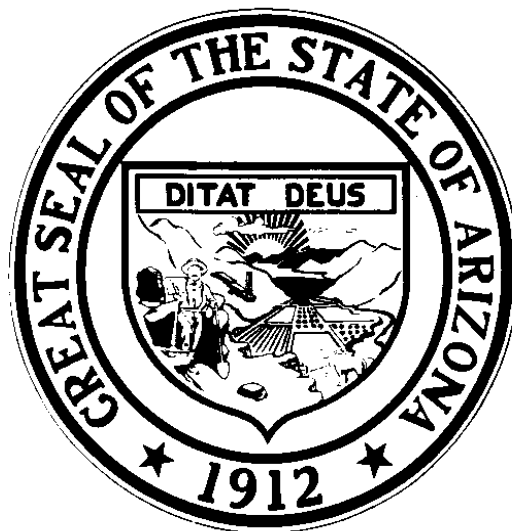


# STATE OF ARIZONA HOUSE OF REPRESENTATIVES

## SUMMARY OF LEGISLATION 2014



### **Fifty-First Legislature** *Second Regular Session* *Second Special Session*

*Prepared by*  
House Research Staff



PREPARED UNDER THE DIRECTION OF  
**THE HONORABLE ANDREW M. TOBIN**  
SPEAKER OF THE HOUSE  
**SUMMARY OF LEGISLATION**  
**2014**



**Fifty-First Legislature**  
*Second Regular Session*  
*Second Special Session*



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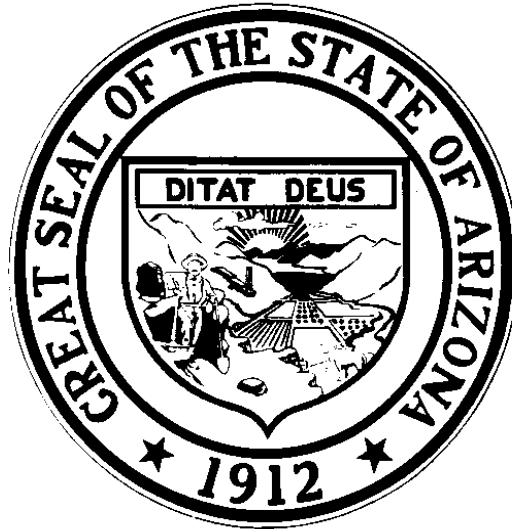
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# EFFECTIVE DATES



## Fifty-First Legislature

### **SECOND REGULAR SESSION**

Session Convened: January 13, 2014

Adjourned Sine Die: April 24, 2014

General Effective Date: July 24, 2014

### **SECOND SPECIAL SESSION**

Session Convened: May 27, 2014

Adjourned Sine Die: May 29, 2014

Effective Date: May 29, 2014





# BILL INTRODUCTIONS

## Fifty-First Legislature Second Regular Session 2014

	<u>House</u>	<u>Senate</u>	<u>Total</u>
Bills Introduced .....	711	494	1,205
Memorials and Resolutions Introduced.....	66	47	113
<hr/>			
Total .....	777	541	1,318
Bills Transmitted to Governor .....	194	111	305
Bills Signed by Governor.....	176	104	280
Bills Vetoed by Governor.....	18	7	25
(HB's 2024, 2262, 2281, 2313, 2316, 2327, 2338, 2339, 2367, 2385, 2459, 2517, 2541, 2564, 2611, 2661, 2664, 2699)			
(SB's 1048, 1062, 1201, 1211, 1366, 1386, 1483)			
Chapters (Session Laws) .....	174	104	278
Memorials and Resolutions Transmitted to .....	14	19	33
Secretary of State			



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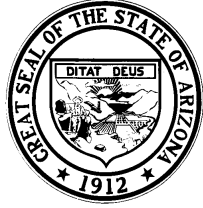
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# **SECTION I**

**STATE GENERAL FUND AND OTHER FUND  
APPROPRIATIONS  
SUMMARY TABLES OF BILLS  
FY 2014-15**

**State of Arizona  
Fifty-First Legislature**

**TABLE 1**  
**SUMMARY OF GENERAL FUND APPROPRIATIONS**  
**FY 2015**

BUDGET UNITS	General Appropriation Act - Individual Agency	Governor's Line-Item Vetoes	Total General Appropriation Act - Individual Agency	Lease-Purchase/ Rental Rate Adjustment	Annual Retirement Rate Adjustment	FY 2015 Additional Appropriations	Prior Year Statutory Appropriations	FY 2015 Approp Rpt Total
<b>GENERAL GOVERNMENT</b>								
Administration, AZ Department of	\$12,469,600	(1,300,000)	\$11,169,600	\$20,400	\$3,000			\$11,193,000
Administration, AZ Department of - Automation Projects Fund	17,100,000		17,100,000	0	0		18,400,000	35,500,000
Administration, AZ Department of - Department of Child Safety	25,000,000		25,000,000	0	0			25,000,000
Administrative Hearings, Office of	862,200		862,200	0	300			862,500
African-American Affairs, Arizona Commission of	125,000		125,000	0	0			125,000
Attorney General - Department of Law	23,879,600	(500,000)	23,379,600	0	500		85,000	23,465,100
Commerce Authority, Arizona	31,800,000		31,800,000	0	0			31,800,000
County Funding	7,650,500		7,650,500	0	0			7,650,500
Equal Opportunity, Governor's Office of	188,500		188,500	0	100			188,600
Equalization, State Board of	639,500		639,500	2,100	200			641,800
Governor, Office of	6,926,000		6,926,000	0	(5,900)			6,920,100
Gov's Ofc of Strategic Planning & Budgeting	1,993,200		1,993,200	0	800			1,994,000
Independent Redistricting Commission	1,115,100		1,115,100	0	200			1,115,300
Judiciary								
Supreme Court	16,020,000		16,020,000	0	(7,100)			16,012,900
Court of Appeals	14,416,300		14,416,300	0	(36,100)			14,380,200
Superior Court	80,170,300		80,170,300	0	(67,800)			80,102,500
SUBTOTAL - Judiciary	110,606,600	0	110,606,600	0	(111,000)	0	0	110,495,600
Legislature								
Auditor General	18,239,700		18,239,700	0	6,700			18,246,400
House of Representatives	13,372,200		13,372,200	0	0			13,372,200
Joint Legislative Budget Committee	2,492,000		2,492,000	0	1,000			2,493,000
Legislative Council	8,246,500		8,246,500	0	2,400			8,248,900
Senate	8,283,800		8,283,800	0	0			8,283,800
SUBTOTAL - Legislature	50,634,200	0	50,634,200	0	10,100	0	0	50,644,300
Public Safety Personnel Retirement System	1,000,000		1,000,000	0	0		5,000,000	6,000,000
Revenue, Department of	48,125,300		48,125,300	0	14,100			48,139,400
Secretary of State	15,035,500		15,035,500	0	(7,700)			15,027,800
Tourism, Office of	9,102,600		9,102,600	0	1,100			9,103,700
Treasurer, State	1,205,100		1,205,100	0	0			1,205,100
<b>TOTAL GENERAL GOVERNMENT</b>	<b>\$365,458,500</b>	<b>(\$1,800,000)</b>	<b>\$363,658,500</b>	<b>\$22,500</b>	<b>(\$94,200)</b>	<b>\$0</b>	<b>\$23,485,000</b>	<b>\$387,071,800</b>
<b>EDUCATION</b>								
Charter Schools, State Board for	994,400		994,400	0	300			994,700
Community Colleges, Arizona	66,085,900		66,085,900	0	0		5,820,500	71,906,400
Deaf and the Blind, Schools for the	22,491,100		22,491,100	0	6,800			22,497,900

BUDGET UNITS	General Appropriation Act - Individual Agency	Governor's Line-Item Vetoes	Total General Appropriation Act - Individual Agency	Lease-Purchase/ Rental Rate Adjustment	Annual Retirement Rate Adjustment	FY 2015 Additional Appropriations	Prior Year Statutory Appropriations	FY 2015 Approp Rpt Total
Education, Department of	2,879,160,400	(1,500,000)	2,877,660,400	0	4,600		930,727,700	3,808,392,700
Historical Society, Arizona	3,155,000		3,155,000	0	1,000			3,156,000
Historical Society, Prescott	826,000		826,000	0	300			826,300
Postsecondary Education, Commission for	1,396,800		1,396,800	0	0			1,396,800
School Facilities Board	189,357,800		189,357,800	0	600			189,358,400
Universities								
Arizona State University - Tempe/DPC	201,788,900		201,788,900	0	0		88,315,400	290,104,300
Arizona State University - East Campus	19,186,200		19,186,200	0	0		6,667,200	25,853,400
Arizona State University - West Campus	23,263,300		23,263,300	0	0		10,064,800	33,328,100
Northern Arizona University	81,886,400		81,886,400	0	0		36,394,800	118,281,200
Board of Regents	21,925,500		21,925,500	0	2,900			21,928,400
University of Arizona - Main Campus	132,935,100		132,935,100	0	0		76,406,100	209,341,200
University of Arizona - Health Sciences Center	52,808,600		52,808,600	0	0		16,776,700	69,585,300
SUBTOTAL - Universities	533,794,000	0	533,794,000	0	2,900	0	234,625,000	768,421,900
<b>TOTAL EDUCATION</b>	<b>\$3,697,261,400</b>	<b>(\$1,500,000)</b>	<b>\$3,695,761,400</b>	<b>\$0</b>	<b>\$16,500</b>	<b>\$0</b>	<b>\$1,171,173,200</b>	<b>\$4,866,951,100</b>
<b>HEALTH &amp; WELFARE</b>								
AHCCCS	1,274,393,500		1,274,393,500	0	9,700			1,274,403,200
Child Safety, Department of	347,005,400		347,005,400	0	0		14,000,000	361,005,400
Economic Security, Department of	458,228,600		458,228,600	0	61,700		21,000,000	479,290,300
Environmental Quality, Department of	0		0	0	0		7,000,000	7,000,000
Health Services, Department of	613,463,100		613,463,100	(126,900)	25,900			613,362,100
Indian Affairs, AZ Commission of	56,900		56,900	0	0			56,900
Nursing, State Board of	150,000		150,000	0	0			150,000
Pioneers' Home, AZ	1,602,800		1,602,800	0	600			1,603,400
Veterans' Services, Department of	5,436,300		5,436,300	0	2,000			5,438,300
<b>TOTAL HEALTH &amp; WELFARE</b>	<b>\$2,700,336,600</b>	<b>\$0</b>	<b>\$2,700,336,600</b>	<b>(\$126,900)</b>	<b>\$99,900</b>	<b>\$0</b>	<b>\$42,000,000</b>	<b>\$2,742,309,600</b>
<b>INSPECTION &amp; REGULATION</b>								
Agriculture, AZ Department of	8,121,800		8,121,800	0	2,800		198,400	8,323,000
Corporation Commission	609,700		609,700	0	200	600		610,500
Financial Institutions, State Department of	3,019,100		3,019,100	0	1,100			3,020,200
Fire, Building and Life Safety, Department of	2,201,000		2,201,000	3,600	700			2,205,300
Insurance, Department of	5,364,900		5,364,900	0	1,800			5,366,700
Mine Inspector, State	1,223,300		1,223,300	0	(7,700)			1,215,600
Racing, Arizona Department of	2,029,500		2,029,500	0	0			2,029,500
Radiation Regulatory Agency	773,300		773,300	0	300		695,300	1,468,900
Real Estate Department, State	2,988,700		2,988,700	0	1,000			2,989,700
Tax Appeals, State Board of	264,700		264,700	800	100			265,600
Weights and Measures, Department of	1,475,300		1,475,300	0	400			1,475,700
<b>TOTAL INSPECTION &amp; REGULATION</b>	<b>\$28,071,300</b>	<b>\$0</b>	<b>\$28,071,300</b>	<b>\$4,400</b>	<b>\$700</b>	<b>\$600</b>	<b>\$893,700</b>	<b>\$28,970,700</b>
<b>NATURAL RESOURCES</b>								
Forester, State	6,099,900		6,099,900	2,700	1,200		3,000,000	9,103,800
Geological Survey, Arizona	941,400		941,400	0	300			941,700
Land Department, State	12,515,700	(10,000)	12,505,700	0	4,100			12,509,800

<b>BUDGET UNITS</b>	General Appropriation Act - Individual Agency	Governor's Line-Item Vetoes	Total General Appropriation Act - Individual Agency	Lease-Purchase/ Rental Rate Adjustment	Annual Retirement Rate Adjustment	FY 2015 Additional Appropriations	Prior Year Statutory Appropriations	FY 2015 Approp Rpt Total
Navigable Stream Adjudication Commission	129,200		129,200	0	0			129,200
Parks Board, Arizona State	0		0	0	0	500,000		500,000
Water Infrastructure Finance Authority	1,000,000		1,000,000	0	0			1,000,000
Water Resources, Department of	13,326,400		13,326,400	0	3,900			13,330,300
<b>TOTAL NATURAL RESOURCES</b>	<b>\$34,012,600</b>	<b>(\$10,000)</b>	<b>\$34,002,600</b>	<b>\$2,700</b>	<b>\$9,500</b>	<b>\$500,000</b>	<b>\$3,000,000</b>	<b>\$37,514,800</b>
<b>PROTECTION &amp; SAFETY</b>								
Corrections, State Department of	996,912,200		996,912,200	(95,200)	28,600			996,845,600
Emergency & Military Affairs, Dept of	7,577,800		7,577,800	0	1,200		5,465,400	13,044,400
Executive Clemency, Board of	958,400		958,400	0	200			958,600
Juvenile Corrections, Department of	43,822,700		43,822,700	0	343,200			44,165,900
Public Safety, Department of	89,321,400		89,321,400	0	3,500			89,324,900
<b>TOTAL PROTECTION &amp; SAFETY</b>	<b>\$1,138,592,500</b>	<b>\$0</b>	<b>\$1,138,592,500</b>	<b>(\$95,200)</b>	<b>\$376,700</b>	<b>\$0</b>	<b>\$5,465,400</b>	<b>\$1,144,339,400</b>
<b>TRANSPORTATION</b>								
Transportation, Department of	50,400		50,400	0	0			50,400
<b>TOTAL TRANSPORTATION</b>	<b>\$50,400</b>	<b>\$0</b>	<b>\$50,400</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$50,400</b>
<b>OPERATING BUDGET TOTAL</b>	<b>\$7,963,783,300</b>	<b>(\$3,310,000)</b>	<b>\$7,960,473,300</b>	<b>(\$192,500)</b>	<b>\$409,100</b>	<b>\$500,600</b>	<b>\$1,246,017,300</b>	<b>\$9,207,207,800</b>
ASRS Retirement Adjustment	409,100		409,100	0	(409,100)	0	0	0
Lease-Purchase/Rent Adjustments	(192,500)		(192,500)	192,500	0	0	0	0
Capital Outlay Projects	24,200,000		24,200,000	0	0	0	0	24,200,000
Debt Service Payments	84,123,700		84,123,700	0	0	0	0	84,123,700
Civic Center Debt Service	20,449,000		20,449,000	0	0	0	0	20,449,000
Administrative Adjustments	51,480,700		51,480,700	0	0	0	0	51,480,700
Revertments	(116,000,000)		(116,000,000)	0	0	0	0	(116,000,000)
<b>GRAND TOTAL</b>	<b>\$8,028,253,300</b>	<b>(\$3,310,000)</b>	<b>\$8,024,943,300</b>	<b>\$0</b>	<b>\$0</b>	<b>\$500,600</b>	<b>\$1,246,017,300</b>	<b>\$9,271,461,200</b>



**TABLE 2**  
**SUMMARY OF OTHER FUNDS APPROPRIATIONS**  
**FY 2015**

BUDGET UNITS	General Appropriation Act - Individual Agency	Governor's Line-Item Vetoes	Total General Appropriation Act - Individual Agency	Lease-Purchase/ Rental Rate Adjustment	Annual Retirement Rate Adjustment	FY 2015 Additional Appropriations	Prior Year Statutory Appropriations	FY 2015 Approp Rpt Total
<b>GENERAL GOVERNMENT</b>								
Administration, AZ Department of	\$171,674,200	(\$500,000)	\$171,174,200	\$52,600	\$15,400			\$171,242,200
Administration, AZ Department of - Automation Projects Fund	43,500,000		43,500,000	0	1,700		26,533,000	70,034,700
Administrative Hearings, Office of	12,300		12,300	0	0			12,300
Arts, Arizona Commission on the	0		0	0	0	1,000,000		1,000,000
Attorney General - Department of Law	43,349,000		43,349,000	0	9,900			43,358,900
Exposition and State Fair Board, AZ	11,618,800		11,618,800	0	2,000			11,620,800
Housing, Department of	313,800		313,800	700	100			314,600
Judiciary								
Supreme Court	27,574,400		27,574,400	0	1,400			27,575,800
Superior Court	13,531,400		13,531,400	0	200			13,531,600
SUBTOTAL - Judiciary	41,105,800	0	41,105,800	0	1,600	0	0	41,107,400
Lottery Commission, AZ State	104,039,900		104,039,900	0	2,900			104,042,800
Personnel Board	374,900		374,900	0	100			375,000
Retirement System, Arizona State	29,287,000		29,287,000	0	7,700			29,294,700
Revenue, Department of	25,505,200		25,505,200	0	8,400			25,513,600
Secretary of State	3,682,000		3,682,000	0	400			3,682,400
Treasurer, State	5,004,700		5,004,700	0	1,000			5,005,700
<b>TOTAL GENERAL GOVERNMENT</b>	<b>\$479,467,600</b>	<b>(\$500,000)</b>	<b>\$478,967,600</b>	<b>\$53,300</b>	<b>\$51,200</b>	<b>\$1,000,000</b>	<b>\$26,533,000</b>	<b>\$506,605,100</b>
<b>EDUCATION</b>								
Deaf and the Blind, AZ Schools for the Education, Department of	12,585,500		12,585,500	0	4,700			12,590,200
Postsecondary Education, Commission for	77,535,200		77,535,200	0	900	300,000		77,836,100
Private Postsecondary Education, Board for Universities	1,535,300		1,535,300	0	100			1,535,400
Arizona State University - Tempe/DPC	395,600		395,600	0	100			395,700
Arizona State University - East Campus	453,068,700		453,068,700	0	0			453,068,700
Arizona State University - West Campus	35,691,700		35,691,700	0	0			35,691,700
Northern Arizona University	40,980,300		40,980,300	0	0			40,980,300
University of Arizona - Main Campus	120,281,100		120,281,100	0	0			120,281,100
University of Arizona - Health Sciences Center	271,507,700		271,507,700	0	0			271,507,700
SUBTOTAL - Universities	41,117,000		41,117,000	0	0			41,117,000
<b>TOTAL EDUCATION</b>	<b>\$1,054,698,100</b>	<b>\$0</b>	<b>\$1,054,698,100</b>	<b>\$0</b>	<b>\$5,800</b>	<b>\$300,000</b>	<b>\$0</b>	<b>\$1,055,003,900</b>
<b>HEALTH &amp; WELFARE</b>								
AHCCCS	141,449,900		141,449,900	0	500			141,450,400
Child Safety, Department of	160,667,200		160,667,200	0	0			160,667,200
Deaf and the Hard of Hearing, Comm. for the	4,015,400		4,015,400	5,200	600			4,021,200
Economic Security, Department of	302,872,200		302,872,200	0	70,200			302,942,400
Environmental Quality, Department of	69,134,000		69,134,000	98,400	9,400			69,241,800

BUDGET UNITS	General Appropriation Act - Individual Agency	Governor's Line-Item Vetoes	Total General Appropriation Act - Individual Agency	Lease-Purchase/ Rental Rate Adjustment	Annual Retirement Rate Adjustment	FY 2015 Additional Appropriations	Prior Year Statutory Appropriations	FY 2015 Approp Rpt Total
Health Services, Department of	88,211,900		88,211,900	(367,800)	6,900			87,851,000
Pioneers' Home, AZ	4,656,600		4,656,600	0	1,500			4,658,100
Veterans' Services, Department of	31,992,900		31,992,900	0	8,700			32,001,600
<b>TOTAL HEALTH &amp; WELFARE</b>	<b>\$803,000,100</b>	<b>\$0</b>	<b>\$803,000,100</b>	<b>(\$264,200)</b>	<b>\$97,800</b>	<b>\$0</b>	<b>\$0</b>	<b>\$802,833,700</b>
<b>INSPECTION &amp; REGULATION</b>								
Accountancy, State Board of	1,933,700		1,933,700	2,700	400			1,936,800
Acupuncture Board of Examiners	154,600		154,600	0	100			154,700
Appraisal, State Board of	861,600		861,600	0	200			861,800
Athletic Training, Board of	118,200		118,200	0	0			118,200
Automobile Theft Authority	5,297,600		5,297,600	0	200			5,297,800
Barbers, Board of	333,800		333,800	0	100			333,900
Behavioral Health Examiners, Board of	1,758,100		1,758,100	0	500			1,758,600
Chiropractic Examiners, State Board of	450,400		450,400	0	200			450,600
Contractors, Registrar of	12,193,300		12,193,300	0	3,400			12,196,700
Corporation Commission	27,187,500		27,187,500	0	(8,500)			27,179,000
Cosmetology, Board of	1,784,500		1,784,500	0	500			1,785,000
Dental Examiners, State Board of	1,214,800		1,214,800	0	300			1,215,100
Financial Institutions, Department of	1,247,100		1,247,100	0	300			1,247,400
Funeral Directors and Embalmers, Board of	353,600		353,600	0	100			353,700
Gaming, Department of	13,497,000		13,497,000	15,200	4,000			13,516,200
Homeopathic & Integrated Medical Examiners, Board of	102,100		102,100	0	0			102,100
Industrial Commission of AZ	19,989,500		19,989,500	0	5,300			19,994,800
Liquor Licenses & Control, Department of	3,565,800		3,565,800	0	23,400			3,589,200
Massage Therapy, Board of	457,200		457,200	(18,600)	100			438,700
Medical Board, Arizona	5,738,700		5,738,700	0	1,600			5,740,300
Mine Inspector, State	112,500		112,500	0	0			112,500
Naturopathic Physician Examiners Board	158,900		158,900	18,600	100			177,600
Nursing, State Board of	4,270,800		4,270,800	0	1,300			4,272,100
Nursing Care Institution Administrators Board	420,200		420,200	0	100			420,300
Occupational Therapy Examiners, Board of	184,100		184,100	0	100			184,200
Opticians, State Board of Dispensing	135,800		135,800	0	0			135,800
Optometry, State Board of	206,000		206,000	0	100			206,100
Osteopathic Examiners, AZ Board of	801,500		801,500	0	200			801,700
Pest Management, Office of	1,700,000		1,700,000	0	500			1,700,500
Pharmacy, AZ State Board of	2,053,300		2,053,300	0	600			2,053,900
Physical Therapy Examiners, Board of	407,900		407,900	0	100			408,000
Podiatry Examiners, State Board of	147,300		147,300	0	0			147,300
Psychologist Examiners, State Board of	409,800		409,800	3,700	100			413,600
Racing, Arizona Department of	2,895,900		2,895,900	3,800	1,000			2,900,700
Radiation Regulatory Agency	852,900		852,900	0	300			853,200
Residential Utility Consumer Office	1,334,400		1,334,400	2,900	500			1,337,800
Respiratory Care Examiners, Board of	297,100		297,100	0	100			297,200
State Boards' Office	231,000		231,000	0	100			231,100
Technical Registration, State Board of	2,119,500		2,119,500	4,500	600			2,124,600
Veterinary Medical Examining Board	577,100		577,100	0	200			577,300
Weights and Measures, Department of	1,772,900		1,772,900	0	400			1,773,300
<b>TOTAL INSPECTION &amp; REGULATION</b>	<b>\$119,328,000</b>	<b>\$0</b>	<b>\$119,328,000</b>	<b>\$32,800</b>	<b>\$38,600</b>	<b>\$0</b>	<b>\$0</b>	<b>\$119,399,400</b>

**NATURAL RESOURCES**

BUDGET UNITS	General Appropriation Act - Individual Agency	Governor's Line-Item Vetoes	Total General Appropriation Act - Individual Agency	Lease-Purchase/ Rental Rate Adjustment	Annual Retirement Rate Adjustment	FY 2015 Additional Appropriations	Prior Year Statutory Appropriations	FY 2015 Approp Rpt Total
Game and Fish Department, AZ	40,101,900		40,101,900	0	372,300			40,474,200
Land Department, State	5,622,500		5,622,500	0	0			5,622,500
Parks Board, Arizona State	12,821,100		12,821,100	0	21,000			12,842,100
Water Resources, Department of	906,800		906,800	0	100			906,900
<b>TOTAL NATURAL RESOURCES</b>	<b>\$59,452,300</b>	<b>\$0</b>	<b>\$59,452,300</b>	<b>\$0</b>	<b>\$393,400</b>	<b>\$0</b>	<b>\$0</b>	<b>\$59,845,700</b>
<b>PROTECTION &amp; SAFETY</b>								
Corrections, State Department of	44,911,800		44,911,800	0	100			44,911,900
Criminal Justice Commission, Arizona	5,954,200		5,954,200	300	600			5,955,100
Emergency & Military Affairs, Dept of	132,700		132,700	0	0			132,700
Juvenile Corrections, Department of	3,925,400		3,925,400	0	17,500			3,942,900
Public Safety, Department of	155,213,700		155,213,700	0	18,600			155,232,300
<b>TOTAL PROTECTION &amp; SAFETY</b>	<b>\$210,137,800</b>	<b>\$0</b>	<b>\$210,137,800</b>	<b>\$300</b>	<b>\$36,800</b>	<b>\$0</b>	<b>\$0</b>	<b>\$210,174,900</b>
<b>TRANSPORTATION</b>								
Transportation, Department of	366,222,100		366,222,100	0	92,600			366,314,700
<b>TOTAL TRANSPORTATION</b>	<b>\$366,222,100</b>	<b>\$0</b>	<b>\$366,222,100</b>	<b>\$0</b>	<b>\$92,600</b>	<b>\$0</b>	<b>\$0</b>	<b>\$366,314,700</b>
<b>OPERATING BUDGET TOTAL</b>	<b>\$3,092,306,000</b>	<b>(\$500,000)</b>	<b>\$3,091,806,000</b>	<b>(\$177,800)</b>	<b>\$716,200</b>	<b>\$1,300,000</b>	<b>\$26,533,000</b>	<b>\$3,120,177,400</b>
ASRS Retirement Adjustment	1,030,900		1,030,900	0	(716,200)			314,700
Lease-Purchase/Rent Adjustments	(177,800)		(177,800)	177,800	0			0
Capital	256,649,800		256,649,800	0	0			256,649,800
<b>TOTAL APPROPRIATED</b>	<b>\$3,349,808,900</b>	<b>(\$500,000)</b>	<b>\$3,349,308,900</b>	<b>\$0</b>	<b>\$0</b>	<b>\$1,300,000</b>	<b>\$26,533,000</b>	<b>\$3,377,141,900</b>

## TABLE 3

### SUMMARY OF GENERAL FUND APPROPRIATIONS FY 2015

<b>AREA OF GOVERNMENT</b>	<b>GF APPROPRIATION</b>	<b>% OF TOTAL</b>
GENERAL GOVERNMENT	\$387,071,800	4.20%
EDUCATION	\$4,866,951,100	52.86%
HEALTH & WELFARE	\$2,742,309,600	29.78%
INSPECTION & REGULATION	\$28,970,700	0.31%
NATURAL RESOURCES	\$37,514,800	0.41%
PROTECTION & SAFETY	\$1,144,339,400	12.43%
TRANSPORTATION	\$50,400	0.00%
<b>TOTAL</b>	<b>\$9,207,207,800</b>	<b>100.00%</b>

## TABLE 4

### SUMMARY OF OTHER FUNDS APPROPRIATIONS FY 2015

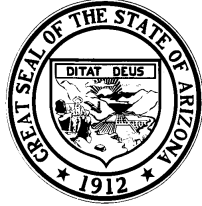
<b>AREA OF GOVERNMENT</b>	<b>OF APPROPRIATION</b>	<b>% OF TOTAL</b>
GENERAL GOVERNMENT	\$506,605,100	16.24%
EDUCATION	\$1,055,003,900	33.81%
HEALTH & WELFARE	\$802,833,700	25.73%
INSPECTION & REGULATION	\$119,399,400	3.83%
NATURAL RESOURCES	\$59,845,700	1.92%
PROTECTION & SAFETY	\$210,174,900	6.74%
TRANSPORTATION	\$366,314,700	11.74%
<b>TOTAL</b>	<b>\$3,120,177,400</b>	<b>100.00%</b>

## TABLE 5

### SUMMARY OF EDUCATION APPROPRIATIONS FY 2015

AREA OF EDUCATION	GENERAL FUND	OTHER FUNDS	TOTAL FUNDS	% OF TOTAL EDUC.	% OF TOTAL STATE
CHARTER SCHOOLS, STATE BOARD FOR	994,700	0	994,700	0.02%	0.01%
COMMUNITY COLLEGES, STATE BD. OF	71,906,400	0	71,906,400	1.21%	0.58%
DEAF AND THE BLIND, AZ. SCHOOLS FOR THE EDUCATION, DEPARTMENT OF	22,497,900	12,590,200	35,088,100	0.59%	0.28%
HISTORICAL SOCIETY, ARIZONA	3,156,000	0	3,156,000	0.05%	0.03%
HISTORICAL SOCIETY, PRESCOTT	826,300	0	826,300	0.01%	0.01%
POSTSECONDARY EDUCATION, COMM. FOR	1,396,800	1,535,400	2,932,200	0.05%	0.02%
PRIVATE POSTSECONDARY EDUCATION	0	395,700	395,700	0.01%	0.00%
SCHOOL FACILITIES BOARD	189,358,400	0	189,358,400	3.20%	1.54%
BOARD OF REGENTS	21,928,400	0	21,928,400	0.37%	0.18%
ARIZONA STATE UNIVERSITY - MAIN	290,104,300	453,068,700	743,173,000	12.55%	6.03%
ARIZONA STATE UNIVERSITY - EAST	25,853,400	35,691,700	61,545,100	1.04%	0.50%
ARIZONA STATE UNIVERSITY - WEST	33,328,100	40,980,300	74,308,400	1.25%	0.60%
NORTHERN ARIZONA UNIVERSITY	118,281,200	120,281,100	238,562,300	4.03%	1.94%
UNIVERSITY OF ARIZONA - MAIN	209,341,200	271,507,700	480,848,900	8.12%	3.90%
UNIVERSITY OF ARIZONA - HEALTH SCIENCES	69,585,300	41,117,000	110,702,300	1.87%	0.90%
SUBTOTAL- UNIVERSITIES	768,421,900	962,646,500	1,731,068,400	29.23%	14.04%
<b>TOTAL</b>	<b>\$4,866,951,100</b>	<b>\$1,055,003,900</b>	<b>\$5,921,955,000</b>	<b>100.00%</b>	<b>48.04%</b>





# SECTION II

## SUMMARY OF LEGISLATION *Second Regular Session*

Session Convened: January 13, 2014  
Adjourned Sine Die: April 24, 2014

General Effective Date: July 24, 2014

State of Arizona  
Fifty-First Legislature  
*Second Regular Session*





# COMMITTEE ON AGRICULTURE AND WATER

**Representative Barton, Chairman**  
**Representative Pratt, Vice-Chairman**  
**Ryan Sullivan, Legislative Research Analyst**



\* Strike-Everything Amendment  
 [E] Emergency Clause  
 [P 105] Proposition 105 Clause  
 [P 108] Proposition 108 Clause  
 [LIV] Line Item Veto  
 [W/O] Without Emergency Clause  
 [W/S] Without Signature

Bill	Chapter	Short Title	Page
HB 2222	32	cotton research council; continuation .....	3
HB 2523	212	projects; water supply development .....	3
SB 1108	70	*department of agriculture; fees .....	3
SB 1478	126	water protection fund mesquite; tamarisk .....	3
SB 1481	82	federal milk ordinance; rulemaking exemption .....	3



**HB 2222 – Chapter 32 – cotton research council; continuation**

Continues the Arizona Cotton Research and Protection Council for 10 years until July 1, 2024.

