Senate Engrossed

self-supporting regulatory agencies; funds; 2024-2025.

State of Arizona Senate Fifty-sixth Legislature Second Regular Session 2024

SENATE BILL 1748

AN ACT

AMENDING SECTION 32-109, ARIZONA REVISED STATUTES; AMENDING SECTION 32-109. ARIZONA REVISED STATUTES. AS AMENDED BY THIS ACT: AMENDING SECTION 32-505, ARIZONA REVISED STATUTES; AMENDING SECTION 32-505, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING SECTION 32-705, ARIZONA REVISED STATUTES: AMENDING SECTION 32-705. ARIZONA REVISED STATUTES. AS AMENDED BY THIS ACT; AMENDING SECTION 32-806, ARIZONA REVISED STATUTES; AMENDING SECTION 32-806. ARIZONA REVISED STATUTES. AS AMENDED BY THIS ACT: AMENDING SECTION 32-906, ARIZONA REVISED STATUTES; AMENDING SECTION 32-906, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING SECTION 32-1107, ARIZONA REVISED STATUTES: AMENDING SECTION 32-1107. ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING SECTION 32-1212, ARIZONA REVISED STATUTES: AMENDING SECTION 32-1212. ARIZONA REVISED STATUTES. AS AMENDED BY THIS ACT; AMENDING SECTION 32-1406, ARIZONA REVISED STATUTES; AMENDING SECTION 32-1406, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING SECTION 32-1505, ARIZONA REVISED STATUTES; AMENDING SECTION 32-1505, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING ARIZONA REVISED STATUTES: AMENDING SECTION 32-1611. SECTION 32-1611. ARIZONA REVISED STATUTES. AS AMENDED BY THIS ACT: AMENDING SECTION 32-1686, ARIZONA REVISED STATUTES; AMENDING SECTION 32-1686, ARIZONA REVISED STATUTES. AS AMENDED BY THIS ACT: AMENDING SECTION 32-1705. ARIZONA REVISED STATUTES; AMENDING SECTION 32-1705, ARIZONA REVISED STATUTES. AS AMENDED BY THIS ACT: AMENDING SECTION 32-1805. ARIZONA REVISED STATUTES: AMENDING SECTION 32-1805. ARIZONA REVISED STATUTES. AS AMENDED BY THIS ACT; AMENDING SECTION 32-1907, ARIZONA REVISED STATUTES; AMENDING SECTION 32-1907, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING SECTION 32-2004, ARIZONA REVISED STATUTES; AMENDING SECTION 32-2004, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING SECTION 32-2065, ARIZONA REVISED STATUTES; AMENDING SECTION 32-2065, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING SECTION 32-2205, ARIZONA REVISED STATUTES; AMENDING SECTION 32-2205, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING SECTION 32-2506, ARIZONA REVISED STATUTES; AMENDING SECTION 32-2506, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT: AMENDING SECTION 32-2906. ARIZONA REVISED STATUTES: AMENDING SECTION 32-2906, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING SECTION 32-3004, ARIZONA REVISED STATUTES; AMENDING SECTION 32-3004, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING SECTION 32-3254, ARIZONA REVISED STATUTES; AMENDING SECTION 32-3254, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING SECTION 32-3405, ARIZONA REVISED STATUTES; AMENDING SECTION 32-3405, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING SECTION 32-3505, ARIZONA REVISED STATUTES; AMENDING SECTION 32-3505, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING SECTION 32-3905, ARIZONA REVISED STATUTES; AMENDING SECTION 32-3905, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING SECTION 32-4105, ARIZONA REVISED STATUTES; AMENDING SECTION 32-4105, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING SECTION 32-4205, ARIZONA REVISED STATUTES; AMENDING SECTION 32-4205, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; AMENDING SECTION 36-446.08, ARIZONA REVISED STATUTES; AMENDING SECTION 36-446.08, ARIZONA REVISED STATUTES, AS AMENDED BY THIS ACT; RELATING TO SELF-SUPPORTING **REGULATORY AGENCIES.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona: 2 Section 1. Section 32-109, Arizona Revised Statutes, is amended to 3 read: 4 32-109. Technical registration fund 5 A. Pursuant to sections 35-146 and 35-147, the executive director 6 shall deposit ten FIFTEEN percent of all fees or other revenues received 7 by the board in the state general fund to assist in defraying the cost of 8 maintaining the state government and shall deposit the remaining ninety 9 EIGHTY-FIVE percent in a separate fund, known as the technical registration fund, to be used only in defraying expenses of the board and 10 11 in prosecuting violations of this chapter. 12 B. Monies deposited in the technical registration fund pursuant to 13 subsection A of this section are subject to section 35-143.01. 14 Sec. 2. Section 32-109, Arizona Revised Statutes, as amended by section 1 of this act, is amended to read: 15 16 32-109. Technical registration fund 17 Pursuant to sections 35-146 and 35-147, the executive director Α. 18 shall deposit fifteen TEN percent of all fees or other revenues received by the board in the state general fund to assist in defraying the cost of 19 20 maintaining the state government and shall deposit the remaining 21 eighty-five NINETY percent in the technical registration fund to be used 22 only in defraying expenses of the board and in prosecuting violations of 23 this chapter. 24 B. Monies deposited in the technical registration fund pursuant to 25 subsection A of this section are subject to section 35-143.01. 26 Sec. 3. Section 32-505, Arizona Revised Statutes, is amended to 27 read: 28 32-505. Barbering and cosmetology fund 29 A. The barbering and cosmetology fund is established. Except as provided in subsection C of this section, before the end of each calendar 30 31 month the board shall deposit, pursuant to sections 35-146 and 35-147, ten FIFTEEN percent of all monies from whatever source that come into the 32 possession of the board in the state general fund and deposit the 33 34 remaining **minety EIGHTY-FIVE** percent in the barbering and cosmetology 35 fund. 36 B. Except as provided in section 32-573, subsection G, monies 37 deposited in the barbering and cosmetology fund are subject to section 38 35-143.01. C. Monies from civil penalties received pursuant to section 32-571 39 40 shall be deposited, pursuant to sections 35-146 and 35-147, in the state 41 general fund.

