ARIZONA HOUSE OF REPRESENTATIVES

Fifty-third Legislature - First Regular Session

MAJORITY CAUCUS CALENDAR

**January 31, 2017**

Bill Number Short Title Committee Date Action

**Committee on Banking and Insurance**

**Chairman: David Livingston, LD22 Vice Chairman: Eddie Farnsworth, LD12**

**Analyst: Paul Benny Intern: Sheridan Smede**

[HB 2052](#HB2052) limited line crop insurance

SPONSOR: LIVINGSTON, LD22 HOUSE

 BI 1/23 DP (7-1-0-0-0)

(No: POWERS HANNLEY)

[HB 2069](#HB2069) insurance taxes; installments; electronic filing

SPONSOR: LIVINGSTON, LD22 HOUSE

 BI 1/23 DP (7-0-0-1-0)

(Abs: WENINGER)

[HB 2070](#HB2070) life settlement contracts; broker licenses

SPONSOR: LIVINGSTON, LD22 HOUSE

 BI 1/23 DP (8-0-0-0-0)

[HB 2160](#HB2160) annuity transactions; training requirements

SPONSOR: LIVINGSTON, LD22 HOUSE

 BI 1/23 DPA (8-0-0-0-0)

[HB 2232](#HB2232) commercial cancellation; notice; unearned premium

SPONSOR: LIVINGSTON, LD22 HOUSE

 BI 1/23 DP (7-1-0-0-0)

(No: POWERS HANNLEY)

**Committee on Commerce**

**Chairman: Jeff Weninger, LD17 Vice Chairman: Jill Norgaard, LD18**

**Analyst: Diana Clay Intern: James Garret Mooney**

[HB 2047](#HB2047) liquor; serving age; reduction

SPONSOR: WENINGER, LD17 HOUSE

 COM 1/24 DP (8-0-0-1-0)

(Abs: EPSTEIN)

[HB 2067](#HB2067) real estate licensing; exception; assistants

 (COM S/E: real estate licensing; applicability; exemption)

SPONSOR: SHOPE, LD8 HOUSE

 COM 1/24 DPA/SE (8-0-0-1-0)

(Abs: EPSTEIN)

[HB 2158](#HB2158) tax lien foreclosures; subdivisions; exemption

SPONSOR: SHOPE, LD8 HOUSE

 COM 1/24 DP (8-0-0-1-0)

(Abs: EPSTEIN)

[HB 2203](#HB2203) endowed‑care cemeteries; unitrusts

SPONSOR: NORGAARD, LD18 HOUSE

 COM 1/24 DP (8-0-0-1-0)

(Abs: EPSTEIN)

**Committee on Education**

**Chairman: Paul Boyer, LD20 Vice Chairman: Douglas Coleman, LD16**

**Analyst: Aaron Wonders Intern: Andrew Badertscher**

[HB 2107](#HB2107) schools; nonresident pupils; military duty

SPONSOR: BOYER, LD20 HOUSE

 ED 1/23 DP (9-0-0-2-0)

(Abs: BOWERS,SHOOTER)

[HB 2108](#HB2108) education; conforming changes

SPONSOR: BOYER, LD20 HOUSE

 ED 1/23 DP (9-0-0-2-0)

(Abs: BOWERS,SHOOTER)

[HB 2163](#HB2163) schools; certification; discipline; reciprocity

SPONSOR: BOYER, LD20 HOUSE

 ED 1/23 DP (9-0-0-2-0)

(Abs: BOWERS,SHOOTER)

[HB 2164](#HB2164) teachers; alternative performance evaluation cycle

SPONSOR: BOYER, LD20 HOUSE

 ED 1/23 DPA (9-0-0-2-0)

(Abs: BOWERS,SHOOTER)

[HB 2218](#HB2218) school tax credit; capital outlay

SPONSOR: NORGAARD, LD18 HOUSE

 ED 1/23 DPA (10-0-0-1-0)

(Abs: SHOOTER)

**Committee on Energy, Environment and Natural Resources**

**Chairman: Russell "Rusty" Bowers, LD25 Vice Chairman: Brenda Barton, LD6**

**Analyst: Sharon Carpenter Intern: Benjamin Kappler**

[HB 2065](#HB2065) waste tire disposal; continuation

SPONSOR: COLEMAN, LD16 HOUSE

 EENR 1/24 DP (9-0-0-0-0)

**Committee on Federalism, Property Rights and Public Policy**

**Chairman: Bob Thorpe, LD6 Vice Chairman: Mark Finchem, LD11**

**Analyst: Brittany Green Intern: Maddison Powers**

[HB 2114](#HB2114) peace officers; weapons; federal facilities

SPONSOR: THORPE, LD6 HOUSE

 FPRPP 1/24 DP (6-2-0-1-0)

(No: BLANC,NAVARRETE; Abs: HERNANDEZ)

[HB 2116](#HB2116) municipal zoning; rezoning protests

SPONSOR: THORPE, LD6 HOUSE

 FPRPP 1/24 DP (6-0-0-3-0)

(Abs: HERNANDEZ,BLANC,NAVARRETE)

**Committee on Government**

**Chairman: Douglas Coleman, LD16 Vice Chairman: Bob Thorpe, LD6**

**Analyst: Mike Hans Intern: Kassandra Hendricksen**

[HB 2026](#HB2026) secretary of state; omnibus

SPONSOR: COLEMAN, LD16 HOUSE

 GOV 1/19 DP (8-0-0-0-0)

[HB 2140](#HB2140) Arizona silver-haired legislature

SPONSOR: GABALDÓN, LD2 HOUSE

 GOV 1/19 DP (8-0-0-0-0)

**Committee on Health**

**Chairman: Heather Carter, LD15 Vice Chairman: Regina E. Cobb, LD5**

**Analyst: Rick Hazelton Intern: Emma Hurley**

[HB 2041](#HB2041) DHS; health care institutions; licensure

SPONSOR: CARTER, LD15 HOUSE

 HEALTH 1/12 DPA (9-0-0-0-0)

[HB 2091](#HB2091) TANF; SNAP; finger imaging; repeal

SPONSOR: ALLEN J, LD15 HOUSE

 HEALTH 1/19 DP (7-0-0-2-0)

(Abs: COBB,SYMS)

**Committee on Judiciary and Public Safety**

**Chairman: Eddie Farnsworth, LD12 Vice Chairman: Anthony T. Kern, LD20**

**Analyst: Katy Proctor Intern: Sue Lunt**

[HB 2106](#HB2106) garnishment; continuing lien; school employee

SPONSOR: BOYER, LD20 HOUSE

 JPS 1/25 DP (9-0-0-0-0)

[HB 2216](#HB2216) prohibited firearm tracking; classification

SPONSOR: BOYER, LD20 HOUSE

 JPS 1/25 DP (6-3-0-0-0)

(No: GONZALES,HERNANDEZ,ENGEL)

[HB 2237](#HB2237) forcible entry; detainer; prohibited rules

SPONSOR: FARNSWORTH E, LD12 HOUSE

 JPS 1/25 DP (7-2-0-0-0)

(No: GONZALES,ENGEL)

[HB 2242](#HB2242) animal cruelty; domestic animals; classification

SPONSOR: FARNSWORTH E, LD12 HOUSE

 JPS 1/25 DP (7-2-0-0-0)

(No: KERN,STRINGER)

[HB 2254](#HB2254) judicial productivity credits; salary calculation

SPONSOR: FARNSWORTH E, LD12 HOUSE

 JPS 1/25 DPA (9-0-0-0-0)

[HB 2268](#HB2268) sexual assault evidence; submission; reports

SPONSOR: SYMS, LD28 HOUSE

 JPS 1/25 DPA (9-0-0-0-0)

[HB 2287](#HB2287) firearm discharge; mental state; applicability

SPONSOR: RIVERO, LD21 HOUSE

 JPS 1/25 DP (5-4-0-0-0)

(No: GONZALES,HERNANDEZ,ENGEL,SYMS)

**Committee on Land, Agriculture and Rural Affairs**

**Chairman: Brenda Barton, LD6 Vice Chairman: Darin Mitchell, LD13**

**Analyst: Sharon Carpenter Intern: Benjamin Kappler**

[HB 2105](#HB2105) state fair board; continuation

SPONSOR: BARTON, LD6 HOUSE

 LARA 1/19 DP (7-0-0-1-0)

(Abs: MITCHELL)

**Committee on Local and International Affairs**

**Chairman: Tony Rivero, LD21 Vice Chairman: Todd A. Clodfelter, LD10**

**Analyst: Mike Hans Intern: Kassandra Hendricksen**

[HB 2048](#HB2048) legislative vacancies; appointment; requirements

SPONSOR: FRIESE, LD9 HOUSE

 LIA 1/25 DP (7-0-0-0-0)

[HB 2088](#HB2088) incorporation; urbanized areas

SPONSOR: FARNSWORTH E, LD12 HOUSE

 LIA 1/18 DP (4-3-0-0-0)

(No: GABALDÓN,BLANC,CHÁVEZ)

[HB 2138](#HB2138) library trustees; annual report

SPONSOR: NORGAARD, LD18 HOUSE

 LIA 1/25 DP (7-0-0-0-0)

[HB 2262](#HB2262) municipal zoning; rezoning protest requirements

SPONSOR: WENINGER, LD17 HOUSE

 LIA 1/25 DP (7-0-0-0-0)

**Committee on Military, Veterans and Regulatory Affairs**

**Chairman: Jay Lawrence, LD23 Vice Chairman: Mark Finchem, LD11**

**Analyst: Brittany Green Intern: Maddison Powers**

[HB 2025](#HB2025) fallen firefighter memorial; committee

SPONSOR: BOWERS, LD25 HOUSE

 MVRA 1/23 DPA (9-0-0-0-0)

[HB 2139](#HB2139) building code moratorium; repeal

SPONSOR: NORGAARD, LD18 HOUSE

 MVRA 1/23 DP (9-0-0-0-0)

**Committee on Transportation and Infrastructure**

**Chairman: Noel W. Campbell, LD1 Vice Chairman: Drew John, LD14**

**Analyst: Liam Maher Intern: Jack Horton**

[HB 2159](#HB2159) vehicle impoundment; release of vehicles

SPONSOR: MITCHELL, LD13 HOUSE

 TI 1/25 DPA (7-0-0-1-0)

(Abs: RUBALCAVA)

[HB 2247](#HB2247) school bus drivers; fingerprint cards

SPONSOR: GRANTHAM, LD12 HOUSE

 TI 1/25 DP (7-0-0-1-0)

(Abs: RUBALCAVA)

[HB 2249](#HB2249) vehicle registration; nonresidents; penalty

SPONSOR: BOYER, LD20 HOUSE

 TI 1/25 DP (7-0-0-1-0)

(Abs: RUBALCAVA)

[HB 2251](#HB2251) ADOT; Meridian road extension

SPONSOR: COOK, LD8 HOUSE

 TI 1/25 DP (7-0-0-1-0)

(Abs: RUBALCAVA)

**Committee on Ways and Means**

**Chairman: Michelle B. Ugenti-Rita, LD23 Vice Chairman: Vince Leach, LD11**

**Analyst: Michael Madden Intern: Edith Lefevre**

[HB 2213](#HB2213) GPLET reform; K-12 taxes

SPONSOR: LEACH, LD11 HOUSE

 WM 1/25 DP (6-1-1-1-0)

(No: CARDENAS; Abs: EPSTEIN; Present: BOLDING)



# ARIZONA HOUSE OF REPRESENTATIVES

**HB 2052:** limited line crop insurance

**PRIME SPONSOR:** Representative Livingston, LD 22

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68490)

 BI: DP 7-1-0-0

**Abstract**

Relating to limited line insurance.

