

Senate Engrossed  
environment; 2023-2024.

State of Arizona  
Senate  
Fifty-sixth Legislature  
First Regular Session  
2023

# SENATE BILL 1526

AN ACT

APPROPRIATING MONIES; RELATING TO THE ENVIRONMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Arizona water protection fund; use of monies

3 Notwithstanding section 45-2114, Arizona Revised Statutes, in fiscal  
4 year 2023-2024, the Arizona water protection fund commission may grant to  
5 the department of water resources up to \$336,000 of the unobligated  
6 balance in the Arizona water protection fund established by section  
7 45-2111, Arizona Revised Statutes, to pay for administrative costs of the  
8 department in fiscal year 2023-2024.

9 Sec. 2. Underground storage tank revolving fund; use of  
10 monies

11 Notwithstanding any other law, in fiscal year 2023-2024, the  
12 department of environmental quality may use up to \$6,531,000 from the  
13 underground storage tank revolving fund established by section 49-1015,  
14 Arizona Revised Statutes, in fiscal year 2023-2024 for:

- 15 1. Administrative costs of the department.
- 16 2. Remediating sewage discharge issues in Naco, Arizona and other  
17 border areas of this state.

18 Sec. 3. Arizona water banking fund; use of monies

19 In addition to the purposes provided in section 45-2425, Arizona  
20 Revised Statutes, monies appropriated to the Arizona navigable stream  
21 adjudication commission from the Arizona water banking fund established by  
22 section 45-2425, Arizona Revised Statutes, may be used in fiscal year  
23 2023-2024 to pay legal fees.

24 Sec. 4. Appropriation limit; water quality assurance  
25 revolving fund

26 Notwithstanding section 49-282, Arizona Revised Statutes, the  
27 appropriation from the state general fund to the water quality assurance  
28 revolving fund established by section 49-282, Arizona Revised Statutes,  
29 for fiscal year 2023-2024 may not exceed \$15,000,000.

30 Sec. 5. Department of environmental quality; vehicle  
31 emissions testing fees; exemption from rulemaking

32 A. Notwithstanding any other law, the director of environmental  
33 quality shall charge fees in fiscal year 2023-2024 that are not more than  
34 the fees that were charged in fiscal year 2022-2023 for tests conducted in  
35 Area A, as defined in section 49-541, Arizona Revised Statutes.

36 B. The department of environmental quality is exempt from the  
37 rulemaking requirements of title 41, chapter 6, Arizona Revised Statutes,  
38 until July 1, 2024 for the purpose of establishing fees pursuant to this  
39 section.

40 Sec. 6. Agricultural fees; continuation; intent; rulemaking  
41 exemption

42 A. Notwithstanding any other law, the director of the Arizona  
43 department of agriculture, with the assistance of the department of  
44 agriculture advisory council, may continue to increase or lower existing

1 fees from fiscal years 2021-2022 and 2022-2023 in fiscal year 2023-2024  
2 for services provided in fiscal year 2023-2024.

3 B. The legislature intends that the additional revenue generated by  
4 the fees prescribed in subsection A of this section not exceed \$218,000 to  
5 the state general fund, \$113,000 to the pesticide trust fund established  
6 by section 3-350, Arizona Revised Statutes, and \$26,000 to the dangerous  
7 plants, pests and diseases trust fund established by section 3-214.01,  
8 Arizona Revised Statutes, in fiscal year 2023-2024.

9 C. The Arizona department of agriculture is exempt from the  
10 rulemaking requirements of title 41, chapter 6, Arizona Revised Statutes,  
11 until July 1, 2024 for the purpose of establishing fees pursuant to this  
12 section.