1 Sec. 4. Section 32-505, Arizona Revised Statutes, as amended by 2 section 3 of this act. is amended to read: 3 32-505. Barbering and cosmetology fund A. The barbering and cosmetology fund is established. Except as 4 5 provided in subsection C of this section, before the end of each calendar 6 month the board shall deposit, pursuant to sections 35-146 and 35-147, 7 fifteen TEN percent of all monies from whatever source that come into the 8 possession of the board in the state general fund and deposit the 9 remaining eighty-five NINETY percent in the barbering and cosmetology 10 fund. 11 B. Except as provided in section 32-573, subsection G, monies 12 deposited in the barbering and cosmetology fund are subject to section 13 35-143.01. 14 C. Monies from civil penalties received pursuant to section 32-571 shall be deposited, pursuant to sections 35-146 and 35-147, in the state 15 16 general fund. 17 Sec. 5. Section 32-705, Arizona Revised Statutes, is amended to 18 read: 19 32-705. Board of accountancy fund: disposition of monies 20 A. The board of accountancy fund is established consisting of fees 21 authorized by this chapter. Except as provided by subsection C of this 22 section, the board shall deposit, pursuant to sections 35-146 and 35-147, ninety per cent EIGHTY-FIVE PERCENT of all monies collected under this 23 24 chapter in the board of accountancy fund and the remaining ten per cent 25 FIFTEEN PERCENT in the state general fund. 26 B. Monies deposited in the fund are subject to section 35-143.01. 27 C. Monies collected by the board as administrative penalties pursuant to this chapter shall be deposited, pursuant to sections 35-146 28 29 and 35-147, in the state general fund. 30 D. The legislature shall appropriate monies from the fund for the 31 expenses of administering this chapter, including: 32 1. Costs of conducting investigations, taking testimony and procuring the attendance of witnesses before the board or its committees. 33 34 2. Legal proceedings taken for the enforcement of TO ENFORCE this 35 chapter. 36 Educational programs for the benefit of TO BENEFIT the public, 3. 37 registrants and their employees. Sec. 6. Section 32-705, Arizona Revised Statutes, as amended by 38 section 5 of this act, is amended to read: 39 40 32-705. Board of accountancy fund; disposition of monies 41 A. The board of accountancy fund is established consisting of fees authorized by this chapter. Except as provided by subsection C of this 42 43 section, the board shall deposit, pursuant to sections 35-146 and 35-147, eighty-five NINETY percent of all monies collected under this chapter in 44

1 the board of accountancy fund and the remaining fifteen TEN percent in the 2 state general fund. 3 B. Monies deposited in the fund are subject to section 35-143.01. 4 C. Monies collected by the board as administrative penalties 5 pursuant to this chapter shall be deposited, pursuant to sections 35-146 6 and 35-147, in the state general fund. 7 D. The legislature shall appropriate monies from the fund for the 8 expenses of administering this chapter, including: 9 1. Costs of conducting investigations, taking testimony and procuring the attendance of witnesses before the board or its committees. 10 11 2. Legal proceedings taken to enforce this chapter. 12 3. Educational programs to benefit the public, registrants and 13 their employees. 14 Sec. 7. Section 32-806, Arizona Revised Statutes, is amended to 15 read: 16 32-806. Podiatry fund 17 A. At the end of each calendar month, the board shall deposit, 18 pursuant to sections 35-146 and 35-147, the ten FIFTEEN percent of all monies received by the board in the state general fund and the remaining 19 20 ninety EIGHTY-FIVE percent in the podiatry fund. 21 B. All monies deposited in the podiatry fund are subject to section 22 35-143.01. Sec. 8. Section 32-806, Arizona Revised Statutes, as amended by 23 24 section 7 of this act, is amended to read: 25 32-806. Podiatry fund 26 A. At the end of each calendar month, the board shall deposit, pursuant to sections 35-146 and 35-147, fifteen TEN percent of all monies 27 received by the board in the state general fund and the remaining 28 29 eighty-five NINETY percent in the podiatry fund. 30 B. All monies deposited in the podiatry fund are subject to section 35-143.01. 31 Sec. 9. Section 32-906, Arizona Revised Statutes, is amended to 32 33 read: 34 32-906. Board of chiropractic examiners fund A. All monies, except civil penalties collected pursuant to section 35 36 32-924, that are received by the board shall be deposited monthly. Pursuant to sections 35-146 and 35-147, the board shall deposit ten per 37 38 cent FIFTEEN PERCENT of the monies in the STATE general fund and deposit the remaining ninety per cent EIGHTY-FIVE PERCENT in the board of 39 40 chiropractic examiners fund. All monies that are derived from civil 41 penalties collected pursuant to section 32-924 shall be deposited, pursuant to sections 35-146 and 35-147, in the state general fund. 42 43 B. Monies that are deposited in the board of chiropractic examiners fund are subject to section 35-143.01. 44

1 Sec. 10. Section 32-906, Arizona Revised Statutes, as amended by 2 section 9 of this act, is amended to read:

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32-906. Board of chiropractic examiners fund

4 A. All monies, except civil penalties collected pursuant to section 5 32-924, that are received by the board shall be deposited monthly. 6 Pursuant to sections 35-146 and 35-147, the board shall deposit fifteen 7 TEN percent of the monies in the state general fund and deposit the 8 remaining eighty-five NINETY percent in the board of chiropractic 9 examiners fund. All monies that are derived from civil penalties 10 collected pursuant to section 32-924 shall be deposited, pursuant to 11 sections 35-146 and 35-147, in the state general fund.

B. Monies that are deposited in the board of chiropractic examiners fund are subject to section 35-143.01.

14 Sec. 11. Section 32–1107, Arizona Revised Statutes, is amended to 15 read:

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32-1107. Registrar of contractors fund

17 A. The registrar of contractors fund is established. The registrar 18 of contractors shall administer the fund. The registrar shall deposit, 19 pursuant to sections 35-146 and 35-147, ninety EIGHTY-FIVE percent of all 20 monies collected under this chapter in the registrar of contractors fund 21 and ten FIFTEEN percent of all monies collected under this chapter in the 22 state general fund, except monies collected for the residential contractors' recovery fund and the contractors' cash bond fund and monies 23 24 received from civil penalties.

