

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - Second Regular Session

CAUCUS AGENDA

February 20, 2024

Bill Number	Short Title	Committee	Date	Action
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Committee on Appropriations

Chairman: David Livingston, LD 28

Vice Chairman: Joseph Chaplik, LD 3

Analyst: Austin Fairbanks

Intern: Luke Taylor

[HB 2254](#)^(BS1) health care decisions; living wills
(APPROP S/E: Arizona space commission; research fund)
SPONSOR: WILMETH, LD 2 HOUSE
APPROP 2/19/2024 DPA/SE (15-1-0-1)
(No: PARKER B Abs: CHAPLIK)

[HB 2273](#)^(BS1) luxury tax; exemption; technical correction
(APPROP S/E: corrections; Marana; transitional facility; study)
SPONSOR: LIVINGSTON, LD 28 HOUSE
APPROP 2/19/2024 DPA/SE (15-1-0-1)
(No: PARKER B Abs: CHAPLIK)

[HB 2289](#)^(BS1) technical correction; legal opinions; schools
(APPROP S/E: active duty; state militia; governor)
SPONSOR: BIASIUCCI, LD 30 HOUSE
APPROP 2/19/2024 DPA/SE (8-6-2-1)
(No: CONTRERAS P, DE LOS SANTOS, GUTIERREZ, QUIÑONEZ,
SCHWIEBERT, AUSTIN Abs: CHAPLIK Present: BLATTMAN, PARKER B)

[HB 2372](#)^(BS1) Graham rehabilitation center; uses; nonlapsing
SPONSOR: DIAZ, LD 19 HOUSE
APPROP 1/24/2024 DP (10-7-0-0)
(No: BLATTMAN, DE LOS SANTOS, GUTIERREZ, QUIÑONEZ,
SCHWIEBERT, STAHL HAMILTON, AUSTIN)

[HB 2383](#)^(BS1) coordinated reentry planning grant program
(APPROP S/E: coordinated reentry; grants; appropriation)
SPONSOR: LIVINGSTON, LD 28 HOUSE
APPROP 1/24/2024 DPA/SE (10-4-3-0)
(No: DE LOS SANTOS, GUTIERREZ, QUIÑONEZ, STAHL HAMILTON
Present: BLATTMAN, SCHWIEBERT, AUSTIN)

[HB 2417](#)^(BS1) Arizona commerce authority; continuation
SPONSOR: LIVINGSTON, LD 28 HOUSE
APPROP 2/7/2024 DP (14-2-1-0)
(No: CHAPLIK, PARKER B Present: WILLOUGHBY)

[HB 2431](#)_(BSI) record services fund; appropriation
 SPONSOR: DUNN, LD 25 HOUSE
 APPROP 1/31/2024 DP (14-2-0-1)
 (No: CHAPLIK, QUIÑONEZ Abs: DE LOS SANTOS)

[HB 2497](#)_(BSI) technical correction; joint school district
 (APPROP S/E: department of education; reports; consolidation)
 SPONSOR: BLISS, LD 1 HOUSE
 APPROP 2/19/2024 DPA/SE (16-0-0-1)
 (Abs: CHAPLIK)

[HB 2610](#)_(BSI) budget stabilization fund; cap; repeal
 SPONSOR: PARKER B, LD 10 HOUSE
 APPROP 1/31/2024 DP (10-4-2-1)
 (No: BLATTMAN, GUTIERREZ, SCHWIEBERT, STAHL HAMILTON Abs:
 DE LOS SANTOS Present: AUSTIN, WILLOUGHBY)

[HB 2743](#)_(BSI) appropriation; address confidentiality program fund
 SPONSOR: HERNANDEZ C, LD 21 HOUSE
 APPROP 2/14/2024 DPA (15-0-0-2)
 (Abs: GRESS, PARKER B)

[HB 2757](#)_(BSI) appropriations; Arizona Holocaust education center
 SPONSOR: HERNANDEZ A, LD 20 HOUSE
 APPROP 2/14/2024 DPA (16-0-1-0)
 (Present: CHAPLIK)

[HB 2765](#)_(BSI) military personnel; families; poll workers
 SPONSOR: GILLETTE, LD 30 HOUSE
 APPROP 2/19/2024 DP (12-4-1-0)
 (No: BLATTMAN, DE LOS SANTOS, GUTIERREZ, AUSTIN Present:
 CONTRERAS P)

[HB 2766](#)_(BSI) veterans' services; behavioral health; appropriation
 SPONSOR: GILLETTE, LD 30 HOUSE
 APPROP 2/14/2024 DPA (13-3-1-0)
 (No: DE LOS SANTOS, QUIÑONEZ, STAHL HAMILTON Present:
 AUSTIN)

[HB 2768](#)_(BSI) elections; public resources; conflict referral
 SPONSOR: LIVINGSTON, LD 28 HOUSE
 APPROP 2/19/2024 DP (11-4-2-0)
 (No: CHAPLIK, DE LOS SANTOS, GUTIERREZ, PARKER B Present:
 BLISS, NGUYEN)

