

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

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ARIZONA HOUSE OF REPRESENTATIVES
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CAUCUS AGENDA

March 17, 2026

Bill Number	Short Title	Committee	Date	Action
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Committee on Appropriations

Chairman: David Livingston, LD 28

Vice Chairman: Matt Gress, LD 4

Analyst: Duncan Spilsbury

Intern: Jaiden Arleo

[SB 1097](#)^(BSI) appropriation; named claimants

SPONSOR: KAVANAGH, LD 3

APPROP	3/11/2026	DP	(14-0-0-4)
(Abs: BLATTMAN, TRAVERS, WENINGER, LOPEZ)			

Committee on Commerce

Chairman: Jeff Weninger, LD 13

Vice Chairman: Michael Way, LD 15

Analyst: Paul Benny

Intern: Zane Ellwood

[SB 1181](#)^(BSI) certified public accountants; certification; alternative

SPONSOR: MESNARD, LD 13

COM	3/10/2026	DP	(10-0-0-1)
(Abs: CAVERO)			

[SB 1252](#)^(BSI) uniform assignment; benefit of creditors

SPONSOR: MESNARD, LD 13

COM	3/10/2026	DP	(10-0-0-1)
(Abs: CAVERO)			

[SB 1415](#)^(BSI) insurance adjuster license; eligibility

SPONSOR: BOLICK, LD 2

COM	3/10/2026	DP	(10-0-0-1)
(Abs: CAVERO)			

Committee on Education

Chairman: Matt Gress, LD 4

Vice Chairman: Michele Peña, LD 23

Analyst: Chase Houser

Intern: Jasmine Dominguez

[SB 1166](#)^(BSI) accommodation schools; high school equivalency

SPONSOR: ANGIUS, LD 30

ED	3/10/2026	DP	(8-1-1-2)
(No: GUTIERREZ Abs: MARSHALL, ABEYTIA Present: GARCIA)			

[SB 1422](#)^(BSI) credit enhancement eligibility board; continuation

SPONSOR: ANGIUS, LD 30

ED	3/10/2026	DP	(8-1-0-3)
(No: OLSON Abs: BIASIUCCI, MARSHALL, ABEYTIA)			

[SB 1424](#)^(BSI) firearm safety instruction; public schools
SPONSOR: ROGERS, LD 7
ED 3/10/2026 DP (6-5-0-1)
(No: GUTIERREZ, HERNANDEZ L, SIMACEK, GARCIA, ABEYTIA Abs:
MARSHALL)

[SB 1475](#)^(BSI) interscholastic activities; criminal offenses; ineligibility
SPONSOR: FINCHEM, LD 1
ED 3/10/2026 DP (6-5-0-1)
(No: GUTIERREZ, HERNANDEZ L, SIMACEK, GARCIA, ABEYTIA Abs:
MARSHALL)

[SB 1572](#)^(BSI) public schools; civics instruction requirement
SPONSOR: FINCHEM, LD 1
ED 3/10/2026 DP (6-5-0-1)
(No: GUTIERREZ, HERNANDEZ L, SIMACEK, GARCIA, ABEYTIA Abs:
MARSHALL)

[SB 1741](#)^(BSI) public schools; released time courses
SPONSOR: PETERSEN, LD 14
ED 3/10/2026 DP (6-5-0-1)
(No: GUTIERREZ, HERNANDEZ L, SIMACEK, GARCIA, ABEYTIA Abs:
MARSHALL)

Committee on Federalism, Military Affairs & Elections

Chairman: John Gillette, LD 30 **Vice Chairman:** Rachel Keshel, LD 17
Analyst: Grey Gartin **Intern:** Aidan Walker

[SB 1040](#)^(BSI) voter registration rolls; internet access
SPONSOR: FINCHEM, LD 1
FMAE 3/11/2026 DP (4-3-0-0)
(No: HERNANDEZ L, MÁRQUEZ, GARCIA)

[SB 1259](#)^(BSI) campaigns; protected residential addresses
SPONSOR: KAVANAGH, LD 3
FMAE 3/11/2026 DP (6-1-0-0)
(No: KOLODIN)

[SB 1281](#)^(BSI) federal government; land acquisition; consent
SPONSOR: FARNSWORTH, LD 10
FMAE 3/11/2026 DP (4-3-0-0)
(No: HERNANDEZ L, MÁRQUEZ, GARCIA)

Committee on Government

Chairman: Walt Blackman, LD 7 **Vice Chairman:** Lisa Fink, LD 27
Analyst: Montse Lavender **Intern:** Madeleine Nseir

[SB 1078](#)^(BSI) public records; review standard
SPONSOR: KAVANAGH, LD 3
GOV 3/11/2026 DP (4-3-0-0)
(No: STAHL HAMILTON, VILLEGAS, MÁRQUEZ)

[SB 1135](#)_(BSI) death benefits; burial costs
SPONSOR: GOWAN, LD 19
GOV 3/11/2026 DP (6-0-1-0)
(Present: KESHEL)

[SB 1136](#)_(BSI) workers' compensation; death benefits; remarriage
SPONSOR: GOWAN, LD 19
GOV 3/11/2026 DP (5-0-2-0)
(Present: KESHEL, VILLEGAS)

[SB 1184](#)_(BSI) HOAs; uniformed services division flags
SPONSOR: KAVANAGH, LD 3
GOV 3/11/2026 DP (7-0-0-0)

[SB 1435](#)_(BSI) ~~schools; libraries; explicit materials; classification~~
(Now: schools; libraries; explicit materials; training)
SPONSOR: HOFFMAN, LD 15
GOV 3/11/2026 DP (4-3-0-0)
(No: STAHL HAMILTON, VILLEGAS, MÁRQUEZ)

[SB 1567](#)_(BSI) sexually explicit materials; government; prohibition
SPONSOR: HOFFMAN, LD 15
GOV 3/11/2026 DP (4-3-0-0)
(No: STAHL HAMILTON, VILLEGAS, MÁRQUEZ)

[SB 1586](#)_(BSI) state agencies; guidance; website
SPONSOR: BOLICK, LD 2
GOV 3/11/2026 DP (4-3-0-0)
(No: STAHL HAMILTON, VILLEGAS, MÁRQUEZ)

[SB 1665](#)_(BSI) state agencies; hiring practices; appeals
SPONSOR: BOLICK, LD 2
GOV 3/11/2026 DP (4-3-0-0)
(No: STAHL HAMILTON, VILLEGAS, MÁRQUEZ)

Committee on Health & Human Services

Chairman: Selina Bliss, LD 1

Vice Chairman: Ralph Heap, LD 10

Analyst: Ahjahna Graham

Intern: Logan Kilbey

[SB 1113](#)_(BSI) service of process; evaluation agencies
SPONSOR: WERNER, LD 4
HHS 3/9/2026 DPA (12-0-0-0)

[SB 1123](#)_(BSI) medical examiners; authorized persons
SPONSOR: WERNER, LD 4
HHS 3/9/2026 DP (12-0-0-0)

[SB 1125](#)_(BSI) DCS; memorandum of understanding; tribes
SPONSOR: WERNER, LD 4
HHS 3/9/2026 DP (12-0-0-0)

[SB 1188](#)_(BSI) approved medications; scheduling; prescription authority
SPONSOR: SHOPE, LD 16
HHS 3/9/2026 DP (8-2-0-2)
(No: PINGERELLI, HEAP Abs: LUNA-NÁJERA, LOPEZ)

[SB 1193](#)^(BSI) personal identifying information; disclosure; prohibition
SPONSOR: PAYNE, LD 27
HHS 3/9/2026 DP (10-0-0-2)
(Abs: LUNA-NÁJERA, LOPEZ)

[SB 1243](#)^(BSI) court-ordered treatment; guardians; notice; release
SPONSOR: ANGIUS, LD 30
HHS 3/9/2026 DP (10-0-0-2)
(Abs: LIGUORI, LUNA-NÁJERA)

[SB 1318](#)^(BSI) mammography results; notice; repeal
SPONSOR: ANGIUS, LD 30
HHS 3/9/2026 DP (11-0-0-1)
(Abs: LUNA-NÁJERA)

[SB 1477](#)^(BSI) assisted living facilities; referral agents
SPONSOR: BOLICK, LD 2
HHS 3/9/2026 DPA (10-0-0-2)
(Abs: LUNA-NÁJERA, LOPEZ)

Committee on Judiciary

Chairman: Quang H. Nguyen, LD 1

Vice Chairman: Khyll Powell, LD 14

Analyst: Nathan McRae

Intern: Nicholas Putrow

[SB 1039](#)^(BSI) attorney discipline investigations; costs
SPONSOR: FINCHEM, LD 1
JUD 3/11/2026 DP (5-2-0-2)
(No: HERNANDEZ A, GARCIA Abs: BLISS, CONTRERAS L)

[SB 1061](#)^(BSI) fentanyl; sale amount; nine grams
SPONSOR: ROGERS, LD 7
JUD 3/11/2026 DP (6-2-0-1)
(No: HERNANDEZ A, GARCIA Abs: CONTRERAS L)

[SB 1068](#)^(BSI) disruption; educational institution; concealed weapon
SPONSOR: ROGERS, LD 7
JUD 3/11/2026 DP (6-2-0-1)
(No: HERNANDEZ A, GARCIA Abs: CONTRERAS L)

[SB 1069](#)^(BSI) prohibited weapons; muffling device; repeal
SPONSOR: ROGERS, LD 7
JUD 3/11/2026 DP (6-2-0-1)
(No: HERNANDEZ A, GARCIA Abs: CONTRERAS L)

[SB 1099](#)^(BSI) ~~gender transition procedures; informed consent~~
(Now: defamation; elements; review)
SPONSOR: CARROLL, LD 28
JUD 3/11/2026 DP (6-2-0-1)
(No: HERNANDEZ A, GARCIA Abs: CONTRERAS L)

[SB 1127](#)^(BSI) duty to report; abuse; neglect
SPONSOR: WERNER, LD 4
JUD 3/11/2026 DP (7-0-1-1)
(Abs: CONTRERAS L Present: GARCIA)

[SB 1148](#)^(BSI) supreme court; attorney licensing
SPONSOR: FINCHEM, LD 1
JUD 3/11/2026 DP (6-2-0-1)
(No: HERNANDEZ A, GARCIA Abs: CONTRERAS L)

[SB 1271](#)^(BSI) businesses; crime reporting; penalty; prohibition
SPONSOR: GOWAN, LD 19
JUD 3/11/2026 DP (7-0-1-1)
(Abs: CONTRERAS L Present: GARCIA)

[SB 1426](#)^(BSI) unlawful occupants; forcible entry; detainer
SPONSOR: ROGERS, LD 7
JUD 3/11/2026 DP (7-0-1-1)
(Abs: CONTRERAS L Present: GARCIA)

[SB 1448](#)^(BSI) aggravated assault; utility workers
SPONSOR: SHOPE, LD 16
JUD 3/11/2026 DPA (6-1-1-1)
(No: POWELL Abs: CONTRERAS L Present: WAY)

Committee on Natural Resources, Energy & Water

Chairman: Gail Griffin, LD 19 **Vice Chairman:** Chris Lopez, LD 16
Analyst: Corbin Wright **Intern:** Harrison Culverhouse

[HCM 2009](#)^(BSI) subsurface minerals; access; federal policy
SPONSOR: CARTER P, LD 4 HOUSE
NREW 2/10/2026 DP (5-4-0-1)
(No: CONTRERAS P, MATHIS, PESHAKAI, LIGUORI Abs: MARTINEZ)

[SB 1202](#)^(BSI) supply and demand; assessment; groundwater.
SPONSOR: SHOPE, LD 16
NREW 3/10/2026 DP (6-3-0-1)
(No: CONTRERAS P, MATHIS, LIGUORI Abs: PESHAKAI)

[SB 1418](#)^(BSI) corporation commission; small modular reactors
SPONSOR: CARROLL, LD 28
NREW 3/10/2026 DP (6-3-0-1)
(No: CONTRERAS P, MATHIS, LIGUORI Abs: PESHAKAI)

[SB 1785](#)^(BSI) water storage facility; withdrawals; area
SPONSOR: PETERSEN, LD 14
NREW 3/10/2026 DP (6-3-0-1)
(No: CONTRERAS P, MATHIS, LIGUORI Abs: PESHAKAI)

Committee on Public Safety & Law Enforcement

Chairman: David Marshall, Sr., LD 7 **Vice Chairman:** Pamela Carter, LD 4
Analyst: Nathan McRae **Intern:** Nicholas Putrow

[SB 1055](#)^(BSI) arrestees; unlawfully present; reporting
SPONSOR: ROGERS, LD 7
PSLE 3/9/2026 DP (8-6-0-1)
(No: TSOSIE, AUSTIN, CREWS, MÁRQUEZ, VOLK, ABEYTIA Abs:

SIMACEK)

[SB 1107](#)^(BSI) peace officer certification; alternative pathway

SPONSOR: PETERSEN, LD 14

PSLE 3/9/2026 DP (11-1-2-1)
(No: CREWS Abs: SIMACEK Present: AUSTIN, ABEYTIA)

Committee on Ways & Means

Chairman: Justin Olson, LD 10

Vice Chairman: Nick Kupper, LD 25

Analyst: Vince Perez

Intern: Conor Sakata

[SB 1142](#)^(BSI) federal tax credit; authorization; scholarships

SPONSOR: BOLICK, LD 2

WM 3/11/2026 DP (5-3-0-1)
(No: SANDOVAL, CREWS, LUNA-NÁJERA Abs: BLATTMAN)



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: ATT DP 8-0-2-0 | Third Read 27-0-3-0-0

House: APPROP DP 14-0-0-4

SB 1097: appropriation; named claimants

Sponsor: Senator Kavanagh, LD 3

Caucus & COW

Overview

Appropriates \$370,211.08 from the state General Fund (GF) and \$33,021.18 from other specified funds in FY 2026 for the payment of claims against state agencies.

History

Arizona is required to annually settle unpaid claims against received goods and services. Providing vendors can make claims against the receiving agencies if invoices are not paid in full. State agencies have the financial authority to pay such claims up to one year following the receipt. The Legislature must grant special appropriation authority to pay claims older than one year ([A.R.S. § 35-191](#)).

[Laws 2025, Chapter 59](#) appropriated \$388,469.97 in FY 2025 for prior year unpaid claims from all state agencies.

Provisions

1. Appropriates the following amounts in FY 2026 for the payment of specified claims:
 - a) \$1,025.25 from the state GF to the Department of Administration (ADOA);
 - b) \$1,997.24 from the Special Employee Health Insurance Trust Fund to ADOA;
 - c) \$17,944.04 from the Risk Management Revolving Fund to ADOA;
 - d) \$1,571.03 from the Automation Operations Fund to ADOA;
 - e) \$3,145.02 from the state GF to the Department of Corrections;
 - f) \$7,576.88 from the State Highway Fund to the Department of Transportation (ADOT);
 - g) \$399.03 from the Department Fleet Operations Fund to ADOT;
 - h) \$3,532.96 from the Administrative Fund to the Industrial Commission of Arizona; and
 - i) \$366,040.81 from the state GF to the Department of Public Safety (DPS). (Sec. 1)
2. Requires ADOA to coordinate the payments of claims. (Sec. 1)

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



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: RAGE DP 7-0-0-0 | Third Read 27-0-3-0-0

House: COM DP 10-0-0-1

SB 1181: certified public accountants; certification; alternative Sponsor: Senator Mesnard, LD 13 Caucus & COW

Overview

Makes revisions to Certified Public Accountants (CPA) statutes.

History

The Arizona State Board of Accountancy (Board) protects the public from unlawful, incompetent, unqualified or unprofessional certified public accountants through certification, regulation and rehabilitation. ([Title 32, Chapter 6, A.R.S.](#)).

An applicant for certification must meet statutory qualifications, pass the uniform certified public accountant examination and: 1) have at least 2,000 hours of experience in the practice of accounting; and 2) has obtained a baccalaureate degree or higher degree with at least 150 semester hours of specified accounting courses ([A.R.S. § 32-721](#)).

