

State of Arizona  
Senate  
Fifty-fourth Legislature  
Second Regular Session  
2020

**CHAPTER 57**  
**SENATE BILL 1691**

AN ACT

MAKING CAPITAL OUTLAY APPROPRIATIONS FOR THE DIFFERENT DEPARTMENTS OF THE  
STATE AND FOR STATE INSTITUTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Building Renewal

3 Section 1. Capital outlay appropriations; major maintenance  
4 and repair of state buildings; review; reports;  
5 reversion

6 A. Notwithstanding section 41-793.01, Arizona Revised Statutes, the  
7 amounts appropriated in this section are appropriated for fiscal year  
8 2020-2021 to be used by the applicable agency for major maintenance and  
9 repair activities for state buildings in accordance with title 41, chapter  
10 4, article 7, Arizona Revised Statutes. Of the amount appropriated to the  
11 department of administration, up to \$275,000 in personal services and  
12 employee-related expenditures for up to five FTE positions may be  
13 allocated each fiscal year until the building renewal projects are  
14 completed. All other monies appropriated in this section may not be spent  
15 for personal services or employee-related expenditures or for maintenance  
16 contracts on building components and equipment without review by the joint  
17 committee on capital review.

18 B. DEPARTMENT OF ADMINISTRATION \$16,000,000

19 Fund source:

20 Capital outlay stabilization fund \$16,000,000

21 The department of administration shall allocate the monies to state  
22 agencies for necessary building renewal. If monies in the capital outlay  
23 stabilization fund established by section 41-792.01, Arizona Revised  
24 Statutes, are insufficient to fund the appropriation to the department of  
25 administration for building renewal, the appropriation to the department  
26 of administration is reduced by the difference between the amount  
27 appropriated to the department of administration from the capital outlay  
28 stabilization fund and the balance in the capital outlay stabilization  
29 fund.

30 On or before January 31, 2021 and July 31, 2021, the department of  
31 administration shall report to the joint legislative budget committee  
32 staff on the status of all capital projects and capital expenditures.

33 C. STATE DEPARTMENT OF CORRECTIONS \$ 5,464,300

34 Fund sources:

35 Department of corrections building  
36 renewal fund \$ 5,464,300

37 On or before January 31, 2021 and July 31, 2021, the state  
38 department of corrections shall report to the joint legislative budget  
39 committee staff on the status of all capital projects and capital  
40 expenditures. The department may not spend any of this appropriation on  
41 personal services or overhead expenses related to managing the funded  
42 projects.

43 D. ARIZONA GAME AND FISH DEPARTMENT \$ 1,157,900

44 Fund source:

45 Game and fish fund \$ 1,157,900

1 On or before January 31, 2021 and July 31, 2021, the Arizona game  
2 and fish department shall report to the joint legislative budget committee  
3 staff on the status of all capital projects and capital expenditures.

4 E. ARIZONA STATE LOTTERY COMMISSION \$ 146,700

5 Fund source:

6 State lottery fund \$ 146,700

7 F. DEPARTMENT OF TRANSPORTATION \$13,281,700

8 Fund sources:

9 State highway fund \$13,000,000

10 State aviation fund 281,700

11 On or before January 31, 2021 and July 31, 2021, the department of  
12 transportation shall report to the joint legislative budget committee  
13 staff on the status of all nonhighway construction capital projects and  
14 nonhighway construction capital expenditures.

15 G. Notwithstanding section 35-190, Arizona Revised Statutes, each  
16 appropriation made in this section that is unexpended on June 30, 2022  
17 reverts to the fund from which the monies were appropriated.

18 Capital Projects

19 Sec. 2. Appropriation; state department of corrections;  
20 locks; HVAC; fire suppression; review; reversion

21 A. The sum of \$30,000,000 is appropriated from the following funds  
22 in fiscal year 2020-2021 to the state department of corrections to replace  
23 locking, HVAC and fire suppression systems at the Lewis and Yuma state  
24 prison complexes:

25 1. \$11,000,000 from the state general fund.

26 2. \$7,000,000 from the Arizona correctional industries revolving  
27 fund established pursuant to section 41-1624, Arizona Revised Statutes.

28 3. \$4,000,000 from the corrections fund established by section  
29 41-1641, Arizona Revised Statutes.

30 4. \$2,000,000 from the inmate store proceeds fund established by  
31 section 41-1604.02, Arizona Revised Statutes.

32 5. \$2,000,000 from the penitentiary land fund established by  
33 section 37-525, Arizona Revised Statutes.

34 6. \$2,000,000 from the state charitable, penal and reformatory  
35 institutions land fund established by section 37-525, Arizona Revised  
36 Statutes.

37 7. \$2,000,000 from the special services fund established by section  
38 41-1604.03, Arizona Revised Statutes.

39 B. Before spending the appropriation made in subsection A of this  
40 section, the state department of corrections shall submit the scope,  
41 purpose and estimated cost of the capital improvements to the joint  
42 committee on capital review for its review pursuant to section 41-1252,  
43 Arizona Revised Statutes.

1 C. Notwithstanding section 35-190, Arizona Revised Statutes, the  
2 appropriation made in subsection A of this section that is unexpended on  
3 June 30, 2022 reverts to the funds from which the monies were  
4 appropriated.

