

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

CAUCUS AGENDA #6

February 24, 2020

Bill Number	Short Title	Committee	Date	Action	
Committee on Natural Resources, Energy & Water					
Chairman:	Gail Griffin, LD 14		Vice Chairman:	Timothy M. Dunn, LD 13	
Analyst:	Paul Bergelin		Intern:	Mackenzie Nintzel	
<u>HB 2102</u> _(BSI)	appropriation; unreimbursed wildland suppression activities				
SPONSOR:	GRIFFIN, LD 14	HOUSE			
		NREW	1/21/2020	DP	(11-0-0-2)
		(Abs: GABALDÓN, COOK)			
		APPROP	2/19/2020	DP	(7-4-0-0)
		(No: ESPINOZA, FERNANDEZ, FRIESE, LIEBERMAN)			
<u>HB 2297</u> _(BSI)	water infrastructure finance program; report				
SPONSOR:	SHOPE, LD 8	HOUSE			
		NREW	2/18/2020	DP	(13-0-0-0)
<u>HB 2300</u> _(BSI)	watershed improvement program; repeal				
SPONSOR:	SHOPE, LD 8	HOUSE			
		NREW	2/18/2020	DP	(13-0-0-0)
<u>HB 2439</u> _(BSI)	domestic water improvement districts; purpose				
SPONSOR:	KAVANAGH, LD 23	HOUSE			
		NREW	2/18/2020	DPA	(11-0-0-2)
		(Abs: FINCHEM, SHOPE)			
<u>HB 2457</u> _(BSI)	historic preservation officer; state museum				
SPONSOR:	GRIFFIN, LD 14	HOUSE			
		NREW	2/18/2020	DP	(12-0-0-1)
		(Abs: SHOPE)			
<u>HB 2594</u> _(BSI)	G&F; law enforcement; penalty (NREW S/E: salvage permit; big game animals)				
SPONSOR:	GRIFFIN, LD 14	HOUSE			
		NREW	2/18/2020	DPA/SE	(12-0-0-1)
		(Abs: TSOSIE)			
<u>HB 2595</u> _(BSI)	G&F; nighttime outdoor shooting ranges (NREW S/E: water rights; general adjudications; funding)				
SPONSOR:	GRIFFIN, LD 14	HOUSE			
		NREW	2/18/2020	DPA/SE	(9-2-2-0)
		(No: SHOPE, PIERCE Present: COOK, GRIFFIN)			

[HB 2613](#)_(BSI) water resources annual report
SPONSOR: DUNN, LD 13 HOUSE
NREW 2/18/2020 DP (11-0-0-2)
(Abs: FINCHEM, SHOPE)

Committee on Health & Human Services

Chairman: Nancy K. Barto, LD 15 **Vice Chairman:** Jay Lawrence, LD 23
Analyst: Ingrid Garvey **Intern:** Megan Larsen

[HB 2223](#)_(BSI) missing children; notification; identification
SPONSOR: BARTO, LD 15 HOUSE
HHS 2/13/2020 DPA (9-0-0-0)

[HB 2388](#)_(BSI) appropriations; direct services; referrals
SPONSOR: UDALL, LD 25 HOUSE
HHS 2/6/2020 DPA (5-4-0-0)
(No: POWERS HANNLEY, BUTLER, HERNANDEZ A, SHAH)

[HB 2536](#)_(BSI) telemedicine; health care providers
SPONSOR: SHAH, LD 24 HOUSE
HHS 2/13/2020 DPA (8-0-0-1)
(Abs: GRIFFIN)

[HB 2540](#)_(BSI) emotional abuse; vulnerable adults
SPONSOR: LONGDON, LD 24 HOUSE
HHS 2/13/2020 DP (8-0-0-1)
(Abs: GRIFFIN)

[HB 2549](#)_(BSI) adult protective services; audit; appropriation
SPONSOR: DUNN, LD 13 HOUSE
HHS 2/13/2020 DP (9-0-0-0)
APPROP 2/19/2020 DP (11-0-0-0)

[HB 2632](#)_(BSI) AHCCCS; eligibility
SPONSOR: BLACKMAN, LD 6 HOUSE
HHS 2/13/2020 DP (8-0-0-1)
(Abs: GRIFFIN)

[HB 2668](#)_(BSI) hospitals; unreimbursed costs; assessment; fund
SPONSOR: COBB, LD 5 HOUSE
HHS 2/13/2020 DP (9-0-0-0)

Committee on Education

Chairman: Michelle Udall, LD 25 **Vice Chairman:** John Fillmore, LD 16
Analyst: Chase Houser **Intern:** Trisha Romero

[HB 2097](#)_(BSI) schools; child abuse hotline
SPONSOR: LAWRENCE, LD 23 HOUSE
ED 2/3/2020 DPA (10-0-0-3)
(Abs: COBB, SHOPE, LIEBERMAN)

[HB 2128](#)_(BSI) school districts; universities; recesses; coordination
SPONSOR: PETERSEN, LD 12 HOUSE
ED 2/17/2020 DP ON RECON (8-4-0-1)
(No: BOLDING, BLANC, PETEN, PAWLIK Abs: LIEBERMAN)

[HB 2143](#)_(BSI) collegiate athletics; compensation; representation
SPONSOR: KERN, LD 20 HOUSE
ED 2/17/2020 DP (9-1-1-2)
(No: PAWLIK Abs: SHOPE, LIEBERMAN Present: BLANC)

[HB 2222](#)_(BSI) CTEDs; internships; funding
SPONSOR: UDALL, LD 25 HOUSE
ED 2/10/2020 DP (13-0-0-0)

[HB 2367](#)_(BSI) schools; residency documentation; policies
SPONSOR: DUNN, LD 13 HOUSE
ED 2/17/2020 DPA (7-4-0-2)
(No: BOLDING, BLANC, PETEN, PAWLIK Abs: TOWNSEND, LIEBERMAN)

[HB 2387](#)_(BSI) continuing high school program
SPONSOR: UDALL, LD 25 HOUSE
ED 2/10/2020 DP (11-1-0-1)
(No: FILLMORE Abs: COBB)

[HB 2626](#)_(BSI) gifted pupils; weights; reports; appropriation
SPONSOR: BOLICK, LD 20 HOUSE
ED 2/17/2020 DP (11-0-0-2)
(Abs: BLANC, LIEBERMAN)
APPROP 2/19/2020 DP (11-0-0-0)

[HB 2648](#)_(BSI) alternative testing; exemption; special education
SPONSOR: BARTO, LD 15 HOUSE
ED 2/17/2020 DPA (6-5-0-2)
(No: BOLDING, BLANC, PETEN, FILLMORE, PAWLIK Abs: TOWNSEND, LIEBERMAN)

[HB 2829](#)_(BSI) schools; total compensation statements
SPONSOR: GRANTHAM, LD 12 HOUSE
ED 2/17/2020 DP (8-3-0-2)
(No: BOLDING, BLANC, PETEN Abs: TOWNSEND, LIEBERMAN)

Committee on Land & Agriculture

Chairman: Timothy M. Dunn, LD 13
Analyst: Paul Bergelin

Vice Chairman: Travis W. Grantham, LD 12
Intern: Mackenzie Nintzel

[HB 2284](#)_(BSI) appropriation; regional park; Yavapai county
SPONSOR: CAMPBELL, LD 1 HOUSE
LAG 2/6/2020 DP (7-0-0-0)
APPROP 2/19/2020 DP (9-2-0-0)
(No: COBB, KAVANAGH)

[HB 2289](#)_(BSI) appropriation; plant services division; inspectors
SPONSOR: DUNN, LD 13 HOUSE
LAG 1/23/2020 DP (7-0-0-0)
APPROP 1/29/2020 DP (9-2-0-0)
(No: FRIESE, KERN)

[HB 2551](#)_(BSI) appropriation; state parks; heritage fund
SPONSOR: OSBORNE, LD 13 HOUSE
LAG 1/30/2020 DP (7-0-0-0)
APPROP 2/19/2020 DP (9-1-0-1)
(No: FILLMORE Abs: KERN)

[HB 2589](#)_(BSI) land divisions; county regulation; surveys
SPONSOR: GRIFFIN, LD 14 HOUSE
LAG 2/13/2020 DPA (4-2-0-1)
(No: PETEN, TELLER Abs: CHÁVEZ)

Committee on Judiciary

Chairman: John M. Allen, LD 15

Vice Chairman: Walter J. Blackman, LD 6

Analyst: Lauren Cook

Intern: Samantha Fagerburg

[HB 2087](#)_(BSI) probation; technical violations; reinstatement
(JUD S/E: digital evidence; fees; funds)
SPONSOR: BLACKMAN, LD 6 HOUSE
JUD 2/19/2020 DPA/SE (6-4-0-0)
(No: ENGEL, DEGRAZIA, PAWLIK, RODRIGUEZ)

[HB 2235](#)_(BSI) record of proceedings; certified reporter
SPONSOR: ALLEN J, LD 15 HOUSE
JUD 2/19/2020 DPA (6-4-0-0)
(No: ENGEL, DEGRAZIA, PAWLIK, RODRIGUEZ)

[HB 2237](#)_(BSI) actions for debt; spouses
SPONSOR: ALLEN J, LD 15 HOUSE
JUD 2/5/2020 DP (6-4-0-0)
(No: ENGEL, DEGRAZIA, PAWLIK, RODRIGUEZ)

[HB 2239](#)_(BSI) arrest warrant; affidavit; issuance
(JUD S/E: insurance; affidavit; arrest warrant)
SPONSOR: KERN, LD 20 HOUSE
JUD 2/19/2020 DPA/SE (6-4-0-0)
(No: ENGEL, DEGRAZIA, PAWLIK, RODRIGUEZ)

[HB 2299](#)_(BSI) unlawful food or drink contamination
SPONSOR: SHOPE, LD 8 HOUSE
JUD 2/5/2020 DP (6-4-0-0)
(No: ENGEL, DEGRAZIA, PAWLIK, RODRIGUEZ)

[HB 2383](#)_(BSI) sentencing ranges; minimum; maximum; repeal
SPONSOR: BLACKMAN, LD 6 HOUSE
JUD 2/19/2020 DPA (10-0-0-0)

[HB 2402](#)_(BSI) criminal conviction; set aside; applicability
SPONSOR: ROBERTS, LD 11 HOUSE
JUD 2/19/2020 DPA (9-0-0-1)
(Abs: DEGRAZIA)

[HB 2411](#)_(BSI) convictions; penalties; surcharge distribution
SPONSOR: ALLEN J, LD 15 HOUSE
JUD 2/19/2020 DPA (10-0-0-0)

[HB 2581](#)_(BSI) dangerous; incompetent person; evaluation; commitment
SPONSOR: ALLEN J, LD 15 HOUSE
JUD 2/19/2020 DPA (6-4-0-0)
(No: ENGEL, DEGRAZIA, PAWLIK, RODRIGUEZ)

[HB 2611](#)_(BSI) records; confidentiality; hearing officer
SPONSOR: ALLEN J, LD 15 HOUSE
JUD 2/19/2020 DPA (10-0-0-0)

[HB 2646](#)_(BSI) manslaughter; suicide assistance; violation
SPONSOR: WENINGER, LD 17 HOUSE
JUD 2/19/2020 DP (9-0-1-0)
(Present: RODRIGUEZ)

Committee on Public Safety

Chairman: Kevin Payne, LD 21

Analyst: Eryn Streeter

Vice Chairman: Anthony T. Kern, LD 20

Intern: Bryce Moore

[HB 2114](#)_(BSI) law enforcement officers; database; rules
SPONSOR: ALLEN J, LD 15 HOUSE
PS 2/19/2020 DPA (6-1-0-0)
(No: ANDRADE)

[HB 2303](#)_(BSI) mandatory vehicle impoundment; exception
SPONSOR: KERN, LD 20 HOUSE
PS 2/19/2020 DPA (4-2-0-1)
(No: ANDRADE, HERNANDEZ D Abs: LONGDON)

[HB 2371](#)_(BSI) appropriations; DNA analysis instruments
SPONSOR: FINCHEM, LD 11 HOUSE
PS 2/12/2020 DP (7-0-0-0)
APPROP 2/19/2020 DP (9-2-0-0)
(No: FERNANDEZ, FRIESE)

[HB 2440](#)_(BSI) death benefit; transitional housing benefit
SPONSOR: FINCHEM, LD 11 HOUSE
PS 2/12/2020 DP (6-0-0-1)
(Abs: HERNANDEZ D)
APPROP 2/19/2020 DP (10-0-0-1)
(Abs: KAVANAGH)

Committee on Military & Veterans Affairs

Chairman: Jay Lawrence, LD 23

Analyst: Jason Theodorou

Initials CH

Vice Chairman: Joanne H. Osborne, LD 13

Intern: Valeria Garcia

Caucus & COW

[HB 2265](#)_(BSI) Enduring Freedom Memorial; appropriation
 SPONSOR: TOWNSEND, LD 16 HOUSE
 MVA 2/17/2020 DPA (7-0-0-0)
 APPROP 2/19/2020 DPA (11-0-0-0)

Committee on Government

Chairman: John Kavanagh, LD 23 **Vice Chairman:** Kevin Payne, LD 21
Analyst: Stephanie Jensen **Intern:** Jeremy Bassham

[HB 2065](#)_(BSI) recorder; recording fees; lien fees
 SPONSOR: KAVANAGH, LD 23 HOUSE
 GOV 2/13/2020 DP (8-2-1-0)
 (No: BLANC, SIERRA Present: JERMAINE)

[HB 2697](#)_(BSI) Arizona jazz day; observed
 SPONSOR: BOLDING, LD 27 HOUSE
 GOV 2/13/2020 DP (11-0-0-0)

Committee on Ways & Means

Chairman: Ben Toma, LD 22 **Vice Chairman:** Shawnna LM Bolick, LD 20
Analyst: Vince Perez **Intern:** Blake Gephart

[HB 2002](#)_(BSI) student apprenticeship program; tax credits
 SPONSOR: FILLMORE, LD 16 HOUSE
 WM 2/19/2020 DP (6-3-0-1)
 (No: POWERS HANNLEY, EPSTEIN, CANO Abs: GRANTHAM)

[HB 2151](#)_(BSI) mobile homes; taxation; delinquency
 SPONSOR: THORPE, LD 6 HOUSE
 WM 2/19/2020 DP (8-2-0-0)
 (No: COBB, EPSTEIN)

[HB 2352](#)_(BSI) centrally assessed property; valuation; pipelines.
 SPONSOR: TOMA, LD 22 HOUSE
 WM 2/19/2020 DPA (6-3-0-1)
 (No: POWERS HANNLEY, EPSTEIN, SIERRA Abs: COBB)

Committee on Transportation

Chairman: Noel W. Campbell, LD 1 **Vice Chairman:** Leo Biasiucci, LD 5
Analyst: Jason Theodorou **Intern:** Valeria Garcia

[HB 2378](#)_(BSI) motor vehicle transactions; notices; dealers
 SPONSOR: BIASIUCCI, LD 5 HOUSE
 TRANS 2/19/2020 DPA (8-1-0-0)
 (No: ANDRADE)

[HB 2384](#)_(BSI) VLT and registration fee exemptions
 SPONSOR: BLACKMAN, LD 6 HOUSE
 TRANS 2/12/2020 DPA (9-0-0-0)
 MVA 2/17/2020 DPA (7-0-0-0)

[HB 2605](#)_(BSI) disposition of public roadways
SPONSOR: RIVERO, LD 21 HOUSE
TRANS 2/12/2020 DP (6-3-0-0)
(No: ANDRADE, GABALDÓN, TERÁN)

[HB 2700](#)_(BSI) rear-facing car seats
SPONSOR: BOLDING, LD 27 HOUSE
TRANS 2/12/2020 DP (6-1-0-2)
(No: BIASIUCCI Abs: COOK, PAYNE)
PS 2/19/2020 DP (6-0-0-1)
(Abs: LONGDON)

Committee on Elections

Chairman: Kelly Townsend, LD 16
Analyst: Stephanie Jensen

Vice Chairman: Frank P. Carroll, LD 22
Intern: Jeremy Bassham

[HB 2272](#)_(BSI) postelection equipment testing
SPONSOR: THORPE, LD 6 HOUSE
ELECT 2/18/2020 DP (5-4-0-1)
(No: SALMAN, JERMAINE, RODRIGUEZ, TERÁN Abs:

FILLMORE)

Committee on Regulatory Affairs

Chairman: Travis W. Grantham, LD 12
Analyst: Jon Rudolph

Vice Chairman: Bret Roberts, LD 11
Intern: Loren Breen

[HB 2389](#)_(BSI) public nuisance; noise; evidence
SPONSOR: TOWNSEND, LD 16 HOUSE
RA 2/3/2020 DP (5-1-1-0)
(No: POWERS HANNLEY Present: SHAH)

Committee on Commerce

Chairman: Jeff Weninger, LD 17
Analyst: Paul Benny

Vice Chairman: Travis W. Grantham, LD 12
Intern: Michael Laird

[HB 2311](#)_(BSI) wireless providers; authority; applicability
SPONSOR: DUNN, LD 13 HOUSE
COM 2/18/2020 DP (8-0-0-1)
(Abs: CHÁVEZ)

[HB 2400](#)_(BSI) technical correction; self-service storage; notice
(COM S/E: blockchain and cryptocurrency study committee)
SPONSOR: WENINGER, LD 17 HOUSE
COM 2/18/2020 DPA/SE (8-0-0-1)
(Abs: CHÁVEZ)

[HB 2446](#)_(BSI) simulcast dog racing; wagering; time
SPONSOR: PIERCE, LD 1 HOUSE
COM 2/18/2020 DPA (7-0-0-2)
(Abs: CHÁVEZ, MEZA)

[HB 2635](#)_(BSI) mobile home parks; caregivers
SPONSOR: BLACKMAN, LD 6 HOUSE
COM 2/18/2020 DPA (7-0-0-2)
(Abs: CHÁVEZ, MEZA)

Committee on State & International Affairs

Chairman: Tony Rivero, LD 21 **Vice Chairman:** Walter J. Blackman, LD 6
Analyst: Jon Rudolph **Intern:** Loren Breen

[HB 2604](#)_(BSI) consular identification cards; permitted use
SPONSOR: RIVERO, LD 21 HOUSE
SIA 2/5/2020 DP (5-4-0-0)
(No: ALLEN J, DUNN, BLACKMAN, CARROLL)

Committee on Federal Relations

Chairman: Mark Finchem, LD 11 **Vice Chairman:** Gail Griffin, LD 14
Analyst: Diana Clay **Intern:** Grace Korthuis-Smith

[HB 2092](#)_(BSI) federal government; land acquisition; consent
SPONSOR: FINCHEM, LD 11 HOUSE
FR 1/22/2020 DPA (4-3-0-0)
(No: BOLDING, HERNANDEZ A, MEZA)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: NREW DP 11-0-0-2-0 | APPROP DP 7-4-0-0-0

HB 2102: appropriation; unreimbursed wildland suppression activities

Sponsor: Representative Griffin, LD 14

Caucus & COW

Overview

Appropriates \$39,600 from the state General Fund in FY 2021 to reimburse the Mescal-J6 fire district for wildland suppression activities.

History

The Arizona Department of Forestry and Fire Management (DFFM) provides land management and prevention and suppression of wildland fires on State Trust Land and private land outside incorporated municipalities. The State Forester leads the DFFM and must annually develop and implement a comprehensive statewide wildfire response plan for deploying state, county, municipal, fire district, volunteer fire association and private fire service provider contract resources to wildfire suppression activities ([A.R.S. § 37-1301](#) and [A.R.S. § 37-1302](#)).

The Mescal-J6 fire district is in Benson, Arizona.

Provisions

1. Appropriates \$39,600 from the state General Fund to the DFFM in FY 2021 to reimburse the Mescal-J6 fire district for wildlife suppression activities it performed with this department in 2017.

<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
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

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

HB 2297: water infrastructure finance program; report

Sponsor: Representative Shope, LD 8

Caucus & COW

Overview

Directs the Arizona Finance Authority Board (Board) to provide an annual report and copy of its annual audit to the Chairs of the Senate Natural Resources and Energy Committee and House Natural Resources, Energy & Water Committee and the Secretary of State.