**Provisions**

1. Adds limited line crop insurance as a line of authority. (Sec. 2)
2. Includes limited line crop insurance to the definition of *limited line insurance*. (Sec. 1)
3. Makes technical and conforming changes. (Sec. 1, 2)

**Current Law**

Individuals applying for an insurance producer license are required to provide information regarding identity, history, business records and insurance experience to the Director. Applicants must be at least 18 years of age, pay applicable fees, and pass an examination prior to obtaining licensure. Any nonresident licensed producer who becomes a resident of this state must apply for resident licensure within 90 days [(A.R.S. § 20-285)](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/20/00285.htm).

[A.R.S. § 20-286](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/20/00286.htm) outlines the type of lines of authority available to insurance producers: life, accident and health or sickness, property, casualty, variable life and variable annuity products, personal lines, and credit.

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

Statute exempts certain applicants from examination including applicants for an insurance producer license with authority for limited line insurance [(A.R.S. § 20-288)](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/20/00288.htm).

*Limited line insurance* is defined as limited line credit insurance, limited lines travel insurance, and any other line of insurance that the director deems necessary to recognize for the purposes of complying with nonresident licensure [(A.R.S. § 20-281).](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/20/00281.htm)

According to DOI, 27 states offer a crop line of authority, while 11 do not require an exam. Currently, there are 91 nonresident licensees who hold a crop line of authority.

**Legend:**

Director – Director of Department of Insurance

DOI – Department of Insurance

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

# State Seal

# ARIZONA HOUSE OF REPRESENTATIVES

**HB 2069:** insurance taxes; installments; electronic filing

**PRIME SPONSOR:** Representative Livingston, LD 22

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68526)

 BI: DP 7-0-0-1

**Legend:**

AHCCCS – Arizona Health Care Cost Containment System

Director – Director of Department of Insurance

DOI – Department of Insurance

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to tax on insurance net premiums.

**Provisions**

1. Increases the amount of tax liability an insurer must have before becoming subjected to making monthly installment payments from $2,000 to $50,000. (Sec. 1)
2. Allows the Director to require electronic submissions of tax reports and payments from insurers through approved third-party services beginning January 1, 2018. (Sec. 1)
3. Caps the civil penalty DOI may impose for failure to pay the tax to $25 or five percent of the amount due plus interest, whichever is greater. (Sec. 2)
4. Stipulates no penalty is imposed if an electronic payment is late due to delays caused by the third-party service. (Sec. 2)
5. Enables the Director to require electronic submissions of tax reports and payments from AHCCCS contractors through acceptable methods beginning January 1, 2018. (Sec. 3, 4)
6. Contains a delayed effective date of January 1, 2018. (Sec. 5)
7. Makes conforming changes. (Sec. 1, 2, 3, 4)

**Current Law**

Insurers are required to remit a tax on net premiums and file a report with the Director. If the tax owed on net premiums is $2,000 or more, insurers must file reports and remit payments monthly [(A.R.S. § 20-224)](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/20/00224.htm).

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

Pursuant to [A.R.S. § 20-225](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/20/00225.htm), any insurer that fails to pay the tax on insurance premiums is subject to a civil penalty equal to the greater of $25 or five percent of the amount due plus interest at the rate of one percent per month.

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2070:** life settlement contracts; broker licenses

**Legend:**

Director – Director of Department of Insurance

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**PRIME SPONSOR:** Representative Livingston, LD 22

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68527)

 BI: DP 8-0-0-0

**Abstract**

Relating to life settlement contract brokers.

**Provisions**

1. Sets the expiration date for a broker authority to the expiration date of the producer's life line of authority. (Sec. 1)
2. Clarifies the Director may require an applicant for a provider certificate of authority to disclose the identity of any partners, officers, and employees. (Sec. 1)
3. Makes technical and conforming changes. (Sec. 1)

**Current Law**

Pursuant to [A.R.S. § 20-289](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/20/00289.htm), an insurance producer's license expires every four years, specifically on the last day of the month of the licensee's birthday, but not more than four years after the last day of the month in which the license was issued.

Upon notifying the Director, an insurance producer licensed with a life line of authority may operate as a broker. As a broker, the producer may negotiate life settlement contracts between an owner and providers.

A broker license may be renewed every four years on the anniversary date and payment of a renewal fee to the Director ([A.R.S. § 20-3202](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/20/03202.htm)).

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

**ARIZONA HOUSE OF REPRESENTATIVES**

**HB 2160:** annuity transactions; training requirements

**PRIME SPONSOR:** Representative Livingston, LD 22

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68648)

BI: DPA 8-0-0-0

**Legend:**

Department – Department of Insurance

NAIC – National Association of Insurance Commissioners

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to insurance producers and annuities.

**Provisions**

1. Prohibits an insurance producer from soliciting the sale of an annuity product unless the producer has adequate knowledge of the product and is in compliance with the insurer's standards for product training.
	* A producer may rely on insurer-provided training standards for compliance. (Sec. 2)
2. Requires an insurance producer who sells annuity products to complete a one-time four credit annuity training course.
	* The course and the instructor must be approved by the Department. (Sec. 2)
3. Directs insurance producers who currently have a life insurance line of authority to:
	* complete the training course within six months after enactment, **OR**
	* **HAVE PREVIOUSLY COMPLETED ANOTHER STATE'S REQUIREMENTS**. (BI) (Sec. 2)
4. Directs insurance producers who will obtain a life insurance line of authority after enactment to complete the training course in order to sell annuity products. (Sec. 2)
5. Specifies the minimum length of training required is sufficient to qualify for continuing education credits. (Sec. 2)
6. Outlines the topics to be included in the training course. (Sec. 2)
7. Prohibits the training course instruction to present any marketing information, training on sales techniques, or provide information about a particular insurer's products. (Sec. 2)
8. Requires a provider of an annuity training course to register as a continuing education provider and comply with statutory requirements regarding reporting and certification issuance. (Sec. 2)
9. Allows an annuity training course to be conducted and completed by classroom or self-study methods in accordance with statute. (Sec. 2)
10. Allows for the completion of substantially similar training course requirements of another state to satisfy the requirements of this state. (Sec. 2)
11. Directs the insurer to verify the insurance producer has completed the training course.
	* Provides methods of evidence for completion. (Sec. 2)
12. **ADDS A DELAYED EFFECTIVE DATE OF January 1, 2018.** (BI) (Sec. 3)
13. Makes a conforming change. (Sec. 1)

**Current Law**

Insurance producers engaging in the sale of annuity products must obtain a life insurance line of authority. The requirements for the life insurance line of authority include an exam which covers topics relating to annuity principles and concepts, immediate versus deferred annuities, and annuity payment options ([A.R.S. § 20-284](http://www.azleg.gov/viewdocument/?docName=http%3A%2F%2Fwww.azleg.gov%2Fars%2F20%2F00284.htm)).

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

**Additional Information**

The [NAIC](http://www.naic.org/index_about.htm) adopted the [Suitability in Annuity Transactions Model Regulation](http://www.naic.org/store/free/MDL-275.pdf) which provides suitability standards for life insurance and annuities.

**ARIZONA HOUSE OF REPRESENTATIVES**

**HB 2232:** commercial cancellation; notice; unearned premium

**PRIME SPONSOR:** Representative Livingston, LD 22

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68741)

**Legend:**

Director – Director of Department of Insurance

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

BI: DP 7-1-0-0

**Abstract**

Relating to refund of unearned premium.

**Provisions**

1. Stipulates the refund of any unearned premium for the cancellation
2. of a commercial policy must be mailed to the insured either: (Sec. 1)
	* With the notice of cancellation, or
	* After the notice is mailed, as long as both are mailed 45 days before the cancellation effective date.
3. Makes a technical change. (Sec. 1)

**Current Law**

An insurer may cancel a commercial policy for on any of the following grounds as long as it is stated in the policy:

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

1. The insured is convicted of a crime arising out of acts increasing the hazard insured against,
2. The insured constitutes fraud or misrepresentation in obtaining the policy,
3. The assumed risk of the insured changes substantially,
4. The conditions of the contract are breached,
5. There is a loss of reinsurance resulting from the termination of a treaty of facultative reinsurance initiated by the reinsurer,
6. The Director determines the policy is in violation of the insurance laws of the state, or
7. The insured has acted or omitted information in a way which increases the hazard insured against [(A.R.S. § 20-1673)](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/20/01673.htm).

A notice of cancellation of commercial insurance for reasons other than nonpayment of premium must be mailed to the address of the insured at least 45 days before the cancellation date, and must include a refund for any unearned premium [(A.R.S. § 20-1674)](http://www.azleg.gov/viewdocument/?docName=http%3A%2F%2Fwww.azleg.gov%2Fars%2F20%2F01674.htm).

A notice of cancellation of personal insurance for reasons other than nonpayment of premium must be mailed to the address of the insured at least 10 days before the cancellation date. Any refund of unearned premium must be mailed to the insured either:

1. With the notice of cancellation, or
2. After the notice is mailed, as long as both are mailed 10 days before the cancellation date [(A.R.S. § 20-1632)](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/20/01632.htm).

**ARIZONA HOUSE OF REPRESENTATIVES**

**HB 2047:** liquor; serving age; reduction

**PRIME SPONSOR:** Representative Weninger, LD 17

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68481)

COM: DP 8-0-0-0

**Legend:**

DLLC – Department of Liquor Licenses and Control

Liquor – Spirituous Liquors

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to the legal age for handling liquor.

**Provisions**

1.      Modifies the legal age, from 19 to 18 years, for an employee to perform duties as follows:

1. To refill hotel liquor minibars. (Sec. 1)
2. To supervise another person at least 16 years of age at an off-sale retailer, while checking out, packaging merchandise or assisting customers with carry-out service when the employer primarily sells merchandise other than liquor. (Sec. 2)
3. To manufacture, sell or dispose of liquor.  (Sec. 2)
4. To handle liquor in any capacity as an employee of an on-sale retailer.  (Sec. 2)
5. Allows an on-sale retailer to hire an individual less than 18 years, rather than 19, to clean tables, remove dirty dishes and keep a supply of necessary items. (Sec. 2)

**Current Law**

[A.R.S. § 4-205.06](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/4/00205-06.htm) requires any hotel employee handling liquor that is placed in a room's minibar, including an employee who inventories, restocks or replenishes liquor in a hotel room minibar, must be at least 19 years of age.

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

[A.R.S. § 4-244](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/4/00244.htm) outlines the unlawful acts applicable to the liquor industry and individuals licensed by DLLC, including the required legal age of employees before performing certain tasks.  An off-sale retailer that sells primarily merchandise other than liquor may hire a person 19 years old to work and supervise an employee at least 16 years old as that person cashiers, packages and carries merchandise (including liquor in unbroken packages) for a customer's convenience.  A licensee must ensure that an employee is at least 19 years old to handle, manufacture, sell or dispose of liquor.   An on-sale retailer may hire a person under 19 years old to clean tables, remove dirty dishes and clean the premises.

