

Government Committee

Senator David C. Farnsworth, Chairperson



Michael Hans, Research Analyst

Frances Lee-Forbes, Intern

GOVERNMENT COMMITTEE

LEGISLATION ENACTED

industrial hemp; licensing; effective date (S.B. 1003/H.B. 2273) – Chapter 5 E

[SEE THE WATER & AGRICULTURE COMMITTEE.](#)

ASRS; ineligible contributions; unfunded liability (S.B. 1016) – Chapter 158

[SEE THE FINANCE COMMITTEE.](#)

~~appropriation; commission for postsecondary education (NOW: appropriation; pipeline valuation)~~
(NOW: TPT; over the top) (S.B. 1019) – Chapter 189

[SEE THE FINANCE COMMITTEE.](#)

remote online notarization; registration (S.B. 1030) – Chapter 56

Beginning July 1, 2020, allows a notary public (notary) to perform a notarial act for a remotely-located individual by means of an electronic device or process that allows simultaneous communication by sight and sound (remote online notarization). Outlines requirements for registration, record-keeping and identity verification for remote online notarizations. A notary must create an audio and visual recording of each remote online notarization and chronologically record outlined information in an electronic journal. The Secretary of State (SOS) must establish rules and minimum standards for remote online notarizations by July 1, 2020.

Allows the SOS to require a notary to attend a training course instead of or in addition to a suspension of the notary's commission. Prohibits a person whose application for a notary commission was denied from submitting a new application while an appeal is pending. Prohibits a person whose notary commission is revoked from submitting a new application for a notary commission within one year of revocation.

early ballots; deficiencies; cure period (S.B. 1054) – Chapter 39

[SEE THE JUDICIARY COMMITTEE.](#)

funeral; last illness; expenses; lien (S.B. 1084) – Chapter 193

[SEE THE JUDICIARY COMMITTEE.](#)

emergency voting procedures; board action (S.B. 1090) – Chapter 107

[SEE THE JUDICIARY COMMITTEE.](#)

telecommunications fund; report; posting (NOW: planned communities; applicability; recreational center) (S.B. 1094) – Chapter 185

Exempts, from planned community statutes, nonprofit corporations or unincorporated associations of owners created or incorporated before January 1, 1974, that do not have authority to enforce covenants, conditions and restrictions related to separately-owned lots, parcels or units in a real estate development. Outlines a process for a corporation or association that meets certain criteria and does not qualify as a *planned community* to elect to subject the corporation or association to planned community statutes. Excludes certain corporations, associations and real estate developments from the definitions of *association* and *planned community*, retroactive to July 16, 1994.

redistricting; legislative district one (S.B. 1139) – Chapter 217

Designates the legislative district that contains the City of Prescott as Legislative District One. If the City of Prescott is located in more than one legislative district, the legislative district with the largest percentage of the city's population is designated as Legislative District One.

trust land fund monies; distributions (S.B. 1142) – Chapter 82

Requires the State Board of Investment and the State Treasurer to distribute monies from permanent land endowment trust funds to beneficiaries by the last business day, rather than the 15th business day, of each month.

primary date; first August Tuesday (S.B. 1154) – Chapter 246

[SEE THE JUDICIARY COMMITTEE.](#)

fire districts; financial reports; alternatives (S.B. 1159) – Chapter 117

Requires a fire district that submits a financial or cash flow projection report to the county treasurer and county Board of Supervisors indicating adverse impacts to ongoing operations or liquidity (adverse financial impacts) or that the district is likely to violate specified financial requirements to complete a study on merger, consolidation or joint operating alternatives within 60 days and prescribes requirements for public hearing and submission of the study findings.

Requires the chairman of a fire district board that forms a separate legal entity with a local government for the joint exercise of common powers to report any adverse financial impacts to the county treasurer and the county Board of Supervisors within 10 days after discovery.

