

REFERENCE TITLE: URS reduction; immigration enforcement

State of Arizona  
Senate  
Forty-eighth Legislature  
Second Regular Session  
2008

## **SB 1052**

Introduced by  
Senator Miranda; Representative Miranda B

AN ACT

AMENDING SECTION 43-206, ARIZONA REVISED STATUTES; RELATING TO URBAN REVENUE SHARING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 43-206, Arizona Revised Statutes, is amended to  
3 read:

4 43-206. Urban revenue sharing fund; allocation; distribution

5 A. There is established an urban revenue sharing fund. For fiscal  
6 year 2000-2001 and fiscal year 2001-2002, the urban revenue sharing fund  
7 shall consist of an amount equal to fifteen per cent of the net proceeds of  
8 the state income taxes for fiscal year 1998-1999 and 1999-2000,  
9 respectively. For fiscal years 2002-2003 and 2003-2004, the fund shall  
10 consist of an amount equal to fifteen per cent of the amount of monies  
11 transferred pursuant to law in fiscal year 2000-2001 and 2001-2002,  
12 respectively, from the budget stabilization fund to the tax refund account of  
13 the state general fund plus fourteen and eight-tenths per cent of the net  
14 proceeds of the state income taxes, not including any amounts transferred  
15 from the budget stabilization fund to the tax refund account, for fiscal year  
16 2000-2001 and 2001-2002, respectively. For fiscal year 2004-2005 and each  
17 fiscal year thereafter, the fund shall consist of an amount equal to fifteen  
18 per cent of the net proceeds of the state income taxes for the fiscal year  
19 two years preceding the current fiscal year. The fund shall be distributed  
20 to incorporated cities and towns as provided in this section. The transfer  
21 of net proceeds prescribed by section 49-282, subsection B does not affect  
22 the calculation of net proceeds prescribed by this subsection.

23 B. EXCEPT AS PROVIDED BY SUBSECTIONS E AND F OF THIS SECTION, each  
24 city or town shall share in the urban revenue sharing fund in the proportion  
25 that the population of each bears to the population of all. Except as  
26 provided by sections 42-5033 and 42-5033.01, the population of a city or town  
27 as determined by the most recent United States decennial census plus any  
28 revisions to the decennial census certified by the United States bureau of  
29 the census shall be used as the basis for apportioning monies pursuant to  
30 this subsection.

31 C. The treasurer, upon instruction from the department, shall  
32 transmit, no later than the tenth day of each month, to each city or town an  
33 amount equal to one-twelfth of that city's or town's total entitlement for  
34 the current fiscal year from the urban revenue sharing fund as determined by  
35 the department.

36 D. A newly incorporated city or town shall share in the urban revenue  
37 sharing fund beginning the first month of the first full fiscal year  
38 following incorporation.

39 E. On receipt of a certificate of default from the greater Arizona  
40 development authority pursuant to section 41-1554.06 or 41-1554.07, the state  
41 treasurer, to the extent not otherwise expressly prohibited by law, shall  
42 withhold from the next succeeding distribution of monies pursuant to this  
43 section due to the city or town the amount specified in the certificate of  
44 default and immediately deposit the amount withheld in the greater Arizona  
45 development authority revolving fund. The state treasurer shall continue to

1 withhold and deposit the monies until the authority certifies to the state  
2 treasurer that the default has been cured. In no event shall the state  
3 treasurer withhold any amount that is necessary, as certified by the  
4 defaulting political subdivision to the state treasurer and the authority, to  
5 make any required deposits then due for the payment of principal and interest  
6 on bonds of the political subdivision that were issued prior to the date of  
7 the loan repayment agreement or bonds and that have been secured by a pledge  
8 of distributions made pursuant to this section.

9 F. ON NOTICE THAT A CITY WITH A POPULATION OF MORE THAN ONE MILLION  
10 PERSONS HAS ADOPTED A LAW ENFORCEMENT POLICY OF INQUIRING AS TO THE  
11 IMMIGRATION STATUS OF INDIVIDUALS SUSPECTED OF COMMITTING A CIVIL OR  
12 MISDEMEANOR VIOLATION, THE STATE TREASURER SHALL WITHHOLD FROM SUCCEEDING  
13 DISTRIBUTIONS OF MONIES PURSUANT TO THIS SECTION TEN PER CENT OF THE AMOUNT  
14 OTHERWISE DUE TO THE CITY. THE TREASURER SHALL CONTINUE TO WITHHOLD THOSE  
15 AMOUNTS UNTIL NOTICE THAT THE CITY HAS RESCINDED ITS IMMIGRATION INQUIRY  
16 POLICY.