

2023 Legislative Summary

ARIZONA STATE SENATE
Fifty-Sixth Legislature, First Regular Session
Warren Petersen, President



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ADJOURNED SINE DIE: July 31, 2023
GENERAL EFFECTIVE DATE: October 30, 2023

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Arizona State Senate

October 6, 2023

Dear Reader:

The 2023 Legislative Summary, commonly referred to as the Spiel, was prepared by the Senate Research Staff under the direction of Warren Petersen, 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-Sixth Legislature, First Regular Session (2023). 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, we sincerely thank everyone who participated in producing this year's Spiel.

A handwritten signature in black ink, appearing to read "Liam Maher", is positioned above the name and title of the signatory.

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Senate Research Staff
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A handwritten signature in black ink, appearing to read "Molly Graver", is positioned above the name and title of the signatory.

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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 John Kavanagh, Chairperson



Liam Maher, Research Analyst

Gordon Robertson, Intern

APPROPRIATIONS COMMITTEE

LEGISLATION ENACTED

nuclear emergency management; appropriations; assessments ([S.B. 1007](#)) – Chapter 114 E

An emergency measure effective May 8, 2023, that provides the biennial appropriation and assessment for the Off-Site Nuclear Emergency Response Plan (Plan) which includes a total appropriation of \$2,434,868 and 11.38 full-time equivalent positions (FTEs) in FY 2024 and a total appropriation of \$2,484,600 and 11.38 FTE positions in FY 2025 from the Nuclear Emergency Management Fund to: 1) the Department of Emergency and Military Affairs' Division of Emergency Management to administer and enforce the Plan; 2) the Arizona Department of Agriculture for Plan-related programs; and 3) Maricopa County and City of Buckeye departments and agencies that are assigned responsibilities in the Plan.

~~technical correction; budget report~~ (NOW: deferred payments; prohibition) ([S.B. 1130](#)) – Chapter 12

Prohibits a state obligation that is required by law to be paid with state General Fund monies in one fiscal year from being deferred for payment in another fiscal year, except for obligations made within a month of the close of a fiscal year or deferrals for Basic State Aid and additional state aid that would be apportioned to school districts.

appropriations; named claimants ([S.B. 1134](#)) – Chapter 83

Effective April 18, 2023, appropriates \$166,995.69 from the state General Fund and \$57,408.72 from other funds in FY 2023 to various state agencies for the payment of past claims.

~~technical correction; military affairs~~ (NOW: appropriation; deputies; detention officers) ([S.B. 1376](#)) – Chapter 121

[SEE THE MILITARY AFFAIRS, PUBLIC SAFETY & BORDER SECURITY COMMITTEE.](#)

veteran suicide prevention; pilot program ([S.B. 1454](#)) – Chapter 199

[SEE THE MILITARY AFFAIRS, PUBLIC SAFETY & BORDER SECURITY COMMITTEE.](#)

death benefit; assault; first responders. ([S.C.R. 1006/H.C.R. 2025](#))

[SEE THE MILITARY AFFAIRS, PUBLIC SAFETY & BORDER SECURITY COMMITTEE.](#)

~~charter schools; financial requirements; revisions~~ (NOW: schools; requirements; revisions) ([H.B. 2060](#)) – Chapter 170

[SEE THE EDUCATION COMMITTEE.](#)

~~technical correction; payment method~~ (NOW: supplemental appropriations; AHCCCS; adjustments) ([H.B. 2432](#)) – Chapter 113

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

~~technical correction; education; extended year~~ (NOW: private residential facilities; instructional days) ([H.B. 2620](#)) – Chapter 178

[SEE THE EDUCATION COMMITTEE.](#)

~~AHCCCS; redeterminations~~ (NOW: AHCCCS; redeterminations; appropriation) ([H.B. 2624](#)) – Chapter 17 E

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

FY 2023 – FY 2024 STATE BUDGET PACKAGE

~~general appropriations act; 2023-2024.~~ ([S.B. 1720/H.B. 2810](#)) – Chapter 133

Effective May 11, 2023, the FY 2024 budget includes spending in the total amount of \$17.8 billion and a cash balance of \$6 million. The adopted budget includes ongoing and one-time revenues of \$17.8 billion.

The budget includes FY 2024 (unless otherwise stated) one-time additional state General Fund (state GF) spending as follows:

| | State GF \$ (in Millions)* |
|--|-------------------------------|
| Arizona Department of Administration (ADOA) – Health Care Interoperability Grants | 3.0 |
| ADOA – Fire Incident Management Software | 12.2 |
| ADOA – K-12 Alternative Transportation Grant Funding | 15.0 |
| ADOA – Miami Unified School District – Miami and Kornegay Gym Floors | 0.4 |
| ADOA – Kirkland School Distribution | 0.3 |
| ADOA – Early Literacy | 0.3 |
| ADOA – Automation Projects Fund (APF) – Probation Case Management System Replacement | 3.3 |

| | State GF \$ (in Millions)* |
|--|-------------------------------|
| ADOA – APF – School Financial Transparency Portal | 2.0 |
| ADOA – APF – Statewide Community Supervision Electronic Monitoring System | 2.5 |
| ADOA – APF – Health and Human Services Information Technology (IT) Systems Upgrade | 15.0 |
| ADOA – School Facilities Division (SFD) – School Facilities Inspections | 1.0 |
| ADOA – SFD – Building Renewal Grants | 183.3 |
| ADOA – SFD – Santa Cruz Valley New School Additional Funding | 2.0 |
| ADOA – SFD – Land Cost Estimates | 42.3 |
| ADOA – SFD – Site Conditions and Demolition Costs | 3.8 |
| ADOA – SFD – Revert Sahuarita Project Funding | (22.8) |
| ADOA – SFD – Revert Marana Project Funding | (5.4) |
| Administrative Hearings – Increased Workload | 0.2 |
| Arizona Department of Agriculture – Expanding IT Support | 1.2 |
| Arizona Health Care Cost Containment System (AHCCCS) – Critical Access Hospitals Supplemental Pool | 4.2 |
| AHCCCS – OBGYN On-Call Services | 7.5 |
| AHCCCS – Revert Unused Secure Behavioral Health Facility Capital Funding | (25.0) |
| AHCCCS – Rapid Genome Sequencing Pilot Program | 0.2 |
| Arizona Commission on the Arts – One-time Funding | 5.0 |
| Department of Child Safety (DCS) – Fleet Vehicle Replacement – 50 Vehicles | 2.3 |
| DCS – Extended Foster Care Comprehensive Service Model | 12.6 |
| DCS – Backfill Loss of Adoption Incentive Federal Funds | 2.0 |
| DCS – Positive Parenting Program for Post Permanency Placements | 4.0 |
| DCS – Backfill Federal Reimbursement Reductions in Congregate Care | 10.9 |
| DCS – Emergency Shelter Group and Transition Living | 10.0 |
| Arizona Commerce Authority (ACA) – Federal Broadband Matching Funds | 23.6 |
| ACA – Remove Major Events Fund Deposit – FYs 2024 and 2025 | (7.5) |
| ACA – State Rural Development Council | 1.0 |
| ACA – Small Business Incubator Program to Assist Exiting Inmates | 0.5 |
| ACA – Strategic Framework for Economic Development – Business Trade Organization | 0.5 |
| ACA – Commercial Truck Driver Shortage Grant | 0.5 |

| | State GF \$ (in Millions)* |
|--|-------------------------------|
| ACA – Establish Canada Trade Office | 0.8 |
| ACA – Establish Asia-Pacific Trade Office | 0.8 |
| ACA – Trade Office Funding | 2.0 |
| ACA – Small Business Export Assistance | 1.0 |
| ACA – Water Infrastructure Grant Funding | 7.0 |
| ACA – Wearable Technology Research | 2.5 |
| ACA – Economic Transition Resources – Nonprofit Projects on Tribal Land | 9.0 |
| Community Colleges – Rural Funding | 10.0 |
| Community Colleges – Tohono O'odham College Funding | 2.0 |
| Community Colleges – San Carlos Apache College Funding | 2.0 |
| Community Colleges – Diné College Capital Improvements | 10.0 |
| Community Colleges – Arizona Western Career and Technical Education Workforce Program | 15.0 |
| Community Colleges – Santa Cruz Provisional College Funding | 0.2 |
| Community Colleges – Pima Community College Funding | 2.0 |
| Arizona Department of Corrections, Rehabilitation and Reentry (ADCRR) – Inmate Health Care Cost Increase | 51.2 |
| ADCRR – Florence Closure Costs | 36.5 |
| ADCRR – Private Prison Contract Increases | 8.5 |
| ADCRR – Increased Food Costs | 9.1 |
| ADCRR – Correctional System Assessment | 2.0 |
| ADCRR – Inmate Dog Training | 0.65 |
| ADCRR – Transitional and Re-Entry Housing | 5.0 |
| Arizona Criminal Justice Commission – Crime Victim Notification Fund Deposit | 10.0 |
| Office of Economic Opportunity – Micro Business Loans | 5.0 |
| Department of Economic Security (DES) – Adult Protective Services VOCA Funding Backfill | 9.1 |
| DES – IT Security Funding | 1.5 |
| DES – Produce Incentive Program | 5.5 |
| DES – Graham County Rehabilitation Center – Safford | 0.8 |
| DES – Globe and Miami Food Banks | 0.25 |
| DES – Area Agency of Aging (AAA) Funding | 5.0 |
| DES – AAA Elderly Housing Assistance | 5.0 |

| | State GF \$ (in Millions)* |
|--|-------------------------------|
| DES – Diaper and Incontinence Assistance | 1.0 |
| Arizona Department of Education (ADE) – Additional One-time Funding (State Aid Supplement) | 300.0 |
| ADE – Dual Enrollment – \$50 per Credit Hour Student Incentive | 15.0 |
| ADE – Dual Enrollment – Teachers Incentives | 0.5 |
| ADE – Broadband Funding | 5.0 |
| ADE – Arizona Civics Education and Leadership Development Program | 0.3 |
| ADE – Education and Career Exploration Program | 5.0 |
| ADE – K-12 Alternative Transportation Program | 0.3 |
| ADE – Live Remote Instruction | 0.1 |
| ADE – Administration Funding Increase | 10.0 |
| ADE – Nonprofit Low Income Student Assistance | 0.5 |
| ADE – Feminine Hygiene Products | 2.0 |
| ADE – Alternative Teacher Development Program | 0.8 |
| ADE – Phoenix Science Education Program | 2.5 |
| ADE – Nonprofit Education Initiatives | 0.1 |
| ADE – Globe Youth Summer Education Program | 0.25 |
| ADE – Consumable Art and Music Supplies | 10.0 |
| ADE – Flagstaff Unified Robotics Program | 0.06 |
| ADE – County Jails Education Program | 0.1 |
| ADE – Gila County Jail Adult Education | 0.01 |
| ADE – County Juvenile Center School Capital Improvements | 0.1 |
| ADE – Professional Development Personnel and Teachers | 3.0 |
| ADE – District and Charter School Campus Vegetation | 0.3 |
| ADE – District and Charter School Campus Community Gardens | 0.1 |
| ADE – Center for High School Success | 1.0 |
| Department of Emergency and Military Affairs (DEMA) – Emergency Mitigation Activity Funding | 1.3 |
| DEMA – West Valley Readiness Center Construction Cost Increase | 1.1 |
| DEMA – National Guard Reaction Force Equipment | .034 |
| DEMA – STORM Act Federal Matching Funds | 0.2 |
| DEMA – Hazard Mitigation Assistance | 0.5 |
| DEMA – National Guard Uniform Allowance | 0.3 |
| Board of Executive Clemency – Electronic Records Management System | 0.5 |

| | State GF \$ (in Millions)* |
|---|-------------------------------|
| Arizona Department of Environment Quality (ADEQ) – PFAS Mitigation | 5.0 |
| ADEQ – Water Quality Fee Fund Deposit | 9.5 |
| Department of Forestry and Fire Management (DFFM) – Fire District Grants | 5.0 |
| Arizona Department of Gaming (ADG) – Event Wagering Application Fee Fund | 0.6 |
| ADG – Racetrack Capital Projects and Maintenance and Operations Funding | 1.0 |
| Governor – One-time Funding | 2.0 |
| Governor – Missing and Murdered Indigenous People Task Force | 1.0 |
| Department of Health Services (DHS) – Funding Increase for Contracted Arizona State Hospital (ASH) Services | 6.0 |
| DHS – ASH Operating Shortfall FY 2023 Supplemental | 5.6 |
| DHS – Dementia Awareness Campaign | 0.75 |
| DHS – Alzheimer's Disease State Plan and Dementia Services Program | 1.0 |
| DHS – Psilocybin Clinical Research Grants | 5.0 |
| DHS – Collaborative Care Model – PCP Behavioral Health Integration | 1.0 |
| DHS – Trauma Recovery Center Pilot Program | 7.0 |
| DHS – Fentanyl Testing Strips and Mass Spectrometers | 0.3 |
| DHS – Health Crisis Review Centers and Wrap-Around Services | 5.0 |
| DHS – Replace ASH Video Security System | 3.5 |
| DHS – Nurse Family Partnership Program | 2.5 |
| Arizona Department of Homeland Security (ADZHS) – Antihuman Trafficking Grant Fund | 10.0 |
| AZDHS – Nonprofit Security Grant Program Fund | 5.0 |
| Arizona Department of Housing (ADOH) – Housing Trust Fund Deposit | 150.0 |
| ADOH – Homeless Shelter and Services Fund Deposit | 60.0 |
| ADOH – Mobile Home Relocation Fund Deposit | 5.0 |
| ADOH – Military Transitional Housing Fund Deposit | 1.9 |
| Independent Redistricting Commission – Remove FY 2024 Funding | (1.5) |
| Department of Insurance and Financial Institutions – Increased Workload | 0.3 |
| Judiciary – Supreme Court – Juvenile Monetary Sanctions Funding Backfill | 0.3 |
| Judiciary – Supreme Court – Digital Evidence Software | 0.3 |
| Judiciary – Supreme Court – Automation Funding | 1.3 |
| Judiciary – Supreme Court – CASA Funding | 0.02 |
| Judiciary – Supreme Court – Probation Salary Increase County Backfill | 6.7 |

| | State GF \$ (in Millions)* |
|--|-------------------------------|
| Legislature – Auditor General – One-time Operating Funding | 2.0 |
| Legislature – House of Representatives – One-time Operating Funding | 2.0 |
| Legislature – Senate – One-time Operating Funding | 2.0 |
| Mine Inspector – Drone Purchases | 0.1 |
| Mine Inspector – One-time Administrative Costs | 0.3 |
| Nursing Board – Nurse Anesthetists Clinical Rotations | 0.45 |
| Arizona State Parks Board (ASPB) – Heritage Fund Deposit | 6.0 |
| ASPB – Arizona Trail Fund Deposit | 0.5 |
| ASPB – State Lake Improvement Fund Deposit | 5.2 |
| Arizona Power Authority – Resource Planning and Needs Assessment | 1.0 |
| Department of Public Safety (DPS) – Administration Funding Increase | 0.8 |
| DPS – Replacement Vehicles (276 Vehicles) | 11.7 |
| DPS – Civil Air Patrol Infrastructure | 10.0 |
| DPS – Uniform Allowance | 0.7 |
| DPS – Rapid DNA Testing | 1.5 |
| DPS – Land Mobile Radio Expansion and Upgrades | 41.5 |
| DPS – Law Enforcement Retention Initiatives | 2.0 |
| DPS – Tucson Real-Time Center | 1.5 |
| DPS – Peoria Real-Time Center | 2.6 |
| DPS – Fentanyl Prosecution and Testing Fund | 3.0 |
| DPS – Crime Lab Funding | 0.4 |
| Arizona Department of Revenue (ADOR) – Shift ADOR Administrative Fund Spending to State GF | 2.0 |
| Secretary of State (SOS) – Administration Funding Increase | 2.3 |
| SOS – Presidential Preference Election Funding | 1.9 |
| Arizona Department of Transportation (ADOT) – Spaying and Neutering Fund Deposit | 0.6 |
| Office of Tourism – Lodging and Tourism Workforce and Education Initiatives | 0.25 |
| Office of Tourism – Culinary Tourism Workforce Development and Campaigns | 0.25 |
| State Treasurer – County Sheriff Search and Rescue Equipment Fund | 2.5 |
| State Treasurer – Local Distribution – Fountain Hills Discovery Center | 10.0 |
| State Treasurer – Local Distribution – Lowell Observatory | 5.6 |

| | State GF \$ (in Millions)* |
|---|-------------------------------|
| State Treasurer – Local Distribution – Prescott Rodeo Grounds | 15.3 |
| State Treasurer – Local Distribution – Police Department Support (\$2M Wickenburg and \$1M Hayden) | 3.0 |
| State Treasurer – Local Distribution – Chandler Police Department Support | 2.0 |
| State Treasurer – Local Distribution – Wickenburg Fire Department Building Upgrades | 1.4 |
| State Treasurer – Local Distribution – Mohave County Sheriff Substations | 9.0 |
| State Treasurer – Local Distribution – Mohave County Mobile Command Sheriff Vehicles | 0.5 |
| State Treasurer – Local Distribution – La Paz County Dispatch Center | 0.9 |
| State Treasurer – Local Distribution – Copper Canyon Fire and Medical District | 0.75 |
| State Treasurer – Local Distribution – Vernon Fire District | 1.0 |
| State Treasurer – Local Distribution – Kearny Public Building Remediation | 0.5 |
| State Treasurer – Local Distribution – Peoria Public Safety Helicopter State Contribution | 3.5 |
| State Treasurer – Local Distribution – Peoria Public Safety Mobile Command Center State Contribution | 1.5 |
| State Treasurer – Local Distribution – Snowflake Sewer Improvements | 0.8 |
| State Treasurer – Local Distribution – Flagstaff Post-Fire Mitigation | 9.0 |
| State Treasurer – Local Distribution – Glassford Dells Regional Park Development | 3.5 |
| State Treasurer – Local Distribution – Glendale Veterans Community Project | 3.2 |
| State Treasurer – Local Distribution – County Title Protection Software Opt-In | 0.1 |
| State Treasurer – Local Distribution – Sun City Transportation Study | 0.85 |
| State Treasurer – Local Distribution – Pepper Ball Pilot Program | 0.75 |
| State Treasurer – Local Distribution – State Route 30 Electric Transmission and Water Line Relocation | 10.1 |
| Arizona Board of Regents (ABOR) – Expand Primary Care Residency Programs | 5.0 |
| ABOR – Expand Existing Promise Scholarship Program | 20.0 |
| ABOR – Arizona Teachers Academy Funding | 15.0 |
| ABOR – Law Enforcement Families Scholarship Program | 2.0 |
| ABOR – Museum of Democracy Presidential Project | 2.0 |
| Arizona State University (ASU) – Center for American Institutions | 4.0 |

| | State GF \$ (in Millions)* |
|---|-------------------------------|
| ASU – Collegiate Women's Wrestling Program | 0.5 |
| ASU – Additional One-time Operating Funding | 2.4 |
| Northern Arizona University – Additional One-time Funding | 1.0 |
| University of Arizona (UA) – Additional One-time Funding | 1.6 |
| UA – Space Analog Program | 1.5 |
| UA – Agricultural Workforce Program | 1.0 |
| UA – On-Farm Irrigation Efficiency Grants | 15.2 |
| UA – Fall Prevention Studies | 1.0 |
| UA – Board of Medical Student Loans | 2.0 |
| UA – Arizona REACH Program | 0.5 |
| Arizona Department of Veterans' Services (ADVS) – Veteran Suicide Prevention Training Pilot Program | 0.6 |
| ADVS – Gila County Veterans Retreat | 3.0 |
| ADVS – Burial Services (\$15K) | 0.1 |
| ADVS – Homeless Veterans Reintegration Program | 5.0 |
| ADVS – Tribal Connectivity Project | 1.5 |
| Water Infrastructure Finance Authority (WIFA) – Reduce FY 2024 Deposit from \$333M to \$189M | (143.8) |
| WIFA – Water Projects Assistance Grants | 3.0 |
| WIFA – Local Distribution – Glendale Irrigation System and Xeriscaping | 0.8 |
| WIFA – Local Distribution – Gilbert Wells Project | 27.8 |
| WIFA – Local Distribution – Peoria Wells Project | 10.0 |
| WIFA – Local Distribution – Mohave Wash Recharge Basin | 3.4 |
| WIFA – Local Distribution – Little Colorado River Levee | 20.0 |
| Arizona Department of Water Resources (ADWR) – Brackish Water Study | 0.1 |
| ADWR – Brackish Groundwater Pilot | 11.0 |
| ADWR – Statewide Water Resources Planning Program | 5.0 |
| ADWR – Groundwater Delivery Infrastructure (Santa Rosa Canal Alternative) | 25.0 |
| Other – Employee Retention and Compensation Study | 4.0 |
| Other – State Employee Health Insurance Funding | 73.0 |
| Other – Statewide Fleet Adjustments (206 Vehicles) | 8.2 |

**Figures are rounded.*

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

| | State GF \$ (in Millions)* |
|--|-------------------------------|
| AHCCCS – Expand KidsCare from 200 to 225 Percent Federal Poverty Level | 5.0 |
| AHCCCS – Advisory Council on Indian Health Care – Four FTEs | 0.2 |
| AHCCCS – Remove Unbuilt Secure Behavioral Health Facility Provider Rates | (10.0) |
| DCS – Add 80 FTEs for Visitation Aides | No Net Cost |
| ACA – Reduce Competes Fund Deposit | (5.0) |
| Community Colleges – Formula | (0.1) |
| ADCRR – Florence Closure | (3.5) |
| ADCRR – Private Prison Contract Increase | 7.1 |
| DES – IT Security Funding | 0.07 |
| DES – Delay \$1M Homeless Youth Assistance Funding | (1.0) |
| ADE – Formula Savings | (6.3) |
| ADE – Additional 0.9 Percent Base Level Increase | 68.6 |
| ADE – Eliminate Results-Based Funding | (68.6) |
| ADE – Increase District Additional Assistance | 20.0 |
| ADE – Adjust Continuing High School Program Enrollment Caps | (3.1) |
| Board of Executive Clemency – Increased Operational Costs (\$39K) | 0.1 |
| DFFM – Adjust Wildfire Mitigation Funding | (1.0) |
| ADG – Eliminate Racetrack Purse, Maintenance and Operation Funding | (5.4) |
| Governor – Shift African American Affairs to Governor's Office (\$146K) | 0.1 |
| DHS – Funding Increase for Contracted ASH Services | 1.1 |
| DHS – Alzheimer's Disease Research | 0.5 |
| Judiciary – Supreme Court – Additional Private Fiduciary Investigator – FTE | 0.1 |
| Judiciary – Supreme Court – State Share of Funding for New Judge (Yavapai County) | 0.1 |
| Judiciary – Supreme Court – State Share of Funding for New Judge (Yuma County) | 0.1 |
| Juvenile Corrections – Pima County Cost Shift | 1.7 |
| Legislature – Ombudsman Rent Funding (\$53K) | 0.1 |
| DPS – Authorize 31 New FTEs for Arizona Peace Officer Standards and Training Board | No Net Cost |
| DPS – Eliminate DPS and ADOT Commercial Vehicle Task Force | (1.0) |
| SOS – Legal Services Funding | 0.1 |

| | State GF \$ (in Millions)* |
|---|-------------------------------|
| SOS – Shift Address Confidentiality Program to State GF | 0.3 |
| SOS – Talking Book Library Funding | 0.1 |
| ADWR – 30 FTEs Implementation of 2022 Water Supply Bill | No Net Cost |
| Other – FY 2023 Salary Increase Adjustment | 7.5 |
| Other – Statewide AFIS Adjustments | 0.1 |
| Other – Statewide HRIS Adjustments – FY 2025 | (7.0) |
| Other – Statewide Rent Adjustments | (0.6) |
| Other – Statewide Risk Management Adjustments | (0.2) |
| Other – Statewide Retirement Adjustments | (12.4) |
| Other – FY 2023 Budget Debt Retirement Funding Revertment | (5.0) |
| Other – Technical Adjustment Relating to Rio Nuevo | (1.0) |

**Figures are rounded.*

Major Footnote Changes

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

Arizona Department of Administration (ADOA)

- Requires ADOA, by October 1, 2024, to submit a report on the outcome of the employee compensation study to the President of the Senate, Speaker of the House of Representatives (House), Chairpersons of the Senate and House Appropriations Committees and Director of the Joint Legislative Budget Committee (JLBC).
- Requires ADOA, by November 1, 2024, to submit a report to the Director of JLBC on Cyber Risk Insurance Fund expenditures from the prior year.

School Facilities Division (SFD)

- Requires the SFD, after approving a distribution of funding for a land purchase, land lease or new school construction, to report the final distribution amount to JLBC and the Governor's Office of Strategic Planning and Budgeting (OSPB).
- Allows the SFD to use up to \$22,811,800 of the unencumbered New School Facilities Fund balance for facilities and land costs for school districts that received final SFD approval by December 15, 2022.

Arizona Health Care Cost Containment System (AHCCCS)

- Requires AHCCCS to annually distribute up to \$2,500,000 to qualifying community health centers and rural hospitals for the unreimbursed cost necessary to maintain the availability of on-call obstetrics and gynecological services in low-volume obstetric delivery areas and rural communities.
- Requires AHCCCS, by July 1 of 2024, 2025 and 2026, to submit a report to JLBC on the use of the monies appropriated for on-call obstetrics and gynecological services, including the number of deliveries and emergency procedures provided.

Attorney General (AG)

- Requires the AG to submit an expenditure plan for JLBC review before spending any monies appropriated for opioid abatement.

Arizona Commerce Authority (ACA)

- Requires monies appropriated for economic transition resources to be distributed to counties, cities, towns and Indian tribes in Arizona to provide economic transition resources to communities affected by coal plant closures.
- Requires the ACA, by December 1, 2023, to submit a report to the President of the Senate, Speaker of the House and Director of JLBC detailing the implementation plan for the trade office appropriations.

Community Colleges

- Requires, by October 15, 2024, the Tohono O'odham Community College Board of Trustees and the San Carlos Apache College Board of Regents to submit a report to the Governor, Speaker of the House, President of the Senate, JLBC and the Secretary of State that details the course completion rate for students who received remedial education during the 2023-2024 academic year.

Arizona Department of Corrections, Rehabilitation and Reentry (ADCRR)

- Requires the transitional housing appropriation to be used to establish a program to provide grants to nonprofit organizations that meet outlined criteria and support individuals who are incarcerated by helping prepare the individual for release and transition back into the community.
- Requires ADCRR to use the transitional and reentry housing appropriation to secure, through a competitive grant process, a program that meets outlined criteria.

Department of Economic Security (DES)

- Stipulates that the Globe-Miami area food bank appropriation must be distributed to a food bank that maintains its headquarters in the Globe-Miami area.

Arizona Department of Education (ADE)

- Requires ADE to distribute the Phoenix science education programs appropriation to an organization based in Phoenix that provides science, technology, engineering and math education programs and professional development training.
- Requires ADE to distribute the nonprofit low-income assistance appropriation to a 501(c) nonprofit organization that provides low-income children in K-8 with new clothing, shoes, hygiene kits and books.
- Requires ADE to distribute the nonprofit education initiatives appropriation to a 501(c) nonprofit organization that provides scholarships and other educational programming and promotes youth activities, sports and cultural enrichment.
- Specifies that the K-12 transportation formula study appropriation must be used to develop a per-pupil weighted transportation funding formula for K-12 students and be used only for costs associated with developing the formula.
- Requires the Art Consumables Grant Program appropriation to be distributed as grants of up to \$1,000 per recipient to public school art teachers and any public school teacher for preschool through third grade for art supplies, materials and instructional aids that are of a consumable nature as defined by the Uniform System of Financial Records.
- Requires ADE to allocate the one-time \$300,000,000 state aid supplemental appropriation to school districts and charter schools on a pro rata basis using the Group A weighted student counts, including nonresident pupils for whom the school district serves as the school district of attendance.
- Allows a school district to budget monies received from the one-time state aid supplement in either the school district's maintenance and operation fund or unrestricted capital outlay fund.

Arizona Department of Environmental Quality (ADEQ)

- Requires ADEQ, by July 31, 2024, to submit a report to JLBC on its progress expending monies for PFAS mitigation, including funded projects, anticipated projects and outcomes.

Department of Health Services (DHS)

- Requires DHS to use the appropriation for the Trauma Recovery Center Fund to provide:
 - a technical assistance grant to help establish, train and coordinate a State Pilot Trauma Recovery Center (Center);
 - three years of operational and service costs for the Center; and
 - a public research grant to track data and outcomes of the Center and produce a report at the conclusion of the pilot.
- Allows DHS to use up to five percent of Trauma Recovery Center Fund monies to administer the Fund.

Arizona Department of Housing (ADOH)

- Allows ADOH to use a portion of the monies appropriated for the Housing Trust Fund to support an investment for a long-term lease facilitated by the state to create a campus for transitional housing, workforce affordable housing, crisis response, detox and recovery, workforce development programs and integrated wrap-around services.

Department of Insurance and Financial Institutions (DIFI)

- Stipulates that \$250,000 of the DIFI operating lump sum appropriation must be used to administer the provisions of legislation addressing insurance provider claims against insurers, if the bill becomes law in the Fifty-Sixth Legislature, First Regular Session.
- Reverts the \$250,000 allocation to the state GF, if the bill addressing provider claims against insurers does not become law in the Fifty-Sixth Legislature, First Regular Session.

Department of Public Safety (DPS)

- Requires DPS, until all monies from the civil air patrol infrastructure appropriation are distributed, to submit an annual report, by December 1, to JLBC on the distributions and intended purposes of the distributions.
- Requires \$1,000,000 of the law enforcement retention initiatives appropriation to be used for a Law Enforcement Recruitment and Retention Grant Program to provide matching grants to county, city and town law enforcement agencies for acquiring coaching resources with a special emphasis on improved retention and development.
- Requires Maricopa and Pima County law enforcement agencies to provide a 50 percent match to receive a retention grant and all other county law enforcement agencies to provide a 25 percent match to receive a retention grant.
- Requires Phoenix and Tucson law enforcement agencies to provide a 50 percent match to receive a retention grant and all other city and town law enforcement agencies to provide a 25 percent match to receive a retention grant.
- Requires the local border support appropriation to be used to fund local law enforcement officer positions within the Border Drug Interdiction Task Force to deter and apprehend any individuals charged with drug trafficking, human smuggling, illegal immigration and other border-related crimes.

Secretary of State (SOS)

- Requires the SOS to distribute 75 percent of the Help America Vote Act (HAVA) projects appropriation to counties for election systems improvements.
- Requires the SOS, before expending HAVA monies, to submit an expenditure plan for JLBC review that includes the planned expenditures and timeline by year and exempts the HAVA monies from lapsing.

- Outlines limitations for the use of the SOS's presidential preference election (PPE) appropriation.
- Requires each county to submit its certified claims to the SOS for the 2024 PPE by May 1, 2024.
- Requires the SOS, by May 15, 2024, to review the county claims and submit a report to JLBC and OSPB on county reimbursements for the 2024 PPE.

Universities

- Declares the Legislature's intent that any appropriated monies that ASU allocates for the School of Civic and Economic Thought and Leadership, Northern Arizona University allocates for the Economic Policy Institute and UA allocates for the Center for the Philosophy of Freedom in FY 2024 be consistent with the amount appropriated in FY 2023.
- Requires any appropriated monies allocated by ASU for the Center for American Institutions to be used at the sole discretion and approval of the Lead of the Center and prohibits the monies from supplanting existing state funding or private or external donations.
- Requires the appropriation for AZ REACH to be used to provide medical care transfer services for hospitals with fewer than 20 beds.
- Allows up to \$150,000 of the appropriation for ASU's Collegiate Women's Wrestling Program to be used for costs incurred to establish and maintain the program and requires the remaining balance to be used to award athletic scholarships to qualifying individuals.
- Requires ABOR to distribute the appropriation for the Museum of Democracy Presidential Project to public universities to provide opportunities for undergraduate students, high school students and the broader community to become better informed on American presidencies and presidential elections.
- Allows Museum of Democracy Presidential Project programming to include public speakers, high school leadership academies and undergraduate student workshops and requires monies to be used to display presidential memorabilia collections, combining visual arts, exhibitions and civic education programs.

Arizona Department of Veterans' Services (ADVS)

- Requires the Homeless Veterans' Reintegration Program appropriation to be used to provide services that assist in reintegrating homeless veterans into meaningful employment within the labor force and stimulate the development of effective service delivery systems that address the complex problems facing homeless veterans.
- Requires monies appropriated for the Veteran Suicide Prevention Training Pilot Program to be used to offer claims examiners and county and municipal veteran service officers specialized training and certification in preventing veteran suicides and exempts the appropriation from lapsing.

- Requires ADVS to contract with an organization experienced in developing and implementing veteran-relevant and evidence-based suicide prevention training to develop the training curriculum.
- Requires the Gila County veterans retreat appropriation to be distributed to Gila County for the Pleasant Valley Veterans Retreat and exempts the appropriation from lapsing.

Water Infrastructure Finance Authority (WIFA)

- Requires that, of the monies appropriated to Eastern Arizona Water Projects Assistance Grants, \$3,000,000 be allocated to provide financial assistance to irrigation districts in Cochise and Graham Counties to contract for the services of outside advisors, attorneys, consultants and aides that are reasonably necessary or desirable to enable the irrigation districts to adequately perform their duties.

Arizona Department of Water Resources (ADWR)

- Requires ADWR to use the brackish groundwater study appropriation to review and update information contained in studies on the availability of brackish groundwater in Arizona.
- Requires ADWR to distribute the appropriation for Santa Rosa Canal groundwater delivery equally between the irrigation districts that are constructing infrastructure in furtherance of the purposes of the settlement between the Maricopa-Stanfield Irrigation and Drainage District, the Central Arizona Irrigation and Drainage District and the Ak-Chin Indian Community and with respect to the delivery of groundwater by the districts by means other than the Santa Rosa Canal.

amusements; 2023-2024. ([S.B. 1721/H.B. 2811](#)) – Chapter 134

Makes the following session law changes relating to amusements necessary to reconcile the FY 2024 state budget:

Applies, in FY 2024, the increased balance cap of \$400,000 for the Exposition and State Fair Board Permanent Revolving Fund to the period beginning 15 days before and ending 15 days after the 2023 Arizona State Fair, rather than the period between October 1 and November 30. In FY 2024, the Arizona Department of Gaming (ADG) must issue refunds for any event wagering operator license application fees associated with: 1) the Cocopah Indian Tribe; 2) the Colorado River Indian Tribe; 3) the Pascua Yaqui Tribe; 4) the Yavapai-Apache Nation; 5) the White Mountain Apache Tribe; and 6) the Havasupai Tribe.

Continues to require ADG, in FY 2024, 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.

capital outlay; appropriations; 2023-2024. ([S.B. 1722/H.B. 2812](#)) – Chapter 135

Effective May 11, 2023, transportation funding and capital outlay expenditures account for \$818,156,100 of FY 2024 state budget expenditures.

Building Renewal – Appropriates \$103,342,400 in FY 2024 to the following state agencies from the specified funds for major maintenance and repair activities for state buildings:

| Agency | Fund | Amount |
|---|---|--------------|
| Arizona Department of Administration (ADOA) | state General Fund (state GF) | \$25,124,700 |
| | Capital Outlay Stabilization Fund (COSF) | \$14,000,000 |
| Arizona Department of Corrections, Rehabilitation and Reentry (ADCRR) | state GF | \$33,942,600 |
| | Department of Corrections Building Renewal Fund | \$5,864,300 |
| Arizona Department of Transportation (ADOT) | State Highway Fund (SHF) | \$21,978,300 |
| | State Aviation Fund | \$441,900 |
| Arizona Game and Fish Department (AZGFD) | Game and Fish Fund | \$1,776,400 |
| Arizona State Lottery Commission | State Lottery Fund | \$214,200 |

Requires ADOA to allocate monies to state agencies for necessary building renewal and retrofit facilities for space consolidation initiatives. Reduces the ADOA appropriation for building renewal by the difference between the amount appropriated and the balance in the COSF, if COSF monies are insufficient to fund the appropriation. ADCRR may not spend building renewal appropriations on personal services or overhead expenses related to managing funded projects.

Capital Projects – Appropriates \$161,868,400 in FY 2024 to the following state agencies from the specified funds for capital projects:

| Agency | Purpose | Fund | Amount |
|--------|--|----------|--------------|
| ADCRR | Replace evaporative cooling statewide with HVAC | state GF | \$66,783,600 |
| ADCRR | Statewide door, lock and fire systems replacement | state GF | \$48,650,600 |
| ADOA | Electric vehicle charging and advance fuel infrastructure | state GF | \$5,000,000 |
| ADOT | Replace vehicle fueling facilities in Springerville, Holbrook and Chambers | SHF | \$2,600,000 |

| Agency | Purpose | Fund | Amount |
|---|--|---|-------------|
| ADOT | Electric vehicle charging and advance fuel infrastructure at ADOT facilities open and accessible to the public, excluding rest areas | SHF | \$2,500,000 |
| ADOT | Electric vehicle charging and advance fuel infrastructure at fleet facilities | SHF | \$5,000,000 |
| ADOT | Renovate motor vehicle division in North Tucson | SHF | \$4,100,000 |
| ADOT | Water conservation projects | SHF | \$2,500,000 |
| ADOT | Planning of passenger rail service from Phoenix to Tucson | state GF | \$3,500,000 |
| ADOT | Construct new maintenance facility in Keams Canyon | SHF | \$3,400,000 |
| Department of Emergency and Military Affairs (DEMA) | Additional construction monies for Surprise Readiness Center | state GF | \$1,125,000 |
| Arizona Exposition and State Fair Board | Capital improvements | Arizona Exposition and State Fair Fund | \$3,802,100 |
| Arizona Pioneers' Home | Capital improvements | Miners' Hospital for Miners with Disabilities Land Fund | \$468,700 |
| Arizona Pioneers' Home | Cemetery columbarium | Miners' Hospital for Miners with Disabilities Land Fund | \$75,000 |
| Arizona Pioneers' Home | Cemetery parking | Miners' Hospital for Miners with Disabilities Land Fund | \$250,000 |
| Arizona State Parks Board (ASPB) | Capital improvements | State Parks Revenue Fund | \$3,034,400 |
| ASPB | Verde River State Park | state GF | \$7,000,000 |
| AZGFD | Dam maintenance | Capital Improvement Fund | \$150,000 |

| Agency | Purpose | Fund | Amount |
|-------------------------------------|--|--------------------------|-----------|
| AZGFD | Hatchery maintenance | Capital Improvement Fund | \$400,000 |
| AZGFD | Property maintenance | Capital Improvement Fund | \$300,000 |
| AZGFD | Water conservation projects | Game and Fish Fund | \$500,000 |
| Department of Health Services (DHS) | Arizona State Hospital (ASH) water pump replacements | ASH Fund | \$209,000 |
| DHS | ASH water isolation valves | ASH Fund | \$200,000 |
| Department of Public Safety | Renovate Flagstaff aviation hangar | state GF | \$320,000 |

ASPB – Requires ASPB to establish a state park at the Verde River headwaters and promptly report to the Joint Committee on Capital Review (JCCR) and Governor's Office of Strategic Planning and Budgeting (OSPB) if ASPB revises a project plan due to receiving land and water conservation grant funding.

