Bill Number: S.B. 1748



# **ADDITIONAL COW Kavanagh Floor Amendment**

Reference to: Senate engrossed bill Amendment drafted by: Leg. Council

# FLOOR AMENDMENT EXPLANATION

• Reverts, from 15 to 10, the percentage of licensing fee revenues that each applicable licensing board must deposit in the state General Fund on July 1, 2028.

Amendment explanation prepared by Michael Madden 06/15/2024

#### ADDITIONAL COW

#### KAVANAGH FLOOR AMENDMENT

#### SENATE AMENDMENTS TO S.B. 1748

(Reference to Senate engrossed bill)

1 Page 1, between lines 13 and 14, insert:

2 "Sec. 2. Section 32-109, Arizona Revised Statutes, as amended by section 1 of this act. is amended to read:

## 32-109. Technical registration fund

- A. Pursuant to sections 35-146 and 35-147, the executive director shall deposit fifteen TEN percent of all fees or other revenues received by the board in the state general fund to assist in defraying the cost of maintaining the state government and shall deposit the remaining eighty-five NINETY percent in the technical registration fund to be used only in defraying expenses of the board and in prosecuting violations of this chapter.
- B. Monies deposited in the technical registration fund pursuant to subsection A of this section are subject to section 35-143.01."
- 14 Renumber to conform

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- 15 Between lines 29 and 30, insert:
- "Sec. 4. Section 32-505, Arizona Revised Statutes, as amended by section 3 of this act, is amended to read:

#### 32-505. Barbering and cosmetology fund

A. The barbering and cosmetology fund is established. Except as provided in subsection C of this section, before the end of each calendar month the board shall deposit, pursuant to sections 35-146 and 35-147, fifteen TEN percent of all monies from whatever source that come into the possession of the board in the state general fund and deposit the remaining eighty-five NINETY percent in the barbering and cosmetology fund.

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- B. Except as provided in section 32-573, subsection G, monies deposited in the barbering and cosmetology fund are subject to section 35-143.01.
- C. Monies from civil penalties received pursuant to section 32-571 shall be deposited, pursuant to sections 35-146 and 35-147, in the state general fund."

7 Renumber to conform

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8 Page 2, between lines 6 and 7, insert:

9 "Sec. 6. Section 32-705, Arizona Revised Statutes, as amended by 10 section 5 of this act, is amended to read:

# 32-705. Board of accountancy fund; disposition of monies

- A. The board of accountancy fund is established consisting of fees authorized by this chapter. Except as provided by subsection C of this section, the board shall deposit, pursuant to sections 35-146 and 35-147, eighty-five NINETY percent of all monies collected under this chapter in the board of accountancy fund and the remaining fifteen TEN percent in the state general fund.
  - B. Monies deposited in the fund are subject to section 35-143.01.
- C. Monies collected by the board as administrative penalties pursuant to this chapter shall be deposited, pursuant to sections 35-146 and 35-147, in the state general fund.
- D. The legislature shall appropriate monies from the fund for the expenses of administering this chapter, including:
- 1. Costs of conducting investigations, taking testimony and procuring the attendance of witnesses before the board or its committees.
  - 2. Legal proceedings taken to enforce this chapter.
- 3. Educational programs to benefit the public, registrants and their employees."
- 29 Renumber to conform

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1 Page 2, between lines 15 and 16, insert: 2 "Sec. 8. Section 32-806, Arizona Revised Statutes, as amended by section 7 of this act, is amended to read: 3 32-806. Podiatry fund 4 5 A. At the end of each calendar month, the board shall deposit, pursuant to sections 35-146 and 35-147, fifteen TEN percent of all monies 6 received by the board in the state general fund and the remaining 7 eighty-five NINETY percent in the podiatry fund. 8 9 B. All monies deposited in the podiatry fund are subject to section 35-143.01." 10 11 Renumber to conform 12 Between lines 28 and 29, insert: 13 "Sec. 10. Section 32-906, Arizona Revised Statutes, as amended by section 9 of this act, is amended to read: 14 15 32-906. Board of chiropractic examiners fund 16 A. All monies, except civil penalties collected pursuant to section 17 32-924, that are received by the board shall be deposited monthly. Pursuant to sections 35-146 and 35-147, the board shall deposit fifteen TEN percent 18 19 of the monies in the state general fund and deposit the remaining eighty-five NINETY percent in the board of chiropractic examiners fund. 20 21 All monies that are derived from civil penalties collected pursuant to 22 section 32-924 shall be deposited, pursuant to sections 35-146 and 35-147, 23 in the state general fund. 24 B. Monies that are deposited in the board of chiropractic examiners 25 fund are subject to section 35-143.01." 26 Renumber to conform 27 After line 43, insert: "Sec. 12. Section 32–1107, Arizona Revised Statutes, as amended by 28