Provisions

State Board of Accountancy

1. Alters Board responsibilities, which include:
 - a. investigating complaints to determine whether a registrant or limited reciprocity privilege individual or firm, rather than a CPA, has committed a violation; and
 - b. delegate to the executive director the authority to approve a request for inactive status and approve reinstatement from canceled or expired status. (Sec. 2)
2. Prohibits the basic requirements for continuing professional education from exceeding 80 hours in any two-year registration period, rather than any registration renewal period. (Sec. 2)

Certified Public Accountant

3. Revises the requirements for applicants who have never been certified, registered or licensed in this state or another jurisdiction by:
 - a. removing language relating to the requirement to have at least 2,000 hours of experience in the practice of accounting and completion of 150 semester hours of specified accounting courses; and
 - b. requiring applicants to present satisfactory evidence of obtaining either a:
 - i. baccalaureate degree and has at least two years of experience;
 - ii. baccalaureate degree, 30 additional semester hours and has at least one year of experience; or
 - iii. postbaccalaureate degree and at least one year of experience. (Sec. 3)
4. Removes the alternative certification requirement for applicants who have a certificate, registration or license in another jurisdiction relating to having a baccalaureate degree and employment history with specified semester hours of accounting courses. (Sec. 3)
5. Adds as an alternative certification requirement for applicants who have a certificate, registration or license to practice as a CPA in another jurisdiction that the applicant has been employed as a CPA in the practice of accounting for at least:
 - a. three years and has obtained either:
 - i. a postbaccalaureate degree; or
 - ii. a baccalaureate degree and 30 additional semester hours; or
 - b. five of the ten preceding years and has obtained a baccalaureate degree. (Sec. 3)

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

6. Instructs the Board to adopt rules regarding the required number of semester hours of accounting courses. (Sec. 3)
7. Defines *experience*. (Sec. 3)
8. Restates that a person is allowed to take the uniform CPA examination provided the person has either a baccalaureate degree or a postbaccalaureate degree that includes the required number of semesters hours of accounting courses as determined by the Board. (Sec. 4)

Miscellaneous

9. Revises the requirements to qualify to exercise the limited reciprocity privilege for individuals who hold a valid registration certification or license issued by another jurisdiction by:
 - a. deleting language outlining current requirements; and
 - b. including the requirement that the individual:
 - i. meets statutory qualification requirements for CPAs or out-of-state applicants; or
 - ii. holds a valid active registration, certificate or license as a CPA from any jurisdiction as of December 31, 2024. (Sec. 5)
10. Adds the uniform registration fee applied to registrants for less than two years be charged on a pro rata basis for the remainder of the registration period. (Sec. 6)
11. Specifies the uniform registration fee applied to retired status registration is due during the month of the anniversary of the registrant's birth and be charged on a pro rata basis for registrants of less than two years. (Sec. 6)
12. Allows the Board to reduce or waive certain registration fees before the due date of any registration fee, rather than any renewal fee. (Sec. 7)
13. Prohibits a registrant who is under investigation by the Board from canceling the certificate or registration. (Sec. 8)
14. Authorizes the Board to offer to a registrant relinquishment of a certificate or registration. (Sec. 9)
15. Clarifies that a registrant, in order to complete the relinquishment, must acknowledge that an investigation or disciplinary proceeding has been initiated. (Sec. 9)
16. Revises the requirement relating to certificate reinstatement by removing references of required semester hours and adding that the individual obtains a baccalaureate degree or postbaccalaureate degree. (Sec. 11)
17. Clarifies continuing professional education audits are presumed to be public records. (Sec. 17)
18. Defines pertinent terms. (Sec. 1)
19. Contains a delayed effective date of January 1, 2027. (Sec. 18)
20. Cites the act as the "Certified Public Accounting Act of 2026". (Sec. 19)
21. Makes clarifying and technical changes. (Sec. 2, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16)



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: FIN DP 6-0-1-0 | Third Read 29-0-1-0-0

House: COM DP 10-0-0-1

SB 1252: uniform assignment; benefit of creditors

Sponsor: Senator Mesnard, LD 13

Caucus & COW

Overview

Adopts the Uniform Law Commission's (ULC) Uniform Assignment for Benefit of Creditors Act (Act) which governs a process for an assignor and an assignee to liquidate assets and distribute the proceeds to the assignor's creditors.

History

Every assignment made by an insolvent debtor, or in contemplation of insolvency, for the benefit of his creditors, is required to provide for a distribution of all real and personal property other than that which is by law exempt from execution, among all creditors in proportion to their respective claims. However the assignment is made or expressed, it is required to have such effect and be construed to pass all such property, whether or not specified. Every assignment for the benefit of creditors is required to be acknowledged and recorded in the manner provided by law for conveyances of real or other property ([A.R.S. § 44-1031](#)).

The Uniform Law Commission is an organization that provides states with non-partisan legislation which brings clarity and stability to critical areas of state statutory law. The ULC drafted the [Uniform](#) Assignment for Benefit of Creditors Act which is a voluntary, debtor-initiated state law alternative to federal bankruptcy, state receiverships, and voluntary workouts.

Provisions

Act Applicability

1. Applies the Act to an assignment made by an assignor that is an organization that meets specified descriptions or an individual who is an Arizona resident. (Sec. 1)

Assignee Requirements

2. Specifies, for a person to be deemed as an assignee, the person cannot:
 - a. be a creditor, affiliate or insider of the assignor;
 - b. be an affiliate or insider of a creditor of the assignor;
 - c. have a claim against the assignment estate, other than a claim for fees and expenses to be paid under the assignment agreement;
 - d. have a material financial interest in the outcome of the assignment, other than a claim for fees and expenses to be paid under the assignment agreement;
 - e. hold an equity interest in the assignor other than a noncontrolling interest in a publicly traded company; or
 - f. be an affiliate of a person that fails to satisfy the outlined requirements. (Sec. 1)
3. Specifies an assignee is not precluded from being an assignee merely because the person performed services for the assignor before the assignment. (Sec. 1)

Assignment Agreement

4. Specifies that an assignment agreement must be in a record signed by the assignor and the assignee and outlines record requirements. (Sec. 1)
5. Deems the assignor's assets to be assigned if an assignee relies in good faith on the assignor's representation even if the representation is inaccurate. (Sec. 1)

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

6. Specifies the assignee obtains the rights, title and interest of the assignor in the assigned assets and if the assignor is an organization the assignee will obtain all of these after the assignment. (Sec. 1)
7. Outlines the effects of assigning the assets and assignment agreement for the assignee and assignor. (Sec. 1)

Filing and Recording Requirements

8. Allows an assignee of a legal or equitable interest in personal property to file a financing statement in certain filing offices. (Sec. 1)
9. Provides requirements for filing a financing statement. (Sec. 1)
10. Specifies that a filing of a financing statement is not itself a factor in determining whether an asset secures an obligation, and the rights of the assignee are not affected if the assignee does not file a financing statement. (Sec. 1)
11. Requires an assignee to:
 - a. record the assignment of the interest or notice of the assignment under the real estate recording law of the jurisdiction where the property is located; and
 - b. comply with other laws governing the transfer of title to an asset. (Sec. 1)
12. Specifies the assignor, by signing an assignment agreement, authorizes the assignee to take the actions relating to the filing requirements. (Sec. 1)

Creditor Notification

13. Requires an assignee, unless the creditor waives the right to notification, to send a notification of the assignment to each creditor known to the assignee within a reasonable time and not to exceed 30 days after the effective of the assignment agreement. (Sec. 1)
14. Outlines the notification requirements. (Sec. 1)
15. Requires an assignee to use reasonable means to provide the information in the notification to unknown creditors. (Sec. 1)

Assignor Duties

16. Declares the assignor has a duty to take all reasonable actions necessary for the assignee to administer the assignment, the assigned assets and the assignment estate. (Sec. 1)
17. Delineates further duties of the assignor. (Sec. 1)
18. Applies the delineated duties to the designated representative acting on behalf of the assignor. (Sec. 1)

Assignee Powers and Duties

19. Declares the assignee has a fiduciary duty to the assignment estate for the benefit of creditors, as follows:
 - a. of loyalty, including the duty to manage the assignment in good faith;
 - b. to use reasonable care to maximize distributions; and
 - c. to wind up the assignment in a manner compatible with the best interests of the assignment estate and creditors. (Sec. 1)
20. Delineates further powers and duties of the assignee. (Sec. 1)
21. Asserts certain powers are exclusive to the assignee with respect to a creditor that submits a proof of claim. (Sec. 1)
22. Outlines the lien status an assignee has on the assignment estate. (Sec. 1)
23. Details the assignee's powers relating to avoiding a transfer or the incurrence of an obligation which a creditor that has filed a proof of claim could have avoided under other law if the assignment had not been made. (Sec. 1)

Allowed Claims

24. Requires an assignee to allow a creditor's claim if:
 - a. the creditor submits a proof of claim; and
 - b. the assignee does not dispute the claim before final distribution. (Sec. 1)
25. Allows an assignee to either:
 - a. allow a claim, pay a known liquidated claim or accept a notice to the assignee of a claim even if the creditor does not submit a proof of claim; or
 - b. allow and pay a claim evidenced by a late-filed proof of claim, if the assignee determines there is a reasonable basis for excusing the late filing. (Sec. 1)
26. Requires any unsecured portion of an allowed claim to be valued as of the effective date of the assignment agreement. (Sec. 1)
27. Specifies a creditor's claim is allowed if the creditor succeeds in a dispute preceding. (Sec. 1)
28. Provides requirements for an assignee in creating a complete list of creditors that have submitted a proof of claim and notifying creditors who will receive no distribution. (Sec. 1)

Claims

29. Allows an assignee to dispute a creditor's claim before final distribution by sending notification on the nature of the dispute. (Sec. 1)
30. Includes stipulations for commencing a proceeding to disallow the claim, if a dispute cannot be resolved consensually. (Sec. 1)
31. Requires an assignee to create a dollar-for-dollar reserve for the estimated amount of the potential distribution on a disputed claim. (Sec. 1)
32. Provides requirements for disallowing a claim for reimbursement or contribution of a person that is liable with the assignor. (Sec. 1)
33. Specifies an assignee may reconsider the assignee's decision to allow or disallow a claim for cause and requirements for payment to a creditor on a reconsider claim. (Sec. 1)
34. Includes requirements for a proof of claim. (Sec. 1)
35. Specifies a proof of claim that is in compliance with the requirements for proof is prima facie evidence of the validity and amount of the claim. (Sec. 1)
36. Adds that the submission by a creditor of a proof of claim that complies with the requirements constitutes the creditor's consent to the jurisdiction of the applicable court and assignment to the assignee of any right of the creditor to bring a voidable transaction action relating to the creditor's claim. (Sec. 1)
37. Specifies subordinate agreements are enforceable to the same extent that the agreement is enforceable under other laws. (Sec. 1)
38. Outlines the claims that are subordinate to a claim or interest that is senior or equal in priority to a claim or interest represented by a security or other equity interest in the assignor or an affiliate of the assignor. (Sec. 1)
39. Stipulates a claim subject to subordination has the same priority as a common stock or another common equity interest if the security is common stock or another common equity interest. (Sec. 1)

Transferees' rights

40. Outlines an assignee's disposition of an asset. (Sec. 1)
41. Declares a transferee that acts in good faith takes free of the rights and interests described in the asset's disposition, even if the assignee fails to comply with the Act or the requirements of a judicial proceeding. (Sec. 1)

42. Stipulates the transferee, who does not take free of the rights and interests, takes the asset subject to outlines requirements. (Sec. 1)
43. Specifies any warranty arising by operation of other law is disclaimed to the extent permitted by other law, unless otherwise provided in a record. (Sec. 1)
44. Provides requirements for the assignee in filing a record with the official if a subordinate security interest or other lien is discharged. (Sec. 1)

Distributions

45. Instructs the assignee to pay claims from the assignment estate in the order of priority as outlined. (Sec. 1)
46. Prescribes the order of priority of distributions with the protected secured creditor having first priority before other distributions. (Sec. 1)
47. Requires, after the distributions made to the protected secured creditor, the assignee to pay the necessary costs of the administration of the assignment estate and outlines the costs. (Sec. 1)
48. Details the order of priority of distributions, including:
 - a. payment of claims entitled to priority under federal law;
 - b. payment of claims for wages, salaries or commissions earned; and
 - c. payment to each creditor. (Sec. 1)
49. Outlines the distribution of claims if the assets are insufficient to pay the total amount of the claims. (Sec. 1)
50. Specifies, after payments are made, the residue must be distributed to allowed claims evidenced by a late-filed proof of claim and, after the allowed late-filed claims, as provided in the assignment agreement. (Sec. 1)
51. Allows an assignee to make interim distributions after considering future expenses and the reserves for disputed claims. (Sec. 1)

Liability

52. Asserts an assignor is not personally liable for an act or omission by the assignee nor is an assignee personally liable for an act or omission by the assignor. (Sec. 1)
53. Specifies a representative designated by an assignor is exculpated to the same extent as a person acting on behalf of the assignor had there been no assignment, except for an act or omission resulting from the representative's gross negligence or willful misconduct. (Sec. 1)
54. Specifies a term of an assignment agreement relieving the assignee of liability is unenforceable to the extent the agreement relieves the assignee of liability for an act of omission committed in bad faith or with reckless indifference to the purposes for the assignment or the interest of the creditors of the assignment estate. (Sec. 1)
55. Deems an assignee as personally liable for a breach of a fiduciary duty and outlines stipulations for being liable. (Sec. 1)
56. Adds that the assignee who relies in good faith on specified information is not liable. (Sec. 1)

Assignee Removal

57. Allows the assignor or a creditor to request a court of competent jurisdiction in Arizona to remove an assignee, if the assignor or creditor has a reasonable belief that grounds removal exist. (Sec. 1)
58. Outlines the specific grounds for removing an assignee. (Sec. 1)
59. Specifies the successor assignee provided for in the assignment agreement, unless the assignee is not eligible, becomes the assignee. (Sec. 1)
60. Instructs the court to appoint a successor assignee if:
 - a. the assignment agreement does not provide for a successor assignee; or

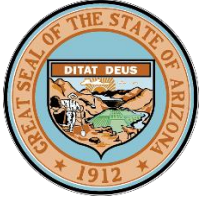
- b. the successor assignee provided for in the assignment agreement is ineligible to be an assignee or is subject to removal. (Sec. 1)
- 61. Specifies an assignee who resigns, or is removed, dies, or becomes incapacitated, is discharged from the assignee's duties when outlines conditions are met. (Sec. 1)
- 62. Authorizes a court to order an attorney, accountant or other person that has information relating to the assignment estate or the assignor's financial affairs to turn over or disclose the information to the successor assignee. (Sec. 1)

Winding Up

- 63. Instructs an assignee, on completion of their duties, to send a creditor whose claim is allowed, and not satisfied in full, a final accounting sufficient to inform the creditor of all material aspects of the assignment. (Sec. 1)
- 64. Includes information that must be sent to the creditor in the final accounting. (Sec. 1)
- 65. Deems an assignee as discharged from their duties when the assignee sends the final accounting and distributes all the assets of the assignment estate. (Sec. 1)
- 66. Directs the assignee to exercise the powers appropriate to complete the work if the final accounting describes additional work. (Sec. 1)

Miscellaneous

- 67. Stipulates an assignment made under the law of another state must be recognized and enforced on an issue if the result for the issue would be substantially similar to the result for the issue if the assignment had been made under the Act. (Sec. 1)
- 68. Requires the assignee to use the amount asserted or determined under the law of the other state if a claim for wages, salaries or commissions or a claim of a governmental unit exists in another state. (Sec. 1)
- 69. Stipulates the assignee, if determined that a creditor should receive the treatment the creditor would receive under an assignment made under the law of another state, may treat the creditor as the creditor would be treated in the other state. (Sec. 1)
- 70. Includes authorizations for a court to:
 - a. hear and resolve a matter involving the administration of an assignment or the exercise of an assignee's powers and duties; and
 - b. appoint a person serving as an assignee in an assignment in another state as an ancillary assignee relating to assigned assets located in this State. (Sec. 1)
- 71. Contains requirements for provisions relating to variable agreements. (Sec. 1)
- 72. Directs a court, in applying and construing the Act, to consider the promotion of uniformity of the laws among states that enact the Act. (Sec. 1)
- 73. Specifies the modifications and limitations of the Act in relation to the Electronic Signatures in Global and National Commerce Act. (Sec. 1)
- 74. Applies the Act to an assignment made on or after the effective date of the Act. (Sec. 1)
- 75. Defines pertinent terms. (Sec. 1)



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: RAGE DPA 7-0-0-0 | Third Read 27-0-3-0-0

House: COM DP 10-0-0-1

SB1415: insurance adjuster license; eligibility

Sponsor: Senator Bolick, LD 2

Caucus & COW

Overview

Establishes requirements for salaried employees of insurers or managing general agents to be eligible for Arizona adjuster licensure without taking the state examination.