**HB 2523 – Chapter 212 – projects; water supply development**

- Adds to the definition of *water provider* permitting the following to receive financial assistance from the Water Supply Development Revolving Fund (Fund):
  - A county that enters into an agreement with a city, town or other water provider regarding a water supply development project.
  - Subdivided lands located outside of active management areas if the director of DWR determines there is an adequate water supply.
- Increases the Fund loan repayment maximum contract from 30 to 40 years.
- Removes language restricting facilities owned by the state, a political subdivision of the state or a municipality from accepting waste generated outside of the state for treatment, storage or disposal of special waster.
- Creates and establishes requirements for the Rural Water Supply Development and Contamination Prevention Study Committee.

**SB 1108 – Chapter 70 – \*department of agriculture; fees**

Allows the director of ADAG to increase or decrease the pesticide registration fee and specifies that any additional revenue generated by increasing the fee must be deposited in the Pesticide Trust Fund. Stipulates that the fee may not be reduced below \$100 and contains a delayed repeal date of July 1, 2016.

**SB 1478 – Chapter 126 – water protection fund; mesquite; tamarisk**

Establishes the Watershed Improvement Program (Program) for the purpose of selective control, reduction or removal of noxious brush and other vegetation and for the revegetation of land on which brush and vegetation has been controlled, reduced or removed. Requires the Program to be funded from monies made available from the Arizona Water Protection Fund, DWR and any other monies received by the Program.

Authorizes the Arizona Water Banking Authority (AWBA) to purchase long-term storage credits only after they have stored or scheduled for storage all available excess CAP water or when CAP water is unavailable or undeliverable, except for the purchase of long-term storage credits from an Indian community.

**SB 1481 – Chapter 82 – federal milk ordinance; rulemaking exemption**

Exempts ADAG from rulemaking requirements for the purpose of adopting and implementing the federal milk ordinance.



# COMMITTEE ON APPROPRIATIONS

Representative John Kavanagh, Chairman  
 Representative Justin Olson, Vice-Chairman  
 Mike Huckins, Legislative Research Analyst  
 Casey Baird, Assistant Legislative Research Analyst



\* Strike-Everything Amendment  
 [E] Emergency Clause  
 [P 105] Proposition 105 Clause  
 [P 108] Proposition 108 Clause  
 [LIV] Line Item Veto  
 [W/O] Without Emergency Clause  
 [W/S] Without Signature

Bill	Chapter	Short Title	Page
HB 2139	199	*increased eligibility; empowerment scholarship accounts..... <i>(See Committee on Education)</i>	33
HB 2620	39	appropriations; named claimants .....	7
HB 2674	160	tobacco settlement agreement.....	7
HB 2703	18 [LIV]	2014-2015; general appropriations .....	7
HB 2705	11	health; welfare; budget reconciliation; 2014-2015 .....	7
HB 2706	12	criminal justice; budget reconciliation; 2014-2015 .....	9
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HB 2709	15	capital outlay; 2014-2015.....	14
HB 2711	16	higher education; budget reconciliation; 2014-2015.....	16
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SB 1219	2	supplemental appropriation; navigable stream commission .....	17
SB 1220	3	independent redistricting commission; supplemental appropriation .....	17
SB 1224	4	supplemental appropriations; child safety positions .....	17
SB 1487	9	revenue; budget reconciliation; 2014-2015.....	17
SB 1488	17 [LIV]	K-12 education; budget reconciliation; 2014-2015 .....	18



**HB 2620 – Chapter 39 – appropriations; named claimants**

Appropriates \$193,632.27 from the GF to ADOA for the payment of outstanding claims made against certain state agencies.

**HB 2674 – Chapter 160 – tobacco settlement agreement**

Makes changes to statutes governing taxation and commerce in order to increase Arizona's compliance under the Master Settlement Agreement. Codifies certain provisions of the Arizona Administrative Procedures, expands the permissible exchange of confidential information between DOR and the AG, updates definitions, outlines distributor licensure requirements and procedures, provides a process by which distributors may receive refunds and rebates, adjusts requirements regarding cigarette tax stamps, and addresses administrative procedures governing certification and IGAs between DOR and Indian tribes.

**HB 2703 – Chapter 18 [LIV] – 2014-2015; general appropriations.**

Makes GF and OF appropriations and transfers for FY 2015 for the operation of state government as well as various budget revisions and supplemental appropriations for FY 2014.

**HB 2705 – Chapter 11 – health; welfare; budget reconciliation; 2014-2015.**

Makes statutory and session law changes related to health and welfare in order to implement the FY 2015 state budget.

***AHCCCS***

- Requires, on or before October 1, 2014 and annually thereafter, AHCCCS to report to the Legislature, JLBC, and OSPB on the change in uncompensated hospital costs and profitability during the previous FY.
- Mandates AHCCCS to report, on or before August 1, 2014 and annually thereafter, to the Legislature, JLBC and OSPB on the amount each hospital contributed for the hospital assessment in the previous FY and the amount of estimated payments each hospital received from the coverage funded by the assessment.
- Includes insulin pumps as a covered service for AHCCCS members who are least 21 years of age.
- Provides that all monies in the Long-term Care System Fund that are unexpended and unencumbered at the end of the FY revert to the GF on or before June 30 of the FY.
- Allows AHCCCS to continue the risk contingency rate setting at funding levels that were imposed for the contract year beginning October 1, 2010 for all managed care organizations for the contract year beginning October 1, 2014 and ending September 30, 2015.
- Allows AHCCCS to participate in any Special Disability Workload 1115 Demonstration Waiver offered by CMS and states that credits must be used in the FY the credits are made available to fund the state share of any medical assistance expenditures that qualify for federal financial participation under the Medicaid program. AHCCCS must report the receipt of any credits to JLBC by December 31, 2014 and June 30, 2015.
- Requires AHCCCS, on or before December 1, 2014, to report to JLBC and OSPB on the use of emergency departments for nonemergency purposes by AHCCCS enrollees.
- Declares the intent of the Legislature for FY 2015 that AHCCCS implement a program within the available appropriation.
- States that it is the intent of the Legislature that AHCCCS comply with the federal False Claims Act and maximize savings in AHCCCS programs.



- Stipulates that it is the intent of the Legislature that AHCCCS capitation rate increases not exceed 3% in FYs 2015, 2016 and 2017.

#### **Counties**

- Sets the county ALTCS contributions for FY 2015 at \$245,196,200.
- Specifies that if the overall cost for the ALTCS line item exceeds the amount in the General Appropriations Act for FY 2015, the state treasurer must collect from the counties the difference of the amount specified and the counties' share of the state's actual contribution.
- Requires AHCCCS to transfer to the counties such portion as may be necessary to comply with the Patient Protection and Affordable Care Act regarding the counties' proportional share of the state's contribution on or before December 31, 2015 for FY 2015.
- Sets the County Acute Care Contribution at \$47,553,700 for FY 2015 and states that it is the intent of the Legislature that the Maricopa County contribution be reduced to reflect changes in the GDP price deflator.
- Sets the amount of \$2,646,200 to be collected from the counties, other than Maricopa County, for the county contribution for hospitalization and medical care services administered by AHCCCS. Specifies that the county contributions are excluded from the county expenditure limitations.
- Continues to exclude Proposition 204 administration costs from the county expenditure limitations.

#### **DHS**

- States that, on or before October 1, 2014, the directors of JLBC and OSPB must agree to the content and format of a revenue and expenditure report of the DHS IGA/County Contributions Fund and requires DHS, beginning November 1, 2014, to report annually to JLBC on the revenues, expenditures, and ending balances from the previous, current and subsequent FYs.
- Requires the annual Behavioral Health Expenditure Report to include client income.
- States that DHS may determine the percentage of the costs to be reimbursed by the county for the treatment of sexually violent persons. States that it is the intent of the Legislature that DHS not increase the percentage rate of the county share of costs in FY 2015 relative to FY 2014.
- Requires a city or county to reimburse DHS for 100% of the costs of inpatient competency restoration treatment for FY 2015 and excludes county contributions from the county expenditure limitations.
- Allows DHS to use monies in the Health Research Account in an amount specified in the General Appropriations Act for FY 2015 for Alzheimer's disease research.
- Declares that it is the intent of the Legislature that DHS may increase behavioral health service provider rates by up to 2% above the September 30, 2014 rates beginning on October 1, 2014.

#### **DES**

- Allows DES, for FY 2015, to reduce income eligibility levels for child care assistance to manage within appropriated and available monies, and requires DES to notify JLBC of any changes in income eligibility levels within 15 days after implementing the change.
- States that, for FY 2015, DES must screen and test each adult recipient eligible for TANF cash benefits whom DES has reasonable cause to believe engages in the use of controlled

substances. Any recipient who tests positive for a controlled substance that is not prescribed by a health care provider is not eligible to receive benefits for a period of one year.

#### ***Hospitals***

- Allows local governments, tribal governments, and universities to contribute state match monies for DHS payments in FY 2015.
- Establishes the following DHS payments for FY 2015:
  - Maricopa County Special Health Care District - \$89,877,700
  - Arizona State Hospital - \$28,474,900
  - Private qualifying DHS hospitals - \$9,284,800

#### ***AHCCCS and DHS***

- Requires the directors of AHCCCS and DHS to jointly submit a report on hospital charge master transparency to the governor and the Legislature, and to provide a copy to the SOS.

#### ***Miscellaneous***

- Requires the OAG, on or before March 15, 2015, to provide a report to the governor, the Legislature, JLBC, and OSPB which contains the following information:
  - The rate of substantiated cases of child abuse or neglect for other states compared to Arizona's rate of substantiated cases of child abuse or neglect, based on the ratio of the total number of children in each state to the number of substantiated cases of child abuse or neglect.
  - The average number of reports of child abuse or neglect for other states over the past five years compared to Arizona's number of reports of child abuse or neglect over the same time period.
  - The number of states with a child safety organization similar to the Office of Child Welfare Investigations, including a description of how other states with state-level child safety law enforcement organizations avoid redundancies among child safety caseworkers, child safety law enforcement, and local law enforcement when investigating allegations of criminal abuse.
- Requires the Early Childhood Development and Health Board and DES to jointly report to JLBC on their collaborative efforts to address child welfare issues of common concern.
  - The report must include information about the level of coordination among DES, the Early Childhood Development and Health Board, and community groups to promote the well-being of children and families that are identified in reports of abuse or neglect.
  - The joint report must be submitted on or before February 1, 2015 for the prior year.

#### **HB 2706 – Chapter 12 – criminal justice; budget reconciliation; 2014-2015.**

Makes statutory and session law changes related to criminal justice in order to implement the FY 2015 state budget.

#### ***DPS***

- Establishes the Concealed Weapons Permit Fund (Fund).
  - Directs DPS to administer the Fund.
  - Specifies that initial and renewal application fees for concealed weapons permits shall be deposited in the Fund.
  - Directs DPS to use monies in the Fund to administer the concealed weapons permit process and all matters related to concealed weapons pursuant to A.R.S. § 13-3112.
  - Specifies that the Fund is subject to legislative appropriation and is exempt from lapsing.
- Requires DPS to submit the GIITEM Border Security and Law Enforcement subaccount's entire expenditure plan to JLBC for review prior to spending any money appropriated to the subaccount by the General Appropriations Act for FY 2015.

- Continues the suspension of statutory caps and transfers of HURF monies available to fund DPS highway patrol costs in FY 2015.
- Allows DPS to use monies in the State Aid to Indigent Defense Fund for operating expenses.

#### **ADC**

- Requires ADC to report actual FY 2014, estimated FY 2015, and requested FY 2016 expenditures in the same structure and detail as the prior FY when ADC submits its FY 2016 budget request.
- Permits ADC to use monies from either of the following funds for operating expenses in FY 2015:
  - Transition Program Fund
  - ADC Interagency Service Agreement Fund
- Permits ADC to award a contract for the remaining male medium security prison beds under the 2012 Request for Proposal, upon legislative authorization.

#### **Judiciary**

- Requires the state to pay a portion, rather than 50%, of the fees incurred by the county out of monies appropriated to the Arizona Supreme Court for legal representation of indigent capital defendants in state post-conviction relief proceedings.
  - The amount may not exceed the amount appropriated in the General Appropriations Act for FY 2015 together with additional amounts appropriated by any special legislative appropriation for indigent capital defense.
- Limits the total amount that may be spent in a FY for state grand jury costs and expenses to the amount appropriated in the General Appropriations Act for FY 2015 together with additional amounts appropriated by any special legislative appropriation for state grand jury costs and expenses.
- Suspends county non-supplanting requirements related to funding for probation services, criminal case processing, and alternative dispute resolution programs.
  - Requires the Arizona Supreme Court to submit a report to JLBC identifying any decrease in county funding related to these suspended provisions, including the reasons for the decrease.

#### **AG**

- Permits the AG to use monies in the State Aid to Indigent Defense Fund for activities related to capital post-conviction prosecution.

### **HB 2707 – Chapter 13 – environment; budget reconciliation; 2014-2015.**

Makes statutory and session law changes related to the environment in order to implement the FY 2015 state budget.

#### ***Yarnell Hill Memorial (Memorial)***

- Authorizes ASPB to establish the Yarnell Hill Memorial State Park subject to the following conditions:
  - The Yarnell Hill Memorial Site Board (Board) recommends that ASPB purchase the land for the Memorial site.
  - ASPB purchases the Memorial site pursuant to statute.
  - The Board approves the design and construction of the memorial.
  - The Board secures permissions for persons to visit the Memorial.
- Stipulates that ASPB may enter into an IGA with the county in which the park is located for the maintenance and preservation of the Memorial and access road.

- Appropriates \$500,000 from the GF in FY 2014 to ASPB for the purpose of purchasing the Memorial site. Any amounts not used for the purchase must revert to the GF.

***Yarnell Hill Memorial Site Board (Board)***

- Establishes the Board and designates the following members:
  - The director of ASPB or the director's designee, who must serve as the chairperson of the Board.
  - The state forester or the state forester's designee.
  - Two representatives from the county in which the Yarnell Hill Fire occurred, who are appointed by the President of the Senate.
  - A representative from the largest city by population in the county in which the Yarnell Hill Fire occurred, who is appointed by the President of the Senate.
  - A representative from the fire department in the largest city by population in the county in which the Yarnell Hill Fire occurred, who is appointed by the Speaker of the House of Representatives.
  - A representative from the Yarnell Fire District, who is appointed by the Speaker of the House of Representatives.
  - A representative from the Yarnell Chamber of Commerce, who is appointed by the Speaker of the House of Representatives.
  - A surviving member of the Granite Mountain Hotshot Crew or a relative of a member who lost his life fighting the Yarnell Hill Fire, who is appointed by the Speaker of the House of Representatives.
  - A relative of a member of the Granite Mountain Hotshot Crew who lost his life fighting the Yarnell Hill Fire, who is appointed by the Speaker of the House of Representatives.
  - A representative of a nonprofit organization in this state that supports public safety, who is appointed by the President of the Senate.
  - A representative of a recognized association representing public firefighters, who is appointed by the Speaker of the House of Representatives.
  - A representative of the Arizona arts community or a person with substantial memorial design experience, who is appointed by the President of the Senate.
  - One member of the House of Representatives who represents the district in which the Yarnell Hill Fire occurred, who is appointed by the Speaker of the House of Representatives as an advisory member.
  - One member of the Senate who represents the district in which the Yarnell Hill Fire occurred, who is appointed by the President of the Senate as an advisory member.
- Stipulates that Board members are eligible to receive reimbursement for expenses, except for the director of ASPB, the state forester, and the legislative members from the House of Representatives and Senate.
- Requires the Board to:
  - Determine whether to establish a memorial dedicated to the members of the Granite Mountain Hotshot Crew who lost their lives fighting the Yarnell Hill Fire and if the Board determines that the site should be memorialized, the Board must establish the Memorial and approve the design and construction.
  - Determine whether ASPB or a private party should purchase the land for the site.
  - Work with interested parties to design and construct the Memorial.
  - Plan for and secure the necessary permissions for individuals to visit the Memorial.
  - Seek to minimize the use of GF monies for the purchase, maintenance, and preservation of the Memorial.
  - Plan for the maintenance and preservation of the Memorial.

- Solicit private monetary donations or public monies for deposit in the Yarnell Hill Memorial Fund.
- Submit a report on the progress of the Memorial to the governor, the President of the Senate, and the Speaker of the House of Representatives on or before December 31, 2015 and provide a copy to the SOS.
- Contains a delayed repeal date for the Board of January 1, 2017.

***Yarnell Hill Memorial Fund (Fund)***

- Establishes the Fund, consisting of legislative appropriations and donations.
  - The Board must administer the Fund.
  - On notice from the Board, the state treasurer must invest and divest monies in the Fund, and monies earned from investment must be credited to the Fund.
  - The monies in the Fund are exempt from lapsing.
  - The monies and any additional donations to the Fund must be used for the purpose of purchasing land for the Memorial, maintaining and preserving the Memorial and access road, and reimbursement of the Board members' travel expenses.
- Authorizes ASPB to administer the Fund beginning January 1, 2017.

***DWR***

- Authorizes the Arizona Water Protection Fund Commission to grant DWR up to \$336,000 of the unobligated balance in the Arizona Water Protection Fund to pay for department administrative costs.
- Authorizes DWR to increase fees for services for FY 2015.
  - States legislative intent limiting revenue generated from fees to \$100,200 and requires fee revenues to be deposited in the Water Resources Fund.
  - Exempts DWR from rule making for the purpose of establishing fees until July 1, 2015.

***ASPB***

- Authorizes ASPB to spend up to \$692,100 from its portion of the Off-Highway Vehicle Recreation Fund in FY 2015 for agency operating costs.

***DEQ***

- Suspends the statutory administrative cap on the UST Revolving Fund Assurance Account (Account) in FY 2015 to allow DEQ to transfer a combined total of \$6,531,000 from the Account and the Regulated Substance Fund for DEQ administrative expenses.
- Reduces the annual GF statutory appropriation of \$15,000,000 to \$7,000,000 to the Water Quality Assurance Revolving Fund for FY 2015.
- Adds session law that allows DEQ to use up to \$1.8 million from the Emissions Inspection Fund for the safe drinking water program.

***Arizona Navigable Stream Adjudication Commission (ANSAC)***

- Authorizes \$80,000 from the Risk Management Revolving Fund to be used for ANSAC's unpaid obligations related to legal fees in FY 2015.

***ASLD***

- Increases the maximum amount ASLD may include in its annual budget request for Natural Resource Conservation Districts from \$30,000 to \$40,000.

**HB 2708 – Chapter 14 – budget procedure; 2014-2015.**

Makes statutory and session law changes related to budget procedures in order to implement the FY 2015 state budget.

- Requires the PSPRS Board of Trustees (Board) to include the following items in the comprehensive annual financial report submitted to the governor and the Legislature:
  - An estimate of the aggregate PSPRS employer contribution rate for the next 10 FYs.
  - An estimate of the employer contribution rates for the next 10 FYs for the following employers within PSPRS:
    - DLLC
    - DPS
    - Northern Arizona University
    - The University of Arizona
    - Arizona State University
    - G&F
    - The Department of Law
    - DEMA
    - ASPB
  - An estimate of the aggregate CORP employer contribution rate for the next 10 FYs.
  - An estimate of the employer contributions rates for the next 10 FYs for the following employers within CORP:
    - ADC
    - DPS
    - The Judiciary
    - ADJC
- Removes references to repealed statutes relating to Board procurement.
- Requires ADOA to require a budget unit to contract with an independent third party for review of and guidance on the technology approach, scope, estimated cost, timeline for completion, and overall feasibility of an information technology project that exceeds \$5 million prior to making recommendations to the Information Technology Authorization Committee.
- States that any unrestricted federal monies received by the state during FY 2015 must be deposited into the GF and used for the payment of essential governmental services.
- Sets COSF rental rates for state-owned buildings at \$13.08 per square foot for office space and \$4.74 per square foot for storage space in FY 2015.
- Extends appropriations made to all budget units in FY 2015 to FYs 2016 and 2017, rather than limiting the appropriations to one year.
- Allows the governor to submit a budget for only FY 2016 within five days after the 2015 regular legislative session commences.
- Permits a budget unit to submit a budget estimate for only FY 2016 in calendar year 2014.
- Exempts \$4,132,000 of the \$28,638,000 appropriated to ADOA in FY 2014 from lapsing for the purpose of paying contingency costs related to the replacement of the Arizona Financial Information System.
- Stipulates that lottery ticket sales commissions in the amount of \$25,836,400 earned from January 1, 2013 through June 30, 2013 may only be paid from the SLF FY 2013 ending balance.
- Allows ADOA to use monies appropriated for building renewal for FY 2015 for building demolition.

- Specifies that after providing 30 days' notice and an opportunity to demonstrate compliance with the financial responsibility requirement, the director of DEQ may issue a *stop use order* and affix a *stop use tag* on all fill pipes of UST.
- Repeals the transfer of monies in excess of \$60 million from the UST Assurance Account (Assurance Account) to the SHF on January 1, 2015.
- Removes exemptions to the reporting deadline of July 1, 2006, for eligibility for Assurance Account coverage.
- Specifies that DEQ is not required to take any action on an application for coverage, reimbursement or payment from the Assurance Account or on application for preapproval until a new revised UST corrective action program is effective.
- Provides a legislative intent clause that specifies that monies in the Assurance Account will fund a new and revised UST corrective action program and the existing UST leak prevention program. The new program must:
  - Require DEQ to use Assurance Account monies to conduct a baseline assessment of all existing USTs to determine whether they are leaking and perform any corrective action necessary in consultation with the owner/operator.
  - Direct DEQ to use Assurance Account monies to remove USTs at the request of the owner/operator.
  - Require all owners and operators who use private insurance to meet financial responsibility requirements to obtain a standard policy to be developed by DEQ in cooperation with DOI and insurance carriers.
  - Authorize DEQ to prohibit delivery of fuel to any UST that does not meet the requirements of the new program and to establish reasonable deductibles to be paid by owners and operators to defray the costs for the baseline assessments, corrective actions, and tank removals.

**HB 2709 – Chapter 15 – capital outlay; 2014-2015.**

Appropriates funds for FY 2015 to applicable agencies for maintenance, repair, building renewal, and preventative maintenance of state buildings.

***Building Renewal***

- Appropriates the following amounts for major maintenance and repair activities for state buildings in FY 2015:
  - **ADOA**
    - \$9,000,000 from the GF
    - \$9,000,000 from COSF
  - **ABOR**
    - \$3,000,000 from the GF
  - **ADC**
    - \$3,000,000 from the GF
    - \$5,464,300 from the ADC Building Renewal Fund
  - **ASLC**
    - \$97,400 from the SLF
  - **ADOT**
    - \$3,191,900 from the SHF
    - \$204,900 from the State Aviation Fund

***Capital Projects***

Department	Project	Fund Sources	Amount
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DPS	Microwave Communications System	Arizona Highway Patrol Fund	\$2,000,000
<b>Total (DPS)</b>			<b>\$2,000,000</b>
ASPB	Capital Improvements	State Parks Revenue Fund	\$1,500,000
<b>Total (ASPB)</b>			<b>\$1,500,000</b>
Arizona Exposition and State Fair Board	Capital Improvements	Arizona Exposition and State Fair Fund	\$1,000,000
<b>Total (AESFB)</b>			<b>\$1,000,000</b>
DVS	Yuma Veterans' Home Facility	GF	\$9,200,000
<b>Total (DVS)</b>			<b>\$9,200,000</b>
ADOT	Statewide Highway Construction	SHF	\$208,899,000
	Airport Planning and Development	State Aviation Fund	\$20,012,300
	De-icer Buildings	SHF	\$2,280,000
	Vehicle Wash Systems	SHF	\$3,000,000
<b>Total (ADOT)</b>			<b>\$234,191,300</b>

### **REPORTING REQUIREMENTS**

#### **ADOA**

- Requires ADOA to report on the status of project specific FTE positions for capital projects in its annual capital budget request.