History

The Board governs the Water Infrastructure Finance Authority of Arizona ([A.R.S. § 49-1202](#)), which funds projects to construct, rehabilitate and improve drinking water, wastewater and wastewater reclamation infrastructure ([A.R.S. § 49-1203\(B\)](#)). The Board must provide an annual report of its activities, including a copy of its annual audit, to the Governor, the President of the Senate and the Speaker of the House of Representatives ([A.R.S. § 49-1204](#)).

Provisions

1. Directs the Board to provide an annual report and copy of its annual audit to the Chairs of the Senate Natural Resources and Energy Committee and House Natural Resources, Energy & Water Committee and the Secretary of State.

<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
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

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

HB 2300: watershed improvement program; repeal

Sponsor: Representative Shope, LD 8

Caucus & COW

Overview

Repeals the Watershed Improvement Program (Program).

History

The Program is established under the Arizona Department of Water Resources (ADWR) and funds projects that remove invasive vegetation from watersheds and repopulate those areas with native vegetation. It is primarily funded from the Arizona Water Protection Fund and ADWR ([A.R.S. § 45-351](#)).

In its 2019 annual report for the Program, ADWR indicated that there have been no specific Program activities since its establishment in 2014. Instead, Program-related activities have been assigned to the Arizona Water Protection Fund ([Watershed Improvement Program 2019 Report](#)).

The Program terminates on July 1, 2024 ([A.R.S. § 45-353](#)).

Provisions

1. Repeals the Program.

<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
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

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

HB2439: domestic water improvement districts; purpose
Sponsor: Representative Kavanagh, LD 23
Caucus & COW

Overview

Allows a domestic water improvement district to construct or improve a standpipe.

History

A domestic water improvement district is a county improvement district created to construct or improve a domestic water delivery system or purchase such a system and make necessary improvements to it ([A.R.S. § 48-1011](#)). Unlike other county improvement districts, which are governed by a county board of supervisors, a domestic water improvement district can be governed by an elected board of directors ([A.R.S. § 48-1012](#)).

As a type of county improvement district, a domestic water improvement district can levy secondary property taxes, issue bonds and levy assessments ([A.R.S. §§ 48-914, 48-933 and 48-955](#)). Additionally, this district can charge various user fees ([A.R.S. § 48-910](#)).

A standpipe is a vertical pipe or reservoir that is installed outdoors to deliver water in areas that do not have a running water supply to buildings.

Provisions

1. Allows a domestic water improvement district to construct or improve a standpipe.

Amendments

Committee on Natural Resources, Energy & Water

1. Allows a domestic water improvement district to be formed to:
 - a) construct, operate, and maintain one or more water standpipes to provide water to be hauled for domestic use by that district's residents;
 - b) Purchase water for that use;
 - c) Install wells; and
 - d) Acquire and maintain real property for the standpipe and relate improvements.
2. Directs the district to provide access to the standpipe for its residents or privately-operated water haulers to deliver water to its residents.
3. Requires a board of directors (Board) to govern this district.
4. Specifies that this Board's powers and duties and those of the county board of supervisors will be the same as those for other types of county improvement districts in statute.

Initial

Prop 105 (45 votes)

Prop 108 (40 votes)

Emergency (40 votes)

Fiscal Note

5. Establishes a process by which this district can be established in an unincorporated area of the county, whether contiguous or not, by filing a petition that complies with requirements for forming county improvement districts except that the petition:
 - a) Must provide the district's tentative boundaries, which can include parcels owned by those who do not sign the petition and who do not consent to the assessment; and
 - b) Must be signed by all property owners in the proposed district who consent to the assessment.
6. Allows the county board of supervisors to order the formation of the district once the petition is submitted and to hold a hearing on forming this district.
7. Stipulates that this district must consist of all parcels whose owners signed the petition.
8. Requires the district petitioners to obtain the consent of the governing board of a city or town if the district's tentative boundaries are within six miles of that city or town.
9. Allows, once this consent is obtained, additional parcels to be added to the district once formed without requiring further consent from the city or town if those parcels are within the district's original tentative boundaries.
10. Empowers the Board to establish criteria and time limits for adding parcels to the district.
11. Permits a property owner within the district's tentative boundaries who had not previously consented to district's assessment to petition the Board.
12. Allows the Board to approve the property owner's petition if it determines there are adequate water resources for the parcel.
13. Permits the Board to assess those members that have consented to the following assessments to pay for constructing, operating and maintaining a domestic water delivery system:
 - a) Assessments; and
 - b) User fees including base fee and fees determined by the quantity of water used.
14. Prohibits the district from assessing someone who does not consent to the assessment.
15. Defines *domestic water delivery system* for the purpose of this district.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

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

HB 2457: historic preservation officer; state museum

Sponsor: Representative Griffin, LD 14

Caucus & COW

Overview

Requires the Arizona Board of Regents (ABOR) to consult with the State Historic Preservation Officer (SHPO) in directing and managing the Arizona State Museum.

History

ABOR directs and manages the Arizona State Museum, which is located at the University of Arizona. This museum collects and preserves archaeological resources, specimens of the mineral wealth and flora and fauna of Arizona ([A.R.S. § 15-1631](#)).

The SHPO works in cooperation with federal and state agencies to conduct statewide surveys of historic properties, burial sites, private cemeteries and maintains inventories of areas. The SHPO also advises, assists and monitors federal and state agencies in historic preservation responsibilities, and ensures that historic properties are considered during planning and development. They also identify and nominate properties to both the national and Arizona register of historic places ([A.R.S. § 41-511.04](#)).

Provisions

1. Requires ABOR to consult with the SHPO in directing and managing the Arizona State Museum.
2. Makes technical changes.



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House: NREW DPA/SE 12-0-0-1-0-0

HB 2594: G&F; law enforcement; penalty
S/E: salvage permit; big game animal
Sponsor: Representative Griffin, LD 14
Caucus & COW

Summary of the Strike-Everything Amendment to HB 2594

Overview

Requires someone to obtain a big game salvage permit (permit) to possess and transport the carcass of a *big game* animal and specifies the conditions under which the Arizona Game and Fish Department (Department) will issue this permit.

History

Big game animals are wild turkey, deer, elk, pronghorn, bighorn sheep, bison, peccary, bear and mountain lion ([A.R.S. § 17-101\(B\)\(1\)](#)).

When a *big game* animal has been killed due to a car accident, the driver can possess and transport its carcass if they have a permit issued by a peace officer. The permit is issued only in the name of the driver and is not transferable. A peace officer can inspect the carcass and car before issuing the permit. Additionally, both the carcass and car can be inspected by a game ranger within 20 days of issuing the permit. Someone who possesses a *big game* animal carcass can place some or all of it in storage at a commercial food establishment that handles wildlife ([A.R.S. § 17-319](#)).

Provisions

1. Requires someone to have a permit issued by a peace officer or a Department employee in order to possess and transport the carcass of a *big game* animal.
2. Stipulates that this permit is not transferrable.
3. Specifies that a permit will only be issued if the *big game* animal:
 - a) Was killed or euthanized as a result of injuries from a car accident, to the driver or someone who wishes to possess it;
 - b) Died from natural causes, to the person who reported the carcass; and
 - c) Subsequently dies or was euthanized as a result of injuries from natural causes, to the person who reported the injured animal.
4. Modifies the information required on the permit to include the date the permit was issued, the *big game* animal's location and the person wishing to possess the carcass.
5. Limits the peace officer to inspecting the carcass, and not the motor vehicle, before issuing the permit.
6. Removes the carcass and motor vehicle from being subject to inspection by a game ranger within 20 days of issuing the permit.

7. Prohibits someone who possesses a *big game* carcass from placing all or part of it in storage at a commercial food establishment that handles wildlife.
8. Forbids issuing a permit for a *big game* animal that may be diseased or spoiled.
9. Makes technical changes.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: NREW DPA/SE 9-2-2-0-0-0

**HB 2595: G&F; nighttime outdoor shooting ranges
S/E: water rights; general adjudications; funding
Sponsor: Representative Griffin, LD 14
Caucus & COW**

Summary of the Strike-Everything Amendment to HB 2594

Overview

Creates the General Adjudication Personnel and Support Fund (Fund) and appropriates monies to this fund for the Arizona Supreme Court (Court) and the Arizona Department of Water Resources (ADWR) to use in the general stream adjudications.

History

The general stream adjudications are judicial proceedings to determine the extent and priority of water rights in the Gila River and Little Colorado River systems ([A.R.S. § 45-251 et seq.](#)). The Gila River adjudication began in 1974 and is assigned to the Maricopa County Superior Court. The Little Colorado River adjudication began in 1978 and is assigned to the Apache County Superior Court.

Provisions

1. Establishes the Fund which consists of legislative appropriations and is administered by the Court. (Sec. 1)
2. Directs Fund monies to be used by:
 - a) The Court for additional full-time personnel, case management and other supporting equipment, services and personnel; and
 - b) ADWR for additional full-time personnel and adjudication equipment and services. (Sec. 1)
3. Requires the Joint Legislative Budget Committee to review an expenditure plan from the Court and ADWR before any Fund monies for FYs 2021-2023. (Sec. 1)
4. Allows the Court to appoint additional full-time masters, paralegals and law clerks for the general stream adjudication. (Sec. 2)
5. Appropriates the following from the state General Fund to the Fund in FY 2021:
 - a) \$147,610 for two paralegals for the special water master;
 - b) \$109,710 for a law clerk for the special water master;
 - c) \$133,920 to expand the Court's electronic case management system; and

<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
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- d) \$2,000,000 for the purposes of the Fund. (Sec. 3)
- 6. Exempts these appropriations from lapsing. (Sec. 3)
- 7. Makes technical changes. (Sec. 2)

Amendments

Committee on Natural Resources, Energy & Water

- 1. Clarifies that the Arizona Supreme Court can appoint additional full-time judges for the general stream adjudication.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: NREW DP 11-0-0-2-0-0

HB 2613: water resources annual report

Sponsor: Representative Dunn, LD 13
Caucus & COW

Overview

Changes the date that the Arizona Department of Water Resources (ADWR) Director must provide an annual report and removes the requirement that this report include suggestions from the Arizona Water Resources Advisory Board (Board).

History

ADWR administers and enforces Arizona's Groundwater Code, underwater storage savings and replenishment statutes, dam safety statutes and surface water rights statutes. The ADWR Director must provide an annual report of the agency's operations by July 1 to the Governor and the Legislature. This report includes suggestions for amending laws or enacting new legislation as the ADWR Director and Arizona Water Resources Advisory Board (Board) deem necessary. Additionally, the ADWR Director will include any information, suggestions and recommendations considered valuable to the public ([A.R.S. § 45-111](#)).

The Board terminated on July 1, 2002.

Provisions

1. Changes, from July 1 to August 15, the date that the ADWR Director must provide a report on ADWR's operations.
2. Removes the requirement that this report include suggestions from the Board on amending existing laws or enacting new legislation.
3. Stipulates that this report be available to the public on ADWR's website.

<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
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: HHS: DPA 9-0-0-0

HB 2223: missing children; notification; identification

Sponsor: Representative Barto, LD 15

Caucus & COW

Overview

Creates identification requirements for a child in the custody of the Department of Child Safety (DCS).

History

The mission of DCS is to successfully engage children and families to ensure safety, strengthen families and achieve permanency. This is accomplished by [DCS](#) being: 1) child-centered; 2) family-focused; 3) successful in engagement through respect of the family; 4) active in listening and providing families with an invitation to participate in the decision making process; 5) aware that the entire community along with various partners are responsible for keeping children safe; 6) a professional environment with an excellent workforce; 7) culturally responsive; and 8) accountable and transparent.

If DCS receives a report or information during the course of providing services that indicates a child is at risk of serious harm or the child's location is unknown, DCS must notify the appropriate law enforcement agency in order for the information to be entered into state and federal databases (A.R.S. § [8-810](#)).

Provisions

1. States that if DCS receives a report or information that indicates that a child in the physical custody of DCS is at risk of serious harm or their location is unknown, DCS must notify law enforcement so the information may be entered into state and national databases. (Sec. 1)
2. Requires DCS to maintain one of the following for each child in their custody:
 - a) A current photograph, updated every 12 months; or
 - b) A nonoperating identification license. (Sec. 2)
3. Allows, when requested by DCS, the court to order that the fingerprints of a child be taken if one or more of the following apply:
 - a) The child is at least five;
 - b) The child has been placed in congregate care; or
 - c) The child has three or more out-of-home placements. (Sec. 2)
4. Requires DCS to store the photographs and fingerprints and share them with law enforcement if the child is reported missing or their location is unknown. (Sec. 2)
5. Prohibits the use of photographs and fingerprints for any purpose other than to locate a child who is missing from care. (Sec. 2)
6. Bans the Arizona Department of Transportation from charging a fee for nonoperating identification license for a child in the physical custody of DCS. (Sec. 3)
7. Makes technical and conforming changes. (Sec. 1)

Prop 105 (45 votes)

Prop 108 (40 votes)

Emergency (40 votes)

Fiscal Note

Amendments

Committee on Health and Human Services

1. Removes the first section of the bill related to children at risk of serious harm. Deletes the current language in section two of the bill and replaces it with the following:
 - a) A child welfare agency that receives for care and maintenance a child who has been adjudicated dependent shall obtain within ninety days after the child is placed with the agency:
 - i. A nonoperating identification license issued pursuant to section 28-3165.
 - ii. If the child does not qualify for a nonoperating identification license, a photograph of the child.
2. Makes technical and conforming changes. (Sec. 1)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: HHS DPA 5-4-0-0

HB 2388: appropriations; direct services; referrals

Sponsor: Representative Udall, LD 25

Caucus & COW

Overview

Appropriates \$1,500,000 from the state General Fund (GF) to both the Department of Health Services (DHS) and Department of Economic Security (DES) for services related to health care.

History

The mission of [DHS](#) is to promote, protect, and improve the health and wellness of individuals and communities in Arizona. DHS operates programs in the following areas: 1) disease prevention and control; 2) health promotion; 3) community public health; 4) environmental health; 5) maternal and child health; 6) emergency preparedness; and 7) regulation of childcare centers, assisted living centers, nursing homes, hospitals, other health care providers and emergency services.

In 1972, [DES](#) was established by consolidating multiple state agencies to provide an integrated approach to human services. Its mission is to make Arizona stronger by helping Arizonans reach their potential through temporary assistance for those in need, and care for the vulnerable. DES operates and provides services in the following areas: 1) aging and adult services; 2) benefits and medical eligibility; 3) child support services; 4) developmental disabilities; and 5) employment and rehabilitation services.

Additionally, on July 20, 2000 the Federal Communications Commission designated [2-1-1](#) as a three-digit telephone information and referral (I&R) system. The abbreviated telephone number is used to provide information and referrals to health, human and social service organizations

Provisions

1. Appropriates \$1,500,000 from the state GF to DHS for a family health pilot program in both FYs 2021 and 2022. (Sec. 1)
2. Requires DHS to distribute the monies appropriated in each fiscal year for the family health pilot program to a nonprofit organization to implement a statewide system to provide direct services, support services, social services case management and referrals to the biological or adoptive parents of children under two years of age, including unborn children. (Sec. 1)
3. States the purpose of the statewide system is to encourage healthy childbirth, support childbirth as an alternative to abortion, promote family formation, aid successful parenting and increase families' economic self-sufficiency. (Sec. 1)
4. States the statewide system services must be available to all residents of this state in both urban and rural areas. (Sec. 1)
5. Specifies that monies may not be used for abortion referral services or distributed to entities that promote, refer or perform abortions. (Sec. 1)
6. Stipulates that the nonprofit organization that receives the monies must demonstrate both:
 - a) Experience in marketing and serving the eligible patient population; and

- b) That the organization can begin serving clients statewide within 60 days after receiving monies. (Sec. 1)
- 7. Appropriates \$1,500,000 from the state GF to DES for a statewide information and referral service for health care services, community services, human services and governmental services in FY2021. (Sec. 2)
- 8. Allows DES to provide the statewide information and referral service directly or may contract with a private entity. (Sec. 2)
- 9. Requires the entity providing the statewide information and referral service to employ 2-1-1 three-digit dialing access and be accredited through a national alliance relating to information and referral systems. (Sec. 2)
- 10. States that the statewide information and referral service may not:
 - a) Include information regarding abortion or referrals for abortions or referrals to any entity that provides, pays for or provides coverage for abortions; and
 - b) Financially support any entity that provides, pays for or provides coverage for abortions. (Sec. 2)

Amendments

Committee on Health & Human Services

- 1. Requires DHS to distribute monies for the family pilot program to any nonprofit organization to implement the statewide system.

<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
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: HHS DPA 8-0-0-1

HB2536: telemedicine; health care providers

Sponsor: Representative Shah, LD 24

Caucus & COW

Overview

Includes physical therapists, occupational therapists, athletic trainers, hearing aid dispensers, audiologists and speech-language pathologists in the telemedicine statutes.

History

Telemedicine means the practice of health care delivery, diagnosis, consultation and treatment and the transfer of medical data through interactive audio, video or data communications that occur in the physical presence of the patient, including audio or video communications sent to a health care provider for diagnostic or treatment consultation ([A.R.S. § 36-3601](#)).

Provisions

1. Includes physical therapists, occupational therapists, athletic trainers, hearing aid dispensers, audiologists and speech-language pathologists in the telemedicine statutes. (Sec. 1)
2. Makes technical changes. (Sec. 1)

Amendment

Committee on Health and Human Services

1. Includes chiropractors in the telemedicine statutes.

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 DP 8-0-0-1

HB 2540: emotional abuse; vulnerable adults

Sponsor: Representative Longdon, LD 24

Caucus & COW

Overview

Defines *emotional abuse* in the statutes relating to adult protective services.

History

In 2019, the Speaker of the House of Representatives established the House Ad Hoc Committee on Abuse and Neglect of Vulnerable Adults (Committee). The purpose of the Committee was to review and identify best practices for the reporting and investigative processes to ensure the safety of vulnerable adults. One of the recommendations in the Committee's [final report](#) was to create a statutory definition of *emotional abuse* in Title 46 of the Arizona Revised Statutes.

Abuse is currently defined as: 1) intentional infliction of physical harm; 2) injury caused by negligent acts or omissions; 3) unreasonable confinement; or 4) sexual abuse or sexual assault ([A.R.S. § 46-451](#)).

Provisions

1. Adds *emotional abuse* to the definition of *abuse* in the statutes relating to adult protective services. (Sec. 1)
2. Defines emotional abuse as a pattern of ridiculing, demeaning, harassing, threatening or making derogatory remarks to a vulnerable adult. (Sec. 1)
3. Makes technical and conforming changes. (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 DP 9-0-0-0 | APPROPS DP 11-0-0-0

HB 2549: adult protective services; audit; appropriation

Sponsor: Representative Dunn, LD 13

Caucus & COW

Overview

Appropriates \$300,000 from the state GF in FY 2021 to the Auditor General (AG) to engage an independent consultant with expertise in Adult Protective Services (APS) and consider best practices to improve the delivery of services.

History

The [AG](#) provides an independent financial, performance, and compliance audit capability in support of legislative oversight and public accountability of funds administered by the state and certain local governments.

[APS](#) is a program within the Division of Aging and Adult Services (DAAS) responsible for investigating allegations of abuse, exploitation and neglect of vulnerable adults. Protective services programs seek to maintain the adult in the adult's familiar environment by strengthening the adult's capacity for self-maintenance or by providing supportive services. ([A.R.S. § 46-451\(B\)](#))

In 2019, the Speaker of the House of Representatives established the House Ad Hoc Committee on Abuse and Neglect of Vulnerable Adults (Committee). The purpose of the Committee was to review and identify best practices for the reporting and investigative processes to ensure the safety of vulnerable adults. One of the recommendations in the Committee's [final report](#) was to fund an independent audit of APS.

