House Engrossed

**FILED**
**JANICE K. BREWER**
**SECRETARY OF STATE**

State of Arizona
House of Representatives
Forty-seventh Legislature
Second Regular Session
2006

**CHAPTER 243**

# HOUSE BILL 2594

AN ACT

REPEALING SECTION 6-842, ARIZONA REVISED STATUTES; REPEALING TITLE 41, CHAPTER 14, ARTICLE 5, ARIZONA REVISED STATUTES; AMENDING SECTION 44-313, ARIZONA REVISED STATUTES; MAKING AN APPROPRIATION; RELATING TO THE HOMELESSNESS TRUST FUND.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Repeal

A. Section 6-842, Arizona Revised Statutes, is repealed.

B. Title 41, chapter 14, article 5, Arizona Revised Statutes, is repealed.

Sec. 2. Section 44-313, Arizona Revised Statutes, is amended to read:

44-313. Deposit of monies; definition

A. Except as otherwise provided in this section or section 44-314, the department shall deposit, pursuant to sections 35-146 and 35-147, in the state general fund all monies received pursuant to this chapter, including the proceeds from the sale of abandoned property pursuant to section 44-312, except that:

1. Thirty-five per cent of the monies shall be deposited in the housing trust fund established by section 41-3955.

2. Twenty per cent of the monies shall be deposited in the housing trust fund established by section 41-3955. These monies shall be used exclusively for the development of eligible and viable housing in rural areas and for the purposes authorized under the housing development fund established by section 41-3956.

3. Twenty per cent of the monies shall be deposited in the funds in the amounts provided in section 5-113, subsection A.

B. The department shall deposit monies from unclaimed shares and dividends of any corporation incorporated under the laws of this state in the permanent state school fund pursuant to article XI, section 8, Constitution of Arizona.

C. The department shall deposit monies from unclaimed victim restitution payments in the victim compensation and assistance fund established by section 41-2407 for the purpose of establishing, maintaining and supporting programs that compensate and assist victims of crime.

D. The department shall retain in a separate trust fund at least one hundred thousand dollars from which the department shall pay claims.

E. Before making the deposit, the department shall record the name and last known address of each person who appears from the holders' reports to be entitled to the property and the name and last known address of each insured person or annuitant and beneficiary. The department shall also record the policy or contract number of each policy or contract of an insurance company that is listed in the report, the name of the company and the amount due. The department shall make the record available for public inspection during reasonable business hours.

F. Before making any deposit to the credit of the state general fund, the department may deduct, subject to legislative appropriation, administrative expenses in the following order of priority:

1. Any costs in connection with the sale of abandoned property.

2. Costs of mailing and publication in connection with any abandoned property.

3. Reasonable department service charges.

4. Costs incurred in examining records of holders of property and in collecting the property from those holders.

5. Lawful holder charges.

~~G. The department shall deposit monies received pursuant to section 35-187 in the homeless trust fund as provided in section 41-2021 in an amount of not more than one million dollars. The department shall deposit monies in excess of one million dollars pursuant to the distribution described in subsections A and B of this section. Before making any deposit in the homeless trust fund, the department shall deduct any amounts related to owner claims and interest payments.~~

~~H.~~ G. For the purposes of this section, "rural area" means either:

1. A county with a population of less than four hundred thousand persons.

2. A census county division with less than fifty thousand persons in a county with a population of four hundred thousand or more persons.

Sec. 3. Appropriation; homeless trust fund reversion; DES

A. All monies remaining unexpended and unencumbered on the effective date of this act in the homeless trust fund established by section 41-2021, Arizona Revised Statutes, as repealed by this act, are appropriated to the department of economic security for the following distribution:

1. $400,000 to an integrated services campus serving homeless persons and the working poor in a county with a population of more than one million five hundred thousand persons.

2. $200,000 for services to homeless persons and the working poor in a county with a population of more than five hundred thousand persons but one million five hundred thousand persons or less.

3. $250,000 and any remaining monies shall be distributed by the department for serving homeless persons and the working poor in counties with a population of five hundred thousand persons or less.

B. Before the expenditure of monies appropriated in subsection A of this section, the appropriation shall be matched dollar for dollar by other private or local government monies.

C. Any monies remaining unexpended and unencumbered on December 31, 2007 revert to the department of economic security for serving homeless persons and the working poor in any county.

**APPROVED BY THE GOVERNOR MAY 1, 2006.**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 1, 2006.**