



ARIZONA STATE SENATE
Fifty-Fifth Legislature, First Regular Session

REVISED

AMENDED

FACT SHEET FOR S.B. 1819

budget procedures; budget reconciliation; 2021-2022

Purpose

Makes statutory and session law changes relating to budget procedures necessary to implement the FY 2022 state budget.

Background

The Arizona Constitution prohibits substantive law from being included in the general appropriations, capital outlay appropriations and supplemental appropriations bills. However, it is often necessary to make statutory and session law changes to effectuate the budget. Thus, separate bills called budget reconciliation bills (BRBs) are introduced to enact these provisions. Because BRBs contain substantive law changes, the Arizona Constitution provides that they become effective on the general effective date, unless an emergency clause is enacted.

S.B. 1819 contains the budget reconciliation provisions for changes relating to budget procedures.

Provisions

Defense of State Elections Laws

1. Asserts, through January 2, 2023, the AG speaks for Arizona and must be allowed to intervene on behalf of the state in any proceedings in which the validity of a state election law is challenged if the AG determines that intervention is appropriate.
2. Exempts court challenges to the validity of the Clean Elections Act from language asserting the AG speaks for Arizona and must be allowed to intervene in proceedings in which the validity of a state election law is challenged.
3. Asserts that among state officials, the AG has sole authority to direct the defense of state election law or laws being challenged.
4. Allows the AG to intervene at any state of a proceedings, including to appeal or petition any decision, regardless of whether any state agency, political subdivision or officer or employee thereof is or seeks to become a party.

5. Asserts that the:
 - a) Legislature reaffirms that the legal defense of state election laws and procedures is of statewide importance;
 - b) AG has the authority to defend state election laws pursuant to the legal authority established by the Legislature;
 - c) authority of the AG to defend the law is paramount in any disagreement between the AG and the SOS or any other state official concerning the defense of a state election law; and
 - d) exercise of the AG's authority to defend state election laws is not limited by the AG's advisory duties to any other state agency.

COVID-19 State Preemption

6. Prohibits a county, city or town from making or issuing any order, rule, ordinance or regulation related to mitigating the COVID-19 pandemic that impacts private businesses, schools, churches or other private entities, including an order, rule, ordinance or regulation that mandates the use of face coverings, requires closing a business or imposes a curfew.
7. Allows a county, city or town to set and enforce mitigation policies in a building that is owned by the county, city or town.
8. Asserts that the COVID-19 pandemic is a matter of statewide concern.

Special Committee on the Election Audit

9. Establishes the Special Committee on the Election Audit (Special Committee) consisting of the members of the Senate Government Committee.
10. Requires the Special Committee to:
 - a) receive and review the findings of the Senate audit of the 2020 general election in Maricopa county; and
 - b) recommend to the President of the Senate the appropriate legislative action based on the findings of the audit, including a call for a special session of the Legislature to implement the Special Committee's recommendations.
11. Repeals the Special Committee on January 1, 2022.

Election Integrity Fund and Ballot Fraud Countermeasures

12. Requires any vendor that provides fraud countermeasures that are contained in or on the paper used for ballots to be ISO 27001 certified, ISO 17025 certified or ISO 9001:2015 certified.
13. Requires ballot fraud countermeasures to include the use of at least three of the following:
 - a) unique, controlled-supply watermarked clearing bank specification 1 security paper;
 - b) secure holographic foil that acts as a visual deterrent and anti-copy feature;
 - c) branded overprint of any hologram that personalizes the hologram with customer logo;
 - d) custom complex security background designs with banknote-level security;
 - e) secure variable digital infill;
 - f) thermochromic, tri-thermochromic, photochromic or optically variable inks;
 - g) stealth numbering in ultraviolet, infrared or taggant inks;

- h) multicolored micro-numismatic invisible ultraviolet designs;
 - i) unique forensic fraud detection technology that is built into security inks; or
 - j) unique bar code or QR code that is accessible only to the voter and that tracks the voter's ballot as it is processed.
14. Establishes the Election Integrity Fund consisting of legislative appropriations and administered by the State Treasurer.
 15. Appropriates \$12,000,000 from the state GF in FY 2022 to the Election Integrity Fund and exempts the appropriation from lapsing.
 16. Allows monies in the Election Integrity Fund to be used only to pay county recorders for election security, cybersecurity measures and improvements and reimbursements for post-election hand tabulations, including for additional staffing.
 17. Requires county recorders to apply for Election Integrity Fund monies and requires the State Treasurer to make payments from the Fund if the county applications are reviewed and approved by the State Treasurer.
 18. Exempts Election Integrity Fund monies from lapsing.

***Joint Task Force on Unreported In-Kind Political Contributions and
Unreported In-Kind Political Contributions Task Force Fund***

19. Establishes the Joint Task Force on Unreported In-Kind Political Contributions (Joint Task Force) consisting of designees from the AG and SOS.
20. Requires the Joint Task Force to investigate whether and to what extent the business or other practices of social media platforms and internet search engines result in unreported in-kind political contributions to candidates in Arizona that violate Arizona campaign finance laws.
21. Allows the Joint Task Force to take appropriate enforcement action and investigate the following actions as possible unlawful political contributions:
 - a) permanent or temporary cancellation or other restrictions on a candidate's access to a social media platform;
 - b) algorithmic bias against one or more candidates or a political party; and
 - c) algorithmic promotion of one or more candidates or a political party.
22. Establishes the Unreported In-Kind Political Contributions Task Force Fund consisting of legislative appropriations and administered by the AG.
23. Appropriates \$500,000 from the state GF in FY 2022 to the Unreported In-Kind Political Contributions Task Force Fund.
24. Allows monies in the Unreported In-Kind Political Contributions Task Force Fund to be used only to fund the Joint Task Force.
25. Specifies monies in the Unreported In-Kind Political Contributions Task Force Fund are continuously appropriated and exempt from lapsing.