[HB 2769](#)_(BSI) appropriation; law enforcement; child care
 SPONSOR: LIVINGSTON, LD 28 HOUSE
 APPROP 2/19/2024 DPA (9-6-1-1)
 (No: CONTRERAS P, DE LOS SANTOS, GUTIERREZ, QUIÑONEZ,
 SCHWIEBERT, AUSTIN Abs: CHAPLIK Present: BLATTMAN)

[HB 2782](#)_(BSI) homeless shelter fund; performance audit
SPONSOR: GRESS, LD 4 HOUSE
APPROP 2/19/2024 DP (9-7-0-1)
(No: BLATTMAN, CONTRERAS P, DE LOS SANTOS, GUTIERREZ,
QUIÑONEZ, SCHWIEBERT, AUSTIN Abs: CHAPLIK)

[HB 2858](#)_(BSI) social media protections; minors
SPONSOR: BLATTMAN, LD 9 HOUSE
APPROP 2/19/2024 DPA (12-0-4-1)
(Abs: CHAPLIK Present: CONTRERAS P, DIAZ, GUTIERREZ, PARKER

B)

[HCR 2047](#)_(BSI) state land trust; permanent funds.
SPONSOR: GRESS, LD 4 HOUSE
APPROP 2/19/2024 DPA (9-7-1-0)
(No: BLATTMAN, CONTRERAS P, DE LOS SANTOS, GUTIERREZ,
QUIÑONEZ, SCHWIEBERT, AUSTIN Present: DIAZ)

[HCR 2048](#)_(BSI) schools; teacher salary increases; reporting.
SPONSOR: SMITH, LD 29 HOUSE
APPROP 2/19/2024 DPA (9-7-1-0)
(No: BLATTMAN, CONTRERAS P, DE LOS SANTOS, GUTIERREZ,
QUIÑONEZ, SCHWIEBERT, AUSTIN Present: DIAZ)

[HCR 2060](#)_(BSI) lawful presence; e-verify program; penalties
SPONSOR: TOMA, LD 27 HOUSE
APPROP 2/19/2024 DPA (10-7-0-0)
(No: BLATTMAN, CONTRERAS P, DE LOS SANTOS, GUTIERREZ,
QUIÑONEZ, SCHWIEBERT, AUSTIN)

Committee on Commerce

Chairman: Justin Wilmeth, LD 2

Vice Chairman: Michael Carbone, LD 25

Analyst: Paul Benny

Intern: Michael Celaya

[HB 2209](#)_(BSI) industrial commission of Arizona; continuation
SPONSOR: LIVINGSTON, LD 28 HOUSE
COM 2/13/2024 DPA (10-0-0-0)

[HB 2210](#)_(BSI) occupational safety advisory committee; continuation
SPONSOR: LIVINGSTON, LD 28 HOUSE
COM 2/6/2024 DP (8-1-0-1)
(No: HEAP Abs: GRESS)

[HB 2211](#)_(BSI) occupational safety review board; continuation
SPONSOR: LIVINGSTON, LD 28 HOUSE
COM 2/6/2024 DP (8-1-0-1)
(No: HEAP Abs: GRESS)

[HB 2212](#)_(BSI) boiler advisory board; continuation
SPONSOR: LIVINGSTON, LD 28 HOUSE
COM 2/6/2024 DP (8-1-0-1)
(No: HEAP Abs: GRESS)

[HB 2253](#)^(BSI) board of technical registration; continuation
SPONSOR: WILMETH, LD 2 HOUSE
COM 2/6/2024 DP (8-1-0-1)
(No: HEAP Abs: GRESS)

[HB 2282](#)^(BSI) unemployment; requirements; disqualifications; shared work
SPONSOR: BIASIUCCI, LD 30 HOUSE
COM 2/13/2024 DP (6-4-0-0)
(No: AGUILAR, ORTIZ, AUSTIN, LIGUORI)

Committee on Education

Chairman: Beverly Pingerelli, LD 28 **Vice Chairman:** David Marshall, Sr., LD 7
Analyst: Chase Houser **Intern:** Ryan Potts

[HB 2089](#)^(BSI) community colleges; expenditure limitation
SPONSOR: HENDRIX, LD 14 HOUSE
ED 1/16/2024 DPA (6-4-0-0)
(No: GUTIERREZ, PAWLIK, SCHWIEBERT, TERECH)

[HB 2759](#)^(BSI) student organizations; terrorism; withholding monies
SPONSOR: HERNANDEZ A, LD 20 HOUSE
ED 2/13/2024 DPA (7-1-2-0)
(No: PAWLIK Present: GUTIERREZ, SCHWIEBERT)

Committee on Government

Chairman: Timothy M. Dunn, LD 25 **Vice Chairman:** John Gillette, LD 30
Analyst: Stephanie Jensen **Intern:** Ada Cawood

[HB 2136](#)^(BSI) ADOA; continuation
SPONSOR: DUNN, LD 25 HOUSE
GOV 2/7/2024 DP (9-0-0-0)