B. The registrar shall use monies in the registrar of contractors fund for carrying out the powers and duties of the registrar and for the purposes of this chapter. Monies deposited in the registrar of contractors fund are subject to section 35-143.01.

29 Sec. 12. Section 32-1107, Arizona Revised Statutes, as amended by 30 section 11 of this act, is amended to read:

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32-1107. <u>Registrar of contractors fund</u>

32 A. The registrar of contractors fund is established. The registrar of contractors shall administer the fund. The registrar shall deposit, 33 pursuant to sections 35-146 and 35-147, eighty-five NINETY percent of all 34 monies collected under this chapter in the registrar of contractors fund 35 36 and fifteen TEN percent of all monies collected under this chapter in the 37 state general fund, except monies collected for the residential contractors' recovery fund and the contractors' cash bond fund and monies 38 39 received from civil penalties.

40 B. The registrar shall use monies in the registrar of contractors 41 fund for carrying out the powers and duties of the registrar and for the 42 purposes of this chapter. Monies deposited in the registrar of 43 contractors fund are subject to section 35-143.01.

1 Sec. 13. Section 32-1212, Arizona Revised Statutes, is amended to 2 read: 3 32-1212. Dental board fund A. Except as provided in subsection C of this section, pursuant to 4 5 sections 35-146 and 35-147, the executive director of the board shall each 6 month deposit ten per cent FIFTEEN PERCENT of all fees, fines and other 7 revenue received by the board, in the state general fund and deposit the 8 remaining ninety per cent EIGHTY-FIVE PERCENT in the dental board fund. 9 B. Monies deposited in the dental board fund shall be ARE subject to the provisions of section 35-143.01. 10 11 C. Monies from administrative penalties received pursuant to 12 section 32-1263.01 shall be deposited, pursuant to sections 35-146 and 35-147, in the state general fund. 13 14 Sec. 14. Section 32-1212, Arizona Revised Statutes, as amended by 15 section 13 of this act, is amended to read: 16 32-1212. Dental board fund 17 A. Except as provided in subsection C of this section, pursuant to 18 sections 35-146 and 35-147, the executive director of the board shall each month deposit fifteen TEN percent of all fees, fines and other revenue 19 20 received by the board in the state general fund and deposit the remaining 21 eighty-five NINETY percent in the dental board fund. 22 B. Monies deposited in the dental board fund are subject to the 23 provisions of section 35-143.01. 24 C. Monies from administrative penalties received pursuant to 25 section 32-1263.01 shall be deposited, pursuant to sections 35-146 and 26 35-147, in the state general fund. 27 Sec. 15. Section 32-1406, Arizona Revised Statutes, is amended to 28 read: 29 32-1406. Arizona medical board fund A. The Arizona medical board fund is established. Pursuant to 30 31 sections 35-146 and 35-147, the board shall deposit ten per cent FIFTEEN PERCENT of all monies collected under the provisions of this chapter in 32 33 the state general fund and deposit the remaining ninety per cent EIGHTY-FIVE PERCENT in the Arizona medical board fund. 34 35 B. Monies deposited in the fund are subject to section 35-143.01. 36 Sec. 16. Section 32-1406, Arizona Revised Statutes, as amended by 37 section 15 of this act, is amended to read: 38 32-1406. Arizona medical board fund A. The Arizona medical board fund is established. Pursuant to 39 sections 35-146 and 35-147, the board shall deposit fifteen TEN percent of 40 41 all monies collected under the provisions of this chapter in the state 42 general fund and deposit the remaining eighty-five NINETY percent in the 43 Arizona medical board fund. B. Monies deposited in the fund are subject to section 35-143.01. 44

1 Sec. 17. Section 32-1505, Arizona Revised Statutes, is amended to 2 read: 3 32-1505. Naturopathic physicians medical board fund 4 A. The naturopathic physicians medical board fund is established. 5 The board shall administer the fund. Pursuant to sections 35-146 and 6 35-147, the board shall deposit ten per cent FIFTEEN PERCENT of all monies 7 from whatever source that come into the possession of the board in the 8 state general fund and deposit the remaining ninety per cent EIGHTY-FIVE 9 PERCENT in the naturopathic physicians medical board fund. B. Monies deposited in the naturopathic physicians medical board 10 11 fund are subject to section 35-143.01. 12 Sec. 18. Section 32-1505, Arizona Revised Statutes, as amended by 13 section 17 of this act, is amended to read: 14 32-1505. Naturopathic physicians medical board fund A. The naturopathic physicians medical board fund is established. 15 16 The board shall administer the fund. Pursuant to sections 35-146 and 35–147, the board shall deposit fifteen TEN percent of all monies from 17 18 whatever source that come into the possession of the board in the state general fund and deposit the remaining eighty-five NINETY percent in the 19 20 naturopathic physicians medical board fund. 21 B. Monies deposited in the naturopathic physicians medical board 22 fund are subject to section 35-143.01. Sec. 19. Section 32-1611, Arizona Revised Statutes, is amended to 23 24 read: 32-1611. Board of nursing fund 25 26 Α. Before the end of each month, pursuant to sections 35-146 and 35-147, the board shall deposit ten per cent FIFTEEN PERCENT of all monies 27 received by the board from fees pursuant to section 32-1643 in the state 28 29 general fund and deposit the remaining ninety per cent EIGHTY-FIVE PERCENT 30 in the board of nursing fund. 31 B. Monies deposited in the board of nursing fund are subject to 32 section 35-143.01. C. Monies from civil penalties received pursuant to section 32-1606 33 shall be deposited, pursuant to sections 35-146 and 35-147, in the state 34 35 general fund. 36 Sec. 20. Section 32-1611, Arizona Revised Statutes, as amended by 37 section 19 of this act, is amended to read: 38 32-1611. Board of nursing fund 39 Α. Before the end of each month, pursuant to sections 35-146 and 35-147, the board shall deposit fifteen TEN percent of all monies received 40 41 by the board from fees pursuant to section 32-1643 in the state general 42 fund and deposit the remaining eighty-five NINETY percent in the board of 43 nursing fund. B. Monies deposited in the board of nursing fund are subject to 44 45 section 35-143.01.