Limits the use of the following titles to only separate legal entities formed for the joint exercise of powers: 1) *fire authority*; 2) *fire and medical authority*; 3) *fire and emergency services medical authority*; 4) *fire and ambulance authority*; and 5) *ambulance authority*.

fire insurance; premium tax proceeds (S.B. 1182) – Chapter 237

[SEE THE FINANCE COMMITTEE.](#)

weights and measures; licensing periods (S.B. 1185) – Chapter 248

[SEE THE NATURAL RESOURCES & ENERGY COMMITTEE.](#)

municipalities; pension fund; transfer (S.B. 1186) – Chapter 186

[SEE THE FINANCE COMMITTEE.](#)

rental car surcharge; exception (S.B. 1214) – Chapter 206

[SEE THE FINANCE COMMITTEE.](#)

reviser's technical corrections; 2019 (S.B. 1220) – Chapter 279

Makes annual non-substantive technical reviser's corrections to correct defective or conflicting statutory text from the previous session's legislative enactments.

public safety; residency requirements; prohibition (S.B. 1231) – Chapter 95

Prohibits a city, town or fire district from placing a residency requirement on a firefighter or peace officer as a condition of employment. The prohibition does not apply to executive-level firefighters, executive-level peace officers or peace officers employed by a city or town with a population of fewer than 5,000 persons.

office of administrative hearings; continuation (S.B. 1233) – Chapter 238

Continues the Office of Administrative Hearings for eight years, until July 1, 2027, retroactive to July 1, 2019.

~~driver license voter registration; records (NOW: lobbyists; filings; attestations) (S.B. 1261)~~ – Chapter 218

Requires all registration reports and expenditure statements statutorily required of lobbyists to be made under penalty of perjury, rather than under oath or by notarization.

county officers; confidentiality; e-mail (S.B. 1441) – Chapter 220

Requires the county assessor and county treasurer to maintain the confidentiality of the email address provided by a county resident who requests to receive information and notices by

email. The confidentiality requirement does not limit or prohibit the public from inspecting or copying public records containing email addresses of county residents.

POW/MIA flag; display (S.B. 1474) – Chapter 23

Allows the POW/MIA flag to be displayed on or in front of municipal court buildings, justice court buildings and regional justice court center buildings on any day when the U.S. flag is displayed.

state agencies; fee increase; limit (S.B. 1482) – Chapter 317

Prohibits a state agency from increasing a fee in an amount that exceeds the percentage of change in the average consumer price index between the most recent calendar year and the calendar year in which the last fee increase occurred, unless the agency submits the fee increase to the Joint Legislative Budget Committee for review or the agency is statutorily required to submit an annual report to the Legislature that includes information about the fee.

~~appropriation; universities; student internships~~ (NOW: firefighting foam; prohibited uses) (S.B. 1526) – Chapter 222

Beginning January 1, 2020, prohibits a person, local government or state agency from discharging or using class B firefighting foam that contains intentionally added perfluoroalkyl or polyfluoroalkyl chemicals for training or testing purposes unless required by law or federal regulation or if a testing facility using the foam for testing purposes implements appropriate containment, treatment and disposal measures to prevent uncontrolled releases into the environment.

~~HOAs; assessments; costs~~ (NOW: HOAs; costs; assessments) (S.B. 1531) – Chapter 200

Extends the deadline for a planned community association or condominium unit owner's association (HOA) to commence proceedings to enforce a lien on unpaid assessments from three years to six years after the full amount of the assessments becomes due. Requires an HOA to provide a prescribed notice to a unit owner (owner) of a delinquent account for unpaid assessments or charges at least 30 days before authorizing an attorney or collection agency to begin collection activity. The notice must be provided by certified mail with return receipt requested and include specified information. Allows an agent for an HOA to charge a convenience fee to an owner that is approximately the amount charged to the agent by a third-party service provider for certain forms of payment.

Beginning January 1, 2020, certain HOAs must provide a statement of account to an owner with the same frequency that assessments are provided for in the HOA declaration. The statement of account must include the owner's current account balance and the immediately preceding ledger history. Once collection activity begins, requests by an owner for a statement of account must be fulfilled by the attorney or collection agency responsible for the collection.

~~federal form voter registrations; reporting~~ (NOW: elections; federal form; emergency voting) ([H.B. 2039](#)) – Chapter 282

[SEE THE JUDICIARY COMMITTEE.](#)

local government investment pool ([H.B. 2078](#)) – Chapter 35

[SEE THE FINANCE COMMITTEE.](#)

~~municipalities; parking; public vehicles~~ ([H.B. 2107](#)) – Chapter 73

Prohibits a city or town from restricting a resident from parking a vehicle on a street or driveway if the vehicle is required to be available as a condition of the person's employment by a public service entity or public safety agency and the vehicle meets certain requirements. This prohibition does not prevent a city or town from enforcing public health, safety and welfare requirements that are applied on a uniform and nondiscriminatory basis.

