State of Arizona Bills Introduced during the 54th Legislature, First Regular Session 2019


In this Issue, Dated January 14, 2019 through May 28, 2019, the Following Arizona Congressional Legislative Actions Were Taken—

I. Bills Considered by the State of Arizona 54th Legislature


vi. March 7, 2019 – HCR 2001, “A Concurrent Resolution: Expressing Support for the Continuation of the Navajo Generating Station”. Senate read second time. Introduced in the Senate, read first time, and assigned to the Senate Rules Committee and Senate Natural Resources and Energy on March 6, 2019. Passed


ix. **April 25, 2019** – HB 2045, “gaming; reimbursement; wagers; machines”. Introduced in House by Rep. John Fillmore (R-16) and read a first time.


### Bills Considered by the State of Arizona 54th Legislature

i. **January 24, 2019** – SB 1158, “sports betting; tribes; liquor establishments”. Received a Senate Second Read. Introduced by Sen. Sonny Borrelli (R-5) on January 23, 2019. [Link to Bill](#).

- Bill amends **ARS Title 5** by adding a chapter 10, article 1, section 5-1201, “Sports betting; authority to contract with licensed liquor establishments; requirements”. Grants authority to Tribes in the state to operate sports betting through kiosks or similar machines located at one or more premises that have a bar license, a beer and wine bar license, or a private club license. An Indian Tribe may operate sports betting through a Tribal gaming operator that is wholly owned by the Indian Tribe, provided that such Tribal gaming operator be subject to licensure and the owner, partner, shareholders, or beneficiaries of the gaming operator do not include Tribal government officials or members. The Arizona Department of Gaming may adopt rules to carry out regulation of sports betting by Indian Tribes.


- Bill amends **ARS 42-5029**, Section F, which applies to distribution of transaction privilege tax revenues collected on Indian reservations in the State of Arizona. The bill requires the Department of Revenue, on a monthly basis, to transfer to the State Treasurer, or other designated depository of each Indian Tribe, fifty percent of the transaction privilege tax revenues received from all sources located on an Indian reservation. Such funds received by the Indian Tribe will be used by the Tribe for telecommunications infrastructure and community development projects, such as building of multipurpose buildings and roads located on Indian reservations within the state. An Indian Tribe may also use these revenues for bonding or as collateral for loans for the purposes of building telecommunications infrastructure and community development projects. Bill would also remove an imposed tax on the gross proceeds on the sale of a motor vehicle to an enrolled member of an Indian Tribe who resides on the Indian reservation established for that tribe, or for the Tribe of any
of the purchasers if the sale is to multiple purchasers who are enrolled members of an Indian Tribe.


- Bill would amend [ARS Title 42, Chapter 5, Article 1](https://www.azleg.gov), by adding Section 42-5031.02, which directs the State Treasurer to transmit, on a monthly basis, to the Treasurer, or other designated depository, of each qualifying Indian Tribe certain amounts received from transaction privilege taxes received from all sources located on an Indian reservation. Five percent of transaction privilege taxes received from all sources on an Indian reservation in fiscal year 2019 through 2020, ten percent received in fiscal year 2020 through 2021, and fifteen percent in each fiscal year after fiscal year 2021 through 2022 shall be transmitted to each Indian Tribe relevant to each reservation a transaction privilege tax is collected. Monies received by Indian Tribes shall be used for supporting economic and infrastructure development, and public safety operations. Before receiving monies, a Tribe must enter into a compact with the state and signed by the Governor. The compact will require that monies received will be used for economic and infrastructure development, to support public safety functions, and may be supplemented by additional monies provided by the Indian Tribe, the state, local governments, and private entities. The compact will also require audits to be conducted by the Auditor General and submitted to the Joint Legislative Committee, the annual submission of development plans and public safety use to the Department of Administration, and that an Indian Tribe may retain unspent monies to support future economic and infrastructure development and public safety functions.