History

The Arizona [Department of Insurance and Financial Institutions](#) (DIFI) oversees the licensing and regulation of insurance professionals including adjusters.

An *adjuster* is an individual who, for compensation, fee or commission, adjusts, investigates or negotiates settlement of claims arising under property and casualty insurance contracts on behalf of either the insurer or the insured. To obtain an adjuster license in Arizona, an individual must apply to DIFI and meet the following qualifications: 1) be at least 18 years of age; 2) be an Arizona resident or a resident of another state that allows residents of this state to act as adjusters in the other state; and 3) take and pass an examination that is given by or under the supervision of the director of DIFI and that reasonably tests the applicant's knowledge of insurance and legal responsibilities as an adjuster. Out-of-state licensed adjusters sent by an insurer to investigate a specific loss or a series of losses resulting from a common catastrophe are exempt from licensure (A.R.S. §§ [20-321](#), [20-321.01](#)).

Provisions

1. Prescribes specified qualifications for salaried employees of insurers or managing general agents to be eligible for licensure as an adjuster without taking the Arizona adjuster examination. (Sec. 1)
2. Requires a salaried employee, to be eligible for licensure without taking the examination, to submit an application to DIFI by June 30, 2027. (Sec. 1)
3. Limits a person who has obtained licensure without taking the examination to only adjust claims as a salaried employee of an insurer or managing general agent. (Sec. 1)
4. Prohibits a person who has obtained licensure without taking the examination from adjusting claims on behalf of an insured or on behalf of an insurer in a capacity other than as a salaried employee of the insurer or a managing general agent. (Sec. 1)
5. Specifies an adjuster license that was issued without the examination requirement is valid and renewable only while the licensee adjust claims as a salaried employee of the licensed insurer or managing general agent. (Sec. 1)
6. Requires an individual who wishes to act or claim to be an adjuster to apply for and obtain a license as an adjuster. (Sec. 1)
7. Defines *salaried employee*. (Sec. 1)

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



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: ED DP 5-2-0-0 | Third Read 22-5-3-0-0

House: ED DP 8-1-1-2

SB 1166: accommodation schools; high school equivalency

Sponsor: Senator Angius, LD 30

Caucus & COW

Overview

Permits a county school superintendent to offer high school equivalency (HSE) preparation instruction through an accommodation school to students in the 11th grade. Specifies a student must be at least 16 years old to receive HSE preparation instruction offered by a county school superintendent through an accommodation school.

History

HSE preparation instruction is instruction that prepares students to pass the high school equivalency test adopted by the State Board of Education (SBE). Currently, statute allows a county school superintendent to offer HSE preparation instruction through an accommodation school to students who are enrolled in the accommodation school in the 12th grade. To provide HSE preparation instruction, the county school superintendent must obtain written consent from the student's parent or, if emancipated, the student. Each student who participates in HSE instruction offered by a county school superintendent must also be enrolled in a career and technical education course that leads to a certification, license or credential ([A.R.S. § 15-305](#)).

SBE and the Superintendent of Public Instruction must award an Arizona high school equivalency diploma to any person who is at least 16 years old and who passes a high school equivalency test adopted by SBE. SBE may establish eligibility requirements for those who wish to take a high school equivalency test, though SBE may not require the: 1) minimum age to take the equivalency test to be older than 16; or 2) completion of any high school credits ([A.R.S. § 15-702](#)) ([A.A.C. § R7-2-307](#)).

Provisions

1. Allows a county school superintendent to offer HSE preparation instruction through an accommodation school to students in the 11th or 12th grade, rather than only the 12th grade.
2. Stipulates a county school superintendent may offer HSE preparation instruction only to students who are at least 16 years old.
3. Makes technical and conforming changes.

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ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: ED DP 7-0-0-0 | Third Read 26-1-3-0

House: ED DP 8-1-0-3

SB 1422: credit enhancement eligibility board; continuation

Sponsor: Senator Angius, LD 30

Caucus & COW

Overview

Continues the Credit Enhancement Eligibility Board (Board) for 10 years.

History

Established by [Laws 2016, Chapter 129](#), the Board is responsible for overseeing the Arizona Public School Credit Enhancement Program (Program), which assists achievement district schools in obtaining more favorable financing by guaranteeing the payment of principal and interest on guaranteed financings issued by or on behalf of achievement district schools. The Board must establish an application process and selection criteria for a public school or charter school to qualify as an achievement district school and approve or reject applications submitted to the Board. The Board is composed of the Governor, Treasurer and the Director of the Arizona Department of Administration, or their designees (A.R.S. § [41-5841](#) and [A.R.S. Title 41, Chapter 56, Article 11](#)).

The Board is set to terminate on July 1, 2026. The House of Representatives Education Committee of Reference (COR) and Senate Education COR conducted separate reviews of the Board and recommended that the Board be continued for 10 years ([A.R.S. § 41-3026.01](#)) ([House Education COR Minutes](#)) ([Senate Education COR Report](#)).

Provisions

1. Continues the Board until July 1, 2036. (Sec. 2)
2. Repeals the Board on January 1, 2037 only if:
 - a. the Board has no outstanding Program funding obligations, or the Legislature has provided for paying or retiring any outstanding Program funding obligations; and
 - b. there are no outstanding guaranteed financings approved by the Board. (Sec. 2)
3. Provides that if neither of these conditions exist on January 1, 2037, the Board is repealed 30 days after both conditions are met. (Sec. 2)
4. Contains a purpose statement. (Sec. 3)
5. Makes the legislation retroactive to July 1, 2026. (Sec. 4)

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



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: ED DPA 4-2-1-0 | Third Read 17-11-2-0-0

House: ED DP 6-5-0-1

SB 1424: firearm safety instruction; public schools

Sponsor: Senator Rogers, LD 7

Caucus & COW

Overview

Requires school districts and charter schools to provide annual, age-appropriate firearm safety awareness instruction to students in kindergarten programs and the 1st-12th grades. Details what the firearm safety and awareness instruction must include.

History

The Arizona Game and Fish Department (AZGFD) may provide training in the safe handling and use of bows or firearms and safe hunting practices in conjunction with schools that request such training. AZGFD may prescribe courses of study, approve instruction materials, certify instructors for training programs conducted by private organizations or public agencies and issue certificates of completion of the required course of study ([A.R.S. § 15-713](#)).

A school district or charter school may offer, as a one semester, one credit elective course, the Arizona Gun Safety Program course in firearm marksmanship. AZGFD, the Arizona Department of Public Safety (DPS) and private firearms organizations must jointly develop the course of instruction for the Arizona Gun Safety Program course. At a minimum, the course must include: 1) instruction on firearm safety rules, basic firearm operation, firearm and marksmanship history, the role of firearms in preserving peace and freedom, the constitutional roots of the right to keep and bear arms and the use of clay targets; 2) practice time at a shooting range; and 3) actual demonstration by a student of competence with a firearm by safely discharging the firearm at targets. A student who satisfactorily completes the course must receive a certificate of accomplishment ([A.R.S. § 15-714.01](#)).

Provisions

1. Requires, beginning in the 2027-2028 school year, each school district and charter school to provide annual, age-appropriate firearm safety awareness instruction to students in kindergarten programs and the 1st-12th grades.
2. Specifies the firearm safety awareness instruction must be:
 - a. limited to accident prevention and personal safety awareness; and
 - b. objective and not promote or discourage firearm ownership or advocate for or against any political position, public policy or legislative proposal.
3. Includes in the firearm safety awareness instruction:
 - a. instruction on the importance of safe firearm storage in homes and motor vehicles;
 - b. guidance on appropriate actions if a student encounters a firearm; and
 - c. age-appropriate discussion of risks associated with unsafe handling or unauthorized access to firearms.
4. Prohibits the firearm safety awareness instruction from including:
 - a. a live firearm;
 - b. ammunition or simulated ammunition;
 - c. a demonstration involving handling, operating, loading, unloading or firing a firearm;
 - d. instruction intended to train students in firearm use;
 - e. a moral judgement regarding lawful firearm possession; or
 - f. an inquiry, survey or request for information about whether a student, student's parent or member of the student's household owns, possesses or may possess a firearm or about the firearms storage practices of a student, student's parent or a member of the student's household.
5. Allows a school district or charter school to provide the firearm safety awareness instruction through:

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- a. classroom-based instruction;
 - b. an assembly presentation;
 - c. video instruction or digital instructional materials approved by the Arizona Department of Education (ADE);
or
 - d. instruction incorporated into existing health or safety curricula.
6. Instructs ADE to:
 - a. coordinate with DPS and AZGFD to develop firearm safety and awareness instructional materials; and
 - b. make the instructional materials available to school districts and charter schools.
 7. Stipulates that the firearm safety and awareness instructional materials must be:
 - a. developmentally appropriate for each grade band;
 - b. fact-based and neutral in presentation; and
 - c. designed to promote injury prevention and student safety.
 8. Mandates each school district and charter school make all firearm safety awareness instruction learning materials available for parental review.
 9. Asserts the firearm safety awareness instruction requirement does not:
 - a. regulate the possession, ownership, transfer or lawful use of firearms;
 - b. authorize any person to collect student information related to firearms; or
 - c. conflict with any Arizona firearm preemption law.



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: ED DP 4-3-0-0 | Third Read 17-12-1-0

House: ED DP 6-5-0-1

SB 1475: interscholastic activities; criminal offenses; ineligibility

Sponsor: Senator Finchem, LD 1

Caucus & COW

Overview

Prohibits a school district governing board (governing board) from allowing a student to participate in a school district-sponsored interscholastic activity or program if the student has been convicted of, admitted in open court to, pleaded no contest to or admitted pursuant to a plea agreement to committing specified criminal offenses.

History

A governing board must: 1) hold students to strict account for disorderly conduct on school property; 2) discipline students for disorderly conduct on the way to and from school; and 3) prescribe and enforce policies and procedures relating to the health and safety of pupils participating in school district-sponsored practice sessions or games or other interscholastic athletic activities ([A.R.S. § 15-341](#)).

Provisions

1. Instructs a governing board to prohibit a student from participating in a school district-sponsored interscholastic activity or program if the student has been convicted of, admitted in open court to, pleaded no contest to or admitted pursuant to a plea agreement to committing any of the following criminal offenses in Arizona or a similar offense in another jurisdiction or a delinquent act that if committed by an adult would constitute any of the following criminal offenses:
 - a. aggravated assault involving a deadly weapon or dangerous instrument or that results in serious physical injury;
 - b. any sexual offense;
 - c. harassment involving sexually explicit communications or conduct;
 - d. stalking;
 - e. commercial sexual exploitation of a minor;
 - f. sexual exploitation of a minor;
 - g. luring a minor for sexual exploitation;
 - h. domestic violence; or
 - i. incest. (Sec. 2)
2. Requires a governing board to prohibit, on notice that a student is charged with or awaiting trial on any of the specified criminal offenses or a delinquent act that if committed by an adult would constitute any of the specified criminal offenses from participating in a school district-sponsored interscholastic activity or program until the charges are dismissed or the student is found to be not guilty. (Sec. 2)
3. Stipulates a governing board must require any student participating or seeking to participate in a school district-sponsored interscholastic activity or program to certify on a form provided by the school district whether the student has been convicted of, admitted in open court to, pleaded no contest to or admitted pursuant to a plea agreement to committing any of the specified criminal offenses in Arizona or a similar offense in another jurisdiction or a delinquent act that if committed by an adult would constitute any of the specified criminal offenses. (Sec. 2)
4. Makes conforming changes. (Sec. 1)

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



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: ED DP 3-2-2-0 | Third Read: 16-12-2-0

House: ED DP 6-5-0-1

SB 1572: public schools; civics instruction requirement

Sponsor: Senator Finchem, LD 1

Caucus & COW

Overview

Requires public schools to observe Celebrate Freedom Week, during which public schools must include in each social studies course specified instruction and topics relating to civics.

History

The State Board of Education (SBE) must: 1) prescribe high school social studies academic standards that include American civics education and a comparative discussion of ideologies that conflict with the principles of freedom and democracy; 2) include in the high school social studies competency requirements that, in order to graduate from high school or obtain a high school equivalency diploma, a student must correctly answer at least 70 questions on the civics test; 3) work with specified entities to develop civic education standards that school districts and charter schools must include in the high school course of study and competency requirements; 4) maintain a list of oral history resources to be used along with the civic education and social studies standards that provide portraits in patriotism; and 5) require students in the 4th, 5th and 6th grades to recite a specified passage from the Declaration of Independence at the beginning of the day (A.R.S. §§ [15-203](#), [15-701.01](#) and [15-718](#)).

Schools must provide instruction in: 1) the essentials, sources and history of the U.S. and Arizona Constitutions; 2) American institutions and ideals; and 3) Arizona history. This instruction must be in accordance with the state course of study for at least one year in common school and high school grades ([A.R.S. § 15-710](#)).

September 25 is observed as Sandra Day O'Connor Civics Celebration Day. Public schools must dedicate a majority of the school day to civics education (A.R.S. §§ [1-319](#) and [15-710.01](#)).

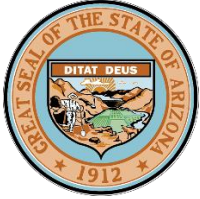
Currently, SBE minimum course of study and competency requirements for common school grades require students to demonstrate competency in social studies, including civics. To graduate from high school, a student must successfully complete one credit of American and Arizona history and one-half credit of American government, including civics and Arizona government (A.A.C. [R7-2-301](#) and [R7-2-302](#)).

Provisions

1. Requires each public school to observe Celebrate Freedom Week, during which the public school must include all the following in each social studies course:
 - a. for the 1st-12th grades, instruction on the original intent, meaning, importance and historical context of the Declaration of Independence and the United States Constitution, including the Bill of Rights;
 - b. for the 1st-12th grades, instruction on the relationship between the ideas expressed in the Declaration of Independence and, in the history of the United States, the:
 - i. rich diversity of the people of the United States as a nation of immigrants;
 - ii. American Revolution;
 - iii. creation of the United States Constitution; and
 - iv. abolitionist movement; and
 - c. for the 3rd-12th grades, recitation by students of a specified passage of the Declaration of Independence. (Sec. 1)
2. Details exemptions for a student from the required recitation of the specified passage of the Declaration of Independence. (Sec. 1)
3. Authorizes SBE to adopt rules and policies to implement Celebrate Freedom Week requirements. (Sec. 1)

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4. Requires SBE to ensure that public schools do not censor the founding documents to exclude religious references. (Sec. 1)
5. Defines *Celebrate Freedom Week* as the instructional week that includes September 27 and that is designated by the public school's governing body. (Sec. 1)
6. Cites this legislation as the *Return to Civics Instruction Act*. (Sec. 2)



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: ED DP 4-2-1-0 | Third Read 16-10-4-0

House: ED DP 6-5-0-1

SB 1741: public schools; released time courses

Sponsor: Senator Petersen, LD 14

Caucus & COW

Overview

Mandates a charter school governing body (governing body) and school district governing board (governing board) allow students to attend a released time course during regular school hours, subject to prescribed requirements.

History

Each governing board and governing body must adopt a policy governing the excuse of students for religious purposes that may allow a student to be excused from school attendance for religious purposes, including participation in religious exercises or instruction. If the policy allows a student to be excused for religious purposes, the policy must detail the conditions for the excuse to be granted to the student, including the requirements that the: 1) person with custody of the student give written consent; and 2) religious instruction or exercise take place at a suitable place away from school property designated by the church or religious denomination or group ([A.R.S. § 15-806](#)).