[HB 2428](#)^(BSI) state personnel board; continuation
SPONSOR: DUNN, LD 25 HOUSE
GOV 2/7/2024 DPA (9-0-0-0)

[HB 2429](#)^(BSI) continuation; office on tribal relations
SPONSOR: DUNN, LD 25 HOUSE
GOV 2/15/2024 DPA (9-0-0-0)

[HB 2430](#)^(BSI) business services sustainability fund; monies
SPONSOR: DUNN, LD 25 HOUSE
GOV 1/31/2024 DP (9-0-0-0)

[HB 2436](#)^(BSI) state contracts; foreign adversary; prohibition
SPONSOR: DIAZ, LD 19 HOUSE
GOV 2/14/2024 DP (5-2-2-0)
(No: PESHAKAI, VILLEGAS Present: HERNANDEZ L, HODGE)

[HB 2575](#)^(BSI) homeowners' associations; powers
SPONSOR: BIASIUCCI, LD 30 HOUSE
GOV 2/15/2024 DP (7-1-1-0)
(No: VILLEGAS Present: MONTENEGRO)

[HB 2581](#)_(BSI) physical presence; resident
 SPONSOR: GILLETTE, LD 30 HOUSE
 GOV 2/15/2024 DP (7-0-0-2)
 (Abs: HERNANDEZ L, VILLEGAS)

[HB 2612](#)_(BSI) technical correction; waste; enforcement; venue
 (GOV S/E: ballot collection conviction; public office)
 SPONSOR: DUNN, LD 25 HOUSE
 GOV 2/15/2024 DPA/SE (7-1-1-0)
 (No: VILLEGAS Present: JONES)

[HB 2613](#)_(BSI) bond contracts; technical correction
 (GOV S/E: historical societies; continuation)
 SPONSOR: DUNN, LD 25 HOUSE
 GOV 2/7/2024 DPA/SE (9-0-0-0)

[HB 2721](#)_(BSI) municipal zoning; middle housing
 SPONSOR: CARBONE, LD 25 HOUSE
 GOV 2/15/2024 DP (5-4-0-0)
 (No: HERNANDEZ L, PESHAKAI, VILLEGAS, HODGE)

[HB 2788](#)_(BSI) United Nations; sustainable development; prohibition
 SPONSOR: JONES, LD 17 HOUSE
 GOV 2/15/2024 DP (5-2-0-2)
 (No: PESHAKAI, HODGE Abs: HERNANDEZ L, VILLEGAS)

[HB 2824](#)_(BSI) students; community service commendation
 SPONSOR: HODGE, LD 8 HOUSE
 GOV 2/15/2024 DPA (7-0-0-2)
 (Abs: HERNANDEZ L, VILLEGAS)

[HB 2846](#)_(BSI) agency; licensing; information
 SPONSOR: HEAP, LD 10 HOUSE
 GOV 2/15/2024 DP (9-0-0-0)

[HCM 2002](#)_(BSI) national guard; mobilization; border
 SPONSOR: MONTENEGRO, LD 29 HOUSE
 GOV 2/15/2024 DP (8-1-0-0)
 (No: VILLEGAS)

[HCR 2038](#)_(BSI) drug cartels; terrorist organizations
 SPONSOR: MONTENEGRO, LD 29 HOUSE
 GOV 2/15/2024 DPA (8-0-0-1)
 (Abs: VILLEGAS)

[HCR 2056](#)_(BSI) preferential treatment; discrimination; prohibition
 SPONSOR: MONTENEGRO, LD 29 HOUSE
 GOV 2/14/2024 DP (5-3-1-0)
 (No: PESHAKAI, VILLEGAS, HODGE Present: HERNANDEZ L)

Committee on Health & Human Services

Chairman: Steve Montenegro, LD 29
Analyst: Ahjahna Graham

Vice Chairman: Barbara Parker, LD 10
Intern: Kayla Thackeray

[HB 2035](#)_(BSI) insurance; claims; appeals; provider credentialing
 SPONSOR: COOK, LD 7 HOUSE
 HHS 2/12/2024 DP (9-0-0-1)
 (Abs: HERNANDEZ A)

[HB 2447](#)_(BSI) department of child safety; continuation
 SPONSOR: MONTENEGRO, LD 29 HOUSE
 HHS 2/12/2024 DP (8-1-0-1)
 (No: PARKER B Abs: HERNANDEZ A)

[HB 2449](#)_(BSI) mental health conditions; medications; prohibitions
 (HHS S/E: medication; authorization; mental illness)
 SPONSOR: MONTENEGRO, LD 29 HOUSE
 HHS 2/12/2024 DPA/SE (10-0-0-0)

[HB 2453](#)_(BSI) AHCCCS; naturopathic physicians
 SPONSOR: MONTENEGRO, LD 29 HOUSE
 HHS 2/12/2024 DP (8-2-0-0)
 (No: PARKER B, PINGERELLI)

