

2020 Legislative Summary

ARIZONA STATE SENATE
Fifty-Fourth Legislature, Second Regular Session
Karen Fann, President



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Front cover and inserts: Winged Victory. Image courtesy of Arizona State Library, Archives and Public Records, Archives Division, Phoenix, #03-7996



Arizona State Senate

June 11, 2020

Dear Reader:

The 2020 Legislative Summary, commonly referred to as the Spiel, was prepared by the Senate Research Staff under the direction of Karen Fann, Arizona Senate President.

The Senate Research Staff is a nonpartisan staff that has provided professional analysis services to the Arizona State Senate for over 45 years. The staff consists of full-time legislative committee research analysts, support staff and session-only interns from the state's universities.

The Spiel presents an overview of all legislation approved by the Legislature during the Fifty-fourth Legislature, Second Regular Session (2020). Additional bill information can be obtained from the Arizona Legislature's website: www.azleg.gov.

To prepare this document, the Senate Research Staff relies on many individuals whose assistance is integral to the process and is deeply appreciated. On behalf of the Senate Research Staff, I sincerely thank everyone who participated in producing this year's Spiel.

A handwritten signature in black ink, appearing to read "Jake Agron".

Jake Agron
Senate Research Staff Director

Senate Research – Committee Staff

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Water & Agriculture Committees

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TABLE OF CONTENTS

APPROPRIATIONS COMMITTEE	1
COMMERCE COMMITTEE.....	11
EDUCATION COMMITTEE	15
FINANCE COMMITTEE	21
GOVERNMENT COMMITTEE.....	31
HEALTH & HUMAN SERVICES COMMITTEE.....	35
HIGHER EDUCATION & WORKFORCE DEVELOPMENT COMMITTEE.....	41
JUDICIARY COMMITTEE.....	43
NATURAL RESOURCES & ENERGY COMMITTEE	45
TRANSPORTATION & PUBLIC SAFETY COMMITTEE.....	47
WATER & AGRICULTURE COMMITTEE	49
MEMORIALS & RESOLUTIONS	51
BILL INDEX	53
CHAPTER INDEX.....	56
TITLE INDEX	59
KEYWORD INDEX.....	65

ACTION KEY

E - Emergency

W/O - Without Emergency

V/O - Veto Override

RFEIR - Requirements for Enactment; Initiative or Referendum

W/S - Without Signature

LIVS - Line Item Veto Signed

RFE - Requirements for Enactment

Appropriations Committee

Senator David Gowan, Chairperson



Liam Maher, Research Analyst

Tristan Silva II, Intern

APPROPRIATIONS COMMITTEE

LEGISLATION ENACTED

DHS; continuation (S.B. 1051) – Chapter 6 E

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

joint legislative budget committee; continuation (S.B. 1128) – Chapter 34

Continues the Joint Legislative Budget Committee for 10 years, until July 1, 2030, retroactive to July 1, 2020.

~~empowerment scholarships; qualified schools; reservations~~ (NOW: empowerment scholarships; qualifications; administration; appropriations) (S.B. 1224) – Chapter 12

[SEE THE EDUCATION COMMITTEE.](#)

mental health omnibus (S.B. 1523/H.B. 2764) – Chapter 4

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

appropriations; named claimants (H.B. 2407) – Chapter 20

Appropriates \$102,261.81 from the state General Fund and \$43,587.72 from other funds to various state agencies in FY 2020 to pay past claims.

FY 2020-2021 BUDGET PACKAGE

general appropriations act; 2020-2021. (S.B. 1692/H.B. 2909) – Chapter 58

The FY 2021 budget includes spending in the total amount of \$11.75 billion, a cash balance of \$784 million and a structural balance of \$479 million. The adopted budget includes ongoing revenues of \$11.91 billion and one-time revenues of \$629 million.

The budget includes FY 2021 (unless otherwise stated) one-time additional state General Fund (state GF) spending as follows:

	State GF \$ (in Millions)*
Arizona Department of Corrections (ADC) – Lewis and Yuma County Locks, Fire and Heating, Ventilation and Air Conditioning (HVAC)	11.0

	State GF \$ (in Millions)*
Arizona Department of Education (ADE) – District/Charter Additional Assistance Acceleration	67.8
Arizona Department of Environmental Quality (ADEQ) – Water Quality Assurance Revolving Fund (WQARF) Funding	5.0
School Facilities Board (SFB) – Building Renewal Funding	90.8
SFB – Building Renewal Funding (supplemental in FY 2020)	28.0
Secretary of State (SOS) – Presidential Preference Election (supplemental in FY 2020)	2.6
State Employee Health Insurance Funding	22.0

**Figures are rounded.*

The budget also includes ongoing additional state GF spending as follows:

	State GF \$ (in Millions)*
ADE – Formula (truth in taxation adjustment)	(6.6)
ADEQ – WQARF Funding	10.0
Retirement Rate Increases	18.8

**Figures are rounded.*

The budget also contains certain changes to other funds as follows:

	Other Fund \$ (in Millions)*
	One-Time
Department of Child Safety (DCS) – Additional Child Care Funding	1.0
DCS – Litigation	2.6
ADC – Lewis and Yuma County Locks, Fire and HVAC	19.0
Department of Economic Security (DES) – Child Care 3-5 Star Rate Increases	1.5
DES – Increase Child Care Caseload by 3,000	20.8
Arizona Department of Veterans’ Services (ADVS) – Operating Costs for New Veterans' Homes	3.4
Health Insurance Trust Fund – Employer Premium Increase	21.5
27th Pay Period	31.5
Retirement Adjustment	3.0

**Figures are rounded.*

Major Footnote Changes

The budget includes the following major footnote additions, deletions or modifications. This list does not include footnotes pertaining to one-time reports, appropriations or footnote changes conforming to enacted policy.

Arizona Department of Revenue (ADOR)

- Requires ADOR to submit a report to the Joint Legislative Budget Committee (JLBC) by March 31, 2021, on the progress of implementing recommendations from the Auditor General's March 2019 transaction privilege tax administration and enforcement report.

Arizona Health Care Cost Containment System (AHCCCS)

- Modifies the footnote relating to Graduate Medical Education (GME) Programs by allowing AHCCCS to use GME funds to cover indirect costs of participating hospitals.
- Outlines requirements for prioritization for GME Programs.

Department of Child Safety

- Exempts the FY 2021 \$2.6 million appropriation for litigation expenses from lapsing until June 30, 2022.

Department of Health Services (DHS)

- Requires DHS to submit a report to JLBC by May 31, 2021, on the progress of implementing recommendations from the Auditor General's September 2019 report on the investigation of long-term care facility complaints and self-reports.

Department of Insurance and Financial Institutions (DIFI)

- Requires DIFI to assess and set fees that are deposited into the state GF at a level to ensure that the monies deposited will equal or exceed DIFI's expenditure from the state GF.

Department of Public Safety

- Exempts the FY 2020 appropriation for peace officer training equipment from lapsing until June 30, 2021, and reverts any remaining unexpended monies to the fund from which the monies were appropriated on June 30, 2021.

Secretary of State (SOS)

- Requires the SOS to use the FY 2020 \$2.6 million appropriation to reimburse counties for FY 2020 Presidential Preference Election expenses based on the number of active registered voters in each county on January 2, 2020.
- Exempts the FY 2019 appropriation for other Help America Vote Act Projects from lapsing until June 30, 2022, and reverts any remaining unexpended monies to the fund from which the monies were appropriated on June 30, 2022.

criminal justice; budget reconciliation; 2020-2021. (S.B. 1683/H.B. 2900) – Chapter 51

Makes the following statutory and session law changes relating to criminal justice necessary to reconcile the FY 2021 state budget:

Department of Public Safety (DPS) – Continues, as permanent law rather than session law, to: 1) allow DPS to use monies from the Concealed Weapons Permit Fund to pay for DPS operating expenses; 2) allow DPS to use monies from the Arizona Highway Patrol Fund for the Pharmaceutical Diversion and Drug Theft Task Force; and 3) require DPS to submit the Gang and Immigration Intelligence Team Enforcement Mission (GIITEM) Border Security and Law Enforcement Subaccount's entire expenditure plan to the Joint Legislative Budget Committee for review before DPS spends any of the legislative appropriation for the fiscal year. Continues to allocate \$400,000 from the GIITEM Fund to the Pima County Sheriff's Office after the initial \$500,000 allocation to the Pinal County Sheriff's Office. Continues to allow DPS to use monies from the State Aid to Indigent Defense Fund for operating expenses.

Arizona Department of Corrections (ADC) – Continues to require ADC to report budget requests in the same structure and detail as the prior fiscal year.

Department of Emergency and Military Affairs (DEMA) – Extends, through FY 2022, authorization for DEMA to use \$1,250,000 from the Military Installation Fund to construct a readiness center and exempts the appropriation from lapsing until June 30, 2022.

revenue; budget reconciliation; 2020-2021. (S.B. 1684/H.B. 2901) – Chapter 52

Makes the following statutory and session law changes relating to general revenues necessary to reconcile the FY 2021 state budget:

Department of Insurance and Financial Institutions (DIFI) – Removes the requirement that the Director of DIFI: 1) revise all fees within the statutory limits in a manner that the revenue derived from the fees during the subsequent fiscal year equals at least 95 percent but not more than 110 percent of the appropriated budget for the current fiscal year, if the revenues collected from fees during the prior fiscal year are less than 95 percent or more than 110 percent of the appropriated budget for the current fiscal year; and 2) annually revise the fee assessed on each insurer authorized to transact business in Arizona to equal at least 95 percent and not more than 110 percent of the annual budget of the DIFI Fraud Unit.

Arizona Department of Agriculture (AZDA) – Allows AZDA to continue, increase or lower existing fees from FY 2019 and FY 2020 in FY 2021. Limits additional revenues generated by the adjustment of AZDA fees as follows: 1) \$218,000 to the state General Fund; 2) \$113,000 to the Pesticide Trust Fund; and 3) \$26,000 to the Dangerous Plants, Pests and Diseases Fund. AZDA is exempt from rulemaking requirements to establish fees until July 1, 2021.

Counties – Continues to allow counties with a population of fewer than 250,000 persons to use any source of county revenue, up to \$1,250,000, to meet any county fiscal obligation in FY 2021. A county using the flexible authority must report to the Director of the Joint Legislative Budget Committee by October 1, 2020: 1) whether the county used a revenue source for purposes

other than the purposes of the revenue source to meet a county fiscal obligation; and 2) the specific source and amount of revenues that the county intends to use in FY 2021.

Arizona Department of Gaming (ADG) – Continues to require the ADG, in FY 2021, to establish and collect, in addition to statutorily authorized deductions, a regulatory assessment from each commercial racing permittee in the amount of 0.5 percent of the amounts wagered, payable from pari-mutuel pools from in-state and out-of-state live and simulcast races.

Arizona Department of Revenue (ADOR) – Continues to express the Legislature's intent that local fees to fund ADOR not exceed \$20,755,835 in any fiscal year and are to be allocated among cities, towns, counties, the Maricopa Association of Governments and the Pima Association of Governments based on the prorated share of all distributed revenues, excluding Highway User Revenue Fund monies.

human services; budget reconciliation; 2020-2021. (S.B. 1687/H.B. 2904) – Chapter 53

Makes the following statutory and session law changes relating to human services necessary to implement the FY 2021 state budget:

Department of Economic Security (DES) – Retroactive to March 11, 2020, directs DES, during the federal state of emergency declaration for the coronavirus disease 2019 (COVID-19) to provide an exemption from prescribed Temporary Assistance for Needy Families (TANF) cash assistance time limitations and a general waiver from prescribed TANF cash assistance work requirements.

Arizona Health Care Cost Containment System (AHCCCS) – Retroactive to March 11, 2020, directs AHCCCS to authorize payments to specified health and human service providers to maintain capacity to continue services during the federal public health emergency for COVID-19. The payments must be implemented in a manner that maintains federal financial participation and that remains within AHCCCS's expenditure authority for FY 2020.

Retroactive to March 11, 2020, allows DES and AHCCCS to temporarily adjust provider reimbursement rates for services for individuals with intellectual and developmental disabilities, if the services are in a member's service plan and within DES's expenditure authority for FY 2020, in order to provide funding for increased overtime expenses and staff loss associated with COVID-19.

Authorizes the use of Special Administration Fund monies to pay for domestic violence prevention and cost-effectiveness study client services. Continues the requirement that DES screen and test individuals who are eligible for TANF benefits and who DES has reasonable cause to believe use controlled substances. Any TANF recipient who tests positive for the use of a controlled substance that was not prescribed is ineligible to receive TANF benefits for one year.

Directs the Auditor General, by September 30, 2021, to provide a report to the Governor, the Legislature and the Directors of the Joint Legislative Budget Committee and the Governor's Office of Strategic Planning and Budgeting regarding the Department of Child Safety's practices for classifying and locating runaway or missing children.

Makes the following statutory and session law changes relating to health necessary to implement the FY 2021 state budget:

Arizona Long Term Care System (ALTCS) – Outlines the individual county contributions for ALTCS, totaling \$305,872,000. Directs the State Treasurer to withhold monies as prescribed in order to fulfill county contribution obligations and deposit any paid or withheld county contributions into the ALTCS Fund. Continues to authorize the State Treasurer to collect additional monies from counties if the aggregate cost for ALTCS exceeds the amount specified in the FY 2021 General Appropriations Act. The counties' share of the state's contribution must comply with federal maintenance effort requirements.

Requires the Director of the Arizona Health Care Cost Containment System (AHCCCS) to notify the State Treasurer of the counties' share of the state's contribution and report the amount to the Director of the Joint Legislative Budget Committee (JLBC).

County Acute Care – Outlines the individual county contributions for county acute care. Directs the State Treasurer to withhold monies as prescribed in order to fulfill county contribution obligations for acute care and deposit any paid or withheld county contributions into the AHCCCS Fund and ALTCS Fund. Continues to require that 1/12th of the prescribed county acute care contributions be made to the State Treasurer by the fifth day of each month. The State Treasurer must, upon request of the Director of AHCCCS, require up to three month's payment in advance.

Requires the Director of AHCCCS to instruct the State Treasurer to reduce or return county acute care payment amounts as outlined if the payments exceed the amount required to meet associated costs incurred by AHCCCS.

Disproportionate Share Hospital (DSH) Payments – Outlines the DSH payment amounts for qualifying nonstate-operated public hospitals, private qualifying DSHs and the Arizona State Hospital (ASH). DSH payment monies must be distributed to the Maricopa County Special Health Care District (District) and deposited into the state General Fund as prescribed. Prescribes notification, payment distribution and deposit requirements for AHCCCS after filing claims with the federal government and receiving federal financial participation based on certified amounts.

Requires the District, by May 1, 2021, and ASH, by March 31, 2021, to each provide specified forms for qualifying DSH expenditures to AHCCCS. Continues to require AHCCCS to assist the District and ASH in determining the amount of qualifying DSH expenditures and maintains reporting requirements and distribution procedures of received federal matching funds for FY 2021.

The allocation of DSH payments designated to political subdivisions, tribal governments and universities must be first made available to qualifying private hospitals located outside the Phoenix and Tucson Metropolitan Statistical Areas before being made available to qualifying hospitals within those areas.

Miscellaneous – Continues to exclude county contributions for Proposition 204 administrative costs from county expenditure limitations. County contributions related to the costs

of inpatient, in-custody competency restoration treatment are excluded from county expenditure limitations.

Allows the use of monies in the Health Services Lottery Monies Fund for purposes specified in the FY 2021 General Appropriations Act. Continues to authorize the Director of the Department of Health Services (DHS) to increase Bureau of Radiation Control (BRC) fees in FY 2021 and asserts the intent of the Legislature that revenue generated from BRC fees not exceed \$1,900,000. DHS is exempt from statutory rulemaking requirements until July 1, 2021, to increase BRC fees.

environment; budget reconciliation; 2020-2021. (S.B. 1689/H.B. 2906) – Chapter 55

Makes the following statutory and session law changes relating to the environment necessary to reconcile the FY 2021 state budget:

Arizona Department of Environmental Quality (ADEQ) – Caps the FY 2021 state General Fund appropriation to the Water Quality Assurance Revolving Fund at \$15,000,000. Authorizes ADEQ to use up to \$6,531,000 in FY 2021 from the Underground Storage Tank Revolving Fund for administrative costs and remediating sewage discharge issues in border areas of Arizona. ADEQ must charge the same fees in FY 2021 that were charged in FY 2020 for vehicle emissions tests conducted in the Phoenix metropolitan area. ADEQ is exempt from rulemaking requirements, until July 1, 2021, to set emissions fees.