Provisions

1. Requires each governing body and governing board to allow students to attend a released time course during regular school hours if:
 - a. the school receives written consent from the parent of each participating student;
 - b. the released time course provider:
 - i. records the attendance of each participating student and provides copies of the attendance records to the charter school or school district;
 - ii. assumes all legal responsibility for each participating student while the student is under the provider's control;
 - iii. provides religious instruction to participating students for between 1-5 hours weekly; and
 - iv. demonstrates that the released time course instructor has similar qualifications as the charter school's or school district's instructors;
 - c. any necessary transportation services relating to a released time course are provided by the released time course provider, participating students or the parents of participating students; and
 - d. each participating student is responsible for completing any schoolwork the student misses because of released time course attendance. (Sec. 1, 2)
2. Stipulates each charter school and school district that allows students to attend a released time course must:
 - a. award academic credit to each student who successfully completes the released time course; and
 - b. count any time a student spends participating in a released time course during regular school hours as instructional time and hours to meet instructional time and hours requirements and to determine average daily membership and daily attendance. (Sec. 1, 2)
3. Instructs a charter school and school district to determine how much credit to award for the released time course by using only secular criteria that are substantially the same as the criteria that the charter school uses to evaluate similar courses, including
 - a. the number of hours of classroom instructional time;
 - b. the course requirements and instructional materials used for the released time course according to the syllabus; and
 - c. student assessments conducted by the released time course provider. (Sec. 1, 2)
4. Prohibits a charter school or school district from:

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

- a. incurring expenses to provide a released time course;
 - b. allowing a released time course to be provided on school property; or
 - c. denying any released time course provider equal access to monies, benefits or services the charter school or school district provides to other community groups or independent entities. (Sec. 1, 2)
5. Grants any person who is adversely affected by a violation of the released time course requirements a private cause of action for relief available under law against the charter school or school district. (Sec. 1, 2)
 6. Cites this legislation as the *Arizona Released Time Education Act*. (Sec. 3)



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: JUDE DPA 4-2-1-0 | Third Read 16-11-3-0

House: FMAE DP 4-3-0-0

SB 1040: voter registration rolls; internet access

Sponsor: Senator Finchem, LD 1

Caucus & COW

Overview

Requires a county recorder to provide access to voter registration rolls by way of a publicly accessible internet portal that allows for the information to be downloaded and prohibits a county recorder from charging a fee for accessing or downloading the information. Strikes procedures and requirements for requesting official precinct lists.

History

By the 10th day preceding primary and general elections, a county recorder must prepare from the original registration forms or from electronic media at least four lists that are printed or typed on paper, or at least two electronic media poll lists, or any combination of both, of all qualified electors in each precinct in the county, and the lists must be the official precinct registers. The official precinct registers for use at a polling place must contain at least the names in full, party preference, date of registration and residence address of each qualified elector in each respective precinct. Names must be numbered and in alphabetical order on the registers and county or state chairpersons can request that a county recorder provide a paper copy of the precinct list.

Electronic copies of the precinct list delivered to party chairpersons must include, for each elector, the following: 1) the name in full and appropriate title; 2) party preference; 3) date of registration; 4) residence address; 5) mailing address, if applicable; 6) zip code; 7) telephone number if given; 8) birth year; 9) occupation if given; 10) voting history for all elections in the preceding four years and any other information regarding registered voters that a county recorder or city or town clerk maintains electronically and that is public information; and 11) all data relating to early voters, including ballot requests and ballot returns.

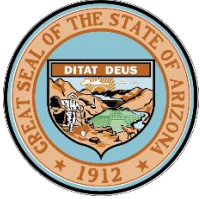
Precinct registers and other lists and information derived from registration forms can be used only for purposes relating to: 1) a political or political party activity; 2) a political campaign or election; 3) revising election district boundaries; or 4) any other purpose specifically authorized by law. Such information cannot be used for a commercial purpose ([A.R.S. § 16-168](#)).

Provisions

1. Requires a county recorder to provide access to voter registration rolls by way of an internet portal that is accessible to the public and that allows the information to be downloaded. (Sec. 2)
2. Specifies that the voter registration roll information must be in a read only format and in a version that may not be edited. (Sec. 2)
3. Prohibits a county recorder from charging a fee for access to the voter registration roll information or for the information itself. (Sec. 2)
4. States that information derived from voter registration rolls may not be used for a commercial purpose and may be used only for purposes relating to:
 - a. a political or political party activity;
 - b. a political campaign or an election;
 - c. revising election district boundaries; or
 - d. any other purpose specifically authorized by law. (Sec. 2)
5. Strikes language outlining the procedures for a county or state chairperson to request a precinct list and the process by which a county recorder provides for and delivers a precinct list. (Sec. 2)

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

6. Removes a requirement for the SOS to establish a single format prescribing the manner and template in which all county recorders provide the precinct list data to the SOS to ensure uniformity across all counties in Arizona. (Sec. 2)
7. Deletes language specifying the categories of information required to be included in the electronic media copies of a precinct list that are delivered to party chairpersons. (Sec. 2)
8. Strikes language requiring a county recorder, the SOS or other officer in charge of elections to prepare additional copies of an official precinct list and to furnish the list to any person requesting the list on payment of outlined fees. (Sec. 2)
9. Removes language prohibiting a person in possession of information derived from voter registration forms or precinct registers from distributing, posting or otherwise providing access to any portion of the information through the internet except as authorized by statute. (Sec. 2)
10. Repeals language stating that voter registration records must be made available for public inspection at the office of a county recorder and that certain personal information contained in a voter's registration forms must be excluded from public inspection, including a voter's:
 - a. month and date of birth;
 - b. social security number;
 - c. driver license or nonoperating identification number;
 - d. Indian census number;
 - e. father's name or mother's maiden name;
 - f. state or country of birth; and
 - g. records containing the voter's signature and voter's email address. (Sec. 2)
11. Removes the prohibition on releasing a voter's email address for any purpose. (Sec. 2)
12. Makes technical and conforming changes. (Sec. 1, 2)



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: JUDE DP 7-0-0-0 | Third Read 29-0-1-0

House: FMAE DP 6-1-0-0

SB 1259: campaigns; protected residential addresses

Sponsor: Senator Kavanagh, LD 3

Caucus & COW

Overview

Allows a person to provide an alternate mailing address and to attest to their residential address when filing for a committee statement of organization or a financial disclosure statement if certain conditions are met.

History

An eligible person and any other registered voter who resides at the same residence as the eligible person may request that the public be prohibited from accessing the eligible person's identifying information. Eligible persons may request this action by filing an affidavit that provides outlined information on an application form developed by the Administrative Office of the Courts in agreement with an association of counties and an organization of peace officers. The affidavit must be filed with the presiding judge of the superior court in the county in which the affiant resides. If the court denies the affiant's requested sealing of the voter registration record, the affiant may request a court hearing ([A.R.S. § 16-153](#)).

A committee must file a statement of organization with the applicable filing officer within 10 days after qualifying as a committee. In addition to other statements and reports required by law, all public officers, as a matter of public record, must file an annual verified financial disclosure statement with the Secretary of State (A.R.S. §§ [16-906](#), [18-444](#)).

Provisions

1. Allows a person to provide an alternate mailing address in a committee statement of organization and to attest that the person's residence is in the electoral district if the person's residential address is both:
 - a. required to be included in the committee statement of organization; and
 - b. protected from public disclosure pursuant to statute. (Sec. 1)
2. Allows a person to provide an alternate mailing address in a financial disclosure statement and to attest that the person's residence is in the electoral district if the person's residential address is both:
 - a. required to be disclosed in a financial disclosure statement; and
 - b. protected from public disclosure pursuant to statute. (Sec. 2)
3. Makes technical changes. (Sec. 1, 2)

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



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: FED DPA 4-3-0-0 | Third Read 16-11-3-0

House: FMAE DP 4-3-0-0

SB 1281: federal government; land acquisition; consent

Sponsor: Senator Farnsworth, LD 10

Caucus & COW

Overview

Requires the Arizona State Land Department to maintain a catalog of all existing or newly created *covered federal designations*, rather than national monuments. Adopts reporting requirements for escrow agents engaged in the sale or transfer of title interest of private real property to the federal government.

History

Currently, the Arizona State Land Department (ASLD) is required to maintain a catalog of each existing or newly created national monument in Arizona. For each national monument, ASLD must request from the federal government all of the following:

- 1) a detailed accounting of each individual item to be protected;
- 2) the precise GPS location of each item to be protected;
- 3) the square footage that each item to be protected occupies;
- 4) the total square footage of the parcel of land comprising the national monument; and
- 5) a peer-reviewed justification for the protection of the object by the federal government.

ASLD is required to determine whether the limits of a parcel comprising a national monument in Arizona are not confined to the smallest area compatible with the proper care and management of the objects to be protected by the national monument.

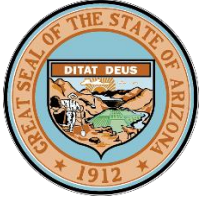
If ASLD determines that the limits of a parcel comprising a national monument in Arizona are not confined to the smallest area compatible with the proper care and management of the objects to be protected by the national monument, ASLD is required to notify the Attorney General (AG). On receipt of the notice, the AG may commence an action to confine the limits of the parcel comprising the national monument to the smallest area compatible with the proper care and management of the objects to be protected by the national monument ([A.R.S. § 37-620.03](#)).

Provisions

1. Requires ASLD to maintain a catalog of each existing or newly created *covered federal designation* in Arizona, rather than a catalog of each existing or newly created national monument in Arizona. (Sec. 1)
2. Specifies that ASLD must request outlined information from the federal government for a *covered federal designation* as it pertains to each item of *natural, scenic, historical or cultural value or each resource, landscape, species, ecosystem, habitat or characteristic* to be protected by the *covered federal designation*. (Sec. 1)
3. Requires ASLD to determine whether the limits of a parcel comprising a *covered federal designation*, rather than a national monument, are contained to the smallest area compatible with the proper care and management of the item of *natural, scenic, historical or cultural value or the resource, landscape, species, ecosystem, habitat or characteristic* to be protected. (Sec. 1)
4. Directs ASLD to notify the President of the Senate and the Speaker of the House of Representatives if ASLD determines the limits of such a parcel are not confined to the smallest area compatible with proper care and management. (Sec. 1)
5. Allows the President of the Senate and the Speaker of the House of Representatives to commence an action to confine the limits of the parcel comprising the *covered federal designation* to the smallest area compatible with proper care and management. (Sec. 1)

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

6. Requires an escrow agent, upon the opening of escrow for the sale or transfer of title interest of private real property to the federal government or a federal agency, to notify the President of the Senate and the Speaker of the House of Representatives that a contract for the sale or transfer of private real property to the federal government or a federal agency has been placed in escrow. (Sec. 3)
7. Defines *covered federal designation*. (Sec. 1)
8. Contains a legislative findings clause. (Sec. 4)
9. Cites the legislation as the *Tax Base Protection Act*. (Sec. 5)
10. Makes technical changes. (Sec. 1, 2)



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: GOV DP 7-0-0-0 | Third Read 16-11-3-0-0

House: GOV DP 4-3-0-0

SB 1078: public records; review standard

Sponsor: Senator Kavanagh, LD 3

Caucus & COW

Overview

Asserts that the standard of review for a question of law arising under statutes related to public records is de novo.

History

Public records and other matters in any officer's custody must be open to inspection by any individual at all times during office hours. An individual who has requested to examine or copy public records according to the statute relating to searches and copies of public records and has been denied access to such record can appeal the denial through a special action in the superior court. A victim denied access during a criminal case can appeal the denial in superior court through a special action within the criminal case. If the person seeking public records has substantially prevailed, the court can award attorney fees and other legal costs. Additionally, any person who is wrongfully denied access to public records has a cause of action against the officer or public body for any damages as a result of the denial (A.R.S. §§ [39-121](#), [39-121.02](#)).

Provisions

1. Stipulates that the standard of review for a question of law arising under statute related to public records, including if any exception to disclosure applies, is de novo. (Sec. 1)

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



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: FIN DP 6-0-1-0 | Third Read 25-2-3-0-0

House: GOV DP 6-0-1-0

SB 1135: death benefits; burial costs

Sponsor: Senator Gowan, LD 19

Caucus & COW

Overview

Increases, from \$5,000 to \$10,000, the amount of burial expenses paid for a worker's compensation death benefit.

History

In the event of a loss sustained on account of injury or death specified employees and their dependents are entitled to receive compensation. These employees include but are not limited to: 1) all persons in the service of the state of Arizona and its municipalities including police and fire departments; 2) specified lessees of mining property; 3) firefighters, volunteer firefighters, policemen and voluntary policemen; 4) members of the Department of Public Safety reserve; and 5) members of a volunteer sheriff's reserve (A.R.S. §§ [23-901](#), [23-1021](#)).

In the case of an injury involving death the following compensation amounts are prescribed in statute: 1) burial expenses of \$5,000; and 2) differing percentages of the average monthly wage of the deceased individual based on the existence of a surviving spouse or dependent kin. A surviving spouse's benefits terminate upon their death or remarriage. The benefits for surviving children cease upon the child's 18th birthday, unless they are incapable of self-support ([A.R.S. § 23-1046](#)).

Employers are required to secure workers' compensation to their employees in one of two ways. The employer may insure the payment of such compensation with an insurance carrier who is authorized by the Director of the Department of Insurance and Financial Institutions to write workers' compensation insurance in Arizona. Alternatively, the employer may furnish to the Industrial Commission of Arizona (Commission) satisfactory proof of financial ability to pay the compensation directly or through a workers' compensation pool approved by the Commission ([A.R.S. § 23-961](#)).

Provisions

1. Increases the death benefit for burial expenses from no more than \$5,000 to no more than \$10,000. (Sec. 1)
2. Makes technical changes. (Sec. 1)

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



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: FIN DP 6-0-1-0 | Third Read 26-4-0-0-0

House: GOV DP 5-0-2-0

SB 1136: workers' compensation; death benefits; remarriage

Sponsor: Senator Gowan, LD 19

Caucus & COW

Overview

Describes how a death benefit must be distributed among surviving spouses and children.

History

In the event of a loss sustained on account of injury or death specified employees and their dependents are entitled to receive compensation. These employees include but are not limited to: 1) all persons in the service of the state of Arizona and its municipalities including police and fire departments; 2) specified lessees of mining property; 3) firefighters, volunteer firefighters, policemen and voluntary policemen; 4) members of the Department of Public Safety reserve; and 5) members of a volunteer sheriff's reserve (A.R.S. §§ [23-901](#), [23-1021](#)).

In the case of an injury involving death the following compensation amounts are prescribed in statute: 1) burial expenses of \$5,000; and 2) differing percentages of the average monthly wage of the deceased individual based on the existence of a surviving spouse or dependent kin. A surviving spouse's benefits terminate upon their death or remarriage. The benefits for surviving children cease upon the child's eighteenth birthday, unless they are incapable of self-support (A.R.S. § [23-1046](#)).

Provisions

1. Adds that a death benefit will be paid to a surviving spouse until remarriage with two years' compensation in one sum on remarriage. (Sec. 1)
2. States surviving spouses of a first responder with no children will receive a death benefit of 66 and 2/3% of the average monthly wage of the deceased until the spouse's death. (Sec. 1)
3. Stipulates if the surviving spouse has surviving children, 35% of the monthly deceased's average monthly wage is paid to the spouse until their death and an additional 31 and 2/3% is to be divided equally among the surviving children. (Sec. 1)
4. States the surviving children will receive the death benefit until they are 18 years of age or continue to receive the benefit until they are 22 years of age if they are enrolled as a full-time student in an accredited education institution or if they are over 18 years of age and in capable of self-support. (Sec. 1)
5. Specifies that when surviving children are no longer eligible for benefits the surviving spouse will receive benefits as if there were no children. (Sec. 1)
6. States in the case of a death or no surviving husband or wife a surviving child will receive a benefit of 66 and 2/3% of the deceased's average monthly wage and if there are multiple children the benefit will be divided equally. (Sec. 1)
7. Specifies the benefit will cease on the child's death, marriage or turning 18 years of age unless they turn 18 and are incapable of self-support or until they turn 22 if they are enrolled full time in an accredited educational institution. (Sec. 1)
8. Applies the measure to spouses of first responders who lost benefits due to remarriage on or after January 1, 2000. (Sec. 2)
9. Qualifies spouses of first responders who previously lost benefits due to remarriage on or after January 1, 2000, to receive benefits prospectively but not retroactive benefit payments. (Sec. 2)

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10. Defines *first responder*. (Sec. 1, 2)

11. Makes technical and conforming changes. (Sec. 1, 2)



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: GOV DPA 6-1-0-0 | Third Read 19-8-3-0-0

House: GOV DP 7-0-0-0

SB 1184: HOAs; uniformed services division flags

Sponsor: Senator Kavanaugh, LD 3

Caucus & COW

Overview

Incorporates the display of division flags of the Army, Navy, Marine Corps, Air Force, Space Force and Coast Guard in the list of flags that associations of condominiums and planned communities cannot prohibit.