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section 11 of this act, is amended to read:

32-1107. Registrar of contractors fund

- A. The registrar of contractors fund is established. The registrar of contractors shall administer the fund. The registrar shall deposit, pursuant to sections 35-146 and 35-147, eighty-five NINETY percent of all monies collected under this chapter in the registrar of contractors fund and fifteen TEN percent of all monies collected under this chapter in the state general fund, except monies collected for the residential contractors' recovery fund and the contractors' cash bond fund and monies received from civil penalties.
  - B. The registrar shall use monies in the registrar of contractors fund for carrying out the powers and duties of the registrar and for the purposes of this chapter. Monies deposited in the registrar of contractors fund are subject to section 35-143.01."
- 13 Renumber to conform

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- 14 Page 3, between lines 13 and 14, insert:
- "Sec. 14. Section 32-1212, Arizona Revised Statutes, as amended by section 13 of this act, is amended to read:
  - 32-1212. <u>Dental board fund</u>
    - A. Except as provided in subsection C of this section, pursuant to sections 35-146 and 35-147, the executive director of the board shall each month deposit fifteen TEN percent of all fees, fines and other revenue received by the board in the state general fund and deposit the remaining eighty-five NINETY percent in the dental board fund.
    - B. Monies deposited in the dental board fund are subject to the provisions of section 35-143.01.
  - C. Monies from administrative penalties received pursuant to section 32-1263.01 shall be deposited, pursuant to sections 35-146 and 35-147, in the state general fund."
- 28 Renumber to conform
- 29 Between lines 22 and 23, insert:
- "Sec. 16. Section 32-1406, Arizona Revised Statutes, as amended by section 15 of this act. is amended to read:

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# 1 32-1406. <u>Arizona medical board fund</u>

- A. The Arizona medical board fund is established. Pursuant to sections 35-146 and 35-147, the board shall deposit fifteen TEN percent of all monies collected under the provisions of this chapter in the state general fund and deposit the remaining eighty-five NINETY percent in the Arizona medical board fund.
- 7 B. Monies deposited in the fund are subject to section 35-143.01."
- 8 Renumber to conform

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- 9 Page 3, between lines 33 and 34, insert:
- "Sec. 18. Section 32-1505, Arizona Revised Statutes, as amended by section 17 of this act. is amended to read:
- 12 32-1505. <u>Naturopathic physicians medical board fund</u>
- A. The naturopathic physicians medical board fund is established.

  The board shall administer the fund. Pursuant to sections 35-146 and

  35-147, the board shall deposit fifteen TEN percent of all monies from

  whatever source that come into the possession of the board in the state

  general fund and deposit the remaining eighty-five NINETY percent in the

  naturopathic physicians medical board fund.
- B. Monies deposited in the naturopathic physicians medical board fund are subject to section 35-143.01."
- 21 Renumber to conform
- 22 Page 4, between lines 3 and 4, insert:
- "Sec. 20. Section 32-1611, Arizona Revised Statutes, as amended by section 19 of this act, is amended to read:
- 25 32-1611. Board of nursing fund
- A. Before the end of each month, pursuant to sections 35-146 and 35-147, the board shall deposit fifteen TEN percent of all monies received by the board from fees pursuant to section 32-1643 in the state general fund and deposit the remaining eighty-five NINETY percent in the board of nursing fund.

