

REFERENCE TITLE: Native American tribes; TPT collection

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

HB 2534

Introduced by
Representatives Tsosie: Contreras L, Cook, De Los Santos, Seaman, Sun,
Terech, Travers

AN ACT

AMENDING SECTION 42-5001, ARIZONA REVISED STATUTES; AMENDING TITLE 42, CHAPTER 5, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 42-5045; AMENDING SECTION 42-5029, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2021, CHAPTER 411, SECTION 2; AMENDING SECTION 42-5029, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2023, CHAPTER 204, SECTION 6; AMENDING SECTIONS 42-5031.01 AND 42-5033, ARIZONA REVISED STATUTES; AMENDING TITLE 42, CHAPTER 5, ARTICLE 3.1, ARIZONA REVISED STATUTES, BY ADDING SECTION 42-5124; RELATING TO TRANSACTION PRIVILEGE AND USE TAX.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 42-5001, Arizona Revised Statutes, is amended to
3 read:

4 42-5001. Definitions

5 In this article and article 2 of this chapter, unless the context
6 otherwise requires:

7 1. "Business" includes all activities or acts, personal or
8 corporate, that are engaged in or caused to be engaged in with the object
9 of gain, benefit or advantage, either directly or indirectly, but does not
10 include either:

11 (a) Casual activities or sales.

12 (b) The transfer of electricity from a solar photovoltaic
13 generation system to an electric utility distribution system.

14 2. "Distribution base" means the portion of the revenues derived
15 from the tax levied by this article and articles 5 and 8 of this chapter
16 designated for distribution to counties, municipalities, CONSENTING INDIAN
17 TRIBES AS DEFINED IN SECTION 42-5045 and other purposes according to
18 section 42-5029, subsection D.

19 3. "Engaging", when used with reference to engaging or continuing
20 in business, includes the exercise of corporate or franchise powers.

21 4. "Gross income" means the gross receipts of a taxpayer derived
22 from trade, business, commerce or sales and the value proceeding or
23 accruing from the sale of tangible personal property or service, or both,
24 and without any deduction on account of losses.

25 5. "Gross proceeds of sales" means the value proceeding or accruing
26 from the sale of tangible personal property without any deduction on
27 account of the cost of property sold, expense of any kind or losses, but
28 cash discounts allowed and taken on sales are not included as gross
29 income.

30 6. Gross income and gross proceeds of sales do not include goods,
31 wares or merchandise, or the value thereof, returned by customers if the
32 sale price is refunded either in cash or by credit, or the value of
33 merchandise traded in on the purchase of new merchandise when the trade-in
34 allowance is deducted from the sales price of the new merchandise before
35 completion of the sale.

36 7. "Gross receipts" means the total amount of the sale, lease or
37 rental price, as the case may be, of the retail sales of retailers,
38 including any services that are a part of the sales, valued in money,
39 whether received in money or otherwise, including all receipts, cash,
40 credits and property of every kind or nature, and any amount for which
41 credit is allowed by the seller to the purchaser without any deduction
42 from the amount on account of the cost of the property sold, materials
43 used, labor or service performed, interest paid, losses or any other
44 expense. Gross receipts do not include cash discounts allowed and taken

1 or the sale price of property returned by customers if the full sale price
2 is refunded either in cash or by credit.

3 8. "Marketplace" means a physical or electronic place, platform or
4 forum, including a store, booth, internet website, catalog or dedicated
5 sales software application, where products, including tangible personal
6 property, are offered for sale.

7 9. "Marketplace facilitator":

8 (a) Means a person that facilitates a retail sale by a marketplace
9 seller by listing or advertising for sale by the marketplace seller in a
10 marketplace tangible personal property and, either directly or indirectly,
11 through agreements or arrangements with third parties collecting payment
12 from the purchaser and transmitting that payment to the marketplace
13 seller, regardless of whether the marketplace facilitator receives
14 compensation for the marketplace facilitator's services.

15 (b) Does not include a payment processor business that is appointed
16 to handle payment transactions from various channels, such as charge
17 cards, credit cards and debit cards, and whose sole activity with respect
18 to marketplace sales is to handle transactions between two parties.

19 10. "Marketplace seller" means a person that makes retail sales
20 through any physical or electronic marketplace that is operated by a
21 marketplace facilitator.

22 11. "Person" or "company" includes an individual, firm,
23 partnership, joint venture, association, corporation, estate, trust,
24 marketplace facilitator or remote seller, this state, any county, city,
25 town, district, other than a school district, or other political
26 subdivision and any other group or combination acting as a unit, and the
27 plural as well as the singular number.

28 12. "Qualifying community health center":

29 (a) Means an entity that is recognized as nonprofit under section
30 501(c)(3) of the United States internal revenue code, that is a
31 community-based, primary care clinic that has a community-based board of
32 directors and that is either:

33 (i) The sole provider of primary care in the community.

34 (ii) A nonhospital affiliated clinic that is located in a federally
35 designated medically underserved area in this state.

36 (b) Includes clinics that are being constructed as qualifying
37 community health centers.

38 13. "Qualifying health care organization" means an entity that is
39 recognized as nonprofit under section 501(c) of the United States internal
40 revenue code and that uses, saves or invests at least eighty percent of
41 all monies that it receives from all sources each year only for health and
42 medical related educational and charitable services, as documented by
43 annual financial audits prepared by an independent certified public
44 accountant, performed according to generally accepted auditing standards
45 and filed annually with the department. Monies that are used, saved or

1 invested to lease, purchase or construct a facility for health and medical
2 related education and charitable services are included in the eighty
3 percent requirement.

4 14. "Qualifying health sciences educational institution" means an
5 entity that is recognized as nonprofit under section 501(c) of the United
6 States internal revenue code and that solely provides graduate and
7 postgraduate education in the health sciences. For the purposes of this
8 paragraph, "health sciences" includes medicine, nursing, physician's
9 assistant studies, pharmacy, physical therapy, occupational therapy,
10 biomedical sciences, podiatry, clinical psychology, cardiovascular
11 science, nurse anesthesia, dentistry, optometry and veterinary medicine.

12 15. "Qualifying hospital" means any of the following:

13 (a) A licensed hospital that is organized and operated exclusively
14 for charitable purposes, no part of the net earnings of which inures to
15 the benefit of any private shareholder or individual.