1 C. Monies from civil penalties received pursuant to section 32-1606 2 shall be deposited, pursuant to sections 35-146 and 35-147, in the state 3 general fund. 4 Sec. 21. Section 32-1686, Arizona Revised Statutes, is amended to 5 read: 6 32-1686. Board of dispensing opticians fund 7 A. Before the end of each month, pursuant to sections 35-146 and 8 35-147, the board shall deposit ten per cent FIFTEEN PERCENT of all monies 9 received by the board in the state general fund and deposit the remaining 10 ninety per cent EIGHTY-FIVE PERCENT in the board of dispensing opticians 11 fund. 12 B. Monies deposited in the board of dispensing opticians fund are 13 subject to section 35-143.01. 14 Sec. 22. Section 32-1686, Arizona Revised Statutes, as amended by 15 section 21 of this act. is amended to read: 16 32-1686. Board of dispensing opticians fund 17 A. Before the end of each month, pursuant to sections 35-146 and 18 35-147, the board shall deposit fifteen TEN percent of all monies received by the board in the state general fund and deposit the remaining 19 20 eighty-five NINETY percent in the board of dispensing opticians fund. 21 B. Monies deposited in the board of dispensing opticians fund are 22 subject to section 35-143.01. 23 Sec. 23. Section 32-1705, Arizona Revised Statutes, is amended to 24 read: 25 32-1705. Board of optometry fund 26 A. \bigstar THE board of optometry fund is established. 27 B. Pursuant to sections 35-146 and 35-147, the board shall deposit ten per cent FIFTEEN PERCENT of all monies from whatever source which come 28 29 into the possession of the board in the state general fund and deposit the 30 remaining ninety per cent EIGHTY-FIVE PERCENT in the board of optometry fund. 31 32 C. Monies deposited in the board of optometry fund are subject to 33 section 35-143.01. 34 Sec. 24. Section 32-1705, Arizona Revised Statutes, as amended by 35 section 23 of this act, is amended to read: 36 32-1705. Board of optometry fund 37 A. The board of optometry fund is established. Pursuant to sections 35-146 and 35-147, the board shall deposit 38 Β. fifteen TEN percent of all monies from whatever source which come into the 39 40 possession of the board in the state general fund and deposit the 41 remaining eighty-five NINETY percent in the board of optometry fund. C. Monies deposited in the board of optometry fund are subject to 42 43 section 35-143.01.

1 Sec. 25. Section 32-1805, Arizona Revised Statutes, is amended to 2 read: 3 32-1805. Board fund; disbursements 4 A. Before the end of the calendar month, pursuant to sections 5 35-146 and 35-147, the board shall deposit ten per cent FIFTEEN PERCENT of 6 all monies received by the board from fees and other monies provided for 7 in section 32-1826 in the state general fund and deposit the remaining 8 ninety per cent EIGHTY-FIVE PERCENT in the board fund. All monies derived 9 from civil penalties collected pursuant to section 32-1855 shall be 10 deposited, pursuant to sections 35-146 and 35-147, in the state general 11 fund. 12 B. Monies deposited in the board fund shall be subject to section 13 35-143.01. 14 Sec. 26. Section 32-1805, Arizona Revised Statutes, as amended by section 25 of this act, is amended to read: 15 16 32-1805. Board fund; disbursements 17 A. Before the end of the calendar month, pursuant to sections 18 35-146 and 35-147, the board shall deposit fifteen TEN percent of all monies received by the board from fees and other monies provided for in 19 20 section 32-1826 in the state general fund and deposit the remaining 21 eighty-five NINETY percent in the board fund. All monies derived from 22 civil penalties collected pursuant to section 32-1855 shall be deposited, pursuant to sections 35-146 and 35-147, in the state general fund. 23 24 B. Monies deposited in the board fund shall be subject to section 25 35-143.01. 26 Sec. 27. Section 32-1907, Arizona Revised Statutes, is amended to 27 read: 28 32-1907. Arizona state board of pharmacy fund 29 A. Except as provided in section 32-1939, the executive director shall receive and receipt for all fees and other monies provided for in 30 31 this chapter and shall deposit, pursuant to sections 35-146 and 35-147, ten FIFTEEN percent of such monies in the state general fund and ninety 32 EIGHTY-FIVE percent in the Arizona state board of pharmacy fund. All 33 monies derived from civil penalties collected pursuant to this chapter 34 shall be deposited, pursuant to sections 35-146 and 35-147, in the state 35 36 general fund. 37 B. Except as provided in subsection C of this section, monies 38 deposited in the Arizona state board of pharmacy fund shall be ARE subject 39 to section 35-143.01. 40 C. From monies deposited in the Arizona state board of pharmacy 41 fund pursuant to subsection A of this section, the executive director may 42 transfer up to five hundred thousand dollars \$500,000 annually to the 43 controlled substances prescription monitoring program fund established by 44 section 36-2605 for expenses related to the controlled substances 45 prescription monitoring program as required by title 36, chapter 28.

D. From monies deposited in the Arizona state board of pharmacy fund pursuant to subsection A of this section, the executive director may transfer up to one million dollars \$1,000,000 annually to the Arizona poison and drug information center for the purposes specified in section 5 36-1161 to supplement, and not supplant, any state general fund 6 appropriation for those purposes.

7 Sec. 28. Section 32-1907, Arizona Revised Statutes, as amended by 8 section 27 of this act, is amended to read:

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32-1907. Arizona state board of pharmacy fund

A. Except as provided in section 32-1939, the executive director 10 11 shall receive and receipt for all fees and other monies provided for in 12 this chapter and shall deposit, pursuant to sections 35-146 and 35-147, 13 fifteen TEN percent of such monies in the state general fund and eighty-five NINETY percent in the Arizona state board of pharmacy 14 fund. All monies derived from civil penalties collected pursuant to this 15 16 chapter shall be deposited, pursuant to sections 35-146 and 35-147, in the 17 state general fund.

18 B. Except as provided in subsection C of this section, monies 19 deposited in the Arizona state board of pharmacy fund are subject to 20 section 35-143.01.

