

REFERENCE TITLE: law clinic; stream adjudications; appropriation.

State of Arizona
House of Representatives
Fifty-fifth Legislature
First Regular Session
2021

HB 2390

Introduced by
Representatives Griffin: Bowers

AN ACT

AMENDING TITLE 15, CHAPTER 13, ARTICLE 2, ARIZONA REVISED STATUTES, BY
ADDING SECTION 15-1647; APPROPRIATING MONIES; RELATING TO THE ARIZONA
BOARD OF REGENTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 15, chapter 13, article 2, Arizona Revised
3 Statutes, is amended by adding section 15-1647, to read:

4 15-1647. Water rights adjudication law clinic; establishment;
5 assistance; annual report

6 A. A UNIVERSITY UNDER THE JURISDICTION OF THE ARIZONA BOARD OF
7 REGENTS MAY OFFER PRO BONO ASSISTANCE TO CLAIMANTS IN THE GENERAL STREAM
8 ADJUDICATION OF WATER RIGHTS FILED PURSUANT TO TITLE 45, CHAPTER 1,
9 ARTICLE 9 WHO ARE NOT REPRESENTED BY COUNSEL AND WHOSE ADJUSTED GROSS
10 INCOME FOR ANY OF THE PRECEDING THREE YEARS IS LESS THAN FIVE HUNDRED
11 PERCENT OF THE FEDERAL POVERTY GUIDELINES. A UNIVERSITY THAT OFFERS
12 ASSISTANCE PURSUANT TO THIS SUBSECTION MAY REPRESENT A CLAIMANT IN THE
13 ADJUDICATION UNTIL THAT CLAIMANT PROCEEDS TO AN EVIDENTIARY HEARING OR TO
14 SOME OTHER CONTESTED PROCEEDING THAT IS SIMILAR TO A TRIAL. IF THE
15 CLAIMANT HAS NOT SETTLED THE CLAIM, THE UNIVERSITY MAY NOT REPRESENT THAT
16 CLAIMANT AT AN EVIDENTIARY OR SIMILARLY CONTESTED HEARING.

17 B. ANY UNIVERSITY THAT OFFERS ASSISTANCE PURSUANT TO SUBSECTION A
18 OF THIS SECTION SHALL COOPERATE AND COORDINATE WITH THE FACULTY OF A
19 COOPERATIVE EXTENSION IN THIS STATE THAT HAS A PROGRAM TO SUPPORT THE
20 ECONOMIC VITALITY OF RURAL COMMUNITIES AND THE USE OF NATURAL RESOURCES IN
21 THOSE RURAL COMMUNITIES.

22 C. ON OR BEFORE NOVEMBER 15 OF EACH YEAR, A UNIVERSITY THAT OFFERS
23 ASSISTANCE PURSUANT TO SUBSECTION A OF THIS SECTION SHALL SUBMIT A WRITTEN
24 REPORT OF THE UNIVERSITY'S ASSISTANCE ACTIVITIES TO THE GOVERNOR, THE
25 SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE PRESIDENT OF THE SENATE
26 AND SHALL PROVIDE A COPY OF THIS REPORT TO THE SECRETARY OF STATE.

27 Sec. 2. Appropriation; university of Arizona; water rights
28 adjudication law clinic; exemption

29 A. The sum of \$500,000 is appropriated from the state general fund
30 in fiscal year 2021-2022 to the university of Arizona to establish an
31 adjudication law clinic to assist claimants in the general stream
32 adjudication of water rights pursuant to section 15-1647, Arizona Revised
33 Statutes, as added by this act.

34 B. Monies that are appropriated in subsection A of this section are
35 exempt from the provisions of section 35-190, Arizona Revised Statutes,
36 relating to lapsing of appropriations.