16 (b) A licensed nursing care institution or a licensed residential
17 care institution or a residential care facility operated in conjunction
18 with a licensed nursing care institution or a licensed kidney dialysis
19 center that provides medical services, nursing services or health related
20 services and that is not used or held for profit.

21 (c) A hospital, nursing care institution or residential care
22 institution that is operated by the federal government, this state or a
23 political subdivision of this state.

24 (d) A facility that is under construction and that on completion
25 will be a facility under subdivision (a), (b) or (c) of this paragraph.

26 16. "Remote seller" means a person that sells products for delivery
27 into this state and that does not have a physical presence or other legal
28 requirement to obtain a transaction privilege tax license in this state
29 other than because the person's business exceeds the threshold provided in
30 section 42-5044.

31 17. "Retailer" includes every person engaged in the business
32 classified under the retail classification pursuant to section 42-5061
33 and, when in the opinion of the department it is necessary for the
34 efficient administration of this article, includes dealers, distributors,
35 supervisors, employers and salesmen, representatives, peddlers or
36 canvassers as the agents of the dealers, distributors, supervisors or
37 employers under whom they operate or from whom they obtain the tangible
38 personal property sold by them, whether in making sales on their own
39 behalf or on behalf of the dealers, distributors, supervisors or
40 employers.

41 18. "Sale" means any transfer of title or possession, or both,
42 exchange, barter, lease or rental, conditional or otherwise, in any manner
43 or by any means whatever, including consignment transactions and auctions
44 and transactions facilitated by a marketplace facilitator on behalf of a

1 marketplace seller, of tangible personal property or other activities
2 taxable under this chapter, for a consideration, and includes:

3 (a) Any transaction by which the possession of property is
4 transferred but the seller retains the title as security for the payment
5 of the price.

6 (b) Fabricating tangible personal property for consumers who
7 furnish either directly or indirectly the materials used in the
8 fabrication work.

9 (c) Furnishing, preparing or serving for a consideration any
10 tangible personal property consumed on the premises of the person
11 furnishing, preparing or serving the tangible personal property.

12 19. "Solar daylighting" means a device that is specifically
13 designed to capture and redirect the visible portion of the solar beam,
14 while controlling the infrared portion, for use in illuminating interior
15 building spaces in lieu of artificial lighting.

16 20. "Solar energy device" means a system or series of mechanisms
17 that are designed primarily to provide heating, to provide cooling, to
18 produce electrical power, to produce mechanical power, to provide solar
19 daylighting or to provide any combination of the foregoing by means of
20 collecting and transferring solar generated energy into such uses either
21 by active or passive means, including wind generator systems that produce
22 electricity. Solar energy systems may also have the capability of storing
23 solar energy for future use. Passive systems shall clearly be designed as
24 a solar energy device, such as a trombe wall, and not merely as a part of
25 a normal structure, such as a window.

26 21. "Tangible personal property" means personal property that may
27 be seen, weighed, measured, felt or touched or that is in any other manner
28 perceptible to the senses.

29 22. "Taxpayer" means any person who is liable for any tax imposed
30 by this article.

31 23. "Tax year" or "taxable year" means either the calendar year or
32 the taxpayer's fiscal year, if permission is obtained from the department
33 to use a fiscal year as the tax period instead of the calendar year.

34 24. "Wholesaler" or "jobber" means any person who sells tangible
35 personal property for resale and not for consumption by the purchaser.

36 Sec. 2. Title 42, chapter 5, article 1, Arizona Revised Statutes,
37 is amended by adding section 42-5045, to read:

38 42-5045. Consent to taxation; Indian tribes; definitions

39 A. THE DEPARTMENT SHALL LEVY AND COLLECT THE TAXES UNDER THIS
40 CHAPTER ON THE GROSS PROCEEDS OF SALES OR GROSS INCOME FROM THE BUSINESS
41 OF EVERY AFFILIATED INDIAN ON THE INDIAN RESERVATION OF A CONSENTING
42 INDIAN TRIBE ENGAGING OR CONTINUING IN A BUSINESS TAXED UNDER THIS CHAPTER
43 IF BOTH OF THE FOLLOWING OCCUR:

44 1. CONGRESS AND THE GOVERNING BODY OF THE INDIAN TRIBE CONSENT BY
45 RESOLUTION TO THE ADMINISTRATION, ENFORCEMENT AND COLLECTION OF THE STATE

1 TAX ON THE GROSS PROCEEDS OF SALES OR GROSS INCOME FROM THE BUSINESS OF
2 EVERY AFFILIATED INDIAN ON THAT INDIAN RESERVATION ENGAGING OR CONTINUING
3 IN A BUSINESS TAXED UNDER THIS CHAPTER.

4 2. THE CONSENTING INDIAN TRIBE DELIVERS THE RESOLUTION TO THE
5 GOVERNOR OF THIS STATE AND A COPY OF THE RESOLUTION TO THE DEPARTMENT.

6 B. THE DEPARTMENT SHALL COOPERATE WITH THE CONSENTING INDIAN TRIBE
7 TO EDUCATE TAXPAYERS ABOUT LICENSING AND REPORTING REQUIREMENTS.

8 C. FOR THE PURPOSES OF THIS SECTION:

9 1. "AFFILIATED INDIAN" HAS THE SAME MEANING PRESCRIBED IN SECTION
10 42-5121.

11 2. "CONSENTING INDIAN TRIBE" MEANS AN ORGANIZED NATION, BAND OR
12 COMMUNITY THAT BOTH:

13 1. IS RECOGNIZED AS AN INDIAN TRIBE BY THE UNITED STATES DEPARTMENT
14 OF THE INTERIOR, INCLUDING ANY ENTITY FORMED UNDER THE LAWS OF THE INDIAN
15 TRIBE.

16 2. HAS OBTAINED THE CONSENT OF CONGRESS AND THE GOVERNING BODY OF
17 THE INDIAN TRIBE BY RESOLUTION TO THE ADMINISTRATION, ENFORCEMENT AND
18 COLLECTION OF A TAX ON THE GROSS PROCEEDS OF SALES OR GROSS INCOME FROM
19 THE BUSINESS OF EVERY AFFILIATED INDIAN ON THAT INDIAN RESERVATION
20 ENGAGING OR CONTINUING IN A BUSINESS TAXED UNDER THIS CHAPTER.