An *off-sale retailer* means any person operating an established retail liquor store and any store selling commodities other than liquor and engaged in the sale of liquor in the original, unbroken package to be consumed off the premises. An *on-sale retailer* means any person operating an establishment where liquor is sold in the original container for consumption on or off the premises or in individual portions for consumption on the premises ([A.R.S. § 4-101](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/4/00101.htm)).

**ARIZONA HOUSE OF REPRESENTATIVES**

**HB 2067:** real estate licensing; exception; assistants

**PRIME SPONSOR:** Representative Shope, LD 8

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68519)

**Legend:**

ADRE – Arizona Department of Real Estate

LLC – Limited Liability Company

RV – Recreational Vehicle

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

COM: DPA/SE 8-0-0-1

**Strike-Everything Amendment Abstract (COM):**

Relating to real estate licensing exceptions.

**Provisions**

1. Exempts employees hired by a licensee to perform clerical, bookkeeping, accounting and other administrative support and duties from the ADRE licensing requirements if they are not engaged in activity requiring a license. (Sec. 1)

**Current Law**

It is unlawful for any person, corporation, partnership or LLC to engage in any activity of a real estate, cemetery or membership camping broker or salesperson without first obtaining a license issued by ADRE. Performing any act with the expectation of compensation, whether an incidental part or the full transaction, qualifies as a person attempting to perform the act of the broker or salesperson ([A.R.S. § 32-2122](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/32/02122.htm)). An individual employed by a broker to perform clerical, bookkeeping, accounting and other administrative support and duties and not engaged in activities requiring a license are exempt from the licensing requirements. Examples of other occupations currently exempt from real estate licensing requirements are managers of hotels, motels or RV parks, as well as attorneys and title insurers performing only applicable duties ([A.R.S. § 32-2121](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/32/02121.htm)).

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note



#  ARIZONA HOUSE OF REPRESENTATIVES

**HB 2158:** tax lien foreclosures; subdivisions; exemption

**PRIME SPONSOR:** Representative Shope, LD 8

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68646%22%20%5Co%20%22Bill%20Status%20Inquiry)

COM: DP 8-0-0-1

**Abstract**

**Legend:**

ADRE - Arizona Department of Real Estate

Commissioner – ADRE Commissioner

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

Relating to tax lien foreclosures.

**Provisions**

1. Exempts tax lien foreclosure sales from the statutory Public Report requirements. (Sec. 1)
2. Exempts tax lien purchasers and their heirs from the Public Report requirements if the property has not been subdivided after recording the deed with the appropriate county recorder following judgment. (Sec. 1)
3. Stipulates that there is no exemption for the tax lien purchaser who subdivides, intends to do so, or actually creates a subdivision. (Sec. 1)
4. Makes technical and conforming changes. (Sec. 1)

**Current Law**

[A.R.S. § 32-2101](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/32/02101.htm) defines *subdivider* to mean any person who offers for sale or lease six or more lots, parcels or fractional interests in a subdivision or who subdivides land or develops a subdivision, excluding a public agency or officer authorized by law to create subdivisions.

[A.R.S. § 32-2181](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/32/02181.htm) requires a Public Report to be submitted to the Commissioner with an ADRE application and fee prior to any Subdivider offering property for sale. The Public Report includes 25 items of identifying and other information of the subdivider; legal land description; title condition, including all encumbrances; subdivision map; any indebtedness; amenities and improvements, such as roads, utilities, community or recreational facilities and; total amount of annual taxes, special assessments and any other fees, among others.

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

**ARIZONA HOUSE OF REPRESENTATIVES**

**HB 2203:** endowed‑care cemeteries; unitrusts

**PRIME SPONSOR:** Representative Norgaard, LD 18

**Legend:**

Board – Board of Funeral Directors and Embalmers

LLC – Limited Liability Company

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68698)

 COM: DP 8-0-0-1

**Abstract**

Relating to endowment-care trusts.

**Provisions**

1. Authorizes an endowment-care fund account to be converted to a unitrust. (Sec. 1)
2. Permits the conversion of a trust into a total return unitrust without the authorization of the courts. (Sec. 1)
3. Specifies that the unitrust amount must still be used solely for the care of plots or other burial spaces. (Sec. 1)
4. Makes technical changes. (Sec. 1, 2)

**Current Law**

[A.R.S. § 32-2194.24](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/32/02194-24.htm) prohibits the Board from issuing a *certificate of authority* to a corporation or LLC organized for the purpose of maintaining and operating a cemetery unless the articles of incorporation or organization certify to the establishment of an irrevocable trust fund for the maintenance and operation of the cemetery. The endowed-care funds are for the sole purpose of caring for the cemetery plots or other burial spaces.

[A.R.S. § 32-2194.28](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/32/02194-28.htm) requires every perpetual or endowed-care cemetery to deposit into its trust fund the following amounts for each sale within 30 days after the contract for the purchase of cemetery property is paid in full: 1) $2.75 per square foot for each grave; 2) $36 for each niche; 3) $120 for each crypt. In addition to the aforementioned deposits, a cemetery may deposit in its trust fund up to 15% of the gross sales price of a grave, niche or crypt.

[A.R.S. § 32-2194.27](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/32/02194-27.htm) states the fund or its income can never be used for the development or improvement of the cemetery.

*Unitrust amount* means an amount computed as a percentage of the fair market value of the trust. ([A.R.S. § 14-11014](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/14/11014.htm))

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

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**ARIZONA HOUSE OF REPRESENTATIVES**

**HB 2107:** schools; nonresident pupils; military duty

**PRIME SPONSOR:** Representative Boyer, LD 20

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68578)

**Legend:**

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

ED: DP 9-0-0-2

**Abstract**

Relating to school residency requirements for children with a military parent.

**Provisions**

1. Determines students to be in compliance with school district attendance residency requirements if the student's parent is on active military duty and is transferred to, or is pending transfer to a state military installation. (Sec. 1)
2. Directs school districts to accept enrollment and course registration applications electronically for qualifying students. (Sec. 1)
3. Requires the parent of a qualifying student to provide proof of residence within 10 days of their official arrival date and outlines which addresses establish proof of residence. (Sec. 1)
4. Defines *active military duty* and *military installation*. (Sec. 1)

**Current Law**

School districts are required to admit children between the ages of six and twenty-one years who reside in the school district and implement an open enrollment policy to allow non-resident students to attend ([A.R.S. §§ 15-821](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/15/00821.htm),[15-816.01](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/15/00816-01.htm)). Additionally, school districts and charter schools are required to maintain verifiable documentation of state residency for all enrolled students ([A.R.S. § 15-802](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/15/00802.htm)).

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

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**ARIZONA HOUSE OF REPRESENTATIVES**

**HB 2108:** education; conforming changes

**PRIME SPONSOR:** Representative Boyer, LD 20

**BILL STATUS:** [Caucus and Cow](https://apps.azleg.gov/BillStatus/BillOverview/68579)

 ED: DP (9-0-0-2)

**Legend:**

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to statute conformity.

**Provisions**

1. Makes technical and conforming changes as directed by [Laws 2016, Chapter 331](https://apps.azleg.gov/BillStatus/GetDocumentPdf/442464). (Sec. 1, 2, 3, 4, 5)

**Additional Information**

[Laws 2016, Chapter 331](https://apps.azleg.gov/BillStatus/GetDocumentPdf/442464) made numerous repeals, modifications and additions to education statutes and instructed the Legislative Council to draft conforming legislation for introduction in the Fifty-third Legislature, First Regular Session.

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2163:** schools; certification; discipline; reciprocity

**PRIME SPONSOR:** Representative Boyer, LD 20

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68654)

 ED: DP (9-0-0-2)

**Legend:**

SBE – State Board of Education

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to teacher certification revocation.

**Provisions**

1. Instructs SBE to prohibit persons whose certification application is denied on grounds of immoral or unprofessional conduct from submitting an application for certification for up to five years rather than for five years. (Sec. 1)
	* Removes the exemption from the five-year prohibition on reapplication for persons who provide new information after certification denial that addresses the grounds for denial. (Sec. 1)
2. Directs a final adjudication or judgement that a certificated person has engaged in immoral or unprofessional conduct in another jurisdiction to be treated the same in this state for disciplinary proceedings. (Sec. 2)
	* Requires the certification applicant to successfully complete the disciplinary process in the jurisdiction prior to applying for Arizona certification. (Sec. 2)
3. Instructs SBE to revoke all state certificates in a manner consistent with the terms of revocation in the other jurisdiction unless the person requests a hearing. (Sec. 2)
	* Directs SBE to determine whether to uphold or decline the revocation after the hearing. (Sec. 2)
4. Makes technical and conforming changes. (Sec. 1)

**Current Law**

SBE is required to prohibit a person from submitting an application for five years in the following circumstances ([A.R.S. § 15-534.02](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/15/00534-02.htm)):

1. The person surrenders a certificate issued by SBE.
2. The person's certificate is revoked for immoral or unprofessional conduct.
3. The person's certification application is denied on grounds of immoral or unprofessional conduct.

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2164:** teachers; alternative performance evaluation cycle

**PRIME SPONSOR:** Representative Boyer, LD 20

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68655)

 ED: DPA (9-0-0-2)

**Legend:**

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to teacher performance evaluation cycles.

**Provisions**

1. Permits school district governing boards to allow teachers designated in the ~~two~~ **SECOND** highest performance classification~~s~~ for at least two consecutive evaluations to be evaluated at least once every three years **AND TEACHERS DEISGNATED IN THE HIGHEST PERFORMANCE CLASSIFICATION FOR AT LEAST TWO CONSECUTIVE EVALUATIONS TO BE EVALUATED AT LEAST ONCE EVERY FIVE YEARS**. (Sec. 1) (**ED)**
2. Directs school districts that use the alternative performance evaluation cycle to adopt policies for an expedited performance review during years that teachers are not subject to a performance evaluation. (Sec. 1)
3. Makes technical and conforming changes. (Sec. 1)

**Current Law**

School district governing boards are required to establish teacher performance evaluation systems that require the annual evaluation of certificated teachers by a qualified evaluator ([A.R.S. § 15-537](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/15/00537.htm)). To evaluate teachers, school districts must perform at least two classroom observations, create improvement plans for teacher performance, create an appeals process, create training requirements and establish a plan for the appropriate use of quantitative data of student academic progress in evaluations.

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note



# ARIZONA HOUSE OF REPRESENTATIVES

**HB 2218:** school tax credit; capital outlay

**PRIME SPONSOR:** Representative Norgaard, LD 18

**BILL STATUS:** [Caucus and Cow](https://apps.azleg.gov/BillStatus/BillOverview/68728)

 ED: DPA (10-0-0-1)

**Legend:**

DOR – Arizona Department of Revenue

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to the Public School Tax Credit.

**Provisions**

1. Expands the Public School Tax Credit to include fees or cash contributions made to a public school for:
2. the acquisition of capital items, effective FY 2018 to FY 2020;
3. **SCHOOL MEAL PROGRAMS**; **AND**
4. **CONSUMABLE STUDENT HEALTHCARE SUPPLIES** (Sec. 1) (ED)
5. Allows school site councils to transfer undesignated contributions to other district schools where at least 50% of the students are eligible for free or reduced price lunches. (Sec. 1)
6. **DEFINES CONSUMABLE STUDENT HEALTH CARE SUPPLIES.** (ED)
7. Makes technical changes. (Sec. 1)

**Current Law**

The Public School Tax Credit allows individuals to make contributions to public schools for specific items and receive dollar-for-dollar reduction in income tax liability. An individual may receive a credit up to $200, or a married couple may receive a credit up to $400. Undesignated contributions to a public school may be used for purposes determined by the site council. Unspent contributions previously designated for a specific purpose or program that have been discontinued or have not been used for two consecutive Fiscal Years are considered undesignated contributions ([A.R.S. § 43-1089.01](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/43/01089-01.htm)).