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- B. Monies deposited in the board of nursing fund are subject to section 35-143.01.
- C. Monies from civil penalties received pursuant to section 32-1606 shall be deposited, pursuant to sections 35-146 and 35-147, in the state qeneral fund."
- 6 Renumber to conform
- 7 Page 4, between lines 13 and 14, insert:
- 8 "Sec. 22. Section 32-1686, Arizona Revised Statutes, as amended by 9 section 21 of this act, is amended to read:
- 10 32-1686. Board of dispensing opticians fund
- A. Before the end of each month, pursuant to sections 35-146 and 35-147, the board shall deposit fifteen TEN percent of all monies received by the board in the state general fund and deposit the remaining eighty-five NINETY percent in the board of dispensing opticians fund.
- B. Monies deposited in the board of dispensing opticians fund are subject to section 35-143.01."
- 17 Renumber to conform
- 18 Between lines 24 and 25. insert:
- "Sec. 24. Section 32-1705, Arizona Revised Statutes, as amended by section 23 of this act, is amended to read:
- 21 32-1705. Board of optometry fund
- A. The board of optometry fund is established.
- B. Pursuant to sections 35-146 and 35-147, the board shall deposit

  fifteen TEN percent of all monies from whatever source which come into the

  possession of the board in the state general fund and deposit the remaining

  eighty-five NINETY percent in the board of optometry fund.
- C. Monies deposited in the board of optometry fund are subject to section 35-143.01."
- 29 Renumber to conform
- 30 Between lines 37 and 38, insert:

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"Sec. 26. Section 32-1805, Arizona Revised Statutes, as amended by section 25 of this act, is amended to read:

### 32-1805. Board fund; disbursements

- A. Before the end of the calendar month, pursuant to sections 35-146 and 35-147, the board shall deposit fifteen TEN percent of all monies received by the board from fees and other monies provided for in section 32-1826 in the state general fund and deposit the remaining eighty-five NINETY percent in the board fund. All monies derived from civil penalties collected pursuant to section 32-1855 shall be deposited, pursuant to sections 35-146 and 35-147, in the state general fund.
- B. Monies deposited in the board fund shall be subject to section 35-143.01."
- 13 Renumber to conform

- 14 Page 5, between lines 18 and 19, insert:
- "Sec. 28. Section 32-1907, Arizona Revised Statutes, as amended by section 27 of this act, is amended to read:

## 32-1907. Arizona state board of pharmacy fund

- A. Except as provided in section 32-1939, the executive director shall receive and receipt for all fees and other monies provided for in this chapter and shall deposit, pursuant to sections 35-146 and 35-147, fifteen TEN percent of such monies in the state general fund and eighty-five NINETY percent in the Arizona state board of pharmacy fund. All monies derived from civil penalties collected pursuant to this chapter shall be deposited, pursuant to sections 35-146 and 35-147, in the state general fund.
- B. Except as provided in subsection C of this section, monies deposited in the Arizona state board of pharmacy fund are subject to section 35-143.01.
- C. From monies deposited in the Arizona state board of pharmacy fund pursuant to subsection A of this section, the executive director may transfer up to \$500,000 annually to the controlled substances prescription

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- monitoring program fund established by section 36-2605 for expenses related to the controlled substances prescription monitoring program as required by title 36, chapter 28.
- D. From monies deposited in the Arizona state board of pharmacy fund pursuant to subsection A of this section, the executive director may transfer up to \$1,000,000 annually to the Arizona poison and drug information center for the purposes specified in section 36-1161 to supplement, and not supplant, any state general fund appropriation for those purposes."
- 10 Renumber to conform
- 11 Page 5, between lines 30 and 31, insert:
- "Sec. 30. Section 32-2004, Arizona Revised Statutes, as amended by section 29 of this act. is amended to read:
- 14 32-2004. <u>Board of physical therapy fund</u>
- 15 A. The board of physical therapy fund is established. The board shall administer the fund.
- B. Except as provided in section 32-2048, pursuant to sections
  35-146 and 35-147, the board shall deposit fifteen TEN percent of all
  monies collected under this chapter in the state general fund and deposit
  the remaining eighty-five NINETY percent in the board of physical therapy
  fund.
- C. Monies deposited in the physical therapy fund are subject to section 35-143.01."
- 24 Renumber to conform
- 25 Page 6, between lines 15 and 16, insert:
- "Sec. 32. Section 32-2065, Arizona Revised Statutes, as amended by section 31 of this act. is amended to read:
- 28 32-2065. <u>Board of psychologist examiners fund; separate</u>
- <u>behavior analyst account</u>
- 30 A. The board of psychologist examiners fund is established.

