progress on both transfer articulation and meeting statewide postsecondary education needs to the JLBC on or before December 15 and shall provide a copy of this report to the Secretary of State. (A.R.S. § 15-1824C as added by Laws 2002, Ch. 330, § 32I; Laws 2003, Ch. 253, § 37; Laws 2004, Ch. 336, § 18; Laws 2010, Ch. 242, § 1)
- \*60. Each Community College and University shall report on December 31 and June 30 of each year to the JLBC the total number of students who applied and the total number of students who were not entitled to tuition waivers, fee waivers, grants, scholarship assistance, financial aid, tuition assistance or any other type of financial assistance that is subsidized or paid in whole or in part with state monies under this section because the student was not a citizen or legal resident of the United States or not lawfully present in the United States. (A.R.S. § 15-1825 as added by Laws 2006, SCR 1031, § 4 and added by Proposition 300. Laws 2021, SCR 1044, § 2 refers the repeal of this provision to the voters at the next general election as provided by article IV, part 1, section 1, Constitution of Arizona.)

61. On or before May 30 of each year, the Department of Education shall furnish to the JLBC an estimate of the amount required to fund ARIZONA Empowerment Scholarship Accounts for the following fiscal year. The department shall include in its budget request for the following fiscal year the amount estimated pursuant to A.R.S. § 15-2402C for each qualified student. (A.R.S. § 15-2403G as amended by Laws 2012, Ch. 360, § 7; Laws 2013, Ch. 175 § 2; Laws 2016, Ch. 353, § 3; Laws 2017, Ch. 139 § 3; Laws 2020, Ch. 12, § 3)

### ***Game & Fish***

62. Approve the acquisition and financing of Game and Fish facilities. (A.R.S. § 17-246B)
63. Approve the issuance of bonds for game and fish facilities purposes. (A.R.S. § 17-283A) [17-295 added-JCCR shall determine the aggregate amount of bonds that may be issued, but shall not exceed \$7,500,000.]
64. Approve the issuance of additional bonds for the Game and Fish Commission after the original issuance of bonds. (A.R.S. § 17-291)
65. As part of the Arizona Department of Administration's (ADOA) requirement to develop, implement and maintain a coordinated statewide plan for information technology (IT), ADOA is to evaluate specific IT projects relating to the approved budget unit and statewide information technology plans. ADOA shall approve or reject projects with total costs of at least \$25,000 but not more than \$1,000,000 and may establish conditional approval criteria, including procurement purchase authority. If the total project costs exceed \$1,000,000, ADOA shall evaluate the project and make recommendations to the Information Technology Authorization Committee. If the total project costs exceed \$5,000,000, ADOA shall require the budget unit to contract with an independent third-party to review and guide the technology approach, scope, estimated cost, timeline for completion and overall feasibility of the project before making recommendations to the Information Technology Authorization Committee. On or before the 30<sup>th</sup> day following the last day of each calendar quarter, the budget unit shall submit a report from the independent third-party to the Information Technology Authorization Committee and the JLBC regarding the progress of each ongoing project. (A.R.S. § 41-3504A1 as amended by Laws 2016, Ch. 127, § 3) Transferred and renumbered to A.R.S. § 18-104A1(g) by Laws 2016, Ch. 80, § 3. Amended by Laws 2021, Ch. 59, § 1)
66. State government and all local governments shall report to the Department of Administration all incurred debt, including date of issue, purpose, original amount, current balance, interest paid to date and principal and interest paid in the latest full fiscal year according to a schedule determined by the Department of Administration. The Department of Administration shall maintain an online accessible and searchable database and, subject to approval by the JLBC, may require additional information not listed in this section. (A.R.S. § 41-4604 as added by Laws 2010, Ch. 288, § 2; Laws 2011, Ch. 130, § 3; Laws 2015, Ch. 221, § 4) (Transferred and renumbered as A.R.S. § 18-304 by Laws 2016, Ch. 80 § 3. Amended by Laws 2017, Ch. 156, § 1).
67. Receive annual report from the Mine Inspector on or before December 1 concerning the expenditure of monies from the Abandoned Mines Safety Fund and contributions to the fund during the preceding fiscal year. Report is to itemize each expense paid from the fund and describe the actions taken to ensure public safety. (A.R.S. § 27-131D)

- \*68. NEW 2021: ON OR BEFORE OCTOBER 1 OF EACH YEAR, THE DEPARTMENT OF TRANSPORTATION SHALL SUBMIT TO THE JLBC A REPORT THAT ACCOUNTS FOR ALL MONIES DEPOSITED IN THE STATE FLEET OPERATIONS FUND AND THE STATE VEHICLE REPLACEMENT FUND, INCLUDING ANY MONIES ALLOCATED TO SEPARATE AGENCY ACCOUNTS. THE REPORT SHALL ALSO INCLUDE THE NUMBER OF MOTOR VEHICLES THAT WERE REPLACED IN THE PRIOR FISCAL YEAR, THE NUMBER OF MOTOR VEHICLES AT EACH AGENCY, THE REPLACEMENT LIFE CYCLE FOR EACH MOTOR VEHICLE AND THE NUMBER OF MOTOR VEHICLES THE DEPARTMENT IDENTIFIES AS NOT REQUIRING REPLACEMENT. (A.R.S. § 28-472M as added by Laws 2021, Ch. 413 § 3) Applies retroactively to from and after June 29, 2021 per Section 30.
69. The public power entity shall reduce bundled service prices for electric retail customers who are unable to choose competitive electric generation by at least 10% over a maximum of a 10-year period. Each public power entity shall report its beginning effective date for the 10-year period and the proposed apportionment among its customer classes to JLBC by 12/31/00. (A.R.S. § 30-805G as amended by Laws 2000, Ch. 53, § 13) *Emergency*. Done 12/14/09 - One-time requirement.
- \*70. NEW 2021: THE DEPARTMENT OF CORRECTIONS SHALL ESTABLISH THE MENTAL HEALTH TRANSITION PILOT PROGRAM. ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE DEPARTMENT OF CORRECTIONS SHALL SUBMIT A WRITTEN REPORT TO THE JLBC REGARDING PROGRAM IMPLEMENTATION, PARTICIPATION AND OTHER OUTLINED INFORMATION. (INDICATES WHAT HE REPORT IS TO INCLUDE.) (A.R.S. § 31-291D3 as added by Laws 2021, Ch. 403, § 14) Repealed from and after June 30, 2026.

**General Public Finance - Title 35**

71. The responsible official for each budget unit shall monitor monthly reports prepared by the Arizona Department of Administration which show the fiscal activity and condition of their appropriation or fund source to identify any projected deficiencies. Notification of any projected deficiencies shall be made to the Chairman of the JLBC. [The initial notification of the deficiency shall be followed within 10 business days by a report from the responsible budget unit official that includes the following:
1. A complete explanation of the causes of the deficiency.
  2. A plan that ensures that the deficiency will be resolved within the fiscal year without supplemental appropriation and that includes the policy and programmatic implications of the deficiency and the plan.
  3. A commitment to provide a progress report if the projected degree of deficiency changes substantially. The report shall include additional measures necessary to ensure resolution of the deficiency within the fiscal year.] (A.R.S. § 35-131D as amended by Laws 2003, Ch. 263, § 32; Laws 2019, Ch. 61, § 2)
72. Receive report from the Director of the Department of Administration (ADOA) and the State Treasurer on or before February 1 of each year, explaining any differences between ADOA's estimate of the previous fiscal year's state General Fund ending balance submitted pursuant to subsection E of this section and the State Treasurer's estimate of the invested balance including the state General Fund share of that balance as of June 30 of the previous fiscal year submitted pursuant to A.R.S. § 41-172. (A.R.S. § 35-131F as amended by Laws 2006, Ch. 130, § 1; Laws 2019, Ch. 61, § 2)

73. The Director of the budget unit shall notify the JLBC, OSPB and the State Comptroller in writing if the former determines that a reimbursement, in whole or in part from federal monies or any other source shall be credited to the account out of which the expenditure was incurred (rather than to the General Fund or the fund from which the appropriation was originally made). Reimbursement to the account can only be made if it is necessary for operation of the budget unit and was not specifically considered and rejected by the Legislature at the time of appropriating monies to the budget unit. (A.R.S. § 35-142.01A as amended by Laws 1999, Ch. 300, § 4)
74. When monies are appropriated to the AHCCCS Administration or the Department of Health Services and the specific program or purpose for which the monies are appropriated is subject to reimbursement for reconciliation payments from or penalties against program contractors or health plans, the Department or Administration, on receipt of such reimbursement, shall deposit the monies pursuant to A.R.S. §§ 35-146 and 35-147, in the General Fund or the fund from which the appropriation was originally made. The AHCCCS Administration and the Department of Health Services are prohibited from allowing reconciliation payments from or penalties against program contractors or health plans to be credited against future payments to the program contractor or health plan. (A.R.S. § 35-142.01B as amended by Laws 1999, Ch. 300, § 4; Laws 2012, Ch. 299, § 1)
75. Receive annual report from the Economic Estimates Commission with regard to the Budget Stabilization Fund. (A.R.S. § 35-144F)
76. The Attorney General's office shall annually notify the State Comptroller of all uncollectible debts owed to this state. After receiving this notice and review by the JLBC, the State Comptroller may remove the total receivable or any portion of the receivable from the state accounting system. (A.R.S. § 35-150E as added by Laws 1999, Ch. 300, § 5)
77. A transfer to or from Personal Services or Employee Related Expenditures from or to any other budget program or expenditure class is not allowed unless recommended by JLBC and approved by the Director of the Department of Administration and OSPB, except that the ADOA Director may transfer amounts equal to the gross payroll and related employee expenses of a budget unit from the monies of a budget unit available for this purpose to payroll imprest accounts for the purpose of paying employees of the budget unit and disbursing related employee expenses. (A.R.S. § 35-173E as amended by Laws 1996, Ch. 256, § 3; Laws 2019, Ch. 297, § 8)
78. A transfer of spending authority within the Department of Administration shall be made only with the approval of the JLBC and OSPB, except as provided in subsection E of this section. (A.R.S. § 35-173F as amended by Laws 1996, Ch. 256, § 3, Laws 2019, Ch. 267, § 8)
79. On or before September 1 of each year, a budget unit shall report to OSPB and JLBC regarding any monies spent for the prior fiscal year for purposes prescribed in this section [Transportation or travel expenses necessary for bringing any person into this state for an interview for prospective employment; for transportation or moving expenses for any person newly employed or retained; and monies to reimburse current employees for reasonable relocation expenses related to management initiated geographical reassignments of more than 50 miles from an employee's current work site pursuant to rules adopted by the Arizona Department of Administration Director] (A.R.S. § 35-196.01C as amended by Laws 2012, Ch. 321, § 77, eff. September 28, 2012)