History

Condominium unit owners' associations cannot prohibit the outdoor display of certain flags. Similarly, a nonprofit corporation or unincorporated association of owners of a planned community cannot prohibit the outdoor front yard or backyard display of certain flags. Both associations are prevented from prohibiting any of the following: 1) the American flag or an official or replica of a flag of the uniformed services of the United States by a unit owner on their property if the flag is displayed in a manner consistent with the federal flag code; 2) the POW/MIA flag; 3) the Arizona state flag; 4) an Arizona Indian nations flag; 5) the Gadsden flag; 6) a first responder flag; 7) a blue star service flag or gold star service flag; and 8) any historic version of the American flag. Further, the both associations' rules can regulate flagpole size and location but not the installation of a flagpole (A.R.S. §§ [33-1261](#), [33-1808](#)).

Provisions

1. Includes the outdoor display of division flags of the Army, Navy, Marine Corps, Air Force, Space Force and Coast Guard in the list of flags that a condominium unit owners' association or a nonprofit corporation or unincorporated association of owners of a planned community cannot prohibit. (Sec. 1, 2)
2. Defines *division flag*. (Sec. 1, 2)
3. Makes technical and conforming changes. (Sec. 1, 2)

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



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: GOV DPA 4-3-0-0 | Third Read 16-11-3-0-0

House: GOV DP 4-3-0-0

SB 1435: schools; libraries; explicit materials; training

Sponsor: Senator Hoffman, LD 15

Caucus & COW

Overview

Prohibits a public library employee or independent contractor from referring an unemancipated minor to any sexually explicit material. Makes public schools and Arizona public library employees, or their independent contractors, who violate the prohibition guilty of a class 5 felony.

History

An Arizona public school cannot refer students to or use any sexually explicit material in any manner. Certain materials are exempted from the prohibition if all of the following apply: 1) the material possesses serious educational value for minors or possesses serious literary, artistic, political or scientific value; 2) the public school requires written parental consent prior to referring students to or using exempted material; and 3) the public school provides students who did not receive parental consent an alternative assignment. *Sexually explicit materials* include textual, visual or audio materials or materials accessed via any other medium that depict any of the following: 1) sexual conduct; 2) sexual excitement; or 3) ultimate sexual acts ([A.R.S. § 15-120.03](#)).

Provisions

1. Makes public schools and Arizona public library employees or their independent contractors who act with criminal negligence and violate the prohibition on referring students or unemancipated minors to sexually explicit material, guilty of a class 5 felony. (Sec. 1, 3)
2. Prohibits an Arizona public library employee or independent contractor from referring or facilitating access to any sexually explicit material in any manner to an unemancipated minor. (Sec. 3)
3. Requires each public school and public library employee or independent contractor to sign a form acknowledging they have read the prohibitions on referring students to sexually explicit material. (Sec. 1, 3)
4. Defines pertinent terms. (Sec. 3)
5. Contains implementation provisions. (Sec. 4)
6. Makes technical and conforming changes. (Sec. 1, 2)

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



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: GOV DPA 4-3-0-0 | Third Read 16-11-3-0-0

House: GOV DP 4-3-0-0

SB 1567: sexually explicit materials; government; prohibition

Sponsor: Senator Hoffman, LD 15

Caucus & COW

Overview

Prohibits Arizona, outlined entities and their contractors from exposing minors to sexually explicit materials or using a facility owned, leased or managed by such entities for filming or facilitating sexually explicit acts.

History

An Arizona public school cannot refer students to or use any sexually explicit material in any manner. Certain materials are exempted from the prohibition if all of the following apply: 1) the material possesses serious educational value for minors or possesses serious literary, artistic, political or scientific value; 2) the public school requires written parental consent prior to referring students to or using exempted material; and 3) the public school provides students who did not receive parental consent an alternative assignment. *Sexually explicit materials* include textual, visual or audio materials or materials accessed via any other medium that depict any of the following: 1) sexual conduct; 2) sexual excitement; or 3) ultimate sexual acts ([A.R.S. § 15-120.03](#)).

A class 5 felony's penalties vary depending on prior felony offenders, dangerous crimes or dangerous crimes against children. A typical first time felony offender's sentence for a class 5 felony includes a range of nine months to two years in prison and up to three years of probation ([A.R.S. §§ 13-702, 13-902](#)).

Provisions

1. Prohibits Arizona, an Arizona agency, municipality, county, political subdivision or their contractors from exposing minors to sexually explicit materials. (Sec. 1)
2. Prevents a facility or property owned, leased or managed by such persons or entities from being used for filming or facilitating sexually explicit acts. (Sec. 1)
3. Classifies an individual acting with criminal negligence in violation of this legislation as guilty of a class 5 felony. (Sec. 1)
4. Directs Arizona, an Arizona agency, municipality, county or political subdivision to require any employee or independent contractor of such entities to sign a form acknowledging that they have read this legislation. (Sec. 1, 2)
5. Asserts that this legislation does not apply to sexually explicit materials that may be displayed or discussed in connection with a court proceeding when a minor has a legal right or obligation to be present. (Sec. 1)
6. Defines pertinent terms. (Sec. 1)

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



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: RAGE DP 4-2-1-0 | Third Read 16-10-4-0-0

House: GOV DP 4-3-0-0

SB 1586: state agencies; guidance; website

Sponsor: Senator Bolick, LD 2

Caucus & COW

Overview

Outlines posting requirements for the guidance that Arizona agencies create, adopt or receive from a federal agency.

History

The Arizona Administrative Register (Register) is Arizona's official publication of rulemaking notices filed with the Secretary of State. The Secretary of State is required to electronically publish the Register at least once a month. The Register includes notices of agency guidance document or revisions to such documents. The notice must contain the name, a summary of the document and information where an individual can view the full document (A.R.S. §§ [41-1001](#), [41-1013](#)).

Provisions

1. Directs each Arizona agency to create a dedicated page on their website and post all guidance that it creates, develops or adopts. (Sec. 2)
2. Instructs each Arizona agency to post all guidance that it receives from a federal agency if the federal guidance:
 - a. seeks to influence the Arizona agency's interpretation, enforcement or implementation of Arizona laws, rule or policies or the agency's administration of federal funds; or
 - b. provides recommendations or instructions to the Arizona agency on compliance with federal laws or regulations. (Sec. 2)
3. Requires each Arizona agency that posts such information to include the following:
 - a. the full text or an electronic copy of the guidance;
 - b. the date the Arizona agency created or received the guidance; and
 - c. a brief summary of the content of the guidance and its potential impact on the Arizona agency's operations or policies. (Sec. 2)
4. Directs each Arizona agency to post all guidance within 30 days after creating or adopting the guidance or receiving the guidance from a federal agency. (Sec. 2)
5. Instructs each Arizona agency to do the following, in the case that any guidance received from a federal agency is marked as confidential or restricted:
 - a. post a notice on the Arizona agency's website indicating the guidance's existence and the reason it cannot be disclosed to the public; and
 - b. seek clarification from the federal agency if any portion of the guidance can be disclosed. (Sec. 2)
6. Stipulates that this legislation does not apply to any personally identifiable information or sensitive security information or any internal Arizona agency communications relating to a guidance from a federal agency. (Sec. 2)
7. Requires each Arizona agency to submit an annual report by December 31 each year to the President of the Senate and the Speaker of the House of Representatives regarding the Arizona agency's compliance with this legislation and any findings. (Sec. 2)
8. Makes a conforming change. (Sec. 1)

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



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57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: GOV DPA 4-1-2-0 | Third Read 16-10-4-0-0

House: GOV DP 4-3-0-0

SB 1665: state agencies; hiring practices; appeals

Sponsor: Senator Bolick, LD 2

Caucus & COW

Overview

Requires each Arizona agency to adopt a standardized hiring process for all employee positions and outlines an appeal process.

History

The State Personnel Board (Board) consists of five members appointed by the Governor with no more than three members of the same political party. One member is required to be someone who has managed a component or unit of government or industry with more than 20 employees for more than five years, one member must be a professional personnel administrator, one a state of Arizona employee, one a person active in business and one member of the public. All members serve for a term of three years. Members may not become a candidate for any elective public office or accept any appointive office or employment in the State Personnel System, except the state of Arizona employee appointed. Members, except the person designated as the state employee, are eligible to receive compensation of \$100 for each meeting attended, prorated for partial days for each meeting attended. Further, the Board must hear and review appeals and may adopt rules it deems necessary for the administration of hearing and complaints (A.R.S. §§ [41-781](#), [41-782](#)).

Provisions

1. Directs each Arizona agency to adopt a standardized hiring process for all employee positions, including the following grading components:
 - a. weighted grade;
 - b. interview panel grade; and
 - c. overall grade. (Sec. 1)
2. Instructs agencies to consider the length and relevance of the candidate's experience and education, as well as any specific skills and certifications, to calculate their weighted grade. (Sec. 1)
3. Requires an additional numerical score for each candidate that participates in a formal interview. (Sec. 1)
4. Mandates a panel of at least two interviewers to conduct the interview. (Sec. 1)
5. Directs the weighted grade and the interview grade panel to be combined to create a final, overall grade out of 100 for each candidate. (Sec. 1)
6. Requires the scoring criteria and the method for combining the grades to be published in the job posting. (Sec. 1)
7. Instructs Arizona and each agency to complete the entire hiring process within 90 days. (Sec. 1)
8. Directs the Board to intervene to ensure the completion of the hiring process and the selection of a final candidate, in the case of the hiring process exceeding 90 days. (Sec. 1)
9. Mandates an agency to provide written notice to each candidate who is eliminated from hiring consideration and the reason the candidate did not meet the requirements for consideration. (Sec. 1)
10. Allows any candidate who participated in the weighted grade and the interview panel grade and was not hired to appeal the hiring decision to the Board if both the following occur:
 - a. the appeal is made within three business days after the final hiring decision announcement; and

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- b. the appeal is based on a claim that the hiring process for all positions was not followed, the agency's hiring of another candidate was arbitrary considering their overall grade or that the process exceeded 90 days. (Sec. 1)
11. Directs the Board to review the grades and documentation of the appealing candidate and the selected candidate in order to determine if the hiring decision violated this legislation. (Sec. 1)
 12. Permits the Board, if a violation is found, to direct the agency to reconsider the decision or take any other appropriate action, including appointing a hearing officer to conduct an administrative review. (Sec. 1)
 13. Allows the Board to require an agency to do all of the following:
 - a. reopen the hiring process;
 - b. modify the job posting; and
 - c. take any other necessary actions to comply with this legislation. (Sec. 1)
 14. Stipulates that this legislation does not apply to the following:
 - a. the Governor's Office; or
 - b. any members of a board or commission appointed by the Governor. (Sec. 1)
 15. Permits any candidate to be directly hired by an agency if the candidate meets a weighted numeric grade of at least 90. (Sec. 1)
 16. Requires the hiring decision and specific position filled to be announced through the agency's official website. (Sec. 1)
 17. Asserts that any candidate, internal or external, can appeal the direct hire. (Sec. 1)
 18. Cites the legislation as the *State Agency Hiring Reform Act*. (Sec. 2)



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: HHS DP 7-0-0-0 | Third Read 23-5-2-0

House: HHS DPA 12-0-0-0

SB 1113: service of process; evaluation agencies

Sponsor: Senator Werner, LD 4

Caucus & COW

Overview

Authorizes the court, in court-ordered evaluation or treatment proceedings, to permit a screening or evaluation agency employee to serve required legal documents on a proposed patient admitted to the agency when the petition is filed.

History

Current law establishes procedures under which individuals may be evaluated, admitted and treated by designated mental health providers, either voluntarily or pursuant to a court order. These providers include approved evaluation agencies and licensed mental health treatment agencies. Court-ordered evaluation involves two behavioral health professionals conducting a comprehensive assessment to determine whether the individual is: 1) a danger to self; 2) a danger to others; 3) persistently or acutely disabled; or 4) gravely disabled. The evaluation examines the severity of the individual's mental or behavioral health condition, as well as the individual's capacity to function and provide for their own care. If the evaluators conclude that the individual meets any of these statutory criteria, they must submit their findings to the superior court in the county of residence for a judicial determination as to whether court-ordered treatment is warranted (A.R.S. [Title 36, Chapter 5: AHCCCS](#)).

Statute provides that individuals ordered to undergo an involuntary evaluation and individuals who are the subject of a petition for court-ordered treatment are entitled to personal service of required petitions, notices and related documents. Personal service requires that the documents be physically delivered to the individual by a peace officer, a process server or another person authorized under the Arizona Rules of Civil Procedure. The person completing service must file proof of service with the court, including the date, time and method of service. Evaluation agencies are not responsible for the costs associated with serving these documents (A.R.S. § [36-510.01](#)).

Provisions

1. Permits the court, in proceedings for court-ordered evaluation or court-ordered treatment, to authorize an employee of a screening or evaluation agency to serve required petitions, notices and related documents on a proposed patient who is admitted to a screening or evaluation agency at the time the petition for evaluation or treatment is filed. (Sec. 1)
2. Permits a person prescribed by law or court rule, or as ordered by the court, to provide personal service of documents relating to court-ordered treatment and court-ordered evaluation, rather than a person authorized by the Arizona Rules of Civil Procedure. (Sec. 1)
3. Adds that screening agencies are not financially responsible for the service of documents. (Sec. 1)
4. Makes technical and conforming changes. (Sec. 1)

Amendments

Committee on Health & Human Services

1. Specifies that a county, city or town that employs peace officers may contract with a screening agency or evaluation agency to provide the personal service.
2. Clarifies that an evaluation agency or screening agency may only receive reimbursement for the service of documents pursuant to a contract with a county.

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



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: HHS DP 6-0-1-0 | Third Read 29-1-0-0

House: HHS DP 12-0-0-0

SB 1123: medical examiners; authorized persons

Sponsor: Senator Werner, LD 4

Caucus & COW

Overview

Requires a licensed physician supervising autopsies performed by medical students, residents or pathology fellows to be trained in forensic pathology, rather than board-certified in forensic pathology.

History

County medical examiners oversee death investigations within their jurisdiction, determine and certify the cause and manner of death and conduct autopsies. A county medical examiner may authorize a forensic pathologist to perform an autopsy. A forensic pathologist certified in forensic pathology by the American Board of Pathology may delegate the performance of autopsies and related duties to medical students, residents or fellows in pathology training, provided the work is conducted under the pathologist's supervision (A.R.S. § [11-594](#)).

Certification by the American Board of Pathology indicates that a physician has satisfied the education, training and examination standards required to demonstrate competency in pathology. Eligibility for certification requires graduation from an accredited medical school, completion of an accredited pathology residency program, possession of a current medical license and successful passage of the board's examinations. Maintaining certification requires ongoing continuing education and periodic evaluations to ensure continued professional proficiency ([ABPath](#)).

Provisions

1. Requires a licensed physician to be trained, rather than board-certified, in forensic pathology in order to supervise autopsies performed by medical students or residents and fellows in pathology training. (Sec. 1)
2. Specifies that medical students, residents or fellows in pathology training, under the supervision of a licensed physician who is trained in forensic pathology, may perform outlined functions of the county medical examiner. (Sec. 2-3)
3. Makes technical and conforming changes. (Sec. 2-3)

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



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: HHS DP 6-0-1-0 | Third Read 30-0-0-0

House: HHS DP 12-0-0-0

SB 1125: DCS; memorandum of understanding; tribes

Sponsor: Senator Werner, LD 4

Caucus & COW

Overview

Directs the Department of Child Safety (DCS) to make efforts on an annual basis to enter into a Memorandum of Understanding (MOU) with each Indian Tribe in Arizona that does not have an MOU and outlines requirements for the MOU.