C. From monies deposited in the Arizona state board of pharmacy fund pursuant to subsection A of this section, the executive director may transfer up to \$500,000 annually to the controlled substances prescription monitoring program fund established by section 36-2605 for expenses related to the controlled substances prescription monitoring program as required by title 36, chapter 28.

D. From monies deposited in the Arizona state board of pharmacy fund pursuant to subsection A of this section, the executive director may transfer up to \$1,000,000 annually to the Arizona poison and drug information center for the purposes specified in section 36-1161 to supplement, and not supplant, any state general fund appropriation for those purposes.

33 Sec. 29. Section 32-2004, Arizona Revised Statutes, is amended to 34 read:

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32-2004. Board of physical therapy fund

A. The board of physical therapy fund is established. The board shall administer the fund.

B. Except as provided in section 32-2048, pursuant to sections 35-146 and 35-147, the board shall deposit ten per cent FIFTEEN PERCENT of 40 all monies collected under this chapter in the state general fund and 41 deposit the remaining ninety per cent EIGHTY-FIVE PERCENT in the board of 42 physical therapy fund.

43 C. Monies deposited in the physical therapy fund are subject to 44 section 35-143.01.

1 Sec. 30. Section 32-2004, Arizona Revised Statutes, as amended by 2 section 29 of this act, is amended to read: 3 32-2004. Board of physical therapy fund A. The board of physical therapy fund is established. The board 4 5 shall administer the fund. 6 B. Except as provided in section 32-2048, pursuant to sections 7 35-146 and 35-147, the board shall deposit fifteen TEN percent of all 8 monies collected under this chapter in the state general fund and deposit 9 the remaining eighty-five NINETY percent in the board of physical therapy 10 fund. 11 C. Monies deposited in the physical therapy fund are subject to 12 section 35-143.01. 13 Sec. 31. Section 32-2065, Arizona Revised Statutes, is amended to 14 read: 15 32-2065. Board of psychologist examiners fund; separate 16 behavior analyst account 17 The board of psychologist examiners fund is established. Α. 18 Β. Except as provided in section 32-2081 and section 32-2091.09, subsection I, pursuant to sections 35-146 and 35-147, the board shall 19 20 deposit ten FIFTEEN percent of all monies collected pursuant to this 21 chapter in the state general fund and deposit the remaining ninety 22 EIGHTY-FIVE percent in the board of psychologist examiners fund. C. All monies deposited in the board of psychologist examiners fund 23 24 are subject to section 35-143.01. 25 D. All monies deposited in the board of psychologist examiners fund 26 pursuant to section 32-2067 and any monies received pursuant to section 27 32-2063, subsection C for psychologist licensing and regulation must be used only for the licensing and regulation of REGULATING psychologists 28 29 pursuant to this article and articles 2 and 3 of this chapter and may not be used for the licensing and regulation of REGULATING behavior analysts 30 31 pursuant to article 4 of this chapter. E. All monies deposited in the board of psychologist examiners fund 32 33 pursuant to article 4 of this chapter and any monies received pursuant to 32-2063, subsection C for behavior analyst licensing 34 section and 35 regulation must be used only for the licensing and regulation of 36 **REGULATING** behavior analysts pursuant to article 4 of this chapter and may 37 not be used for the licensing and regulation of REGULATING psychologists pursuant to this article and articles 2 and 3 of this chapter. 38 39 F. The board shall establish a separate account in the fund for 40 monies transferred to the fund pursuant to article 4 of this chapter, and 41 any monies received pursuant to section 32-2063, subsection C for behavior 42 analyst licensing and regulation.

1 Sec. 32. Section 32-2065, Arizona Revised Statutes, as amended by 2 section 31 of this act, is amended to read:

behavior analyst account

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- 4 5

A. The board of psychologist examiners fund is established.

32-2065. Board of psychologist examiners fund; separate

B. Except as provided in section 32-2081 and section 32-2091.09,
subsection I, pursuant to sections 35-146 and 35-147, the board shall
deposit fifteen TEN percent of all monies collected pursuant to this
chapter in the state general fund and deposit the remaining eighty-five
NINETY percent in the board of psychologist examiners fund.

11 C. All monies deposited in the board of psychologist examiners fund 12 are subject to section 35-143.01.

D. All monies deposited in the board of psychologist examiners fund pursuant to section 32-2067 and any monies received pursuant to section 32-2063, subsection C for psychologist licensing and regulation must be used only for licensing and regulating psychologists pursuant to this article and articles 2 and 3 of this chapter and may not be used for licensing and regulating behavior analysts pursuant to article 4 of this chapter.

20 E. All monies deposited in the board of psychologist examiners fund 21 pursuant to article 4 of this chapter and any monies received pursuant to 22 section 32-2063, subsection C for behavior analyst licensing and regulation must be used only for licensing and regulating behavior 23 24 analysts pursuant to article 4 of this chapter and may not be used for 25 licensing and regulating psychologists pursuant to this article and 26 articles 2 and 3 of this chapter.

F. The board shall establish a separate account in the fund for monies transferred to the fund pursuant to article 4 of this chapter, and any monies received pursuant to section 32-2063, subsection C for behavior analyst licensing and regulation.

31 Sec. 33. Section 32-2205, Arizona Revised Statutes, is amended to 32 read:

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32-2205. <u>Veterinary medical examining board fund</u>

A. The veterinary medical examining board fund is established. Pursuant to sections 35-146 and 35-147, the board shall deposit ten per cent FIFTEEN PERCENT of all fees and other revenue accruing to the board in the state general fund and deposit the remaining minety per cent EIGHTY-FIVE PERCENT in the veterinary medical examining board fund.

B. All monies deposited in the veterinary medical examining boardfund are subject to section 35-143.01.

41 Sec. 34. Section 32-2205, Arizona Revised Statutes, as amended by 42 section 33 of this act, is amended to read:

43 32-2205. <u>Veterinary medical examining board fund</u>

A. The veterinary medical examining board fund is established. Pursuant to sections 35–146 and 35–147, the board shall deposit fifteen

1 TEN percent of all fees and other revenue accruing to the board in the 2 state general fund and deposit the remaining eighty-five NINETY percent in 3 the veterinary medical examining board fund. 4 B. All monies deposited in the veterinary medical examining board 5 fund are subject to section 35-143.01. 6 Sec. 35. Section 32-2506, Arizona Revised Statutes, is amended to 7 read: 8 32-2506. Arizona medical board fund 9 A. Pursuant to sections 35-146 and 35-147, the board shall deposit ten per cent FIFTEEN PERCENT of all monies collected pursuant to this 10

10 ten per cent FIFTEEN PERCENT of all monies collected pursuant to this 11 chapter in the state general fund and deposit the remaining ninety per 12 cent EIGHTY-FIVE PERCENT in the Arizona medical board fund.