~~direct primary care providers; dentists~~ (NOW: public restrooms; changing stations) ([H.B. 2113](#)) – Chapter 176

[SEE THE HEALTH & HUMAN SERVICES COMMITTEE.](#)

county real estate; appraisals ([H.B. 2114](#)) – Chapter 88

Outlines requirements for the appraisal of real property, land or buildings sold or leased by a county at a public auction. The value of a county property that has no market value or a net value of less than \$10,000 may be justified by a market analysis, rather than an appraisal. A county Board of Supervisors may lease properties without a public auction if the rental value of the property is less than \$5,000 and certain conditions are met. Allows a flood control district to sell property to a special taxing district without adhering to statutory requirements for invitation of bids and public notification if certain conditions are met.

memorial; Frances Munds; women suffrage ([H.B. 2183](#)) – Chapter 123

Authorizes the Arizona Department of Administration to provide for the placement of a memorial commemorating Frances Willard Munds in Wesley Bolin Plaza by October 1, 2022. All fundraising and contracts for artistic design and construction are the responsibility of the proponents of the memorial.

cable licensing; video service providers ([H.B. 2229](#)) – Chapter 76

[SEE THE COMMERCE COMMITTEE.](#)

limitations of actions; dedicated property (H.B. 2240) – Chapter 51

[SEE THE JUDICIARY COMMITTEE.](#)

JLAC; political subdivisions; investigation (H.B. 2241) – Chapter 209

Requires political subdivisions to comply with the Uniform Expenditure Reporting System forms and instructions prescribed by the Auditor General. The Auditor General may notify the Joint Legislative Audit Committee and the Attorney General if any political subdivision does not comply with the Uniform Expenditure Reporting System forms or instructions. Allows the Attorney General to file a petition for special action or apply for injunctive relief in any court to compel a political subdivision to comply with expenditure limitation reporting requirements or enjoin a political subdivision from violating expenditure limitation reporting requirements.

Arizona power authority (H.B. 2274) – Chapter 41

[SEE THE NATURAL RESOURCES & ENERGY COMMITTEE.](#)

landlord tenant; partial payment; assistance (H.B. 2358) – Chapter 289

[SEE THE COMMERCE COMMITTEE.](#)

~~banking services; pro rata share~~ (NOW: state treasurer's office; funds; consolidation) (H.B. 2432) – Chapter 154

Repeals the State Treasurer's Management Fund (Management Fund) and transfers all unexpended and unencumbered appropriated monies remaining in the Management Fund to the State Treasurer's Operating Fund (Operating Fund). Requires monies received by the State Treasurer from management fees for long-term local government investment pools to be deposited into the Operating Fund, rather than the Management Fund.

land use plans; contents; aggregates (H.B. 2453) – Chapter 212

[SEE THE NATURAL RESOURCES & ENERGY COMMITTEE.](#)

municipal band tax; authorization; repeal (H.B. 2454) – Chapter 230

Repeals the ability of cities and towns to levy a tax for the purpose of maintaining or employing a municipal band.

occupational regulations; licenses; communications; notice (H.B. 2463) – Chapter 34

[SEE THE COMMERCE COMMITTEE.](#)

water infrastructure finance; municipal approval (H.B. 2464) – Chapter 33

[SEE THE WATER & AGRICULTURE COMMITTEE.](#)

fire district consolidation, merger (H.B. 2469) – Chapter 130

Modifies requirements for posting information regarding a proposed fire district (district) merger or consolidation, joint district board meetings held after a district merger or consolidation and the membership of district boards following a merger or consolidation. A merged or consolidated district board may temporarily operate merged or consolidated districts separately for transition purposes.