History

The primary purpose of DCS is to protect children. To achieve this, DCS will do and focus equally on: 1) investigating reports of abuse and neglect; 2) assessing, promoting and supporting the safety of a child in a safe and stable family or other appropriate placement in response to allegations of abuse and neglect; 3) cooperating with law enforcement regarding reports that include allegations of criminal conduct; and 4) coordinating services to achieve and maintain permanency for the child, strengthen the family and provide prevention, intervention and treatment services without compromising the child's safety (A.R.S. § [8-451](#)).

The Indian Child Welfare Act permits states and tribes to develop agreements regarding the care and custody of Indian children. These agreements can allow for the orderly transfer of jurisdiction on individual cases and may also provide for shared jurisdiction between states and tribes. Currently, DCS has an MOU with the Pascua Yaqui Tribe and memoranda of agreement with the Navajo Nation, Salt River Pima-Maricopa Indian Community, and White Mountain Apache Tribe ([Arizona ICWA Guide 2024](#)).

Provisions

1. Requires DCS to make efforts on an annual basis to enter into a MOU with each Indian Tribe located in Arizona that does not have a current MOU with DCS. (Sec. 1)
2. Specifies that the MOU must:
 - a. require DCS to share best practices, policies, training materials and operational standards relating to the administration of DCS, as outlined;
 - b. identify a designated DCS tribal liaison who is assigned to the specific tribe that is a party to the MOU; and
 - c. establish a process that allows the tribe that is a party to the MOU to access regulatory and licensing actions, investigations and enforcement measures taken by DCS against any licensed group home in which a child who is a member of the tribe is placed. (Sec. 1)
3. Specifies that the designated DCS tribal liaison will coordinate communication with the tribe, provide technical assistance and support collaboration with the tribe on child welfare matters. (Sec. 1)
4. Requires a tribe that is a part of an MOU to have access to all of the following:
 - a. corrective action plans;
 - b. licensing sanctions or suspensions;
 - c. substantiated health and safety violations;
 - d. any other regulatory actions related to child welfare, safety or care standards. (Sec. 1)

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



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: HHS DP 5-0-2-0 | Third Read 24-3-3-0

House: HHS DP 8-2-0-2

SB 1188: approved medications; scheduling; prescription authority

Sponsor: Senator Shope, LD 16

Caucus & COW

Overview

Conforms Arizona's controlled substance schedules with federal scheduling by providing that any compound, mixture or preparation approved by the U.S. Food and Drug Administration (FDA) and scheduled or rescheduled by the U.S. Drug Enforcement Administration (DEA) automatically receives the same classification under Arizona law and may be prescribed unless classified as a Schedule I substance.

History

The federal Controlled Substances Act (CSA) classifies substances into five schedules based on medical use, abuse potential, and risk of dependence. FDA-approved substances that the DEA schedules or reschedules are assigned a corresponding federal schedule ([U.S. DEA](#); 21 USC §§ [355](#) and [811](#)).

Current law requires the Arizona State Board of Pharmacy (Board) to incorporate the DEA's federal drug schedules into its rules and to update those rules whenever federal schedule changes occur (A.R.S. §§ [36-2512](#) through [36-2516](#)).

Provisions

1. States that notwithstanding any other law to the contrary and without any further action by the Board:
 - a. any compound, mixture or preparation that is approved by the FDA and scheduled or rescheduled by the DEA is assigned the identical schedule under Arizona law; and
 - b. any compound, mixture or preparation that is approved by the FDA and scheduled or rescheduled by the DEA to a schedule other than Schedule I of the CSA is a controlled substance under Arizona law and may be prescribed. (Sec. 1)

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ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: DPA 6-0-1-0 | Third Read 26-0-4-0

House: HHS DP 10-0-0-2

SB 1193: personal identifying information; disclosure; prohibition

Sponsor: Senator Payne, LD 27

Caucus & COW

Overview

Prohibits the Department of Health Services (DHS) from disclosing personal identifying information of an emergency medical care technician (EMCT), unless consent is received from the EMCT.

History

An *EMCT* is an individual who has been certified by DHS as an EMCT, an advanced EMCT, an EMCT I-99 or a paramedic. DHS is responsible for the certification of EMCTs in Arizona who have completed the necessary certification requirements (A.R.S. § [36-2201](#) and [36-2202](#)).

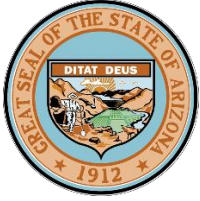
Information, documents and records received or prepared by DHS in connection with an investigation conducted that relates to EMCTs are confidential and are not subject to public inspection or civil discovery. The results of the investigation and the decision of DHS are available to the public after the investigation is completed and the investigation file is closed (A.R.S. § [36-2220](#)).

All public officers and public bodies are required to create and retain records reasonably necessary to provide an accurate account of their official actions and any activities funded by state or local public monies. Each officer or entity is responsible for the proper preservation, maintenance, and safeguarding of its public records. Any person may submit a public records request, as authorized by law, to inspect or obtain copies, printouts, or photographs of public records. The designated records custodian must promptly respond to and fulfill such requests. A request is considered denied if the custodian fails to provide a timely response in accordance with statutory requirements (A.R.S. §§ [39-101](#) and [39-121.01](#)).

Provisions

1. Prohibits DHS from selling or disclosing any personal identifying information of an EMCT. (Sec. 1)
2. Deems the personal identifying information of an EMCT confidential and exempt from public records laws if the request is made for a commercial purpose. (Sec. 1)
3. Allows DHS to disclose personal identifying information of an EMCT with their consent, including information that may be disclosed and the purposes for the disclosure. (Sec. 1)
4. Allows DHS to disclose information that has been de-identified or in an aggregated form and does not reasonably allow the identification of an EMCT. (Sec. 1)
5. Defines *personal identifying information*. (Sec. 1)

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



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: JUDE DP 7-0-0-0 | Third Read 22-5-3-0

House: HHS DP 10-0-0-2

SB 1243: court-ordered treatment; guardians; notice; release

Sponsor: Senator Angius, LD 30

Caucus & COW

Overview

Includes guardians of court-ordered patients among those the medical director of a mental health agency must notify before a patient's release or discharge. Makes modifications to the information that is included on a demand for notice and establishes procedures to allow the guardian of a patient to submit an application to continue court-ordered treatment.

History

Current law defines a *mental disorder* as a substantial disorder of a person's emotional processes, thought, cognition or memory and is distinguished from: 1) conditions that are primarily those of drug abuse, alcoholism or intellectual disability, unless the person has a mental disorder; 2) the declining mental abilities that directly accompany impending death; and 3) character and personality disorders characterized by lifelong and deeply ingrained antisocial behavior patterns, including sexual behaviors that are abnormal and prohibited by statute unless the behavior results from a mental disorder (A.R.S. § [36-501](#)).

If, following a petition and hearing for court-ordered treatment, the court determines by clear and convincing evidence that a patient's mental disorder makes them a danger to themselves or others, or causes a persistent, acute, or severe disability, and the patient is unwilling or unable to accept voluntary treatment, the court must order one of the following: 1) outpatient treatment; 2) combined inpatient and outpatient treatment; or 3) inpatient treatment at a hospital-based mental health treatment agency, as specified (A.R.S. § [36-540](#)).

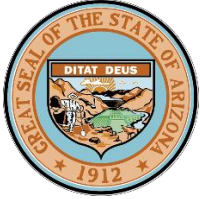
A court-ordered patient may be released from treatment before the end of the court-ordered period if the medical director determines that, due to the patient's mental disorder, they are no longer a danger to themselves or others and no longer have a persistent, acute, or grave disability. Before releasing or discharging the patient, the medical director must notify: 1) the presiding judge who issued the treatment order; 2) any relative or victim who has requested notice from the treatment agency; and 3) any person the court has identified as having a legitimate interest in receiving notice (A.R.S. § [36-541.01](#)).

Provisions

1. Permits a guardian and, if relevant, a regional behavioral health authority to waive the 10-day notice requirement regarding the intended release of a patient who no longer requires the level of care offered by a mental health treatment agency. (Sec. 1)
2. Directs the medical director, at least 10 days before the early release of a patient under guardianship, to notify the guardian that the mental health treatment agency intends to release the patient from treatment and that in the medical director's opinion the patient no longer, as a result of a mental disorder:
 - a. is a danger to self or others; or
 - b. has a persistent or acute disability or a grave disability. (Sec. 1)
3. Adds that a guardian is not required to file a demand for notice of early release of a patient as prescribed. (Sec. 1)
4. Adds the guardian of a patient who is court-ordered to treatment to the list of persons to be notified before:
 - a. the patient's release or discharge; or
 - b. before the expiration of the court-ordered treatment period. (Sec. 1)

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

5. Adds that if a patient is undergoing court-ordered treatment the patient is prohibited from being released or discharged from treatment before the expiration of the period for court-ordered treatment unless the medical director of the mental health treatment agency first gives notice as specified. (Sec. 1)
6. Specifies that a demand for notice by a relative or victim and petitions for notice by other persons must be filed with the court in addition to being made on a form prescribed by the Arizona Health Care Cost Containment System. (Sec. 1)
7. Makes modifications to the information listed on a demand for notice to:
 - a. provide the full name for the patient court ordered to treatment, rather than only those court ordered as a danger to self or others or pursuant to court order finding that the patient is dangerous and incompetent to stand trial;
 - b. specify the familial relationship between the patient and the person seeking notice; and
 - c. require the factual basis for the person's claim that the person is a victim who is entitled to notice. (Sec. 1)
8. Requires the court to determine that the relative or victim filing a demand for notice is entitled to notice before ordering the medical director to provide notice prior to the release of the patient or expiration of the court-ordered period of treatment. (Sec. 1)
9. Includes independent examiners in the list of persons to whom the medical director must provide a patient's records when a hearing is held to determine whether the standard for release of the patient before the expiration for court-ordered treatment has been met. (Sec. 1)
10. Specifies that the court must order the patient to continue treatment until the expiration of the court order if the court determines that the standard for release has not been met. (Sec. 1)
11. Requires a mental health treatment agency, as part of the agency's annual review in determining whether a continuation of court-ordered treatment is appropriate, to solicit, accept and consider information from persons with a significant relationship to the patient and that is relevant to the patient's behavior during and before the court-ordered treatment. (Sec. 2)
12. Directs the mental health treatment agency to notify a patient's guardian at least 30 days before the expiration of court-ordered treatment if the medical director decides not to file an application to continue court-ordered treatment. (Sec. 2)
13. Permits a patient's guardian to:
 - a. request that an independent evaluation of the patient be performed if the medical director decides not to file an application for continued court-ordered treatment; and
 - b. at least 15 days before the expiration of the court order for treatment, file an application with the court for continued court-ordered treatment that alleges the basis for the application. (Sec. 2)
14. Instructs a patient's guardian to simultaneously file, with an application to continue court-ordered treatment, any psychiatric examination conducted on the patient to support the application. (Sec. 2)
15. Requires an application and hearing to continue court-ordered treatment that is initiated by a guardian of a patient to comply with the procedures prescribed for applications to continue court-ordered treatment that are filed by the medical director. (Sec. 2)
16. Makes technical and conforming changes. (Sec. 1-2)



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: HHS DP 6-0-1-0 | Third Read 26-1-3-0

House: HHS DP 11-0-0-1

SB 1318: mammography results; notice; repeal

Sponsor: Senator Angius, LD 30

Caucus & COW

Overview

Repeals statute that requires health care institutions or health care facilities to send a notice to a patient that is categorized as having heterogeneously or extremely dense breasts based on the Breast Imaging Reporting and Data System (Bi-RADS).

History

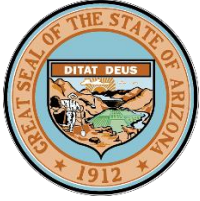
Current law requires a health care institution or health care facility that performs mammography examinations and categorizes a patient as having heterogeneously dense breasts or extremely dense breasts based on the Bi-RADS established by the American College of Radiology to include in the summary of the mammography report that is sent to the patient the following notice:

Your mammogram indicates that you have dense breast tissue. Dense breast tissue is common and is found in 50% of women. However, dense breast tissue can make it more difficult to detect cancers in the breast by mammography and may also be associated with an increased risk of breast cancer. This information is being provided to raise your awareness and to encourage you to discuss with your health care providers your dense breast tissue and other breast cancer risk factors. Together, you and your physician can decide if additional screening options are right for you. A report of your results was sent to your physician.

Statute specifies that this requirement does not: 1) create or impose liability on a health care institution or health care facility for failing to comply with the notice requirements; 2) create a duty of care or other legal obligation beyond the duty to provide notice; or 3) require a notice that is inconsistent with the federal Mammography Quality Standards Act or any regulations promulgated pursuant to the federal law (A.R.S. § [36-415](#)).

Provisions

1. Repeals statute that requires health care institutions or health care facilities to send the specified notice to a patient that is categorized as having heterogeneously or extremely dense breasts based on the Bi-RADS. (Sec. 1)



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: RAGE DPA 6-0-1-0 | Third Read 27-0-3-0

House: HHS DPA 10-0-0-2

SB 1477: assisted living facilities; referral agents

Sponsor: Senator Bolick, LD 2

Caucus & COW

Overview

Establishes disclosure and insurance requirements for assisted living referral agencies.

History

An assisted living referral agency must inform a prospective resident or the resident's authorized representative of the following at the time a referral is made to an assisted living facility or home: 1) any business, financial, ownership, or family relationship between the referral agency and the assisted living facility or home; 2) that the assisted living facility or home pays a fee to the referral agency for making the referral; and 3) the amount of the fee, or a good faith estimate of it, that the assisted living facility or home will pay the referral agency. The fee may be described as a specific dollar amount or as a percentage of the prospective resident's first month's rent and care charges. The prospective resident may terminate all services provided by the referral agency at any time by giving written or electronic notice. Once the agency receives the termination notice, it may not charge a fee for the resident's move-in occurring after the notice, except in cases specifically allowed by law.

Within 14 days of a resident being admitted to an assisted living facility or home, the facility or home must notify the referral agency if it has a contract with that agency. The referral agency then has 14 days from receiving this notice to provide the facility or home with a written, electronic, or recorded copy of the disclosures given to the resident and the resident's acknowledgement of receiving those disclosures, including the date and time they were provided. The assisted living facility or home must keep a copy of the disclosure for the duration of the resident's stay. The referral agency must retain a copy of the disclosure and acknowledgement for one year. The facility or home may not pay any referral fee for the resident until it has received the required disclosure and the resident's acknowledgement.

A referral agency that violates these requirements are subject to a civil penalty of up to \$1,000 per violation. The Attorney General or a county attorney may institute a proceeding in superior court to recover the civil penalty and to restrain and enjoin a violation. A civil penalty recovered must be deposited into the general fund of the jurisdiction that prosecuted the violation (A.R.S. § [36-446.14](#)).

Provisions

1. Directs a referral agency to either:
 - a. provide documentation to the assisted living facility or home that the referral agency is not on the adult protective services registry; or
 - b. annually verify through contract or policy and procedures that the agency uses a nationally accredited service provider to obtain criminal history record information for new employees who have direct contact with consumers or that physically enter assisted living facilities or homes for the purpose of making referrals. (Sec. 1)
2. Requires a referral agency to procure the following insurance from an insurer authorized to do business in Arizona:
 - a. commercial general liability insurance in an amount of at least \$1,000,000 per occurrence and \$3,000,000 in the aggregate; and
 - b. professional liability insurance in an amount of at least \$1,000,000 per occurrence and \$3,000,000 in the aggregate. (Sec. 1)
3. Makes technical and conforming changes. (Sec. 1)

Amendments

Committee on Health & Human Services

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

1. Makes technical changes.



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: JUDE DP 4-2-1-0 | Third Read 16-11-3-0-0

House: JUD DP 5-2-0-2

SB 1039: attorney discipline investigations; costs

Sponsor: Senator Finchem, LD 1

Caucus & COW

Overview

Adds loss of earnings to the list of recoverable expenses for attorneys who prevail in an attorney disciplinary matter and allows the prevailing attorney to file a claim against the State Bar of Arizona for reputational harm.

History

The Supreme Court of Arizona is responsible for and establishes rules regarding the regulation of the practice of law in Arizona. This includes establishing the State Bar of Arizona, regulating its members and, if needed, outlines a process for the State Bar to discipline an attorney for unprofessional conduct or for violating court rules ([Supreme Court of Arizona](#)).