## **Health**

80. The Department of Health Services shall report annually to the JLBC on the revenues, expenditures and ending balances from the previous, current and subsequent fiscal years of the funds established in this section. [Health Services Lottery Monies Fund, Intergovernmental Agreements/Interagency Services Agreements Fund] (A.R.S. § 36-108.01C as added by Laws 2015, Ch. 14, § 2. Amended by Laws 2016, Ch. 122 § 1 and 2; eff. from and after August 31, 2020) Version 2.
81. On or before September 1 of each year, the Department of Health Services shall report any expenditures from the Public Health Emergencies Fund to the JLBC. (A.R.S. § 36-122B as added by Laws 2017, Ch. 309, § 1)
- \*82. NEW 2021: ON OR BEFORE JULY 1 OF EACH YEAR, THE DEPARTMENT OF HEALTH SERVICES (DHS) SHALL SUBMIT TO THE JLBC AN EXPENDITURE REPORT FOR THE PRECEDING FISCAL YEAR ON MONIES TRANSFERRED TO DHS FROM THE MEDICAL MARIJUANA FUND AND MONIES TRANSFERRED TO DHS FROM THE JUSTICE REINVESTMENT FUND. THE REPORT SHALL INCLUDE EXPENDITURES BY PROGRAM AND A LIST OF GRANTS DISTRIBUTED BY THE DEPARTMENT. DHS SHALL INDICATE WHEN ALL MONIES FROM TRANSFERS HAVE BEEN SPENT. (A.R.S. § 36-147 as added by Laws 2021, Ch. 409 § 5)
- \*83. NEW 2021: ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, THE STATE TREASURER SHALL REPORT TO THE JLBC ON DISTRIBUTIONS MADE FROM THE SMART AND SAFE ARIZONA FUND TO THE DEPARTMENT OF HEALTH SERVICES, THE DEPARTMENT OF REVENUE, THE SUPREME COURT, THE DEPARTMENT OF PUBLIC SAFETY AND THE STATE TREASURER. THE REPORT SHALL INCLUDE THE AMOUNT OF ACTUAL DISTRIBUTIONS MADE TO EACH ENTITY IN THE PRIOR FISCAL YEAR AND THE AMOUNT OF ESTIMATED DISTRIBUTIONS FOR THE CURRENT FISCAL YEAR. (A.R.S. § 36-148 as added by Laws 2021, Ch. 409 § 5)
84. Beginning on or before November 1, 2016, the Department of Economic Security shall submit an annual update for review by the JLBC on the department's plans for the Arizona Training Program and Associated Group Homes. The update shall include a potential time table for the closure of any facilities, a timeline for the completion of the transition of the residents in those facilities to new residential settings and the estimated fiscal impact. (A.R.S. § 36-570 as added by Laws 2016, Ch. 123 § 1)
- \*85. NEW 2021: THE DEPARTMENT OF HEALTH SERVICES DIRECTOR SHALL PRESENT ANY CHANGE TO THE FEE FOR THE NEWBORN SCREENING PROGRAM TO THE JLBC FOR REVIEW. (A.R.S. § 36-694H as amended by Laws 2021, Ch. 409 § 14)
86. Periodically review the Public Health Fund administered by the Department of Health Services having to do with the treatment, prevention or control of tuberculosis. (A.R.S. § 36-712 subsection 3) **Note: The Public Health Fund is currently inactive.**
- \*87. NEW 2021: THE DIRECTOR OF THE DEPARTMENT OF HEALTH SERVICES (DHS) MAY USE MONIES IN THE MEDICAL MARIJUANA FUND TO CONTRACT WITH LABORATORIES TO COMPLY WITH THE PROFICIENCY TESTING REQUIREMENTS FOR INDEPENDENT THIRD-PARTY LABORATORIES AND MARIJUANA TESTING FACILITIES. ON OR BEFORE JULY 1 OF EACH YEAR, THE DHS SHALL REPORT THESE EXPENDITURES TO THE JLBC. (A.R.S. § 36-2817E as amended by Laws 2021, Ch. 386, § 2)

88. Before implementing the hospital assessment [January 1, 2014], and thereafter if the methodology is modified, the AHCCCS Director shall present the methodology to JLBC for review. (A.R.S. § 36-2901.08D as added by Laws 2013, 1<sup>st</sup> S.S., Ch. 10, § 5)

*Conditional Repeal:*

*A.R.S. § 36-2901.07 and 36-2901.08, as added by this act, are repealed:*

- 1. From and after the date the Federal Medical Assistance Percentage(FMAP) pursuant to 42 United States Code section 1396d(y) or 1396d(z) that is applicable to this state is less than 80%.*
- 2. If the Patient Protection and Affordable Care Act established pursuant to Public Law 111-148, as amended by the Health Care and Education Reconciliation Act of 2010 pursuant to Public 111-152, is repealed.*
- 3. If the maximum amount that can be assessed under A.R.S. § 36-2901.08, as added by this act, without causing a reduction in Federal Financial Participation, in combination with the monies specified in A.R.S. § 36-2901.09, as added by this act, and any other monies appropriated for the costs for the populations specified in A.R.S. § 36-2901.08A, as added by this act, is insufficient to cover the costs described in A.R.S. § 36-2901.08, as added by this act.*

*The AHCCCS Administration shall notify the Director of the Arizona Legislative Council in writing of the effective date if:*

- 1. The FMAP under 42 United States Code section 1396d(y) or 1396d(z) that is applicable to this state is less than 80%.*
- 2. The Patient Protection and Affordable Care Act established pursuant to Public Law 111-148, as amended by the Health Care and Education Reconciliation Act of 2010 pursuant to Public 111-152, is repealed.*
- 3. The maximum amount that can be assessed under A.R.S. § 36-2901.08, as added by this act, without causing a reduction in Federal Financial Participation, in combination with the monies specified in A.R.S. § 36-2901.09, as added by this act, and any other monies appropriated for the costs for the populations specified in A.R.S. § 36-2901.08A, as added by this act, is insufficient to cover the costs described in A.R.S. § 36-2901.08, as added by this act.*

*(Added by Laws 2013, 1<sup>st</sup> S.S., Ch. 10, § 52)*

89. Each Graduate Medical Education Program that receives funding pursuant to subdivision (b) or (c) of this paragraph shall identify and report to the Administration (AHCCCS) the number of new residency positions created by the funding provided in this paragraph, including positions in rural areas. The Administration (AHCCCS) shall report to the JLBC by February 1 of each year on the number of new residency positions as reported by the Graduate Medical Education Programs. (A.R.S. § 36-2903.01G9(e) as amended by Laws 2006, Ch. 331, § 8I; Laws 2007, Ch. 263, § 9, retroactively applies to June 30, 2007; Laws 2012, Ch. 122, § 7; Blended with Laws 2012, Ch. 321, § 84; amended by Laws 2013, 1<sup>st</sup> S.S., Ch. 10, § 6)

- \*90. NEW 2021: BEGINNING MARCH 1, 2022, AHCCCS SHALL ESTABLISH, CONTINGENT ON APPROVAL BY THE CENTERS FOR MEDICARE AND MEDICAID SERVICES, A SEPARATE GRADUATE MEDICAL EDUCATION PROGRAM TO REIMBURSE QUALIFYING COMMUNITY HEALTH CENTERS AND RURAL HEALTH CLINICS THAT HAVE AN APPROVED PRIMARY CARE GRADUATE MEDICAL EDUCATION PROGRAM. THE AHCCCS ADMINISTRATION SHALL:

1. ANNUALLY REPORT BY JULY 1 TO JLBC ON THE NUMBER OF NEW RESIDENCY POSITIONS AS REPORTED BY THE PRIMARY CARE GRADUATE MEDICAL EDUCATION (GME) PROGRAMS.
  2. ANNUALLY REPORT ON OR BEFORE JULY 1 OF EACH YEAR TO THE PRESIDENT OF THE SENATE, THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE DIRECTOR OF JLBC ON THE AMOUNT OF MONIES CONTRIBUTED AND THE NUMBER OF RESIDENCY POSITIONS FUNDED BY LOCAL, COUNTY AND TRIBAL GOVERNMENTS AND ANY UNIVERSITY UNDER THE JURISDICTION OF THE ARIZONA BOARD OF REGENTS, INCLUDING THE AMOUNT OF FEDERAL MATCHING MONIES USED. (A.R.S. § 36-2907.06I3&4 as added by Laws 2021, Ch. 81, § 1)  
**(See same one listed in Staff Responsibilities)**
91. If the AHCCCS Administration determines that the amount the Legislature appropriated for the fiscal year for services provided to persons who are determined to be eligible for services pursuant to Section 36-2901 Paragraph 6, Subdivision (a) is insufficient to pay for unanticipated increases in the cost of providing those services, the Administration shall provide written notice of the deficiency to the Chairperson of the JLBC. On receiving notice, the Chairperson of the JLBC shall call a public committee meeting to review the evidence of the deficiency presented by AHCCCS Administration. (A.R.S. § 36-2922D&E as amended by Laws 1996, Ch. 368, § 3; Laws 1998, Ch. 1, § 109; Laws 2001, Ch. 344, § 69)
  92. AHCCCS shall report annually by January 1 on the status of any agreement with another state to the Chairmen of the House and Senate Appropriations Committees. The report shall include the status report of the specific projects that are subject to the agreement, the financial status of the project and a description of any personnel initiatives that the administration has initiated with monies received from the agreement with another state. (A.R.S. § 36-2925H)
  93. On or before November 1, the AHCCCS Administration shall report to JLBC regarding the technological feasibility and costs of applying this section [340B Drug Pricing] to licensed hospitals and outpatient facilities that are owned or operated by a licensed hospital. (A.R.S. § 36-2930.03D as added by Laws 2016, Ch. 122 § 11. Amended by Laws 2017, Ch. 309, § 5)
  94. Before the initial deposit of any monies in the Delivery System Reform Incentive Payment Fund, AHCCCS Administration shall submit an expenditure plan for review by the JLBC. (A.R.S. § 36-2930.04F as added by Laws 2016, Ch. 122 § 11)
  95. The Department of Economic Security (DES) shall contract with an independent consulting firm for an annual study of the adequacy and appropriateness of Title 19 reimbursement rates. The consultant shall also include a recommendation for annual inflationary costs. Unless modified in response to federal or state law, the independent consulting firm shall include, in its recommendation, costs arising from amendments to existing contracts. AHCCCS shall contract with an independent consulting firm for an annual study of the adequacy and appropriateness of Title 19 reimbursement rates to service providers for the Elderly and Physical Disability program of ALTCS. A complete study of reimbursement rates shall be completed no less than once every 5 years. In determining the adequacy of the rates in the 5-year study, the consulting firm shall examine in detail the costs associated with the delivery of services, including programmatic, administrative and indirect costs in providing services in rural and urban Arizona. DES and AHCCCS shall provide each of these reports to JLBC and the Administration (AHCCCS) by October 1 of each year. DES shall include the results of the study in its yearly capitation rate request to AHCCCS. If the results of the study are not completely incorporated into the capitation rate, AHCCCS shall provide a report to JLBC within 30 days of setting the final