Arizona Department of Water Resources (ADWR) – Continues to allow up to \$336,000 from the Water Protection Fund to be used for ADWR administrative costs, and continues to allow the Director of ADWR to increase water resources fees service up to \$100,200 in FY 2021. ADWR is exempt from rulemaking requirements to set water resources service fees until July 1, 2021.

Arizona Navigable Stream Adjudication Commission (ANSAC) – Continues to allow monies appropriated to ANSAC from the Arizona Water Banking Fund to be used to pay legal fees in FY 2021.

budget procedures; budget reconciliation; 2020-2021. (S.B. 1690/H.B. 2907) – Chapter 56

Makes the following statutory and session law changes to budget procedures necessary to reconcile the FY 2021 state budget:

Establishes the Crisis Contingency and Safety Net Fund (Fund) administered by the Governor and appropriates \$50,000,000 from the state General Fund (state GF) to the Fund in FY 2020. Allows Fund monies to be spent following a state of emergency declaration by the Governor for certain forms of economic assistance during the state of emergency. Before spending Fund monies, the Governor must notify the President of the Senate, the Speaker of the House of Representatives and the Joint Legislative Budget Committee. Reverts any unexpended and unencumbered monies from the \$50,000,000 appropriation to the state GF on June 30, 2021. Expresses the Legislature's intent for cities, towns and counties to review their eviction policies

and procedures during the state of emergency declared by the Governor related to coronavirus disease 2019 to allow individuals and families to remain in their places of residence.

Delays establishment of the Motor Vehicle Pool Consolidation Fund from July 1, 2020, to July 1, 2021. Requires counties to be reimbursed for expenses incurred in administering the 2020 presidential preference election as prescribed in the General Appropriations Act, rather than at the statutory rate of \$1.25 per active registered voter.

capital outlay; appropriations; 2020-2021. ([S.B. 1691/H.B. 2908](#)) – Chapter 57

Building Renewal – Appropriates the following amounts in FY 2021 to the following agencies from the specified funds for major maintenance and repair activities for state buildings:

Agency	Fund Source	Amount
Arizona Department of Administration (ADOA)	Capital Outlay Stabilization Fund	\$16,000,000
Arizona Department of Corrections (ADC)	ADC Building Renewal Fund	\$5,464,300
Arizona Game and Fish Department (AZGFD)	AZGFD Fund	\$1,157,900
Arizona State Lottery Commission	State Lottery Fund	\$146,700
Arizona Department of Transportation (ADOT)	State Highway Fund (SHF)	\$13,000,000
	State Aviation Fund	\$281,700

ADOA – Continues to allow ADOA to allocate up to \$275,000 of its appropriation to personal services and employee-related expenditures for up to five full-time equivalent positions each fiscal year until the building renewal projects are completed. Directs ADOA to allocate the building renewal monies to state agencies for necessary building renewal. Prohibits ADOA from spending other appropriated monies for personal services, employee-related expenditures or maintenance contracts on building components and equipment without review by the Joint Committee on Capital Review (JCCR).

Capital Projects – Appropriates the following amounts in FY 2021 to the following agencies from the specified funds for capital projects:

Agency	Purpose	Fund	Amount
ADC	Replacement of locking, heating, ventilation and air conditioning (HVAC) and fire suppression systems	State General Fund	\$11,000,000
ADC	Replacement of locking, HVAC and fire suppression systems	Arizona Correctional Industries Revolving Fund	\$7,000,000

Agency	Purpose	Fund	Amount
ADC	Replacement of locking, HVAC and fire suppression systems	Corrections Fund	\$4,000,000
ADC	Replacement of locking, HVAC and fire suppression systems	Inmate Store Proceeds Fund	\$2,000,000
ADC	Replacement of locking, HVAC and fire suppression systems	Penitentiary Land Fund	\$2,000,000
ADC	Replacement of locking, HVAC and fire suppression systems	State Charitable, Penal and Reformatory Institutions Land Fund	\$2,000,000
ADC	Replacement of locking, HVAC and fire suppression systems	Special Services Fund	\$2,000,000
ADOT	Planning and construction of state highways	SHF	\$378,733,000
ADOT	Planning and construction of state, county, city and town airports	State Aviation Fund	\$30,900,000

ADOT – Requires ADOT, by November 1, 2020, to report on its actual prior year, estimated current year and upcoming budget year highway expenses from all fund sources to the Directors of the Joint Legislative Budget Committee and the Governor's Office of Strategic Planning and Budgeting.

Department of Emergency and Military Affairs (DEMA) – Reverts the following amounts that were appropriated to DEMA for the construction of a readiness center to the funds from which it was appropriated on: 1) June 30, 2022, for the FY 2019 appropriation; and 2) June 30, 2023 for the FY 2020 appropriation.

Miscellaneous – Requires the JCCR to review the scope, purpose and estimated cost of new capital projects with an estimated cost of more than \$250,000.

K-12 education; budget reconciliation; 2020-2021 (H.B. 2902/S.B. 1685) – Chapter 49

Makes the following statutory and session law changes relating to K-12 education necessary to reconcile the FY 2021 state budget:

Basic State Aid – Increases transportation funding levels and the charter additional assistance (CAA) amount for standard inflation. The base level is increased in FY 2021 from \$4,150.43 to \$4,305.73 per pupil for standard inflation and teacher salary increases. Reduces the \$128,734,900 district additional assistance (DAA) suspension to \$64,367,400 and the \$6,814,400 CAA suspension to \$3,407,200 in FY 2021. Restores DAA and CAA funding in FY 2022.

Results-Based Funding – Continues to require the Arizona Department of Education to distribute monies from the Results-Based Funding Fund in FY 2021 to schools performing in the top 13 percent on the spring 2019 statewide assessment at an amount based on the percentage of enrolled pupils eligible for the Free and Reduced-Price Lunch (FRPL) Program at the time of assessment.

Continues to provide results-based funding by awarding \$225 per student count to each district or charter school: 1) in which at least 60 percent of enrolled pupils were eligible for the FRPL Program at the time of the spring 2019 statewide assessment; and 2) that performed within the top 13.1 percent to 27 percent of those schools on the assessment. Awards \$400 per student count for each alternative high school: 1) in which at least 60 percent of enrolled pupils were eligible for the FRPL Program at the time of the spring 2019 statewide assessment; and 2) that performed in the top 27 percent of those schools on the assessment. An alternative high school is eligible for the funding only if it reports the average percentage of pupils who received a passing score on both the math and language arts portions of the spring 2019 statewide assessment.

Miscellaneous – Redirects the annual \$64,100,000 distribution to the Classroom Site Fund collected from the 0.6 percent transaction privilege and use tax to the Superintendent of Public Instruction for basic state aid. Updates the tax year 2020 qualifying tax rates and the state equalization assistance property tax rate to reflect annual truth in taxation adjustments. Expresses the intent of the Governor and the Legislature that school districts increase classroom spending in instruction, student support and instructional support as prescribed by the Auditor General.

higher education; budget reconciliation; 2020-2021 (H.B. 2903/S.B. 1686) – Chapter 50

Makes the following statutory and session law changes relating to higher education necessary to reconcile the FY 2021 state budget:

Universities – Continues to allow the Legislature to appropriate less than a two-to-one match to student registration surcharges deposited in the Arizona Financial Aid Trust Fund.

Community Colleges – Funds FY 2021 community college district science, technology, engineering and mathematics programs and workforce programs as specified in the General Appropriations Act. Funds FY 2021 operating state aid for community college districts as specified in the General Appropriations Act.

Commerce Committee

Senator Michelle Ugenti-Rita, Chairperson



Laura Benitez, Research Analyst

Jordan Pittman, Intern

COMMERCE COMMITTEE

LEGISLATION ENACTED

property management records; residential rentals (S.B. 1096) – Chapter 69

Specifies that the *related residential rental agreement documents* a property management firm must keep for one year after a rental agreement expires, or until the records are provided to the property owner upon termination of the property management agreement, may include: 1) rental applications with tenant-identifying information; 2) move-in forms; and 3) default notices. Adds electronic means as an authorized method for property management firms to keep certain property management records. Prescribes storage location requirements for other statutorily required documents and allows the documents to be kept electronically.

certified public accountants (S.B. 1131) – Chapter 72

Modifies certified public accountant (CPA) regulations for firm registration, certificate and registration expiration and reinstatement, and use of the CPA designation. Adds the authority to approve continuing professional education reciprocity requests to the powers that the Board of Accountancy (Board) may delegate to the Executive Director of the Board. Replaces the requirement that the Board revoke the registration of a firm that does not meet all firm registration requirements and has not been granted a compliance extension with an automatic expiration of the firm's registration. The Board may prescribe, rather than waive, by a Board relinquishment or revocation order, statutory education requirements for completion before an individual requests reinstatement of an expired, relinquished or revoked certificate. Narrows the prohibition on a registrant whose certificate is on retired status or who is requesting retired status from providing attestation services or compilation services to a prohibition only on providing attestation services or compilation services in Arizona. Resolves conflicting timeframes after which a suspended certificate or registration that is not reinstated expires.

Requires an individual CPA who uses the CPA designation with a name other than the name of the registered individual to register as a firm and pay the firm registration fee every two years. A limited reciprocity privilege registrant, individual or firm may use the CPA designation only with the exact name registered with the Board.

professional regulatory boards; composition (S.B. 1274) – Chapter 75

Restructures the statutory membership of the Arizona Board of Technical Registration (AZBTR), the Board of Barbers, the Board of Cosmetology, the State Board of Funeral Directors and Embalmers and the Board of Massage Therapy to result in a majority-public membership. Retains the membership of board members serving on August 25, 2020 until the expiration of their normal terms and requires the Governor to make all subsequent appointments as prescribed.

Increases the total membership of the AZBTR from 9 to 11 by adding 5 public members and decreasing the number of professional members from 8 to 5. Retains the landscape architect, geologist and land surveyor positions, one of the two architect positions and one of the three engineer positions. One public member must have legal, construction or design product background.

Replaces the prescribed membership of the three licensed positions on the Board of Barbers with two licensed positions that may be filled by a barber who has actively practiced for five years, holds a barber shop or salon license or holds a barber school license. Replaces the prescribed membership of the five licensed positions on the Board of Cosmetology with three licensed positions that may be filled by a cosmetologist, nail technician, instructor or school owner who has actively practiced for three years. No more than one of the licensed members on the Board of Barbers or the Board of Cosmetology may be appointed under the same criteria. Requires at least one public member on the Board of Massage Therapy to be actively involved in programs or services that help to reduce or prevent human trafficking.

department of gaming; continuation (S.B. 1275) – Chapter 36

Continues the Arizona Department of Gaming for six years, until July 1, 2026, retroactive to July 1, 2020.

electric cooperatives; broadband service (S.B. 1460) – Chapter 84

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

unemployment compensation; coronavirus disease (S.B. 1694/H.B. 2911) – Chapter 48 E

An emergency measure effective March 27, 2020, and retroactive to March 11, 2020, that allows the Department of Economic Security (DES) to implement alternative unemployment insurance benefit eligibility and employer contribution requirements consistent with U.S. Department of Labor guidance for individuals and employers affected by a federal declaration of emergency related to coronavirus disease 2019 (COVID-19). DES may not approve shared work benefits for individuals whose normal weekly hours are reduced by more than 80 percent. DES may not consider increased benefits charged against an employer's account from alternative benefit eligibility requirements when fixing Unemployment Compensation Fund employer contribution rates. DES may adopt rules for the administration of the alternative benefit eligibility and employer contribution requirements and is exempt from administrative procedure requirements during the federal emergency declaration period.

Expresses the Legislature's intent that the authority granted to DES is to provide additional resources and flexibility for the Unemployment Insurance Program (UI Program) for individuals and businesses affected by COVID-19. Additionally, the Legislature intends that Arizona ease eligibility requirements and strengthen access to the UI Program for affected individuals and businesses during the federal declaration of emergency.

Taiwan; United States; trade; support (S.C.R. 1025)

SEE MEMORIALS & RESOLUTIONS.

personal representatives; funeral directors; prohibition (H.B. 2249) – Chapter 18

Disqualifies a creditor who is a funeral director or funeral establishment owner who has control of a decedent's remains from seeking court appointment as a personal representative of the decedent's estate.

residential utility consumer office; continuation (H.B. 2601) – Chapter 21

Continues the Residential Utility Consumer Office for eight years, until July 1, 2028, retroactive to July 1, 2020.

building permits; utilities; restrictions; prohibitions (H.B. 2686/S.B. 1222) – Chapter 3

SEE THE NATURAL RESOURCES & ENERGY COMMITTEE.

Education Committee

Senator Sylvia Allen, Chairperson



Jeffrey Ong, Research Analyst

Julia Paulus, Assistant Research Analyst

Myriam Boustila, Intern

EDUCATION COMMITTEE

LEGISLATION ENACTED

executive session; school safety plans (S.B. 1012) – Chapter 59 E

[SEE THE GOVERNMENT COMMITTEE.](#)

empowerment scholarships; third-party administrator; repeal (S.B. 1036) – Chapter 8

Removes the requirement that the Arizona Department of Education contract with a third-party administrator to assist in the financial administration of empowerment scholarship accounts.

schools; parental rights; posting (S.B. 1061) – Chapter 64

Directs the Arizona Department of Education to post a statutory handbook of parental rights on its website consisting of specified statutes relating to: 1) the Parents' Bill of Rights; 2) parental involvement in schools; 3) the rights of parents and students at public educational institutions; 4) parental permission and informed consent for surveys; 5) school councils; 6) approval of courses of study and instructional materials; and 7) parental access to instructional materials. Each school district and charter school must prominently post a link to the handbook on a publicly accessible portion of its website.

STO report; DOR; posting deadline (S.B. 1100) – Chapter 10

[SEE THE FINANCE COMMITTEE.](#)

~~empowerment scholarships; qualified schools; reservations~~ (NOW: empowerment scholarships; qualifications; administration; appropriations) (S.B. 1224) – Chapter 12

Permanently includes a nongovernmental school, located within two miles of the Arizona border in an adjacent state, as a *qualified school* for students residing on an Arizona Indian reservation who qualify for the Arizona Empowerment Scholarship Account (ESA) Program. Allows ESA monies to be used for goods and supplementary materials and removes the permitted use for a Coverdell education savings account. Requires the Arizona Department of Education (ADE) to close an ESA that has not been renewed for three academic years 60 days after notifying the parent.

Transfers ADE's authority to adopt ESA Program rules and policies to the State Board of Education (SBE) and requires, retroactive to March 20, 2020, SBE to adopt rules by November 1, 2020. Transfers ADE's authority to refer cases of substantial misuse of ESA monies to the Attorney General (AG) to the SBE. The SBE must establish a process for a parent to appeal an ADE administrative decision relating to the ESA Program and prescribes notification requirements for

the appeals process. ADE must annually develop a handbook on ESA policies and procedures by July 1 and post the handbook and appeals process on the ADE website.

Requires the ADE ESA Fund and the State Treasurer ESA Fund to consist of legislative appropriations rather than monies retained by ADE from a student's base support level and additional assistance. Authorizes ADE or the State Treasurer to request an increase in appropriations if the number of ESAs significantly increases after FY 2021. ADE and the State Treasurer must separately list the fund amounts in their budget estimates.