[HB 2494](#)_(BSI) nursing board; licensure; appropriation
 SPONSOR: BLISS, LD 1 HOUSE
 HHS 2/5/2024 DPA (9-1-0-0)
 (No: PINGERELLI)
 APPROP 2/7/2024 DPA (17-0-0-0)

[HB 2543](#)_(BSI) group foster homes; staffing requirement
 SPONSOR: JONES, LD 17 HOUSE
 HHS 2/15/2024 DP (7-0-3-0)
 (Present: BLISS, GRESS, GUTIERREZ)

[HB 2582](#)_(BSI) pharmacists; collaborative practice agreements
 SPONSOR: GILLETTE, LD 30 HOUSE
 HHS 2/15/2024 DP (7-3-0-0)
 (No: PARKER B, PINGERELLI, WILLOUGHBY)

[HB 2587](#)_(BSI) adult protective services; reporting; records
 SPONSOR: DUNN, LD 25 HOUSE
 HHS 2/15/2024 DPA (8-1-0-1)
 (No: PARKER B Abs: GRESS)

[HB 2621](#)_(BSI) sovereign authority; border; health crisis
 SPONSOR: MONTENEGRO, LD 29 HOUSE
 HHS 2/15/2024 DP (7-3-0-0)
 (No: CONTRERAS P, GUTIERREZ, MATHIS)

[HB 2686](#)_(BSI) health profession regulatory boards
 SPONSOR: BLISS, LD 1 HOUSE
 HHS 2/15/2024 DP (6-4-0-0)
 (No: CONTRERAS P, GUTIERREZ, HERNANDEZ A, MATHIS)

[HB 2744](#)_(BSI) involuntary treatment; guardians; agents; rights
 SPONSOR: HERNANDEZ C, LD 21 HOUSE
 HHS 2/15/2024 DP (9-1-0-0)
 (No: PARKER B)

[HB 2758](#)_(BSI) rare disease advisory council
SPONSOR: HERNANDEZ A, LD 20 HOUSE
HHS 2/15/2024 DP (9-1-0-0)
(No: PARKER B)

[HB 2764](#)_(BSI) long-term care; enforcement; memory care
SPONSOR: DUNN, LD 25 HOUSE
HHS 2/15/2024 DPA (9-1-0-0)
(No: PARKER B)

Committee on Judiciary

Chairman: Quang H. Nguyen, LD 1 **Vice Chairman:** Selina Bliss, LD 1
Analyst: Justin Larson **Intern:** Michael bencomo

[HB 2047](#)_(BSI) prisoners; transition program
SPONSOR: BLISS, LD 1 HOUSE
JUD 2/14/2024 DP (9-0-0-0)

[HB 2374](#)_(BSI) unlawful flight from law enforcement
SPONSOR: DIAZ, LD 19 HOUSE
JUD 2/14/2024 DP (5-4-0-0)
(No: CONTRERAS L, HERNANDEZ M, KOLODIN, ORTIZ)

[HB 2820](#)_(BSI) drug trafficking homicide; sentencing
SPONSOR: NGUYEN, LD 1 HOUSE
JUD 2/14/2024 DP (5-4-0-0)
(No: CONTRERAS L, HERNANDEZ M, KOLODIN, ORTIZ)

[HCR 2042](#)_(BSI) sex trafficking; minors; natural life
SPONSOR: BLISS, LD 1 HOUSE
JUD 2/7/2024 DP (5-3-0-1)
(No: CONTRERAS L, HERNANDEZ M, ORTIZ Abs: KOLODIN)

Committee on Land, Agriculture & Rural Affairs

Chairman: Lupe Diaz, LD 19 **Vice Chairman:** Michele Peña, LD 23
Analyst: Emily Bonner **Intern:**

[HB 2012](#)_(BSI) department of forestry; continuation
SPONSOR: GRIFFIN, LD 19 HOUSE
LARA 2/12/2024 DPA (9-0-0-0)

[HB 2053](#)_(BSI) G&F; publications revolving fund
SPONSOR: DUNN, LD 25 HOUSE
LARA 2/5/2024 DP (7-0-0-2)
(Abs: CARBONE, HERNANDEZ L)

[HB 2415](#)_(BSI) Arizona racing commission; continuation
SPONSOR: COOK, LD 7 HOUSE
LARA 2/5/2024 DP (9-0-0-0)

Committee on Military Affairs & Public Safety

Chairman: Kevin Payne, LD 27 **Vice Chairman:** Rachel Jones, LD 17
Analyst: Nathan McRae **Intern:** Tanner Mitchell

[HB 2107](#)^(BSI) department of homeland security; continuation
 SPONSOR: PAYNE, LD 27 HOUSE
 MAPS 2/5/2024 DPA (13-0-0-1)
 (Abs: TSOSIE)

[HB 2117](#)^(BSI) workers' compensation; occupational disease; presumption
 SPONSOR: PAYNE, LD 27 HOUSE
 MAPS 1/29/2024 DPA (14-0-0-0)