**Additional Information**

In Tax Year 2015, [DOR reported](https://www.azdor.gov/Portals/0/Reports/2015PublicSchoolReport.pdf) public schools receiving a total of $48 million in contributions from 263,178 donors through the Public School Tax Credit.

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2065:** waste tire disposal; continuation

**PRIME SPONSOR:** Representative Coleman, LD 16

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68517)

 EENR: DP (9-0-0-0)

**Legend:**

Fund – Waste Tire Fund

Program – Waste Tire Program

ADOR – Arizona Department of Revenue

ADEQ – Arizona Department of Environmental Quality

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to continuation of the Program.

**Provisions**

1. Continues the Program, waste tire fee and Fund for 10 years, until January 1, 2028. (Sec. 1)

**Current Law**

Retail sellers of new motor vehicle tires are required to collect a fee of 2% of the purchase price for each tire sold, up to a maximum of $2.00 per tire, and be listed separately on any invoice. The fee per tire for sales of a motor vehicle with a gross weight under 10,000 pounds by a manufacturer to a wholesaler or retailer where the cost of the tires as a separate component is not specified is $1. The seller may retain a credit of 10¢ per tire for expenses incurred for accounting and reporting. Monies collected are transferred to ADOR and deposited into the [Fund](http://www.azleg.gov/jlbc/18baseline/rev.pdf) ([A.R.S. § 44-1302](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/44/01302.htm)).

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

At the end of each calendar quarter: 1) up to 3.5% of the Fund monies are transferred to ADEQ for deposit in the Solid Waste Fee Fund for monitoring and enforcing the Program; 2) up to 5% or $250,000, whichever is less, may be used by the ADEQ Director for tire fire cleanup expenses; and 3) the remainder of the monies are distributed among the counties in proportion to the number of vehicles registered on July 1 of the preceding year to establish a Program to manage waste tires ([A.R.S. § 44-1305](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/44/01305.htm)).

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2114:** peace officers; weapons; federal facilities

**PRIME SPONSOR:** Representative Thorpe, LD 6

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68590)

 FPRPP: DP (6-2-0-1)

**Legend:**

U.S.- United States

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to peace officers in federal facilities.

**Provisions**

1. Requires the Arizona Attorney General to file a formal complaint to the U.S. Attorney General and work to reverse the federal policy requiring sworn peace officers to disarm before entering a federal facility. (Sec. 1)

**Current Law**

Federal law prohibits the possession of firearms or other dangerous weapons in federal facilities and federal court facilities by all persons not specifically authorized by 18 U.S.C. § 930. ([41 C.F.R. § 102.74.440](https://www.law.cornell.edu/cfr/text/41/102-74.440))

Official duties by an officer, agent or employee of the U.S., a state, or a political subdivision who is engaged in the prevention, detection, investigation or prosecution of any violation of law is exempt from penalties relating to possession of a firearm or dangerous weapon in a federal facility. *Federal facility* means a building or part thereof owned or leased by the Federal Government, where federal employees are regularly present for the purpose of performing their official duties. ([18 U.S.C. § 930](https://www.law.cornell.edu/uscode/text/18/930))

It is unlawful for an armed state or local law enforcement officer to possess a firearm in a federal facility unless there is an official purpose. Armed law enforcement officers responding to emergencies at federal facilities will be granted access to the facility without delay once identified and the nature of the emergency has been determined. ([U.S. Department of Homeland Security Prohibited Items Program](https://www.dhs.gov/sites/default/files/publications/nppd-fps-prohibited-items-program-directive-15.9.3.1-rev-1_0.pdf))

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

A peace officer or a retired peace officer is prohibited from carrying a firearm in a location prohibited by federal law. ([A.R.S. § 38-1113](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/38/01113.htm))

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2116:** municipal zoning; rezoning protests

**PRIME SPONSOR:** Representative Thorpe, LD 6

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68582)

 FPRPP: DP 6-0-0-3

**Legend:**

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to protests of municipal zoning amendments.

**Provisions**

1. Changes how the property owners who are eligible to file a written protest against a proposed zoning amendment are calculated. (Sec. 1)
2. Defines *zoning area*. (Sec. 1)
3. Makes technical changes. (Sec. 1)

**Current Law**

A written protest may be filed by the owners of 20% or more of the following: the area included in the rezoning, the area adjacent to the subject property that is along any side extending 150 feet from the perimeter of the subject property, or the area directly opposite the subject property within 150 feet of the street frontage of the opposite lots. ([A.R.S. § 9-462.04(H)](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/9/00462-04.htm))

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2026:** secretary of state; omnibus

**PRIME SPONSOR:** Representative Coleman, LD 16

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68447)

**Legend:**

AAC – Arizona Administrative Code

AAR- Arizona Administrative Register

AG – Attorney General

ASLPR – Arizona State Library, Archives and Public Records

Board – Board of Technical Registration

Fund – Date Processing Acquisition Fund

GRRC – Governor's Regulatory Review Council

SOS – Secretary of State

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

GOV: DP (8-0-0-0)

**Abstract**

Relating to modifications of administrative and statutory requirements of the Secretary of State.

**Provisions**

1. Removes the requirement that an athlete agent to register with the SOS. (Sec. 5, 6, 7, 8, 9)
2. Removes the requirement that a copy of a city charter be filed with the SOS. (Sec. 1)
3. Removes the requirement that the Fire Fighter's Relief and Pension Fund send a copy of their annual audit and report of the fund to ASLPR. (Sec. 2)
4. Removes the requirement that the SOS make the Arizona Residential Landlord and Tenant Act and Arizona Mobile Home Parks Residential Landlord and Tenant Act available to the public on the SOS website. (Sec. 14)
5. Repeals the requirement that every dance studio must file a bond or cash deposit of $5,000 with the SOS for the benefit of any person damaged by the failure of the studio to provide services specified in a contract or by a violation of statute. (Sec. 20)
6. Removes the requirement that any monies in excess of $250,000 remaining in the Fund at the end of each calendar year revert to the state GF. (Sec. 10)
7. Removes language permitting the Board's Secretary to serve a copy of a complaint on a person accused of violating statute or Board rules. (Sec. 11)
8. Removes the requirement that the Board notify the SOS when a person's certificate relating to their employment has been suspended or revoked. (Sec. 11)
9. Repeals statute which permits a nonresident landlord or corporation that violates the Arizona Residential Landlord and Tenant Act and that is not authorized to conduct business in this state to designate an agent for service of process, which must be filed with the SOS and permits service of process to be served upon the SOS if no designation is made. (Sec. 12)
10. Requires the State Forester to post on its website, any notice of prohibition on fire causing activities and fireworks, rather than with the SOS and requires the original declaration be provided to ASLPR. (Sec. 13)
11. Requires the SOS to chapter slip laws filed by the Legislature and electronically publish and maintain all bills, memorials and resolutions on the SOS website and transfer all original paper copies filed to ASLPR. (Sec. 14)
12. States that the fee which the SOS charges for these acts must include postage. (Sec. 14)
13. Provides the SOS full discretion to decide all questions of form and style for rules filed and published by the SOS and refusal to accept a rule, notice or in noncompliance. (Sec. 15)
14. Requires the SOS to assign titles and chapters to agencies in the AAC. (Sec. 15)
15. Requires the SOS to remove a rule from the AAC when notified by GRRC that the rule has expired. (Sec. 15)
16. Requires the AAR to:
	1. Be published electronically at least once a month;
	2. Include notices of rulemaking, actions and deadlines relating to GRRC, notices of agency ombudsman and notices of public rulemaking; and
	3. That it be published for free, except the SOS must establish a commercial-use fee. (Sec. 16)
17. Removes the following requirements of the AAR:
	1. Publication of an index twice each year;
	2. That the register be made available by subscription and single-copy purchase and honors any current paper subscription in place at the end of FY 2018 until its expiration; and
	3. Inclusion of the following:
		1. A schedule of the time, date and place of all hearings on proposed repeals, makings or amendments of rules;
		2. Each Governor's Executive Order, proclamation of general applicability and commutation, pardon or reprieve or stay or suspension of execution;
		3. A summary of each AG opinion;
		4. Each appointment of state officials and board or commission members by the Governor;
		5. A summary of GRRC action on each rule; and
		6. Notices of oral proceedings, public workshops or other meetings on an open rulemaking docket. (Sec. 16)
18. Requires any person registering with the SOS for the use of a trademark, service mark, trade name, title or designation to include their e-mail on the application. (Sec. 17, 18)
19. Requires the trademark or service mark application be in a format specified by the SOS in rule. (Sec. 17)
20. Removes the requirement that an application for trademark, service mark, trade name, title or designation be verified by the applicant. (Sec. 17, 18, 19)
21. Requires the following publications to be posted on the county website, rather than submitted to the SOS for publication in the AAR:
	1. Any notice of noncompliance with cost, stringency or other requirements by a county that adopts an environmental rule, ordinance or other regulation in lieu of a state program; and
	2. A notice of any proposed environmental rule, ordinance or regulation. (Sec. 21)
22. Requires a county to prepare a notice of proposed rulemaking, rather than a written summary, before adopting or enforcing any environmental rule, ordinance or other regulation. (Sec. 21)
23. Requires the notice of proposed rulemaking to include the address and phone number of a person who can answer questions about the proposed, rule, ordinance or regulation and accept any written requests for the county to conduct oral proceeding. (Sec. 21)
24. Allows publication of the notice of proposed rulemaking in an adjoining county if there is no newspaper of general circulation in that county. (Sec. 21)
25. Requires a county to:
	1. Make a paper copy of the notice of proposed rulemaking available at a reasonable cost;
	2. Accept written comments, statements, arguments, data and views on the proposed rule, ordinance or regulation for at least 30 days;
	3. Post the county's response to any written comments on the counties website;
	4. Schedule a public hearing on the proposed rule, ordinance or regulation if a written request is submitted during the 30-day comment period; and
	5. Post notice of oral proceeding on the county's website, rather than submit notice to the SOS for publication in the AAR. (Sec. 21)
26. Makes technical and conforming changes. (Sec. 1, 3, 4, 5, 7, 8, 10, 11, 13, 14, 15, 16, 17, 18, 21)

**Current Law**

The SOS performs a number of duties in the state, which include, but are not limited to:

1. Serving as the chief election officer ([A.R.S. § 16-142](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/16/00142.htm));
2. Publishing and distributing agency rules in the [AAC](https://www.azsos.gov/rules/arizona-administrative-code) and tracking rulemaking activity in the [AAR](https://www.azsos.gov/rules/arizona-administrative-register) [(A.R.S. § 41-1011](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/41/01011.htm));
3. Receiving bills and resolutions from the Legislature;
4. Keeping a register of and attest the official acts of the Governor ([A.R.S. § 41-121](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/41/00121.htm)); and
5. Oversee the registration of lobbyists ([A.R.S. § 41-1239](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/41/01239.htm)).

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2140:** Arizona silver-haired legislature

**PRIME SPONSOR:** Representative Gabaldón, LD 2

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/GetDocumentPdf/445650)

GOV: DP 8-0-0-0

**Legend:**

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to the Arizona silver-haired legislature.