21 3. "INDIAN RESERVATION" HAS THE SAME MEANING PRESCRIBED IN SECTION
22 42-5121.

23 Sec. 3. Section 42-5029, Arizona Revised Statutes, as amended by
24 Laws 2021, chapter 411, section 2, is amended to read:

25 42-5029. Remission and distribution of monies; withholding;
26 definitions

27 A. The department shall deposit, pursuant to sections 35-146 and
28 35-147, all revenues collected under this article and articles 4, 5 and 8
29 of this chapter pursuant to section 42-1116, separately accounting for:

30 1. Payments of estimated tax under section 42-5014, subsection D.

31 2. Revenues collected pursuant to section 42-5070.

32 3. Revenues collected under this article and article 5 of this
33 chapter from and after June 30, 2000 from sources located on Indian
34 reservations in this state **THAT ARE NOT THE INDIAN RESERVATION OF A**
35 **CONSENTING INDIAN TRIBE.**

36 4. Revenues collected pursuant to section 42-5010, subsection G and
37 section 42-5155, subsection D.

38 5. Revenues collected pursuant to section 42-5010.01 and section
39 42-5155, subsection E.

40 B. The department shall credit payments of estimated tax to an
41 estimated tax clearing account and each month shall transfer all monies in
42 the estimated tax clearing account to a fund designated as the transaction
43 privilege and severance tax clearing account. The department shall credit
44 all other payments to the transaction privilege and severance tax clearing
45 account, separately accounting for the monies designated as distribution

1 base under sections 42-5010, 42-5164 and 42-5205. Each month the
2 department shall report to the state treasurer the amount of monies
3 collected pursuant to this article and articles 4, 5 and 8 of this
4 chapter.

5 C. On notification by the department, the state treasurer shall
6 distribute the monies deposited in the transaction privilege and severance
7 tax clearing account in the manner prescribed by this section and by
8 sections 42-5164 and 42-5205, after deducting warrants drawn against the
9 account pursuant to sections 42-1118 and 42-1254.

10 D. Of the monies designated as distribution base, the department
11 shall:

12 1. Pay twenty-five percent to the various incorporated
13 municipalities in this state in proportion to their population to be used
14 by the municipalities for any municipal purpose.

15 2. Pay 38.08 percent to the counties AND CONSENTING INDIAN TRIBES
16 in this state by averaging the following proportions:

17 (a) The proportion that the population of each county OR CONSENTING
18 INDIAN TRIBE bears to the total state population.

19 (b) The proportion that the distribution base monies collected
20 during the calendar month in each county AND CONSENTING INDIAN TRIBE under
21 this article, section 42-5164, subsection B and section 42-5205,
22 subsection B bear to the total distribution base monies collected under
23 this article, section 42-5164, subsection B and section 42-5205,
24 subsection B throughout the state for the calendar month.

25 3. Pay an additional 2.43 percent to the counties AND CONSENTING
26 INDIAN TRIBES in this state as follows:

27 (a) Average the following proportions:

28 (i) The proportion that the assessed valuation used to determine
29 secondary property taxes of each county OR CONSENTING INDIAN TRIBE, after
30 deducting that part of the assessed valuation that is exempt from taxation
31 at the beginning of the month for which the amount is to be paid, bears to
32 the total assessed valuations used to determine secondary property taxes
33 of all the counties AND CONSENTING INDIAN TRIBE after deducting that
34 portion of the assessed valuations that is exempt from taxation at the
35 beginning of the month for which the amount is to be paid. Property of a
36 city or town that is not within or contiguous to the municipal corporate
37 boundaries and from which water is or may be withdrawn or diverted and
38 transported for use on other property is considered to be taxable property
39 in the county OR CONSENTING INDIAN TRIBE for THE purposes of determining
40 assessed valuation in the county OR CONSENTING INDIAN TRIBE under this
41 item.

42 (ii) The proportion that the distribution base monies collected
43 during the calendar month in each county OR CONSENTING INDIAN TRIBE under
44 this article, section 42-5164, subsection B and section 42-5205,
45 subsection B bear to the total distribution base monies collected under

1 this article, section 42-5164, subsection B and section 42-5205,
2 subsection B throughout the state for the calendar month.

3 (b) If the proportion computed under subdivision (a) of this
4 paragraph for any county OR CONSENTING INDIAN TRIBE is greater than the
5 proportion computed under paragraph 2 of this subsection, the department
6 shall compute the difference between the amount distributed to that county
7 OR CONSENTING INDIAN TRIBE under paragraph 2 of this subsection and the
8 amount that would have been distributed under paragraph 2 of this
9 subsection using the proportion computed under subdivision (a) of this
10 paragraph and shall pay that difference to the county OR CONSENTING INDIAN
11 TRIBE from the amount available for distribution under this paragraph. Any
12 monies remaining after all payments under this subdivision shall be
13 distributed among the counties AND CONSENTING INDIAN TRIBES according to
14 the proportions computed under paragraph 2 of this subsection.

15 4. After any distributions required by sections 42-5030,
16 42-5030.01, 42-5031, 42-5032, 42-5032.01 and 42-5032.02, and after making
17 any transfer to the water quality assurance revolving fund as required by
18 section 49-282, subsection B, credit the remainder of the monies
19 designated as distribution base to the state general fund. From this
20 amount the legislature shall annually appropriate to:

21 (a) The department of revenue sufficient monies to administer and
22 enforce this article and articles 5 and 8 of this chapter.

23 (b) The department of economic security monies to be used for the
24 purposes stated in title 46, chapter 1.

25 (c) The firearms safety and ranges fund established by section
26 17-273, fifty thousand dollars derived from the taxes collected from the
27 retail classification pursuant to section 42-5061 for the current fiscal
28 year.

29 E. If approved by the qualified electors voting at a statewide
30 general election, all monies collected pursuant to section 42-5010,
31 subsection G and section 42-5155, subsection D shall be distributed each
32 fiscal year pursuant to this subsection. The monies distributed pursuant
33 to this subsection are in addition to any other appropriation, transfer or
34 other allocation of public or private monies from any other source and
35 shall not supplant, replace or cause a reduction in other school district,
36 charter school, university or community college funding sources. The
37 monies shall be distributed as follows:

38 1. If there are outstanding state school facilities revenue bonds
39 pursuant to title 15, chapter 16, article 7, each month one-twelfth of the
40 amount that is necessary to pay the fiscal year's debt service on
41 outstanding state school improvement revenue bonds for the current fiscal
42 year shall be transferred each month to the school improvement revenue
43 bond debt service fund established by section 15-2084. The total amount
44 of bonds for which these monies may be allocated for the payment of debt

1 service shall not exceed a principal amount of eight hundred million
2 dollars exclusive of refunding bonds and other refinancing obligations.

