

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-fourth Legislature - Second Regular Session

CAUCUS AGENDA #3

February 04, 2020

Bill Number	Short Title	Committee	Date	Action
-------------	-------------	-----------	------	--------

Committee on Appropriations

Chairman: Regina E. Cobb, LD5

Analyst: Tim Grubbs

Vice Chairman: John Kavanagh, LD23

Intern: Jake Sonnenburg

[HB 2666](#)^(BS1) appropriation; financing agreement; retirement; defeasance
 SPONSOR: COBB, LD HOUSE
 APPROP 1/29/2020 DP (8-2-0-1)
 (No: FERNANDEZ, FRIESE Abs: ROBERTS)

Committee on Commerce

Chairman: Jeff Weninger, LD17

Analyst: Paul Benny

Vice Chairman: Travis W. Grantham, LD12

Intern: Michael Laird

[HB 2144](#)^(BS1) state liquor board; membership
 SPONSOR: KERN, LD HOUSE
 COM 1/28/2020 DP (8-0-0-1)
 (Abs: MEZA)

[HB 2363](#)^(BS1) home solicitation sales; definition
 SPONSOR: TOMA, LD HOUSE
 COM 1/28/2020 DP (8-0-0-1)
 (Abs: MEZA)

[HB 2645](#)^(BS1) insurers; insolvency; administration
 SPONSOR: WENINGER, LD HOUSE
 COM 1/28/2020 DP (8-0-0-1)
 (Abs: MEZA)

Committee on Education

Chairman: Michelle Udall, LD25

Analyst: Chase Houser

Vice Chairman: John Fillmore, LD16

Intern: Sara Leinenveber

[HB 2013](#)^(BS1) schools; student promotions
 SPONSOR: FILLMORE, LD HOUSE
 ED 1/27/2020 DPA (6-5-0-2)
 (No: BOLDING, BLANC, PETEN, PAWLIK, LIEBERMAN Abs:
 TOWNSEND, CARROLL)

[HB 2015](#)_(BSI) schools; supplemental materials; approval
SPONSOR: FILLMORE, LD HOUSE
ED 1/27/2020 DPA (6-5-0-2)
(No: BOLDING, BLANC, PETEN, PAWLIK, LIEBERMAN Abs:
TOWNSEND, CARROLL)

[HB 2108](#)_(BSI) college course credit; dual enrollment
SPONSOR: UDALL, LD HOUSE
ED 1/27/2020 DP (11-0-0-2)
(Abs: TOWNSEND, CARROLL)

[HB 2625](#)_(BSI) civics celebration day; civics education
SPONSOR: BOLICK, LD HOUSE
ED 1/27/2020 DP (11-0-0-2)
(Abs: TOWNSEND, CARROLL)

[HB 2682](#)_(BSI) schools; instruction; Holocaust; genocides
SPONSOR: HERNANDEZ A, LD HOUSE
ED 1/27/2020 DP (10-0-0-3)
(Abs: SHOPE, BIASIUCCI, CARROLL)

[HB 2684](#)_(BSI) crisis management team; underperforming districts
SPONSOR: UDALL, LD HOUSE
ED 1/27/2020 DP (10-0-1-2)
(Abs: TOWNSEND, CARROLL Present: BOLDING)

Committee on Government

Chairman: John Kavanagh, LD23
Analyst: Stephanie Jensen

Vice Chairman: Kevin Payne, LD21
Intern: Jeremy Bassham

[HB 2113](#)_(BSI) ASRS; employer; member; contributions
SPONSOR: KAVANAGH, LD HOUSE
GOV 1/23/2020 DP (10-0-0-1)
(Abs: PETERSEN)

[HB 2115](#)_(BSI) JLAC; auditor general.
SPONSOR: KERN, LD HOUSE
GOV 1/30/2020 DP (11-0-0-0)

[HB 2221](#)_(BSI) town councils; financial statements; website
SPONSOR: GRIFFIN, LD HOUSE
GOV 1/23/2020 DP (10-0-0-1)
(Abs: PETERSEN)

[HB 2350](#)_(BSI) counties; committed youth contributions; repeal
SPONSOR: TOMA, LD HOUSE
GOV 1/30/2020 DP (11-0-0-0)

Committee on Health & Human Services

Chairman: Nancy K. Barto, LD15
Analyst: Ingrid Garvey

Vice Chairman: Jay Lawrence, LD23
Intern: Megan Larsen

[HB 2051](#)_(BSI) informed consent; pelvic examinations
SPONSOR: BARTO, LD HOUSE
HHS 1/23/2020 DPA (9-0-0-0)

[HB 2132](#)_(BSI) chiropractic assistants; scope of practice
SPONSOR: BARTO, LD HOUSE
HHS 1/23/2020 DP (8-0-0-1)
(Abs: SHAH)

[HB 2224](#)_(BSI) psychology board; licensure; fingerprinting
SPONSOR: BARTO, LD HOUSE
HHS 1/23/2020 DPA (9-0-0-0)

[HB 2244](#)_(BSI) AHCCCS; dental services; Native Americans
SPONSOR: SHOPE, LD HOUSE
HHS 1/23/2020 DP (9-0-0-0)

[HB 2317](#)_(BSI) physician assistants; licensure; board
SPONSOR: BARTO, LD HOUSE
HHS 1/23/2020 DPA (9-0-0-0)

Committee on Judiciary

Chairman: John M. Allen, LD15

Vice Chairman: Walter J. Blackman, LD6

Analyst: Lauren Cook

Intern: Samantha Fagerburg

[HB 2233](#)_(BSI) court rules; signatures; court documents
SPONSOR: ALLEN J, LD HOUSE
JUD 1/29/2020 DP (10-0-0-0)

Committee on Military & Veterans Affairs

Chairman: Jay Lawrence, LD23

Vice Chairman: Joanne H. Osborne, LD13

Analyst: Jason Theodorou

Intern: Valeria Garcia

[HB 2135](#)_(BSI) veteran suicides; annual report
SPONSOR: LAWRENCE, LD HOUSE
MVA 1/27/2020 DP (7-0-0-0)

[HB 2288](#)_(BSI) state licensing; fee waiver
SPONSOR: OSBORNE, LD HOUSE
MVA 1/27/2020 DP (7-0-0-0)

Committee on Natural Resources, Energy & Water

Chairman: Gail Griffin, LD14

Vice Chairman: Timothy M. Dunn, LD13

Analyst: Paul Bergelin

Intern: Mackenzie Nintzel

[HB 2218](#)_(BSI) state mine inspector; qualifications
SPONSOR: GRIFFIN, LD HOUSE
NREW 1/28/2020 DPA (8-5-0-0)
(No: GABALDÓN, ENGEL, CANO, TSOSIE, LONGDON)

[HB 2309](#)_(BSI) groundwater; waterlogged area exemption; date
SPONSOR: DUNN, LD HOUSE
NREW 1/28/2020 DP (12-0-0-1)
(Abs: PIERCE)

[HB 2452](#)_(BSI) underground storage tanks; performance standards
 SPONSOR: GRIFFIN, LD HOUSE
 NREW 1/28/2020 DP (12-0-0-1)
 (Abs: ENGEL)

[HB 2455](#)_(BSI) air quality omnibus
 SPONSOR: GRIFFIN, LD HOUSE
 NREW 1/28/2020 DP (13-0-0-0)

[HB 2456](#)_(BSI) environmental quality programs; terminations; repeal
 SPONSOR: GRIFFIN, LD HOUSE
 NREW 1/28/2020 DPA (11-0-0-2)
 (Abs: ENGEL, NUTT)

[HB 2497](#)_(BSI) lawn equipment emissions reduction program
 SPONSOR: DUNN, LD HOUSE
 NREW 1/28/2020 DP (12-0-0-1)
 (Abs: ENGEL)

[HB 2593](#)_(BSI) mining advisory council; repeal
 SPONSOR: GRIFFIN, LD HOUSE
 NREW 1/28/2020 DP (12-0-0-1)
 (Abs: ENGEL)

[HB 2617](#)_(BSI) temporary irrigation efficiency projects fund.
 SPONSOR: GRIFFIN, LD HOUSE
 NREW 1/28/2020 DP (11-1-0-1)
 (No: CANO Abs: ENGEL)

[HB 2686](#)_(BSI) building permits; utilities; restrictions; prohibitions
 SPONSOR: BOWERS, LD HOUSE
 NREW 1/28/2020 DP (8-5-0-0)
 (No: GABALDÓN, ENGEL, CANO, TSOSIE, LONGDON)

Committee on Regulatory Affairs

Chairman: Travis W. Grantham, LD12

Vice Chairman: Becky A. Nutt, LD14

Analyst: Jon Rudolph

Intern: Loren Breen

[HB 2184](#)_(BSI) occupational and professional licensure; notice
 SPONSOR: PETERSEN, LD HOUSE
 RA 1/27/2020 DP (4-2-1-0)
 (No: POWERS HANNLEY, TERÁN Present: SHAH)

[HB 2249](#)_(BSI) personal representatives; funeral directors; prohibition
 SPONSOR: BOLICK, LD HOUSE
 RA 1/27/2020 DPA (7-0-0-0)

[HB 2312](#)_(BSI) financial institutions; insurance; licenses
 SPONSOR: GRANTHAM, LD HOUSE
 RA 1/27/2020 DP (7-0-0-0)

[HB 2351](#)_(BSI) real estate; employee; rent collection
 SPONSOR: TOMA, LD HOUSE
 RA 1/27/2020 DP (7-0-0-0)

[HB 2398](#)^(BSI) insurance producer licensing; exceptions
SPONSOR: WENINGER, LD HOUSE RA 1/27/2020 DP (7-0-0-0)

[HB 2403](#)^(BSI) service contracts; refunds; administrative expenses
SPONSOR: GRANTHAM, LD HOUSE RA 1/27/2020 DP (7-0-0-0)

Committee on Transportation

Chairman: Noel W. Campbell, LD1
Analyst: Jason Theodorou

Vice Chairman: Leo Biasiucci, LD5
Intern: Valeria Garcia

[HB 2063](#)^(BSI) education and community enrichment plates
SPONSOR: KAVANAGH, LD HOUSE TRANS 1/22/2020 DP (6-1-1-1)
(No: TELLER Abs: GABALDÓN Present: TERÁN)

[HB 2064](#)^(BSI) rodeo special plates
SPONSOR: KAVANAGH, LD HOUSE TRANS 1/22/2020 DP (7-0-1-1)
(Abs: GABALDÓN Present: TERÁN)

Committee on Ways & Means

Chairman: Ben Toma, LD22
Analyst: Vince Perez

Vice Chairman: Shawwna LM Bolick, LD20
Intern: Blake Gephart

[HB 2058](#)^(BSI) delinquent property tax; interest; waiver
SPONSOR: KAVANAGH, LD HOUSE WM 1/22/2020 DP (10-0-0-0)

[HB 2099](#)^(BSI) property tax; mobile homes; delinquency
SPONSOR: GRIFFIN, LD HOUSE WM 1/29/2020 DPA (10-0-0-0)

[HB 2293](#)^(BSI) renewable energy storage equipment; valuation
SPONSOR: DUNN, LD HOUSE WM 1/29/2020 DP (8-2-0-0)
(No: POWERS HANNLEY, EPSTEIN)

[HB 2354](#)^(BSI) income tax; returns; filing extension
SPONSOR: TOMA, LD HOUSE WM 1/29/2020 DPA (10-0-0-0)

[HB 2355](#)^(BSI) charitable contribution; deduction; inflation adjustment
SPONSOR: TOMA, LD HOUSE WM 1/29/2020 DP (6-4-0-0)
(No: POWERS HANNLEY, EPSTEIN, CANO, SIERRA)

[HB 2356](#)^(BSI) charitable contributions; deduction; increase
SPONSOR: TOMA, LD HOUSE WM 1/29/2020 DP (6-4-0-0)
(No: POWERS HANNLEY, EPSTEIN, CANO, SIERRA)

[HB 2358](#)^(BSJ) dependent tax credit; inflation adjustment

SPONSOR: TOMA, LD

HOUSE

WM

1/29/2020

DP

(6-4-0-0)

(No: POWERS HANNLEY, EPSTEIN, CANO, SIERRA)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: APPROP DP 8-2-0-1-0-0

HB 2666: appropriation; financing agreement; retirement; defeasance
Sponsor: Representative Cobb, LD 5
Caucus & COW

Overview

Appropriates \$81,000,000 from the General Fund in FY 2021 to the Arizona Department of Administration (ADOA) for the retirement or defeasance of the 2016 re-financing agreement of a facility housing Arizona Department of Correction (ADC) inmates.