**Provisions**

1. Establishes the Arizona silver-haired legislature (Sec. 1).
2. States that the Arizona silver-haired legislature is a nonpartisan panel of members at least sixty years old that are elected by their peers (Sec. 1).
3. Requires the Arizona silver-haired legislature to:
	* identify social, economic, and political issues and concerns affecting all citizens;
	* provide seniors with a forum to discuss policy alternatives and possible solutions while acknowledging limitations imposed by budget constraints, tax implications and fiscal impacts;
	* annually submit recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives;
	* demonstrate the benefits of direct participation in the legislative process while fostering a better understanding of legislative procedure among all individuals;
	* promote effective government for all citizens;
	* actively seek private funding and corporate sponsorship (Sec. 1).
4. Permits the President of the Senate and Speaker of the House of Representatives to present issues to the Arizona silver-haired legislature for its deliberation (Sec. 1).
5. Terminates the Arizona silver-haired legislature on July 1, 2025 (Sec. 1).

**Current Law**

[A.R.S. § 41-3103](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/41/03103.htm) requires the legislature to establish an expiration date for any new committee that is less than eight years after the effective date.

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2041:** DHS; health care institutions; licensure

**PRIME SPONSOR:** Representative Carter, LD 15

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68475)

 HEALTH: DPA 9-0-0-0

**Legend:**

ADHS - Arizona Department of Health Services

Director – Director of the Arizona Department of Health Services

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to licensure and health care institutions.

**Provisions**

1. Eliminates renewal licensure for health care institutions. (Sec. 1,2,3,4,5,6)
2. Allows the Director, by rule, to establish:
3. A grace period and a fee for late payment of licensing fees;
4. A notification process for ADHS to notify a licensee of the licensing fee due date; and
5. A process for a licensee to request a different licensing fee due date, which includes any limits on the number of requests. (Sec. 1)
6. Requires a health care institution license application to include ADHS approval of architectural plans and specifications and the applicable fee. (Sec. 2, 3)
7. Requires the Director, after the submission of the applicable licensing fee, to deny or issue a provisional or regular license. (Sec.5)
8. States that a health care institution license is valid and does not expire unless it is revoked or suspended or the licensing fee was not paid before the licensing fee due date. (Sec. 5)
9. Eliminates the Director's ability to prescribe procedures for conducting investigations into an applicant's qualifications and character. (Sec. 5)
10. Eliminates obsolete language relating to unclassified health care facility licensing for an abortion clinic. (Sec.6)
11. Requires an abortion clinic to submit all statutorily required documentation, ~~including verification that an abortion clinic's physicians who are required to be available, have admitting privileges at a health care institution pursuant to statute~~. (*HEALTH)* (Sec.6)
12. Makes technical and conforming changes. (Sec. 1,2,3,4,5,6)

**Current Law**

[A.R.S. § 36-405](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/36/00405.htm) requires the Director to adopt rules for minimum standards and requirements for the modification, construction and licensure of health care institutions necessary to assure public health. The Director may also classify health care institutions, prescribe standards for licensure compliance, prescribe inspection criteria and establish and collect nonrefundable fees for health care institutions and architectural reviews.

[A.R.S. 36-424](http://www.azleg.gov/viewdocument/?docName=http%3A%2F%2Fwww.azleg.gov%2Fars%2F36%2F00424.htm) requires an applicant for initial or relicensure of a health care institution to submit a properly completed application accompanied by the necessary fee.

[A.R.S. § 36-425](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/36/00425.htm) requires the Director to inspect a health care institution upon receipt of an application for initial licensure. Statute outlines timeframes for how long initial and renewal licenses are valid.

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2091:** TANF; SNAP; finger imaging; repeal

**PRIME SPONSOR:** Representative Allen J, LD 15

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68551)

 Health: DP 7-0-0-2

**Legend:**

ADES – Arizona Department of Economic Security

SNAP – Supplemental Nutrition Assistance Program

TANF – Temporary Assistance for Needy Families Program

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to SNAP and TANF finger-imaging programs.

**Provisions**

Repeals the SNAP and TANF finger-imaging programs. (Sec. 1)

**Current Law**

A.R.S. §§ [46-217](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/46/00217.htm) and [46-218](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/46/00218.htm) establish the TANF and SNAP finger-imaging programs. Statute requires each adult applicant, adult recipient or minor recipient of SNAP or TANF to be finger imaged in order to prevent multiple enrollments. Each respective program has their finger-imaging requirements set forth in ADES rules. In the event that an eligible individual already has a matching print in the system, a fraud investigator will make a determination and if the fraud is validated, the individual's benefits will be terminated. ADES is required to terminate a finger image 36 months after a denial or termination of assistance. The Director of ADES is required to annually report to both Appropriations Committees of the Legislature regarding the actual and projected savings from reduced caseloads in the SNAP and TANF programs as a direct result of the SNAP and TANF finger-imaging programs.

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2106:** garnishment; continuing lien; school employee

**PRIME SPONSOR:** Representative Boyer, LD 20

**BILL STATUS:** [Caucus / COW](https://apps.azleg.gov/BillStatus/BillOverview/68577)

JPS: DP 9-0-0-0

**Legend:**

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relates to garnishment of wages.

**Provisions**

1. Increases the length of time before a continuing lien becomes invalid from 60 days to 90 days if the debtor is an employee of:
	* 1. A school district;
		2. Charter school;
		3. The Arizona State Schools for the Deaf and the Blind;
		4. An accommodation school. (Sec. 1)
2. Makes technical and conforming changes. (Sec. 1)

**Current Law**

[A.R.S. § 12-1598.10](http://www.azleg.gov/viewdocument/?docName=http%3A%2F%2Fwww.azleg.gov%2Fars%2F12%2F01598-10.htm) states that a continuing lien is invalid if a debtor leaves the garnishee's employ or does not receive any nonexempt earnings for more than 60 days. The definitions of school district, charter school and accommodation school are located in [A.R.S. § 15-101](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/15/00101.htm). [Title 12, Chapter 9, Article 4 Arizona Revised Statutes](http://www.azleg.gov/arsDetail/?title=12) contains the statues outlining the garnishment process.

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

**Additional Information**

Dictionary of Legal Terms defines garnishment as a legal process in which a judgment is pronounced by the court and money or goods owed by the debtor are collected by a third party (the garnishee) and transmitted to the creditor.

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2216:** prohibited firearm tracking; classification

**PRIME SPONSOR:** Representative Boyer, LD 20

**BILL STATUS:** [Caucus & COW](https://apps.azleg.gov/BillStatus/BillOverview/68704)

 JPS: DP 6-3-0-0

**Legend:**

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to firearm tracking technology.

**Provisions**

1. Makes it a Class 6 felony [(up to 1 year / $150,000 plus surcharges)](http://www.azcourts.gov/Portals/0/CriminalSentencingCt/2016Sentencing.pdf) to require a person to:
	* Use or be subject to *electronic firearm tracking technology*; or
	* Disclose any identifiable information about either the person or the person's firearm for use with *electronic firearm tracking technology*. (Sec 1)
2. Provides exemptions for:
	* A law enforcement officer with a search warrant who uses *electronic firearm tracking technology* to locate a person or firearm that is the subject of a criminal investigation; and
	* The owner of the firearm with written consent. (Sec 1)
3. Defines *electronic firearm tracking technology* as a platform, system or device or group of systems or devices that:
	* Uses a shared or distributed ledger, block chain or similar technology or database to store information;

i) May be centralized or decentralized.

b) Is not owned or controlled by a single person or entity; and

c) Is used to locate or control the use of a firearm. (Sec 1)

**Current Law**

[A.R.S. § 13-3101(A)(4)](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/13/03101.htm) defines a *firearm* as any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon that will expel, is designed to expel or may readily be converted to expel a projectile by the action of an explosive. A permanently inoperable firearm is not included.

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2237:** forcible entry; detainer; prohibited rules

**PRIME SPONSOR:** Representative Farnsworth E, LD 12

**BILL STATUS:** [Caucus & COW](https://apps.azleg.gov/BillStatus/BillOverview/68752)

JPS: DP 7-2-0-0

**Legend:**

AOC – Administrative Office of the Courts

FED – forcible entry and detainer

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to forcible entry and detainer forms.

**Provisions**

1. Prohibits any state agency or individual court from adopting or enforcing a rule or policy requiring a mandatory or technical form for either the notice or any pleadings related to a:
	1. Forcible entry;
	2. Forcible detainer; or
	3. Special detainer. (Sec. 1, 2, 3, 4, 5)
2. States that if the form of the notice or pleading meets statutory requirements, the notice or form is sufficient. (Sec. 1, 2, 3, 4, 5)
3. Applies this change to several sections in the Arizona Revised Statutes (Sec. 1, 2, 3, 4, 5):
	1. [A.R.S. § 12-1175](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/12/01175.htm) (general court process for FED);
	2. [A.R.S. § 33-361](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/33/00361.htm) (violation of lease by tenant);
	3. [A.R.S. § 33-1305](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/33/01305.htm) (remedies under the Residential Landlord & Tenant Act);
	4. [A.R.S. § 33-1404](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/33/01404.htm) (remedies under the Mobile Home Park Residential Landlord & Tenant Act);
	5. [A.R.S. § 33-2101](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/33/02101.htm) (applicability for the Recreational Vehicle Long-Term Rental Space Act).
4. Makes technical and conforming changes. (Sec. 1, 2, 3, 4, 5)

**Current Law**

FED is a process outlined in statute to permit a landlord to take possession of property if there has been a breach of the lease. Under [A.R.S. § 33-1368](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/33/01368.htm), a landlord can notice a tenant of material noncompliance with the rental agreement (10-day notice required) or failure to pay rent (5-day notice required). If the situation is not corrected within the prescribed time period, the landlord can proceed with a FED action. The procedure for a FED is governed by [Title 12, Chapter 8, Article 4, Arizona Revised Statutes](http://www.azleg.gov/arsDetail/?title=12). If after a hearing the court finds in favor of the plaintiff (landlord), the court enters a writ of restitution for the amount of the judgment which may include unpaid rent, late fees, court costs, attorney fees and damages. If the defendant is not found guilty, the plaintiff is assessed costs [(A.R.S. § 33-1377).](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/33/01377.htm)

**Current Law**

The [Arizona Rules of Civil Procedure for Eviction Actions](https://govt.westlaw.com/azrules/Browse/Home/Arizona/ArizonaCourtRules/ArizonaStatutesCourtRules?guid=NCC4C6060DCE211DDB971F5C1341DE2D7&transitionType=CategoryPageItem&contextData=(sc.Default)&bhcp=1) outlines the FED process. In 2014, the Arizona Supreme Court created the Arizona Commission on Access to Justice. At the Commission's [May, 18, 2016 meeting](http://www.azcourts.gov/Portals/74/ACAJ/Minutes/Minutes05182016.pdf), the members voted to require the use of standardized forms in the eviction process and to support a rule change to direct the use of landlord notice forms [(June 20, 2016 Report)](http://www.azcourts.gov/Portals/84/MeetingMaterials/2016/TAB7_AJC_Access2Justice.pdf).