capitation rate including reasons for differences between the rate and the study. (A.R.S. § 36-2959A-F as added by Laws 2001, Ch. 385, § 8; Laws 2005, Ch. 321, § 3; Laws 2006, Ch. 331, § 11; Laws 2008, Ch. 190, § 2; Laws 2014, Ch. 215 § 151)

96. The Department of Economic Security shall annually determine the cost-effectiveness study rate for persons who are receiving developmental disability services pursuant to Chapter 5.1 of this title and provide that rate to AHCCCS. On or before June 15 of each year, the Department of Economic Security shall report to JLBC the cost-effectiveness study rate for persons receiving developmental disability services that was determined for the subsequent fiscal year. (A.R.S. § 36-2960 as added by Laws 2015, Ch. 169, § 1. Amended by Laws 2018, Ch. 346, § 1; Laws 2019, Ch. 271, § 3)
97. The AHCCCS Director shall present any change to the hospital assessment methodology to the JLBC for review. (A.R.S. § 36-2999.72D as added by Laws 2020, Ch. 46, § 2)

*Section 4 - Conditional Repeal*

*Title 36, Chapter 29, Article 7, as added by this act, is repealed as of the effective date for which the Centers for Medicare and Medicaid Services notifies the AHCCCS Administration that the Centers for Medicare and Medicaid Services has made a final determination that the hospital assessment established in A.R.S. § 36-2999.72, is no longer eligible for federal financial participation. The Administration shall refund any monies remaining in the Health care Investment Fund to hospitals in proportion to the amounts paid by each hospital. The refund amount shall be reduced for any authorized expenditures associated with a period for which the hospital assessment is eligible for federal financial participation. The Administration shall notify in writing the Director of the Arizona Legislative Council of this date.*

98. The Administration [AHCCCS] shall contract with an independent consulting firm for an annual study of the adequacy and appropriateness of Title 19 reimbursement rates to providers of behavioral health services. A complete study of reimbursement rates shall be completed at least once every 5 years. AHCCCS shall provide the report to JLBC on or before October 1 of each year. If results of the study are not completely incorporated into the capitation rate, the Administration shall provide a report to JLBC within 30 days of setting the final capitation rate including reasons for differences between the rate and the study. (A.R.S. § 36-3403E as amended by Laws 2006, Chapter 331, Section 12; Laws 2015, Ch. 195, § 62, eff. June 30, 2016) Same reporting conditions as DES/AHCCCS actuarial study. *See A.R.S. § 36-2959A through F.*
99. The Administration [AHCCCS] shall report annually to the JLBC on each fiscal year's Medicaid and Nonmedicaid behavior health expenditures, including behavioral health demographics that include client income, utilization and expenditures, medical necessity oversight practices, tracking of high cost beneficiaries, mortality trends, placement trends, program integrity and access to services. (A.R.S. § 36-3415 as added by Laws 2012, Ch. 299, § 5; Laws 2014, Ch. 11 § 6; Laws 2015, Ch. 195, § 75, eff. June 30, 2016)
100. The Land Commissioner shall prescribe by rule application, permit, transaction, appraisal, service, filing and document fees for transactions related to the selling, leasing, annexation, conveyance, exchange, right-of-way and use of state lands or products of state lands managed by the State Land Department. Before adopting any rule setting or changing a fee under this section, the Land Commissioner must submit the proposed fee amount to the JLBC for review. (A.R.S. § 37-107A as added by Laws 2010, Ch. 243, § 3, applies retroactively to June 30, 2010)



101. The State Land Commissioner shall determine the percentage of trust land proceeds to be deposited in the Trust Land Management Fund each fiscal year. The percentage shall be the same for all beneficiaries. The Commissioner shall notify the JLBC and OSPB of the determination on or before September 1 of the preceding fiscal year. (A.R.S. § 37-527B applies retroactively to June 30, 2009; Laws 2016, Ch. 120 § 3 repeals Laws 2015, Ch. 13, § 1 and 11)
102. On or before September 1 of each year, the Arizona Department of Forestry and Fire Management shall report to the JLBC the total expenditures from the previous year for grants for nonnative vegetation species eradication projects. The report shall indicate each project's expenditures, the benefits of each project to the treated land, the status of each project and the projected timeline for completion of each project. (A.R.S. § 37-1309C as added by Laws 2019, Ch. 269 § 3)
103. The Arizona State Retirement System (ASRS) may administer an incentive compensation plan for investment related personnel established in consultation with the Department of Administration Director. ASRS shall file a copy of any incentive compensation plan for investment related personnel with the Governor, President of the Senate, the Speaker of the House of Representatives, OSPB, the JLBC and the Department of Administration within 10 business days of its adoption or readoption. (A.R.S. § 38-611.01 as added by Laws 2012, Ch. 321, § 95, eff. September 28, 2012)
104. The Board of Trustees of the Public Safety Personnel Retirement System (PSPRS) may administer an incentive compensation plan for investment related personnel established in consultation with the Department of Administration Director. The PSPRS shall file a copy of any incentive compensation plan for investment related personnel with the Governor, the President of the Senate, the Speaker of the House of Representatives, OSPB, the JLBC and the Department of Administration within 10 business days of its adoption or readoption. (A.R.S. § 38-611.02 as added by Laws 2012, Ch. 321, § 95, eff. September 28, 2012)
105. Review pro rata share of the overall cost of the accumulated sick leave payments established by the Department of Administration Director. They shall not exceed 0.40% in FY 2000 and .55% in FY 2001 and each fiscal year thereafter. (A.R.S. § 38-616C as amended by Laws 1999, Ch. 300, § 10)

***Travel/Reimbursement Rates***

106. Approve rates of reimbursement for state travel by motor vehicle and by airplane as recommended by the Department of Administration. (A.R.S. § 38-623D as amended by Laws 1998, Ch. 292, § 5)
107. Approve maximum amounts for reimbursement for lodging and meal and incidental expenses or long term subsistence submitted by the Director of the Department of Administration. (A.R.S. § 38-624C as amended by Laws 1998, Ch. 292, § 6; Laws 2001, Ch. 93, § 3)
108. The requirements of subsection A, dealing with out-of-state travel requirements, shall not apply to the JLBC members or JLBC employees when traveling on official business. (A.R.S. § 38-626C)

### **Health Insurance**

109. On recommendation of the Department of Administration and the review of JLBC, the Department of Administration may self-insure regarding health coverage continued in force by surviving spouses and health and accident coverage for dependents of full-time officers and employees of the state. (A.R.S. § 38-651A & B as amended by Laws 2002, Ch. 328, § 11; Laws 2003, Ch. 2, § 1, eff. after July 31, 1999) *Emergency*. Completed in an earlier year - One-time requirement.
110. The Department of Administration shall submit a report to the JLBC detailing any changes to the type of benefits offered under the state employee health insurance plan and associated costs at least 45 days before making the change. The report shall include:
1. An estimate of the cost or saving associated with the change.
  2. An explanation of why the change was implemented before the next plan year. (A.R.S. § 38-654G as amended by Laws 2007, Ch. 263, § 16; Laws 2011, Ch. 31, § 16; Laws 2021, Ch. 245, § 4)
111. Review in Executive Session the planned contribution strategy for each health plan, including indemnity insurance, hospitalization and medical service plans, dental plans and HMO submitted by ADOA Director 10 days before the contract (March 2000). (A.R.S. § 38-658A)
- \*112. ~~On or before October 1 of each year, ADOA Director to report on performance standards for health plans, including indemnity health insurance, hospitalization and medical service plans, dental plans and HMOs (March 2000).~~ (A.R.S. § 38-658B as amended by Laws 2011, Ch. 83, § 28; Laws 2021, Ch. 245, § 5)