3 2. After any transfer of monies pursuant to paragraph 1 of this
4 subsection, twelve per cent of the remaining monies collected during the
5 preceding month shall be transferred to the technology and research
6 initiative fund established by section 15-1648 to be distributed among the
7 universities for the purpose of investment in technology and
8 research-based initiatives.

9 3. After the transfer of monies pursuant to paragraph 1 of this
10 subsection, three per cent of the remaining monies collected during the
11 preceding month shall be transferred to the workforce development account
12 established in each community college district pursuant to section 15-1472
13 for the purpose of investment in workforce development programs.

14 4. After transferring monies pursuant to paragraphs 1, 2 and 3 of
15 this subsection, one-twelfth of the amount a community college that is
16 owned, operated or chartered by a qualifying Indian tribe on its own
17 Indian reservation would receive pursuant to section 15-1472, subsection
18 D, paragraph 2 if it were a community college district shall be
19 distributed each month to the treasurer or other designated depository of
20 a qualifying Indian tribe. Monies distributed pursuant to this paragraph
21 are for the exclusive purpose of providing support to one or more
22 community colleges owned, operated or chartered by a qualifying Indian
23 tribe and shall be used in a manner consistent with section 15-1472,
24 subsection B. For the purposes of this paragraph, "qualifying Indian
25 tribe" has the same meaning as defined in section 42-5031.01,
26 subsection D.

27 5. After transferring monies pursuant to paragraphs 1, 2 and 3 of
28 this subsection, one-twelfth of the following amounts shall be transferred
29 each month to the department of education for the increased cost of basic
30 state aid under section 15-971 due to added school days and associated
31 teacher salary increases enacted in 2000:

32 (a) In fiscal year 2001-2002, \$15,305,900.

33 (b) In fiscal year 2002-2003, \$31,530,100.

34 (c) In fiscal year 2003-2004, \$48,727,700.

35 (d) In fiscal year 2004-2005, \$66,957,200.

36 (e) In fiscal year 2005-2006 and each fiscal year thereafter,
37 \$86,280,500.

38 6. After transferring monies pursuant to paragraphs 1, 2 and 3 of
39 this subsection, seven million eight hundred thousand dollars is
40 appropriated each fiscal year, to be paid in monthly installments, to the
41 department of education to be used for school safety as provided in
42 section 15-154 and two hundred thousand dollars is appropriated each
43 fiscal year, to be paid in monthly installments to the department of
44 education to be used for the character education matching grant program as
45 provided in section 15-154.01.

1 7. After transferring monies pursuant to paragraphs 1, 2 and 3 of
2 this subsection, no more than seven million dollars may be appropriated by
3 the legislature each fiscal year to the department of education to be used
4 for accountability purposes as described in section 15-241 and title 15,
5 chapter 9, article 8.

6 8. After transferring monies pursuant to paragraphs 1, 2 and 3 of
7 this subsection, one million five hundred thousand dollars is appropriated
8 each fiscal year, to be paid in monthly installments, to the failing
9 schools tutoring fund established by section 15-241.

10 9. After transferring monies pursuant to paragraphs 1, 2 and 3 of
11 this subsection, twenty-five million dollars shall be transferred each
12 fiscal year to the state general fund to reimburse the general fund for
13 the cost of the income tax credit allowed by section 43-1072.01.

14 10. After the payment of monies pursuant to paragraphs 1 through 9
15 of this subsection, the remaining monies collected during the preceding
16 month shall be transferred to the classroom site fund established by
17 section 15-977. The monies shall be allocated as follows in the manner
18 prescribed by section 15-977:

19 (a) Forty per cent shall be allocated for teacher compensation
20 based on performance.

21 (b) Twenty per cent shall be allocated for increases in teacher
22 base compensation and employee related expenses.

23 (c) Forty per cent shall be allocated for maintenance and operation
24 purposes.

25 F. The department shall credit the remainder of the monies in the
26 transaction privilege and severance tax clearing account to the state
27 general fund, subject to any distribution required by section 42-5030.01.

28 G. Notwithstanding subsection D of this section, if a court of
29 competent jurisdiction finally determines that tax monies distributed
30 under this section were illegally collected under this article or articles
31 5 and 8 of this chapter and orders the monies to be refunded to the
32 taxpayer, the department shall compute the amount of such monies that was
33 distributed to each city, town and county under this section. Each
34 city's, town's and county's proportionate share of the costs shall be
35 based on the amount of the original tax payment each municipality and
36 county received. Each month the state treasurer shall reduce the amount
37 otherwise distributable to the city, town and county under this section by
38 one thirty-sixth of the total amount to be recovered from the city, town
39 or county until the total amount has been recovered, but the monthly
40 reduction for any city, town or county shall not exceed ten percent of the
41 full monthly distribution to that entity. The reduction shall begin for
42 the first calendar month after the final disposition of the case and shall
43 continue until the total amount, including interest and costs, has been
44 recovered.

1 H. On receiving a certificate of default from the greater Arizona
 2 development authority pursuant to section 41-2257 or 41-2258 and to the
 3 extent not otherwise expressly prohibited by law, the state treasurer
 4 shall withhold from the next succeeding distribution of monies pursuant to
 5 this section due to the defaulting political subdivision the amount
 6 specified in the certificate of default and immediately deposit the amount
 7 withheld in the greater Arizona development authority revolving fund. The
 8 state treasurer shall continue to withhold and deposit the monies until
 9 the greater Arizona development authority certifies to the state treasurer
 10 that the default has been cured. In no event may the state treasurer
 11 withhold any amount that the defaulting political subdivision certifies to
 12 the state treasurer and the authority as being necessary to make any
 13 required deposits then due for the payment of principal and interest on
 14 bonds of the political subdivision that were issued before the date of the
 15 loan repayment agreement or bonds and that have been secured by a pledge
 16 of distributions made pursuant to this section.