A [petition](http://www.azcourts.gov/Rules-Forum/aft/625) to amend the rules was filed in July 2016 to require litigants statewide to use court-approved eviction forms and to authorize the AOC Director to approve, modify or delete eviction action forms as appropriate. The rules petition was recently continued, public comment closes on February 17, 2017. There were 83,918 FED cases filed in Arizona in 2015 [(AOC 2015 Data Report)](http://www.azcourts.gov/Portals/39/2015DR/LJCaseActivity.pdf#page=3).

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2242:** animal cruelty; domestic animals; classification

**PRIME SPONSOR:** Representative Farnsworth E, LD 12

**BILL STATUS:** [Caucus / COW](https://apps.azleg.gov/BillStatus/BillOverview/68757)

JPS: DP 7-2-0-0

**Legend:**

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to animal cruelty.

**Provisions**

1. Expands the current offense of animal cruelty to include:
	* 1. Intentionally or knowingly subjecting a domestic animal to cruel mistreatment, or
		2. Killing a domestic animal without legal privilege or the consent of the owner. (Sec. 1)
2. Makes a violation a Class 5 felony [(1.5 years/up to $150,000 plus surcharges)](http://www.azcourts.gov/Portals/0/CriminalSentencingCt/2016Sentencing.pdf). (Sec. 1)
3. Defines a *domestic animal* as a mammal:
4. Kept primarily as a pet or companion, or
5. Bred to be a pet or companion. (Sec. 1)
6. Makes technical and conforming changes. (Sec. 1)

**Current Law**

[A.R.S. § 13-2910](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/13/02910.htm) and outlines the offense of animal cruelty. Included in the statute are:

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

* Recklessly subjecting any *animal* to cruel mistreatment; and
* Intentionally, knowingly or recklessly killing any *animal* without the consent of the owner or handler.

Both are designated as a Class 1 misdemeanor [(up to 6 months/up to $2,500 plus surcharges)](http://www.azcourts.gov/Portals/0/CriminalSentencingCt/2016Sentencing.pdf). Intentionally or knowingly subjecting any *animal* to cruel mistreatment is designated as a Class 6 felony [(up to 1 year / $150,000 plus surcharges)](http://www.azcourts.gov/Portals/0/CriminalSentencingCt/2016Sentencing.pdf). This section defines an *animal* as a mammal, bird, reptile or amphibian.

[A.R.S. § 13-105](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/13/00105.htm) provides definitions used throughout the criminal code, including those related to a person's culpable mental state at the time an offense is committed. This section includes definitions of intentionally, knowingly and recklessly.

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**ARIZONA HOUSE OF REPRESENTATIVES**

**HB 2254:** judicial productivity credits; salary calculation

**PRIME SPONSOR:** Representative Farnsworth E, LD 12

**BILL STATUS:** [Caucus & COW](https://apps.azleg.gov/BillStatus/BillOverview/68771)

 JPS: DPA 9-0-0-0

**Legend:**

Board – board of supervisors

JP – justice of the peace

JPC – judicial productivity credit

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to the calculation of JPCs.

**Provisions**

1. Modifies the current JPC formula by changing the weight given to specific types of filings. The new formula is the sum of the following filings in each JP court:
	1. All civil filings, divided by 10;
	2. All felony counts filed, divided by 10;
	3. All operating under the influence counts filed, divided by 5;
		1. Includes operation of a watercraft, vehicle or airplane.
	4. All other misdemeanor counts filed, divided by 10;
	5. All civil traffic counts filed, divided by 60; and
	6. All petitions for protective orders, divided by 5. (Sec. 1)
2. Counts juvenile filings in the same manner as adult filings. (Sec. 1)
3. Requires the Supreme Court to annually compute the number of JPCs using the formula above.
	1. The Court must report the JPC number to the Board within 120 days of the end of the 12-month period.
	2. Adjustments to salary are effective on the following January 1. (Sec. 1)
4. States that if the Board divides a JP precinct into two or more precincts, it must set the JP salary for each precinct at the level of the highest salary of any JPs who are affected by the division.
	1. JP salaries would be adjusted at the end of the first full ~~FY~~ CY after the division. (Sec. 1) *(JPS)*
5. Requires the Board to review and adjust the annual salary of each JP every year, beginning January 1, 2019. (Sec. 1)
6. Prohibits the salary of a JP from being reduced during the JP's term of office.
	1. If the JP serves consecutive terms in office, the salary cannot be reduced by more than ~~1% step~~ 1 TIER under the salary formula. *(JPS)*
	2. Excludes adjustments made in a JP's salary due to the precinct being divided. (Sec. 1)
7. Defines *civil filing*, *civil traffic count*, *felony*, *misdemeanor* and *protective order*. (Sec. 1)

**Current Law**

[Article 6, § 32](http://www.azleg.gov/viewDocument/?docName=http://www.azleg.gov/const/6/32.htm) of the Arizona Constitution provides for JPs and states that the jurisdiction, powers and duties of JP courts are as provided by statute except that civil jurisdiction cannot exceed $10,000 and criminal jurisdiction is limited to misdemeanors. [Title 22, Chapters 1, 2 and 3, Arizona Revised Statutes](http://www.azleg.gov/arsDetail/?title=22) govern JP courts, including duties of the JP, precinct formation by the Board, terms of office, compensation and jurisdiction. JPs serve 4-year terms. [A.R.S. § 22-201](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/22/00201.htm) outlines the civil jurisdiction of JP courts; [A.R.S. § 22-301](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/22/00301.htm) outlines criminal jurisdiction in JP courts. JP courts are permitted to conduct preliminary hearings for felony offenses.

JP compensation is determined using a formula where cases filed into the JP court are given a specific weight to determine the number of JPCs for that precinct. The current formula is the sum of:

* Total civil filings, divided by 10;
	+ Excludes filings heard by a volunteer hearing officer.
	+ Treats all juvenile delinquency hearings (except juvenile traffic violations) as civil filings.
* Total felony filings, divided by 10;
* Total misdemeanor filings, divided by 10;
* Total traffic filings for violations of the following sections, divided by 10; and
	+ Failure to stop (A.R.S. §§ 28-662, 28-663 and 28-664)
	+ Reckless driving (A.R.S. § 28-693)
	+ Waste of finite resources (A.R.S. § 28-702.01)
	+ Speeding on highways (A.R.S. § 28-702.04)
	+ Racing on highways (A.R.S. § 28-708)
	+ Driving under the influence (A.R.S. §§ 28-1381 and 28-1382)
* Total other traffic filings, divided by 60.

JPs are then compensated a percent of a superior court judge's salary depending on the total number of JPCs. The compensation schedule is:

* 500+ JPCs=70% of a superior court judge's salary.
* 200-499 JPCs=65% of a superior court judge's salary.
* 150-199 JPCs=55% of a superior court judge's salary.
* 100-149 JPCs=50% of a superior court judge's salary.
* 50-99 JPCs=45% of a superior court judge's salary.
* 25-49 JPCs=35% of a superior court judge's salary.
* 24 or less JPCs=25% of a superior court judge's salary.

The current base salary for a superior court judge in Arizona is $147,175. Information on the statewide number of filings in JP courts in FY 2015 is available [here.](http://www.azcourts.gov/statistics/Annual-Data-Reports/2015-Data-Report/2015-Case-Activity-by-County#MARICOPA)

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2268:** sexual assault evidence; submission; reports

**PRIME SPONSOR:** Representative Syms, LD 28

**BILL STATUS:** [Caucus & COW](https://apps.azleg.gov/BillStatus/BillOverview/68785)

 JPS: DPA 9-0-0-0

**Legend:**

ACJC – Arizona Criminal Justice Commission

CODIS – combined DNA index system database

Evidence – sexual assault kit evidence

Lab – public accredited crime laboratory

LEA – law enforcement agency

ADPS – Arizona Department of Public Safety

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to the testing of sexual assault evidence.

**Provisions**

1. Establishes timeframes for the retrieval, testing and entry of Evidence as follows:
	1. 24 hours for a health care facility to notify law enforcement after collection of the Evidence, if written consent to release the evidence is obtained.
	2. 5 business days for an LEA to take possession of the Evidence after collection.
	3. 15 business days for the investigating LEA to submit the Evidence to a Lab for analysis, if:
		1. The victim reported to law enforcement, and
		2. Law enforcement determines that a crime occurred.
	4. All Evidence submitted must be analyzed as soon as practicable if sufficient personnel and resources are available. (Sec. 1)
2. Requires the Lab to upload all eligible DNA profiles into the following databases, if the ~~amount and quality of the analyzed sample meet~~ DNA SAMPLE MEETS the requirements of the database comparison policies:
	1. Databases maintained by the state LEA (ADPS);
	2. Databases maintained by municipal LEAs; and
	3. CODIS. (Sec. 1) *(JPS)*
3. Permits a Lab to contract with a private accredited crime laboratory to perform analysis, subject to quality assurance reviews by the Lab. (Sec. 1)
4. States that failure by an LEA to submit Evidence within the above timeframes does not constitute grounds in any criminal or civil proceeding to challenge the validity of the DNA evidence association. Prohibits a court from excluding the Evidence based on those grounds (timeframe). (Sec. 1)
5. States that a person who is accused or convicted of a crime against a victim does not have standing to object to any failure to meet the requirements above. Failure to meet the requirements is not grounds for setting aside a conviction or sentence. (Sec. 1)
6. States that this does not establish a private right of action or claim on the part of any individual, entity or agency against an LEA or contractor. (Sec. 1)
7. Outlines reporting requirements for LEAs and Labs related to the number of sexual assault kits that are received, submitted, analyzed and the number of profiles generated/entered into CODIS.
	1. Reports are due to ~~ACJC~~ DPS by August 30 of each year. (Sec. 2) *(JPS)*
8. Requires ~~ACJC~~ DPS to submit a report to the Governor, President of the Senate and the Speaker of the House of Representatives that compiles the LEA and Lab reports into one report. *(JPS)*
	1. Also included in this report are any reconciliation and recommendations for increased compliance.
	2. The report must be posted to ~~ACJC's~~ DPS' website. (Sec. 2) *(JPS)*
9. Defines *law enforcement agency* and *public accredited crime laboratory*. (Sec. 1, 2)

**Current Law**

A.R.S. § 13-610 requires all persons who are convicted of, adjudicated delinquent or placed on probation for a felony offense to provide a sample for DNA testing. Additionally, persons who are charged with specific offenses, including sexual assault, must also provide a sample. The sample is sent to ADPS for analysis. [A.R.S. § 41-2418](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/41/02418.htm) establishes the Arizona DNA Identification System for the purpose of testing and analyzing DNA samples, which is administered through ADPS.

**Additional Information**

The Federal Bureau of Investigation oversees CODIS, which began as a pilot program in 1990. Over 190 Labs in the United States and 90 internationally participate in CODIS. More information on CODIS, including how the database works and how matches are identified, is available [here.](https://www.fbi.gov/services/laboratory/biometric-analysis/codis/codis-and-ndis-fact-sheet)

The Arizona Sexual Assault Evidence Collection Kit Task Force was established in January 2016 through Executive Order 2016-02. The Task Force issued its [final report](http://azgovernor.gov/sites/default/files/sexual_assault_evidence_collection_kit_task_force_report_09302016.pdf) on September 30, 2016, which included legislative recommendations regarding:

* Requirements to submit Evidence to a Lab for analysis unless the case is deemed unfounded by the LEA or the victim chooses not to report;
* The creation of a statewide tracking system; and
* Annual audit requirements.