- Bill would amend ARS Title 41 and add a Chapter 16, “International Transportation and Trade Corridor Authority”. The International Transportation and Trade Corridor Authority (Authority) constructs, finances, and maintains the use of transportation and trade facilities. The Authority may also own or lease lands on which a transportation and trade facility is located and may lease such facilities for the operation and maintenance of the transportation and trade facility. The Authority may also obtain lands through leases, contracts, and agreements with other jurisdictions. The Authority may enter into agreements with an Indian Tribe, provided that a waiver of sovereign immunity is agreed to by the Tribe to allow the Authority to enforce such an agreement. Tribes much also consent to the jurisdiction of state and federal courts, waive their right to require the Authority to exhaust Tribal remedies before bringing an action in state or federal courts, and that state and federal law will govern the interpretation of any agreements entered into between the Authority and Indian Tribe.


- Bill would allocate the following sums to a tribe that owns, operates, or has chartered a community college on its reservation: a) $100,00 for community colleges with a full-time
equivalent student count of more than 100 but less than 250; b) $250,000 for community colleges with a full-time equivalent student count of at least 250 but less than 500; c) $500,000 for community colleges with a full-time equivalent student count of at least 500 but less than 750; d) $1 million for community colleges with a full-time equivalent student count of at least 900.


- Calls for the continued operations of the Navajo Generating Station (NGS) due to its economic and energy importance for the state of Arizona. The remaining owners of NGS announced that they would not continue to operate the power station after the current lease expires on December 22, 2019 and the Navajo Nation Council shall decommission and remediate the NGS site following conclusion of a lease in December 2019 between the Navajo Nation and Salt River Project, Arizona Public Service Company, Tucson Electric Power, and NV Energy.


- Law requires that two Chiefs of Polices appointed to the Arizona Peace Officer Standards Training must be appointed by a city or a federally-recognized Indian Tribe in the state.


- Law directs the Arizona Department of Transportation to design and issue special veteran plates containing: 1) An American flag in the center of the plate; 2) a plate containing an Army Seal; 3) a plate containing a Navy Seal; 4) a plate containing a U.S. Marine Corps Seal; 5) a plate containing an Air Force Seal; 6) a plate containing a Coast Guard Seal; and 7) a plate containing a Native American Code Talkers seal. These plates shall be issued to individuals who submit satisfactory proof that they are a veteran, or their immediate family member.

ix. April 25, 2019 – HB 2045, “gaming; reimbursement; wagers; machines”. Introduced in House by Rep. John Fillmore (R-16) and read a first time. Link to Bill.

- Bill amends ARS Title 5, Chapter 6, Article 1 by adding Section 5-601.01, “Relating to Tribal Gaming: Payment of wagers; machines”. Would require a gaming facility to provide a machine, separate from the cashier window, for the purposes of providing payment of winnings as well as the return of any monies credited or deposited but not wagered.


- The study committee would be comprised of the following members: 1) Four members from the House of Representatives who are of Indigenous descent or who attend meetings and actively work on issues relating to Indigenous peoples—these members will be appointed by the Speaker of the House of Representatives; 2) Four members from the Senate who are of Indigenous descent or who attend meetings and actively work on issues relating to Indigenous peoples—these members will be appointed by the President of the Senate; 3) The Attorney General or their designee; 4) The Director of the Department of Public Safety or their designee; and 5) The following members to be appointed by presiding officer in each legislative chamber – a) one county attorney and sheriff from a county with a population of 850,000 people or more and one county attorney and sheriff from a county with a population of less than 850,000 people; b) one representative from a tribal government; c) one victim advocate; d) one chief of police from a tribal police department; e) one peace officer who works and resides on a federally recognized Indian reservation in the state; f) one social worker from a tribal, statewide, or local organization that provides services to Indigenous women and girls; g) one representative from the Southwest Indigenous Women’s Coalition; h) one representative from a tribal, statewide, or local organization that provides legal services to Indigenous women and girls; i) all members of the Indigenous Peoples Caucus; j) one member who works with the Phoenix or Tucson Indian Center; and k) one member who works in the Phoenix area Indian Health services. Bill states that the committee shall meet quarterly or as necessary as the chairperson deems necessary. The committee will conduct a comprehensive study to determine how the State of Arizona can reduce and end violence against Indigenous women and girls in the state through review of policies and practice, prosecutorial trends and practices, establishment of tracking and collecting data, identifying barriers to accessing state resources, and determine the number of missing and murdered Indigenous women and girls in the state. The study committee shall submit its report of findings to the Governor by November 1, 2020.

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