Statewide Highway Construction – Appropriates \$367,709,600 from the state GF in FY 2024 to ADOT for specified highway projects:

| Project | Amount |
|---|--------------|
| Construct an emergency evacuation bridge in Lake Havasu City | \$35,500,000 |
| Construct turn lanes along State Route (SR) 95 near Bullhead City | \$8,000,000 |
| Design a freeway interchange on Interstate 10 (I-10) at Jackrabbit Trail | \$5,000,000 |
| Design SR 87 intersection improvements at Arica Road and Shedd Road | \$700,000 |
| Design work and engineer improvements on SR 85 between Mile Post 123 and Maricopa Road | \$6,500,000 |
| Distribute to Apache County for SR 264 turn lane construction into the Ganado senior citizens center and veterans building development area | \$538,700 |
| Distribute to Cochise County for Moson Road drainage and safety improvements between SR 90 and Hereford Road | \$6,100,000 |
| Distribute to Gila County for Houston Mesa Road improvements between SR 260 and .4 miles south of Forest Road 198 | \$243,600 |
| Distribute to Graham County for intersection reconstruction at Norton Road and Reay Lane | \$500,000 |
| Distribute to Graham County for Safford Bryce Road improvements in the vicinity of Talley Wash Crossing | \$1,781,500 |
| Distribute to Pinal County for engineering and design of the West Pinal Parkway East-West Corridor | \$9,240,000 |

| Project | Amount |
|---|---------------|
| Distribute to Santa Cruz County for improvements to traffic interchanges at I-19 and Rio Rico Drive and I-19 and Ruby Road | \$8,600,000 |
| Distribute to the Canyon Water Improvement District to make improvements to infrastructure, including fire hydrants and other related water needs | \$610,000 |
| Distribute to the City of Coolidge for Coolidge Avenue reconstruction between Christensen Road and Clemans Road | \$5,300,000 |
| Distribute to the City of Douglas for road development and construction connecting the Douglas International Commercial Port of Entry and SR 80 | \$8,170,000 |
| Distribute to the City of Eloy for Sunland Gin Road I-10 overpass and road improvements between I-10 and Arica Road | \$5,000,000 |
| Distribute to the City of Globe for Cottonwood Street bridge replacement and improvements at Pinal Creek | \$632,500 |
| Distribute to the City of Globe for Jesse Hayes Road bridge replacement and improvements at Pinal Creek | \$643,200 |
| Distribute to the City of Globe for sidewalk construction along Jesse Hayes Road and Six Shooter Canyon Road | \$3,501,100 |
| Distribute to the City of Phoenix for improvements on Happy Valley Road between 35th Avenue and 67th Avenue | \$12,500,000 |
| Distribute to the City of Phoenix to extend 43rd Avenue between Dove Valley Road and SR 74 | \$6,500,000 |
| Distribute to the City of Sierra Vista for Theater Drive corridor improvement between Seventh Street and Carmichael Avenue | \$1,800,000 |
| Distribute to the City of Tucson for improvements to the Drexel Road Bridge | \$15,000,000 |
| Distribute to the Navajo Nation for improvements to N9402 Road near Lupton and Houck | \$10,000,000 |
| Distribute to the Town of Cave Creek to study the construction of expanding lanes along Cave Creek Road between Loop 101 and Carefree Highway | \$250,000 |
| Distribute to the Town of Clarkdale to replace the current bridge over Bitter Creek Wash | \$6,321,400 |
| Distribute to the Town of Huachuca City for Skyline Drive reconstruction between SR 90 and Huachuca City Landfill | \$1,565,200 |
| Distribute to the Town of Huachuca City for Skyline Pathway development along Skyline Drive between Gila Avenue and Edgewood Street | \$506,000 |
| Distribute to the Town of Marana for design costs for traffic interchange between I-10 and Cortaro Road | \$10,000,000 |
| Distribute to the Town of Patagonia for McKeown Avenue reconstruction between Fourth Avenue West and SR 82 | \$1,500,000 |
| Distribute to the Town of Payson for roundabout construction and improvements at intersection of Longhorn Road and McLane Road | \$1,529,800 |

| Project | Amount |
|--|---------------|
| Distribute to the Town of Pinetop-Lakeside for Porter Mountain Road improvements in the vicinity of Blue Ridge Elementary School | \$2,242,200 |
| Distribute to the Town of Prescott Valley to improve Glassford Hill Road | \$9,900,000 |
| Distribute to the Town of Queen Creek to extend SR 24, including a traffic interchange at SR 24 and Ironwood Road | \$87,500,000 |
| Distribute to the Town of Superior for Panther Drive bridge design and construction at Queen Creek | \$2,486,700 |
| Distribute to the Town of Thatcher for Eighth Street improvements between 1st Avenue and 20th Avenue | \$4,526,400 |
| Distribute to the Town of Winkelman for improvements to Golf Course Road and Quarelli Street | \$1,560,900 |
| Distribute to Yuma County for U.S. Route 95 pavement rehabilitation between County 22nd Street and County 11th Street | \$5,910,400 |
| Improve intersection on SR 347 at Casa Blanca Road and cement plant access | \$18,000,000 |
| Improve SR 260 within Navajo County | \$4,250,000 |
| Improve SR 83 within Santa Cruz County | \$9,000,000 |
| Improve the interchange at SR 303 and U.S. Route 60 | \$4,500,000 |
| Improve U.S. Route 95 between Wellton Mohawk Canal Road and Aberdeen Road | \$33,300,000 |
| Repave U.S. Route 60 between Morristown and Wickenburg | \$10,500,000 |

Declares the Legislature's intent that Phoenix contribute \$14,800,000 to the Happy Valley Road improvements project. For the project to extend SR 24, the Town of Queen Creek must collaborate with Pinal County before spending the \$87,500,000 distribution. The Town of Prescott Valley must demonstrate to ADOT a commitment of at least \$1,100,000 in matching monies from nonstate sources before receiving the \$9,900,000 distribution for improvements to Glassford Hill Road.

ADOT – Appropriates, from the state GF in FY 2024 to ADOT: 1) \$89,000,000 to widen I-10 between Chandler and Casa Grande; 2) \$76,200,000 to widen I-17 between Anthem and Black Canyon City; and 3) \$54,300,000 for pavement rehabilitation projects that meet prescribed eligibility requirements. Appropriates \$444,243,000 from the SHF in FY 2024 to ADOT to plan and construct state highways, acquire rights-of-way and provide for the cost of contracted field administration and construction project engineering and debt service payments on specified bonds. Prescribes reporting and oversight requirements for outlined construction projects, highway construction expenses, capital outlay information, outstanding debt principal balance and debt service payments.

ADOA – Appropriates \$10,000,000 from the state GF in FY 2024 to ADOA to distribute to the Diné College Board of Regents for capital improvements. Prohibits ADOA from spending capital outlay appropriations on personal services or employee-related expenditures, except for services provided by the Inmate Construction Program for correctional facilities.

Airports – Appropriates \$7,000,000 from the state GF in FY 2024 to ADOT to distribute to the Phoenix-Mesa Gateway Airport. Appropriates \$35,000,000 from the State Aviation Fund in FY 2024 to ADOT for airport planning and development, as determined by the State Transportation Board. Prescribes reporting requirements for aviation grant awards and distributions.

Adjustments – Redirects the \$1,000,000 appropriation from the state GF in FY 2023 to ADOA to distribute to the Navajo Nation, rather than Navajo County. Appropriates \$5,000,000 from the state GF in FY 2023 to ADOA for West Adams Street building renovation projects. Reallocates \$13,000,000 of the \$19,000,000 FY 2023 appropriation from the SHF to ADOT for the design to widen lanes along SR 347 between I-10 and the City of Maricopa as follows: 1) \$10,300,000 to Maricopa to design and construct improvements to SR 238 or SR 347, or both; 2) \$2,000,000 to the Gila River Indian Community for transportation infrastructure; and 3) \$700,000 for engineering and design costs associated with improvements along SR 87 near Coolidge.

Amends Laws 2022, Chapter 309 to modify the following amounts appropriated from specified funds in FY 2023 to ADOT for the following projects:

| Project | Fund | Amount Modified |
|--|----------|-----------------|
| Design and construct additional vehicle lanes on I-10 between SR 85 and Citrus Road | SHF | (\$3,290,000) |
| Construct a roundabout at intersection of SR 69 and SR 169 | SHF | \$6,522,500 |
| Design traffic interchange on SR 89 at SR 89A | SHF | (\$2,400,000) |
| Rehabilitate pavement along SR 90 between Campus Drive and the U.S. Border Patrol Station in Huachuca City | SHF | (\$580,000) |
| Rehabilitate pavement along U.S. Route 191 | SHF | \$2,651,000 |
| Install lighting on the Sentinel exit in Gila Bend | SHF | \$517,000 |
| Construct a traffic circle at the North Lake Powell Boulevard and U.S. Route 89 intersection and install traffic control devices | state GF | \$3,100,000 |
| Repave SR 69 in Prescott Valley | SHF | \$178,000 |
| Repave SR 95 in Mohave County | SHF | (\$6,161,600) |
| Construct an overpass at Riggs Road and SR 347 | SHF | \$15,250,000 |
| Repair SR 186 and State Business Route 10 in Willcox | SHF | (\$9,100) |
| Improve SR 90 from Moson Road to Campus Drive | SHF | (\$410,000) |
| Construct and improve former SR 279 | SHF | (\$6,142,800) |
| Improve U.S. Route 95 near Yuma Proving Ground | SHF | (\$3,500,000) |
| Final design plan, right-of-way and easements for an overpass at Riggs Road and SR 347 | SHF | (\$2,625,000) |
| Loop 101 slip ramp access project | state GF | (\$25,000,000) |
| Design and construct additional vehicle lanes on I-10 between SR 85 and Citrus Road | state GF | \$52,090,000 |

Exempts specified FY 2022 appropriations from lapsing until June 30, 2024. The \$25,564,400 FY 2022 appropriation to ADCRR for fire and life safety upgrades at the Eyman State Prison Complex is exempt from lapsing until June 30, 2025. Exempts the \$4,600,000 FY 2020 appropriation to ADOT to construct new maintenance facilities in Wickenburg from lapsing until June 30, 2023.

Modifies amounts appropriated from the state GF in FY 2021 to ADOT for highway projects by removing the \$10,000,000 appropriation to improve U.S. Route 95 and increasing, from \$13,600,000 to \$15,807,500, the appropriation to rehabilitate pavement along SR 77. Requires JCCR review before ADOT may transfer monies between projects.

Miscellaneous – Appropriates \$12,500,000 from the state GF in FY 2024 to the State Match Advantage for Rural Transportation Fund. Prescribes reporting and oversight requirements for specified building renewal and capital projects.

commerce; 2023-2024. ([S.B. 1723/H.B. 2813](#)) – Chapter 136

Makes the following statutory and session laws changes relating to commerce necessary to reconcile the FY 2024 state budget:

Job Creation Withholdings Account (Account) – Decreases the annual amount deposited in the Account from \$15,500,000 to \$10,500,000 and the annual amount credited from the Account to the Arizona Competes Fund from \$5,500,000 to \$500,000.

Water Infrastructure and Commerce Grant Fund (Grant Fund) – Retroactive to January 1, 2023, continues to require the Arizona Commerce Authority (ACA) to: 1) award Grant Fund monies to eligible entities for projects beginning after January 1, 2023; and 2) allocate and distribute Grant Fund monies by December 31, 2025.

Rural Broadband Accelerated Match Fund (Match Fund) – Establishes the Match Fund, administered by the ACA, and consisting of legislative appropriations. The ACA must use Match Fund monies in FY 2024 to assist political subdivisions to meet the matching requirement for the federal Broadband Equity, Access and Deployment Program and distribute the monies to counties and municipalities based on population. The ACA may give preference to applicants that demonstrate either the percentage of matching monies provided by the applicant or the extent that the applicant will partner with other entities to deliver the project. By September 1 of each fiscal year until all Match Fund monies are expended, the ACA must submit a report detailing the use of Match Fund monies for the previous fiscal year to specified governmental entities.

Microbusiness Loan Program (Program) – Establishes the Microbusiness Loan Fund (Loan Fund), administered by the Office of Economic Opportunity (OEO), and consisting of legislative appropriations. The OEO must: 1) establish the Program to provide funding in FY 2024 to an eligible entity from at least two counties that provide loans to microbusinesses in Arizona, in an amount of up to \$2,000,000 per entity; 2) publicly list and solicit Program applications; and 3) market and advertise the Program to microbusinesses without access to traditional funding sources. To receive Program funding in FY 2024, an *eligible entity* must be a community development financial institution or nonprofit lender in Arizona with at least two years of lending experience and satisfy outlined criteria. A participating eligible entity may charge application, commitment and loan guarantee fees up to the prescribed maximums. Outlines OEO reporting requirements.

criminal justice; 2023-2024. (S.B. 1724/H.B. 2814) – Chapter 137

Makes the following statutory and session law changes relating to criminal justice necessary to reconcile the FY 2024 state budget:

Increases, from 500,000 persons to 3,000,000 persons, the population threshold used to determine which counties must pay the Arizona Department of Juvenile Corrections a committed youth confinement cost sharing fee.

Monies deposited into the Consumer Remediation Subaccount of the Consumer Restitution and Remediation Revolving Fund (Consumer Fund) pursuant to opioid claims-related litigation or settlements are subject to legislative appropriation. The Attorney General's quarterly report on receipts and disbursements from the Consumer Fund must include a separate delineated report that includes the receipts and disbursements for all opioid claims-related litigation monies.

Extends, to FYs 2024 through 2026, the timeframe within which the Supreme Court may use a previous appropriation of up to \$2.6 million for a new appellate case management system.

Establishes the Fentanyl Prosecution, Diversion and Testing Fund (Fentanyl Fund), administered by the Department of Public Safety (DPS), and consisting of legislative appropriation. DPS must allocate monies in the Fentanyl Fund on a first-come, first-served basis to: 1) county attorneys, county sheriffs and courts to reimburse costs related to prosecutions of outlined fentanyl violations; and 2) law enforcement agencies to reimburse the costs related to fentanyl testing and diversion activities.

Establishes the Antihuman Trafficking Grant Fund (Trafficking Fund), administered by the Arizona Department of Homeland Security (AZDOHS), and consisting of legislative appropriations. Trafficking Fund monies must be distributed to eligible programs that reduce human trafficking in Arizona by providing assistance and analytical services to law enforcement agencies or services to victims and training to law enforcement and prosecutorial agencies and the public.

Establishes the Arizona State Nonprofit Security Grant Program (Program) to provide funding for safety and security projects to nonprofit organizations that are at-risk of a terrorist attack or hate crimes due to the nonprofit organization's ideology, beliefs or mission for the purposes of target hardening and other security enhancements and activities. Projects eligible for reimbursement include internal and external facility hardening structures, devices or equipment that mitigates identified vulnerabilities, as prescribed. AZDOHS must award up to \$1 million per fiscal year to qualified applicants in FYs 2024 through 2028. Outlines Program eligibility and grant award requirements.

environment; 2023-2024. (S.B. 1725/H.B. 2815) – Chapter 138

Makes the following statutory and session law changes relating to the environment necessary to reconcile the FY 2024 state budget:

Department of Emergency and Military Affairs (DEMA) – Establishes the Hazard Mitigation Revolving Fund (Revolving Fund) administered by DEMA and consisting of legislative

appropriations and federal grants. Revolving Fund monies may be used in FYs 2024 through 2028 in accordance with the federal Safeguarding Tomorrow through Ongoing Risk Mitigation Act.

Arizona Department of Administration (ADOA) – Establishes the Fire Incident Management Fund (Management Fund) administered by ADOA and consisting of legislative appropriations to provide grants to a municipal fire department or fire district to cover the cost of a secure incident management system that meets outlined criteria for three years. Prescribes requirements for ADOA to award Management Fund monies.

Arizona Department of Environmental Quality (ADEQ) – Continues to authorize ADEQ to use up to \$6,531,000 in FY 2024 from the Underground Storage Tank Revolving Fund in FY 2024 for administrative costs and remediating sewage discharge issues in Arizona border areas. ADEQ must charge the same fees in FY 2024 that were charged in FY 2023 for vehicle emissions tests conducted in the Phoenix metropolitan area. ADEQ is exempt from rulemaking requirements until July 1, 2024, to set emissions testing fees. Continues to cap the appropriation from the state General Fund to the Water Quality Assurance Revolving Fund at \$15 million in FY 2024.

Arizona Department of Agriculture (AZDA) – Continues to authorize the Director of the AZDA to adjust existing FY 2022 and FY 2023 services fees in FY 2024 and limits additional revenues generated by the adjustments to prescribed amounts. The AZDA is exempt from rulemaking requirements to establish fees until July 1, 2024.

Arizona Department of Water Quality (ADWR) – Continues to allow up to \$336,000 from the Water Protection Fund to be used for ADWR administrative costs.

Arizona Navigable Stream Adjudication Commission (ANSAC) – Continues to allow monies appropriated to ANSAC from the Arizona Water Banking Fund to be used for legal fees in FY 2024.

health care; 2023-2024. (S.B. 1726/H.B. 2816) – Chapter 139

Makes the following statutory and session law changes relating to health care necessary to reconcile the FY 2024 state budget:

Arizona Health Care Cost Containment System (AHCCCS) – Raises, beginning October 1, 2023, the maximum allowable income for member eligibility under the Children's Health Insurance Program, from 200 percent to 225 percent of the federal poverty level, subject to approval by the U.S. Centers for Medicare and Medicaid Services (CMS).

Requires AHCCCS, for FYs 2024 through 2026, to provide pilot coverage of rapid whole genome sequencing as a separately payable service for members who are under one year old, have a complex or acute illness of unknown etiology and are receiving inpatient hospital services in an intensive or high acuity pediatric care unit, subject to CMS approval, and outlines additional criteria that may be required to qualify for coverage. Genetic data resulting from genome sequencing is federally protected health information and must have the primary use of assisting the health care professional and care team to diagnose and treat the patient. Repeals the pilot coverage on January 1, 2027.

Continues to allow AHCCCS to extend risk contingency rate settings for all managed care organizations (MCOs) and funding for all MCO administrative funding levels imposed in contract year 2010 for the contract year and ending September 30, 2024, and to require AHCCCS to transfer any excess monies to the counties necessary for federal compliance.

Interoperability Software Grant Program – Requires the Arizona Department of Administration (ADOA) to administer a grant program for FY 2024 for a company that licenses an interoperability software technology solution to support rural hospitals, health care providers and trauma centers for the purpose of reducing public and private health care costs and unnecessary transportation costs. The grant recipient must demonstrate proof of veteran employment and that the technology solution meets prescribed qualification requirements. Outlines requirements for grant program reports and appropriations.

Collaborative Care Uptake Fund – Establishes the Collaborative Care Uptake Fund, consisting of legislative appropriations, to award grants to: 1) physicians in a medical practice with 50 or fewer employees to establish and deliver behavioral health integration services through the collaborative care model; and 2) collaborative care technical assistance centers that apply to the Department of Health Services (DHS) and fulfil prescribed eligibility requirements to provide technical assistance to physicians using the collaborative care model. A grantee may use awarded monies for hiring staff, entering into contracts, purchasing or upgrading software and any other purpose DHS deems necessary to support the collaborative care model.

Dementia and Alzheimer's Disease – Designates DHS as the lead agency to address Alzheimer's disease and related forms of dementia and directs DHS to establish a dementia services program and implement an Alzheimer's disease state plan, as prescribed. By July 1, 2024, and June 30, 2026, DHS must review the Alzheimer's disease state plan and submit an updated plan to the Governor and Legislature.

DHS must distribute FY 2024 appropriations to a qualified nonprofit organization to implement a public education campaign to increase awareness of Alzheimer's disease and related forms of dementia in rural and underserved urban areas in Arizona.

Psilocybin Research and Advisory Council – Requires DHS to provide competitive research grants for whole mushroom psilocybin clinical trials to evaluate the effects of utilizing psilocybin in the treatment of outlined conditions and disorders and outlines requirements for grant applications, immunities and the prioritization of psilocybin and certain trial subjects. Establishes the five-member Psilocybin Research Advisory Council to develop criteria for qualifying clinical trials, oversee the application process and submit annual recommendations on psychedelic-assisted therapy to the Governor, Legislature and DHS.

Student Registered Nurse Anesthetist Clinical Rotation Program (Student Anesthetist Program) – Establishes the Student Anesthetist Program within the Arizona Board of Nursing (AZBN) to expand the capacity of preceptor training programs for nurse anesthetist students. The AZBN must develop a grant program and application process for FY 2024 to distribute appropriated monies to licensed health care institutions to expand or develop clinical training placements for nurse anesthetist students, as prescribed.

Arizona Long Term Care System (ALTCS) – Outlines individual county contributions for ALTCS. Directs the State Treasurer to withhold monies as prescribed 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 2024 General Appropriations Act. The counties' share of the state's contribution must comply with federal maintenance of effort requirements.

Requires the Director of 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.

County Acute Care – Outlines individual county contributions for county acute care. Directs the State Treasurer to withhold monies as prescribed to fulfill county contribution obligations for acute care and deposit any paid or withheld county contributions into the AHCCCS and ALTCS Funds. 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. Upon request of the Director of AHCCCS, the State Treasurer must require up to three months' payment in advance.

Allows the Director of AHCCCS to instruct the State Treasurer to reduce or return county acute care payments as outlined, if the payments exceed costs incurred by AHCCCS.

Disproportionate Share Hospital (DSH) Payments – Outlines 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. Outlines 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, 2024, and ASH, by March 31, 2024, to 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 for federal matching funds for FY 2024.

Miscellaneous – Requires chiropractors to annually renew their license to practice by the last day of the chiropractor's birth month, rather than January 1.

Continues to exclude county contributions for costs of inpatient and in-custody competency restoration treatment and Proposition 204 administrative costs from county expenditure limitations.

higher education; 2023-2024. ([S.B. 1727/H.B. 2817](#)) – Chapter 140

Makes the following session law changes relating to higher education necessary to reconcile the FY 2024 state budget:

Community College District (CCD) Funding – Funds the FY 2024 operating state aid for CCDs and CCD science, technology, engineering and mathematics and workforce development programs as specified in the FY 2024 General Appropriations Act.

Spouses and Dependents of Law Enforcement Officers Tuition Scholarship Fund (Scholarship Fund) – Establishes the Scholarship Fund, administered by the Arizona Board of Regents (ABOR) and consisting of legislative appropriations, to award tuition scholarships in FYs 2024 through 2027 to the spouse or dependent of a law enforcement officer who enrolls in an Arizona: 1) public university; 2) community college; 3) career and technical education program or district; or 4) private postsecondary educational institution. ABOR must award an eligible individual a tuition scholarship equal to the tuition and mandatory fees, minus any aid received by that individual, with exceptions. ABOR may adopt rules to administer the Scholarship Fund and must submit an annual report, as prescribed.

Arizona Area Health Education System (Arizona AHEC) – Requires ABOR to distribute the FY 2024 appropriation for primary care residency programs to the Arizona AHEC to establish a program for qualifying community health centers, rural health clinics and tribal health facilities that supports and expands residency positions and programs as outlined. The Arizona AHEC may use up to \$500,000 of the appropriation to support a collaborative of the participants' primary care residency programs.

University Funding – Continues, for FY 2024, to allow the Legislature to appropriate less than a two-to-one match to student registration fees assessed by the Arizona Financial Aid Trust Fund.

Miscellaneous – Retroactive to July 1, 2023, and until January 1, 2025, requires the State Treasurer, on notice from ABOR, to invest and divest monies in the Arizona Veterinary Loan Assistance Fund and Scholarship Fund and credit monies earned to the respective fund.

human services; 2023-2024. ([S.B. 1728/H.B. 2818](#)) – Chapter 141

Makes session law changes relating to human services necessary to reconcile the FY 2024 state budget:

Temporary Assistance for Needy Families (TANF) – Continues to require the Department of Economic Security (DES) to screen and test each adult recipient who is eligible for TANF benefits and who DES has reasonable cause to believe engages in the illegal use of controlled substances. Any TANF recipient who tests positive for the use of a controlled substance not prescribed by a licensed health care provider is ineligible to receive TANF benefits for one year.

Homeless Shelter and Services Fund (Fund) – Establishes the Fund, administered by the Arizona Department of Housing (ADOH) and consisting of legislative appropriations and other specified monies. ADOH must use Fund monies to award grants in FYs 2024 through 2027 to outlined entities for programs that provide shelter and services to persons experiencing homelessness. Outlines ADOH reporting requirements.

Extended Foster Care Comprehensive Service Model (Model) – Establishes the Model Fund and requires, by November 9, 2023, the Department of Child Safety (DCS) to prepare a scope of work for FY 2024 for a model that includes supportive services and required case management provided by contracted community providers and extended foster care success coaches for young adults participating in the Extended Foster Care Program. Outlines requirements for the scope of

work and administration of the model and for the Extended Foster Care Success Coaching Program and respective coaches. DCS must establish an Extended Foster Care Quality Review Committee to ensure that extended foster care participants meet the prescribed requirements for the program. Prescribes DCS reporting requirements.

K-12 education; 2023-2024. (S.B. 1729/H.B. 2819) – Chapter 142

Makes statutory and session law changes relating to K-12 education necessary to implement the FY 2024 state budget:

Basic State Aid (BSA) – Increases the base level in FY 2024 from \$4,775.27 to \$4,914.71 per pupil and increases, from 0.018 to 0.022, the Group B weight for children who are eligible for the federal Free-and-Reduced-Price Lunch (FRPL) Program and other school programs dependent on a poverty measure. Increases transportation support levels for standard inflation. Increases charter additional assistance by 3.2 percent and district additional assistance by 9.38 percent in FY 2024.

Increases FY 2024 per-pupil funding, from 72 percent of BSA to the full BSA, for a county jail education program operated through an accommodation school. Increases the FY 2024 daily funding rate for a pupil with a disability who is enrolled in a county jail education program that is not operated through an accommodation school by calculating the rate as statutorily prescribed, except the amount is not multiplied by .72 and add \$100, rather than \$72, for capital outlay costs. Updates the TY 2023 qualifying tax rates to reflect annual truth-in-taxation rate adjustments.

Empowerment Scholarship Accounts (ESAs) – Requires the Arizona Department of Education (ADE) to submit a quarterly report that includes the number of ESA Program students disaggregated by specified categories, the annual award amount associated with each ESA and the amount of approved expenses disaggregated by expense type.

Grants and Funds – Repeals the Results-Based Funding Fund and the per-student distributions to school districts and charter holders for schools that receive an A letter grade.

Directs the State Board of Education (SBE), in FY 2024, to require public schools to complete and annually update an Arizona Education and Career Action Plan (ECAP) for each student in grades 9 through 12 and directs ADE to administer an Early Education and Career Exploration Program in FY 2024 to assist public schools in fulfilling SBE-prescribed ECAP requirements. Subject to available monies, ADE must contract with a nonprofit entity to provide public schools with a career mapping tool, training and resources, as outlined. Outlines ADE reporting requirements and establishes the Early Education and Career Exploration Program Fund, consisting of legislative appropriations.

Establishes the Dual Enrollment Teacher Development Fund, consisting of legislative appropriations, and requires ADE to provide an incentive bonus of up to \$1,000 in FY 2024 per qualified teacher who provides dual enrollment course instruction.

Establishes the Dual Enrollment Student Development Fund (Student Fund) within the SBE to provide financial assistance to eligible dual enrollment students and prescribes eligibility requirements. In FY 2024, ADE must distribute Student Fund monies to qualifying providers for student reimbursements of up to \$50 per dual enrollment credit hour and prioritize providers that

serve FRPL-eligible students. The maximum reimbursement a student may receive per school year is \$300 for a student in grades 9 or 10 or \$600 for a student in grades 11 or 12.

Requires ADE to establish the Arizona Civics Education and Leadership Development Training Program and Fund in FY 2024 for middle and high school students. ADE must develop procedures for a nonprofit to apply for participation and may approve an applicant that meets outlined eligibility requirements. The civics education and leadership development training must include the original intent of the founding documents and principles of the United States and other prescribed topics. By June 30, 2024, each participating nonprofit must report outlined information to ADE for compilation and submittal to the Governor and Legislature.

Establishes the Professional Development and Support Personnel Pilot Program (Pilot Program) within ADE to provide funding for school districts with a low teacher experience index to hire professional development and support personnel. In FY 2024, ADE must split Pilot Program distributions between school districts in counties with fewer than 500,000 persons and districts in counties with 500,000 persons or more. Outlines reporting requirements for ADE and participating school districts.

Live, Remote Instructional Courses (Remote Courses) – Authorizes, during the 2023-2024 and 2024-2025 school years, a school district or charter school to offer remote courses to students in grades 9 through 12 pursuant to a written agreement with another school district or charter school that offers a remote course with an in-person teacher or instructional aide and fulfills other specified requirements (services provider). A services provider must pay a remote course instructor a stipend as outlined and may not generate ADM for remote students.

In the 2023-2024 and 2024-2025 school years, a statutory bonus must be provided to the services provider of a remote course that provides the relevant instruction for an examination that qualifies for College Credit by Examination Incentive Program (CCEIP) and ADE must pay a services provider a \$500 incentive bonus for each student who receives a passing grade in a remote course that provides relevant instruction for a CCEIP-qualified examination, unless fewer than 10 remote students receive a passing grade in the remote course. Outlines ADE reporting requirements.

Miscellaneous – Increases the FY 2024 general budget limit for Duncan Unified and Blue Elementary School Districts. ADE may use Failing Schools Tutoring Fund monies in FY 2024 for specified school improvements and must report the proposed expenditures by September 1, 2023. Adds data and recipients for the annual Public School Transportation Modernization Grants Program report. Retroactive to July 1, 2023, lowers the total projected enrollment caps for Continuing High School and Workforce Training Program schools from 1,000 to 600 for FY 2024 and from 1,400 to 800 for FY 2025.

local government; 2023-2024. ([S.B. 1730/H.B. 2820](#)) – Chapter 143

Makes the following session law changes relating to local governments necessary to reconcile the FY 2024 state budget:

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 2024. By

October 1, 2023, a county using the flexible authority must report to the Director of the Joint Legislative Budget Committee: 1) whether the county used a revenue source for purposes other than outlined to meet a county fiscal obligation; and 2) the specific source and amount of revenues that the county intends to use in FY 2024.

secretary of state; 2023-2024. (S.B. 1731/H.B. 2821) – Chapter 144

Makes the following statutory and session law changes relating to the Secretary of State (SOS) necessary to reconcile the FY 2024 state budget:

Delays, from July 1, 2023, to July 1, 2024, the SOS's implementation of requirements relating to professional employer organization registration. Adds the Governor's Office of Strategic Planning and Budgeting as a recipient of the SOS's annual total expenditure plan summary for the Election Systems Improvement Fund.

state budget implementation; 2023-2024. (S.B. 1732/H.B. 2822) – Chapter 145

Makes the following session law changes relating to state budget implementation necessary to implement the FY 2024 state budget:

Continues, retroactive to July 1, 2023, to require any unrestricted federal monies received by Arizona in FY 2024 to be deposited into the state General Fund (state GF) to pay essential government services.

Continues to: 1) suspend the Budget Stabilization Fund (BSF) cap of 10 percent of the state GF revenue for FY 2024; 2) assert that the Legislature is not required to appropriate monies to or transfer monies from the BSF in FYs 2024 through 2026; and 3) prohibit the State Treasurer from transferring any surplus monies from the BSF to the state GF in FY 2024.

state buildings; management; 2023-2024. (S.B. 1733/H.B. 2823) – Chapter 146

Makes the following session law change relating to the management of state buildings necessary to reconcile the FY 2024 state budget:

Continues to set the Capital Outlay Stabilization Fund square-footage rental rates for state-owned buildings at \$17.87 for office space and \$6.43 for storage space in FY 2024.

taxation; 2023-2024. (S.B. 1734/H.B. 2824) – Chapter 147

Makes the following statutory and session law changes relating to taxation necessary to implement the FY 2024 state budget:

Arizona Department of Revenue (ADOR) – Requires ADOR, between October 15, 2023, and November 15, 2023, to issue a onetime general welfare individual income tax (IIT) rebate to qualifying Arizona taxpayers who claimed the Dependent Tax Credit for tax year 2021 and had a tax liability of at least \$1 in TYs 2021, 2020 or 2019. Taxpayers must subtract the received rebate

when computing the taxpayer's Arizona adjusted gross income. The rebate is \$250 for each dependent under 17 years old at the end of TY 2021 and \$100 for each dependent who was at least 17 years old at the end of TY 2021, for a maximum of three dependents. A taxpayer who does not receive the rebate by November 15, 2024, may file an online rebate claim application. Outlines rebate administration, procedures and reporting requirements. Designates the rebate the *Arizona Families Tax Rebate*.

Declares the Legislature's intent for FY 2024 that the share of fees for the ADOR Integrated Tax System Modernization Project be determined as outlined and that the assessment and transfers may not exceed: 1) \$6,597,200 in total fees assessed on government entities; 2) \$800,000 from additional education transaction privilege tax revenues; and 3) \$178,100 in marijuana excise tax revenues.

Miscellaneous – Retroactive to taxable years beginning January 1, 2023, increases, from \$3,000 to \$40,000, the maximum amount of the IIT subtraction for unreimbursed adoption expenses for TYs 2023, 2024 and 2025. Includes, for taxable years beginning January 1, 2023, in the taxable income of a partnership that elects to be taxed at the entity level, the partners' distributive share of statutorily prescribed items that require separate computation.

transportation; 2023-2024. (S.B. 1735/H.B. 2825) – Chapter 148

Makes statutory changes relating to transportation necessary to implement the FY 2024 state budget. A municipality that is partially located in an urbanized area of a county with a population of more than 1,000,000 persons is ineligible to receive State Match Advantage for Rural Transportation Fund monies.

LEGISLATION VETOED

criminal justice data collection; system. (S.B. 1588) – VETOED

SEE THE MILITARY AFFAIRS, PUBLIC SAFETY & BORDER SECURITY COMMITTEE.

appropriation; Mohave county substations (NOW: unclaimed property; information; registration) (H.B. 2623) – VETOED

SEE THE FINANCE COMMITTEE.

VETOED FY 2023 – FY 2024 STATE BUDGET PACKAGE

general appropriations act; 2023-2024. (S.B. 1523/H.B. 2570) – VETOED

The FY 2024 budget includes spending in the total amount of \$15.8 billion and a cash balance of \$1.79 billion. The vetoed budget includes ongoing and one-time revenues of \$17.6 billion.

The budget includes FY 2024 (unless otherwise stated) one-time additional state General Fund (state GF) spending as follows:

| | State GF \$ (in Millions)* |
|---|-------------------------------|
| Arizona Department of Administration – School Facilities Division – Building Renewal Grants Funding | 183.3 |
| Independent Redistricting Commission – Removal of FY 2024 Funding | (1.5) |
| Other – Partially Restore State Employee Health Insurance Funding | 72.0 |

**Figures are rounded.*

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

| | State GF \$ (in Millions)* |
|--|-------------------------------|
| Arizona Department of Corrections, Rehabilitation and Reentry – Private Prison Contract Increase | 7.1 |
| Department of Health Services – Fund Homeless Pregnant Women Services | 0.1 |

**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 Administration (ADOA)

- Requires ADOA, by November 1, 2024, to submit a report to the Director of the Joint Legislative Budget Committee (JLBC) on expenditures made from the Cyber Risk Insurance Fund from the prior year.

Arizona Department of Education (ADE)

- Requires ADE to submit an expenditure plan for JLBC review before spending the increase for early literacy programs for literacy coaches, kindergarten entry assessments, dyslexia training or science of reading exams.

Department of Public Safety

- Requires the monies appropriated for local support for the Border Strike Task Force to be used to fund local law enforcement officer positions within the Task Force that will deter and apprehend individuals charged with drug trafficking, human smuggling, illegal immigration and other border-related crimes.

Universities

- Declares the Legislature's intent that the monies allocated by Arizona State University for the School of Civic and Economic Thought and Leadership, Northern Arizona University for the Economic Policy Institute and University of Arizona for the Center for the Philosophy of Freedom in FY 2024 be consistent with the amount appropriated in FY 2023.

The Governor indicates in her [veto message](#) that S.B. 1523, and the FY 2024 state budget as a whole, does not address her priorities to work together on a budget that addresses the state's housing crisis, lowers costs, prepares the workforce and invests in public education.

amusements; 2023-2024. (S.B. 1524/H.B. 2571) – VETOED

Makes the following session law changes relating to amusements necessary to reconcile the FY 2024 state budget:

Continues to require the Arizona Department of Gaming, in FY 2024, 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.

The Governor indicates in her [veto message](#) that S.B. 1524, and the FY 2024 state budget as a whole, does not address her priorities to work together on a budget that addresses the state's housing crisis, lowers costs, prepares the workforce and invests in public education.

capital outlay; appropriations; 2023-2024. (S.B. 1525/H.B. 2572) – VETOED

Capital outlay expenditures account for \$553,101,200 of FY 2024 state budget expenditures.

Building Renewal – Appropriates the following amounts in FY 2024 to the following state agencies from 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, Rehabilitation and Reentry (ADCRR) | Department of Corrections Building Renewal Fund | \$5,864,300 |
| Arizona Game and Fish Department | Game and Fish Fund | \$1,776,400 |
| Arizona State Lottery Commission | State Lottery Fund | \$214,200 |
| Arizona Department of Transportation (ADOT) | State Highway Fund (SHF) | \$18,139,400 |
| | State Aviation Fund | \$441,900 |

Requires ADOA to allocate monies to state agencies for necessary building renewal. ADCRR may not spend the building renewal appropriation on personal services or overhead expenses related to managing funded projects.

Capital Projects – Appropriates \$31,422,000 from the state General Fund in FY 2024 to ADCRR to replace evaporative cooling statewide with HVAC.

Statewide Highway Construction – Appropriates \$444,243,000 from the SHF in FY 2024 to ADOT to: 1) plan and construct state highways; 2) acquire rights-of-way; and 3) provide for the cost of contracted field administration and field engineering on construction projects and debt service payments for highway construction bonds.

Airport Planning and Development – Appropriates \$35,000,000 from the State Aviation Fund in FY 2024 to ADOT to plan, construct, develop and improve state, county, city or town airports as determined by the State Transportation Board.

Miscellaneous – Prohibits ADOA from spending capital outlay appropriations on personal services or employee-related expenditures of state employees, except for services provided as part of the Inmate Construction Program for Correctional Facilities as outlined. Prescribes reporting and oversight requirements for specified building renewal and capital projects.

The Governor indicates in her [veto message](#) that S.B. 1525, and the FY 2024 state budget as a whole, does not address her priorities to work together on a budget that addresses the state's housing crisis, lowers costs, prepares the workforce and invests in public education.

environment; 2023-2024. (S.B. 1526/H.B. 2573) – VETOED

Makes the following session law changes relating to the environment necessary to reconcile the FY 2024 state budget:

Arizona Department of Environmental Quality (ADEQ) – Continues to allow ADEQ to use up to \$6,531,000 in FY 2024 from the Underground Storage Tank Revolving Fund in FY 2024 for administrative costs and remediating sewage discharge issues in Arizona border areas. ADEQ must charge the same fees in FY 2024 that were charged in FY 2023 for vehicle emissions tests conducted in the Phoenix metropolitan area. ADEQ is exempt from rulemaking requirements until July 1, 2024, to set emissions testing fees. Continues to cap the appropriation from the state General Fund to the Water Quality Assurance Revolving Fund at \$15,000,000 in FY 2024.

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 in FY 2024.

Arizona Navigable Stream Adjudication Commission (ANSAC) – Continues to allow monies appropriated to ANSAC from the Arizona Water Banking Fund to be used for legal fees in FY 2024.

Arizona Department of Agriculture (AZDA) – Continues to authorize the Director of the AZDA to adjust existing FY 2022 and FY 2023 fees in FY 2024 and limits additional revenues

generated by the adjustments to prescribed amounts. The AZDA is exempt from rulemaking requirements to establish fees until July 1, 2024.

The Governor indicates in her [veto message](#) that S.B. 1526, and the FY 2024 state budget as a whole, does not address her priorities to work together on a budget that addresses the state's housing crisis, lowers costs, prepares the workforce and invests in public education.

health care; 2023-2024. (S.B. 1527/H.B. 2574) – VETOED

Makes the following session law changes relating to health care necessary to reconcile the FY 2024 state budget:

Arizona Health Care Cost Containment System (AHCCCS) – Continues to allow AHCCCS to extend risk contingency rate settings for all managed care organizations (MCOs) and funding for all MCO administrative funding levels imposed in contract year 2010 for the contract year ending September 30, 2024. Continues to require AHCCCS to transfer any excess monies to the counties necessary for federal compliance.

Arizona Long Term Care System (ALTCS) – Outlines individual county contributions for ALTCS. Directs the State Treasurer to withhold monies as prescribed 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 2024 General Appropriations Act. The counties' share of the state's contribution must comply with federal maintenance of effort requirements.

Requires the Director of 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.

County Acute Care – Outlines individual county contributions for county acute care. Directs the State Treasurer to withhold monies as prescribed to fulfill county contribution obligations for acute care and deposit any paid or withheld county contributions into the AHCCCS and ALTCS Funds. 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. Upon request of the Director of AHCCCS, the State Treasurer must require up to three months' payment in advance.

Allows the Director of AHCCCS to instruct the State Treasurer to reduce or return county acute care payments as outlined, if the payments exceed costs incurred by AHCCCS.

Disproportionate Share Hospital (DSH) Payments – Outlines 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. Outlines 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, 2024, and ASH, by March 31, 2024, to 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 for federal matching funds for FY 2024.

Miscellaneous – Continues to exclude county contributions for costs of inpatient and in-custody competency restoration treatment and Proposition 204 administrative costs from county expenditure limitations. Continues to authorize Health Services Lottery Monies Fund monies to be used for purposes specified in the FY 2024 General Appropriations Act.

The Governor indicates in her [veto message](#) that S.B. 1527, and the FY 2024 state budget as a whole, does not address her priorities to work together on a budget that addresses the state's housing crisis, lowers costs, prepares the workforce and invests in public education.

higher education; 2023-2024. (S.B. 1528/H.B. 2575) – VETOED

Makes the following session law changes relating to higher education necessary to reconcile the FY 2024 state budget:

Funds the FY 2024 operating state aid for community college districts (CCDs) and CCD science, technology, engineering and mathematics and workforce development programs as specified in the FY 2024 General Appropriations Act.

Continues, for FY 2024, to allow the Legislature to appropriate less than a two-to-one match to student registration fees assessed by the Arizona Financial Aid Trust Fund.

The Governor indicates in her [veto message](#) that S.B. 1528, and the FY 2024 state budget as a whole, does not address her priorities to work together on a budget that addresses the state's housing crisis, lowers costs, prepares the workforce and invests in public education.

human services; 2023-2024. (S.B. 1529/H.B. 2576) – VETOED

Makes the following session law changes relating to human services necessary to reconcile the FY 2024 state budget:

Continues to require the Department of Economic Security (DES) to screen and test each adult recipient who is eligible for Temporary Assistance for Needy Families (TANF) benefits and who DES has reasonable cause to believe engages in the illegal use of controlled substances. Any TANF recipient who tests positive for the use of a controlled substance not prescribed by a licensed health care provider is ineligible to receive TANF benefits for one year.

