

REFERENCE TITLE: **homeless youth; families; funding sources**

State of Arizona
House of Representatives
Fifty-fifth Legislature
Second Regular Session
2022

HB 2458

Introduced by
Representatives Cano: Butler, Hernandez M, Liguori, Mathis, Quiñonez,
Solorio, Senators Gabaldon, Gonzales

AN ACT

AMENDING SECTIONS 41-3955 AND 42-1116, ARIZONA REVISED STATUTES; RELATING TO HOUSING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 41-3955, Arizona Revised Statutes, is amended to
3 read:

4 41-3955. Housing trust fund; purpose; annual report

5 A. The housing trust fund is established, and the director shall
6 administer the fund. The fund consists of:

7 1. Monies from unclaimed property THAT ARE deposited in the fund
8 pursuant to section 44-313. ~~;~~

9 2. Monies THAT ARE transferred pursuant to section 35-751. ~~and~~

10 3. TAX COLLECTIONS FROM NONRESIDENT SALES OF REAL PROPERTY LOCATED
11 IN THIS STATE THAT ARE DEPOSITED PURSUANT TO SECTION 42-1116, SUBSECTION
12 B, PARAGRAPH 6, SUBDIVISION (b). UP TO \$10,000,000 OF THE MONIES
13 DEPOSITED PURSUANT TO THIS PARAGRAPH SHALL BE USED EXCLUSIVELY FOR CAPITAL
14 PROJECTS, HOUSING, RENTAL ASSISTANCE AND SERVICES FOR HOMELESS YOUTH AND
15 FAMILIES. THESE MONIES SHALL SUPPLEMENT, AND NOT SUPPLANT, HOMELESS YOUTH
16 AND FAMILY FUNDING FROM OTHER POTENTIAL SOURCES. THE DEPARTMENT MAY USE
17 MONIES DEPOSITED PURSUANT TO THIS PARAGRAPH IN EXCESS OF \$10,000,000 FOR
18 OTHER PROJECTS AND PROGRAMS.

19 4. Investment earnings.

20 B. On notice from the department, the state treasurer shall invest
21 and divest monies in the fund as provided by section 35-313, and monies
22 earned from investment shall be credited to the fund.

23 C. Except as provided in subsection D of this section, fund monies
24 shall be spent on approval of the department for developing projects and
25 programs connected with providing housing opportunities for low and
26 moderate income households and for housing affordability programs.
27 Pursuant to section 44-313, subsection A, a portion of fund monies shall
28 be used exclusively for housing in rural areas.

29 D. Fund monies may be spent on constructing or renovating
30 facilities and on housing assistance, including support services, for
31 persons who have been determined to be seriously mentally ill and to be
32 chronically resistant to treatment.

33 E. For the purposes of subsection C of this section, in approving
34 the expenditure of monies, the director shall give priority to funding
35 projects that provide for operating, constructing or renovating facilities
36 for housing for low-income families and that provide housing and shelter
37 to families that have children.

38 F. The director shall report annually to the legislature on the
39 status of the housing trust fund. The report shall include a summary of
40 facilities for which funding was provided during the preceding fiscal year
41 and shall show the cost and geographic location of each facility and the
42 number of individuals benefiting from the operation, construction or
43 renovation of the facility. The report shall also include the number of
44 individuals who benefit from housing assistance pursuant to subsection D
45 of this section. The report shall be submitted to the president of the

1 senate and the speaker of the house of representatives, and a copy
2 provided to the secretary of state, not later than September 1 of each
3 year.

4 G. Monies in the housing trust fund are exempt from the provisions
5 of section 35-190 relating to lapsing of appropriations.

6 H. An amount not to exceed ten percent of the housing trust fund
7 monies may be appropriated annually by the legislature to the department
8 for administrative costs in providing services relating to the housing
9 trust fund.

10 I. For any construction project financed by the department pursuant
11 to this section, the department shall notify a city, town, county or
12 tribal government that a project is planned for its jurisdiction and,
13 before proceeding, shall seek comment from the governing body of the city,
14 town, county or tribal government or an official authorized by the
15 governing body of the city, town, county or tribal government. The
16 department shall not interfere with or attempt to override the local
17 jurisdiction's planning, zoning or land use regulations.

18 Sec. 2. Section 42-1116, Arizona Revised Statutes, is amended to
19 read:

20 42-1116. Disposition of tax revenues

21 A. The department of revenue shall promptly deposit, pursuant to
22 sections 35-146 and 35-147, all monies it collects from the taxes
23 administered pursuant to this article except the telecommunication
24 services excise tax, separately accounting for each type of tax and each
25 tax classification within each type of tax. At the same time the
26 department of revenue shall also furnish copies of the transmittal
27 schedules to the director of the department of administration.

28 B. Except as provided by subsection C of this section, the
29 department shall deposit all monies and remittances received under this
30 section to the credit of the following specific funds and accounts:

31 1. Amounts sufficient to meet the requirements for tax refunds to
32 the tax refund account established by section 42-1117.

33 2. Amounts sufficient to meet the requirements of urban revenue
34 sharing to the urban revenue sharing fund established by section 43-206.

35 3. Amounts collected pursuant to chapter 5, articles 1 and 5 of
36 this title to the transaction privilege and severance tax clearing account
37 established by section 42-5029.

38 4. Amounts sufficient to meet the requirements of section 42-3104
39 to the corrections fund.

40 5. Amounts sufficient to meet the requirements of section 49-282,
41 subsection B relating to the water quality assurance revolving fund.

42 6. AMOUNTS COLLECTED FROM NONRESIDENT SALES OF REAL PROPERTY
43 LOCATED IN THIS STATE AS FOLLOWS:

44 (a) \$2,000,000 TO THE STATE GENERAL FUND. THE LEGISLATURE MAY
45 ANNUALLY APPROPRIATE AN AMOUNT NOT TO EXCEED ONE PERCENT OF THE MONIES

1 COLLECTED FROM NONRESIDENT SALES OF REAL PROPERTY LOCATED IN THIS STATE TO
2 THE DEPARTMENT FOR ADMINISTRATIVE COSTS IN PROVIDING SERVICES RELATING TO
3 NONRESIDENT REAL ESTATE SALES.

4 (b) AFTER THE DISTRIBUTION MADE PURSUANT TO SUBDIVISION (a) OF THIS
5 PARAGRAPH, ANY REMAINING MONIES TO THE HOUSING TRUST FUND ESTABLISHED BY
6 SECTION 41-3955.

7 ~~6.~~ 7. All remaining monies to the state general fund.

8 C. From the monies and remittances received under this section,
9 each month beginning July 2001 the state treasurer shall transmit to the
10 tourism and sports authority, established by title 5, chapter 8, for
11 deposit in its facility revenue clearing account established by section
12 5-834 one-twelfth of the amount reported by the department pursuant to
13 section 43-209.

14 Sec. 3. Applicability

15 This act applies to taxable periods beginning from and after
16 December 31, 2022.