B. Monies deposited in the fund pursuant to this section are subject to section 35-143.01.

15 Sec. 36. Section 32-2506, Arizona Revised Statutes, as amended by 16 section 35 of this act, is amended to read:

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32-2506. <u>Arizona medical board fund</u>

18 A. Pursuant to sections 35-146 and 35-147, the board shall deposit 19 fifteen TEN percent of all monies collected pursuant to this chapter in 20 the state general fund and deposit the remaining eighty-five NINETY 21 percent in the Arizona medical board fund.

B. Monies deposited in the fund pursuant to this section are subject to section 35-143.01.

24 Sec. 37. Section 32-2906, Arizona Revised Statutes, is amended to 25 read:

> 32-2906. <u>Board of homeopathic and integrated medicine</u> <u>examiners' fund</u>

A. A board of homeopathic and integrated medicine examiners' fund is established. Pursuant to sections 35-146 and 35-147, the board shall deposit ten per cent FIFTEEN PERCENT of all monies collected under this chapter in the state general fund and deposit the remaining ninety per cent EIGHTY-FIVE PERCENT in the board of homeopathic medical AND INTEGRATED MEDICINE examiners' fund.

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B. Monies deposited in the fund are subject to section 35-143.01.

35 Sec. 38. Section 32-2906, Arizona Revised Statutes, as amended by 36 section 37 of this act, is amended to read:

37 38 32-2906. <u>Board of homeopathic and integrated medicine</u> <u>examiners' fund</u>

A. A board of homeopathic and integrated medicine examiners' fund is established. Pursuant to sections 35-146 and 35-147, the board shall deposit fifteen TEN percent of all monies collected under this chapter in the state general fund and deposit the remaining eighty-five NINETY percent in the board of homeopathic and integrated medicine examiners' fund.

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1	Sec. 39. Section 32-3004, Arizona Revised Statutes, is amended to
2	read:
3	32-3004. <u>Board for private postsecondary education fund</u>
4	A. Pursuant to sections 35-146 and 35-147, the board shall deposit
5	ten per cent FIFTEEN PERCENT of all fees or other revenues received by the
6	board in the state general fund and deposit the remaining ninety per cent
7	EIGHTY-FIVE PERCENT in the board for private postsecondary education fund.
8	B. Monies deposited in the board for private postsecondary
9	education fund are subject to section 35–143.01.
10	Sec. 40. Section 32-3004, Arizona Revised Statutes, as amended by
11	section 39 of this act, is amended to read:
12	32-3004. Board for private postsecondary education fund
13	A. Pursuant to sections 35-146 and 35-147, the board shall deposit
14	fifteen TEN percent of all fees or other revenues received by the board in
15	the state general fund and deposit the remaining eighty-five NINETY
16	percent in the board for private postsecondary education fund.
17	B. Monies deposited in the board for private postsecondary
18	education fund are subject to section 35-143.01.
19	Sec. 41. Section 32-3254, Arizona Revised Statutes, is amended to read:
20 21	
21	32–3254. <u>Board of behavioral health examiners fund</u> A. A. THE board of behavioral health examiners fund is
23	established. Pursuant to sections 35-146 and 35-147, the board shall
23 24	deposit ten per cent FIFTEEN PERCENT of all monies received by the board
25	in the state general fund and deposit the remaining ninety per cent
26	EIGHTY-FIVE PERCENT in the board of behavioral health examiners fund.
27	B. All monies deposited in the board of behavioral health examiners
28	fund are subject to section 35-143.01.
29	Sec. 42. Section 32-3254, Arizona Revised Statutes, as amended by
30	section 41 of this act, is amended to read:
31	32-3254. Board of behavioral health examiners fund
32	A. The board of behavioral health examiners fund is
33	established. Pursuant to sections 35-146 and 35-147, the board shall
34	deposit fifteen TEN percent of all monies received by the board in the
35	state general fund and deposit the remaining eighty-five NINETY percent in
36	the board of behavioral health examiners fund.
37	B. All monies deposited in the board of behavioral health examiners
38	fund are subject to section 35–143.01.
39	Sec. 43. Section 32-3405, Arizona Revised Statutes, is amended to
40	read:
41	32-3405. <u>Occupational therapy fund: deposit of receipts by</u>
42	board
43	A. The occupational therapy fund is established. Pursuant to
44	sections 35–146 and 35–147, civil penalties imposed under section
45	32–3442, subsection K shall be deposited in the state general fund. The
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board shall deposit ten per cent FIFTEEN PERCENT of all other monies collected under this chapter in the state general fund and deposit the remaining ninety per cent EIGHTY-FIVE PERCENT in the occupational therapy fund. Monies in the occupational therapy fund may be used by the board for payment of all necessary board expenses, including compensation and expenses of board members and board staff on claims approved by the board.

8 B. Monies deposited in the occupational therapy fund are subject 9 to section 35-143.01.

10 Sec. 44. Section 32-3405, Arizona Revised Statutes, as amended by 11 section 43 of this act, is amended to read:

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13

32-3405. <u>Occupational therapy fund; deposit of receipts by</u> <u>board</u>

14 The occupational therapy fund is established. Pursuant to Α. sections 35-146 and 35-147, civil penalties imposed under section 15 16 32-3442, subsection K shall be deposited in the state general fund. The 17 board shall deposit fifteen TEN percent of all other monies collected 18 under this chapter in the state general fund and deposit the remaining eighty-five NINETY percent in the occupational therapy fund. Monies in 19 20 the occupational therapy fund may be used by the board for payment of all 21 necessary board expenses, including compensation and expenses of board 22 members and board staff on claims approved by the board.