### **Retirement**

- \*113. On or before December 31 1 ~~[due December 1 in 2019 and 2020]~~ of each year, the Board [of Trustees of the Public Safety Personnel Retirement System] shall report the status of the defined contribution system to the JLBC. (A.R.S. § 38-832G as added by Laws 2013, Ch. 217, § 8; amended by Laws 2018, Ch. 279, § 20; Laws 2019, Ch. 36, § 5; Laws 2019, Ch. 267, § 18 where reports are due December 1 in 2019 and 2020; Laws 2021, Ch. 405, § 13)
- \*114. On or before December 31 1 ~~[due December 1 in 2019 and 2020]~~ of each year, the Board of Trustees [PSPRS] shall provide to the Legislature and JLBC and shall post on its website the shared cost structure of employees and employers, the funding status and the rate of return. The report to the Legislature shall include when the trigger to the reduction in the employee rates is being met. (A.R.S. § 38-848.02 as added by Laws 2011, Ch. 357, § 63. Amended by Laws 2018, Ch. 279, § 23; Laws 2019, Ch. 36, § 10, Laws 2019, Ch. 267, § 18 where reports are due December 1 in 2019 and 2020; Laws 2021, Ch. 405, § 16)
- \*115. Requires the Board of Trustees of the Public Safety Personnel Retirement System (PSPRS) to establish, design and administer a Defined Contribution Plan beginning July 1, 2017. On or before December 31 1 ~~[due December 1 in 2019 and 2020]~~ of each year, the Board of Trustees of the PSPRS shall report the status of the Defined Contribution Plan to the Governor, President of the Senate, Speaker of the House of Representatives and the JLBC. (A.R.S. § 38-866H as added by Laws 2016, Ch. 2 § 15. Amended by Laws 2018, Ch. 279, § 24; Laws 2019, Ch. 36, § 13, Laws 2019, Ch. 267, § 18 where reports are due December 1 in 2019 and 2020; Laws 2021, Ch. 405, § 17)

### ***Public Finances - Title 41***

116. Review any expenditure of funds or other resources for intergovernmental agreements with the federal government to operate federal parks in case of government shutdown due to a lack of federal appropriation and as deemed necessary to promote tourism, this state's economic well-being, or the health, safety or welfare of the state's citizens. (A.R.S. § 41-101A11)
117. Before spending monies in the Crisis Contingency and Safety Net Fund, the Office of the Governor shall notify the JLBC on the intended use of the monies. The monies in the fund may be spent only following a state of emergency declaration by the Governor. (A.R.S. § 41-110C as amended by Laws 2020, Ch. 56 § 2) Rcvd 3/30/20, 4/7/20 & 4/18/20
118. Establishes the Election Systems Improvement Fund in the Secretary of State's office. Receive a summary of the total expenditure plan for the fund on or before December 31 of each year. (A.R.S. § 41-129C as added by Laws 2003, Ch. 95, § 1; Laws 2003, Ch. 260, § 20; Laws 2011, Ch. 83, § 29) *Emergency*
119. The State Treasurer, in coordination with the Director of the Department of Administration (ADOA), is to submit a report on or before February 1 of each year, explaining any differences between ADOA's estimate of the previous fiscal year's state General Fund ending balance submitted pursuant to A.R.S. § 35-131 and the State Treasurer's estimate of the invested balance including the state General Fund share of that balance as of June 30 of the previous fiscal year submitted pursuant to paragraph 8 of this subsection. (A.R.S. § 41-172A9 as amended by Laws 2006, Ch. 130, § 2; Laws 2008, Ch. 176, § 1; Laws 2020, Ch. 76, § 1; Laws 2020, Ch. 88, § 9)
120. Within 30 days after the last day of each calendar quarter, the Attorney General shall provide a summary of quarterly and year-to-date expenditures and progress [of the Internet Crimes Against Children Enforcement Fund] to the JLBC, including any prior year appropriations that were nonlapsing. (A.R.S. § 41-199C as added by Laws 2015, Chapter 245, § 5) *Emergency*
121. Within 30 days after the last day of each calendar quarter, the Attorney General shall report to the JLBC a summary of the quarterly and year-to-date expenditures, including the exception of any monies appropriated to the Child and Family Advocacy Center Fund in a prior fiscal year. (A.R.S. § 41-191.11 as added by Laws 2017, Ch. 257, § 2)

### ***Constitutional Defense Council***

122. Receive a full and complete account of the receipts and disbursements for the Constitutional Defense Council Revolving Fund for the preceding month on or before the 15th day of each month from the Director of the Department of Administration. (A.R.S. § 41-401I)
123. The Constitutional Defense Council shall brief the JLBC in Executive Session regarding contracts for legal representation over the amount of \$50,000. Information provided in Executive Session shall remain confidential until the contract award is made pursuant to this section. (A.R.S. § 41-401L)

### ***Risk Management***

124. Review any changes in the deductible amounts established by the Director of the Department of Administration that may be imposed on the Department of Corrections for each loss arising out of a professional liability claim. (A.R.S. § 41-621C as amended by Laws 2011, Ch. 83, § 33)

125. Approve types of insurance to provide for payment of claims or losses against contractors of this state as submitted by the Department of Administration. (A.R.S. § 41-621D)
126. Review any changes in the deductible amounts established by the Director of the Department of Administration that may be imposed on state departments, agencies, boards and commissions for each loss arising out of a property, liability or workers' compensation loss. (A.R.S. § 41-621E as amended by Laws 2011, Ch. 83, § 33)
127. ADOA Risk Management to report annually on 1) the operations of the division, 2) the status of pending claims and lawsuits, 3) information on actual judgements and settlements, 4) status of claims and lawsuits reported on the prior year annual report, 5) number of claims and lawsuits filed since the last report, 6) number of liability cases taken to trial with information on the verdicts and judgment amounts, and 7) projected fund balances. (JLBC Rule 14 4A)
128. ADOA Risk Management, with the assistance of the Attorney General, propose to the Committee any changes in state insurance coverage, state statutes, state liability principles or claims procedures which may help to limit future state liability. (JLBC Rule 14 4B)
129. ADOA Risk Management to provide an agency loss prevention plan that results from a judgment against the state in an amount equal to or greater than that which requires JLBC settlement authority. Within 60 days after payment of the judgment, ADOA will either indicate approval of the plan, provide an explanation of why it is not approved, or provide an explanation as to why a plan is no longer applicable. (JLBC Rule 14 4C)
130. Approve settlement of claims for liability damages by the Department of Administration which exceed \$250,000. May establish higher settlement limits if it is in the best interest of the state. (A.R.S. § 41-621N, JLBC Minutes December 20, 1991 & May 16, 2000)
131. On or before October 1 of each year, the Director of the Arizona Department of Administration shall submit to the JLBC and OSPB a report on the costs associated with meeting the investment yield restriction requirements for any tax-exempt deficit financing agreements entered into on or after January 1, 2009, including whether the requirements have reduced the yield of investments or required the state to pay any penalties to the federal government. (A.R.S. § 41-707 as added by Laws 2010, 7<sup>th</sup> S.S., Ch. 3, § 4; Laws 2015, Ch. 11 § 3)
132. On or before October 1 of each year, the Department of Administration shall collect from each budget unit and shall submit to the JLBC a report containing the number of FTE Positions and the total amount of salaries for each budget unit for the prior fiscal year, delineated by retirement system, employee tier and fund source. (A.R.S. § 41-708 as added by Laws 2018, Ch. 279, § 27)
133. The Arizona Department of Administration shall prepare and submit an annual consolidated telecommunications budget report to the JLBC in connection with its annual budget request showing the previous fiscal year's actual payments and the next fiscal year's anticipated payments charged and received by the primary contractor from state offices, departments and agencies for telecommunications services. (A.R.S. § 41-712D retroactively effective to June 30, 2005)

- \*134. ON COMPLETION OF AN AUTOMATION AND INFORMATION TECHNOLOGY PROJECT, ALL UNEXPENDED AND UNENCUMBERED MONIES REMAINING IN THE AUTOMATION PROJECTS FUND SUBACCOUNT REVERT TO THEIR FUND OF ORIGIN. ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, THE DEPARTMENT OF ADMINISTRATION SHALL SUBMIT A REPORT TO THE JLBC ON EACH REVERSION MADE IN THE PRIOR FISCAL YEAR. (A.R.S. § 41-714A as amended by Laws 2021, Ch. 405 § 22).
135. Before the expenditure of any monies from the Automation Projects Fund, the JLBC shall review the expenditure plan presented by the Department of Administration for the fiscal year in which the monies are to be spent. The expenditure plan shall include the project cost, deliverables, timeline for completion and method of procurement. (A.R.S. § 41-714C as added by Laws 2012, Ch. 298, § 1. Amended by Laws 2018, Ch. 279, § 28)
136. The Department of Administration may charge a transaction fee to each state agency that uses the Arizona Financial Information System. ADOA shall submit a proposed transaction fee to the JLBC before establishing or changing the fee. On or before December 1 of each year, ADOA shall submit a report to the JLBC on the Arizona Financial Information System transaction count by agency and fund source. (A.R.S. § 41-740.01C as added by Laws 2015, Ch. 11 § 4; amended by Laws 2019, Ch. 267, § 10) Done 6/20/17 & 6/19/18
137. Receive an annual report and recommendation from the Department of Administration Director as provided in A.R.S. § 41-751 [Reporting on State Personnel and the operation of the State Personnel System]. (A.R.S. § 41-743B4 as added by Laws 2012, Ch. 321, § 115, eff. September 28, 2012)
138. Before entering into any contract or agreement with a city or Regional Public Transportation Authority regarding the placement of a light rail station in the Governmental Mall, the Department of Administration Director shall submit the contract or agreement to the JLBC for approval. The Committee shall approve or reject the contract or agreement not more than 120 days after the submission. (A.R.S. § 41-791.02K as added by Laws 2018, Ch. 279, § 30)
- \*139. ~~Receive report on or before November 1 of each year from the Director of the Department of Administration concerning the use of alternative fuels and clean burning fuels in the state motor vehicle fleet.~~ (A.R.S. § 41-803R as amended by Laws 2000, Ch. 148, § 4; Laws 2000, Ch. 405, § 18; Repealed by Laws 2021, Ch. 413, § 20) *Emergency*
140. An agency may increase a fee in an amount that exceeds the percentage of change in the average consumer price index if either of the following applies:
- (a) The agency submits the fee increase to the JLBC for review before the fee is increased.
  - (b) The agency is required to submit an annual report that includes information about the fee to members of the Legislature. (A.R.S. § 41-1008A3(a) as amended by Laws 2019, Ch. 317 § 1)
141. The preparer of the Economic, Small Business and Consumer Impact Statement shall notify the JLBC of the number of full-time employees necessary to implement and enforce the rule (administrative rulemaking) before the rule is approved by the Governor's Regulatory Review Council. A.R.S. § 41-1052 directs the Economic, Small Business and Consumer Impact Statement to be prepared by OSPB if the Legislature appropriates monies. (A.R.S. § 41-1055B3)