#### **ABOR**

- Mandates ABOR to require each university to create a major maintenance and repair account for deposit of amounts appropriated to the university by ABOR.

#### **ADC**

- Directs ADC to report monthly to JLBC on the status of building renewal projects and prohibits ADC from using any of the funds appropriated for this purpose on personal services or overhead expenses relating to project management.

#### **ADOT**

- Requires ADOT to report the prior year, estimated current year, and upcoming budget year highway construction expenses from all sources to JCCR by November 1, 2014 and adds a requirement for ADOT to provide the report format to JLBC and OSPB.



- Mandates that ADOT report capital outlay information for FYs 2014, 2015, and 2016 to JLBC and OSPB.
- Requires ADOT to report its estimated outstanding debt principal balance at the end of FY 2016 and the estimated debt service payment amount for FY 2016 to JLBC and OSPB.
  - Specifies that the report must include SHF statewide construction bonds; HURF; Maricopa Association of Governments and Pima Association of Governments controlled access bonds; Maricopa Regional Area Road Fund bonds; and grant anticipation notes.
  - States that the report must be comparable to the information provided in the FY 2015 appropriations report.

#### ***Miscellaneous***

- Allows ADOA to allocate FTE positions authorized for specific projects to other projects provided that the funding is cost allocated and requires ADOA to report on any FTE position reallocations to JCCR by December 31, 2014.
- Stipulates that the monies appropriated for capital outlay may not be used for personal services or employee-related expenditures of state employees, excluding services provided as part of the inmate construction program for correctional facilities.
- States that unless otherwise specified, the appropriations do not lapse until the purpose for which the appropriation was made has been accomplished or abandoned, or the appropriation stands for a full FY without an expenditure or an encumbrance.
- Requires JCCR to examine the scope, purpose, and estimated cost of any new capital project that has an estimated cost of more than \$250,000.

#### **HB 2711 – Chapter 16 – higher education; budget reconciliation; 2014-2015.**

Makes statutory and session law changes related to postsecondary education in order to implement the FY 2015 state budget.

#### ***Community Colleges***

- As session law, stipulates that state aid for science, technology, English, math, and workforce programs for FY 2015 is as specified in the General Appropriations Act for FY 2015, which allocates funds to each community college district as follows:
  - \$1,236,700 to Cochise
  - \$426,900 to Coconino
  - \$142,800 to Gila
  - \$640,500 to Graham
  - \$1,400,000 to Maricopa
  - \$593,700 to Mohave
  - \$375,400 to Navajo
  - \$600,000 to Pima
  - \$1,009,300 to Pinal
  - \$45,400 to Santa Cruz
  - \$802,900 to Yavapai
  - \$882,500 to Yuma/La Paz

#### ***School District Sponsored Charter Schools***

- Adds, to SB 1488, that FY 2015 incremental funding for charter schools that began initial operations or converted from a district school after June 30, 2013, but before July 1, 2014 must be as specified in the 2013-2014 district sponsored charter school conversion line item in the General Appropriations Act for FY 2015.

- Contains a conditional enactment clause stating that this provision only becomes effective if SB 1488 and the General Appropriations Act for FY 2015 become law.
- Requires ADE to compute K-12 equalization funding for students that, in FY 2015, attended a charter school that converted to a charter school or began operations as a new charter school in FY 2014 as if those students had attended school district non-charter schools in FY 2015 and further requires ADE to adjust student counts and budget limits accordingly for FY 2016.
- Stipulates that, beginning in FY 2015, the ADM of students in a school district charter school in a school district may not exceed, by more than 20%, the ADM for all students who attended school district charter schools in the district in FY 2013.

#### ***Miscellaneous***

- As session law, suspends the requirement that the Legislature provide a 2:1 match for every dollar of student registration fees deposited into the Arizona Financial Aid Trust Fund. *This provision has been suspended since FY 2009.*
- Funds JTEDs with more than 2,000 students at 95.5% of the amount that would otherwise be provided by law for FY 2015.

#### **SB 1159 – Chapter 1 – supplemental appropriation; legislators; subpoenas; representation**

Appropriates \$100,000 in supplemental funding to the Legislature in FY 2014 to provide legal representation to current and former members who are subject to a subpoena or other request in a civil action for the production of documents related to the member's status as a current or former member of the Legislature.

#### **SB 1219 – Chapter 2 – supplemental appropriation; navigable stream commission**

Appropriates \$150,000 from the GF in FY 2014 to the Arizona Navigable Stream Adjudication Commission for legal expenses of the commission.

#### **SB 1220 – Chapter 3 – independent redistricting commission; supplemental appropriation**

Appropriates \$1,462,701 in supplemental funding from the GF in FY 2014 to AIRC for operating expenses.

#### **SB 1224 – Chapter 4 – supplemental appropriations; child safety positions**

Appropriates \$5,748,000 in GF monies, \$1,111,300 in expenditure authority supplemental funding, and 192 FTEs to DES in FY 2014 for child safety and family services staff.

#### **SB 1487 – Chapter 9 – revenue; budget reconciliation; 2014-2015**

Makes statutory and session law changes related to state revenues in order to implement the FY 2015 state budget.

- Establishes a payment schedule that provides a subdivider the option to pay half of the Central Arizona Groundwater Replenishment District (CAGR) activation fee before a public report is issued and pay the second half no later than one year after the public report is issued.
  - States that the first installment of payment of the activation fee is sufficient for notice of intent to subdivide.
  - Becomes effective on January 1, 2015.
- Exempts the following agencies from rulemaking requirements relating to increasing fees for FY 2015, with the legislative intent that the generated revenue does not exceed the corresponding amount:

- ADR - \$2,600,000
- Radiation Regulatory Agency - \$561,000
- Exempts ADAG from rule making relating to the continuation of FY 2014 fees for FY 2015, with the legislative intent that the generated revenue does not exceed:
  - \$218,000 to the GF
  - \$113,000 to the Pesticide Trust Fund
  - \$26,000 to the Dangerous Plants, Pests, and Diseases Trust Fund
- Prohibits the director of DOI from revising fees or assessments in FY 2015 in order to meet the statutory requirement that DOI recover between 95% and 110% of its appropriated budget.
- Allows DFI to use the Financial Services Fund for general operating expenditures.
- Allows the superintendent of DFI to use monies from the DFI Receivership Revolving Fund for an electronic licensing system, with the legislative intent that such expenditures do not exceed \$850,000 through FY 2015.
- Allows counties with a population of less than 200,000 persons, according to the 2010 census, to use any source of county revenue to meet its fiscal obligations in FY 2015 with the stipulation that the county report the specific source and amount of revenues the county intends to use to JLBC by October 1, 2014.
- Appropriates \$1 million from interest income from the Budget Stabilization Fund to the Arizona Commission on the Arts for FY 2015.
- Requires, prior to HURF distribution, ADOT to allocate and the state treasurer to distribute \$30 million in FY 2015, \$30 million in FY 2016, and \$60 million in FY 2017, used only to cover direct costs of construction and maintenance of roads and bridges, as follows:
  - 33.231% to counties
  - 48.097% to cities and towns
  - 5.247% to cities and towns with a population of 300,000 or more persons
  - 13.425% to counties with a population above 800,000 persons
- Allows CPS or its successor agency to direct complaints to the ombudsman-citizens' aide (Aide).
  - Requires the Aide to process complaints, but allows the Aide to refer the matter to a superior court judge after investigating the complaint.
  - Contains a delayed repeal date of July 1, 2016.

**SB 1488 – Chapter 17 [LIV] – K-12 education; budget reconciliation; 2014-2015**

Makes statutory and session law changes related to K-12 education in order to implement the FY 2015 state budget.

***School Funding***

- As permanent law, increases the school district Transportation Support Level per route mile formula by 1.4%.
- As permanent law, increases the Base Level amount for FY 2015 by 1.4% from \$3,326.54 to \$3,373.11 per student.
- Directs ADE to reduce the amount of Basic State Aid (BSA) by \$238,985,500 that otherwise would be apportioned to school districts for FY 2015 for District Additional Assistance and requires these school district budget limits to be reduced accordingly. For school districts that are not eligible to receive BSA funding, ADE must reduce District Additional Assistance by the amount that it would be reduced if the district was eligible for BSA funding.

- Caps the sum of District Additional Assistance reductions in FY 2015 for school districts with less than 1,100 students at \$5 million.

#### ***Charter Additional Assistance***

- As permanent law, increases Charter Additional Assistance by 1.4% to the following amounts:
  - For students in preschool programs for children with disabilities and grades K-8 - \$1,707.77
  - For students in grades 9-12 - \$1,990.38
- As session law, requires ADE to reduce the amount of Charter Additional Assistance per student amount by \$15,656,000 that otherwise would be apportioned to charter schools and school districts for FY 2015. The reduction must be made on a proportional basis based on the Charter Additional Assistance funding that each charter school would have received minus the prescribed reduction. Reduces Charter Additional Assistance for FY 2015 for a school district that is not eligible to receive BSA funding for FY 2015 by the amount that it would have been reduced by if the district was eligible for BSA and requires the school district's budget limits to be reduced accordingly.

#### ***Charter Conversion***

- As permanent law, prohibits a school district governing board, SBCS, SBE, a university, a community college district, or a group of community college districts from granting a charter to a school district governing board for a new charter school that begins initial operations after June 30, 2013 or for the conversion of an existing district public school to a charter school that begins initial operations after June 30, 2013.
  - Applies retroactively to July 1, 2013.
- As session law, allows district sponsored charter schools that began operations in FY 2014 to continue to be sponsored and operated by the district only through FY 2015.
- As session law, stipulates that the repayment of the total received Charter Additional Assistance does not apply to a charter school that is required to convert back to a district public school due to this act.
- As session law, requires FY 2015 incremental funding for charter schools that began initial operations or converted from a district school after June 30, 2013, but before July 1, 2014, to be as specified in the 2013-2014 district sponsored charter school conversion line item in the General Appropriations Act for FY 2015. *This provision is added by HB 2711.*

#### ***Student Success Funding***

- Removes the budgeting requirements and eligibility limitations on receiving monies from the Performance Incentive Fund.
- As permanent law, renames the Performance Incentive Fund to the Student Success Fund (Fund).
- Allows other monies designated for Student Success Funding (SSF) to be deposited into the Fund.
- Requires each eligible school district and charter school to establish a local level student success fund to receive allocations from the Fund.
- As session law, establishes the SSF formula for FY 2015 which allocates monies in relation to a school district or charter school's achievement profile, improvement category, and high school graduation number.

- Directs ADE to distribute SSF monies to eligible school districts and charter holders from the Fund.
- Instructs eligible school districts and charter holders that receive SSF monies to submit a report to ADE on the expenditure of the SSF monies by October 15, 2015.
  - Directs ADE to prescribe the format of the report.
- Requires ADE to prominently post on their website the following SSF information for FY 2015 by school for each eligible school district and charter school:
  - The per pupil amounts for SSF.
  - The total amount of SSF.
- Exempts SSF from the Revenue Control Limit.
- Defines *below-average improvement* as a below-average measurement of academic gain for students that is used to calculate school achievement profiles.
- Defines *strong improvement* as an above-average measurement of academic gain for students that is used to calculate school achievement profiles and that is below a determination of superior improvement.
- Defines *superior improvement* as a measurement of academic gain within or equal to the top 17% for students that is used to calculate school achievement profiles.
- Defines *eligible school district or charter holder* as a school district or charter school that provides instruction in at least one subject and grade in which students participate in the state assessment adopted by SBE.
  - Excludes school districts and charter holders that only provide K-2 instruction and JTEDs.
- Defines *eligible score* as the following:
  - The current score in math or reading according to the state assessment awarded to a student in grades 3 and 10.
  - The previous score in math or reading according to the state assessment awarded to a student in grades 4 through 8.
- Defines *high school graduates* as the most current number of students who completed the minimum course of study and competency requirements established by SBE.
- Defines *tested grades* as grades 3 through 8 and grade 10.
- Defines *untested grades* as kindergarten programs and grades 1, 2, 9 and 11.

***K-6 Technology-Based Language Development and Literacy Intervention Pilot Program***

- As permanent law, instructs SBE to develop a two-year pilot program for K-6 technology-based language development and literacy intervention.
- Requires SBE to develop application procedures and selection criteria for school districts and charter schools voluntarily deciding to participate in the pilot program.
- Instructs SBE to submit a request for proposals to educational technology providers for the delivery of language development and literacy software for K-6 English Language Learner students enrolled in participating schools.
- Requires SBE to establish the format of the application, application procedures and selection criteria for technology providers.
- Directs SBE to award a contract to one educational technology provider and distribute all appropriated monies to the selected provider.

- Requires the developed software to differentiate instruction for each pupil and meet the following requirements:
  - Include individualized instruction in the five strands of literacy: phonics, phonemic awareness, vocabulary, comprehension, and fluency.
  - Have components created for and aligned to the Arizona College and Career-Ready Standards.
  - Correlate to the Arizona English Language Proficiency Standards.
  - Contain internal assessments, checkpoints, tracking, and reports for teachers, administrators, and parents.
  - Be used to address varied learner needs and assist teachers in tracking pupil growth toward curricular goals.
  - Have tools and off-line resources that enable teachers to more effectively meet the individual needs of each pupil.
  - Provide immediate feedback to pupils and automatic remediation, when necessary.
  - Provide scaffolding through illustrations, front-loaded vocabulary, audio support, interactive glossary words, instructional feedback, strategic questions, and adaptive content that provides extra practice as needed.
  - Include grade appropriate digital books with literature and informational text.
  - Allow pupils to practice reading on the computer by recording readings and comparing readings to the reading model.
  - Provide implicit and explicit instruction.
  - Teach listening and reading comprehension, including intertextual comprehension, to prepare students for the Arizona College and Career-Ready Standards.
  - Teach pupils academic vocabulary using real and virtual experience and visuals to introduce vocabulary related to core content areas.
  - Provide additional language development activities for pupils requiring assistance.
  - Teach basic interpersonal communicative skills and cognitive academic language proficiency and assess a pupils understanding.
- Requires the educational technology provider to have experience with large statewide implementations and the ability to support a statewide level of implementation.
- Directs the educational technology provider to submit annual evidence of pupil progress.
- Instructs JLBC to annually review the results of the software.
- Requires SBE to submit a progress report to JLBC by September 15, 2015.
- Requires SBE to submit a report regarding the delivery of the software to the Speaker of the House of Representatives, the President of the Senate, and the governor and to provide a copy to the SOS by September 15, 2016.
  - Directs information on the number of school districts, charter schools, and pupils that participated in the intervention to be included in the annual report.
  - Requires the report to include a recommendation of whether the Legislature should expand the pilot program as a permanent statewide program.
- Establishes the Technology-Based Language Development and Literacy Intervention Fund (Fund) consisting of appropriated and transferred monies.
- Directs ADE to administer the Fund.
- Determines monies in the Fund to be subject to legislative appropriation and exempt from lapsing.
- Requires monies in the Fund to be used for the pilot program.

- As session law, directs the Commission for Postsecondary Education to transfer \$546,800 from the Commission on Postsecondary Education IGA/ISA Fund to the Fund by August 1, 2014.
- As session law, requires ADE to transfer \$53,200 in GF monies funding from the ADE Accountability and Achievement Testing Program to the Fund by August 1, 2014.
- As session law, appropriates \$300,000 from the Fund to SBE in FYs 2015 and 2016 to provide payment to the educational technology provider selected by SBE.
- Repeals the pilot program on January 1, 2018.

### **SFB**

- As permanent law, directs SFB to annually electronically report to JCCR the amount necessary to fulfill deficiencies corrections and new school facilities requirements for the following three FYs rather than the following two FYs.
  - Instructs SFB to use the most recent ADM data available in developing the amounts necessary for the report.
  - Requires ADE to make the most recent ADM data for the following three FYs on request from SFB.
- As permanent law, requires a school district to reimburse SFB an agreed upon amount for deposit into the Building Renewal Grant Fund (BRGF) if SFB or a court determines that the school district received monies from the BRGF that must be reimbursed due to legal action from improper construction by a hired contractor.
- As permanent law, directs SFB to use the most recent ADM data available when approving or revising enrollment projections for the distribution of monies from the New School Facilities Fund.
  - Requires ADE to provide the most recent ADM data on request from SFB.

### **School Emergency Pilot Program (Program)**

- As session law, indicates that the \$3,646,400 appropriation to ADE for the School Safety Program for FY 2015 includes \$100,000 for a pilot program on school emergency readiness.
- Requires school districts to submit applications to ADE to participate in the Program by September 30, 2014 and directs ADE to select three school districts to participate by November 30, 2014.
- Prohibits participating school districts from collectively consisting of more than 31 individual school sites.
- Stipulates that the school districts must consist of:
  - One school district located in a county with a population of less than 100,000 people
  - One school district located in a county with a population between 100,000 and 800,000 people
  - One school district located in a county with a population of 800,000 people or more
- Requires participating school districts to be provided a readiness and emergency management program that incorporates the following:
  - Education specific emergency management software that complies with the National Emergency Information Management System. All plans and critical emergency readiness information must be accessible both online and off-line through mobile device apps.
  - Training of teachers and administrators in the readiness and emergency management program.

- The development, implementation, and maintenance of a comprehensive crisis for the school districts and their teachers and administrators.
- Directs ADE to submit a report that summarizes the results of the Program to the governor, the President of the Senate, and the Speaker of the House of Representatives and to provide a copy to the SOS by November 1, 2015.

***Education Learning and Accountability Fund***

- As session law, requires each community college district and university under the jurisdiction of ABOR to transmit \$6 per full-time student equivalent to ADE for deposit in the Education Learning and Accountability Fund.

***Joint Committee on Broadband Expansion and Education Technology (Committee)***

- As session law, establishes the Committee consisting of the following members:
  - Three members of the Arizona House of Representatives, two of whom are appointed by the Speaker of the House of Representatives and one appointed by the House of Representatives Minority Leader.
  - Three members of the Arizona Senate, two of whom are appointed by the President of the Senate and one appointed by the Senate Minority Leader.
  - The state chief information officer or their designee.
  - The superintendent of public instruction or their designee.
  - Two members representing an internet services provider or telecommunications organization with a presence in the state, one of whom is appointed by the Speaker of the House of Representatives and the other by the President of the Senate.
  - Two representatives from school districts, one of whom is from a school district in a county with less than 400,000 persons and is appointed by the President of the Senate and the other appointed by the Speaker of the House of Representatives.
  - A parent of a child enrolled in the Free and Reduced Lunch Program in a school district or charter school, appointed by the governor.
- Directs the Speaker of the House of Representatives and the President of the Senate to each select a co-chair of the Committee.
- Requires ADE, ADOR, and the Legislature to provide staff services and support for the Committee.
- Prohibits Committee members from receiving compensation or reimbursement of expenses.
- Charges the Committee with reviewing the extent of available information on the following:
  - The availability of high-speed internet access within the state, particularly in rural areas.
  - The technological needs of school districts and charter schools, including infrastructure, internet connectivity, data security, and information technology personnel.
  - Federal programs relating to internet accessibility, including E-Rate, and availability and access to federal monies, especially for rural districts.
  - The development of high-speed internet access in other states, including model governance structures.
  - Current contracts for carrier services and telecommunications and the potential to incentivize the expansion of internet access.
- Directs the Committee to submit a report of its preliminary findings to the governor, the President of the Senate, the Speaker of the House of Representatives, JLBC, and the Information Technology Authorization Committee (ITAC) by December 1, 2014.
- Instructs the Committee to submit a report including recommendations to increase internet access to underserved populations, including best practices, funding sources, and a model



governance structure to the governor, the President of the Senate, the Speaker of the House of Representatives, JLBC, and ITAC and to provide a copy to the SOS by December 1, 2015.

- Repeals the Committee on January 1, 2017.

# COMMITTEE ON COMMERCE

**Representative Tom Forese, Chairman**  
**Representative T.J. Shope, Vice-Chairman**  
**Diana Clay, Legislative Research Analyst**  
**Amanda Barnes, Assistant Legislative Research Analyst**



\* Strike-Everything Amendment  
 [E] Emergency Clause  
 [P 105] Proposition 105 Clause  
 [P 108] Proposition 108 Clause  
 [LIV] Line Item Veto  
 [W/O] Without Emergency Clause  
 [W/S] Without Signature

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**HB 2019 – Chapter 22 – continuation; funeral board**

Continues the Arizona Board of Funeral Directors and Embalmers for eight years until July 1, 2022.

**HB 2167 – Chapter 203 – sports authority; election**

Makes having an election optional, instead of mandatory, for a county to create a sports authority within a sports authority district. Extends the timeframe for the election to one of the next eight (rather than five) general election dates in November, after the establishment of the sports authority district.

**HB 2205 – Chapter 51 – veterinary faculty member licenses**

Authorizes the Veterinary Examining Board (Board) to issue a new faculty member license to qualified veterinarians. Permits the Board to issue an emergency temporary permit to out-of-state veterinarians to provide volunteer services in Arizona during a declared state of emergency. Outlines guidelines and restrictions.

**HB 2239 – Chapter 135 – \*state board of appraisal**

Requires complaints to the Board of Appraisal (Board) to be submitted within five years after the completed appraisal or two years after litigation. Changes the period of time from two years to five years for reapplication after a license revocation. Authorizes the Board to assess terms of probation, impose maximum civil penalties, and collect monies from an appraiser in the amount of the expenses sustained in a prevailing case.

Further, permits the person applying to the Board or an appraiser to collect expenses associated with the formal hearing if the Board fails to sustain its burden of proof. Requires applicants to obtain a valid fingerprint clearance card and increases surety bonds to a minimum of \$20,000 and a maximum of \$50,000.

**HB 2260 – Chapter 204 – small business bill of rights**

Directs each state agency that performs audits, inspections or other regulatory enforcement actions to clearly post on its website, a small business bill of rights that includes relevant statutes, rules and the process to file a complaint with the proper agency employees. Entitles a regulated business person to contact the Office of the Ombudsman Citizens-Aide, if the person has made a reasonable effort to resolve the problem and has not been successful. Requires dissemination of the existing Ombudsman's reports to various financial and rules oversight agencies.

**HB 2263 – Chapter 136 – certified public accountants**

Establishes new reciprocity standards and revises language concerning reinstatement requirements. Exempts nonregistered and expired certificates from disciplinary order from the Board. Allows the CPA Board to suspend the registration of a CPA or PA firm that does not follow registration requirements. Modifies the definition of *attest services* and adds the definition of *jurisdiction*. Contains a legislative intent clause.

**HB 2268 – Chapter 90 – scrap metal dealers**

Enables a scrap metal dealer to give an on-site seller, a check made payable to an industrial account for the sale of air conditioner cooling coils. Excludes from the record-keeping and transaction limitation provisions of the statutes, certain transactions involving products in their originally manufactured form. Adds metal storm grates used by cities to the list of prohibited items that may not be purchased by scrap metal dealers. Stipulates that scrap metal dealer laws do not apply to a city, town or county's licensing system that includes a background check/fingerprinting. Further, considers all licenses in good standing before September 13, 2013

as valid, if the outlined requirements are met.

**HB 2269 – Chapter 138 – civil liability; damages; metal theft**

Provides for an affirmative defense in a civil proceeding if the defendant did not act intentionally and the defendant proves that the claimant (or an heir or decedent) acted or attempted to act in violation of metal theft laws and was responsible in any way, for the accident or event that caused the claimant's or decedent's harm.

**HB 2274 – Chapter 53 – dealer tank wagon prices**

Removes the requirement for the AG to weekly collect, compile and save data on the average dealer tank wagon prices for Phoenix and Tucson.

**HB 2439 – Chapter 238 – cosmetology; regulation**

Changes the age requirement for those licensed by the Board of Cosmetology from 23 years to 16 years and adds language specifying the qualifications for postsecondary education institutions.

**HB 2529 – Chapter 63 – cosmetic laser procedures; supervision; dentists**

Authorizes the supervision of another *health professional* in the use of laser and Intense Pulse Light devices by a person licensed by the Dental Board, and who specializes in oral or maxillofacial surgery.

**HB 2537 – Chapter 98 – pawnbrokers; interest; military members**

Increases the interest rate a pawnbroker can charge from 8% to 13% for the first two months and from 6% to 11% per month thereafter. Requires a pawnbroker to waive any unpaid interest charges and hold the pledged goods for 60 days after the return of a military member from deployment upon receiving a copy of military orders indicating the person has been deployed.

**HB 2546 – Chapter 174 [W/O] – alarm businesses; alarm agents; regulation**

Grants discretionary authority to the BTR, to deny a license to anyone who lacks good moral character or has been convicted of an act involving moral turpitude, which may be established by past criminal activity. Prohibits a city, town or special taxing district from levying a transaction privilege, sales, use or other similar tax on monitoring services related to an alarm system and the gross proceeds of sales or gross income derived from a contract with the owner of real property for the maintenance, repair or replacement of existing property if the contract does not include modification activities.

**HB 2694 – Chapter 275 – theme park districts; formation; bonds**

Permits any combination of the required cities and counties to form a theme park district and allows for a single site and additional sites to be added and revised after the initial establishment.

**SB 1160 – Chapter 185 – registrar of contractors; discipline grounds**

Directs the ROC to temporarily suspend or permanently revoke a contractor's license upon notice by DOR that a business-related tax debt has become final and the person either neglects to pay or refuses to pay the tax debt.

**SB 1307 – Chapter 119 – \*residential construction; fall protection**

Mandates the employer's necessary fall protection plan requirements and supplements for residential construction activities when employees are six feet or more above lower levels.

Eliminates the use of roof jack systems. Excludes from the provisions, preliminary work by employees who inspect, investigate or assess workplace conditions before construction starts or after the completion of all work. For work outside the gable end truss or rafter, eliminates the current law that permits temporary suspension of personal fall protection if the work is of short duration and there is limited hazardous exposure.

Contains a conditional repeal of Arizona's fall protection standard for residential construction upon publication in the Federal Register that the Federal Occupational Safety and Health Administration (OSHA) has rejected the current state standard. Instructs the director of the ICA to notify the director of Legislative Council if OSHA publishes a decision to reject the Arizona state standard.

### **SB 1397 – Chapter 253 – liquor omnibus**

Modifies the regulations of the DLLC and the liquor industry. Clarifies the daily cost per event and doubles the number of wine festival licenses and the total days per winery. Outlines the eligibility requirements to qualify for a farm winery license and limits sales of wine produced or manufactured by another farm winery to 20% of total sales. Authorizes alternating proprietorships and custom crush arrangements; specifies guidelines, necessary reporting and other regulations. A licensed farm winery may operate a maximum two other tasting and retail premises if all stated conditions are met, and hold a craft distillery license on a separate premise. Grandfathers existing wineries and permits them to continue operations, without expanding, until January 1, 2019. Current licensees that hold beer/wine bar and/or beer/wine store licenses may continue to operate, but only licenses issued before January 1, 2014.

Establishes a craft distiller license and limits production of distilled spirits to 20,000 gallons per calendar year. Creates a craft distillery festival license and outlines specific requirements, including permissible fees. Modifies, clarifies and outlines requirements for a special event license. Amends the requirements for channel pricing and adds to the reasons for license suspension or revocation. Establishes off-premises consumption limits. Modifies and restricts the acceptable written forms of identification. Permits beer to be dispensed in a refillable container approved by a national sanitation organization, rather than only a glass container. Contains a severability clause.



# COMMITTEE ON EDUCATION

Representative Doris Goodale, Chairman  
 Representative Doug Coleman, Vice-Chairman  
 Aaron Wonders, Legislative Research Analyst



\* Strike-Everything Amendment  
 [E] Emergency Clause  
 [P 105] Proposition 105 Clause  
 [P 108] Proposition 108 Clause  
 [LIV] Line Item Veto  
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**HB 2039 – Chapter 42 – charter schools; higher education sponsors**

Retroactive to July 1, 2011, expands the ability for charter schools to participate in ASRS and includes exceptions to financial and electronic data submission requirements in the school's charter to charter schools sponsored by a university, a community college district or a group of community college districts.