Auditor General Review of Voter Registration Databases and Early Voting Lists

26. Requires the Auditor General (OAG) to review the processes and statutory requirements for maintaining the statewide voter registration database, county early voting lists and the county voter registration databases for counties with a population of more than 1,000,000 persons.
27. Requires the Secretary of State and county recorders to:
 - a) notify the OAG in writing of the total expenditures made for voter registration programs and events;
 - b) provide a description of the programs and events, including any political party affiliation; and
 - c) specify their attendance at programs, events and outreach activities and whether they used any third-party data in conducting these programs, events and activities.
28. Requires the OAG to submit a report of its findings to the Legislature by June 30 of each even-numbered year and submit a copy of the report to the SOS.
29. Appropriates \$500,000 from the state GF in FY 2022 to the OAG for the purposes of the voter registration database and early voting list review and reporting and exempts the appropriation from lapsing.

Federal-Only Voters

30. Requires the SOS to provide access to the statewide voter registration database to a person or entity that is designated by the Legislature and to the Election Integrity Unit of the AG's Office for the purpose of determining whether the SOS's voter registration list maintenance procedures comply with federal law with respect to voters who are registered as eligible to vote only for federal offices (federal-only voters).
31. Requires the person or entity designated by the Legislature to be qualified in more than one state to analyze a state's voter registration rolls for compliance with federal law regarding voter registration list maintenance procedures.
32. Requires the person or entity, after completing its analysis, to report its findings to the Legislature, AG and SOS.
33. Requires the SOS, if the analysis determines that there are person registered to vote who are not eligible to register to vote, to notify the appropriate county recorder and requires county recorders to remove those persons from the voter registration rolls.
34. Requires each county recorder to submit an annual report to the Legislature that contains the following information regarding federal-only voters:
 - a) description of the county recorder's procedures regarding registering federal-only voters;
 - b) the number of federal-only voters in the county;
 - c) the number of voters whose citizenship has been otherwise subsequently verified and whose status has changed to voters who are eligible to vote a full ballot;
 - d) a comprehensive description of the obstacles to obtaining voter registrants' documentary proof of citizenship that complies with Arizona's voter registration requirements and to changing their status to voters who are eligible to vote a full ballot; and
 - e) the number of voters who have been subsequently determined to be ineligible to vote in Arizona and who have been removed from the voter registration rolls.

35. Requires the AG and county attorney to investigate and prosecute, as appropriate, any person who knowingly registers to vote despite being ineligible.
36. Requires the SOS, by December 31, 2021 and pursuant to the National Voter Registration Act of 1993, to submit a request to the U.S. Election Assistance Commission that the Commission include Arizona's state-specific instructions to provide proof of citizenship on the federal voter registration form.

Proclamation of a State of Emergency with Respect to a Public Health Emergency

37. Caps, beginning January 2, 2023, a Governor's initial state of emergency proclamation with respect to a public health emergency at 30 days.
38. Allows the Governor to extend a state of emergency with respect to a public health emergency for up to 120 days and prohibits any single extension from being for a period of more than 30 days.
39. Terminates a state of emergency proclaimed by the Governor for a public health emergency after 120 days, unless extended in whole or in part by concurrent resolution of the Legislature.
40. Allows the Legislature to extend the state of emergency as many times as necessary and prohibits any single extension from being for a period of more than 30 days.
41. Prohibits the Governor, on termination of a state of emergency with respect to a public health emergency, from proclaiming a new state of emergency based on the same conditions without the passage of a concurrent resolution of the Legislature consenting to the new state of emergency.
42. Requires the Governor, on the extension of a state of emergency, to submit a written report to a Joint Committee of the Health Committees of the Senate and House of Representatives, or their successor committees (Joint Committee)
43. Requires the Director of the Department of Health Services (DHS) and a representative of the Governor's Office, after the first 60 days of a public health emergency, to provide a briefing to the Joint Committee.
44. Requires the Joint Committee to give the extension of the public health emergency a favorable or unfavorable review.
45. Requires the Joint Committee to provide the Joint Committee's recommendation to all members of the Legislature and the Governor.
46. Requires the outcome of the Joint Committee's review to be conspicuously posted on the Governor's and DHS's public websites.

Vaccinations During Certain Public Health Emergencies

47. Allows a person to refuse, based on the person's personal beliefs, a vaccination that is mandated during a state of emergency or state of war emergency in which there is the occurrence or imminent threat of smallpox, plague, viral hemorrhagic fevers or a highly contagious and highly fatal disease with transmission characteristics similar to small pox for a person who is diagnosed with an illness resulting from exposure, reasonably believed to have been exposed or may reasonably be expected to be exposed to refuse a mandated vaccination based on the person's personal beliefs.

State Lottery

48. Prohibits the State Lottery from directly or indirectly spending, allocating or directing any monies under its control to advertise the lottery at a professional sporting event or in conjunction with any professional sports team or franchise.
49. Asserts that the prohibition applies to any contract or other agreement entered into, amended or extended on or after the effective date of this Act.