The Governor indicates in her [veto message](#) that S.B. 1529, and the FY 2024 state budget as a whole, does not address her priority to work together on a budget that addresses the state's housing crisis, lowers costs, prepares the workforce and invests in public education.

K-12 education; 2023-2024. (S.B. 1530/H.B. 2577) – VETOED

Makes statutory and session law changes relating to K-12 education necessary to reconcile the FY 2024 state budget:

Basic State Aid – Increases the base level in FY 2024 from \$4,775.27 to \$4,870.78 per pupil. Increases, from 0.018 to 0.022, the Group B weight for children who are eligible for the federal Free-and-Reduced-Price Lunch (FRPL) Program and other school programs dependent on a poverty measure. Increases transportation support levels for standard inflation. Increases charter additional assistance by 3.20 percent and district additional assistance by 5.03 percent in FY 2024. Updates the TY 2023 qualifying tax rates to reflect annual truth-in-taxation rate adjustments.

Results-Based Funding – Continues, for FY 2024, to require the Arizona Department of Education to distribute a prescribed amount of Results-Based Funding Fund monies to a school that meets Spring 2022 statewide assessment performance and FRPL Program enrollment thresholds.

The Governor indicates in her [veto message](#) that S.B. 1530, and the FY 2024 state budget as a whole, does not address her priorities to work together on a budget that addresses the state's housing crisis, lowers costs, prepares the workforce and invests in public education.

local government; 2023-2024. (S.B. 1531/H.B. 2578) – VETOED

Makes the following session law changes relating to local government necessary to reconcile the FY 2024 state budget:

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 2024. By October 1, 2023, a county using the flexible authority must report to the Director of the Joint Legislative Budget Committee: 1) whether the county used a revenue source for purposes other than outlined to meet a county fiscal obligation; and 2) the specific source and amount of revenues that the county intends to use in FY 2024.

The Governor indicates in her [veto message](#) that S.B. 1531, and the FY 2024 state budget as a whole, does not address her priorities to work together on a budget that addresses the state's housing crisis, lowers costs, prepares the workforce and invests in public education.

state budget implementation; 2023-2024. (S.B. 1532 /H.B. 2579) – VETOED

Makes the following session law changes relating to state budget implementation necessary to reconcile the FY 2024 state budget:

Continues, retroactive to July 1, 2023, to require any unrestricted federal monies received by Arizona in FY 2024 to be deposited into the state General Fund (state GF) to pay essential government services.

Continues to: 1) suspend the Budget Stabilization Fund (BSF) cap of 10 percent of state GF revenue for FY 2024; 2) assert that the Legislature is not required to appropriate monies to or transfer monies from the BSF in FYs 2024 through 2026; and 3) prohibit the State Treasurer from transferring any surplus monies from the BSF to the state GF in FY 2024.

By June 30, 2023, the Attorney General must deposit \$77,250,000 from the settlement agreement in *State of Arizona v. Google* in the state GF.

The Governor indicates in her [veto message](#) that S.B. 1532, and the FY 2024 state budget as a whole, does not address her priorities to work together on a budget that addresses the state's housing crisis, lowers costs, prepares the workforce and invests in public education.

state buildings; management; 2023-2024. ([S.B. 1533 /H.B. 2580](#)) – VETOED

Makes the following session law changes relating to state buildings necessary to reconcile the FY 2024 state budget:

Continues to set the Capital Outlay Stabilization Fund square-footage rental rates for state-owned buildings at \$17.87 for office space and \$6.43 for storage space in FY 2024.

The Governor indicates in her [veto message](#) that S.B. 1533, and the FY 2024 state budget as a whole, does not address her priorities to work together on a budget that addresses the state's housing crisis, lowers costs, prepares the workforce and invests in public education.

taxation; 2023-2024. ([S.B. 1534/H.B. 2581](#)) – VETOED

Makes the following session law changes relating to taxation necessary to reconcile the FY 2024 state budget:

Declares the Legislature's intent for FY 2024 that the share of fees for the Arizona Department of Revenue Integrated Tax System Modernization Project be determined as outlined and that the specified assessment and transfers may not exceed: 1) \$6,597,200 in total fees assessed on government entities; 2) \$800,000 from additional education transaction privilege tax revenues; and 3) \$178,100 in marijuana excise tax revenues.

The Governor indicates in her [veto message](#) that S.B. 1534, and the FY 2024 state budget as a whole, does not address her priorities to work together on a budget that addresses the state's housing crisis, lowers costs, prepares the workforce and invests in public education.

transportation; 2023-2024. ([S.B.1535/H.B. 2582](#)) – VETOED

Makes the following statutory changes relating to transportation necessary to implement the FY 2024 state budget:

Prohibits Highway User Revenue Fund and State Highway Fund monies from being spent on projects that reduce the capacity for motor vehicle travel.

Requires the Arizona Department of Transportation to meet annual reporting requirements relating to: 1) progress in improving Motor Vehicle Division wait times and vehicle registration renewal by mail turnaround times; and 2) fee collections and use by an authorized third party electronic service partner on an information technology system and specified projects.

The Governor indicates in her [veto message](#) that S.B. 1535, and the FY 2024 state budget as a whole, does not address her priorities to work together on a budget that addresses the state's housing crisis, lowers costs, prepares the workforce and invests in public education.

Commerce Committee

Senator Steve Kaiser, Chairperson



Jason Theodorou, Research Analyst

Fausto Burruel, Assistant Analyst

Pauline Mayundo, Intern

COMMERCE COMMITTEE

LEGISLATION ENACTED

~~biomarker testing; insurance coverage; definitions~~ (NOW: insurance coverage; biomarker testing) ([S.B. 1052](#)) – Chapter 29

Excludes limited benefit coverage from a policy issued or renewed by a disability insurer or group or blanket disability insurer for the purpose of providing coverage of biomarker testing.

~~veterinary medicine; electronic means~~ ([S.B. 1053](#)) – Chapter 124

Allows a licensed or nonresident-permitted veterinarian to establish a veterinary client patient relationship (VCPR) by conducting a real-time electronic examination of an animal using an audio-video based communication medium (electronic means), except for an animal used in commercial food production that is regulated under agricultural laws. To establish a VCPR through electronic means, the veterinarian must: 1) obtain informed consent from the client; 2) provide the client with contact information and prescribed notices; and 3) be able to recommend the client to a local veterinarian who can see the animal in person. The veterinarian must maintain the consent documentation for three years. Veterinarian services provided through electronic means are subject to the Arizona State Veterinary Medical Examining Board's rules.

A veterinarian may prescribe drugs or medications after establishing a VCPR through electronic means, except that: 1) prescriptions may only be issued for up to 14 days and may be renewed one time for up to 14 days with an additional electronic examination; 2) the veterinarian must notify the client that some prescription drugs or medications may be available at a pharmacy and, if requested, submit a prescription to a pharmacy; and 3) the veterinarian may not prescribe a controlled substance unless the veterinarian has performed an in-person physical examination or made medically appropriate and timely visits to the premises where the patient is kept..

~~technical correction; prepaid legal insurance~~ (NOW: ~~property rights; zoning ordinances; costs~~) (NOW: residential leases; municipal tax exemption) ([S.B. 1131](#)) – Chapter 204

[SEE THE FINANCE COMMITTEE.](#)

~~workers' compensation; fraud investigations; adjudications~~ ([S.B. 1164](#)) – Chapter 191

Requires the Industrial Commission of Arizona (ICA) to establish a Fraud Unit to investigate fraudulent workers' compensation claims. The ICA must adopt rules to establish a process for receiving complaints and conducting fraud investigations as outlined. If the Fraud Unit is satisfied that a workers' compensation claim is fraudulent, the Fraud Unit may report the violations to the claimant or claimant's representative, the reporting employer, the self-insured employer or insurance carrier, the appropriate licensing agency and the appropriate county attorney or the Attorney General for prosecution.

Conditional on the enactment of H.B. 2431, clarifies that the total aggregate amount of the additional premium that each commercial workers' compensation insurer may charge and collect from all fire districts insureds to offset and recover COVID-19 related claims paid by the insurer before July 1, 2023, is \$800,000.

real estate appraisers; licensure classifications. (S.B. 1168) – Chapter 65

Increases, from \$250,000 to \$400,000, the maximum value of complex one to four residential units that a state-licensed real estate appraiser may appraise.

technical correction; nonprobate transfers (NOW: regulation; permissible consumer fireworks) (S.B. 1188) – Chapter 161

Modifies the time period during which permissible consumer fireworks may be used from December 24 through January 3 to December 26 through January 4.

funeral services regulation; DHS (NOW: funeral services; DHS; advisory committee) (S.B. 1210) – Chapter 194 E

An emergency measure effective June 20, 2023, and retroactive to April 1, 2023, that eliminates the State Board of Funeral Directors and Embalmers (Board) and transfers the Board's regulatory authority, powers, duties and responsibilities to the Department of Health Services (DHS). DHS may impose probationary terms on a licensee after inspection of a funeral establishment, crematory or alkaline hydrolysis facility to protect public health, safety and welfare and may rehabilitate or educate the licensee.

Transfers all unexpended and unencumbered monies remaining in the Board's Fund to the Health Services Licensing Fund (Licensing Fund). DHS may use up to \$870,000 from the Licensing Fund to assist in the transference of the Board's powers and duties. DHS must establish and collect funeral services fees in an amount determined by DHS through administrative rule, rather than at prescribed statutory amounts. DHS must deposit: 1) all fees and other monies collected under funeral services regulatory laws in the Licensing Fund; and 2) all civil penalties collected under funeral services regulatory laws in the state General Fund. Establishes a seven-member Advisory Committee to collaborate with and assist the Director of DHS in performing the duties to regulate the funeral services industry and outlines requirements relating to the Advisory Committee's duties, membership and meetings.

Eliminates licensure and registration as a funeral services intern, assistant funeral director, embalmer's assistant and prearranged funeral salesperson and eliminates temporary employment as an intern trainee. Modifies the licensure requirements for a funeral director and embalmer. Eliminates the requirement that an applicant for a funeral director, embalmer, cremationist, alkaline hydrolysis operator license or an owner of a funeral establishment be of good moral character. Adds that an applicant for a funeral director, embalmer or alkaline hydrolysis operator license may not have a disqualifying criminal history as determined by DHS. An unlicensed person who is employed by a funeral establishment and is on a pathway to licensure may embalm a dead human body under the direct supervision of a licensed embalmer, and an unlicensed person may

practice as an alkaline hydrolysis operator with appropriate supervision as outlined. Reduces, from 16 hours to 6 hours, the maximum hours of annual continuing education that may be prescribed by rule for a funeral services professional.

An authorized funeral establishment employee must provide accurate information about the retail prices of funeral goods and services and may provide the information by telephone, electronic means or mail. Eliminates the requirement for a funeral establishment to increase the required prearranged funeral agreement bond amount by \$5,000 for each newly registered employed salesperson. An alkaline hydrolysis facility is not required to employ a licensed alkaline hydrolysis operator if the alkaline hydrolysis facility is operated or supervised by a responsible cremationist. The omissions of an agent or employee of a crematory that violate funeral services laws or rules are deemed to be omissions of the crematory.

dental board; business entities; records (S.B. 1226) – Chapter 118

Modifies patient record maintenance requirements for a dental practice or business entity registered with the Arizona State Board of Dental Examiners (BODEX) by requiring: 1) all records to be permanent and contemporaneous; 2) the dental practice or business entity owner, rather than the BODEX licensee, to maintain all written and electronic records; 3) electronic records to be retrievable in paper form; and 4) records to include the results of clinical examinations, charting for existing restorations and documentation of informed consent.

A person who is licensed or certified by BODEX and who is an associate or employee of a dental practice is not responsible for storing or retaining medical records but must compile and record the records in the customary manner. A licensee or business entity must release treatment records to specified entities as required by a court order or a patient's written authorization. A dentist or business entity must take reasonable measures to ensure that patient records are retained when the dentist retires or sells the practice or the business entity closes or sells the practice.

A business entity must include the name of its records custodian in the business registration application with BODEX and notify BODEX in writing of any change in the records custodian within 30 days. On request, a business entity must: 1) allow properly authorized BODEX personnel to access the licensee's or certificate holder's practice to conduct an inspection; and 2) make records available to BODEX free of charge as part of an investigative process.

Requires the business entity BODEX member to be an employee or owner of a registered business entity. Modifies the definition of *unethical conduct* to include failing to comply with patient records requirements or a BODEX subpoena.

inmates; documentation; workforce reentry. (S.B. 1290) – Chapter 69

Beginning January 1, 2024, requires the Arizona Department of Corrections, Rehabilitation and Reentry (ADCRR) to: 1) provide an inmate who is discharged from imprisonment for a felony offense and who intends to reside in Arizona with outlined documentation and information to assist the inmate in obtaining post-release employment; and 2) notify an inmate if the inmate is eligible to apply for an occupational license or certificate from a state agency.

Nine months before an inmate's release, ADCRR must coordinate with the Arizona Department of Transportation (ADOT) to replace the inmate's current nonoperating identification license or driver license, if applicable. If an eligible inmate does not possess a current nonoperating identification license or driver license, ADCRR must provide a nonoperating identification license to the inmate on release from custody. ADOT must allow a copy of an inmate's birth certificate, along with an ADCRR-issued record card, to serve as a valid form of photo identification to obtain a nonoperating identification license or driver license.

ADCRR may use any available monies to cover the costs of providing inmates with the prescribed documentation and to pay fees for issuing nonoperating identification licenses or driver licenses, including inmate trust fund monies, existing ADCRR fund monies and donations. ADCRR, ADOT and the Department of Health Services may adopt rules to implement inmate workforce and reentry documentation requirements.

workforce; study committee; report ([S.B. 1563](#)) – Chapter 72

Establishes the 14-member Joint Legislative New American Talent Study Committee (Study Committee) and outlines Study Committee membership. The Study Committee must: 1) review best practices to maximize economic integration of new Americans into the workforce; 2) evaluate state requirements and policies that pose unnecessary barriers to new American workforce participation; 3) identify solutions that improve access to new American talent; and 4) submit a report of its findings to the Governor, Legislature, Arizona Commerce Authority and Secretary of State by December 31, 2023. Terminates the Study Committee on July 1, 2024.

dental anesthesia; requirements ([S.B. 1602](#)) – Chapter 200 E

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

private activity bonding ([S.B. 1718](#)) – Chapter 202

Modifies the allocation of the state ceiling for private activity bonds (PABs) by: 1) decreasing, from 30 percent to 25 percent, the allocation for projects that are designated at the sole discretion of the Director of the Arizona Finance Authority (discretionary projects); 2) decreasing, from 35 percent to 30 percent, the allocation for qualified mortgage revenue bonds (revenue bonds) and qualified mortgage credit certificate programs (credit programs), including bonds and certificate programs for home improvement and rehabilitation; 3) increasing, from 15 percent to 40 percent, the allocation for qualified residential rental projects as described in the U.S. Internal Revenue Code (rental projects); 4) eliminating the 5 percent allocation for qualified student loan projects; and 5) eliminating the 10 percent allocation for projects financeable through the issuance of PABs that require an allocation but are not provided for in law. From March 31 through July 31 of each year, until July 31, 2030: 1) 60 percent of the remaining state ceiling must be allocated to revenue bonds, certificate programs and rental projects; and 2) a project allocation confirmation may not be allocated to revenue bonds or certificate programs in an amount greater than \$35,000,000. Except for projects provided an allocation in law, a confirmation may not be allocated to a project in an amount greater than \$35,000,000 before August 31, rather than December 17.

Exempts, from expiring at 5:00 p.m. on March 31: 1) a request for an allocation for a rental project if a confirmation has not been issued for the project; and 2) any part of a confirmation for an allocation for a discretionary project for which bonds have not been issued or a certificate program has not been established. A request for an allocation for a discretionary project is not limited to one confirmation per request. Modifies deadlines and filing requirements for an allocation request. Eliminates the prohibition on an issuer transferring or assigning the issuer's allocation rights from one project to another project or from itself to another issuer. An issuer may reallocate all or a portion of any carryforward confirmation within the same carryforward purpose in compliance with state and federal law, subject to outlined requirements.

amusements; 2023-2024. ([S.B. 1721/H.B. 2811](#)) – Chapter 134

[SEE THE APPROPRIATIONS COMMITTEE.](#)

commerce; 2023-2024. ([S.B. 1723/H.B. 2813](#)) – Chapter 136

[SEE THE APPROPRIATIONS COMMITTEE.](#)

state board of accountancy; continuation ([H.B. 2011](#)) – Chapter 50

Continues the Arizona State Board of Accountancy for eight years, until July 1, 2031, retroactive to July 1, 2023.

~~real estate appraisers; licensure classifications (NOW: repeal; massage therapy; communication proficiency) ([H.B. 2012](#)) – Chapter 101~~

Eliminates the requirement for the Board of Massage Therapy to adopt rules to establish communication proficiency requirements related to a massage therapist license applicant's ability to protect health and safety in connection with the practice of massage therapy.

food handler certificates; training; exemption ([H.B. 2016](#)) – Chapter 51

[SEE THE EDUCATION COMMITTEE.](#)

~~bank deposits; technical correction (NOW: unemployment insurance; employer; limitations) (NOW: cosmetology licensure compact) ([H.B. 2049](#)) – Chapter 93~~

Beginning July 1, 2024, adopts the Cosmetology Licensure Compact (Compact), which allows home-state licensed cosmetologists to obtain a multistate license for the practice of cosmetology in other Compact member states. Outlines requirements for state inclusion in the Compact and prescribes multistate licensee eligibility. If a home state takes an adverse action against a licensee's multistate license, the licensee's authorization to practice in all other member states is deactivated until all encumbrances have been removed. Outlines procedures for Compact states to impose adverse actions against licensees that violate the terms of the license or Compact.

Establishes the Compact Commission (Commission) as an instrumentality of the Compact states and grants the commission rulemaking authority as outlined. Outlines Commission: 1) membership, powers, duties and financing; 2) procedures for dispute resolution and enforcement; 3) requirements for qualified immunity, defense and indemnification; 4) utilization of a coordinated database and reporting system; and 5) procedures for member state default and termination.

Outlines Compact withdrawal and amendment procedures and becomes effective on the date on which the Compact is enacted into law in the seventh member state.

cosmetology instructors ([H.B. 2199](#)) – Chapter 20

Entitles a person who is licensed as a cosmetologist, aesthetician, nail technician or hairstylist in another state or country and who has at least one year of instructor experience in cosmetology, aesthetics, nail technology or hairstyling in the other state or country to license reciprocity as an instructor in Arizona. A student enrolled in a school to become a cosmetology, aesthetics, nail technology or hairstyling instructor may be a paid employee of the school.

department of liquor licenses; continuation ([H.B. 2208](#)) – Chapter 58

Continues the Department of Liquor Licenses and Control for eight years, until July 1, 2031, retroactive to July 1, 2023.

economic opportunity; industrial development authority ([H.B. 2209](#)) – Chapter 172

Continues the Office of Economic Opportunity (OEO) for four years, until July 1, 2027, retroactive to July 1, 2023. Repeals the OEO on January 1, 2028, if the OEO has no outstanding obligations or has otherwise provided for paying or retiring the outstanding obligations. Eliminates the authority of the Director of the OEO to provide staffing to an industrial development authority.

Modifies the Arizona Finance Authority (AFA) Board membership requirements by: 1) allowing an AFA Board member to continue to serve until reappointment or until a replacement is appointed, if the member's term expires and the member has not been reappointed or replaced; 2) exempting a reappointed AFA Board member from the requirement to submit fingerprints to the Governor before appointment; and 3) prohibiting AFA Board members from having any direct or indirect financial interest in any project financed by the AFA or the Arizona Industrial Development Authority. An advisory board established by the AFA Board has the right to review, evaluate and recommend programs for approval. Removes the prohibition on the AFA Board meeting in executive session by audio or videoconference.

liquor; licensing; processes; procedures ([H.B. 2223](#)) – Chapter 25

Allows the Director of the Department of Liquor Licenses and Control (DLLC) to issue microbrewery festival and microbrewery fair licenses for the sampling or sale of microbrewery products for consumption on or off the festival or fair premises. The Director of DLLC (Director)

may issue a microbrewery fair license with the permission of state or county fair organizers. Before the Director may issue a microbrewery festival license, the county board of supervisors or city or town governing body must approve the microbrewery festival that is to occur at an unlicensed location. The Director may: 1) issue one or more microbrewery festival licenses for each licensed microbrewery, for up to 150 calendar days; and 2) establish a fee for each day of each event for a microbrewery festival or microbrewery fair license. Microbrewery festival and microbrewery fair licenses are exempt from the restrictions on licensing premises near school buildings.

Allows a licensed microbrewery's or craft distiller's representative to consume small amounts and serve the microbrewery's or craft distiller's products on the premises of an off-sale retailer or a retailer with off-sale privileges for the purpose of sampling the products. Requires a farm winery, manufacturer, microbrewery, craft distiller and direct shipment licensee to pay luxury privilege tax to the Arizona Department of Revenue annually, rather than monthly, by January 20 of the year succeeding the year in which the tax accrues.

Allows the Director to act on an on-sale spirituous liquor licensee's application for an extension of premises before the expiration of the 60-day review period if the local governing body provides an advisory recommendation to DLLC before the conclusion of the 60-day review period. Requires a licensee that has off-sale privileges and delivers spirituous liquor off the licensed premises to complete a written record of each delivery at the time of delivery that includes outlined information regarding the licensee and the individual accepting delivery.

Adds a valid unexpired consular identification card issued by a foreign government as an acceptable form of identification to determine whether a person is of legal drinking age, if the foreign government uses biometric identity verification techniques in issuing the consular identification card. Increases, from \$500 to \$700, the annual cap on the total market value of promotional items that a wholesaler may furnish without cost to an on-sale retailer and excludes refrigerators from the definition of *promotional items*.

ADOA; alternative routes applicants (H.B. 2225) – Chapter 28

Requires the Director of the Arizona Department of Administration (ADOA) to identify state employee positions that are suitable for skilled through alternative routes applicants. A *skilled through alternative routes applicant* is an individual who has developed skills through job training, community college, military service or an apprenticeship and who: 1) is currently active in the workforce; 2) has a high school diploma or its equivalent; and 3) does not have a bachelor's or graduate degree. ADOA's online state jobs application portal must identify positions that are suitable for skilled through alternative routes applicants and applicants who have postsecondary degrees. By October 1, 2023, the Director of ADOA must submit a report detailing which state employee positions may be modified to accept skilled through alternative routes applicants to the Governor and Legislature. Designates this legislation as the *Arizona Works Project Act*.

~~home solicitation sales~~ (NOW: sales; home solicitation) (H.B. 2228) – Chapter 80

Specifies that a *home solicitation sale* is a sale of goods or services solicited by a seller or the seller's representative without prior invitation, appointment or consent.

funeral practices; transportation protection agreements ([H.B. 2255](#)) – Chapter 95

Specifies that a transportation protection agreement is not insurance and excludes services provided pursuant to a transportation protection agreement from the definition of *funeral goods and services*. A *transportation protection agreement* is an agreement that primarily provides or arranges for services related to preparing human remains or cremated remains for transportation.

liquor; purchase; identification ([H.B. 2293](#)) – Chapter 27

Adds a valid unexpired border crossing card issued by the U.S. government that contains the person's photograph and date of birth as an acceptable form of identification to determine whether a person is of legal drinking age.

mobile homes; recreational vehicles; fund ([H.B. 2381](#)) – Chapter 16 E

An emergency measure effective March 30, 2023, and retroactive to April 16, 2022, that increases the maximum compensation that a mobile home park tenant (tenant) may collect from the Mobile Home Relocation Fund (Fund) for relocating or abandoning a mobile home or park trailer or park model recreational vehicle (RV) if the tenant is required to move due to a change in the use or redevelopment of the mobile home park from: 1) \$7,500 to \$12,500 for relocating a single section mobile home; 2) \$12,500 to \$20,000 for relocating a multisection mobile home; 3) \$4,000 to \$6,000 for relocating a park trailer or park model RV; and 4) 25 percent to 40 percent of the maximum allowable moving expense for abandoning a mobile home or park trailer or park model RV. Requires, rather than allows, the Director of the Arizona Department of Housing to: 1) adopt rules to administer the Fund; and 2) notify the county assessors to reinstate the mobile home assessment if at the end of the fiscal year the Fund balance is less than \$6,000,000.

A landlord must extend the time for repairs from 14 days to 60 days to correct a rental agreement breach if, within 14 days of receiving the breach notice, the tenant presents to the landlord a signed contract with a contractor that shows the breach will be corrected within 60 days.

~~insurance; existing actions; technical correction~~ (NOW: workers' compensation; firefighters; rate deviation) ([H.B. 2431](#)) – Chapter 149

[SEE THE FINANCE COMMITTEE.](#)

do-not-call list; text messages ([H.B. 2498](#)) – Chapter 41

Prohibits a seller or solicitor or anyone acting on behalf of a seller or solicitor from initiating an outbound text message to a phone number that is on the National Do Not Call Registry.

barbering; cosmetology; salons; unlicensed employees ([H.B. 2525](#)) – Chapter 22

Entitles a person to an aesthetician, nail technology or hairstyling license if the person completed a U.S. Department of Labor-approved or Department of Economic Security (DES)-approved apprenticeship program in aesthetics, nail technology or hairstyling that includes the minimum

prescribed hours of infection protection and law review instruction. The person must complete the infection protection and law review instruction through an approved program. A person participating in a DES-approved apprenticeship program in aesthetics, nail technology or hairstyling while working with a mentor in a Board-licensed establishment is exempt from statutes governing cosmetology.

eyelash technicians; registration.. (H.B. 2550/S.B. 1212) – Chapter 18

Establishes an eyelash technician registration under the authority of the Arizona Barbering and Cosmetology Board (Board). An *eyelash technician* is a person who is not licensed as a cosmetologist or aesthetician and who, for compensation, performs personal services limited to eyelash extensions. A person is entitled to an eyelash technician registration if the person: 1) applies to the Board for registration; 2) is either at least 18 years old or at least 16 years old with two years of high school education or its equivalent; 3) submits to the Board satisfactory evidence that the person completed a Board-approved training program; and 4) pays the prescribed fees. An eyelash technician must renew the eyelash technician's registration every two years.

A training program is not required to be licensed as a school in order to be approved by the Board to provide eyelash technician training and the Board must provide a provisional registration to a person verifying successful training completion. The Board may not require more than 30 hours of training.

Requires the Board to establish and collect eyelash technician registration, registration renewal and delinquent renewal fees in an amount determined by the Board and maintain a current register of registered eyelash technicians who are in good standing with the Board.

~~real estate disclosures; water; solar~~ (NOW: seller disclosure; water; solar; batteries) (H.B. 2590) – Chapter 77

Requires a seller's affidavit of disclosure for land divisions of five or fewer lots, parcels or fractional interests to include disclosures regarding: 1) the water hauler or water hauling company and water supply, if the property is served by a water supply that requires transportation of water to the property; 2) battery energy storage devices, if the property has battery storage devices; and 3) whether the sale of the property meets the requirement to notify the State Real Estate Commissioner (Commissioner) of an intention to subdivide. The seller's affidavit of disclosure must contain the outlined disclosures and be completed by the seller.

Adds, to the requirements for county approval of an application to split a parcel of land, a requirement that the applicant must sign an affidavit under oath acknowledging that the applicant is aware that: 1) it is unlawful to attempt to avoid land division or subdivision laws by acting in concert to divide a parcel of land into six or more lots or parcels; and 2) the county or the Arizona Department of Real Estate may investigate and enforce the prohibition against acting in concert to unlawfully divide a parcel of land into six or more lots or parcels. Increases, from \$1,000 to \$2,000 for each infraction, the maximum civil penalty that the Commissioner may assess against an agent or subdivider who engages in an unlawful practice with respect to the sale or lease of subdivided lands.

~~communicable disease information; 911 dispatchers~~ (NOW: trauma counseling; 911 dispatchers) ([H.B. 2717](#)) – Chapter 109

Adds 911 dispatchers who experience a traumatic event to the list of professionals who may qualify for 12 visits of traumatic event counseling. Audibly witnessing a death, maiming or the immediate aftermath of a death or maiming of a human being is a qualifying traumatic event.

~~public infrastructure improvements; reimbursement~~ ([H.B. 2809](#)) – Chapter 181

[SEE THE FINANCE COMMITTEE.](#)

LEGISLATION VETOED

~~food; municipal tax; exemption...~~ ([S.B. 1063/H.B. 2061](#)) – VETOED

[SEE THE FINANCE COMMITTEE.](#)

~~firearms; contracts; prohibited practices~~ ([S.B. 1096](#)) – VETOED

Prohibits a public entity from entering into a contract of \$100,000 or more with a company to acquire or dispose of services, supplies, information technology or construction unless the contract includes a written certification that the company does not and will not discriminate against a firearm entity or firearm trade association, with exceptions. A public entity: 1) must include the written certification submitted by the company as part of the procurement process; and 2) may not adopt a procurement, investment or other policy that has the effect of inducing or requiring a person or company to discriminate against a firearm entity or firearm trade association.

The Governor indicates in her [veto message](#) that S.B. 1096 is unnecessary and could result in banks leaving Arizona's market, which would limit competition and increase costs for local governments.

~~home-based businesses; restrictions; prohibition~~ ([S.B. 1162](#)) – VETOED

Requires a municipality or county to allow a home-based business as a use by right if the home-based business does not supersede any deed restriction, covenant or agreement restricting the use of land, a master deed or any other document applicable to a common interest ownership community. A municipality or county may not: 1) prohibit a no-impact home-based business; 2) require a person to apply for, register or obtain a permit, license, variance or other approval to operate a no-impact home-based business; or 3) conditionally require a person to apply for property rezoning or install fire sprinklers in the residential dwelling. A municipality or county may establish reasonable regulations on a home-based business if the regulations are narrowly tailored for prescribed purposes.

The Governor indicates in her [veto message](#) that S.B. 1162 does not balance the needs of small businesses and neighborhoods and creates challenges for public safety and code enforcement.

public employers; postsecondary degree requirements (S.B. 1166) – VETOED

Beginning January 1, 2024, prohibits a public employer from rejecting an applicant solely for not having a postsecondary degree. A public employer must determine the baseline requirements for each job posting which may include previous direct experience, certifications and courses. A public employer may include a postsecondary degree as a baseline requirement only as an alternative to a particular number of years of direct experience, as prescribed. A public employer is exempt from the postsecondary degree restrictions if the public employer clearly demonstrates that the job requires a postsecondary degree and meets other job posting requirements.

Requires the State Personnel Board (Board) to enforce the postsecondary degree restrictions and outlines requirements for applicant rejection notifications and Board appeals. Designates this legislation as the *Expanding Public Sector Career Opportunities Act*.

The Governor indicates in her [veto message](#) that S.B. 1166 adds unnecessary and unworkable administrative burdens and creates more problems than it solves.

homeless encampment; removal (S.B. 1413) – VETOED

[SEE THE JUDICIARY COMMITTEE.](#)

amusements; 2023-2024. (S.B. 1524/H.B. 2571) – VETOED

[SEE THE APPROPRIATIONS COMMITTEE.](#)

critical infrastructure; prohibited agreements (S.B. 1658) – VETOED

Prohibits a business or government entity from entering into an agreement involving critical infrastructure in Arizona with a company that: 1) would be able to access or the control critical infrastructure, except access for product warranty and support purposes; and 2) is owned or controlled by citizens or the government of, or is headquartered in, China, Iran, North Korea or Russia. A company is exempt from the prohibition if the Committee on Foreign Investment in the United States determines that there are no unresolved national security concerns regarding the company's ownership or U.S. operations. The Governor may designate a country as a threat to critical infrastructure in Arizona in consultation with the Department of Public Safety. *Critical infrastructure* means systems and assets that are so vital to Arizona and the United States that the incapacity or destruction of those systems and assets would have a debilitating impact on security, economic security, public health or safety.

The Governor indicates in her [veto message](#) that S.B. 1658 creates a presumption that all citizens of certain countries are enemies of the state, disqualifies many dual citizens who are productive members of Arizona's economy and jeopardizes business entering the Arizona market.

~~technical correction; tax debt; enforcement~~ (NOW: mobile food vendor; operation; rules) (H.B. 2094) – VETOED

[SEE THE APPROPRIATIONS COMMITTEE.](#)

~~unemployment benefits; requirements; disqualifications~~ (NOW: unemployment; requirements; disqualifications; shared work) ([H.B. 2108](#)) – VETOED

Modifies eligibility requirements for unemployment insurance (UI) benefits to require an unemployed individual to seek and apply for suitable work by conducting at least five qualified work search actions each week and, if applicable, providing a weekly report to the Department of Economic Security (DES), rather than by engaging in a systematic and sustained effort to obtain work during at least four days of the week and making at least one job contact per day on four different days of the week. An unemployed individual is disqualified from receiving UI benefits if the individual fails to seek and apply for suitable work, accept an offer of suitable work or accept reemployment at the same employer for suitable work, if offered. An employer must report to DES when a previous employee refuses to return to work or accept a suitable work offer, fails to appear for an interview or fails to respond to an employment offer.

DES may not pay UI benefits for an initial or ongoing claim until the initial claim is cross-checked, or an ongoing claim is cross-checked weekly, against the outlined data sets. If a cross-check indicates that a claim is ineligible or fraudulent, DES may not pay the claim and the claimant is disqualified from receiving UI benefits and must be referred for prosecution. Prescribes claim criteria that DES must examine before UI benefits are paid.

The Governor indicates in her [veto message](#) that H.B. 2108 undermines the current UI system modernization efforts and creates barriers for workers and unnecessary costs for the state.

~~inmates; documentation; workforce reentry~~ (NOW: motor vehicle manufacturers; TPT; exemption) ([H.B. 2252](#)) – VETOED

Establishes a special 30-day nonresident registration permit (30-day permit) issued by a motor vehicle dealer (dealer) for a nonresident who purchases an unregistered motor vehicle in Arizona (nonresident purchaser) for removal to the nonresident purchaser's state of residence. For FY 2024, a dealer may issue a maximum of 500 30-day permits. The limit increases by 10 percent annually thereafter. Outlines dealer recording requirements and procedures for issuing a 30-day permit. Prescribes information that must be included on the 30-day permit. The Arizona Department of Transportation (ADOT) and the Arizona Department of Revenue must jointly develop and prescribe forms to administer the 30-day permit. ADOT may establish a fee by administrative rule for a 30-day permit. An electronic record of the 30-day permit that a dealer sends to ADOT is considered written notice of the removal of the motor vehicle from Arizona and relieves the dealer or authorized third party from liability in accordance with tax deduction requirements.

Exempts a motor vehicle sale by a dealer to a nonresident purchaser who has secured a 30-day permit from state transaction privilege tax (TPT) and county excise tax. A city or town may levy TPT on the gross proceeds of sales or gross income derived from the sale of a motor vehicle to a nonresident purchaser who has secured a 30-day permit. If a nonresident purchaser registers the motor vehicle in Arizona within 365 days after the issuance of a 30-day permit, the nonresident purchaser is liable in an amount equal to any tax, penalty and interest that the dealer or authorized third party would have been required to pay.

The Governor indicates in her [veto message](#) that H.B. 2252 has the potential for unintended consequences that would have a significant fiscal impact on the state.

food preparation; sale; cottage food ([H.B. 2509](#)) – VETOED

Adds, to the cottage food products exemption, food products that are potentially hazardous or require time or temperature control for safety. A food preparer may sell cottage food products to the maximum extent allowed by federal law, except as provided by state law, and may not store cottage food products or food preparation equipment outside of the food preparer's home. A cottage food product: 1) may not be used as an ingredient in food products sold at a permitted retail food establishment or contain marijuana or marijuana by-products; and 2) must only contain ingredients that are approved by law. A home kitchen used to prepare cottage food products may not operate as a commissary for the purposes of serving a mobile food vendor.

Outlines sale and delivery requirements for cottage food products that: 1) do, or do not, contain dairy, meat or poultry; 2) are potentially hazardous or require time or temperature control for safety; and 3) are sold by a third-party vendor. An online platform that offers cottage food products for sale must provide a notification that includes prescribed food preparer and cottage food product information. DHS must adopt rules relating to cottage food products, as prescribed.

The Governor indicates in her [veto message](#) that H.B. 2509 would significantly increase the risk of food-borne illness by expanding the ability of cottage food vendors to sell high-risk foods and fails to establish sufficient minimum standards for inspection or certification of home-based food businesses, limiting the ability of DHS to investigate food-borne disease outbreaks.

Education Committee

Senator Ken Bennett, Chairperson



Laura Benitez, Research Analyst

Mason Holler, Assistant Research Analyst

Kaila Thornton, Intern

EDUCATION COMMITTEE

LEGISLATION ENACTED

colleges; universities; free speech zones (S.B. 1013) – Chapter 184

Retroactive to July 1, 2022, withholds state aid from a community college district (CCD) that exceeds its prescribed expenditure limitation in FYs 2024 or 2025 in the following amounts: 1) \$5,000, if the excess expenditures are less than 5 percent of the limitation; 2) \$15,000, if the excess expenditures are between 5 percent and 10 percent of the limitation; 3) \$20,000, if the excess expenditures are between 10 percent and 12 percent of the limitation; or 4) the lesser of five times the excess expenditures or one-third of the state aid allocation, if the excess expenditures are at least 12 percent of the limitation. State aid withheld from a provisional CCD established before December 31, 2015, in a county with a population of up to 300,000 persons may not exceed one percent of the CCD's budget.

Applies the prohibition on a public university or community college limiting the area where free speech may be exercised to free speech exercised by a person who is lawfully present and authorizes a person to engage in expressive activity, including a protest or demonstration, in any area where the person is lawfully present on a public university or community college campus.

average daily membership; student withdrawals (S.B. 1174) – Chapter 131

Defines *withdrawals* for the purposes of average daily membership as students who are formally withdrawn from schools or students who are absent for 10 consecutive school days, rather than specifying that *withdrawals* includes students who are formally withdrawn from schools and students who are absent for 10 consecutive school days. A student who is absent for 9 or fewer consecutive school days, including the last day of the school year, is not a withdrawal and may not be subtracted from the total student enrollment.

foster children; education; best interest (S.B. 1205) – Chapter 117

Requires, within five days of a child entering foster care or if a child's educational placement changes, outlined individuals to make a best interest foster care placement determination on whether it is in the child's best interest to remain at their school of origin. A best interest educational placement decision must be based on consideration of factors relating to the child's best interest, including the: 1) child's unique educational needs; 2) appropriateness of the current educational setting; and 3) proximity to the school in which the child is enrolled. If it is determined that a child's school of origin is not in the child's best interest, the child's potential new educational institution must be included in the educational placement determination process. Within two days after a determination that an educational placement change is in the child's best interest, the new educational institution must enroll the child and the child's school of origin must transfer the child's educational records to the new educational institution.

Outlines school transportation and reporting requirements. The Department of Child Safety (DCS) must ensure transportation to a child's educational institution both during and after the educational placement determination process and may coordinate with the Arizona Department of Education (ADE) and local education agencies (LEAs) and enter into necessary agreements to facilitate school transportation. DCS and ADE must adopt a written arbitration process for resolution of disputes between DCS, LEAs and ADE regarding a child's school transportation.

dropout recovery programs; revisions (S.B. 1208) – Chapter 127

Authorizes an alternative school within a school district (district school) or an alternative charter school with a unique entity number, rather than a school district or charter school, to offer a dropout recovery program (DRP) and narrows the prohibition on an Arizona Online Instruction (AOI) provider operating a DRP to apply to an AOI online course provider or an online school. An alternative district school or alternative charter school may apply to operate a DRP to the Arizona Department of Education (ADE). ADE must determine whether the DRP criteria are met and notify the alternative district school or alternative charter school of the determination within 30 days. An alternative district school or alternative charter school that contracts with an educational management organization (EMO) must identify the EMO in the application to ADE and notify ADE after entering or terminating a contract with an EMO. Requires ADE to maintain a list of schools and EMOs that provide DRP services and outlines reporting requirements.

To be eligible for a DRP, a student must have been withdrawn from a school district or charter school for 10, rather than 30, days. A DRP student's written learning plan must include whether the student will receive wraparound services or support services that count toward the student's satisfactory monthly progress, which includes a two-month period of lesser required progress to establish the wraparound or support services according to the student's written learning plan. Restricts, to only during the student's initial entry into a DRP, the time period in which wraparound or support services may count toward a student's satisfactory monthly progress and prohibits the services from counting during subsequent entries into the same school's DRP. For determining average daily membership generated by a DRP student making satisfactory monthly progress, teacher-facilitated courses may be synchronous or asynchronous.

emergency response; students with disabilities (S.B. 1315) – Chapter 120

Requires an emergency response plan developed by a school district governing board to address how a school and emergency responders will communicate with and provide assistance to students with disabilities.