Provisions

1. Requires the AG to engage an independent consult with expertise in APS operations and investigations to examine APS and consider best practices to improve the delivery of services in this state, including the following:
 - a) Developing a strategic direction that ensures the safety of vulnerable adults and establishes protocols for services after an investigation;
 - b) Creating accountability mechanisms, including the capacity to produce accurate data on performance and outcome measures, use of the data for performance management, processes for continuous quality review, mechanisms for qualitative review of system functioning and outcomes for vulnerable adults;
 - c) Strategies for community engagement, including engagement with families, vulnerable adults and service providers; and
 - d) The need for and frequency of regular, periodic performance evaluations and the recommended areas for future reviews of APS by an independent outside evaluator. (Sec. 1)
2. Requires the AG to consider the following, in its decision to enter into a contract with an independent consultant:

Initials CH

Prop 105 (45 votes)

Prop 108 (40 votes)

Emergency (40 votes)

Fiscal Note

- a) The consultant's history of working with states or counties in evaluating its operations for APS;
 - b) The satisfaction of the states or counties with the work of the consultant;
 - c) The knowledge of the consultant's staff or contractors in APS reform and operations; and
 - d) The consultant's knowledge of related laws governing APS and the consultant's knowledge of evidence-based and promising best practices in APS. (Sec. 1)
3. Requires the consultant to submit a report of its work, including findings and recommendations, to the Governor, President of the Senate, Speaker of the House of Representatives and Chairpersons of the House Ad Hoc Committee on Abuse and Neglect of Vulnerable Adults and provide a copy of its report to the Secretary of State on or before July 1, 2021. (Sec. 1)
 4. Appropriates \$300,000 from the state GF in FY 2021 to the AG for the purposes of this act. (Sec. 2)
 5. Exempts the monies from lapsing. (Sec. 2)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: HHS DP 8-0-0-1

HB 2632: AHCCCS; eligibility

Sponsor: Representative Blackman, LD 6
Caucus & COW

Overview

Requires the Arizona Health Care Cost Containment System (AHCCCS) to annually renew the eligibility of a person who was in the custody of the Arizona Department of Child Safety (DCS) when the person turned 18 until the person turns 26 without requiring additional information from the person.

History

The Arizona Administrative Code stipulates that AHCCCS must complete a review of each member's continued eligibility for AHCCCS medical coverage every 12 months and that members must comply with annual reviews by providing information to AHCCCS or its designee ([9 A.A.C. 22-306](#)).

Statute includes as eligible for AHCCCS a person who is under 26 years of age and who was in the custody of DCS when the person turned 18. Currently, such persons are included in the annual eligibility review requirements for continued AHCCCS coverage (A.R.S. §§ [36-2901](#) and [36-2903.04](#)).

Provisions

1. Requires AHCCCS to annually renew the eligibility of a person under 26 who was in the custody of DCS when the person turned 18 without requiring additional information from the person until the person turns 26, unless the individual:
 - a. Notifies AHCCCS that the person moved out of state; or
 - b. Provides information to AHCCCS indicating that the person may qualify for a different eligibility category. (Sec. 1)
2. Allows AHCCCS to use reliable information, including an electronic data match, to determine state residency during a person's eligibility period. (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
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: HHS DP 9-0-0-0

HB 2668: hospitals; unreimbursed costs; assessment; fund

Sponsor: Representative Cobb, LD 5

Caucus & COW

Overview

Establishes the Health Care Access Fund (Fund) and requires the Director of the Arizona Health Care Cost Containment System (AHCCCS) to establish, administer and collect an assessment on hospital revenues for inpatient or outpatient services or both for purposes of the Fund.

History

Established by the Legislature in 1981, [AHCCCS](#) is Arizona's Medicaid program, a federal health care program jointly funded by the federal and state governments for individuals and families who qualify based on income level.

Current law requires AHCCCS on or before October 1, 2014 and annually thereafter, to report the following to the Speaker of the House of Representatives, President of the Senate and the Directors of the Joint Legislative Budget Committee and Governor's Office of Strategic Planning and Budgeting: 1) the amount each hospital contributed for the hospital assessments in the previous fiscal year and 2) the amount of estimated payments each hospital received from the coverage funded by the assessment ([A.R.S. § 36-2903.08](#)).

AHCCCS covered procedures can be viewed in the [AHCCCS Medical Policy Manual](#) (AMPM). AHCCCS covered services can differ based upon enrollment. Additionally, [physician fee schedules](#) are updated annually for dates of service on and after October 1st. Quarterly updates at January 1, April 1, and July 1 may be made to accommodate new codes or rate adjustments.

Provisions

AHCCCS uncompensated care; hospital assessment; reports

1. Specifies that AHCCCS submit a report on the change in uncompensated hospital costs experienced by hospitals in Arizona and hospital profitability during the previous fiscal year to the *Chairpersons of the House of Representatives and Senate Appropriations Committee*, in addition to the Speaker of the House of Representatives, President of the Senate and the Directors of the Joint Legislative Budget Committee (JLBC) and the Governor's Office of Strategic Planning and Budgeting (OSPB), on or before October 1 of each year. (Sec. 1)
2. Specifies that AHCCCS submit a report on the following to the *Chairpersons of the House of Representatives and Senate Appropriations Committee*, in addition to the Speaker of the House of Representatives, President of the Senate and the Directors of the Joint Legislative Budget Committee (JLBC) and the Governor's Office of Strategic Planning and Budgeting (OSPB), on or before August 1 of each year:
 - a) The *aggregate* amount each hospital contributed for the hospital assessments authorized and in the previous fiscal year; and

<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
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b) The *aggregate* amount of estimated payments each hospital received from the coverage and *directed payments* funded by the assessment. (Sec. 1)

3. Defines *administration, director* and *base reimbursement level*. (Sec. 2)

Hospital assessment; rules; collection; enforcement

4. Specifies that in addition to the hospital assessment, beginning October 1, 2020, the Director must establish, administer and collect an assessment on hospital revenues with respect to the inpatient or outpatient services, or both for the purposes of the Health Care Access Fund (Fund). (Sec. 2)

5. Requires the Director to adopt rules regarding the method for determining the assessment, the amount or rate of the assessment and modifications to or exemptions from the assessment.

6. Mandates that the assessment is subject to approval by the Centers for Medicare and Medicaid Services (CMS) to ensure that the assessment is not established or administered in a manner that causes a reduction in federal financial participation. (Sec. 2)

7. Allows the Director to establish modifications to or exemptions from the assessment. (Sec. 2)

8. Specifies that in determining the modifications or exemptions, the Director may consider such factors as the size of the hospital and the geographic location of the hospital. (Sec. 2)

9. Requires AHCCCS to deposit monies collected into the Fund. (Sec. 2)

10. Prohibits a hospital from passing the cost of the assessment on to patients or third-party payors that are liable to pay for care on a patient's behalf. (Sec. 2)

11. Stipulates that as part of its financial statement submissions prescribed by law, a hospital must submit to the Department of Health Services (DHS) an attestation that it has not passed on the cost of the assessment to patients or third-party payors. (Sec. 2)

12. Specifies that if a hospital does not comply with requirements prescribed by the AHCCCS Director, the Director may suspend or revoke the hospital's AHCCCS provider agreement registration. (Sec. 2)

13. Specifies that if the hospital does not comply within 180 days after the Director of AHCCCS suspends or revoked the hospital's provider agreement, the Director of AHCCCS must notify the Director of DHS who must suspend or revoke the hospital's license. (Sec. 2)

Health Care Access Fund; purposes; approval

14. Establishes the Fund consisting of the following:

a) Monies deposited in the Fund;

b) Interest earned; and

c) Legislative appropriations.

15. Requires the Director to administer the Fund and prohibits the Director from using any Fund monies to pay for the base reimbursement level for hospital services. (Sec. 2)

16. States the Director must use Fund monies only for the purpose of funding the nonfederal share of cost for the following:

a) Directed payments to hospitals that supplement the base reimbursement level for hospital services;

- b) Payments to physicians, primary care physicians and dentists to restore these providers' rates to the rate levels in existence before FY 2009, if these expenses do not exceed the lesser of \$70,500,000 or 20% of the total assessment monies deposited for the fiscal year; or
- c) Payments for the nonfederal share of the costs for administrative expenses incurred by AHCCCS in performing the activities authorized by this section, if these expenses do not exceed one percent of the total assessment monies deposited for the fiscal year. (Sec. 2)

17. Outlines that monies in the Fund:

- a) Are exempt from lapsing;
- b) Are continuously appropriated;
- c) Are to be credited against the total hospital assessment to be collected for the subsequent fiscal year if not expended for the purposes authorized under these provisions within the same fiscal year the monies are deposited in the fund; and
- d) May not be used to supplant existing and future appropriations to AHCCCS for existing and future programs. (Sec. 2)

18. Prohibits AHCCCS from using the monies from the Fund until CMS approves the use of the assessment monies for directed hospital expenditures and federal financial participation eligibility for the directed hospital expenditures. (Sec. 2)

19. Requires the State Treasurer to invest and divest monies in the Fund as prescribed by law and specifies that monies earned from the investment must be credited to the Fund. (Sec. 2)

20. Exempts AHCCCS, for purposes related to this act, from the rulemaking requirements for one year after the effective date of this act. (Sec. 3)

21. Makes technical changes. (Sec. 1)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ED DPA 10-0-0-3

HB 2097: schools; child abuse hotline

Sponsor: Representative Lawrence, LD 23

Caucus & COW

Overview

Requires each school operated by a school district or charter school to post, in a public area, a sign that contains the telephone number of the centralized intake hotline, instructions to call 911 and directions for accessing the Department of Child Safety (DCS) website.

History

Statute instructs DCS to operate and maintain a centralized intake hotline, commonly referred to as the Arizona Child Abuse Hotline, to take calls concerning suspected abuse or neglect ([A.R.S. § 8-455](#)).

Provisions

1. Requires each school operated by a school district or charter school to post, in a clearly visible location and in a public area of the school, a sign that contains the following information in English and Spanish:
 - a) In boldfaced type, the telephone number of the central intake hotline;
 - b) Instructions to call 911 for emergencies; and
 - c) Directions for accessing the DCS website for more information on reporting child abuse, child neglect and child exploitation. (Sec. 1)

Amendments

Committee on Education

1. Requires public schools to provide the required information in any other language if requested by a parent or a guardian of an enrolled student.
2. Requires the sign to contain the telephone number of a national child abuse hotline rather than the telephone number of the central intake hotline.
3. Removes the requirement that the sign contain directions for accessing the DCS website.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ED DP ON RECON 8-4-0-1

HB 2128: school districts; universities; recesses; coordination

Sponsor: Representative Petersen, LD 12

Caucus & Cow

Overview

Requires the Arizona Department of Education (ADE) and the Arizona Board of Regents (ABOR) to jointly designate one week in the fall and one week in the spring during which all school districts and all universities in Arizona are to recess.

History

Under current law, the school year for an educational program operating on a four-day week and a kindergarten program operating on a three-day week is required to begin on July 1 and end on June 30. School district governing boards may declare a recess for up to two weeks during the Christmas holiday season ([A.R.S. § 15-801](#)).

School instruction is required to be conducted in each public school for sessions that total at least 180 days each school year. Under statute, 180 days means 180 days of instruction or an equivalent number of minutes of instruction per school year that takes place within a different number of days approved by each school district governing board or charter school governing body ([A.R.S. 15-341.01](#)).

A qualified school district may operate on a four quarter, three semester or other year-round school year operation basis under the supervision of the Superintendent of Public Instruction (SPI). For school districts that operate on an approved year-round school year, instructional time must operate on a 175-day or 200-day basis, as approved by the SPI ([A.R.S. 15-855](#)).

Provisions

1. Requires ADE and ABOR to jointly designate one week in the fall and one week in the spring during which all school districts and all universities in Arizona are to recess. (Sec. 1)
2. Mandates that school district governing boards and ABOR declare a fall recess and a spring recess on the dates prescribed by ADE and ABOR. (Sec. 2, 3)
3. Exempts a school that operates on a year-round school year basis from this requirement. (Sec. 1)
4. Makes technical changes. (Sec. 2, 3)

Initials: _____

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 9-1-1-2

HB 2143: collegiate athletics; compensation; representation

Sponsor: Representative Kern, LD 20

Caucus & Cow

Overview

Prohibits a postsecondary education institution and an organization with authority over intercollegiate athletics from preventing a student athlete from earning compensation as a result of the use of the student athlete's name, image or likeness.

History

Under current law, an agency contract that is signed by both the student athlete and the athlete agent must include the following: 1) the amount and method of calculating the consideration to be paid by the student athlete for services to be provided by the athlete agent; 2) the name of any person who will be compensated because the student athlete signed the agency contract; 3) a description of the services to be provided to the student athlete; 4) a description of the services to be provided to the student athlete; 5) the duration of the contract; and 6) the date of the execution of the contract ([A.R.S. § 15-1770](#)).

Within 72 hours of entering into an agency contract or before the next athletic event in which a student athlete may participate, whichever comes first, the student athlete and the athlete agent are required to notify the athletic director of the educational institution at which the student athlete is enrolled ([A.R.S. § 15-1771](#)).

A student athlete may cancel an agency contract by giving notice of the cancellation to the athlete agent within 14 days of the contract being signed ([A.R.S. § 15-1772](#)).

An athlete agent intending to induce a student athlete to enter into an agency contract is prohibited from engaging in the following conduct: 1) giving any materially false or misleading information or making a materially false promise or representation; 2) furnishing anything of value to a student athlete before the student athlete enters into the agency contract; and 3) furnishing anything of value to any individual other than the student athlete or another athlete agent ([A.R.S. § 15-1774](#)).

Provisions

1. Prevents a postsecondary education institution from upholding any rule, requirement, standard or other limitation that prevents a student athlete of that institution from earning compensation as a result of the use of the student athlete's name, image or likeness. (Sec. 1)
2. Specifies that earning compensation from the use of a student athlete's name, image or likeness does not affect the student athlete's scholarship eligibility. (Sec. 1)
3. States that an athletic association, athletic conference or other organization with authority over intercollegiate athletics may not prevent:
 - a) A student athlete of a postsecondary education institution from earning compensation as a result of the use of the use of the student athlete's name, image or likeness; or

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- b) A postsecondary education institution from participating in intercollegiate athletics as a result of a student athlete being compensated for the use of the student athlete's name, image or likeness. (Sec. 1)
- 4. Prohibits a postsecondary education institution, athletic association, athletic conference or other organization with authority over intercollegiate athletics from:
 - a) Providing a prospective student athlete with compensation for use of the student athlete's name, image or likeness; and
 - b) Preventing a student athlete in Arizona from obtaining professional representation by an athlete agent or legal representation in relation to contracts or legal matters. (Sec. 1)
- 5. Specifies that professional representation obtained by student athletes are to be provided by persons who are licensed in Arizona. (Sec. 1)
- 6. Requires an athlete agent representing a student athlete to comply with federal and state law regarding athlete agent responsibilities. (Sec. 1)
- 7. States that a scholarship from a postsecondary education institution in which a student athlete is enrolled that provides the student athlete with the cost of attendance is not compensation and a scholarship may not be revoked as a result of the student athlete earning compensation or obtaining representation. (Sec. 1)
- 8. Prevents a student athlete from entering into a contract that provides compensation to the student athlete if a provision of the contract conflicts with a provision of the student athlete's team contract. (Sec. 1)
- 9. Requires a student athlete who enters into a contract for compensation to disclose the contract to an official of the postsecondary education institution at which the student athlete is enrolled. (Sec. 1)
- 10. Mandates a postsecondary education institution to disclose to the student athlete or the student athlete's representative the relevant contractual provisions, if any, that are in conflict. (Sec. 1)
- 11. States that a team contract entered into after September 1, 2021 may not prevent a student athlete from using the student athlete's name, image or likeness for a commercial purpose when the athlete is not engaged in team activities. (Sec. 1)
- 12. Prohibits a public or private university of another state from offering a student in Arizona an athletics contract or conduct in-person recruiting without first discussing to the student athlete in writing all prohibitions of the university's or college's home state regarding the use of the student athlete's name, image or likeness. (Sec. 1)
- 13. Defines a postsecondary education institution to include a university located in Arizona, a community college and private college or university. (Sec. 1)
- 14. Contains a delayed effective date of August 31, 2021. (Sec. 2)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ED DP 13-0-0-0

**[HB 2222](#): CTEDs; internships; funding
Sponsor: Representative Udall, LD 25
Caucus & COW**

Overview

Allows a student who is enrolled in any internship course as a part of a career technical education district (CTED) program to be included in the student count of the CTED.

History

For the purposes of funding, a CTED may levy a maximum of .05 cents per \$100 of secondary net assessed property valuation to generate a local contribution, with the remainder of formula monies coming in the form of basic state aid. A CTED's student count may not include:

- 1) A student in K-9;
- 2) A student in grades 8 and 9 (may only be funded with monies generated by the CTED's tax levy);
- 3) A student in the year after graduation or who received a general equivalency diploma;
- 4) A student over 21; or
- 5) A student enrolled in an internship course as part of a CTED ([A.R.S. § 15-393\(4\)\(A\)\(B\)\(C\)\(D\)](#)).

The calculation of a CTED's average daily membership (ADM) differs as follows:

- 1) A student who is enrolled at a school district or charter school and a CTED course or program on a satellite campus generates 1.25 ADM;
- 2) A student who is enrolled at a school district or charter school and a CTED course or program at a centralized campus generates 1.75 ADM; and
- 3) A student who is enrolled at a school district or charter school and a CTED course or program at a leased centralized campus generates 1.75 ADM.

A school district or charter school and CTED must determine the apportionment of ADM for students. However, the apportioned amount may not exceed 1.0 ADM for either entity ([A.R.S. § 15-393\(N\)\(O\)\(Q\)](#)).

A *satellite campus* means a facility that is owned or operated by a school district or charter school and that offers CTED programs or courses. A *centralized campus* means a facility that is owned and operated by a CTED and that offers CTED programs or courses. A *leased centralized campus* means a facility that is leased and operated by a CTED that offers CTED programs or courses ([A.R.S. § 15-393\(Z\)\(2\)\(4\)\(5\)](#)).

Provisions

1. Allows a student who is enrolled in any internship course as a part of a CTED program to be included in the student count of the CTED for that internship (Sec. 1).
2. Contains technical changes (Sec. 1).

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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ED DPA 7-4-0-2

HB2367: schools; residency documentation; policies

Sponsor: Representative Dunn, LD 13

Caucus & COW

Overview

Requires the legal custodian of a child to provide verifiable documentation of custody when enrolling a child in an Arizona school.

History

Unless otherwise exempted, children between 6 and 16 years of age must attend a public, private or charter school or homeschool. The parent or person who has legal custody of a non-exempt child must enroll the child in school and ensure attendance. A child may also participate in an Arizona empowerment scholarship account.

Instruction includes reading, grammar, math, social studies and science at a minimum. Attendance is at least 180 days and may be as many as 200 days or an equivalent approved by the Superintendent of Public Instruction. Statute requires school districts and charter schools to keep verifiable documentation of Arizona residency for each enrolled student ([A.R.S. § 15-802](#)).

The Arizona Department of Education (ADE) establishes guidelines of acceptable verifiable documentation of residency required to enroll a child in an Arizona school district or charter school ([ADE Guidelines](#)).

The Arizona State Board of Education (SBE) is responsible for managing the conduct of the public-school system by making policy and setting education standards. ([A.R.S. § 15-203](#))

Provisions

1. Requires the legal custodian of a child to provide verifiable documentation when enrolling the child in Arizona public, private or charter school. (Sec. 1)
2. Requires necessary policies be established for verifiable documentation of residency in Arizona by SBE rather than guidelines established by ADE. (Sec 1)
3. Makes technical and conforming changes. (Sec.1)

Amendments

Committee on Education

1. Removes the requirement that the custodian of a child demonstrate legal custody through verifiable documentation.

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 11-1-0-1

HB 2387: continuing high school program

Sponsor: Representative Udall, LD 25

Caucus & COW

Overview

Establishes a continuing high school program (Program) that provides adult learners with alternative study services that lead to the issuance of a high school diploma and industry-recognized credentials.