17 I. Except as provided by sections 42-5033 and 42-5033.01, the
 18 population of a county, city or town as determined by the most recent
 19 United States decennial census plus any revisions to the decennial census
 20 certified by the United States bureau of the census shall be used as the
 21 basis for apportioning monies pursuant to subsection D of this section.

22 J. Except as otherwise provided by this subsection, on notice from
 23 the department of revenue pursuant to section 42-6010, subsection B, the
 24 state treasurer shall withhold from the distribution of monies pursuant to
 25 this section to the affected city or town the amount of the penalty for
 26 business location municipal tax incentives provided by the city or town to
 27 a business entity that locates a retail business facility in the city or
 28 town. The state treasurer shall continue to withhold monies pursuant to
 29 this subsection until the entire amount of the penalty has been withheld.
 30 The state treasurer shall credit any monies withheld pursuant to this
 31 subsection to the state general fund as provided by subsection D,
 32 paragraph 4 of this section. The state treasurer shall not withhold any
 33 amount that the city or town certifies to the department of revenue and
 34 the state treasurer as being necessary to make any required deposits or
 35 payments for debt service on bonds or other long-term obligations of the
 36 city or town that were issued or incurred before the location incentives
 37 provided by the city or town.

38 K. On notice from the auditor general pursuant to section 9-626,
 39 subsection D, the state treasurer shall withhold from the distribution of
 40 monies pursuant to this section to the affected city the amount computed
 41 pursuant to section 9-626, subsection D. The state treasurer shall
 42 continue to withhold monies pursuant to this subsection until the entire
 43 amount specified in the notice has been withheld. The state treasurer
 44 shall credit any monies withheld pursuant to this subsection to the state
 45 general fund as provided by subsection D, paragraph 4 of this section.

1 L. Except as otherwise provided by this subsection, on notice from
2 the attorney general pursuant to section 41-194.01, subsection B,
3 paragraph 1 that an ordinance, regulation, order or other official action
4 adopted or taken by the governing body of a county, city or town violates
5 state law or the Constitution of Arizona, the state treasurer shall
6 withhold the distribution of monies pursuant to this section to the
7 affected county, city or town and shall continue to withhold monies
8 pursuant to this subsection until the attorney general certifies to the
9 state treasurer that the violation has been resolved. The state treasurer
10 shall redistribute the monies withheld pursuant to this subsection among
11 all other counties, cities and towns in proportion to their population as
12 provided by subsection D of this section. The state treasurer shall not
13 withhold any amount that the county, city or town certifies to the
14 attorney general and the state treasurer as being necessary to make any
15 required deposits or payments for debt service on bonds or other long-term
16 obligations of the county, city or town that were issued or incurred
17 before committing the violation.

18 M. For the purposes of this section: ~~;~~

19 1. "Community college district" means a community college district
20 that is established pursuant to sections 15-1402 and 15-1403 and that is a
21 political subdivision of this state and, unless otherwise specified,
22 includes a community college tuition financing district established
23 pursuant to section 15-1409.

24 2. "CONSENTING INDIAN TRIBE" HAS THE SAME MEANING PRESCRIBED IN
25 SECTION 42-5045.

26 Sec. 4. Section 42-5029, Arizona Revised Statutes, as amended by
27 Laws 2023, chapter 204, section 6, is amended to read:

28 42-5029. Remission and distribution of monies; withholding;
29 definitions

30 A. The department shall deposit, pursuant to sections 35-146 and
31 35-147, all revenues collected under this article and articles 4, 5 and 8
32 of this chapter pursuant to section 42-1116, separately accounting for:

33 1. Payments of estimated tax under section 42-5014, subsection D.

34 2. Revenues collected pursuant to section 42-5070.

35 3. Revenues collected under this article and article 5 of this
36 chapter from and after June 30, 2000 from sources located on Indian
37 reservations in this state **THAT ARE NOT THE INDIAN RESERVATION OF A**
38 **CONSENTING INDIAN TRIBE.**

39 4. Revenues collected pursuant to section 42-5010, subsection G and
40 section 42-5155, subsection D.

41 5. Revenues collected pursuant to section 42-5010.01 and section
42 42-5155, subsection E.

43 6. Revenues collected pursuant to section 42-5061 from a remote
44 seller.

1 B. The department shall credit payments of estimated tax to an
2 estimated tax clearing account and each month shall transfer all monies in
3 the estimated tax clearing account to a fund designated as the transaction
4 privilege and severance tax clearing account. The department shall credit
5 all other payments to the transaction privilege and severance tax clearing
6 account, separately accounting for the monies designated as distribution
7 base under sections 42-5010, 42-5164 and 42-5205. Each month the
8 department shall report to the state treasurer the amount of monies
9 collected pursuant to this article and articles 4, 5 and 8 of this
10 chapter.

11 C. On notification by the department, the state treasurer shall
12 distribute the monies deposited in the transaction privilege and severance
13 tax clearing account in the manner prescribed by this section and by
14 sections 42-5164 and 42-5205, after deducting warrants drawn against the
15 account pursuant to sections 42-1118 and 42-1254.

16 D. Of the monies designated as distribution base, the department
17 shall:

18 1. Pay twenty-five percent to the various incorporated
19 municipalities in this state in proportion to their population to be used
20 by the municipalities for any municipal purpose, except a municipality
21 shall use monies paid from revenues separately accounted for pursuant to
22 subsection A, paragraph 6 of this section and paid pursuant to this
23 paragraph for public safety before any other municipal purpose.

24 2. Pay 38.08 percent to the counties AND CONSENTING INDIAN TRIBES
25 in this state by averaging the following proportions:

26 (a) The proportion that the population of each county OR CONSENTING
27 INDIAN TRIBE bears to the total state population.

28 (b) The proportion that the distribution base monies collected
29 during the calendar month in each county AND CONSENTING INDIAN TRIBE under
30 this article, section 42-5164, subsection B and section 42-5205,
31 subsection B bear to the total distribution base monies collected under
32 this article, section 42-5164, subsection B and section 42-5205,
33 subsection B throughout the state for the calendar month.