History

The FY 2017 criminal justice budget reconciliation bill authorized the ADOA to enter into an agreement to refinance the ADC Kingman private prison ([Laws 2016, chapter 119, section 24](#)). Prior to 2016, the cost of the facility was included as part of the service payment to the private prison provider. In 2016, pursuant to the new law, the State restructured the financing of the private prison as debt against the State. This refinancing agreement, referred to as Series 2016, resulted in a net savings of approximately \$8,800,000 to the State per year. The total FY 2018 payment on the debt was \$17,463,300 from the GF ([FY 2018 Annual Report on State Debt and Obligations](#)).

Provisions

1. Appropriates \$81,000,000 from the GF in FY 2021 to the ADOA for the retirement or defeasance of the financing agreement entered into pursuant to the FY 2017 criminal justice reconciliation bill.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: COM DP 8-0-0-1

HB 2144: state liquor board; membership

Sponsor: Representative Kern, LD 20

Caucus & COW

Overview

Requires a State Liquor Board (Board) appointment be made after nominees are submitted to the Governor.

History

The [Department of Liquor Licenses and Control](#) (Department) consists of the Office of the Director of the Department and the Board. The Board grants and denies applications for a liquor license, adopts rules and hears appeals and holds hearings ([A.R.S. § 4-112](#)).

The Board consists of seven members appointed by the Governor and confirmed by the Senate. Five members may not be financially interested in business licensed to deal with spirituous liquors. Two members must currently or previously be engaged in the liquor industry, and at least one of the two must be a retail licensee or employee of a retail licensee. One member must be a member of a neighborhood association recognized by a local government. No more than four members may be of the same political party, and no more than three members may be from the same county. Members are appointed for three-year terms ([A.R.S. § 4-111](#)).

A person eligible for appointment must have a continuous recorded registration with the same political party or as an independent for at least two years immediately preceding appointment. A person appointed to serve on the Board must be a resident of the state for at least five years before the date of appointment ([A.R.S. § 4-111](#)).

Provisions

1. Requires one member of the Board who is not financially interested in business licensed to deal with spirituous liquor to be appointed after an association representing cities and towns forwards three nominees who must be current or former elected municipal officials to the Governor. (Sec. 1)
2. Allows current members of the Board to serve until the expiration of their terms. (Sec. 2)
3. Contains technical changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: COM DP 8-0-0-1

HB 2363: home solicitation sales; definition

Sponsor: Representative Toma, LD 22
Caucus & COW

Overview

Modifies the definition of *home solicitation sale*.

History

A *home solicitation sale* is defined as a sale of goods or services in which the seller personally solicits the sale and the buyer's agreement at a home other than that of the person soliciting the same and that agreement is there given to the seller and all or any part of the purchase price is payable in installments, or a debt incurred for payment of the purchase price is payable in installments. A sale which otherwise meets the definition of a home solicitation sale, except that it is a cash sale, shall be deemed to be a home solicitation sale if the seller makes or provides a loan to the buyer or obtains or assists in obtaining a loan for the buyer to pay the purchase price ([A.R.S. § 44-5001](#)).

The buyer has until midnight of the third business day to cancel the home solicitation sale. The buyer must provide a written notice of cancellation to the seller ([A.R.S. § 44-5002](#)).

Provisions

1. Removes the requirement that all or any part, or a debt incurred for payment, of the purchase price be payable in installments as a qualifier for a home solicitation sale. (Sec. 1)
2. Stipulates a cash sale qualifies as a home solicitation sale provided the seller makes or provides a loan to the buyer or obtains a loan for the buyer to pay the purchase price. (Sec. 1)
3. Makes technical changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: COM DP 8-0-0-1

HB2645: insurers; insolvency; administration

Sponsor: Representative Weninger, LD 17

Caucus & COW

Overview

Provides a federal home loan bank an exemption from certain injunctions.

History

Established by the Federal Home Loan Bank Act, the [Federal Home Loan Bank System](#) provides its members with a source of funding for: 1) mortgages and asset-liability management; 2) liquidity for a member's short-term needs; and 3) additional funds for housing finance and community development.

During a delinquency proceeding involving the liquidation, rehabilitation or reorganization of an insolvent insurer, a court may issue an injunction against an insurer preventing: 1) interference with the receiver or proceeding; 2) the waste of the assets of the insurer; 3) the commencement or prosecution of any actions; 4) the obtaining of preferences, judgments, attachments or other liens; and 5) the making of any levy against the insurer or against its assets ([A.R.S. § 20-614](#)).

Law requires all proceedings in which the insolvent insurer is a party to be stayed for six months from the date of insolvency to permit proper defense by the Property and Casualty Guaranty Fund of all pending causes of action as to any covered claim ([A.R.S. § 20-676](#)).

Provisions

1. Asserts a federal home loan bank cannot be stayed, enjoined or prohibited from exercising or enforcing any right or cause of action against collateral pledged by an insurer member under any pledge, security, collateral or guarantee agreement to which that federal home loan bank is a party. (Sec. 2, 6, 7)
2. Prohibits a receiver, rehabilitator, liquidator or conservator from voiding any transfer of money or other property arising in connection with any pledge, security, collateral or guarantee agreement with an insurer member unless the transfer was made with actual intent to hinder, delay or defraud either existing or future creditors. (Sec. 5, 8)
3. Defines *federal home loan bank* and *insurer member*. (Sec. 1)
4. Makes technical changes. (Sec. 1, 2, 3, 4, 5)

Prop 105 (45 votes)

Prop 108 (40 votes)

Emergency (40 votes)

Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

HB2013: schools; student promotions
Sponsor: Representative Fillmore, LD 16
Caucus & COW

Overview

Requires a school district governing board to prescribe and enforce policies and procedures that stipulate teachers must retain or fail a student if the student does not meet the criteria or competency requirements prescribed by the school district governing board.

History

Statute directs the State Board of Education (SBE) to prescribe a minimum course of study for both common schools and high schools that incorporate the academic standards adopted by SBE. SBE is also required to prescribe the competency requirements for the promotion of students from the 3rd grade and 8th grade in at least the areas of reading, writing, math, science and social studies ([A.R.S. § 15-701](#)). In addition to the minimum course of study, statute directs SBE to prescribe competency requirements that incorporate the academics standards in reading, writing, math, science and social studies for the graduation of students from high school ([A.R.S. § 15-701.01](#)).

Governing boards are required to prescribe the curricula and criteria for the promotion and graduation of students from common school grades and high school, respectively, that include the academic standards set by SBE ([A.R.S. § 15-341\(A\)\(5\)](#)). The criteria prescribed by a governing board must include the accomplishment of the academic standards in at least reading, writing, math, science and social studies, as determined by district assessment. A governing board may include additional measures of academic achievement and attendance. Finally, a governing board may prescribe course of study and competency requirements for promotion or graduation that are in addition to or higher than the course of study and competency requirements prescribed by SBE.

Currently, statute requires a teacher to determine whether to promote or retain a student in a common school grade based on the governing board's prescribed criteria. A governing board may review the decision of the teacher to promote or retain a pupil but must base its decision on its prescribed criteria ([A.R.S. § 15-701\(E\)](#)). For students in high school courses, statute requires a teacher to determine whether to pass or fail a student based on competency requirements, if any have been prescribed ([A.R.S. § 15-701.01\(E\)](#)).

Provisions

Governing Boards

1. Requires a governing board to prescribe and enforce policies and procedures that stipulate teachers must:
 - a. Retain a student in a common school grade if the student does meet the criteria prescribed by the governing board for promotion; and
 - b. Fail a student in a high school course if the student does not meet the criteria prescribed by the governing board for graduation. (Sec. 1)
2. Specifies that the retainment of a student or the failure of a student by a teacher is subject to review by the governing board. (Sec. 1)

Common Schools

3. Requires a teacher to retain a student in a common school course if the student does not meet the criteria for promotion prescribed by the governing board. (Sec. 2)
4. Allows a teacher to promote a student from the 3rd grade who receives a score on the reading portion of the statewide assessment that does not demonstrate sufficient reading skills as established by SBE if the student:
 - a. Is an English learner or a limited English proficient student and has had fewer than two years of English language instruction;
 - b. Is in the process of a special education referral or evaluation for placement in special education, has been diagnosed as having a significant reading impairment or is disabled and if the student's guardian and individualized education program team agree that promotion is appropriate;
 - c. Has demonstrates or subsequently demonstrates sufficient reading skills or adequate progress towards sufficient reading skills of the 3rd grade reading standards; or

d. Receives intervention and remedial services during the summer or a subsequent school year and demonstrates sufficient progress. (Sec. 2)

5. Allows a teacher to promote a student in any common school grade who does not meet the prescribed criteria for promotion if the student receives a special exception that the governing board prescribes. (Sec. 2)

High Schools

6. Requires a teacher to fail a student in a high school course if the student does not meet competency requirements prescribed by the governing board, if any have been prescribed. (Sec. 3)

7. Allows a teacher to pass a student who does not meet the competency requirements for a high school course if the student receives a special exception that the governing board prescribes. (Sec. 3)

Miscellaneous

8. Makes technical changes. (Sec. 5)

9. Makes conforming changes. (Sec. 2, 3, 4)

Amendments

Committee on Education

1. Allows a teacher to promote or pass any student who does not meet the criteria for promotion or competency requirements if the student:

a. Is an English learner or a limited English proficient student, has had fewer than two years of English language instruction and if the student's teacher and guardian agree that promotion is appropriate; or

b. Is in the process of a special education referral or evaluation for placement in special education, has been diagnosed as having a significant reading impairment or is disabled and if the student's individualized education program team and the student's guardian agree that promotion is appropriate.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

HB2015: schools; supplemental materials; approval
Sponsor: Representative Fillmore, LD 16
Caucus & COW

Overview

Requires a school district governing board to approve all supplemental books, instructional computer software and teaching aids before use in a common school or high school course that includes a basic textbook and supplemental books.

History

The governing boards of common schools and high schools are required to approve the course of study, basic textbook and all credit units under each subject before a course is implemented. For common school courses that do not include a basic textbook, supplemental books must be approved by the governing board before the course itself is approved. For high school courses that do not include a basic textbook, supplemental books must be approved by the governing board before they are used in a course ([A.R.S. § 15-721](#)).

If a common school or high school course includes a basic textbook or supplemental books (including instructional computer software), the governing board is permitted to approve all supplemental books and instructional computer software before approving the course. Finally, if a common school or high school course includes a basic textbook and uses supplemental books that have yet to be approved, a teacher may use the supplemental books at any time during the school year; however, supplemental books that are used must be brought to the attention of the governing board during the school year. ([A.R.S. § 15-722](#))

Provisions

1. Requires a governing board to approve all supplemental books and teaching aids, including instructional computer software, before approving a common school course that includes a basic textbook and uses supplemental books. (Sec. 1)
2. Requires a governing board to approve all supplemental books and instructional computer software before they are used in a high school course that includes a basic textbook and uses supplemental books or instructional computer software. (Sec.1)
3. Specifies that a teacher may not use supplemental books in a common school or high school course that includes a basic textbook and uses supplemental books until approved by the governing board. (Sec. 1, 2)
4. Makes technical changes. (Sec. 1, 2)

Amendments

Committee on Education

1. States that if a public school or school district is required to secure the permission of a student's parent before the student may participate in certain curriculum, course of study or use certain materials, the public school or school district must notify the parent on a written permission form both of the following:
 - a. That the parent may review the curriculum, course of study or materials; and
 - b. The time and location at which the parent may review the curriculum, course of study or materials.
2. Outlines the actions a student or student's parent must take before initiating legal action to enforce the written permission form requirement as follows:
 - a. The student or student's parent must submit a written complaint to the principal of the school, after which the principal has 15 days to respond in writing with a description of any action taken to resolve the complaint;
 - b. If the principal does not resolve the complaint, the student or student's parent must submit a written complaint to the superintendent or other designated administrator, after which the superintendent or designated administrator has 25 days to respond in writing with a description of any action taken to resolve the complaint;

- c. If the action taken by the superintendent or designated administrator does not resolve the complaint, the student or student's parent may pursue legal action.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ED DP 11-0-0-2

HB 2108: college course credit; dual enrollment

**Sponsor: Representative Udall, LD 25
Caucus & Cow**

Overview

Requires a school district governing board to award each student enrolled in a community college or university course one Carnegie unit for each three semester hours of credit. Stipulates that eligible high school freshmen and sophomores must be admitted to a community college for dual enrollment purposes.