American Rescue Plan Act of 2021 Expenditure Reporting

50. Requires the following offices and agencies to report to the Senate President, the Speaker of the House of Representatives, the Chairpersons of the Senate and House of Representatives Appropriation Committees and the Director of JLBC on intended expenditures before spending monies in the amount of \$10,000,000 or more for one designated purpose from specified funds as appropriated by the American Rescue Plan Act of 2021:
 - a) the Office of the Governor, before spending \$10,000,000 or more for one designated purpose from the Coronavirus State Fiscal Recovery Fund and the Coronavirus Capitol Projects Fund;
 - b) the Superintendent of Public Instruction (SPI), before spending \$10,000,000 or more for one designated purpose from the Elementary and Secondary School Emergency Relief Fund; and
 - c) the Arizona Board of Regents (ABOR), before spending \$10,000,000 or more for one designated purpose from Higher Education Emergency Relief Fund.
51. Requires the Office of the Governor, SPI and ABOR, within 30 days after the last day of each calendar quarter through June 30, 2024, to report to the following on the actual expenditure of monies from specified funds as appropriated by the American Rescue Plan Act of 2021:
 - a) the President of the Senate;
 - b) the Speaker of the House of Representatives;
 - c) the Chairs of the Senate and House of Representatives Appropriation Committees; and
 - d) the Director of JLBC.
52. Requires the reports of intended and actual use of American Rescue Plan Act of 2021 monies to delineate expenditures by agency and program and include descriptions of the purposes of the expenditures.
53. Asserts that the:
 - a) Legislature intends that the Arizona executive branch report on its planned and actual use of any major additional federal aid to Arizona through federal legislation enacted by the end of FY 2022; and
 - b) timing and frequency of the reports should be the same as required for American Rescue Plan Act of 2021 expenditures.
54. Allows the Chair and Vice-Chair of JLBC to provide recommendations to the Arizona executive branch concerning qualifying major federal aid to Arizona through federal legislation.

Voter Registration

55. Requires the SOS and each county recorder to post a list on their website of each event that the office of the SOS or county recorder attends and provides voter registration services.
56. Requires each event to be posted on the public website within 24 hours of the SOS or county recorder's attendance of the event.
57. Requires the Arizona Game and Fish Department (AZGFD) to provide:
 - a) assistance with voter registration when accepting applications for a hunting, fishing or trapping license (license); and
 - b) an applicant with an online license application with a link to the Arizona Department of Transportation's voter registration webpage.
58. Requires each AZGFD office that accepts applications for a license in person to provide a voter registration form to an applicant.
59. Requires the SOS to provide AZGFD with voter registration forms and instructions to applicants to mail completed voter registration forms to the SOS.
60. Requires the SOS to forward completed registration forms to the appropriate county recorder to determine eligibility of an applicant and add the name of eligible applicants to the voter registration rolls.
61. Prohibits voter registration information that is public information and generated from applicants for a license from providing any public indication of the source of the registrations.
62. Specifies that persons who act to register applicants for a license to vote are not deputy registrars.
63. Defines *department* and *license*.

State Capitol Museum Transfer

64. Transfers the oversight of the State Capitol Museum from the Secretary of State (SOS) to the Arizona Legislative Council, including:
 - a) the authority, powers, duties and responsibilities of the State Capitol Museum;
 - b) all administrative matters, contracts, and judicial and quasi-judicial actions;
 - c) equipment, records, furnishings and other property, data and investigative findings, obligations and appropriated monies remaining unexpended and unencumbered monies regarding the State Capitol Museum; and
 - d) personnel employed regarding the State Capitol Museum.
65. Requires the Director of the Arizona Legislative Council to direct and manage the State Capitol Museum.
66. Asserts that all certificates, licenses, registrations, permits and other indicia of qualifications and authority issued by the SOS regarding the State Capitol Museum retain their validity for the duration of their terms of validity.
67. Requires the Director of the Arizona Legislative Council, rather than the Director of the State Library, to administer the Museum Gift Shop Revolving Fund.

State Permitting Dashboard

68. Requires the Governor to appoint a State Permitting Director and requires the State Permitting Director to establish and maintain an online permitting dashboard that displays the progress to completion for state authorizations for participating projects.
69. Allows the project sponsor of an eligible project to submit a notice to the State Permitting Director stating that the project sponsor is initiating a proposed project and that includes:
 - a) a statement of the purposes and objectives of the proposed project;
 - b) a project description with geographic information, including the location of the proposed project and geospatial information;
 - c) a statement regarding the technical and financial ability of the project sponsor to construct the proposed project;
 - d) a list of agencies that may require authorizations for completion of the proposed project;
 - e) a statement of any authorization anticipated to be required to complete the proposed project; and
 - f) an assessment that the proposed project meets the definition of an eligible project and a statement of reasons supporting that assessment.
70. Requires the State Permitting Director, within 30 days of receiving the notice, to determine whether the proposed project qualifies as an eligible project and whether to include the proposed project as a participating project in the permitting dashboard.
71. Requires each agency identified by the project sponsor, within 45 days of the determination that the project qualifies as an eligible project, to submit all anticipated authorizations required for each participating project to the Director, including the:
 - a) steps required by the project sponsor and the agency to complete each authorization; and
 - b) target completion date for each step.
72. Requires an agency, if the agency requires authorization for completion of a participating project that was not included in the notice to the State Permitting Director, to provide the State Permitting Director with a written statement of cause for each additional authorization.
73. Requires an agency identified by the project sponsor to notify the State Permitting Director of any decision made that materially affects the status of a participating project and submit any significant document associated with the decision.
74. Defines an *eligible project* as an activity that requires agency authorization and that involves infrastructure construction for renewable or conventional energy production, electricity transmission, mining, land revitalization, surface transportation, aviation, water resource projects, wastewater projects, broadband, pipelines or manufacturing or any other activity determined by the State Permitting Director and that:
 - a) is subject to applicable state environmental laws, permitting regulations and other relevant government authorizations, the size and complexity of which make the eligible project likely to benefit from enhanced oversight and coordination; and
 - b) is likely to require a total construction investment of more than \$25,000,000 or is under \$25,000,000 and the State Permitting Director finds that other factors make the project likely to benefit from the enhanced oversight and coordination.