If an attorney who is the subject of an attorney discipline matter prevails, statute directs that the State Bar of Arizona is responsible for paying the prevailing attorney all attorney fees and court costs. Court costs include the cost of all stages of the investigation, discipline process and, if applicable, any court litigation and appeal ([A.R.S. § 12-353](#)).

Provisions

1. Includes loss of earnings in the damages that must be paid to an attorney by the State Bar of Arizona if he prevails in an attorney discipline matter and allows him to file a claim against the State Bar if he suffers damage to his reputation. (Sec. 1)
2. Specifies that *loss of earnings* is calculated during the time-period that covers all stages of the investigation, discipline process, court litigation and appeals process. (Sec. 1)
3. Allows the prevailing attorney to file a claim against the State Bar if he suffered damage to his reputation. (Sec. 1)
4. Makes technical and conforming changes. (Sec. 1)

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



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: JUDE DP 4-2-1-0 | Third Read 16-11-3-0-0

House: JUD DP 6-2-0-1

SB 1061: fentanyl; sale amount; nine grams

Sponsor: Senator Rogers, LD 7

Caucus & COW

Overview

Reduces the threshold for fentanyl that is involved in a sale, for the charge to meet enhanced sentencing requirements.

History

Under [A.R.S. § 13-3408](#), if a person possesses or uses a narcotic drug, he is guilty of a class 4 felony. If a person possesses or transports a narcotic drug for sale, he is guilty of a class 2 felony. If a person possesses or transports more than 200 grams of fentanyl for sale, for a first offence he is to be sentenced according to the following enhanced sentencing schema:

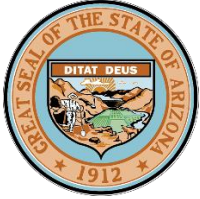
- 1) minimum sentence of 5 years;
- 2) presumptive sentence of 10 years; or
- 3) maximum sentence of 15 years.

If the individual has been previously convicted of possessing or transporting more than 200 grams of fentanyl for sale, the minimum, presumptive and maximum sentences are enhanced by five years each.

Provisions

1. Lowers the fentanyl quantity threshold at which enhanced sentencing applies, for possessing or transporting fentanyl for sale, from 200 grams to 9 grams. (Sec. 1)
2. Makes technical changes. (Sec. 1)

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



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: JUDE DP 4-3-0-0 | Third Read 16-12-2-0-0

House: JUD DP 6-2-0-1

SB 1068: disruption; educational institution; concealed weapon

Sponsor: Senator Rogers, LD 7

Caucus & COW

Overview

Limits the authority of a university, college or community college (postsecondary institution) governing board to prohibit a person from lawfully possessing a concealed weapon under a valid permit or transporting a firearm in the person's motor vehicle on campus.

History

Current law requires the governing board of every educational institution to adopt and enforce rules pursuant to Title 41, Chapter 6, for the purpose of maintaining order and public safety. Any weapon, dangerous instrument or explosive that is found to violate the educational institution's regulations established by the board is subject to forfeiture pursuant to [A.R.S. § 13-3105](#) and A.R.S. Title 13, Chapter 39.

Educational institution is defined as any university, college, community college, high school or common school in the state of Arizona. Property of an educational institution is defined to include any land, buildings or other facilities that are owned, operated or controlled by the board of an educational institution and devoted to educational purposes ([A.R.S. § 13-2911](#)).

Provisions

1. States that the board of any postsecondary institution may not prohibit:
 - a. the possession of a concealed weapon by an individual who possesses a valid concealed weapons permit; or
 - b. the properly secured transportation or storage of a firearm in a motor vehicle or motorcycle. (Sec. 1)
2. Makes technical and conforming changes. (Sec.1)

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ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: JUDE DP 4-3-0-0 | Third Read 17-10-3-0-0

House: JUD DP 6-2-0-1

SB 1069: prohibited weapons; muffling device; repeal

Sponsor: Senator Rogers, LD 7

Caucus & COW

Overview

Excludes suppressors from the definition of *prohibited weapon*.

History

In the Arizona Criminal Code, a *prohibited weapon* is defined to include:

- 1) bombs, grenades, landmines and rockets with more than four ounces of propellant;
- 2) suppressors made to muffle the sound of a firearm;
- 3) fully automatic firearms;
- 4) short barreled rifles and shotguns;
- 5) breakable containers with flammable liquids and a wick (commonly called Molotov cocktails);
- 6) chemical explosives;
- 7) improvised explosive devices; and
- 8) parts or materials designed and intended to make bombs or explosives ([A.R.S. § 13-3101](#)).

Statute specifies that bombs, suppressors, fully automatic firearms and short barreled firearms do not fall within the definition of *prohibited weapon*, if they are possessed and manufactured in compliance with federal law ([A.R.S. § 13-3101](#)).

A person can commit *misconduct involving weapons* by knowingly manufacturing, possessing, transporting, selling or transferring a prohibited weapon; this offence is a class 4 felony ([A.R.S. § 13-3102](#)).

Provisions

1. Removes a device that is designed, made or adapted to muffle the report of a firearm from the definition of a *prohibited weapon*. (Sec. 1)
2. Makes conforming changes. (Sec. 1, 2)

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



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: JUDE DPA/SE 4-3-0-0 | Third Read 16-12-2-0-0

House: JUD DP 6-2-0-1

[SB 1099](#): defamation; elements; review

Sponsor: Senator Carroll, LD 28

Caucus & COW

Overview

Establishes statutory elements for determining if a person has committed an act of defamation, with varying requirements based on if the person is a private or public figure and if the matter is of private or public concern.

History

Currently, the general elements of defamation are not provided in statute, with courts using the traditional common-law definition to adjudicate defamation cases. However, the [Civil Jury Instruction Committee of the State Bar of Arizona](#) does provide instructions to juries that outline the elements of defamation.

For defamation cases involving suits by public figures or public officials or suits involving a matter of public concern juries are instructed that the plaintiff must prove *by clear and convincing evidence* that the defendant acted with *actual malice*, i.e., that the defendant knew that the statement was false or acted in *reckless disregard* of whether it was true or false. For all other cases, a common-law *negligence* standard applies. In both *actual malice* cases and *negligence* cases, juries are also instructed that the plaintiff must also show *by a preponderance of the evidence* that:

1. the defendant made, said, or wrote a defamatory statement of fact about plaintiff;
2. the statement was false;
3. the defendant made, said, or wrote the statement to a third person; and
4. the statement caused the plaintiff's reputation to be damaged ([RAJIs \(Civil\) 5th ed., Defamation Instructions](#)).

While no general elements of defamation are in statute, the elements for defamation against an employer are defined. A person commits defamation of an employer by doing all of the following:

1. maliciously making a false statement about the employer to a third party without privilege;
2. knowingly, recklessly or negligently disregarding the falsity of the statement;
3. causing damage to the employer by the false statement ([A.R.S. § 23-1325](#)).

Provisions

1. Establishes that a person commits defamation if the plaintiff is a private figure, the matter is of private or public concern and the plaintiff shows all the following exist:
 - a. the person publishes a statement that is:
 - i. provable as false; or
 - ii. reasonably perceived as stating actual facts about the plaintiff rather than imaginative expression or rhetorical hyperbole;
 - b. the person makes the statement with knowledge of its falsity, acts with reckless disregard of the statement's falsity or negligently fails to ascertain the statements falsity; and
 - c. the statement, when examined within the full context in which it was made, injures the plaintiffs reputation by doing any of the following:
 - i. identifying the plaintiff by name;
 - ii. including a description of or reference to the plaintiff so that those who hear or read the statement reasonably understand the plaintiff to be the subject of the message; or
 - iii. implying a clearly defamatory meaning that, when examined within its context, causes the average person to perceive a defamatory message. (Sec. 1)

2. Establishes that a person commits defamation if the plaintiff is a public figure, the matter is of public concern and the

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

plaintiff shows all the aforementioned elements, except that the plaintiff must prove either that the person makes the statement with knowledge of its falsity or acts with reckless disregard of the statement's falsity. (Sec. 1)

3. Stipulates that if a plaintiff brings a defamation suit under this legislation involving a statement that was published on the internet, the suit must be brought within one year of the date the defendant removes the defamatory statement from the internet site or internet-based platform where the statement was originally made. (Sec. 1)
4. Defines pertinent terms. (Sec. 1)



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: JUDE DPA 7-0-0-0 | Third Read 27-0-3-0-0

House: JUD DP 7-0-1-1

SB 1127: duty to report; abuse; neglect

Sponsor: Senator Werner, LD 4

Caucus & COW

Overview

Requires any mandatory reporter with direct knowledge that a minor has been abused or neglected to report it to the Department of Child Safety (DCS) immediately and personally, rather than delegating the reporting to another person.

History

Arizona law mandates certain individuals — including health care professionals, counselors, social workers, school personnel, peace officers, parents and guardians — immediately report to law enforcement or DCS when they reasonably believe a minor has been the victim of abuse, neglect or other specified offenses. Failure to report by a mandatory reporter is a class 1 misdemeanor, elevated to a class 6 felony if the unreported matter involves certain sexual abuse offenses ([A.R.S. § 13-3620](#)).

Provisions

1. Specifies that a mandatory reporter who has direct knowledge that a minor is the victim of abuse or neglect must immediately report such to DCS and may not delegate another person to make the report. (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

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: JUDE DP 4-3-0-0 | Third Read 16-11-3-0-0

House: JUD DP 6-2-0-1

SB 1148: supreme court; attorney licensing

Sponsor: Senator Finchem, LD 1

Caucus & COW

Overview

Mandates that the Supreme Court of Arizona must directly license attorneys in Arizona, restricts it from delegating this duty to any other organization and provides guidelines for rules it must adopt in order to carry out this duty.

History

Arizona attorney licensing and regulation, including admission and discipline, are controlled by the Arizona Supreme Court. Admissions are handled through the Court's [Attorney Admissions Unit](#), which processes applications and administers the Arizona Bar Examination. The Arizona Supreme Court Clerk's office is also responsible for supplying a Certificate of Admission to applicants once they have completed all admissions requirements ([Rules for the Supreme Court of Arizona](#)).

Provisions

1. Requires the Supreme Court of Arizona to directly license attorneys for the practice of law in Arizona and restricts it from delegating the duty to any other organization. (Sec. 1)
2. Directs the Supreme Court to adopt rules regarding:
 - a. minimum qualifications for licensure;
 - b. testing requirements;
 - c. requiring a background investigation before obtaining a license; and
 - d. the process for disciplining and, if necessary, disbaring attorneys. (Sec. 1)
3. Stipulates that an attorney must not be required to be a member of any non-governmental organization to become or remain a licensed attorney in Arizona. (Sec. 1)

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



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: GOV DP 6-1-0-0 | Third Read 23-5-2-0-0

House: JUD DP 7-0-1-1

SB 1271: businesses; crime reporting; penalty; prohibition

Sponsor: Senator Gowan, LD 19

Caucus & COW

Overview

Prohibits a municipality from imposing a fine or penalty on a business based on the frequency of requests for emergency services or on the monetary value of damaged or stolen property, unless the business has a documented history of frivolous, malicious or knowingly false requests.

History

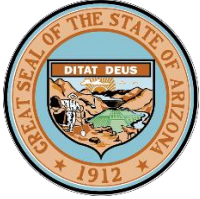
A person commits false reporting by initiating or circulating a report of a bombing, fire or other emergency knowing that such report is false and intending:

- 1) that it will cause action of any sort by an official or volunteer agency organized to deal with emergencies;
- 2) that it will place a person in fear of imminent serious physical injury; or
- 3) that it will prevent or interrupt the occupation of any building, room, place of assembly, public place or means of transportation ([A.R.S. § 13-2907](#)).

Provisions

1. Prohibits a municipality from implementing any rule that imposes any fine or penalty on a business or commercial entity that is based on any of the following:
 - a. the number of requests for public safety assistance or emergency services made by the business; or
 - b. the monetary value of the property that has been damaged or stolen. (Sec. 1)
2. Allows a municipality to do the aforementioned if:
 - a. the requests for public safety assistance or emergency services made by the business are malicious, frivolous or knowingly false; and
 - b. the municipality has provided written notice to the business that prior requests made by the business were determined to be malicious, frivolous or knowingly false. (Sec. 1)
3. Specifies that this legislation does not apply to faulty or nonemergency alerts from alarm systems. (Sec. 1)
4. Defines pertinent terms. (Sec. 1)

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



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: JUDE DP 7-0-0-0 | Third Read 27-0-3-0-0

House: JUD DP 7-0-1-1

SB 1426: unlawful occupants; forcible entry; detainer

Sponsor: Senator Rogers, LD 7

Caucus & COW

Overview

Amends the elements required for a person to be guilty of forcible detainer or forcible entry and detainer as well as the acts that constitute forcible detainer and directs the Supreme Court to adopt rules to expedite the resolution of forcible detainer claims.

History

A person is guilty of forcible entry and detainer, or of forcible detainer, as the case may be, if he: 1) makes an entry into any lands, tenements or other real property, except in cases where entry is given by law; 2) makes such an entry by force; and 3) willfully and without force holds over any lands, tenements or other real property after the termination of any rental or other agreement and after a written demand to vacate has been provided by the property owner ([A.R.S. § 12-1171](#)).

Statute also defines acts that constitute forcible detainer to include if:

- 1) a tenant whose tenancy has been terminated retains possession after termination or after receiving the landlord's written demand to vacate;
- 2) the tenant of a person who has made a forcible entry refuses for five days after a written demand to vacate has been provided by the property owner; or
- 3) a person who has made a forcible entry upon the possession of one who acquired such possession by forcible entry refuses for five days after a written demand to vacate has been provided by the property owner ([A.R.S. § 12-1173](#)).

Provisions

1. Removes the requirement that the property owner's demand to vacate be in writing for a person to be guilty of forcible entry and detainer or forcible detainer. (Sec. 1)
2. Expands the conditions which constitute forcible detainer to include a person who has made forcible entry on the possession of one who acquired such possession by forcible entry if the person refuses a reasonable request to leave, and all the following apply:
 - a. the requesting person is the property owner or his authorized agent;
 - b. the property includes a residential dwelling or is being used for residential purposes;
 - c. an unauthorized person is unlawfully occupying the property;
 - d. the property owner has directed the unauthorized person to leave;
 - e. the property was not open to the public at the time the unauthorized person entered the property;
 - f. the unauthorized person is not a current or former tenant at that property;
 - g. the unauthorized person did not have a prior verbal or written agreement to cohabitate with the property owner in that residential dwelling;
 - h. the unauthorized person is not an immediate family member of the property owner; and
 - i. there is no litigation pending between the property owner and the unauthorized person. (Sec. 2)
3. Stipulates that the court is to issue a writ of restitution immediately after the court signs any judgment against the unauthorized person, if the aforementioned conditions are met. (Sec. 2)
4. Directs the Supreme Court to adopt rules for the expeditious resolution of claims involving forcible detainers. (Sec. 2)

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

5. Makes technical changes. (Sec. 1, 2)



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: PS DP 7-0-0-0 | Third Read 23-4-3-0-0

House: JUD DPA 6-1-1-1

SB 1448: aggravated assault; utility workers

Sponsor: Senator Shope, LD 16

Caucus & COW

Overview

Amends the aggravated assault statute to include if a person commits assault knowing the victim is a public utility worker, a licensed telecommunications provider or a licensed video service provider.

History

Under the current criminal code, a person commits assault by doing any of the following:

- 1) intentionally, knowingly or recklessly causing any physical injury to another person;
- 2) intentionally placing another person in reasonable apprehension of imminent physical injury; or
- 3) knowingly touching another person with the intent to injure, insult or provoke such person ([A.R.S. § 13-1203](#)).

Additionally, aggravated assault is a separate offense that occurs when a person commits assault as defined above, but additional circumstances outlined in statute are met. These circumstances include, among others, the level of injury caused to the victim, the defendant's use of a deadly weapon, if the victim was physically bound or if the victim was a law enforcement officer, firefighter or prosecutor acting in his official duties. Aggravated assault can range from a class 2 felony to a class 6 felony depending on the nature of the offense ([A.R.S. § 13-1204](#)).