Retroactive to March 20, 2020, appropriates, from the state General Fund to the ADE ESA Fund to ADE, in FY 2021: 1) \$276,000 and five full-time equivalent positions (FTEs) for an ESA call center; 2) \$388,000 and six FTEs for ESA case managers; and 3) \$136,000 and two FTEs for accounting staff. Appropriates from the state General Fund in FY 2021: 1) to ADE, \$150,000 to conduct statewide seminars and trainings for ESA applicants, staff development and outreach activities; and 2) to SBE, \$100,000 and one FTE for administrative support in the rulemaking and appeals processes and \$50,000 for AG legal services relating to ESA appeals. By August 1, 2020, and retroactive to March 20, 2020, the AG must provide ADE and the SBE with guidance on the type of information collected through the ESA Program subject to public records requests.

financial literacy; state treasurer; fund (S.B. 1292) – Chapter 76

Adds, to the statutory duties required of the State Treasurer, promoting and raising awareness of financial literacy to Arizona residents. Establishes the State Treasurer's Financial Literacy Fund (Fund) consisting of legislative appropriations and other available public or private monies to promote financial literacy. The State Treasurer must administer, invest and divest monies and credit monies earned from investment to the Fund. Fund monies are continuously appropriated and exempt from lapsing.

suicide prevention training; school employees (S.B. 1445) – Chapter 82

Requires each school counselor or school social worker training program in Arizona to provide evidence-based suicide awareness and prevention instruction that meets specified criteria to all school counselor and school social worker candidates in the program.

student identification cards; suicide prevention (S.B. 1446) – Chapter 83

Beginning July 1, 2021, requires higher education institutions issuing student identification cards and school district governing boards and charter school governing bodies issuing student identification cards for grades 9 through 12 to include on each new identification card: 1) the telephone number for a national suicide prevention lifeline, a national network of local crisis centers or a local suicide prevention hotline; or 2) a statement describing how to access a text-based emotional support service. The information may be printed on the identification card or included on an affixed sticker.

Arizona teachers academy; program pathways (S.B. 1492) – Chapter 85

[SEE THE HIGHER EDUCATION & WORKFORCE DEVELOPMENT COMMITTEE.](#)

mental health omnibus (S.B. 1523/H.B. 2764) – Chapter 4

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

unification; consolidation; notice; ballot language (H.B. 2109) – Chapter 14

Beginning January 1, 2023, requires notice of a proposed school district governing board vote on the formation of a unified school district by a high school district and at least one common school district to be posted: 1) at least 90 days before the proposed vote; and 2) in at least three public places in each of the districts proposed to be unified. Increases, from 60 days to 120 days after receiving a petition from a majority of the common school district governing board or 10 percent of the residents, the deadline for the county superintendent to call a special election to establish a unified school district, if the next regular election is not within 90 days. Extends the time frame a notice must be posted before an election from 10 days to either: 1) at least 90 days, for an election held at least 90 days after receipt of the petition; or 2) as soon as is practicable for an election held fewer than 90 days after receipt of the petition.

Requires notice of an election to determine school district consolidation to be posted at least 90 days, rather than 25 days, before the election. Removes the required disclosure that consolidation includes the assumption of liability for indebtedness by the resulting school district on the school district consolidation ballot.

civics celebration day; civics education (H.B. 2625) – Chapter 25

Designates September 25 of each year as Sandra Day O'Connor Civics Celebration Day, which is not a legal holiday. Each public school must dedicate a majority of Sandra Day O'Connor Civics Celebration Day to civics education.

Adds, to the duties of the State Board of Education (SBE), developing a list of recommended civics education resources that align with academic standards for social studies. Directs the SBE to establish a process for public schools to recommend resources for addition to the list.

crisis management team; underperforming districts (H.B. 2684) – Chapter 26 E

An emergency measure effective March 24, 2020, that directs the Arizona Department of Education (ADE) to establish a crisis management team to intervene and recommend changes in a school district (district) operating a school that: 1) was assigned an F letter grade in school years 2016-2017 and 2018-2019; and 2) had fewer than five percent of pupils proficient on the statewide English language arts and mathematics assessments in school year 2018-2019. The Superintendent

of Public Instruction (SPI) must appoint crisis management team members as outlined and may retain a portion of state monies directed to the district to compensate members who are not ADE employees. The district must reduce its budget limit accordingly.

Directs the crisis management team to evaluate local circumstances and district needs in consultation with community stakeholders and provide written recommendations to address issues contributing to persistent academic underperformance. The district must respond to the written recommendations with either efforts for implementation or rejecting the recommendations. If the district rejects the recommendations, the district must provide reasons for rejection. If the crisis management team determines a change in administration is necessary to meet the community's education needs, the district must terminate the contract of the district superintendent. If the crisis management team determines a long-term sustainability plan is viable, ADE must establish an implementation plan and projected timeline for the district. The district must respond to the implementation plan outlining adoption of the plan with any necessary modifications and provide regular reports to ADE. The district may request assistance in implementation or community engagement.

Outlines reporting requirements for the crisis management team and district. Repeals crisis management team authority and requirements on April 1, 2021.

K-12 education; budget reconciliation; 2020-2021 (H.B. 2902/S.B. 1685) – Chapter 49

[SEE THE APPROPRIATIONS COMMITTEE.](#)

public school closures; coronavirus disease. (H.B. 2910/S.B. 1693) – Chapter 47 E

An emergency measure effective March 27, 2020, and retroactive to March 16, 2020, addressing public school operations and requirements relating to the statewide school closure that began March 16, 2020, in response to the Governor's declaration of a state of emergency related to the coronavirus disease 2019.

School Operations – Requires a public school to continue to pay employees who are available to work during normal work hours from March 16, 2020, through March 29, 2020. Public schools are not required to extend the number of school days or add instructional hours to meet statutory instructional requirements or school finance calculation requirements.

If the statewide school closure is lifted by March 29, 2020, extends the testing window for the statewide assessment through May 31, 2020, and deems a public school's 2019-2020 letter grade to be the higher of the 2018-2019 or 2019-2020 letter grade.

If the statewide school closure is not lifted by March 29, 2020, requires public schools to offer students general educational opportunities for the duration of the closure as a condition of receiving state funding. Cancels the 2019-2020 statewide assessment and deems a public school's 2019-2020 letter grade to be the same as the school's 2018-2019 letter grade. Students are exempt from grade three promotion requirements and the State Board of Education (SBE) must adopt rules for high school graduation for the 2019-2020 school year. Public schools may deviate from

special education program requirements during the 2019-2020 school year while attempting to ensure that a student with a Section 504 Plan or an individualized education program has access to these educational opportunities. Allows public schools to utilize their transportation fleet during the statewide closure for operations that support students and families. A public school must continue to pay an employee who works remotely during normal work hours beginning March 30, 2020. If a school resumes physical operations, an employee may no longer work from home, unless otherwise authorized.

If the statewide closure is lifted before the end of the scheduled 2019-2020 school year, a public school must either resume physical operations or continue offering general education opportunities until the end of the school year.

School Finance – Through June 30, 2021, allows the Superintendent of Public Instruction, with SBE approval, to waive any school finance requirement necessary to implement procedures and requirements relating to the statewide school closure.

If the statewide school closure is not lifted by March 29, 2020, allows any monies generated during the school year to be used for 2020 summer school instruction. A school district may use its FY 2019 daily route mileage to calculate the FY 2021 transportation support level if the school's FY 2020 daily route mileage is lower than the FY 2019 mileage. A student who takes an online course in June or July 2020 generates up to 1.25 average daily membership for FY 2021.

Modified Reporting Requirements – Directs the Arizona Department of Education, by April 15, 2020, to apply for federal waivers from nutrition, assessment and accountability educational attainment requirements that cannot be met in the 2019-2020 school year.

If the statewide school closure is not lifted by March 29, 2020, requires the Auditor General to modify financial and performance data reporting timelines.

Finance Committee

Senator J.D. Mesnard, Chairperson



Molly Graver, Research Analyst
Alanna Bendel, Assistant Research Analyst
Amir J. Sadeghi, Intern

FINANCE COMMITTEE

LEGISLATION ENACTED

department of revenue; electronic signatures (S.B. 1021) – Chapter 60

Requires the Arizona Department of Revenue (ADOR) to accept or require an electronic signature to serve as a written-signature equivalent on a document submitted to ADOR and outlines requirements for electronic signatures. An electronic signature has the same force and effect as a written signature. ADOR must prescribe the type of electronic signature required for electronically-signed documents and the manner and format in which the electronic signature must be affixed to the electronic record. Specifies that ADOR's authority to prescribe alternative methods by rule for signing a return, claim for refund, statement or other document does not apply if the alternative method of signing is an electronic signature. ADOR is exempt from rulemaking requirements until August 25, 2021, to implement electronic signature requirements.

insurance policies; transfers; affiliated insurers (S.B. 1038) – Chapter 9

Allows a property or casualty insurer (insurer) to transfer any policy to an affiliated insurer. A transfer does not allow the insurer to apply a new unrestricted 60-day period of cancellation or nonrenewal. An insurer may not transfer a policyholder because of the policyholder's location of residence, age, race, color, religion, sex, national origin or ancestry. Specifies that nonrenewal of an insurance policy does not include the issuance of a new policy within the same insurer or an insurer under the same ownership or management as the original insurer.

insurers; notices; methods of delivery (S.B. 1040) – Chapter 61

Replaces the requirement that an insurance notice or correspondence (correspondence) be mailed with the requirement that a notice be *sent*, which includes delivery by either: 1) U.S. mail, personal delivery or fax; or 2) electronic means consistent with statutory requirements. Correspondence sent by mail must be sent to the person's last known mailing address and correspondence sent by electronic means must be sent to the person's last known email address. Any method of proof retained by an insurer for sending certain notices by a method other than by mail is sufficient proof of notice.

Requires an insurer who sends a notice of cancellation of commercial insurance by mail to obtain proof of mailing by U.S. certified mail or first-class mail using an approved tracking method. Removes the requirement that uninsured or underinsured motorist coverage limits be offered to a named insured or applicant at the time of application. Requires a health care insurer to provide a member access to a copy of the member's policy information packet on its website, rather than within five business days after the initiation date of a health care appeal.

travel insurance (S.B. 1041) – Chapter 62

Travel Insurance Administration – Establishes the Travel Insurance Model Act (Act), which applies to travel insurance offered in Arizona that covers Arizona residents and to policies and certificates delivered in Arizona. A person may not act as a travel administrator for travel insurance unless the person: 1) is a licensed property and casualty insurance producer; or 2) holds a valid managing general agent license. A travel administrator and its employees are exempt from adjuster licensing requirements for administered travel insurance.

Travel Protection Plans and Sales – A travel protection plan may be offered for one price, if certain conditions regarding information and disclosure are met. Outlines travel protection plan sale requirements, policy and certificate cancellation timelines and responsibilities for insurers who underwrite travel insurance. A travel insurer must pay premium tax on travel insurance premiums paid by specified policyholders and certificate holders, and must comply with related documentation and reporting requirements. Subjects a person offering travel insurance to Arizona residents to unfair trade practice and fraud statutes.

Travel Insurance Classification – Allows eligibility and underwriting standards for travel insurance to be developed and provided based on travel protection plans designed for individual or identified marketing or distribution channels. Classifies and files travel insurance, for purposes of rates and forms, under an inland marine line of insurance, except that travel insurance that provides coverage for sickness, accident, disability or death occurring during travel may be filed under an accident and health line of insurance.

Miscellaneous – Arizona insurance laws continue to apply to travel insurance, except that the Act supersedes any conflicting state law applicable to travel insurance. Declares that the purpose of the Act is to promote the public welfare by creating a comprehensive legal framework within which travel insurance may be sold in Arizona.

insurance transactions; discrimination; exceptions (S.B. 1062) – Chapter 65

Includes, in practices that are not prohibited as discrimination or rebates in life and disability insurance, the payment of implementation credits made by a life insurer to offset expenses incurred by a group policyholder when the life insurer initiates, changes or administers new or existing group coverage. A life insurer may either: 1) include implementation credits in a charged premium and then reimburse the policyholder; or 2) pay for the implementation credits and provide appropriate disclosure in the group policy. Specifies that providing or offering products or services that are ancillary to life or disability insurance and enhance the financial wellness of an insured is not a prohibited inducement or unfair discrimination.

state board of investment; continuation (S.B. 1072) – Chapter 33

Continues the State Board of Investment for eight years, until July 1, 2028, retroactive to July 1, 2020.

insurance adjusters; claims certificate (S.B. 1090) – Chapter 67

Waives the examination requirement for insurance adjuster license applicants who hold a claims certificate issued by a national or state-based claims association with a certification program that meets outlined criteria. Excludes an employee of a third-party administrator or self-insured employer who adjusts, investigates or negotiates settlement of only workers' compensation claims from the definition of *adjuster*.

insurance producer licensing; surrender; application (S.B. 1091) – Chapter 68

Removes the one-year prohibition on a person reapplying for an insurance producer license or the authority to transact lines of insurance after voluntarily surrendering the license or authority. A person who voluntarily surrenders an insurance producer license or authority to transact must meet the original licensing requirements to obtain the same license or authority.

tax deed land sales; proceeds (S.B. 1099) – Chapter 70

Requires a county treasurer to pay a dispossessed property owner any balance remaining from a tax-deeded real property sale after payment of taxes, interest, penalties, fees and costs.

STO report; DOR; posting deadline (S.B. 1100) – Chapter 10

Requires the Arizona Department of Revenue (ADOR) to post on its website a report on school tuition organizations (STOs) for individual contributions and a report on STOs for corporate and insurer contributions with information submitted by each STO relating to administration, received contributions and awarded educational scholarships and tuition grants. ADOR must post the reports by March 31 following the year the information is received.

mortgaged property; tax statements; information (S.B. 1113) – Chapter 11

Requires the tax statement mailed by a county treasurer to the mortgagor of a property to separately list, for the current and previous tax years, the amount of: 1) primary and secondary taxes due to each taxing jurisdiction; and 2) any applicable additional state aid to school districts provided to class 3 property. The tax statement must be mailed before November 1.

model city tax code; procedures (S.B. 1121) – Chapter 71

Removes the requirement that the Municipal Tax Code Commission (Commission) meet every other month and requires the Commission to meet in response to a proposed amendment to the Arizona Model City Tax Code (MCTC). A city, town, taxpayer or the Arizona Department of Revenue (ADOR) must submit a proposed amendment to the Commission for review and consideration at least 60 days before the Commission adopts the proposed amendment. Outlines ADOR notice posting requirements. At the request of a city, town, taxpayer or ADOR, the

Commission must hold an informational public hearing at least 30 days after receiving the proposed amendment. ADOR must: 1) provide a legal analysis of the proposed amendment to the Commission at the informational public hearing; and 2) post the proposed amendment with changes on ADOR's website within five days after the informational public hearing. At least 60 days after receiving the proposed amendment, the Commission must hold a public hearing to consider any information and testimony presented at the requested informational public hearing, and to consider adoption of the proposed amendment. A city or town may not adopt an amendment to the MCTC unless adopted by the Commission. If the Commission adopts a proposed amendment, ADOR must update the official copy of the MCTC within 10 days. Any changes not reflected in the official copy posted on ADOR's website, rather than on file with ADOR, are void and have no effect.

financial literacy; state treasurer; fund (S.B. 1292) – Chapter 76

[SEE THE EDUCATION COMMITTEE.](#)

DOI; DFI; omnibus (S.B. 1293) – Chapter 37

Department of Insurance and Financial Institutions (DIFI) Administration and Fees – Retroactive to July 1, 2020, transfers the powers and duties of the Superintendent of DIFI to the Deputy Director of DIFI and the powers and duties of the Deputy Superintendent of DIFI to the Assistant Director of DIFI. Outlines requirements and responsibilities for DIFI Staff positions.

Requires the Director of DIFI (Director) to determine agency fees within established statutory ranges. Removes the requirement that the Director, if total revenue collected from agency fees is outside of the statutory range of the appropriated budget for the current fiscal year, revise the fees for the revenues to fall within the statutory range of the appropriated budget for the current fiscal year. Removes the requirement that the Director annually revise the amount assessed on each insurer authorized to transact business in Arizona to within 95 percent to 110 percent of the budget of the Fraud Unit within DIFI. Monies appropriated to the Fraud Unit and monies appropriated from the Automobile Theft Authority Fund must be included as separate line items in the General Appropriations Act.

Examinations of Insurance Matters – DIFI must prepare detailed billing statements that provide reasonable specificity of the time and expenses billed for an examination and that cite the statute or rule authorizing the fees being charged. Beginning January 1, 2022, a person being examined for alleged violations of insurance laws is responsible for only the direct costs that are supported by a detailed billing statement. DIFI must adopt rules to establish fees for direct and indirect examination costs and is exempt from rulemaking requirements until August 25, 2021, to establish the fees.

Insurance Administrators – Allows an insurance administrator to collect charges in accordance with a written agreement between an administrator and an insurer. The agreement must prescribe applicable standards for the permissible collection of charges by the administrator. An authorized insurance administrator who collects charges in accordance with a written agreement

is exempt from collection agency statutes. An insurance administrator may not collect unpaid charges on an account that has been inactive for more than 12 months, unless the administrator is a licensed collection agency.