History

Statute mandates that every child between the ages of 6 and 16 attend a school and be provided instruction in the subjects of reading, grammar, math, social studies and science. Public schools are required to admit children who are between these ages ([A.R.S. § 15-802, 15-821](#)).

The Arizona Department of Education (ADE) operates a division of adult education (Arizona Adult Education Services) under the jurisdiction of the State Board of Education (SBE). The division provides services, such as educational programs to assist individuals in earning a high school equivalency diploma, to individuals who are 16 years old and older and who are not enrolled in a K-12 school ([A.R.S. § 15-232](#)).

Provisions

1. Directs SBE to establish the Program that provides adult learners with alternative study services and leads to the issuance of a high school diploma and industry-recognized credentials. (Sec. 1)
2. Requires SBE to authorize service providers participating in the Program to operate schools through partnerships with school districts, nonprofit charter schools and career technical education districts. (Sec. 1)
3. Specifies that service providers must:
 - a) Be qualified pursuant to 501(c)(3) of the Internal Revenue Code; and
 - b) Demonstrate at least a 10-year history of providing services in Arizona to individuals who are at least 18 years old and whose educational and training opportunities have been limited by educational disadvantages, disabilities and challenges. (Sec. 1)
4. States that a high school diploma may be issued only to an adult learner who meets all the necessary graduation requirements. (Sec. 1)
5. Requires a participating school to meet all public school legal requirements. (Sec. 1)
6. Prohibits the Program from receiving transportation funding or Arizona online instruction funding. (Sec. 1)
7. Allows a school participating in the Program to receive base support level funding and additional assistance in the same manner as a school district or charter school. (Sec. 1)
8. Requires ADE to develop application procedures for service providers that includes:

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

- a) A description of administrative structure, program activities, program staff, budget and specific curriculum;
 - b) The school calendar and a schedule describing the location, length of school day, program sequence, multidisciplinary course, pace and instructional activities;
 - c) A description of specific academic, behavioral and emotional support services that will be offered to adult learners who enroll;
 - d) A description of career technical education course that lead to industry-recognized credentials or dual enrollment courses from a university or community college;
 - e) A description of specific program outcomes, goals and metrics that will be used to determine student success; and
 - f) The projected number of adult learners that will be enrolled. (Sec. 1)
9. Instructs SBE to approve service providers that demonstrate the ability to provide students with the instruction and support that leads to a high school diploma and one or more industry-recognized credentials. (Sec. 1)
10. Specifies that:
- a) Initial approval of a service provider cannot be for more than two school years;
 - b) Renewal of approval cannot be for more than four school years and is contingent on specific performance expectations; and
 - c) If an approved service provider fails to meet any requirements or rules, SBE must immediately initiate a process to revoke the service provider's approval. (Sec. 1)
11. Requires SBE to adopt, by July 1, 2022, performance expectations to evaluate service providers that includes:
- a) Measures of student progress toward earning a high school diploma;
 - b) The graduation rates of students earning at least one academic credit; and
 - c) The number of industry-recognized credentials earned. (Sec. 1)
12. Mandates an approved service provider to annually report the following information to ADE:
- a) The number of adult learners enrolled;
 - b) The graduation rate;
 - c) The average progress of adult learners toward meeting graduation requirements;
 - d) The number and type of industry-recognized credentials; and
 - e) A summary of the academic, behavioral and emotional support services offered. (Sec. 1)

13. Requires ADE to submit, by December 15, 2023 and annually thereafter, a report evaluating the effectiveness of the Program to the Governor, President of the Senate and Speaker of the House of Representatives. (Sec. 1)
14. Allows SBE to approve program service providers with a total projected average daily membership (ADM) of:
 - a) In FY 2022, not more than 350 total ADM;
 - b) In FY 2023, not more than 700 total ADM;
 - c) In FY 2024 and each fiscal year thereafter, not more than 1,400 total ADM. (Sec. 1)
15. Prohibits SBE from including students who are 21 or younger in the total projected ADM. (Sec. 1)
16. Allows SBE to adjust the ADM allocated to an individual program service provider, except that the total projected ADM may not exceed the authorized amount. (Sec. 1)
17. Allows SBE to adopt rules to carry out the Program. (Sec. 1)
18. Terminates the Program on July 1, 2030. (Sec. 1)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ED DP 11-0-0-2 | APPROP 11-0-0-0

HB 2626: gifted pupils; weights; reports; appropriation

Sponsor: Representative Bolick, LD 20

Caucus & COW

Overview

Establishes reporting requirements for the Arizona Department of Education (ADE) regarding monies generated by Group A and Group B weights and gifted education programs. Appropriates monies for additional assistance for gifted programs.

History

As part of the school finance formula, every student in a public school receives a Group A weight; these weights differ depending on grade level, with weights being assigned to students in preschool programs for children with disabilities, students in grades K-8 and students in grades 9-12. Statute defines *Group A* to include funding for gifted pupils. Group B weights are assigned to specific students that have certain disabilities, such as a hearing impairment, a severe intellectual disability or orthopedic impairments. These weights are assigned depending on the disability ([A.R.S. § 15-901](#)).

Statute requires school districts to provide gifted education programs to gifted students ([A.R.S. § 15-779.01](#)). School districts must provide for routine screening for gifted students using a test adopted by the State Board of Education (SBE) and include, in the district's annual financial report, the amount of monies spent on programs for gifted students and the number of students enrolled in these programs ([A.R.S. § 15-779.02](#)). Statute also establishes additional assistance for gifted education programs: a school district may apply to ADE for additional funding equal to \$75 per student for 4% of the district's student count, or \$2,000, whichever is more ([A.R.S. § 15-779.03](#)). [Laws 2019, Chapter 263](#) appropriated \$1,000,000 in onetime funding from the General Fund (GF) in FY 2020 for gifted education.

Provisions

Group A Weight and Group B Weight Report

1. Requires, by November 1, 2020 and by July 1 every four years thereafter, ADE to submit a report to the Governor, the President of the Senate and the Speaker of the House of Representatives that includes:
 - a) Statewide data on the amount of monies generated by all Group A weights and all Group B weights;
 - b) Data by county on the amount of monies generated by all Group A weights and all Group B weights; and
 - c) The number of students attending school through open enrollment. (Sec. 1)

Gifted Education Report

2. Requires, by November 1, 2020, ADE to submit a report to the Governor, President of the Senate and Speaker of the House of Representatives that includes statewide data and data by county on the:

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- a) Total number of students receiving gifted education in school districts and charter schools;
 - b) Total amount of monies spent by school districts and charter schools on gifted education; and
 - c) Primary services provided to students in gifted education programs in school districts and charter schools. (Sec. 2)
3. Repeals this reporting requirement on January 1, 2021. (Sec. 2)
- Appropriation***
4. Appropriates \$1,000,000 from the state General Fund in FY 2021 to ADE for additional assistance for gifted programs. (Sec. 3)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ED DPA 6-5-0-2

HB2648: alternative testing; exemption; special education

Sponsor: Representative Barto, LD 15

Caucus & COW

Overview

Relating to alternative testing or exemption from the statewide assessment or menu of achievement assessments for special education or disabled students.

History

The Individuals with Disabilities Education Act (IDEA) mandates that states include disabled students in all general state and district-wide assessment programs, provided that the student receives the appropriate accommodations and alternate assessments as indicated in the student's individual education program (IEP) ([34 U.S.C. § 300.160](#)). Federal law permits a state to develop and implement alternate assessments and guidelines for disabled students with the most significant cognitive disabilities if the student cannot participate in regular assessments and if the state has adopted alternate academic achievement standards.

Currently, state statute requires SBE to adopt and implement a statewide assessment to measure student achievement of the academic standards in reading, writing and math in at least four grades. Statute authorizes SBE to determine how the statewide assessment is implemented ([A.R.S. § 15-741](#)). Additionally, statute permits SBE to administer assessments of the academic standards in social studies and science, except that a student is not required to meet or exceed the social studies or science standards measured by the statewide assessment.

For school year 2019-2020, public school students will be administered the AzM2 assessment in English language arts and math in grades 3-8 and grade 10 and AIMS Science in grades 4, 8 and 9-12. The state provides alternate assessments, though students must have an IEP to be considered. For school year 2019-2020, eligible students will be administered AIMS A Science in grades 4, 8 and 10 and the Multi-State Alternate Assessment in grades 3-8 and 11.

Provisions

1. Requires SBE to adopt rules that:
 - a) Allow a student to participate in alternative testing instead of the statewide assessment or menu of achievement assessments if the student is enrolled in either:
 - i. A special education program and the student meets criteria specified by SBE; or
 - ii. A self-contained program for students with disabilities that does not adequately prepare the student for testing.
 - b) Allow a student's IEP team to exempt the student from the statewide assessment or menu of achievement assessments with sufficient data to justify the exemption. (Sec. 1)

Prop 105 (45 votes)

Prop 108 (40 votes)

Emergency (40 votes)

Fiscal Note

Amendment

Committee on Education

1. Requires SBE to adopt rules that direct public schools to notify the guardian of a pupil if the pupil meets the criteria for participation in alternative testing but is otherwise ineligible for alternative testing due to federal law.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ED DP 8-3-0-2

HB 2829: schools; total compensation statements

Sponsor: Representative Grantham, LD 12
Caucus & Cow

Overview

Requires a school district governing board and a charter school governing body to provide each employee a total compensation statement that is broken down by category of benefit or payment.

History

A school district governing board may employ and fix the salaries and benefits of employees as necessary for the succeeding year. The contracts of all certificated employees are required to be in writing and may be transmitted in an electronic format. If a contract has not been transmitted to an employee by the end of the current school year, the electronic contract must be submitted to both the certificated employee's school district e-mail and personal e-mail prior to the start of the next school year ([A.R.S. § 15-502](#)).

Provisions

1. Requires a school district governing board and a charter school governing body to provide each of its respective employees a total compensation statement that is broken down by category of benefit or payment and that includes at least the following:
 - a) base salary and any additional pay;
 - b) medical benefits and the value of any employer-paid portions of insurance plan premiums;
 - c) retirement benefit plans, including social security;
 - d) legally required benefits;
 - e) any paid leave;
 - f) any other payment made to or on behalf of the employee; and
 - g) any other benefit provided to the employee. (Sec. 1, 2)
2. Makes technical changes. (Sec. 2)

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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: LAG DP 7-0-0-0

HB 2284: appropriation; regional park; Yavapai county
Sponsor: Representative Campbell, LD 1
Caucus & COW

Overview

Appropriates \$5,300,000 from the state General Fund to the Arizona State Parks Board (ASPB) to distribute to Prescott to purchase property to establish a regional park in Yavapai County in FY 2021.

History

The ASPB manages the state parks system, including recreational parks, historical parks and natural areas. Major functions of the ASPB include the maintenance and development of existing parks, new parks acquisitions, statewide recreational planning and historical preservation ([A.R.S. §§ 41-511.03](#) and [41-511.04](#)).

A previous legislative appropriation has been made to establish a park near Prescott. The FY 2014 Environment Budget Reconciliation Bill included a one-time appropriation of \$500,000 from the state General Fund to establish Granite Mountain Hotshots Memorial State Park ([Laws 2014, Chapter 13](#)).

As of January 2020, 29 state parks are open to the public. Of those, 23 parks are funded and operated by the state with existing state funds while the other six open parks are funded and operated through agreements between the ASPB and local governments ([JLBC Baseline Book 2021, pg. 333](#)).

Provisions

1. Appropriates \$5,300,000 from the state General Fund to the ASPB for distribution to Prescott to purchase property to establish a regional park in Yavapai County in FY 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
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: LAG DP 7-0-0-0 | APPROP DP 9-2-0-0-0

HB 2289: appropriation; plant services division; inspectors

Sponsor: Representative Dunn, LD 13

Caucus & COW

Overview

Appropriates \$887,400 from the state General Fund in FY 2021 to the Dangerous Plants, Pests and Diseases Trust Fund (Trust Fund).

History

The Arizona Department of Agriculture (Department) utilizes the Trust Fund for salaries, fees and office, administrative, bonding and travel expenses incurred in its efforts to:

- 1) Prevent the introduction of pests into this state;
- 2) Prevent the propagation, and dissemination of pests from one locality to another; and
- 3) Control, eradicate or suppress pests ([A.R.S. § 3-214.01](#)).

The fund is non-appropriated and consists of certification fees, civil penalties and reimbursements for the destruction of dangerous plants, pests and diseases (A.R.S. §§ [3-204](#), [3-204.01\(D\)](#), [3-205\(G\)](#), and [3-218\(B\)](#)).

Provisions

1. Appropriates \$887,400 from the state General Fund to the Trust Fund in FY 2021 for the Department to hire inspectors.
2. Requires any unexpended and unencumbered monies to revert to the state General Fund on September 30, 2021.

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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: LAG DP 7-0-0-0 | APPROP DP 9-1-0-1-0

HB 2551: appropriation; state parks; heritage fund

Sponsor: Representative Osborne, LD 13

Caucus & COW

Overview

Appropriates \$10,000,000 from the state General Fund to the Arizona State Parks Heritage Fund (Fund) in FY 2021.

History

The Fund is administered by the Arizona State Parks Board (Board) and consists of legislative appropriations, grants and donations. When notified by the Board, the State Treasurer invests and divest Fund monies, and any monies earned are credited to the Fund ([A.R.S. § 41-502](#)).

The Board, in consultation with the Historical Advisory Commission, creates criteria for using Fund monies, establishes a grant application process and reviews and evaluates grant applications. Per statute, Fund monies must be distributed as follows:

- 1) 50% to outdoor recreation and open space development, restoration or renovation of local, regional and state parks;
- 2) 30% on local, regional and state historic preservation projects;
- 3) 10% on local, regional and state nonmotorized trails; and
- 4) 10% on outdoor and environmental education ([A.R.S § 41-503](#)).

Provisions

1. Appropriates \$10,000,000 from the state General Fund to the Fund in FY 2021.

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



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: LAG DPA 4-2-0-1-0

HB 2589: land divisions; county regulation; surveys

Sponsor: Representative Griffin, LD 14

Caucus & COW

Overview

Prohibits a county from requiring a land division applicant to survey the land before receiving approval to divide or convey the land or issue a building permit.

History

A county board of supervisors (Board) can adopt ordinances and regulations for reviewing and approving applications to divide lands of five or fewer lots, parcels or fractional interests (lots), each of which must be ten acres or smaller. A Board must approve an application if:

- 1) Each lot meets the minimum applicable county zoning requirements;
- 2) The applicant provides a standard preliminary title report or other documentation that shows legal access to the lots;
- 3) The applicant provides evidence from a professional indicating if each lot has physical access that can accommodate a car; and
- 4) The applicant reserves appropriate utility easements to serve each lot created by the land division.

An applicant who does not comply with these requirements can still be approved if the applicant provides written acknowledgment that no building or use permit will be issued by the county until the lot has met these requirements.

A Board can grant a variance from any of these requirements. If a review is not completed within 30 days of receiving the application, the land division is considered approved ([A.R.S. § 11-831](#)).

Provisions

2. Prohibits a county from requiring a land division applicant to conduct a survey to receive approval of the land division or conveyance of the land or issuance of a building permit.
3. Adds the requirement that an applicant:
 - a) Must disclose to any buyer that the applicant has not conducted a survey of the land division for a parcel of land to be split; and
 - b) Acknowledge that no survey of property has been conducted in order for that applicant to split a parcel of land that does not comply with statutory requirements.
4. Makes technical changes.

Amendments

Committee on Land & Agriculture

<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
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1. Prohibits a county from requiring the land division applicant to pay property taxes in full as a condition for approving a land division or conveyance of land or issuing a building permit.
2. Repeals a requirement that an applicant must provide a statement from a licensed surveyor or engineer indicating if a two-wheel drive car can physically access each lot in order for a county to approve an application to split that parcel of land.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: JUD DPA/SE 6-4-0-0-0

HB 2087: probation; technical violations; reinstatement

S/E: digital evidence; fees; fund

Sponsor: Representative Blackman, LD 6

Caucus & COW

Summary of the Strike-Everything Amendment to HB 2087

Overview

Changes the name of the Arizona Lengthy Trial Fund to the *Arizona Lengthy Trial and Digital Evidence Fund* and outlines the purpose of the fund.

History

The Supreme Court administers the Arizona Lengthy Trial Fund and adopts rules for the administration of the fund. Currently, monies in the fund must be used to pay full or partial earnings to jurors who serve as short term jurors for more than five days and who receive less than full compensation. The amount of replacement or supplemental earnings must be at least \$45 but not more than \$300 per day per juror beginning on the first day of jury service. ([A.R.S. § 21-222](#))

Provisions

1. Changes the name of the Arizona Lengthy Trial Fund to the *Arizona Lengthy Trial and Digital Evidence Fund*. (Sec. 1)
2. Mandates if monies are available in the fund after paying jurors, the monies may be used for the following:
 - a) Pay for the storage of digital evidence; and
 - b) Facilitating the display of the evidence to the jury and court at a trial and related proceedings. (Sec. 2)
3. Contains technical and conforming changes. (Sec. 2)

Amendments

1. Adopted the strike-everything amendment.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: JUD DPA 6-4-0-0-0

HB 2235: record of proceedings; certified reporter

Sponsor: Representative Allen J, LD 15

Caucus & COW

Overview

Changes the status of a court reporter to a certified reporter and outlines the role of the certified reporter in the courts.

History

Currently, the judge must appoint a court reporter. Before starting, the court reporter must take and subscribe the official oath administered by the judge of the court. ([A.R.S. § 12-221](#))

The court reporter must attend court during the hearing of all matters unless excused by the judge. The court reporter must make stenographic notes for all oral proceedings unless requested by the court or counsel, they do not need to make notes of arguments by counsel to a jury or an argument by counsel to the court in the absence of a jury. Once payment or tender of the fees is made, they must supply any person a typed transcript of all or any part of the proceedings reported and certify that the transcript is a correct and complete statement of the proceedings. ([A.R.S. § 12-223](#))

A person who knowingly records all or part of the proceedings of any grand jury while it is in session or listens to or observes the proceedings of any grand jury of which the person is not a member is guilty of a class 2 misdemeanor. ([A.R.S. § 21-235](#))

The presiding judge of the superior court must appoint a court reporter to record the proceedings before the grand jury, except the deliberations of the grand jury. The reporter's notes containing the proceedings when an indictment is returned must be transcribed and filed with the clerk of the superior court no later than 20 days following the return of the indictment, unless the court otherwise orders. The transcript must be made available to the prosecuting officer and the defendant. The transcript or a portion of the transcript may be denied to a defendant by the court upon a showing of extraordinary circumstances by a prosecuting officer. The reporter's notes, which are not transcribed, must be filed with the clerk of the superior court and impounded and must be transcribed only when ordered by the presiding judge of the superior court.