**HB 2139 – Chapter 199 – \*increased eligibility; empowerment scholarship accounts**

Expands ESA eligibility to siblings of current or previous ESA recipients and to children who have not attended a governmental primary or secondary school but are eligible to enroll in a preschool program for children with disabilities.

**HB 2150 – Chapter 200 [W/O] – empowerment scholarships; military families**

Expands ESA eligibility to include children whose parent or guardian was killed in the line of duty. Exempts children whose parent or guardian is an active duty member of the armed forces or who was killed in the line of duty from additional ESA eligibility requirements.

**HB 2265 – Chapter 137 – computer science courses; math credit**

Allows school district and charter school governing boards to approve a rigorous computer science course to fulfill a required math course for high school graduation if the course includes significant math content and the governing body determines the school has sufficient capacity, infrastructure and qualified staff.

**HB 2438 – Chapter 61 [E] – schools; transporting district conversion**

Establishes a process for the conversion of a school district into a transporting school district through a local election and outlines operational requirements for an elected transporting school district. Prohibits school districts with less than 100 students enrolled for the past three years that are located in counties with under 15,000 persons from adopting a budget that exceeds the RCL by more than 10%, unless approved by voters, or a budget in excess of small school district limitations. Repeals this section on December 31, 2016.

**HB 2501 – Chapter 172 – promotion; ceremony; 8th grade**

Removes a school district governing board's authority to request signed certificates of promotion from the county school superintendent and allows school districts to conduct eighth grade promotion ceremonies.

**HB 2605 – Chapter 272 – teachers; suicide prevention; continuing education**

Retroactive to July 1, 2014, directs SBE to adopt rules that allow suicide awareness and prevention training programs to count as continuing education credits for certificated teachers and administrators.

**HB 2637 – Chapter 214 – ADE; program administration**

Establishes the ADE Professional Development Revolving Fund for expenses incurred for producing and delivering professional development courses and content. Allows school and school district classifications to include a measure of the perception of the educational quality of the school or school district. Authorizes charter schools to participate in the School Safety Program. Prohibits pupils from being retained for failing to read at a third grade level if data regarding the pupil's performance on the AIMS test, or a successor test, is not available before the start of the following academic year. Allows SBE to establish equivalent standards to *falls far below third grade reading level* for the retention of third grade students. Modifies the 2014-2015 Higher Education BRB (Laws 2014, Chapter 16) to specify that the cap on the ADM of school district sponsored charter schools applies to district sponsored charter schools that became

operational prior to FY 2014. Applies retroactively to July 1, 2014, for all provisions except the modification to the district sponsored charter school ADM cap.

**SB 1102 – Chapter 105 – school facilities board revisions**

Makes the following changes to statute:

***SFB***

- Specifies that the SFB database must include all buildings owned by school districts.
- Requires school districts to report to SFB any school or school building that has been closed, leased or operates as a charter school and the nature and cost of major repairs, replacements, renovations or physical improvements to building systems or equipment that was paid for by SFB Building Renewal Grant Fund monies or local monies.
- Establishes a formula to adjust the age of a building in the SFB database that is significantly upgraded or remodeled.
- Modifies the definition of *routine preventative maintenance* to include services on the recommended schedule of services by the manufacturer of the building system or equipment.

***Child Care Facilities***

- Allows the use of floor bedding, rather than cribs, in certain child care facilities.
- Outlines requirements for floor bedding.
- Stipulates that at least one staff member for every four infants is required to be in the resting area and requires staff members to be certified in first aid and cardiopulmonary resuscitation (CPR).
- Instructs staff to place infants in an evacuation crib in an emergency and specifies placement requirements for such cribs.
- Directs the facility to provide DHS with 30 days written notice before implementing the use of floor bedding.

**SB 1123 – Chapter 71 – property; liability; schools; recreational users**

Modifies the definition of *recreational user*, as it relates to the determination of liability on certain properties, to exclude students in transit to and from school.

**SB 1182 – Chapter 111 – school district overrides; bonds; information**

Requires purpose statements in bond and override election informational pamphlets to present factual information and limits advocacy to the argument section. Requires political subdivision bond election informational pamphlets to contain the projects and expenditures for which the bond is to be issued.

**SB 1237 – Chapter 244 – empowerment scholarship accounts; revisions**

Specifies that kindergarten students must reside within the attendance boundary of a *D* or *F* school to be an *ESA qualified student*. Requires ADE to contract with an independent third party to determine if a *qualified student* is eligible to receive educational therapies or services and prohibits ESA monies from being used for educational therapies or services unless the student has been identified as having a disability. Allows ADE to make ESA money transfers on a non-quarterly basis if ADE determines that another transfer schedule is necessary for the operation of the ESA. Requires parents of an ESA student to use a portion of the ESA monies allocated each quarter to provide an education, unless ESA monies are on a non-quarterly transfer schedule.

**SB 1242 – Chapter 114 [E] – critical languages; economic development; pilot**

Requires SBE to establish a six-year critical language and economic development pilot program, if sufficient funds are provided. Directs SBE to select seven schools to participate in the pilot program beginning in the 2014-2015 school year. Outlines pilot program participation requirements and requires ADE to establish and maintain an Office of Economic Development and Critical Languages, if sufficient funding is provided. Sunsets the pilot program on September 30, 2020.

**SB 1288 – Chapter 116 – school letter classification; science scores**

Includes academic performance and academic gain on the science portion of the AIMS test in the academic performance indicators for determining school and school district achievement profiles.

**SB 1336 – Chapter 248 – school property; leases; immunity**

Allows charter schools to permit the use of school property to a person or group and grants immunity from civil liability to charter schools, school districts and their employees for the use of school property, except in cases of gross negligence or intentional misconduct.

**SB 1350 – Chapter 226 – ADE school finance revisions**

Retroactive to July 1, 2014, makes the following changes to statute:

***Public School Fees***

- Requires school district and charter school governing boards to ensure that any authorized fee is allowed to be waived due to economic hardship to the student.
- Stipulates that the nonpayment of a fee charged by a public school does not prevent a student from enrolling, applying to or remaining enrolled in a public school.
- Specifies that a school district or charter school is not prohibited from charging tuition to a nonresident student.

***Charter Schools***

- Allows student level data submitted to ADE to be used to determine estimated student counts for charter schools sponsored by SBE, SBCS, a university, a community college district or a group of community college districts.
- Expands K-3 Reading Support Level Weight eligibility to students who are enrolled in a charter school in the first year of operation.

***Grand Canyon Diploma***

- Allows students eligible for a Grand Canyon Diploma to enroll the following semester in a community college rather than the following fall semester.

***ADM***

- Directs ADE to recompute ADM for the previous FY by August 30 and inform school districts and charter schools of the final ADM by September 15.
- Requires state aid calculations for all school districts and charter schools for the previous FY to be finalized and budget limits for school districts adjusted by November 1.
- Removes the exclusion of AOI from ADM recomputation requirements.

***Teacher Experience Index (TEI)***

- Modifies TEI notification and computation dates.
- Requires the SPI to recompute the TEI for all school districts.

### ***Transportation***

- Prohibits miles driven to transport eligible students from being reported as daily route miles by more than one school district.

### ***Supplemental State Aid***

- Allows a school district to be eligible for up to three FYs of supplemental state aid for a loss of property tax revenue resulting from a decrease in assessed valuation due to a natural disaster.
- Requires supplemental state aid to be reduced each year by one-third plus any increased property tax revenue due to higher assessed valuation.

### ***Miscellaneous***

- Specifies that the schools in a JTED are available to students whose district of residence is within the state.
- Modifies the definition of *fractional student*, *full-time student* and *daily attendance*.
- Defines *elementary grades*, *secondary grades* and *public school*.

### **SB 1391 – Chapter 125 – \*noncertificated employees; schools; fingerprinting**

Allows charter schools and school districts to require noncertificated and unpaid personnel that provide services to students without the supervision of a certificated employee to obtain a FPCC and allows noncertificated and unpaid personnel to apply for a FPCC if the school district does not require a FPCC as a condition of employment.

# COMMITTEE ON ENERGY, ENVIRONMENT AND NATURAL RESOURCES

Representative Frank Pratt, Chairman  
Representative Karen Fann, Vice-Chairman  
Tom Savage, Legislative Research Analyst



\* Strike-Everything Amendment  
[E] Emergency Clause  
[P 105] Proposition 105 Clause  
[P 108] Proposition 108 Clause  
[LIV] Line Item Veto  
[W/O] Without Emergency Clause  
[W/S] Without Signature

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**HB 2112 – Chapter 47 – weights; measures; false statement; penalty**

Stipulates that a person or a person's agent who knowingly files with DWM any notice, statement or other document that is false or that contains any misstatement of fact is guilty of a class 2 misdemeanor.

**HB 2125 – Chapter 86 – air quality forecasting; nonattainment areas**

Requires DEQ to develop and distribute air quality dust forecasts for the Maricopa County PM-10 nonattainment or maintenance area as well as any other nonattainment or maintenance areas designated from and after December 31, 2011.

**HB 2128 – Chapter 132 [E] – weights; measures; vapor recovery systems**

Requires DWM, in consultation with DEQ, the EPA and the state fire marshal to establish, by rule, standards for decommissioning stage II vapor recovery systems at gasoline dispensing facilities on or after October 1, 2016, but no later than September 30, 2018. Clarifies compliance timeframes and testing requirements for gasoline dispensing facilities with mandated stage I vapor recovery systems. Exempts retail gasoline stations from the stage II requirements of this Act if the construction of the station begins after the effective date of this Act. Stipulates that all stage II vapor recovery systems and testing must remain in place until the systems are decommissioned pursuant to this Act. Repeals the stage II vapor recovery system requirements on October 1, 2018.

**HB 2226 – Chapter 89 – vehicle emissions inspection program**

Makes various changes to the Vehicle Emissions Inspection Program and clarifies statutory vehicle emissions testing requirements for vehicles registering in the Phoenix or Tucson metropolitan areas. Permits the director of DEQ to adopt rules to require testing of vehicles that are out of state at the time of registration within a reasonable period of time after the vehicle returns to the state; exempt cranes and oversized vehicles from emissions inspection; and exempt vehicles from emissions inspections that are not in use and that are owned by residents who are active military personnel on assignment outside of Arizona. Includes a conditional enactment stating that the proposed modifications to the testing protocols of the Vehicle Emissions Inspection Program are not effective unless the EPA approves the modifications as part of the state implementation plan by July 1, 2017.

**HB 2303 – Chapter 55 – permits or tags; transfer, veterans**

Permits G&F to prescribe the manner and conditions of transferring a license or permit to a qualified organization for use by a veteran of the Armed Forces of the US who has a service-connected disability. Expands the definition of *qualified organization* to include a nonprofit organization that affords opportunities and experiences to veterans with service-connected disabilities.

**HB 2343 – Chapter 207 – \*wildfire prevention; state trust land**

Requires the state land commissioner, in coordination with the state forester, to establish a program for the removal of vegetative natural products by January 1, 2016 for the purpose of fire suppression and forest management on state lands and provides a sunset date for the program of July 1, 2024.

**HB 2403 – Chapter 264 – \*property; valuation; renewable energy; equipment**

Provides the method for determining the depreciated cost of renewable energy equipment. Stipulates that the assessed value of a leased portion of real property that qualifies under certain requirements outlined in the Act is the greater of the total lease payments collected by the real property owner during the TY or the assessed value of the leased property if it were



classified as Class two property.

**HB 2442 – Chapter 267 – air quality; begin actual construction**

Amends the definition of *begin actual construction* to include the initiation of a change in the method of operation of an emissions unit. Repeals the conditional enactment in Laws 2010, Chapter 315, Section 4 that states revisions are contingent upon EPA approval.

**HB 2580 – Chapter 99 – alternative fuel vehicles; registration; inspection**

Requires alternative fuel vehicles (AFVs) to undergo an emissions test in the sixth registration year, rather than the fourth registration year. Removes the fee in lieu of testing option for AFVs before the fourth registration year of a new or leased vehicle. Removes the requirement that fleet vehicles undergo inspection every year and allows the director of DEQ to adopt rules for the purpose of testing fleet vehicles.

**HB 2624 – Chapter 273 [E] – Yarnell Hill memorial; appropriation**

Establishes the Yarnell Hill Memorial State Park (Memorial), the Yarnell Hill Memorial Site Board (Board) and the Yarnell Hill Memorial Fund (Fund). Requires the Board to determine whether to establish a Memorial dedicated to the members of the Granite Mountain Hotshot Crew who lost their lives fighting the Yarnell Hill Fire and, if it is determined that the site should be memorialized, the Board must establish the Memorial and approve the design and construction. Stipulates the Fund will consist of monies and any donations to be used for the purpose of purchasing land, maintaining and preserving the Memorial and access road.

**SB 1214 – Chapter 243 – natural resource conservation district; expertise**

Asserts that the state recognizes the special expertise of natural resource conservation districts in the fields of land, soil, water and natural resources management within the district's boundaries.

**SB 1274 – Chapter 115 – aquifer protection permits; post-closure procedure**

Provides closure cost estimate and financial responsibility reporting requirements related to Aquifer Protection Permits (APP). Requires a permittee to update the closure cost estimate for the duration of the permit on a periodic basis but not more frequently than once every five years. Requires an applicant or permittee to demonstrate financial responsibility to cover the estimated closure costs and, if necessary, to conduct post-closure monitoring and maintenance by providing the director of DEQ a financial assurance mechanism prescribed in rule or federal regulations. Requires the permittee to maintain and periodically demonstrate financial responsibility for the duration of the individual permit and to report to the director of DEQ that the financial assurance mechanism is being maintained as scheduled in the permit, but not more frequently than once every two years.

**SB 1282 – Chapter 277 [LIV] – racing omnibus**

Makes various changes to state racing laws. Permits commercial live-racing permittees in Arizona to conduct advance deposit wagering (ADW) on live or simulcast racing through ADW providers, approved by the Arizona Racing Commission, using a telephone. Requires ADW providers to pay source market fees on wagers placed on in-state horse races to in-state horse racing permittees and pay source market fees on dog racing wagers from counties where the live or simulcast racing is conducted to the dog racing permittee in that county. Requires ADR to make available to the public a list of all racing-related injuries to, and deaths of, animals and maintain records regarding the injuries incurred by dogs that were used for racing. Specifies that this Act does not authorize the state to opt in to any federal law, rule or regulation that allows legalized online gaming or to approve or enter into any framework that allows legalized online

gaming.

**SB 1292 – Chapter 117 – Arizona resource advisory council**

Establishes the Arizona Resource Advisory Council. Provides that the Legislature establish the council to advise BLM and other federal land management agencies on the planning and management of federal land resources, except for rangeland resources, in Arizona.

**SB 1484 – Chapter 8 – tax credit; manufacturers; renewable energy**

Creates a corporate and individual tax credit for investment in new renewable energy resources if the power will be used primarily for manufacturing and specifies that the credit is capped at \$1 million per year for five years for each renewable energy facility. Requires the taxpayer to invest at least \$300 million in new renewable energy facilities that produce energy using renewable resources and stipulates that at least 90% of the energy produced at each renewable energy facility will be self-consumed in the state and used primarily for manufacturing, to qualify for the tax credit.



# COMMITTEE ON FEDERALISM AND FISCAL RESPONSIBILITY

Representative Justin Olson, Chairman  
 Representative Steve Smith, Vice-Chairman  
 Paul Benny, Legislative Research Analyst



\* Strike-Everything Amendment  
 [E] Emergency Clause  
 [P 105] Proposition 105 Clause  
 [P 108] Proposition 108 Clause  
 [LIV] Line Item Veto  
 [W/O] Without Emergency Clause  
 [W/S] Without Signature

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# COMMITTEE ON FINANCIAL INSTITUTIONS

Representative Kate Brophy McGee, Chairman  
 Representative David Livingston, Vice-Chairman  
 Paul Benny, Legislative Research Analyst



\* Strike-Everything Amendment  
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 [P 108] Proposition 108 Clause  
 [LIV] Line Item Veto  
 [W/O] Without Emergency Clause  
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**HB 2018 – Chapter 129 – \*mortgages; trust deeds; deficiency actions**

Exempts mortgages and deeds of trust that originate after December 31, 2014 on defined types of property from “anti-deficiency” protection.

**HB 2098 – Chapter 196 – loan originators**

Modifies the requisites for loan originator licensure and removes the time limit a licensee may not be on inactive status during renewal periods.

**HB2099 – Chapter 84 – collection agencies; license renewal**

Establishes renewal, suspension, and expiration deadlines for a collection agency license.

**HB 2286 – Chapter 140 – senior facilities; bond approval**

Authorizes reviewing entities to share information, coordinate review schedules, or jointly conduct reviews with one another in connection with projects relating to certain senior facilities and exempts such facilities from the Arizona Department of Housing’s approval requirement for bond issuance.

**HB 2526 – Chapter 96 – consumer lender loans**

Modifies the finance charge structure of consumer lender loans and increases the cap on the loan origination fee to \$150. Prohibits a consumer lender from holding a person responsible for a loan that was incurred as a result of theft or fraud. Additionally, requires a consumer lender to correct any derogatory credit information reported to a consumer reporting agency within 30 days after knowledge that the loan was a result of theft or fraud.

**SB 1046 – Chapter 103 [E] – financial transactions; omnibus**

Updates statute in accordance with the changes made by the 2010 Amendments to the Uniform Commercial Code. Requires state-chartered banks, when calculating the total amount of loans to a person, to include any credit exposure to a person arising from certain transactions or agreements. Permits the BOD of an irrigation district to invest its monies into deposits in accordance with statute.

**SB 1047 – Chapter 216 – closing protection letters; escrow agents**

Permits a title insurer to provide a closing protection letter which can indemnify a person from a loss resulting from specified actions and outlines the limitations of the protection. Additionally, allows a title insurer to charge each party receiving the closing protection letter a fee of \$25.

**SB 1218 – Chapter 75 [E] – reporting requirements; licensed investment advisers**

Removes the requirement for licensed investment advisers who have custody of client monies or securities to file an audited balance sheet with the ACC.

**SB 1353 – Chapter 193 – restructuring; Arizona entities**

Establishes Title 29, Chapter 6 as the Arizona Entity Restructuring Act (AERA), which governs and authorizes business transactions relating to mergers, interest exchanges, conversions, domestications, and divisions. Outlines the requirements for the authorization, plan, approval, amendment, or abandonment, statement, effect, and ineffectiveness for each transaction. Additionally, revises and rewrites current statute under Title 10 and Title 29 regarding business transactions between corporations and partnerships to conform to AERA, including appropriate filing fees, a shareholders right to dissent as it relates to a transactions, and allocation of obligations.



**SB 1408 – Chapter 254 – money transmitters; money laundering; definitions**

Updates statutory references to conform with changes made in the federal code regarding money laundering, money transmitters, and financial institutions.

# COMMITTEE ON GOVERNMENT

Representative Michelle Ugenti, Chairman  
 Representative Warren Petersen, Vice-Chairman  
 Ginna Carico, Legislative Research Analyst  
 Tom Savage, Assistant Legislative Research Analyst



\* Strike-Everything Amendment  
 [E] Emergency Clause  
 [P 105] Proposition 105 Clause  
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**HB 2100 – Chapter 130 – address confidentiality program**

Allows an eligible participant in the Address Confidentiality Program (ACP) to attach a copy of their current and valid ACP card and a statement of certification from the SOS to their affidavit request for confidentiality in documents maintained by the county recorder, county assessor and county treasurer. Increases the time participants are certified into the ACP from four years to five years.

**HB 2126 – Chapter 256 – municipal annexation; size exception**

Modifies part of the definition of *contiguous* for the purposes of municipal annexation and contains a delayed repeal date of January 1, 2015 for this provision. Contains session law that reformulates the manner of determining the majority of votes cast in a city council or mayoral election in 2014-15 and establishes guidelines for these candidates to be elected at the primary or to advance to the general or runoff election.

**HB 2134 – Chapter 198 – fire; building; life safety; continuation**

Continues DFBSL for eight years and applies retroactively to July 1, 2014.

**HB 2148 – Chapter 134 – municipalities; counties; transfer; right-of-way**

Clarifies that a transfer of property between governing bodies of a county and a municipality must be treated as newly annexed territory. Outlines procedures for a county street light improvement district (SLID) to be converted to a municipal SLID.

**HB 2162 – Chapter 31 – city or town council; vacancy**

Asserts that if any member on a city or town council ceases to be a qualified elector or resident of that municipality, then their council seat must be deemed vacant. Requires the county attorney to investigate, on request, and determine whether a vacancy exists.

**HB 2179 – Chapter 259 – \*trampoline court safety**

Establishes regulations for trampoline court owners and operators under the administration of DFBSL. Gives existing trampoline courts 90 days after the general effective date to comply with this Act.

**HB 2218 – Chapter 260 – fire district reorganization elections**

Requires candidates in a fire district reorganization election to follow statutory nomination procedures, modifies time frames for canvassing election returns and removes the ability to reorganize a fire district board to be administered by an elected chief. Specifies that reorganization election ballots must also provide, as a separate race, the names of persons who properly filed for nomination as candidates for the office of district board member.

**HB 2225 – Chapter 88 – county medical examiner; autopsies; images**

Prohibits the public disclosure of visual images created by the county medical examiner and their staff during death investigations unless a judge of the superior court balances the interests under the public records laws of this state and grants disclosure of all or part of the materials after an in camera inspection. Clarifies immunity provisions for the county medical examiner and alternate medical examiner.

**HB 2310 – Chapter 142 – criminal justice information; court reporting**

Requires the director of DPS to authorize the exchange of criminal justice information between the Central State Repository, or through the Arizona Criminal Justice Information System, and the Superior Court for the purpose of determining an individual's eligibility for substance abuse and treatment courts in a family or juvenile case.

**HB 2320 – Chapter 57 – county seals; approval of use**

Directs the county BOS to provide approval before a person may use, display or otherwise employ any resemblance of the county seal. Requires the BOS to issue a cease and desist order to any person in violation of this Act. Asserts that upon failure to comply with that order violators are guilty of a class 3 misdemeanor (30 days/ \$500).

**HB 2321 – Chapter 145 – procurement code omnibus**

Makes various changes to the Arizona Procurement Code by modifying the non-compete clauses for unsuccessful offerors and for persons with a significant procurement role from soliciting and/or accepting certain employment positions. Provides exceptions to the non-compete clauses under outlined conditions and with approval of the director of ADOA. Modifies the definition of *significant procurement role* and makes clarifying changes.

**HB 2330 – Chapter 146 – municipalities; deannexation; public right-of-way**

Allows a public right-of-way that is partially located in a municipality and partially located in a county to be deannexed from the municipality and returned to the county under certain conditions. Requires, via the deannexation process, the governing body of the municipality to adopt an ordinance that contains the legal description of the right-of-way and, if the BOS determines the public interest is served, requires the BOS to adopt an ordinance that contains the legal description of the right-of-way and declare the return of the right-of-way to the county to be contingent on the fulfillment of the conditions in statute.

**HB 2378 – Chapter 169 – municipal taxes and fees; prohibition**

Restricts a municipality from levying or assessing a municipal-wide tax or fee against property owners based on the size or value of real property or improvements to real property in order to fund any public service. Grandfathers in any municipality that adopted an ordinance requiring property owners to obtain fire prevention and control services before December 31, 2013.

**HB 2420 – Chapter 265 – \*membership; county supervisors; population threshold**

Modifies the population threshold requirement for counties to change the number of members on the BOS. Requires counties with a population between 150,000 and 175,000 people and consisting of a three member board to submit to the voters in that county the question of whether the BOS should convert from a three member to a five member board at the next general election following the release of the population estimate from the Office of Employment and Population Statistics. Requires the BOS to include in the election's publicity pamphlet an estimated cost to the county for the two additional members that would serve on the board.

**HB 2437 – Chapter 229 – public committees; repeal; sunset**

Repeals inactive statutory committees, provides sunset dates and makes various changes to active statutory committees. Repeals the following:

- State Commission on Civic Education and Civic Engagement
- State Agency Fee Commission
- Joint Legislative Oversight Committee on Residual Contamination of Drug Properties
- Community Notifications Guidelines Committee
- Probate Advisory Panel
- Task Force for Retraining Disabled Military Veterans
- Child Support Committee
- Domestic Relations Committee
- Joint Legislative Committee on Adoption Promotion
- Performance Based Incentives Oversight Committee
- Joint Legislative Committee on Transportation between Sonora, Mexico and Arizona

- Joint Legislative Committee on Federal Mandates
- Arizona Aerospace and Defense Commission
- Commission on Privatization, Efficiency and Competition
- Joint Legislative Committee on K-12 School District Receivership
- Arizona Housing Commission

Provides sunset dates for the following:

- Data Governance Commission: 2020
- State Emergency Council: 2021
- School Bus Advisory Council: 2024
- Regional Planning Agency Transportation Policy Committee: 2024
- Multistate Highway Transportation Agreement Cooperating Committee: 2019
- Debt Oversight Commission: 2026
- Joint Committee on Capital Review: 2026
- Joint Legislative Audit Committee: 2018
- Legislative Government Mall Commission: 2025
- Rural Business Development Advisory Council: 2021
- Arizona Peace Officers Memorial Board: 2019
- Senior Advisory Committee: 2019
- Joint Legislative Income Tax Credit Review Committee: 2022
- Oversight Council on Driving or Operating under the Influence Abatement: 2024
- Arizona's participation in the Education Commission of the States: 2020
- Compliance Advisory Panel: 2017
- Tobacco Revenue Use Spending and Tracking Commission: 2021
- Joint Border Security Advisory Committee: 2020

**HB 2477 – Chapter 94 – homeowners' associations; transfer fees; exemption**

Excludes a conveyance by recorded deed that bears an A.R.S. § 11-1134 (B) exemption from being subject to an HOA's disclosure statements as well as any fees relating to services for resale disclosure, lien estoppel and any other services related to the transfer or use of the property.

**HB 2522 – Chapter 211 – reviser's technical corrections; 2014**

Makes non-substantive technical changes to current conflicting statutes.

**HB 2528 – Chapter 97 – municipalities; regulation; sign walkers**

Prohibits a municipality that adopts reasonable time, place and manner regulations relating to sign walkers from restricting a sign walker from using a public sidewalk, walkway or pedestrian thoroughfare.

**HB 2615 – Chapter 177 – officeholder expense accounts; surplus monies**

Allows monies leftover in officeholder expense accounts to be used for donation to a political committee, other than a person's exploratory committee or a candidate's campaign committee, or to certain non-profit organizations unless the officeholder continues to hold an elected office immediately following their term.

**SB 1035 – Chapter 65 – \*special health care districts; reimbursement**

Directs Maricopa County to reimburse Maricopa Integrated Health System for any services provided rather than purchase services annually in an amount of at least \$5,000,000.

**SB 1082 – Chapter 218 – ASRS; employee background checks**

Authorizes the director of ASRS to conduct criminal records checks and credit checks of current

or prospective employees and to require them to submit a full set of fingerprints to DPS.

**SB 1091 – Chapter 231 – sunrise; committees of reference; referral**

Requires health and non-health profession applicant groups to submit required written reports to the President of the Senate and the Speaker of the House of Representatives instead of JLAC.

**SB 1099 – Chapter 181 – Navajo code talkers' day**

Establishes August 14 of every year as Navajo Code Talkers' Day.

**SB 1132 – Chapter 183 – mobile homes; relocation expenses**

Specifies that mobile home relocation expenses due to change in use or increase in rent must only be paid from the Mobile Home Relocation Fund (Fund) to the installer or contractor after they have obtained valid moving permits for a new location and informed DFBS that the mobile home is fully installed in its new location and has passed inspection. Increases the maximum reimbursed amount allowed from \$1,000 to \$1,500 from the Fund for the costs of bringing the mobile home into statutory compliance.

**SB 1150 – Chapter 72 – sewer connection; county islands; prohibition**

Restricts municipalities from requiring a property owner in a municipality's planning area to connect to the sewer system if the property is located in a county island unless DEQ has determined that connection is necessary to abate an environmental nuisance or to eliminate a threat to a water quality standard. Preempts all local laws, ordinances and charter provisions to the contrary.