B. Monies deposited in the occupational therapy fund are subjectto section 35-143.01.

25 Sec. 45. Section 32-3505, Arizona Revised Statutes, is amended to 26 read:

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32-3505. Board of respiratory care examiners fund

A. The board of respiratory care examiners fund is established. 28 29 Pursuant to sections 35-146 and 35-147, the board shall deposit ten per cent FIFTEEN PERCENT of all monies from whatever source that come into the 30 31 possession of the board in the state general fund and deposit the remaining ninety per cent EIGHTY-FIVE PERCENT in the board of respiratory 32 care examiners fund. Monies in the board of respiratory care examiners 33 34 fund may be used by the board for payments of all necessary board 35 expenses.

B. Monies deposited in the board of respiratory care examiners fund are subject to section 35-143.01.

38 Sec. 46. Section 32-3505, Arizona Revised Statutes, as amended by 39 section 45 of this act, is amended to read:

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32-3505. Board of respiratory care examiners fund

A. The board of respiratory care examiners fund is established. Pursuant to sections 35-146 and 35-147, the board shall deposit fifteen TEN percent of all monies from whatever source that come into the possession of the board in the state general fund and deposit the remaining eighty-five NINETY percent in the board of respiratory care examiners fund. Monies in the board of respiratory care examiners fund
 may be used by the board for payments of all necessary board expenses.
 B. Monies deposited in the board of respiratory care examiners fund

B. Monies deposited in the board of respiratory care examiners fundare subject to section 35-143.01.

5 Sec. 47. Section 32-3905, Arizona Revised Statutes, is amended to 6 read:

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32-3905. <u>Acupuncture board of examiners fund</u>

8 A. The acupuncture board of examiners fund is established 9 consisting of fees collected pursuant to section 32-3927. The board shall 10 administer the fund. Pursuant to sections 35-146 and 35-147, the board 11 shall deposit ten per cent FIFTEEN PERCENT of all monies collected under 12 this chapter in the state general fund and deposit the remaining ninety 13 per cent EIGHTY-FIVE PERCENT in the acupuncture board of examiners fund.

B. Monies deposited in the acupuncture board of examiners fund are subject to section 35-143.01.

16 Sec. 48. Section 32-3905, Arizona Revised Statutes, as amended by 17 section 47 of this act, is amended to read:

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32-3905. Acupuncture board of examiners fund

A. The acupuncture board of examiners fund is established consisting of fees collected pursuant to section 32-3927. The board shall administer the fund. Pursuant to sections 35-146 and 35-147, the board shall deposit fifteen TEN percent of all monies collected under this chapter in the state general fund and deposit the remaining eighty-five NINETY percent in the acupuncture board of examiners fund.

B. Monies deposited in the acupuncture board of examiners fund are
 subject to section 35-143.01.

27 Sec. 49. Section 32-4105, Arizona Revised Statutes, is amended to 28 read:

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32-4105. Athletic training fund

A. The athletic training fund is established. The board shall administer the fund. Pursuant to sections 35-146 and 35-147, the board shall deposit ten per cent FIFTEEN PERCENT of all monies from whatever source that come into the possession of the board in the state general fund and deposit the remaining ninety per cent EIGHTY-FIVE PERCENT in the athletic training fund.

B. Monies deposited in the athletic training fund are subject to section 35-143.01.

38 Sec. 50. Section 32-4105, Arizona Revised Statutes, as amended by 39 section 49 of this act, is amended to read:

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32-4105. Athletic training fund

A. The athletic training fund is established. The board shall administer the fund. Pursuant to sections 35-146 and 35-147, the board shall deposit fifteen TEN percent of all monies from whatever source that come into the possession of the board in the state general fund and

1 deposit the remaining eighty-five NINETY percent in the athletic training 2 fund. 3 B. Monies deposited in the athletic training fund are subject to 4 section 35-143.01. 5 Sec. 51. Section 32-4205, Arizona Revised Statutes, is amended to 6 read: 7 32-4205. Board of massage therapy fund 8 A. The board of massage therapy fund is established. The board 9 shall administer the fund. The board shall deposit, pursuant to sections 35-146 and 35-147, ten per cent FIFTEEN PERCENT of all monies collected 10 11 pursuant to this chapter in the state general fund and deposit the 12 remaining ninety per cent EIGHTY-FIVE PERCENT of the monies in the board 13 of massage therapy fund. 14 B. Monies deposited in the board of massage therapy fund are 15 subject to section 35-143.01. Sec. 52. Section 32-4205, Arizona Revised Statutes, as amended by 16 17 section 51 of this act. is amended to read: 18 32-4205. Board of massage therapy fund 19 A. The board of massage therapy fund is established. The board 20 shall administer the fund. The board shall deposit, pursuant to sections 21 35-146 and 35-147, fifteen TEN percent of all monies collected pursuant to 22 this chapter in the state general fund and deposit the remaining eighty-five NINETY percent of the monies in the board of massage therapy 23 24 fund. 25 B. Monies deposited in the board of massage therapy fund are 26 subject to section 35-143.01. 27 Sec. 53. Section 36-446.08, Arizona Revised Statutes, is amended to 28 read: 29 36-446.08. Nursing care institution administrators' licensing 30 and assisted living facility managers' 31 certification fund; investment of fund monies 32 A. The nursing care institution administrators' licensing and 33 assisted living facility managers' certification fund is established. B. Pursuant to sections 35-146 and 35-147, the board shall deposit 34 ten per cent FIFTEEN PERCENT of all monies collected pursuant to this 35 36 article in the state general fund and deposit the remaining ninety per cent EIGHTY-FIVE PERCENT in the nursing care institution administrators' 37 38 licensing and assisted living facility managers' certification fund. All 39 monies derived from civil penalties collected pursuant to section 40 36-446.07, subsection C shall be deposited, pursuant to sections 35-146 41 and 35-147, in the state general fund. C. Monies deposited in the nursing care institution administrators' 42 43 licensing and assisted living facility managers' certification fund are 44 subject to the provisions of section 35-143.01.