The reporter and typists who transcribe the reporter's notes of grand jury proceedings must be sworn by the foreman or acting foreman not to disclose any testimony or the name of any witness except to the county attorney or other prosecuting officer or when testifying in court. ([A.R.S. § 21-411](#))

A verbatim record of all proceedings must be made by stenographic means by a court reporter if a written request for a court reporter is made by any party to the proceedings at least 24 hours in advance of such proceedings. If stenographic means are not requested, electronic means must be directed by the presiding judge. The stenographic notes or electronic tape must be retained as provided by statute. ([A.R.S. § 36-539](#))

Any agency of this state, including the judiciary, and each political subdivision of this state, including any courts of law, may use tape recorders or other recording devices in lieu of reporters or stenographers. Either party may request a court reporter or stenographer be used. ([A.R.S. § 38-424](#))

Provisions

1. Changes in statute the term *court reporter* to *certified reporter*. (Sec. 4)
2. Allows the judge of the superior court to appoint a certified reporter. (Sec. 5)
3. Changes the requirement of a certified reporter's presence to attend court from unless excused to as directed by the judge. (Sec. 6)
4. Requires the certified reporter, unless otherwise prohibited by law or order of the court, and on request, to certify the transcript is a correct and complete statement of the proceedings. (Sec. 6)
5. Mandates that the county is to provide the necessary supplies for certified reporters. (Sec. 7)
6. Authorizes transcriber fees for preparing court transcripts if the authorized transcriber is employed by the court. (Sec. 9)
7. Asserts a person who knowingly records all or part of the proceedings of any grand jury while in session, or listens to or observes the proceedings of any grand jury of which the person is not a member while the grand jury is in session, is guilty of a class 2 misdemeanor. (Sec. 12)
8. Allows the court to use an electronic recording system for grand jury proceedings. (Sec. 12)
9. Specifies the presiding judge of the superior court or the presiding judge's designees may appoint a certified reporter to record the proceedings before the grand jury, except the deliberations of the grand jury. (Sec. 13)
10. States a certified reporter's notes or an electronic recording containing the proceedings where an indictment is returned must be transcribed and filed with the clerk of the superior court no later than 20 days following the return of the indictment. (Sec. 13)
11. Maintains that any certified reporter's notes or electronic recording not transcribed must be secured by the clerk of the superior court, impounded and must be transcribed only when ordered by the presiding judge of the superior court or the presiding judge's designee. (Sec. 13)
12. Mandates the clerk of the superior court or presiding judge of the superior court or presiding judge's designee not to disclose any testimony or the name of any witness except to the county attorney or other prosecuting officer or when testifying in court. (Sec. 13)
13. Strikes that a verbatim report must be made by stenographic means by a court reporter if a written request for a court reporter is made by any party to the proceedings at least 24 hours in advance of such proceedings; if not available, the judge can direct that electronic means be used in mental health proceedings. (Sec. 22)
14. Removes the requirement that a verbatim report be made by stenographic means by a court reporter, if a written request for a court reporter is made by any party to the proceedings at least 24 hours in advance of such proceedings; if not available, the judge can direct that electronic means be used in proceedings involving minor's or an incapacitated person. (Sec. 22)
15. Modifies that each political subdivision of this state, including any courts of law, may use electronic devices in lieu of certified reporters or stenographers for court proceedings. (Sec. 25)

Prop 105 (45 votes)

Prop 108 (40 votes)

Emergency (40 votes)

Fiscal Note

16. Includes that either party may provide a certified reporter or stenographer in addition to the electronic device used by a court to record the proceedings, and the official record of the proceedings and the record must be prepared by the court pursuant to rules adopted by the supreme court. (Sec. 25)
17. Contains technical and conforming changes. (Sec. 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 24, 26, 27, 28, 29, 30, 31, 32)

Amendment

1. Removes the court's ability to use electronic recording devices in grand jury proceedings.
2. Defines pertinent terms.
3. Contains technical changes.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: JUD DP 6-4-0-0

[HB 2237](#): actions for debt; spouses

Sponsor: Representative Allen J, LD 15
Caucus & COW

Overview

Allows spouses to be sued separately on debts and obligations, and specifies a procedure for the satisfaction of a judgment on community property.

History

All property acquired by both spouses in a marriage is considered *community property* ([A.R.S. § 25-211](#)). *Separate property* is property acquired by gift, devise, descent and property acquired after service of a petition for dissolution of marriage, annulment or legal separation if the petition results in a decree of dissolution ([A.R.S. § 25-213](#)).

Spouses with separate properties have sole management, control and disposition rights to their properties; concurrently, both spouses have equal management, control and disposition rights over their community property and powers to bind the community property ([A.R.S. § 25-214](#)).

Spouses must currently be sued jointly for action on debt or obligation when contracting debts for the benefit of the community, and the debts must be satisfied first from the community property, and second from the separate property of the spouse contracting the debt or obligation ([A.R.S. § 25-215](#)).

Provisions

1. Allows spouses to be sued separately for a debt or obligation. (Sec. 1)
2. States that, if spouses are sued jointly, a judgment must be satisfied first from the community property, and secondly from the separate property of the spouse who is contracting the debt or obligation. (Sec. 1)
3. States that if the spouse who contracted the debt or obligation is sued, community property that would have been the spouse's separate property if single and that spouse's separate property can satisfy the debt or obligation. (Sec. 1)
4. Contains technical changes. (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: JUD DPA/SE 6-4-0-0

HB 2239: arrest warrant; affidavit; issuance

S/E: issuance; affidavit; arrest warrant

**Sponsor: Representative Kern, LD 20
Caucus & COW**

Summary of the Strike-Everything Amendment to HB 2239

Overview

Requires a magistrate to issue an arrest warrant after determining there are sufficient facts establishing probable cause, that a specific offense has been committed and that a particular person committed the offense.

History

Currently, a person arrested without a warrant must be taken before the nearest or most accessible magistrate in the county in which the arrest occurs, and a complaint must be made before the magistrate with a statement of the facts showing the offense for which the person was arrested. ([A.R.S. § 13-3898](#))

Provisions

1. Asserts a magistrate must issue an arrest warrant after reviewing an affidavit that is sworn to or affirmed before the magistrate, outlines sufficient facts to establish probable cause that a specific offense has been committed and that a particular person committed that offense. (Sec. 1)
2. States the arrest warrant must be in a form similar to a form that is adopted by the Arizona Supreme Court. (Sec. 1)
3. Defines the term *arrest warrant*. (Sec. 1)

Amendments

1. Adopted the strike-everything amendment.

<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
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: JUD DP 6-4-0-0

HB 2299: unlawful food or drink contamination

Sponsor: Representative Shope, LD 8
Caucus & COW

Overview

Establishes penalties for the intentional introduction, addition or mingling of any bodily fluid or foreign object not intended for human consumption into a food, drink or other product that may be consumed by a human being.

History

Current statute considers the following as public nuisances dangerous to public health: 1) any spoiled or contaminated food or drink intended for human consumption; 2) any place inconsistently maintained in a sanitary condition where food is present; and 3) any water meant for the public that is unwholesome, poisonous, contains deleterious or foreign substances or filth or disease-causing substances or organisms ([A.R.S. § 36-601](#)).

The offense of knowingly adding poison or another harmful substance to water, food, drink or medicine, if the intent is to harm another person, is a class 6 felony ([A.R.S. § 13-3704](#)).

Provisions

1. Prohibits a person from knowingly introducing, adding or mingling the following:
 - a) bodily fluid;
 - b) foreign object not intended for human consumption; or
 - c) an unsanitary surface with water, food, drink or other product that may be consumed by a human being. (Sec. 1)
2. Allows any cleaning and sanitizing costs and monetary compensation to be included in damages. (Sec. 1)
3. Classifies violation of this section as a class 6 felony if any of the following apply:
 - a) A human being consumes the contaminated water, food, drink or other product;
 - b) The contamination causes at least \$1000 worth of damages; or
 - c) The person causing the damages publishes a description, photograph, video or other depiction of the contamination online or provides it to another person. (Sec. 1)
4. Classifies a violation of this section as a class 2 misdemeanor if a human being does not consume the contaminated water, food, drink or other product and the contamination damage is less than \$1000. (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
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: JUD DPA 10-0-0-0

HB 2383: sentencing ranges; minimum; maximum; repeal

Sponsor: Representative Blackman, LD 6

Caucus & COW

Overview

Modifies the sentencing guidelines from five terms (aggravated, maximum, presumptive, minimum and mitigated) to three terms (maximum, presumptive and minimum) for first-time felony offenders and for other specific offenses.

History

Sentences can be increased or decreased based on the presence of aggravating or mitigating factors. The following are the five categories of sentencing, from lowest sentence to highest sentence: mitigated, minimum, presumptive, maximum and aggravated.

Unless a specific sentence is otherwise provided, the term of imprisonment for a first-time felony offender will be the presumptive sentence provided in statute. If at least two mitigating factors or two aggravating factors apply in a case, and they are found beyond a reasonable doubt to be true by the trier of fact or are admitted by the defendant, the court may subsequently increase the maximum or minimum terms of imprisonment to the aggravated or mitigated term. ([A.R.S. § 13-702](#))

Category one, two and three repetitive offenders may have their presumptive sentences aggravated or mitigated within the ranges provided in current statute. To be mitigated or aggravated, at least two mitigated or two aggravating factors must apply. ([A.R.S. 13-703](#))

A person who indecently exposes themselves to another person can have their presumptive sentence mitigated or aggravated. ([A.R.S. § 13-1402](#))

A person who commits public sexual indecency can have their presumptive sentence mitigated or aggravated. ([A.R.S. § 13-1403](#))

A person who commits multiple drug offenses on separate occasions can have their presumptive sentence mitigated or aggravated. ([A.R.S. § 13-3419](#))

Provisions

1. Removes the current minimum and maximum sentencing terms for first-time felony offenders and establishes the current mitigating and aggravating sentencing terms as the minimum and maximum sentences. (Sec. 1)
2. Removes the current minimum and maximum sentencing terms for repetitive felony offenders and establishes the current mitigating and aggravating sentencing terms as the minimum and maximum sentences. (Sec. 3)
3. Removes the current minimum and maximum sentencing terms for a person guilty of indecent exposure and establishes the current mitigating and aggravating sentencing terms as the minimum and maximum sentences. (Sec. 3)

Prop 105 (45 votes)

Prop 108 (40 votes)

Emergency (40 votes)

Fiscal Note

Initials DC/GK

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4. Removes the current minimum and maximum sentencing terms for a person guilty of public sexual indecency and establishes the current mitigating and aggravating sentencing terms as the minimum and maximum sentences. (Sec. 4)
5. Removes the current minimum and maximum sentencing terms for a person guilty of multiple separate drug offenses on separate occasions and establishes the current mitigating and aggravating sentencing terms as the minimum and maximum sentences. (Sec. 5)
6. Makes technical and conforming changes. (Sec. 1, 2, 3, 4, 5, 6, 7)

Amendments

Committee on Judiciary

1. Changes the term of a mitigated sentence for a first-time felony offender class 6 felony from a mitigated .33 years to a minimum .25 years.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: JUD DPA 9-0-0-1-0

HB 2402: criminal conviction; set aside; applicability

Sponsor: Representative Roberts, LD 11

Caucus & COW

Overview

Outlines the qualifications for applying and receiving a certificate of second chance.

History

Currently, every person convicted of a criminal offense, on fulfillment of the conditions of probation or sentence and discharge by the court, may apply to the court to have the judgment of guilt set aside. The convicted person must be informed of this right to apply to have a conviction set aside at the time of sentencing. The court must consider the following factors when determining whether to set aside the conviction:

- 1) The nature and circumstances of the offense the conviction is based on;
- 2) The applicant's compliance with the conditions of probation, the sentence imposed and any state department of corrections' rules or regulations, if applicable;
- 3) Any prior or subsequent convictions;
- 4) The victim's input and the status of victim restitution, if any;
- 5) The length of time that has elapsed since the completion of the applicant's sentence;
- 6) The applicant's age at the time of the conviction; and
- 7) Any other factor that is relevant to the application. ([A.R.S. § 13-905](#))

Provisions

1. Enables the court to issue an order that includes a certificate of second chance to a person whose judgment of guilt is set aside. (Sec. 1)
2. Ensures the clerk of the court will notify the Department of Public Safety (DPS) if a certificate of second chance has been issued. (Sec. 1)
3. Mandates the court hold a hearing if the state or victim objects to an application for a judgment of guilt set aside; the objection must be filed within thirty days after the application is filed with the court. (Sec. 1)
4. States if the court grants the application to set aside the judgment of guilt, the court's order must include a certificate of second chance if the following apply:
 - a) Person has not previously received a certificate of second chance;
 - b) The person was convicted of a misdemeanor;
 - c) If the person was convicted of a class 4, 5 or 6 felony and at least two years have passed since the person finished the conditions of probation or sentence; and
 - d) If the person was convicted of a class 2 or 3 felony and at least five years have passed since the person has finished the conditions of probation or sentence. (Sec. 1)

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5. States the following apply if the court grants an application to set aside a judgment of guilt and issues a certificate of second chance:
 - a) Unless excluded, releases the person from all barriers and disabilities in obtaining an occupational license that resulted from the conviction, if the person is otherwise qualified;
 - b) Releases an employer from liability for negligently hiring or independently contracting for services from the person if the theory of the employer's liability is premised on the existence of the persons prior criminal offense;
 - c) Releases a person or entity from liability for providing housing to the person if the theory of the persons or entity liability is premised on the existence of the persons prior criminal offense; and
 - d) Is not a recommendation or sponsorship for a promotion of the person who possesses the certificate of second chance when applying for an occupational license, employment or housing. (Sec. 1)
6. Specifies if the court does not issue an order including a certificate of second chance when the person's conviction is set aside, the person may apply to the court for the certificate after meeting the requirements listed above. (Sec. 1)
7. Asserts that if a victim has made a request for postconviction notice, the attorney for the state must provide the victim with notice of the person's application for a certificate of second chance and the victim's rights. (Sec. 1)

Amendment

1. Provides an employer and a person or entity that gives housing to a person who received a certificate of second chance with the following protections:
 - a) An employer is not liable for hiring an employee or contracting with an independent contractor who has previously been convicted of a criminal offense; and
 - b) If a negligent firing action is filed against an employer for the acts of an employee or independent contractor, the fact that the employee or independent contractor was previously convicted of a criminal offense may not be introduced into evidence.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: JUD DPA 10-0-0-0-0

HB 2411: convictions; penalties; surcharge distribution

Sponsor: Representative Allen J, LD 15

Committee on Judiciary

Overview

Amends the surcharge distribution of penalties collected from criminal convictions to various funds. Contains an emergency clause.

History

The Victim's Rights Fund (Fund) was established to supplement monies made available to state and local entities for funding victims' rights services and assistance. The Fund is administered by the attorney general and receives monies from legislative appropriations, fees from juveniles adjudicated delinquent for offenses involving a victim and penalties collected by the courts from criminal offenses and some civil traffic offenses. ([A.R.S. § 41-191.08](#))

Provisions

1. Adds a funding source for the Victim's Rights Fund. (Sec. 1)
2. Adds a funding source for the Department of Public Safety Forensics Fund. (Sec. 2)
3. Specifies beginning January 1, 2020, the state treasurer must distribute fees collected from criminal offenses committed to various recipients. (Sec. 3)
4. Specifies how the Criminal Justice Enhancement Fund monies should be dispersed for penalties collected from offenses that occurred before January 1, 2019, and for penalties collected from offenses occurring after January 1, 2019. (Sec. 3)
5. Specifies beginning June 1, 2020, and on the first day of each month, the state treasurer shall distribute or deposit the Criminal Justice Enhancement Fund in the following ways for penalties collected from offenses that occurred before January 1, 2019:
 - a) 16.744% to the Department of Public Safety Forensics Fund;
 - b) 1.61% to the Arizona Department of Juvenile Corrections for the treatment and rehabilitation of youth who have committed drug-related offenses;
 - c) 16.64% to the Peace Officers' Training Fund;
 - d) 3.03% to the Arizona Prosecuting Attorneys' Advisory Council Training Fund;
 - e) 9.35% to the Supreme Court to reduce juvenile crime;
 - f) 7.276% to the Department of Public Safety for allocation to state and local law enforcement authorities for various efforts;
 - g) 9.35% to the Department of Law for enhancing the ability of the courts to process criminal and delinquency cases, orders of protection, injunctions against harassment and any

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<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
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proceeding relating to domestic matters, auditing and investigating and superior court judge salaries;

- h) 6.02% to the Supreme Court to enhance criminal and delinquency cases, orders of protection, injunction against harassment, domestic violence proceedings, auditing and investigating, and judicial discipline cases;
 - i) 11.70% to the county sheriffs to enhance county jail facilities and operations;
 - j) 1.57% to the Arizona Criminal Justice Commission;
 - k) 2.30% to the Department of Public Safety Forensics Fund;
 - l) 7.68% to the Victims' Rights Fund;
 - m) 4.60% to the Victim Compensation and Assistance Fund; and
 - n) 2.13% to the Supreme Court for the purpose of providing drug treatment services to adult probations through the community punishment program. (Sec. 3)
6. Contains an emergency clause. (Sec. 6)
7. Makes technical and conforming changes. (Sec. 2, 3, 4, 5)

Amendments

Committee on Judiciary

- 1. Changes the date the state treasurer will distribute or deposit monies from the Criminal Justice Enhancement Fund to various recipients from beginning on June 1, 2020, to beginning on July 1, 2020.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: JUD DPA 6-4-0-0-0

HB 2581: dangerous; incompetent person; evaluation; commitment

Sponsor: Representative Allen J, LD 15

Caucus & COW

Overview

Creates guidelines for courts to determine if a person is dangerous or incompetent and if the defendant should be committed to the state hospital. Allows the courts to use defendant competency evaluation reports to determine whether the defendant is dangerous and eligible for commitment.

History

A person may not be tried, convicted, sentenced or punished for an offense if the court determines the person is incompetent to stand trial. The prosecutor or defense attorney may file any pretrial motion at any time while the defendant is incompetent to stand trial. The court must hear and decide any issue presented by the motion to see if the defendant's presence is essential for a fair hearing as determined by the court ([A.R.S. § 13-4502](#)).

After a plea of guilty, guilty except insane, the trial or after the defendant is found to be unable to be restored to competence, the court must order all the reports submitted be sealed. The court may order that the reports be opened as follows:

- 1) For use by the court, defendant or by the prosecutor if otherwise permitted by law, for further competency or sanity evaluations or in a hearing to determine whether the defendant is eligible for court-ordered treatment or is a sexually violent person;
- 2) For statistical analysis;
- 3) When the records are deemed necessary to assist in mental health treatment;
- 4) For use by the probation department or the state department of corrections if the defendant is in the custody of or is scheduled to be transferred into the custody of the state department of corrections, for assessment, and supervision or monitoring of the defendant by that department;
- 5) For use by a mental health treatment provider providing treatment to the defendant or that assesses the defendant for treatment;
- 6) For data gathering; and
- 7) For scientific study. ([A.R.S. § 13-4508](#))

The court must only consider the time a defendant spends in restoration to competency program when calculating the sentencing requirements. The court must notify the prosecutor, defense attorney, medical supervisor and the treating facility if the charges against the defendant are dismissed or if the court voids an order. No charges must be dismissed without a hearing before the dismissal. If a defendant is discharged or released on the expiration of an order, the medical supervisor may file a petition stating that the defendant requires further treatment or appointment of a guardian. ([A.R.S. § 13-4515](#))

If the court finds that a defendant is incompetent to stand trial and there is no substantial probability the defendant will regain competency within twenty-one months after the date of the original finding of incompetency, any party may request the court:

- 1) Remand the defendant to an evaluating agency for the institution of civil commitment proceedings. If the defendant is remanded, the prosecutor must file a petition for evaluation and provide any known criminal history for the defendant;
- 2) Appoint a guardian;
- 3) Release the defendant from custody and dismiss the charges against the defendant without prejudice;
- 4) The court may also order an assessment of the defendant's eligibility for private insurance or public benefits that may be applied to the expenses of the defendant's medically necessary maintenance and treatment, state-only behavioral health services, title xviii services, Medicare part D prescription drug benefits, supplemental security income and supplemental security disability income;
- 5) The court may retain jurisdiction over the defendant until the defendant is committed for treatment or a guardian is appointed; and
- 6) If the court remands the defendant for the institution of civil commitment proceedings and the court is notified that the defendant has not had a civil commitment evaluation, the court, if it has retained jurisdiction, may order the sheriff to take the defendant into custody so that the court may explore options. ([A.R.S. § 13-4517](#))

Provisions

1. Requires the hearing records to determine whether the defendant is dangerous and eligible for commitment to be sealed if:
 - a) there was a guilty plea;
 - b) the defendant was found guilty except insane; or
 - c) if the defendant is found to be unable to be restored to competency. (Sec. 2)
2. Mandates information about any instrument or tool used to assess whether the defendant is likely to be dangerous be included in the written report submitted by the mental health expert. (Sec. 3)
3. Specifies the mental health expert must determine the nature of the mental illness, disease or defect that makes the defendant likely to be dangerous. (Sec. 3)
4. Asserts if the prognosis includes a determination that there is no substantial probability the defendant will regain competency within twenty-one months after the date of the original finding of incompetency, it must be determined whether the defendant should be considered dangerous. (Sec. 3)
5. States if the defendant is charged with a serious offense, a hearing must be held to determine if the defendant is dangerous and should be involuntarily committed. (Sec. 5)
6. Includes a new section on dangerous and incompetent defendants, commitment hearings and dispositions. (Sec. 6)
7. Outlines the procedures to be followed if a commitment order is issued. (Sec. 6)
8. Prohibits findings by the court made in this section as inadmissible in any proceeding other than a proceeding. (Sec. 6)
9. Includes a new section on annual examinations of committed persons, reports, record access and attorney withdrawal, which includes the following:

- a) The psychiatrist, psychologist or other professional of the state hospital or a licensed facility under the supervision of the state hospital must annually examine each person who is committed;
 - b) The person who conducts the annual evaluation must submit the examination report to the court, the committed incompetent and any attorney of record for the committed incompetent in connection with the committed incompetent's commitment;
 - c) The annual report must state the following the treatment, the education that the committed incompetent has received, a prognosis for the committed incompetent's restoration to competency, and whether the committed incompetent remains dangerous;
 - d) If the psychiatrist, psychologist or other professional submits a report indicating the committed incompetent is competent to stand trial is no longer dangerous, the court must hold a hearing to determine whether the committed incompetent is competent or is no longer dangerous;
 - e) If the psychiatrist, psychologist or other professional submits a report stating the committed incompetent is no longer dangerous because of medication, the report must state whether the committed incompetent will continue to take the medication if released to a less restrictive alternative and would comply with all other conditions of a less restrictive alternative;
 - f) The court must hold a hearing within forty-five days after receiving the report;
 - g) A retained or appointed professional must have access to all records concerning the committed incompetent;
 - h) The committed incompetent may petition the court for conditional release to a less restrictive alternative or discharge from treatment; and
 - i) If the committed incompetent's attorney withdraws at any time during the committed incompetent's commitment, the court must notify the prosecuting attorney and the committed incompetent. The court must allow the committed incompetent enough time to employ another attorney or appoint a new attorney if the committed incompetent is indigent. (Sec. 7)
10. Mandates that if the court finds the committed incompetent has been restored to competency, the court must order the criminal proceedings resume. (Sec. 7)
11. Requires that if the committed incompetent has not been restored to competency then the following must occur:
- a) If the committed incompetent is not dangerous, the court must release the committed incompetent from treatment and proceed;
 - b) If the committed incompetent is not dangerous because of habilitation or treatment the patient is receiving, including medication, the court may release the committed incompetent to a less restrictive alternative; or
 - c) If the committed incompetent is dangerous, the committed incompetent must remain committed for education, care, supervision and treatment to render the committed incompetent or non-dangerous. (Sec. 7)
12. Outlines the procedures for petitioning for conditional release. (Sec. 7)
13. Describes the revocation of conditional release to a less restrictive alternative. (Sec. 7)
14. Outlines conditional release to a less restrictive alternative. (Sec. 7)
15. Provides information about petitioning for discharge. (Sec. 7)

16. Outlines information about where proceedings must be held and transportation for the committed (Sec. 7, 8)
17. Adds definitions for the following terms:
 - a) *dangerous*;
 - b) *secure state mental health facility*;
 - c) *competent professional*;
 - d) *committed incompetent*;
 - e) *less restrictive alternative*;
 - f) *mental illness, defect or disability*;
 - g) *state hospital*;
 - h) *superintendent*; and
 - i) *responsible relative*. (Sec. 7)
18. Defines the following terms: a) *clinical liaison*; b) *incompetent to stand trial*; c) *mental health expert*; and d) *threat to public safety*. (Sec. 1)
19. Contains technical changes. (Sec. 2, 4, 5)
20. Contains conforming changes. (Sec. 1, 3, 6, 7)

Amendments

Committee on Judiciary

1. Mandates if the court finds there is not sufficient evidence to conclude the conditions have been met, the court must deny conditional release to a less restrictive alternative.

<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
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Initials DC/GK

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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: JUD DPA 10-0-0-0

HB 2611: records; confidentiality; hearing officer

Sponsor: Representative Allen J, LD 15

Caucus & COW

Overview

Allows hearing officers to request personal information not be shared with the public.

History

Current statute allows eligible people to request their personal information not be shared with the public.

Eligible persons include the following: 1) former public officials; 2) peace officers; 3) spouses of a peace officer; 4) spouses or minor children of a deceased peace officer; 5) justices; 6) judges; 7) commissioners; 8) public defenders; 9) prosecutors; 10) code enforcement officers; 11) adult or juvenile corrections officer; 12) corrections support staff members; 13) probation officers; 14) members of the board of executive clemency; 15) law enforcement support staff members; 16) employees of the Department of Child safety or employee of Adult Protective Services who have direct contact with families in the course of employment; 17) national guard members acting in support of a law enforcement agency; 18) persons protected under an order of protection or injunction against harassment; 19) persons who are participants in the address confidentiality program; and 20) firefighters assigned to the Arizona counterterrorism information center in the Department of Public Safety ([A.R.S. §§ 11-483, 11-484](#)). Victims of domestic violence or stalking protected under an order of protection or injunction against harassment and border patrol agents also qualify as eligible persons ([A.R.S. § 39-123](#)).

It is a class 5 felony to post on the internet the personal information of a: 1) peace officer; 2) justice; 3) judge; 4) commissioner; 5) public defender; 6) employee of the department of child safety or employee of adult protective services who has direct contact with families in the course of employment; or 7) prosecutor if sharing the personal information poses a threat to their or their immediate family's safety ([A.R.S. § 13-2401](#)).

Any state or local employee who knowingly releases an eligible person's personal information with the intent to cause injury or damage to an eligible person's property or family is guilty of a class 6 felony ([A.R.S. § 39-124](#)).

Justice courts and cities or towns can appoint hearing officers to preside over civil traffic violation cases. Hearing officers can hear and dispose of civil traffic violation cases under the supervision of the court, and their judgment constitutes the judgment of the court ([A.R.S. § 28-1553](#)).

Provisions

1. Defines *hearing officer* as an officer presiding over civil traffic violation cases. (Sec. 1, 2, 3, 4, 5, 6, 7)
2. Allows hearing officers to request county recorders, county assessors, county treasurers and the Department of Transportation to prohibit public access to their information. (Sec. 1, 2, 5)

Prop 105 (45 votes)

Prop 108 (40 votes)

Emergency (40 votes)

Fiscal Note

Initials DC/GK

Caucus & COW

3. Prohibits a person from posting a hearing officer's personal information on the internet if it can be dangerous to the hearing officer or their family and establishes this violation as a class 5 felony. (Sec. 3)
4. Allows a hearing officer or registered voter who lives at the same residence as the hearing officer to request their identifying and voting registration information not be shared with the public. (Sec. 4)
5. Defines *commissioner* as a commissioner of the superior court. (Sec. 5)
6. Defines *judge* as a judge or former judge of the following:
 - a) US District Court;
 - b) US Court of Appeals;
 - c) US Magistrate Court;
 - d) US Bankruptcy Court;
 - e) US Immigration Court;
 - f) Arizona Court of Appeals;
 - g) Superior Court; or
 - h) Municipal Court. (Sec. 5)
7. States a hearing officer's public record information regarding their personnel file does not require disclosure to the public by a law enforcement agency or state or local government employee. (Sec. 6)
8. States any state or local government employee who knowingly releases a hearing officer's personal information with the intent to cause injury or damage to a hearing officer's property or family is guilty of a class 6 felony. (Sec. 7)
9. Makes technical and conforming changes. (Sec. 1, 2 ,3, 4, 5, 6, 7)

Amendments

Committee on Judiciary

1. Adds to the definition of *commissioner* to include a commissioner of the municipal court.
2. Adds to the definition of *prosecutor* to include a former county attorney, municipal prosecutor, municipal prosecutor, Attorney General or United States attorney.
3. Adds to the definition of *prosecutor* to include a former assistant or deputy United States attorney, county attorney, municipal prosecutor or Attorney General.
4. Adds to the definition of *justice* to include a justice of the United States or Arizona Supreme Court or a justice of the peace.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: JUD DP 9-0-1-0

HB 2646: manslaughter; suicide assistance; violation

Sponsor: Representative Weninger, LD 17

Caucus & COW

Overview

Classifies intentionally advising a minor to commit suicide with knowledge the minor will follow through with the advice as manslaughter.

History

Current statute states that a person commits manslaughter as a class 2 felony by:

- 1) Recklessly causing the death of another person;
- 2) Committing second-degree murder when the victim has reasonably provoked the person;
- 3) Intentionally providing the physical means another person uses to commit suicide while knowing the person intends to do it;
- 4) Being forced to commit second-degree murder under threat of deadly physical force on themselves or another person when a person would be unable to reasonably resist; and
- 5) Knowingly or recklessly causing the death of an unborn child by physical injury to the mother.

[\(A.R.S. § 13-1103\)](#)

Provisions

1. Classifies intentionally advising or encouraging a minor to commit suicide with the knowledge that the minor intends to use the provided advice or encouragement to commit suicide as manslaughter. (Sec. 1)
2. 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
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: PS DPA 6-1-0-0

HB 2114: law enforcement officers; database; rules

Sponsor: Representative Allen J, LD 15

Caucus & COW

Overview

Prohibits a prosecuting agency from placing a law enforcement officer's name in a database unless the officer is provided advanced written notice.

History

By the preliminary hearing in a felony case, or the arraignment if no preliminary hearing is held, the State is required to give reports available to the defendant that the charging attorney possessed when the charge was filed. These reports must contain the following information:

- 1) All existing original and supplemental reports prepared by a law enforcement agency in connection with the charged offense; and
- 2) For each expert who examined a defendant or any evidence in the case:
 - a) The expert's name, address and qualifications;
 - b) Any report prepared by the expert or test results conducted by the expert; and
 - c) A summary of the general subject matter and opinions on which the expert is expected to testify if the expert will testify at trial without preparing a written report.

The State must also make available various information within its possession no later than 30 days after arraignment in the superior court or at the first pretrial conference in a limited jurisdiction court.

This information includes:

- 1) The name and address of each person the State intends to call as a witness;
- 2) Any statement of the defendant and any co-defendant;
- 3) A list of documents and tangible evidence the State intends to use at trial or that were obtained from or purportedly belong to the defendant; and
- 4) A list of the defendant's prior felony convictions the State intends to use at trial. ([16A A.R.S. Rules Crim. Proc., Rule 15.1](#)).

Provisions

1. Prohibits a prosecuting agency from placing a law enforcement officer's name in a rule 15.1 database (database) unless the officer is provided written notice at least 10 days before the agency intends to place the officer's name in the database. (Sec. 1)
2. Instructs the prosecuting agency to send the written notice by certified mail, return receipt requested, to the law enforcement officer's employment address and last known residential address. (Sec. 1)
3. Requires the written notice to include:
 - a) A notice of intent to place the law enforcement officer's name in the database;
 - b) The law enforcement officer's right to appeal the allegations and placement in the database;
 - c) The prosecuting agency's procedural requirements for submitting a written appeal; and

- d) A statement requiring a written appeal to be submitted by the law enforcement officer to the prosecuting agency within five business days after receiving the notice. (Sec. 1)
- 4. Prohibits the prosecuting agency from placing the law enforcement officer's name in the database until after the officer's appeal is concluded. (Sec. 1)
- 5. Directs a prosecuting agency that maintains a database to adopt a policy that includes the following:
 - a) The criteria used by the agency to place a law enforcement officer's name in the database;
 - b) The law enforcement officer's right to receive written notice of the prosecuting agency's intent to place the officer's name in the database at least 10 days before placing the officer's name in the database;
 - c) The law enforcement officer's right to appeal and submit supporting evidence; and
 - d) The applicable timeframe and procedures for notifying the law enforcement officer of the prosecuting agency's final decision on the officer's appeal. (Sec. 1)
- 6. Directs the prosecuting agency to produce rule 15.1 disclosure information in all cases. (Sec. 1)
- 7. States this does not limit or restrict a prosecuting agency's ability to remove a law enforcement officer's name from the database if the prosecuting agency determines the officer's name no longer requires placement in the database. (Sec. 1)
- 8. Prohibits a law enforcement agency from using the placement of a law enforcement officer's name in a database as the sole reason from taking or denying various employment actions against an officer. (Sec. 1)
- 9. Defines *prosecuting agency* and *rule 15.1 database*. (Sec. 1)

Amendments

Committee on Public Safety

1. Changes the words *appeal* to *request for reconsideration* throughout the bill.
2. Requires a prosecuting agency to send a written notice by mail or email to the law enforcement officer's current or last known employment address at least 10 days before a prosecuting agency considers placing the officer's name in the database.
3. Changes the requirements of the written notice to include the following:
 - a) A notice of possible placement in the database;
 - b) The law enforcement officer's right to request a summary of the integrity issues and any relevant material from the prosecuting agency;
 - c) The law enforcement officer's right to provide input to the prosecuting agency before the agency decides whether the officer's name should be added to the database;
 - d) The prosecuting agency's procedural requirements for a law enforcement officer to provide input; and

- e) A requirement that the prosecuting agency send a written notice by mail or email to the law enforcement officer's current or last known employment address when the agency decides of whether to put the officer's name in the database.
4. Directs the law enforcement officer's current or last known employer, on receipt of the written notice, to provide written notice to the officer if the officer's contact information is available.
 5. Establishes requirements for a written notice if the prosecuting agency decides to place the law enforcement officer's name in the database.
 6. Modifies, from 5 to 10, the number of business days in which the law enforcement officer must submit the written request for reconsideration to the prosecuting agency after receiving the notice of determination of placement in the database if the law enforcement officer intends to request the reconsideration of the placement.
 7. Removes language that a prosecuting agency cannot place the officer's name in the database until after the officer's appeal is concluded.
 8. Modifies and adds the following policies the prosecuting agency that maintains a database must have:
 - a) The officer's right to receive written notice at least 10 days before the prosecuting agency's intent to consider placing the officer's name in the database and the officer's right to provide input to the agency before the agency decides whether the name should be added; and
 - b) The duty of an agency to provide notice to the officer's current or last known place of employment of the agency's decision regarding placing the officer's name in the database.
 9. Removes language that the officer's name is not a public record if the officer's name is placed in the database.
 10. Deletes the following employment actions that a law enforcement agency cannot use the the placement of an officer's name in a database as the sole reason for taking or denying that employment action against the officer:
 - a) Promotion;
 - b) Transfers denied or restricted; and
 - c) Forced transfers.
 11. States that a law enforcement agency is not restricted in using the underlying facts that were the basis for placing the officer's name in the database for taking a disciplinary action against the officer in accordance with the agency's adopted procedures and governing laws.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: PS DPA 4-2-0-1

HB 2303: mandatory vehicle impoundment; exception

Sponsor: Representative Kern, LD 20

Caucus & COW

Overview

Requires a peace officer to immobilize or impound a vehicle of a person driving with a suspended driving privilege.

History

Current law requires a peace officer to cause the removal and either immobilize or impound a vehicle if the operator:

- 1) Has their driving privileges revoked;
- 2) Has not ever been issued a valid driver's license;
- 3) Is operating a vehicle without a functioning ignition interlock device when required to;
- 4) Is knowingly or recklessly transporting, moving, or attempting to transport or move an illegal alien; or
- 5) Is knowingly or recklessly concealing, harboring or shielding or attempting to conceal, harbor or shield an illegal alien from detection in a vehicle ([A.R.S. 28-3511](#)).

A person is required to pay all civil penalties within 30 days from entry of judgment. If it is not paid or an installment payment is not made when due, the court is required to notify the Department of Transportation and the department must promptly suspend the person's driving privilege or the person's application or privilege to apply for a driving privilege until the civil penalty is paid ([A.R.S. 28-1601](#)).

Provisions

1. Requires a peace officer to cause the removal and either immobilize or impound a vehicle if the operator is driving with a suspended driving privilege, except if the privileges are suspended for failure to:
 - a) Pay a portion of or the entirety of a civil penalty when due; or
 - b) Appear in court for a transportation violation. (Sec. 1)
2. Exempts a peace officer who needs to be immediately present at an emergency from immobilizing or impounding a vehicle if the emergency is not in the same location as the vehicle. (Sec. 1)
3. Defines *emergency*. (Sec. 1)
4. Contains conforming changes. (Sec 1)

Amendments

<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
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Committee on Public Safety

Initials DC/GK

Caucus & COW

1. Exempts a peace officer who needs to be present at another location; rather than an emergency; from immobilizing or impounding a vehicle; and strikes the definition for emergency.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: PS DP 7-0-0-0 | APPROP DP 9-2-0-0

HB 2371: appropriations; DNA analysis instruments

Sponsor: Representative Finchem, LD 11

Caucus & COW

Overview

Appropriates \$1,200,000 and three FTE positions from the state general fund (GF) in FY2021 to the Department of Public Safety to purchase and deploy DNA analysis instruments.

History

[The Department of Public Safety \(DPS\)](#) is responsible for creating and coordinating services for use by local law enforcement agencies in maintaining public safety. Currently, DPS is required to formulate plans with a view to establishing modern services for prevention of crime, apprehension of violators, training law enforcement personnel and the promotion of public safety. ([A.R.S. § 41-1711](#)).

The divisions within DPS consist of the Arizona Highway Patrol division, Narcotics Enforcement and Criminal Investigation division, Scientific Criminal Analysis division and Training and Education division ([A.R.S. § 41-1712](#)).

Provisions

1. Appropriates \$1,200,000 and three FTE positions from the state GF in FY2021 to DPS to purchase and deploy four DNA analysis instruments throughout Arizona and, subject to availability of monies and on request of a county sheriff, train that county sheriff's personnel on proper use of the DNA analysis instruments. (Sec. 1)
2. Requires DPS to submit a report to various chairpersons of the Arizona House of Representatives and the Arizona State Senate by October 15, 2020, January 15, 2021, April 15, 2021 and July 15, 2021 containing information relating to the instruments and training including:
 - a) The number of rapid DNA analyses performed by DPS and the county sheriffs;
 - b) The number of criminal suspects identified or matched by DNA analysis to the combined DNA index system; and
 - c) The number and types of crimes identified or matched by DNA analysis. (Sec. 1)
3. Defines *rapid DNA analysis*. (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: PS DP 6-0-0-1 | APPROP DP 10-0-0-1

HB 2440: death benefit; transitional housing benefit

Sponsor: Representative Finchem, LD 11

Caucus & COW

Overview

Requires Arizona to pay a transitional housing benefit payment to a deceased law enforcement officer or firefighter's surviving spouse or dependent.

History

Current statute allows a deceased law enforcement officer or firefighter's surviving spouse or dependent to continue to be enrolled in and to receive payments for health insurance premiums from the employer of the law enforcement officer if the law enforcement officer was killed in the line of duty ([A.R.S. § 38-1114](#)).

A surviving spouse or surviving dependent of a deceased law enforcement officer or firefighter killed in the line of duty is entitled to receive a monthly amount equal to the deceased member's average monthly benefit compensation. This applies as a lifetime benefit for spouses a limited benefit for dependents ([A.R.S. § 38-846](#)).

The spouse of a law enforcement officer or firefighter killed in the line of duty in the first ninety days of employment is eligible for survivor benefits ([A.R.S. § 38-842.01](#)).

Provisions

1. Requires Arizona to pay a transitional housing benefit payment that covers the cost of a residential mortgage loan or lease agreement of a primary residence for one year to the deceased law enforcement officer or firefighter's surviving spouse or dependent. (Sec. 1)
2. Stipulates the monthly cost cannot exceed \$5,000 and must to be deposited into a third-party managed escrow account. (Sec. 1)
3. Establishes the Transitional Housing Benefit Fund (fund). (Sec. 1)
4. Directs the Governor's Office to administer the fund. (Sec. 1)
5. Allows the Governor's Office to accept and spend local, state and federal monies and private grants, gifts contributions and devises to assist in administering the fund. (Sec. 1)
6. Appropriates \$500,000 from the state GF in FY2021 to the transitional housing benefit fund. (Sec. 2)
7. Exempts appropriated monies from lapsing after FY2021. (Sec. 2)
8. Defines *killed in the line of duty*. (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: MVA DPA 7-0-0-0 | APPROP DPA 11-0-0-0

HB 2265: Enduring Freedom Memorial; appropriation

Sponsor: Representative Townsend, LD 16

Caucus & COW

Overview

Requires the Arizona Department of Administration (ADOA) to use monies appropriated from the State Monument and Memorial Fund (Fund) to add additional names to the Enduring Freedom Memorial.