Disclosure – Requires the Director to provide an insurer or a captive insurer with a copy of any document that the Director believes supports a violation of insurance law or that justifies any regulatory or other action against the insurer or captive insurer. Subject to statutory restrictions for multi-state data sharing, the Director must provide an insurer with any received document relating to an insurer claim that the Director believes supports a violation of insurance law or that justifies any regulatory or other action against the insurer. Disclosure of insurance compliance audit or insurer claim documents is not a waiver of any applicable privilege of claim or confidentiality in the disclosed document.

Miscellaneous – A regulated person being inspected or audited by a state agency inspector, auditor or regulator is responsible for only the direct and reasonable costs of an inspection or audit and is entitled to receive a detailed billing statement. Raises the review period for a long-term insurance policy from 30 days to 60 days. Repeals the Insurance Advisory Board, the Uniform Employee Health Status Questionnaire Committee and the Continuing Education Review Committee.

insurance and financial institutions; continuation (S.B. 1294) – Chapter 38

Continues the Department of Insurance and Financial Institutions (DIFI) for five years, until July 1, 2025, retroactive to July 1, 2020. If the voters approve a constitutional amendment, DIFI terminates on July 1, 2025.

department of revenue; continuation (S.B. 1295) – Chapter 39

Continues the Arizona Department of Revenue for eight years, until July 1, 2028, retroactive to July 1, 2020.

internal revenue code; conformity. (S.B. 1296) – Chapter 40

Updates the statutory definition of *Internal Revenue Code* to include all federal provisions in effect on January 1, 2020.

self-insured employers; deviation continuation (S.B. 1331) – Chapter 42

Continues the 10 percent deviation rate for calculating any tax or assessment paid by an employer that is self-insured for workers' compensation, including an authorized workers' compensation pool, through calendar year 2022.

tax corrections act of 2020 (S.B. 1348) – Chapter 43

Corrects errors and obsolete language, addresses blending problems and makes clarifying changes to state tax statutes.

Tax Credits – Retroactive to taxable years (TYs) beginning January 1, 2020, repeals the following income tax credits: 1) the individual Credit for Construction Costs of Qualified Environmental Technology Facility; 2) the corporate Credit for Employment by a Healthy Forest Enterprise; 3) the corporate Credit for Donation of School Site; and 4) the corporate Credit for Agricultural Pollution Control Equipment. Amounts of the credits carried forward from previous TYs are valid for application against subsequent tax liabilities.

Tax Provisions – Retroactive to TYs beginning January 1, 2020, a full-year or part-year resident individual must file a tax return with the Arizona Department of Revenue (ADOR) if the individual's gross income was greater than the standard deduction adjusted for inflation. A nonresident individual must file a tax return with ADOR if the individual's gross income was greater than the standard deduction, multiplied by the quotient of the individual's gross income and federal adjusted gross income. Removes expired additions and subtractions relating to the American Recovery and Reinvestment Act of 2009 from the computation of Arizona individual adjusted gross income and corporate taxable income. A tax exemption for the caretaking of a person aged 65 years or older or for a stillbirth is claimed in lieu of the dependent tax credit. Extends applicability of the amount of dividend income from foreign corporations that may be subtracted from Arizona income tax to TY 2017.

If a taxpayer has an annual tax liability above a statutory threshold, the taxpayer must make an estimated tax payment in the same manner as the taxpayer's regular payments. An estimated payment that is required to be made electronically is delinquent if not received by the last business day in June. Applies the prohibition on a taxpayer from claiming itemized deductions and a credit for the same charitable contributions to any contribution for which a credit is allowed, even if the contribution is treated as a payment of state income tax.

Miscellaneous – Eliminates, from leasing that is excluded from the commercial lease classification, leasing or renting real property that is used for agricultural purposes under either of the following circumstances: 1) the lease or rental is between family members, trusts, estates, corporations, partnerships, joint venturers or similar entities, if the individuals or at least 80 percent of the beneficiaries, shareholders, partners or joint venturers share a family relationship; or 2) the lessor leases or rents under no more than three agreements. Requires a county assessor to establish the limited property value of property subdivided from January 1 through September 30 of the valuation year at a level or percentage of full cash value comparable to other properties of similar use or classification.

public retirement systems; prefunding plan (S.B. 1354) – Chapter 79

State Treasurer Pension Prefunding Plan (PP Plan) Investment Accounts – Allows the governing body of a participating employer to authorize the State Treasurer to invest PP plan monies in a PP plan investment account to prefund an employer's required defined benefit pension

payments. A *participating employer* is an employer who participates in a defined benefit retirement plan (DB plan) in the Arizona State Retirement System, Public Safety Personnel Retirement System (PSPRS), Corrections Officer Retirement Plan (CORP), Elected Officials' Retirement Plan (EORP) or any governing body of a political subdivision that offers a DB plan for its employees. Authorizes the State Treasurer to invest and reinvest PP plan investment account monies in equity securities and outlines financial management guidelines for PP plan investment accounts. The State Board of Investment must serve as trustee of PP plan investment accounts and may adopt rules, policies and procedures to ensure PP plan income is not subject to federal tax. PP plan investment accounts and the money within are separate and apart from the Arizona Employers' PP Plan (AEPP Plan).

AEPP Plan – Establishes the AEPP Plan as a special trust fund administered by the PSPRS Board of Trustees (PSPRS Board) which allows participating employers to prefund the employer's required pension contributions. A *participating employer* is an employer who participates in the DB plan in PSPRS, EORP or CORP. Outlines AEPP Plan investment requirements and management. The AEPP Plan and assets are separate and apart from the PSPRS Fund and any other fund, program or plan administered by the PSPRS Board.

AEPP Plan Participating Employers – Allows the PSPRS Board to authorize an employer to participate in the AEPP Plan subject to the PSPRS Board's terms and conditions. An authorized employer may elect to participate in the AEPP Plan if the: 1) governing body adopts a resolution requesting to participate in the AEPP Plan; 2) employer submits a written request for participation with the adopted resolution; and 3) governing body enters into a contract with the PSPRS Board.

PSPRS Board Responsibilities and Procedures – The PSPRS Board has full discretionary fiduciary authority over administering and investing the AEPP Plan and may employ services and do all acts that it deems necessary or appropriate for defending, protecting or advancing the AEPP Plan. The PSPRS Board may authorize a qualifying transfer of assets from the AEPP Plan that is made solely to PSPRS to discharge the participating employer's required pension contributions to the applicable DB plan. AEPP Plan assets and any transfer of assets out of the AEPP Plan are not subject to execution, garnishment, attachment, the operation of bankruptcy or insolvency laws or other process of law and are not assignable. Outlines annual financial statement requirements and allows the PSPRS Board to adopt rules, policies and procedures for the AEPP Plan.

Allows the PSPRS Board to appear before and maintain an action in political subdivisions, courts and other forums, through a representative or appointed counsel, to defend, protect, advance or otherwise assert the interests of the AEPP Plan, the PSPRS Board and participating employers. A PSPRS Board trustee or member is not liable for any action taken or any failure to take any action if the duties were performed in compliance with PSPRS Board fiduciary obligations.

AEPP Plan Termination and Tax-Exempt Status – The PSPRS Board may terminate a participating employer's participation in the AEPP Plan in outlined circumstances. If the PSPRS Board terminates an employer's AEPP Plan participation, any assets attributable to the employer after payment of obligations must be transferred to PSPRS to pay the employer's required pension contributions. Any excess contributions must be transferred to the participating employer if the transfer meets certain conditions. Exempts assets transferred into or out of or held in the AEPP Plan and investment income on assets in the AEPP Plan from state, county and municipal taxes.

Allows the PSPRS Board to adopt additional rules, policies and procedures to ensure the AEPP Plan's income is not subject to federal income tax. If the PSPRS Board receives notification from the Internal Revenue Service that statutes governing the AEPP Plan will jeopardize the tax-exempt status of the AEPP Plan's income, the statutes causing the disqualification do not apply.

insurance; preexisting condition exclusions; prohibition (S.B. 1397) – Chapter 80

Conditionally upon a court ruling that deems the Patient Protection and Affordable Care Act unconstitutional and the judgement of the ruling becoming final by June 30, 2023, requires a health care insurer that offers individual health plans in Arizona to provide guaranteed availability of coverage to eligible individuals. A health care insurer may not: 1) decline to offer coverage to, or deny enrollment of, eligible individuals; or 2) impose preexisting condition coverage exclusions relating to the issuance, renewal or scope of benefits. Allows a health care insurer to restrict enrollment in individual health plans to open enrollment and special enrollment periods and requires the Director of the Department of Insurance and Financial Institutions to adopt rules for enrollment period criteria. Guaranteed coverage availability requirements do not apply to grandfathered health plan coverage or limited benefit coverage. Directs the Attorney General to notify the Director of Legislative Council by August 1, 2023, of the date the condition for enactment was met or if the condition was not met.

mental health omnibus (S.B. 1523/H.B. 2764) – Chapter 4

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

family college savings program; treasurer (S.B. 1528) – Chapter 88

[SEE THE GOVERNMENT COMMITTEE.](#)

annuity transactions; requirements (S.B. 1557) – Chapter 90

Annuity Transactions – Beginning January 1, 2021, requires an insurance producer to act in the best interest of a consumer when making a recommendation of an annuity. The insurance producer has acted in the consumer's best interest if the producer has satisfied the prescribed obligations. Prohibits an insurer from issuing an annuity recommended to a consumer unless there is a reasonable basis to believe the annuity would effectively address the particular consumer's financial situation, insurance needs and financial objectives. Outlines insurance producer obligations relating to best interest, care, disclosure, conflict of interest and documentation.

An insurer must establish a supervision system that is designed to achieve statutory compliance for annuity recommendations and set standards and procedures for recommendations to consumers that result in an annuity transaction. Outlines participation in the supervision system and insurer requirements for system implementation.

Department of Insurance and Financial Institutions (DIFI) – The authority to enforce compliance with statutes governing annuities is vested with the Director of DIFI (Director). If a violation occurs because of action or inaction of an insurer or its insurance producer, the Director may order appropriate penalties and sanctions. Allows the Director to reduce or eliminate penalties if the violation was not part of a pattern or practice.

Miscellaneous – Requires insurers, agents, business entities and insurance producers to maintain records for five years after an insurance transaction is completed, rather than the later of five years or until the next regular examination by the insurance regulatory authority. Requires continuing education training required for an insurance producer with a life insurance line of authority to include information on appropriate standards of conduct. Requires insurers, managing general agents, business entities and insurance producers to maintain disclosures made to the consumer, including summaries of oral disclosures.

revenue; budget reconciliation; 2020-2021. (S.B. 1684/H.B. 2901) – Chapter 52

[SEE THE APPROPRIATIONS COMMITTEE.](#)

state treasurer; financial services (H.B. 2406) – Chapter 19

Requires the State Treasurer to contract for all other financial, rather than banking, services required by a state agency in addition to services required of the state's servicing bank. Defines *financial services* as banking and merchant services including: 1) establishing bank accounts and depository services; 2) electronic payment services and providing merchant card equipment; and 3) payment processing and gateway services. A merchant servicer or payment service provider may provide payment processing and gateway services.

internal revenue code; conformity (H.B. 2494) – Chapter 24

Updates the statutory definition of *Internal Revenue Code* to include all federal provisions in effect on January 1, 2020.

tax credits; qualified facilities; extension (H.B. 2771/S.B. 1245) – Chapter 7

Credit for Qualified Facilities – Extends the individual and corporate Credit for Qualified Facilities until January 1, 2031 and prohibits the Arizona Commerce Authority (ACA) from preapproving an applicant for the credit after December 31, 2031. A taxpayer may claim the five annual installments of a credit preapproved before January 1, 2031. Only capital investments made within 36 months of an application to the ACA may be included in the computation of the credit, rather than capital investments made on or after July 1, 2012. New full-time employment positions must be associated with, rather than at, a qualified facility to satisfy credit requirements. The Credit for Qualified Facilities is repealed on January 1, 2032.

Credit for Renewable Energy Investment and Production for Self-Consumption by International Operations Centers – Extends the date by which an international operations center (IOC) must complete a minimum \$100 million investment to within a three-year period beginning on the earlier of December 31, 2028, rather than December 31, 2018, or the date the application is received. An IOC initially certified after December 31, 2018, may not claim the credit.

Research and Development Credit – Delays modification of the current rates used to compute the Research and Development Credit from January 1, 2022 to January 1, 2031. Beginning January 1, 2022, an amount of the credit claimed and not used to offset taxes may be carried forward to the next 10, rather than 15, consecutive taxable years. Qualified research expenses converted into a credit carryforward beginning January 1, 2022, may not be carried forward more than 10 years from the year expenses were incurred.

Government Committee

Senator David C. Farnsworth, Chairperson



Mike Hans, Research Analyst

Claudia Sanson, Intern

GOVERNMENT COMMITTEE

LEGISLATION ENACTED

executive session; school safety plans (S.B. 1012) – Chapter 59 E

An emergency measure effective June 5, 2020, that allows a public body to discuss or consider matters relating to school safety operations, plans or programs in an executive session.

executive sessions; security plans (S.B. 1042) – Chapter 63

Allows a public body to hold executive sessions to discuss or consult with designated representatives regarding security plans, procedures, assessments, measures or systems related to the security or safety of buildings, facilities, operations, critical infrastructure information and information technology maintained by the public body. Records, documentation, notes and other materials that are made for, or provided in, an executive session relating to security plans, procedures or systems are exempt from public disclosure.

auditor general; continuation. (S.B. 1130) – Chapter 35

Continues the Office of the Auditor General for 10 years, until July 1, 2030, retroactive to July 1, 2020.

legislative council; continuation (S.B. 1297) – Chapter 41

[SEE THE JUDICIARY COMMITTEE.](#)

annexation of territory; requirements (S.B. 1303) – Chapter 77

Prohibits a city or town from annexing territory if the annexation would result in an unincorporated territory that is surrounded by multiple cities and towns and exempts territory that was already surrounded by multiple cities and towns at the time of the annexation. Removes the ability of a city or town to annex territory without complying with statutory contiguousness and county island requirements if the territory is bordered by the same city or town on at least three sides.

reviser's technical corrections; 2020 (S.B. 1399) – Chapter 45

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

ombudsman-citizens aide; continuation; reports; assistants (S.B. 1408) – Chapter 44

Continues the Office of the Ombudsman-Citizens Aide for eight years, until July 1, 2028, retroactive to July 1, 2020. Requires the Office of the Ombudsman-Citizens Aide to annually, rather than semi-annually, present a report of the Office of the Ombudsman-Citizens Aide's activities during the previous fiscal year to the Legislative Council. Decreases, from two to one, the number of assistants the Office of the Ombudsman-Citizens Aide must appoint to help investigate certain complaints.

electric cooperatives; broadband service (S.B. 1460) – Chapter 84

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

public contracts; payment methods (S.B. 1510) – Chapter 87

Allows a contractor for a public works construction project to opt for the city, town, county or special taxing district to accept an assignment of money market accounts or demand deposit accounts in lieu of statutory retention methods. The amount deposited into a money market account or demand deposit account may not be released by the financial institution to the contractor without written authorization by the city, town, county or special taxing district.

family college savings program; treasurer (S.B. 1528) – Chapter 88

Beginning October 1, 2020, transfers administration and oversight of the Family College Savings Program (Program) and Program Trust Fund (Fund) from the Arizona Commission on Postsecondary Education (ACPE) and Family College Savings Oversight Committee (Oversight Committee) to the State Treasurer and State Board of Investment (BOI). Repeals the Oversight Committee and establishes the Program Advisory Committee (Advisory Committee). The Advisory Committee must assist the State Treasurer in promoting and raising awareness of the Program to residents of Arizona, with an emphasis on increasing access to the Program among economically disadvantaged, minority and underrepresented student populations. Outlines Advisory Committee membership and terminates the Advisory Committee on July 1, 2028.