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2287:** firearm discharge; mental state; applicability

**PRIME SPONSOR:** Representative Rivero, LD 21

**BILL STATUS:** [Caucus & COW](https://apps.azleg.gov/BillStatus/BillOverview/68810)

 JPS: DP 5-4-0-0

**Legend:**

AZGFD – Arizona Game and Fish Department

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to the unlawful discharge of firearms.

**Provisions**

1. Changes the culpable mental state from *criminal negligence* to *knowingly* or *recklessly* for the offense of unlawful discharge of a firearm. (Sec. 1)
2. Reduces the distance a person must be from an occupied structure if discharging a firearm from one mile to ¼ of a mile for purposes of the current exception. (Sec. 1)

**Current Law**

[A.R.S. § 13-3101](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/13/03101.htm) defines a *firearm* as any loaded or unloaded handgun, pistol, revolver, rifle, shotgun or other weapon that will expel, is designed to expel or may readily be converted to expel a projectile by the action of an explosive. This definition does not include anything in permanently inoperable condition.

[A.R.S. § 13-3107](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/13/03107.htm) (commonly referred to as "Shannon's Law") makes it illegal to discharge a firearm within or into city limits. A violation is a Class 6 felony ([1 year/$150,000 plus surcharges](http://www.azcourts.gov/Portals/0/CriminalSentencingCt/2016Sentencing.pdf)). A city, town or county is permitted to adopt an ordinance or rule that restricts the discharge of a firearm within ¼ mile of an occupied structure. The section includes several exceptions if the discharge of the firearm is:

* On a supervised shooting range;
* To lawfully take wildlife during an open season as outlined in [state law](http://www.azleg.gov/arsDetail/?title=17) and [AZGFD rules](https://www.azgfd.com/hunting/regulations);
* In self-defense either from another person or against an animal attack;
* To control nuisance wildlife (with a permit from AZGFD);
* By permit from the police chief of the municipality;
* As required by an animal control officer;
* Using blanks; or
* More than 1 mile from an occupied structure.

[A.R.S. 13-105](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/13/00105.htm) provides definitions used throughout the criminal code, including those related to a person's culpable mental state at the time an offense is committed. This includes definitions of *criminal negligence*, *recklessly* and *knowingly*.

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2105:** state fair board; continuation

**PRIME SPONSOR:** Representative Barton, LD 6

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68573)

 LARA: DP (7-0-0-1)

**Legend:**

Board – Arizona Exposition and State Fair Board

COR – Committee of Reference

FTE – Full Time Equivalent

Fund – Arizona Exposition and State Fair Fund

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to the continuation of the Board.

**Provisions**

Continues the Board for eight years, until July 1, 2025. (Sec. 1)

**Current Law**

The Board consists of five members appointed by the Governor to serve five-year terms ([A.R.S. § 3-1001](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/3/01001.htm)). The Board has exclusive custody and direction of all state fair property and is responsible for managing state fairs, exhibits, contests and entertainments for the purpose of promoting and advancing the interests of the counties and state ([A.R.S. § 3-1003](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/3/01003.htm)).

**Additional Information**

The [FY 2018 baseline](http://www.azleg.gov/jlbc/18baseline/18BaselineSingleFile.pdf) includes 184 FTE positions and $11,613,300 from the Fund for the operating budget. The Fund receives its revenues through receipts and leases from fairground facilities, most of which are associated with the State Fair.

The Senate Commerce and Workforce Development and House Agriculture, Water and Lands COR met on December 6, 2016, and [recommended](http://www.azleg.gov/iminute/senate/120616%20senate%20cwd%20-%20house%20awl%20cor.pdf) an eight-year continuation of the Board.

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2048:** legislative vacancies; appointment; requirements

**PRIME SPONSOR:** Representative Friese, LD 9

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68484)

LIA: DP (7-0-0-0)

**Legend:**

BOS – county board of supervisors

PC – precinct committeemen

SOS – Secretary of State

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to the appointment of legislative vacancies by a BOS.

**Provisions**

1. Requires a BOS, when a legislative vacancy occurs in a district with at least 30 PCs, to appoint a person to fill the vacancy:
	1. by a majority vote of all supervisors sitting as a board; and
	2. within five days of receiving the list of nominees from the state party chairman. (Sec. 1)
2. Makes technical changes. (Sec. 1).

**Current Law**

After notification of a legislative vacancy in a district with at least 30 PCs by the SOS, the PCs of the appropriate political party and legislative district and county must hold a meeting to nominate three qualified electors the fill the vacancy. This meeting is required to take place within 21 days of notification if the Legislature is not in Regular Session or within 5 days if the Legislature is in Regular Session. The state party chairman is required to forward the names of the three nominees to the BOS, who then appoint a person from among the nominees.

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

If a legislative vacancy occurs in a district with less than 30 PCs, the BOS is required to appoint a citizen's panel to submit the names of three qualified electors who are eligible to fill the vacancy. The BOS is required to appoint one person from the list of names provided by the citizen's panel within five days to fill the vacancy ([A.R.S. § 41-1202](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/41/01202.htm)).

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2088:** incorporation; urbanized areas

**PRIME SPONSOR:** Representative Farnsworth E, LD 12

**BILL STATUS:** [Caucus / COW](https://apps.azleg.gov/BillStatus/BillOverview/68548)

 LIA: DP (4-3-0-0)

**Legend:**

BOS – county board of supervisors

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to the incorporation of urbanized areas.

**Provisions**

1. Requires a BOS to proceed with the incorporation of an area without a resolution approved by the city or town causing the urbanized area to exist, if the area proposed for incorporation has a population that is:
	1. at least 15,000 persons; and
	2. larger than the population of the city or town that opposes the proposed incorporation and causes the urbanized area to exist (Sec. 1).
2. Makes technical and conforming changes (Sec. 1).

**Current Law**

[A.R.S § 9-101](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/9/00101.htm) permits a community with a population of at least 1,500 or a community within 10 miles of a national park or monument with at least 500 persons to file for incorporation through two methods:

1. If two-thirds of the qualified electors in a community sign a petition, the BOS must declare the community incorporated; or
2. If 10% of the qualified electors in a community sign a petition, the BOS must call an election for proposed incorporation. If a majority of the qualified electors voting in the election vote for incorporation, the BOS must declare the community incorporated.

A territory is considered an urbanized area if it is located within six miles of an incorporated city or town with a population of at least 5,000 or within three miles of an incorporated city or town with a population less than 5,000 ([A.R.S. § 9-101.01](http://www.azleg.gov/viewdocument/?docName=http%3A%2F%2Fwww.azleg.gov%2Fars%2F9%2F00101-01.htm)). An urbanized are may be incorporated if, in addition to the petition for incorporation:

1. a resolution approving the proposed incorporation is adopted by the area causing the urbanized area to exist; or
2. an affidavit is filed with the BOS stating that a petition for annexation of the urbanized area by the area causing it to exist has not been approved within 120 days of its presentation.

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2138:** library trustees; annual report

**PRIME SPONSOR:** Representative Norgaard, LD 18

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68609)

 LIA: DP (7-0-0-0)

**Legend:**

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to the annual report of the library trustees of a city or town.

**Provisions**

1. Requires the library trustees' annual report to be completed by the second Monday of July, rather than the first Monday of July. (Sec. 1)
2. Makes technical changes. (Sec. 1)

**Current Law**

The governing body of a city or town is permitted to elect residents of the city or town as trustees of its library. The number of trustees is dependent upon the city or town population [(A.R.S. § 9-414)](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/9/00414.htm). [A.R.S. § 9-415](http://www.azleg.gov/viewdocument/?docName=http%3A%2F%2Fwww.azleg.gov%2Fars%2F9%2F00415.htm) requires the trustees to regulate the library and meet monthly for business purposes. The duties of the trustees include making and enforcing rules, purchasing books, fixing library salaries and issuing an annual report to the governing body of the city or town. [(A.R.S. § 9-416)](http://www.azleg.gov/viewdocument/?docName=http%3A%2F%2Fwww.azleg.gov%2Fars%2F9%2F00416.htm).

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2262:** municipal zoning; rezoning protest requirements

**PRIME SPONSOR:** Representative Weninger, LD 17

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68779)

LIA: DP (7-0-0-0)

**Legend:**

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to a protest filed against a proposed zoning change.

**Provisions**

1. Requires that a protest filed against a proposed zoning change be signed by the property owners opposing the proposed amendment. (Sec. 1)
2. Requires the protest to be filed in the office of the clerk of the municipality by 12:00 p.m. one business day before the day the governing body will vote on the proposed change. (Sec. 1)
3. Makes technical and conforming changes. (Sec. 1)

**Current Law**

The legislative body of a municipality is permitted to adopt ordinances in order to regulate zoning, including the use of buildings, structures, land, signs and billboards ([A.R.S. § 9-462.01](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/11/00952.htm)). Additionally, the governing body of a municipality may divide a municipality into zones as it deems best suited. The planning commission or hearing officer must hold a public hearing on any zoning ordinance or proposed zoning change. After the public hearing, the planning commission or officer is required to render a decision by written recommendation to the governing body. Following this action, the governing body may adopt the recommendation without a second public hearing if there is no objection, request for public hearing or other protest.

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

If the owners of 20% of the area of lots included in a proposed change or within 150 feet of the area file a written protest against a proposed amendment, a ¾ vote by the governing body is required to enact the change ([A.R.S. § 9-462.04](http://www.azleg.gov/viewdocument/?docName=http%3A%2F%2Fwww.azleg.gov%2Fars%2F9%2F00462-04.htm)).

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2025:** fallen firefighter memorial; committee

**PRIME SPONSOR:** Representative Bowers, LD 25

**BILL STATUS:** [Caucus and Cow](https://apps.azleg.gov/BillStatus/BillOverview/68446)

 MVRA: DPA (9-0-0-0)

**Legend:**

FFEPMB - Fire Fighters and Emergency Paramedics Memorial Board

AFFMC – Arizona Fallen Firefighter Memorial Committee

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to the establishment of the AFFMC.