History

The Carnegie unit system is commonly used by high schools to measure academic credit hours earned by students. Under current law, a school district governing board is required to award one-half of a Carnegie unit for each three semester hours of credit that a student earns in a community college or university course upon determination that: 1) the subject matter of the course is appropriate to the specific requirement the student intends it to fulfill; and 2) the level of the course is higher than the course taught in the high school attended by the student or, if the course is not taught in the high school, the level of the course is equal to or higher than the level of a high school course.

Under current law, high school students are eligible to be admitted to a community college for dual enrollment provided that the students are high school juniors or seniors. A community college may waive the requirement that students be a high school junior or senior for up to 25% of the high school students that are enrolled provided that certain criteria are met, including a demonstration, by way of an exam, that freshmen and sophomore students who meet course prerequisites are prepared to benefit from the college-level course ([A.R.S. § 15-1821.01](#)).

A *dual enrollment course* is defined as a college-level course that is conducted on the campus of a high school or a career technical education district, applicable to an established community college academic degree or certificate program and transferable to a university under the jurisdiction of the Arizona Board of Regents (ABOR). A dual enrollment course that is applicable to a community college occupational degree or certificate program may also be transferable to a university under the jurisdiction of ABOR ([A.R.S. § 15-101](#)).

Provisions

1. Requires a governing board to award one Carnegie unit for each three semester hours of credit that a pupil earns in a community college or university course. (Sec. 1)
2. Stipulates that eligible high school freshmen and sophomores must be admitted to a community college for dual enrollment purposes. (Sec. 2)

Prop 105 (45 votes) Prop 108 (40 votes) Emergency (40 votes) Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ED DP 11-0-0-2

HB 2625: civics celebration day; civics education

**Sponsor: Representative Bolick, LD 20
Caucus & Cow**

Overview

Establishes September 25 as Sandra Day O'Connor Civics Celebration Day.

History

Statute outlines the powers and duties of the State Board of Education (SBE) which include exercising general supervision over and regulating the conduct of the public school system and adopting any rules and policies it deems necessary to accomplish this purpose. ([A.R.S. § 15-203](#))

Statute requires SBE to prescribe a minimum course of study incorporating the academic standards that are adopted by SBE to be taught in common schools and for the graduation of students from high school ([A.R.S. §§ 15-701, 15-701.01](#)). Currently, the [Arizona History and Social Science Standards](#) set the content theme and focus for courses in grades K-8 and outline course considerations for the minimum course of study prescribed by SBE for high school graduation. The standards are organized under the following four core disciplines in social studies: civics, economics, geography and history. School district governing boards and charter school governing bodies must adopt curriculum that includes the academic standards adopted by SBE.

Provisions

1. Establishes September 25 as Sandra Day O'Connor Civics Celebration Day and specifies that it is not a legal holiday. (Sec. 1)
2. Stipulates that if Sandra Day O'Connor Civics Celebration Day falls on a Saturday, Sunday or other day when a public school is not in session, the holiday must be observed on the following or preceding school day by the public school. (Sec. 1)
3. Requires SBE to do the following for the purposes of Sandra Day O'Connor Civics Celebration Day:
 - a. Develop a list of recommended resources relating to civics education that align with the academic standards prescribed by SBE in social studies; and
 - b. Establish a process that allows public schools to recommend resources for addition to the list. (Sec. 2)
4. Mandates each public school to dedicate a majority of the school day on Sandra Day O'Connor Civics Celebration Day to civics education. (Sec. 3)

Prop 105 (45 votes) Prop 108 (40 votes) Emergency (40 votes) Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ED DP 10-0-0-3

[HB 2682](#): schools; instruction; Holocaust; genocides
Sponsor: Representative Hernandez A, LD 3
Caucus & Cow

Overview

Requires the State Board of Education (SBE) to include a requirement that students be taught about the Holocaust and other genocides at least twice between grades 7-12.

History

Statute requires SBE to prescribe a minimum course of study incorporating the academic standards adopted by SBE to be taught in common schools and for the graduation of students from high school ([A.R.S. §§ 15-701, 15-701.01](#)). School district governing boards and charter school governing bodies must adopt curriculum that includes the academic standards adopted by SBE. Currently, the [Arizona History and Social Science Standards](#) set the content theme and focus for courses in grades K-8 and outline course considerations for the minimum course of study for high school graduation.

Per SBE policy, high school students are required to take a minimum of three credits of social studies for graduation, which must include the following:

- 1) One credit of American history, including Arizona history;
- 2) One credit of world history/geography;
- 3) One-half credit of American government, including Arizona government; and
- 4) One-half credit of economics ([A.A.C. R7-2-302](#)).

Provisions

1. Requires SBE to include a requirement that students be taught about the Holocaust and other genocides at least twice between the grades 7-12.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

HB2684: crisis management team; underperforming districts

**Sponsor: Representative Udall, LD 25
Caucus & COW**

Overview

An emergency measure that directs the Arizona Department of Education (ADE) to establish a crisis management team to intervene and recommend necessary changes for persistently underperforming school districts that meet the designated criteria.

History

Fiscal Crisis Teams and Receivers

Statute directs SBE to appoint a receiver or fiscal crisis team to a school district that is determined to be insolvent or has grossly mismanaged its finances. Once appointed, the receiver or fiscal crisis team is required to submit a financial improvement plan to SBE ([A.R.S. § 15-103](#)). The school district is removed from receivership only after the Auditor General certifies the school district has been financially solvent for one fiscal year, the receiver certifies there is no longer gross mismanagement and SBE determines the school district is able to pay its debts.

Additionally, if a school district fails to take appropriate action to resolve an overexpenditure or commits an overexpenditure that will cause the school district's overall expenditures to exceed its general budget limit or unrestricted capital limit by \$50,000 or .5%, SBE is required to either: 1) direct ADE to contract with a fiscal crisis team; or 2) appoint a receiver. The school district must then submit, in consultation with the fiscal crisis team or receiver, a fiscal management report to SBE ([A.R.S. § 15-107](#)).

School Improvement Plans

School district governing boards must develop and submit an improvement plan for any school that receives a 'D' letter grade to the Superintendent of Public Instruction (SPI) and respective county educational service agency within 90 days of receiving notice of the letter grade. The improvement plan must include any necessary components identified by SBE ([A.R.S. § 15-241.02\(A\)](#)).

Schools that receive a 'D' letter grade for three consecutive years are assigned an 'F' letter grade unless an alternative letter grade is assigned after an appeal. SBE may also assign an 'F' letter grade to schools that have been assigned a 'D' letter grade for fewer than three consecutive years if it is determined that there is no reasonable likelihood that the school will achieve an average level of performance within the next two years ([A.R.S. § 15-241.02\(D\)](#)).

Statute requires the SPI and respective county educational agency to assign a solutions team to a school that receives either a 'D' or 'F' letter grade. The solutions team is instructed to first consider the school's existing improvement plan, then present its findings for necessary changes to the school administrator and district superintendent. Within 45 days, the governing board must submit to ADE and the county educational service agency an action plan on how the school district will assist the school in incorporating the findings of the solutions team into the improvement plan ([A.R.S. § 15-241.02\(E\)](#)).

Provisions

Crisis Management Team

1. Directs ADE to establish a crisis management team to intervene and recommend necessary changes for any persistently underperforming school district that:
 - a. Is located in a county with a population between 200,000 and 220,000;
 - b. Is a unified school district;
 - c. Reported an average daily membership between 190 and 210 in FY 2018;
 - d. Received an 'F' letter grade in school years 2016-2017 and 2018-2019; and

<input type="checkbox"/> Prop 105 (45 votes) <input type="checkbox"/> Prop 108 (40 votes) <input checked="" type="checkbox"/> Emergency (40 votes) <input type="checkbox"/> Fiscal Note

e. Had less than 5% of students

who were proficient on the AzMERIT in English language arts and math in school year 2018-2019. (Sec. 1)

2. Specifies that members of the crisis management team are appointed by the SPI and must consist of:
 - a. ADE staff with expertise and experience in school improvement;

- b. An expert in tribal consultation and tribal affairs;
 - c. An expert in school improvement for rural schools;
 - d. An employee of the Office of Indian Education; and
 - e. Other persons as deemed appropriate. (Sec. 1)
3. Requires the crisis management team to establish a work plan to evaluate the local circumstances and needs of the school district and consult with tribal stakeholders, governing board members, school district employees, community members, parents and other persons to determine:
 - a. The impediments to academic success;
 - b. Barriers to an effective school community;
 - c. Specific changes that are needed to increase academic outcomes and prevent teacher and staff turnover;
 - d. Outstanding financial impediments and appropriate solutions; and
 - e. The long-term plan to sustain a successful school, including potential changes to governance or boundaries and whether receivership or consolidation would benefit the school district. (Sec. 1)
 4. Stipulates that the school district must terminate the contract of the school district superintendent if the crisis management team determines the school district is unable to meet the educational needs of the community without a change in administration. (Sec. 1)
 5. Allows the crisis management team to assist the school district governing board in identifying candidates to act as an interim superintendent. (Sec. 1)

Information Requests and Recommendations

6. Requires the school district to provide information requested by the crisis management team within two weeks. (Sec. 1)
7. Permits the school district to request additional time to complete an information request if the school district outlines the reasons why it will take more than two weeks to complete the request. (Sec. 1)
8. Mandates the crisis management team provide the school district with specific written recommendations to implement that will address the issues identified as contributing to the school district's persistent academic underperformance. (Sec. 1)
9. Requires the school district to notify the crisis management team in writing within two weeks after receiving the recommendations either:
 - a. Outlining the school district's efforts to implement the recommendations; or
 - b. Rejecting a recommendation and providing reason. (Sec. 1)

Reporting Requirement

10. Specifies that the crisis management team must submit a preliminary report by July 1, 2020 and a final report by December 31, 2020 to the Governor, Speaker of the House of Representatives, President of the Senate, ADE and the chairpersons of the House of Representatives and Senate Education and Appropriation Committees that include:
 - a. The specific recommendations for improvement;
 - b. The outcome of any consultations;
 - c. Recommendations on the long-term viability of the school district; and
 - d. A projected implementation timeline for recommended changes. (Sec. 1)

Implementation Plan and Timeline

11. Allows the crisis management team to request that ADE notify the school district of an implementation plan for sustainability if it is determined that a long-term sustainability plan is viable. (Sec. 1)
12. Directs ADE to compile all recommendations of the crisis management team, establish an implementation timeline and provide the school district an implementation plan and projected implementation timeline. (Sec. 1)
13. Mandates the school district evaluate the implementation plan and respond in writing to ADE outlining the adoption of the implementation plan and any necessary modifications. (Sec. 1)
14. Requires the school district to provide regular reports to ADE on implementation and allows the school district to request assistance in community stakeholder engagement. (Sec. 1)

Funding

15. Allows the SPI to retain a portion of the school district's state monies to receive to compensate members of the crisis management team, except that the SPI may not use the monies to compensate ADE employees. (Sec. 1)

Miscellaneous

16. Repeals this section on April 2, 2021. (Sec. 1)

17. Contains a legislative intent clause. (Sec. 2)

18. Contains an emergency clause. (Sec. 3)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: GOV DP 10-0-0-1

HB 2113: ASRS; employer; member; contributions

Sponsor: Representative Kavanagh, LD 23

Committee on Government

Overview

Specifies what must happen if more than the correct amount for the employer or member contributions is paid into the Arizona State Retirement System (ASRS).

History

One of the primary purposes of ASRS includes contributing toward providing a total compensation package that is generally equivalent to employment that is comparable in other public and private organizations in Arizona. Additionally, the intent of ASRS is to provide a retirement system that encourages employees to remain in service for periods of time that will provide employers with the benefit of training and experience gained by employees ([A.R.S. § 38-712](#)).

Current statute details what must occur if more than the correct amount of employer or member contributions is paid into ASRS by an employer. ASRS is required to return contributions if the employer requests within one year of the overpayment due to a mistake of fact or a mistake of law. These contributions must be returned through an employer credit or by check on request of the employer.

If less than the correct amount of employer or member contributions is paid into ASRS by an employer, certain conditions apply including that the member and employer must pay an amount that is equal to the amount that would have been paid in contributions for the period in question. The employer must also pay accumulated interest that would have accrued on the employer and member contributions that were due ([A.R.S. § 38-738](#)).