Requires the State Treasurer, rather than the ACPE, to implement the operation of the Program using one or more financial institutions to act as depositories of the Fund and Program managers. Requires the BOI, rather than the ACPE, to act as trustee of the Fund. Transfers, from the ACPE to the State Treasurer, authorities, duties and oversight of the Program and the Fund, including the: 1) adoption of rules; 2) retention of professional services; 3) designation of trust interests to each account owner; and 4) deposit and investment of monies in the Fund with financial institutions. Requires the State Treasurer, rather than the Oversight Committee, to solicit proposals from financial institutions to implement the Program. Requires the BOI, on recommendation from the State Treasurer, to select the financial institution or institutions to implement the Program based on outlined criteria. The State Treasurer, on approval of the BOI, may use certain existing investment funds when selecting financial institutions to act as depository and manager of the Program.

Transfers, from the ACPE to the State Treasurer, all full-time equivalent positions, property, records and appropriated and non-appropriated monies related to the Program. The ACPE must cooperate and coordinate with the State Treasurer to ensure a successful transition of the Program. Exempts the BOI from rulemaking requirements for one year to adopt rules relating to the Program. All rules adopted by the ACPE relating to the Program remain in force until superseded by rules adopted by the BOI or the State Treasurer. Modifies the definition of a *qualified higher education expense* and *qualified withdrawal* to align with federal program requirements.

budget procedures; budget reconciliation; 2020-2021. (S.B. 1690/H.B. 2907) – Chapter 56

[SEE THE APPROPRIATIONS COMMITTEE.](#)

civics celebration day; civics education (H.B. 2625) – Chapter 25

[SEE THE EDUCATION COMMITTEE.](#)

building permits; utilities; restrictions; prohibitions (H.B. 2686/S.B. 1222) – Chapter 3

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

Health & Human Services Committee

Senator Kate Brophy McGee, Chairperson



Cherie Stone, Research Analyst
Alanna Bendel, Assistant Research Analyst
Konnor Smith, Intern

HEALTH & HUMAN SERVICES COMMITTEE

LEGISLATION ENACTED

advisory council on aging (S.B. 1049) – Chapter 27

Retroactive to July 1, 2020, transfers administration of the Advisory Council on Aging (Council) to the Governor's Office of Youth, Faith and Family and eliminates the Council's sunset date.

board of athletic training; continuation (S.B. 1050) – Chapter 28

Continues the Arizona Board of Athletic Training for eight years, until July 1, 2028, retroactive to July 1, 2020.

DHS; continuation (S.B. 1051) – Chapter 6 E

An emergency measure effective March 12, 2020, that continues the Department of Health Services (DHS) for eight years, until July 1, 2028.

Appropriates \$5,000,000 from the Budget Stabilization Fund to the Public Health Emergencies Fund (PHE Fund) in FY 2020. Appropriates an additional amount, up to \$50,000,000, from the Budget Stabilization Fund to the PHE Fund in FY 2020 to be used to pay the expenses of public health emergency responses in Arizona following a state of emergency declaration by the Governor related to coronavirus disease 2019 (COVID-19). The Director of DHS must notify the Joint Legislative Budget Committee of the intended use of the \$50,000,000 appropriation before spending any monies. Reverts any unexpended and unencumbered monies from the \$50,000,000 appropriation to the Budget Stabilization Fund on June 30, 2021.

Expresses the Legislature's intent that the appropriations from the Budget Stabilization Fund to the PHE Fund will provide immediate additional resources and further access to an increased capacity of public health emergency funding.

homeopathic board; continuation (S.B. 1052) – Chapter 29

Continues the Arizona Board of Homeopathic and Integrated Medicine Examiners for eight years, until July 1, 2028, retroactive to July 1, 2020.

psychiatric security review board; continuation (S.B. 1053) – Chapter 30

Continues the Psychiatric Security Review Board for eight years, until July 1, 2028, retroactive to July 1, 2020.

psychology board; continuation (S.B. 1054) – Chapter 31

Continues the Arizona Board of Psychologist Examiners for eight years, until July 1, 2028, retroactive to July 1, 2020.

hard of hearing; commission; continuation (S.B. 1055) – Chapter 32

Continues the Arizona Commission for the Deaf and the Hard of Hearing for eight years, until July 1, 2028, retroactive to July 1, 2020.

assisted living; caregivers; training (S.B. 1210) – Chapter 73

Requires, for assisted living facility caregiver certification, the completion of either: 1) 62 hours of on-the-job training under the direct supervision of a specified health professional or certified assistant living facility manager and completion of the Nursing Care Institution Administrators and Assisted Living Facility Managers (NCIA) Board-required exam with a passing score of at least 75 percent; or 2) the required curriculum and NCIA Board exam. Half of the 62 hours of on-the-job training may be under the direct supervision of a certified assisted living facility manager. The NCIA Board must prescribe standards by rule for on-the-job training.

insurance; preexisting condition exclusions; prohibition (S.B. 1397) – Chapter 80

[SEE THE FINANCE COMMITTEE.](#)

fingerprinting; vital records; child care (S.B. 1504) – Chapter 86

Requires Department of Health Services (DHS) employees and contractors who: 1) have access to vital records; 2) are employed in information technology positions; or 3) inspect facilities with children or vulnerable adults to have a fingerprint clearance card (FPCC) or to provide documentation of application for an FPCC. Requires each county employee or contractor who has access to vital records to have a valid FPCC. A person may not be employed in outlined positions if the person has been denied an FPCC or interim approval.

Requires all child care personnel and volunteers to have a valid FPCC before beginning employment or volunteer service, rather than within seven working days of employment or volunteer service. DHS and the Department of Economic Security may conduct background checks in accordance with the Child Care and Development Block Grant Act of 2014 for child care providers, personnel, employees and volunteers and for any adult who works with or resides in the home of a child care home provider.

Authorizes the Department of Public Safety (DPS) to conduct periodic criminal history records checks to update the status of outlined agency positions and authorizes DPS to submit fingerprints to the Federal Bureau of Investigation to be retained for future submissions.

Health Care Insurers (Insurers) – Requires an insurer to comply with the Mental Health Parity and Addiction Equity Act (MHPAEA). A health plan may not apply any financial requirement or qualitative treatment limitation to a mental health or substance use disorder (MH/SUD) benefit in a classification that is more restrictive than those applied to all medical and surgical benefits in the same classification, with certain exceptions. Provides exemptions for multitiered prescription drug benefits, multiple network tiers and subclassifications for specified office visits if certain criteria are met. An insurer is not required to approve a claim or provide reimbursement for MH/SUD services provided by an out-of-network provider except as allowed by a health plan. An insurer may require that any MH/SUD services offered in an educational setting be delivered in an appropriate location and in a manner that complies with applicable laws for privacy, parental consent and the provision of health care services.

After January 1, 2022, on a date determined by the Director of the Department of Insurance and Financial Institutions (DIFI), each insurer must submit a prescribed report to DIFI for each fully insured product network type issued by the insurer. Prescribes filing requirements for report variations and subsequent, updated and refiled reports. Directs DIFI to analyze the reports and evaluate each health plan's compliance with specified requirements during the review of other form filings prescribed for insurers. DIFI is not precluded from requesting information or data necessary to verify compliance with MHPAEA and may establish rules for the terms regarding any required resubmittal of insurer information.

Beginning January 1, 2022, requires certain insurance identification cards to display "AZDOI" and include a telephone number for customer assistance.

DIFI – Grants DIFI enforcement authority of MHPAEA. Appropriates \$250,000 and one full-time equivalent position from the state General Fund (state GF) to DIFI in FY 2021 and exempts the appropriation from lapsing.

By January 1, 2021, DIFI must develop a webpage that displays outlined MHPAEA information. Beginning in 2022, DIFI must include a summary of all stakeholder outreach and regulatory activity related to the implementation, oversight and enforcement of MHPAEA in its annual report. By April 1, 2021, DIFI must adopt rules for standards to determine MHPAEA compliance and conduct outreach activities for the development of associated documents.

Children's Behavioral Health Services (CBH) Fund – Establishes the CBH Fund and appropriates \$8,000,000 from the state GF in FY 2021 to the CBH Fund to pay contractors for eligible behavioral health services. CBH Fund monies are continuously appropriated and exempt from lapsing until June 30, 2022. Outlines eligibility criteria for behavioral health services paid for by the CBH Fund and eligible contractor agreement requirements. Claims for MH/SUD services provided by an out-of-network provider that are not covered by an insured's health plan because of the out-of-network status must be paid with CBH Fund monies.

The Arizona Health Care Cost Containment System (AHCCCS) may impose cost sharing requirements on a sliding fee scale for contractor-provided behavioral health services and must act as the payor of last resort for behavioral health services paid for by the CBH Fund. Deems a person

who receives behavioral health services paid for by the CBH Fund to have assigned AHCCCS all rights to any type of medical benefit to which the person is entitled.

AHCCCS – Directs AHCCCS to contract for behavioral health services using CBH Fund monies to pay for behavioral health services for children and outlines eligibility and contractor requirements. Caps permissible reimbursements for contract administration at eight percent of the associated expenditures.

By December 31, AHCCCS must annually report on surveys received from each participating school district governing board and charter school governing body and utilization data for CBH Fund behavioral health services. Prescribes requirements for the annual report and for data collection from public schools.

Department of Health Services (DHS) – Directs DHS to adopt rules for admitting and discharging certain patients who have attempted suicide or who exhibit suicidal ideation. DHS is exempt from rulemaking requirements for 18 months and must provide public notice and an opportunity for public comment.

Suicide Mortality Review Team (Team) – Establishes the Team and prescribes Team membership and duties. Authorizes the Team to request certain information and records from specified entities regarding a Team-reviewed suicide and requires requested information and records be provided to the Chairperson of the Team within five days, with outlined exceptions. The Director of DHS may apply to the superior court for a subpoena to compel the production of evidence related to a person who died by suicide, with certain exceptions. The Team must return all records to the entity of origin on completion of a review. Outlines Team confidentiality requirements and classifies violations as a class 2 misdemeanor. Directs DHS to use Child Fatality Review (CFR) Fund monies to staff, train and support the Team. The Team terminates on July 1, 2028.

Public Schools – Directs school district governing boards and charter school governing bodies to adopt policies relating to school-based referrals for behavioral health services prior to providing the referrals. Prior to adoption, the proposed policies must be vetted at a public meeting with an opportunity for public comment and adopted policies must be displayed on each school's website. Outlines minimum policy requirements. Each participating school district governing board and charter school governing body must report the survey results to AHCCCS.

Mental Health Parity Advisory Committee (Committee) – Establishes the Committee and prescribes Committee membership and duties. Grants the Directors of DIFI and DHS authority to appoint Committee members. Eliminates the Committee on July 1, 2028.

Miscellaneous – Appropriates fee revenues in excess of \$200,000, rather than \$100,000, in any fiscal year from the CFR Fund to the Child Abuse Prevention Fund to be used for healthy start programs. Designates this legislation as *Jake's Law*.

human services; budget reconciliation; 2020-2021. ([S.B. 1687/H.B. 2904](#)) – Chapter 53

[SEE THE APPROPRIATIONS COMMITTEE.](#)

health; budget reconciliation; 2020-2021. (S.B. 1688/H.B. 2905) – Chapter 54

[SEE THE APPROPRIATIONS COMMITTEE.](#)

AHCCCS; dental services; Native Americans (H.B. 2244) – Chapter 17

Requires, subject to approval by the Centers for Medicare and Medicaid Services, Arizona Health Care Cost Containment System (AHCCCS) contractors and Arizona Long Term Care System contractors to provide members with adult dental services, if the services are: 1) received at an Indian Health Service (IHS) facility or tribal facility; 2) eligible for a Federal Medical Assistance Percentage reimbursement of 100 percent; and 3) in excess of the annual \$1,000 limit per member. Directs AHCCCS to seek federal authorization to reimburse IHS facilities and tribal facilities to cover the costs of qualifying adult dental services.

hospitals; unreimbursed costs; assessment; fund (H.B. 2668/S.B. 1247) – Chapter 46

Beginning October 1, 2020, requires the Director of the Arizona Health Care Cost Containment System (AHCCCS) to administer and collect an assessment on hospital revenues, discharges or bed days from inpatient or outpatient services, or both, to fund the nonfederal share of outlined costs. The assessment is subject to approval by the Centers for Medicare and Medicaid Services (CMS) to ensure that the assessment does not cause a reduction in federal financial participation.

Establishes the Health Care Investment Fund (Fund) for assessment monies and outlines permissible uses of Fund monies. The Director of AHCCCS must adopt rules for the assessment methodology and present any change to the assessment to the Joint Legislative Budget Committee for review. AHCCCS is exempt from rulemaking for one year to implement the assessment. Hospitals may not pass assessment costs on to patients or third-party payors. Outlines protocols for hospitals that fail to comply with assessment stipulations.

Conditionally repeals the assessment and Fund upon CMS notice of final determination that the assessment is no longer eligible for federal financial participation, and requires AHCCCS to notify the Director of the Legislative Council of the date of the repeal. Directs AHCCCS to proportionately refund outstanding monies to the hospitals upon repeal of the assessment and Fund.

TANF; financial literacy education (H.B. 2695) – Chapter 23

Authorizes the Department of Economic Security to allow certain financial literacy and personal finance courses to satisfy the statutory work activity requirement for Temporary Assistance for Needy Families Cash Assistance recipients. Prescribes instruction requirements for a qualified financial literacy and personal finance course.

Higher Education & Workforce Development Committee

Senator Heather Carter, Chairperson



Jeffrey Ong, Research Analyst

Julia Paulus, Assistant Research Analyst

Myriam Boustila, Intern

HIGHER EDUCATION & WORKFORCE DEVELOPMENT COMMITTEE

LEGISLATION ENACTED

suicide prevention training; school employees (S.B. 1445) – Chapter 82

[SEE THE EDUCATION COMMITTEE.](#)

student identification cards; suicide prevention (S.B. 1446) – Chapter 83

[SEE THE EDUCATION COMMITTEE.](#)

Arizona teachers academy; program pathways (S.B. 1492) – Chapter 85

Expands the Arizona Teachers Academy (Academy) to include: 1) students who commit to teach for or in schools primarily serving public school students with disabilities; and 2) a college in Arizona that is owned, operated or chartered by a qualifying Indian tribe on its own reservation, offers baccalaureate teacher education programs and opts to participate in the Academy. Eligible postsecondary institutions may prioritize admission into the Academy for junior and senior students but may not exclude freshmen and sophomore students.

Includes schools that serve primarily public-school students with disabilities to required Academy accelerated models for critical needs areas. Academy programs must also include additional accelerated models for: 1) teachers who are currently teaching a dual enrollment course to satisfy requirements adopted by a higher learning accrediting commission; and 2) students in non-education programs who must complete at least one teacher preparation course for teaching certification.

family college savings program; treasurer (S.B. 1528) – Chapter 88

[SEE THE GOVERNMENT COMMITTEE.](#)

higher education; budget reconciliation; 2020-2021 (H.B. 2903/S.B. 1686) – Chapter 50

[SEE THE APPROPRIATIONS COMMITTEE.](#)

Judiciary Committee

Senator Eddie Farnsworth, Chairperson



Jake Agron, Research Analyst

Madison Leyvas, Assistant Research Analyst

Susan Hong, Intern

JUDICIARY COMMITTEE

LEGISLATION ENACTED

elections; counting center; electronic adjudication (S.B. 1135/H.B. 2306) – Chapter 1 E

An emergency measure effective February 3, 2020, that establishes requirements for the use of ballot tabulation equipment that uses an electronic vote adjudication feature (feature). Requires the feature to be certified for use according to statute and authorized for use by the county board of supervisors (county BOS) or officer in charge of elections. The feature must be included in the tabulation system logic and accuracy testing. In order to use the feature, the county BOS or officer in charge of elections must appoint an electronic vote adjudication board that adjudicates and submits specified ballots for tabulation. Prescribes membership requirements and duties for a county electronic vote adjudication board.

adult adoption; stepchildren (S.B. 1236) – Chapter 74 E

An emergency measure effective June 5, 2020, that specifies that a person may adopt an adult stepchild of the adopter, regardless of whether the adult is a current or previous stepchild.

legislative council; continuation (S.B. 1297) – Chapter 41

Continues the Legislative Council for 10 years, until July 1, 2030, retroactive to July 1, 2020.

protection orders; modification; residence possession (S.B. 1441) – Chapter 81

Requires a person who was granted exclusive use of a residence pursuant to an order of protection to notify the court within five days if that person moves out of the residence. After receiving the notice, a court must notify the defendant that the plaintiff has moved out of the residence and that the defendant has the right to request a hearing. On written request of a party, a court may hold additional hearings when exclusive use of the home has been awarded to a party and there is a change in circumstances related to the primary residence.

support order; dishonored payment; lien (S.B. 1555) – Chapter 89

Allows a party to pay child support by regularly accepted forms of payment, rather than by personal check, if the party required to pay child support by guaranteed means demonstrates full and timely payment for 24 months. In a title IV-D child support case, an order to pay child support creates a lien by operation of law. Includes a lien created by a title IV-D child support case as a qualifying basis for an administrative review request. Allows the Department of Economic Security (DES) to perfect a lien by submitting a copy of the child support order, rather than a notice

of lien. When DES closes a title IV-D child support case, DES must release the lien which does not satisfy any unpaid amount or relieve the lien associated with a recorded judgement.