**Provisions**

1. Changes FFEPMB to AFFMC. (Sec. 1,2,5,6,7)
2. Repeals statute relating to Arizona Fire Fighters and Emergency Paramedics Memorial Board. (Sec. 3)
3. Establishes the AFFMC members consisting of:
	* The president of the largest professional firefighter's organization who serves as the chairperson;
	* One public member who is appointed by the chairperson;
	* One person who represents the ~~Arizona Wildland Firefighters Community~~ **STATE FORESTER OR THE STATE FORESTER'S DESIGNEE** ~~and is appointed by the chairperson~~;
	* The Director of the Historical Advisory Commission or a designee;
	* The Director of the Department of Administration or a designee;
	* The commander of a professional firefighter's organization honor guard;
	* The President of the Arizona Fire Chiefs Association, and;
	* Two public members who are appointed by the Governor. (Sec. 4)
4. Prohibits members of the AFFMC from receiving compensation but allows reimbursement from the AFFMF for expenses relating to official committee business. (Sec. 4)
5. Authorizes the AFFMC to establish a set of standards for individuals to be memorialized and provide maintenance on the Arizona Fallen Firefighter Memorial in Wesley Bolin Plaza. (Sec. 5)
6. Removes language preventing the AFFMC from receiving property from any public source for use in establishing or maintaining the memorial. (Sec. 5)
7. Removes the requirement of the AFFMC to submit an annual report relating to the progress of the memorial to the President of the Senate and the Speaker of the House and provide a copy to the Secretary of State and the Director of the Arizona State Library, Archives and Public Records. (Sec. 5)
8. Requires an annual Fallen Firefighter Memorial service. (Sec. 5)
9. Authorizes the AFFMC to establish a subcommittee appointed by the chairperson to receive applications and recommend persons for the Tuition Waiver Scholarship to the AFFMC. (Sec. 5)
10. Requires the AFFMC to forward the Tuition Waiver Scholarship recommendations to the Governor's office. (Sec. 5)
11. Requires the AFFMC to meet every January and May and allows additional meetings to be conducted in person or telephonically. (Sec. 5)
12. Terminates the AFFMC on July 1, 2027. (Sec. 7)
13. Repeals statute relating to the Fire Fighters and Emergency Paramedics Memorial on January 1, 2028. (Sec. 7)
14. Contains a purpose clause. (Sec. 8)
15. Makes technical and conforming changes. (Sec. 1,2,5,6,7)

**Current Law**

The FFEPMB consists of a chairman appointed by the Governor, the state fire marshal, the Attorney General and nine additional members appointed by the chairman. The nine members consist of; one member from a recognized association representing public fire fighters; one member representing a volunteer fire department or fire district; two fire fighters; two emergency paramedics; two members from the business community; and one member representing the Arizona arts community. Members of the board are not eligible to receive compensation, but are entitled to reimbursement from the Arizona Fire Fighters and Emergency Paramedics Memorial Fund for expenses relating to official board business. ([A.R.S. § 41-1861](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/41/01861.htm))

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

The FFEPMB duties consists of: establishing a memorial for all fire fighters and emergency paramedics who have lost their lives in the line of duty; determining who is eligible to be memorialized; plan for additions and maintenance of the Fire Fighters and Emergency Paramedics Memorial; solicit private or public monetary donations for deposit in the AFFMF; receive property from any public sources for use in establishing or maintaining the memorial; report annually to the President of the Senate and the Speaker of the House of Representatives on the progress of the memorial and provide a copy of the report to the Secretary of State and the Director of the Arizona State Library, Archives and Public Records; and determine persons who are eligible for the tuition waiver scholarship and report the recommendations to the Arizona Board of Regents or to each community college district governing board. ([A.R.S. § 41-1862](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/41/01862.htm))

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2139:** building code moratorium; repeal

**PRIME SPONSOR:** Representative Norgaard, LD 18

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68610)

 MVRA: DP (9-0-0-0)

**Legend:**

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to municipal codes.

**Provisions**

1. Repeals the statute relating to building code moratorium on residential and commercial buildings. (Sec. 1)

**Current Law**

Beginning June 30, 2009 through June 30, 2011, any new or modified residential or commercial building code or other related codes adopted by a municipality does not apply to a residential or commercial building that received a final site plan or subdivision plat, planned area development or similar approval by a municipality before June 1, 2009. Statute does not prohibit any code changes to the extent and duration required to comply with conditions for federal stimulus funding ([A.R.S. § 9-805](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/9/00805.htm)).

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2159:** vehicle impoundment; release of vehicles

**PRIME SPONSOR:** Representative Mitchell, LD 13

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68647)

TI: DPA (7-0-0-1)

**Legend:**

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to release agreements for impounded vehicles.

**Provisions**

1. Removes the requirement that the registered owner of a vehicle that was immobilized or impounded sign an agreement requiring a minimum 30-day impoundment for any future violation within one year.
	* **SPECIFIES THE RELEASE OF AN IMMOBILIZED OR IMPOUNDED DEALERSHIP VEHICLE TO THE MOTOR VEHICLE DEALER INSTEAD OF THE REGISTERED OWNER.** (Sec. 1) (*TI*)
2. Makes technical and conforming changes. (Sec. 1)

**Current Law**

Immobilized and impounded vehicles must be released to the registered owner if the person was not the driver upon immobilization or impoundment and signs an agreement requiring a minimum 30-day impoundment for any future violation within one year ([A.R.S. § 28-3512](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/28/03512.htm)).

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2247:** school bus drivers; fingerprint cards

**PRIME SPONSOR:** Representative Grantham, LD 12

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68764)

TI: DP (7-0-0-1)

**Legend:**

ADPS – Arizona Department of Public Safety

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to fingerprint clearance cards for school bus drivers.

**Provisions**

1. Requires a person to have a valid fingerprint clearance card issued by ADPS in order to be certified as a school bus driver. (Sec. 1)
2. Removes language relating to the current background check for school bus drivers. (Sec. 1)
3. Requires a certified school bus driver maintain a valid fingerprint clearance card for the duration of the certification period. (Sec. 1)
4. Directs ADPS to suspend a school bus driver certificate if the fingerprint clearance card is invalid, suspended, canceled or revoked. (Sec. 1)
5. Requires all current certified school bus drivers to obtain a valid fingerprint clearance card and submit an identity verified fingerprint card by July 1, 2018 in order to maintain certification. (Sec. 5)
6. Makes technical and conforming changes. (Sec. 1, 2, 3, 4)

**Current Law**

Each applicant for a school bus driver certificate must submit a full set of fingerprints to ADPS in order to obtain a state and federal criminal record check. Each applicant is required to pay a fee to reimburse ADPS for the cost of obtaining the criminal records check ([A.R.S. § 28-3228](http://www.azleg.gov/viewdocument/?docName=http://www.azleg.gov/ars/28/03228.htm)).

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB2249:** vehicle registration; nonresidents; penalty

**PRIME SPONSOR:** Representative Boyer, LD 20

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68766)

 TI: DP (7-0-0-1)

**Legend:**

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to nonresident vehicle registration.

**Provisions**

Stipulates a nonresident or person who is operating a foreign vehicle owned by a nonresident on an Arizona highway without proper license plates and vehicle registration for the current year will be responsible for a civil traffic violation rather than a Class 2 misdemeanor ([4 months/ $750 plus surcharge](http://www.azcourts.gov/Portals/0/CriminalSentencingCt/2016Sentencing.pdf)). (Sec. 1)

**Current Law**

A person is prohibited from operating a foreign vehicle owned by a nonresident on a highway and a nonresident owner is prohibited from knowingly permitting the foreign vehicle to be operated on a highway unless there is displayed on the vehicle the license plates assigned to the vehicle for the current registration year by the state or country of which the owner is a resident ([A.R.S. 28-2322](http://www.azleg.gov/search/oop/qfullhit.asp?CiWebHitsFile=/ars/28/02322.htm&CiRestriction=2322)).

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB2251:** ADOT; Meridian road extension

**PRIME SPONSOR:** Representative Cook, LD 8

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68768)

 TI: DP (7-0-0-1)

**Legend:**

ADOT– Arizona Department of Transportation

ASLD– Arizona State Land Department

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to the extension of Meridian Road.

**Provisions**

1. Requires, as session law, ADOT to work with interested parties to extend Meridian Road southbound across State Trust Land and consult with the ASLD and any affected city, town or county. (Sec. 1)

**Current Law**

Not addressed in current law.

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note

# State SealARIZONA HOUSE OF REPRESENTATIVES

**HB 2213:** GPLET reform; K-12 taxes

**PRIME SPONSOR:** Representative Leach, LD 11

**BILL STATUS:** [Caucus and COW](https://apps.azleg.gov/BillStatus/BillOverview/68715)

 WM: DP (6-1-1-1)

**Legend:**

GPLET – Government Property Lease Excise Tax

Amendments – **BOLD** and ~~Stricken~~ (*Committee*)

**Abstract**

Relating to GPLETs

**Provisions**

***GPLET Rates***

1. Specifies that government property leases entered into prior to January 1, 2017 are to be taxed at the GPLET rates in column A, while all new leases are to be taxed at the rates in column B: (Sec. 1)

|  |  |  |
| --- | --- | --- |
| **Type of Property** | **A (Pre-2017)** | **B (2017- Beyond)\*** |
| One-story Office Buildings | $1.00 per square foot | $2.00 per square foot |
| 2-7 story Office Buildings | $1.25 per square foot | $2.30 per square foot |
| 8 story or more Office Buildings | $1.75 per square foot | $3.10 per square foot |
| Retail Buildings | $1.50 per square foot | $2.51 per square foot |
| Hotel/Motel Buildings | $1.50 per square foot | $2.00 per square foot |
| Warehouse or Industrial Buildings | $0.75 per square foot | $1.35 per square foot |
| Residential Rental Buildings | $0.50 per square foot | $0.76 per square foot |
| Parking Garages | $100 per parking space | $200 per parking space |
| Other Buildings | $1.00 per square foot | $2.00 per square foot |

 **\*base rate adjusted annually for inflation since 2010**

1. Stipulates that leases entered into prior to 2017 pay column A GPLET rates if amended before January 1, 2018, if specified conditions apply. (Sec. 1)

***GPLET Calculations***

1. Requires the government property lessor to calculate the GPLET for each prime lessee. (Sec. 2)
	* *The lessee currently calculates the GPLET.*
2. Establishes a delinquency interest rate of 16% per year. (Sec. 2)
3. Strikes the requirement that a county treasurer submit a report to each government property lessor regarding returns and payments received by the lessor in the preceding calendar year. (Sec. 2)

***Slum and Blighted Area Abatement***

1. Limits a GPLET tax abatement to amounts designated for counties, cities, towns and community college districts. The amount designated for school districts is not abated. (Sec. 3)
2. Specifies that a slum and blighted area may only be designated in an area where at least 50% of the parcels are blighted parcels that:
	1. substantially impair or arrest the sound growth of the state or a political subdivision thereof;
	2. retard the provision of housing accommodations;
	3. constitute an economic or social liberty; or
	4. are a menace to the public health, safety, morals or welfare. (Sec. 3)
3. Defines a *blighted parcel* as a parcel that meets at least one of the following conditions:
	1. The parcel includes a structure that is dilapidated, unsanitary, unsafe of vermin-infested and has been designated as unfit for human habitation.
	2. The parcel or an improvement on the parcel is substantially deteriorated or abandoned.
	3. The parcel or an improvement on the parcel exhibits extensive damage or destruction caused by a major disaster and the damage is not remediated within a reasonable time. (Sec. 3)
4. Allows a municipality to designate a central business district as a slum and blighted area for only five years before the municipality must redesignate the area. (Sec. 3)
5. Makes technical and conforming changes. (Sec. 1,2,3)

**Current Law**

[Title 42, Chapter 6, Article 5, Arizona Revised Statutes](http://www.azleg.gov/arsDetail/?title=42) establishes the GPLET. A GPLET applies to any entity that leases property from a city, town, county or county stadium district for at least 30 consecutive days for commercial or industrial use.  The tax is based in terms of dollars per square foot, rather than the value of the property, to be calculated by each lessee.

The GPLET is abated for a period of eight years if the property is: 1) located in a single central business district within a *slum and blighted area* and subject to a lease or development agreement entered into on or after April 1, 1985; and 2) if the improvement resulted or will result in an increase in property value of at least 100%.

The government jurisdiction levying the tax must remit GPLET collections to the county (13%), the municipality (7%), the community college district (7%) and the school district (73% for unified districts or 36.5% for an elementary or high school district).

**Additional Information**

In December, 2015 the Office of the Auditor General submitted a [report](https://www.azauditor.gov/sites/default/files/15-307_Report.pdf) regarding its findings from a financial audit of the GPLET.

[ ]  Prop 105 (45 votes) [ ]  Prop 108 (40 votes) [ ]  Emergency (40 votes) [ ]  Fiscal Note