

COMMITTEE ON APPROPRIATIONS
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.C.R. 2015
(Reference to printed resolution)

1 Strike everything after the resolving clause and insert:

2 "1. Under the power of the referendum, as vested in the Legislature,
3 the following measure, relating to federal monies, is enacted to become
4 valid as a law if approved by the voters and on proclamation of the
5 Governor:

6 AN ACT

7 AMENDING TITLE 41, CHAPTER 49, ARIZONA REVISED STATUTES, BY
8 ADDING ARTICLE 2; RELATING TO FEDERAL MONIES.

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

10 Section 1. Title 41, chapter 49, Arizona Revised
11 Statutes, is amended by adding article 2, to read:

12 ARTICLE 2. APPROPRIATION OF FEDERAL MONIES

13 41-4921. Definitions

14 IN THIS ARTICLE, UNLESS THE CONTEXT OTHERWISE REQUIRES:

15 1. "BUDGET UNIT" HAS THE SAME MEANING PRESCRIBED IN
16 SECTION 35-101.

17 2. "NONCUSTODIAL FEDERAL MONIES":

18 (a) MEANS FEDERAL MONIES THAT MEET ONE OF THE FOLLOWING
19 CRITERIA:

20 (i) ARE DESIGNATED BY THE FEDERAL GOVERNMENT AS BLOCK
21 GRANT MONIES.

22 (ii) ARE DESIGNATED BY THE FEDERAL GOVERNMENT AS GENERAL
23 REVENUE SHARING MONIES.

24 (iii) PROVIDE THIS STATE WITH BROAD AUTHORITY TO MAKE
25 SPENDING DECISIONS REGARDING DEVELOPING, IMPLEMENTING OR
26 OPERATING A PROGRAM OR SERVICE.

(iv) ARE CONSIDERED ESSENTIAL TO MEET TOTAL SPENDING OBLIGATIONS OF A FEDERALLY REQUIRED OR MATCHED PROGRAM OR SERVICE AUTHORIZED BY THE LEGISLATURE IN WHICH THE FEDERAL GOVERNMENT REQUIRES AT LEAST ONE PERCENT OF THE PROGRAM OR SERVICE FUNDING TO COME FROM THIS STATE.

(b) DOES NOT INCLUDE:

(i) FEDERAL MONIES OR RESEARCH GRANTS AWARDED TO UNIVERSITIES, UNIVERSITY EMPLOYEES OR THE ARIZONA BOARD OF REGENTS FOR AND ON BEHALF OF THE UNIVERSITIES UNDER ITS JURISDICTION.

(ii) FEDERAL MONIES FOR USE BY THE DEPARTMENT OF EMERGENCY AND MILITARY AFFAIRS.

(iii) FEDERAL MONIES AWARDED DIRECTLY TO SCHOOL DISTRICTS OR COMMUNITY COLLEGES.

41-4922. Receipt of noncustodial federal monies; accounting

BEGINNING JANUARY 1, 2027, A BUDGET UNIT THAT RECEIVES NONCUSTODIAL FEDERAL MONIES SHALL ACCOUNT FOR THE NONCUSTODIAL FEDERAL MONIES IN SEPARATE ACCOUNTS OR FUNDS AS NECESSARY TO MEET ACCOUNTING, BUDGETARY AND AUDITING REQUIREMENTS. THE DEPARTMENT OF ADMINISTRATION MAY USE THE MOST EFFICIENT SYSTEM OF ACCOUNTS AND RECORDS, CONSISTENT WITH LEGAL REQUIREMENTS AND STANDARDS, AND NECESSARY FISCAL SAFEGUARDS.

41-4923. Appropriation of federal monies; legislative powers and duties

A. BEGINNING JANUARY 1, 2027, THE LEGISLATURE RETAINS THE AUTHORITY TO APPROPRIATE NONCUSTODIAL FEDERAL MONIES. IF THE LEGISLATURE DOES NOT MAKE AN APPROPRIATION FOR EITHER A PARTICULAR FUND, A SPECIFIC GRANT PROGRAM OR A BLOCK OF NONCUSTODIAL FEDERAL MONIES, THE BUDGET UNIT THAT HAS LAWFUL AUTHORITY SHALL ADMINISTER AND SPEND THESE MONIES PURSUANT TO FEDERAL AND STATE LAW.

1 B. BEGINNING JANUARY 1, 2027, THE LEGISLATURE SHALL
2 SPECIFY IN EACH NONCUSTODIAL FEDERAL MONIES APPROPRIATION THE
3 PURPOSES FOR WHICH THE NONCUSTODIAL FEDERAL MONIES ARE TO BE
4 USED, CONSISTENT WITH FEDERAL LAW. FOR THE PURPOSES OF
5 OBTAINING EXPENDITURE AUTHORITY FOR UNANTICIPATED NONCUSTODIAL
6 FEDERAL MONIES THAT MAY BECOME AVAILABLE WHEN THE LEGISLATURE
7 IS NOT IN SESSION, THE LEGISLATURE MAY MAKE A LUMP SUM
8 APPROPRIATION. BEFORE SPENDING MONIES FROM THE LUMP SUM
9 APPROPRIATION, THE BUDGET UNIT SHALL SUBMIT THE PROPOSED
10 EXPENDITURE TO THE JOINT LEGISLATIVE BUDGET COMMITTEE FOR
11 REVIEW, SUBJECT TO ANY CONDITION SPECIFIED BY THE LEGISLATURE.

12 C. IF THE AMOUNT OF THE NONCUSTODIAL FEDERAL MONIES
13 RECEIVED IS LESS THAN THE AMOUNT APPROPRIATED, THE
14 APPROPRIATION OF NONCUSTODIAL FEDERAL MONIES SHALL BE REDUCED
15 TO THE AMOUNT OF THE NONCUSTODIAL FEDERAL MONIES RECEIVED. THE
16 ACTIVITIES FINANCED BY THE NONCUSTODIAL FEDERAL MONIES SHALL BE
17 REDUCED PROPORTIONATELY.

18 D. IF THE AMOUNT OF THE NONCUSTODIAL FEDERAL MONIES
19 RECEIVED IS MORE THAN THE AMOUNT APPROPRIATED, THE TOTAL
20 APPROPRIATION OF FEDERAL AND STATE MONIES ALLOCATED FOR A
21 PROGRAM OR SERVICE SHALL REMAIN AT THE AMOUNT DESIGNATED BY THE
22 LEGISLATURE. THE STATE TREASURER SHALL CREDIT THE EXCESS
23 NONCUSTODIAL FEDERAL MONIES TO THE APPROPRIATE BUDGET UNIT
24 ACCOUNT.

25 2. The Secretary of State shall submit this proposition to the
26 voters at the next general election as provided by article IV, part 1,
27 section 1, Constitution of Arizona."

28 Amend title to conform

And, as so amended, it do pass

DAVID LIVINGSTON
CHAIRMAN

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