~~technical correction; child hearing programs~~ (NOW: community colleges; noncredit workforce training) (S.B. 1400) – Chapter 198

Includes noncredit workforce training full-time equivalent student enrollment (FTSE) in a community college district's (CCD's) reported FTSE that is used to determine a CCD's expenditure limitation. Noncredit workforce training FTSE is determined by dividing the total class attended contact hours of persons who complete the noncredit workforce training by 640. Allows a course that is offered for credit to award credit hours or contact hours, rather than only credits, based on

the effort required of, and competencies gained by, the students. Noncredit workforce training that is offered for contact hours instead of credit hours must meet prescribed requirements. A CCD must maintain noncredit workforce training FTSE records to support the actual student clock hours attended or contact hours.

By December 31, 2023, each CCD must report to the Economic Estimates Commission (EEC) any information necessary to determine the CCD's FY 1980 student population, using the inclusion of noncredit workforce FTSE. The EEC must use the reported information to calculate each CCD's expenditure limit.

small school districts; substitute teachers ([S.B. 1584](#)) – Chapter 15

Allows a small school district to employ a substitute teacher who is the spouse or immediate family member of a school district governing board member. A school district governing board member who is related to a substitute teacher must be recused from voting on any matter relating to substitute teachers.

higher education; 2023-2024. ([S.B. 1727/H.B. 2817](#)) – Chapter 140

[SEE THE APPROPRIATIONS COMMITTEE.](#)

K-12 education; 2023-2024. ([S.B. 1729/H.B. 2819](#)) – Chapter 142

[SEE THE APPROPRIATIONS COMMITTEE.](#)

food handler certificates; training; exemption ([H.B. 2016](#)) – Chapter 51

Prohibits a county from requiring a person to obtain a food handler certificate or identification card or participate in a food handler certificate training course if the person is: 1) a volunteer at a school activity or function where food is handled or served outside of regular food service to students; and 2) overseen by a certified food protection manager or *person in charge*.

classroom-based preparation program; employment ([H.B. 2057](#)) – Chapter 88

Requires a school district or charter school to classify each teaching certificate candidate in a classroom-based preparation program as a paid employee.

~~charter schools; financial requirements; revisions~~ (NOW: schools; requirements; revisions) ([H.B. 2060](#)) – Chapter 170

Allows, rather than requires, a school district or charter school to administer the kindergarten entry evaluation tool adopted by the State Board of Education and directs each school district governing board and charter school governing body to select appropriate kindergarten entry evaluation methods or assessments to identify reading deficiencies and monitor student progress. A school district or charter school may fulfill dyslexia training requirements by ensuring at least one literacy coach or literacy specialist in each school receives dyslexia training.

A school district, school operated by a school district or charter school may satisfy statutory website posting requirements by linking the information on its homepage and by consolidating information on a single webpage, if linked to the homepage.

Bifurcates the requirement that the Arizona Department of Education (ADE) must develop a statutory parental rights handbook into requirements that ADE must develop a statutory parental rights handbook for parents of students in school districts and develop a separate parental rights handbook for parents of students in charter schools, as outlined.

Modifies teacher background and experience records retention requirements. Increases, from 5 to 10, the number of school days after enrolling a transfer pupil for a school to request the transfer pupil's record from the previous school. Removes the requirement that the prescribed school district budget format include the number of certified full-time equivalent employees.

Redirects, from the Kirkland School District to the Skull Valley School District, the \$300,000 FY 2024 appropriation from the state General Fund to the Arizona Department of Administration included in the FY 2023 General Appropriations Act.

ASDB; continuation ([H.B. 2456](#)) – Chapter 110

Continues the Arizona State Schools for the Deaf and the Blind for four years, until July 1, 2027, retroactive to July 1, 2023.

schools; governing board members; employment ([H.B. 2459](#)) – Chapter 108

Limits the positions in which a school district may employ a person who served as a member of the school district's governing board during the preceding two years to only positions in which the person will provide services directly to students. The limitation includes employment through a third-party contractor that provides services to the school district. A school district may increase the time period of the limitation to be more than two years.

suspension; requirements; K-4 students ([H.B. 2460](#)) – Chapter 176

Exempts a school district or charter school from the requirements and procedures prescribed for suspending a pupil in a kindergarten program or grades one through four if the pupil is suspended for two or fewer days and the pupil's aggregate suspensions do not exceed 10 days within the school year.

~~technical correction; education; extended year~~ (NOW: private residential facilities; instructional days) ([H.B. 2620](#)) – Chapter 178

Authorizes a private residential facility that provides at least 200 days of instruction to increase its base level by five percent, subject to specified requirements.

school districts; organizational meeting; deadline ([H.B. 2663](#)) – Chapter 180

Extends, from January 15 to January 31, the date by which a school district governing board must hold an organizational meeting after an election.

school districts; expenditure limit; authorization. ([S.C.R. 1041/H.C.R. 2050](#))

Effective May 10, 2023, authorizes school districts in FY 2024 to spend local revenues in excess of the aggregate expenditure limitation.

school district expenditures; authorization. ([H.C.R. 2001/S.C.R. 1009](#))

Effective February 8, 2023, authorizes school districts in FY 2023 to spend local revenues in the amount of \$1,385,809,642 more than the aggregate expenditure limitation.

LEGISLATION VETOED

pronouns; biological sex; school policies ([S.B. 1001](#)) – VETOED

Prohibits a school district or charter school employee or independent contractor from, without written parental permission, knowingly referring to a student who is younger than 18 years old by a pronoun that differs from the pronoun that aligns with the student's biological sex or by a first name other than the first or middle name listed on the student's official school records, except a commonly associated nickname. A school district or charter school may not require an employee or independent contractor to address, identify or refer to a person by a pronoun other than the pronoun aligning with the person's biological sex, if doing so is contrary to the employee's or independent contractor's religious or moral convictions. Each school district governing board and charter school governing body must adopt policies to implement the prohibitions.

The Governor indicates in her [veto message](#) that she will veto every bill that aims to attack and harm children.

public schools; restrooms; reasonable accommodations ([S.B. 1040](#)) – VETOED

Requires a public school to provide a reasonable accommodation to a person who is unwilling or unable to use a multi-occupancy restroom or changing facility designated for the person's sex or multi-occupancy sleeping quarters at a school-sponsored activity, if the person requests an accommodation in writing. *Reasonable accommodation* includes access to a single-occupancy or employee restroom or changing facility and does not include a restroom or changing facility designated for the opposite sex while persons of the opposite sex are, or could be, present.

Outlines legal remedies for: 1) a person whose written request for a reasonable accommodation is denied by the public school; 2) a person who encounters a person of the opposite sex in a multi-occupancy restroom or changing facility designated for their sex in a public school building; and 3) a person who the public school requires to share sleeping quarters with a person of the opposite sex. A claim must be brought in superior court in the county where either the person resides or the public school is located and be initiated within two years of the alleged violation. A person who is aggrieved and prevails in court may recover monetary damages for all psychological, emotional and physical harm suffered.

The Governor indicates in her [veto message](#) that S.B. 1040 is a discriminatory act against LGBTQ+ youth and that she will veto every bill that aims to attack and harm children.

race; ethnicity; prohibited instruction. (S.B. 1305/H.B. 2458) – VETOED

Prohibits a public school, school district or state agency involved with preschool or kindergarten programs or grades 1 through 12 (state agency), or an employee of a public school, school district or state agency, from providing or allowing instruction to students or employees that promotes or advocates for specifically outlined concepts related to race or ethnicity. The prohibition does not prevent an employee of a public school, school district or state agency or any person invited to a public school, school district or state agency from providing instruction to students or employees from identifying and discussing certain historical movements, ideologies or instances of racial hatred or discrimination.

Prescribes an internal complaint process and, on appeal, enforcement by the State Board of Education or the Superintendent of Public Instruction, including a civil penalty on the school, school district or state agency. Subjects a teacher to disciplinary action for a violation.

Specifies that age-appropriate and grade-appropriate classroom instruction on child assault awareness and abuse prevention is allowed.

The Governor indicates in her [veto message](#) that legislation like S.B. 1305 serves only to divide and antagonize and urges the Legislature to work with her on outlined issues affecting Arizona schools.

schools; parents; firearm possession (S.B. 1331) – VETOED

Exempts, from the criminal classification of knowingly possessing a deadly weapon on school grounds as *misconduct involving weapons*, an enrolled student's parent or legal guardian who possesses a valid concealed weapons permit. Prohibits a public educational institution's governing board from adopting or enforcing a policy or rule that restricts or prohibits a parent or legal guardian who possesses a concealed weapons permit from carrying or transporting a firearm on or in the property of the educational institution.

The Governor indicates in her [veto message](#) that allowing parents to carry concealed weapons on school campuses will not make a campus safer and that firearms on campus may confuse law enforcement in an active shooter situation.

~~violations of state law; schools~~ (NOW: school districts; parent complaints; reporting) (S.B. 1410) – VETOED

Requires a school district governing board (governing board) to prescribe and enforce policies and procedures to establish a mechanism to receive and investigate parent complaints alleging that a school within the school district (district school), the school district or a school or school district employee or contractor has violated any of the parent's or student's rights. The adopted parent complaint policies and procedures must require each district school to: 1) notify parents of the right to file a formal complaint; 2) designate an administrator who is responsible for receiving, investigating and resolving all filed complaints; and 3) report specified parent complaint

information to the governing board on at least a quarterly basis. Outlines reporting requirements relating to parent complaints for governing boards and the Arizona Department of Education.

The Governor indicates in her [veto message](#) that, without further justification to collect parent complaint data at the state level, S.B. 1410 is an unnecessary mandate on school districts.

higher education; 2023-2024. (S.B. 1528/H.B. 2575) – VETOED

[SEE THE APPROPRIATIONS COMMITTEE.](#)

K-12 education; 2023-2024. (S.B. 1530/H.B. 2577) – VETOED

[SEE THE APPROPRIATIONS COMMITTEE.](#)

~~polling places; public office spaces~~ (NOW: polling places; schools; offices; appropriation) (S.B. 1596) – VETOED

[SEE THE ELECTIONS COMMITTEE.](#)

~~library trustees; annual report~~ (NOW: school board member; access) (H.B. 2210) – VETOED

Requires a school district governing board (governing board) member to have at least the same level of access to school district office facilities and staff during regular business hours as any employee of the school district office.

The Governor indicates in her [veto message](#) that H.B. 2210 is an overcorrection for an issue that is occurring in a limited number of Arizona governing boards.

firearms safety; training; schools (H.B. 2332) – VETOED

Requires, beginning July 1, 2024, school districts and charter schools to provide students in grades 6 through 12 with at least one age-appropriate firearms safety training session that is based on a firearms accident prevention program that meets prescribed criteria. A school district or charter school must notify parents at least two weeks before the firearms safety training is provided and excuse a student from the training on request of the student's parent or on determination by the student's individualized education program team. Firearms safety training must be provided by a law enforcement officer or a teacher, faculty member or instructor who is certified by a recognized national or state association, and may not use a working or live firearm or include instruction on firearms operation or qualification or hunting education.

The Governor indicates in her [veto message](#) that mandatory firearms safety training in schools is not the solution to gun violence prevention and that the requirement could impact the health of students, teachers and parents.

private universities; Arizona teachers academy ([H.B. 2428](#)) – VETOED

Authorizes an Arizona degree-granting private postsecondary education institution that offers postbaccalaureate teacher preparation programs that lead to teacher certification to participate in the Arizona Teachers Academy (Teachers Academy). A tuition scholarship may not exceed the remainder of the average in-state tuition and fees charged by Arizona public universities, minus all other financial aid.

The Governor indicates in her [veto message](#) that H.B. 2428 does not include an appropriation to support its implementation and expanding the Teachers Academy requires an additional investment beyond the allocation included in the FY 2024 state budget.

school immunizations; exclusions ([H.B. 2474](#)) – VETOED

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

STO scholarships; foster care students ([H.B. 2504](#)) – VETOED

[SEE THE FINANCE COMMITTEE.](#)

school choice; failing schools; notice ([H.B. 2539](#)) – VETOED

Establishes the Arizona School Choice Program (Program) within the Arizona Department of Education (ADE) to raise public awareness of a student's ability to choose any Arizona public school and requires the Program to: 1) implement a school choice public awareness program; 2) develop and annually update a handbook of school choice options as prescribed; 3) produce informational pamphlets to educate parents on school choice options; 4) develop a failing school notification form and school choice notification letter as prescribed; and 5) operate and maintain a centralized hotline that meets outlined requirements to respond to questions related to school choice. The State Board of Education (SBE) and ADE must post the school choice informational pamphlet and school choice handbook in a conspicuous place on their respective websites. The Program must collaborate with specified entities to achieve the Program's objectives and provide parents and the public with resources developed by the Program.

Requires the Arizona Department of Transportation (ADOT) to: 1) electronically provide all existing motor vehicle registrants the Program's digital school choice informational pamphlet by December 1, 2024; and 2) deliver a digital school choice informational pamphlet to a person who moves to Arizona and registers a motor vehicle.

Requires a charter school governing body or a governing board of a school within a school district (district school governing board) assigned a D or F letter grade to send the completed failing school choice notification form and school choice notification letter to the parent of each enrolled student within 60 days after the school receives the letter grade classification. ADE must publish a list of schools assigned an F letter grade on its website and official communication channels, rather than in a newspaper in each county. The district school governing board or charter school governing body of a school assigned a D or F letter grade must submit to the SBE evidence of the school's compliance with the parent notification requirements and, if a school district or

charter school fails to comply with the notification requirements, ADE must suspend Classroom Site Fund distributions until satisfactory evidence of compliance is received.

The Governor indicates in her [veto message](#) that H.B. 2539 does not improve the educational outcomes at low performing schools and places an unfunded mandate on ADOT that requires ADOT to carry out tasks it is not equipped to perform.

disruption; educational institution; concealed weapon. ([H.B. 2667](#)) – VETOED

[SEE THE JUDICIARY COMMITTEE.](#)

teacher training; parental notification; requirements ([H.B. 2786](#)) – VETOED

Requires, rather than allows, a school district governing board (governing board) to provide information outlined in the parental involvement policy in an electronic format and requires a governing board to include procedures for parental notification of and access to teacher and administrator training in the governing board's parental involvement policy.

Requires a charter school governing body (governing body) to adopt a policy that prescribes procedures for parental notification of and access to teacher and administrator training and requires a governing body to provide parents information outlined in the policy in an electronic format.

The Governor indicates in her [veto message](#) that H.B. 2786 would put school districts and charter schools at risk of violating copyright law.

Elections Committee

Senator Wendy Rogers, Chairperson



Anna Nguyen, Research Analyst

Cecelia Sickelbower, Intern

ELECTIONS COMMITTEE

LEGISLATION ENACTED

early ballot delivery; instruction requirements ([S.B. 1273](#)) – Chapter 119

Prescribes a statement relating to early ballot submission that must be included in the early ballot affidavit instructions and voter guidance instructions.

secretary of state; 2023-2024. ([S.B. 1731/H.B. 2821](#)) – Chapter 144

[SEE THE APPROPRIATIONS COMMITTEE.](#)

~~presidential electors; constitutional appointments~~ (NOW: elections; systems; equipment) ([S.C.R. 1037](#))

States that the Legislature resolves that no voting system or component or subcomponent of a voting system may be used or purchased as the primary method for casting, recording and tabulating ballots used in an election for federal office unless outlined criteria are met.

primary elections; eligible candidates ([H.C.R. 2033](#))

Subject to voter approval, constitutionally determines that a Legislature-enacted direct primary election law supersedes any contrary or inconsistent provision of any charter, law, ordinance, rule, resolution or policy of any city. A direct primary election for partisan offices must be conducted in a manner so that each political party that has qualified for representation on the ballot may nominate for each office a number of candidates equal to the number of positions to be filled for that office in the ensuing general election. All otherwise eligible candidates who are nominated must be placed on the ballot in the next general election. Requires the Secretary of State to submit the proposition to the voters at the next general election. Becomes effective if approved by the voters and on proclamation of the Governor.

LEGISLATION VETOED

municipalities; partisan elections (S.B. 1011) – VETOED

SEE THE GOVERNMENT COMMITTEE.

political signs; tourism zones (S.B. 1025) – VETOED

Prohibits the area of a municipality-designated commercial tourism, commercial resort and hotel sign free zone (sign free tourism zone) from exceeding 10 percent of the total area of the municipality and requires the sign free tourism zone to have a Reock score of .10 or more. A municipality may establish areas within a sign free tourism zone in which political signs are allowed but must include the areas in calculating the area of the sign free tourism zone.

The Governor indicates in her [veto message](#) that it is unclear what problem S.B. 1025 aims to solve and that Arizonans are not asking for more campaign signs in their communities.

election mailings; third-party disclosures (S.B. 1066) – VETOED

Requires any nongovernmental person or entity that mails an official election-related document or a document that resembles an official election-related document from a county recorder, county officer in charge of elections or the Secretary of State to include the words *not from a government agency* in boldfaced, clearly legible print on the outside of the envelope. For the delivery of an election-related document by mail or hand, the disclosure must be displayed in a height of at least 10 percent of the vertical height of the document.

The Governor indicates in her [veto message](#) that the text size requirements within S.B. 1066 create an unreasonable burden on those who are trying to improve voting access in Arizona.

~~election; contest; technical correction~~ (NOW: tabulating equipment; standards; source codes) (S.B. 1074) – VETOED

Prohibits electronic equipment from being used as the primary method for tabulating votes in any city, town, county, state or federal election unless the equipment complies with outlined criteria. On request by the Legislature, a county board of supervisors, a county recorder or other officer in charge of elections, the Auditor General must release the source codes for the electronic equipment for the purpose of verifying that the electronic equipment is operating properly and in compliance with any contract requirements. The court may appoint a special master to review the source codes for any electronic tabulating equipment and the Auditor General must provide the source codes for the electronic tabulating equipment. The special master may examine the equipment and source codes and must: 1) issue a public report to the superior court regarding the tabulation of votes; and 2) submit the report to the Secretary of State to review the certification of the equipment for use in Arizona.

The Governor indicates in her [veto message](#) that S.B. 1074 requires election equipment that does not exist and neither strengthens democracy nor ensures that Arizonans can better exercise their fundamental right to vote.

early ballot envelope; notice (S.B. 1095) – VETOED

Requires the envelope accompanying an early ballot to state that *dropping off an early ballot after the Friday before the election may result in delayed results as each ballot requires verification.*

The Governor indicates in her [veto message](#) that S.B. 1095 could discourage voter participation.

early ballots; election day tabulation (S.B. 1105) – VETOED

Requires, rather than allows, each county recorder or other county officer in charge of elections to provide a method for a qualified elector to have the elector's early ballot tabulated on-site, if the elector appears at the elector's designated voting location or a voting center on election day with the elector's voted early ballot. Exempts, from the on-site tabulation requirement, a county that tabulates election day ballots at a central location and does not otherwise tabulate election day ballots on-site at a polling place location or voting center.

The Governor indicates in her [veto message](#) that S.B. 1105 would be difficult for election officials to implement, creating logistical challenges to the administration of free and fair elections.

spoiled early ballots; election day (S.B.1135) – VETOED

Allows a voter's early ballot to be exchanged for a regular ballot at the voter's polling place or a voting center until 7:00 p.m. on election day. The county recorder or other officer in charge of elections must count the number of early ballots that are spoiled and exchanged for a regular ballot and include the number of spoiled ballots in the total number of early ballots posted on its website on election night.

Removes the requirement for irregular ballots to be preserved for six months after the election. After an election canvass is complete, the county recorder must deposit all rejected provisional and early ballots in a secure facility managed by the county treasurer.

Allows the county recorder to use the information provided by a contracted third party, rather than an electronic voter registration information center, to identify electors whose addresses may have changed. Prohibits the state and any city, town, county or political subdivision from: 1) being a member of any multistate voter registration or voter registration list maintenance organization that requires the state to provide the organization with confidential information derived from voter registration records; or 2) joining or entering into any agreement with any organization that imposes any duty on the state or on any city, town, county or political subdivision that is not expressly required by statute.

The Governor indicates in her [veto message](#) that S.B. 1135 would prohibit Arizona from remaining a part of the Electronic Registration Information Center, which is an essential tool in ensuring accurate voter registration rolls in Arizona and across the country.

registrations; observers; counting procedures; verification (S.B. 1175) – VETOED

Makes various changes to election requirements relating to the use of voter registration forms. Expands electronic access to precinct registers and information derived from voter registration forms to any request for noncommercial use. Beginning January 1, 2024, any new signature images submitted for signature verification may not include the elector's designated political party.

Allows a voter to make a verbal request for removal from the active early voting list if the request includes information sufficient to verify the voter's identity.

The county chairperson of each political party may designate a party agent or representative to act as a challenger at a voting center or a location at which electronic ballot processing occurs. If the county party or state party chairperson fails to make an appointment, the applicable legislative district chairperson may appoint the party agent or representative.

Modifies procedures and requirements for hand count audits and the appointment of board workers and requires a county officer in charge of elections to publish the procedures for the hand count audit on the county's website by the Tuesday before election day. A county chairperson must provide and designate the number of election board members as designated by the county officer in charge of elections. The hand count audit may not proceed unless the names of the persons conducting the hand count audit are provided in writing and the persons arrive by 5:00 p.m. on the Thursday preceding the election. To the extent practicable, the selection of persons to perform a hand count audit must ensure that no more than 75 percent of the electors conducting the hand count are from the same political party. If a political party provides an insufficient number of electors by 5:00 p.m. on the Thursday preceding the election, the hand count may proceed without regard to the political party affiliations of the electors conducting the hand count.

The Governor indicates in her [veto message](#) that S.B. 1175 creates an unfunded mandate for both the state and counties.

voter registrations; payment prohibited (S.B. 1180) – VETOED

Prohibits a person from paying or receiving money or any other thing of value based on the number of voter registrations or voter registration forms collected, completed or submitted.

The Governor indicates in her [veto message](#) that she does not believe that S.B. 1180 is the right solution to the challenges facing Arizona elections.

early ballots; signatures; electronic pollbooks (S.B. 1201) – VETOED

Prohibits a county recorder or other officer in charge of elections from comparing a signature on a voter's early ballot affidavit with the signature from the electronic pollbook.

The Governor indicates in her [veto message](#) that limiting which signatures may be reviewed without a legitimate security or accuracy concern only harms Arizona voters and that S.B. 1201 would create challenges for Arizona's elections.

legislative council; procedures manual (NOW: legislative audit committee; procedures manual) (S.B. 1213) – VETOED

Requires the Secretary of State's official elections instructions and procedures manual to be submitted to the Joint Legislative Audit Committee for review and approval prior to issuance.

The Governor indicates in her [veto message](#) that S.B. 1213 is another example of the kind of legislative interference that Arizonans have rejected.

officials; political action committee prohibition. (S.B. 1264) – VETOED

Prohibits an elected election officer or a political appointee of an elected election officer who oversees any significant aspect of election operations from being a chairperson, treasurer or member of a political action committee (PAC). The prohibition does not apply to an individual's membership in a candidate committee for the individual's own candidacy.

The Governor indicates in her [veto message](#) that there are few, if any, examples of election-related issues created by elected election officers or their appointees being involved in PACs.

voting; elections; tally; prohibition. (S.B. 1265) – VETOED

Prohibits the state or a city, town, county or political subdivision from using a voting method or nomination process in an election for any state, city, town, county or federal office that: 1) allows voters to select or rank, designate or indicate approval of or preference for more candidates than are eligible to be declared elected; 2) allows ballots cast to be tabulated in any manner that eliminates candidates through multiple rounds of tabulation or the transfer or redistribution of votes between or among candidates; or 3) requires the ranking of every candidate for an office as a condition of a vote being counted in the final tally. The person who receives the highest number of legal votes must be declared elected.

The Governor indicates in her [veto message](#) that S.B. 1265 has the same ranked choice voting prohibition as H.B. 2552, which she previously vetoed.

cast vote record; public records (S.B. 1332) – VETOED

Specifies that, for every election held in Arizona and after completion of the official canvass, the cast vote record for the election is a public record.

The Governor indicates in her [veto message](#) that any bill that allows releasing the cast vote record must ensure that a voter's privacy is protected.

office vacancy; discharge of duties (S.B. 1455) – VETOED

[SEE THE GOVERNMENT COMMITTEE.](#)

ballot tabulation; hand count comparison (S.B. 1471) – VETOED

Requires, by September 1, 2023, the officer in charge of elections for a county with a population of more than 2,000,000 persons to randomly select 400 ballots from the ballot test decks randomized by precinct used for logic and accuracy testing for the 2022 general election and recount all races using 100 of those ballots from each precinct. The officer in charge of elections for a county with a population of more than 400,000 persons may elect to participate in the hand count comparison. The officer in charge of elections must separately process the selected 2022 general ballots as prescribed and report the results of the tabulations and calculations to the Governor, President of the Senate, Speaker of the House of Representatives, county recorder and Secretary of State. Repeals the hand count comparison requirements on March 1, 2024.

The Governor indicates in her [veto message](#) that the 2022 election is settled and that it is time to start working on the problems facing everyday Arizonans.

ballot processing; electronic adjudication; limitation (S.B. 1565) –VETOED

Prohibits election machines, devices, firmware or software used in Arizona from including artificial intelligence or learning hardware, firmware or software. Artificial intelligence or learning software or firmware may not be used for: 1) processing ballots; 2) verifying or checking a voter's affidavit; or 3) electronic vote adjudication. Removes the authorization for the Secretary of State or a city or town governing body to provide for the experimental use of a voting system or device without a final adoption of the voting system.

The Governor indicates in her [veto message](#) that S.B. 1565 attempts to solve challenges that do not currently face the State of Arizona.

early ballots; identification; tabulation (S.B. 1595) – VETOED

Requires, for an early ballot to be counted and valid, the early ballot to be: 1) delivered to the county recorder or the applicable officer in charge of elections by 7:00 p.m. on the Friday preceding election day; 2) deposited by the voter at a polling place after 7:00 p.m. on the Friday preceding election day after presenting valid identification and signing the signature roster or electronic pollbook; or 3) tabulated on-site, if the county is conducting on-site tabulation.

Removes the requirement that the period of early voting must end at 5:00 p.m. on the Friday preceding the election. Removes the option for an elector who appears without valid identification at a voting center or polling place that provides on-site tabulation to deposit the voter's voted early ballot in its affidavit envelope in an official drop box. If a voter's agent delivers a voter's ballot, the ballot will be counted and valid only if the voter presents valid identification by the fifth business day after a primary, general or special election that includes a federal office or the third business day after any other election.

If a voter is issued an early ballot, the voter's early ballot is deemed ready for tabulating and is exempt from signature verification after an election official confirms identification and stamps the signed envelope with *ID verified*. An early voting polling location must include at least

one secured ballot box to deposit completed early ballots and at least one secured ballot box designated for stamped early ballots. The election official in charge of the secured ballot box must maintain a tally of deposited ballots and sign a prescribed affidavit relating to voter identification.

The Governor indicates in her [veto message](#) that S.B. 1595 fails to meaningfully address the real challenges facing Arizona voters.

~~polling places; public office spaces~~ (NOW: polling places; schools; offices; appropriation) ([S.B. 1596](#)) – VETOED

Requires a state, county, city, town or school district office to provide sufficient space for use as an election polling place when requested by the officer in charge of elections. Removes the authorization for a county board of supervisors to establish voting centers in place of specifically designated polling places.

The Governor indicates in her [veto message](#) that S.B. 1596 creates an unfunded and untenable mandate for schools and communities.

~~early ballot on-site tabulation; requirement~~ ([S.B. 1597](#)) – VETOED

Requires, by the 2024 general election, each county with a population of more than 500,000 persons to provide for at least one polling location in each legislative district to allow an elector to have the elector's completed early ballot tabulated on-site.

The Governor indicates in her [veto message](#) that on-site tabulation of early ballots presents significant logistical and cost challenges for election administrators that are left unresolved by S.B. 1597.

~~elections; observers; federal candidates~~ (NOW: federal candidates; observers; elections) ([S.B. 1598](#)) – VETOED

Allows each candidate for U.S. President, U.S. Senate and U.S. House of Representatives to designate an observer at a counting center during the general election. If more than one candidate from each political party designates an observer, a lottery must determine which candidate may send an observer.

Prohibits a party representative, challenger or observer from obstructing the administration of election procedures or approaching an election official's table or equipment any closer than what is reasonably necessary to perform the representative's, challenger's or observer's functions. Each party representative, challenger or observer must: 1) be allowed to observe the conduct of election officials; 2) provide their own materials and necessities; and 3) post any questions directly to the officers in charge of elections.

A challenger must be allowed to enter and observe in all polling places in the county in which the challenger is designated, including setup and closeout procedures, and a challenger may not interact with a voter.

The Governor indicates in her [veto message](#) that it is not clear what problem S.B. 1598 is attempting to address or if any such problem exists.

ballots; signature verification; observers ([H.B. 2305](#)) – VETOED

Requires a county recorder and county officer in charge of elections to allow representatives of the two largest political parties to observe each stage of the signature verification process for early, provisional and conditional provisional ballots. An observer must be allowed to observe from a distance of six feet so that the observers can clearly view the contents of any screens or monitors. An observer may not note, transcribe or otherwise hold or disclose any voter's personal identifying information. Prescribes requirements for the maintenance of signature verification records. Classifies a violation of the signature verification observation and documentation requirements as a class 5 felony.

The Governor indicates in her [veto message](#) that H.B. 2305 creates unnecessary burdens for election administrators and meaningful privacy concerns for Arizona voters.

secretary of state; election; recusal ([H.B. 2308](#)) – VETOED

Prohibits the Secretary of State (SOS) from personally performing any aspect of election operations which is conducted by the SOS's Elections Department for an election in which the SOS is a candidate, except for the SOS's constitutional duty to certify the statewide canvass.

The Governor indicates in her [veto message](#) that there is no reasonable basis to believe that Arizonans should not trust the SOS to do the SOS's job impartially.

elections; rule of construction ([H.B. 2319](#)) – VETOED

States that the Legislature: 1) finds that public confidence in elections is best maintained by maximizing transparency and providing a rule of construction for interpreting the statutes governing the conduct of elections and the instructions and procedures manual; and 2) declares that the purpose of the statutes governing the conduct of elections is to provide Arizonans with a transparent system for conducting elections. If there are two competing interpretations of the statutes governing the conduct of elections, the provisions must be liberally construed in favor of the reading that provides greater transparency.

The Governor indicates in her [veto message](#) that H.B. 2319 adds unnecessary language into statute and does not solve any of the real challenges facing election administration.

early ballots; signatures; guidelines; challenges ([H.B. 2322](#)) – VETOED

Designates the Secretary of State's July 2020 Signature Verification Guide as the minimum requirements for comparing the signature on a voter's early ballot envelope with the signature on the voter's registration record. A signature that cannot be verified must be rejected, with exceptions.

The Governor indicates in her [veto message](#) that the standards in H.B. 2322 are several years old and are more appropriately included as part of the Elections Procedures Manual, or as ongoing guidance developed by the Secretary of State with county election officials.

active early voting lists; removal ([H.B. 2415](#)) – VETOED

Decreases, from two consecutive election cycles to one election cycle, the number of election cycles in which a person may fail to vote an early ballot and remain on the active early voting list (AEVL).

The Governor indicates in her [veto message](#) that the AEVL is secure and convenient for voters and that H.B. 2415 does not make voting more accessible, accurate and secure.

electoral college; support ([H.B. 2477](#)) – VETOED

Declares that the Legislature affirms the importance of the electoral college for presidential elections in the United States for the following reasons: 1) the founding fathers enshrined the electoral college in the U.S. Constitution because they thought it was the best method for choosing the U.S. President; 2) the electoral college ensures that all parts of the country are involved in selecting the U.S. President; and 3) the electoral college guarantees certainty to the outcome of the presidential election.

The Governor indicates in her [veto message](#) that H.B. 2477 solely expresses legislative opinion and would be better served as a House Resolution.

voting; elections; tally; prohibition ([H.B. 2552](#)) – VETOED

Prohibits the state or a city, town, county or political subdivision from using a voting method or nomination process in an election for any state, city, town, county or federal office that: 1) allows voters to select or rank, designate or indicate approval of or preference for more candidates than are eligible to be declared elected; 2) allows ballots cast to be tabulated in any manner that eliminates candidates through multiple rounds of tabulation or the transfer or redistribution of votes between or among candidates; or 3) requires the ranking of every candidate for an office as a condition of a vote being counted in the final tally. The person who receives the highest number of legal votes must be declared elected.

The Governor indicates in her [veto message](#) that H.B. 2552 is unnecessary as ranked choice voting is not currently utilized in Arizona.

~~images; voter lists; records; contest.~~ (NOW: images; voter lists; records; penalties) ([H.B. 2560/S.B. 1324](#)) – VETOED

Requires each county recorder, at least 10 days before each election, to prepare a list of all voters who are registered to vote in the election and transmit the list to the Secretary of State (SOS). Within 48 hours of the official county canvas, each county recorder must submit to the SOS: 1) a list of all persons who voted in the election, as prescribed; 2) all unaltered ballot images, with limited exceptions; and 3) the cast vote record in a sortable format. The SOS must immediately post the outlined materials and the list of registered voters on a secure website in a convenient downloadable format. Classifies, as a class 5 felony, using any portion of a voter list or ballot image for a commercial purpose or intentionally altering any received voter information or ballot

images. Prescribes voter list and ballot image requirements for precincts and precinct splits with fewer than 25 voters. The SOS must establish and administer an electronic portal to receive requests for access to the voter list and ballot image materials. A requestor must provide the person's personal information and a prescribed declaration.

Increases, from five days to seven days, the time period after the completion and declaration of an election canvass during which an elector may contest a state election.

The Governor indicates in her [veto message](#) that H.B. 2560 threatens anonymity and privacy, opens the door to election misinformation and places an unfunded mandate on election officials.

voting equipment; requirements; origin ([H.B. 2613](#)) – VETOED

Prohibits the Secretary of State, beginning January 1, 2028, from certifying a vote recording and vote tabulating machine or device used for elections for federal, state or county offices, unless: 1) 100 percent of the machine's or device's parts and components are sourced from the United States; and 2) 100 percent of the machine's or device's manufacturing and assembly is performed in the United States.

The Governor indicates in her [veto message](#) that H.B. 2613 could create a situation where Arizona's election administrators are no longer able to procure certifiable voting and tabulating equipment.

elections; ballot chain of custody ([H.B. 2691](#)) – VETOED

Requires a county board of supervisors to provide a ballot chain of custody record that begins at the printing location and continues through the transportation, storage and delivery to the county recorder or other officer in charge of elections and to any voting location. The county recorder or other officer in charge of elections must prepare a chain of custody record for the transportation and delivery of all voted ballots. All damaged and defective ballots that are replaced with a duplicate ballot must be included in a chain of custody record as outlined. Prescribes requirements for the ballot chain of custody records.

Requires ballot boxes to be locked with a tamper evident seal. If a ballot box has been transferred to a new polling place or been opened, the statutorily required report detailing those events must include the date, time and name of any election officer that witnessed the transfer or opening of the ballot box.

Requires the live video recording of the custody of ballots to include each stage of the signature and affidavit verification process and to provide for the full visibility of ballots. The county recorder or other officer in charge of elections must maintain a record of all voting irregularities that occur during early voting, emergency voting and election day voting and, within 30 days after election day, must provide the record to the President of the Senate, Speaker of the House of Representatives and Secretary of State.

The Governor indicates in her [veto message](#) that H.B. 2691 does not advance her previously stated goal of working with the Legislature to advance legislation that strengthens elections.

elections; option; full hand count ([H.B. 2722](#)) – VETOED

Authorizes the county recorder or any person who is designated by the county board of supervisors to count by hand all or any portion of the ballots in an election. For a hand count of fewer than 100 percent of all ballots, the specific ballots to be counted must be randomly selected.

The Governor indicates in her [veto message](#) that hand counting ballots is less accurate and more time consuming than machine tabulation.

court of appeals; retention election ([H.B. 2757](#)) – VETOED

[SEE THE JUDICIARY COMMITTEE.](#)

Finance Committee

Senator J.D. Mesnard, Chairperson



Molly Graver, Research Analyst

Zoie Strickling, Intern

FINANCE COMMITTEE

LEGISLATION ENACTED

~~biomarker testing; insurance coverage; definitions~~ (NOW: insurance coverage; biomarker testing) ([S.B. 1052](#)) – Chapter 29

[SEE THE COMMERCE COMMITTEE.](#)

~~technical correction; prepaid legal insurance~~ (NOW: property rights; zoning ordinances; costs) (NOW: residential leases; municipal tax exemption) ([S.B. 1131](#)) – Chapter 204

Beginning January 1, 2025, prohibits a city, town or other taxing jurisdiction from levying a tax or fee on the business of renting or leasing real property for residential purposes.

By January 1, 2025, a landlord affected by the transaction privilege tax (TPT) elimination must cease charging tenants the amount of the repealed residential rental TPT. In any civil action, the landlord has the burden of proving by a preponderance of the evidence that a challenged charge is not attributable to and does not represent a city's, town's or other taxing jurisdiction's residential rental TPT. Prescribes Arizona Department of Revenue notification and posting requirements.

Requires municipalities to use TPT revenues collected from remote sellers and received as part of the distribution base for public safety purposes, before any other purpose.

~~workers' compensation; fraud investigations; adjudications~~ ([S.B. 1164](#)) – Chapter 191

[SEE THE COMMERCE COMMITTEE.](#)

~~real estate appraisers; licensure classifications.~~ ([S.B. 1168](#)) – Chapter 65

[SEE THE COMMERCE COMMITTEE.](#)

~~conformity; internal revenue code~~ ([S.B. 1171/H.B. 2383](#)) – Chapter 2

Updates the statutory definition of *Internal Revenue Code* to include all federal provisions in effect as of January 1, 2023, with the specific adoption of all retroactive effective dates.

~~fire district bonding; limitation~~ ([S.B. 1172](#)) – Chapter 19

Caps the maximum bond principal amount that may be specified in a fire district board's election order at 120 percent of the fire district's statutory debt limitation when combined with the district's current outstanding general obligation debt amount. A fire district board election order must specify the minimum number of years that bonds may run, the current outstanding general obligation debt amount and the district's statutory debt limitation.

public retirement systems; plan election (S.B. 1173) – Chapter 6

Allows a Tier 3 Corrections Officer Retirement Plan (CORP) member who is subsequently hired in a court probation or surveillance officer position to elect to participate in CORP or the Public Safety Personnel Retirement System (PSPRS) Defined Contribution Plan (DC Plan). A rehired Tier 3 CORP or Tier 3 PSPRS member's participation in the member's elected benefit plan begins on the date the employee is rehired or hired by another employer. Reduces, from 12 months to 6 months, the time period after which a CORP employer must pay an alternate contribute rate on behalf of a rehired retired CORP member and requires late penalties on late employer and employee contributions for Tier 3 PSPRS members to be compounded annually, rather than daily.

Removes the requirement for the PSPRS Board to use the sum of the assets from the PSPRS Defined Benefit Plan and the Arizona Employers' Pension Prefunding Plan to calculate the unfunded liability and contribution amounts for the PSPRS annual actuarial valuation report.

~~regents; officers; technical correction~~ (NOW: municipal tax code commission; continuation) (S.B. 1189) – Chapter 192

Continues the Municipal Tax Code Commission (MTCC) for four years, until July 1, 2027, retroactive to July 1, 2023. Requires the Arizona Department of Revenue to incorporate statutory changes to the Model City Tax Code (MCTC) within 30 days of the statutory change's effective date and allows a city or town to adopt an amendment to the MCTC if the amendment is a result of a statutory change. Requires a two-thirds vote of the MTCC in order to adopt a proposed amendment to the MCTC that either repeals a model or local option that provides a tax exemption or expands the types of business activities that are considered taxable.

~~technical correction; collection agencies; licenses~~ (NOW: department of revenue; administration) (S.B. 1190) – Chapter 7

Allows the Director of the Arizona Department of Revenue to extend the final date for mailing an annual notice of property value for delays caused by a declared state of emergency.

Defines *audit* as a review or examination of a taxpayer's accounts, financial information, books and records and any other document to ensure information is reported correctly on a tax return and to verify that the reported amount of tax is correct.

disbursements; applicability; definition (S.B. 1191) – Chapter 193

Adds, to the permissible forms of deposit into an escrow account, distributed ledger technology transfers within or among a secure network of federally insured depository institutions where disbursements are recorded on a ledger and securely deposited in an escrow agent's depository account. Prohibits distributed ledger technology transfers from being settled or backed by a central bank digital currency and prescribes price stability requirements.

tax exemptions; affidavit ([S.B. 1230](#)) – Chapter 14

Removes the requirement for nonprofits to file an annual property tax exemption eligibility affidavit with the county assessor and requires a nonprofit to notify the county assessor in writing if there is any event that disqualifies the entity or property from the exemption. Requires, rather than allows, a nonprofit to file evidence of its tax-exempt status with the county assessor.

Requires a qualifying community health center, qualifying health care organization or qualifying hospital or any other entity that is recognized as a 501(c) nonprofit that is required to obtain a transaction privilege tax (TPT) exemption letter to apply to the Arizona Department of Revenue (ADOR) for the exemption letter and to notify ADOR in writing if the entity no longer qualifies for the exemption. If approved, the exemption letter is valid until the entity no longer qualifies for a TPT exemption.