Provisions

1. Enhances an assault to aggravated assault if a person commits an assault knowing or having reason to know that the victim is engaged in official work duties and is a:
 - a. public utility worker;
 - b. licensed telecommunications provider; or
 - c. licensed video service provider. (Sec. 1, 2)

Amendments

1. Adds employees of utility companies to the list of professions covered under the aggravated assault statute.

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



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

House: NREW DP 5-4-0-1

HCM2009: subsurface minerals; access; federal policy

Sponsor: Representative Carter P, LD 4

Caucus & COW

Overview

Asks the Congress of the United States and President of the United States and other listed governmental bodies to amend the Antiquities Act of 1906, to quantify and compensate states for the value of state trust subsurface mineral rights and work with certain Federal Offices to develop a plan to eliminate split estate mineral rights where possible.

History

The [Antiquities Act of 1906](#) provides general legal protection of cultural and natural resources of historic or scientific interest on federal lands including penalties upon conviction for unauthorized activities, such as excavation and removal of objects. Currently, no national monument can be expanded or designated in Wyoming except through express authorization of Congress.

A *claim* is the portion of mining ground held under federal and local law by one claimant by virtue of one location and record; including mining claims and sites deemed abandoned ([A.R.S. § 27-301](#)).

Provisions

1. Requests the following federal entities, including:
 - a. the Congress of the United States to:
 - i. work to amend the Antiquities Act of 1906;
 - ii. quantify the amount of state trust subsurface mineral rights that are located under federal land withdrawals and compensate states for the value of those subsurface minerals;
 - b. the President of the United States to take policy steps to streamline the permitting process for new mines in the West;
 - c. Listed Federal Officers to:
 - i. work with state legislatures, state land departments, the private industry and private land owners to develop a plan to eliminate checkerboard patterns of surface and subsurface estates; and
 - ii. rescind certain paragraphs of the Code of Federal Regulations related to the Federal Land Policy Management Act and Stock-Raising Homestead Act.
2. Directs the Arizona Secretary of State to transmit the memorial to specified individuals.

<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

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: NR DP 4-2-2-0 | Third Read 16-11-3-0-0

House: NREW DP 6-3-0-1

SB 1202: supply and demand; assessment; groundwater.

Sponsor: Senator Shope, LD 16

Caucus & COW

Overview

Requires the Director of the Arizona Department of Water Resources (ADWR) to include additional information in each five-year water supply and demand assessment (Assessment) for each groundwater basin.

History

The Director of ADWR (Director) is required, not later than the first of December each year, to prepare and issue a water supply and demand assessment for at least six of the 51 groundwater basins in the state. The Director must ensure that an Assessment is completed for all groundwater basins and initial active management areas at least once every five years ([A.R.S. § 45-105](#)).

A similar bill was introduced in the 57th Legislature, 1st Regular Session, and was [vetoed](#) by the Governor (HB 2271 supply and demand; assessment; groundwater).

Provisions

1. Instructs the Director to include, in the Assessment for each groundwater basin, the:
 - a. average depth-to-static level across the groundwater basin;
 - b. average net change in the average depth-to-static level across the groundwater basin over each of the past five years preceding the end of the assessment period;
 - c. maximum depth of bedrock at the deepest point in the groundwater basin;
 - d. average depth-to-bedrock level across the groundwater basin;
 - e. total number of active index wells in the groundwater basin, the average distance between them and the average distribution of them;
 - f. total estimated volume of groundwater in storage in the groundwater basin to a depth of 1,200 feet;
 - g. total estimated number of years' worth of groundwater available in the groundwater basin to a depth of 1,200 feet at the current annual average rate of change;
 - h. total number of active and passive stormwater and groundwater recharge projects in the groundwater basin; and
 - i. total volume of increased groundwater recharged in the groundwater basin due to active and passive stormwater and groundwater recharge projects in the groundwater basin in each of the five years preceding the end of the assessment period. (Sec. 1)
2. Makes technical changes. (Sec. 1)

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



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: NR DP 4-3-1-0 | Third Read ON RECON 16-14-0-0

House: NREW DP 6-3-0-1

SB 1418: corporation commission; small modular reactors

Sponsor: Senator Carroll, LD 28

Caucus & COW

Overview

Allows the construction and operation of small modular nuclear reactors (SMRs) without being precluded from county zoning or obtaining a Certificate of Environmental Compatibility (CEC), if certain conditions are met. Expands the definition of *plant*, including, but not limited to, an increase in nameplate rating of generating units.

History

SMRs are nuclear fission reactors that produce electrical energy output and are smaller in both size and output from more traditional, larger nuclear reactors. SMRs vary in footprint, technology, capabilities, deployment scenarios and output. These reactors differ in size from tens of megawatts up to hundreds of megawatts and can be used for power generation, process heat, desalination or other industrial uses. SMR designs may employ light water as a coolant or non-light water coolants such as a gas, liquid metal or molten salt ([DOE](#)).

The Arizona Corporation Commission (Commission)'s Power Plant and Transmission Line Siting Committee (Committee) was created to provide a single forum for the resolution of all matters concerning the location of electric generating plants and transmission lines in open processes for all interested and affected parties to participate in relevant decisions (Laws 1971, Chapter 67, section 1). The Committee has jurisdiction over proposed thermal electric, nuclear or hydroelectric generating plants and above ground transmission lines that meet certain criteria. When a utility plans to build one of these facilities it must apply for a CEC and after review of designated criteria, public hearings and a vote by the Committee the utility may be granted the CEC for their proposed facility ([A.R.S. Title 40, Chapter 2, article 6.2](#)).

Provisions

County Regulation of Land

1. Prohibits a county from preventing, restricting or otherwise regulating the use or occupation of land for the construction and operation of a SMR, if the SMR is colocated with a large industrial energy user that is properly zoned and permitted. (Sec. 1)
2. Exempts counties with 500,000 or more persons from this prohibition. (Sec. 1)

Nameplate Rating and Plant Definition Expansion

3. Expands the definition of *plant* as it relates to the Committee to include *nonthermal electric generating units* and *small modular nuclear reactors*. (Sec. 2)
4. Increases the nameplate rating, from 100 MW to 200 MW, that an electric generating unit must meet to be defined as a plant, as it relates to the Committee. (Sec. 2)

Replacement Units

5. Allows a utility to replace an existing thermal electric generating plant with a SMR without seeking a new CEC or holding a relevant hearing, after providing 30 days' written notice to the Commission if:
 - a. the SMR is colocated with a large industrial energy user; or
 - b. the new or replacement SMR is located on or adjacent to the site of a plant that:
 - i. previously received a CEC; or
 - ii. was in use or authorized before August 13, 1971. (Sec. 3, 5)
6. Requires a SMR, colocated with a large industrial energy user that does not obtain a CEC in compliance with this legislation, to comply with all applicable federal, state and local laws and requirements. (Sec. 5)

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

7. Mandates the Commission to adopt rules to implement this legislation, and for the rules to include definitions of listed terms. (Sec. 5)
8. Allows the Commission to adopt definitions for any other terms to carry out this legislation. (Sec. 5)
9. Clarifies that this section applies only in a county with a population of less than 500,000 persons. (Sec. 5)

Miscellaneous

10. Defines relevant terms. (Sec. 1)
11. Makes technical changes. (Sec. 1, 2, 3, 4)



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: NR DP 5-3-0-0 | Third Read 17-13-0-0

House: NREW DP 6-3-0-1

SB 1785: water storage facility; withdrawals; area

Sponsor: Senator Petersen, LD 14

Caucus & COW

Overview

Mandates the Arizona Department of Water Resources (ADWR) Director assume a recovery well is located within the area of impact of the stored water if certain conditions are met.

History

An underground storage facility (USF) allows for water to be stored in an aquifer through a constructed device or managed channel, examples of USFs would include injection wells or percolation basins. To operate a facility a person must hold a USF Permit issued by ADWR ([A.R.S. § 45-811.01](#)).

A groundwater savings facility (GSF) is a water user that agrees to reduce its groundwater pumping from within an Active Management Area (AMA) or Irrigation Non-Expansion Area (INA) in exchange for an equal amount of renewable water supplies. A GSF Permit is issued by ADWR which allows the permit holder to deliver the renewable water supply to a recipient ([A.R.S. § 45-812.01](#)).

Current law allows a person who holds any long-term storage credits (LTSCs) or who can recover water to only recover the stored water in compliance with a Recovery Well (RW) Permit. The recovery of stored water can occur through a recovery well and must not damage other land and water users, an impact analysis may be required for recovery in certain situations ([ADWR](#)) ([A.A.C. R12-15-1301-1308](#)).

Area of impact means, as projected on the land surface, the area where the stored water has migrated or is located ([A.R.S. § 45-802.01](#)).

Provisions

1. Requires the Director assume that the recovery well, for a person seeking to recover stored water within an area of impact in an AMA who does not submit a separate hydrologic study, is located within the area of impact of the stored water if the recovery well location is:
 - a. in land permitted to operate as a GSF; or
 - b. within one mile of the:
 - i. exterior boundary of a constructed USF basin or other water storage infrastructure; or
 - ii. middle line of a drainage channel within the storage area of a managed USF. (Sec. 1)
2. Makes technical changes. (Sec. 1)

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



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: MABS DP 4-3-0-0 | Third Read 16-11-3-0-0

House: PSLE DP 8-6-0-1

SB 1055: arrestees; unlawfully present; reporting

Sponsor: Senator Rogers, LD 7

Caucus & COW

Overview

Requires the United States Immigration and Customs Enforcement (U.S. ICE) or United States Customs and Border Protection (U.S. CBP) to be notified when a law enforcement official or agency arrests a person who is unlawfully present in the U.S.

History

Statute prohibits a law enforcement official or agency of Arizona or a county, city, town or other political subdivision of Arizona, from limiting or restricting the enforcement of federal immigration laws to less than the full extent permitted by federal law. Furthermore, law enforcement officials or agencies must reasonably attempt to determine the immigration status of a person during any lawful stop, detention or arrest, where reasonable suspicion exists that the person is unlawfully present in the U.S. All individuals who are arrested must have their immigration status determined before release and the status must be verified with the federal Immigration and Naturalization Service. Lastly, law enforcement officials and agencies may not consider race, color or national origin in executing the statutory requirement to reasonably attempt to determine the immigration status of a person suspected to be unlawfully present in the U.S ([8 U.S.C. § 1373\(c\)](#)).

A person is presumed to be lawfully present in the U.S. if the person provides the law enforcement officer or agency any of the following: 1) a valid Arizona driver license; 2) a valid Arizona nonoperating identification license; 3) a valid tribal enrollment card or other form of tribal identification; or 4) if the entity requires proof of legal presence before issuance, any valid federal, state or local government issued identification ([A.R.S. § 11-1051](#)).

Entities allowed to determine an alien's immigration status include: 1) law enforcement officers who are authorized by the federal government to verify or ascertain an alien's immigration status; and 2) the U.S. ICE or the U.S. CBP pursuant to federal law ([A.R.S. § 11-1051](#); [8 U.S.C. § 1373\(c\)](#)).

Provisions

1. Requires the U.S. ICE or U.S. CBP to be immediately notified when a law enforcement official or agency arrests a person who is unlawfully present in the U.S. (Sec. 1)
2. Makes technical changes. (Sec. 1)

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



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: PS DPA 7-0-0-0 | Third Read 27-2-1-0-0

House: PSLE DP 11-1-2-1

SB 1107: peace officer certification; alternative pathway

Sponsor: Senator Petersen, LD 14

Caucus & COW

Overview

Creates an alternative pathway for peace officer certification in Arizona for U.S. veterans who were military police officers and honorably discharged.

History

Established in 1968, the Arizona Peace Officer Standards and Training Board (AZPOST) is composed of 13 governor-appointed members who serve three-year terms and is responsible for setting the minimum qualifications for certification as a law enforcement officer in Arizona. These qualifications require citizenship; physical, mental and moral fitness; and govern recruitment, appointment and retention of all officers of every political subdivision. Additionally, AZPOST: 1) prescribes minimum courses of training and standards for training facilities; 2) recommends curricula for advanced courses for law enforcement and intelligence training in universities, colleges, and community colleges; 3) establishes uniform standards for background checks and continuing training requirements; 4) conducts investigations of peace officer misconduct and is authorized to revoke or suspend the certification of an officer who is noncompliant with the qualifications; 5) assists state, tribal and local law enforcement agencies by providing training and related services; and 6) makes recommendations to the Governor and Legislature on matters relating to law enforcement and public safety ([AZPOST, Arizona State Library](#)).

AZPOST also sets uniform minimum standards, approves basic training curriculum, and issues basic training certificates of completion to Arizona Department of Corrections correctional officers ([A.R.S. § 41-1822](#)).

Provisions

1. Directs AZPOST to establish an alternative pathway for peace officer certification in Arizona for veterans of the U.S. armed forces who were military police officers and honorably discharged, beginning January 1, 2027. (Sec. 2)
2. Requires the alternative pathway do all of the following:
 - a. accept an applicant's existing military police training and experience toward the AZPOST requirements;
 - b. allow eligible applicants to complete an abbreviated AZPOST program that focuses on Arizona's laws, procedures and community policing requirements; and
 - c. require applicants to pass the board-approved certification examination on peace officer procedures and Arizona's laws and maintain all current statutory requirements relating to moral character, medical and psychological fitness and background investigations. (Sec. 2)
3. Instructs eligible applicants to apply for the alternative pathway on a form prescribed by AZPOST. (Sec. 2)
4. Directs AZPOST to process all applications within 60 days after receiving a completed application. (Sec. 2)
5. Cites the legislation as the *Military Police to Peace Officer Pathway Act*. (Sec. 4)
6. Contains a legislative intent and findings clause. (Sec. 3)
7. Makes technical and conforming changes. (Sec. 1, 2)

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



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

Senate: FIN DP 4-3-0-0 | Third Read 16-11-3-0

House: WM DP 5-2-0-1

SB 1142: federal tax credit; authorization; scholarships

Sponsor: Senator Bolick, LD 2

Caucus & COW

Overview

Establishes that Arizona elects to participate in the federal tax credit for taxpayers who make qualified contributions to Scholarship Granting Organizations (SGO) and outlines requirements for SGO's eligibility in the program.

History

The Internal Revenue Code provides a new credit for an individual's qualified contribution to a SGO that provides qualified elementary and secondary scholarships ([Section 25F of the Internal Revenue Code](#)).

[H.R. 1](#), created a federal tax credit starting in 2027 for cash donations to SGOs that fund K-12 private or public-school expenses. Donors can claim a nonrefundable, dollar-for-dollar credit of up to \$1,700 per year.

Arizona law currently provides 2 similar tax credits to state taxpayers filing individually or married filing jointly: 1) the *Original*; and 2) the *Switcher* tax credits for donations to SGOs. For Tax Year 2026: 1) the *Original* tax credit is capped at \$787 for individual taxpayers and \$1,570 for married taxpayers filing jointly; and 2) the *Switcher* tax credit is capped at \$784 for individual taxpayers and \$1,561 for married taxpayers filing jointly ([AZDOR.gov](#)).

Provisions

1. Establishes that Arizona elects to participate in the federal tax credit for individuals who make qualified contributions to SGOs. (Sec. 1)
2. Requires the Department of Revenue (DOR) to comply with all federal laws and regulations to administer this federal tax credit to ensure Arizona is eligible to participate in taxable years beginning January 1, 2027, and annually submit all the required information to the United States Secretary of the Treasury for participation. (Sec. 1)
3. Allows a nonprofit organization in Arizona that is exempt or that has applied for exemption from federal taxation can apply to DOR for certification as a scholarship granting organization. (Sec. 2)
4. Requires DOR to certify that the SGO meets the requirements of section 25F of the Internal Revenue Code and the applicable regulations or guidance issued by the United States Secretary of Treasurer. (Sec. 2)
5. Requires DOR by January 1 of each year to:
 - a. submit to the United States Secretary of the Treasury a list of the scholarship granting organizations that are certified for nonprofit exemption status and that are located in Arizona; and
 - b. post the list submitted to the United States Secretary of the Treasury on DOR's website. (Sec. 2)
6. Requires DOR to adopt rules and publish and prescribe forms and procedures necessary to administer SGO certification. (Sec. 2)
7. Allows an SGO that is certified by DOR and on the list submitted to the United States Secretary of the Treasury, to provide scholarships to eligible students for any qualified elementary or secondary education expenses to the extent allowed under federal law starting January 1, 2027. (Sec. 3)

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