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- B. Except as provided in section 32-2081 and section 32-2091.09, subsection I, pursuant to sections 35-146 and 35-147, the board shall deposit fifteen TEN percent of all monies collected pursuant to this chapter in the state general fund and deposit the remaining eighty-five NINETY percent in the board of psychologist examiners fund.
- C. All monies deposited in the board of psychologist examiners fund are subject to section 35-143.01.
- D. All monies deposited in the board of psychologist examiners fund pursuant to section 32-2067 and any monies received pursuant to section 32-2063, subsection C for psychologist licensing and regulation must be used only for licensing and regulating psychologists pursuant to this article and articles 2 and 3 of this chapter and may not be used for licensing and regulating behavior analysts pursuant to article 4 of this chapter.
- E. All monies deposited in the board of psychologist examiners fund pursuant to article 4 of this chapter and any monies received pursuant to section 32-2063, subsection C for behavior analyst licensing and regulation must be used only for licensing and regulating behavior analysts pursuant to article 4 of this chapter and may not be used for licensing and regulating psychologists pursuant to this article and articles 2 and 3 of this chapter.
- F. The board shall establish a separate account in the fund for monies transferred to the fund pursuant to article 4 of this chapter, and any monies received pursuant to section 32-2063, subsection C for behavior analyst licensing and regulation."
- 26 Renumber to conform
- 27 Page 6, between lines 25 and 26, insert:
- "Sec. 34. Section 32-2205, Arizona Revised Statutes, as amended by section 33 of this section, is amended to read:
- 30 32-2205. Veterinary medical examining board fund

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- A. The veterinary medical examining board fund is established.

  Pursuant to sections 35-146 and 35-147, the board shall deposit fifteen TEN percent of all fees and other revenue accruing to the board in the state general fund and deposit the remaining eighty-five NINETY percent in the veterinary medical examining board fund.
- B. All monies deposited in the veterinary medical examining board fund are subject to section 35-143.01."
- 8 Renumber to conform
- 9 Page 6, between lines 34 and 35, insert:
- "Sec. 36. Section 32-2506, Arizona Revised Statutes, as amended by section 35 of this act. is amended to read:
- 12 32-2506. <u>Arizona medical board fund</u>
- A. Pursuant to sections 35-146 and 35-147, the board shall deposit

  fifteen TEN percent of all monies collected pursuant to this chapter in the

  state general fund and deposit the remaining eighty-five NINETY percent in

  the Arizona medical board fund.
- B. Monies deposited in the fund pursuant to this section are subject to section 35-143.01."
- 19 Renumber to conform

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- 20 After line 45, insert:
- "Sec. 38. Section 32-2906, Arizona Revised Statutes, as amended by section 37 of this act, is amended to read:
- 23 32-2906. <u>Board of homeopathic and integrated medicine</u>

## 24 <u>examiners' fund</u>

- A. A board of homeopathic and integrated medicine examiners' fund is established. Pursuant to sections 35-146 and 35-147, the board shall deposit fifteen TEN percent of all monies collected under this chapter in the state general fund and deposit the remaining eighty-five NINETY percent in the board of homeopathic and integrated medicine examiners' fund.
- 30 B. Monies deposited in the fund are subject to section 35-143.01."
- 31 Renumber to conform