### ***Fiscal Notes***

142. Implement a system of fiscal notes for bills that have a fiscal impact (A.R.S. § 41-1272A2). Amend or suspend Rule 13 for fiscal notes when deemed necessary. (JLBC Rules and Regulations - Rule 13, Paragraph 5)
143. Implement a system of fiscal notes for any rule as defined by section 41-1001, which has a fiscal impact. (A.R.S. § 41-1272A3)

### ***JLBC General Authorities***

144. May make studies, conduct inquiries and investigations and hold hearings. (A.R.S. § 41-1272B1)
145. May establish subcommittees from the membership of the Legislature and assign to each subcommittee any study, inquiry, investigation or hearing with the right to call witnesses. (A.R.S. § 41-1272B3)
146. Appoint a Budget Analyst (Rules of the Committee designate the title as Staff Director and Chief Executive Officer) (A.R.S. § 41-1273A as amended by Laws 1998, Ch. 113, § 36 retroactively applies to February 28, 1998)
147. May remove budget analyst (Staff Director) from office prior to expiration of the budget analyst's term. (A.R.S. § 41-1273C as amended by Laws 1998, Ch. 113, § 36)
148. On or before January 31 of each year, the Budget Analyst shall report to the JLBC the expenditures for each Retirement System for the preceding fiscal year, including the expenditures made by this state for the employer contribution for each Retirement System. (A.R.S. § 41-1273G as added by Laws 2015, Ch. 11, § 5) **(See same one listed in Staff Responsibilities)**
149. On or before December 1, 2019 and once every 7 years thereafter, the Budget Analyst shall report to the Committee the following:
  1. The current amount of each surcharge and assessment that is authorized by law to be collected on every fine, penalty and forfeiture imposed and collected by the courts for criminal offenses and every civil penalty imposed and collected for a civil traffic violation and fine, penalty or forfeiture for a violation of the motor vehicle statutes, for any local ordinance relating to the stopping, standing or operation of a vehicle or for a violation of the Game and Fish statutes in Title 17.
  2. The items for which the collected surcharge or assessment monies are used. (A.R.S. § 41-1273I as added by Laws 2018, Ch. 312, § 3, eff. December 31, 2018) **(See same one listed in Staff Responsibilities)**
150. May accept and expend in the name of the Legislature public and private gifts and grants. (A.R.S. § 41-1274)
151. Determine rental authorization after recommendation by the Speaker and President prior to the beginning of each fiscal year for each state department and each state agency using space under the jurisdiction of the Legislative Council or the Speaker of the House of Representatives or the President of the Senate for deposit in the Capital Outlay Stabilization Fund. This section does not apply to the Secretary of State if the space used pursuant to this section is primarily being

used by the Arizona State Library, Archives and Public Records for the purposes prescribed by statute. (A.R.S. § 41-1304.06B&C as amended by Laws 2009, Ch. 114, § 18)

152. On or before November 1 of each year, the Department of Administration shall submit to the JLBC a report that accounts for all monies deposited in the State Monument and Memorial Repair Fund. The report shall include the sources of the monies received for deposit, by category, and the purposes for which the monies were used during the preceding fiscal year. (A.R.S. § 41-1365D as amended by Laws 2018, Ch. 279, § 37)
153. The Ombudsman-Citizens Aide shall annually before January 1 prepare a written report to the Governor, the Legislature and the public that contains a summary of the Ombudsman-Citizens Aide's activities during the previous fiscal year. The Ombudsman-Citizens Aide shall present this report annually before the Legislative Council and distribute copies of the report to the Director of OSPB, the Chairperson of the JLBC and the Cochairpersons of the Administrative Rules Oversight Committee. This report contents are specified. (A.R.S. § 41-1376A2 as amended by Laws 2014, Ch. 204 § 4; Laws 2017, Ch. 30 § 2; Laws 2020, Ch. 44, § 1)

***Arizona Commerce Authority***

154. The Arizona Commerce Authority shall assess and collect fees for processing applications and administering incentives. The Board of Directors of the Arizona Commerce Authority shall adopt the manner of computing the amount of each fee to be assessed. Within 30 days after proposing fees for adoption, the chief executive officer shall submit a schedule of the fees for review by the JLBC. It is the intent of the Legislature that a fee shall not exceed 1% of the amount of the incentive. (A.R.S. § 41-1504C1 as added by Laws 2011, 2<sup>nd</sup> S.S., Ch. 1, § 30)
155. Review the Memorandum of Understanding with the nonprofit corporation submitted by the Chief Executive Officer [of the Arizona Commerce Authority] before expending any appropriated state monies [Arizona 21<sup>st</sup> Century Competitive Initiative Fund]. The initial submission shall include provisions that address how the nonprofit corporation accounts for the application and investment of monies pursuant to Subsection C of this section, the documentation of investments made in whole or in part through funding pursuant to this section and the preparation and filing of annual audits of the fund with the Auditor General. The initial submission shall also include performance measures to evaluate the effectiveness of the program and recommendations pertaining to prospective repayment to the fund by scientific, research, academic and medical institutions of a portion of the income derived from technology or intellectual property created or developed in whole or in part through funding pursuant to this section. The JLBC shall review expenditures from the fund at least quarterly, including any changes to the Memorandum of Understanding, but may choose less frequent reviews. (A.R.S. § 41-1505.09E Now: 41-1506.01E as added by Laws 2006, Ch. 334, § 3) Transferred and renumbered as 41-1506.01 by Laws 2011, 2<sup>nd</sup> S.S., Ch. 1, § 31.
- \*156. NEW 2021: THE ARIZONA COMMERCE AUTHORITY SHALL SUBMIT A SEMIANNUAL REPORT TO THE JLBC ON OR BEFORE JULY 15 AND DECEMBER 15 OF EACH YEAR. EACH REPORT SHALL INCLUDE, AT A MINIMUM, THE AMOUNT OF ACTUAL EXPENDITURES FROM THE MAJOR EVENTS FUND BY PURPOSE AND AN EXPENDITURE PLAN FOR ALL REMAINING MONIES BY PURPOSE. . (A.R.S. § 41-1506.02C as added by Laws 2021, Ch. 405 § 29).

- 157. On or before May 1 of each year, the Arizona Commerce Authority shall report to the JLBC on the Healthy Forest Tax Credit. (A.R.S. § 41-1516I as amended by Laws 2011, 2<sup>nd</sup> S.S., Ch. 1, § 40)
- 158. Receive a report from the Arizona Commerce Authority, on or before November 1 of each year, on grants made from the Arizona Competes Fund under this article in the preceding fiscal year and all projects currently being funded from the Arizona Competes Fund. (Indicates what the report shall include.) The Arizona Competes Program ends on July 1, 2026. (A.R.S. § 41-1545.04 and 41-1545.05 as added by Laws 2011, 2<sup>nd</sup> S.S., Ch. 1, § 53; amended by Laws 2016, Ch. 372, § 40 and Laws 2016, Ch. 114, § 3; Laws 2017, Ch. 336 § 3)

***Private Prisons/Criminal Justice***

- 159. On publication, review any request for proposals with regard to adult incarceration contracts as submitted by the Department of Corrections. (A.R.S. § 41-1609.01A as amended by Laws 1997, Ch. 128, § 2)
- 160. Receive an expenditure plan from the Department of Public Safety (DPS) for JLBC review before expending any monies not identified in the department's previous expenditure plans for the Gang and Immigration Intelligence Team Enforcement Mission (GIITEM) Fund. Within 30 days after the last day of each calendar quarter, DPS shall provide a summary of quarterly and year-to-date GIITEM expenditures and progress to the JLBC, including any prior year appropriations that were nonlapsing. (A.R.S. § 41-1724G as amended by Laws 2011, Ch. 33, § 20; Laws 2011, Ch. 308, § 10)
- 161. Before the Department of Public Safety spends any monies appropriated in the General Appropriation Act each fiscal year from the GIITEM Border Security and Law Enforcement Subaccount, the Department of Public Safety shall submit the subaccount's entire expenditure plan to the JLBC for review. (A.R.S. § 41-1724H as amended by Laws 2020, Ch. 51 § 2)
- \*162. NEW 2021: ON OR BEFORE NOVEMBER 1 OF EACH YEAR, THE SHERIFF OF A COUNTY THAT HAS ESTABLISHED A SCHOOL SAFETY PILOT PROGRAM PURSUANT TO THIS SECTION SHALL SUBMIT A REPORT TO THE JLBC OF ALL EXPENDITURES MADE FOR THE SCHOOL SAFETY PILOT PROGRAM IN THE PRECEDING FISCAL YEAR. (A.R.S. § 41-1733B as amended by Laws 2021, Ch. 403, § 19)
- \*163. NEW 2021: AT THE REQUEST OF THE CHAIRPERSON OF THE JOINT LEGISLATIVE BUDGET COMMITTEE, THE STATE PERMITTING DIRECTOR SHALL APPEAR BEFORE THE JLBC TO REPORT ON FINDINGS FROM ADMINISTERING THE PERMITTING DASHBOARD. THE REPORT IS DUE ON OR BEFORE DECEMBER 1, 2023 PER SECTION 45. (A.R.S. § 41-2102 as added by Laws 2021, Ch. 405 § 30).
- 164.
  - A. Beginning from and after June 30, 2021, the State Treasurer shall pay from monies appropriated pursuant to this section \$1,500,000 per fiscal year, in 12 equal monthly installments, to the Office of Tourism for the purposes described in this section. On or before October 1 of each year, the Office of Tourism shall report to the JLBC the amounts and purposes of all expenditures made pursuant to this subsection in the previous fiscal year.
  - B. The Treasurer may make the payments prescribed in subsection A of this section if the special sporting event project cost incurred from and after December 31, 2016 is at least \$100 million.