34 3. Pay an additional 2.43 percent to the counties AND CONSENTING
35 INDIAN TRIBES in this state as follows:

36 (a) Average the following proportions:

37 (i) The proportion that the assessed valuation used to determine
38 secondary property taxes of each county OR CONSENTING INDIAN TRIBE, after
39 deducting that part of the assessed valuation that is exempt from taxation
40 at the beginning of the month for which the amount is to be paid, bears to
41 the total assessed valuations used to determine secondary property taxes
42 of all the counties AND CONSENTING INDIAN TRIBES after deducting that
43 portion of the assessed valuations that is exempt from taxation at the
44 beginning of the month for which the amount is to be paid. Property of a
45 city or town that is not within or contiguous to the municipal corporate

1 boundaries and from which water is or may be withdrawn or diverted and
2 transported for use on other property is considered to be taxable property
3 in the county OR CONSENTING INDIAN TRIBE for THE purposes of determining
4 assessed valuation in the county OR CONSENTING INDIAN TRIBE under this
5 item.

6 (ii) The proportion that the distribution base monies collected
7 during the calendar month in each county OR CONSENTING INDIAN TRIBE under
8 this article, section 42-5164, subsection B and section 42-5205,
9 subsection B bear to the total distribution base monies collected under
10 this article, section 42-5164, subsection B and section 42-5205,
11 subsection B throughout this state for the calendar month.

12 (b) If the proportion computed under subdivision (a) of this
13 paragraph for any county OR CONSENTING INDIAN TRIBE is greater than the
14 proportion computed under paragraph 2 of this subsection, the department
15 shall compute the difference between the amount distributed to that county
16 OR CONSENTING INDIAN TRIBE under paragraph 2 of this subsection and the
17 amount that would have been distributed under paragraph 2 of this
18 subsection using the proportion computed under subdivision (a) of this
19 paragraph and shall pay that difference to the county OR CONSENTING INDIAN
20 TRIBE from the amount available for distribution under this paragraph. Any
21 monies remaining after all payments under this subdivision shall be
22 distributed among the counties AND CONSENTING INDIAN TRIBES according to
23 the proportions computed under paragraph 2 of this subsection.

24 4. After any distributions required by sections 42-5030,
25 42-5030.01, 42-5031, 42-5032, 42-5032.01 and 42-5032.02, and after making
26 any transfer to the water quality assurance revolving fund as required by
27 section 49-282, subsection B, credit the remainder of the monies
28 designated as distribution base to the state general fund. From this
29 amount the legislature shall annually appropriate to:

30 (a) The department of revenue, sufficient monies to administer and
31 enforce this article and articles 5 and 8 of this chapter.

32 (b) The department of economic security, monies to be used for the
33 purposes stated in title 46, chapter 1.

34 (c) The firearms safety and ranges fund established by section
35 17-273, \$50,000 derived from the taxes collected from the retail
36 classification pursuant to section 42-5061 for the current fiscal year.

37 E. If approved by the qualified electors voting at a statewide
38 general election, all monies collected pursuant to section 42-5010,
39 subsection G and section 42-5155, subsection D shall be distributed each
40 fiscal year pursuant to this subsection. The monies distributed pursuant
41 to this subsection are in addition to any other appropriation, transfer or
42 other allocation of public or private monies from any other source and
43 shall not supplant, replace or cause a reduction in other school district,
44 charter school, university or community college funding sources. The
45 monies shall be distributed as follows:

1 1. If there are outstanding state school facilities revenue bonds
2 pursuant to title 15, chapter 16, article 7, each month one-twelfth of the
3 amount that is necessary to pay the fiscal year's debt service on
4 outstanding state school improvement revenue bonds for the current fiscal
5 year shall be transferred each month to the school improvement revenue
6 bond debt service fund established by section 15-2084. The total amount
7 of bonds for which these monies may be allocated for the payment of debt
8 service shall not exceed a principal amount of eight hundred million
9 dollars exclusive of refunding bonds and other refinancing obligations.

10 2. After any transfer of monies pursuant to paragraph 1 of this
11 subsection, twelve per cent of the remaining monies collected during the
12 preceding month shall be transferred to the technology and research
13 initiative fund established by section 15-1648 to be distributed among the
14 universities for the purpose of investment in technology and
15 research-based initiatives.

16 3. After the transfer of monies pursuant to paragraph 1 of this
17 subsection, three per cent of the remaining monies collected during the
18 preceding month shall be transferred to the workforce development account
19 established in each community college district pursuant to section 15-1472
20 for the purpose of investment in workforce development programs.

21 4. After transferring monies pursuant to paragraphs 1, 2 and 3 of
22 this subsection, one-twelfth of the amount a community college that is
23 owned, operated or chartered by a qualifying Indian tribe on its own
24 Indian reservation would receive pursuant to section 15-1472, subsection
25 D, paragraph 2 if it were a community college district shall be
26 distributed each month to the treasurer or other designated depository of
27 a qualifying Indian tribe. Monies distributed pursuant to this paragraph
28 are for the exclusive purpose of providing support to one or more
29 community colleges owned, operated or chartered by a qualifying Indian
30 tribe and shall be used in a manner consistent with section 15-1472,
31 subsection B. For the purposes of this paragraph, "qualifying Indian
32 tribe" has the same meaning as defined in section 42-5031.01,
33 subsection D.

34 5. After transferring monies pursuant to paragraphs 1, 2 and 3 of
35 this subsection, one-twelfth of the following amounts shall be transferred
36 each month to the department of education for the increased cost of basic
37 state aid under section 15-971 due to added school days and associated
38 teacher salary increases enacted in 2000:

- 39 (a) In fiscal year 2001-2002, \$15,305,900.
- 40 (b) In fiscal year 2002-2003, \$31,530,100.
- 41 (c) In fiscal year 2003-2004, \$48,727,700.
- 42 (d) In fiscal year 2004-2005, \$66,957,200.
- 43 (e) In fiscal year 2005-2006 and each fiscal year thereafter,
44 \$86,280,500.

1 6. After transferring monies pursuant to paragraphs 1, 2 and 3 of
2 this subsection, seven million eight hundred thousand dollars is
3 appropriated each fiscal year, to be paid in monthly installments, to the
4 department of education to be used for school safety as provided in
5 section 15-154 and two hundred thousand dollars is appropriated each
6 fiscal year, to be paid in monthly installments to the department of
7 education to be used for the character education matching grant program as
8 provided in section 15-154.01.

9 7. After transferring monies pursuant to paragraphs 1, 2 and 3 of
10 this subsection, no more than seven million dollars may be appropriated by
11 the legislature each fiscal year to the department of education to be used
12 for accountability purposes as described in section 15-241 and title 15,
13 chapter 9, article 8.