Provisions

1. Stipulates that if more than the correct amount of employer or member contributions is paid into ASRS by an employer through a mistake of fact or law, ASRS must provide the employer with an employer credit against future contributions if requested. (Sec. 1)
2. Prohibits ASRS from paying an employer earnings attributable to the excess contributions. (Sec. 1)
3. Requires ASRS to reduce the amount returned to an employer by the amount of losses attributable to the excess contributions. (Sec. 1)
4. Directs an employer to return any member portion of the returned contributions to the member upon receipt of an employer credit or check. (Sec. 1)
5. States that the correct amount of member contributions may not be paid to ASRS after the death of the member if less than the correct amount of employer or member contributions is paid into ASRS by an employer. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: GOV DP 11-0-0-0

HB 2115: JLAC; auditor general.
Sponsor: Representative Kern, LD 20
Caucus & COW

Overview

Makes various changes to statutes relating to the Auditor General and the Joint Legislative Audit Committee (JLAC).

History

The Arizona Auditor General is appointed by JLAC, subject to approval by a concurrent resolution of the Legislature, to perform sunset, performance, special and financial audits and investigations ([A.R.S. § 41-1279.01](#)).

JLAC is charged with overseeing all audit functions of the Legislature and state agencies and requiring state agencies to comply with audit findings and directions. JLAC consists of five members of the House of Representatives, appointed by the Speaker of the House and five members of the Senate, appointed by the President of the Senate ([A.R.S. § 41-1279](#)).

Provisions

Auditor General Powers and Duties

1. Specifies that the Auditor General must follow requirements prescribed by the Department of Public Safety when disclosing information about the criminal history of an employee to the staff of the Auditor General for purposes of employment of personnel by the Auditor General. (Sec. 6)
2. Removes the requirement of the Auditor General to annually prepare a written report to the Governor and JLAC that contains a summary of activities for the previous fiscal year. (Sec. 7)
3. Directs the Auditor General to conduct a performance audit of counties with a transportation excise tax in the fifth year, instead of the tenth year. (Sec. 7)

Access to Records

4. Instructs all officers in any state agency, board, commission, department, institution, program, advisory council, committee, political subdivision and contractors with the state to afford reasonable and needed facilities for the Auditor General and make records available in the form at the time prescribed. (Sec. 8)
5. Specifies that the Attorney General must supervise the prosecution of offenders refusing or failing to provide access and examination of records. (Sec. 8)
6. Makes knowingly obstructing or misleading the Auditor General a class 2 misdemeanor. (Sec. 8)
7. Repeals the duty of local officers to make county, community college and school district records available. (Sec. 13)

Reporting Requirements

8. Eliminates the requirement that the uniform expenditure reporting system include a reconciliation of expenditures reported within financial statements to the expenditure limitation report of a community college district. (Sec. 10)
9. Removes the requirement that the expenditure information, exclusions from local revenues and expenditures subject to the expenditure limitation in a community college district annual expenditure limitation report be by fund. (Sec. 10)

Federal Single Audit

10. Requires the Auditor General to conduct or cause to be conducted financial and compliance audits of state agencies in compliance to the federal single audit requirement annually instead of every other year. (Sec. 7)

11. Eliminates the requirement that the Auditor General conduct an annual *compliance* audit for all counties and instead, for a county that is subject to the federal single audit requirement:
 - a) Requires compliance audits of financial transactions and applicable accounts kept by or for the county;
 - b) Stipulates that the audit must be conducted in accordance with generally accepted governmental auditing standards; and
 - c) Incorporate the inclusion of tests of the accounting records and other auditing procedures as may be considered necessary under the circumstances. (Sec. 12)
12. For a community college district subject to the federal single audit requirement:
 - a) Requires compliance audits of financial transactions and applicable accounts kept by or for the community college district;
 - b) Requires the audit to be conducted in accordance with generally accepted governmental auditing standards; and
 - c) Requires the inclusion of tests of the accounting records and other auditing procedures as may be considered necessary under the circumstances. (Sec. 12)

School District Audits

13. Instructs audited school districts to submit written reports to the Auditor General at the request of the Auditor General within two years following an audit of the district, instead of every six months for two years. (Sec. 7)
14. Requires the Auditor General to provide status reports of the progress of a school district in implementing audit recommendations to JLAC within the two-year period following an audit, instead of every six months for two years. (Sec. 7)
15. Removes the requirement that the school district performance audits determine whether school districts that receive money from the Arizona English Language Learner Fund follow statute regarding English language education for children in public schools. (Sec. 7)

County Transportation Excise Tax Audits

16. Directs the County Treasurer of a county with an approved county transportation excise tax to cooperate with and provide necessary information to the Auditor General. (Sec. 7)
17. Requires the County Treasurer to reimburse the Audit Services Revolving Fund from transportation excise tax revenues for the costs related to conducting a performance audit of a county transportation excise tax. (Sec. 7)
18. Lists money received from federal audits of federal funds, county excise tax performance audits and any other source authorized by statute as sources of revenue in the Audit Services Revolving Fund. (Sec. 9)

Sunset Review Reports

19. Revises factors in determining the need for continuation or termination of an agency during sunset review reports. (Sec. 14)
20. Modifies information provided by the agency in the final sunset review report. (Sec. 14)

Miscellaneous

21. Modifies the definition of *performance audit*. (Sec. 5)
22. Requires the Joint Legislative Budget Committee staff to notify the Legislature of the cost to conduct a special audit as soon as practicable. (Sec. 7)
23. Allows the Auditor General or their authorized representatives access to employees in the performance of official duties. (Sec. 8)
24. Makes technical and conforming changes. (Sec. 1-9, 11, 12, 14)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: GOV DP 10-0-0-1

[HB 2221](#): town councils; financial statements; website

**Sponsor: Representative Griffin, LD 14
Caucus & COW**

Overview

Requires the common council of a town to post a financial statement on the town's website at least 10 days before biennial elections.

History

At least 10 days before biennial elections, the common council of a town in Arizona is required to publish a financial statement of all monies received into its treasury and the sources from which they were received, as well as all disbursements, expenditures and accounts in which disbursements were made. The financial statement must be posted in a newspaper published in the town, and if there is none, the financial statement must be posted in three or more public places in the town. The financial statement must be an updated version from the last report ([A.R.S. § 9-246](#)).

Provisions

1. Requires the common council of a town to post a financial statement on the town's website, if any, at least 10 days before biennial elections. (Sec. 1)
2. Makes technical changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: GOV DP 11-0-0-0

HB 2350: counties; committed youth contributions; repeal

**Sponsor: Representative Toma, LD 22
Caucus & COW**

Overview

Eliminates the committed youth confinement cost sharing fee and the associated Arizona Department of Juvenile Corrections (ADJC) Local Cost Sharing Fund (Fund).

History

Every year, ADJC is required to assess a committed youth confinement cost sharing fee to all counties with populations of more than 500,000 people ([A.R.S. § 41-2832](#)). These monies are collected and deposited into the Fund administered by ADJC ([A.R.S. § 41-2833](#)).

Provisions

1. Repeals the committed youth confinement cost sharing fee and the Fund. (Sec. 1)
2. Transfers all unexpended and unencumbered monies remaining in the Fund to the state General Fund and appropriates these monies to the Arizona Department of Administration to distribute to each county proportionally in FY 2021. (Sec. 1)

Prop 105 (45 votes) Prop 108 (40 votes) Emergency (40 votes) Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: HHS DPA 9-0-0-0

HB 2051: informed consent; pelvic examinations

Sponsor: Representative Barto, LD 15
Committee on Health & Human Services

Overview

Expands the definition of *unprofessional conduct* for physicians, nurse practitioners, and physician assistants to include performing or supervising a pelvic examination without obtaining the patient's informed consent.

History

Currently ten states have made it illegal for a medical professional to perform a pelvic exam without first obtaining the patient's express consent ([EHLPP](#)). According to current statute, a medical doctor, doctor of osteopathy, nurse or physician assistant suspected of unprofessional conduct may be investigated and disciplined if found guilty by their respective boards ([A.R.S. §§ 32-1451](#), [32-1855](#), [32-1664](#), [32-2551](#)).

Provisions

1. Prohibits a physician, nurse practitioner or physician assistant from performing or supervising a pelvic examination on an anesthetized or unconscious patient without first obtaining the patient's informed consent to the examination, unless the examination:
 - a. Is within the scope of the procedure to be performed for which informed consent has been obtained; or
 - b. Is required for diagnostic purposes and is medically necessary. (Sec.1)

Amendments

Health and Human Services Committee

1. Specifies that it is not unprofessional conduct for a medical professional to perform a pelvic examination on an anesthetized or unconscious patient without informed consent if the examination is requested by law enforcement for an investigation.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: HHS DP 8-0-0-1

HB 2132: chiropractic assistants; scope of practice

Sponsor: Representative Barto, LD 15
Committee on Health & Human Services

Overview

Prohibits a chiropractic assistant from assisting a chiropractor in massage therapy unless the assistant holds a license in massage therapy.

History

Current Arizona statute defines *chiropractic assistant* as a person who is not licensed, but who has completed a training program approved by the state board of chiropractic examiners, who assists a chiropractor with basic healthcare duties but does not evaluate, interpret, design or modify treatment programs ([A.R.S. § 32-900](#)). A chiropractic assistant may not assist a chiropractor with acupuncture ([A.R.S. § 32-930](#)).

Provisions

1. Prohibits a chiropractic assistant from assisting a chiropractor in massage therapy unless the assistant holds a license in massage therapy. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: HHS DPA 9-0-0-0

HB 2224: psychology board; licensure; fingerprinting

Sponsor: Representative Barto, LD 15

Committee on Health & Human Services

Overview

Requires psychologists and behavioral analysts to apply for a fingerprint clearance card by January 1, 2021, includes those professions in the fingerprinting statutes and temporarily exempts license applicants from certain licensure requirements.

History

The State Board of Psychologist Examiners (Board) regulates the practice of psychology and behavioral analysis in Arizona ([A.R.S. § 32-2091](#)). Current law does not require psychologists and behavior analysts to have a fingerprint clearance card ([A.R.S. §§ 41-619.51](#) and [41-1758](#)).

Provisions

1. Requires all psychologist and behavioral analyst license applicants to apply for a fingerprint clearance card by January 1, 2021. (Sec. 1)
2. Outlines the process for application for licensure for applicants who are denied a fingerprint clearance card. (Sec. 1)
3. Adds the Board to the fingerprinting statutes in Title 41. (Sec. 8 & 10)
4. Repeals Version 2 of definitions on the board of fingerprinting and fingerprinting division. (Sec. 9 & 11)
5. Exempts psychologist license applicants from the following licensure requirements, beginning March 1, 2020 through September 1, 2022:
 - a. Two full-time academic years of graduate study in a doctoral program completed at the institution from which the doctoral degree is granted; and
 - b. A residency completed at the institution that awarded the applicant's doctoral degree. (Sec. 13)
6. Contains a retroactivity clause from and after February 29, 2020 for the temporary exemption for licensure. (Sec. 13)
7. Contains technical and conforming changes. (Sec. 1, 3, 4 & 7)

Amendments

Committee on Health & Human Services

1. Provides that if the experience was obtained in a state that licensed behavior analysts at the time of the work experience, the supervisor must be licensed in the state where the behavior analysis trainee services were provided.

<input checked="" type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
---	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: HHS DP 9-0-0-0-0

HB 2244: AHCCCS; dental services; Native Americans

Sponsor: Representative Shope, LD 8
Committee on Health & Human Services

Overview

Requires the Arizona Health Care Cost Containment System (AHCCCS) to seek federal authorization to reimburse the Indian Health Services (IHS) and tribal facilities to cover the cost of adult dental services.

History

AHCCCS contractors are required to provide medically necessary health and medical services to eligible members, including the following: 1) inpatient hospital services and outpatient health services; 2) laboratory and X-ray services; 3) prescription medications; 4) early and periodic health screening and diagnostic services for those under the age of 21; and 5) up to \$1,000 annually for emergency dental care and extractions per member over the age of 21 (A.R.S. § [36-2907](#)).

The [Federal Medical Assistance Percentage](#) (FMAP) is published annually by the U.S. Secretary of Health and Human Services (Secretary) and is used in determining the amount of federal matching funds for state expenditures for assistance payments for certain social services, and state medical and medical insurance expenditures.

The Secretary prescribes the FMAP for IHS and tribal facilities specifically under the Social Security Act and the Indian Health Care Improvement Act (Snyder Act). According to the Snyder Act, the Secretary is required to enter into contracts with urban Indian organizations as it relates to health care services for urban Indians. Any contract or grant requires the urban Indian organization to undertake identifying gaps between unmet health needs of urban Indians and the resources available to meet such needs and make recommendations to the Secretary and federal, state, local and other agencies on methods of improving health service programs. ([25 U.S.C. 1653](#)).