**SB 1152 – Chapter 184 – \*passenger areas; transportation safety zones**

Allows municipalities to adopt a resolution or ordinance establishing passenger convenience areas and vehicle-for-hire lanes within no more than two transportation safety zones (zone) no greater than three square miles each. Outlines what must be included in the municipality's ordinance or resolution and allows the municipality to place permanently affixed signs to help delineate the zone boundaries. Prohibits any portion of the zone from including a state highway or state route.

**SB 1183 – Chapter 73 – fire access roads; limitation; sprinklers**

Prohibits municipalities and counties from adopting any fire code, ordinance, stipulation or other legal requirement for an approved fire apparatus access road, approved route or extension that would result in a one or two family residence, utility or miscellaneous accessory building or structure having to install fire sprinklers. Allows a fire code official to increase or extend an approved fire apparatus access road, approved route or extension to comply with this Act.

**SB 1184 – Chapter 112 – planned communities; definition; property easements**

Expands the definition of *planned community* to include real estate on which an easement or covenant to maintain roadways is held by a nonprofit corporation or unincorporated association of owners.

**SB 1213 – Chapter 74 – \*real estate advisory board; membership**

Adds a member to the Real Estate Advisory Board and requires that member to have been engaged in multifamily residential rental property management with a real estate broker license for the five years immediately preceding their appointment.

**SB 1215 – Chapter 187 – \*unsubdivided land; definition**

Expands the definition of *unsubdivided lands* to include any land sold that would otherwise

constitute the sixth lot, parcel or fractional interest if the sale occurs 10 or more years after the earliest of the previous five sales and consists of property originally contained within the same parcel.

**SB 1305 – Chapter 78 – semipublic swimming pool barrier gates**

Requires locking devices for pool barrier gates to meet the requirements of a municipal or county regulation beginning January 1, 2015 unless the locking device was installed before that date and meets the locking device requirements outlined in statute.

**SB 1306 – Chapter 118 – governmental entities; credit card payments**

Allows a governmental entity to require a vendor to exclusively accept a specific method of payment for any goods or services provided by the vendor to the governmental entity but directs that requirement to be disclosed during the bid process or to amend the contract under mutual agreement. Requires applicable governmental entities to annually disclose the amount of any reward, discount, incentive or other financial consideration as a result of paying by credit card in their financial reports.

**SB 1314 – Chapter 247 – board of barbers; continuation**

- Continues the following agencies and programs for the corresponding amount of time:
  - Archaeology Advisory Commission for three years
  - Arizona Historical Society for 10 years
  - Board of Barbers for eight years
  - Board of Cosmetology for 10 years
  - Board of Pharmacy for eight years
  - Board of Physical Therapy for 10 years
  - DEQ for eight years
  - DFI for 10 years
  - ROC for 10 years
  - SBCS for 10 years
  - WIFA for eight years
- Adds language to the intent clause for the UST Assurance Account.

**SB 1326 – Chapter 120 – state parks; donations; fund; transportation**

Establishes the Sustainable State Parks and Roads Fund (Fund) and allows taxpayers to make a voluntary contribution on their income tax form to the Fund. Directs ASPB to administer and use the Fund to operate, maintain and make capital improvements to buildings, roads, parking lots, highway entrances and any related structure used to operate state parks.

**SB 1387 – Chapter 252 [E]– \*special districts**

Contains various recommendations of the 2013 Countywide Fire District Study Committee including:

- Expands fire district boards (board) from three members to five members if they levy more than \$500,000 in taxes in a FY.
- Outlines financial reporting requirements for fire districts based on their total annual revenue.
- Requires board vacancies to be filled within 90 days and gives the county BOS the authority to appoint an interim member within 60 days after failure of the board to do so.
- Mandates a minimum of six hours of professional development training for board members and the fire chief within their first year of office.



- Prohibits nepotism between fire district employees and their relatives.

**SB 1482 – Chapter 83 – homeowners’ associations amendments: omnibus**

Makes numerous changes to the statutes governing HOAs including:

- Prohibits the planning or zoning entity of a local government from requiring that a developer construct or enact a planned community as part of a subdivision approval or zoning ordinance.
- Allows an affected HOA to bring an action in superior court if there is reason to believe that a nuisance exists.
- Specifies lawful actions for the officers and employees of a management company or other lawfully formed and operating entity that is contracted with an HOA to provide management services including recording a notice of lien or notice of claim of lien against a member’s property and appearing on behalf of an HOA in small claims court under specific conditions.
- Allows an HOA to provide for voting by use of electronic mail and facsimile delivery and states that votes cast by the use of electronic mail and facsimile count towards a quorum.
- Asserts that a unit or property owner may use their unit or property as a rental property in accordance with the declaration’s rental time period restrictions unless it is prohibited in the declaration.
- Limits an HOA's authority in regulating the timeframe, size and number of political signs a unit owner may display on their property.

# COMMITTEE ON HEALTH

Representative Carter, Chairman  
 Representative Boyer, Vice-Chairman  
 Ingrid Garvey, Legislative Research Analyst  
 Ryan Sullivan, Assistant Legislative Research Analyst



\* Strike-Everything Amendment  
 [E] Emergency Clause  
 [P 105] Proposition 105 Clause  
 [P 108] Proposition 108 Clause  
 [LIV] Line Item Veto  
 [W/O] Without Emergency Clause  
 [W/S] Without Signature

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**HB 2078 – Chapter 255 – \*cancer treatment medications; cost-sharing**

States that specified insurers who provide coverage for cancer treatment medications may not require a higher copayment, deductible or coinsurance amount for patient-administered cancer medications than for medications that are administered by a health care provider.

**HB 2086 – Chapter 162 – \*sale of dextromethorphan; age requirement**

Prohibits the sale or trade by any commercial entity of a finished drug product containing any quantity of dextromethorphan (DXM) to a person under 18 years of age, for a person under 18 to purchase a product containing any quantity of DXM, for any person to possess, receive or distribute DXM unless the person is registered pursuant to the FDA or licensed with the Arizona State Board of Pharmacy.

**HB 2087 – Chapter 163 – health regulatory boards; training requirements**

Mandates, beginning January 1, 2015, that each member of a Health Profession Regulatory Board (Board) complete a twelve-hour training within one year of initial appointment to the Board. Provides that the training include the subjects of governance and administrative management, disciplinary procedures, conduct of quasi-judicial proceedings, administrative procedure and rule adoption and licensure as they apply to the Board.

**HB 2172 – Chapter 258 – board of psychologist examiners; psychologists**

Makes a variety of changes to the psychology statutes regarding the use of telemedicine and licensure.

**HB 2173 – Chapter 166 – psychology board; behavior analysts**

Changes the statutes for behavior analysts regarding licensure requirements and procedures.

**HB 2380 – Chapter 262 – \*optometrists; pharmaceutical agents**

Revises the *use of pharmaceutical agents* section of statute for optometrists to include that a licensee may prescribe, dispense and administer oral prescription pharmaceuticals for the treatment of diseases of the eye and its adnexa for any one patient for each occurrence for a period of not more than the day limit recommended by the manufacturer or the physicians' desk reference.

**HB 2436 – Chapter 210 – food handler training; courses; certification**

States that if a county requires food handler training and certificates for employees in the food service industry, the food handler certificate training course must meet specified accreditation standards and includes outlined course requirements.

**HB 2491 – Chapter 171 – newborn screening program**

Enables the director of DHS to designate other laboratory testing facilities for conditions or tests added to the Arizona Newborn Screening Program (ANSP), mandates that DHS adopt rules regarding critical congenital heart defect screening under the ANSP and requires DHS to establish a Vaccine Financing and Availability Advisory Committee.

**HB 2549 – Chapter 175 – nursing care institutions; therapeutic drugs**

Adds a new section of statute regarding nursing care institutions and therapeutic substitutions.

**HB 2667 – Chapter 215 – persons with disabilities**

Replaces terminology relating to persons with disabilities.

**SB 1039 – Chapter 101 – board of chiropractic examiners; membership**

Allows members of the State Board of Chiropractic Examiners to be graduates of the same school or college of chiropractic.

**SB 1043 – Chapter 102 – naturopaths; prescription authority; pharmacy board**

Allows naturopathic doctors to prescribe any drug that is reclassified from a Schedule III to a Schedule II controlled substance after January 1, 2014. Requires applicants for initial pharmacist licensure to submit fingerprints for background checks and makes other changes regarding the Arizona State Board of Pharmacy.

**SB 1050 – Chapter 67 – telemedicine; naturopaths**

Allows naturopathic physicians to practice telemedicine.

**SB 1051 – Chapter 217 [E] – \*medical board; pro bono registration**

Requires an applicant for a pro bono registration to supply to the Arizona Medical Board (AMB) the name of each state in which the person is licensed or held a license and requires the AMB to verify the information with the state's regulatory board either electronically or by hard copy.

**SB 1077 – Chapter 179 [E] – \* reciprocal licenses; behavioral health professionals**

Requires the Board of Behavioral Health Examiners to reclassify a reciprocal license if they meet the following requirements:

- Held an active reciprocal license on September 12, 2013 and have not subsequently been approved for another license since that date.
- Was granted the reciprocal license pursuant to the requirements that were in effect on September 12, 2013.
- Meet basic licensing requirements.

**SB 1124 – Chapter 106 – controlled substances prescription monitoring program**

Allows the Arizona State Board of Pharmacy to release data from the Controlled Substances Prescription Monitoring Program to a delegate who is authorized by the prescriber or dispenser.

**SB 1135 – Chapter 219 – qualified immunity; nonprofit clinics**

Specifies that a health professional that provides optometric treatment, in addition to medical or dental treatment, within their scope of practice at a non-profit clinic is not liable in a medical malpractice action unless the health professional was found to be grossly negligent.

**SB 1136 – Chapter 107 – acupuncture board of examiners**

Makes various changes to statute relating to the Acupuncture Board of Examiners and licensure requirements.

**SB 1154 – Chapter 220 – \*physical therapists; dry needling**

Requires the Board of Physical Therapy to establish standards for the performance of dry needling, exempts certain physical therapists from this Act for a specified time.

**SB 1216 – Chapter 233 – licensure; behavioral health services**

Allows the director of DHS (Director) to adopt licensing provisions that facilitate the colocation and integration of outpatient treatment centers that provide medical, nursing and health-related services with behavioral health services. Requires the Director to adopt rules to establish minimum standards and licensure for institutions that provide behavioral health services.

**SB 1225 – Chapter 76 – mammography results; report to patient**

Mandates that if a patient is categorized by a health care institution or health care facility that performs mammography examinations as having heterogeneously dense breasts or extremely dense breasts on the breast imaging reporting and data system, the institution or facility must include an outlined notice in the summary of the mammography report.

**SB 1309 – Chapter 246 – court-ordered services; dependent children**

Permits the court to provide supplemental services to those provided by DES if the services have no cost and allows the presiding judge of a superior court to enter into an agreement for the use of juvenile shelters or treatment facilities. Allows a court to employ an individual(s) to facilitate collaboration between parties and to ensure the delivery of court-ordered services.

**SB 1337 – Chapter 192 – foreign prescription orders**

Allows a pharmacist, or an intern under a pharmacist's supervision, to fill a prescription, with the exception of controlled substances, issued by a medical practitioner licensed in a foreign country.

**SB 1339 – Chapter 122 – physicians; prescriptions; required patient examinations**

Amends the definition of unprofessional conduct in the medical doctor (MD) and doctor of osteopathy (DO) statutes to allow the MD or DO to conduct a physical or mental health status examination utilizing telemedicine and amends the definition of unprofessional conduct in the doctor of naturopathic medicine (ND) statutes to allow a ND to conduct a physical health status examination utilizing telemedicine. Prohibits the use of telemedicine for the purpose of obtaining a written certification from the physician for medical marijuana.

**SB 1343 – Chapter 235 – dentists; business entities**

Mandates that business entities providing dental services that are not owned by dentists must register with SBDE.

**SB 1345 – Chapter 123 – board of physician assistants**

Establishes the Committee on Executive Director Selection and Retention and makes various changes to statutes related to the Arizona Regulatory Board of Physician Assistants and licensure.

**SB 1379 – Chapter 250 – \*volunteer health services; registration**

Allows a health profession regulatory board to issue a volunteer health services registration to allow a health professional who is not a licensee to practice in this state for a total of up to 14 days each calendar year if the health professional meets outlined requirements.

**SB 1380 – Chapter 124 [E] – Arizona medical board; licensees; fingerprinting**

Makes a variety of changes to the statutes for the Arizona Medical Board.

**SB 1381 – Chapter 251 – Arizona medical board; supplemental appropriation**

Appropriates \$855,000 to the Arizona Medical Board (AMB) from the AMB Fund in FY 2014 to contract with an in-state credentials verification service for health professions.

**SB 1404 – Chapter 161 – direct care plans; insurance; exemption**

Asserts that a direct primary care provider plan does not constitute the transaction of insurance or a health care services organization and is not subject to regulation by the DOI, providing the plan does not assume financial risk or agree to indemnify for services.



# COMMITTEE ON HIGHER EDUCATION AND WORKFORCE DEVELOPMENT

**Representative Jeff Dial, Chairman**  
**Representative Ethan Orr, Vice-Chairman**  
**Jeanine Jones, Legislative Research Analyst**  
**Michael Madden, Assistant Legislative Research Analyst**



\* Strike-Everything Amendment  
 [E] Emergency Clause  
 [P 105] Proposition 105 Clause  
 [P 108] Proposition 108 Clause  
 [LIV] Line Item Veto  
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**HB 2005 – Chapter 21 – community colleges; nonresidents; reimbursement**

Eliminates the requirement that individuals residing outside of a community college district must sign an affidavit claiming the county in which they reside and the requirement for the county school superintendent to provide verification. Requires community college districts, in each annual fiscal report, to separate the total number of students residing out of the district by county of residence for in-state students and by state of residence for out-of-state students.

**HB 2577 – Chapter 213 [E] – postsecondary distance education; reciprocity agreements**

Authorizes ABOR, community college district boards, and the State Board of Private Post-Secondary Education to enter into reciprocity agreements, via an IGA, for the purpose of overseeing and managing online distance education. Requires the terms of the IGA to be unanimously agreed upon by all representatives.

**SB 1392 – Chapter 194 – universities; intellectual property**

Modifies ABOR's intellectual property (IP) transfer policies. Repeals the current process, which requires a university officer or employee to apply to ABOR for permission to transfer IP from the university to a third party, and instead requires ABOR to establish and maintain policies regarding the transfer of IP that allow, on a case by case negotiated basis, licensing, assignment or other transfer of IP owned by ABOR to a third party. Establishes a conflict of interest resolution process for the transfer.



# COMMITTEE ON INSURANCE AND RETIREMENT

**Representative Phil Lovas, Chairman**  
**Representative John Allen, Vice-Chairman**  
**Courtney McKinstry, Legislative Research Analyst**  
**Casey Baird, Assistant Legislative Research Analyst**



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**HB 2001 – Chapter 19 – insurance; continuing education; definition**

Changes the definition of *continuously licensed* to include an expired license or a license placed on inactive status due to military service and applies retroactively to September 13, 2013.

**HB 2047 – Chapter 24 – travel insurance producer licensing**

Establishes requirements for Limited Lines Travel Insurance (LLTI) producer licenses. Allows a travel retailer to offer and disseminate LLTI, provided the retailer discloses information regarding the insurance terms, claim filing process, review and cancellation process, and contact information of the insurer and producer.

**HB 2048 – Chapter 25 – insurance adjusters; portable electronics**

Clarifies who may adjust a portable electronics insurance policy. Allows for the cancellation of a portable electronics insurance policy by an enrolled customer and allows an adjuster who is a resident of a state that does not license adjusters, but who is otherwise permitted to adjust portable electronics insurance policies in that state, to apply for a license to adjust portable electronics insurance policies in Arizona.

**HB 2050 – Chapter 44 – ASRS membership; section 218 requirements**

Eliminates the ASRS eligibility requirement that a member be covered by the state's 218 agreement and repeals the defined contribution plan established by Laws 2013, Chapter 216 for employees ineligible for ASRS or PSPRS. Requires ASRS to enroll previously ineligible employees and allows an employee to purchase a previous period of employment as credit towards ASRS.

**HB 2094 – Chapter 26 – \*workers' compensation; claim assignment**

States that an employee who is entitled to workers' compensation and is permitted to file suit against a third party has one year to pursue the claim or the claim will be assigned to the insurance carrier or self-insured employer.

**HB 2121 – Chapter 29 – insurers; licensure; director examination**

Makes various changes to statutes which govern the licensure of insurers.

**HB 2122 – Chapter 131 [E] – ASRS; election; EORP defined contribution**

Clarifies that an elected official who is a current or former member of ASRS must remain within ASRS upon election and makes changes to the Elected Officials Defined Contribution Retirement System Disability Program benefits.

**HB 2166 – Chapter 202 – PSPRS contributions; county employers**

Permits a county employer under PSPRS that elected to pay a higher level percentage contribution rate to eliminate that rate amount for members hired on or after January 15, 2015. Makes retroactive certain sections of law, in order to allow health subsidies to be excluded from retirees' income for income tax purposes.

**HB 2221 – Chapter 52 – workers' compensation; controlled substances**

States that an insurance carrier, a self-insured employer, or a claims processing representative is not liable for the payment of any workers' compensation claim unless court action has been taken within two years of the medical service and establishes physician reporting requirements for workers' compensation claims that require the usage of opium-based narcotics in medical treatment.

**HB 2329 – Chapter 58 – insurance; notification; cancellation; nonrenewal**

Allows an insurer to provide a written notice of nonrenewal or cancellation to the insured by means of first class mail using an intelligent mail barcode tracking method or another similar tracking method used or approved by the US Postal Service.

**HB 2331 – Chapter 91 – \*life care contracts; in-home care**

Expands the definition of *life care contracts* to include a contract to provide a person nursing, medical, or health-related services, boarding and lodging in a long-term care facility, or services in the contract holder's private residence with rights to future access to services, board, and lodging in a long-term care facility for at least one year and outlines requirements for life care contract providers relating to services received by a person in their private residence.

**HB 2394 – Chapter 35 – \*self-insured employers; deviation; continuation**

Continues the 10% deviation rate for calculating taxes or assessments paid by a self-insured employer through calendar year 2020.

**HB 2482 – Chapter 95 – interstate insurance product regulation compact**

Enacts the Interstate Insurance Product Regulation Compact and establishes Arizona as a compacting state.

**HB 2508 – Chapter 153 – insurance; navigator; application counselor; licensure**

Establishes licensure requirements for certified application counselors and navigators.

**HB 2560 – Chapter 154 – insurance; self-evaluative privilege**

Permits a company to conduct an insurance compliance audit and establishes confidentiality privileges for audit findings.

**HB 2598 – Chapter 100 – blanket disability insurance; special groups**

Expands the types of groups that could obtain a blanket disability insurance policy.

**HB 2693 – Chapter 274 – PSPRS; employer liability; death benefits**

Requires the PSPRS actuary to calculate Actuarial Present Value of killed-in-the-line-of-duty death benefits for valuation purposes.

**SB 1083 – Chapter 180 – ASRS; applicable interest rate; definition**

Defines certain terms in ASRS statutes in order to comply with the IRC.

**SB 1084 – Chapter 69 – ASRS; long-term disability compensation**

Clarifies the definition of *monthly compensation* in ASRS long-term disability statutes. Changes the definition of *monthly compensation* as the amount determined by taking the six pay periods immediately before the date of the member's disability, disregarding the highest two and lowest two compensation amounts, and deriving the median of the two remaining pay periods.

**SB 1089 – Chapter 104 – insurance holding companies; enterprise risk**

Conforms Arizona insurance statutes governing insurance holding company systems to standards established by the National Association of Insurance Commissioners and requires a party seeking to divest or acquire a controlling interest in an insurer to file an annual enterprise risk report with DOI. Contains a two-year rulemaking exemption for DOI.

**SB 1181 – Chapter 186 – guaranty fund; workers’ compensation**

Transfers the rights and obligations related to the payment of workers’ compensation claims from the Special Fund, administered by the ICA, to the Arizona Property and Casualty Insurance Guaranty Fund (Guaranty Fund), under DOI. Requires the ICA to transfer \$222,848,153 in assets from the Special Fund to the Guaranty Fund for deposit in the Workers’ Compensation Insurance Account no less than 30 days before July 1, 2015.

**SB 1222 – Chapter 188 – insurance policies; electronic notices**

Authorizes any notice or other required documents in an insurance transaction or those that serve as evidence of insurance coverage to be delivered, stored and presented by electronic means provided that the statutory requirements regarding electronic transactions are met.

**SB 1284 – Chapter 190 – public safety officers; omnibus**

Expands the Firefighter and Peace Officer Cancer Insurance Program to include corrections officers and allows ADC, ADJC, counties, and municipalities to establish a voluntary cancer insurance policy program. Allows the superior court to redact a peace officer’s personal identifying information upon request, effective January 1, 2015. Allows ADOA to establish an appeals process for the denial of Public Safety Supplemental Benefits Plan claims and extends the repeal date for the Public Safety Supplemental Benefits Plan to October 1, 2017.





# COMMITTEE ON JUDICIARY

Representative Eddie Farnsworth, Chairman  
 Representative Justin Pierce, Vice-Chairman  
 Gina Kash, Legislative Research Analyst  
 Rick Hazelton, Assistant Legislative Research Analyst



\* Strike-Everything Amendment  
 [E] Emergency Clause  
 [P 105] Proposition 105 Clause  
 [P 108] Proposition 108 Clause  
 [LIV] Line Item Veto  
 [W/O] Without Emergency Clause  
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**HB 2003 – Chapter 127 [E] – watercraft; civil and criminal penalties**

Makes changes to watercraft statutes relating to operating a motorized watercraft while under the influence of intoxicating liquor or drugs. Prescribes a Class 3 misdemeanor for a collision or accident that results only in damage to property of another. Directs penalty assessments to be distributed into the Law Enforcement and Boating Safety Fund, rather than the Public Safety Equipment Fund. Prescribes a civil penalty for a violator who refuses to submit to or complete a test to determine the alcohol concentration or drug content of the person's blood. After an arrest, a case shall proceed pursuant to the procedures for civil traffic violations. Prescribes an aggravated offense if the operator of a motorized watercraft is under the influence of intoxicating liquor or drugs and has a passenger on board that is under the age of 15.

**HB 2021 – Chapter 41 – \*litigants designation; vexatious**

Allows the presiding judge of the superior court or a judge designated by the presiding judge of the superior court to designate a pro se litigant as a vexatious litigant in a noncriminal case. Prohibits a pro se litigant who has been designated as vexatious from filing any new pleading, motion or document without prior leave of the court. Becomes effective from and after December 31, 2014.

**HB 2107 – Chapter 45 [P 105] – elections; candidate, ballot measure signatures**

Changes the date for the Presidential Preference Election. Codifies the current election system that allows voters to sign nomination petitions and submit Citizen's Clean Election \$5 contribution qualification forms online. Prescribes requirements for both nonresident and paid statewide petition circulators and outlines corrective action for noncompliance.

**HB 2151 – Chapter 49 - \*amusement gambling**

Increases the merchandise prize limit related to amusement gambling from \$35 to \$550.

**HB 2163 – Chapter 165 – limited liability; space flight activities**

Allows a space flight entity to enter into a liability release agreement with a space flight participant to limit the entity's civil liability for a space flight participant's injury that arises out of space flight activity.

**HB 2164 – Chapter 257 – laser pointer; aircraft; violation**

Prohibits a person from aiming a laser pointer at an occupied aircraft if the person intentionally or knowingly directs the beam of light from a laser pointer or laser emitting device at an aircraft and the person knows or reasonably should know that the aircraft is occupied. Prescribes a Class 1 misdemeanor for a violation. If a violation renders a pilot unable to safely operate the aircraft or causes serious physical injury to any person on board the aircraft, then the violation is classified as assault.

**HB 2196 – Chapter 5 – election law amendments; repeal...**

Repeals Laws 2013, Chapter 209.

**HB 2197 – Chapter 87 – ACC; securities enforcement; spousal joinder**

Prohibits the ACC from joining a defendant's former spouse in an action related to the sale of securities. Allows the ACC to apply to the courts to obtain assets transferred illegally to a former spouse of a defendant on a showing of clear and convincing evidence.

**HB 2307 – Chapter 206 – \*deferred prosecution fund**

Allows county attorneys to establish a County Attorney Deferred Prosecution Fund (Fund). The Arizona Prosecuting Attorneys' Advisory Council shall modify the guidelines, as necessary, to

conform to any changes that are made to a statute that authorizes the program. A county attorney who has established a deferred prosecution program shall maintain statistics relating to the performance of the program and shall annually report to the Legislature and JLBC. Outlines revenue sources for the Fund and allows the county attorney discretion as to how to use the Fund.

**HB 2312 – Chapter 144 – tampering with a witness**

Expands the definition of *tampering with a witness* to include the act of communicating directly or indirectly with a witness in order to evade a summons or a subpoena. Specifies that in a criminal case a minor who has agreed to an interview may not be interviewed by the defendant, the defendant's attorney, or an agent of the defendant unless the prosecutor is notified at least five days in advance, and the prosecutor may be present at the interview.

**HB 2382 – Chapter 208 – conspiracy; homicide; statute of limitation**

Specifies that conspiracy to commit homicide that results in the death of a person is not subject to the statute of limitations.

**HB 2408 – Chapter 149 – \*public officer; financial disclosure; filing**

Allows public officers to file financial disclosure statements in a form prescribed by the SOS's office that includes authorization for future filings to be submitted in an electronic format beginning January 1, 2017.

**HB 2453 – Chapter 36 [E] – synthetic drugs; reporting**

Expands the definition of *dangerous drug* and *narcotic drugs* by adding additional synthetic substances. Eliminates a double reporting requirement relating to the sale of precursor or regulated chemicals.

**HB 2454 – Chapter 151 – human trafficking; prostitution**

Adds human trafficking related crimes to the definition of *racketeering* and makes changes to the crime of child prostitution. The measure prescribes escort and massage therapy advertising requirements and creates the Human Trafficking Victim Assistance Fund.

**HB 2461 – Chapter 152 – probation officers; authority**

Allows all probation officers to enforce pretrial release conditions.

**HB 2483 – Chapter 62 – firearms; private land; lawful discharge**

Prohibits a city, town or county from enacting an ordinance that would prevent, restrict or otherwise regulate the lawful discharge of a firearm or air gun or use of archery equipment on a private lot or parcel of land that is not open to the public on a commercial or membership basis. Conditions in which the lawful discharge of a gun may be enjoined. Any claim or action filed must be proved by clear and convincing evidence.

**HB 2514 – Chapter 239 – combat-related special compensation**

Prohibits the courts from considering combat related special compensation in determining the separation of property and spousal maintenance in a divorce proceeding.

**HB 2515 – Chapter 268 – unlawful distribution of private images**

Prohibits a person from intentionally disclosing, displaying, distributing, publishing, advertising or offering a photograph, videotape, film or digital recording of a person in a state of nudity or engaged in specific sexual activities if the person knows or should have known that the depicted person has not consented to the disclosure.

**HB 2535 – Chapter 173 – certification of firearm transfers**

Specifies that a chief law enforcement officer has 60 days to either certify or deny the transfer of a firearm.

**HB 2563 – Chapter 269 – juvenile crime victims’ rights**

Modifies the rights of victims of juvenile delinquency. Provides that if a juvenile is adjudicated delinquent, the juvenile cannot deny the elements of the delinquency in a later civil action by the victim or the state. States that a victim of delinquency retains the victim’s rights if the delinquency is overturned and a new hearing is provided. Outlines notification requirements that are to be provided to victims of juvenile delinquency. Increases the victim’s right to privacy and right to release information. Establishes the effects of failure to comply with victims’ rights. Aligns state statute regarding a victim’s right to privacy.

**HB 2565 – Chapter 270 – manslaughter; assisting suicide**

Specifies that a person commits manslaughter by intentionally providing the physical means that another person uses to commit suicide, with the knowledge that the person intends to commit suicide.