History

[Laws 2004, Chapter 206](#) authorized the placement of the Enduring Freedom Memorial in Wesley Bolin Plaza.

Pursuant to [A.R.S. § 41-1365](#), the Fund is established consisting of donations, monies from fund-raising activities, monies that are collected by the proponents of a monument or memorial, grants and legislative appropriations. ADOA is required to administer the Fund and use monies appropriated from the Fund for:

- 1) The maintenance, repair, reconditioning or relocation of monuments or memorials; and
- 2) Supporting mechanical equipment in the governmental mall.

ADOA must separately account for monies to a specific monument or memorial that is dedicated to Arizona for maintenance, repair, reconditioning or relocation of that monument or memorial as follow:

- 1) Monies that are donated for the benefit of the specific monument or memorial;
- 2) Monies that are derived from fund-raising activities and that are collected for the benefit of the specific monument or memorial; and
- 3) Monies that are collected and deposited by proponents of a monument or memorial.

Monies in the Fund are required to be held in trust by ADOA for the citizens of Arizona until spent on an authorized monument or memorial, and monies in the Fund are prohibited from being spent or appropriated for any other purpose.

Provisions

1. Requires ADOA to use monies appropriated from the Fund to alter or modify the Enduring Freedom Memorial to add additional names. (Sec. 1)
2. Appropriates an unspecified dollar amount from the Fund in FY 2021 to ADOA to alter or modify the Enduring Freedom Memorial to add additional names to the memorial. (Sec. 2)
3. Makes technical changes. (Sec. 1)

Amendments

Committee on Military & Veterans Affairs

1. Adds an appropriation of \$21,422.91 from the Fund.

Committee on Appropriations

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

1. Adds an appropriation of \$21,422.91 from the Fund.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: GOV DP 8-2-1-0

HB 2065: recorder; recording fees; lien fees
Sponsor: Representative Kavanagh, LD 23
Caucus & COW

Overview

Specifies that a county recorder will receive a \$9 fee when recording health care provider liens.

History

A county recorder keeps all records, papers and maps required or allowed to be recorded according to law. Current law mandates that a county recorder shall receive certain fees for recording different instruments. The various fees outlined in statute include:

- 1) \$30 for recording papers required or authorized by law to be recorded where there is no other fee specified in law;
- 2) \$15 for recording papers where the United States, Arizona or its entities is a party and it is requested to be recorded by said parties;
- 3) \$1 for each page when preparing and certifying copies of a record in the recorder's office, with an additional \$3 for attaching the certificate and seal of the recorder; and
- 4) \$10 for each name and \$1 for each financial statement when issuing a certificate pursuant to statute concerning financial statements ([A.R.S. §§ 11-461, 11-475](#)).

Provisions

1. States that a county recorder will receive a fee of \$9 for recording liens of health care providers on damages recovered by injured people receiving services as specified in statute. (Sec. 1)
2. Makes 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
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: GOV DP 11-0-0-0

HB 2697: Arizona jazz day; observed

Sponsor: Representative Bolding, LD 27
Caucus & COW

Overview

Makes April 30th of each year Arizona Jazz Day.

History

The enumerated list of holidays Arizona observes that are not legal holidays are outlined in current statute, with examples being Navajo Code Talker's Day, Purple Heart Day and Public Lands Day ([A.R.S. § 1-313](#), [1-316](#), [1-318](#)).

Created in November 2011 by the United Nations Educational, Scientific and Cultural Organization (UNESCO), [International Jazz Day](#) was established as April 30th of every year to highlight jazz and its diplomatic role of uniting people all around the world.

Provisions

1. Establishes April 30th of each year as Arizona Jazz Day. (Sec. 1)
2. Stipulates that Arizona Jazz Day is not a legal holiday. (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
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: WM DP 6-3-0-1

HB 2002: student apprenticeship program; tax credits

Sponsor: Representative Fillmore, LD 16

Caucus & Cow

Overview

Establishes the Arizona Student Apprenticeship Program (Program) and an individual and corporate income tax credit for taxpayers who are employer participants in the Program for each participant employee who successfully completes the Program.

History

School district governing boards are tasked with prescribing criteria for the graduation of students from high schools in the school district. The criteria must include accomplishment of the academic standards, set by the State Board of Education, in at least reading, writing, mathematics, science and social studies, and determined by district assessment. Other criteria may include additional measures of academic achievement and attendance ([A.R.S. § 15-701.01](#)).

Provisions

Arizona Student Apprenticeship Program

1. Establishes the Program within ADE to provide job training and economic opportunity to high school students in Arizona. (Sec. 1)
2. Requires ADE to develop application procedures, selection criteria and completion requirements. (Sec. 1)
3. States that the program is separate and apart from the U.S Department of Labor-approved apprenticeship program. (Sec. 1)
4. Allows any employer in Arizona to apply to participate in the Program by submitting an application to ADE. (Sec. 1)
5. Requires an employer who participates in the Program to:
 - a) Provide each participant employee with job training;
 - b) Provide flexible scheduling to each participant employee with job training;
 - c) Open a separate interest-bearing account on behalf of each participant employee;
 - d) Deposit the portion of each participant employee's wages selected and opened by the participant employee;
 - e) Deposit an equivalent amount of monies in the participant employee's account each time the employer deposits a portion of a participant employee's wages;

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

- f) Disburse to the participant employee the entire amount of monies in the account if a participant employee successfully completes the Program requirements prescribed by ADE; and
 - g) Disburse to the participant employee from the participant employee's account an amount of monies that is equivalent to the sum of the wages deposited in the account if a participant employee does not successfully complete the program requirements prescribed by ADE. Specifies that the employer may retain deposited monies and must transmit any interest on those monies to the State Treasurer for deposit in the state General Fund. (Sec. 1)
6. Requires ADE to prepare a list that includes all employers that have been accepted to participate in the Program and post the list on ADE's website. (Sec. 1)
 7. Specifies that a student may participate in the Program provide that the student meets the following requirements:
 - a) Is enrolled in high school at a public school in Arizona;
 - b) Applies for the Program by submitting an application in a form prescribed by ADE to the public school at which the student is enrolled;
 - c) Submits proof with the student's application that the student is projected to complete high school graduation requirements. Specifies that if participation in the Program will interfere with a student's ability to complete high school graduation requirements, the public school must deny the student's application;
 - d) Submits proof that the student has received an offer of employment from an employer on the list prepared by ADE. (Sec. 1)
 8. Requires a participant employee to designate at least 10% of the participant employee's wages to be deposited in the account opened by the participant employer on behalf of the participant employee. (Sec. 1)
 9. States that an employer that participates in the Program is allowed a tax credit for each participant employee who successfully completes the Program requirements prescribed by ADE. (Sec. 1)
 10. Requires ADE to issue a certificate to the employer to provide to the Arizona Department of Revenue (DOR) to verify the employer's participation in the Program and the participant employee's completion of the Program. (Sec. 1)

Individual and Corporate Income Tax Credit

11. Establishes an individual and corporate income tax credit for taxpayers who are employer participants in the Program for each participant employee who successfully completes the Program during that taxable year. (Sec. 3, 4)
12. States that the credit is an unspecified amount per participant employee who successfully completed the Program during the taxable year. (Sec. 3, 4)
13. Requires the taxpayer to submit the certificate provided by ADE to DOR with the taxpayer's income tax return in order to claim the credit. (Sec. 3, 4)

14. Specifies that a tax credit is not allowed until the taxpayer provides the required certificate. (Sec. 3, 4)
15. Permits any unused tax credit to carry forward for up to five taxable years. (Sec. 3, 4)
16. States that if the tax credit is distributed between co-owners of a business, including partners in a partnership and shareholders of an S corporation, each individual may only claim the pro rata share of the credit based on ownership interest. (Sec. 3, 4)

Miscellaneous

17. Sets the Program to expire on July 1, 2030. (Sec. 1)
18. Defines relevant terms. (Sec. 1)
19. Contains a purpose statement. (Sec. 5)
20. Makes a technical change. (Sec. 2)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: WM DP 8-2-0-0

HB 2151: mobile homes; taxation; delinquency

**Sponsor: Representative Thorpe, LD 6
Caucus and Cow**

Overview

Changes the process for the county treasurer when collecting a delinquent tax on a mobile home without an affidavit of affixture and has not been recorded on the real property tax roll.

History

Current law dictates that when a person is delinquent in paying property tax on a mobile home, 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 19](#) (Personal Property). The officers of the county treasurer shall use the method and procedures of identifying mobile homes prescribed by the department of transportation ([A.R.S. § 42-1957](#)).

For notices of sale of property, the county treasurer shall do all the following:

- 1) Describe the property to be sold;
- 2) State the name of the owner or person to whom the property is assessed;
- 3) State the place and time of holding the sale; and
- 4) State the amount of taxes for which the property is to be sold ([A.R.S. 42-19111](#)).

Provisions

1. Defines *Recreational trailer*. (Sec. 2)
2. Includes all the following criteria when collecting delinquent taxes on a mobile home:
 - a) The county treasurer shall maintain a record of delinquent taxes on the mobile home that lists the people liable for the tax and a description of the property and the amount of taxes, penalties and interest due;
 - b) On or before September 1 of each year, the county treasurer shall send by mail a notification to each owner whose taxes are delinquent against the mobile home;
 - c) After the personal property tax becomes delinquent the county treasurer may issue a tax bill warrant at least two years after the second one-half payment becomes delinquent or after the entire amount is delinquent;
 - d) The tax bill warrant is the sheriff's warrant of authority to seize the property; and
 - e) The county treasurer is responsible for the sale at public auction. (Sec. 3)
3. Mandates the county treasurer will give notice of time, place and terms of sale by posting the manner laid out in ([A.R.S. § 42-1911](#)). (Sec. 3)

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

Initials DC/GK

Caucus & COW

4. States that the owner of a mobile home may redeem the property at anytime before the actual sale by the county treasurer by paying the taxes, interests and costs or by entering a payment plan with the county treasurer. (Sec. 3)
5. Allows the county treasurer to offer the mobile home for sale and distribute the proceeds. (Sec. 3)
6. States the county sheriff may not charge a fee for serving process to a mobile home owner for a tax bill warrant issued for purposes pursuant to this subsection. (Sec. 3)
7. States the county is not liable for any damages or injury that results from the sale or disposal of a mobile home that is seized or sold. (Sec. 3)
8. Dictates that the county treasurer may not seize a mobile home from a person whose name is not listed on the tax bill warrant issued by the county treasurer who can present evidence that they purchased the mobile home from the person listed. The county treasurer may continue to collect taxes on the mobile home from the previous owner. (Sec. 3)
9. Includes county treasurers, with officers, that can identify a mobile home. (Sec. 3)
10. Removes the sheriff's ability to sell a mobile home. (Sec. 4)
11. Contains technical changes. (Sec. 2, 3)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: WM DPA 6-3-0-1

HB 2352: centrally assessed property; valuation; pipelines.

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

Overview

Describes circumstances where the base value of a pipeline property may be adjusted to more accurately reflect market value.

History

Base value is the final full cash value of the system plant in the previous valuation year. Base value is determined by the net book value of a plant in service plus the value of construction work in progress, materials and supplies, noncapitalized leased operating property and gas stored underground. ([A.R.S. § 42-14204](#))

Provisions

1. Adds three circumstances where adjustments in base value to a pipeline property may be necessary to reflect market value:
 - a) A final ruling by a court of competent jurisdiction rules that the full cash value using the method prescribed in current statute is more than market value, then the base value shall be adjusted to no more than the market value;
 - b) There is an agreement approved by a competent court between a pipeline company and the Department of Revenue (DOR) to adjust the base value as of a specific valuation date to more accurately reflect the market value of the property; or
 - c) An agreement between a pipeline company and DOR that is signed by the director and an officer of the pipeline company to correct a material error or omission in the calculation of the base value for a pipeline. (Sec. 2)
2. States that if one of the three circumstances described in Provision 1 applies, the base value should be adjusted to accurately reflect market value in future tax years. (Sec. 1)
3. Applies retroactively to tax years beginning from and after December 31st, 2015. (Sec. 4)
4. Contains technical changes. (Sec. 1)

Amendments

Committee on Ways and Means

1. Removes language referencing accurate reflection of market value in all future tax years.
2. Removes language that addresses the objective of achieving full cash value that are consistent with independent determinations.
3. Adds language to establish the base cash value.

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 DPA 8-1-0-0

HB 2378: motor vehicle transactions; notices; dealers

Sponsor: Representative Biasiucci, LD 5

Caucus & COW

Overview

Adds motor vehicle transaction requirements relating to dealer-arranged financing or leasing, price disclosure and trade-ins.

History

If a sale or lease of a motor vehicle for a motor vehicle dealer or a lessor to a customer is conditioned on final approval of financing by a lender or lessor, the motor vehicle dealer or lessor is required to retain title transaction until financing is finally approved or the traded motor vehicle is returned to the customer. Any remedy for a violation of this requirement cannot be waived, modified or limited by agreement or contract ([A.R.S. § 44-1371](#)).

Motor vehicle dealer is defined as a new motor vehicle dealer, a used motor vehicle dealer, a public consignment auction dealer, a broker or a wholesale motor vehicle auction dealer, excluding a person who comes into possession of a motor vehicle as an incident to the person's regular business and who sells, auctions or exchanges the motor vehicle ([A.R.S. § 28-4301](#)).

Pursuant to [A.R.S. § 28-4362](#), vehicle dealer license applications are required to be accompanied by a bond that:

- 1) Is in a form and amount prescribed by the Arizona Department of Transportation (ADOT);
- 2) Is executed by a surety company;
- 3) Is cancellable only at least 60 days prior notice to ADOT;
- 4) Inures a person who suffer loss because of:
 - a) Nonpayment by the dealer of customer prepaid title, registration or other related fees or taxes; and
 - b) The dealer's failure to deliver in conduction with the sale of a vehicle a valid vehicle title certificate free and clear of any prior owner's interests and all liens except a lien created by or expressly assumed in writing by the buyer or the vehicle.

Pursuant to [A.R.S. § 28-2095](#), any person who sells a vehicle for which a restored certificate of title has been issued and who knows a restored salvage certificate of tile has been issued for the vehicle is required to disclose to the buyer before completion of the sale that the vehicle is a restored salvage vehicle.

Provisions

Dealer-Arranged Financing or Leasing (Sec. 5)

1. Requires motor vehicle dealers to provide a customer with a separate document that contains a signed "approval of financing" notice:
 - a) At the time a customer purchases or leases a motor vehicle through dealer-arranged financing or leasing;
 - b) Before the customer receives approval from a third-party financial institution; and

- c) If the dealer allows the customer to take possession of the vehicle.
- 2. States that if a third-party financial institution does not approve the financing terms:
 - a) The motor vehicle dealer must notify the customer in writing within 10 days after delivery of the vehicle to the customer; and
 - b) The motor vehicle dealer or customer is allowed to cancel the sale or lease, if the dealer and customer do not agree to new terms.
- 3. Requires a motor vehicle dealer, if new financing terms are not agreed upon, to immediately return to the customer any:
 - a) Trade-in vehicle, which must be in the same condition in which it was received; and
 - b) Amount paid toward the sale or purchase of the motor vehicle, including any down payment, title fee, excise tax, motor vehicle dealer processing charge or other fee, tax or charge associated with the transaction.
- 4. Prohibits a motor vehicle dealer from charging a fee for use of the motor vehicle that was subject to sale or lease.
- 5. Prohibits a buyer from waiving the rights relating to financing approval.
- 6. Requires a customer, within two days if financing terms are not approved, to return a motor vehicle to the motor vehicle dealer in the same condition in which the customer received it, other than normal wear and tear.

Motor Vehicle Price Disclosure (Sec. 5)

- 7. Requires a motor vehicle dealer to clearly and conspicuously disclose the price of a motor vehicle that is available to all customers, when advertising the price of the vehicle.
- 8. Prohibits a motor vehicle dealer from advertising a motor vehicle price that has been reduced to reflect potential rebates.
- 9. Requires a motor vehicle dealer to include in its advertising price of a motor vehicle all cost or fees for goods and services that are not optional for the transaction, except for state and local taxes and fees.

Trade-In Vehicles (Sec. 5)

- 10. Requires motor vehicle dealers to pay the agreed on amount in full within 21 days after receiving a trade-in vehicle, if the dealer agrees to pay off any outstanding loans.

Unlawful Motor Vehicle Transaction (Sec. 5)

- 11. States that a motor vehicle transaction violation constitutes an unlawful practice.
- 12. Allows the Attorney General to investigate and take appropriate action prescribed by the consumer fraud statute.
- 13. States that a motor vehicle dealer that violates a motor vehicle transaction requirement is additionally subject to any other civil or criminal action, remedy or penalty provided by law.

Miscellaneous

- 14. Clarifies that a seller of a vehicle with a restored salvage title must clearly and conspicuously disclose to the buyer in writing before completion of the sale that the vehicle is a restored salvage vehicle and has a restored title. (Sec. 1)
- 15. Requires a vehicle dealer license application to be accompanied by a bond that additionally:

<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
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- a) Insure a person who suffers loss because of the dealer's failure to comply with an agreement to pay off outstanding loans on trade-in vehicles; and
 - b) Covers nonpayment of trade-in vehicles. (Sec. 2)
16. Makes technical and comfoting changes. (Sec. 2-4)

Amendments

Committee on Transportation

1. Eliminates the requirements relating to dealer-arranged financing or leasing (Provisions 1-6).
2. Eliminates the requirement for a motor vehicle dealer to pay any outstanding loans on a trade-in vehicle within 21 days.
3. Eliminates the requirements relating to price disclosure (Provisions 7-9).
4. Adds rebate and discount price disclosure requirements as follows:
 - a) Prohibits a motor vehicle dealer from advertising a price that includes a deduction for a rebate or discount unless the rebate or discount is available to every customer; and
 - b) Allows a rebate or discount for which a customer must qualify to be advertised separately if the qualifications are clearly and conspicuously disclosed in close proximity to the advertised rebate or discount.
5. Removes the requirement that motor vehicle dealers be subject to any other civil or criminal action, remedy and penalty provided by law, in addition to the provisions of the Consumer Fraud Act.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: TRANS DPA 9-0-0-0 | MVA DPA 7-0-0-0

HB 2384: VLT and registration fee exemptions

Sponsor: Representative Blackman, LD 6

Caucus & COW

Overview

Modifies the vehicle license tax (VLT) and registration fee exemptions for veterans and military families.

History

Pursuant to [A.R.S. § 28-5802](#), the registering officer is prohibited from collecting a VLT or registration fee from:

- 1) A veteran residing in Arizona for a vehicle or any replacement vehicle acquired by financial aid from the U.S. Department of Veterans' Affairs (VA); and
- 2) A veteran for a personally owned vehicle or a veteran and another party owning a vehicle if the veteran is certified by the VA to be 100% with a disability and drawing compensation on that basis. The exemption provided applies to a surviving spouse of the veteran with a disability until the surviving spouse remarries or death.

On initial registration on a vehicle a veteran claiming an exemption must present satisfactory proof of the VA financial aid or government compensation and certificate on determination of 100% disability. The exemption only applies to one vehicle or any replacement of the vehicle.

Pursuant to [A.R.S. § 28-5801.01](#), the registering officer is prohibited from collecting a VLT or registration fee for a resident of Arizona who is a surviving spouse or dependent of a deceased member of the U.S. military who was killed in the line of duty or who died from injuries suffered in the line of duty. The exemption for a surviving spouse applies until the surviving spouse's remarriage or death. The exemption for a dependent applies until the person is no longer considered a dependent. A surviving spouse or dependent is permitted to claim only one vehicle for exemption.