[HB 2278](#)^(BSI) gang and immigration intelligence; appropriation
 SPONSOR: BIASIUCCI, LD 30 HOUSE
 MAPS 2/12/2024 DPA (8-6-1-0)
 (No: HERNANDEZ M, PESHAKAI, QUIÑONEZ, TRAVERS, TSOSIE,
 LIGUORI Present: BLATTMAN)
 APPROP 2/14/2024 DPA (10-6-1-0)
 (No: DE LOS SANTOS, GUTIERREZ, QUIÑONEZ, SCHWIEBERT,
 STAHL HAMILTON, AUSTIN Present: BLATTMAN)

[HB 2326](#)^(BSI) peace officer nonlethal device fund
 SPONSOR: PAYNE, LD 27 HOUSE
 MAPS 2/12/2024 DPA (11-4-0-0)
 (No: HERNANDEZ M, QUIÑONEZ, TRAVERS, LIGUORI)

[HB 2552](#)^(BSI) housing grants; military; veteran; homeless
 SPONSOR: PAYNE, LD 27 HOUSE
 MAPS 1/29/2024 DPA (11-2-1-0)
 (No: HERNANDEZ M, QUIÑONEZ Present: HENDRIX)

[HB 2574](#)^(BSI) school safety software; appropriation
 SPONSOR: BIASIUCCI, LD 30 HOUSE
 MAPS 2/12/2024 DPA (12-3-0-0)
 (No: HERNANDEZ M, QUIÑONEZ, LIGUORI)
 APPROP 2/19/2024 DPA (8-5-3-1)
 (No: DE LOS SANTOS, GUTIERREZ, QUIÑONEZ, SCHWIEBERT,
 AUSTIN Abs: CHAPLIK Present: CONTRERAS P, GRESS, PARKER B)

[HB 2606](#)^(BSI) home arrest; electronic monitoring
 SPONSOR: PAYNE, LD 27 HOUSE
 MAPS 2/5/2024 DP (13-0-0-1)
 (Abs: TSOSIE)

[HB 2722](#)^(BSI) national guard; life insurance
 SPONSOR: GRANTHAM, LD 14 HOUSE
 MAPS 2/12/2024 DP (14-0-0-1)
 (Abs: NGUYEN)

Committee on Municipal Oversight & Elections

Chairman: Jacqueline Parker, LD 15 **Vice Chairman:** Alexander Kolodin, LD 3
Analyst: Joel Hobbins **Intern:** Casey Edwards

[HB 2166](#)^(BSI) statewide voter registration database; costs
 SPONSOR: DUNN, LD 25 HOUSE
 MOE 1/31/2024 DPA (8-0-0-1)
 (Abs: AGUILAR)

[HCR 2027](#)_(BSI) house of representatives; designated seats
SPONSOR: MCGARR, LD 17 HOUSE
MOE 2/7/2024 DP (5-3-0-1)
(No: AGUILAR, TERECH, VILLEGAS Abs: HERNANDEZ M)

[HCR 2032](#)_(BSI) voting centers; precinct voting
SPONSOR: JONES, LD 17 HOUSE
MOE 1/24/2024 DP (5-4-0-0)
(No: AGUILAR, HERNANDEZ M, TERECH, VILLEGAS)

[HCR 2040](#)_(BSI) public monies; prohibited expenditures
SPONSOR: SMITH, LD 29 HOUSE
MOE 2/14/2024 DPA (5-4-0-0)
(No: AGUILAR, HERNANDEZ M, TERECH, VILLEGAS)

[HCR 2049](#)_(BSI) ballot measures; challenges.
SPONSOR: CARTER, LD 15 HOUSE
MOE 2/14/2024 DP (5-4-0-0)
(No: AGUILAR, HERNANDEZ M, TERECH, VILLEGAS)

[HCR 2058](#)_(BSI) legislative districts; population; census; citizenship
SPONSOR: HEAP, LD 10 HOUSE
MOE 2/14/2024 DP (5-4-0-0)
(No: AGUILAR, HERNANDEZ M, TERECH, VILLEGAS)

[HCR 2062](#)_(BSI) date; bond elections; voter turnout
SPONSOR: CARBONE, LD 25 HOUSE
MOE 2/14/2024 DP (5-4-0-0)
(No: AGUILAR, HERNANDEZ M, TERECH, VILLEGAS)

Committee on Natural Resources, Energy & Water

Chairman: Gail Griffin, LD 19 **Vice Chairman:** Austin Smith, LD 29
Analyst: Emily Bonner **Intern:**

[HB 2024](#)_(BSI) lottery; on-farm irrigation efficiency fund
SPONSOR: GRIFFIN, LD 19 HOUSE
NREW 2/6/2024 DP (8-2-0-0)
(No: DE LOS SANTOS, VILLEGAS)
APPROP 2/19/2024 DP (12-3-2-0)
(No: BLATTMAN, DE LOS SANTOS, GRESS Present: GUTIERREZ,
AUSTIN)