Requires the recording of a child support order to be accompanied by the judgement creditors information statement. Requires DES to provide a payoff amount to the obligor on request and allows the obligor to request an administrative review to contest child support arrears.

criminal justice; budget reconciliation; 2020-2021. (S.B. 1683/H.B. 2900) – Chapter 51

[SEE THE APPROPRIATIONS COMMITTEE.](#)

justice court; jurisdiction; crimes (H.B. 2230) – Chapter 16

Beginning January 1, 2021, allows a uniform traffic ticket and complaint filed in the incorrect precinct bordering the precinct where the offense occurred to be transferred to the correct precinct if both are in the same county.

personal representatives; funeral directors; prohibition (H.B. 2249) – Chapter 18

[SEE THE COMMERCE COMMITTEE.](#)

supporting the electoral college (H.R. 2004)

[SEE MEMORIALS & RESOLUTIONS.](#)

Natural Resources & Energy Committee

Senator Frank Pratt, Chairperson



Kaitlyn Neff, Research Analyst
Cameron Toering, Intern

NATURAL RESOURCES & ENERGY COMMITTEE

LEGISLATION ENACTED

electric cooperatives; broadband service (S.B. 1460) – Chapter 84

Authorizes the formation of an electric cooperative nonprofit membership corporation or a nonprofit electric generation and transmission cooperative corporation for the purposes of providing broadband service. Prescribes requirements for the cooperative in providing broadband service on property, including notification requirements for construction or excavation to expand or use an existing easement for broadband. If construction negatively affects the property value, the property owner is entitled to compensation for diminution in value from the cooperative, if the property owner follows outlined claim requirements. Prescribes requirements and prohibitions for determination of fair market value in an action for just compensation. After payment of just compensation, the expanded use is fully vested in the cooperative and runs with the land.

environment; budget reconciliation; 2020-2021. (S.B. 1689/H.B. 2906) – Chapter 55

[SEE THE APPROPRIATIONS COMMITTEE.](#)

outdoor recreation coordinating commission; continuation (H.B. 2217) – Chapter 15

Continues the Arizona Outdoor Recreation Coordinating Commission for three years, until July 1, 2023, retroactive to July 1, 2020.

building permits; utilities; restrictions; prohibitions (H.B. 2686/S.B. 1222) – Chapter 3

Declares regulation of the operation and service of utility providers as a statewide concern that is not subject to further regulation by a municipality or county. A municipality or county may not deny a building permit application based on the utility provider proposed to serve the project, or, by ordinance, fine, penalty or other requirement, prohibit or restrict the use of services provided by a capable and authorized utility provider. The municipality or county issuing a building permit must ensure that all applicable permits and fees contain requirements and amounts that do not exceed those for other utility providers.

endangered species conservation; confidential information (H.B. 2749/S.B. 1666) – Chapter 5

Beginning January 1, 2021, deems information collected from a participant in an endangered species survey or other endangered species research or conservation plan as confidential information and prohibits disclosure of specific location, species identification or quantity information without written consent from the participant. Requires confidential species information to be collected only through a standardized form that allows the property owner to provide express written consent to have the property surveyed, enrolled or subject to enrollment in a conservation plan. Each violation of confidentiality requirements is subject to a \$25,000 civil penalty.

Transportation & Public Safety Committee

Senator David Livingston, Chairperson



Zack Dean, Research Analyst

Madison Leyvas, Assistant Research Analyst

Olivia Ladner, Intern

TRANSPORTATION & PUBLIC SAFETY COMMITTEE

LEGISLATION ENACTED

personal delivery devices (S.B. 1305) – Chapter 78

Beginning September 1, 2020, modifies the definition of *personal delivery device* (PDD) to mean a device that is: 1) manufactured for the transportation of goods in an authorized area of operation; 2) equipped with automated driving technology, including software and hardware that enables the remote operation of the device by a human; and 3) not a *personal mobile cargo carrying device*.

Allows a PDD to be operated at speeds up to 12 miles per hour (mph) in a pedestrian area and up to 20 mph on the side or shoulder of a non-pedestrian highway. If a local authority determines that a maximum speed of 12 mph is unreasonable or unsafe, the local authority may establish a maximum speed limit in pedestrian areas that is between 7 mph and 12 mph. A local authority may restrict the use of PDDs in specified zones or during certain hours in specified zones.

A PDD may be operated by a business entity or an agent of a business entity capable of monitoring or exercising physical control over the operation of the PDD. When assessing compliance with traffic laws a business entity is considered the operator of a PDD, except when a PDD is operated outside the scope of an agent's office or employment, in which case the agent is considered the operator. Requires a business entity that operates a PDD to maintain at least \$100,000 of general liability insurance coverage for damages arising from the operation of a PDD.

Requires a PDD to be operated in a manner that complies with applicable traffic laws and does not interfere with pedestrians. A local authority may not regulate the operation of a PDD in a manner inconsistent with PDD statutes. A PDD may not transport hazardous materials required to be placarded under federal law. A PDD must be equipped with a braking system, a lighting system visible from within 500 feet and a marker that clearly states the name and contact information of the owner and a unique identification number.

fingerprinting; vital records; child care (S.B. 1504) – Chapter 86

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

criminal justice; budget reconciliation; 2020-2021. (S.B. 1683/H.B. 2900) – Chapter 51

[SEE THE APPROPRIATIONS COMMITTEE.](#)

security guard registration; discharged veterans (H.B. 2096) – Chapter 13

Authorizes the Department of Public Safety to issue 45-day security guard registration certificates and armed security guard registration certificates, before the completion of required

background checks, to veterans who have been honorably discharged from the U.S. military within the last three years. An applicant who receives a 45-day security guard registration certificate may only work for a licensed agency that provides the applicant with statutorily-prescribed preassignment training.

Water & Agriculture Committee

Senator Sine Kerr, Chairperson



Kaitlyn Neff, Research Analyst
Cameron Toering, Intern

WATER & AGRICULTURE COMMITTEE

LEGISLATION ENACTED

agriculture department; livestock loss board (S.B. 1083) – Chapter 66

Grants the Livestock Loss Board permissive authority to compensate landowners, lessees or livestock operators for implementing nonlethal avoidance measures to reduce the likelihood of wolf depredation on livestock and specifies that Livestock Compensation Fund monies may be used for these purposes.

temporary irrigation efficiency projects fund (S.B. 1145/H.B. 2617) – Chapter 2 E

An emergency measure effective February 18, 2020, that limits the requirement that an irrigation district not have delivered any surface water other than Central Arizona Project water in calendar year 2017 to only districts located within the Phoenix Active Management Area, for purposes of meeting the definition of a *qualified irrigation district*, which determines grant eligibility from the Temporary Groundwater and Irrigation Efficiency Projects Fund.

environment; budget reconciliation; 2020-2021. (S.B. 1689/H.B. 2906) – Chapter 55

[SEE THE APPROPRIATIONS COMMITTEE.](#)

department of water resources; continuation (H.B. 2618) – Chapter 22

Continues the Arizona Department of Water Resources for eight years, until July 1, 2028, retroactive to July 1, 2020.

Memorials & Resolutions



MEMORIALS & RESOLUTIONS

Taiwan; United States; trade; support (S.C.R. 1025)

Declares support for the negotiation of a United States-Taiwan bilateral trade agreement and Taiwan's meaningful participation in international organizations. Acknowledges achievements made by the United States and Taiwan in the fields of economy, trade, technology, education and culture since establishing sister-state relations and encourages continued bilateral cooperation and exchanges between the two countries in the future. Expresses support for a future official visit to Taiwan by the Governor.

wear red day 2020 (S.C.R. 1030)

Proclaims February 7, 2020, as *Wear Red Day* and encourages support for women and the fight against heart disease by wearing the color red.

small business day 2020. (S.R. 1001)

Proclaims February 13, 2020, as *Small Business Day*.

scientific community; recognition (S.R. 1002)

Recognizes the scientific community for its contributions to Arizona, specifically work in promoting the health and prosperity of Arizona's citizens through scientific inquiry.

supporting the electoral college (H.R. 2004)

Declares support for the electoral college and opposes any efforts to repeal or replace it.

death resolution; Leroy Tucker (H.R. 2007)

Acknowledges the passing of Kendrick Leroy Tucker and expresses condolences to his family and friends.

Bill Index



BILL INDEX

E – Emergency

W/O – Without Emergency

V/O – Veto Override

RFEIR – Requirements for Enactment; Initiative or Referendum

W/S – Without Signature

LIVS – Line Item Veto Signed

RFE – Requirements for Enactment

BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
SB 1012	59-E	executive session; school safety plans	31
SB 1021	60	department of revenue; electronic signatures	21
SB 1036	8	empowerment scholarships; third-party administrator; repeal	15
SB 1038	9	insurance policies; transfers; affiliated insurers	21
SB 1040	61	insurers; notices; methods of delivery	21
SB 1041	62	travel insurance	22
SB 1042	63	executive sessions; security plans	31
SB 1049	27	advisory council on aging	35
SB 1050	28	board of athletic training; continuation	35
SB 1051	6-E	DHS; continuation	35
SB 1052	29	homeopathic board; continuation	35
SB 1053	30	psychiatric security review board; continuation	35
SB 1054	31	psychology board; continuation	36
SB 1055	32	hard of hearing; commission; continuation	36
SB 1061	64	schools; parental rights; posting	15
SB 1062	65	insurance transactions; discrimination; exceptions	22
SB 1072	33	state board of investment; continuation	22
SB 1083	66	agriculture department; livestock loss board	49
SB 1090	67	insurance adjusters; claims certificate	23
SB 1091	68	insurance producer licensing; surrender; application	23
SB 1096	69	property management records; residential rentals	11
SB 1099	70	tax deed land sales; proceeds	23
SB 1100	10	STO report; DOR; posting deadline	23
SB 1113	11	mortgaged property; tax statements; information	23
SB 1121	71	model city tax code; procedures	23
SB 1128	34	joint legislative budget committee; continuation	1
SB 1130	35	auditor general; continuation.	31
SB 1131	72	certified public accountants	11
SB 1135	1-E	elections; counting center; electronic adjudication	43
SB 1145	2-E	temporary irrigation efficiency projects fund	49
SB 1210	73	assisted living; caregivers; training	36

BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
SB 1224	12	empowerment scholarships; qualified schools; reservations (NOW: empowerment scholarships; qualifications; administration; appropriations)	15
SB 1236	74-E	adult adoption; stepchildren	43
SB 1274	75	professional regulatory boards; composition	11
SB 1275	36	department of gaming; continuation	12
SB 1292	76	financial literacy; state treasurer; fund	16
SB 1293	37	DOI; DFI; omnibus	24
SB 1294	38	insurance and financial institutions; continuation	25
SB 1295	39	department of revenue; continuation	25
SB 1296	40	internal revenue code; conformity.	25
SB 1297	41	legislative council; continuation	43
SB 1303	77	annexation of territory; requirements	31
SB 1305	78	personal delivery devices	47
SB 1331	42	self-insured employers; deviation continuation	25
SB 1348	43	tax corrections act of 2020	26
SB 1354	79	public retirement systems; prefunding plan	26
SB 1397	80	insurance; preexisting condition exclusions; prohibition	28
SB 1399	45	reviser's technical corrections; 2020	31
SB 1408	44	ombudsman-citizens aide; continuation; reports; assistants	32
SB 1441	81	protection orders; modification; residence possession	43
SB 1445	82	suicide prevention training; school employees	16
SB 1446	83	student identification cards; suicide prevention	16
SB 1460	84	electric cooperatives; broadband service	45
SB 1492	85	Arizona teachers academy; program pathways	41
SB 1504	86	fingerprinting; vital records; child care	36
SB 1510	87	public contracts; payment methods	32
SB 1523	4	mental health omnibus	37
SB 1528	88	family college savings program; treasurer	32
SB 1555	89	support order; dishonored payment; lien	43
SB 1557	90	annuity transactions; requirements	28
SB 1683	51	criminal justice; budget reconciliation; 2020-2021.	4
SB 1684	52	revenue; budget reconciliation; 2020-2021.	4
SB 1687	53	human services; budget reconciliation; 2020-2021.	5
SB 1688	54	health; budget reconciliation; 2020-2021.	6
SB 1689	55	environment; budget reconciliation; 2020-2021.	7
SB 1690	56	budget procedures; budget reconciliation; 2020-2021.	7
SB 1691	57	capital outlay; appropriations; 2020-2021.	8

BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
SB 1692	58	general appropriations act; 2020-2021.	1
SB 1694	48-E	unemployment compensation; coronavirus disease	12
HB 2096	13	security guard registration; discharged veterans	47
HB 2109	14	unification; consolidation; notice; ballot language	17
HB 2217	15	outdoor recreation coordinating commission; continuation	45
HB 2230	16	justice court; jurisdiction; crimes	44
HB 2244	17	AHCCCS; dental services; Native Americans	39
HB 2249	18	personal representatives; funeral directors; prohibition	13
HB 2406	19	state treasurer; financial services	29
HB 2407	20	appropriations; named claimants	1
HB 2494	24	internal revenue code; conformity	29
HB 2601	21	residential utility consumer office; continuation	13
HB 2618	22	department of water resources; continuation	49
HB 2625	25	civics celebration day; civics education	17
HB 2668	46	hospitals; unreimbursed costs; assessment; fund	39
HB 2684	26-E	crisis management team; underperforming districts	17
HB 2686	3	building permits; utilities; restrictions; prohibitions	45
HB 2695	23	TANF; financial literacy education	39
HB 2749	5	endangered species conservation; confidential information	45
HB 2771	7	tax credits; qualified facilities; extension	29
HB 2902	49	K-12 education; budget reconciliation; 2020-2021	9
HB 2903	50	higher education; budget reconciliation; 2020-2021	10
HB 2910	47-E	public school closures; coronavirus disease.	18

MEMORIALS & RESOLUTIONS

MEASURE NUMBER	SHORT TITLE	PAGE NUMBER
SCR 1025	Taiwan; United States; trade; support	51
SCR 1030	wear red day 2020	51
SR 1001	small business day 2020.	51
SR 1002	scientific community; recognition	51
HR 2004	supporting the electoral college	51
HR 2007	death resolution; Leroy Tucker	51

Chapter Index



CHAPTER INDEX

E – Emergency

W/O – Without Emergency

V/O – Veto Override

RFEIR – Requirements for Enactment; Initiative or Referendum

W/S – Without Signature

LIVS – Line Item Veto Signed

RFE – Requirements for Enactment

CHAPTER NUMBER	BILL NUMBER	SHORT TITLE	PAGE NUMBER
1-E	SB 1135	elections; counting center; electronic adjudication	43
2-E	SB 1145	temporary irrigation efficiency projects fund	49
3	HB 2686	building permits; utilities; restrictions; prohibitions	45
4	SB 1523	mental health omnibus	37
5	HB 2749	endangered species conservation; confidential information	45
6-E	SB 1051	DHS; continuation	35
7	HB 2771	tax credits; qualified facilities; extension	29
8	SB 1036	empowerment scholarships; third-party administrator; repeal	15
9	SB 1038	insurance policies; transfers; affiliated insurers	21
10	SB 1100	STO report; DOR; posting deadline	23
11	SB 1113	mortgaged property; tax statements; information	23
12	SB 1224	empowerment scholarships; qualified schools; reservations (NOW: empowerment scholarships; qualifications; administration; appropriations)	15
13	HB 2096	security guard registration; discharged veterans	47
14	HB 2109	unification; consolidation; notice; ballot language	17
15	HB 2217	outdoor recreation coordinating commission; continuation	45
16	HB 2230	justice court; jurisdiction; crimes	44
17	HB 2244	AHCCCS; dental services; Native Americans	39
18	HB 2249	personal representatives; funeral directors; prohibition	13
19	HB 2406	state treasurer; financial services	29
20	HB 2407	appropriations; named claimants	1
21	HB 2601	residential utility consumer office; continuation	13
22	HB 2618	department of water resources; continuation	49
23	HB 2695	TANF; financial literacy education	39
24	HB 2494	internal revenue code; conformity	29
25	HB 2625	civics celebration day; civics education	17
26-E	HB 2684	crisis management team; underperforming districts	17
27	SB 1049	advisory council on aging	35
28	SB 1050	board of athletic training; continuation	35
29	SB 1052	homeopathic board; continuation	35