**HB 2567 – Chapter 155 – theft of trade secrets; offense**

Classifies and defines the theft of trade secrets. Outlines what actions constitute theft of trade secrets and prescribes a Class 5 felony for a violation.

**HB 2571 – Chapter 176 – criminal damage; economic costs**

Prescribes the types of costs in determining damages for the offenses of criminal damage and aggravated criminal damage.

**HB 2593 – Chapter 156 – death; postconviction; appellate proceedings; dismissal**

Describes the dismissal of appellate and postconviction proceedings upon the death of a convicted defendant and states that a person sentenced to life in prison for an offense committed before 18 years of age is eligible for parole upon completion of the minimum sentence.

**HB 2625 – Chapter 158 – penalty assessment; victims’ rights enforcement**

Adds a new section of law that prescribes a \$2 penalty assessment on various fines, penalties and forfeitures. Establishes the Victims’ Rights Enforcement Fund.

**HB 2639 – Chapter 159 – identity theft; violation; penalties**

Prescribes the classification of the offense of knowingly accepting the identity of another person.

**HB 2665 – Chapter 241 [E] – campaign finance; election; candidate committees**

Makes changes to election laws regarding campaign finance, elections and candidate committees.

**SB 1179 – Chapter 242 – constables; prohibited acts**

Prohibits constables from acting as private process servers or owning a related business.

**SB 1221 – Chapter 234 – attorney general representation; nonparty subpoena.**

Authorizes the AG to represent a current or former officer or employee of this state who is subject to a civil nonparty subpoena and permits an agency authorized to employ legal counsel to provide representation to its officers or employees in a civil action or subject to a nonparty civil subpoena.

**SB 1248 – Chapter 77 [E] – jury service; lengthy trial fund**

Reauthorizes the Supreme Court to establish an additional filing, appearance and answer or response fee to be deposited in the Arizona Lengthy Trial Fund to pay juror expenses in cases that last longer than five days. Allows a physician assistant to provide the court or jury commissioner with a medical statement explaining an existing mental or physical condition that renders a prospective juror unfit for jury service.

**SB 1266 – Chapter 189 – misconduct involving weapons; judicial officers**

Allows an elected or appointed judicial officer, under certain conditions, to carry a deadly weapon in the court facility where the judicial officer works.

**SB 1342 – Chapter 224 – unlawful mutilation; female genitalia**

Specifies what constitutes the offense of unlawful mutilation. Prescribes a Class 2 felony for an offense. Outlines sentencing guidelines.

**SB 1344 – Chapter 225 – contribution limits; clean elections authority**

Clarifies that the SOS and the AG have investigative and enforcement authority over complaints filed against traditional candidates running for statewide or legislative offices who have allegedly violated campaign contribution limits. Adds a new section of law that prescribes what an election official shall use as evidence of coordination and clarifies which expenditures are not to be considered as independent expenditures.

**SB 1460 – Chapter 195 – used catalytic converter; purchase; sale**

Resolves a conflict in statute by allowing scrap metal dealers to purchase and sell used catalytic converters under certain circumstances.

# COMMITTEE ON PUBLIC SAFETY, MILITARY AND REGULATORY AFFAIRS

**Representative Justin Pierce, Chairman**  
**Representative Darin Mitchell, Vice-Chairman**  
**Courtney McKinstry, Legislative Research Analyst**  
**Casey Baird, Assistant Legislative Research Analyst**



\* Strike-Everything Amendment  
 [E] Emergency Clause  
 [P 105] Proposition 105 Clause  
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**HB 2002 – Chapter 40 – correctional officers; arrest; unlawful imprisonment**

Grants detention officers the power to arrest a person on an arrest warrant if the person is already in the custody of the jail facility at which the detention officer is employed or the person surrenders to the jail facility at which the detention officer is employed. Expands a defense to the crime of unlawful imprisonment to detention officers acting in their official capacity.

**HB 2004 – Chapter 20 – first informer broadcasters**

Permits the Arizona Division of Emergency Management to coordinate with Arizona broadcasting associations to develop plans in the event of an emergency or disaster and prescribes training requirements for first informer broadcasters.

**HB 2103 – Chapter 85 – concealed carry permit; qualifications**

Allows an individual of at least 19 years of age to obtain a concealed weapon permit if the person is currently in military service or has been honorably discharged.

**HB 2105 – Chapter 197 [E] – court-ordered evaluations; peace officers**

Authorizes a peace officer to detain a person who is believed to be a danger based on probable cause, rather than observed behavior.

**HB 2135 – Chapter 30 – Military affairs commission; continuation**

Continues the Military Affairs Commission for eight years until July 1, 2022 and applies retroactively to July 1, 2014.

**HB 2145 – Chapter 164 [E] – identifying information; peace officer spouses**

Allows the spouse of a peace officer to request that public records containing certain personal identifying information remain confidential.

**HB 2306 – Chapter 56 – fingerprint clearance cards; periodic checks**

Adds *trafficking of persons for forced labor or services* to the list of offenses which preclude a person from receiving a regular or Level I FPCC. Requires, rather than allows, DPS to conduct periodic state criminal history checks and permits DPS to conduct federal criminal history checks for regular and Level 1 FPCC holders for the purpose of updating clearance status.

**HB 2311 – Chapter 143 – military justice; courts-martial**

Modifies statutes related to the qualifications of the Arizona Adjutant General and the Arizona Code of Military Justice.

**HB 2322 – Chapter 261 – national instant criminal background checks**

Requires certain court case information to be transmitted to the National Instant Criminal Background Check System, effective January 1, 2015, if the following apply:

- A person is found by a court to be mentally incompetent;
- A person is found by a court to be guilty except insane;
- A guardian is appointed to a person by a court for reasons other than 100% physical incapacity;  
or
- A court enters an order for treatment for a person who has been found to be a danger to self or others.

**HB 2323 – Chapter 34 – blue alert notification system**

Establishes the blue alert notification system as a quick response system designed to issue and coordinate alerts following an attack on a law enforcement officer.

**HB 2332 – Chapter 92 – unclaimed remains; veterans; burial**

Authorizes a person that possesses unclaimed cremated remains to release verification information to the U.S. Department of Veteran Affairs or a veterans' service organization (organization) in order to verify whether the remains are that of a veteran. Permits a person who has received verification to transfer the remains to an organization and requires the organization to ensure the remains are transported and interred in a veterans' cemetery. Provides immunity from civil liability for the person that releases verification information or transfers remains should any damages arise from a veteran's interment.

**HB 2336 – Chapter 147 – firearms; law enforcement officers**

Removes language describing the type of establishment where a peace officer or retired peace officer is prohibited from carrying a firearm while consuming alcohol, specifically a licensed liquor establishment operated by the state or a political subdivision of the state.

**HB 2443 – Chapter 93 – hunting and fishing licenses; military**

Allows a member of the US Armed Forces who is on active duty and either temporarily or permanently stationed in Arizona to purchase a resident hunting or fishing license.

**HB 2457 – Chapter 37 – mental health; veterans courts; establishment**

Allows the presiding judge of the superior court in each county to establish a veterans court and a mental health court and requires the presiding judge to determine eligibility criteria for referral to either court.

**HB 2462 – Chapter 170 – \*virtual border fence**

Modifies the type of fence and distance from the Arizona-Mexico border that a border fence (fence) may be constructed if the governor enters into a compact with other states to build a fence or if Arizona builds a fence.

**HB 2562 – Chapter 240 – probation; peace officers; rights; investigations**

Reorganizes and makes changes to the sections of statute governing a law enforcement officer's rights and probation officer's rights.

**HB 2591 – Chapter 271 – joint powers public safety committee**

Establishes a governing board for the purpose of sharing criminal justice information between law enforcement agencies.

**SB 1040 – Chapter 66 – \*auxiliary members; leave of absence**

Grants public officers and employees, who serve as auxiliary members of the U.S. military, leaves of absence from their duties while under military orders, not to exceed 30 days in any two consecutive years.

**SB 1097 – Chapter 232 – silver alert notification system**

Establishes the silver alert notification system designed to issue and coordinate alerts following the report of a missing person over the age of 65.

**SB 1118 – Chapter 182 – hunting on private land; trespassing**

Grants law enforcement officers the authority to enforce prohibitions against hunting, fishing, or trapping when acting at the request of a private landowner.

**SB 1158 – Chapter 108 [E] – \*fireworks; permissible use**

Permits an incorporated city or town and a county within unincorporated areas of the county

during designated times to regulate the sale of permissible consumer fireworks, except in a county with more than 500,000 people, the sale and use of permissible consumer fireworks is permitted during statutorily prescribed time periods. Modifies the penalty, from a Class 3 misdemeanor to a civil penalty of \$1000, for violating laws relating to fireworks and institutes a Class 1 misdemeanor and \$1000 fine for a person who uses any type of firework on preservation lands. Allows the sale of fireworks to specific entities if the seller makes outlined information available to the state or local fire marshal for a period of five years and institutes penalties for failing to provide the prescribed information. Modifies definitions.

**SB 1217 – Chapter 113 – precinct officers; salaries**

Increases the salary cap from \$15,000 to \$16,500 for constables of precincts with an average of 100 or fewer documents served per year over the previous four years and modifies annual salary limits for constables of precincts with an average of 100 or more documents served per year over the previous four years in accordance with the number of registered voters within the precinct.

**SB 1312 – Chapter 79 – Vietnam veterans day**

Institutes March 29th of each year as Vietnam Veterans' Day to be observed as a non-legal holiday.

**SB 1313 – Chapter 191 – Arizona gold star military medal**

Establishes an application process and revises eligibility requirements to receive the Arizona Gold Star Military Medal.

**SB 1401 – Chapter 227 – United States submarine memorial**

Authorizes ADOA to provide for the placement of a memorial in Wesley Bolin Plaza dedicated to U.S. submarine veterans. Prohibits the use of any public monies in the placement of the memorial and requires the proponents of the memorial to organize fundraising, contracts for artistic design and construction.

**SB 1476 – Chapter 236 – electromagnetic pulse preparedness; recommendations**

Requires DEMA to develop and post online preparedness recommendations in the event of an electromagnetic pulse across the US and defines *electromagnetic pulse* as a burst of electromagnetic energy occurring in the form of a radiated electric magnetic field or conducted electrical current caused by a coronal mass ejection from the sun, detonation of a nuclear bomb high in the earth's upper atmosphere, or a man-made electromechanical device.



# COMMITTEE ON REFORM AND HUMAN SERVICES

**Representative Steve Montenegro, Chairman**  
**Representative Kelly Townsend, Vice-Chairman**  
**Ingrid Garvey, Legislative Research Analyst**



\* Strike-Everything Amendment  
 [E] Emergency Clause  
 [P 105] Proposition 105 Clause  
 [P 108] Proposition 108 Clause  
 [LIV] Line Item Veto  
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**HB 2007 – Chapter 128 – \*developmental disability services; service providers**

Requires DES, to monitor contractors of day programs or employment services for health, safety, contractual, programmatic and quality assurance standards once every six months and if DES has granted deemed status, to monitor the service provider once every year.

**HB 2240 – Chapter 167 – developmental disabilities; client income; retention**

Allows a client with a developmental disability in a residential program operated or supported by DES to retain a minimum of 30% rather than 12% of their income or benefits for personal use.

**HB 2284 – Chapter 33 – abortion clinics; inspection; minors; reporting**

Allows the DHS director (Director) and any duly designated employee or agent of the Director, including county health representatives and county or municipal fire inspectors, consistent with standard medical practices, to enter on and into the premises of any abortion clinic that is licensed or required to be licensed during regular business hours of the abortion clinic, subject to a determination by the Director that there is reasonable cause to believe an abortion clinic is not adhering to the licensing requirements of statute or any other law or regulation concerning abortion. Makes it a Class 1 misdemeanor to assist a minor in obtaining an abortion in violation of state law and adds to the abortion reporting requirements.

**HB 2603 – Chapter 157 – TANF recipients; drug convictions; notification**

Requires the court, if the court has knowledge that a person convicted of a drug offense receives temporary assistance for needy family's cash benefits to send a copy of the judgment, sentence and the opinion, if filed, to ADES.

**HB 2638 – Chapter 64 – CPS information; law enforcement; prosecutors**

Requires DES, or a person who receives information about child protection services to provide that information to the appropriate agency in order to help investigate and prosecute any violation involving domestic violence or violent sexual assault.

**SB 1061 – Chapter 230 – paternity**

Clarifies that a potential father in an adoption proceeding who fails to file a paternity action and serve the mother within 30 days after himself being served waives his right to be notified of any adoption proceeding or the termination of his parental rights; stipulates that the potential father's consent to the adoption or termination of parental rights is not required. Allows an attorney or agency, licensed in this state, representing a mother in a paternity proceeding to accept service of process and allows a mother to omit her address on a notice to be served on each potential father if an attorney or agency is listed on the affidavit.

**SB 1276 – Chapter 222 – HIV-related testing; consent; confidentiality; exceptions**

Allows HIV-related testing to be performed, when requested by a health care provider or first responder under a general consent to receive treatment, except in an emergency when consent can be implied.





# COMMITTEE ON TECHNOLOGY AND INFRASTRUCTURE

Representative David Stevens, Chairman  
Representative Bob Thorpe, Vice-Chairman  
Ginna Carico, Legislative Research Analyst



\* Strike-Everything Amendment  
[E] Emergency Clause  
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**HB 2404 – Chapter 148 – agencies; third-party electronic service providers**

Allows state agencies to authorize a third-party electronic service provider under certain conditions. Defines *authorized third-party electronic service provider* as an entity that has executed a written agreement with a state agency and that is authorized by the state agency to provide electronic transmission services between the state agency, private citizens, other government agencies and public and private entities in this state or in any other state, territory or country.

**HB 2410 – Chapter 150 – information technology authorization committee; membership**

Allows the four members from private industry, the two members who are directors of state agencies and the two members from either private industry or state government to appoint a designee to take their place on the Information Technology Authorization Committee.

**HB 2654 – Chapter 178 – government reporting; financial information**

Requires local governments to include on their website via ADOA's web portal:

- The total taxes per capita of the local government for the population within its jurisdiction along with a statewide average of all similar local governments as calculated by ADOA.
- The total value of all outstanding debt obligations and the equivalent amount on a per capita basis for the population within the local government's jurisdiction.



# COMMITTEE ON TRANSPORTATION

Representative Karen Fann, Chairman  
 Representative Sonny Borrelli, Vice-Chairman  
 Justin Riches, Legislative Research Analyst



\* Strike-Everything Amendment  
 [E] Emergency Clause  
 [P 105] Proposition 105 Clause  
 [P 108] Proposition 108 Clause  
 [LIV] Line Item Veto  
 [W/O] Without Emergency Clause  
 [W/S] Without Signature

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**HB 2027 – Chapter 23 – golf carts; NEVs; passing; driving**

Allows a golf cart or neighborhood electric vehicle (NEV) to be driven on a paved shoulder that is adjacent to the roadway or as close as practicable to the right-hand edge of a roadway in an age-restricted community that is located within Maricopa County.

**HB 2109 – Chapter 27 – certificates of title; vehicles; transfer**

Requires a licensed motor vehicle dealer to submit an application for a certificate of title to a motor vehicle no later than 30 days after the purchase or transfer.

**HB 2111 – Chapter 46 – commercial driver licenses**

Allows a person driving with a permit to be accompanied by someone with the same class or higher class of license from any other qualifying state.

**HB 2113 – Chapter 6 – Arizona motorsports commemorative special plates**

Requires ADOT to issue the Arizona Motorsports Commemorative Special Plate and establishes the Arizona Motorsports Commemorative Special Plate Fund (Fund). Requires any money from the Fund be donated to a foundation that satisfies the following requirements:

- Have a scholarship program that aids in providing summer camp opportunities and dream experiences at motorsports events for terminally ill and special needs children.
- Have a mission that requires investment in creating opportunity for school-aged students and helping the students to engage in science and engineering using motorsports as the basis of the educational program.
- Be a charitable organization under 501(c)(3) of the US IRC for federal income tax purposes.
- Be named after a special event location that promotes sanctioned motorsports and family events within this State.

**HB 2114 – Chapter 28 – ADOT; land acquisition; conveyances; relocation**

Updates ADOT's standards to conform to federal standards of payment and relocation assistance due to transportation projects in accordance with Moving Ahead for Progress in the 21st Century.

**HB 2120 – Chapter 48 – motor vehicle sales**

Requires a vehicle that is for sale to be towed if the vehicle has a damaged, covered or altered vehicle identification number, and also prohibits motor vehicle dealers from displaying a vehicle for sale on any public street, highway, parking lot or property.

**HB 2204 – Chapter 50 – military applicants; commercial driver licenses**

Allows a person currently in the US military or someone who has left the military under honorable conditions within the last 12 months and operated a commercial motor vehicle to bypass the driving test required in order to receive a Class A, B or C license.

**HB 2362 – Chapter 59 – DPS; school bus rules oversight**

Removes ADOA from the School Bus Advisory Council, thus relieving DPS from the regulation and oversight of school buses. It also requires DPS, in consultation with the Arizona School Bus Advisory Council, to send written or electronic notification to the mailing list 15 days prior to a meeting.

**HB 2429 – Chapter 266 – \*towed vehicles; impounded notification**

Requires a law enforcement agency who removes, immobilizes or impounds a vehicle to enter information about the removal or immobilization of the vehicle into the Arizona Crime



Information Center Database within three business days after the impoundment, removal or immobilization. Specifies that a towing company may only have one contract per geographic area with DPS, city, county or town.

**HB 2430 – Chapter 60 – combination vehicles; size; weight; load**

Changes the conditions for a special transport permit for combination vehicles. These changes include:

- Assesses a \$75.00 fee for a single day or 30 day trip for an excess weight or size permit.
- Assesses a \$360.00 fee for an annual permit for excess size and weight up to 123,500 pounds.
- Assesses a \$600.00 fee for any permits issued for excess weights or size above 123,500 pounds but no more than 129,000 pounds.

**HB 2505 – Chapter 38 – leaving accident scene; alcohol; penalty**

Requires a drug or alcohol screening if it is determined that the use of drugs or alcohol were a factor in an accident, and it also changes the penalty for failing to provide assistance to a person injured in an accident from a Class 3 misdemeanor to a Class 6 felony.

**SB 1474 – Chapter 81 – used motor vehicle dealer; definition**

Changes the amount of used motor vehicles a person can buy, sell, auction, exchange or offer for sale within a 12 month period from three to six prior to being defined as a *used motor vehicle dealer* under Arizona law.

# COMMITTEE ON WAYS AND MEANS

Representative Debbie Lesko, Chairman  
 Representative Adam Kwasman, Vice-Chairman  
 Jeanine Jones, Legislative Research Analyst  
 Michael Madden, Assistant Legislative Research Analyst



\* Strike-Everything Amendment  
 [E] Emergency Clause  
 [P 105] Proposition 105 Clause  
 [P 108] Proposition 108 Clause  
 [LIV] Line Item Veto  
 [W/O] Without Emergency Clause  
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**HB 2046 – Chapter 43 – disaster recovery; businesses; tax; regulation**

Exempts any out-of-state business or employee working temporarily in Arizona for the purpose of disaster recovery during a disaster period from any state or local income, use, or property tax and from any state or local registration, licensing, or certification requirement related to the disaster recovery, provided the employee is properly registered, licensed, or certified in their respective home state.

**HB 2115 – Chapter 237 – \*unemployed; severance pay; definition**

Defines *severance pay* within the definition of *unemployed* under statutes governing employment security to include all amounts that an employer pays to an employee who is ending service with the employer, excluding any sum of money that the employer pays for health benefits or pursuant to an employee benefit plan.

**HB 2141 – Chapter 133 – \*county assessor; common area valuation**

Requires the county assessor to automatically consolidate parcel combinations within the same taxing district. Allows the county assessor to revoke any statutory valuation made with regard to a parcel that fails to meet the requirements of a common area.

**HB 2161 – Chapter 201 – state board of equalization; continuation**

Continues the SBOE until July 1, 2024 retroactively to July 1, 2014.

**HB 2272 – Chapter 168 – tax credits; capital investments; employment**

Provides modifications to various tax credits, retroactively to January 1, 2014.

***Angel Investment Incentive Program***

Continues the Angel Investment Incentive Program through June 30, 2021. Increases, from \$250,000 to \$500,000, the maximum amount of an investment in any single small business that a taxpayer can apply towards a tax credit. Extends the deadline for application for a credit from 30 to 90 days after the investment.

***Quality Jobs Tax Credit***

Clarifies that a taxpayer is still eligible for the Quality Jobs Tax Credit in all three years of eligibility if a full-time employee in the newly created job leaves the position, as long as the position is filled by another qualified full-time employee and is not vacant for more than 90 days from the original date the position was filled to the end of the current TY.

***R&D Tax Credit***

Requires, beginning TY 2015, a taxpayer to obtain certification from the ACA that basic research payments meet statutory requirements prior to application to DOR for certification of additional income tax credits for increased research activities involving basic research payments to a university. Outlines the requirements for the ACA certification process.

**HB 2283 – Chapter 139 – TPT; postmark; filing by mail**

Stipulates that any tax mailings without an official US Post Office postmark, excluding petitions or notices of appeal, are timely if they are received within five days of the deadline. Modifies language to ensure that DOR deems TPT returns timely if DOR receives them on or before the business day preceding the last business day of the month. Becomes effective January 1, 2015.

**HB 2285 – Chapter 54 – \*refined coal transfer; tax exemptions**

Exempts the transfer of title or possession of coal, back and forth, between a coal refinery and power plant from TPT. Stipulates that this transaction may not be included in the tax base under the mining classification. Specifies that coal acquired from a power plant by a coal refinery is exempt from use tax if the transfer of title is for refining purposes only and is transferred back to the power plant after refining. Applies retroactively to refining facilities

constructed in this state from and after December 31, 2013.

**HB 2287 – Chapter 205 – county treasurer; lien; sale**

Allows a county sheriff to auction foreclosed property to the highest bidder, regardless of whether or not the highest bid is sufficient to cover all taxes and interest owed and costs of sale. Requires the county treasurer to be a named party to an action of foreclosing the right to redeem a tax lien. Suspends a civil penalty for misclassification of property when ownership has changed between the time of notice and enforcement of a penalty.

**HB 2288 – Chapter 141 – sales tax; reduced reporting requirements**

Requires DOR to allow TPT taxpayers with annual liabilities between \$2000 and \$8000 to pay TPT quarterly, and taxpayers with liabilities less than \$2000 to pay annually. Becomes effective January 1, 2015.

**HB 2328 – Chapter 278 – \*STOs; grants; corporate tax credit**

Removes the requirement, beginning July 1, 2014, that a student attends a district or charter school for at least 90 days or one full semester during the prior FY in order to be eligible to receive a grant or scholarship from an STO. Retains the above requirement for students who qualify for an ESA because of previously receiving a grant or scholarship from an STO. Allows previously qualified students who continue to attend a qualified school to remain eligible for the STO program.

**HB 2377 – Chapter 10 – income tax brackets; inflation index**

Requires DOR to adjust the dollar amounts for the state income tax brackets in TY 2015 according to the average annual change in the Metropolitan Phoenix Consumer Price Index.

**HB 2389 – Chapter 263 – \*transaction privilege tax changes**

Makes changes to tax statutes to implement Laws 2013, Chapter 255. Provides a single point of TPT licensure, revises language under the prime contracting classification, exempts qualifying food purchases made under the Supplemental Nutrition Assistance Program (SNAP) Restaurant Program from TPT under the restaurant classification, and makes administrative changes regarding DOR.

**HB 2395 – Chapter 209 – property tax calculations; school districts**

Requires a County School Superintendent to first calculate primary property tax calculations and certify such amounts to the PTOC for review by July 25 each year and then file the levy amount required from primary and secondary property taxes with the county BOS and PTOC by the third Monday in August each year.

**HB 2415 – Chapter 228 – \*prime contracting deduction; waste facility**

Excludes, from the prime contracting TPT classification, mixed waste facilities located on a municipal landfill, constructed for the purpose of recycling or producing renewable energy from landfill waste. Applies retroactively to January 1, 2013.

**HB 2701 – Chapter 276 – TPT; health sciences institutions; exemption**

Exempts personal property that is sold to a *qualifying health sciences educational institution*, defined in the Act, from TPT under the retail, publication, and job printing classifications and from state and municipal use tax. Becomes effective January 1, 2015.

**SB 1081 – Chapter 68 [P 105] – tax credit; excise; SSN**

Requires, beginning January 1, 2015, that any claimant filing a prescribed DOR form claiming

no tax liability under statutes governing the credit for increased excise taxes paid include a valid social security number (SSN) for the claimant and a valid SSN or IRS issued tax identification number for any qualifying spouse and children.

**SB 1164 – Chapter 109 – sanitary district bonds; terms**

Increases the maximum maturity period for sanitary district improvement bonds and voter approved bonds. Stipulates that a sanitary district that refinances an existing bond that matures over a period of 41 years may only issue the bond if the bond does not cause an increase in the sanitary district's bonding capacity and the sanitary district's BOD provides public notice and holds a public hearing regarding the issuance of the bond.

**SB 1180 – Chapter 110 – luxury privilege tax; cider; definition**

Expands the definition of *cider* to include any vinous liquor that is made from the fermentation of pears or other pome fruits under statutes governing luxury privilege taxes. Exempts DOR from rulemaking for one year to implement these changes.

**SB 1272 – Chapter 221 – nonprofit corporations; state monies; audits**

Requires nonprofit corporations receiving over \$250,000 in state financial assistance in any FY to file audited financial statements prepared either in accordance with federal single audit regulations or the Generally Accepted Accounting Principles. Requires nonprofit corporations that receive less than \$250,000 in state financial assistance to comply with contract requirements concerning financial and compliance audits.

**SB 1300 – Chapter 223 – internal revenue code conformity**

Updates the definition of *Internal Revenue Code* to include all IRC provisions that were in effect as of January 1, 2014.

**SB 1301 – Chapter 245 – 2014 tax corrections**

Corrects errors, strikes obsolete language, and makes clarifying and conforming changes to statutes relating to taxation based on recommendations made by DOR and Legislative Council.

**SB 1331 – Chapter 121 – \*model city tax code; changes**

Specifies that any changes not reflected in the official copy of the MCTC on file with DOR are void and have no effect. Specifies that *new or different tax rate* includes any change that increases the amount of taxes owed to a city or town. Contains a retroactive effective date of July 1, 1988, the original effective date of the MCTC.

**SB 1351 – Chapter 80 – multipurpose facility districts; Rio Nuevo**

Stipulates a county stadium district (District) BOD (Board) must include residents of the county in which the District is located, at least four of whom must reside in the municipality in which the District is located. Requires the Board to submit a report each year, regarding the activities, operations, revenues and expenditures of the district for the preceding FY to the SOS and specified members of the Legislature. Strikes the requirement that monies distributed to the District may only be used for specified purposes until a notice to proceed is issued for a hotel and convention center located on the multipurpose facility site. Establishes noticing requirements for any planned expenditure of \$500,000 or more.

**SB 1352 – Chapter 249 – property tax roll; corrections**

Provides statutory process by which the county assessor may amend a notice of valuation should the assessor discover an error after the tax roll has been certified to the county BOS and DOR. Requires any amended values to be approved by DOR prior to the assessor mailing the

amended notices.

**SB 1413 – Chapter 7 – taxes; manufacturers’ electricity sales; exemption**

Exempts gross proceeds of sales of electricity and natural gas to businesses that are principally engaged in manufacturing or smelting operations from TPT and use tax. Does not apply to natural gas transportation services.

# VETOED BILLS



\* Strike-Everything Amendment  
 [E] Emergency Clause  
 [P 105] Proposition 105 Clause  
 [P 108] Proposition 108 Clause

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**HB 2024 – VETOED – aggressive solicitation; offense**

Made it unlawful to solicit money or any other thing of value or solicit the sale of goods or services if certain conditions are met. Prescribed a Class 1 misdemeanor for a violation.