75. Requires the permitting dashboard to include a visual interface that tracks the status of each authorization required for participating projects.
76. Requires the State Permitting Director to coordinate with specified state agencies and any other agency that requires authorization for a participating project.
77. Prohibits an agency from requiring an eligible project to participate in the permitting dashboard.
78. Allows the State Permitting Director, for each participating project added to the permitting dashboard and to the extent consistent with applicable statutory requirements, to display on the permitting dashboard:
 - a) the notice submitted by the project sponsor of the eligible project;
 - b) the application and supporting documents, if applicable, submitted by a project sponsor for any required authorization or a notice explaining how the public may obtain access to documents not available on the website;
 - c) a description of any decision that materially affects the status of a participating project;
 - d) a list of roles and responsibilities for entities with authorization responsibility for the participating project;
 - e) a permitting timetable that sets forth a comprehensive schedule of dates by which all authorizations and state permits, reviews and approvals will be made to the maximum extent practicable; and
 - f) the completion status of the authorization included in the permitting timetable.
79. Requires each agency, to the maximum extent possible, to carry out the obligations of the agency with respect to a participating project under any other applicable law concurrently and in conjunction with other authorizations being conducted by other agencies or local governments, unless it is determined that doing so would impair the agency's ability to carry out its statutory obligations.
80. Requires the State Permitting Director, as necessary and in conjunction with the project sponsor and relevant agency, to mediate any dispute related to the permitting timetable.
81. Requires the State Permitting Director, if no resolution is reached, to notify GRRC and review the dispute with the relevant agency director.
82. Requires GRRC, within 30 days after the State Permitting Director's notification, to recommend a course of action regarding the dispute.
83. Allows the State Permitting Director to require agency action to resolve a dispute.
84. Allows GRRC to adopt rules relating to dispute resolution.
85. Requires the State Permitting Director to appear before JLBC, at the request of the JLBC Chairperson, to report on findings from administering the permitting dashboard.

86. Requires the State Permitting Director, by December 1, 2023, to submit a report of findings from administering the permitting dashboard to the:
- a) Governor;
 - b) President of the Senate;
 - c) Speaker of the House of Representatives;
 - d) Chairpersons of the Senate Appropriations Committee and Senate Natural Resources, Energy and Environment Committee, or successor committees; and
 - e) Chairs of the House of Representatives Appropriations Committee and House of Representatives Natural Resources, Energy and Water Committee, or successor committees.
87. Requires the report submitted by the State Permitting Director to include:
- a) authorization completion times by agency;
 - b) permitting completion times for participating projects; and
 - c) frequency of statements of cause for additional authorizations.
88. Requires a copy of the report to be submitted to the Secretary of State and JLBC.
89. Asserts that the State Permitting Director position does not result in an additional full-time equivalent position and is included in the Office of the Governor full-time equivalent positions.
90. Defines *agency*, *authorization*, *director*, *participating project*, *permitting dashboard* and *project sponsor*.
91. Repeals the state permitting dashboard and related requirements on January 1, 2029.

Study Committee on Missing and Murdered Indigenous Peoples

92. Renames the Study Committee on Missing and Murdered Indigenous Women and Girls as the Study Committee on Missing and Murdered Indigenous Peoples (Study Committee).
93. Requires the President of the Senate and Speaker of the House of Representatives to each appoint three members, rather than four members to the Study Committee.
94. Removes the following members from the Study Committee:
- a) one peace officer who works and resides on a federally recognized American Indian reservation;
 - b) one representative from the Southwest Indigenous Women’s Coalition;
 - c) one county attorney from a county with a population of less than 850,000 persons;
 - d) one county sheriff from a county with a population of less than 850,000 persons;
 - e) one chief of police who is from a tribal police department; and
 - f) one representative who works with a tribal, statewide or local organization that provides legal services to indigenous women and girls.
95. Adds one attorney general or judge from a Tribal jurisdiction appointed by the President of the Senate to the Study Committee.

96. Requires the Study Committee to continue to work with law enforcement to track and collect data on violence against indigenous peoples, rather than establish methods to track and collect data on violence against indigenous women and girls.
97. Requires the data gathered by the Study Committee to include the prevalence and contextual characteristics of violence against indigenous peoples, including variations by gender, age and sexual identity.
98. Removes the requirement that the Study Committee determine the number of missing and murdered indigenous women and girls in Arizona and identify barriers to providing more state resources in tracking violence against indigenous women and girls and reducing the incidences of violence.
99. Requires the Study Committee to gather information to understand the lived experiences among indigenous peoples surrounding missing and murdered indigenous peoples in an effort to ensure that policy recommendations are culturally accurate.
100. Requires the Study Committee to submit a report to the Governor and Legislature regarding the Study Committee’s activities and recommendations for administrative and legislative action by December 1 of 2022, 2023 and 2024 and provide a copy of the reports to the SOS.
101. Extends the termination date of the Study Committee from October 1, 2021 to October 1, 2025.