Allows the governing bodies of districts in a proposed merger or consolidation to approve the district merger or consolidation by a majority vote of each governing body without an election if certain conditions are met. Requires districts to require all current and prospective employees and volunteers to submit a full set of fingerprints for obtaining a state and federal criminal records check. A district must submit fingerprints to any fire authority, fire and medical authority or fire and ambulance authority that is formed with the district.

electronic records; state library (H.B. 2501) – Chapter 275

Requires the Arizona State Library, Archives and Public Records (State Library) to establish, operate and maintain a trusted Electronic Records Repository (Repository) to preserve, secure and make available the electronic and digitized public records of the State Archives and the State Documents Program.

Establishes the Electronic Records Repository Fund (Fund), administered by the Director of the State Library (Director), and requires the Director to use Fund monies for Repository operating expenses. Appropriates \$70,000 and one full-time equivalent position from the state General Fund in FY 2024 to the Secretary of State to implement the Repository.

zoning hearing; annexation; petition; testimony (H.B. 2662) – Chapter 205

Allows the governing body of a municipality to consider at a public zoning hearing any testimony by any real property owner within the area, or within 300 feet of the property, to be rezoned. Restricts the interested parties who may file a petition to question the validity of an annexation to interested parties within the territory to be annexed.

vacation rentals; short-term rentals; regulation (H.B. 2672) – Chapter 240

[SEE THE COMMERCE COMMITTEE.](#)

public officers; records; confidentiality (H.B. 2676) – Chapter 256

Allows specified persons, including certain current and former law enforcement officers, public officials, state employees and staff, and their family members to request that public access

to the person's identifying information be prohibited, including access to any documents relating to the person's voter registration record and documents recorded, maintained or kept by a county recorder, county assessor, county treasurer or the Arizona Department of Transportation.

~~condominiums; terminations; appraisals~~ (NOW: condominiums; appraisals; termination) (H.B. 2687) – Chapter 233

[SEE THE COMMERCE COMMITTEE.](#)

state drink; lemonade (H.B. 2692) – Chapter 213

Designates lemonade as the official state drink.

town elected officials; term limits (H.B. 2721) – Chapter 80

Allows the qualified electors of a town, by majority vote on an initiative measure, to enact, enforce or repeal limits on the number of terms a common council member or mayor may serve. The enactment, enforcement or repeal of a term limit applies to any common council member or mayor elected after the date that the term limit initiative is passed.

~~property rights; supporting protections~~ (NOW: private property rights; supporting protections) (H.C.R. 2018)

Expresses the Legislature's support of and commitment to protecting the fundamental, constitutional human right to individual private property in Arizona and the United States.

LEGISLATION VETOED

ombudsman-citizens aide; executive session; access (S.B. 1164) – VETOED

Allows the Ombudsman-Citizens Aide to access confidential minutes of and discussions made in executive sessions of public bodies when investigating an alleged open meeting violation.

The Governor indicates in his [veto message](#) that the power to investigate and enforce open meeting law violations is vested with the Attorney General and county attorneys, rendering S.B. 1164 unnecessary.

legislators; mileage rate; distance (S.B. 1558/H.B. 2760) – VETOED

Replaces daily subsistence payment rates of \$35 and \$60 for legislators with an amount set at 50 percent of the annual average federal per diem rate for Maricopa County (federal rate) for legislators whose permanent residence is within Maricopa County and at 100 percent of the federal

rate for legislators whose permanent residence is outside of Maricopa County. After the first 120 days of a regular session, a legislator receives half of the rate received during the first 120 days, rather than \$10 or \$20 per day based on the legislator's residence.

The Governor indicates in his [veto message](#) that any change in the per diem rate should be prospective and apply to the next Legislature, following the 2020 election.

JLAC; auditor general (H.B. 2677) – VETOED

Requires the Auditor General (OAG) to: 1) conduct a performance audit 5 years after, rather than 10 years after, a county transportation excise tax is authorized; 2) have access to employees of state agencies, boards and commissions and political subdivisions; and 3) conduct annual, rather than biennial, financial and compliance audits of state agencies subject to federal single-audit requirements. Classifies knowingly obstructing or misleading the OAG as a class 2 misdemeanor. Requires Joint Legislative Budget Committee staff to notify members of the Legislature of the cost of conducting any special audit required by proposed legislation. Modifies the state agency statement submitted during a sunset review and the factors a legislative committee of reference must consider in determining the need to continue or terminate a state agency.

The Governor indicates in his [veto message](#) that the requirements may have unintended consequences.