- C. The host facility shall report to the JLBC and OSPB that it has incurred the special sporting event project cost prescribed in subsection B of this section on or before December 31, 2020. The JLBC shall certify the expenditures reported by the host facility.
- D. If the requirements of subsections B and C of this section are met, the sum of \$1,500,000 is appropriated annually from the General Fund to the State Treasurer for the purposes of this section beginning in FY 2022 and ending in FY 2051.  
(A.R.S. § 41-2308 as added by Laws 2016, Ch. 366, § 1)
165. The Arizona Criminal Justice Commission shall submit a copy of the federal application for Edward Byrne Memorial Justice Assistance Grant monies to the JLBC for review at least 30 days before the federal application for the grant is submitted. (A.R.S. § 41-2403B as added by Laws 2018, Ch. 278, § 5)
166. By January 8, 2001 and by January 8 each year thereafter, the Arizona Criminal Justice Committee shall report to each County Board of Supervisors, the Governor, the Legislature, the JLBC, the Chief Justice of the Supreme Court and the Attorney General on the expenditures of the monies in the State Aid to County Attorneys Fund and the State Aid to Indigent Defense Fund for the prior fiscal year and on the progress made in achieving the goal of improved criminal case processing. (A.R.S. § 41-2409E as added by Laws 1999, Ch. 346, § 10)
167. The Director of the Department of Administration may enter into a public-private partnership contract where a vendor agrees to finance technology improvements in exchange for fees based on specific performance improvements such as a share of the state's savings or revenue gain. Before the contract is awarded, the JLBC Staff shall be consulted with regarding the potential fiscal impact of the contract to the state. If the JLBC Staff finds a significant negative fiscal impact to the state, the Staff shall report its findings to the Committee. (A.R.S. § 41-2559D as added by Laws 2000, Ch. 115, § 2; Laws 2004, Ch. 190, § 5) **Laws 2000, Ch. 316, § 15 also adds this same requirement.**
168. Assist the Joint Legislative Audit Committee on sunset review of agencies. (A.R.S. § 41-2952 (5))
169. Receive a homeland security allocation and expenditure report from the Department of Homeland Security on or before September 1 of each year. Indicates what the report is to include. (A.R.S. § 41-4255 as added by Laws 2006, Ch. 317. Amended by Laws 2015, Ch. 14, § 5)
170. The Workforce Arizona Council shall meet at least 4 times each year and shall submit a written annual report to the Governor, the President of the Senate, the Speaker of the House of Representatives and the JLBC by December 1 of each year. The report contents are specified. (A.R.S. § 41-1542C as amended by Laws 2006, Ch. 331, § 16; Laws 2009, 3<sup>rd</sup> S.S., Ch. 9, § 12 eff. retroactively to June 30, 2006; Repealed January 1, 2017 per A.R.S. § 41-3016.29, however A.R.S. § 41-3016.29 is repealed by Laws 2016, Ch. 114, § 4 eff. retroactively to July 1, 2016) Transferred and renumbered as A.R.S. § 41-5401C by Laws 2016, Ch. 372, § 53.
- \*171. ~~On or before December 31 of each year, the School Facilities Board shall report to the JLBC on all Class B bond approvals by school districts in that year. Each school district shall report to the School Facilities Board on or before December 1 of each year information required by the School Facilities Board for the report prescribed in this paragraph.~~ (A.R.S. § 15-2002A15 as amended by Laws 2015, Ch. 15, § 8. Transferred and renumbered as A.R.S. § 41-5702A15 as amended by Laws 2021, Ch. 404 § 63)

- \*172. NEW 2021: ON OR BEFORE DECEMBER 31 OF EACH YEAR, THE SCHOOL FACILITIES OVERSIGHT BOARD SHALL REPORT TO THE JLBC ON ALL CLASS B BOND APPROVALS BY SCHOOL DISTRICTS IN THAT YEAR. EACH SCHOOL DISTRICT SHALL REPORT TO THE SCHOOL FACILITIES OVERSIGHT BOARD ON OR BEFORE DECEMBER 1 OF EACH YEAR INFORMATION REQUIRED BY THE BOARD FOR THE REPORT PRESCRIBED IN THIS PARAGRAPH. (A.R.S. § 41-5702C8 as amended by Laws 2021, Ch. 404 § 63)
- \*173. Within 30 days after transferring monies to the Emergency Deficiencies Correction Fund, the ~~School Facilities Board~~ DIVISION OF SCHOOL FACILITIES WITHIN THE ARIZONA DEPARTMENT OF ADMINISTRATION shall report to the JLBC Director the amount and source of the transfer. (A.R.S. § 15-2022A as added by Laws 2019, Ch. 265, § 15. Transferred and renumbered as A.R.S. § 41-5721A as amended by Laws 2021, Ch. 404 § 68)
- \*174. Identify or develop as necessary but not less than once each year an index for cost per square foot, which would be adjusted annually for construction market considerations. EACH ANNUAL CONSTRUCTION MARKET ADJUSTMENT APPLIES TO ALL PROJECTS APPROVED BY THE SCHOOL FACILITIES BOARD UNDER THIS SUBSECTION DURING THAT YEAR. (A.R.S. § 15-2041D3(c) as added by Laws 1998, 5<sup>th</sup> S.S., Ch. 1, § 39. Amended by Laws 1999, Ch. 299, § 37. Transferred and renumbered as A.R.S. § 41-5741D3(c) as amended by Laws 2021, Ch. 404 § 70)
175. Before receiving any monies under this section, a qualifying Indian tribe shall enter into an initial compact with this state on or before September 1, 2017, signed by the Governor, to account for the use of monies distributed pursuant to this section [distribution of revenues for Indian Tribal Postsecondary Educational Institutions]. After a hearing and review of the compact by the JLBC held during the fourth year prior to the expiration of the compact's term, a compact may be amended and renewed for an additional term of at least 20 years. (A.R.S. § 42-5031.01B1&3 as amended by Laws 2007, Ch. 265, § 10; Laws 2012, Ch. 301, § 6; Laws 2015, Ch. 16, § 7; Laws 2016, Ch. 148, § 1 and 2)
176. On or before February 15 of each year, the County Treasurer shall submit a report to the JLBC of all returns and payments received for the preceding calendar year with respect to leases of government property improvements owned by the government lessor. These reports shall contain the same data prescribed in paragraph 1 of this subsection. (A.R.S. § 42-6204F2 as added by Laws 2015, Ch. 10, § 8. Amended by Laws 2017, Ch. 120 § 3)
177. On or before June 30, 2020, the Department of Revenue shall report to the JLBC on the estimated amount of capital gains tax paid by nonresidents of this state on real estate transactions in this state from the most recent year before tax year 2019 based on available data from the Internal Revenue Service. (A.R.S. § 43-312B as added by Laws 2019, Ch. 272, § 6)
178. On or before June 30 of each year, the Department of Revenue shall estimate and report to the JLBC on the amount of revenue collected from the sale of real estate by nonresidents that is attributed to the information return prescribed by this section in the prior tax year. (A.R.S. § 43-312B as added by Laws 2019, Ch. 272, § 6)
179. Any waste tire collection site that is established after the effective date of this amendment (July 20, 2011) to this section shall register with the Department of Environmental Quality (ADEQ) before beginning operation and shall pay a registration fee. After the effective date of this amendment to this section, the Director (of ADEQ) shall establish by rule a registration fee,

including a maximum fee. As part of the rule making process, there must be public notice and comment and a review of the rule by the JLBC. After September 30, 2013, the Director of ADEQ shall not increase that fee by rule without specific statutory authority of the increase. Registration fees shall be deposited in the Solid Waste Fee Fund. (A.R.S. § 44-1303B as amended by Laws 2011, Ch. 220, § 1) - One-time requirement.

180. For any person who stores 100 or more used motor vehicle tires outdoors after the effective date of this amendment to this section (July 20, 2011), the operator shall pay a registration fee. After the effective date of this amendment to this section, the Department of Environmental Quality (ADEQ) shall establish by rule a registration fee, including a maximum fee. As part of the rule making process, there must be public notice and comment and a review of the rule by the JLBC. After September 30, 2013, ADEQ shall not increase that fee by rule without specific statutory authority for the increase. Registration fees shall be deposited in the Solid Waste Fee Fund. (A.R.S. § 44-1304.01 as amended by Laws 2011, Ch. 220, § 2) - One-time requirement.
181. The Attorney General shall submit an expenditure plan to the JLBC for review before spending any monies in the Consumer Remediation Subaccount of the Consumer Restitution and Remediation Revolving Fund. (A.R.S. § 44-1531.02C as amended by Laws 2013, Ch. 143, § 7; Laws 2019, Ch. 268, § 5)
182. For each year during which the Arizona Water Banking Authority (AWBA) is owed or receives monies pursuant to an interstate water banking agreement with the State of Nevada, or any agency or political subdivision of the State of Nevada, including the Southern Nevada Water Authority, the AWBA shall provide a full report to the JLBC that accounts for all of the monies received through the interstate water banking agreement and shall account for all disbursements made with those monies, including monies used to purchase or store water or otherwise fulfill contractual obligations with the State of Nevada under that agreement. The AWBA shall include in these reports any prepaid monies to the Central Arizona Project, any monies received under the agreement that are placed in an account with the State Treasurer and any contract that obligates the AWBA to pay or disburse these monies to any other entity, including the Central Arizona Project. The report shall be submitted on or before October 1 following the fiscal year for which the report is made. (A.R.S. § 45-2473A&B as amended by Laws 2009, 3<sup>rd</sup> S.S., Ch. 5) *[Repealed on June 30 of the fiscal year immediately following the last fiscal year in which the monies received under the Interstate Water Banking Agreement are used by the AWBA paying for contract obligation costs or by the Legislature appropriating monies received in excess of these costs, except that A.R.S. § 45-2473 shall not be repealed before June 30, 2020.]*

### **Welfare Reform**

183. If a tribal government elects to operate a cash assistance program in compliance with the requirements of the U.S. Department of Health and Human Services, with the review of the JLBC, the state shall provide matching monies at a rate that is consistent with the applicable fiscal year budget and that is not more than the state matching rate for the AFDC program as it existed on 7/1/94. (A.R.S. § 46-134 paragraph 12 as amended by Laws 1998, Ch. 211, § 3; Laws 1998, Ch. 113, § 54; Laws 2014, 2<sup>nd</sup> S.S., Ch. 1, § 148, eff. May 29, 2014 *Emergency*; Laws 2015, Ch. 257 § 32)