Advisory Committee on the Formation of a Southern Arizona Regional Sports Authority

102. Establishes the 13-member Advisory Committee on the Formation of a Southern Arizona Regional Sports Authority (Advisory Committee) consisting of the following members:
 - a) three members of the House of Representatives appointed by the Speaker of the House of Representatives;
 - b) three members of the Senate appointed by the President of the Senate;
 - c) three public members appointed by the President of the Senate and three public members appointed by the Speaker of the House of Representatives who are knowledgeable about regional sports authorities, economic development and fiscal and other problems that currently exist or may exist in the future;
 - d) one member appointed by the Governor.
103. Prohibits more than two of the members appointed from each of the Senate and the House of Representatives from being from the same political party.
104. Requires the President of the Senate and Speaker of the House of Representatives to designate one of the members as Co-Chairs of the Advisory Committee.
105. Requires the Advisory Committee to research and report on the economic development and fiscal and related impacts of the formation of a Southern Arizona Regional Sports Authority.

106. Deems a majority of the members of the Advisory Committee to constitute a quorum and requires the Advisory Committee to meet at any place the co-chairpersons deem necessary and convenient.
107. Allows the Advisory Committee, in consultation with the Office of Tourism, to employ a private group or outside professional to study the economic development and fiscal and other problems that currently exist or may exist in the future as a result of the development of the regional sports authority.
108. Requires a state agency or political subdivision, on request of the Advisory Committee, to provide its service, equipment, documents, personnel and facilities to the extent possible without cost to the Advisory Committee.
109. Requires the Advisory Committee, by June 30, 2022, to submit a report of findings and recommendations to the Governor, President of the Senate and Speaker of the House of Representatives and provide a copy of the report to the SOS.

Major Events Fund

110. Establishes the Major Events Fund consisting of monies appropriated by the Legislature and private donations and directs the Arizona Commerce Authority (ACA) to administer the Fund.
111. Specifies that monies in the Major Events Fund are continuously appropriated and exempt from lapsing.
112. Allows monies in the Major Events Fund to be used:
 - a) to support the planning and operation of the competitive bid process for major events in coordination with the Office of Tourism, destination marketing organizations and local organizing committees;
 - b) to negotiate and make grants to local organizing committees or equivalent organizations for the operating costs of major events; and
 - c) for other economic development activities associated with major event operations.
113. Prohibits Major Events Fund monies from being used to supplant routine operating expenses of any political subdivision.
114. Caps the grant for any event at 25 percent of the operating expenditures required under the event support contract between the host organization and the local organizing committee or equivalent organization.
115. Requires the ACA, before awarding a grant from the Major Events Fund to local organizing committees or equivalent organizations for the operating costs of major events, to prepare a written statement signed by the chief executive officer that:
 - a) assesses the direct economic impact of the grant; and
 - b) contains a finding that the award of the grant is in the best interest of the state.

116. Requires the ACA to submit a Major Events Fund semi-annual report to JLBC and the Governor's Office of Strategic Planning and Budgeting by July 15 and December 15 that includes the amount of actual expenditures by purpose and an expenditure plan for all remaining monies by purpose.

Miscellaneous

117. Restricts, through June 30, 2022, when a condominium can be terminated to only:
- a) by agreement of unit owners to which 100 percent of the votes in the association are allowed;
 - b) in the case of a taking of all the units by eminent domain; or
 - c) if the declaration specifies a smaller percentage and all of the units in the condominium are restricted exclusively to nonresidential uses.
118. Asserts that nothing relating to the restrictions on the termination of a condominium may impair or otherwise interfere with an existing contract.
119. Allows the Director of the Department of Health Services to adopt rules regarding the collection of data from health care institutions.
120. Exempts monies appropriated to the Department of Public Safety for body cameras in FY 2022 from:
- a) requirements relating to review and approval by the Information Technology Advisory Committee;
 - b) independent third-party validation and verification requirements; and
 - c) Project investment justification reporting requirements.
121. Requires the Governor's Regulatory Review Council (GRRC) to review an existing agency practice, substantive policy statement, final rule or regulatory licensing requirement at a public meeting if:
- a) GRRC receives any information, rather than receives information in a petition from a person, that the existing agency practice or substantive rule does not meet statutory rulemaking requirements or that the existing agency practice, substantive policy statement, final rule or regulatory licensing requirement is not authorized by statute, is unduly burdensome or is not demonstrated to be necessary to specifically fulfill a public health, safety or welfare concern; and
 - b) at least four GRRC members request that the matter be heard in a public meeting.
122. Removes the prohibition on the use of a newspaper for the publication of a public notice that has not been admitted under federal law as a second-class matter in the U.S. mail for at least one year.
123. Allows liabilities incurred against the state GF by the Arizona Department of Forestry and Fire Management (DFFM) during an emergency arising from a major disaster to be reimbursed with the approval of the Governor and State Emergency Council.
124. Requires the reimbursement for liabilities incurred by DFFM to be made according to rules adopted by the State Forester for administering fire suppression monies or, if no rules are adopted by the State Forester, according to rules adopted by the Director of the Division of Emergency Management in the Department of Emergency and Military Affairs.