**HB 2262 – VETOED – \*transportation network services**

Established regulations and requirements for transportation networks in Arizona that are separate from statutory taxi, livery and limousine regulations. The requirements for transportation networks and operators included maintaining a commercial liability insurance policy with uninsured and underinsured motorist coverage that provided minimum coverage of \$1 million per incident for accident claims involving a network vehicle and an operator occurring during a trip. Additionally, on receiving a complaint that the operator was under the influence of drugs and alcohol while providing services, the network was required to immediately revoke the operator's access to the digital platform, conduct an investigation, required the operator to take a drug test and permanently deny access to the digital platform to any operator who violated the drug and alcohol use prohibition.

**HB 2281 – VETOED – leased religious property; class nine**

Reclassified property leased to a religious assembly or institution as Class 9 and exempts such property from taxation if owned by an educational, religious, or charitable organization. Required any benefit received as a result of to the reclassification to be passed on to the lessee.

**HB 2313 – VETOED – capital sentencing; aggravators; serious offenses**

Modified the criteria for aggravating circumstances used to decide if the death penalty should be imposed and expands the definition of a serious offense.

**HB 2316 – VETOED – schools; local control; student privacy**

Prohibited ADE, SBE and the SPI from adopting any educational standards, curricula or instructional approaches mandated by the federal government. Prohibited ADE from requiring schools to adopt specific curricula or instructional approaches. Required that changes to state academic standards be done through a transparent, public process that allows for the public to review proposed changes and provide feedback. Prohibited certain personally identifiable information of a student or student's family from being reported, shared with the federal government or provided to certain private vendors. Modified the charge and membership of the Joint Committee on Broadband Expansion and Education Technology (Committee) established in the 2014-2015 K-12 BRB (Laws 2014, Chapter 17). Directed the Committee to submit a report by December 1, 2014, and repealed the Committee on January 1, 2015, rather than January 1, 2016.

**HB 2327 – VETOED – \*motor vehicle; definition; exclusion; insurance**

Excluded any motor vehicle principally garaged outside of Arizona from the definition of *motor vehicle* as it relates to the cancellation or non-renewal of automobile insurance.

**HB 2338 – VETOED – aggravated assault; firearm**

Specified that a person is guilty of aggravated assault if a person knowingly takes or attempts to exercise control over a person's lawfully owned firearm, with intent to cause harm with that firearm.

**HB 2339 – VETOED – firearms; permit holders; public places**

Allowed a person with a valid conceal carry permit to carry a firearm on their person while at a public event or public establishment.

**HB 2367 – VETOED – AHCCCS; annual waiver submittals**

Required the Director of AHCCCS to apply to the Centers for Medicare and Medicaid Services by March 30 of each year for waivers or amendments to the current Section 1115 Waiver.

**HB 2385 – VETOED – \*cost accounting; study committee**

Created the State Agency Cost Accounting Legislative Study Committee to study and develop recommendations relating to:

- Appropriate and efficient mechanisms for collecting information regarding monies that are spent or otherwise pass through each budget unit in relation to projected expenditures.
- Other matters related to state agency budget estimates and budget reductions that the Committee deems necessary.

**HB 2459 – VETOED – \*state agency rulemaking; restrictions**

Prohibited state agencies from adopting new rules that would increase existing regulatory restraints or burdens on the free exercise of property rights or the freedom to engage in a lawful business or occupation, unless the rule is a component of a comprehensive effort to reduce regulatory restraints or burdens and the rule is strictly ministerial in implementing legislative standards that manifest a clear legislative determination of all relevant public policies.

**HB 2517 – VETOED – firearms; state preemption; penalties**

Stated that a court shall declare invalid, any improper act, ordinance, regulation, tax or rule that violates state law concerning firearms regulated by the state and issue an injunction against the political subdivision from continuing the act or enforcing the ordinance, regulation, tax or rule. Established a civil penalty of up to \$5,000 for any government official or political subdivision who knowingly or wilfully commits a violation.

**HB 2541 – VETOED – federal land; emergency access**

Allowed a state, county, city, or town to access federal land located in the state during an emergency situation with the appropriate equipment necessary to address the situation.

**HB 2564 – VETOED – peace officer standards; training board**

Increased the population threshold for the appointment of city police chiefs to AZPOST.

**HB 2611 – VETOED – rescue operation personnel; limited liability**

Limited the liability of a person who is a member of an organized search and rescue team, unit or organization and who is involved in a search and rescue operation.

**HB 2661 – VETOED – domestic farm wineries; fruit pomace**

Amended the regulations concerning farm winery licensees and created a craft distillery license, all provisions of which are contained in SB 1397, the omnibus liquor bill.

**HB 2664 – VETOED – income tax revisions**

Permanently allowed for business expensing up to \$500,000 and repealed A.R.S. § 43-1021(4) and § 43-1022(4), (8) (transitional provisions of the 1978 Arizona Income Tax Act) as recommended by the 2013 Joint Task Force on Income Tax Reform.

**HB 2699 – VETOED – endangered species programs; rescission; reimbursement**

Established the Federal Reimbursement Fund (Fund) for the purposes of reimbursing individuals who sustain losses relating to the Mexican Wolf Recovery Program (Program).

Required the AG to obtain a sufficient amount of money from the federal government to pay for specified reimbursement, if deemed necessary. Directed the State Land Department to work with private landowners to establish land use agreements with the federal government to compensate for losses as a result of the Program.

**SB 1048 – VETOED – tax credits; STOs; preapproval; entities**

Extended eligibility for the STO tax credit to include an S corporation, subject to statutory limits. Prohibited an STO from awarding a grant or scholarship to a student who is dually enrolled in a qualified school and another school.

**SB 1062 – VETOED – exercise of religion; state action.**

Revised the definition of *exercise of religion* and *person* and extended the prohibition on substantially burdening a person's exercise of religion to applications of the law by nongovernmental persons. Clarified that the government or a nongovernmental person enforcing state action must demonstrate that the application of the burden to the person's exercise of religion is in furtherance of a compelling governmental interest and is the least restrictive means of furthering the compelling governmental interest. Maintained that a person whose religious exercise is burdened in violation of this Act may assert that violation as a claim or defense in a judicial proceeding and specified that this applies regardless of whether the government is a party to the proceeding.

**SB 1201 – VETOED – \*autocycles; class M license; exemption**

Defined *autocycle* and specified that a person who drives an autocycle does not need a Class M license. Defined *motorized quadricycle* and provided guidelines for the operation of the vehicle.

**SB 1211 – VETOED – Mexican wolf; taking; reporting**

Allowed ADAG employees to take wolves that have been documented or caught in the act of killing livestock, pursuant to an agreement between ADAG and the US Fish and Wildlife Service (USFWS). Required G&F to request quarterly reports from USFWS of all incidences in which a wolf harms, kills or harasses livestock and request full DNA profiles on wolves reintroduced in Arizona.

**SB 1366 – VETOED – \*firearm; definition**

Modified the definition of *firearm* to include a weapon that is designed to expel a solid projectile through a barrel or tube by the action of rapidly expanding gases created by a burning propellant or powder.

**SB 1386 – VETOED – supplemental appropriation; external CPS review**

Appropriated \$250,000 to ADOA from the state GF in FY 2014 for an external review by an independent expert consultant to examine the current child protective services system, consider best practices to improve delivery of services and to provide consultation on the effective establishment of the new Division of Child Safety and Family Services. Included issues to be considered by the independent consultant and required the consultant to submit a report on or before March 1, 2015.

**SB 1483 – VETOED – county supervisors; population threshold; membership**

Modified the population threshold requirement for counties to change the number of members on the BOS. Required counties with a population between 150,000 and 175,000 people and consisting of a three member board to submit to the voters in that county the question of

whether the BOS should convert from a three member to a five member board at the next general election, following the release of the population estimate from the Office of Employment and Population Statistics. Contained the same provisions as Laws 2014, Chapter 265.

# MEMORIALS AND RESOLUTIONS



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**HCM 2001 – POWs; MIAs; congressional committee**

Urges Congress to establish a Select Committee on POW and MIA Affairs in the US House of Representatives.

**HCR 2002 – death resolution; Ben Miranda**

Expresses the Arizona Legislature's regret at the death of Ben Miranda.

**HCR 2005 – investigational drugs; biological products; devises**

Upon voter approval and by proclamation of the governor, allows a manufacturer to make available to an eligible patient an investigational drug, biological product or device.

**HCR 2006 – Hopi and USPHS; smoke-free workplaces**

Acknowledges the leadership of the Hopi Tribe and the US Public Health Service in initiating the smoke-free movement in hospitals and workplaces.

**HCR 2028 – national wear red day**

Declares February 7, 2014 as National Wear Red Day in Arizona to increase awareness and show support for women fighting heart disease.

**HCR 2038 – Arthur Hubbard, Sr.; death resolution**

Expresses the Arizona Legislature's regret at the death of Arthur J. Hubbard, Sr.

**HCR 2040 – Joe Lane; death resolution**

Expresses the Arizona Legislature's regret at the death of Joseph James Lane III.

**HM 2001 – agent orange exposure; Vietnam veterans**

Urges Congress to restore the presumption of a service connection between Agent Orange exposure and subsequent illness to US Vietnam War veterans who served in the waters and airspace of the combat zone.

**HM 2002 – burn pits; health risks; veterans**

Requests that Congress recognize the significant health risks open-air burn pits impose and enact a presumption of a service connection between open-air burn pit exposure and subsequent illnesses that is similar to the presumption in place for exposure to Agent Orange.

**HR 2001 – Ash Fork; flagstone capital**

Designates Ash Fork, Arizona as the *Flagstone Capital of Arizona*.

**HR 2006 – Republic of Azerbaijan; strategic partnership**

Declares the Arizona House of Representatives' support for the strategic partnership between the US and the Republic of Azerbaijan.

**HR 2007 – consular corps of Arizona; support**

Supports the mission of the Consular Corps to become the leading international organization in Arizona and recognizes its service to and engagement in the community. Supports the continuation of communication amongst the Consular Corps and domestic and international governments to foster business, educational and cultural endeavors.

**HR 2008 – ovarian cancer awareness day**

Proclaims the first Friday of September of each year as Ovarian Cancer Awareness Day.



**HR 2009 – commending Israel**

Proclaims that the Arizona House of Representatives commends Israel for its cordial and mutually beneficial relationship with the US and Arizona and supports Israel as a Jewish state in its legal, historical, moral and God-given right of self-governance and self-defense on the entirety of its own lands, recognizing that Israel is neither an attacking force nor an occupier of the lands of others and that peace can be afforded in the region only through a whole and united Israel.

**HJR 2001 – child abuse prevention month**

Resolves that the Arizona Legislature and the governor proclaim April 2014 as Child Abuse Prevention Month in Arizona.

**SCM 1001 – Yuma desalting plant**

Requests that the secretary of the US Department of the Interior take all necessary measures to operate the Yuma Desalting Plant.

**SCM 1006 – urging Congress; PILT program; funding**

Expresses the Arizona Legislature's support for the complete funding of the Payment in Lieu of Taxes program.

**SCM 1009 – medicare enrollment requirement; physicians; repeal**

Requests that the federal government repeal the requirement that physicians with a National Provider Identifier enroll in or opt out of Medicare as a condition for payment of claims under federal health care programs.

**SCR 1006 – Mexican wolf; population rule**

Declares that the Arizona Legislature supports the protection of Arizona and New Mexico landowners to take Mexican wolves that are threatening or harassing humans, pets or livestock; supports shifting responsibility for the administration of the Mexican wolf introduction program to G&F; and supports the future Mexican wolf introduction efforts to remote areas of the northern Sierra Madre Occidental mountain range.

**SCR 1007 – wildfires; forest management**

Asserts that the Arizona Legislature places the highest importance on the issues of forest management and supports the use of appropriately scaled industry to preserve the safety of our communities, the health of our forests and the strength of our economy. States that the Arizona Legislature looks to the US Forest Service to work with stakeholders on forest thinning projects and to provide increased financial support to Arizona's local forests to keep existing industry supplied with enough treatable acres.

**SCR 1008 – \*support; military installations**

Requests that the Arizona Legislature recognize and support the benefits of military installations within Arizona.

**SCR 1022 – rulemaking; electric generating units; opposition**

Expresses the Arizona Legislature's opposition to the implementation of rules for new and existing electric generating units that require technology that is not commercially available or technologically feasible. Expresses the Arizona Legislature's support for the EPA in issuing guidelines for practical state-established performance standards and in giving Arizona the maximum amount of flexibility allowed by the Clean Air Act in setting performance standards. Asserts that the Arizona Legislature supports the exercise of oversight by US Congress over the

EPA to ensure that the state's primary role in establishing and implementing rules under Section 111 of the Clean Air Act is respected.

**SCR 1023 – Phoenix Rotary 100; centennial; recognition**

Resolves that the Arizona Legislature recognizes Phoenix Rotary 100 on its centennial and proclaims March 1, 2014 as Arizona Rotary Day.

**SCR 1024 – support Taiwan; United States; trade**

Expresses the Arizona Legislature's support for the negotiation of a US-Taiwan BIA or FTA, Taiwan's participation in the TPP and Taiwan's participation in international organizations.

**SR 1001 – Valarie Scanlan; death resolution**

Expresses the Arizona Senate's regret at the death of Valerie Scanlan.

**SR 1002 – death resolution; John Greene**

Expresses the Arizona Senate's regret at the death of John Greene.

**SR 1003 – EPA; nullification of rules**

Declares the Arizona Senate's support for the nullification of all rules imposed by the EPA in Arizona and support consultation between the EPA and tribal governments prior to the implementation of rules that impact tribal governments.

**SR 1004 – Cecil Miller; death resolution**

Expresses the Arizona Senate's regret at the passing of Cecil H. Miller, Jr.

**SR 1007 – PANDAS; PITAND; PANS; awareness day**

Resolves that the Arizona Senate declares October 9 of each year as PANS, PANDAS and PITAND Awareness Day in Arizona.

**SR 1008 – Republic of Azerbaijan; strategic partnership.**

Expresses the Arizona Senate's support for the strategic partnership between the US and the Republic of Azerbaijan.

**SR 1009 – John Decker; death resolution**

Expresses the Arizona Senate's regret at the death of John Decker.

**SR 1010 – national eating disorders awareness week**

States that the Arizona Senate proclaims the week of February 23, 2014 as National Eating Disorders Awareness Week.

**SR 1012 – Lorena Williams; death resolution**

Expresses the Arizona Senate's regret at the death of Lorena Morgan Williams.

**SR 1013 – Fire Chief Randy Redmond; recognition**

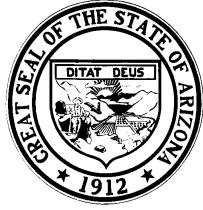
Resolves that the Arizona Senate recognizes, honors and thanks Fire Chief Randy Redmond on his designation as Arizona's 2014 Fire Chief of the Year.

***Fifty-First Legislature, Second Special Session***

**HCR 2001 – Don Jansen; death resolution**

Expresses the Arizona Legislature's regret at the death of Donald William Jansen.





# SECTION III

## SUMMARY OF LEGISLATION *Second Special Session*

Session Convened: May 27, 2014  
Adjourned Sine Die: May 29, 2014

Effective Date: May 29, 2014

State of Arizona  
Fifty-First Legislature  
*Second Special Session*



# FIFTY-FIRST LEGISLATURE

## 2<sup>ND</sup> SPECIAL SESSION

### 2014



\* Strike-Everything Amendment  
 [E] Emergency Clause  
 [P 105] Proposition 105 Clause  
 [P 108] Proposition 108 Clause  
 [LIV] Line Item Veto  
 [W/O] Without Emergency Clause  
 [W/S] Without Signature

Bill	Chapter	Short Title	Page
SB 1001	1 [E]	department of child safety. ....	117
SB 1002	2	appropriations; department of child safety. ....	128



**SB 1001 – Chapter 1 [E] – department of child safety.**

Provides the statutory framework for DCS; makes transfers of, repeals and clarifies current language.

- Adds Chapter 4 to Title 8 establishing DCS.

***Purpose of DCS***

- States the primary purpose of DCS is to protect children. To achieve this purpose, DCS must do and focus equally on the following:
  - Investigate reports of child abuse or neglect.
  - Assess, promote and support the safety of a child in a safe and stable family or other appropriate placement in response to allegations of abuse or neglect.
  - Work cooperatively with law enforcement regarding reports that include criminal conduct allegations.
  - Without compromising child safety, coordinate services to achieve and maintain permanency on behalf of the child, strengthen the family and provide prevention, intervention and treatment services as provided by law.

***Powers and Duties of the Director***

- Requires the governor to appoint the director of DCS (Director) who serves at the governor's pleasure.
- Specifies that, at a minimum, the Director must have:
  - Administrative experience in the protection of children from maltreatment and in family support services.
  - Qualifications and training that enable the Director to manage the affairs of DCS.
- Allows the Director to receive compensation.
- Mandates that the Director:
  - Carry out the purposes of DCS.
  - Provide transparency by being open and accountable to the public for the actions of DCS.
  - Develop a data system that enables persons and entities that are charged with a responsibility relating to child safety to access all relevant information relating to an abused, neglected or abandoned child.
  - Employ Deputy Directors and other key personnel based on qualifications that are prescribed by the Director.
  - Adopt rules for DCS and the duties and powers of the Director.
  - Petition for the appointment of a guardian or temporary guardian (guardian) for children who are in the custody of DCS pursuant to court order. Persons applying to be guardians must be fingerprinted and any foster parent or certified adoptive parent already fingerprinted is not required to be fingerprinted again if they are applying to be the guardian.
  - Cooperate with other agencies of the state, county and municipal agencies, faith-based organizations and community social service agencies.
  - Exchange information and cooperate with DES for the administration of DES' programs.
  - Administer child welfare activities including:
    - ❖ Cross-jurisdictional placement of children.
    - ❖ Providing for the cost of:
      - Children who are in temporary custody, are the subject of a dependency petition or are adjudicated by the court as dependent and who are in out-of-home placement, except state institutions.
      - Children who are voluntarily placed in out-of-home placement.



- Children who are the subject of a dependency petition or are adjudicated dependent and are in the custody of DCS and ordered by the court to reside in an independent living program.
    - ❖ Providing services for children placed in adoption.
  - Formulate policies, plans and programs to effectuate the missions and purposes of DCS.
  - Contract with and incur obligations within the general scope of its activities and operations, subject to the availability of funds.
  - Coordinate and contract with or assist other departments, agencies and institutions of this state and local and federal governments in the furtherance of DCS' purposes, objectives and programs.
  - Accept and disburse grants, matching funds and direct payments from public or private agencies for the conduct of programs that are consistent with the overall purposes and objectives of DCS.
  - Collect monies owed to DCS.
  - Act as an agent of the federal government in furtherance of DCS' functions.
  - Carry on research and compile statistics relating to the child welfare program throughout the state.
  - Cooperate with the superior court in all matters related to Title 8 and Title 13 of A.R.S.
  - Provide the cost of care and transitional independent living services for a person under 21 years of age.
  - Ensure that all criminal conduct allegations and reports of imminent risk of harm are investigated.
  - Ensure DCS' compliance with the Indian Child Welfare Act.
  - Strengthen relationships with the tribal child protection agencies or programs.
- Allows the Director to:
    - Take administrative action to improve the efficiency of DCS.
    - Contract with a private entity to provide any functions or services.
    - Apply for, accept, receive and expend public and private gifts or grants of money or property on the terms and conditions as may be imposed by the donor.
    - Reimburse DCS volunteers designated by the Director, for expenses in transporting clients of DCS on official business. Volunteers reimbursed for expenses are not eligible for Workers' Compensation.

### ***DCS Responsibilities***

- Requires DCS to administer:
  - Individual and family services, including services to children, youth and adults and other related functions in furtherance of social services programs under the Social Security Act.
  - Grants to states for aid and services to needy families with children and other related federal acts and for child-welfare services.
- States that if DCS has responsibility for the care, custody or control of a child or is paying the costs of care for a child, DCS may serve as the representative payee to receive and administer Social Security and Veterans Administration benefits and other benefits payable to the child. DCS:
  - Must deposit any monies it receives to be retained separate and apart from the state general fund on the books of ADOA.
  - May use these monies to defray the cost of care and services expended by DCS for the benefit, welfare and best interests of the child and invest any monies the Director determines are not necessary for immediate use.

- Must maintain separate records to account for the receipt, investment and disposition of monies received for each child.
- On termination of DCS' responsibility for the child, DCS must release any monies remaining to the child's credit in accordance with the requirements of the funding source or, in the absence of any requirements, must release the remaining monies to:
  - ❖ The child, if the child is at least 18 years of age or is emancipated.
  - ❖ The person who is responsible for the child if the child is a minor and not emancipated.
- Stipulates the provisions noted directly above do not apply to benefits that are payable to or for the benefit of a child receiving services under Title 36.
- Provides that a state or local governmental agency or a private entity is not subject to civil liability for the disclosure of information made in good faith to DCS.
- Allows DCS to employ legal counsel to provide legal advice to the Director. The AG must represent DCS in any administrative or judicial proceeding.
- States that the total amount of state monies that may be spent in any FY by DCS for foster care must not exceed the amount appropriated or authorized for that purpose.

#### ***DCS Organization***

- Mandates that the Director organize DCS to best implement the following functions:
  - Receiving, analyzing and efficiently responding to reports of possible abuse or neglect.
  - Appropriately investigating the reports whether or not they involve criminal conduct allegations.
  - Coordinating services necessary for the child or the child's family.
  - Overseeing adoption and foster care.
  - Reviewing and reporting the actions of DCS to ensure that they comply with statute and the rules and policies of DCS and reporting significant violations.
- Requires the Director to employ:
  - A chief of the Office of Child Welfare Investigations (OCWI), who reports directly to the Director.
  - An Inspector General who is the head of the Inspections Bureau (Bureau) and reports directly to the Director.
  - Administrators who are the heads of the other bureaus of DCS and may report directly to the Deputy Director.

#### ***Centralized Intake Hotline (Hotline)***

- Directs DCS to operate and maintain a Hotline to protect children by receiving at all times communications concerning suspected abuse or neglect. If a person communicates suspected abuse or neglect to a DCS employee other than through the Hotline, the employee must refer the person or communication to the Hotline.
- Specifies that the Hotline is the first step in the safety assessment and investigation process and must be operated to:
  - Record communications made concerning suspected abuse or neglect.
  - Immediately take steps necessary to identify and locate prior communications and reports for investigation related to the current communication using DCS' data system and the Central Registry System.
  - Quickly and efficiently provide information to a law enforcement agency or prepare a report for investigation.
  - Determine the proper initial priority level of investigation based on the risk assessment and direct the report for investigation to the appropriate part of DCS.

- Prescribes that if a communication provides a reason to believe that a criminal offense has been committed, the hotline worker must immediately provide the information to both the appropriate law enforcement agency and OCWI, if appropriate.
- Instructs a Hotline worker to prepare a report for investigation if all of the following are alleged:
  - The suspected conduct would constitute abuse or neglect.
  - The suspected victim of the conduct is under 18 years of age.
  - The suspected victim of the conduct is a resident of or present in Arizona or any act involved in the suspected abuse or neglect occurred in Arizona.
  - The person suspected of committing the abuse or neglect is the parent, guardian or custodian of the victim or an adult member of the victim's household.
- Requires all reports for investigation to be investigated.
- States that information must be provided to the appropriate law enforcement agency or a report for investigation must be prepared even if the identity or location of the person suspected of abuse or neglect or the victim of abuse or neglect is not known.
- Requires DCS to develop and train Hotline workers to use uniform risk assessment tools to determine:
  - Whether the suspected conduct constitutes abuse or neglect and its severity.
  - If the suspected abuse or neglect involves criminal conduct, even if the communication does not result in the preparation of a report for investigation.
  - Referral to the appropriate investigative track based on the risk to the child's safety.
- Mandates that a report for investigation include, if available, all of the following:
  - The name, address or contact information for the person making the communication.
  - The name, address and other location or contact information for the parent, guardian or custodian of the child or other adult member of the child's household who is suspected of committing the abuse or neglect.
  - The name, address and other location or contact information for the child.
  - The nature and extent of the indications of the child's abuse or neglect, including any indication of physical injury.
  - Any information regarding possible prior abuse or neglect, including reference to any communication or report for investigation involving the child, the child's siblings or the person suspected of abuse or neglect.
- Stipulates that information gathered through the Hotline must be made available to an employee of DCS in order to perform the employee's duties.
- Prescribes that OCWI and the Bureau have immediate access to all Hotline records and requires that a representative of OCWI and the Bureau be embedded in the Hotline.
- Specifies that DCS must publicize the availability and purposes of the Hotline.
- Defines *centralized intake hotline*.

#### ***Investigative Function***

- Requires DCS to train all investigators in forensic interviewing and processes and the protocols related to initial screening and safety assessment. The training must include:
  - Uniform safety and risk assessment tools to determine whether the conduct constitutes abuse or neglect and its severity.
  - The duty to protect the legal and due process rights of children and families from the time of the initial contact through case closure.

- Instruction on a child's rights as a victim of crime and instruction on the legal rights of parents.
- A checklist or other mechanism to assist the investigator in giving consideration of the relevant factors in each investigation.
- Directs OCWI to investigate reports for investigation that contain a criminal conduct allegation.
- States that after receipt of a report for investigation from the Hotline, an investigator must do all of the following:
  - Make a prompt and thorough investigation. An investigation must evaluate and determine the nature, extent and cause of any condition created by the parents, guardian or custodian or adult member of the victim's household that would tend to support or refute the allegation that the child is a victim of abuse or neglect and determine the name, age and condition of other children in the home. If an investigator has sufficient information to determine that the child is not a victim of abuse or neglect, the investigator may close the case.
  - If necessary, take a child into temporary custody. Law enforcement officers must cooperate with DCS to remove a child from the custody of the child's parents, guardian or custodian when necessary.
- States that after an investigation, an investigator must:
  - Determine whether any child is in need of child safety services.
  - If appropriate, offer to the family of any child who is found to be a child in need of child safety services those services that are designed to correct unresolved problems that would indicate a reason to adjudicate the child dependent.
  - Submit a written report of the investigator's investigation to:
    - ❖ The DCS' case management information system within a reasonable amount of time that does not exceed 45 days after receipt of the report for investigation. If the investigation involves allegations regarding a child who at the time of the alleged incident was in the custody of a child welfare agency licensed by DCS, a copy of the report and any additional investigative or other related reports must be provided to the BOD of the Agency or to the Administrative Head of the Agency unless the incident is alleged to have been committed by the person. DCS must excise all information with regard to the identity of the source of the reports.
    - ❖ The appropriate court, 48 hours prior to a dependency hearing or within 21 days after a petition of dependency is filed, whichever is earlier and on receipt of the report, must make the report available to all parties and counsel.
  - Accept a child into voluntary placement.
  - Identify, promptly obtain and abide by court orders that restrict or deny custody, visitation or contact by a parent or other person in the home with the child and notify appropriate personnel in DCS to preclude violations of a court order in the provision of any services.
- Directs, if the investigator is made aware that an allegation of abuse or neglect may have been made in another state, the investigator to contact the appropriate agency in that state to attempt to determine the outcome of any investigation of that allegation.
- Stipulates that if an investigation indicates a reason to believe that a criminal offense has been committed, the investigator must immediately provide the information to the appropriate law enforcement agency and OCWI.
- Defines *investigator*.

### ***Service Coordination Function***

- Permits DCS to arrange, provide and coordinate programs and services that protect children, including programs and services that achieve and maintain permanency on behalf of the child, strengthen the family and provide prevention, intervention and treatment for abused and neglected children.
- Specifies that if a child and the child's family require assistance from DCS, all of the following apply:
  - The health and safety of the child is the primary concern.
  - Reasonable efforts must be made to provide the assistance in the method that is least intrusive and least restrictive to the family and consistent with the needs of the child.
  - Reasonable efforts must be made to deliver the assistance in a culturally appropriate manner and as close as possible to the home community of the child or family requiring assistance.
- States that in addition to the requirements of federal law, the case plan must:
  - Set appropriate time limits on the services provided.
  - Clearly describe the actions DCS may pursue if the family:
    - Participates in the services outlined in the case plan and does what is required for the child to be safe in the home.
    - Does not participate in the services outlined in the case plan and does not make the changes required for the child to be safe in the home.
- Requires DCS to establish procedures to ensure that services have been initiated as scheduled, are appropriate and satisfactory.
- Provides that in determining if a case should be open for ongoing services, DCS must consider as the primary factors if there exists a present or future risk of harm to any child in the family and if services can mitigate the identified risks. Based on the investigation of the case and the results of the risk assessment, DCS must determine whether to close the case, offer voluntary child safety services or open a case for ongoing services.
- Specifies that if a case will be open for ongoing services, DCS must determine if the services are to be provided in one of the following ways:
  - Through a voluntary agreement with DCS.
  - Pursuant to a petition for in-home intervention.
  - Pursuant to a petition for in-home or out-of-home dependence.