Applies the eligibility affidavit and TPT exemption letter requirements to tax years beginning January 1, 2024.

board of tax appeals; continuation ([S.B. 1242](#)) – Chapter 66

Continues the State Board of Tax Appeals for eight years, until July 1, 2031, retroactive to July 1, 2023.

small businesses; income tax; rate ([S.B. 1260](#)) – Chapter 67

Retroactive to taxable years beginning January 1, 2023, aligns the Arizona small business income tax rate with the individual income tax rate of 2.5 percent.

computer data centers; TPT; refund ([S.B. 1274](#)) – Chapter 68

Retroactive to taxable periods beginning January 1, 2022, clarifies that any claim for a transaction privilege tax or use tax refund by a computer data center must be submitted using the standard tax refund process. Such refund claims are exempt from the refund claim guidelines and cap that applied to TY 2021 claims.

pharmacy benefit managers; certificate requirements ([S.B. 1382](#)) – Chapter 74

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

tax corrections act of 2023 ([S.B. 1473](#)) – Chapter 11

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

Arizona Commerce Authority – Allows a taxpayer's confidential information to be disclosed to the Office of Economic Opportunity to perform the duties and obligations to or on behalf of the state.

Tax Provisions – Subjects, to the highest individual income tax rate, partners or shareholders of a business that consents to be taxed at the entity level and that is treated as a partnership or S corporation for federal income tax purposes. Any overpayment resulting from withholdings or estimated tax payments made by a small business taxpayer may not be credited or refunded unless an income tax return has been filed for the applicable tax year.

Miscellaneous – Adds shelter to the definition of *services* for the purposes of a qualifying foster care charitable organization and requires a motor vehicle dealer to retain a copy of any nonresident registration permits for the purposes of the transaction privilege tax (TPT) deduction for sales of motor vehicles to nonresidents for use outside the state. Removes the requirement for a public consignment auction dealer to submit to the Arizona Department of Revenue (ADOR) a copy of the certificate used to establish entitlement to the TPT deduction for sales of motor vehicles to nonresidents for use outside the state. Removes the requirement that a copy of a property tax appeal notice be served on ADOR. Repeals the Client County Equipment Capitalization Fund.

private activity bonding ([S.B. 1718](#)) – Chapter 202

[SEE THE COMMERCE COMMITTEE.](#)

taxation; 2023-2024. ([S.B. 1734/H.B. 2824](#)) – Chapter 147

[SEE THE APPROPRIATIONS COMMITTEE.](#)

foreign captive insurers; definition ([H.B. 2005](#)) – Chapter 44

Allows a foreign captive insurer to establish a business unit in Arizona and become licensed as a branch captive insurer. A *foreign captive insurer* is any captive insurer that is domiciled in and licensed under the laws of another state that imposes statutory or regulatory standards on captive insurance companies that are acceptable to the Director of the Department of Insurance and Financial Institutions (DIFI). A domestic captive insurer may merge or consolidate with any other domestic, foreign, or alien captive insurer, even if the entity was formed as a limited liability company or stock corporation. A foreign captive insurer must meet prescribed reporting and examination requirements. Removes the requirement for an alien captive insurer to consent to the DIFI Director's examination as a condition of licensure and narrows the types of insurers for which the Director of DIFI may act as a statutory agent on whom process may be served if another statutory agent for the captive insurer cannot be found with reasonable diligence.

insurance; liquidity; financial assessment ([H.B. 2006](#)) – Chapter 45

Conforms the insurance holding company statutes to the National Association of Insurance Commissioners (NAIC) 2020 revisions of the Insurance Holding Company System Regulatory Act.

Prescribes requirements that an insurance company holding system must fulfill when filing a group capital calculation report, with outlined exemptions. Prescribes a liquidity stress test framework and requires an insurance holding company system to perform and file a specific year's liquidity stress test in accordance with the liquidity stress test framework's instructions and

reporting templates for that specific year, and any Lead State Director or Commissioner determinations. Any information related to the group capital calculation, group capital ratio or the liquidity stress test results or supporting disclosures may not be publicly shared.

Modifies requirements relating to insurance holding company system transactions and allows the Director of the Department of Insurance and Financial Institutions (DIFI) to require an insurer to submit a deposit or bond if the Director of DIFI (Director) deems that an insurer is in a hazardous financial condition, as outlined.

Prohibits the NAIC or a third-party consultant designated by the Director from storing confidential information in a permanent database after the underlying analysis is complete, except as prescribed for the liquidity stress test framework. Modifies DIFI confidential records disclosure by adding third-party consultants designated by the Director to the entities with whom the Director must enter into an agreement to govern the sharing of such information. All documents, materials or other information in the possession or control of DIFI that are obtained or disclosed in the course of a filing, examination or investigation are recognized by the state as being proprietary and containing trade secrets.

~~group excess liability insurance~~ (NOW: insurance; group excess liability) ([H.B. 2007](#)) – Chapter 81

Allows an authorized or unauthorized insurer to offer an employer group excess liability insurance, which provides excess coverage after a certificate holder's primary liability insurance limits have been exhausted. A group excess liability policy may also provide excess uninsured motorist, excess underinsured motorist and excess uninsured or underinsured liability coverage to certificate holders. An authorized insurer that issues a group excess liability insurance policy must file the policy and the certificate of insurance forms with the Department of Insurance and Financial Institutions and is exempt from statutory rate filing requirements.

An insurer may establish underwriting criteria for the group policyholder and certificate holders that apply at issuance and renewal of the group policy and the certificate of insurance. An insurer must treat all eligible groups of the same class in a like manner.

Prescribes certificate of insurance requirements and group policy cancellation, nonrenewal and conditional renewal procedures. Prohibits an insurer from disclosing claims-related information about any certificate holder to the group policyholder, other than the existence of a claim.

ASRS; contribution prepayment ([H.B. 2008](#)) – Chapter 46

Requires any Arizona State Retirement System (ASRS) employer contribution prepayments for the state or a state agency to be made through Legislation that is passed by the Legislature and signed by the Governor. Removes the requirement for an ASRS employer that has entered into a contribution prepayment agreement to begin amortizing the employer's prepaid contributions at a specific time and allows an employer to elect a short-term investment rate of return.

ASRS; retirement application; changes (H.B. 2009) – Chapter 47

Allows an Arizona State Retirement System member to: 1) modify their retirement application before the member's retirement date; and 2) exercise a one-time election to modify their retirement application within 60 days after retirement. The member may not change the member's retirement date, and any changes made to the retirement application are retroactive to the member's retirement date.

~~banking; licensing; fees~~ (NOW: banking; licensing; fees; insurer reporting) (H.B. 2010) – Chapter 152

Consumer Lenders and Premium Finance Companies – Specifies that a consumer lender license or premium finance company license or permit that is not suspended, revoked or terminated remains active until the license expires. A consumer lender licensee and premium finance company licensee or permittee must annually apply for renewal, pay the prescribed renewal fee by the applicable due date and, if applicable, pay a \$25 late fee for each day after the renewal due date that the renewal application is not received by the Deputy Director of the Department of Insurance and Financial Institutions (DIFI). Prohibits the holder of an expired consumer lender license or premium finance company license or permit from being issued a renewal license.

Mortgage Brokers, Mortgage Bankers and Commercial Mortgage Bankers – Increases, from two to four, the number of times a mortgage broker applicant may test to obtain a mortgage broker license within a 12-month period. A mortgage broker, mortgage banker and commercial mortgage banker licensee that maintains records within Arizona must make records available to the Deputy Director of DIFI within three days after demand. Modifies mortgage broker, mortgage banker or commercial mortgage banker licensee business record retention requirements.

Dental Insurers – Removes the requirement for DIFI to prepare an annual report on the medical loss ratio for each Arizona dental insurer. Beginning July 1, 2024, each dental insurer must annually file a dental loss ratio (DLR) report with DIFI that includes a combined DLR percentage for all individual dental policies and all group dental policies issued to fully insured groups. By August 1, DIFI must annually post each dental insurer's reported DLRs on the DIFI website. Requires DIFI to treat all claims, premiums and other data used to calculate the DLRs as confidential.

Miscellaneous – Allows the Deputy Director of DIFI to use the Nationwide Mortgage Licensing System for all aspects of licensure. A real estate appraisal licensee or certificate holder may apply for license renewal within 30 days before the license or certificate expires. Removes the requirement that: 1) the Deputy Director of DIFI must collect a \$5 fee for a duplicate property tax agent registration certificate; 2) a notice from a loan originator's employing entity must contain a request for the loan originator's license and be dated, signed and notarized; and 3) the Deputy Director of DIFI, on receipt of the license request, must forward the loan originator's license to the employing entity. Delays the debt management company license renewal date to June 30.

retirement plans; plan election; rehire ([H.B. 2015](#)) – Chapter 48

Allows a Tier 3 Corrections Officer Retirement Plan or Tier 3 Public Safety Personnel Retirement System member who is rehired by a new or former employer to make a new benefit plan election within 90 days of rehire, as prescribed. If a rehired member does not make a new election within the 90-day time frame, the member's previous plan election continues.

PSPRS; contribution rates ([H.B. 2028](#)) – Chapter 102 E

An emergency measure effective May 1, 2023, that replaces the variable employee contribution rate for Tier 1 gap and Tier 2 Public Safety Personnel Retirement System members with a set contribution rate of 7.65 percent of the member's compensation. Beginning July 1, 2023, any employee contributions that exceeded 7.65 percent of compensation between July 1, 2011, and June 30, 2023, may be used in calculating the employer's contribution rate.

ASRS; supplemental deferral plan; participation ([H.B. 2029](#)) – Chapter 52

Allows a political subdivision or political subdivision entity that is not already participating in the Arizona State Retirement System (ASRS) to enter into an agreement with ASRS to allow its employees to participate in a supplemental employee deferral plan overseen by ASRS. A political subdivision or political subdivision entity that elects to participate: 1) is not an ASRS employer and its employees are not considered ASRS members; 2) may not imply that any other ASRS benefits are offered by the entity; and 3) may elect to join ASRS as statutorily prescribed for political subdivisions that have adopted a supplemental retirement plan.

property tax exemption; disability; qualifications ([H.B. 2064](#)) – Chapter 79

Defines *person with a total and permanent disability* and *competent medical authority* for the purposes of property tax exemptions for widows, widowers, persons with a total and permanent disability and veterans with a disability.

banks; financial institutions; personal information ([H.B. 2066](#)) – Chapter 31

Requires a bank or financial institution to destroy all personal information belonging to a former customer or client within 10 years after the business relationship ends, except as provided by a law that requires a longer retention period.

dude ranches; historical markers ([H.B. 2145](#)) – Chapter 171

Classifies, as class 4 property, real and personal guest ranch property and improvements that: 1) are included on the Arizona Dude Ranch Heritage Trail Program (Trail Program); 2) meet the requirements for guest ranch property valuation; and 3) are valued at full cash value. Real and personal guest ranch property and improvements that are not included in class 4 property or on the Trail Program are classified as class 2 property. A change in a guest ranch's legal property classification is not a change in use, in and of itself, for the purposes of determining the limited property value or changing or correcting the tax roll to reflect determinations on review or appeal.

Adds, to the Arizona Historical Society Revolving Fund's (Fund's) funding sources, gifts, grants, donations and contributions and allows Fund monies to be spent for issuing historical markers for a dude ranch that is designated for inclusion on the Trail Program. The Arizona Historical Society must issue a historical marker to a dude ranch that is designated for inclusion on the Trail Program within two years after the dude ranch's request. To qualify for the guest ranch property valuation and the Trail Program, the horse herd size requirement applies during the ranch's operating season in which guests are present.

~~insurance; existing actions; technical correction~~ (NOW: workers' compensation; firefighters; rate deviation) ([H.B. 2431](#)) – Chapter 149

Allows a commercial workers' compensation insurer (insurer) to charge and collect up to \$800,000 in additional premiums from fire districts for COVID-19-related claims costs paid by the insurer before July 1, 2023, to the extent that the fire district obtains reimbursement for the additional premium charges from federal American Rescue Plan Act monies. The additional premiums are in addition to any prescribed rate deviations and experience modifications. An insurer may not include any COVID-19-related claims costs for which the insurer charged additional premiums in any experience modification charged to the fire district. Repeals the authority for insurers to collect additional premiums from fire districts on January 1, 2025.

~~technical correction; occupational safety; exemption~~ (NOW: pensions; domestic relations orders) ([H.B. 2433](#)) – Chapter 34

[SEE THE JUDICIARY COMMITTEE.](#)

~~mortgaged property; tax statements; email~~ ([H.B. 2534](#)) – Chapter 100

Allows a county treasurer, on request of a mortgagor, to email a property tax statement. If the mortgagor of the property changes, a county treasurer must mail the property tax statement to the property address until the new mortgagor requests email delivery of the tax statement.

~~public infrastructure improvements; reimbursement~~ ([H.B. 2809](#)) – Chapter 181

Increases, from \$100,000,000 to \$200,000,000, the aggregate cap on the amount of state prime contracting transaction privilege tax revenues that must be paid to cities, towns and counties for public infrastructure improvements for the benefit of a manufacturing facility.

LEGISLATION VETOED

food; municipal tax; exemption... (S.B. 1063/H.B. 2061) – VETOED

Beginning July 1, 2025, prohibits a city, town or other taxing jurisdiction from levying a tax or fee on the sale of food and certain beverage items intended for home consumption.

The Governor indicates in her [veto message](#) that S.B. 1063 does not eliminate costs for residents and the impact on municipalities may result in service cuts and increased property taxes.

divestment; K-12; abortion; explicit material (S.B. 1146) – VETOED

Requires the State Board of Investment (BOI) to adopt a policy to identify U.S. companies that donate to or invest in organizations that promote, facilitate or advocate for: 1) abortions for minors; or 2) the inclusion of, or the referral of students to, *sexually explicit material*, as defined, in grades K-12. Requires the State Treasurer to divest from the identified companies.

The Governor indicates in her [veto message](#) that S.B. 1146 politicizes decisions made by the professional portfolio managers at the Office of the State Treasurer.

municipal tax exemption; residential leases (S.B. 1184/H.B. 2067) – VETOED

Prohibits, beginning January 1, 2024, a city, town or other taxing jurisdiction from levying a tax or fee on the business of renting or leasing real property for residential purposes (business of residential rentals). Directs the State Treasurer to proportionately distribute a total of \$269,020,800 over 18 months from the state General Fund portion of transaction privilege tax (TPT) revenues to cities and towns that levied TPT on the business of residential rentals during FY 2022.

By January 1, 2024, a landlord affected by the TPT elimination must reduce the rent amount by an amount equal to the difference caused by the TPT elimination. Prescribes ADOR landlord notification and posting requirements.

Requires municipalities to use TPT revenues collected from remote sellers and received as part of the distribution base for public safety purposes, before any other purpose.

The Governor indicates in her [veto message](#) that S.B. 1184 lacks enforceability to ensure that relief will be provided to renters and that the \$269,020,800 distribution from the state General Fund portion of TPT revenues should be part of a comprehensive, bipartisan budget agreement.

blockchain technology; tax; fee; prohibition (S.B. 1236) – VETOED

Declares the imposition of a tax or fee on a person or entity running a node on blockchain technology in a residence to be a matter of statewide concern and preempts further regulation by a city, town or county.

The Governor indicates in her [veto message](#) that S.B. 1236 prevents local policymaking for the emergent and potentially energy-intensive economic activity related to blockchain technology.

STOs; individual income tax credits ([S.B. 1243](#)) – VETOED

Beginning January 1, 2024, repeals the individual Credit for Contributions to Certified School Tuition Organizations and increases the TY 2024 cap on the individual Credit for Contributions to School Tuition Organizations to \$1,456 for a single individual or head of household and \$2,902 for a married couple filing jointly.

The Governor indicates in her [veto message](#) that S.B. 1243 enables spending that requires taxpayers to pay for private school tuition and diverts funding from Arizona public schools.

government investments; fiduciaries; pecuniary benefit ([S.B. 1500](#)) – VETOED

[SEE THE GOVERNMENT COMMITTEE.](#)

taxation; 2023-2024. ([S.B. 1534/H.B. 2581](#)) – VETOED

[SEE THE APPROPRIATIONS COMMITTEE.](#)

~~inmates; documentation; workforce reentry~~ (NOW: motor vehicle manufacturers; TPT; exemption) ([H.B. 2252](#)) – VETOED

[SEE THE COMMERCE COMMITTEE.](#)

social credit; use; prohibition ([H.B. 2472](#)) – VETOED

Prohibits the State of Arizona from requiring a bank or financial institution to use a social credit score when the bank or financial institution evaluates whether to lend money to a customer.

The Governor indicates in her [veto message](#) that H.B. 2472 is vague and redundant with federal law, which currently prohibits discriminatory lending and provides parameters for credit decisions.

STO scholarships; foster care students ([H.B. 2504](#)) – VETOED

Adds students who are placed in Arizona foster care before graduating from high school or obtaining a general equivalency diploma to the student population eligible to receive a scholarship or grant awarded through the Credit for Contributions to Certified School Tuition Organizations or the Credit for Contributions to School Tuition Organizations for Low-Income Students.

The Governor indicates in her [veto message](#) that STO tax credits divert taxes to pay for private school tuition and that she is not supportive of expanding the STO tax credits.

~~appropriation: Mohave county substations~~ (NOW: unclaimed property; information; registration)
(H.B. 2623) – VETOED

Requires an eligible person to apply for a valid four-year locator of unclaimed property registration with the Arizona Department of Revenue (ADOR) and pay the associated fee. The Director of ADOR must determine the locator registration and renewal fees in an amount of up to \$100. Establishes the Locator Registration Fund, administered by ADOR, and consisting of monies received from registration and renewal fees.

On written request, ADOR must provide all unclaimed property account information for all unclaimed accounts to a registered locator in a searchable electronic or digital format that includes specified account information. A locator may not distribute the information to anyone other than the owner. When initially communicating with a potential customer, a property locator must disclose that the fee to locate property is a negotiable rate of up to 20 percent of the value of the recoverable property. An agreement between a property locator and a customer must include a prescribed disclosure agreement and ADOR must distribute property or monies in accordance with the agreement. Disclosing confidential information in violation of these requirements is a class 1 misdemeanor and knowingly disclosing confidential information in violation of these requirements is a class 5 felony.

The Governor indicates in her [veto message](#) that H.B. 2623 directs ADOR to provide sensitive taxpayer information to third party entities, which is an abuse and misuse of public records.

Government Committee

Senator Jake Hoffman, Chairperson



Anna Nguyen, Research Analyst
Sawyer Bessler, Assistant Research Analyst
Cecelia Sickelbower, Intern

GOVERNMENT COMMITTEE

LEGISLATION ENACTED

municipal notices and ordinances; posting ([S.B. 1006](#)) – Chapter 183

Exempts a city or town from the requirement to publish adopted ordinances if the words *exhibits on file at* and the ordinance's location are printed at the bottom of the adopting ordinance.

homeowners' associations; Betsy Ross flag ([S.B. 1049](#)) – Chapter 13

Precludes a condominium unit owners' association or planned community association from prohibiting the display of any historic version of the American flag, including the *Betsy Ross flag*.

census adjustment; population threshold ([S.B. 1051](#)) – Chapter 4

Increases, from 400,000 persons to 500,000 persons, the population threshold under which a county is subject to prescribed statutory requirements relating to rural planning areas, transportation excise tax distributions and Arizona Long Term Care System contractors.

public officials; home addresses; confidentiality ([S.B. 1061](#)) – Chapter 125

Allows a public official and an election officer to request that the court prohibit the general public from accessing specified personal identifying information in records maintained by the county recorder, county assessor, county treasurer or the Arizona Department of Transportation. It is unlawful for a person to knowingly make a public official's or election officer's personal information available on the internet if it poses an imminent and serious threat to the safety of the public official or election officer or the public official's or election officer's immediate family.

administrative review; approvals; developments ([S.B. 1103](#)) – Chapter 1

Allows the legislative body of a city, town or county, by ordinance, to: 1) authorize administrative personnel to review and approve land divisions, lot line adjustments, lot ties, site plans, development plans, preliminary plats, final plats or plat amendments without a public hearing, and to design review plans based on objective standards without a public hearing; 2) adopt a self-certification program to allow architects and professional engineers to certify and comply with all applicable ordinances and construction standards for projects identified as being qualified for self-certification; 3) allow at risk submittals for certain on-site preliminary grading, drainage work or infrastructure; and 4) allow applicants with a history of compliance with building codes and regulations to be eligible for expedited permit review.

recorded documents; property; notification ([S.B. 1110](#)) – Chapter 64

Requires a county recorder, by January 1, 2025, to provide a system for notifying a person or entity when any document is recorded in which the person or entity is a named party to the instrument. Opting into the system is voluntary, and the notice must be provided promptly by email, text message or other similar means.

law enforcement; video recordings; fee ([S.B. 1148](#)) – Chapter 190

Allows a county, city, town or political subdivision to establish a one-time fee of up to \$46 per video-hour to be charged to a person who submits a public records request to a local law enforcement agency for a copy of a video recording. When determining the fee amount, a county, city, town or political subdivision may take into consideration the cost of reviewing, transmitting, copying and redacting the video recording and any other relevant information. Victims have the right to receive video recordings from the investigating law enforcement agency free of charge.

fire district bonding; limitation ([S.B. 1172](#)) – Chapter 19

[SEE THE FINANCE COMMITTEE.](#)

county attorney; representation; duties ([S.B. 1211](#)) – Chapter 8

Specifies that a county attorney must act as the attorney for a school district or community college district only if staff is available and there is no conflict of interest.

open meetings; capacity ([S.B. 1270](#)) – Chapter 23

Requires a school, school board, executive board and municipality to provide sufficient seating to accommodate the anticipated attendance of a public meeting, when feasible. The meeting agenda must include the time that the public will have physical access to the meeting place.

~~governor; inauguration expenses; reporting~~ (NOW: inauguration expenses; promotional fund account) ([S.B. 1299](#)) – Chapter 128

Requires the Governor or Governor-elect to: 1) deposit monies received for paying the costs of the Governor's inauguration events in a state promotional fund account; and 2) pay the inauguration costs with monies from the state promotional fund account. An individual or entity may donate monies, services or other things of value to pay the costs of gubernatorial inauguration events up to an aggregate of \$25,000. For the purposes of aggregating donations, any donations made by a controlled business must be aggregated with the individual donor's donations. Donations to pay gubernatorial inauguration event costs are not considered campaign contributions.

auditor general; duties; access ([S.B. 1650](#)) – Chapter 40

Makes various administrative changes to statutes governing the Office of the Auditor General (OAG). Modifies the legislative committee of reference sunset review factors and required state agency factors. Requires Joint Legislative Budget Committee Staff to notify the Legislature as soon as practicable of the cost of conducting any special audit required by a legislative measure.

Requires the OAG to: 1) conduct a performance audit in the 5th year, rather than the 10th year, in which a county transportation excise tax is in effect; and 2) conduct annual, rather than biennial, financial and compliance audits of state agencies that are subject to federal single-audit

requirements. In performing the OAG's official duties, the OAG must have access to employees of state agencies, boards, commissions and political subdivisions. Knowingly obstructing or misleading the OAG in the execution of the OAG's duties is a class 2 misdemeanor.

Requires a school district to provide a written status report on the implementation of audit recommendations to the OAG at the request of the OAG during the two-year period following the audit, rather than every six months during the two-year period following the audit. Prescribes additional requirements for county and community college district financial statement audits conducted by the OAG.

local government; 2023-2024. ([S.B. 1730/H.B. 2820](#)) – Chapter 143

[SEE THE APPROPRIATIONS COMMITTEE.](#)

secretary of state; 2023-2024. ([S.B. 1731/H.B. 2821](#)) – Chapter 144

[SEE THE APPROPRIATIONS COMMITTEE.](#)

state buildings; management; 2023-2024. ([S.B. 1733/H.B. 2823](#)) – Chapter 146

[SEE THE APPROPRIATIONS COMMITTEE.](#)

food handler certificates; training; exemption ([H.B. 2016](#)) – Chapter 51

[SEE THE EDUCATION COMMITTEE.](#)

licensing; permitting; criteria; clarity ([H.B. 2019](#)) – Chapter 86

Requires a city, town or county (local government) that requires a license or permit for a free speech or assembly activity or an activity that changes the use, appearance or density of a structure or land to specify the criteria for granting the license or permit in clear and unambiguous language. A local government must grant or deny an application for the activities within 60 days after the application is deemed administratively complete, unless another time frame is specified by an ordinance or state or federal law. If the local government does not take action on the application within the 60-day time frame, the submittal is deemed approved, unless the submittal is incomplete, the local government provides statutory notice of administrative deficiencies and the applicant fails to complete the submittal. In a court proceeding involving a denial of an activities license or permit, the court must determine whether the approval criteria language is clear and ambiguous, without deference to a previous determination made by the local government.

counties; advertising contracts; term; notice ([H.B. 2052](#)) – Chapter 49

Removes the specification that a county board of supervisors' advertising and printing contract must be an annual contract. The written notice of the letting of contract that is provided to each qualified newspaper may be sent electronically.

session law; font color ([H.B. 2214](#)) – Chapter 24

Requires Legislative Council to use a font color other than black when preparing or revising temporary law for bills and amendments.

condominiums; insurance coverage; claims ([H.B. 2251](#)) – Chapter 174

Modifies property insurance requirements for a unit owner's association (COA) by allowing a unit owner to report a loss under the COA's master property insurance policy. Prior to reporting a loss under the COA's master property insurance policy, a unit owner must report the loss to the COA and allow the COA 10 business days to provide the unit owner with a copy of its written decision on whether the COA will report the claim to the master policy. If the COA decides not to report a claim under the master policy, the COA must provide the reason for the decision. A COA must annually inform each unit owner, in writing, of the unit owner's responsibility for, and the amount of, the COA's insurance deductible for all property and liability coverage.

planned community authority; public roadways ([H.B. 2298](#)) – Chapter 84

Requires, by June 30, 2025, a planned community association (HOA), after the period of declarant control, to call a meeting on the question of whether to continue to regulate public roadways, if: 1) the declaration for the HOA was recorded before January 1, 2015; and 2) ownership of the regulated roadways has been dedicated to or is otherwise held by a governmental entity. If a majority of members vote to continue regulating the public roadways, the HOA retains the authority to regulate the roadways and the HOA's board of directors must record a document with the county recorder confirming that the HOA will continue to regulate the public roadways. If the vote fails or the HOA does not hold a vote, the HOA no longer has the authority to regulate the public roadways and any existing regulations expire.

homeowners' associations; political activity ([H.B. 2301](#)) – Chapter 61

Allows a condominium unit owners' association and planned community association that restricts vehicular or pedestrian access to prohibit a person from entering the association's premises if the person is not accompanied by a unit owner, member or resident.

permits; automated permitting platform ([H.B. 2373](#)) – Chapter 33

Allows a county or municipality to use a qualified online automated permitting platform to verify code compliance to satisfy specified solar construction permit requirements. If the county or municipality uses a qualified online automated permitting platform to verify code compliance, a one-line or three-line electrical diagram is not required. An electrical diagram for construction with solar photovoltaic systems must include a one-line or three-line diagram, rather than both.

state land transfer; Bullhead City ([H.B. 2375](#)) – Chapter 63

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

board of supervisors; powers; water ([H.B. 2438](#)) – Chapter 75

Authorizes a county board of supervisors to participate in water reuse and recycling programs and regional wastewater recharge projects and related infrastructure.

ASDB; continuation ([H.B. 2456](#)) – Chapter 110

[SEE THE EDUCATION COMMITTEE.](#)

zoning ordinances; property rights; costs ([H.B. 2547](#)) – Chapter 85

Requires the legislative body of a municipality, before adopting any zoning ordinance or zoning ordinance text amendment of general applicability, to consider a housing impact statement that includes: 1) an estimate of the probable impact on the average cost to construct housing for sale or rent within the applicable zoning districts; 2) a description of any data or reference material on which the proposed zoning ordinance or text amendment is based; and 3) a description of any less costly or less restrictive alternative methods of achieving the purpose of the proposed zoning ordinance or text amendment.

~~meetings; homeowners' associations~~ (NOW: board members; condominiums; planned communities) ([H.B. 2607](#)) – Chapter 111

Stipulates that the members of a condominium unit owners' association board or planned community association board are removed from office at 12:00 a.m. on the 31st day, if: 1) the board fails to call, notice and hold a special meeting within 30 days after receipt of a petition that calls for a board member's removal; and 2) all statutorily outlined requirements are met.

reviser's technical corrections; 2023 ([H.B. 2689](#)) – Chapter 130

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

initiative; referendum; signatures; legislative districts ([S.C.R. 1015](#))

Subject to voter approval, constitutionally modifies the signature requirements for statewide initiative and referendum petitions by requiring statewide initiative and referendum petitions to be signed by: 1) 10 percent of the qualified electors from each legislative district, rather than 10 percent of the qualified electors from the state as a whole, to propose any statewide measure; 2) 15 percent of the qualified electors from each legislative district, rather than 15 percent of the qualified electors from the state as a whole, to propose any constitutional amendment; and 3) 5 percent of the qualified electors in each legislative district, rather than 5 percent of the qualified electors from the state as a whole, to propose a statewide referendum. Requires the Secretary of State to submit the proposition to the voters at the next general election. Becomes effective if approved by the voters and on proclamation of the Governor.

reappointment; Lindsey Perry; auditor general (S.C.R. 1040)

[SEE MEMORIALS & RESOLUTIONS.](#)

~~governor; state of emergency~~ (NOW: governor; emergency powers) (H.C.R. 2039)

Subject to voter approval, constitutionally terminates any emergency powers granted to the Governor during a state of emergency: 1) 30 days after the emergency is proclaimed, unless extended by the Legislature; 2) by proclamation of the Governor terminating the state of emergency; or 3) by concurrent resolution of the Legislature declaring the Governor's emergency powers to be at an end. The emergency powers granted to the Governor arising from a state of war emergency or an emergency arising from a flood or fire are exempt from the automatic 30-day termination. If the Legislature extends the emergency powers granted to the Governor, the Legislature may alter or limit the Governor's emergency powers. If the Legislature does not extend the Governor's emergency powers, the Governor may not proclaim a new state of emergency arising out of the same conditions.

Requires the Governor to promptly call a special session to assemble the Legislature on the presentation of a petition signed by at least one-third of the members of each house of the Legislature requesting a special session for the purpose of terminating or altering the Governor's emergency powers. Requires the Secretary of State to submit the proposition to the voters at the next general election. Becomes effective if approved by the voters and on proclamation of the Governor.

LEGISLATION VETOED

municipalities; partisan elections ([S.B. 1011](#)) – VETOED

Allows, beginning January 1, 2024, a city or town to hold a candidate election with the candidate's political party registration indicated on the ballot.

The Governor indicates in her [veto message](#) that while S.B. 1011 does not mandate municipalities to hold partisan elections, Arizona's communities are not asking for local elections to be partisan affairs.

attorney general; legislature; legal challenges ([S.B. 1021](#)) – VETOED

Adds, to the duties of the Attorney General (AG), a requirement to defend the constitutionality of any law passed by the Legislature and signed by the Governor in any legal proceeding. The AG is relieved of this duty by providing notice to the Legislature at least 10 days before filing any substantive or dispositive pleading regarding the constitutionality of the challenged law. If a court order requests the parties in a proceeding to address the constitutionality of a state statute and no party has alleged in the proceeding that the state statute is unconstitutional, the clerk of the court must provide prompt notice of the court order to the Legislature.

The Governor indicates in her [veto message](#) that, though S.B. 1021 relieves the AG of the duty to defend the constitutionality of state laws if the AG provides notice to the Legislature at least 10 days before any substantive or dispositive filing is due, there are often cases in which such filings are due in fewer than 10 days.

political signs; tourism zones ([S.B. 1025](#)) – VETOED

[SEE THE ELECTIONS COMMITTEE.](#)

state monies; drag shows; minors ([S.B. 1026](#)) – VETOED

Prohibits any person or entity, including any state-funded institution or facility, from using state monies or federal monies passing through the state treasury for a drag show targeting minors and prohibits such monies from being distributed to any person or entity that operates a drag show targeting minors. A person or entity convicted of violating the prohibitions may not receive or spend any state monies for 36 months after conviction.

The Governor indicates in her [veto message](#) that S.B. 1026 attempts to criminalize free expression and ostracize the LGBTQIA+ community and that she does not support any attempts to marginalize Arizonans.

~~drag performers; drag shows; regulation~~ (NOW: sexually explicit performances; regulation) ([S.B. 1030](#)) – VETOED

Requires, rather than allows, a county board of supervisors to provide for the regulation and use of adult oriented business licenses and permits in conjunction with the establishment or operation of adult oriented businesses and facilities, including establishments that conduct sexually explicit performances.

The Governor indicates in her [veto message](#) that S.B. 1030 attempts to criminalize free expression and ostracize the LGBTQIA+ community and that she does not support any attempts to marginalize Arizonans.

~~campaign finance; reporting threshold; lobbyists~~ ([S.B. 1048](#)) – VETOED

Requires an in-state individual contribution to a candidate committee, political action committee or political party (committee) that exceeds \$200, rather than \$100, to be included in campaign finance reports. A committee campaign finance report must include contributions from each individual registered as: 1) an authorized lobbyist; 2) an authorized public lobbyist; 3) a designated lobbyist; 4) a designated public lobbyist; or 5) a lobbyist for compensation. A registered lobbyist must disclose the lobbyist's lobbyist registration identification or serial number to the committee receiving the contributions.

The Governor indicates in her [veto message](#) that while she appreciates the provision aimed at adding transparency to contributions from lobbyists, S.B. 1048, in aggregate, would reduce transparency in campaign finance and would likely apply to far more donors.

~~firearms; contracts; prohibited practices~~ ([S.B. 1096](#)) – VETOED

[SEE THE COMMERCE COMMITTEE.](#)

~~home-based businesses; restrictions; prohibition~~ ([S.B. 1162](#)) – VETOED

[SEE THE COMMERCE COMMITTEE.](#)

~~prohibition; photo radar~~ ([S.B. 1234](#)) – VETOED

Prohibits a local authority or state agency from using a photo enforcement system to identify violators of state traffic laws or city or town traffic ordinances.

The Governor indicates in her [veto message](#) that S.B. 1234 would eliminate an important tool for law enforcement that allows for a more efficient allocation of limited police resources.

~~child fatality review committee; establishment~~ (NOW: maltreatment oversight committee; establishment) ([S.B. 1252](#)) – VETOED

Beginning July 1, 2024, establishes the 14-member Independent Maltreatment Fatality and Near Fatality Oversight Committee (Oversight Committee) within the Arizona Department of

Administration to review child fatalities and near fatalities resulting from abuse and neglect. Outlines Oversight Committee membership, powers, duties and reporting requirements.

On a finding that a child's fatality was the result of maltreatment, the State Child Fatality Review Team must submit to the Oversight Committee the child's death certificate and a notice of finding that abuse or neglect contributed to the child's death and that there was an open or closed case with the Department of Child Safety (DCS) at the time of the child's death. DCS must notify the Oversight Committee within 48 hours after confirming that a child suffered a fatality or near fatality as a result of abuse, abandonment or neglect. Within five days of a request from the Oversight Committee, DCS must provide access to complete and unredacted records related to the case under review.

The Oversight Committee must have: 1) ongoing access to complete and unredacted records in the custody of DCS; 2) direct remote access to any automated case management system used by DCS; and 3) access to relevant records and information created by any state agency, educational institution or medical provider of the child, the child's siblings, the child's parents, guardians or caregivers and household members. All information and records acquired by the Oversight Committee are confidential and a violation of the confidentiality requirements is a class 2 misdemeanor.

The Governor indicates in her [veto message](#) that the creation of an additional review committee inefficiently duplicates the work of existing oversight bodies, unnecessarily furthers mistrust of caseworkers and may place additional burdens on traumatized or grieving families.

regulatory costs; rulemaking; ratification (S.B. 1255) – VETOED

Prohibits a proposed rule that is estimated to increase regulatory costs in Arizona by \$500,000 within five years after implementation from becoming effective until the Legislature enacts legislation ratifying the proposed rule. A state agency must submit a proposed rule to the Administrative Rules Oversight Committee no later than 30 days before the next legislative session. Any member of the Legislature may introduce legislation to ratify a proposed rule. A state agency may not file a final rule with the Secretary of State before obtaining legislative approval. If the Legislature does not ratify a proposed rule during the current legislative session, the state agency must terminate the proposed rulemaking by publishing a notice of termination in the register.

The Governor indicates in her [veto message](#) that the current state agency rulemaking process is rigorous, transparent and essential to allowing state government to function at its best for the people of Arizona.

annexation; notice; approval (S.B. 1268) – VETOED

Increases, from 50 percent to 60 percent, the percentage of property owners required to sign a petition for the purpose of extending and increasing the corporate limits of a city or town by annexation. Notice of the public hearing to discuss the annexation proposal must be sent to the county board of supervisors by certified mail and the certified mail cost must be covered by the city or town governing body.

The Governor indicates in her [veto message](#) that annexation is an important and common practice for the development of Arizona communities and that S.B. 1268 undermines the voices of property owners who, when in a majority, wish to be annexed.

office vacancy; discharge of duties (S.B. 1455) – VETOED

Requires a public office to be deemed vacant if the person holding the office ceases to discharge the duties of the office for 45 consecutive days, rather than three consecutive months. Legislative offices are exempt from the prescribed time frame.

The Governor indicates in her [veto message](#) that the changes proposed by S.B. 1455 are not needed at this time.

government investments; fiduciaries; pecuniary benefit (S.B. 1500) – VETOED

Requires a fiduciary to consider only pecuniary factors when evaluating an investment or discharging the fiduciary's duties with respect to a plan. A *plan* is any plan, fund or program established or maintained by the state or a political subdivision that: 1) provides retirement income or benefits to employees or former employees; 2) defers income by employees; or 3) invests taxpayer monies. Only a governmental entity that establishes or maintains a plan may vote the shares held by the plan. Directly or indirectly held plan shares must be voted only in the pecuniary interest of the plan and may not be voted to further nonpecuniary, environmental, social, political, ideological or other benefits or goals. A plan may not entrust any plan assets to a fiduciary that has a practice of engaging with, or committing to engage with, a company based on nonpecuniary factors or voting shares based on nonpecuniary factors.

Requires the State Treasurer to post and maintain a current list of state investments and investment managers on its website and prohibits the State Treasurer from taking unnecessary investment risks or promoting nonpecuniary benefits or social goals.

The Governor indicates in her [veto message](#) that politicizing decisions best made by Arizona's investment professionals can harm the state's long-term fiscal health.

local government; 2023-2024. (S.B. 1531/H.B. 2578) – VETOED

[SEE THE APPROPRIATIONS COMMITTEE.](#)

state buildings; management; 2023-2024. (S.B. 1533 /H.B. 2580) – VETOED

[SEE THE APPROPRIATIONS COMMITTEE.](#)

public entities; contracts; prohibition (S.B. 1611) – VETOED

Prohibits a public entity from requiring a company to implement an environmental, social or governance standards policy as a condition of entering into or renewing a contract. A public

entity may not adopt a procurement, investment or other policy that has the effect of inducing or requiring a company to implement an environmental, social or governance standards policy.

The Governor indicates in her [veto message](#) that she does not believe that tying the hands of procurement and investment professionals is in the best interests of the people of Arizona.

sexually explicit materials; government; prohibition (S.B. 1696) – VETOED

Prohibits the state, a state agency, city, town, county or political subdivision from exposing minors to sexually explicit materials and requires the state, a state agency, city, town, county and political subdivision to prohibit its contractors from exposing minors to sexually explicit materials. A facility or property owned, leased or managed by the state, a state agency, city, town, county or political subdivision may not be used for filming or facilitating sexually explicit acts. A violation of the prohibitions is a class 5 felony.

The Governor indicates in her [veto message](#) that while she agrees that not all content is appropriate for minors, S.B. 1696 is a poor way to address those concerns.

~~technical correction; tax debt; enforcement~~ (NOW: mobile food vendor; operation; rules) (H.B. 2094) – VETOED

Allows a mobile food vendor to operate on private property in a residential area if the mobile food vendor meets certain prescribed requirements and caps, at \$150, the annual fee that a city or town may require a mobile food vendor to pay for each fixed location or mobile food unit. The Department of Health Services licensing standards must allow a mobile food unit to request an exemption from the commissary or other servicing area requirements if the mobile food unit is sufficiently equipped to meet health and safety standards without the use of a commissary or other servicing area. A county board of supervisors may not require generators to be permanently affixed to a mobile food unit. The outlined mobile food vendors requirements do not preclude a city, town or county from requiring a mobile food vendor to be licensed if the licensing system includes a fingerprint clearance card issued by the Department of Public Safety.

The Governor indicates in her [veto message](#) that, while the issue of food trucks operating in residential areas warrants future discussion, it does not outweigh the potential negative public health impact which may include increasing the risk of food-borne illness.