The Social Security Act specifies that services provided to Medicaid-eligible patients at IHS and tribal facilities can be reimbursed at 100% of the FMAP ([42 U.S.C. 1396d\(b\)](#))

Provisions

1. Requires AHCCCS to seek federal authorization to reimburse IHS and tribal facilities to cover the cost of adult dental services that are eligible for a FMAP of 100%, in excess of the limits currently prescribed in statute, and received through the IHS and tribal facilities. (Sec. 1)

Prop 105 (45 votes) Prop 108 (40 votes) Emergency (40 votes) Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: HHS DPA 9-0-0-0

HB 2317: physician assistants; licensure; board

Sponsor: Representative Barto, LD 15
Committee on Health & Human Services

Overview

Allows the Arizona Regulatory Board of Physician Assistants (ARBoPA) to issue a new license to a physician assistant (PA) whose license was previously surrendered if the applicant demonstrates to the ARBoPA satisfaction that they are completely rehabilitated in regard to the conduct that was the basis of the surrender.

History

The [ARBoPA](#) licenses qualified PA's and is responsible for protecting the public from unlawful, incompetent, unqualified, impaired or unprofessional PA's through licensing, regulating, investigating patient complaints against PA's and taking disciplinary action against their licensees. ARBoPA currently licenses and regulates over 1,000 PA's in Arizona. (A.R.S. § [32-2504](#))

Statute allows ARBoPA to issue a new license to a PA whose license was previously revoked by the ARBoPA if the applicant demonstrates to the ARBoPA satisfaction that the applicant is completely rehabilitated with respect to the conduct that was the basis for the revocation and outlines determination requirements for a decision. (A.R.S. § [32-2558\(a\)](#))

Provisions

1. Allows the ARBoPA to issue a new license to a PA whose license was previously surrendered if the applicant demonstrates to the ARBoPA satisfaction that they are completely rehabilitated in regard to the conduct that was the basis of the surrender. (Sec. 2)
2. Makes the necessary statutory adjustments to implement the change. (Sec. 2)
3. Makes technical and conforming changes. (Sec. 1)

Amendments

Committee on Health & Human Services

1. Makes a conforming change. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: JUD DP 10-0-0-0

HB 2233: court rules; signatures; court documents

Sponsor: Representative Allen J, LD 15
Committee on Judiciary

Overview

Enables the Supreme Court to adopt rules that govern signatures on specific court documents.

History

The current statute permits state government agencies to use electronic signatures provided specific security protocols are followed. An *electronic signature* is defined as an electronic method or process that through the application of a security procedure allows a determination that the electronic signature at the time it was executed was all of the following: 1) unique to the person using it; 2) capable of verification; 3) under the sole control of the person using it; and 4) linked to the electronic document to which it related in a manner so that if the document is changed the electronic signature is invalidated. ([A.R.S. § 41-351](#))

Provisions

1. Authorizes the Supreme Court to adopt rules that govern signatures, including electronic signatures, on court documents that require sworn written declaration, verification, certificate, statement, oath or affidavit. (Sec. 1)
2. Contains technical and conforming changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: MVA DP 7-0-0-0

HB 2135: veteran suicides; annual report
Sponsor: Representative Lawrence, LD 23
Caucus & COW

Overview

Adds data to be included in the annual report on veteran suicides.

History

[Laws 2019, chapter 104](#) established the annual veteran suicide report compiled by the Arizona Department of Health Services (DHS) that include the following:

- 1) The number and rate of Arizona veterans who died by suicide for the completed calendar year;
- 2) Historic trends of veteran suicide rates and instances in Arizona covering at least the last 5 years;
- 3) Historic trends of rates and instances of the most common mechanism of suicide among Arizona's veterans;
- 4) An analysis of the years of potential life lost to suicide among Arizona's veterans;
- 5) Comparisons of Arizona's veteran suicide rate to the suicide rates of the nation and other regions of the country during the same time period as reported by the United States Department of Veterans Affairs;
- 6) An analysis of the relative risk of suicide patterns among Arizona's veterans, including a demographic breakdown by race or ethnicity, age group, gender and region of the state;
- 7) A regional distribution analysis of suicide patterns among Arizona's veterans that considers population density as a potential risk factor and informs the distribution of suicide prevention services within Arizona;
- 8) An analysis of patterns of drugs, or combinations of drugs, that were used by Arizona's veterans when drug poisoning was the mechanism of suicide; and
- 9) An analysis of patterns of recent medical history of Arizona's veterans who died by suicide using data from the United States Department of Veterans Affairs and from the Arizona Health Care Cost Containment System.

The Arizona Department of Veterans' Services (ADVS) is required to provide data to DHS for the completion of the report ([A.R.S. § 36-132](#)).

Provisions

1. Requires the annual report to include utilization and encounter data for a nonprofit veterans' service organization that provides services related to reducing suicides among Arizona's military and veteran populations. (Sec. 1)
2. Allows the data that ADVS is required to provide DHS to include national, state and local sources as available. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes) <input type="checkbox"/> Prop 108 (40 votes) <input type="checkbox"/> Emergency (40 votes) <input type="checkbox"/> Fiscal Note
--



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: MVA DP 7-0-0-0

HB 2288: state licensing; fee waiver

Sponsor: Representative Osborne, LD 13
Caucus & COW

Overview

Provides a state licensing fee waiver to any active duty military service member and the member's spouse and any veteran applying for an initial license.

History

Pursuant to [A.R.S. § 41-1080.01](#), an agency shall waive any fee charged for an initial license for any individual applicant, excluding licensing for health care institutions and medical marijuana dispensaries, whose family income does not exceed 200% of the federal poverty guidelines, if the individual is applying for that specific license in Arizona for the first time.

Agency is defined as any agency, department, board or commission of Arizona or any political subdivision of Arizona that issues a license for the purposes of operating a business in Arizona or to an individual who provides a service to any person.

License is defined as any agency permit, certificate, approval, registration, charter or similar form of authorization that is required by law and that is issued by any agency for the purposes of operating a business in Arizona or to an individual who provides a service to any person where the license is necessary in performing that service ([A.R.S. § 41-1080](#)).

Provisions

1. Requires an agency to waive any fee charged for an initial license for the following individuals applying for that specific license for the first time:
 - a) Any active duty military service member and the member's spouse; and
 - b) Any veteran. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: NREW DPA 8-5-0-0-0

HB 2218: state mine inspector; qualifications

**Sponsor: Representative Griffin, LD 14
Caucus & COW**

Overview

Broadens the mining experience requirements for the State Mine Inspector (Inspector).

History

The Inspector is an elected position established in the Constitution of Arizona ([Constitution of Arizona, Article XIX](#)). The Inspector reviews the conditions, safety appliances, sanitation and ventilation, health and safety of miners, causes of any accidents or deaths and efforts to comply with state statute for all mines in Arizona ([A.R.S. § 27-124](#)). The Inspector must:

- Be an Arizona resident for at least 2 years before election;
- Be over 30 years old;
- Be engaged in and acquainted with mines and mining in Arizona; and
- Have at least 4 years' experience in mining or experience in any industry under the Inspector's jurisdiction, or both ([A.R.S. § 27-121\(A\)](#)).

Provisions

1. Increases the experience that the Inspector must have in mining from 4 to 8 years.
2. Requires the Inspector to have at least 4 years' experience in Arizona mining, which must include direct operational or management experience with mining operations and knowledge of problems involving mining employees' health and safety.
3. Directs an Inspector candidate to file an affidavit attesting that they fulfill the experience requirements with their nominating papers.
4. Makes technical changes.

Amendments

Committee on Natural Resources, Energy & Water

1. Specifies that Inspector candidates must have knowledge of state and federal regulations involving the health and safety of mining employees.
2. Makes technical changes.

Prop 105 (45 votes) Prop 108 (40 votes) Emergency (40 votes) Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: NREW DP 12-0-0-1-0-0

**HB 2309: groundwater; waterlogged area exemption; date
Sponsor: Representative Dunn, LD 13
Committee on Natural Resources, Energy & Water**

Overview

Extends exemptions for irrigation water duties, conservation requirements and groundwater withdrawals for the Buckeye Waterlogged Area (BWLA) through December 31, 2034.

History

The BWLA was established in 1988 to address the unique hydrologic conditions that impact land use and production in that area (Laws 1988, Chapter 97). Per statute, until December 31, 2024:

- 1) Lands in the BWLA are exempt from irrigation water duties ([A.R.S. § 45-411.01\(A\)](#));
- 2) The Buckeye Water Conservation & Drainage District, St. John's Irrigation District and Arlington Canal Company are exempt from conservation requirements for distributing groundwater ([A.R.S. § 45-411.01\(B\)](#)); and
- 3) Those who withdraw groundwater from the BWLA to irrigate there are exempt from groundwater withdrawal fees and water quality assurance fees ([A.R.S. § 45-411.01\(C\)](#)).

Additionally, statute directs the Arizona Department of Water Resources (ADWR) Director to account for groundwater withdrawn pursuant to drainage withdrawal permits as surface water if the groundwater is withdrawn from the BWLA before January 1, 2025 and is used at a turf facility or riparian habitat ([A.R.S. § 45-519](#)).

Finally, the ADWR Director is required to review the BWLA's hydrologic conditions, consult with area stakeholders and submit a recommendation by December 15, 2019 on whether to extend the exemptions for this area ([A.R.S. § 45-411.01\(F\)](#)). The most [recent report](#) recommended that the exemptions from irrigation water duties, conservation requirements and groundwater withdrawal fees be extended through December 31, 2034. It also recommended that ADWR submit another review of the BWLA hydrologic conditions and its recommendations for extending these exemptions by November 17, 2031.

Provisions

1. Extends:
 - a. The exemption from irrigation water duties, groundwater conservation requirements and groundwater withdrawal and water quality assurance fees for the Arlington Canal Company, the Buckeye Water Conservation and Drainage District and the St. John's Irrigation District through December 31, 2034; (Sec. 1)
 - b. The annual water duty exemption fee for these districts through December 31, 2034; and (Sec. 1)
 - c. The period that the ADWR Director must account for groundwater withdrawn pursuant to drainage withdrawal permits as surface water through January 1, 2035. (Sec. 2)
2. Directs the ADWR Director to review the BWLA's hydrologic conditions, consult with representatives from irrigation districts and municipalities in the BWLA and submit a recommendation on extending exemptions to the Governor, Senate President and Speaker of the House by November 15, 2031. (Sec. 1)
3. Makes technical changes. (Sec. 1)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: NREW DP 12-0-0-1-0-0

HB 2452: underground storage tanks; performance standards

**Sponsor: Representative Griffin, LD 14
Caucus & COW**

Overview

Requires an underground storage tank system (UST) to comply with certain federal performance standards in effect on January 1, 2020.

History

A UST is a tank or combination of tanks and underground pipes and impact valves connected to tanks that contain regulated substances (such as diesel or gasoline) and which has at least 10 percent of the total volume of the tank and underground portions of pipes connected to the tank underground ([A.R.S. § 49-1001\(21\)](#)).

In 1984, Congress created a federal program to regulate USTs containing petroleum and hazardous chemicals to limit corrosion and structural defects and therefore minimize tank leaks. The legislation also directed the U.S. Environmental Protection Agency (EPA) to set operating requirements and technical standards for tank design and installation, leak detection, spill and overfill control, corrective action and tank closure. The EPA delegated UST regulatory authority to approved state programs.

In 1986, Arizona established its own UST program that is administered by the Arizona Department of Environmental Quality (ADEQ) (Laws 1986, Chapter 230). This UST program has not received EPA program approval, which means that UST owners and operators must comply with both state and federal UST regulations. Specifically, statute requires, beginning on January 1, 2009, that:

- 1) USTs and piping components comply with federal secondary containment and release detection requirements; and
- 2) If a motor fuel dispenser is installed or replaced, an under-dispenser that complies with federal release detection requirements must also be installed ([A.R.S. § 49-1009](#)).

Federal regulations for USTs were most recently updated in 2015 ([Federal Register, Volume 80, No. 135](#)).

Provisions

1. Requires the following to comply with the secondary containment performance standards for new USTs and release detection requirements for interstitial monitoring in 40 Code of Federal Regulations Section 280.43(g) in effect on January 1, 2020:
 - a. Newly installed USTs; and
 - b. Any newly installed piping component that is 50% or more of the total linear footage of all connected piping in the UST and conveys a regulated substance.
2. Directs someone who installs or replaces a dispenser system that connects to a UST to install an under-dispenser containment.
3. Stipulates that this under-dispenser containment comply with the performance standards for new USTs in 40 Code of Federal Regulations Section 280.20(f) in effect on January 1, 2020.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: NREW DP 13-0-0-0-0

HB 2455: air quality omnibus
Sponsor: Representative Griffin, LD 14
Caucus & COW

Overview

Make several changes to Voluntary Vehicle Repair and Retrofit Program (VRRP) and Vehicle Emissions Inspection Program (VEIP).