### ***Inspections Bureau***

- Requires the Director to establish a Bureau to ensure that DCS policies and procedures are being followed by all staff in accordance with federal and state law and promptly notify the Director of actions that constitute a significant violation of policy, state or federal law.
- Mandates the Bureau monitor specific programs and services to continuously improve the practices of DCS. Monitoring and evaluation:
  - May be formal audits, various levels of inspections, program evaluation and any other quality assurance activity deemed appropriate by the Director.
  - Must include suggestions for policy changes and evaluation of best practices and programming.
- Requires DCS to create a quality assurance process and methodology by which data-based decisions are made. The process must include consistently measuring process outcomes and examining current practices through quality assurance activities. DCS must use this quality assurance data to establish appropriate programs and improve practices within DCS.

- States, if possible, the Bureau must attempt to correct the problems at the immediate level by coaching, mentoring and teaching employees who are present during the inspection.
- Mandates that the Bureau have access to all records and information of DCS.

#### ***Community Advisory Committee (Advisory Committee)***

- Establishes the Advisory Committee to provide a community forum:
  - To inform DCS, analyze current law and policy and make recommendations to improve the ability of DCS to increase the safety of children, respond to child maltreatment and ensure the well-being and timely permanency for children involved in the child welfare system.
  - For collaboration among state, local, community, tribal, public and private stakeholders in child welfare programs and services that are administered by DCS.
  - To improve communication between mandatory reporters and DCS.
- Outlines the membership of the Advisory Committee, who are appointed by and serve at the pleasure of the Director. The 14 members consist of:
  - Child welfare agencies that directly provide contracted services to children and their families.
  - Child advocacy organizations that deal with child welfare system policy issues.
  - Current or former foster or adoptive parents.
  - Medical providers, with a preference for pediatricians, who have experience in diagnosing and treating injuries related to abuse and neglect.
  - Volunteers with the Foster Care Review Board or Court Appointed Special Advocate Program.
  - Persons with an academic appointment to a state university who conduct research in child welfare services, child maltreatment or child abuse or neglect.
  - The courts and the representative must be involved with child welfare issues.
  - A rural area in this state with experience in the child welfare system.
  - A Native American tribe or nation who has experience in the child welfare system.
  - A child advocacy organization that advocates for or represents children who are victims of crime.
  - Persons who have experience with children with special needs.
  - A law enforcement agency.
  - Schools with experience in the child welfare system.
  - A faith-based organization with experience in the child welfare system.
- Specifies that members of the Advisory Committee are not eligible to receive compensation.
- Requires the Advisory Committee to meet at least quarterly, file an annual report by April 15 with the Director, which must be posted on the website.
- Sunsets the Advisory Committee on July 1, 2024.

#### ***Acquisition of Lands and Buildings***

- Allows the Director to acquire for and in the name of this state by gift, grant, lease, lease-purchase agreement or otherwise, lands or buildings for the purpose of providing office space for DCS at places the Director finds necessary and suitable, with the prior approval of the JCCR and an appropriation for the acquisition.
- Requires that a lease-purchase agreement relating to land acquisition, capital projects, energy systems or energy management systems must provide that:
  - The obligation of this state to make any payment under the agreement is a current expense of DCS, payable exclusively from appropriated monies and is not a general obligation indebtedness of this state or DCS.

- If the Legislature fails to appropriate monies or DCS fails to allocate appropriate monies for any periodic payment or renewal term of the agreement, the agreement terminates at the end of the current term and this state and DCS are relieved of any subsequent obligation under the agreement.
- The agreement must be reviewed and approved by the AG, the director of ADOA and JCCR before the agreement takes effect.
- Allows DCS to use its best efforts to budget, obtain, allocate and maintain sufficient appropriated monies to make payments under a lease-purchase agreement but the agreement must acknowledge that appropriating state monies is a legislative act and is beyond the control of DCS or any other party to the agreement.
- Requires a lease-purchase agreement to be submitted to the following entities:
  - The AG to review for compliance with the constitution and laws of this state. If the AG's opinion is that the agreement complies with the constitution and the laws, the AG must append certification to the agreement, return it to DCS and transmit a copy to JCCR. On request by the Director, the AG may give other opinions relating to the agreement.
  - The director of ADOA to review for compliance with the laws of this state. If in the Director's opinion the agreement complies with the laws of the state, the Director must append their certification to the agreement, return it to DCS and transmit a copy to JCCR.
- Allows the Director to lease or sublease to others at fair rental value any land or building and to lease or sublease any building on other terms or conditions if the lessee is a state entity or political subdivision. All net lease income must be credited to DCS' occupancy appropriation.
- Specifies that a lease or sublease to others is exempt from the prohibition regarding state competition with private enterprises and is exempt from the procurement code. The Director may prioritize lease or sublease tenants based on the needs of DCS and in the public interest with preference given to the following in the order provided:
  - State entities.
  - Political subdivisions.
  - Community partners.
- Permits DCS to pay or advance gross initial and routine lease and sublease related expenditures. The gross initial and routine expenditures that are paid or advanced must be reimbursed to DCS before the net lease income is credited to DCS' occupancy appropriation.

#### ***Child Safety Collections***

- Specifies that if DCS pays money to or for the benefit of a dependent child or for foster care maintenance, DCS may collect that assistance from a person who is legally responsible for the child's support and who is able to reimburse DCS.
- Requires DCS, through the AG or County Attorney to proceed in the following order against:
  - The spouse of a recipient.
  - The former spouse of a recipient.
  - A parent not receiving public assistance.
  - Any other legally responsible person.
- Allows DCS to recover support incorrectly paid, because of an overpayment or ineligibility. DCS must deposit monies recovered in the Child Safety Collections Fund (Fund).

- Stipulates that on request of DCS, the AG or County Attorney must commence an action in the superior court in the county where the recipient resides or in the superior court in Maricopa County to recover the assistance granted and to require payment of amounts that become due in the future.
- Establishes the Fund, administered by DCS:
  - Subject to legislative appropriation, requires Fund monies be used to improve public assistance collection activities.
  - Twenty-five percent (25%) of assistance collected must be deposited in the Fund and seventy-five percent (75%) in the state general fund.
  - Fifty percent (50%) of the monies received from the support collection technology contracts must be deposited in the Fund and fifty percent (50%) in the state general fund.
- Defines *public assistance*.

#### ***Family Assessment Protocols***

- Requires DCS to examine the necessity of requirements for protocols for not conducting a full investigation, but taking measures to prevent future risk of harm to the child in cases not involving criminal conduct and in which the child is currently safe.
- Requires DCS to seek input from the Oversight Committee and hold public meetings to obtain community comment on any recommended protocols.
- Requires DCS to report its recommendations concerning the protocols and any suggested legislation to the Legislature on or before December 31, 2014.

#### ***External Review and Recommendations***

- Requires the OAG to engage an independent consultant with expertise in child welfare system planning and operations to examine the current child safety system and consider best practices to improve the delivery of services in Arizona and to provide consultation on the effective establishment of the new DCS with a focus on implementation challenges, including the following:
  - Developing a strategic direction that ensures child safety and establishes protocols for services after an investigation.
  - Creating accountability mechanisms, including the capacity to produce accurate data on performance and outcome measures, use of the data for performance management, processes for continuous quality review, mechanisms for qualitative review of system functioning and outcomes for children, youth and families.
  - Strategies for community engagement, including engagement with families, youth and service providers.
  - The need for and frequency of regular, periodic performance evaluations and the recommended areas for future reviews of DCS by an independent outside evaluator.
- Outlines the requirements for the OAG to consider in its decision to contract with an independent consultant.
- States that the consultant must submit a report on or before July 1, 2015.

#### ***Child Welfare Reports***

- Requires the directors of the JLBC, OSPB and DCS to report on or before September 1, 2016, recommendations for consolidating numerous reports currently required by law into one comprehensive report.
- Specifies that the above directors may solicit input from stakeholder groups, including the Community Advisory Committee.



- Requires the report to address the merit of adding the following accountability factors:
  - The average duration of time from when a child enters emergency and residential placement to the initial court case associated with that child.
  - The number of children moved from emergency and residential placement to foster care, delineated by major age groupings.
  - The number of DCS staff hired or leaving by type, specifically the case workers' classification level from one to four.
  - The number of new and closed foster care receiving homes, including the total available placements by age groupings of infants, children who are one to five years of age, children who are six to twelve years of age and teen children who are twelve through eighteen years of age.
  - Cohort and behavioral health data.
  - The number and percentage of cases in which the substance abuse of a parent or guardian of a child is a significant factor in the abuse, neglect or dependency of the child.
  - Appropriate outcome measures to assess the effectiveness and efficiency of OCWI.

***Transfer of Statutes to DCS***

- Transfers current Title 8 statutes as required for the establishment of DCS.

<b>CURRENT STATUTE</b>	<b>NEW STATUTE</b>
Title 8 – Chapter/Article	Title 8 Chapter 4
	Title 8, Ch. 4, Art. 1 – General Provisions
	Title 8, Ch. 4, Art. 2 – Criminal Conduct Allegation Investigations
Ch. 5/1 – Child Welfare and Placement	Title 8, Ch. 4, Art. 4
Ch. 5/2 – Termination of Parent Child Relationship	Title 8, Ch. 4, Art. 5
Ch. 5/4 – Interstate Compact	Title 8, Ch. 4, Art. 6
Ch. 5/5 – Funding of Child Abuse/Prevention	Title 8, Ch. 4, Art. 7
Ch. 6 – Children’s Camps	Title 36, Ch. 39, Art. 1 (DHS)
Ch. 7 – Legitimacy of Children	Title 25, Ch. 10, Art. 1
Ch. 8/1 – Intervention Programs for Infants and Toddler	Title 41, Ch. 14, Art. 5 (DES)
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Ch. 10/6 – Substance Abuse and Treatment	Title 8, Ch. 4, Art. 13
Ch. 10/7 – In-home Intervention	Title 8, Ch. 4, Art. 14

***Miscellaneous***

- Updates references of DES to DCS.
- Changes *child protection services worker* to *child safety worker* throughout the statutes.
- Transfers A.R.S. § 41-1969.01 (OCWI) to Title 8 and further amends the statute to:
  - State that the duties of OCWI include coordinating with other parts of DCS.

- Clarify that each person hired by OCWI is an employee of DCS and subject to the State Personnel System.
- Adds, in addition to other training requirements for a child welfare investigator, training on the impact and intervention practices related to adverse childhood experiences, culturally and linguistically appropriate service delivery, domestic violence, family engagement, communication with special populations and trauma informed responses.
- Allows OCWI to have access to all records and information of DCS.
- Requires OCWI to submit a report by August 15 each year to the governor, the Legislature and the SOS that must include the following for the most recently completed fiscal year:
  - The number of reports for investigation that involve criminal conduct allegations.
  - The number of joint investigations conducted.
  - For each case in which a joint investigation did not occur, the reasons why.
- States that all child safety workers must be trained in the impact and intervention practices related to adverse childhood experiences, culturally and linguistically appropriate service delivery, domestic violence, family engagement, communication with special populations and trauma informed responses.
- Requires all child safety workers to cooperate and coordinate with OCWI and the Bureau and further, all child welfare investigation workers and Bureau workers must cooperate and coordinate with the rest of DCS.
- Allows any additional representatives of DCS, if requested by DCS, to be present at the preliminary protective hearing, in addition to the child safety worker.
- Requires, in addition to other current factors, if the court finds by clear and convincing evidence that the following factors exist then the court must consider the following factors in determining if reunification services will not be required:
  - That the parent or guardian committed an act constituting a dangerous crime against a child or caused a child to suffer serious physical injury or emotional injury or knew or should have known that another person was abusing the child (aggravating circumstance).
  - The parent or guardian has been convicted of a dangerous crime against a child.
  - Any criminal prosecution relating to the offenses that led to the child's removal from the home and must abide by any orders of the criminal court.
- Adds DCS as a member of the Child Fatality Review Team and the Board of Fingerprinting.
- Repeals the following statutes:
  - A.R.S. § 8-800 relating to the purpose of CPS.
  - A.R.S. § 8-502 referencing DES as the administrator of child welfare and placement.
  - A.R.S. § 8-550 relating to a definition section for DES.
  - A.R.S. §§ 8-802, 41-619.51, 41-1005, 41-1758 and 41-1969.01 (double enactments from 2013).
  - A.R.S. § 8-809 relating to the Child Welfare Mediation Program.
  - A.R.S. § 8-1001 relating to the Family Group Decision Making.
- Allows DCS to maintain a substantiated report of child abuse or neglect on the Central Registry for less than 25 years and DCS must adopt rules to designate the length of time it must maintain those reports on the Central Registry.
- Requires DES to exchange information and cooperate with DCS for the administration of the DCS' programs.

- States the procurement code procedures do not apply to contracts entered into by DCS with a provider of family foster care or an eligible entity for designated community services block grant program monies and any other monies given to the eligible entity.
- Exempts DCS from the restrictions on competition with private enterprises for the purpose of:
  - The lease or sublease of lands or buildings by DCS.
  - Agreements executed by DCS with other states to design, develop, install and operate collection technology systems and related services. DCS must deposit any monies collected in the Fund.
- Contains a sunset date of July 1, 2024 for DCS.
- Allows DCS to provide special housing assistance in the form of vendor payments to achieve permanency for children who are involved in open child protective services cases and allows DCS to adopt rules for this purpose.
- Clarifies that DCS' employees, contractors and licensees are subject to criminal record information checks and fingerprinting.
- Renames the *Child Protective Services Oversight Committee* the *Child Safety Oversight Committee* (Oversight Committee). Replaces the DES member with a DCS member. Adds one member who represents a Native American tribe or nation who is appointed by the President of the Senate. Changes the reporting date from December 15, 2014 to December 15, 2015 and requires the Oversight Committee to make recommendations on the membership and duties of any future legislative committee to oversee DCS.
- Provides DCS an 18-month exemption from the rule making provisions for purposes related to this act except that at least 30 days before a rule is adopted or amended DCS must provide notice to the Legislature, public notice and an opportunity for public comment on any proposed rules in writing and at two or more public hearings. DCS must post the proposed rules on the website.
  - This exemption does not apply to the provisions related to adopting rules regarding the length of time a report must be maintained on the Central Registry (A.R.S. § 8-804 E).
- Provides DES with a one year exemption from the rule making requirements for purposes related to this act to make only those amendments to DES' rules necessitated by the transfer of CPS to DCS. DES must provide notice to the Legislature, public notice and an opportunity for public comment on any proposed rules in writing and at two or more public hearings at least 30 days before a rule is adopted or amended. DES must post the proposed rules on the website.
- Conveys the land and building located at 1717 W. Jefferson from DES to DCS. States DES must convey ownership of other land and buildings as deemed appropriate to DCS. Requires DES and DCS to submit a joint report to JCCR listing all land and buildings owned by DES in which DCS is present and their recommendation as to which agency should receive ownership. JCCR must review and approve the report and any transfers of ownership by January 1, 2015.
- Defines *criminal conduct allegation* and adds this definition to Title 8, *department, division, director and report for investigation*.

**SB 1002 – Chapter 2 – appropriations; department of child safety.**

Repeals the existing FY 2015 DES budget needed to enact separate line-item budgets for DCS and DES.

**FY 2015 DCS Budget and Appropriations**

- Establishes a separate FY 2015 line-item budget for DCS and transfers \$726M in existing DCSFS resources and transfers \$66M in existing DES Non-DCSFS funding to DCS.
- Appropriates total FY 2015 funding of \$833,974,300 and 3,045.1 FTE positions to DCS. That amount consists of \$347M from the GF and \$487M from other appropriated and non-appropriated funds.
- Adds additional FY 2015 resources to DCS as follows:

<b>Summary of Changes</b>	<b>Fund Source</b>	<b>Comments</b>	<b>Additional FY 2015 Changes</b>
Backlog – Action Determination	GF		\$246,500
Backlog – Investigations/Overtime	GF		4,218,500
Backlog – Out-of-Home Care Placements	GF		6,815,900
Backlog – Out-of-Home Care Services	GF		7,620,300
Backlog – In-Home Care Services	GF		4,173,100
Caseworkers and Support Staff	GF	94 FTEs	6,222,500
Caseworker Retention	GF	\$1,000 after 18 months \$3,000 after 36 months	1,707,000
ASU Joint Training	GF		150,000
Emergency and Residential Placement	GF	Makes \$4M available for childcare funding	4,000,000
Internet Crimes Against Children	GF		350,000
OCWI Staff	GF	73 FTEs	5,282,500
Inspections Bureau	GF	31 FTEs	2,748,400
Backlog – Out-of-Home Care Placements	OF	FEA	2,787,700
Backlog – Out-of-Home Care Services	OF	FEA	3,116,600
Caseworkers and Support Staff	OF	FEA	1,197,900
OCWI Staff	OF	FEA	800,000

- Transfers various footnotes and reporting requirements from DES/DCSFS to DCS.
- Eliminates the footnote relating to contingency funding since those funds have been moved to the Emergency and Residential Treatment Line Item.
- Includes a footnote stating that the caseworker retention payment monies shall be used for one-time payments to caseworkers and requires DCS to report to JLBC on the retention payments by June 7, 2015.

- Adds a footnote requiring DCS to submit an expenditure report to JLBC on the internet crimes against children appropriation by September 30, 2014.
- Adds a footnote stating that the appropriation for the Office of Child Welfare Investigations (OCWI) is solely for the costs of employees directly hired by OCWI and requires OCWI to submit a report to the director of JLBC at least 30-days prior to transferring any monies into or out of the OWCI Line Item.
- Adds a footnote defining *backlog* and *backlog cases*.
- Outlines any FYs 2016 and 2017 estimated costs for various items of appropriation related to the backlog.
- Adds a footnote requiring DCS, by June 16, 2014, to submit a quarterly report to JLBC for review on proposed quarterly benchmarks for FY 2015 for assessing progress on increasing filled FTE positions and reducing the number of backlog payments, including an expenditure plan.
- Includes a footnote requiring DCS, by September 30, 2014 through June 30, 2016, to submit a quarterly report to JLBC for review on the progress made on filling FTE positions and reducing the number of backlog cases as outlined in the June 16 report.
- Outlines additional items that the quarterly report must include.
- Inserts a footnote stating that if DCS is unable report the actual expenditures for the backlog cases, then DCS must report on short-term methods to improve cost accounting for individual child welfare cases prior to full implementation of upgrades to the Children's Information Library and Data Source (CHILDS) as part of the September 30, 2014 quarterly report.
- Requires DCS to issue a RFI to interested vendors on using private entities to investigate backlogged cases once the initial determination is made of whether investigation is required. Mandates that the RFI results be reported to JLBC as part of the September 30, 2014 quarterly report.
- Requires DCS to report to various entities the total number of filled FTE positions beginning on the seventh day of the month following the effective date of this act and each seventh day of the month thereafter, through June 30, 2015.

#### ***FYs 2014 and 2015 DES Budget and Appropriations***

- Enacts a FY 2015 Budget for DES minus the amounts transferred to DCS.
- Includes total FY 2015 funding of \$1,546,698,200 and 3,882.6 FTE positions for DES. This amount consists of \$457.4M from the GF and \$1.1B from other appropriated and non-appropriated funds.
- Eliminates and modifies various DES footnotes to reflect funding changes and transfers to DCS.
- Adds a footnote containing legislative intent that the number of low-income child care authorizations be maintained throughout the year at a minimum of 8,500 and priority shall be given to special circumstance cases.
- Includes a FY 2014 supplemental appropriation to DES/DCSFS in the amount of \$5,050,000 from the GF for Emergency and Residential Treatment.

#### ***Payment Deferrals***

- Adds \$3M from the GF in FY 2015 to reduce the DES payment deferral from \$35M to \$32M and allocates the remaining rollover amount between the two agencies as follows:

- \$21M in DES
- \$11M in DCS

#### ***ADOA***

- Increases the enacted FY 2015 GF appropriation to ADOA for costs associated with establishing DCS and the relocation of the data center operating by DES from \$20M to \$25M and changes the JLBC approval of these funds to JLBC review.

#### ***Ombudsman***

- Appropriates \$828,500 from the GF in FY 2015 to the Ombudsman for operating expenses (this is the same amount line-item vetoed from HB 2703).
- Exempts the appropriation from lapsing.
- Includes legislative intent that the Ombudsman prioritize the investigation and processing of complaints relating to DCS.

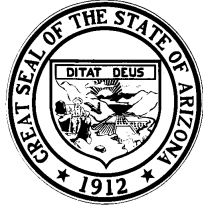
#### ***OAG***

- Appropriates \$250,000 from the GF in FY 2015 to the OAG to engage an independent consultant with expertise in child welfare systems planning and operations to examine the current CPS system and consider best practices to improve the delivery of services and to provide consultation on the effective establishment of the new DCS focusing on implementation challenges.
- Exempts the appropriation from lapsing.

#### ***Miscellaneous***

- Specifies that the sums set forth in this act are appropriated only for the specified FYs and from specified funding sources. If monies from the funding sources are unavailable, no other funding source may be used.





# SECTION IV

ACRONYMS

INDEXES





# ACRONYMS

(used in summaries)

<b>A</b>			
ABOC	Arizona Board of Cosmetology	CAP	Central Arizona Project
ABOR	Arizona Board of Regents	CAWCD	Central Arizona Water Conservation District
ACPE	Arizona Commission for Postsecondary Education	CDHH	Commission for the Deaf and Hard of Hearing
ACA	Arizona Commerce Authority	CDL	Commercial Driver's License
ACC	Arizona Corporation Commission	CE	Continuing Education
ACJC	Arizona Criminal Justice Commission	CEDC	Commerce and Economic Development Commission
ADA	Average Daily Attendance	CJEF	Criminal Justice Enhancement Fund
ADAG	Arizona Department of Agriculture	CMS	Center for Medicare and Medicaid Services
ADC	Arizona Department of Corrections	COR	Committee of Reference
ADE	Arizona Department of Education	CORL	Capital Outlay Revenue Limit
ADJC	Arizona Department of Juvenile Corrections	CORP	Corrections Officers Retirement Plan
ADM	Average Daily Membership	COSF	Capital Outlay Stabilization Fund
ADOA	Arizona Department of Administration	CPA/ PA	Certified Public Accountant/ Public Accountant
ADOH	Arizona Department of Housing	CPI	Consumer Price Index
ADOT	Arizona Department of Transportation	CPR	Cardiopulmonary Resuscitation
ADR	Arizona Department of Racing	CPS	Child Protective Services
AG	Attorney General		
AGR	Arizona Department of Agriculture	<b>D</b>	
AGI	Adjusted Gross Income	DCS	Department of Child Safety
AHCCCS	Arizona Healthcare Cost Containment System	DEMA	Department of Emergency and Military Affairs
AIRC	Arizona Independent Redistricting Commission	DEQ	Arizona Department of Environmental Quality
ALTCS	Arizona Long Term Care System	DES	Arizona Department of Economic Security
AMA	Active Management Area	DFBLS	Arizona Department of Fire, Building, and Life Safety
AOI	Arizona Online Instruction	DFI	Arizona Department of Financial Institutions
AOT	Arizona Office of Tourism	DHS	Arizona Department of Health Services
APA	Administrative Procedure Act	DLLC	Arizona Department of Liquor Licenses and Control
ARRA	American Recovery and Reinvestment Act of 2009	DMMR	Arizona Department of Mines and Mineral Resources
A.R.S.	Arizona Revised Statutes	DOI	Arizona Department of Insurance
ASDB	Arizona State Schools for the Deaf and the Blind	DOR	Arizona Department of Revenue
ASLAPR	Library, Archives, and Public Records	DPS	Arizona Department of Public Safety
ASLC	Arizona State Lottery Commission	DRE	Arizona Department of Real Estate
ASLD	Arizona State Land Department	DROP	Deferred Retirement Option Plan
ASPB	Arizona State Parks Board	DSH	Disproportionate Share Hospital
ASRS	Arizona State Retirement System	DUI	Driving Under the Influence
AST	Arizona State Treasurer	DVS	Arizona Department of Veterans' Services
ASU	Arizona State University	DWM	Arizona Department of Weights and Measures
AZGS	Arizona Geological Survey	DWR	Arizona Department of Water Resources
AZPOST	Arizona Peace Officer Standards and Training		
<b>B</b>			
BEC	Board of Executive Clemency	EEC	Economic Estimates Commission
BLM	Bureau of Land Management	EORP	Elected Officials Retirement Plan
BOD	Board of Directors	EPA	Environmental Protection Agency
BOS	Board of Supervisors	ESA	Empowerment Scholarship Accounts
BRB	Budget Reconciliation Bill		
BSL	Base Support Level	<b>E</b>	
BTR	Board of Technical Registration		
<b>C</b>			
CAGR	Central Arizona Groundwater Replenishment District		

# ACRONYMS

	<b>F</b>			<b>P</b>
FDA	Federal Drug Administration	PEVL	Permanent Early Voter List	
FDIC	Federal Deposit Insurance Corporation	PPE	Presidential Preference Election	
FPCC	Fingerprint Clearance Card	PSPRS	Public Safety Personnel Retirement System	
FPL	Federal Poverty Level			
FTE	Full-time Employee / Full-time Equivalent	PTOC	Property Tax Oversight Commission	
FTSE	Full-time Equivalent Student Enrollment			<b>R</b>
FY	Fiscal Year	R&D	Research and Development	
		RCL	Revenue Control Limit	
		RFI	Request for Information	
		RFP	Request for Proposals	
	<b>G</b>	RMRF	Risk Management Revolving Fund	
GDP	Gross Domestic Product	ROC	Registrar of Contractors	
G&F	Game and Fish	RUCO	Residential Utility Consumers Office	
GF	General Fund			<b>S</b>
GIITEM	Gang and Immigration Intelligence Team Enforcement Mission			
GITA	Government Information Technology Agency	SAFC	State Agency Fee Commission	
GPLET	Government Property Lease Excise Tax	SBCS	State Board for Charter Schools	
GRRC	Governor's Regulatory Review Council	SBDE	State Board of Dental Examiners	
		SBE	State Board of Education	
		SBI	State Board of Investment	
		SBOE	State Board of Equalization	
		SCB	State Certification Board	
	<b>H</b>	SCF	State Compensation Fund	
HOA	Homeowner's Association	SFB	School Facilities Board	
HURF	Highway User Revenue Fund	SHF	State Highway Fund	
		SLE	Separate Legal Entity	
		SLF	State Lottery Fund	
		SMI	State Mine Inspector	
		SOS	Secretary of State	
		SPCC	Structural Pest Control Commission	
		SPI	Superintendent of Public Instruction	
		SSA	Social Security Administration	
		STA	Sports and Tourism Authority	
		STAN	Statewide Transportation Acceleration Needs	
		STO	School Tuition Organization	
				<b>T</b>
		TANF	Temporary Assistance for Needy Families	
		TPT	Transaction Privilege Tax	
		TY	Tax Year	
				<b>U</b>
		UI	Unemployment Insurance	
		US	United States	
		USC	United States Code	
		UST	Underground Storage Tank	
				<b>V</b>
		VLT	Vehicle License Tax	
				<b>W</b>
		WIFA	Water Infrastructure Finance Authority of Arizona	
	<b>O</b>			
OAG	(Office of the) Auditor General			
OAH	Office of Administrative Hearings			
OF	Other Fund			
OSPB	Office of Strategic Planning and Budgeting			

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 \* Strike-Everything Amendment  
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