1 D. On notice from the board, the state treasurer shall invest and 2 divest monies in the fund as provided by section 35-313, and monies earned 3 from investment shall be credited to the fund. Sec. 54. Section 36-446.08, Arizona Revised Statutes, as amended by 4 5 section 53 of this act, is amended to read: 6 36-446.08. Nursing care institution administrators' licensing 7 and assisted living facility managers' 8 certification fund; investment of fund monies 9 A. The nursing care institution administrators' licensing and assisted living facility managers' certification fund is established. 10 11 B. Pursuant to sections 35-146 and 35-147, the board shall deposit 12 fifteen TEN percent of all monies collected pursuant to this article in 13 the state general fund and deposit the remaining eighty-five NINETY percent in the nursing care institution administrators' licensing and 14 assisted living facility managers' certification fund. All monies derived 15 16 from civil penalties collected pursuant to section 36-446.07, subsection C 17 shall be deposited, pursuant to sections 35-146 and 35-147, in the state 18 general fund. 19 C. Monies deposited in the nursing care institution administrators' 20 licensing and assisted living facility managers' certification fund are 21 subject to the provisions of section 35-143.01. 22 D. On notice from the board, the state treasurer shall invest and 23 divest monies in the fund as provided by section 35-313, and monies earned 24 from investment shall be credited to the fund. 25 Sec. 55. Fee increase; prohibition; exception; fiscal years 26 2024-2025 and 2025-2026 27 A. Notwithstanding any other law and except as provided in subsection B of this section, the following boards and departments may not 28 29 adopt any license fee increases in fiscal year 2024-2025 or 2025-2026: 30 1. The state board of technical registration. 31 2. The barbering and cosmetology board. 32 3. The Arizona state board of accountancy. 33 4. The state board of podiatry examiners. 34 5. The state board of chiropractic examiners. 35 6. The registrar of contractors. 36 7. The state board of dental examiners. 37 8. The Arizona medical board. The naturopathic physicians medical board. 38 9. 39 10. The Arizona state board of nursing. 11. The state board of dispensing opticians. 40 41 12. The state board of optometry. 13. The Arizona board of osteopathic examiners in medicine and 42 43 surgery. 14. The Arizona state board of pharmacy. 44 45 15. The board of physical therapy.

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3 The Arizona regulatory board of physician assistants. 18. 4 19. The board of homeopathic and integrated medicine examiners. 5 20. The state board for private postsecondary education. 6 21. The board of behavioral health examiners. 7 22. The board of occupational therapy examiners. 8 23. The board of respiratory care examiners. 9 24. The acupuncture board of examiners. 25. The board of athletic training. 10 11 26. The board of massage therapy. 12 27. The board of examiners of nursing care institution 13 administrators and assisted living facility managers. 14 B. A board or department prescribed in subsection A of this 15 section may submit a written request to the governor's regulatory review 16 council to adopt a license fee increase on an emergency basis in fiscal 17 year 2024-2025 or 2025-2026. If the governor's regulatory review council 18 written determination that the board or department makes а has 19 demonstrated to the council that the board or department will not have 20 sufficient monies available to continue daily operations if the proposed 21 emergency license fee increase is not adopted, the council may approve the 22 emergency license fee increase request and the board or department may 23 adopt the license fee increase. 24 C. This section does not grant an express exemption from the 25 provisions of title 41, chapter 6, Arizona Revised Statutes, for 26 establishing or increasing a fee. A board or department that adopts a 27 license fee increase pursuant to this section shall comply with all 28 applicable rulemaking provisions to increase the license fee. 29 Sec. 56. Effective date 30 The following sections are effective from and after June 30, 2028: 31 1. Section 32-109, Arizona Revised Statutes, as amended by section 32 2 of this act. 33 2. Section 32-505, Arizona Revised Statutes, as amended by section 34 4 of this act. 3. Section 32-705, Arizona Revised Statutes, as amended by section 35 36 6 of this act. 4. Section 32-806, Arizona Revised Statutes, as amended by section 37 38 8 of this act. 5. Section 32-906, Arizona Revised Statutes, as amended by section 39 40 10 of this act. 41 6. Section 32-1107, Arizona Revised Statutes, as amended by section 42 12 of this act. 43 7. Section 32-1212, Arizona Revised Statutes, as amended by section 14 of this act. 44

The state board of psychologist examiners.

The Arizona state veterinary medical examining board.

8. Section 32-1406, Arizona Revised Statutes, as amended by section 1 2 16 of this act. 9. Section 32-1505, Arizona Revised Statutes, as amended by section 3 4 18 of this act. 5 10. Section 32-1611, Arizona Revised Statutes, as amended by 6 section 20 of this act. 7 11. Section 32-1686, Arizona Revised Statutes, as amended by 8 section 22 of this act. 9 12. Section 32-1705, Arizona Revised Statutes, amended by as section 24 of this act. 10 11 13. Section 32-1805, Arizona Revised Statutes, amended by as section 26 of this act. 12 14. Section 32-1907, 13 Arizona Revised Statutes, amended by as section 28 of this act. 14 15 15. Section 32-2004, Arizona Revised Statutes, amended by as 16 section 30 of this act. 17 16. Section 32-2065. Arizona Revised Statutes, amended by as 18 section 32 of this act. 19 17. Section 32-2205, Arizona Revised Statutes, amended by as 20 section 34 of this act. 21 18. Section 32-2506, Arizona Revised Statutes, amended by as 22 section 36 of this act. 23 19. Section 32-2906, Revised Statutes, amended by Arizona as 24 section 38 of this act. 25 20. Section 32-3004, Arizona Revised Statutes, amended by as 26 section 40 of this act. 27 21. Section 32-3254, Arizona Revised Statutes, amended by as 28 section 42 of this act. 29 22. Section 32-3405, Arizona Revised Statutes, amended by as 30 section 44 of this act. 31 23. Section 32-3505, Arizona Revised Statutes, amended as by 32 section 46 of this act. 33 24. Section 32-3905, Arizona Revised Statutes, as amended by 34 section 48 of this act. 35 25. Section 32-4105, Arizona Revised Statutes, as amended by 36 section 50 of this act. 37 26. Section 32-4205, Arizona Revised Statutes, as amended by 38 section 52 of this act. 27. Section 36-446.08, Arizona Revised Statutes, as amended by 39 40 section 54 of this act.