~~library trustees; annual report~~ (NOW: school board member; access) (H.B. 2210) – VETOED

[SEE THE EDUCATION COMMITTEE.](#)

rulemaking; regulatory costs; legislative ratification (H.B. 2254) – VETOED

Prohibits a proposed rule that is estimated to increase regulatory costs or have an adverse impact on economic growth in an amount of more than \$500,000 within five years after implementation from becoming effective until the Legislature enacts legislation ratifying the

proposed rule. A state agency must submit a proposed rule to the Administrative Rules Oversight Committee no later than 30 days before the next legislative session. Any member of the Legislature may introduce legislation to ratify a proposed rule. A state agency may not file a final rule with the Secretary of State before obtaining legislative approval. If the Legislature does not ratify a proposed rule during the current legislative session, the state agency must terminate the proposed rulemaking by publishing a notice of termination in the register.

The Governor indicates in her [veto message](#) that the current state agency rulemaking process is rigorous, transparent and effective.

public officers; lobbying; prohibition (H.B. 2377) – VETOED

Prohibits a public officer from engaging in lobbying, except when acting in an official capacity. A *public officer* is an elected officer of a public agency established by charter, ordinance, resolution, state constitution or statute.

The Governor indicates in her [veto message](#) that H.B. 2377 creates meaningful First Amendment concerns through the definition of *lobbying*.

hotel; motel; vouchers; homeless; prohibition (H.B. 2379) – VETOED

Prohibits a city, town, county or the Arizona Department of Housing from requiring a hotel or motel to participate in any program that houses homeless individuals or families in an unoccupied guest room through the use of a housing voucher.

The Governor indicates in her [veto message](#) that H.B. 2379 is unnecessary, as there is no current requirement or proposal for Arizona hotels and motels to accept housing vouchers.

firearms; sovereign authority (H.B. 2394) – VETOED

Includes, in the prohibition on the use of state or political subdivision resources to regulate firearms in a manner that is inconsistent with state law, any tax, levy, fee or stamp imposed on firearms, firearm accessories or ammunition that is not common to all other goods and services and that might reasonably be expected to create a chilling effect on the purchase or ownership of such items by law-abiding citizens.

The Governor indicates in her [veto message](#) that H.B. 2394 exempts the firearm industry from the same basic regulation to which all other industries are accustomed.

~~technical correction; sports facilities account~~ (NOW: electronic applications; government employees; prohibition) (H.B. 2416) – VETOED

[SEE THE TRANSPORTATION & TECHNOLOGY COMMITTEE.](#)

~~state tree; residential planning~~ (NOW: standpipe service; continuation; emergency) ([H.B. 2441](#)) – VETOED

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

~~legislators; unpaid leave of absence~~ (NOW: public health emergency; sovereignty; limitations) ([H.B. 2545](#)) – VETOED

Prohibits the state or a political subdivision from using any personnel or financial resources to enforce, administer or cooperate with a public health emergency order based on an agreement or recommendations from an international governmental organization, unless the order has been ratified as a treaty by the U.S. Senate, affirmed by a vote of the U.S. Congress and signed into law.

Limits a Governor-proclaimed public health emergency to a maximum of seven days and allows a Governor-proclaimed public health emergency to be extended for seven-day periods by a two-thirds vote of each chamber of the Legislature. The Governor may not impose any policy or use a public health emergency to require lockdowns or mandate business closures, with limited exceptions. The Governor may not proclaim a new public health emergency arising out of the same conditions for which the terminated public health emergency was proclaimed. Designates this legislation as the *Preventing International Influence on Public Health Emergencies Act of 2023*.

The Governor indicates in her [veto message](#) that H.B. 2545 would severely limit the ability of the state to respond in times of crisis.

Health & Human Services Committee

Senator T.J. Shope, Chairperson



Michael Madden, Research Analyst
Maelinn Chow, Assistant Research Analyst
Jen Martinez, Intern

HEALTH & HUMAN SERVICES COMMITTEE

LEGISLATION ENACTED

~~biomarker testing; insurance coverage; definitions~~ (NOW: insurance coverage; biomarker testing) ([S.B. 1052](#)) – Chapter 29

[SEE THE COMMERCE COMMITTEE.](#)

~~election board workers; political party~~ (NOW: police dogs; emergency treatment) ([S.B. 1068](#)) – Chapter 187

[SEE THE MILITARY AFFAIRS, PUBLIC SAFETY & BORDER SECURITY COMMITTEE.](#)

~~jails; mental health; evaluations; treatment~~ ([S.B. 1077](#)) – Chapter 91

Expands, for the purposes of court-ordered treatment and evaluations, the definitions of *evaluation agency* and *mental health treatment agency* to include a jail facility that is exempt from licensure requirements and accredited by either a national commission on correctional health care or an American correctional association.

~~podiatric medical assistants; radiation; exemption~~ ([S.B. 1078](#)) – Chapter 5

Exempts, from the certification requirement to use ionizing radiation, a podiatric medical assistant who holds a valid podiatric radiology certificate from a course approved by the Arizona State Board of Podiatry Examiners.

~~hospitals; discharge planning; patient assessments~~ ([S.B. 1157](#)) – Chapter 156

Beginning January 1, 2024, establishes notification and planning requirements for the discharge of a resident to a hospital from an assisted living center or assisted living home (assisted living facility) and the discharge of a patient from a hospital to an assisted living facility. The assisted living facility must notify the resident's authorized representative that the resident was transported to a hospital. Each assisted living facility must maintain a standardized form for each resident which must be provided to the emergency responder and receiving hospital upon transport. The form must include: 1) the patient's medications and known allergies; 2) the patient's physical and mental status; 3) contact information of the patient's facility, pharmacy physician and authorized representative; and 4) any advance directives.

A discharging hospital must coordinate with the health care institution from which the patient has been transferred or the health care institution to which the patient will be discharged and provide a written discharge plan for each patient. The discharge plan must include: 1) hospital contact information; 2) copies of any prescriptions; 3) the patient's discharge evaluation and health

assessment; 4) notification of new device orders; and 5) documentation demonstrating that the hospital notified the patient's representative of the discharge. A discharging hospital must provide an opportunity for a patient screening by the receiving assisted living facility to determine whether the patient's post-discharge care needs are within the facility's scope of services. An assisted living facility must document the reasons why a patient cannot be accepted back to the facility.

health professionals; address; confidentiality (S.B. 1176) – Chapter 37

[SEE THE JUDICIARY COMMITTEE.](#)

foster care; children; parents; rights (S.B. 1186) – Chapter 157

Extends the rights of foster care children and parents to kinship foster care children and parents. Prescribes additional rights for foster care and kinship foster care children relating to child placement, discipline, school placement and health care benefits. Prescribes additional rights for foster care children who are at least 16 years old and extends these rights to foster care and kinship foster care children who are 14 or 15 years old. Establishes the rights of parents, guardians and custodians who have a child in the custody of the Department of Child Safety (DCS) and are under investigation for an allegation of abuse or neglect. DCS must provide information and assistance in understanding and enforcing the prescribed rights on initial contact with a child safety worker, upon a child entering care and when there is a change in a child's foster care or case plan. If a child or parent believes that the child's or parent's rights have been violated, the child, parent or a representative may file a complaint with outlined entities or notify the juvenile court, as prescribed.

Expands the information provided by a child safety worker on initial contact with a parent, guardian or custodian, including information about the investigation and the child safety decision-making process.

~~funeral services regulation; DHS~~ (NOW: funeral services; DHS; advisory committee) (S.B. 1210) – Chapter 194 E

[SEE THE COMMERCE COMMITTEE.](#)

naturopathic physicians medical board (S.B. 1218) – Chapter 9

Eliminates the certificate requirement for a naturopathic medical student to engage in a clinical training program.

Eliminates the requirement that the Executive Director of the Naturopathic Physicians Medical Board must conduct periodic inspections of the dispensing and prescribing practices of naturopathic physicians. An applicant who is eligible for licensure as a naturopathic physician must be active, rather than continuously active, as a practicing naturopathic physician or in an approved training program or resident study for at least three years immediately preceding application. Includes a university in the definitions of *approved school of naturopathic medicine* and *school of naturopathic medicine*.

health information organizations (NOW: hospitals; fingerprints; private investigators; identification) (S.B. 1221) – Chapter 163

Allows a licensed hospital to request assistance from a criminal justice agency (agency) to determine the identity of an incapacitated or deceased patient through fingerprint analysis or biometric identification techniques. A registered private investigator may fingerprint or obtain biometric information from the unidentified patient and provide the information to the agency without the patient's consent or authorization. The agency must provide the patient's name to the hospital. The requesting hospital is responsible for the cost of identifying the patient.

dental board; business entities; records (S.B. 1226) – Chapter 118

[SEE THE COMMERCE COMMITTEE.](#)

dental board; annual report; website (S.B. 1283) – Chapter 10

Requires the annual Arizona State Board of Dental Examiners (BODEX) report for the preceding fiscal year to be posted on BODEX's website and modifies the report components by: 1) removing persons to whom licenses were issued and the number and dates of examinations; and 2) adding the number of certified denturists and registered business entities in Arizona, the number of certificates and registrations issued, and the outcome of any complaints filed with BODEX.

guardianship; conservatorship; policies; procedures (NOW: conservatorship; guardianship; policies; procedures) (S.B. 1291) – Chapter 195

[SEE THE JUDICIARY COMMITTEE.](#)

database; health professionals; license revocations (S.B. 1333) – Chapter 158

Requires each health profession regulatory board to report the revocation of a license or certification to the Department of Health Services (DHS), including revocations that occurred between July 1, 2019, and July 1, 2024. By July 1, 2024, DHS must create a searchable database on its website that contains the names of health professionals who have had a license or certification revoked in the preceding five years, the revocation date and the applicable health care regulatory board.

Delays, from January 1, 2023, to July 1, 2024, the date by which an applicant for initial nursing care institution administrator licensure or assisted living facility manager certification must submit a full set of fingerprints for a criminal background check.

pharmacy benefit managers; certificate requirements (S.B. 1382) – Chapter 74

Beginning January 1, 2025, requires a pharmacy benefit manager (PBM) to apply and pay a fee to the Department of Insurance and Financial Institutions (DIFI) for a valid certificate of authority to operate as a PBM who performs services for a health plan subject to state jurisdiction.

A PBM certificate is nontransferable and may be renewed biennially. Outlines PBM certification requirements for DIFI and the Director of DIFI (Director) relating to procedures for application, material modification, denial, suspension, revocation, restriction and renewal. A PBM whose certificate is suspended or restricted is subject to monthly civil penalties until the violation is remedied. The Director may revoke the certificate after more than 120 days of operating under a suspended certificate.

The Director must establish a retention schedule for all PBM certification records, books, documentation and other data on file with DIFI. The retained records are considered proprietary and confidential and used to ensure PBM compliance. The Director may not order the destruction or disposal of any information that is: 1) required to be maintained by law; 2) filed during the Director's administration; or 3) kept on file with DIFI for less than 10 years. A certificated PBM must comply with retention schedule requirements.

~~technical correction; malpractice claim review~~ (NOW: animal acupuncture; certification; requirements) ([S.B. 1401](#)) – Chapter 164

Allows an acupuncturist to provide acupuncture treatment to animals if the acupuncturist is nationally certified for animal acupuncture and applies to the Acupuncture Board of Examiners (Board) for certification. A certified animal acupuncturist may apply all appropriate acupuncture modalities when treating animals if the acupuncturist meets outlined requirements, including: 1) receiving a treatment referral from the diagnosing veterinarian; 2) maintaining adequate insurance; 3) assessing and treating an animal consistent with the acupuncturist's training; 4) being solely liable for the provided treatment; and 5) complying with additional requirements if providing treatment outside of a licensed veterinary premises. The Board may prescribe procedures and a fee for certification and must adjudicate animal acupuncture treatment complaints.

~~breast examinations; cancer screenings; age~~ ([S.B. 1601](#)) – Chapter 122

Requires a hospital or medical service corporation, health care services organization, disability insurer, group disability insurer and blanket disability insurer that provides mastectomy surgical services coverage to also provide coverage for preventive mammography screening and diagnostic imaging on referral by a patient's physician, including digital breast tomosynthesis, magnetic resonance imaging, ultrasound or other modality and at such age and intervals as nationally recommended.

~~dental anesthesia; requirements~~ ([S.B. 1602](#)) – Chapter 200 E

An emergency measure effective June 20, 2023, that outlines standards and procedures for a qualified anesthesia provider to provide general anesthesia and sedation at a dental office or clinic. A *qualified anesthesia provider* is: 1) an Arizona State Board of Dental Examiners (BODEX) licensee who holds a permit to administer anesthesia and sedation; 2) a physician who is registered with the Arizona Medical Board or the Arizona Board of Osteopathic Examiners in Medicine and Surgery to administer anesthesia in dental offices and clinics; or 3) a certified registered nurse anesthetist who is registered with the Arizona State Board of Nursing to administer anesthesia in dental offices or clinics.

A dental office or clinic at which general anesthesia or sedation is administered must:

- 1) contain properly operating equipment and supplies in accordance with BODEX rules; and
- 2) have proper emergency response protocols in place for administering general anesthesia and sedation that are consistent with BODEX rules and the standards and practices recommended by the American Heart Association. A qualified anesthesia provider who fails to comply with dental anesthesia requirements commits an act that constitutes a danger to public health, welfare or safety. BODEX must promptly report to the applicable health profession regulatory board: 1) a qualified anesthesia provider who fails to comply with general anesthesia and sedation requirements; and 2) any adverse anesthesia outcome that involves a qualified anesthesia provider. If a death or an incident requiring emergency medical response occurs during or after the administration of general anesthesia or sedation, the treating dentist and qualified anesthesia provider must, and any other person may, submit a report of the death or incident to BODEX and the applicable health profession regulatory board within seven business days.

By September 1, 2023, the BODEX Anesthesia and Sedation Committee (Committee) must submit to BODEX its final recommendation to improve general anesthesia and sedation permit requirements for the purpose of increasing patient safety. The Committee must consider ways to create equitable access for all qualified anesthesia providers and improve patient access to dental anesthesia services. BODEX must approve, modify or reject the recommendations within 60 days after receipt. BODEX is exempt from rulemaking requirements until June 20, 2024, for the administration of general anesthesia and sedation in dental offices and clinics.

hospital; price transparency ([S.B. 1603](#)) – Chapter 39

Requires each licensed hospital to comply with federal hospital price transparency regulations. The Department of Health Services (DHS) must annually verify each hospital's price transparency regulations compliance with the U.S. Centers for Medicare and Medicaid Services (CMS). By January 1, 2025, and each January 1 thereafter, DHS must post a report on its public website containing the name of any hospital that has been found noncompliant and been assessed a civil monetary penalty by CMS.

state hospital; governing board; governance ([S.B. 1710](#)) – Chapter 201

Allows a petition for court-ordered treatment in a county with a population of fewer than 500,000 persons to be accompanied by the affidavits of a physician and either a physician assistant experienced in psychiatric matters or a psychiatric and mental health nurse practitioner who conducted an independent evaluation, rather than by two physicians.

ambulances; emergency medical services ([S.B. 1711](#)) – Chapter 165

Beginning January 1, 2024, requires the Department of Health Services' ambulance service criteria and procedures to require an ambulance that provides interfacility transport in any certificate-of-necessity area to be staffed by at least one ambulance attendant who is an emergency medical technician (EMT), licensed physician or professional nurse and one ambulance attendant who is an EMT or emergency medical responder whose primary responsibility is driving an ambulance.

health care; 2023-2024. ([S.B. 1726/H.B. 2816](#)) – Chapter 139

[SEE THE APPROPRIATIONS COMMITTEE.](#)

human services; 2023-2024. ([S.B. 1728/H.B. 2818](#)) – Chapter 141

[SEE THE APPROPRIATIONS COMMITTEE.](#)

~~real estate appraisers; licensure classifications~~ (NOW: repeal; massage therapy; communication proficiency) ([H.B. 2012](#)) – Chapter 101

[SEE THE COMMERCE COMMITTEE.](#)

mental health; voluntary evaluations; payment ([H.B. 2041](#)) – Chapter 103

Modifies the evaluation process for a proposed patient who selects to undergo a voluntary psychological evaluation in lieu of a court-ordered evaluation by allowing the proposed patient to select a licensed behavioral health provider to perform the psychological evaluation. The voluntary evaluation must be completed within 10 days, rather than 5 days, after receiving notice from the county-provided evaluation agency of the requested evaluation. The evaluated person must pay as much of the evaluation charge as the patient can afford, unless the person is indigent. Outlines notification and documentation requirements for evaluation completion, failure to complete a requested evaluation and recommended or required court-ordered evaluation.

Requires the Arizona Supreme Court to adopt rules to establish a program to enable health care institutions that provide services subject to the federal Emergency Medical Treatment and Active Labor Act to determine the existence of active court orders for treatment and any relevant history.

acute care services; pilot program ([H.B. 2042](#)) – Chapter 90

Delays the termination date of the Acute Care at Home Pilot Program until January 1, 2027.

physician assistants; supervision; collaboration ([H.B. 2043](#)) – Chapter 54

Beginning January 1, 2024, expands the scope of practice of a physician assistant (PA) from performing health care tasks delegated by a supervising physician to performing any legal medical service for which the PA is trained, educated or has experience in and is competent to perform, including: 1) interpreting diagnostic studies and procedures; 2) providing counseling, education and consultation; 3) writing medical orders and obtaining informed consent; 4) delegating and assigning therapeutic and diagnostic measures to and supervising licensed or unlicensed personnel; and 5) prescribing prescription-only medications for up to one year for each patient. A PA who has at least 8,000 hours of clinical practice certified by the Arizona Regulatory Board of Physicians Assistants (AZPA) is exempt from practicing under a supervision agreement, but the PA must practice collaboratively with health care professionals and is legally responsible for performed health care services. If a PA has less than 8,000 clinical practice hours, the PA must work under a supervision agreement, as prescribed. Certain qualification, notification and meeting requirements for supervising physicians are removed.

The AZPA must adopt rules establishing certification standards for PAs who previously completed 8,000 hours of clinical practice and develop a policy to certify the completion of clinical practice hours and an alternative standard to certify clinical practice hours for PAs who have been actively practicing for more than five years. The AZPA is exempt from rulemaking requirements for one year.

DHS; licensure; group homes (H.B. 2166) – Chapter 94

Requires, beginning July 1, 2024, a behavioral-supported group home operated by a service provider and under contract with the Department of Economic Security (DES) to be licensed for health and safety by the Department of Health Services (DHS). A *behavioral-supported group home* is a community residential setting for up to six persons with developmental disabilities that provides room and board, daily habilitation, medication administration and behavioral health services to clients with dual disorders who engage in disruptive, inappropriate or harmful behaviors. Outlines DES and DHS notification requirements relating to monitoring and licensing behavioral-supported group homes.

The Director of DES must adopt rules for behavioral-supported group homes, including rules governing client care, treatment plans, multidisciplinary treatment teams and staff. DHS and DES are exempt from rulemaking requirements until April 30, 2025.

The Director of DHS may not accept an accreditation report in lieu of a compliance inspection for a nursing-supported group home.

Good Samaritan; medical assistance (H.B. 2168) – Chapter 26 E

An emergency measure effective April 6, 2023, that extends, from July 1, 2023, to July 1, 2028, the repeal date of the drug overdose Good Samaritan law which grants immunity from criminal prosecution for possession of a controlled substance or illicit drug to any person who, in good faith, seeks medical assistance for someone experiencing a drug-related overdose.

drug overdose fatality review teams (H.B. 2194) – Chapter 56 E

An emergency measure effective April 17, 2023, that reinstates the Drug Overdose Fatality Review Team (Review Team) within the Department of Health Services (DHS) and continues its membership, powers, duties and requirements for information access and confidentiality. Terminates the Review Team on January 1, 2029.

All information and records acquired by a local drug overdose review team (local team) are confidential and not subject to subpoena, discovery or introduction into evidence in a civil or criminal proceeding or disciplinary action, except as specified. A local team member or person who presents information to a local team may not be questioned in any civil or criminal proceeding or disciplinary action regarding the presented information, unless the information was obtained independently or as public information. A law enforcement agency must provide unredacted DHS reports to the chairperson or team coordinator of a local team on request.

~~TPT; exemption; utilities; residential customers~~ (NOW: case management; remote access; requirements) ([H.B. 2213](#)) – Chapter 106

[SEE THE JUDICIARY COMMITTEE.](#)

child placement; relative search; notice. ([H.B. 2313](#)) – Chapter 87

Requires the court to order the Department of Child Safety (DCS) to initiate a due diligence search for a child's adult relatives or any person with a significant relationship with the child, if the child is taken into temporary custody. DCS must engage in search efforts if: 1) ordered by the court; 2) a change in a child's placement occurs; or 3) a party shows that the search is in the best interest of the child. DCS must file documentation with the court regarding the consideration and outcome of each potential placement within 30 days after the child is taken into temporary custody and at each subsequent hearing. DCS must notify all potential caregivers identified through the search and provide the potential caregivers information regarding participation in the child's care, financial assistance and procedures to become a licensed foster parent. If a child is not placed with a caregiver or if the child is placed with a caregiver who is unable or unwilling to provide permanent placement for the child, DCS must continue to conduct an ongoing caregiver search. Prescribes additional DCS requirements relating to court filings and out-of-state child placements.

outpatient treatment centers; exemption ([H.B. 2346](#)) – Chapter 89

Exempts an outpatient treatment center (OTC) from Department of Health Service (DHS) licensure requirements if the OTC has the same direct or indirect owner as a licensed hospital and provides notice to DHS of the exemption, with exceptions. Each licensed hospital must maintain and provide to DHS a current list of exempt OTCs. An OTC that was licensed on September 23, 2022, and does not notify DHS of the OTC's intent to be exempt from licensure, remains licensed if the OTC pays the lapsed licensing fees within 60 days after October 30, 2023.

~~technical correction; payment method~~ (NOW: supplemental appropriations; AHCCCS; adjustments) ([H.B. 2432](#)) – Chapter 113

Effective May 4, 2023, appropriates \$58,487,600 from the Children's Health Insurance Program Fund and \$3,307,915,900 in Medicaid expenditure authority in FY 2023 to the Arizona Health Care Cost Containment System to adjust funding formula requirements.

dental hygienists; scope of practice ([H.B. 2473](#)) – Chapter 36

Expands the scope of practice of dental hygienists to include a dental hygiene assessment and dental hygiene treatment planning as components of a dentist-developed diagnosis and treatment plan. A *dental hygiene assessment* means identifying an existing or potential oral health problem, and *dental hygiene treatment planning* means performing a prioritized sequence of dental hygiene interventions predicated on the dental hygiene assessment.

~~DUI; public safety; technical correction~~ (NOW: prescriptions; approval; controlled substance) ([H.B. 2489](#)) – Chapter 97

Conditional on federal approval of a 3, 4-methylenedioxymethamphetamine (MDMA) investigational product as a prescription medication by January 1, 2026, declares that any compound, mixture or preparation that contains MDMA and that is approved by the U.S. Food and Drug Administration and rescheduled as a controlled substance other than schedule I is a controlled substance and may be prescribed in Arizona. The Executive Director of the Arizona State Board of Pharmacy must notify the Director of Legislative Council by February 1, 2026, of the date the condition was or was not met. Designates this legislation as the *PTSD Treatment Act of 2023*.

~~DCS; federal benefits; dependent children.~~ ([H.B. 2559](#)) – Chapter 177

Requires the Department of Child Safety (DCS) to determine whether each child under DCS's care is already receiving or eligible for Social Security Administration or U.S. Department of Veterans Affairs benefits (federal benefits) and to apply for the federal benefits on behalf of an eligible child within 60 days of the child entering DCS care. For a child applying for or already receiving federal benefits, DCS must identify a representative payee in consultation with the child and the child's attorney and apply to become the representative payee if there is no other suitable candidate. If the representative payee is DCS, outlined requirements and restrictions apply. DCS must annually review each child's case to determine whether a child may have become eligible for federal benefits after DCS's initial assessment. On termination of DCS care, DCS must release any remaining monies to the child or the person responsible for the child, as prescribed. Outlines notification requirements.

~~hospitals; physicians; dispensing opioids~~ ([H.B. 2564](#)) – Chapter 42

Allows a hospital or a health professional who is working in a hospital that is not within 50 miles of a 24-hour pharmacy to dispense a 12-hour supply of a schedule II controlled substance that is an opioid when discharging a patient with an acute illness or injury after regular pharmacy business hours. A *health professional* is a licensed medical or osteopathic physician, physician assistant, podiatrist or nurse who holds a valid registration number with the U.S. Drug Enforcement Administration.

~~emergency medical technicians; military reciprocity~~ ([H.B. 2589](#)) – Chapter 43

[SEE THE MILITARY AFFAIRS, PUBLIC SAFETY & BORDER SECURITY COMMITTEE.](#)

~~AHCCCS; redeterminations~~ (NOW: AHCCCS; redeterminations; appropriation) ([H.B. 2624](#)) – Chapter 17 E

An emergency measure effective March 30, 2023, that appropriates \$29,243,800 from the Children's Health Insurance Program Fund and \$1,653,957,950 in Medicaid expenditure authority in FY 2023 to the Arizona Health Care Cost Containment System (AHCCCS) to adjust funding formula requirements.

Requires AHCCCS, by December 31, 2023, to issue decisions on redeterminations for all members who have not been redetermined since December 1, 2022, and who were identified as factually ineligible through AHCCCS's auto-renewal process based on eligibility information provided from federal and state databases. In the redetermination and removal process, AHCCCS may not: 1) establish procedural requirements beyond the minimum procedures required to establish a good faith effort or any federal minimum requirements; 2) conform to any contrary federal guidance; 3) follow any other process timelines or deadlines; or 4) limit, divide or disburse the initiation or completion of redeterminations or removals, unless federally required. Repeals the AHCCCS prohibitions on January 1, 2025. Beginning May 15, 2023, through May 15, 2024, AHCCCS must submit a monthly report to the Governor and Legislature containing outlined information relating to the redetermination and removal process.

missing children; alert; notification; reporting (H.B. 2651) – Chapter 179

Requires the Department of Child Safety (DCS) to fulfill additional notification and reporting requirements relating to cases involving missing, abducted or runaway children. Within 24 hours of receiving a report of a missing, abducted or runaway child, DCS must report to the National Center for Missing and Exploited Children (NCMEC), contact outlined persons to obtain information about the child and provide a notice of disappearance to specified entities, unless it is determined by the primary investigative agency that it will hinder investigation or location efforts. Within 48 hours of receiving a report, DCS must provide specified information relating to the child and the child's abductor, if known, to all local media outlets and social media platforms. DCS must perform ongoing child location efforts, as prescribed, until a missing, abducted or runaway child is located or the child reaches the age of majority.

Requires DCS to develop and conduct annual training for employees who have direct oversight of children. The training must include policies for locating missing, abducted or runaway children and requirements for ongoing child location efforts.

Allows the Legislature to convene the Joint Legislative Oversight Committee on DCS to address concerns and deviations from policy and procedure and provide recommendations. The Legislature may request an annual independent audit of DCS's compliance with missing, abducted and runaway children statutory requirements and procedures.

~~communicable disease information; 911 dispatchers~~ (NOW: trauma counseling; 911 dispatchers) (H.B. 2717) – Chapter 109

[SEE THE COMMERCE COMMITTEE.](#)

health boards; AHCCCS; continuation. (H.B. 2826/S.B. 1075) – Chapter 160

Continues the Arizona State Board of Optometry, Naturopathic Physicians Medical Board and Arizona Health Care Cost Containment System for six years, until July 1, 2029, and the Arizona State Board of Dental Examiners and Arizona State Board of Massage Therapy for two years, until July 1, 2025, retroactive to July 1, 2023.

LEGISLATION VETOED

scope of practice; process; repeal (S.B. 1248/H.B. 2529) – VETOED

Repeals the requirement that state-regulated health professions seeking an expanded scope of practice must complete a statutory sunrise review.

The Governor indicates in her [veto message](#) that repealing the sunrise application process without replacing it with a better mechanism will not address the underlying issues, and poses a threat to the health and safety of Arizonans.

employers; vaccines; religious exemption (S.B. 1250) – VETOED

Requires an employer to allow employees that complete a religious exemption form to opt out of vaccination requirements for COVID-19, influenza A, influenza B, flu or any vaccine authorized for emergency use by the U.S. Food and Drug Administration and outlines religious exemption form requirements. An employer may create an internal database of confidential exemption requests and may not: 1) inquire into the veracity of an employee's religious beliefs, practices or observances beyond what is federally allowed; or 2) discriminate against an employee regarding employment, wages or benefits based on vaccination status.

A terminated employee who was not offered or was denied a religious exemption may file a complaint with the Attorney General (AG), who must investigate the complaint and determine whether a vaccine mandate was imposed, a proper exemption statement was offered and submitted and the termination was a result of the employer's failure to allow an exemption. If the AG determines that the employer violated the religious exemption requirements, the AG must notify the employer of the violation. An employer that does not correct the noncompliance within 10 days of notification is subject to a civil penalty of \$5,000.

The Governor indicates in her [veto message](#) that S.B. 1250 is unnecessary, as legal protections for religious beliefs exist in federal employment law, and that the imposition of a civil penalty and fine could be devastating for small businesses.

~~child fatality review committee; establishment~~ (NOW: maltreatment oversight committee; establishment) (S.B. 1252) – VETOED

[SEE THE GOVERNMENT COMMITTEE.](#)

health care; 2023-2024. (S.B. 1527/H.B. 2574) – VETOED

[SEE THE APPROPRIATIONS COMMITTEE.](#)

human services; 2023-2024. (S.B. 1529/H.B. 2576) – VETOED

[SEE THE APPROPRIATIONS COMMITTEE.](#)

infants; born alive; requirements (S.B. 1600) – VETOED

Requires any infant who is born alive, rather than a fetus or embryo delivered alive, to be treated as a legal person under state law and have the same rights to medically appropriate and reasonable care and treatment to preserve the life and health of the infant. A health professional may not deprive any infant who is born alive of medical care, regardless of whether the infant is likely to survive. Any health professional, hospital, abortion clinic, or employee or volunteer of a hospital or clinic must immediately report any knowledge of noncompliance with the born alive infant requirements to law enforcement.

Specified health professionals who intentionally or knowingly violate the born alive infant requirements are guilty of a class 6 felony and commit an act of unprofessional conduct, resulting in suspension or revocation of licensure or certification. Failure to comply with born alive infant requirements establishes a basis for civil action which may result in relief that includes actual and punitive damages and a civil penalty of at least \$5,000 per violation.

The Governor indicates in her [veto message](#) that S.B. 1600 interferes with the relationship between a patient and doctor and that it is not the state's role to make such difficult medical decisions for patients.

women's shelters; male employees; liability (H.B. 2312) – VETOED

States that a women's shelter, halfway house or sex trafficking rehabilitation center that does not allow a biological male employee to be in the presence of a woman, or the woman's minor children who are living in the facility, is not liable for gender discrimination if the facility's sole purpose is to provide a safe and stable shelter to women or women with minor children.

The Governor indicates in her [veto message](#) that H.B. 2312 is unnecessary and, rather than improving or facilitating access to the resources that victims and victims' families need, allows providers to discriminate on the basis of sex.

~~fentanyl; border; public health crisis~~ (NOW: sovereign authority; border; health crisis) (H.B. 2469) – VETOED

Declares that it is Arizona's public policy to protect the state from drug cartels that threaten the public safety, health or general welfare of the people and that the federal government's failure to secure the Arizona border from an unlawful invasion is dangerous and unprecedented. Arizona law must be interpreted and construed to protect Arizona's sovereign authority against any unlawful invasion at the Arizona-Mexico border.

Declares that the trafficking of fentanyl across the Arizona border is a public health crisis and that overdose deaths involving synthetic opioids are primarily driven by illicitly manufactured fentanyl. The Department of Health Services (DHS) must do everything within its authority to address the fentanyl crisis.

The Governor indicates in her [veto message](#) that H.B. 2469 does not acknowledge the chronic underfunding of DHS and other government services, nor does it ensure the safety of Arizona communities by maximizing harm reduction efforts, ensuring access to affordable and high-quality health care, combating stigmatization of mental and behavioral health conditions, breaking down barriers to accessing opioid antagonists and investing in a robust and sustainable public health infrastructure.

school immunizations; exclusions (H.B. 2474) – VETOED

Excludes an immunization that is issued an emergency-use authorization by the U.S. Food and Drug Administration (FDA) from the immunizations required for school attendance.

The Governor indicates in her [veto message](#) that vaccines are vitally important for the health and wellness of our state and that H.B. 2474 would undermine public trust in FDA-approved vaccines.

substance exposure; pregnant women; neglect (H.B. 2530) – VETOED

Directs the Department of Child Safety (DCS), on receipt of communication involving substance use by a pregnant woman, to provide the caller with the Arizona Health Care Cost Containment System's (AHCCCS's) contact information and, if possible, transfer the call to AHCCCS for referral to a provider for substance use treatment. DCS may not maintain such communications. The receipt of a communication may not result in an investigation of abuse or neglect and the presence of prenatal clinical indicators or the woman's history of substance use or participation in substance use services and support alone may not be the basis of a mandatory report of suspected neglect to DCS on the birth of the child.

On a suspicion or finding of a pregnant woman using alcohol or a dangerous or narcotic drug, a health care professional must refer the woman, with the woman's consent, for substance use services and support to facilitate maternal and infant safety. Adds, to the factors used in determining if a child is neglected, proof that the mother was referred for and participated in certified substance use treatment. The mother's participation in substance use treatment may be considered a mitigating factor in determining neglect.

The Governor indicates in her [veto message](#) that H.B. 2530 would unnecessarily expand the role of DCS in decisions and actions that should be handled between a pregnant person and medical professionals. The Governor states that she respects and shares the goal of expanding access to voluntary substance use treatment services for pregnant people, but these services must be made available, affordable and accessible by building trust in and right-sizing any DCS involvement through broad community conversations on mandated reporting, hotline procedures and statutory neglect, and that H.B. 2530 lacks these elements.

Judiciary Committee

Senator Anthony Kern, Chairperson



Zack Dean, Research Analyst

Sawyer Bessler, Assistant Research Analyst

Kaytie Sherman, Intern

JUDICIARY COMMITTEE

LEGISLATION ENACTED

residential picketing; offense ([S.B. 1023](#)) – Chapter 185

Specifies that a person commits *residential picketing* if a reasonable person would find the picketer's actions to be harassing, threatening or alarming to a person in the residence or dwelling place and the picketing or demonstrating is intentionally directed at a resident.

setting aside conviction; certificate eligibility ([S.B. 1036](#)) – Chapter 3

Specifies that a person is not eligible for a certificate of second chance if the person has previously received a certificate of second chance on the setting aside of a felony conviction. *Felony conviction* includes multiple felony convictions resulting from the same act or course of conduct.

probate advisory panel; establishment ([S.B. 1038](#)) – Chapter 123

Establishes the 11-member Probate Advisory Panel (Panel) in the Office of the Governor and outlines Panel membership, duties and initial terms. The Panel must hold quarterly public hearings on how to improve adult guardianship and conservatorship laws through statutory changes and submit a report of its findings and recommendations to the Governor, Speaker of the House of Representatives, President of the Senate and Chief Justice of the Supreme Court by November 15 of each year. Terminates the Panel on January 1, 2028.

jails; mental health; evaluations; treatment ([S.B. 1077](#)) – Chapter 91

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

time limitation; DUI prosecutions ([S.B. 1085](#)) – Chapter 188

Requires a prosecution for a simple or extreme driving under the influence offense that resulted in serious physical injury or death, as identified in a written accident report, to be commenced within two years of actual discovery of the offense or after discovery that should have occurred with the exercise of reasonable diligence, whichever occurs first.

recorded documents; property; notification ([S.B. 1110](#)) – Chapter 64

[SEE THE GOVERNMENT COMMITTEE.](#)

health professionals; address; confidentiality (S.B. 1176) – Chapter 37

Allows individuals licensed in medicine and surgery, nurses, osteopathic physicians and surgeons, psychologists, physician assistants and behavioral health professionals to request that the court prohibit the general public from accessing specified personal information maintained by the county assessor, county treasurer, county recorder or Arizona Department of Transportation. It is unlawful for a person to knowingly make available on the internet a health professional's personal information if the dissemination of the personal information poses an imminent and serious threat to the safety of the health professional or the health professional's immediate family.

~~military veteran spouses; tuition scholarships~~ (NOW: commercial vehicles; penalty; civil; criminal) (S.B. 1206) – Chapter 126

Subjects a commercial vehicle driver to criminal penalties for violating an out-of-service order. In addition to other civil and criminal penalties imposed, violating an out-of-service order is a civil traffic violation. Shippers and manufacturers, in addition to motor carriers, may also be required to pay a civil penalty for violating an out-of-service order.

~~guardianship; conservatorship; policies; procedures~~ (NOW: conservatorship; guardianship; policies; procedures) (S.B. 1291) – Chapter 195

Guardianships and Conservatorships - Requires a notice of hearing for the appointment of a permanent guardian or conservator to include notice of the right to trial by jury, and requires the court to read into the record the notice of the right to trial by jury during the initial hearing on a petition to appoint a guardian or conservator. A person who fails to provide notice as prescribed, or who falsely claims they did not receive notice, may be ordered by the court to pay damages. A conservator may not be appointed by the court without the person appearing before the court either in person or by virtual means, with certain exceptions.

Within seven calendar days before the initial guardian or conservator appointment hearing, an attorney for an alleged incapacitated person or person allegedly in need of protection must conduct an interview and provide the person with prescribed information, including the right to trial by jury and the right to select a different attorney. At the initial hearing, an attorney must attest to having fulfilled the requirements or explain why the attorney was unable to comply. The court may find an attorney in contempt of court for failure to meet the requirements.

A petition for guardianship or conservatorship must include whether the person in question is the principal under a health care power of attorney or a durable power of attorney, and whether the person in question has a present vested interest in a trust.

Prohibits a guardian from restricting contact between a ward and any person with whom the ward wishes to have contact without reasonable belief that the contact will be detrimental to the ward's welfare. A petition to allow contact between the ward and a person who has a significant relationship to the ward must be heard before the court within 15 judicial days after the court receives the petition. A guardian has the burden of proving by clear and convincing evidence that the requested contact will be detrimental to the ward's welfare. If the court finds that the guardian has unreasonably denied contact, the court may remove the guardian and order the payment of reasonable attorney fees and expenses.

Supported Decision-Making Agreements - Allows an adult with a disability who is at least 18 years old, without undue influence or coercion, to enter into a supported decision-making agreement with a supporter under which the adult authorizes the supporter to obtain certain medical, financial and psychological information and assist the adult with making decisions and understanding subsequent consequences regarding such information. A supporter may not receive compensation for the duties under the agreement and does not have the authority to sign legal documents on behalf of the adult with a disability.

An agreement must be signed by the adult and supporter in the presence of a notary public, or two or more subscribing witnesses who are at least 18 years old, and is subject to additional signature acknowledgement requirements as outlined. An agreement extends until terminated in writing by either party, a guardian is appointed or the adult becomes an incapacitated person.

lifetime injunction; petition; procedures (S.B. 1582) – Chapter 70

Allows a victim to submit a petition for a lifetime injunction against a defendant after the defendant's sentencing if the victim did not request the injunction at the time of sentencing, and prohibits the court from charging a fee to file the petition. The validity of a lifetime injunction and the ability of a victim to file for an injunction is not affected by the setting aside or sealing of a conviction. A conviction that is set aside may still be used as the basis to issue a lifetime injunction.

mental health; voluntary evaluations; payment (H.B. 2041) – Chapter 103

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

probation; work time credits; reporting. (H.B. 2055) – Chapter 53

Beginning January 1, 2024, allows the court, on the recommendation of a probation officer, to reduce a probationer's supervised probation period by 30 days for every 30 days that the probationer: 1) is engaged in eligible employment; 2) exhibits positive case plan progression; 3) is current in completing community restitution; and 4) is current on payments for court-ordered restitution and is in compliance with all other nonmonetary obligations. *Eligible employment* is any occupation or occupations for which a person can provide supporting documentation verifying at least 130 wage-earning hours in any 30-day period. A probationer must provide supporting documentation to the probationer's probation officer within 5 business days after completing 30 days of eligible employment. Any denial of work time credit must be documented by the probation officer. A probationer may only receive work time credit or earned time credit, and work time credit may be revoked if probation conditions are violated.

The court or a defendant's probation officer may allow a probationer to fulfill reporting requirements through remote reporting. A probation officer must consider and accommodate the probationer's work schedule, family caregiver obligations, substance abuse treatment or recovery program, mental health treatment, transportation availability and medical care requirements before setting the reporting time and location requirements for the probationer. Designates this legislation as the *Earning Safe Reentry Through Work Act of 2023*.

Good Samaritan; medical assistance (H.B. 2168) – Chapter 26 E

SEE THE HEALTH & HUMAN SERVICES COMMITTEE.

sexual conduct; minor; classification; sentence (NOW: child sex doll; exploitation) (H.B. 2169) – Chapter 153 E

An emergency measure effective May 19, 2023, that prohibits the possession, trafficking or importation of a child sex doll and classifies a violation as a class 4 felony. A *child sex doll* is an anatomically correct doll, mannequin or robot that has the features of, or features that resemble, those of an infant or child who is under 12 years old and is intended to be used for sexual stimulation or gratification. The possession of two or more child sex dolls may give rise to an inference that a person intends to commit trafficking of child sex dolls, unless satisfactorily explained otherwise. Certain illegal acts involving child sex dolls are also classified as *sexual exploitation of a minor* if the doll uses the face, image or likeness of a real infant or minor under 12 years old with the intent to replicate the physical features of the real infant or minor.

