

REFERENCE TITLE: wildfire flooding mitigation fund; appropriation

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HB 2074

Introduced by
Representative Marshall

AN ACT

AMENDING TITLE 26, CHAPTER 1, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 26-108; APPROPRIATING MONIES; RELATING TO EMERGENCY AND
MILITARY AFFAIRS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 26, chapter 1, article 1, Arizona Revised
3 Statutes, is amended by adding section 26-108, to read:

4 26-108. Wildfire flooding mitigation grant fund

5 A. THE WILDFIRE FLOODING MITIGATION GRANT FUND IS ESTABLISHED
6 CONSISTING OF LEGISLATIVE APPROPRIATIONS. THE DEPARTMENT OF EMERGENCY AND
7 MILITARY AFFAIRS SHALL ADMINISTER THE FUND. MONIES IN THE FUND ARE
8 CONTINUOUSLY APPROPRIATED. MONIES IN THE FUND SHALL BE PROVIDED TO CITIES
9 AND TOWNS TO MITIGATE THE EFFECTS OF POSTFIRE FLOODING. THE DEPARTMENT
10 MAY RETAIN UP TO ONE PERCENT OF THE MONIES IN THE FUND FOR THE COSTS OF
11 ADMINISTERING THE FUND. GRANTS MADE PURSUANT TO THIS SECTION ARE EXEMPT
12 FROM TITLE 41, CHAPTER 24.

13 B. A CITY OR TOWN THAT MEETS ALL OF THE FOLLOWING REQUIREMENTS IS
14 ELIGIBLE TO APPLY FOR AND RECEIVE GRANT MONIES PURSUANT TO THIS SECTION:

15 1. THE CITY OR TOWN HAS A POPULATION OF LESS THAN TWO HUNDRED
16 THOUSAND PERSONS.

17 2. THE CITY OR TOWN OFFERS A DOLLAR-FOR-DOLLAR MATCH OF THE GRANT
18 AWARD THAT INVESTS IN STORMWATER FLOOD MITIGATION, WASTEWATER TREATMENT
19 INFRASTRUCTURE AND WILDFIRE SUPPRESSION PROJECTS.

20 3. THE CITY'S OR TOWN'S MATCHING MONIES ARE NOT SOURCED FROM
21 FEDERAL MONIES AND ARE APPROVED BY A MAJORITY VOTE OF THE REGISTERED
22 VOTERS OF THE CITY OR TOWN.

23 C. THE DEPARTMENT SHALL PRESCRIBE A SIMPLIFIED FORM AND PROCEDURE
24 FOR CITIES AND TOWNS TO APPLY FOR AND THE DEPARTMENT TO APPROVE GRANTS.

25 D. EACH APPLICANT FOR A GRANT UNDER THIS SECTION SHALL:

26 1. CERTIFY THAT THE APPLICANT IS ELIGIBLE TO RECEIVE GRANT MONIES.

27 2. DESCRIBE THE PROJECT AND SERVICES FOR WHICH THE GRANT MONIES ARE
28 REQUESTED AND WHY THE PROJECT AND SERVICES ARE NEEDED.

29 3. CERTIFY THAT ALL GRANT MONIES AWARDED WILL BE USED IN COMPLIANCE
30 WITH THIS SECTION.

31 4. USE ANY MONIES AWARDED PURSUANT TO THIS SECTION ONLY FOR
32 POSTFIRE FLOOD MITIGATION EFFORTS.

33 E. ON OR BEFORE DECEMBER 15 OF EACH YEAR, EACH GRANT AWARDEE SHALL
34 SUBMIT A REPORT OF ITS USE OF MONIES AWARDED UNDER THIS SECTION TO THE
35 CHAIRPERSONS OF THE HOUSE OF REPRESENTATIVES NATURAL RESOURCES AND ENERGY
36 COMMITTEE AND THE SENATE NATURAL RESOURCES AND ENERGY COMMITTEE, OR THEIR
37 SUCCESSOR COMMITTEES.

38 Sec. 2. Appropriation; wildfire flooding mitigation grant
39 fund; exemption

40 A. Notwithstanding section 49-1302, Arizona Revised Statutes, the
41 sum of \$35,000,000 is appropriated from the long-term water augmentation
42 fund established by section 49-1302, Arizona Revised Statutes, in fiscal
43 year 2024-2025 to the wildfire flooding mitigation grant fund established

1 by section 26-108, Arizona Revised Statutes, as added by this act, for
2 postfire flood mitigation efforts.

3 B. The appropriation made in subsection A of this section is exempt
4 from the provisions of section 35-190, Arizona Revised Statutes, relating
5 to lapsing of appropriations.