History

VRRP

The VRRP was created in 1998 and requires each county with more than 400,000 people to operate and administer this program. Someone who owns a car that is at least 12 years old, fails an emissions inspection test and meets other statutory criteria can participate in this program. In return for paying a \$150 copayment, an owner can have their vehicle repaired or have a retrofit kit installed provided the repair, parts and labor costs do not exceed certain limits established in statute ([A.R.S. § 49-474.03](#)). Participating county boards of supervisors must appoint a committee to advise and make recommendations on developing and implementing this program ([A.R.S. § 49-474.04](#)).

Statute also requires each county with more than 1,200,000 residents to operate and administer a similar program to replace catalytic converters on vehicles that fail emissions tests ([A.R.S. § 49-474.03\(E\)](#)).

VEIP

The Arizona Department of Environmental Quality (ADEQ) Director administers the VEIP. Vehicles that are registered in Area A (the Phoenix metropolitan area and parts of Pinal and Yavapai Counties) and Area B (the Tucson metropolitan area), or that are used to commute to workplaces in these areas, must pass annual or biennial inspections to ensure compliance with minimum emissions standards. The ADEQ Director is responsible for adopting these standards, which are based on the class of vehicle and location in the Phoenix or Tucson metropolitan area. A vehicle cannot be sold in these metropolitan areas or registered until it has passed an inspection ([A.R.S. § 49-542](#)). Additionally, car dealers in these areas must, under certain circumstances, repair a vehicle, reimburse the buyer for the cost of failed test or enter into an alternative agreement if a vehicle they recently sold fails an emissions test ([A.R.S. § 49-542.03](#)).

Statute also requires ADEQ to research and quantify the effect of alternative fuels on toxic components of vehicle emissions. ADEQ must use monies from the Air Quality Fund to purchase equipment to measure the effects of using oxygenated gasoline blends ([A.R.S. § 49-553](#)).

Provisions

VRRP

1. Repeals the requirement that counties with over 400,000 people must operate and administer a VRRP and instead directs ADEQ to operate and administer this program in areas that have the VEIP. (Sec. 7)
2. Removes the 12 years or older model year restriction to allow all vehicles that fail emissions testing requirements to participate in this program. (Sec. 7)
3. Reduces the customer copayment for those who qualify for this program from \$150 to \$100. (Sec. 7)
4. Increases, from \$700 to \$1,000, the required amount of repair or retrofit costs that makes a vehicle ineligible for the program unless its owners choose to pay additional costs. (Sec. 7)
5. Eliminates the requirement that vehicles undergo a pre-repair emissions test before repairs or retrofits. (Sec. 7)
6. Allows ADEQ to contract with an independent contractor to develop and implement all or any portion of this program. (Sec. 7)
7. Terminates the VRRP advisory committee. (Sec. 1)
8. Deletes the mandate that counties with a population over 1,200,000 operate and administer a program to replace catalytic converters on vehicles that do not meet emissions standards. (Sec. 7)

VEIP

- 9. Removes the mandate that ADEQ:
 - a. Conduct research to quantify the effects of alternative fuels on toxic components of vehicle emissions and instead allows ADEQ to research vehicle emissions; and
 - b. Acquire equipment with Air Quality Fund monies to measure the emissions of effects of oxygenated gasoline blends in vehicle emissions testing. (Sec. 6)
- 10. Allows ADEQ to hire consultants to analyze the costs and benefits of measures to reduce emissions, instead of carbon monoxide. (Sec. 6)
- 11. Conditions the enactment of this legislation on the U.E. Environmental Protection Agency approving the following proposed changes to the vehicle emissions testing program protocols by July 1, 2022:
 - a. VEIP testing requirements; and
 - b. Motor vehicle dealer emissions testing. (Sec. 8 and 9)

Miscellaneous

- 12. Makes technical and conforming changes. (Sec. 2 through 7)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: NREW DPA 11-0-0-2-0-0

HB 2456: environmental quality programs; terminations; repeal
Sponsor: Representative Griffin, LD 14
Caucus & COW

Overview

Repeals the termination dates for the Voluntary Remediation Program, Total Maximum Daily Load Program and Monitoring Assistance Program.

History

Voluntary Remediation Program

The Voluntary Remediation Program allows someone to submit a work plan to remediate a contaminated site to the Arizona Department of Environmental Quality (ADEQ). This work plan will be approved if ADEQ determines that the proposed remediation is likely to achieve safe levels or controls in a timely manner and comply with applicable laws and regulations. In return, ADEQ will not take any regulatory action against that person if the work plan is implemented ([A.R.S. § 49-171 et seq.](#)). This program terminates on July 1, 2020 ([A.R.S. § 49-186](#)).

Total Maximum Daily Load Program

Under the Total Maximum Daily Load (TMDL) Program, ADEQ evaluates navigable waters to identify those that do not meet water quality standards. The agency creates TMDL for the out-of-compliance waters that estimates the amount of pollutants these waters can receive and still reach and maintain water quality standards. That TMDL is then implemented through permit limitations and ADEQ's Nonpoint Source Program ([A.R.S. § 49-231 et seq.](#)). The program terminates on July 1, 2020 ([A.R.S. § 49-238](#)).

Monitoring Assistance Program

The Monitoring Assistance Program helps public water systems comply with the monitoring requirements of the Safe Drinking Water Act by collecting, transporting and analyzing baseline samples from these systems for certain categories of contaminants ([A.R.S. § 49-360](#)). It terminates on December 31, 2020 ([Laws 2010, Chapter 277](#)).

Water Quality Appeals Board

The Water Quality Appeals Board consists of three members who are appointed by the Governor. This Board can receive appeals for any decision ADEQ has made regarding water quality control, aquifer protection permits or pesticide contamination prevention. This board reviews evidence, hears arguments and issues a decision within a specified time frame ([A.R.S. § 49-321 et seq.](#)). It terminates on July 1, 2022 ([A.R.S. § 41-3022.08](#)).

Vehicle Emissions Inspection Program

The ADEQ Director administers the Vehicle Emissions Inspection Program. Vehicles that are registered in Area A (the Phoenix metropolitan area and parts of Pinal and Yavapai Counties) and Area B (the Tucson metropolitan area), or that are used to commute to workplaces in these areas, must pass annual or biennial inspections to ensure compliance with minimum emissions standards. The ADEQ Director is responsible for adopting these standards, which are based on the class of vehicle and location in the Phoenix or Tucson metropolitan area. A vehicle cannot be sold in these metropolitan areas or registered until it has passed an inspection ([A.R.S. § 49-542](#)). Additionally, car dealers in these areas must, under certain circumstances, repair a vehicle, reimburse the buyer for the cost of failed test or enter into an alternative agreement if a vehicle they recently sold fails an emissions test ([A.R.S. § 49-542.03](#)). It terminates on July 1, 2022 ([A.R.S. § 41-3022.09](#)).

Oil and Gas Conservation Commission

The Oil and Gas Conservation Commission administers and enforces state laws on conservation of oil, natural gas, helium, carbon dioxide and geothermal resources. To those ends, it can issue permits for oil, gas and geothermal wells; monitor and inspect facilities; maintain data on drilling and production; and provide information on exploring and developing these resources. This commission is composed of five members who are appointed by the Governor ([A.R.S. § 27-514 et seq.](#)). It terminates on July 1, 2022 ([A.R.S. § 41-3022.24](#)).

Provisions

1. Repeals the termination dates for the Voluntary Remediation Program, Total Maximum Daily Load Program and Monitoring Assistance Program. (Sec. 1 and 2).
2. Makes a conforming change. (Sec. 1).

Amendment

Committee on Natural Resources, Energy & Water

1. Repeals the termination dates for the Water Quality Appeals Board, Vehicle Emissions Inspection Program and Oil and Gas Conservation Commission.

Prop 105 (45 votes) Prop 108 (40 votes) Emergency (40 votes) Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: NREW DP 12-0-0-1-0-0

HB 2497: lawn equipment emissions reduction program

**Sponsor: Representative Dunn, LD 13
Caucus & COW**

Overview

Increases the voucher amount for commercial lawn mowers and allows recipients to use vouchers for manually operated reel lawn mowers.

History

A county with over 500,000 people must create a voluntary lawn and garden equipment emissions reduction program. Someone can participate in this program if their lawn or garden equipment functions and is used for residential or commercial purposes. Participants can receive:

- 1) A \$200 voucher for retiring a commercial lawn mower which they must use to buy a lower emission lawn mower.
- 2) A \$100 voucher for retiring a residential lawn mower which they must use to buy an electric lawn mower.
- 3) A \$50 voucher for retiring a gasoline-powered lawn or garden device which they must use to buy a similar device that generates lower emissions.

Retired equipment cannot be used in Arizona ([A.R.S. § 49-474.02](#)).

Provisions

1. Requires that vouchers issued to commercial lawn mower owners be at least \$200.
2. Allows residential lawn mower owners to use their voucher to purchase manually operated reel lawn mowers.
3. Makes a technical change.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: NREW DP 12-0-0-1-0-0

HB 2593: mining advisory council; repeal
Sponsor: Representative Griffin, LD 14
Caucus & COW

Overview

Repeals the Mining Advisory Council (Council).

History

The Council was created to review mining policy and to aid state agencies regarding rules affecting mining in the state. The Council consists of nine members and two legislators who serve in an advisory capacity ([Laws 2010, Chapter 309, § 20](#) and [A.R.S. § 41-4701](#)).

The House of Representatives Natural Resources, Energy and Water Committee of Reference met on January 14, 2020 and recommended not continuing the Council.

Provisions

1. Repeals the Council.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: NREW DP 11-1-0-1-0-0

HB 2617: temporary irrigation efficiency projects fund.

**Sponsor: Representative Griffin, LD 14
Caucus & COW**

Overview

Limits the requirement that a *qualified irrigation district* not deliver surface water other than Central Arizona Project (CAP) water in 2017 to districts located in the Phoenix Active Management Area (AMA) in order to qualify for Temporary Groundwater and Irrigation Efficiency Projects Fund (Fund) monies.

History

The Fund was created as part of the Drought Contingency Plan to finance projects that construct and rehabilitate groundwater withdrawal and deliver infrastructure for qualified irrigation districts in the Phoenix AMA, the Pinal AMA and the Harquahala Irrigation Non-Expansion Area (INA) ([Laws 2019, Chapter 1, § 7](#)). The Arizona Department of Water Resources (ADWR) Director grants Fund monies to *qualified irrigation districts* that meet the following requirements:

- 1) The district received CAP water after 2014 other than through a groundwater savings facility;
- 2) At least 9,000 acres in the district can be lawfully irrigated and the district did not deliver surface water other than CAP water in 2017; and
- 3) The district applied to ADWR for Fund monies to build an irrigation efficiency project in the Phoenix AMA, Pinal AMA or Harquahala INA ([A.R.S. § 45-615.01](#)).

Provisions

1. Limits the requirement that a *qualified irrigation district* not deliver surface water other than CAP water in 2017 to districts located in the Phoenix AMA.
2. Makes technical and conforming changes.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: NREW DP 8-5-0-0-0

HB 2686: building permits; utilities; restrictions; prohibitions

**Sponsor: Representative Bowers, LD 25
Caucus & COW**

Overview

Prohibits a municipality or county from establishing restrictions on issuing building permits based on the utility provider that will serve that project.

History

Municipality Building Permits

Statute establishes limited parameters on what a municipality can require from a building permit applicant. For example, a municipality cannot require an applicant to hold a transaction privilege tax (TPT) license or business license but can require someone to apply for a business license if they do not have one within 30 days of the permit being issued. Additionally, a municipality cannot require the subsequent owner of a building or addition that was constructed without a permit to obtain a permit for the prior owner's construction ([A.R.S. § 9-467](#)).

County Building Permits

If a municipality does not have an ordinance on issuing building permits, a county board of supervisors must require a building permit for any building construction or any addition that costs over \$1,000. Like municipalities, a county board of supervisors cannot require:

- 1) an applicant to have a TPT license or business license; or
- 2) the subsequent owner of a building or addition that was constructed without a permit to obtain a permit for the prior owner's construction ([A.R.S. § 11-321](#)).