5 Department of Transportation Statewide Highway Construction

6 Sec. 3. Appropriation; department of transportation;  
7 statewide highway construction; reports; exemption;  
8 lapsing

9 A. The sum of \$378,733,000 is appropriated from the state highway  
10 fund established by section 28-6991, Arizona Revised Statutes, in fiscal  
11 year 2020-2021 to the department of transportation to plan and construct  
12 state highways, including the national system of interstate highways  
13 within this state, the state primary or secondary system, the county  
14 primary or secondary system and urban rural routes, to acquire  
15 rights-of-way and to provide for the cost of contracted field  
16 administration and field engineering on construction projects and debt  
17 service payments on bonds issued for highway construction. Any balances  
18 and collections in the state highway fund that exceed the specific amounts  
19 appropriated in the general appropriations act and in this act are  
20 appropriated to the department for the purposes provided in this  
21 paragraph.

22 B. On or before November 1, 2020, the department of transportation  
23 shall report to the directors of the joint legislative budget committee  
24 and the governor's office of strategic planning and budgeting on its  
25 actual prior year, estimated current year and upcoming budget year highway  
26 construction expenses from all fund sources, including appropriated  
27 monies, federal monies, local agency monies, state highway monies, bond  
28 proceeds and regional area road monies. The report shall be in the same  
29 format as in the prior year unless modifications have been approved by the  
30 directors of the joint legislative budget committee and the governor's  
31 office of strategic planning and budgeting.

32 C. On or before November 1, 2020, the department of transportation  
33 shall report capital outlay information for fiscal years 2019-2020,  
34 2020-2021 and 2021-2022 to the directors of the joint legislative budget  
35 committee and the governor's office of strategic planning and budgeting.  
36 This information shall appear in the same format as tables two, three and  
37 six, as found in the fiscal year 2019-2020 appropriations report.

38 D. On or before November 1, 2020, the department of transportation  
39 shall report the department's estimated outstanding debt principal balance  
40 at the end of fiscal year 2021-2022 and the estimated debt service payment  
41 amount for each of fiscal years 2021-2022, 2022-2023, 2023-2024 and  
42 2024-2025 to the directors of the joint legislative budget committee and  
43 the governor's office of strategic planning and budgeting. This report  
44 shall include state highway fund statewide construction bonds, Arizona  
45 highway user revenue fund bonds, Maricopa association of governments and

1 Pima association of governments controlled access bonds, Maricopa regional  
2 area road fund bonds and grant anticipation notes and is intended to be  
3 comparable to the information in the fiscal year 2019-2020 appropriations  
4 report.

5 E. Notwithstanding section 41-1252, Arizona Revised Statutes, the  
6 appropriation made in subsection A of this section is not subject to  
7 review by the joint committee on capital review.

8 F. The appropriation made in subsection A of this section does not  
9 lapse until the purpose for which the appropriation was made has been  
10 accomplished or abandoned, or the appropriation stands for a full fiscal  
11 year without an expenditure or an encumbrance.

12 Department of Transportation Airport Planning and Development

13 Sec. 4. Appropriation; department of transportation; airport  
14 planning and development; report; exemption;  
15 lapsing

16 A. The sum of \$30,900,000 is appropriated from the state aviation  
17 fund established by section 28-8202, Arizona Revised Statutes, in fiscal  
18 year 2020-2021 to the department of transportation to plan, construct,  
19 develop and improve state, county, city or town airports as determined by  
20 the state transportation board. Any balances and collections in the state  
21 aviation fund that exceed the specific amounts appropriated in the general  
22 appropriations act and in this act are appropriated to the department of  
23 transportation in fiscal year 2020-2021 for the purposes provided in this  
24 paragraph.

25 B. On or before December 31, 2020, the department of transportation  
26 shall report to the joint legislative budget committee staff on the status  
27 of all aviation grant awards and aviation grant distributions. The report  
28 shall delineate projects by individual airport and fiscal year, including  
29 any future year commitments.

30 C. Notwithstanding section 41-1252, Arizona Revised Statutes, the  
31 appropriation made in subsection A of this section is not subject to  
32 review by the joint committee on capital review.

33 D. The appropriation made in subsection A of this section does not  
34 lapse until the purpose for which the appropriation was made has been  
35 accomplished or abandoned, or the appropriation stands for a full fiscal  
36 year without an expenditure or an encumbrance.

37 Sec. 5. Use of appropriations; limitation

38 Unless otherwise specified, the monies appropriated in this act may  
39 not be spent for personal services or employee-related expenditures of  
40 state employees, excluding any services provided as part of the inmate  
41 construction program for correctional facilities.

42 Sec. 6. Appropriations; lapsing; reversion

43 A. Notwithstanding section 35-190, Arizona Revised Statutes, the  
44 appropriation of \$3,759,000 to the department of emergency and military  
45 affairs for construction of a readiness center made by Laws 2018, chapter

1 277, section 8 that remains unexpended on June 30, 2022 reverts to the  
2 fund from which the monies were appropriated.

3 B. Notwithstanding section 35-190, Arizona Revised Statutes, the  
4 appropriation of \$3,875,000 to the department of emergency and military  
5 affairs for construction of a readiness center made by Laws 2019, chapter  
6 264, section 6 that remains unexpended on June 30, 2023 reverts to the  
7 fund from which the monies were appropriated.

8 Sec. 7. [JCCR review](#)

9 Pursuant to section 41-1252, Arizona Revised Statutes, the joint  
10 committee on capital review shall review the scope, purpose and estimated  
11 cost of a new capital project that has an estimated cost of more than  
12 \$250,000.

APPROVED BY THE GOVERNOR MARCH 28, 2020.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 28, 2020.