A common carrier that transports a container with a child sex doll without knowledge of the container's contents is exempt from penalties and prosecution associated with child sex dolls. By December 31, 2024, and each year thereafter, the Administrative Office of the Courts must submit a report to the Legislature that lists, by county, the total number of persons who have been convicted of possessing, trafficking or importing a child sex doll.

wills; electronic signatures; requirements (H.B. 2197) – Chapter 32

Allows the witnesses of an electronic will signing to be electronically present. Witnesses that are electronically present with the testator when the testator electronically signs the will must be physically located in the United States at the time of serving as a witness. The written statement a person executes affirmatively agreeing to serve as the qualified custodian of an electronic will may be executed by an electronic signature and maintained as an electronic record. Prescribes the affidavit form for an attested self-proving electronic will.

claimant; guardian ad litem; procedure (H.B. 2198) – Chapter 57

Removes the authorization for a trustee to represent a claimant who is a minor or incapacitated person in a claim for compensation or death benefits. When representing a minor or incapacitated person in a claim for compensation or death benefits, a guardian ad litem must represent the best interests of the minor or incapacitated person in accordance with the terms, conditions and rules of the Industrial Commission of Arizona.

TPT; exemption; utilities; residential customers (NOW: case management; remote access; requirements) (H.B. 2213) – Chapter 106

Requires the Department of Child Safety (DCS) to provide the Supreme Court, the Office of the Auditor General (OAG) and the Office of the Ombudsman-Citizens Aide (Ombudsman) with direct remote access to all automated case management systems used by DCS for use in

assisting local foster care review boards in performing each board's duties. If information is not available through DCS's automated case management systems, DCS must provide the Supreme Court a hard copy of all records kept by DCS for the Supreme Court to use in assisting local foster care review boards in performing each board's duties.

It is the public policy of the State of Arizona to provide the Supreme Court, the Ombudsman and the OAG with direct remote access to DCS's automated case management system and DCS information, as outlined.

appraiser; claims; time limitation ([H.B. 2230](#)) – Chapter 82

Requires a cause of action for damages against a real estate appraiser for malpractice, negligence, errors or mistakes, omissions or a breach in connection with an appraisal or appraisal-related service to be commenced by the earlier of the following: 1) four years after the date of an appraisal report; or 2) before the expiration of the applicable statute of limitations, if the length of time between the report date and the expiration of the statute of limitations does not exceed four years. The statute of limitations does not apply to a claim that alleges that an appraiser knowingly and intentionally made a gross misrepresentation when performing a real estate appraisal or appraisal related service.

~~technical correction; occupational safety; exemption~~ (NOW: pensions; domestic relations orders) ([H.B. 2433](#)) – Chapter 34

Requires the value of a member's benefit relating to a domestic relations order to be the value as of the earliest date of service of a petition for annulment, dissolution of marriage or legal separation for members of the Arizona State Retirement System, Public Safety Personnel Retirement System, Elected Officials' Retirement Plan and Corrections Officer Retirement Plan.

aggravated assault; law enforcement employees ([H.B. 2478](#)) – Chapter 159

Classifies assault on a law enforcement agency (LEA) employee other than a peace officer as *aggravated assault*, if the LEA employee is engaged in any official duties. Depending on the circumstances of the offense, the felony classification for an aggravated assault on an LEA employee ranges from a class 2 felony to a class 5 felony.

~~appropriations; crime victim notification fund~~ (NOW: sexual assault kits; victim notification) ([H.B. 2482](#)) – Chapter 154

Transfers administration of the Law Enforcement Crime Victim Notification Fund (Fund) from the State Treasurer to the Arizona Criminal Justice Commission (ACJC). Requires ACJC to use Fund monies to expand the automated crime victim notification system (notification system) and pay for the costs for law enforcement agencies to use the notification system. In FYs 2024, 2025 and 2026, ACJC must include a vendor partnership to expand ACJC's notification system. Prescribes additional requirements for the notification system deployment software.

Establishes the 10-member Sexual Assault Kit Study Committee (Study Committee) and outlines Study Committee membership. The Study Committee must examine the feasibility of providing crime victims with a tracking system for sexual assault forensic examination kits and submit a report of its findings and recommendations to the Legislature by December 31, 2023. The Study Committee terminates on October 1, 2024.

~~failure to return vehicle; repeal~~ (NOW: failure to return vehicle) ([H.B. 2484](#)) – Chapter 112

Removes the class 6 felony classification for a failure to return a motor vehicle that is subject to a security interest and removes the designation of such a vehicle as a stolen vehicle. If a person does not return a motor vehicle that is subject to a security interest, the secured creditor may file an affidavit with the Arizona Department of Transportation (ADOT) stating that the person has not returned a motor vehicle subject to a security interest. On receipt of the affidavit, ADOT must immediately suspend the vehicle license plate and registration. Prohibits ADOT from transferring or reregistering the motor vehicle's license plate or registration until the secured creditor notifies ADOT that the motor vehicle is recovered. Prescribes conditions for exemption from the requirement to return a motor vehicle that is subject to a security interest.

~~aggravated assault; ambush; police; classification~~ (NOW: ambush; police; sentencing enhancement) ([H.B. 2485](#)) – Chapter 96

Requires a person to be sentenced to two more years than would otherwise be imposed if the person is convicted of aggravated assault on a peace officer and the trier of fact determines that the person laid in wait for or ambushed the peace officer. The sentence enhancement is in addition to any other applicable enhanced punishment, and a person sentenced in this manner is not eligible for suspension of sentence, commutation or release from confinement on any basis until the imposed sentence has been served or commuted, with limited exceptions.

~~child abuse; investigations; forensic interview~~ ([H.B. 2516](#)) – Chapter 155

Requires a person who takes a child into custody because of certain exigent circumstances, and who is required to immediately have the child examined by a physician, to also have the child forensically interviewed by a person who is trained in forensic interviewing.

Modifies the definition of *reportable offense* to specify that it is unlawful for any person with knowledge of the character of the item involved to recklessly furnish, present, provide, make available, give, lend, show, advertise or distribute to minors any item that is harmful to minors.

LEGISLATION VETOED

unjustified actions; parental rights (S.B. 1005) – VETOED

Prohibits a court from granting attorney fees, expenses or damages to a governmental entity or official arising out of a claim or defense asserted pursuant to a parent's right to direct the upbringing, education, health care and mental health of the parent's children, with exceptions.

The Governor indicates in her [veto message](#) that S.B. 1005 does not protect parents' rights and encourages litigation without consequence.

criminal damage; monuments; memorials; statues (S.B. 1009) – VETOED

Classifies defacing, damaging or tampering with a public or private monument, memorial or statue as *aggravated criminal damage*.

The Governor indicates in her [veto message](#) that current statute provides adequate tools to prosecute criminal damage to monuments, memorials and statues.

~~carfentanil; fentanyl; threshold amount; minors~~ (NOW: carfentanil; fentanyl; minors; penalties) (S.B. 1027) – VETOED

Prohibits a person from knowingly manufacturing carfentanil, fentanyl or fentanyl mimetic substances under any circumstance that causes physical injury to a minor under 15 years old, and classifies a violation as a class 2 felony, punishable as a dangerous crime against children (DCAC). Outlines sentencing ranges for a person convicted of: 1) a first-degree DCAC involving the manufacture of carfentanil, fentanyl or fentanyl mimetic substances under circumstances that cause physical injury to a minor under 15 years old; and 2) first and subsequent offenses involving possession for sale, manufacture, administration or transportation for sale of heroin, carfentanil, fentanyl or fentanyl mimetic substances.

The Governor indicates in her [veto message](#) that S.B. 1027 undermines the purpose of Arizona's Good Samaritan Law and she encourages the Legislature to pass a narrower bill that focuses on the manufacture of fentanyl.

adult cabaret performances; prohibited locations (S.B. 1028) – VETOED

Prohibits a person or business from engaging in an adult cabaret performance on public property or in a location where the person knows or has reason to know that the performance could be viewed by a minor. A violation is a class 1 misdemeanor, except that a second or subsequent violation is a class 6 felony.

The Governor indicates in her [veto message](#) that S.B. 1028 attempts to criminalize free expression and ostracize the LGBTQIA+ community, and that she does not support any attempts to marginalize Arizonans.

prisoners; transition services; noncontracted entities (S.B. 1091) – VETOED

Requires the Arizona Department of Corrections, Rehabilitation and Reentry (ADCRR) to allow noncontracted private or nonprofit behavioral health service providers that meet outlined requirements to provide eligible inmates with transition services, if the eligible inmate elects to receive services from a noncontracted entity. ADCRR must adopt rules requiring eligible inmates to use a contracted entity for transition services, unless the inmate chooses otherwise. Prescribes requirements for a noncontracted entity to fulfill to provide transition services to eligible inmates. If a noncontracted entity does not comply with the prescribed statutory requirements, the noncontracted entity must be given the opportunity to come back into compliance. If the noncontracted entity does not come into compliance, ADCRR must require the eligible inmate to receive transition services from a contracted entity.

The Governor indicates in her [veto message](#) that S.B. 1091 would result in less transparency and oversight of services to incarcerated people returning to society.

prohibited weapons; muffling device; repeal (S.B. 1109) – VETOED

Removes, from the definition of *prohibited weapon*, a device that is designed, made or adapted to muffle the report of a firearm.

The Governor indicates in her [veto message](#) that S.B. 1109 would make Arizonans less safe by legalizing a weapon that is currently on the prohibited weapon list.

~~chiropractic; technical correction~~ (NOW: community property; spousal maintenance; documentation) (S.B. 1151) – VETOED

Requires the court, when assessing the value of a business interest for the purposes of determining the community share to be paid to the spouse who will no longer maintain a business interest, to assess the value of the business as of the date of service of the petition for dissolution of marriage, legal separation or annulment unless the court determines that another date would be more appropriate as the result of an extreme market condition or the parties agree otherwise. On the date of service of the petition, the spouse relinquishing the business interest is no longer entitled to any share of the business's profits and is not responsible for any new liabilities after that date.

Prohibits the court from requiring a party to provide income documentation for the purposes of calculating child support if that party stipulates that the party's income is at or exceeds the maximum child support amount under the child support guidelines and agrees to be responsible for 100 percent of all necessary uncovered medical expenses of the common minor children, unless a court determines that upward deviation for child support may be appropriate.

The Governor indicates in her [veto message](#) that the provisions in S.B. 1151 related to child support likely conflict with federal law.

sex offender registration; school notification (S.B. 1253) – VETOED

Requires a person registered as a sex offender and who is the legal guardian of a student at a public or private school to annually provide notice of the person's registration status to the principal or administrator within 10 days of the student's enrollment. If the person registered as a sex offender is on probation at the time of the student's enrollment, the person's probation officer must annually verify if the notification requirement applies to the person and, if so, must verify that the school has received the notification.

The Governor indicates in her [veto message](#) that statute already outlines requirements for the registration of sex offenders with the Department of Public Safety and compliance with various notification requirements, including notifying school districts.

probation; felony violation; rearrest (S.B. 1262) – VETOED

Requires the court, at the request of the state or a probation department, to issue a warrant without delay for the rearrest of a defendant who is charged with a felony offense that was committed while the defendant is on probation, unless the defendant is eligible for probation for certain drug offenses or the court has considered the felony offense at a prior revocation hearing. A defendant who is rearrested for committing a felony offense while on probation is not eligible for release while probation revocation proceedings are pending.

The Governor indicates in her [veto message](#) that S.B.1262 raises due process concerns.

~~unmanned aircraft; photography; loitering prohibited~~ (NOW: unmanned aircraft; photography; private place) (S.B. 1277) – VETOED

Deems it unlawful for a person to operate or use an unmanned aircraft or unmanned aircraft system to intentionally photograph, record or otherwise observe another person in a private place where the person has a reasonable expectation of privacy, unless the operator has been authorized by the person in the private place to operate the unmanned aircraft or unmanned aircraft system.

The Governor indicates in her [veto message](#) that statute already protects Arizonans from privacy violations and that S.B. 1277 will negatively affect and restrict the work of broadcasters, newspapers, telecommunication providers and insurance providers in Arizona.

~~human smuggling; electronic applications~~ (NOW: electronic applications; human smuggling) (S.B. 1408) – VETOED

Deems it unlawful for a person to use a telephone or computer application or program to knowingly assist in the smuggling of human beings. A violation is a class 2 felony and a convicted person is not eligible for suspension of sentence, probation, pardon or release from confinement, with limited exceptions.

The Governor indicates in her [veto message](#) that S.B. 1408 is an attempt to criminalize organizations and individuals who aim to support immigrants and refugees.

homeless encampment; removal (S.B. 1413) – VETOED

Requires a county, city or town, on receipt of a report of the existence of a homeless encampment, to notify the owner to remove the owner's tent, structure or other personal property from the encampment. If the property removal does not occur within 24 hours of receiving the removal order, the city, town or county must claim and retain the property for 14 days, during which time the owner may claim the property. Property that remains unclaimed after 14 days must be disposed of as prescribed.

The Governor indicates in her [veto message](#) that S.B. 1413 does not address the root causes of why people become and remain unsheltered and effectively criminalizes homelessness.

political subdivisions; gun shows; preemption (S.B. 1428) – VETOED

Precludes a political subdivision from prohibiting a gun show from occurring in the political subdivision or from enacting or enforcing any ordinance, rule or policy that primarily affects gun shows and effectively prohibits a gun show from occurring in the political subdivision.

The Governor indicates in her [veto message](#) that S.B. 1428 restricts the authority of cities and towns to make decisions to keep communities safe, and the Governor urges the Legislature to work in partnership with local governments to promote public safety throughout Arizona.

attorney licensing; supreme court (S.B. 1435) – VETOED

Requires the Supreme Court to license attorneys in Arizona and prohibits the Supreme Court from requiring an attorney to be a member of any organization to become or remain licensed as an attorney in Arizona.

The Governor indicates in her [veto message](#) that the State Bar of Arizona is best equipped to license attorneys.

internet sex offender website; offenses (S.B. 1583) – VETOED

Requires a person registered as a level one sex offender who was 18 years old or older at the time of the offense to register on the internet sex offender website if the offender was sentenced for a dangerous crime against children after committing any of the following sexual offenses: 1) sexual abuse; 2) molestation of a child; 3) sexual conduct with a minor; 4) child sex trafficking; 5) taking a child for the purpose of prostitution; 6) luring and aggravated luring of a minor for sexual exploitation; or 7) continuous sexual abuse of a child. The registration requirement applies to a person who is convicted or adjudicated guilty except insane of outlined offenses that were committed before, on or after October 30, 2023, except that the Department of Public Safety (DPS) is not required to include the name and information of these offenders on the internet sex offender website until July 1, 2024.

The Governor indicates in her [veto message](#) that current statute already requires offenders that are deemed the most dangerous to be published on the DPS Sex Offender Information Website.

infants; born alive; requirements (S.B. 1600) – VETOED

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

unlawful exposure; minors; sentencing; reporting (S.B. 1698) – VETOED

Establishes the criminal offense of *unlawful exposure to an adult oriented performance or adult oriented business* and classifies an offense as a class 4 felony, punishable as a dangerous crime against children if the minor is under 15 years old, and requires a person convicted of or adjudicated guilty except insane for a violation to register as a sex offender. A person commits *unlawful exposure to an adult oriented performance or adult oriented business* by knowingly: 1) allowing a minor under the person's custody or control to view an adult oriented performance or enter an adult oriented business; 2) allowing a minor to enter or remain in an adult oriented business or a building or part of a building where an adult oriented performance is occurring; or 3) performing or allowing another person under the person's custody or control to perform an adult oriented performance in view of a minor. An *adult oriented performance* is an in-person show or performance, with or without consideration, that includes: 1) a person who appears in a state of nudity or seminudity; 2) a person whose performance is characterized by the exposure of specific anatomical areas or specific sexual activities; or 3) a performance that is harmful to minors.

The Governor indicates in her [veto message](#) that S.B. 1698 attempts to criminalize free expression and ostracize the LGBTQIA+ community and that she does not support any attempts to marginalize Arizonans.

criminal damage; trespassing; critical facilities (H.B. 2212) – VETOED

Classifies, as aggravated criminal damage, interfering with or otherwise preventing the performance of a normal function of any utility infrastructure or property or the intended course or path of any utility service and includes the cost of the loss of the utility service as a variable in determining the amount of property damage.

The Governor indicates in her [veto message](#) that interfering with or preventing the performance of a normal function of any utility infrastructure or property is already covered by state and federal law.

fraudulent schemes; artifices; jurisdiction (H.B. 2297) – VETOED

Specifies that, in a prosecution for fraudulent schemes and artifices, the state is not required to establish that all the unlawful acts occurred in Arizona or within a single city, town, county or local jurisdiction of Arizona, and that it is not a defense that not all of the unlawful acts occurred in Arizona or within a single city, town, county or local jurisdiction of Arizona.

The Governor indicates in her [veto message](#) that current statute adequately outlines the jurisdictional issues addressed in H.B. 2297.

women's shelters; male employees; liability (H.B. 2312) – VETOED

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

domestic violence; pregnant victim; sentencing (H.B. 2427) – VETOED

Classifies assault against a pregnant victim as aggravated assault, punishable as a class 3 felony, if the person knows or has reason to know that the victim is pregnant and circumstances exist that classify the offense as domestic violence. Increases, from two years to five years, the amount of time by which the maximum sentence must be increased for a defendant convicted of a felony domestic violence offense against a pregnant victim if: 1) the defendant knew the victim was pregnant; or 2) the defendant committed a felony offense causing physical injury to a pregnant victim and knew the victim was pregnant.

The Governor indicates in her [veto message](#) that current statute already allows the court to consider the pregnancy of a victim as a sentencing factor.

child support; date of pregnancy (H.B. 2502) – VETOED

Allows a court, when applicable, to consider the retroactive application of child support to the date of a positive pregnancy test confirmed by a licensed health care professional. The court must take into account any amount of temporary or voluntary support that has been paid from and after the date of the confirmed positive pregnancy test when directing the payment for the past support of a child and the manner in which payment must be paid.

The Governor indicates in her [veto message](#) that H.B. 2502 threatens the reproductive rights of Arizonans.

Arizona manufactured; modified firearms (H.B. 2544) – VETOED

Asserts that a personal firearm, a firearm accessory or ammunition that is modified in Arizona and that remains within the borders of Arizona is not subject to federal law or federal regulation. Firearms manufactured and sold in Arizona must have the words *modified in Arizona* clearly stamped on a central metallic part of the firearm, if applicable. *Modified* means a modification that is made to a firearm, firearm accessory or ammunition by a qualified gunsmith.

The Governor indicates in her [veto message](#) that H.B. 2544 would limit the ability for federal lawmakers and law enforcement agencies to enact regulations that promote public safety, and could lead to ambiguity and confusion when state and federal laws diverge.

disruption; educational institution; concealed weapon. (H.B. 2667) – VETOED

Precludes the governing board of any university, college or community college from prohibiting the lawful transportation or storage of a firearm or the possession of a concealed weapon by a concealed weapon permit holder.

The Governor indicates in her [veto message](#) that H.B. 2667 could lead to increased risk on campus, greater anxiety among students, staff and faculty on campus and other unintended consequences.

court of appeals; retention election ([H.B. 2757](#)) – VETOED

Requires Court of Appeals judges to be elected for retention on a statewide basis, rather than a countywide basis, at the general election preceding the expiration of the judge's term.

The Governor indicates in her [veto message](#) that allowing voters statewide to vote whether to retain all Court of Appeals judges regardless of the judge's Division assignment would unfairly dilute the votes of voters most directly impacted by each Division's judges.

fentanyl sales; manufacture; sentencing; testing ([H.B. 2802](#)) – VETOED

Establishes increased sentencing ranges for a person convicted of possession of a narcotic drug for sale, possession of equipment or chemicals for the purpose of manufacturing a narcotic drug, manufacture of a narcotic drug or transportation for sale of a narcotic drug, if the offense involves a single unit dose that contains two or more milligrams of fentanyl.

Establishes *drug-free neighborhood zones* (zones) as an area within 300 feet of a hospital, nursing home, drug treatment center, mental and behavioral health facility or public park and any of the accompanying grounds of such locations. It is unlawful for a person to knowingly be present in a zone to sell fentanyl. Prescribes criminal penalties and fines for violations. Requires outlined government entities to identify zones with proper signage as specified, provide a map of the zone's location to the county recorder and mail the map to each residence within a quarter mile of the zone.

The Governor indicates in her [veto message](#) that H.B. 2802 will criminalize substance use disorder and that treatment and risk reduction must be prioritized.

Military Affairs, Public Safety & Border Security Committee

Senator David Gowan, Chairperson



Zack Dean, Research Analyst

Kaytie Sherman, Intern

MILITARY AFFAIRS, PUBLIC SAFETY & BORDER SECURITY COMMITTEE

LEGISLATION ENACTED

~~full-service crime labs; funding (NOW: full-service crime labs; funding; appropriation) (NOW: funding; full-service crime labs) (S.B. 1055)~~ – Chapter 186

Modifies Department of Public Safety (DPS) Forensics Fund distributions by removing the current distributions and reallocating the monies to all full-service crime labs in Arizona based on the proportion of crimes reported to DPS in relation to the total number of crimes reported in all jurisdictions. For FYs 2024, 2025 and 2026, DPS must calculate the number of crimes reported in accordance with the Federal Bureau of Investigation's (FBI's) Uniform Crime Reporting Program (UCR) Summary Reporting System classification criteria. For FY 2027 and each fiscal year thereafter, DPS must calculate the number of crimes reported in accordance with the FBI's UCR National Incident-Based Reporting System classification criteria.

~~election board workers; political party (NOW: police dogs; emergency treatment) (S.B. 1068)~~ – Chapter 187

Requires each ambulance service to require the service's properly trained emergency medical care technicians (EMCTs) to transport a police dog injured in the line of duty by ground ambulance or another emergency medical services vehicle to a veterinary clinic or hospital equipped to provide emergency treatment to dogs. An ambulance service may authorize the service's EMCTs, if trained, to provide emergency medical treatment to an injured police dog. Transport of an injured police dog may only occur if certain stipulations are met, including that a person is not in need of emergency medical treatment or transport at that time and that the ambulance service has at least one additional ambulance available to respond to emergency calls. An ambulance service that provides transport for an injured police dog may bill the governmental entity that owns the police dog for the transportation cost.

An ambulance service may develop written policies and procedures for providing emergency medical treatment and transport to police dogs, including safe handling, sterilization and decontamination procedures. An EMCT that renders good faith emergency aid while performing official duties is not personally liable for rendered aid.

~~law enforcement; video recordings; fee (S.B. 1148)~~ – Chapter 190

[SEE THE GOVERNMENT COMMITTEE.](#)

~~juvenile offenders; monetary sanctions; repeal (S.B. 1197)~~ – Chapter 162

Eliminates court-ordered fees for juveniles, except for victim restitution and specified driving under the influence offense fees. Prohibits a juvenile or the juvenile's parent or guardian from being ordered to pay for the costs of various diversion programs, medical expenses, counseling services and probationary supervision, as outlined. The unpaid balance of any fee, cost,

surcharge or monetary assessment that was imposed on a juvenile or the juvenile's parent or guardian before October 30, 2023, as well as all unsatisfied civil judgments related to such sanctions, are eligible to be vacated. Collection enforcement measures on eligible unpaid balances are prohibited after October 30, 2023. By April 30, 2024, the Administrative Office of the Courts must develop and implement procedures for an individual to request a court to vacate eligible unpaid balances and unsatisfied civil judgments. A request to vacate eligible civil judgments must be granted within 60 days of the request being filed.

By April 30, 2024, the Supreme Court must make a reasonable effort to notify eligible individuals that the individual may request the court to vacate any unpaid balance and unsatisfied civil judgment. By December 31, 2025, the Supreme Court must report to the Legislature, by county: 1) the number of unpaid balances and unsatisfied civil judgments vacated and discharged or partially vacated by judicial discretion or by petition; 2) the amount of the balances vacated; and 3) the number of orders vacated automatically or by request.

inmates; documentation; workforce reentry. ([S.B. 1290](#)) – Chapter 69

[SEE THE COMMERCE COMMITTEE.](#)

sex offender registration; online identifiers ([S.B. 1294](#)) – Chapter 38

Beginning July 1, 2024, requires the Department of Public Safety or the third-party responsible for maintaining the internet sex offender website to make a registered sex offender's required online identifier and any corresponding website or internet communication service available to an authorized organization.

constables; salaries ([S.B. 1307](#)) – Chapter 196

Increases the salary ranges for constables and specifies that the number of documents served that is used when determining a constable's salary is the number of documents served as reported on the constable's standardized daily activity log.

certified peace officers; hiring reimbursement ([S.B. 1369](#)) – Chapter 73

Allows a law enforcement agency (LEA) that pays the certification and training costs for a peace officer who is subsequently hired by another LEA after voluntarily leaving employment to seek reimbursement from the hiring LEA for a percentage of the certification and training costs, as follows: 1) 100 percent of the costs if the officer leaves the original LEA within one year after employment; 2) 75 percent of the costs if the officer leaves the original LEA between one year and two years after employment; or 3) 50 percent of the costs if the officer leaves the original LEA between two years and three years after employment. A hiring LEA may not require the officer to pay for the reimbursement. Certification and training cost reimbursement requirements do not apply to officers who leave the original LEA and are not employed as a peace officer for one year or more. Employee hardship and extenuating family circumstances are considered presumptive reasons for reimbursement waivers. An original LEA must include a reimbursement requirement explanation in employment documentation provided to officers during the hiring process.

~~technical correction; military affairs~~ (NOW: appropriation; deputies; detention officers) ([S.B. 1376](#)) – Chapter 121

Retroactive to July 1, 2022, requires the \$10,000 onetime payments to line-level deputies and detention officers included in the FY 2023 General Appropriations Act to be distributed in quarterly installments by October 30, 2023, rather than over a two-year period. Allows the \$5,000 onetime payments included in the FY 2023 General Appropriations Act to be paid to line-level deputies and detention officers hired after May 1, 2022, rather than hired between May 1, 2022, and May 1, 2023. Beginning May 1, 2023, a county may spend unencumbered and unexpended monies appropriated for the \$10,000 onetime payments to provide the \$5,000 onetime payments to line-level deputies and detention officers hired after May 1, 2022. The Arizona Department of Administration must distribute the \$5,000 onetime payment monies to counties based on the total number of vacancies for line-level deputies and detention officers in each county as of May 1, 2022, rather than the actual number of county hires between May 1, 2022, and May 1, 2023.

~~veteran suicide prevention; pilot program~~ ([S.B. 1454](#)) – Chapter 199

Establishes the Veteran Suicide Prevention Training Pilot Program (Pilot Program) within the Arizona Department of Veterans Services (ADVS) until January 1, 2028, to offer claims examiners and county and municipal veteran service offices specialized training and certification in preventing veteran suicides. The Pilot Program must train program participants to identify indicators of elevated suicide risk in veterans and to provide emergency crisis referrals for veterans experiencing symptoms of emotional or psychological distress. ADVS must adopt rules to implement the Pilot Program and submit an annual report that includes information concerning the Pilot Program and whether changes need to be made to increase Pilot Program effectiveness. In ADVS's final report, ADVS must recommend whether the Pilot Program should be continued.

Requires the Arizona State Parks Board (ASPB) to establish the Arizona Veterans Memorial State Park, subject to outlined conditions, and appropriates \$10,000,000 from the State Parks Revenue Fund to the ASPB to purchase, design and construct the site.

~~transitional housing; DOC; contracts~~ ([S.B. 1609](#)) – Chapter 71

Requires, until October 30, 2024, the Arizona Department of Corrections, Rehabilitation and Reentry to only contract with state licensed facilities to provide inmate transitional housing services.

~~criminal justice; 2023-2024.~~ ([S.B. 1724/H.B. 2814](#)) – Chapter 137

[SEE THE APPROPRIATIONS COMMITTEE.](#)

~~emergency and military affairs; continuation~~ ([H.B. 2090](#)) – Chapter 55

Continues the Department of Emergency and Military Affairs and the State Emergency Council for eight years, until July 1, 2031, retroactive to July 1, 2023.

prisoners; medical records; family access ([H.B. 2339](#)) – Chapter 62

Requires the Arizona Department of Corrections, Rehabilitation and Reentry (ADCRR), after receiving written authorization from a prisoner, to release the prisoner's medical records to an immediate family member or designated individual within 15 calendar days. The authorization must be in writing on a form prescribed by ADCRR and include a release that complies with the Health Insurance Portability and Accountability Act. ADCRR may charge a fee to produce the medical records, unless the records are produced electronically.

smart and safe fund; distribution ([H.B. 2446](#)) – Chapter 35 RFEIR

Subject to the requirements for enactment for initiatives and referendums (Proposition 105), which requires the affirmative vote of at least three-fourths of the members of each house of the Legislature, includes joint powers authorities established for the purpose of providing fire and emergency medical services in the list of entities eligible to receive monies from the Smart and Safe Arizona Fund, retroactive to January 1, 2021.

law enforcement merit system; continuation ([H.B. 2479](#)) – Chapter 92

Continues the Law Enforcement Merit System Council for eight years, until July 1, 2031, retroactive to July 1, 2023.

emergency medical technicians; military reciprocity ([H.B. 2589](#)) – Chapter 43

Establishes emergency medical care technician (EMCT) certification reciprocity in Arizona for persons who have completed training and testing by the U.S. Armed Forces at a level comparable to the national standards for EMCTs.

interstate compact; military children; revisions ([H.B. 2599](#)) – Chapter 151

Corrects references within the Interstate Compact on Educational Opportunity for Military Children.

missing children; alert; notification; reporting ([H.B. 2651](#)) – Chapter 179

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

state agencies; veterans status; inquiry ([H.B. 2670](#)) – Chapter 205

Beginning January 1, 2024, and subject to legislative appropriation, allows the Arizona Department of Veterans' Services to provide burial services in state veterans' cemeteries for members of the Arizona National Guard and reserve members of the U.S. Armed Forces, if the member's service terminated under honorable conditions. Includes the U.S. Space Force in the statutory definition of *Armed Forces of the United States*.

~~communicable disease information; 911 dispatchers~~ (NOW: trauma counseling; 911 dispatchers) ([H.B. 2717](#)) – Chapter 109

[SEE THE COMMERCE COMMITTEE.](#)

~~violent crime; evidence-based strategies~~ ([S.C.R. 1001](#))

[SEE MEMORIALS & RESOLUTIONS.](#)

~~death benefits; assault; first responders.~~ ([S.C.R. 1006/H.C.R. 2025](#))

Subject to voter approval, statutorily requires the state, beginning July 1, 2025, until January 1, 2033, to pay \$250,000 to the surviving spouse or dependent of a first responder killed in the line of duty. A *first responder killed in the line of duty* includes peace officers, tribal police officers, firefighters and other fire professionals, emergency medical technicians, national guard members on active duty in Arizona and correctional officers who die as a result of another person's criminal act while performing official duties. Establishes a mandatory \$20 penalty fee on every criminal conviction and establishes the State Supplemental Benefit Fund (Fund), administered by the State Treasurer and consisting of legislative appropriations and revenues from the \$20 penalty fee, to fund the state death benefit. If monies in the Fund exceed \$2,000,000, the Legislature may appropriate the excess monies for peace officer training, equipment and other benefits. Designates this legislation as the *Back the Blue Act*.

Classifies, as aggravated assault, committing assault against a first responder, rather than a peace officer, while knowing or having reason to know that the victim is a first responder. Increases the criminal penalty for aggravated assault against a first responder to the next higher class of felony, depending on the nature and circumstances of the offense. Reverts to the current aggravated assault statute classifications on January 1, 2033.

~~state immigration enforcement; urging Congress~~ ([H.C.M. 2007](#))

[SEE MEMORIALS & RESOLUTIONS.](#)

LEGISLATION VETOED

public rights-of-way; unlawful acts (S.B. 1024) – VETOED

Prohibits a person from erecting or maintaining an enclosure for habitation, including a tent, tarp, box or similar object, in a public street, highway, alley, lane, parkway, sidewalk or other right-of-way, whether dedicated to the public in fee or by easement.

The Governor indicates in her [veto message](#) that Arizona's housing and homelessness crisis needs to be addressed in a comprehensive manner.

law enforcement investigations; applicability (NOW: misconduct investigations; time limit; applicability) (S.B. 1301) – VETOED

Requires a law enforcement employer who received notice of an allegation of law enforcement misconduct prior to September 24, 2022, to complete the misconduct investigation by October 30, 2024, with certain exceptions. A misconduct investigation that is not completed within the time limit is dismissed.

The Governor indicates in her [veto message](#) that S.B. 1301 would unreasonably limit the time local law enforcement needs to adequately complete misconduct investigations.

criminal justice data collection; system. (S.B. 1588) – VETOED

Requires the Arizona Criminal Justice Commission (ACJC) to implement the State, County and Municipal Open Data System on ACJC's website in a format that is readily accessible to the public. Law enforcement agencies, prosecuting agencies, courts, probation departments and the Arizona Department of Corrections, Rehabilitation and Reentry must report specified data points to ACJC relating to offenders, victims, defendants, inmates and agencies. ACJC must establish policies to protect confidential information and may not release any disaggregated personal identifying information, locating information, photographs or mugshots.

Modifies the \$1,368,000 appropriation included in the FY 2024 General Appropriations Act for firearm training simulators by requiring the simulators to include electronic impulse devices and preloaded curriculum.

The Governor indicates in her [veto message](#) that while she supports the underlying legislation of S.B. 1588, she does not support the nongermane amendment, and that, without an appropriation, the bill represents an unfunded mandate on ACJC.

sovereign authority; law enforcement (NOW: law enforcement; sovereign authority) (H.B. 2309) – VETOED

Asserts that it is the public policy of the State of Arizona to protect Arizona's sovereign authority against federal laws, treaties, orders, rules, regulations, actions and programs that are inconsistent with the authority of state and local law enforcement agencies. Allows the Legislature,

either house of the Legislature or any Legislative member to direct the Attorney General to render a written opinion determining the constitutionality of any federal law, treaty, order, rule, regulation, action or program that is alleged to be inconsistent with or contrary to the authority of state and local law enforcement agencies.

The Governor indicates in her [veto message](#) that H.B. 2309 attempts to limit the federal government's power to enact laws that affect Arizonans and would create ambiguity within law enforcement and conflict for federally funded programs within Arizona.

~~fentanyl; border; public health crisis~~ (NOW: sovereign authority; border; health crisis) ([H.B. 2469](#)) – VETOED

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

carrying of firearms; constables ([H.B. 2617](#)) – VETOED

Allows a constable or deputy constable to carry a firearm, both on and off duty and in the same manner as other certified peace officers, if the constable or deputy constable is in compliance with the Arizona Peace Officer Standards and Training Board (AZPOST) firearms requirements and has fulfilled all other prescribed requirements. AZPOST must forward copies of all certificates of completion, permits and proficiency records to the Constable Ethics Standards and Training Board within 30 days after completion. Allowing a constable or deputy constable to carry a firearm on and off duty does not create a liability for a county unless the constable is performing official duties.

The Governor indicates in her [veto message](#) that she is concerned that H.B. 2617 would expand the authority for constables to carry firearms off-duty, whereby some constables may choose to view themselves as having a duty to respond when off duty

drug cartels; terrorist organizations ([H.B. 2675](#)) – VETOED

Declares that drug cartels are terrorist organizations and requires the Arizona Department of Homeland Security to do everything within its authority to address the threat posed by drug cartels.

The Governor indicates in her [veto message](#) that, under current statute, a *terrorist organization* is any organization designated by the U.S. Department of State as a foreign terrorist organization and that designating drug cartels as terrorist organizations is not a state function.

criminal liability; enterprises ([H.B. 2754](#)) – VETOED

Adds nongovernmental organizations to the definition of *enterprise* for the purpose of determining criminal liability for an enterprise and subjects an enterprise to criminal liability for the offense of *participating in a human smuggling organization or operation*.

The Governor indicates in her [veto message](#) that H.B. 2754 has unintended consequences for organizations that support immigrants.

nonprofits; facilitation; trafficking offenses; penalties ([H.B. 2759](#)) – VETOED

Prohibits the Arizona Corporation Commission from incorporating a corporation if an officer, director or trustee of the corporation has been convicted of: 1) smuggling; 2) participating in or assisting a human smuggling organization; 3) unlawfully obtaining labor or services; 4) sex trafficking; 5) trafficking of persons for forced labor or services; 6) child sex trafficking; or 7) any federal immigration offense.

A person who facilitates the trafficking of a person or who intentionally or knowingly benefits from a trafficking venture is liable to the person trafficked for outlined damages.

The Governor indicates in her [veto message](#) that H.B. 2759 could harm trafficking victims, since it is not uncommon for trafficking victims to be charged with crimes related to their victimization.

Natural Resources, Energy & Water Committee

Senator Sine Kerr, Chairperson



Rachel Andrews, Research Analyst
Fausto Burrue, Assistant Research Analyst
Stephanie Freeman, Intern

NATURAL RESOURCES, ENERGY & WATER COMMITTEE

LEGISLATION ENACTED

veterinary medicine; electronic means (S.B. 1053) – Chapter 124

[SEE THE COMMERCE COMMITTEE.](#)

animal owners; definition (S.B. 1060) – Chapter 115

Excludes, from the definition of *owner*, a person who keeps an animal at the request of an animal shelter. Adds, to the definition of *stray dog*, any dog three months of age or older running at large that is not microchipped.

study committee; animal control standards (S.B. 1067) – Chapter 116

Establishes the 15-member Joint Study Committee on Statewide Animal Control Standards (Study Committee) and outlines membership and meeting requirements. The Study Committee must research and report on the need for statewide consistency of animal control standards and submit a report of its findings and recommendations to the Governor, Legislature and Secretary of State by December 31, 2023. Terminates the Study Committee on July 1, 2024.

state veterinarian; certified rabies vaccinator (S.B. 1194) – Chapter 132

Allows a licensed veterinarian to appoint and train a person as a certified rabies vaccinator to administer the rabies vaccine at a shelter or animal rescue organization in a county with a population of fewer than 400,000 persons if the licensed veterinarian is not available. On completion of rabies vaccinator training, the licensed veterinarian who made the appointment must certify that the person has demonstrated the skills necessary to administer the vaccine. A certified rabies vaccinator is exempt from veterinary licensure and regulations. Outlines certification and certification renewal requirements. A licensed veterinarian who makes an appointment is exempt from liability for the certified rabies vaccinator's actions in administering the rabies vaccine. A certified rabies vaccinator must maintain records of all vaccinations for three years and notify the licensed veterinarian of adverse events. The State Veterinarian must adopt rules to implement rabies vaccinator certification requirements.

water infrastructure finance authority; amendments (S.B. 1390) – Chapter 197 E

Water Infrastructure Finance Authority (WIFA) – An emergency measure effective June 20, 2023, that allows the WIFA Board to prescribe terms and conditions for the employment of the Director and Staff of WIFA and adopt written policies, procedures and guidelines regarding compensation, observed holidays, leave and expense reimbursement. WIFA is not a public service corporation that is subject to regulation by the Arizona Corporation Commission. WIFA officers and employees: 1) may participate in the Arizona State Retirement System and, if provided by the

WIFA Board, state employee health, disability and accident insurance; and 2) are exempt from laws regulating state employment. Modifies membership requirements for the WIFA Board and the Federal Water Programs Committee. Eliminates the supermajority vote requirement for the WIFA Board to approve funding from the Clean Water Revolving Fund and the Drinking Water Revolving Fund.

Funds – Modifies the boundaries of an *eligible entity* for the purposes of the Water Conservation Grant Fund. The pledge of pledged revenues to the Long-Term Water Augmentation Fund (LTWAF) by a public-private partnership agreement is valid and binding from the time the pledge is made. The State Treasurer must deposit state shared revenues withheld from a city or town that defaults on a loan from the LTWAF in the LTWAF, rather than the Water Supply Development Revolving Fund.

Arizona Department of Water Resources (ADWR) – Requires the Director of ADWR to ensure that a water supply and demand assessment is completed for all initial active management areas at least once every five years.

assured water; small residential developments.. (S.B. 1432) – Chapter 182 E

An emergency measure effective June 19, 2023, that requires a city or town that provides water service to provide water service through an intergovernmental agreement (IGA) with a standpipe district for up to three years by use of a standpipe for water hauling to a maximum of 750 residences outside the city's or town's water service area that do not have access to sufficient water if the prescribed criteria apply. The IGA: 1) must provide that the standpipe district agrees to the outlined responsibilities; 2) must indemnify the city or town for any actions taken or occurrences after water is provided at the standpipe; and 3) is contingent on a standpipe district obtaining a source of water from a third party absent a city's or town's consent to use the city's or town's water source. A city or town may reduce or suspend the amount of water provided if water becomes unavailable from a third party. The requirement for a city or town to provide water service through an IGA with a standpipe district does not apply if a voluntary agreement is executed before June 19, 2023, and results in adequate water being supplied to the relevant residences.