[HB 2029](#)_(BSI) groundwater model; unpledged effluent
SPONSOR: GRIFFIN, LD 19 HOUSE
NREW 2/13/2024 DPA (6-4-0-0)
(No: DE LOS SANTOS, MATHIS, TRAVERS, VILLEGAS)

[HB 2102](#)_(BSI) appropriation; Arizona geological survey
SPONSOR: GRIFFIN, LD 19 HOUSE
NREW 2/6/2024 DP (10-0-0-0)

[HB 2367](#)_(BSI) solid waste; fees; rules
SPONSOR: GRIFFIN, LD 19 HOUSE
NREW 2/13/2024 DP (9-0-0-1)
(Abs: PARKER B)

[HCR 2003](#)_(BSI) groundwater management; technical correction
(NREW S/E: for-sale housing; development; groundwater replenishment)
SPONSOR: GRIFFIN, LD 19 HOUSE
NREW 2/13/2024 DPA/SE (5-4-0-1)
(No: DE LOS SANTOS, MATHIS, TRAVERS, VILLEGAS Abs: PARKER

B)

[HCR 2050](#)_(BSI) energy source; restriction; prohibition
SPONSOR: GRIFFIN, LD 19 HOUSE
NREW 2/13/2024 DP (6-4-0-0)
(No: DE LOS SANTOS, MATHIS, TRAVERS, VILLEGAS)

Committee on Regulatory Affairs

Chairman: Laurin Hendrix, LD 14

Vice Chairman: Cory McGarr, LD 17

Analyst: Diana Clay

Intern: Ryan Potts

[HB 2091](#)_(BSI) registrar of contractors agency; continuation
SPONSOR: HENDRIX, LD 14 HOUSE
RA 2/7/2024 DPA (5-1-0-0)
(No: MCGARR)

[HB 2317](#)_(BSI) continuing care; automated external defibrillators
SPONSOR: GRESS, LD 4 HOUSE
RA 1/31/2024 FAILED (3-3-0-0)
(No: HERNANDEZ A, MCGARR, CREWS)
HHS 2/15/2024 DPA/SE (8-0-2-0)
(Present: CONTRERAS P, GUTIERREZ)

[HCR 2052](#)_(BSI) rulemaking; legislative approval
(RA S/E: rulemaking; legislative authority)
SPONSOR: MCGARR, LD 17 HOUSE
RA 2/14/2024 DPA/SE (4-2-0-0)
(No: HERNANDEZ A, CREWS)

Committee on Transportation & Infrastructure

Chairman: David L. Cook, LD 7

Vice Chairman: Teresa Martinez, LD 16

Analyst: Jeremy Bassham

Intern:

[HB 2037](#)_(BSI) department of transportation; continuation
SPONSOR: COOK, LD 7 HOUSE
TI 2/7/2024 DP (6-5-0-0)
(No: CARTER, GILLETTE, MARSHALL, MARTINEZ, MONTENEGRO)

[HB 2038](#)_(BSI) recordings; disclosure
SPONSOR: COOK, LD 7 HOUSE
TI 2/15/2024 DPA (7-3-1-0)
(No: GILLETTE, HENDRIX, SANDOVAL Present: CARTER)

[HB 2403](#)_(BSI) technical correction; nuisance; nonconforming eggs
(TI S/E: candidate committee; campaign finance report)
SPONSOR: GRESS, LD 4 HOUSE
TI 2/15/2024 DPA/SE (11-0-0-0)

- [HB 2414](#)_(BSI) commercial vehicles; fleet plates; fees
 SPONSOR: COOK, LD 7 HOUSE
 TI 2/7/2024 DP (9-2-0-0)
 (No: CARTER, MONTENEGRO)
- [HB 2833](#)_(BSI) class G driver licenses; qualifications
 SPONSOR: GILLETTE, LD 30 HOUSE
 TI 2/15/2024 DP (9-2-0-0)
 (No: CARTER, HENDRIX)
- [HB 2866](#)_(BSI) electric vehicles; registration fee
 SPONSOR: COOK, LD 7 HOUSE
 TI 2/14/2024 DPA (5-4-0-2)
 (No: GILLETTE, MARTINEZ, MONTENEGRO, SEAMAN Abs: CARTER,
 WILMETH)
- [HCR 2018](#)_(BSI) tax prohibition; vehicle mileage; monitoring
 SPONSOR: GRANTHAM, LD 14 HOUSE
 TI 2/14/2024 DP (6-5-0-0)
 (No: CONTRERAS P, HERNANDEZ C, SEAMAN, TSOSIE, HODGE)

Committee on Ways & Means

Chairman: Neal Carter, LD 15

Vice Chairman: Justin Heap, LD 10

Analyst: Vince Perez

Intern: Michael Galpin

- [HCR 2023](#)_(BSI) property tax; refund; nuisance enforcement.
 SPONSOR: TOMA, LD 27 HOUSE
 WM 2/14/2024 DPA (6-4-0-0)
 (No: BLATTMAN, PAWLIK, SANDOVAL, CREWS)
- [HJR 2001](#)_(BSI) Phoenix-Mesa gateway airport; reuse zone
 SPONSOR: GRANTHAM, LD 14 HOUSE
 WM 2/14/2024 DPA (10-0-0-0)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session
House: APPROP DPA/SE 15-1-0-1