125. Exempts the Department of Liquor Licenses and Control from rulemaking requirements for one year for the purposes of House Bill 2773, 55th Legislature, 1st Regular Session, relating to the sale of mixed cocktails for off-premises consumption and the lease of off-sale privileges associated with certain liquor licenses.
126. Requires, by January 1, 2023, the Department of Gaming to convert a dog racing permittee's permit to a harness racing permit if the permittee meets the qualifications for a harness racing permit.
127. Requires, effective on April 15, 2021 and subject to the conditions prescribed in Laws 2021, Chapter 234 relating to fantasy sports betting and event wagering, the Department of Gaming to deposit, on the 25th of each month, 90 percent of monies deposited in the event wagering fund, rather than any monies remaining in the Fund on the 25th of each month.
128. Limits the Arizona State Library, Archives and Public Records exemption from Arizona Procurement Code requirements for purchases and contracts for goods and services to only contracts of \$150,000 or less.
129. Allows monies in the State Monument and Memorial Repair Fund to be used to alter or modify monuments and memorials.
130. Reverts all unexpended and unencumbered monies remaining in an Automation Projects Fund agency subaccount to their fund of origin upon completion of an automation and information technology project.
131. Requires the following reports and information to be annually provided by December 1, rather than December 31:
 - a) the Elected Official's Retirement Plan Board of Trustees final report on the Elected Officials Retirement Plan contribution rate for the ensuing fiscal year provided to the Governor and Legislature;
 - b) the Public Safety Personnel Retirement System (PSPRS) Board of Trustees (PSPRS Board) annual report on the status of the Elected Officials' Defined Contribution (EODC) Retirement System provided to the Governor, Legislature and Joint Legislative Budget Committee (JLBC);
 - c) the PSPRS Board's detailed report on the EODC Disability Program operation and investment performance and contribution rate for the ensuing fiscal year provided to the Governor and Legislature;
 - d) the PSPRS Board's final report on the PSPRS contribution rate for the ensuing fiscal year provided to the Governor and Legislature;
 - e) the PSPRS shared cost structure of employees and employers, the funding status and the rate of return the PSPRS Board provides to the Legislature;
 - f) the status of the Public Safety Personnel Defined Contribution Retirement Plan the PSPRS Board reports to the Governor, Legislature and JLBC; and
 - g) the PSPRS Board's final report of the contribution rate of the Corrections Officer Retirement Plan for the ensuing fiscal year provided to the Governor and Legislature.

132. Requires the Arizona Department of Administration (ADOA), by September 1 of each year, to submit a report to JLBC on each reversion made from an Automation Projects Fund agency subaccount.
133. Requires the annual JLBC report on state debt and obligations to include outlined information for the next fiscal year, rather than most recent fiscal year.
134. Removes the requirement that the annual JLBC report on state debt and obligations be based on data available from the ADOA online accessible and searchable database of all incurred state and local government debt.
135. Removes the requirement that a link to the online accessible and searchable database of all incurred state and local government debt maintained by ADOA be posted on the JLBC website.
136. Continues to require, retroactive to July 1, 2021, any unrestricted federal monies received by AZ in FY 2022 to be deposited into the state GF and used to pay essential governmental services.
137. 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 2022.
138. Allows ADOA to approve whole or partial rent exemptions in FY 2022 without recommendation from the Joint Committee on Capital Review.
139. Requires ADOA to report to joint legislative budget staff on each proposed agency rent exemption before approval.
140. Asserts that the Legislature is not required to appropriate monies to or transfer monies from the Budget Stabilization Fund in FY 2022, FY 2023 and FY 2024.
141. Makes technical and conforming changes.
142. Becomes effective on the general effective date, with retroactive provisions and a delayed effective date as noted.

Amendments Adopted by Committee of the Whole

1. Asserts that the Attorney General (AG), among state officials, has sole authority to direct the defense of state election law or laws being challenged.
2. Removes the prohibition on the AG representing or providing legal advice to the Secretary of State (SOS) on any matters through June 30, 2023.
3. Removes the prohibition on the SOS making expenditures or incurring indebtedness to employ outside or private attorneys to provide representation or services.
4. Removes language asserting that the AG the sole authority to defend election laws and procedures and instead asserts that the AG has the authority to defend election laws and procedures.

5. Removes language asserting that the authority of the AG is paramount and not shared or delegated to the SOS or any other state official and instead asserts that in any disagreement between the AG and the SOS or other state official, the authority of the AG to defend the law is paramount.
6. Removes language asserting the AG has the sole authority in all election litigation to direct the defense of state election laws, appeal or petition any decision and to intervene on behalf of Arizona through January 2, 2023.
7. Asserts that the AG, in any proceeding in which the validity of a state election law is challenged, speaks for Arizona and must be allowed to intervene on behalf of Arizona if the AG determines that intervention is appropriate through January 2, 2023.
8. Exempts court challenges to the validity of the Citizens Clean Elections Act from language asserting the AG speaks for Arizona and must be allowed to intervene on behalf of Arizona if determined appropriate.
9. Removes language asserting the AG's authority applies regardless of whether a state agency, political subdivision or officer or employee of Arizona, a state agency or political subdivision is or seeks to become a party and instead allows the AG to intervene at any state of a proceeding, including to appeal or petition any decision, regardless of whether any state agency, political subdivision or officer or employee is or seeks to become a party.
10. Removes the authorization for the SOS to hire one full-time equivalent position to serve as legal advisor and represent the SOS.
11. Establishes the Special Committee on the Election Audit (Special Committee) consisting of the members of the Senate Government Committee.
12. Requires the Special Committee to:
 - a) receive and review the findings of the Senate audit of the 2020 general election in Maricopa county; and
 - b) recommend to the President of the Senate the appropriate legislative action based on the findings of the audit, including a call for a special session of the Legislature to implement the Special Committee's recommendations.
13. Repeals the Special Committee on January 1, 2022.
14. Allows a person to refuse, based on the person's personal beliefs, a vaccination that is mandated during a state of emergency or state of war emergency in which there is the occurrence or imminent threat of smallpox, plague, viral hemorrhagic fevers or a highly contagious and highly fatal disease with transmission characteristics similar to small pox for a person who is diagnosed with an illness resulting from exposure, reasonably believed to have been exposed or may reasonably be expected to be exposed to refuse a mandated vaccination based on the person's personal beliefs.
15. Prohibits a county, city or town from making or issuing any order, rule, ordinance or regulation related to mitigating the COVID-19 pandemic that impacts private businesses, schools, churches or other private entities, including an order, rule, ordinance or regulation that mandates the use of face coverings, requires closing a business or imposes a curfew.