14 8. After transferring monies pursuant to paragraphs 1, 2 and 3 of
15 this subsection, one million five hundred thousand dollars is appropriated
16 each fiscal year, to be paid in monthly installments, to the failing
17 schools tutoring fund established by section 15-241.

18 9. After transferring monies pursuant to paragraphs 1, 2 and 3 of
19 this subsection, twenty-five million dollars shall be transferred each
20 fiscal year to the state general fund to reimburse the general fund for
21 the cost of the income tax credit allowed by section 43-1072.01.

22 10. After the payment of monies pursuant to paragraphs 1 through 9
23 of this subsection, the remaining monies collected during the preceding
24 month shall be transferred to the classroom site fund established by
25 section 15-977. The monies shall be allocated as follows in the manner
26 prescribed by section 15-977:

27 (a) Forty per cent shall be allocated for teacher compensation
28 based on performance.

29 (b) Twenty per cent shall be allocated for increases in teacher
30 base compensation and employee related expenses.

31 (c) Forty per cent shall be allocated for maintenance and operation
32 purposes.

33 F. The department shall credit the remainder of the monies in the
34 transaction privilege and severance tax clearing account to the state
35 general fund, subject to any distribution required by section 42-5030.01.

36 G. Notwithstanding subsection D of this section, if a court of
37 competent jurisdiction finally determines that tax monies distributed
38 under this section were illegally collected under this article or articles
39 5 and 8 of this chapter and orders the monies to be refunded to the
40 taxpayer, the department shall compute the amount of such monies that was
41 distributed to each city, town and county under this section. Each
42 city's, town's and county's proportionate share of the costs shall be
43 based on the amount of the original tax payment each municipality and
44 county received. Each month the state treasurer shall reduce the amount
45 otherwise distributable to the city, town and county under this section by

1 1/36 of the total amount to be recovered from the city, town or county
 2 until the total amount has been recovered, but the monthly reduction for
 3 any city, town or county shall not exceed ten percent of the full monthly
 4 distribution to that entity. The reduction shall begin for the first
 5 calendar month after the final disposition of the case and shall continue
 6 until the total amount, including interest and costs, has been recovered.

7 H. On receiving a certificate of default from the greater Arizona
 8 development authority pursuant to section 41-2257 or 41-2258 and to the
 9 extent not otherwise expressly prohibited by law, the state treasurer
 10 shall withhold from the next succeeding distribution of monies pursuant to
 11 this section due to the defaulting political subdivision the amount
 12 specified in the certificate of default and immediately deposit the amount
 13 withheld in the greater Arizona development authority revolving fund. The
 14 state treasurer shall continue to withhold and deposit the monies until
 15 the greater Arizona development authority certifies to the state treasurer
 16 that the default has been cured. In no event may the state treasurer
 17 withhold any amount that the defaulting political subdivision certifies to
 18 the state treasurer and the authority as being necessary to make any
 19 required deposits then due for the payment of principal and interest on
 20 bonds of the political subdivision that were issued before the date of the
 21 loan repayment agreement or bonds and that have been secured by a pledge
 22 of distributions made pursuant to this section.

23 I. Except as provided by sections 42-5033 and 42-5033.01, the
 24 population of a county, city or town as determined by the most recent
 25 United States decennial census plus any revisions to the decennial census
 26 certified by the United States bureau of the census shall be used as the
 27 basis for apportioning monies pursuant to subsection D of this section.

28 J. Except as otherwise provided by this subsection, on notice from
 29 the department of revenue pursuant to section 42-6010, subsection B, the
 30 state treasurer shall withhold from the distribution of monies pursuant to
 31 this section to the affected city or town the amount of the penalty for
 32 business location municipal tax incentives provided by the city or town to
 33 a business entity that locates a retail business facility in the city or
 34 town. The state treasurer shall continue to withhold monies pursuant to
 35 this subsection until the entire amount of the penalty has been withheld.
 36 The state treasurer shall credit any monies withheld pursuant to this
 37 subsection to the state general fund as provided by subsection D,
 38 paragraph 4 of this section. The state treasurer shall not withhold any
 39 amount that the city or town certifies to the department of revenue and
 40 the state treasurer as being necessary to make any required deposits or
 41 payments for debt service on bonds or other long-term obligations of the
 42 city or town that were issued or incurred before the location incentives
 43 provided by the city or town.

44 K. On notice from the auditor general pursuant to section 9-626,
 45 subsection D, the state treasurer shall withhold from the distribution of

1 monies pursuant to this section to the affected city the amount computed
2 pursuant to section 9-626, subsection D. The state treasurer shall
3 continue to withhold monies pursuant to this subsection until the entire
4 amount specified in the notice has been withheld. The state treasurer
5 shall credit any monies withheld pursuant to this subsection to the state
6 general fund as provided by subsection D, paragraph 4 of this section.

7 L. Except as otherwise provided by this subsection, on notice from
8 the attorney general pursuant to section 41-194.01, subsection B,
9 paragraph 1 that an ordinance, regulation, order or other official action
10 adopted or taken by the governing body of a county, city or town violates
11 state law or the Constitution of Arizona, the state treasurer shall
12 withhold the distribution of monies pursuant to this section to the
13 affected county, city or town and shall continue to withhold monies
14 pursuant to this subsection until the attorney general certifies to the
15 state treasurer that the violation has been resolved. The state treasurer
16 shall redistribute the monies withheld pursuant to this subsection among
17 all other counties, cities and towns in proportion to their population as
18 provided by subsection D of this section. The state treasurer shall not
19 withhold any amount that the county, city or town certifies to the
20 attorney general and the state treasurer as being necessary to make any
21 required deposits or payments for debt service on bonds or other long-term
22 obligations of the county, city or town that were issued or incurred
23 before committing the violation.

24 M. For the purposes of this section: ~~—~~

25 1. "Community college district" means a community college district
26 that is established pursuant to sections 15-1402 and 15-1403 and that is a
27 political subdivision of this state and, unless otherwise specified,
28 includes a community college tuition financing district established
29 pursuant to section 15-1409.

30 2. "CONSENTING INDIAN TRIBE" HAS THE SAME MEANING PRESCRIBED IN
31 SECTION 42-5045.