HB 2254: health care decisions; living wills
S/E: Arizona space commission; research fund
Sponsor: Representative Wilmeth, LD 2
Caucus & COW

Summary of the Strike-Everything Amendment to HB 2254

Overview

Creates the Arizona Space Commission (Commission)

History

Laws 1991, Chapter 118 created the Commission to serve as Arizona's coordinator of all space-related commercial and technological partnerships and provide expertise to government entities on the development of the space-related industry in Arizona. In 2001, the Commission was continued for 10 years but terminated on July 1, 2011 ([Laws 2001, Chapter 29](#)).

Provisions

Arizona Space Commission

1. Establishes the Commission, which is governed by a nine-member Board of Directors (Board), of whom five are appointed by the Governor, two by the President of the Senate and two by the Speaker of the House of Representatives. (Sec. 1)
2. Requires priority of Board appointments be given to individuals with experience in:
 - a) commercial and military aerospace;
 - b) civil aviation;
 - c) space economic development;
 - d) space-related academic research;
 - e) nonprofit space economy support;
 - f) real estate; and
 - g) finance. (Sec. 1)
3. Provides requirements for Board member's terms in office and Board vacancies. (Sec. 1)
4. Instructs the Board to appoint a Director (Director) of the Commission who receives compensation as determined by statute and serves at the pleasure of the Board. (Sec. 1)
5. Permits the Director to hire staff as necessary to implement the duties of the Commission. (Sec. 1)
6. Prescribes the duties of the Board which include:
 - a) direct the activities of and establish goals for the Commission;
 - b) establish standards to ensure the proper use of fund monies;
 - c) identify research and funding opportunities within this state;
 - d) promote and assist developing workforce training to advance emerging technologies required for all aspects of space exploration; and
 - e) solicit proposals for funding and research opportunities. (Sec. 1)
7. Allows the Board to:
 - a) appoint an ad hoc advisory committee as necessary to carry out the duties of the Board;
 - b) acquire and convey property or an interest in property in Arizona; and
 - c) engage in planning and implementing of aerospace-related educational opportunities in Arizona. (Sec. 1)
8. Instructs the Director to develop and annually update a strategic plan for promoting and expanding space, aeronautics and aviation in this state, including a list of potential projects to further the purposes of the Commission. (Sec. 1)

9. Specifies the list of potential projects must include:
 - a) the estimated total cost for the project, including any available matching state monies; and
 - b) an assessment of the availability of external funding sources. (Sec. 1)
10. Directs the Board to conduct a hearing to review and amend or approve the strategic plan and to annually submit the plan to the Governor and Legislature. (Sec. 1)

Space Exploration and Aeronautics Research Fund

11. Establishes the Space Exploration and Aeronautics Research Fund (Fund) consisting of legislative appropriations and gifts, grants and donations. (Sec. 1)
12. Specifies monies in the Fund are continuously appropriated and may be used to provide grants to businesses or nonprofit organizations that are involved in the space exploration or aeronautics industry or to a governmental entity with which the Board has entered into an intergovernmental agreement. (Sec. 1)
13. Specifies the Board administers the Fund and may use up to 10% of Fund monies for administrative costs. (Sec. 1)
14. Outlines the purposes for which grant monies must be used. (Sec. 1)
15. Permits the Board to provide grants for multiyear projects and specify the total amount of monies approved to fund each project. (Sec. 1)
16. Requires the Board to establish standards to ensure that grant recipients purchase goods and services from Arizona suppliers to the extent reasonably possible. (Sec. 1)
17. Directs each grant recipient to submit a report to the Board that describes how grant monies were spent and a summary of any findings. (Sec. 1)
18. Requires the Board to prescribe a simplified form and procedure to apply for grants. (Sec. 1)

Miscellaneous

19. Declares the purpose of the Commission is to promote space aeronautics, astronautics and aviation in Arizona. (Sec. 3)
20. Terminates the Commission on July 1, 2032. (Sec. 2)
21. Repeals governing statutes January 1, 2032. (Sec. 2)
22. Defines pertinent terms. (Sec. 1)

Amendments

Committee on Appropriations

1. Adopted the strike-everything amendment.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session
House: APPROP DPA/SE 15-1-0-1

HB 2273: luxury tax; exemption; technical correction
S/E: corrections; Marana; transitional facility; study
Sponsor: Representative Livingston, LD 28
Caucus & COW

Summary of the Strike-Everything Amendment to HB 2273

Overview

Instructs the Department of Corrections (DOC) to complete a study into the possible use of the Marana prison site as a transitional facility by June 1, 2025.