16. Allows a county, city or town to set and enforce mitigation policies in a building that is owned by the county, city or town.
17. Asserts that the COVID-19 pandemic is a matter of statewide concern.
18. Caps, beginning January 2, 2023, a Governor's initial state of emergency proclamation with respect to a public health emergency at 30 days.
19. Allows the Governor to extend a state of emergency with respect to a public health emergency for up to 120 days and prohibits any single extension from being for a period of more than 30 days.
20. Terminates a state of emergency proclaimed by the Governor for a public health emergency after 120 days, unless extended in whole or in part by concurrent resolution of the Legislature.
21. Allows the Legislature to extend the state of emergency as many times as necessary and prohibits any single extension from being for a period of more than 30 days.
22. Prohibits the Governor, on termination of a state of emergency with respect to a public health emergency, from proclaiming a new state of emergency based on the same conditions without the passage of a concurrent resolution of the Legislature consenting to the new state of emergency.
23. Requires the Governor, on the extension of a state of emergency, to submit a written report to a Joint Committee of the Health Committees of the Senate and House of Representatives, or their successor committees (Joint Committee).
24. Requires the Director of the Department of Health Services (DHS) and a representative of the Governor's Office, after the first 60 days of a public health emergency, to provide a briefing to the Joint Committee.
25. Requires the Joint Committee to give the extension of the public health emergency a favorable or unfavorable review.
26. Requires the Joint Committee to provide the Joint Committee's recommendation to all members of the Legislature and the Governor.
27. Requires the outcome of the Joint Committee's review to be conspicuously posted on the Governor's and DHS's public websites.
28. Requires the SOS to provide access to the statewide voter registration database to a person or entity that is designated by the Legislature and to the Election Integrity Unit of the AG's Office for the purpose of determining whether the SOS's voter registration list maintenance procedures comply with federal law with respect to voters who are registered as eligible to vote only for federal offices (federal-only voters).
29. Requires the person or entity designated by the Legislature to be qualified in more than one state to analyze a state's voter registration rolls for compliance with federal law regarding voter registration list maintenance procedures.

30. Requires the person or entity, after completing its analysis, to report its findings to the Legislature, AG and SOS.
31. Requires the SOS, if the analysis determines that there are person registered to vote who are not eligible to register to vote, to notify the appropriate county recorder and requires county recorders to remove those persons from the voter registration rolls.
32. Requires each county recorder to submit an annual report to the Legislature that contains specified information regarding federal-only voters:
33. Requires the AG and county attorney to investigate and prosecute, as appropriate, any person who knowingly registers to vote despite being ineligible.
34. Requires the SOS, by December 31, 2021 and pursuant to the National Voter Registration Act of 1993, to submit a request to the U.S. Election Assistance Commission that the Commission include Arizona's state-specific instructions to provide proof of citizenship on the federal voter registration form.
35. Requires any vendor that provides fraud countermeasures that are contained in or on the paper used for ballots to be ISO 27001 certified, ISO 17025 certified or ISO 9001:2015 certified.
36. Requires ballot fraud countermeasures to include the use of at least three of ten outlined features.
37. Establishes the Election Integrity Fund consisting of legislative appropriations, administered by the State Treasurer.
38. Appropriates \$12,000,000 from the state GF in FY 2022 to the Election Integrity Fund and exempts the appropriation from lapsing.
39. Allows monies in the Election Integrity Fund to be used only to pay county recorders for election security, cybersecurity measures and improvements and reimbursements for post-election hand tabulations, including for additional staffing.
40. Requires county recorders to apply for Election Integrity Fund monies and requires the State Treasurer to make payments from the Fund if the county applications are reviewed and approved by the State Treasurer.
41. Establishes the Joint Task Force consisting of designees from the AG and SOS.
42. Requires the Joint Task Force to investigate whether and to what extent the business or other practices of social media platforms and internet search engines result in unreported in-kind political contributions to candidates in Arizona that violate Arizona campaign finance laws.
43. Allows the Joint Task Force to take appropriate enforcement action and investigate specified actions as possible unlawful political contributions.
44. Establishes the Unreported In-Kind Political Contributions Task Force Fund consisting of legislative appropriations and administered by the AG.