184. The Department of Economic Security shall notify the JLBC if the total monies available for payment of assistance grants are not sufficient to meet the maximum amount for which each applicant or recipient is eligible by law. The Department of Economic Security shall notify the JLBC of the insufficiency of monies and shall make recommendations on how to overcome the insufficiency. The department shall make the adjustments determined by the JLBC. (A.R.S. § 46-207B)
185. Receive an annual report of the Diversion from Long-term Assistance Program from the Director of the Department of Economic Security 90 days after the end of the fiscal year beginning with FY 2009. (Indicates what the report shall include) (A.R.S. § 46-298J as amended by Laws 1997, Ch. 300, § 56; Laws 2007, Ch. 120, § 1)
186. Notwithstanding any other provision in this section, the Department of Economic Security may reduce maximum income eligibility levels for child care assistance in order to manage within appropriated and available monies. The Department of Economic Security shall notify the JLBC of any change in maximum income eligibility levels for child care assistance within 15 days after implementing the change. (A.R.S. § 46-803G as added by Laws 2019, Ch. 271, § 5)
187. The Department of Economic Security shall report on December 31 and June 30 of each year to the JLBC the total number of families who applied for child care assistance and the total number of families who were denied assistance under this section because the parents, legal guardians or caretaker relatives who applied for assistance were not citizens or legal residents of the United States or were not otherwise lawfully present in the United States. (A.R.S. § 46-803N-O as amended by Laws 2006, SCR 1031, § 6 and added by Proposition 300; Laws 2014, 2<sup>nd</sup> S.S., Ch. 1 § 153, eff. May 29, 2014 *Emergency*; amended by Laws 2019, Ch. 271, § 5)
188. Receive child care report from the Department of Economic Security by October 1 of each year. (A.R.S. § 46-810 as added by Laws 1997, Ch. 300, § 63)
189. For a special health care district that is organized pursuant to this chapter and that constructs a general hospital or acquires or leases a general hospital from a county pursuant to A.R.S. § 48-5541.01, the following apply:
1. Notwithstanding A.R.S. § 48-5561, if the hospital receives special payments pursuant to A.R.S. § 36-2903.01O, the county treasurer of the county in which the district is located shall withdraw monies from the monies of the district on deposit with the county treasurer and transfer those monies to the county General Fund.
  2. The amount of those monies transferred shall be determined by the Staff Director of the JLBC based on the annual legislative appropriation for special payments and contained in a notice from the Governor. The transfer shall be made on the date or dates specified in the notice from the Governor.
- (A.R.S. § 48-5561.01A as amended by Laws 2012, Ch. 122, § 20; Blended with Laws 2012, Ch. 321, § 84)
- \*190. NEW 2021: AT THE REQUEST OF THE CHAIRPERSON OF THE JLBC, A REPRESENTATIVE OF THE BOARD OF THE DIRECTORS OF A THEME PARK DISTRICT SHALL APPEAR BEFORE THE JLBC TO REPORT ON ANY ASPECT OF THE DISTRICT'S OPERATION, INCLUDING THE ACTIVITIES AND FINANCIAL PERFORMANCE OF THE DISTRICT DURING THE PREVIOUS FISCAL YEAR, THE DISTRICT'S PLANS FOR CAPITAL IMPROVEMENTS, OTHER EXPENDITURES AND INVESTMENT AND

THE DISTRICT'S RESPONSE TO THE AUDIT CONDUCTED PURSUANT TO THIS SECTION. (A.R.S. § 48-6255D as amended by Laws 2021, Ch. 298, § 9 and 14; applies retroactively to from and after December 31, 2020)

*Conditional Delayed Repeal*

Title 48, Chapter 36, Arizona Revised Statutes, is repealed from and after December 31, ~~2020~~ 2031 if the board of directors fails to issue bonds pursuant to that chapter by that date. (Laws 2005, Ch. 248, § 2, as amended by Laws 2007, Ch. 216, § 17; Laws 2012, Ch. 206, § 13 and Laws 2021, Ch. 298 § 13)

191. The Department of Environmental Quality (ADEQ) shall prescribe reasonably necessary rules regarding excreta storage, handling, treatment, transportation and disposal. The rules may provide that vehicles transporting human excreta from privies, septic tanks, cesspools and other treatment processes shall be licensed by the department subject to compliance with the rules. ADEQ may require payment of a fee as a condition of licensure. ADEQ may establish by rule a fee as a condition of licensure, including a maximum fee. As part of the rulemaking process, there must be public notice and comment and a review of the rule by the JLBC. ADEQ shall not increase that fee by rule without specific statutory authority for the increase. The fees shall be deposited in the Solid Waste Fee Fund. (A.R.S. § 49-104B14(b) as amended by Laws 2011, Ch. 220, § 3; Laws 2015, Ch. 208, § 21; Laws 2016, Ch. 128 § 121; Effective retroactively to June 30, 2016; Laws 2017, Ch. 112 § 1; Laws 2018, Ch. 192, Laws 2018, Ch. 225, § 3) - One-time requirement.

*\*Section 11 – Conditional Repeal*

- A. *A.R.S. § 49-104, as amended by this act, are repealed on August 1, 2023 unless the United States Environmental Protection Agency approves ADEQ's Clean Water Act Section 404 Dredge and Fill Permit Program established pursuant to Title 49, Chapter 2, Article 3.2, Arizona Revised Statutes, as added by this act, under the terms of the Clean Water Act, 33 United States code sections 1251 through 1376.*
- B. *Title 49, chapter 2, article 3.2, Arizona Revised Statutes, as added by this act, is repealed on August 1, 2023 unless the United States environmental protection agency approves ADEQ's Clean Water Act section 404 Dredge and Fill Permit Program established pursuant to title 49, chapter 2, article 3.2, Arizona Revised Statutes, as added by this act, under the terms of the Clean Water Act, 33 United States code sections 1251 through 1376.*
- C. *The Director of ADEQ shall notify in writing the Director of the Arizona Legislative Council on or before September 1, 2023 either:*
- 1. Of the date on which the condition was met.*
  - 2. That the condition was not met. If the United States Environmental Protection Agency has not approved the ADEQ's Dredge and Fill Permit Program as prescribed by this section.*
192. The Director of the Department of Transportation (ADOT) shall establish a pilot program to provide for remote vehicle inspections in Area A and Area B. The Director of ADOT shall operate the pilot program for at least 3 consecutive years and shall complete the pilot program before July 1, 2025. On completion of the pilot program, the Director of ADOT shall submit to the JLBC and the Office of the Governor a report summarizing the results of the pilot program. The director shall submit the report before the department implements any full scale remote vehicle inspection program and shall include in the report a summary of the data collected during the pilot program and a certification by the director that, based on the data collected during the pilot program, a full scale implementation of a remote vehicle inspection program will increase

the efficiency and reduce the costs of the Vehicle Emissions Inspection Program. (A.R.S. § 49-542B as amended by Laws 2014, Ch. 82, § 2; Laws 2019, Ch. 141, § 1; Laws 2019, Ch. 141, § 2)

*Conditional Enactment - A.R.S. § 49-542 as amended by Laws 2017, Ch. 29, § 2 and Laws 2019, Ch. 141 § 4 becomes effective on the date prescribed by Laws 2017, Ch. 29, § 3 but only on the occurrence of the condition prescribed by Laws 2017, Ch. 29 § 3, which is:*

- A. *A.R.S. § 49-542 as amended by Laws 2014, Ch. 89, § 3 and 5 do not become effective unless on or before July 1, 2020 the US Environmental Protection Agency approves the proposed modifications to the Vehicle Emissions Testing Program protocols as part of the state implementation plan for air quality.*
- B. *The DEQ Director shall notify in writing the Director of the Arizona Legislative Council on or before September 1, 2020 either:*
  - 1. *Of the date on which the condition was met.*
  - 2. *That the condition was not met.*

\*193. ~~Review any proposed modifications or amendments to the emission inspection contract submitted by the Department of Environmental Quality. (A.R.S. § 49-545G as repealed by Laws 2021, Ch. 88, §12)~~

194. After the effective date of this amendment to this section (July 20, 2011), the Department of Environmental Quality Director shall establish by rule fees for general permits pursuant to this section, including maximum fees. As part of the rule making process, there must be public notice and comment and a review of the rule by the JLBC. After September 30, 2013, the Director shall not increase those fees by rule without specific statutory authority for the increase. Fees collected shall be deposited in the Solid Waste Fee Fund. (A.R.S. § 49-706B as added by Laws 2011, Ch. 220, § 4) - One-time requirement.

195. All solid waste landfills shall be registered annually with the Department of Environmental Quality (ADEQ). At the time of registration the owner of a solid waste landfill shall pay to the department an annual fee. After the effective date of this amendment to this section (July 20, 2011), ADEQ shall establish by rule an annual fee, including a maximum fee. As part of the rule making process, there must be public notice and comment and a review of the rule by the JLBC. After September 30, 2013, ADEQ shall not increase that fee by rule without specific statutory authority for the increase. (A.R.S. § 49-747C as amended by Laws 2011, Ch. 220, § 5) - One-time requirement.

196. The Department of Environmental Quality (ADEQ) may require payment of a fee for the licensure of a transporter of biohazardous medical waste. After July 20, 2011, ADEQ shall establish by a rule a fee for the licensure of a transporter of biomedical medical waste, including a maximum fee. As part of the rule making process, there must be public notice and comment and a review of the rule by the JLBC. After September 30, 2013, ADEQ shall not increase that fee by rule without specific statutory authority for the increase. The fees shall be deposited in the Solid Waste Fee Fund. (A.R.S. § 49-761D1 as amended by Laws 2011, Ch. 220, § 6; Laws 2013, Ch. 116, § 1) - One-time requirement.

197. The Department of Environmental Quality shall collect from the applicant reasonable fees established by the Director by rule for the approval of the plan [Solid Waste Facility Plan], including costs for the processing, review, approval or disapproval of the plan after the effective date of this amendment to this section (July 20, 2011). The Director shall establish by rule fees

for the approval of the plan, including costs for the processing, review, approval or disapproval of the plan and maximum fees. As part of the rule making process, there must be public notice and comment and a review of the rule by the JLBC. After September 30, 2013, the Director shall not increase those fees by rule without specific statutory authority for the increase. (A.R.S. § 49-762.03F as amended by Laws 2011, Ch. 220, § 7) - One-time requirement.