Provisions

1. Prohibits a municipality or county from denying a building permit application based on the utility provider proposed to serve the project. (Sec. 1 and 3).
2. Directs a municipality or county issuing a building permit to ensure that all applicable permits and fees contain requirements and amounts for use of other utility providers that do not restrict a permit applicant's ability to use a utility provider that is authorized to provide service. (Sec. 1 and 3)
3. Requires a municipality's or county's code, ordinance, land use regulation or general or specific plan provision or part of a code, ordinance, land use regulation or general or specific plan provision to preserve a person's or entity's ability to use a utility provider that is authorized to provide services. (Sec. 2 and 4)
4. Forbids a municipality or county from imposing a fine, penalty or other requirement that restricts a utility provider's authority to operate or serve customers. (Sec. 2 and 4)
5. Specifies that these requirements do not affect a municipality's or county's authority to manage public highways within its boundaries or to exercise its power to review and approve an application before issuing a building permit. (Sec. 2 and 4)
6. Defines *municipality*. (Sec. 1)
7. Makes technical and conforming changes. (Sec. 1 and 3)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: RA DP 4-2-1-0

HB 2184: occupational and professional licensure; notice
Sponsor: Representative Petersen, LD 12
Caucus & COW

Overview

Requires a printed statement on all license and certificate applications, regulating entity websites and all communications with a potential licensee.

History

Statute outlines licensure and certification application processes and exemptions for residents of this state. Applicants shall be issued an occupational or professional license or certificate in the same discipline at the same practice level, without an examination, if:

- 1) The person is currently licensed or certified in at least one other state at the same practice level, and in good standing in all states where the license or certificate is held;
- 2) The license or certificate has been held for at least one year;
- 3) The state of licensure or certification verifies that the person met minimum education or work experience, clinical supervision or examination requirements if applicable;
- 4) No license or certificate has been revoked or voluntarily surrendered in any other state or country while under investigation for unprofessional conduct;
- 5) The person has no uncorrected or unresolved discipline action against them, and no complaints, allegations or investigations pending before another regulatory entity in another state or country relating to unprofessional conduct; and
- 6) All applicable fees have been paid and the person does not have a disqualifying criminal history determined by the regulating entity ([A.R.S. § 32-4302](#)).

A regulating entity may require an applicant to pass an examination specific to this state ([A.R.S. § 32-4302](#)).

Provisions

1. Requires a regulating entity to add a printed statement to all license and certificate applications, websites and communications with a potential licensee. (Sec. 2)
2. Requires the printed statement to inform the applicant that they will be granted an occupational or professional license or certificate if the applicant has been licensed or certified in another state for at least one year, in the same discipline, at the same practice level and meets the conditions stated above. (Sec. 2)
3. Makes a technical change. (Sec. 1)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: RA DPA 7-0-0-0

HB 2249: personal representatives; funeral directors; prohibition
Sponsor: Representative Bolick, LD 20
Caucus & COW

Overview

Disqualifies a funeral director in control of a decedent's remains from seeking appointment as a personal representative of the decedent.

History

Statute specifies priority among persons seeking appointment as a personal representative of the decedent. If not disqualified, the order of priority is as follows:

- 1) Those determined by a will, or nominated by a power conferred in will;
- 2) A surviving spouse who is a devisee;
- 3) Other devisees of decedent;
- 4) Surviving spouse;
- 5) Other heirs;
- 6) The Department of Veterans' Services if the decedent was a veteran or the spouse or child of a veteran;
- 7) Any creditor 45 days after death; or
- 8) The public fiduciary. ([A.R.S. § 14-3203](#))

Provisions

1. Prohibits a funeral director who has control of a decedent's remains from qualifying as a creditor and seeking appointment as a personal representative of the decedent. (Sec. 1)
2. Makes technical changes (Sec. 1)

Amendments

Committee on Regulatory Affairs

1. Prohibits a funeral establishment owner who has control of a decedent's remains from qualifying as a creditor and seeking appointment as a personal representative of the decedent.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: RA DP 7-0-0-0

HB 2312: financial institutions; insurance; licenses

Sponsor: Representative Grantham, LD 12
Caucus & COW

Overview

Makes various changes to statute relating to certain financial enterprises.

History

Pursuant to [A.R.S. § 6-121](#), financial institutions and enterprises are subject to examination and supervision by Arizona Department of Financial Institutions (Department). Regulated enterprises include money transmitters, holding companies, trust companies, sales finance companies, collection agencies, escrow agents, debt management companies, consumer lenders, mortgage bankers, mortgage brokers, loan originators, premium finance companies, credit unions and banks ([A.R.S. § Title 6 – Banks and Financial Institutions](#)).

Provisions

1. Removes the application fees payable to the Department for moving an enterprise's established office and issuing a duplicate or replacement license. (Sec. 1)
2. Removes the requirement for certain financial enterprises to submit a terminated, revoked or surrendered license to the Department. (Sec. 2, 4, 6, 7, 11, 12, 14, 16)
3. Removes the requirement for certain financial enterprises to conspicuously or prominently display the license. (Sec. 2, 3, 5, 7-10, 13, 15)
4. Removes the requirement that a debt management licensee, when requesting a change to the place of business or the name of the company, submit their license to the Department to permit the change and amend the license accordingly. (Sec. 4)
5. Requires all licensed mortgage brokers, mortgage bankers, commercial mortgage bankers and transmitters of money to notify the Department within 15 calendar days if the address of the principal place of business or branch office is changed. (Sec. 7, 8, 10, 13)
6. Requires a mortgage broker, a mortgage banker or a consumer lender that employs a loan originator to submit a sponsorship request through a Nationwide Multistate Licensing System (NMLS) that provides written notice that the employer has hired the loan originator. (Sec. 12)
7. Requires a person exempt from licensure as a mortgage broker, a mortgage banker, or a commercial mortgage banker, to submit a sponsorship request through the NMLS that provides a written notice that the exempt person has engaged the loan originator on an exclusive contract. (Sec. 12)
8. Prohibits a loan originator from conducting business in this state unless the Department has accepted a sponsorship request through the NMLS. (Sec. 12)
9. Removes the requirement that a mortgage broker, a mortgage banker, consumer lender or a registered exempt person keep a copy of the loan originators license at the principal place of business for public inspection during regular business hours. (Sec. 12)
10. Prohibits a person from acting as a loan originator on the behalf of a mortgage broker, mortgage banker, consumer lender or an exempt person unless they are a licensed loan originator. (Sec. 12)
11. Requires the loan originator to notify the Department within 15 calendar days of a change in the loan originators residential address. (Sec. 12)
12. Permits the Director of the Department of Insurance to make the information contained on a license, permit, registration or certification available electronically. (sec. 17)
13. Removes archaic language relating to licensure for a mortgage broker, mortgage banker and commercial mortgage banker. (Sec. 7, 8, 11)

14. Makes technical changes. (Sec. 5, 10, 14, 15, 16, 17)

15. Makes technical and conforming changes. (Sec. 1-4, 6-9, 11-13)

Prop 105 (45 votes) Prop 108 (40 votes) Emergency (40 votes) Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: RA DP 7-0-0-0

HB 2351: real estate; employee; rent collection

Sponsor: Representative Toma, LD 22
Caucus & COW

Overview

Allows an unlicensed employee to collect rent on behalf of a real estate broker, cemetery broker or membership camping broker (Broker).

History

Statute defines real estate broker as a person, other than a sales person, who, for another and for compensation conducts transactions in real estate, businesses and business opportunities or time share interests. This includes sales, exchanges, purchases, renting, leasing, negotiations, listing, auctions, offers and collecting or attempting to collect rent for the use of real estate ([A.R.S. § 32-2101](#)).

It is unlawful for any person, corporation, partnership or limited liability company to engage in the activities listed above without first obtaining the appropriate license ([A.R.S. § 32-2122](#)).

Any act for compensation, that is included in the definition of a Broker constitutes the person attempting to perform the act of that Broker or the corresponding salesperson. ([A.R.S. § 32-2122](#)).

Provisions

1. Authorizes a person who is not a Broker but works for a Broker, to collect rent for the use of real estate as part of a person's clerical duties. (sec. 1, 2)
2. Makes technical changes. (sec. 1, 2)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: RA DP 7-0-0-0

HB 2398: insurance producer licensing; exceptions

Sponsor: Representative Weninger, LD 17
Caucus & COW

Overview

Exempts a person who provides a website or electronic platform for insurers, and a person who processes payments for insurance premiums from the requirement to obtain a license as an insurance provider.

History

Statute lists persons who are exempt from obtaining a license as an insurance producer. Exemptions include persons whose duties do not include or are only indirectly related to the sale of insurance. Exemptions also include persons who do not receive a commission for policies written or sold ([A.R.S. § 20-283](#)).

Provisions

1. Adds the following to the list of persons not required to obtain a license as an insurance provider:
 - a. A person who provides a website or electronic platform for insurers; and
 - b. A person that processes payments or charges for insurance premiums. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: RA DP 7-0-0-0

HB 2403: service contracts; refunds; administrative expenses

**Sponsor: Representative Grantham, LD 12
Caucus & COW**

Overview

Modifies the cancellation terms of a service contract (Contract).

History

A service company may not offer or issue a Contract unless the service company had been issued a permit by the Director of the Department of Insurance (Director) ([A.R.S. § 20-1095.01](#)).

A Contract is a written contract or agreement to perform the service, repair, replacement or maintenance on: 1) A consumer product; 2) The structural components, appliances, electrical, plumbing, heating, cooling or air conditioning system of a residential property; 3) The tires or wheels on a motor vehicle damaged due to road hazards; and 4) Any other services or products approved by the Director ([A.R.S. § 20-1095](#)).

Provisions

1. Stipulates that, in the event of a Contract cancellation, the administrative expenses cannot exceed \$75 or 10% of the purchase price of the Contract, whichever is less, and any administrative expenses assessed may not exceed the amount of the refund due to the Contract holder. (Sec. 1)
2. States that a Contract must disclose whether the contract covers or excludes preexisting conditions. (Sec. 1)
3. Makes technical changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: TRANS DP 6-1-1-1

HB 2063: education and community enrichment plates

**Sponsor: Representative Kavanagh, LD 23
Caucus & COW**

Overview

Establishes the Education and Community Enrichment Plate and Fund.

History

Pursuant to [A.R.S. § 28-2351](#), the Arizona Department of Transportation (ADOT) is required to provide every vehicle owner one license plate for every vehicle registered upon application and on payment of prescribed fees.

In accordance with [A.R.S. § 28-2403](#), special plates may be issued by ADOT in lieu of the regular license plate, upon application. An initial and annual renewal fee of \$25 is required for the special plate in addition to the vehicle registration fees, with outlined exceptions ([A.R.S. § 28-2402](#)). There currently are 90 special plate variations that include the *First Responder Plate*, *Arizona Cardinals Plate* and *Arizona Agriculture Plate*.

Provisions

1. Directs ADOT to issue an Education and Community Enrichment Special Plate if, by December 31, 2020, a person pays \$32,000 for implementation. (Sec. 3)
2. Requires the person that provides the \$32,000 to design the Education and Community Enrichment Special Plate, subject to approval by ADOT. (Sec. 3)
3. Allows ADOT to combine requests for an Education and Community Enrichment Special Plate and a personalized special plate, in a form prescribed by ADOT and subject to fees for both plates. (Sec. 3)
4. Establishes the Education and Community Enrichment Special Plate Fund (Fund), administered by ADOT. (Sec. 3)
5. Requires that, of the \$25 fee required to obtain and renew a special plate, \$8 is an administrative fee and \$17 is an annual donation. (Sec. 3)
6. Requires that the \$8 administration fee be deposited into the State Highway Fund and the \$17 annual donation be deposited into the Fund. (Sec. 3)
7. Requires that the first \$32,000 in the Fund be reimbursed to the person who paid the implementation fee. (Sec. 3)
8. Requires that no more than 10% of the monies annually deposited in the Fund be used to administer the Fund. (Sec. 3)
9. States that monies in the Fund are continuously appropriated. (Sec. 3)
10. Requires ADOT to annually allocate monies from the Fund, excluding administrative fees, to a charitable organization that:
 - a. Is headquartered in Arizona;
 - b. Has a mission to promote education through scholarships and other educational programming to promote youth activities, and sports and cultural enrichment in the community;
 - c. Develop programming through partnerships and collaboration with local community organizations;
 - d. Has an annual grant cycle and emphasizes giving grants to nonprofits that work in the areas of youth, youth sports, education, western heritage or cultural and community enrichment; and
 - e. Provide the following:
 - i. Grant funding for individual schools;
 - ii. Science, technology, engineering and mathematics education grants;
 - iii. Robotics program grants;
 - iv. Project graduation grants;
 - v. Eight future teacher scholarships per year;
 - vi. Full-ride scholarships to Scottsdale Community College;
 - vii. National Board Certification scholarships;

- viii. Masters in education scholarships; and
- ix. Student teacher scholarship. (Sec. 3)

- 11. Requires the state treasurer, on notice of ADOT, to invest and divest money in the Fund.
 - a. Requires monies earned from investments to be credited to the Fund. (Sec 3)
- 12. Makes technical and conforming changes. (Sec. 1-2, 4-8)

Prop 105 (45 votes) Prop 108 (40 votes) Emergency (40 votes) Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: TRANS DP 7-0-1-1

HB 2064: rodeo special plates

**Sponsor: Representative Kavanagh, LD 23
Caucus & COW**

Overview

Establishes the Rodeo Special Plate and Fund.

