

HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: **HB 2009**

Kaiser Floor Amendment

The KAISER SUBSTITUTE floor amendment:

1. Repeals statute relating to violations of state law by counties, cities or towns.
2. Removes references to charter schools for the request of an investigation by the Attorney General (AG) for an alleged violation of state law or the Arizona Constitution.
3. Specifies that an AG investigation may occur because of any written policy, written rule or written regulation adopted by any agency, department or other entity of the county, city or town.
4. Reinserts current language regarding the AG making a written report of findings and conclusions as a result of an investigation.
5. Adds current language regarding the requirement of the AG to file a special action in the supreme court to resolve the issue.

Amendment explanation prepared by S.Jensen

Phone Number x63864

Is

3/1/2022

KAISER SUBSTITUTE FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2009

I move the following SUBSTITUTE amendment to the GOVERNMENT & ELECTIONS Committee
Amendment to
HOUSE BILL 2009 (Reference to printed bill)

1 Page 1, between lines 1 and 2, insert:

2 "Section 1. Repeal

3 Section 41-194.01, Arizona Revised Statutes, as amended by Laws 2021,
4 chapter 403, section 18, is repealed."

5 Renumber to conform

6 Line 2, after the second comma insert "as added by Laws 2016, chapter 35,
7 section 1,"

8 Line 5, strike the comma insert "and"; strike "and charter schools"

9 Line 8, after "monies" strike remainder of line

10 Strike lines 12 through 23, insert "BOARD of a county, city, ~~or~~ town OR SCHOOL
11 DISTRICT OR ANY WRITTEN POLICY, WRITTEN RULE OR WRITTEN REGULATION ADOPTED
12 BY ANY AGENCY, DEPARTMENT OR OTHER ENTITY OF THE COUNTY, CITY OR TOWN that
13 the member alleges violates state law or the Constitution of Arizona.

14 B. The attorney general shall make a written report of findings and
15 conclusions as a result of the investigation within thirty days after
16 receipt of the request and shall provide a copy of the report to the
17 governor, the president of the senate, the speaker of the house of
18 representatives, the member or members of the legislature making the
19 original request and the secretary of state. If the attorney general

1 concludes that the ordinance, regulation, order, WRITTEN POLICY, WRITTEN
2 RULE or other action under investigation:"
3 Page 1, line 26, strike the first comma insert "OR"; strike "OR CHARTER SCHOOL"
4 Line 27, strike the third comma insert "OR"
5 Line 28, strike "OR CHARTER SCHOOL"
6 Line 29, strike the third comma insert "OR"
7 Lines 30, 37 and 39, strike "OR CHARTER SCHOOL"
8 Page 2, line 10, strike the third comma insert "OR"; strike "OR CHARTER SCHOOL"
9 Strike lines 12 through 31, insert "Arizona, the attorney general shall file a
10 special action in THE supreme court to resolve the issue, and the supreme
11 court shall give the action precedence over all other cases. The court
12 shall require the county, city or town to post a bond equal to the amount
13 of state shared ~~revenue~~ REVENUES paid to the county, city or town pursuant
14 to ~~section~~ SECTIONS 42-5029 and 43-206 in the preceding six months.
15 3. Does not violate any provision of state law or the Constitution
16 of Arizona, the attorney general shall take no further action pursuant to
17 this section."
18 Line 32, strike "D." insert "C."; strike "OR CHARTER SCHOOL"
19 Line 36, strike "OR CHARTER SCHOOL"
20 Amend title to conform

STEVE KAISER

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03/01/2022
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C: HN