198. The Department of Environmental Quality (ADEQ) shall collect from the applicant registration fees relative to solid waste facilities. After the effective date of this amendment to this section (July 20, 2011), ADEQ shall establish by rule registration fees, including maximum fees. As part of the rule making process, there must be public notice and comment and a review of the rule by the JLBC. After September 30, 2013, ADEQ shall not increase those fees by rule without specific statutory authority for the increase fees collected pursuant to this section shall be deposited in the Solid Waste Fee Fund. (A.R.S. § 49-762.05H as amended by Laws 2011, Ch. 220, § 8) - One-time requirement.
199. Additional items to be contained in the best management practices shall include at least a fee for each ton of special waste that is transported to a facility in this state for treatment, storage or disposal. After the effective date of this amendment to this section (July 20, 2011), the Department of Environmental Quality (ADEQ) shall establish by rule a fee for each ton of special waste that is transported to a facility in this state for treatment, storage or disposal, including a maximum fee. As part of the rule making process, there must be public notice and comment and a review of the rule by the JLBC. After September 30, 2013, ADEQ shall not increase that fee by rule without specific statutory authority for the increase. The fees shall be deposited in the Solid Waste Fee Fund. (A.R.S. § 49-855C2 as amended by Laws 2011, Ch. 220, § 10) - One-time requirement.
200. The Department of Environmental Quality (ADEQ) shall require a permit for a hazardous waste treatment, storage or disposal facility including the modification and termination of permits, the authority to continue activities and permits existing on July 27, 1983 consistent with the federal hazardous waste regulations, and the payment of reasonable fees. The Director shall establish and collect reasonable fees from the applicant to cover the cost of administrative services and other expenses associated with evaluating the application and issuing or denying the permit. After the effective date of this amendment to this section (July 20, 2011), the Director shall establish by rule an application fee to cover the cost of administrative services and other expenses associated with evaluating the application and issuing or denying the permit, including a maximum fee. As part of the rule making process, there must be public notice and comment and a review of the rule by the JLBC. After September 30, 2013, the Director shall not increase that fee by rule without specific statutory authority by the increase. The fees shall be deposited in the Hazardous Waste Management Fund. (A.R.S. § 49-922B5 as amended by Laws 2011, Ch. 220, § 12) - One-time requirement.
201. A person who generates hazardous waste that is shipped off site shall pay a fee for each ton of waste generated. After the effective date of this amendment to this section (July 20, 2011), the Department of Environmental Quality (ADEQ) shall establish by rule a fee for the generation of hazardous waste that is shipped off site, including a maximum fee. As part of the rule making process, there must be public notice and comment and a review of the rule by the JLBC. After September 30, 2013, ADEQ shall not increase that fee by rule without specific statutory authority for the increase. (A.R.S. § 49-931A1 as amended by Laws 2011, Ch. 220, § 13) - One-time requirement.

202. An owner or operator of a facility that disposes of hazardous waste shall pay a fee for each ton of waste disposed. After the effective date of this amendment to this section (July 20, 2011), the Department of Environmental Quality (ADEQ) shall establish by rule a fee for an owner or operator of a facility that disposes of hazardous waste, including a maximum fee. As part of the rule making process, there must be public notice and comment and a review of the rule by the JLBC. After September 30, 2013, ADEQ shall not increase that fee by rule without specific statutory authority for the increase. (A.R.S. § 49-931A2 as amended by Laws 2011, Ch. 220, § 13) - One-time requirement.
203. Any person who generates hazardous waste that is retained on site for disposal or that is shipped off site for disposal to a facility that is owned or operated by that generator shall pay a fee for each ton of hazardous waste delivered to the disposal facility. After the effective date of this amendment to this section (July 20, 2011), the Department of Environmental Quality (ADEQ) shall establish by rule a fee for each ton of hazardous waste delivered to the disposal facility, including a maximum fee. As part of the rule making process, there must be public notice and comment and a review of the rule by the JLBC. After September 30, 2013, ADEQ shall not increase that fee by rule without specific statutory authority for the increase. (A.R.S. § 49-931A3 as amended by Laws 2011, Ch. 220, § 13) - One-time requirement.

#### **Session Laws**

204. Review all monies appropriated under Section 41-3301 to the Arizona Department of Transportation and the Arizona Military Airport Preservation Committee before they are expended to assist in land acquisition and clearance and in roadway relocation to provide for extension of the Davis-Monthan Air Force Base Runway. (Laws 1995, Ch. 62, § 9H, as amended by Laws 1996, Ch. 338, § 4; Laws 1997, Ch. 28, § 1)
205. Review Grand Canyon National Park Airport lease submitted by the Arizona Department of Transportation not more than 30 days before it intends to execute the lease. (Laws 2000, Ch. 99, § 11A as amended by Laws 2001, Ch. 99) *Emergency*
206. The Department of Health Services is to report on its monthly expenditures for the AIDS Drug Assistance Program (ADAP) from the Health Crisis Fund. (Executive Order 97-10 and 98-3)
207. The Arizona Board of Regents shall submit for review to the JLBC any significant material changes to the operational plan for the Phoenix Medical Campus as last reviewed by the JLBC. ABOR shall submit for review to the JCCR any significant material changes to the capital plan for the Phoenix Medical Campus as last reviewed by the JLBC or the JCCR review. (Laws 2005, Ch. 330, § 13I)
- \*208. ~~On or before October 1, 2019 and October 1, 2020, the Department of Transportation (ADOT) shall submit a joint report to the JLBC on transitioning the operation of the state motor vehicle fleet from the Department of Administration to ADOT. The report shall identify suggested legislative changes that are required to fully implement the transition. (As added by Laws 2019, Ch. 267, § 16)~~
- \*209. ~~The sum of not more than \$50,000,000 is appropriated from the Budget Stabilization Fund in FY 2020 to the Public Health Emergencies Fund. The monies appropriated in this subsection shall be used to pay the expenses of public health emergency responses of this state following a State of Emergency Declaration by the Governor related to the Coronavirus Disease 2019 (covid 19).~~



~~Before spending the monies appropriated in this subsection, the Director of the Department of Health Services shall notify the JLBC of the intended use of the monies. (As added by Laws 2020, Ch. 6 § 3B) Emergency~~

- \*210. NEW 2021: NOT LATER THAN 15 DAYS AFTER THE END OF EACH MONTH, THE DEPARTMENT OF FORESTRY AND FIRE MANAGEMENT SHALL REPORT TO THE JLBC ON EXPENDITURES FROM AND REIMBURSEMENTS TO THE APPROPRIATION MADE IN SUBSECTION A FOR THE PRIOR MONTH. EACH REPORT SHALL INCLUDE, AT A MINIMUM, INFORMATION REGARDING THE TOTAL EXPENDITURES AND REIMBURSEMENTS FOR EACH PARAGRAPH LISTED IN SUBSECTION A OF THIS SECTION AND THE AMOUNT OF MONIES REMAINING IN THE APPROPRIATION. THE APPROPRIATION IS A \$75,000,000 FROM THE GENERAL FUND IN FY 2021 TO THE DEPARTMENT OF FORESTRY AND FIRE MANAGEMENT FOR WILDFIRE EMERGENCY RESPONSE. (Added by Laws 2021, 1<sup>st</sup> Special Session, Ch. 1, § 1)
- \*211. NEW 2021: ON OR BEFORE JULY 1, 2021, SCHOOL DISTRICTS AND CHARTER SCHOOLS IN THIS STATE SHALL REPORT TO THE DEPARTMENT OF EDUCATION WHETHER THEY OFFERED IN-PERSON, TEACHER-LED INSTRUCTION FOR AT LEAST 100 DAYS OF THE 2020-2021 SCHOOL YEAR, EXCEPT THAT SCHOOL DISTRICTS AND CHARTER SCHOOLS WITH FEWER THAN 180 DAYS OF INSTRUCTION SHALL REPORT WHETHER THEY OFFERED IN-PERSON TEACHER-LED INSTRUCTION FOR AN EQUIVALENT PROPORTION OF INSTRUCTIONAL DAYS. ON OR BEFORE AUGUST 1, 2021, THE DEPARTMENT OF EDUCATION SHALL SUBMIT A REPORT TO THE JLBC THAT COMPILES THE INFORMATION REPORTED BY SCHOOL DISTRICTS AND CHARTER SCHOOLS. (As added by Laws 2021, Ch. 404, § 108)
- \*212. NEW 2021: THE LEGISLATURE INTENDS THAT THE EXECUTIVE BRANCH OF STATE GOVERNMENT REPORT ON ITS PLANNED AND ACTUAL USE OF ANY MAJOR ADDITIONAL FEDERAL AID TO THE STATE OF ARIZONA THROUGH FEDERAL LEGISLATION ENACTED BY THE END OF FY 2022. THE TIMING AND FREQUENCY OF THESE REPORTS SHOULD BE THE SAME AS REQUIRED BY SUBSECTIONS A THROUGH F OF THIS SECTION. THE CHAIRMAN AND VICE CHAIRMAN OF THE JLBC MAY PROVIDE RECOMMENDATIONS TO THE EXECUTIVE BRANCH CONCERNING FEDERAL LEGISLATION THAT WOULD QUALIFY UNDER THIS SUBSECTION. (As added by Laws 2021, Ch. 405, § 38)
- \*213. NEW 2021: ON OR BEFORE DECEMBER 1, 2023, THE STATE PERMITTING DIRECTOR SHALL SUBMIT A REPORT OF FINDINGS FROM ADMINISTERING THE PERMITTING DASHBOARD, INCLUDING AUTHORIZATION COMPLETION TIMES BY AGENCY, PERMITTING COMPLETION TIMES FOR PARTICIPATING PROJECTS AND FREQUENCY OF STATEMENTS OF CAUSE FOR ADDITIONAL AUTHORIZATIONS. THE DIRECTOR SHALL SUBMIT THIS REPORT TO THE CHAIRPERSONS OF THE SENATE APPROPRIATIONS COMMITTEE AND THE HOUSE APPROPRIATIONS COMMITTEE AND PROVIDE A COPY TO THE JLBC. (As added by Laws 2021, Ch. 405, § 45)

JLBC Staff  
10/22/21

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