History

Pursuant to [A.R.S. § 28-2351](#), the Arizona Department of Transportation (ADOT) is required to provide every vehicle owner one license plate for every vehicle registered upon application and on payment of prescribed fees.

In accordance with [A.R.S. § 28-2403](#), special plates may be issued by ADOT in lieu of the regular license plate, upon application. An initial and annual renewal fee of \$25 is required for the special plate in addition to the vehicle registration fees, with outlined exceptions ([A.R.S. § 28-2402](#)). There currently are 90 special plate variations that include the *First Responder Plate*, *Arizona Cardinals Plate* and *Arizona Agriculture Plate*.

Provisions

1. Directs ADOT to issue a Rodeo Special Plate if, by December 31, 2020, a person pays \$32,000 for implementation. (Sec. 3)
2. Requires the person that provides the \$32,000 to design the Rodeo Special Plate, subject to approval by ADOT. (Sec. 3)
3. Allows ADOT to combine requests for special Rodeo Special Plate and a personalized special plate, in a formed prescribed by ADOT and subject to fees for both plates. (Sec. 3)
4. Establishes the Rodeo Special Plate Fund (Fund), administered by ADOT. (Sec. 3)
5. Requires that, of the \$25 fee required to obtain and renew a special plate, \$8 is an administrative fee and \$17 is an annual donation. (Sec. 3)
6. Requires that the \$8 administration fee be deposited into the State Highway Fund and the \$17 annual donation be deposited into the Fund. (Sec. 3)
7. Requires that the first \$32,000 in the Fund be reimbursed to the person who paid the implementation fee. (Sec. 3)
8. Requires that no more than 10% of the monies annually deposited in the Fund be used to administer the Fund. (Sec. 3)
9. States that monies in the Fund are continuously appropriated. (Sec. 3)
10. Requires ADOT to annually allocate monies from the Fund, excluding administrative fees, to a charitable organization that:
 - a. Is headquartered in Arizona;
 - b. Supports a museum in Arizona that boasts rodeo artifacts going back to at least 1953, including saddles ridden by famous rodeo champions; and
 - c. Awards collegiate scholarships. (Sec.3)
11. Requires the state treasurer, on notice of ADOT, to invest and divest money in the Fund.
 - a. Requires monies earned from investments to be credited to the Fund. (Sec 3)
12. Makes technical and conforming changes. (Sec. 1-2, 4-8)

Prop 105 (45 votes) Prop 108 (40 votes) Emergency (40 votes) Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: WM DP 10-0-0-0

**[HB 2058](#): delinquent property tax; interest; waiver
Sponsor: Representative Kavanagh, LD 23
Caucus and Cow**

Overview

Allows a county treasurer to waive interest and penalties for delinquent taxes. Allows this waiver only once per property.

History

Mandates that all delinquent taxes bear interest at the rate of 16% per year until paid. Interest shall not be collected if:

- 1) delinquency is the result of error by county assessor or treasurer; or
- 2) if the full-year tax is paid on or before December 31 of the tax year. ([A.R.S. § 42-18053](#))

Provisions

1. Allows the county treasurer to waive interest and penalties that accumulate during a one-year period after a mortgage or deed of trust has been satisfied or otherwise released on a property. (Sec. 1)
2. Limits a taxpayer to one waiver under this subsection per property. (Sec. 1)
3. Contains technical changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: WM DPA 10-0-0-0

HB 2099: property tax; mobile homes; delinquency

Sponsor: Representative Griffin, LD 14
Caucus and COW

Overview

States that a county treasurer and officers shall obtain unpaid delinquent property taxes on mobile homes, that are not attached to real property and are used as the owner's primary residence in compliance with the sale and redemption of tax liens and the judicial foreclosure process in current statute.

History

Specifies that when a person is delinquent in paying property tax, the tax shall be collected by the county treasurer and the officers of the county treasurer in the manner and method prescribed in title [42, chapter 18](#). The officers of the county treasurer shall use the method and procedures of identifying mobile homes prescribed by the department of transportation.

Provisions

1. Requires that the county treasurer secure payment of delinquent property taxes by complying with chapter 18, articles 3, 4 and 5 when collecting on a mobile home that an affidavit of affixture has not been recorded and that is used as the owner's primary residence. (Sec. 1)
2. States an insubstantial failure to comply with title 42, chapter 18, articles 3, 4 and 5 does not affect validity of:
 - a. Assessment and levy of taxes; or
 - b. The sale of a tax lien or the foreclosure of the right to redeem by which tax collection is enforced. (Sec. 1)
3. Contains technical changes. (Sec. 1)

Amendment

1. An owner of a mobile home without and affidavit of affixture that is the owner's residence must be 1-year delinquent in taxes prior to a collection and enforcement of the property for unpaid taxes. After the 1-year there will be a 6-month redemption period.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: WM DP 8-2-0-0

HB 2293: renewable energy storage equipment; valuation

**Sponsor: Representative Dunn, LD 13
Caucus & COW**

Overview

Provides an exemption from state and municipal tax for machinery and equipment used directly for energy storage for later electrical use.

History

State law levies a Transaction Privilege Tax (TPT) on gross receipts from business activities. [A.R.S. § 42-5061](#) deducts proceeds from the sale of specified categories of tangible personal property from the TPT tax base.

State law also levies a Use Tax on items purchased in other states and brought into Arizona when no tax or a lower rate of taxes was paid in the other state. [A.R.S. § 42-5159](#) exempts specified tangible personal property from the use tax.

Currently, statute allows the governing body of a city or town or a county board of supervisors to designate a qualifying parcel of land as a renewable energy incentive district. ([A.R.S. §§ 9-499.14, 11-254.07](#)) After establishing a renewable energy incentive district, the governing body is required to adopt a renewable energy incentive plan that may include: a) expedited zoning or rezoning procedures; b) expedited processing of plans, proposals and permits; c) waivers or abatement of county zoning fees, processing fees and improvement district fees and assessments for development activities and; d) waiver or abatement of development standards and procedural requirements.

Provisions

1. Adds "storage" equipment as qualifying equipment for a renewable energy incentive district. (Sec. 1, 2)
2. Provides an exemption from state and municipal tax for machinery and equipment used directly for energy storage for later electrical use. (Sec. 4, 5, 9, 10, 11)
3. Requires the Department of Revenue (DOR) to annually determine the valuation of all property, owned or leased, used in the operation of an energy storage, transmission or distribution system. (Sec. 12)
4. Requires DOR to determine the full cash value of taxable renewable energy storage equipment, in addition to that of renewable energy equipment, through December 31, 2040. (Sec. 13)
5. States that all energy storage equipment, both collocated with renewable energy and stand-alone energy storage equipment, qualifies for valuation. (Sec. 13)
6. Defines *electric utility scale*, *energy storage* and *machinery and equipment used directly*. (Sec. 4, 5, 9, 10, 11, 13)
7. Makes technical and conforming changes. (Sec. 1, 3, 4, 5, 6, 7, 8, 9, 12, 13)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: WM DPA 10-0-0-0

HB 2354: income tax; returns; filing extension

**Sponsor: Representative Toma, LD 22
Caucus and COW**

Overview

The due date for an income tax return for a taxpayer filing a corporate, partnership or exempt organization return that has been granted an extension will be seven months from the initial due date.

History

The department of revenue may grant an automatic extension for filing an income tax return due under title 43 if at least 90% of the tax liability has been paid and the request is received or mailed on or before the date the return is due. If 90% of the tax liability has not been paid at the time for filing for extension, then the tax payer is subject to a penalty of one-half of one percent of the tax not paid for each thirty-day period or fraction of a thirty-day period between when the tax is due and when it is paid. The maximum penalty that can be imposed is 25%. An extension or extensions may not aggregate more than six months after the due date provided for the filing of returns. If a taxpayer is granted an extension to file for a federal income tax, then the taxpayer is deemed to have been granted the same extension for filing an Arizona income tax return for the same period. ([A.R.S. § 42-1107](#))

Provisions

1. States that the due date for an income tax return for a taxpayer filing a corporate, partnership or exempt organization that has been granted an extension is seven months after the initial due date. (Sec. 1)
2. States an extension may not aggregate more than six months, except for the filing of a corporate, partnership or exempt organization. (Sec. 1)
3. Contains technical changes. (Sec. 1)

Amendment

1. Adds language that will exempt a business that files a return as a small business corporation.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: WM DP 6-4-0-0

HB 2355: charitable contribution; deduction; inflation adjustment

**Sponsor: Representative Toma, LD 22
Caucus & Cow**

Overview

Increases the 25% of allowed charitable deductions in accordance with changes in the metropolitan Phoenix consumer price index (CPI).

History

Under current law, 25% of the total amount of charitable deductions made by a taxpayer may be taken in addition to the standard deduction on an individual income tax return. The standard deduction for a single person or a married person filing separately is \$12,200. The standard deduction for a married couple filing a joint return or a single person who is a head of a household is \$24,400. ([A.R.S. § 42-1041](#)).

Provisions

1. Increases the 25% of allowed charitable deductions in accordance with the average annual change in the metropolitan Phoenix CPI.
2. Requires the revised percentage to be raised to the nearest whole percent.
3. Prohibits the revised percentage from being revised below the amounts prescribed in the prior taxable year.
4. Applies these provisions to taxable years beginning January 1, 2021.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: WM DP 6-4-0-0

HB 2356: charitable contributions; deduction; increase

**Sponsor: Representative Toma, LD 22
Caucus & Cow**

Overview

Increases from 25% to 50% the amount of charitable deductions that may be applied to a standard deduction for a taxpayer who does not claim any itemized deductions.

History

Under current law, 25% of the total amount of charitable deductions made by a taxpayer may be taken in addition to the standard deduction on an individual income tax return. The standard deduction for a single person or a married person filing separately is \$12,200. The standard deduction for a married couple filing a joint return or a single person who is a head of a household is \$24,400. ([A.R.S. § 42-1041](#)).

Provisions

1. Increases from 25% to 50% the total amount of charitable deductions that may be applied to an individual income tax standard deduction for a taxpayer who does not claim any itemized deductions. (Sec. 1)
2. Applies this provision retroactively to taxable years beginning January 1, 2020. (Sec. 2)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
--	--	---	--------------------------------------



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: WM DP 6-4-0-0

HB 2358: dependent tax credit; inflation adjustment

**Sponsor: Representative Toma, LD 22
Caucus & Cow**

Overview

Indexes the allowed tax credit for dependents in accordance with the metropolitan Phoenix consumer price index (CPI).

History

A taxpayer may take a credit against their individual income tax for each dependent of the taxpayer as provided in statute. Under current law, for a taxpayer whose federal adjusted gross income (AGI) is less than \$200,000 for a taxpayer who is a single person, a married person filing separately or a head of household or is less than \$400,000 for a married couple filing jointly, the amount of the credit is as follows: 1) \$100 for each dependent who is under 17 years of age at the end of the taxable year; and 2) \$25 for each dependent who is at least 17 years of age at the end of the taxable year.

For a taxpayer whose federal AGI is \$200,000 or more who is a single person, a married person filing separately or a head of household or is \$400,000 or more for a married couple filing jointly, the amount of credit is as follows: 1) \$100 minus 5% for each \$1,000 by which the taxpayers federal AGI exceeds the applicable threshold for each dependent who is under 17 years of age at the end of the taxable year; and 2) \$25 minus 5% for each \$1,000 by which the taxpayers federal AGI exceeds the applicable threshold for each dependent who is as least 17 years of age at the end of the taxable year ([A.R.S. § 43-1073.01](#)).

Provisions

1. Indexes the allowed tax credit for dependents in accordance with the metropolitan Phoenix CPI.
2. Requires the revised dollar amount to be raised to the nearest whole dollar.
3. Prohibits the revised dollar amount from being revised below the amounts prescribed in the prior taxable year.
4. Applies this provision to taxable years beginning January 1, 2021.

Prop 105 (45 votes) Prop 108 (40 votes) Emergency (40 votes) Fiscal Note