Provisions

1. Specifies that the VLT and registration fee exemption for a veteran certified by the VA as having a 100% disability and their surviving spouse applies only if the disability resulted from combat related injuries that were sustained in the following theaters of operation:
 - a) World War II beginning in 1939 and ending in 1945;
 - b) The Korean War beginning in 1950 and ending in 1953;
 - c) The Vietnam War beginning in 1955 and ending in 1975;
 - d) The multinational intervention in Lebanon beginning in 1982 and ending in 1984;
 - e) The invasion of Grenada in 1983;
 - f) The invasion of Panama beginning in 1989 and ending in 1990;
 - g) The first United States Intervention in the Somali Civil War beginning in 1992 and ending in 1995;
 - h) The Bosnian War beginning in 1992 and ending in 1995;
 - i) The Kosovo War beginning in 1998 and ending in 1999;
 - j) The War in Afghanistan beginning in 2001;

Prop 105 (45 votes) Prop 108 (40 votes) Emergency (40 votes) [Fiscal Note](#)

- k) The Iraq War beginning in 2003 and ending in 2011;
 - l) The American-led Intervention in Syria beginning in 2014. (Sec. 1)
2. Adds a VLT or registration fee exemption for a veteran who is a bona fide purple heart recipient and their surviving spouse until remarriage or death if both:
- a) The purple heart recipient sustains an injury resulting from:
 - i. An action against an enemy of the U.S.;
 - ii. An action with an opposing armed force of a foreign country in which the armed forces of the U.S. are or have been engaged;
 - iii. Serving with friendly foreign forces engaged in an armed conflict against an opposing armed force in which the U.S. is not a belligerent party; or
 - iv. An act of an enemy, opposing armed force or hostile foreign force;
 - b) The purple heart recipient has served in at least one of the following theaters of operation:
 - i. World War II beginning in 1939 and ending in 1945;
 - ii. The Korean War beginning in 1950 and ending in 1953;
 - iii. The Vietnam War beginning in 1955 and ending in 1975;
 - iv. The multinational intervention in Lebanon beginning in 1982 and ending in 1984;
 - v. The invasion of Grenada in 1983;
 - vi. The invasion of Panama beginning in 1989 and ending in 1990;
 - vii. The first United States Intervention in the Somali Civil War beginning in 1992 and ending in 1995;
 - viii. The Bosnian War beginning in 1992 and ending in 1995;
 - ix. The Kosovo War beginning in 1998 and ending in 1999;
 - x. The War in Afghanistan beginning in 2001;
 - xi. The Iraq War beginning in 2003 and ending in 2011; or
 - xii. The American-led Intervention in Syria beginning in 2014. (Sec. 1)
3. Requires a person claiming the purple heart exemption to present satisfactory proof of the receipt of the purple heart medal. (Sec. 1)
4. Specifies that the VLT and registration fee exemption for a surviving spouse or dependent of a deceased member of the U.S. military applies if the death or death from injuries suffered are from the line of duty of the following theaters of operation:
- a) World War II beginning in 1939 and ending in 1945;
 - b) The Korean War beginning in 1950 and ending in 1953;

- c) The Vietnam War beginning in 1955 and ending in 1975;
 - d) The multinational intervention in Lebanon beginning in 1982 and ending in 1984;
 - e) The invasion of Grenada in 1983;
 - f) The invasion of Panama beginning in 1989 and ending in 1990;
 - g) The first United States Intervention in the Somali Civil War beginning in 1992 and ending in 1995;
 - h) The Bosnian War beginning in 1992 and ending in 1995;
 - i) The Kosovo War beginning in 1998 and ending in 1999;
 - j) The War in Afghanistan beginning in 2001;
 - k) The Iraq War beginning in 2003 and ending in 2011; or
 - l) The American-led Intervention in Syria beginning in 2014. (Sec. 2)
5. Makes technical changes. (Sec. 1)

Amendments

Committee on Transportation

1. Removes the requirement for all the aforementioned VLT and registration fee exemptions to meet conditions based on service in specified military operations.

Committee on Military & Veterans Affairs

1. Removes the requirement for all the aforementioned VLT and registration fee exemptions to meet conditions based on service in specified military operations.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: TRANS DP 6-3-0-0

HB 2605: disposition of public roadways
Sponsor: Representative Rivero, LD 21
Caucus & COW

Overview

Modifies requirements relating to the disposition of unnecessary public roadways by sale and conveyance.

History

Pursuant to [Title 28, Chapter 20, Article 8](#), a roadway is permitted to be disposed of, if it is determined by a governing body that a public roadway or a portion of a public roadway that it owns is not necessary for public use as a roadway. [A.R.S. § 28-7204](#) allows a governing body to authorize the Arizona Department of Transportation (ADOT) to sell and convey the land within the roadway or portion of the roadway by a quitclaim deed. *Abutting owners* of record in whom title to a portion of the roadway would vest, after a city, town or county vacates the roadway, can deliver, before or at the time of sale a written offer to purchase the portion or part of the portion for the consideration paid for the land by the governing body that first acquired it for public use.

Pursuant to [A.R.S. § 28-7208](#), the vesting of title is subject to the giving of consideration from the owner of the abutting property to the governing body in an amount deemed by the governing body to be commensurate with the value of the abandoned roadway. The governing body is required to give due consideration to its degree of fragmentation and marketability and any other public benefit received by the governing body in return for the abandoned roadway in determining the amount of consideration.

Abutting owner is defined as the original owner of the vacated roadway or the original owner's heirs who have previously had a portion of the property acquired for roadway purposes and thereafter are left with an abutting remainder of property over which they still retain direct ownership.

Governing body is defined as the city or town council or other authority of a city or town, the board of supervisors of a county or the transportation board ([A.R.S. § 28-7201](#)).

Provisions

1. Allows a governing body to authorize ADOT to sell and convey any unnecessary public roadway by instruments other than a quitclaim deed. (Sec. 1)
2. Expands the definition of *abutting owner* to include the original owner's successors and assigns for purposes of purchasing the portion of land that the owner would be entitled to if a governing body vacates a public roadway. (Sec. 1)
3. Exempts the sale or conveyance of land within a public roadway to an *abutting owner* from the requirement to pay an amount determined by the governing body. (Sec. 2)
4. Makes a technical change. (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: TRANS DP 6-1-0-2 | PS DP 6-0-0-1

HB 2700: rear-facing car seats

Sponsor: Representative Bolding, LD 27
Caucus & COW

Overview

Modifies the requirements for use of child restraint systems in motor vehicles.

History

Pursuant to [A.R.S. § 28-907](#), a person is prohibited from operating a motor vehicle on the highways in Arizona when transporting a child who is under five years of age unless that child is properly secured in a child restraint system. The Arizona Department of Transportation is required to adopt standards in accordance with federal law for the performance, design and installation of child restraint systems for use in motor vehicles.

Child restraint system requirements do not apply if:

- 1) The motor vehicle was originally manufactured without passenger restraint devices;
- 2) The motor vehicle is also a recreational vehicle;
- 3) The motor vehicle is a commercial vehicle operated by a CDL holder;
- 4) The child is being transported in an emergency to obtain necessary medical care;
- 5) An authorized emergency vehicle is transporting the child for medical care; or
- 6) More than one child under eight years old is being transported in the vehicle and the passenger area does not provide sufficient room for the required number of child restraint systems. The operator must secure as many of the children as is reasonable given the area and number of passengers.

Child restraint system is defined as an add-on child restraint system, a built-in child restraint system, a factory installed built-in child restraint system, a rear-facing child restraint system or an eligible booster seat.

Provisions

1. Requires the child restraint system used when transporting a child who is under five years of age to be in a manner that complies with the height and weight limits specified by the manufacturer of the child restraint system. (Sec. 1)
2. Requires a child under two years of age to be in a rear-facing child restraint system unless the child weighs at least 40 pounds or is at least 40 inches tall. (Sec. 1)
3. Makes technical changes. (Sec. 1)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: ELECT DP 5-4-0-1

HB 2272: postelection equipment testing
Sponsor: Representative Thorpe, LD 6
Caucus & COW

Overview

Prescribes that automatic tabulating equipment, electronic ballot tabulating systems and programs must undergo logic and accuracy testing after the completion and issuance of the unofficial results of an election.

History

Before an election day and within a period of time prescribed by the Secretary of State (SOS) in the Elections Procedures Manual, the officer or board of supervisors in charge of an election will have the automatic tabulating equipment and programs tested to ensure that they will count every vote for every office correctly. For elections involving state or federal candidates, the SOS will have the testing done. The location and time of the testing are required to be public at least 48 hours before the testing. The test will be observed by at least two election inspectors, who will not be of the same political party. The test must also be open to any representatives of political parties or candidates.

Logic and accuracy testing of electronic ballot tabulating systems occur within seven days before their use for early balloting as described in the Elections Procedures Manual. The Manual includes procedures on how to handle the ballots, and any other matters necessary to have the maximum correctness, impartiality and uniformity in the administration of an electronic ballot tabulating system ([A.R.S. § 16-449](#)).

Provisions

1. Requires the same officer who performed the logic and accuracy testing before the election to conduct that testing on the automatic tabulating equipment, electronic ballot tabulating systems and programs after the completion of the unofficial results of the election to ensure they continue to correctly count the votes. (Sec. 1)
2. Specifies that the logic and accuracy testing taking place after the completion of the unofficial results of the election must be performed in the same way as the testing before the election. (Sec. 1)
3. Makes a technical change. (Sec. 1)

Prop 105 (45 votes)

Prop 108 (40 votes)

Emergency (40 votes)

Fiscal Note

Initials DC/GK

Caucus & COW



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: RA DP 5-1-1-0

HB 2389: public nuisance; noise; evidence
Sponsor: Representative Townsend, LD 16
Caucus & COW

Overview

Requires a noise violation to include an accurate recording and measurement of the noise by a peace officer using specified standards.

History

It is considered a public nuisance when the extent of the annoyance or damage inflicted is injurious to health, indecent, offensive to the senses or obstructs the free use of property that interferes with the comfortable enjoyment of life or property by a community. Any person who maintains, commits or refuses to remove a public nuisance is guilty of a class 2 misdemeanor ([A.R.S. § 13-2917](#)).

Provisions

1. Requires the prosecution of a noise violation to include an accurate recording and measurement of the noise by a peace officer. (Sec. 1)
2. Requires the following types of noise measurements be used:
 - a) Sound pressure measurements made on the A-Weighted fast response mode scale;
 - b) Measurements taken according to American National Standards Institute's (ANSI):
 - i. Standard method ANSI S1.2-1962 (R1976);
 - ii. Physical measurement of sound and ANSI S1.2-1971 (R1976);
 - iii. ANSI method for measuring sound pressure levels; and
 - iv. Measurements taken using a Type 1 sound meter meeting the requirements of ANSI S1.4L-1971 (Sec. 1).
3. Defines *A-Weighted* as a frequency weighting network that is used to account for changes in sensitivity as a function of frequency. (Sec. 1)
4. Makes technical and conforming changes. (sec. 1)
5. Contains an applicability clause. (Sec. 2)
6. Contains an emergency clause. (Sec. 3)

<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
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: COM DP 8-0-0-1

HB 2311: wireless providers; authority; applicability

Sponsor: Representative Dunn, LD 13

Caucus & COW

Overview

Applies laws governing the use of public right-of-way by wireless providers to an *Authority* located along the Mexico border.

History

[Laws 2017, Chapter 124](#) established regulations for wireless providers for the use of a right-of-way to construct, install, maintain or replace utility poles or monopoles or the collocation of a small wireless facility. The law prohibits an Authority from entering into an exclusive arrangement with a wireless provider for the construction, installation, maintenance or replacement of a utility poles or monopoles or their collocation. Any Authority located within 10 miles of the border of Mexico that has a contract which assists and supports national security objectives along the border is exempt from laws governing wireless providers use of a right-of-way ([A.R.S. § 9-591 et al.](#)).

An *Authority* includes any city, town, special district or political subdivision of this state ([A.R.S. § 9-591](#)).

Provisions

1. Removes the exemption of laws governing wireless providers use of right-of-way granted to Authorities located along the Mexico border. (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
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: COM DPA/SE 8-0-0-1

**HB 2400: technical correction; self-service storage; notice
S/E: blockchain and cryptocurrency study committee
Sponsor: Representative Weninger, LD 17
Caucus & COW**

Summary of the Strike-Everything Amendment to HB 2400

Overview

Establishes the Blockchain and Cryptocurrency Study Committee (Committee).

History

Blockchain is a cryptographically-secured distributed ledger that records transactions chronologically, permanently and unalterably.

[Laws 2019, Chapter 263](#) appropriated \$1,250,000 in FY 2020 to the Arizona Commerce Authority to distribute to applied research centers and institutes located in this state that specialize in blockchain technology.

Provisions

1. Establishes the 11-member Committee and outlines the Committee membership. (Sec. 1)
2. Directs the Committee to:
 - a) Meet as often as the chairperson deems necessary;
 - b) Review data on the scope of blockchain and cryptocurrency throughout the country;
 - c) Compile an overview of potential legislation;
 - d) Solicit ideas and opinions of industry experts on additional legislation in Arizona; and
 - e) Submit a report regarding the Committee's findings and recommendations of legislative priorities that will foster a positive blockchain and cryptocurrency economic environment in this state to the Speaker of the House of Representatives by December 31, 2020. (Sec. 1)
3. Terminates the Committee October 1, 2021. (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
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: COM DPA 7-0-0-2

HB 2446: simulcast dog racing; wagering; time

Sponsor: Representative Pierce, LD 1

Caucus & COW

Overview

Amends the time in which simulcast dog racing is permitted.

History

Simulcast is defined as the telecast shown within this state of live audio and visual signals of horse, harness or dog races conducted at an out-of-state track or the telecast shown outside this state of live audio and visual signals of horse or harness races originating within this state for the purpose of pari-mutuel wagering ([A.R.S. § 5-101](#)).

The Department of Gaming may grant the racetrack permittee permission to receive electronically televised simulcasts of horse, harness or dog races. Additionally, allow the permittee to transmit the live horse or harness race from the racetrack to a facility in another state ([A.R.S. § 5-112](#)).

Live racing and wagering on simulcast races are permitted at anytime except, on the days that there is live daytime horse or harness racing in any county wagering on simulcast dog racing is only permitted after 4:15 p.m. mountain standard time ([A.R.S. § 5-110](#)).

Provisions

1. Changes the time that wagering on simulcast dog racing may begin on the same day that there is live daytime horse or harness racing from 4:15 p.m. to 4:15 a.m. (Sec. 1)

Amendments

Committee on Commerce

1. Prohibits wagering on simulcast dog racing until after 4:15 p.m. on days during which live horse races of the Breeders Cup, Kentucky Derby, Preakness Stakes and Belmont Stakes are taking place.

Prop 105 (45 votes)

Prop 108 (40 votes)

Emergency (40 votes)

Fiscal Note



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: COM DPA 7-0-0-2

HB 2635: mobile home parks; caregivers
Sponsor: Representative Blackman, LD 6
Caucus & COW

Overview

Amends the qualifications to act as a caregiver for a mobile home resident.

History

The Mobile Home Parks Residential Landlord and Tenant Act simplifies, clarifies and establishes laws governing the rental of mobile home spaces, rights and obligation of the landlord and tenant. ([Title 33, Chapter 11](#))

Current law allows a person who is at least 18 to act as a caregiver and provide necessary live-in health care to a mobile home resident as instructed by a written treatment plan prepared by the resident's physician. ([A.R.S. § 33-1413.03](#))

Federal law defines *live-in aide* as a person who resides with one or more elderly persons, or near-elderly persons, or persons with disabilities, and who:

- 1) Is determined to be essential to the care and well-being of the persons;
- 2) Is not obligated for the support of the persons; and
- 3) Would not be living in the unit except to provide the necessary supportive services. ([24 CRF Subtitle A § 5.403](#))

Provisions

1. Requires a person to qualify as a *live-in aide* as prescribed by federal law in order to reside in and provide necessary live-in health care to a mobile home resident. (Sec. 1)
2. Removes language permitting a person to provide necessary live-in health care to the mobile home resident pursuant to a physician's written treatment plan. (Sec. 1)
3. Removes language requiring a resident to provide a physician's written treatment plan to the landlord every six months. (Sec. 1)

Amendments

Committee on Commerce

1. Permits a disabled resident to have a person occupy the mobile home to provide necessary live-in health care, personal care or supportive services provided:
 - a) The services are necessary to afford the disabled resident equal opportunity to use and enjoy the dwelling; and
 - b) The person qualifies as a live-in aide as prescribed by federal law.
2. Replace the term care with health care, personal care or supportive services.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fourth Legislature
Second Regular Session

House: SIA DP 5-4-0-0

HB 2604: consular identification cards; permitted use

Sponsor: Representative Rivero, LD 21

Caucus & COW

Overview

Permits this state to accept a consular identification card (CID) issued by a foreign government if biometric identity verification techniques were used in the issuance of the card.

History

This state does not accept a foreign-issued CID cards as a valid form of identification ([A.R.S. § 41-5001](#)).

The [United States Government Accountability Office](#) states that a CID is issued by some governments to help identify their citizens living in a foreign country. A CID does not certify legal residence within a country. CID card bearers are able, in some instances, to use this form of identification to prove identity to police, obtain a driver's license, open a bank account and gain access to other services.

Provisions

1. Authorizes this state to accept a foreign-issued consular identification card if the foreign government uses *biometric identity verification techniques* upon issuance (Sec. 1).
2. Defines *biometric identity verification techniques* to include fingerprint identification and retina scans (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: FR DPA 4-3-0-0

HB2092: federal government; land acquisition; consent
Sponsor: Representative Finchem, LD 11
Caucus & COW

Overview

Requires consent of the Governor and State Legislature before any Arizona lands transfer to a Federal agency if the transfer negatively affects state or local property tax rolls.

History

Primary property taxes fund the maintenance and operation budgets of state and local governments, such as school districts, counties, cities and community colleges. Secondary property taxes fund voter-approved general obligation bonds, budget overrides and special districts. Arizona's property tax system classifies property according to its use and there are 9 classifications. If property comes off the tax rolls a county has ability/choice to increase their tax rate to compensate for the associated loss in property tax revenues, if they are not at their constitutional levy limit.

Land ownership in the State of Arizona is categorized as follows: 17.6% Private; 42.1% Federal; 27.6% Indian Reservation; 12.7% State Trust. ([Arizona State Land Department](#))

Federally-owned land in each state varies but is concentrated in the Western United States: e.g., Alaska (61.3%); Nevada (79.6%); and the western states (46.4%) compared to Connecticut and Iowa (.3%); and other states (4.2%). ([Congressional Research Service](#))

Statute reflects the constitutional authority for this state to consent to the acquisition of privately-owned real property in Arizona by the Federal government only through the joint resolution process. The joint resolution must state the legal description of the land and purposes for which it will be used. ([A.R.S. 37-620.02](#))

A *resolution* is a declaration or expression of legislative opinion, will, intent or resolve in matters within the Legislature's purview. The *joint resolution* is processed through both houses of the Legislature and is signed by the Governor. It is used to provide for temporary measures having the effect of law (e.g. a contract or other official action). ([Arizona Legislative Council Bill Drafting Manual](#))

Provisions

1. States that the express, affirmative consent of the Governor and Legislature is required for the sale, gift, grant or other transfer (transfer) of ownership of private property to a Federal agency if that transfer would remove the property from state, county and municipal property tax rolls. (Sec 1.)
2. Clarifies that any transfer requires the express, affirmative consent through the current joint resolution process. (Sec 1.)
3. Contains legislative findings. (Sec 2.)

Amendments

Committee on Federal Relations

1. For the sale of property to the federal government or its agencies, requires the escrow agent or landowner to:
 - a) Notify the Speaker of the House and the President of the Senate that a contract for the sale has been placed in escrow; and
 - b) Request written approval from both officials.
2. Assesses a minimum civil penalty of \$500 to a maximum \$1,000 for failing to properly notify the stated officials.