1 Page 7, between lines 9 and 10, insert: 2 "Sec. 40. Section 32-3004, Arizona Revised Statutes, as amended by section 39 of this act, is amended to read: 3 32-3004. Board for private postsecondary education fund 4 5 A. Pursuant to sections 35-146 and 35-147, the board shall deposit fifteen TEN percent of all fees or other revenues received by the board in 6 7 the state general fund and deposit the remaining eighty-five NINETY percent in the board for private postsecondary education fund. 8 9 B. Monies deposited in the board for private postsecondary education fund are subject to section 35-143.01." 10 11 Renumber to conform 12 Page 7, between lines 19 and 20, insert: "Sec. 42. Section 32-3254, Arizona Revised Statutes, as amended by 13 section 41 of this act, is amended to read: 14 15 32-3254. Board of behavioral health examiners fund 16 A. The board of behavioral health examiners fund is established. Pursuant to sections 35-146 and 35-147, the board shall 17 deposit fifteen TEN percent of all monies received by the board in the 18 19 state general fund and deposit the remaining eighty-five NINETY percent in the board of behavioral health examiners fund. 20 B. All monies deposited in the board of behavioral health examiners 21 22 fund are subject to section 35-143.01." 23 Renumber to conform 24 Between lines 35 and 36, insert: "Sec. 44. Section 32-3405, Arizona Revised Statutes, as amended by 25 section 43 of this act, is amended to read: 26 27 32-3405. Occupational therapy fund; deposit of receipts by 28 board A. The occupational therapy fund is established. Pursuant to 29 30 sections 35-146 and 35-147, civil penalties imposed under section 32-3442,

subsection K shall be deposited in the state general fund. The board

- shall deposit fifteen TEN percent of all other monies collected under this chapter in the state general fund and deposit the remaining eighty-five NINETY percent in the occupational therapy fund. Monies in the occupational therapy fund may be used by the board for payment of all necessary board expenses, including compensation and expenses of board members and board staff on claims approved by the board.
- 7 B. Monies deposited in the occupational therapy fund are subject to section 35-143.01."
- 9 Renumber to conform

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- 10 Page 8, between lines 4 and 5, insert:
- "Sec. 46. Section 32-3505, Arizona Revised Statutes, as amended by section 45 of this act, is amended to read:
- 13 32-3505. <u>Board of respiratory care examiners fund</u>
  - A. The board of respiratory care examiners fund is established. Pursuant to sections 35-146 and 35-147, the board shall deposit fifteen TEN percent of all monies from whatever source that come into the possession of the board in the state general fund and deposit the remaining eighty-five NINETY percent in the board of respiratory care examiners fund. Monies in the board of respiratory care examiners fund may be used by the board for payments of all necessary board expenses.
- B. Monies deposited in the board of respiratory care examiners fund are subject to section 35-143.01."
- 23 Renumber to conform
- 24 Between lines 15 and 16, insert:
- "Sec. 48. Section 32-3905, Arizona Revised Statutes, as amended by section 47 of this act, is amended to read:
- 27 32-3905. <u>Acupuncture board of examiners fund</u>
- A. The acupuncture board of examiners fund is established consisting of fees collected pursuant to section 32-3927. The board shall administer the fund. Pursuant to sections 35-146 and 35-147, the board shall deposit fifteen TEN percent of all monies collected under this chapter in the state

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- general fund and deposit the remaining <del>eighty-five</del> NINETY percent in the acupuncture board of examiners fund.
- B. Monies deposited in the acupuncture board of examiners fund are subject to section 35-143.01."
- 5 Renumber to conform

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- 6 Page 8, between lines 26 and 27, insert:
- 7 "Sec. 50. Section 32-4105, Arizona Revised Statutes, as amended by section 49 of this act. is amended to read:
- 9 32-4105. Athletic training fund
  - A. The athletic training fund is established. The board shall administer the fund. Pursuant to sections 35-146 and 35-147, the board shall deposit fifteen TEN percent of all monies from whatever source that come into the possession of the board in the state general fund and deposit the remaining eighty-five NINETY percent in the athletic training fund.
- B. Monies deposited in the athletic training fund are subject to section 35-143.01."
- 17 Renumber to conform
- 18 Between lines 37 and 38, insert:
- "Sec. 52. Section 32-4205, Arizona Revised Statutes, as amended by section 51 of this act, is amended to read:
- 21 32-4205. <u>Board of massage therapy fund</u>
  - A. The board of massage therapy fund is established. The board shall administer the fund. The board shall deposit, pursuant to sections 35-146 and 35-147, fifteen TEN percent of all monies collected pursuant to this chapter in the state general fund and deposit the remaining eighty-five NINETY percent of the monies in the board of massage therapy fund.
- B. Monies deposited in the board of massage therapy fund are subject to section 35-143.01."
- 30 Renumber to conform