Prescribes a standpipe district's powers and board membership requirements. A standpipe district may levy a reasonable and minimal surcharge on the price of water to reimburse the standpipe district for costs of billing, administration and other expenses. Caps the surcharge at 10 percent of a customer's bill without a standpipe district board's unanimous approval. A standpipe district is exempt from eminent domain. Property owners in the impacted area may join, or not join, the standpipe district and the district must only provide water to the district's members. Any established standpipe district and the requirement for a city or town to provide water service through an IGA with a standpipe district terminates on January 1, 2026.

By December 31, 2023, the Director of the Arizona Department of Water Resources must report to the Governor and Legislature on whether and how a person that seeks a building permit for six or more residences within an active management area should apply for and obtain a certificate of assured water supply before presenting the permit application for approval to the county, unless the applicant has obtained a written commitment of water service for the residences from a city, town or private water company designated as having an assured water supply.

~~department of gaming; technical correction~~ (NOW: Arizona bred horses; races) ([S.B. 1716](#)) – Chapter 169

Specifies that a horse race exclusively for Arizona bred horses must be offered as an open race in which Arizona bred horses have a preference of entry if the race does not fill with at least five Arizona bred horses.

~~environment; 2023-2024.~~ ([S.B. 1725/H.B. 2815](#)) – Chapter 138

[SEE THE APPROPRIATIONS COMMITTEE.](#)

~~water resources; annual report~~ (NOW: water; report; fees; levee) ([H.B. 2022](#)) – Chapter 166 E

An emergency measure effective June 16, 2023, that extends from July 1 to August 15, the date by which the Director of the Arizona Department of Water Resources (ADWR) must submit ADWR's annual operations report to the Governor and Legislature, and adds information relating to dam safety, levee repairs and flood control operations to the report. ADWR must publish the report on ADWR's website.

Requires ADWR to reduce the application fees for a Certificate of Grandfathered Right and Notice of Authority to Irrigate Land in an active management area or irrigation non-expansion area established after January 1, 2022, and caps the fees at \$100 per application. ADWR is exempt from rulemaking requirements to establish the reduced fees until June 16, 2024.

Redirects the \$20,000,000 Little Colorado River levee reconstruction line item included in the FY 2024 General Appropriations Act to Navajo County, rather than the City of Winslow.

~~rulemaking review; time frame~~ (NOW: gray water; residential standards; rules) ([H.B. 2143](#)) – Chapter 105

Expands the prohibition on a city, town or county limiting the use of gray water to all gray water use, with limited exceptions. The Director of the Arizona Department of Environmental Quality (ADEQ) may establish by rule minimum requirements to address public health and safety concerns for residential gray water treatment systems that are used indoors for toilet flushing. Until ADEQ establishes rules, residential gray water may be used indoors for toilet flushing if the gray water treatment system meets outlined criteria.

~~dude ranches; historical markers~~ ([H.B. 2145](#)) – Chapter 171

[SEE THE FINANCE COMMITTEE.](#)

~~hazardous waste manifest resubmittals; fees~~ ([H.B. 2215](#)) – Chapter 59

Repeals the authority of the Arizona Department of Environmental Quality to require a person who improperly completes a hazardous waste manifest to properly complete and resubmit the manifest. Eliminates the \$20 manifest resubmittal fee.

hazardous air pollutants program ([H.B. 2216](#)) – Chapter 60

Allows, rather than requires, the Director of the Arizona Department of Environmental Quality to establish a state program for the control of hazardous air pollutants.

~~technical correction; power authority; monies~~ (NOW: power authority; projects; energy storage) ([H.B. 2218](#)) – Chapter 173

Requires the Arizona Power Authority (APA) to encourage activities deemed to be feasible for the storage of electric power or energy from solar, nuclear or geothermal energy. The APA may: 1) store electric power for the purpose of making the power available to Arizona marketing areas; and 2) acquire and dispose of real property by sale, lease or other means to persons engaged in projects deemed to be feasible for the storage of electric power or energy from solar, nuclear or geothermal energy.

state land transfer; Bullhead City ([H.B. 2375](#)) – Chapter 63

Transfers approximately 9.95 acres of state sovereign land in Mohave County from the Arizona State Land Department to Bullhead City for park and public recreation purposes. The State Land Commissioner must deliver a signed and recorded deed or patent to Bullhead City by November 9, 2023. Bullhead City may not sell, exchange or barter the transferred land.

board of supervisors; powers; water ([H.B. 2438](#)) – Chapter 75

[SEE THE GOVERNMENT COMMITTEE.](#)

vehicle emissions inspections; enactment date ([H.B. 2439](#)) – Chapter 78 E

[Laws 2021, Chapter 27](#) modified motor vehicle emissions testing requirements and conditioned enactment of the modifications on the U.S. Environmental Protection Agency's approval of the modifications as part of the State Implementation Plan for air quality by July 1, 2023.

H.B. 2439 is an emergency measure effective April 18, 2023, that extends the conditional enactment deadline for the modified vehicle emissions testing requirements from July 1, 2023, to July 1, 2027.

navigable stream adjudication commission; extension ([H.B. 2443](#)) – Chapter 76

Extends, from June 30, 2024, to June 30, 2028, the termination date of the Arizona Navigable Stream Adjudication Commission.

transmission lines; definition ([H.B. 2496](#)) – Chapter 21

Modifies the definition of *transmission line* to: 1) include five or more new structures, rather than a series of new structures, that span more than one mile as measured from the first structure outside of the connected substation, switchyard or generating site to the fifth structure; and 2) exclude structures located on the connected substation, switchyard or generating site.

outdoor recreation coordinating commission; continuation ([H.B. 2505](#)) – Chapter 98

Continues the Arizona Outdoor Recreation Coordinating Commission for eight years, until July 1, 2031, retroactive to July 1, 2023.

Arizona state parks board; continuation ([H.B. 2506](#)) – Chapter 99

Continues the Arizona State Parks Board for eight years, until July 1, 2031, retroactive to July 1, 2023.

grain research council; continuation ([H.B. 2507](#)) – Chapter 150

Continues the Arizona Grain Research and Promotion Council for eight years, until July 1, 2031, retroactive to July 1, 2023.

~~real estate disclosures; water; solar~~ (NOW: seller disclosure; water; solar; batteries) ([H.B. 2590](#)) – Chapter 77

[SEE THE COMMERCE COMMITTEE.](#)

~~solid waste; sludge; water quality~~ (NOW: prohibition; biosolids; land application) ([H.B. 2669](#)) – Chapter 167

Requires the Director of the Arizona Department of Environmental Quality (ADEQ) to require any land application of a substance that contains sewage or septage to comply with ADEQ's Sewage Sludge Program rules, including pathogen reduction requirements consistent with the federal Clean Water Act. A biosolid combined with a solid waste is regulated as a solid waste.

federal lands; housing shortage ([H.C.M. 2002](#))

[SEE MEMORIALS & RESOLUTIONS.](#)

~~technical correction; urging the president~~ (NOW: critical minerals; copper; urging inclusion) ([H.C.M. 2003](#))

[SEE MEMORIALS & RESOLUTIONS.](#)

urging Congress; national forest health ([H.C.M. 2004](#))

[SEE MEMORIALS & RESOLUTIONS.](#)

~~support; water management policies~~ (NOW: water management policies; support) ([H.C.R. 2012](#))

[SEE MEMORIALS & RESOLUTIONS.](#)

securing America's lands; foreign interference ([H.R. 2002](#))

[SEE MEMORIALS & RESOLUTIONS.](#)

LEGISLATION VETOED

working animals; restrictions; prohibition (S.B. 1251) – VETOED

Precludes a municipality or county from enacting an ordinance, resolution or policy that prohibits or unduly restricts a person from using a working animal in lawful commerce for a rodeo or agricultural operation, with exceptions. A *working animal* is an animal used primarily to perform a specific duty or function in lawful commerce for a rodeo or agricultural operation, excluding animals used primarily to produce food.

The Governor indicates in her [veto message](#) that S.B. 1251 is a solution in search of a problem, as no Arizona city, town or county restricts rodeos or the use of working animals for agricultural or ranching operations.

water resources; assistant director (S.B. 1257) – VETOED

Requires the Director of the Arizona Department of Water Resources (ADWR) to appoint an Assistant Director whose exclusive duties are coordinating with: 1) the Water Infrastructure Finance Authority and water users regarding projects that will augment water supplies through water importation or increase Arizona's in-state water storage capacity; and 2) federal, state and local government officials for water importation and storage purposes. The Assistant Director serves at the pleasure of the Director of ADWR and is entitled to receive compensation.

The Governor indicates in her [veto message](#) that S.B. 1257 creates an unnecessary statutory mandate for ADWR to hire for a role that can already be satisfied by existing ADWR Staff.

department of environmental quality; counsel (S.B. 1391) – VETOED

Allows, rather than requires, the Attorney General (AG) to serve as the legal advisor of and provide legal services to the Arizona Department of Environmental Quality (ADEQ) and exempts ADEQ from the prohibition on a state agency employing legal counsel or spending monies for legal services. The Director of ADEQ may employ attorneys to represent ADEQ.

The Governor indicates in her [veto message](#) that the problem S.B. 1391 seeks to address does not exist, as ADEQ currently receives effective and efficient legal representation from the AG.

environment; 2023-2024. (S.B. 1526/H.B. 2573) – VETOED

[SEE THE APPROPRIATIONS COMMITTEE.](#)

dry washes; permit program exemption (H.B. 2056) – VETOED

Excludes a dry wash, arroyo, swale, gully, rill or other similar erosional feature that is characterized by low volume, infrequent or short duration flows from: 1) the definitions of *waters*

of the state, Waters of the United States (WOTUS) and protected surface waters; and 2) the Dredge and Fill Permit Program.

The Governor indicates in her [veto message](#) that H.B. 2056 creates regulatory confusion and uncertainty by forcing a conflict between state law and the federal determination of WOTUS.

transmission lines; applications; exceptions (H.B. 2437) – VETOED

Exempts a utility from the requirement to obtain a Certificate of Environmental Capability to construct a transmission line if the transmission line and the associated right-of-way will be located on land that is: 1) entirely owned in fee simple by one or more transmission line owners; or 2) held in fee simple by an affiliate of one or more of the transmission line owners if each of the owners of the affiliate has an ownership interest in the transmission line.

The Governor indicates in her [veto message](#) that H.B. 2437 diminishes the authority and statutorily-given purpose of the Power and Line Siting Committee by exempting an unknown number of projects from review while having an uncertain impact on electric generation or Arizona's overall power grid.

electric energy; power companies; priorities (H.B. 2440) – VETOED

Requires a public power entity and public service corporation to: 1) conduct infrastructure planning and investments to maintain reliable and affordable electric service; 2) provide electric service at just and reasonable rates; and 3) prioritize the reliability of the grid and affordability to retail electric customers when making decisions regarding electric generation, transmission and distribution resources.

The Governor indicates in her [veto message](#) that H.B. 2440 is unnecessary and creates regulatory uncertainty in instances where affordability and reliability may be at odds.

~~state tree; residential planning~~ (NOW: standpipe service; continuation; emergency) (H.B. 2441) – VETOED

Requires a city or town that provides water service in a county with a population of more than 1,500,000 persons to execute a treat and transport agreement with one or more third parties to treat and transport water to a standpipe for a period of up to three years. The city, town or third party must: 1) allow use of the standpipe to haul water to residences outside the city's or town's water service area, if outlined criteria apply; 2) bill the water haulers for the cost of treating and transporting the water to the standpipe, not exceeding \$20 per each 1,000 gallons; 3) provide annually at least 150 acre-feet of water at the standpipe; and 4) disclose to the public the source and quantity of the water provided at the standpipe. The city, town or third party may not reduce or suspend the amount of water provided at the standpipe for any reason, except if the disclosed source of the water has been reduced or suspended by a proportionate amount outside the city's, town's or third party's control. A city or town that treats and transports water to a standpipe is not liable: 1) for any actions taken or omissions after water is received by a water hauler at the standpipe; or 2) to any person or entity for providing or failing to provide water if the city or town

has fulfilled the outlined obligations. Precludes a city or town drought management plan from prohibiting the city or town from entering into contracts with private entities to ensure the integration of stable and secure water supplies.

The Governor indicates in her [veto message](#) that H.B. 2441 fails to provide an immediate solution since it passed without an emergency clause.

temporary non-expansion area ([H.B. 2442](#)) – VETOED

Allows the designation of a temporary non-expansion area (TNA) in any location not included in an active management area or irrigation non-expansion area to be locally initiated by petition to the Director of the Arizona Department of Water Resources (ADWR) by a prescribed number of irrigation users of groundwater and registered voters within the groundwater basin or subbasin specified in the petition. Outlines petition, signature verification, public meeting, reporting and election requirements and procedures. If a TNA is established, only acres of land within the TNA that were irrigated at any time during the five years preceding the date of the notice of initiation of designation procedures may be irrigated with groundwater for a period of five years after the TNA is established. ADWR may not issue a drilling card for the drilling of a well in the TNA, except in outlined circumstances. After the conclusion of the five-year period: 1) the irrigation and drilling card restrictions cease to apply; and 2) ADWR must submit a report on the status of the groundwater in the TNA to the Governor, the President of the Senate, Legislature and Secretary of State.

The Governor indicates in her [veto message](#) that H.B. 2442 would do little to preserve the groundwater supplies upon which Arizonans rely and falls short of providing rural communities meaningful options to protect their water future.

natural resource conservation districts; revisions ([H.B. 2444](#)) – VETOED

Establishes the Natural Resource Conservation District Fund Commission (Commission) and the Natural Resource Conservation District Fund (NRCD Fund), administered by the Commission, and consisting of legislative appropriations. Outlines the Commission's powers, duties, membership and reporting requirements. The Commission must award grants from the NRCD Fund pursuant to the Commission-developed grant application guidelines and provide for public involvement on submitted applications. Applications must be approved or denied within six months. Any NRCD with elected or appointed supervisors may apply for a grant from the NRCD Fund. The Commission is subject to public meeting requirements and must adopt public participation procedures, as outlined. The State Natural Resource Conservation Commissioner must coordinate with the Commission on staffing needs.

Allows an NRCD to: 1) apply for, receive and spend monies from the Water Infrastructure Finance Authority; and 2) send recommendations for outlined purposes to the Commission. Reduces the required number of signatures for a nominating petition for a person desiring to be a candidate for an NRCD board from at least 25 qualified electors to the lesser of 0.5 percent of the qualified electors in the NRCD or 5 qualified electors. Prescribes procedures for NRCD board vacancies with one or fewer persons filing a nominating petition for the vacancy.

The Governor indicates in her [veto message](#) that H.B. 2444 would create the Commission, requiring substantial administrative support from the Arizona State Land Department, without providing any corresponding funding.

private property; wells; regulation; prohibition ([H.B. 2535](#)) – VETOED

Exempts a well on private property in an unincorporated area from municipal regulation if the unincorporated area where the well is located is annexed by a city or town after the well has been drilled. The owner of a well on private property in an unincorporated area is not required to connect to a municipal water system. Prohibits a city or town from: 1) making the issuance of a permit contingent on a well owner connecting the well to a municipal water system; or 2) denying or failing to take timely action on a request for a permit on the basis that the well owner's well is not currently connected or must be connected in the future to a municipal water system.

The Governor indicates in her [veto message](#) that prohibiting a municipality from requiring safety standards and regulations for groundwater wells threatens the safety and quality of drinking water that public utilities provide to residents and businesses throughout Arizona.

decommissioning; solar and wind; standards ([H.B. 2618](#)) – VETOED

Allows a municipality or a county to adopt zoning standards, site specific conditions and permitting and maintenance requirements for the specified solar energy or wind energy power plants (power plant). A municipality or county that approves a permit, standard, condition, requirement or decommissioning and site restoration plan (plan) for a power plant is not liable or responsible for any damages, injuries, acts or omissions resulting from the construction, operation, maintenance or decommissioning of the power plant or restoration of the site. Prescribes requirements for the transfer of a power plant or special use permit and for the sale of an entity that owns a power plant. The owner or operator of a power plant: 1) must maintain the power plant in good condition and repair and ensure that the power plant remains functional and operational until decommissioning; and 2) may not abandon the power plant for any reason. A municipality or county may adopt timelines and requirements for the repair of damage or defects to a power plant and for the replacement and removal of a power plant component that is nonfunctional.

Before a municipality or county may approve a land use or zoning permit application, a power plant owner or operator must provide the municipality or county with a plan that includes prescribed minimum components established by the municipality or county. A power plant owner or operator must decommission a power plant and restore the power plant site (site) as described in the adopted plan. A municipality or county may: 1) adopt and enforce minimum standards and procedures, as outlined, for the decommissioning of a power plant and the restoration of a site; and 2) initiate or complete decommissioning or site restoration if the power plant owner fails to complete decommissioning or site restoration within the prescribed time period.

Requires a power plant owner or operator to continuously maintain financial assurance. In lieu of maintaining financial assurance, a power plant owner or operator that is a municipality, county, local government entity, political subdivision or a public service corporation regulated by the Arizona Corporation Commission may demonstrate financial capability to decommission and

restore the site by providing outlined information to the municipality or county. A municipality or county may: 1) adopt requirements and procedures, as outlined, for determining the amount of financial assurance that a power plant owner or operator must maintain; 2) require the power plant owner or operator to update the cost estimate of decommissioning and site restoration on a schedule or timeline; and 3) use the financial assurance to decommission or restore the site if the power plant owner or operator fails to complete decommissioning or site restoration.

Requires a power plant owner or operator to maintain a commercial general liability insurance policy that results in coverage of any reasonable liability to third parties for injuries or damages arising from the power plant owner's or operator's actions or negligence relating to the decommissioning or site restoration of a power plant.

The Governor indicates in her [veto message](#) that H.B. 2618 encourages an inconsistent statewide patchwork of regulations for renewable energy projects and would have a deep chilling effect on renewable energy deployment in Arizona.

Transportation & Technology Committee

Senator David Farnsworth, Chairperson



Kiyahna Araza, Research Analyst
Cooper Bargabus, Intern

TRANSPORTATION & TECHNOLOGY COMMITTEE

LEGISLATION ENACTED

personal flotation devices; rowing; exception ([S.B. 1010](#)) – Chapter 168

Exempts a rowing shell, when used for practice, training or rowing competitions, from the requirement for children who are 12 years old or younger to wear a properly fitting, U.S. Coast Guard-approved personal floatation device whenever the rowing shell is underway, if: 1) the operation is supervised by a nationally-certified coach from a launch in close proximity to the shell; 2) the launch carries lifesaving equipment on board and complies with national rowing requirements; and 3) the operator has successfully passed a nationally-certified swimming test.

time limitation; DUI prosecutions ([S.B. 1085](#)) – Chapter 188

[SEE THE JUDICIARY COMMITTEE.](#)

truck routes; designation ([S.B. 1097](#)) – Chapter 30

Allows, for specified highway-use restriction ordinances enacted on or after January 1, 2020, the Director of the Arizona Department of Transportation (ADOT) or a local authority to only restrict or prohibit a vehicle of legal size from operating on a major arterial street that connects two or more local jurisdictions if ADOT or the local authority conducts a test drive or applies a vehicle template that shows that a vehicle of legal size may not safely operate. If a vehicle of legal size may not safely operate on a major arterial street, the Director of ADOT and the local authority may not grant exceptions for categories or types or groups of routes. A person may request a review of specified route restrictions enacted on or after January 1, 2020, and the Director of ADOT must act on all requests within 90 days.

For a major arterial street that has a truck restriction that does not provide through access between two or more jurisdictions before January 1, 2023, and that is subsequently improved to provide through traffic between two or more jurisdictions, the truck restriction is nullified, unless certain criteria are met. A local authority that enacted a local route restriction on or after January 1, 2020, that is inconsistent with the statutory highway-use restriction requirements must repeal or amend the route restriction by January 30, 2023, or the route restriction is invalid.

truck routes; signage ([S.B. 1098](#)) – Chapter 189

Requires uniform signs designed by the Arizona Department of Transportation (ADOT) that give notice of highway-use restrictions to: 1) inform the public of the restriction; 2) be placed near every intersection or junction with a traffic control device along the designated highway; and 3) either direct the public to the fastest route to leave a restricted route or inform the public of the distance that the route is restricted. Beginning January 1, 2024, a highway-use restriction is unenforceable on restricted routes in existence beginning October 30, 2023, if the Director of ADOT or a local authority fails to erect or maintain the required signage.

~~appropriation; SR 303; Route 60. (NOW: transportation excise tax; Maricopa County) (S.B. 1102)~~
– Chapter 203

Requires Maricopa County, beginning January 1, 2026, to levy, and the Arizona Department of Transportation (ADOT) to collect, a county transportation excise tax (transportation tax), if approved by the qualified electors at a countywide election called by the Maricopa County Board of Supervisors. The transportation tax must be levied and collected at a rate of up to 10 percent of the state transaction privilege tax (one-half cent) for a term of 20 years. Prescribes requirements for the countywide election and the deposit and distribution of net transportation tax revenues. Revenues for freeway and arterial distributions may not be decreased, and transportation tax revenues may not be used: 1) to influence election outcomes; 2) for any project that would reduce existing lane miles, except as prescribed; or 3) for any light rail, commuter rail, street car or trolley extension.

Beginning in FY 2025, adds five members to the Regional Planning Agency Transportation Policy Committee (TPC) who are appointed to serve six-year terms. The TPC must develop a multimodal Regional Strategic Transportation Infrastructure Investment Plan (Plan) that is subject to a performance audit conducted by the Office of the Auditor General every five years. A majority vote of TPC members must recommend approval, disapproval or modification of the Plan, the budget process and any changes to Plan-funded transportation projects that would materially increase costs.

Requires the Maricopa County Regional Planning Agency (RPA) to adopt the Plan and coordinate with specified implementing partners to adopt a budget process that ensures the estimated costs do not exceed estimated revenues. The RPA must consider truck parking availability for all freeway projects, allocate at least \$90,000,000 to implement commercial motor vehicle parking consistent with a regionally adopted truck parking plan and determine the use of, and consult on bonds issued against, certain transportation tax collections.

Beginning in FY 2027, directs the Maricopa County Regional Public Transportation Authority (RPTA) to conduct an annual farebox recovery audit of operating costs and revenues for all public transportation, as prescribed. If prescribed percentages are not met, the RPTA must demonstrate that monies from sources other than the transportation tax make up the difference or, if the RPTA cannot satisfy such requirements, the excess costs must be proportionally allocated between affected jurisdictions.

Prohibits restricting the use or sale of a nongovernment vehicle based on its energy source and prohibits using public monies to extend light rail service to a specified area near the Arizona Capitol Complex. Establishes a minimum speed of 65 miles per hour for certain Maricopa County highways and outlines requirements for reimbursement eligibility, the contents and submittal of specified reports and the management of Regional Area Road Fund accounts.

~~military veteran spouses; tuition scholarships (NOW: commercial vehicles; penalty; civil; criminal) (S.B. 1206)~~ – Chapter 126

[SEE THE JUDICIARY COMMITTEE.](#)

toll roads; conversion; prohibition ([S.B. 1340](#)) – Chapter 129

Prohibits a county board of supervisors (county BOS) from granting an application, and the Arizona Department of Transportation from entering into a public-private partnership agreement, to convert an existing publicly funded or maintained street or highway into a toll road. An airport that applies to the county BOS is excluded from the prohibition.

transportation; 2023-2024. ([S.B. 1735/H.B. 2825](#)) – Chapter 148

[SEE THE APPROPRIATIONS COMMITTEE.](#)

~~Gila River Indian Community plates. (NOW: license plates; special plates) ([H.B. 2062](#))~~ – Chapter 104

Requires the Arizona Department of Transportation (ADOT) to issue a Gila River Indian Community special plate, an Ak-Chin Indian Community special plate, a Pascua Yaqui Tribe special plate, a humanitarian service organization special plate and an Arizona professional soccer club special plate if a \$32,000 implementation fee is paid for each special plate to ADOT by December 31, 2023. The first \$32,000 collected for the humanitarian service organization special plate and the Arizona professional soccer club special plate must be reimbursed to the person who paid the corresponding implementation fee. Asserts that \$8 of the \$25 special plate fee is an administration fee and requires ADOT to deposit all special plate administration fees in the State Highway Fund. Requires \$17 of the \$25 fee collected from each special plate to be distributed to specified entities as prescribed.

Allows a request for a national guard member special plate to be combined with a request for a personalized special plate, as prescribed.

roundabouts; right-of-way; large vehicles ([H.B. 2288](#)) – Chapter 107

Allows the operator of a vehicle, or a combination of vehicles, that is at least 40 feet long or at least 10 feet wide (large truck) to deviate from a lane to the extent necessary to drive through a roundabout. Grants the right-of-way to an operator of a large truck, or the operator of the large truck driving on the left if there are two large trucks, when driving through a roundabout at the same time as another vehicle.

A yield sign and a uniform and standard sign designed by the Arizona Department of Transportation that conveys that large trucks have the right-of-way in a roundabout must be posted before all roundabout entrances.

~~motor vehicle dealers; sales; cancellation (NOW: transportation; vehicle sales; license providers) ([H.B. 2292](#))~~ – Chapter 175

Beginning January 1, 2024, establishes a process by which a motor vehicle dealer (dealer) and purchaser may agree to rescind or cancel a motor vehicle sale within 30 days of the certificate of title application. Within 15 business days after agreeing to cancel or rescind a motor vehicle

sale, the dealer must submit documentation of the rescission or cancellation to the Arizona Department of Transportation (ADOT) and return to the rightful parties all fees, taxes and other monies. Within seven business days after receiving cancellation or rescission documentation, ADOT must: 1) rescind, cancel or revoke any certificate of title; 2) refund any taxes and fees the dealer paid to ADOT, except as specified; and 3) issue a certificate of title that shows the dealer as the vehicle owner and the odometer mileage reading as recorded at the rescission or cancellation. A dealer may not offer a vehicle subject to sale rescission or cancellation for sale until receiving the certificate of title from ADOT. When applicable, a dealer must return all refunded fees, taxes and other monies to a lienholder or prospective lienholder, as prescribed.

Allows a dealer to provide electronic contracts and keep permanent records in an electronic format and allows an authorized third party driver license provider to perform administrative or testing functions, or both, rather than administrative and testing functions, for the issuance and renewal of commercial driver licenses.

vehicle emissions inspections; enactment date ([H.B. 2439](#)) – Chapter 78 E

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

~~failure to return vehicle; repeal.~~ (NOW: failure to return vehicle) ([H.B. 2484](#)) – Chapter 112

[SEE THE JUDICIARY COMMITTEE.](#)

LEGISLATION VETOED

public rights-of-way; unlawful acts (S.B. 1024) – VETOED

SEE THE MILITARY AFFAIRS, PUBLIC SAFETY & BORDER SECURITY COMMITTEE.

all-terrain vehicles; definition (S.B. 1100) – VETOED

Increases the maximum unladen weight, from 2,500 pounds to 3,500 pounds, of an all-terrain vehicle or off-highway vehicle (OHV) that a person may operate in Arizona, subject to indicia, registration and vehicle license tax requirements.

The Governor indicates in her [veto message](#) that the Legislature is encouraged to work with her administration to explore current challenges with OHVs and recommend OHV impact mitigation strategies. The Governor suggests working with the OHV Study Committee and the All-Terrain State Parks Advisory Group to study and propose administrative or legislative solutions.

~~ADOT; authorized third parties; CDLs~~ (NOW: authorized third parties; ADOT) (S.B. 1101) – VETOED

Precludes the Director of the Arizona Department of Transportation (ADOT) from prohibiting an authorized third party (ATP) from printing an electronic certificate of title, registration tab or windshield sticker from an electronic system. An ATP driver license provider may perform administrative or testing functions, or both, rather than administrative and testing functions, for the issuance and renewal of commercial driver licenses.

The Governor indicates in her [veto message](#) that allowing an ATP to print security-enhanced certificates of title or registration tabs outside of ADOT's central distribution process poses a significant public safety risk.

social media platforms; standards; notification (S.B. 1106) – VETOED

Allows a social media platform to deplatform a candidate during the duration of candidacy and requires social media platforms to publish candidate deplatforming standards, as prescribed. The Secretary of State may impose a civil penalty on a social media platform that violates the candidate deplatforming standards of \$250,000 per day for a candidate for a statewide office and \$25,000 per day for a candidate for any other office.

A state employee who violates social media platform standards is subject to removal from service, reduction in grade, debarment from employment for up to five years, suspension, reprimand or a civil penalty of up to \$1,000.

The Governor indicates in her [veto message](#) that S.B. 1106 does not attempt to solve the real problems that social media platforms create.

prohibition; photo radar ([S.B. 1234](#)) – VETOED

[SEE THE GOVERNMENT COMMITTEE.](#)

~~electronic certificates of title (NOW: election; transportation tax; Maricopa County) ([S.B. 1246](#)) – VETOED~~

Requires Maricopa County, beginning January 1, 2026, to levy, and the Arizona Department of Transportation (ADOT) to collect, a county transportation excise tax (transportation tax), if approved by the qualified electors at a countywide election called by the Maricopa County Board of Supervisors. The transportation tax must be levied and collected for a term of 20 years at a rate of up to 8.6 percent (\$.43) of the state transaction privilege tax (TPT) and a rate of up to 1.3 (\$.065) percent of the state TPT (public transit tax) for: 1) capital costs, maintenance and operation of public transportation mode classifications; and 2) capital costs and utility-relocation costs associated with the light rail. Prescribes requirements for the countywide election, the deposit and distribution of net transportation tax revenues and prohibited uses of revenues.

The Regional Planning Agency Transportation Policy Committee (TPC) must develop a multimodal Regional Transportation Plan (Plan) that is subject to a performance audit conducted by the Office of the Auditor General every five years. The Plan must include a transportation element that sets farebox operating and recovery ratio standards, as specified, and initiates public bidding for the operation of failing bus routes, as prescribed. Adds 11 members to the TPC.

Requires the Maricopa County Regional Planning Agency to adopt the Plan and coordinate with specified implementing partners to adopt a budget process that ensures the estimated costs do not exceed the estimated revenues. Outlines requirements for reimbursement eligibility of local transportation services, establishes a minimum speed of 65 miles per hour for certain Maricopa County highways and prohibits restricting the use or sale of a device based on energy source used to power the device.

The Governor indicates in her [veto message](#) that S.B. 1246 fails to meet the everyday needs of Arizonans by excluding the plan put forth by mayors and community leaders across Maricopa County and jeopardizes not only Maricopa County's economic vitality, but that of the state, setting Arizona back for decades.

capital outlay; appropriations; 2023-2024. ([S.B. 1525/H.B. 2572](#)) – VETOED

[SEE THE APPROPRIATIONS COMMITTEE.](#)

transportation; 2023-2024. ([S.B.1535/H.B. 2582](#)) – VETOED

[SEE THE APPROPRIATIONS COMMITTEE.](#)

~~inmates; documentation; workforce reentry (NOW: motor vehicle manufacturers; TPT; exemption) ([H.B. 2252](#)) – VETOED~~

[SEE THE COMMERCE COMMITTEE.](#)

~~technical correction; sports facilities account~~ (NOW: electronic applications; government employees; prohibition) ([H.B. 2416](#)) – VETOED

Requires the Arizona Department of Administration (ADOA) to establish state information technology (IT) standards for state agencies, state contractors and public universities and community colleges that: 1) require the removal of social networking applications that are developed by entities founded or located in specified countries of concern (prohibited applications); 2) address the conduct of state business on personal electronic devices; and 3) identify and develop restrictions on the use of personal electronic devices in sensitive locations. State employees and contractors may not conduct state business on any personal device that has a prohibited application or uses specified communications equipment and services. Each state agency, contractor and public university and community college must develop policies to implement state IT standards, and ADOA must require each state agency and public university and community college to implement prescribed security controls on state IT. Each state employee must sign a document annually confirming that the state employee understands the adopted state IT standards.

Allows ADOA to grant exceptions to state IT standards requirements under certain conditions and requires exceptions to be reported to the Arizona Department of Homeland Security (AZDOHS). Allows each public university and community college to include in the state IT standards policy an exception to accommodate the use of a state email address and outlines exception requirements.

The Governor indicates in her [veto message](#) that H.B. 2416 is duplicative to Executive Order 2023-10 which requires the removal of TikTok from state devices and personal devices used for state work and requires ADOA and AZDOHS to create a plan to prohibit TikTok access and annually evaluate applications that may pose a cybersecurity threat.

ADOT dynamic message signs ([H.B. 2586](#)) – VETOED

Restricts the Arizona Department of Transportation's (ADOT's) dynamic message signs to display only messages directly related to transportation or highway public safety, with exceptions for reminders to vote and AMBER, Silver and Blue Alerts.

The Governor indicates in her [veto message](#) that ADOT abides by federal standards regarding traffic control devices which allow state and local highway agencies the flexibility to display messages relating to safety, transportation, emergency homeland security and more.

Memorials & Resolutions



MEMORIALS & RESOLUTIONS

violent crime; evidence-based strategies (S.C.R. 1001)

Expresses the Legislature's support for: 1) focused deterrence and blight reduction strategies to prevent and reduce violent crime; 2) funding law enforcement agencies through a consistent and transparent budgetary process, rather than requiring law enforcement agencies to fund large percentages of budgets through fines, fees and forfeitures; 3) providing law enforcement with more tools to manage individuals who are dealing with mental health and substance abuse issues in order to treat underlying reasons for criminal behavior; 4) appropriating resources to fill current officer vacancies, incentivizing quality recruits to join law enforcement, encouraging high-quality officers to remain on the force and investing in strategies and training to reduce crime and improve the quality of policing, rather than calling to defund the police; and 5) implementing evidence-based reforms that reduce prison populations, decrease recidivism, focus policework on high-risk offenders and expand rehabilitative programing.

death benefits; assault; first responders. (S.C.R. 1006/H.C.R. 2025)

[SEE THE MILITARY AFFAIRS, PUBLIC SAFETY & BORDER SECURITY COMMITTEE.](#)

initiative; referendum; signatures; legislative districts (S.C.R. 1015)

[SEE THE GOVERNMENT COMMITTEE.](#)

James Henderson; death resolution (S.C.R. 1020)

Acknowledges the passing of the Honorable James Henderson, Jr. and extends condolences to his family.

United States; Taiwan; trade partnership (S.C.R. 1021)

Declares support for the negotiation of a U.S-Taiwan bilateral trade agreement and Taiwan's meaningful participation in international organizations. Acknowledges achievements made by Arizona 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 sides in the future. Expresses support for a future official visit to Taiwan by the Governor.

~~presidential electors; constitutional appointments~~ (NOW: elections; systems; equipment) (S.C.R. 1037)

[SEE THE ELECTIONS COMMITTEE.](#)

Ted Williams; death resolution. ([S.C.R. 1039](#))

Acknowledges the passing of Ted Williams and extends sympathies and condolences to his family and friends.

reappointment; Lindsey Perry; auditor general ([S.C.R. 1040](#))

Approves the reappointment of Lindsey Perry as the Auditor General of the State of Arizona.

school districts; expenditure limit; authorization. ([S.C.R. 1041/H.C.R. 2050](#))

[SEE THE EDUCATION COMMITTEE.](#)

Charles Long II; death resolution ([S.C.R. 1042](#))

Acknowledges the passing of Charles F. Long II and extends sympathies to his surviving family members.

Teofilo Archuleta Tachias; death resolution ([S.C.R. 1043](#))

Acknowledges the passing of Teofilo "Tio" Archuleta Tachias and extends condolences to his surviving family members.

Mel Hannah; death resolution ([S.R. 1004](#))

Acknowledges the passing of Mel J. Hannah and extends sympathies and condolences to his family and friends.

Greg Jernigan; fifty years; service ([S.R. 1005](#))

Celebrates the 50th anniversary of the start of Greg Jernigan's career with the Senate and thanks him for his years of excellence and continued service in the years to come.

federal lands; housing shortage ([H.C.M. 2002](#))

Urges the U.S. Congress to enact the Helping Open Underutilized Space to Ensure Shelter Act, or similar legislation, to allow the U.S. Secretary of the Interior to sell federal land to state and local governments. Requests, on passage of the legislation, the U.S. Secretary of the Interior to immediately implement a process for applicants to nominate federal lands for purchase.

~~technical correction; urging the president~~ (NOW: critical minerals; copper; urging inclusion) ([H.C.M. 2003](#))

Urges the U.S. Geological Survey (USGS) to add copper to the USGS List of Critical Minerals and urges the U.S. Department of the Interior and U.S. Congress to support the USGS in adding copper to the USGS List of Critical Minerals.

urging Congress; national forest health ([H.C.M. 2004](#))

Urges the U.S. Congress to enact legislation that supports multiple-use forest management policies to improve the United States' forest health.

hunting; angling; wildlife conservation ([H.C.M. 2005](#))

Urges the U.S. Congress to: 1) respect the use of Arizona's recreational areas by sportsmen and sportswomen; 2) support Arizona's traditions of hunting and angling; and 3) respect the administration of wildlife conservation through the science delivered by the Arizona Game and Fish Department and policies developed by the Arizona Game and Fish Commission.

urging eradication; salt cedars; waterways ([H.C.M. 2006](#))

Urges the U.S. Congress to appropriate monies to the State of Arizona to eradicate salt cedars from Arizona waterways and urges the U.S. Department of the Interior and U.S. Department of Agriculture to develop solutions to control the proliferation of salt cedars.

state immigration enforcement; urging Congress ([H.C.M. 2007](#))

Urges the U.S. Congress to enact the State Immigration Enforcement Act or similar legislation.

air quality; ozone standards; opposing ([H.C.M. 2008](#))

Urges the Biden Administration and the U.S. Congress to stop the U.S. Environmental Protection Agency from imposing penalties on Arizona to comply with an ozone standard that is impossible to attain through any of the control measures being considered.

school district expenditures; authorization. ([H.C.R. 2001/S.C.R. 1009](#))

[SEE THE EDUCATION COMMITTEE.](#)

~~support; water management policies~~ (NOW: water management policies; support) ([H.C.R. 2012](#))

Declares support for water management practices and policies that protect property and water rights and that provide for the continued safety and prosperity of the state.

Russell Pearce; death resolution ([H.C.R. 2027](#))

Acknowledges the passing of the Honorable Russell Pearce and extends sympathies and condolences to his family, friends and colleagues.

primary elections; eligible candidates ([H.C.R. 2033](#))

[SEE THE ELECTIONS COMMITTEE.](#)

Assyrian New Year; recognizing ([H.C.R. 2037](#))

Proclaims April 1, 2023, as *Assyrian New Year* and honors the many contributions of Assyrians, both past and present.

~~governor; state of emergency~~ (NOW: governor; emergency powers) ([H.C.R. 2039](#))

[SEE THE GOVERNMENT COMMITTEE.](#)

Assyrian Genocide; recognition ([H.C.R. 2044](#))

Acknowledges that the Ottoman Empire's campaign against Christian minorities that occurred between 1914 and 1923 constituted genocide against the Assyrians, Armenians and Greeks. Asserts that it is the duty of the United States to: 1) commemorate the Assyrian Genocide through official recognition and remembrance; 2) reject efforts to enlist, engage or otherwise associate the U.S. government with denial of the Assyrian Genocide or any other genocide; 3) call on the government of Turkey to acknowledge the genocides against the Assyrian, Armenian and Greek populations, issue a formal apology and take prompt and meaningful steps towards restitution; and 4) encourage education and public understanding of the Assyrian Genocide in comparison to modern-day crimes against humanity.

Jack Jackson, Sr.; death resolution ([H.C.R. 2045](#))

Acknowledges the passing of the Honorable Jack Jackson, Sr. and extends condolences to the Navajo people and his family members.

twentieth anniversary; death; Lori Piestewa ([H.C.R. 2047](#))

Honors U.S. Army Specialist Lori Ann Piestewa and the Piestewa Fallen Heroes Memorial and encourages Arizona citizens to commemorate the bravery and patriotism of individuals such as Lori Ann Piestewa who made the ultimate sacrifice for our country.

Joe Hart; death resolution ([H.C.R. 2048](#))

Acknowledges the passing of the Honorable Joe Hart and extends sympathies and condolences to his family and friends.

Ann Nichols; death resolution ([H.C.R. 2049](#))

Acknowledges the passing of Dr. Ann Weaver Nichols and extends thoughts and condolences to her children, grandchildren and other relatives.

Ben Shelly; death resolution ([H.C.R. 2051](#))

Acknowledges the passing of Navajo Nation President Ben Shelly and extends sympathies to his family.

securing America's lands; foreign interference ([H.R. 2002](#))

Declares support for the enactment of the Securing America's Land from Foreign Interference Act, or similar legislation, to prohibit the sale of U.S. land to foreign investors.

Liz Harris; expulsion ([H.R. 2003](#))

Expels Representative Liz Harris from the House of Representatives and designates the House of Representatives seat of Legislative District 13 as vacant.

death resolution; Ruben T. Castro ([H.R. 2004](#))

Acknowledges the passing of Ruben T. Castro and extends sympathies to his family and friends.

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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

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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

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