45. Appropriates \$500,000 from the state GF in FY 2022 to the Unreported In-Kind Political Contributions Task Force Fund.
46. Allows monies in the Unreported In-Kind Political Contributions Task Force Fund to be used only to fund the Joint Task Force.
47. Specifies monies in the Unreported In-Kind Political Contributions Task Force Fund are continuously appropriated and exempt from lapsing.
48. Exempts Election Integrity Fund monies from lapsing.
49. Requires the OAG to review the processes and statutory requirements for maintaining the statewide voter registration database, county early voting lists and the county voter registration databases for counties with a population of more than 1,000,000 persons.
50. Requires the Secretary of State and county recorders to:
 - a) notify the OAG in writing of the total expenditures made for voter registration programs and events;
 - b) provide a description of the programs and events, including any political party affiliation; and
 - c) specify their attendance at programs, events and outreach activities and whether they used any third-party data in conducting these programs, events and activities.
51. Requires the OAG to submit a report of its findings to the Legislature by June 30 of each even-numbered year and submit a copy of the report to the SOS.
52. Appropriates \$500,000 from the state GF in FY 2022 to the OAG for the purposes of the voter registration database and early voting list review and reporting and exempts the appropriation from lapsing.
53. Requires the SOS and each county recorder to post a list on their website of each event that the office of the SOS or county recorder attends and provides voter registration services.
54. Requires each event to be posted on the public website within 24 hours of the SOS or county recorder's attendance of the event.
55. Prohibits the State Lottery from directly or indirectly spending, allocating or directing any monies under its control to advertise the lottery at a professional sporting event or in conjunction with any professional sports team or franchise.
56. Asserts that the prohibition applies to any contract or other agreement entered into, amended or extended on or after the effective date of this Act.
57. Requires the Arizona Game and Fish Department (AZGFD) to provide:
 - a) assistance with voter registration when accepting applications for a hunting, fishing or trapping license (license); and
 - b) an applicant with an online license application with a link to the Arizona Department of Transportation's voter registration webpage.
58. Requires each AZGFD office that accepts applications for a license in person to provide a voter registration form to an applicant.

59. Requires the SOS to provide AZGFD with voter registration forms and instructions to applicants to mail completed voter registration forms to the SOS.
60. Requires the SOS to forward completed registration forms to the appropriate county recorder to determine eligibility of an applicant and add the name of eligible applicants to the voter registration rolls.
61. Prohibits voter registration information that is public information and generated from applicants for a license from providing any public indication of the source of the registrations.
62. Specifies that persons who act to register applicants for a license to vote are not deputy registrars.
63. Defines *department* and *license*.
64. Allows the Director of the Department of Health Services to adopt rules regarding the collection of data from health care institutions.
65. Renames the Study Committee on Missing and Murdered Indigenous Women and Girls as the Study Committee on Missing and Murdered Indigenous Peoples.
66. Requires the President of the Senate and Speaker of the House of Representatives to each appoint three members, rather than four members to the Study Committee.
67. Removes the following members from the Study Committee:
 - a) one peace officer who works and resides on a federally recognized American Indian reservation;
 - b) one representative from the Southwest Indigenous Women’s Coalition;
 - c) one county attorney from a county with a population of less than 850,000 persons;
 - d) one county sheriff from a county with a population of less than 850,000 persons;
 - e) one chief of police who is from a tribal police department; and
 - f) one representative who works with a tribal, statewide or local organization that provides legal services to indigenous women and girls.
68. Adds one attorney general or judge from a Tribal jurisdiction appointed by the President of the Senate to the Study Committee.
69. Requires the Study Committee to continue to work with law enforcement to track and collect data on violence against indigenous peoples, rather than establish methods to track and collect data on violence against indigenous women and girls.
70. Requires the data gathered by the Study Committee to include the prevalence and contextual characteristics of violence against indigenous peoples, including variations by gender, age and sexual identity.
71. Removes the requirement that the Study Committee determine the number of missing and murdered indigenous women and girls in Arizona and identify barriers to providing more state resources in tracking violence against indigenous women and girls and reducing the incidences of violence.

72. Requires the Study Committee to gather information to understand the lived experiences among indigenous peoples surrounding missing and murdered indigenous peoples in an effort to ensure that policy recommendations are culturally accurate.
73. Requires the Study Committee to submit a report to the Governor and Legislature regarding the Study Committee’s activities and recommendations for administrative and legislative action by December 1 of 2022, 2023 and 2024 and provide a copy of the reports to the SOS.
74. Extends the termination date of the Study Committee from October 1, 2021 to October 1, 2025.
75. Restricts, through June 30, 2022, when a condominium can be terminated to only:
 - a) by agreement of unit owners to which 100 percent of the votes in the association are allowed;
 - b) in the case of a taking of all the units by eminent domain; or
 - c) if the declaration specifies a smaller percentage and all of the units in the condominium are restricted exclusively to nonresidential uses.
76. Asserts that nothing relating to the restrictions on the termination of a condominium may impair or otherwise interfere with an existing contract.
77. Reinserts the Arizona Procurement Code exemption for contracts for goods and services approved by the Public Safety Personnel Retirement System Board of Trustees (PSPRS Board).
78. Removes language limiting the type of contracts the PSPRS Board may enter into to exercise its investment responsibilities to contracts to receive market data and other market information from securities, commodities, options and monetary exchanges.
79. Removes the requirement that the PSPRS Board establish and administer an Administration Account consisting of all monies for administrative purposes for all retirement plans and systems administered by the PSPRS Board.
80. Applies the requirement that the Arizona Commerce Authority (ACA) prepare a written statement with certain information before awarding a grant from the Major Events Fund to only when Major Event Fund monies are being used to negotiate and make grants to local organizing committees or equivalent organizations for the operating costs of major events.
81. Requires the ACA’s semi-annual report on the Major Events Fund to be sent to the Governor’s Office of Strategic Planning and Budgeting.
82. Removes, for the purposes of publication of notice, the prohibition on a newspaper including a publication which has not been admitted under federal law as a second-class matter in the U.S. mails for at least one year.
83. Makes technical and conforming changes.

Revision

- Corrects the termination date of the Special Committee.

Senate Action

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