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1 Page 9, between lines 14 and 15, insert: 2 "Sec. 54. Section 36-446.08, Arizona Revised Statutes, as amended by section 53 of this act, is amended to read: 3 36-446.08. Nursing care institution administrators' licensing 4 and assisted living facility managers' 5 certification fund; investment of fund monies 6 7 A. The nursing care institution administrators' licensing and assisted living facility managers' certification fund is established. 8 9 B. Pursuant to sections 35-146 and 35-147, the board shall deposit fifteen TEN percent of all monies collected pursuant to this article in the 10 11 state general fund and deposit the remaining eighty-five NINETY percent in 12 the nursing care institution administrators' licensing and assisted living facility managers' certification fund. All monies derived from civil 13 penalties collected pursuant to section 36-446.07, subsection C shall be 14 15 deposited, pursuant to sections 35–146 and 35–147, in the state general 16 fund. 17 C. Monies deposited in the nursing care institution administrators' licensing and assisted living facility managers' certification fund are 18 19 subject to the provisions of section 35-143.01. 20

- D. On notice from the board, the state treasurer shall invest and divest monies in the fund as provided by section 35-313, and monies earned from investment shall be credited to the fund."
- 23 Renumber to conform

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- 24 Page 10, after line 19, insert:
- "Sec. 56. <u>Effective date</u>
- The following sections are effective from and after June 30, 2028:
- 27 1. Section 32-109, Arizona Revised Statutes, as amended by section 2 28 of this act.
- 29 2. Section 32-505, Arizona Revised Statutes, as amended by section 4 30 of this act.

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- 3. Section 32-705, Arizona Revised Statutes, as amended by section 6
   of this act.
- 4. Section 32-806, Arizona Revised Statutes, as amended by section 8
   of this act.
- 5. Section 32-906, Arizona Revised Statutes, as amended by section 6 10 of this act.
- 7 6. Section 32-1107, Arizona Revised Statutes, as amended by section 8 12 of this act.
- 9 7. Section 32-1212, Arizona Revised Statutes, as amended by section 14 of this act.
- 11 8. Section 32-1406, Arizona Revised Statutes, as amended by section 12 16 of this act.
- 9. Section 32-1505, Arizona Revised Statutes, as amended by section 14 18 of this act.
- 15 10. Section 32-1611, Arizona Revised Statutes, as amended by section 20 of this act.
- 17 11. Section 32-1686, Arizona Revised Statutes, as amended by section 22 of this act.
- 19 12. Section 32-1705, Arizona Revised Statutes, as amended by section 20 24 of this act.
- 21 13. Section 32-1805, Arizona Revised Statutes, as amended by section 22 26 of this act.
- 23 14. Section 32-1907, Arizona Revised Statutes, as amended by section 24 28 of this act.
- 25 15. Section 32-2004, Arizona Revised Statutes, as amended by section 30 of this act.
- 27 16. Section 32-2065, Arizona Revised Statutes, as amended by section 32 of this act.
- 29 17. Section 32-2205, Arizona Revised Statutes, as amended by section 30 34 of this act.

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18. Section 32-2506, Arizona Revised Statutes, as amended by section 1 2 36 of this act. 19. Section 32-2906, Arizona Revised Statutes, as amended by section 3 38 of this act. 4 5 20. Section 32-3004, Arizona Revised Statutes, as amended by section 40 of this act. 6 7 21. Section 32-3254, Arizona Revised Statutes, as amended by section 42 of this act. 8 9 22. Section 32-3405, Arizona Revised Statutes, as amended by section 10 44 of this act. 11 23. Section 32-3505, Arizona Revised Statutes, as amended by section 12 46 of this act. 13 24. Section 32-3905, Arizona Revised Statutes, as amended by section 14 48 of this act. 15 25. Section 32-4105, Arizona Revised Statutes, as amended by section 16 50 of this act. 26. Section 32-4205, Arizona Revised Statutes, as amended by section 17 18 52 of this act. 19 27. Section 36-446.08, Arizona Revised Statutes, as amended by section 54 of this act." 20

JOHN KAVANAGH

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21 Amend title to conform