CHAPTER NUMBER	BILL NUMBER	SHORT TITLE	PAGE NUMBER
30	SB 1053	psychiatric security review board; continuation	35
31	SB 1054	psychology board; continuation	36
32	SB 1055	hard of hearing; commission; continuation	36
33	SB 1072	state board of investment; continuation	22
34	SB 1128	joint legislative budget committee; continuation	1
35	SB 1130	auditor general; continuation.	31
36	SB 1275	department of gaming; continuation	12
37	SB 1293	DOI; DFI; omnibus	24
38	SB 1294	insurance and financial institutions; continuation	25
39	SB 1295	department of revenue; continuation	25
40	SB 1296	internal revenue code; conformity.	25
41	SB 1297	legislative council; continuation	43
42	SB 1331	self-insured employers; deviation continuation	25
43	SB 1348	tax corrections act of 2020	26
44	SB 1408	ombudsman-citizens aide; continuation; reports; assistants	32
45	SB 1399	reviser's technical corrections; 2020	31
46	HB 2668	hospitals; unreimbursed costs; assessment; fund	39
47-E	HB 2910	public school closures; coronavirus disease.	18
48-E	SB 1694	unemployment compensation; coronavirus disease	12
49	HB 2902	K-12 education; budget reconciliation; 2020-2021	9
50	HB 2903	higher education; budget reconciliation; 2020-2021	10
51	SB 1683	criminal justice; budget reconciliation; 2020-2021.	4
52	SB 1684	revenue; budget reconciliation; 2020-2021.	4
53	SB 1687	human services; budget reconciliation; 2020-2021.	5
54	SB 1688	health; budget reconciliation; 2020-2021.	6
55	SB 1689	environment; budget reconciliation; 2020-2021.	7
56	SB 1690	budget procedures; budget reconciliation; 2020-2021.	7
57	SB 1691	capital outlay; appropriations; 2020-2021.	8
58	SB 1692	general appropriations act; 2020-2021.	1
59-E	SB 1012	executive session; school safety plans	31
60	SB 1021	department of revenue; electronic signatures	21
61	SB 1040	insurers; notices; methods of delivery	21
62	SB 1041	travel insurance	22
63	SB 1042	executive sessions; security plans	31
64	SB 1061	schools; parental rights; posting	15
65	SB 1062	insurance transactions; discrimination; exceptions	22
66	SB 1083	agriculture department; livestock loss board	49

CHAPTER NUMBER	BILL NUMBER	SHORT TITLE	PAGE NUMBER
67	SB 1090	insurance adjusters; claims certificate	23
68	SB 1091	insurance producer licensing; surrender; application	23
69	SB 1096	property management records; residential rentals	11
70	SB 1099	tax deed land sales; proceeds	23
71	SB 1121	model city tax code; procedures	23
72	SB 1131	certified public accountants	11
73	SB 1210	assisted living; caregivers; training	36
74-E	SB 1236	adult adoption; stepchildren	43
75	SB 1274	professional regulatory boards; composition	11
76	SB 1292	financial literacy; state treasurer; fund	16
77	SB 1303	annexation of territory; requirements	31
78	SB 1305	personal delivery devices	47
79	SB 1354	public retirement systems; prefunding plan	26
80	SB 1397	insurance; preexisting condition exclusions; prohibition	28
81	SB 1441	protection orders; modification; residence possession	43
82	SB 1445	suicide prevention training; school employees	16
83	SB 1446	student identification cards; suicide prevention	16
84	SB 1460	electric cooperatives; broadband service	45
85	SB 1492	Arizona teachers academy; program pathways	41
86	SB 1504	fingerprinting; vital records; child care	36
87	SB 1510	public contracts; payment methods	32
88	SB 1528	family college savings program; treasurer	32
89	SB 1555	support order; dishonored payment; lien	43
90	SB 1557	annuity transactions; requirements	28

Title Index



TITLE INDEX

E – Emergency

W/O – Without Emergency

V/O – Veto Override

RFEIR – Requirements for Enactment; Initiative or Referendum

W/S – Without Signature

LIVS – Line Item Veto Signed

RFE – Requirements for Enactment

A.R.S. TITLE	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
1	HB 2625	25	civics celebration day; civics education	17
3	SB 1399	45	reviser's technical corrections; 2020	31
6	SB 1293	37	DOI; DFI; omnibus	24
9	HB 2686	3	building permits; utilities; restrictions; prohibitions	17
	SB 1293	37	DOI; DFI; omnibus	24
	SB 1303	77	annexation of territory; requirements	31
	SB 1348	43	tax corrections act of 2020	26
10	SB 1460	84	electric cooperatives; broadband service	45
11	HB 2686	3	building permits; utilities; restrictions; prohibitions	45
	SB 1293	37	DOI; DFI; omnibus	24
	SB 1348	43	tax corrections act of 2020	26
	SB 1399	45	reviser's technical corrections; 2020	31
12	SB 1293	37	DOI; DFI; omnibus	24
	SB 1399	45	reviser's technical corrections; 2020	31
13	SB 1441	81	protection orders; modification; residence possession	43
	SB 1293	37	DOI; DFI; omnibus	24
14	SB 1236	74-E	adult adoption; stepchildren	43
	HB 2249	18	personal representatives; funeral directors; prohibition	13
15	SB 1036	8	empowerment scholarships; third-party administrator; repeal	15
	SB 1061	64	schools; parental rights; posting	15
	SB 1224	12	empowerment scholarships; qualified schools; reservations (NOW: empowerment scholarships; qualifications; administration; appropriations)	15
	SB 1293	37	DOI; DFI; omnibus	24

A.R.S. TITLE	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
15	SB 1445	82	suicide prevention training; school employees	16
	SB 1446	83	student identification cards; suicide prevention	16
	SB 1492	85	Arizona teachers academy; program pathways	41
	SB 1528	88	family college savings program; treasurer	32
	HB 2109	14	unification; consolidation; notice; ballot language	17
	HB 2625	25	civics celebration day; civics education	17
	HB 2902	49	K-12 education; budget reconciliation; 2020-2021	9
16	SB 1135	1	elections; counting center; electronic adjudication	43
17	SB 1083	66	agriculture department; livestock loss board	49
	HB 2749	5	endangered species conservation; confidential information	45
18	SB 1399	45	reviser's technical corrections; 2020	31
20	SB 1038	9	insurance policies; transfers; affiliated insurers	21
	SB 1040	61	insurers; notices; methods of delivery	21
	SB 1041	62	travel insurance	22
	SB 1062	65	insurance transactions; discrimination; exceptions	22
	SB 1090	67	insurance adjusters; claims certificate	23
	SB 1091	68	insurance producer licensing; surrender; application	23
	SB 1293	37	DOI; DFI; omnibus	24
	SB 1397	80	insurance; preexisting condition exclusions; prohibition	28
	SB 1523	4	mental health omnibus	37
	SB 1557	90	annuity transactions; requirements	28
	SB 1684	52	revenue; budget reconciliation; 2020-2021.	4
22	HB 2230	16	justice court; jurisdiction; crimes	44
23	SB 1293	37	DOI; DFI; omnibus	24
	SB 1687	53	human services; budget reconciliation; 2020-2021.	5
25	SB 1293	37	DOI; DFI; omnibus	24

A.R.S. TITLE	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
25	SB 1555	89	support order; dishonored payment; lien	43
28	SB 1293	37	DOI; DFI; omnibus	24
	SB 1305	78	personal delivery devices	47
	SB 1399	45	reviser's technical corrections; 2020	31
	SB 1523	4	mental health omnibus	37
	SB 1690	56	budget procedures; budget reconciliation; 2020-2021.	7
32	SB 1096	69	property management records; residential rentals	11
	SB 1131	72	certified public accountants	11
	SB 1274	75	professional regulatory boards; composition	11
	SB 1293	37	DOI; DFI; omnibus	24
	SB 1399	45	reviser's technical corrections; 2020	31
	HB 2096	13	security guard registration; discharged veterans	47
33	SB 1293	37	DOI; DFI; omnibus	24
34	SB 1293	37	DOI; DFI; omnibus	24
	SB 1510	87	public contracts; payment methods	32
35	SB 1293	37	DOI; DFI; omnibus	24
	SB 1354	79	public retirement systems; prefunding plan	26
	SB 1399	45	reviser's technical corrections; 2020	31
	SB 1528	88	family college savings program; treasurer	32
	HB 2406	19	state treasurer; financial services	29
36	SB 1210	73	assisted living; caregivers; training	36
	SB 1293	37	DOI; DFI; omnibus	24
	SB 1504	86	fingerprinting; vital records; child care	36
	SB 1523	4	mental health omnibus	37
	HB 2244	17	AHCCCS; dental services; Native Americans	39
	HB 2668	46	hospitals; unreimbursed costs; assessment; fund	39
38	SB 1012	59-E	executive session; school safety plans	21
	SB 1042	63	executive sessions; security plans	31
	SB 1293	37	DOI; DFI; omnibus	24

A.R.S. TITLE	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
38	SB 1354	79	public retirement systems; prefunding plan	26
41	SB 1049	27	advisory council on aging	35
	SB 1050	28	board of athletic training; continuation	35
	SB 1051	6	DHS; continuation	35
	SB 1052	29	homeopathic board; continuation	35
	SB 1053	30	psychiatric security review board; continuation	35
	SB 1054	31	psychology board; continuation	36
	SB 1055	32	hard of hearing; commission; continuation	36
	SB 1072	33	state board of investment; continuation	22
	SB 1128	34	joint legislative budget committee; continuation	1
	SB 1130	35	auditor general; continuation.	31
	SB 1275	36	department of gaming; continuation	12
	SB 1292	76	financial literacy; state treasurer; fund	16
	SB 1293	37	DOI; DFI; omnibus	24
	SB 1294	38	insurance and financial institutions; continuation	25
	SB 1295	39	department of revenue; continuation	25
	SB 1297	41	legislative council; continuation	43
	SB 1348	43	tax corrections act of 2020	26
	SB 1399	45	reviser's technical corrections; 2020	31
	SB 1408	44	ombudsman-citizens aide; continuation; reports; assistants	32
	SB 1504	86	fingerprinting; vital records; child care	36
	SB 1528	88	family college savings program; treasurer	32
	SB 1683	51	criminal justice; budget reconciliation; 2020-2021.	4
	SB 1690	56	budget procedures; budget reconciliation; 2020-2021.	7
	HB 2217	15	outdoor recreation coordinating commission; continuation	45
	HB 2601	21	residential utility consumer office; continuation	13
	HB 2618	22	department of water resources; continuation	49
	HB 2771	7	tax credits; qualified facilities; extension	29

A.R.S. TITLE	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
41	HB 2902	49	K-12 education; budget reconciliation; 2020-2021	9
42	SB 1021	60	department of revenue; electronic signatures	31
	SB 1099	70	tax deed land sales; proceeds	23
	SB 1113	11	mortgaged property; tax statements; information	23
	SB 1121	71	model city tax code; procedures	23
	SB 1293	37	DOI; DFI; omnibus	24
	SB 1296	40	internal revenue code; conformity.	25
	SB 1348	43	tax corrections act of 2020	26
	HB 2494	24	internal revenue code; conformity	29
	HB 2902	49	K-12 education; budget reconciliation; 2020-2021	9
43	SB 1021	60	department of revenue; electronic signatures	21
	SB 1100	10	STO report; DOR; posting deadline	23
	SB 1293	37	DOI; DFI; omnibus	24
	SB 1296	40	internal revenue code; conformity.	25
	SB 1348	43	tax corrections act of 2020	26
	HB 2494	24	internal revenue code; conformity	29
	HB 2771	7	tax credits; qualified facilities; extension	29
44	SB 1293	37	DOI; DFI; omnibus	24
45	SB 1145	2	temporary irrigation efficiency projects fund	49
46	SB 1049	27	advisory council on aging	35
	SB 1504	86	fingerprinting; vital records; child care	36
	HB 2695	23	TANF; financial literacy education	39
48	SB 1293	37	DOI; DFI; omnibus	24

Keyword Index



KEYWORD INDEX

E – Emergency

W/O – Without Emergency

V/O – Veto Override

RFEIR – Requirements for Enactment; Initiative or Referendum

W/S – Without Signature

LIVS – Line Item Veto Signed

RFE – Requirements for Enactment

KEYWORD	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
Adoption	SB 1236	74-E	adult adoption; stepchildren	43
Aging, Advisory Council on	SB 1049	27	advisory council on aging	35
Agriculture	SB 1083	66	agriculture department; livestock loss board	49
Annexation	SB 1303	77	annexation of territory; requirements	31
Appropriation	SB 1051	6-E	DHS; continuation	35
	SB 1523/HB 2764	4	mental health omnibus	37
	SB 1691/HB 2908	57	capital outlay; appropriations; 2020-2021.	8
	SB 1692/HB 2909	58	general appropriations act; 2020-2021.	1
Assisted living	SB 1210	73	assisted living; caregivers; training	36
Auditor General	SB 1130	35	auditor general; continuation.	31
Automobile Theft Authority	SB 1293	37	DOI; DFI; omnibus	24
Behavioral health	SB 1523/HB 2764	4	mental health omnibus	37
Board of supervisors, county	SB 1135/HB 2306	1-E	elections; counting center; electronic adjudication	43
Boards and commissions	SB 1049	27	advisory council on aging	35
	SB 1050	28	board of athletic training; continuation	35
	SB 1052	29	homeopathic board; continuation	35
	SB 1053	30	psychiatric security review board; continuation	35
	SB 1054	31	psychology board; continuation	36
	SB 1055	32	hard of hearing; commission; continuation	36
	SB 1121	71	model city tax code; procedures	23
	SB 1131	72	certified public accountants	11
	SB 1210	73	assisted living; caregivers; training	36
SB 1274	75	professional regulatory boards; composition	11	
Broadband	SB 1460	84	electric cooperatives; broadband service	45
Budget	SB 1690/HB 2907	56	budget procedures; budget reconciliation; 2020-2021.	7
	SB 1691/HB 2908	57	capital outlay; appropriations; 2020-2021.	8

KEYWORD	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
Budget	SB 1692/HB 2909	58	general appropriations act; 2020-2021.	1
Budget reconciliation	SB 1683/HB 2900	51	criminal justice; budget reconciliation; 2020-2021.	4
	SB 1684/HB 2901	52	revenue; budget reconciliation; 2020-2021.	4
	SB 1687/HB 2904	53	human services; budget reconciliation; 2020-2021.	5
	SB 1688/HB 2905	54	health; budget reconciliation; 2020-2021.	6
	SB 1689/HB 2906	55	environment; budget reconciliation; 2020-2021.	7
	SB 1690/HB 2907	56	budget procedures; budget reconciliation; 2020-2021.	7
	HB 2902/SB 1685	49	K-12 education; budget reconciliation; 2020-2021	9
	HB 2903/SB 1686	50	higher education; budget reconciliation; 2020-2021	10
Capital	SB 1691/HB 2908	57	capital outlay; appropriations; 2020-2021.	8
Certified public accountants	SB 1131	72	certified public accountants	11
Child support	SB 1555	89	support order; dishonored payment; lien	43
Child Safety, Department of	SB 1687/HB 2904	53	human services; budget reconciliation; 2020-2021.	5
Cities and towns	SB 1121	71	model city tax code; procedures	23
	SB 1303	77	annexation of territory; requirements	31
	SB 1510	87	public contracts; payment methods	32
	SB 1684/HB 2901	52	revenue; budget reconciliation; 2020-2021.	4
	HB 2686/SB 1222	3	building permits; utilities; restrictions; prohibitions	45
Commerce Authority, Arizona	HB 2771/SB 1245	7	tax credits; qualified facilities; extension	29
Confidentiality	HB 2749/SB 1666	5	endangered species conservation; confidential information	45
Construction	SB 1510	87	public contracts; payment methods	32
Continuation	SB 1049	27	advisory council on aging	35
	SB 1050	28	board of athletic training; continuation	35
	SB 1051	6-E	DHS; continuation	35
	SB 1052	29	homeopathic board; continuation	35
	SB 1053	30	psychiatric security review board; continuation	35
	SB 1054	31	psychology board; continuation	36
	SB 1055	32	hard of hearing; commission; continuation	36

