

REFERENCE TITLE: tribal community colleges; tax transfer

State of Arizona  
Senate  
Forty-eighth Legislature  
First Regular Session  
2007

## **SB 1133**

Introduced by  
Senators Arzberger, Aguirre, Garcia, Hale, Pesquiera, Rios; Representative  
Tom: Senators Aboud, Burton Cahill, Landrum Taylor, Soltero

AN ACT

AMENDING SECTION 42-5031.01, ARIZONA REVISED STATUTES; REPEALING LAWS 2002,  
CHAPTER 330, SECTION 53; RELATING TO STATE SHARED TAX REVENUES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 42-5031.01, Arizona Revised Statutes, is amended to  
3 read:

4 42-5031.01. Distribution of revenues for Indian tribal  
5 postsecondary educational institutions; definition

6 A. Subject to subsection C of this section, each month the state  
7 treasurer shall transmit ~~each month~~ to the treasurer or other designated  
8 depository of ~~a~~ EACH qualifying Indian tribe the amount of transaction  
9 privilege tax revenues received pursuant to this article in the preceding  
10 month from all sources located on the Indian reservation established for the  
11 qualifying Indian tribe as determined pursuant to section 42-5029, subsection  
12 A, paragraph 3.

13 B. The monies distributed pursuant to this section are for the  
14 exclusive purpose of supporting the maintenance, renewal and capital expenses  
15 of one or more community colleges in this state that are owned, operated or  
16 chartered by ~~the~~ EACH qualifying Indian tribe on its own Indian reservation.  
17 Before receiving any monies under this section, a qualifying Indian tribe  
18 shall enter into a compact with this state, signed by the governor, to  
19 account for the use of monies distributed pursuant to this section. The  
20 compact shall:

21 1. Be for a term of at least ten years. AFTER A HEARING AND REVIEW OF  
22 THE COMPACT BY THE JOINT LEGISLATIVE BUDGET COMMITTEE HELD DURING THE LAST  
23 YEAR OF THE COMPACT'S TERM, A COMPACT MAY BE RENEWED FOR AN ADDITIONAL TERM  
24 OF UP TO TEN YEARS.

25 2. Require the monies to be used primarily for capital needs including  
26 maintenance and renewal of existing facilities at designated community  
27 college campuses on the qualifying Indian tribe's own reservation in this  
28 state.

29 3. Provide for audits by the auditor general of the use of the monies.  
30 THE AUDITOR GENERAL SHALL SUBMIT COPIES OF EACH AUDIT TO THE JOINT  
31 LEGISLATIVE BUDGET COMMITTEE.

32 4. If necessary, provide for reimbursement to the department of  
33 revenue of costs associated with implementing this section, not to exceed one  
34 hundred fifty thousand dollars, from revenues that would otherwise be paid to  
35 the qualifying Indian tribe pursuant to this section.

36 C. Notwithstanding subsection A of this section, the state treasurer  
37 shall not transmit IN ANY FISCAL YEAR more than one million seven hundred ~~and~~  
38 fifty thousand dollars ~~in any fiscal year~~ OR MORE THAN ONE-TENTH OF  
39 TRANSACTION PRIVILEGE TAX REVENUES RECEIVED PURSUANT TO THIS ARTICLE FROM ALL  
40 SOURCES LOCATED ON THE RESERVATION, WHICHEVER IS LESS.

41 D. For THE purposes of this section, "qualifying Indian tribe" means  
42 an Indian tribe that owns, operates and charters any community college or  
43 postsecondary educational institution located on its own reservation in this  
44 state.

45 Sec. 2. Repeal

46 Laws 2002, chapter 330, section 53 is repealed.