32 Sec. 5. Section 42-5031.01, Arizona Revised Statutes, is amended to
33 read:

34 42-5031.01. Distribution of revenues for Indian tribal
35 postsecondary educational institutions;
36 compact; definition

37 A. Subject to THE LIMIT PRESCRIBED IN subsection C of this section,
38 each month the state treasurer shall transmit to the treasurer or other
39 designated depository of each qualifying Indian tribe the amount of
40 transaction privilege tax revenues received pursuant to this article in
41 the preceding month from all sources located on the Indian reservation
42 established for the qualifying Indian tribe as determined pursuant to
43 section 42-5029, subsection A, paragraph 3.

44 B. The monies distributed pursuant to this section are for the
45 exclusive purpose of supporting the maintenance, renewal and capital

1 expenses of one or more community college campuses in this state that are
2 owned, operated or chartered by each qualifying Indian tribe on its own
3 Indian reservation. Before receiving any monies under this section, a
4 qualifying Indian tribe shall enter into an initial compact with this
5 state on or before September 1, 2017, signed by the governor, to account
6 for the use of monies distributed pursuant to this section. The compact
7 shall:

8 1. Be for a term of at least twenty years. After a hearing and
9 review of the compact by the joint legislative budget committee held
10 during the fourth year ~~prior to the expiration of~~ BEFORE the compact's
11 term EXPIRES, ~~a~~ THE compact may be amended and renewed for an additional
12 term of at least twenty years with the consent of this state, signed by
13 the governor, and the qualifying Indian tribe, signed by the chairman,
14 president or governor of the qualifying Indian tribe.

15 2. Require the monies to be used primarily for capital needs,
16 including maintenance and renewal of existing facilities at designated
17 community college campuses on the qualifying Indian tribe's own
18 reservation in this state.

19 3. Provide for audits by the auditor general of the use of the
20 monies. The auditor general shall submit copies of each audit to the
21 joint legislative budget committee.

22 4. If necessary, provide for reimbursement to the department of
23 revenue of costs associated with implementing this section, not to exceed
24 ~~one hundred fifty thousand dollars~~ \$150,000, from revenues that would
25 otherwise be paid to the qualifying Indian tribe pursuant to this section.

26 C. Notwithstanding subsection A of this section, the state
27 treasurer shall not transmit UNDER THIS SECTION in any fiscal year more
28 than the sum of the following amounts:

29 1. With respect to a single community college, ~~one million seven~~
30 ~~hundred fifty thousand dollars~~ \$1,750,000 or more than ten percent of
31 transaction privilege tax revenues received pursuant to this article from
32 all sources located on the reservation, whichever is less.

33 2. With respect to an additional technical college located on the
34 same Indian reservation, ~~eight hundred seventy-five thousand dollars~~
35 \$875,000 or more than five percent of transaction privilege tax revenues
36 received pursuant to this article from all sources located on the
37 reservation, whichever is less.

38 D. A QUALIFYING INDIAN TRIBE THAT HAS ENTERED INTO AN INITIAL
39 COMPACT WITH THIS STATE ON OR BEFORE SEPTEMBER 1, 2017, THAT IS SIGNED BY
40 THE GOVERNOR AND THAT IS A CONSENTING INDIAN TRIBE AS DEFINED IN SECTION
41 42-5045 IS NOT ELIGIBLE TO RECEIVE MONIES DISTRIBUTED PURSUANT TO THIS
42 SECTION. THE QUALIFYING INDIAN TRIBE SHALL USE THE MONIES DISTRIBUTED TO
43 THE CONSENTING INDIAN TRIBE PURSUANT TO SECTION 42-5029, SUBSECTION D TO
44 MEET THE FUNDING REQUIREMENTS OF THE COMPACT.

1 ~~D.~~ E. For the purposes of this section, "qualifying Indian tribe"
2 means an Indian tribe that owns, operates and charters any community
3 college or postsecondary educational institution located on its own
4 reservation in this state.

5 Sec. 6. Section 42-5033, Arizona Revised Statutes, is amended to
6 read:

7 42-5033. Special census

8 A. During the fifth year following the decennial census, a county,
9 **CONSENTING INDIAN TRIBE AS DEFINED IN SECTION 42-5045**, city or town may
10 cause to be taken by the United States bureau of the census a special
11 census of the population of the county, **CONSENTING INDIAN TRIBE**, city or
12 town. The results of the special census may be certified by the
13 director. Beginning July 1 in the sixth year following the decennial
14 census, the special census plus any revisions to the special census
15 certified by the United States bureau of the census shall be used as the
16 basis of apportionment of the taxes under section 42-5029, subsection D
17 until the next federal decennial census, except that a city or town may
18 elect to use either the results of the special census or the most recent
19 population estimates from the United States bureau of the census as
20 provided under section 42-5033.01. A city or town may use the results of
21 the special census for only one year, and beginning on July 1 in the
22 second year after the special census, the city or town shall use the most
23 recent population estimates from the United States bureau of the census as
24 provided under section 42-5033.01 as the basis for the apportionment of
25 monies pursuant to this article.

26 B. Notwithstanding ~~any of the provisions of~~ section 42-5029, any
27 municipality that is initially incorporated subsequent to the decennial
28 census or July 1 of the fifth year thereafter and that has caused a
29 special census of the population within the municipal limits to be taken
30 by the United States census bureau may cause the result of ~~such~~ **THE**
31 special census to be certified to the director. Commencing on July 1
32 following the completion of such a special census, the city or town may
33 use the results of the special census or the most recent population
34 estimates from the United States bureau of the census as the basis of
35 apportionment of the taxes collected under this article in determining the
36 amount payable to that municipality as provided under section
37 28-6532. The city or town may use the results of the special census for
38 only one year, and beginning on July 1 in the second year after the
39 special census, the city or town shall use the most recent population
40 estimates from the United States bureau of the census as provided under
41 section 42-5033.01 as the basis for the apportionment of monies pursuant
42 to this article.

1 Sec. 7. Title 42, chapter 5, article 3.1, Arizona Revised Statutes,
2 is amended by adding section 42-5124, to read:

3 42-5124. Applicability

4 THIS ARTICLE DOES NOT APPLY TO A CONSENTING INDIAN TRIBE AS DEFINED
5 IN SECTION 42-5045.

6 Sec. 8. Effective date

7 Section 42-5029, Arizona Revised Statutes, as amended by Laws 2023,
8 chapter 204, section 6 and this act, is effective from and after December
9 31, 2024.