

REFERENCE TITLE: marijuana monies; university police

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

# HB 2175

Introduced by  
Representative Payne

AN ACT

AMENDING SECTION 36-2856, ARIZONA REVISED STATUTES; RELATING TO MARIJUANA.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Subject to the requirements of article IV, part 1,  
3 section 1, Constitution of Arizona, section 36-2856, Arizona Revised  
4 Statutes, is amended to read:

5 36-2856. Smart and safe Arizona fund; disposition of monies;  
6 exemption

7 A. The smart and safe Arizona fund is established consisting of all  
8 monies deposited pursuant to sections 36-2853, 36-2854, 36-2859, 42-5452  
9 and 42-5453, private donations and interest earned on those monies.  
10 Monies in the fund are continuously appropriated. Monies in the fund and  
11 its accounts may not be transferred to any other fund except as provided  
12 in this section, do not revert to the state general fund and are exempt  
13 from the provisions of section 35-190 relating to the lapsing of  
14 appropriations. The state treasurer shall administer the fund.

15 B. All monies in the smart and safe Arizona fund must first be  
16 spent, and the state treasurer shall transfer monies from the fund, to  
17 pay:

18 1. The actual reasonable costs incurred by the department to  
19 implement, carry out and enforce this chapter and rules adopted pursuant  
20 to this chapter.

21 2. The actual reasonable costs incurred by the department of  
22 revenue to impose and enforce the tax authorized and levied by section  
23 42-5452.

24 3. The actual reasonable costs incurred by the supreme court and  
25 the department of public safety to process petitions for expungement and  
26 expungement orders pursuant to section 36-2862 and to otherwise implement  
27 section 36-2862.

28 4. The actual reasonable costs incurred by the state treasurer to  
29 administer the fund.

30 5. Any other mandatory expenditure of state revenues required by  
31 this chapter to implement or enforce the provisions of this chapter.

32 C. The state treasurer may prescribe forms necessary to make  
33 transfers from the smart and safe Arizona fund pursuant to subsection B of  
34 this section.

35 D. On or before June 30 and December 31 of each year, the state  
36 treasurer shall transfer all monies in the smart and safe Arizona fund in  
37 excess of the amounts paid pursuant to subsection B of this section as  
38 follows:

39 1. Thirty-three percent to community college districts and  
40 provisional community college districts, but not to community college  
41 tuition financing districts established pursuant to section 15-1409, for  
42 the purposes of investing in and providing workforce development programs,  
43 job training, career and technical education, and science, technology,  
44 engineering and mathematics programs, as follows:

1 (a) Fifteen percent of the thirty-three percent divided equally  
2 between each community college district.

3 (b) One-half of one percent of the thirty-three percent divided  
4 equally between each provisional community college district, if one or  
5 more provisional community college districts exist.

6 (c) The remainder to community college districts and provisional  
7 community colleges districts in proportion to each district's full-time  
8 equivalent student enrollment percentage of the total statewide audited  
9 full-time equivalent student enrollment in the preceding fiscal year  
10 prescribed in section 15-1466.01.

11 2. 31.4 percent to municipal police departments, [UNIVERSITY POLICE](#)  
12 [DEPARTMENTS AT UNIVERSITIES UNDER THE JURISDICTION OF THE ARIZONA BOARD OF](#)  
13 [REGENTS](#), municipal fire departments, fire districts and joint powers  
14 authorities established pursuant to title 48, chapter 5 and county  
15 sheriffs' departments in proportion to the number of members as defined in  
16 section 38-842 for each such agency in the public safety personnel  
17 retirement system established by title 38, chapter 5, article 4 and the  
18 public safety personnel defined contribution retirement plan established  
19 pursuant to title 38, chapter 5, article 4.1, for personnel costs.

20 3. 25.4 percent to the Arizona highway user revenue fund  
21 established by section 28-6533.

22 4. Ten percent to the justice reinvestment fund established by  
23 section 36-2863.

24 5. 0.2 percent to the attorney general to use to enforce this  
25 chapter or to grant to localities to enforce this chapter.

26 E. The monies transferred and received pursuant to this section:

27 1. Are in addition to any other appropriation, transfer or other  
28 allocation of monies and may not supplant, replace or cause a reduction in  
29 other funding sources.

30 2. Are not considered local revenues for the purposes of article  
31 IX, sections 20 and 21, Constitution of Arizona.

32 Sec. 2. [Requirements for enactment; three-fourths vote](#)

33 Pursuant to article IV, part 1, section 1, Constitution of Arizona,  
34 [section 36-2856, Arizona Revised Statutes, as amended by this act, is](#)  
35 [effective only on the affirmative vote of at least three-fourths of the](#)  
36 [members of each house of the legislature.](#)