KEYWORD	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
Continuation	SB 1072	33	state board of investment; continuation	22
	SB 1128	34	joint legislative budget committee; continuation	1
	SB 1130	35	auditor general; continuation.	31
	SB 1275	36	department of gaming; continuation	12
	SB 1294	38	insurance and financial institutions; continuation	25
	SB 1295	39	department of revenue; continuation	25
	SB 1297	41	legislative council; continuation	43
	SB 1408	44	ombudsman-citizens aide; continuation; reports; assistants	32
	HB 2217	15	outdoor recreation coordinating commission; continuation	45
	HB 2601	21	residential utility consumer office; continuation	13
	HB 2618	22	department of water resources; continuation	49
Coronavirus Disease 2019 (COVID-19)	SB 1051	6-E	DHS; continuation	35
	SB 1687/HB 2904	53	human services; budget reconciliation; 2020-2021.	5
	SB 1690/HB 2907	56	budget procedures; budget reconciliation; 2020-2021.	7
	SB 1694/HB 2911	48-E	unemployment compensation; coronavirus disease	12
	HB 2910/SB 1693	47-E	public school closures; coronavirus disease.	18
Corporate income tax	SB 1100	10	STO report; DOR; posting deadline	23
Corrections Officer Retirement Plan	SB 1354	79	public retirement systems; prefunding plan	26
Counties	SB 1135/HB 2306	1-E	elections; counting center; electronic adjudication	43
	SB 1510	87	public contracts; payment methods	32
	SB 1684/HB 2901	52	revenue; budget reconciliation; 2020-2021.	4
	HB 2686/SB 1222	3	building permits; utilities; restrictions; prohibitions	45
County treasurer	SB 1099	70	tax deed land sales; proceeds	23
	SB 1113	11	mortgaged property; tax statements; information	23
Courts	SB 1441	81	protection orders; modification; residence possession	43

KEYWORD	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
Courts	HB 2230	16	justice court; jurisdiction; crimes	44
	HB 2249	18	personal representatives; funeral directors; prohibition	13
Criminal justice	SB 1683/HB 2900	51	criminal justice; budget reconciliation; 2020-2021.	4
Criminal law	HB 2230	16	justice court; jurisdiction; crimes	44
Death resolution	HR 2007	--	death resolution; Leroy Tucker	51
Deeds	SB 1099	70	tax deed land sales; proceeds	23
Dentistry	HB 2244	17	AHCCCS; dental services; Native Americans	39
Disclosure	SB 1062	65	insurance transactions; discrimination; exceptions	22
	HB 2749/SB 1666	5	endangered species conservation; confidential information	45
Domestic relations	SB 1236	74-E	adult adoption; stepchildren	43
	SB 1441	81	protection orders; modification; residence possession	43
Drought Contingency Plan	SB 1145/HB 2617	2-E	temporary irrigation efficiency projects fund	49
Economic Security, Department of	SB 1504	86	fingerprinting; vital records; child care	36
	SB 1555	89	support order; dishonored payment; lien	43
	SB 1687/HB 2904	53	human services; budget reconciliation; 2020-2021.	5
	SB 1694/HB 2911	48-E	unemployment compensation; coronavirus disease	12
	HB 2695	23	TANF; financial literacy education	39
Education	SB 1446	83	student identification cards; suicide prevention	16
	HB 2625	25	civics celebration day; civics education	17
	HB 2902/SB 1685	49	K-12 education; budget reconciliation; 2020-2021	9
	HB 2903/SB 1686	50	higher education; budget reconciliation; 2020-2021	10
	HB 2910/SB 1693	47-E	public school closures; coronavirus disease.	18
Education, Arizona Department of	SB 1036	8	empowerment scholarships; third-party administrator; repeal	15
	SB 1061	64	schools; parental rights; posting	15

KEYWORD	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
Education, Arizona Department of	SB 1224	12	empowerment scholarships; qualified schools; reservations (NOW: empowerment scholarships; qualifications; administration; appropriations)	15
	HB 2684	26-E	crisis management team; underperforming districts	17
Education, State Board of	SB 1224	12	empowerment scholarships; qualified schools; reservations (NOW: empowerment scholarships; qualifications; administration; appropriations)	15
	HB 2625	25	civics celebration day; civics education	17
Elected Officials' Retirement Plan	SB 1354	79	public retirement systems; prefunding plan	26
Elections	SB 1135/HB 2306	1-E	elections; counting center; electronic adjudication	43
	HB 2109	14	unification; consolidation; notice; ballot language	17
	HR 2004	--	supporting the electoral college	51
Electronic processes	SB 1040	61	insurers; notices; methods of delivery	21
Electronic records	SB 1040	61	insurers; notices; methods of delivery	21
Electronic signatures	SB 1021	60	department of revenue; electronic signatures	21
Emergency management	SB 1690/HB 2907	56	budget procedures; budget reconciliation; 2020-2021.	7
Empowerment scholarship accounts	SB 1036	8	empowerment scholarships; third-party administrator; repeal	15
	SB 1224	12	empowerment scholarships; qualified schools; reservations (NOW: empowerment scholarships; qualifications; administration; appropriations)	15
Endangered species	HB 2749/SB 1666	5	endangered species conservation; confidential information	45
Environment	SB 1689/HB 2906	55	environment; budget reconciliation; 2020-2021.	7
Estate	HB 2249	18	personal representatives; funeral directors; prohibition	13
Examination	SB 1090	67	insurance adjusters; claims certificate	23
Federal government	SCR 1025	--	Taiwan; United States; trade; support	51
Feed bill	SB 1692/HB 2909	58	general appropriations act; 2020-2021.	1
Fees	SB 1293	37	DOI; DFI; omnibus	24

KEYWORD	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
Financial institutions	SB 1528	88	family college savings program; treasurer	32
Financial literacy	SB 1292	76	financial literacy; state treasurer; fund	16
Financial transactions	HB 2406	19	state treasurer; financial services	29
Fingerprinting	SB 1504	86	fingerprinting; vital records; child care	36
Funds	SB 1051	6-E	DHS; continuation	35
	SB 1145/HB 2617	2-E	temporary irrigation efficiency projects fund	49
	SB 1292	76	financial literacy; state treasurer; fund	16
	SB 1523/HB 2764	4	mental health omnibus	37
	HB 2668/SB 1247	46	hospitals; unreimbursed costs; assessment; fund	39
Funeral directors	HB 2249	18	personal representatives; funeral directors; prohibition	13
Gaming, Arizona Department of	SB 1275	36	department of gaming; continuation	12
Health care	SB 1688/HB 2905	54	health; budget reconciliation; 2020-2021.	6
	HB 2244	17	AHCCCS; dental services; Native Americans	39
	HB 2668/SB 1247	46	hospitals; unreimbursed costs; assessment; fund	39
Health Care Cost Containment System, Arizona	HB 2244	17	AHCCCS; dental services; Native Americans	39
	HB 2668/SB 1247	46	hospitals; unreimbursed costs; assessment; fund	39
Health insurance	SB 1040	61	insurers; notices; methods of delivery	21
	SB 1397	80	insurance; preexisting condition exclusions; prohibition	28
	SB 1523/HB 2764	4	mental health omnibus	37
Health Services, Department of	SB 1051	6-E	DHS; continuation	35
	SB 1504	86	fingerprinting; vital records; child care	36
Higher education	SB 1446	83	student identification cards; suicide prevention	16
	SB 1528	88	family college savings program; treasurer	32
	HB 2903/SB 1686	50	higher education; budget reconciliation; 2020-2021	10
Hospitals	HB 2668/SB 1247	46	hospitals; unreimbursed costs; assessment; fund	39
Income tax	SB 1100	10	STO report; DOR; posting deadline	23
	SB 1296	40	internal revenue code; conformity.	25

KEYWORD	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
Income tax	HB 2494	24	internal revenue code; conformity	29
Industrial Commission of Arizona	SB 1331	42	self-insured employers; deviation continuation	25
Insurance	SB 1038	9	insurance policies; transfers; affiliated insurers	21
	SB 1040	61	insurers; notices; methods of delivery	21
	SB 1041	62	travel insurance	22
	SB 1062	65	insurance transactions; discrimination; exceptions	22
	SB 1090	67	insurance adjusters; claims certificate	23
	SB 1091	68	insurance producer licensing; surrender; application	23
	SB 1293	37	DOI; DFI; omnibus	24
	SB 1331	42	self-insured employers; deviation continuation	25
	SB 1397	80	insurance; preexisting condition exclusions; prohibition	28
	SB 1557	90	annuity transactions; requirements	28
	SB 1694/HB 2911	48-E	unemployment compensation; coronavirus disease	12
Insurance and Financial Institutions, Department of	SB 1091	68	insurance producer licensing; surrender; application	23
	SB 1294	38	insurance and financial institutions; continuation	25
	SB 1293	37	DOI; DFI; omnibus	24
	SB 1397	80	insurance; preexisting condition exclusions; prohibition	28
	SB 1557	90	annuity transactions; requirements	28
Internal Revenue Code	SB 1296	40	internal revenue code; conformity.	25
	HB 2494	24	internal revenue code; conformity	29
Investment, State Board of	SB 1072	33	state board of investment; continuation	22
Joint Legislative Budget Committee	SB 1128	34	joint legislative budget committee; continuation	1
K-12 education	SB 1036	8	empowerment scholarships; third-party administrator; repeal	15
	SB 1061	64	schools; parental rights; posting	15
	SB 1445	82	suicide prevention training; school employees	16

KEYWORD	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
K-12 education	SB 1492	85	Arizona teachers academy; program pathways	41
	HB 2109	14	unification; consolidation; notice; ballot language	17
	HB 2684	26-E	crisis management team; underperforming districts	17
	HB 2902/SB 1685	49	K-12 education; budget reconciliation; 2020-2021	9
	HB 2910/SB 1693	47-E	public school closures; coronavirus disease.	18
Legislative Council	SB 1297	41	legislative council; continuation	43
	SB 1399	45	reviser's technical corrections; 2020	31
Licensure	SB 1090	67	insurance adjusters; claims certificate	23
	SB 1091	68	insurance producer licensing; surrender; application	23
Liens	SB 1555	89	support order; dishonored payment; lien	43
Livestock Loss Board	SB 1083	66	agriculture department; livestock loss board	49
Municipal taxation	SB 1121	71	model city tax code; procedures	23
Named claimants	HB 2407	20	appropriations; named claimants	1
Ombudsman-Citizens Aide	SB 1408	44	ombudsman-citizens aide; continuation; reports; assistants	32
Omnibus	SB 1293	37	DOI; DFI; omnibus	24
Outdoor Recreation Coordinating Commission, Arizona	HB 2217	15	outdoor recreation coordinating commission; continuation	45
Parental rights	SB 1061	64	schools; parental rights; posting	15
Parks	HB 2217	15	outdoor recreation coordinating commission; continuation	45
Personal mobile devices	SB 1305	78	personal delivery devices	47
Property	SB 1099	70	tax deed land sales; proceeds	23
Property management	SB 1096	69	property management records; residential rentals	11
Property tax	SB 1113	11	mortgaged property; tax statements; information	23
Public bodies	SB 1012	59-E	executive session; school safety plans	31
	SB 1042	63	executive sessions; security plans	31
Public records	SB 1042	63	executive sessions; security plans	31

KEYWORD	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
Public Safety, Department of	SB 1683/HB 2900	51	criminal justice; budget reconciliation; 2020-2021.	4
	HB 2096	13	security guard registration; discharged veterans	47
Public Safety Personnel Retirement System	SB 1354	79	public retirement systems; prefunding plan	26
Real estate	SB 1096	69	property management records; residential rentals	11
Records	SB 1096	69	property management records; residential rentals	11
Reporting requirement	SB 1408	44	ombudsman-citizens aide; continuation; reports; assistants	32
	SB 1523/HB 2764	4	mental health omnibus	37
	HB 2684	26-E	crisis management team; underperforming districts	17
Resolution	SCR 1025	--	Taiwan; United States; trade; support	51
	SCR 1030	--	wear red day 2020	51
	SR 1001	--	small business day 2020.	51
	SR 1002	--	scientific community; recognition	51
	HR 2004	--	supporting the electoral college	51
	HR 2007	--	death resolution; Leroy Tucker	51
Retirement System, Arizona State	SB 1354	79	public retirement systems; prefunding plan	26
Revenue	SB 1684/HB 2901	52	revenue; budget reconciliation; 2020-2021.	4
Revenue, Arizona Department of	SB 1021	60	department of revenue; electronic signatures	21
	SB 1100	10	STO report; DOR; posting deadline	23
	SB 1121	71	model city tax code; procedures	23
	SB 1295	39	department of revenue; continuation	25
	SB 1348	43	tax corrections act of 2020	26
Rulemaking	SB 1210	73	assisted living; caregivers; training	36
School district consolidation	HB 2109	14	unification; consolidation; notice; ballot language	17
School district unification	HB 2109	14	unification; consolidation; notice; ballot language	17
School districts	HB 2625	25	civics celebration day; civics education	17
	HB 2684	26-E	crisis management team; underperforming districts	17
School tuition organizations	SB 1100	10	STO report; DOR; posting deadline	23

KEYWORD	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
Schools	SB 1012	59-E	executive session; school safety plans	31
Small businesses	SR 1001	--	small business day 2020.	51
Special taxing districts	SB 1510	87	public contracts; payment methods	32
State Treasurer	SB 1292	76	financial literacy; state treasurer; fund	16
	SB 1354	79	public retirement systems; prefunding plan	26
	SB 1528	88	family college savings program; treasurer	32
	HB 2406	19	state treasurer; financial services	29
Suicide prevention	SB 1445	82	suicide prevention training; school employees	16
	SB 1446	83	student identification cards; suicide prevention	16
Tax credits	HB 2771/SB 1245	7	tax credits; qualified facilities; extension	29
Taxation	SB 1296	40	internal revenue code; conformity.	25
	SB 1331	42	self-insured employers; deviation continuation	25
	SB 1348	43	tax corrections act of 2020	26
	HB 2494	24	internal revenue code; conformity	29
Teacher certification	SB 1492	85	Arizona teachers academy; program pathways	41
Teachers Academy, Arizona	SB 1492	85	Arizona teachers academy; program pathways	41
Technical corrections	SB 1348	43	tax corrections act of 2020	26
	SB 1399	45	reviser's technical corrections; 2020	31
Trade	SCR 1025	--	Taiwan; United States; trade; support	51
Traffic violations	HB 2230	16	justice court; jurisdiction; crimes	44
Transfer	SB 1038	9	insurance policies; transfers; affiliated insurers	21
Transportation	SB 1305	78	personal delivery devices	47
Unemployment	SB 1694/HB 2911	48-E	unemployment compensation; coronavirus disease	12
Universities	SB 1445	82	suicide prevention training; school employees	16
Utilities	SB 1460	84	electric cooperatives; broadband service	45
	HB 2686/SB 1222	3	building permits; utilities; restrictions; prohibitions	45
Veterans	HB 2096	13	security guard registration; discharged veterans	47
Water	SB 1145/HB 2617	2-E	temporary irrigation efficiency projects fund	49

KEYWORD	BILL NUMBER	CHAPTER NUMBER	SHORT TITLE	PAGE NUMBER
Water	SB 1689/HB 2906	55	environment; budget reconciliation; 2020-2021.	7
Water Resources, Arizona Department of	HB 2618	22	department of water resources; continuation	49
Workers' compensation	SB 1331	42	self-insured employers; deviation continuation	25
Youth, Faith and Family, Governor's Office of	SB 1049	27	advisory council on aging	35