History

DOC encompasses the institutions, facilities and programs that are part of the statewide adult correctional system. DOC also provides supervisory staff for all matters relating to institutionalization rehabilitation and community supervision of all adult offenders ([A.R.S. § 41-1602](#)).

In November 2023, it was announced that the private prison contract for the management of the Arizona State Prison–Marana, a minimum security state facility, would not be renewed going into 2024 ([Governor's Office](#)).

Provisions

1. Directs DOC to conduct a comprehensive study that:
 - a) determines whether the Marana prison site could be converted into a transitional facility for inmates within 60 days of release;
 - b) evaluates the feasibility of using the Marana prison site to provide inmates with transitional skills; and
 - c) analyzes current resources that may be used to establish the transitional facility and determine what additional state resources are necessary for the facility. (Sec. 1)
2. Requires DOC to submit a report on the study's findings to the Governor, President of the Senate and Speaker of the House of Representatives by June 1, 2025. (Sec. 1)
3. Contains a delayed repeal date of July 1, 2025. (Sec. 1)

Amendments

Committee on Appropriations

1. Adopted the strike-everything amendment.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: APPROP DPA/SE 8-6-2-1

HB 2289: technical correction; legal opinions; schools
S/E: active duty; state militia; governor
Sponsor: Representative Biasiucci, LD 30
Caucus & COW

Summary of the Strike-Everything to HB 2289

Overview

Allows the Governor to use the Arizona National Guard to protect the state and enforce state law.

History

The State Militia is divided into three categories: the National Guard of Arizona, the State Guard when organized and the unorganized militia ([A.R.S. § 26-122](#)). The National Guard remains under authority of the Arizona Governor unless the United States President federalizes them into active duty. Administration of the National Guard remains under federal jurisdiction ([A.R.S. § 26-174](#)).

The Arizona Peace Officer Standards and Training Board (AZPOST) is responsible for prescribing minimum qualifications for the recruitment, appointment and retention of peace officers ([A.R.S. § 41-1822](#)). AZPOST certification is required for any person to be able to perform the duties of a peace officer; but limited exceptions to this requirement are made for: 1) elected county sheriffs; 2) authorized juvenile court officers; 3) voluntary forest fire wardens and deputy game and fish wardens; 4) adult probation and probation surveillance officers; and 5) constables ([A.R.S. § 41-1823](#); [Attorney General Opinion No. I23-002](#)).

Provisions

1. Permits the Governor to call all or part of the Arizona National Guard into active duty to:
 - a. repel invasion;
 - b. suppress acts of terrorism;
 - c. enforce state laws;
 - d. guard prisoners; and
 - e. transport prisoners. (Sec. 1)
2. Stipulates that the Arizona National Guard may only operate in this fashion within five miles of the Arizona-Mexico border. (Sec. 1)
3. Exempts members of the Arizona National Guard, who are called by the Governor for this purpose, from needing AZPOST certification. (Sec. 1)

Amendments

Committee on Appropriations

1. Adopted the strike-everything amendment.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: APPROP DP 10-7-0-0

HB 2372: Graham rehabilitation center; uses; nonlapsing
Sponsor: Representative Diaz, LD 19
Caucus & COW

Overview

Exempts an existing appropriation for the Graham County Rehabilitation Center from lapsing and expands eligible uses of that appropriation.

History

The FY 2024 general appropriations act included a state General Fund appropriation of \$830,000 to the Department of Economic Security for distribution to the Graham County Rehabilitation Center ([Laws 2023, Ch. 133](#)). A footnote specified \$800,000 of that appropriation is to be used to remodel the Center's facilities in Safford while the remaining \$30,000 is to be used for an afterschool program.

With narrow exceptions, no new obligation or expenditure may be incurred from an appropriation once the fiscal year specified in the appropriation ends. One month after the start of a new fiscal year, unspent appropriations from the prior year lapse and the monies return to the fund from which they were appropriated ([A.R.S. § 35-190](#)).

Provisions

1. Allows \$800,000 of the existing appropriation for the Graham County Rehabilitation Center to be used to remodel facilities in Willcox, in addition to Safford. (Sec. 1)
2. Exempts the full \$830,000 appropriation from lapsing through June 30, 2025. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: DPA/SE 10-4-3-0

HB 2383: coordinated reentry planning grant program

S/E: coordinated reentry; grants; appropriation

Sponsor: Representative Livingston, LD 28

Caucus & COW

Summary of the Strike-Everything Amendment to HB 2383

Overview

Appropriates \$20,000,000 from the Consumer Restitution and Remediation Revolving Fund (Fund) in FY 2025 to the Attorney General for grants to county sheriffs that continue or establish a Coordinated Reentry Planning Services Program (Program).

History

Counties may establish a Program to assess individuals who are booked into a county jail and connect them with behavioral health and substance use disorder treatment providers early in the criminal justice process. Programs must use a coalition of to provide services such as treatment, housing, transportation and employment services ([A.R.S. § 11-392](#)).

The FY 2022 general appropriations act included a one-time state General Fund (GF) appropriation of \$10,000,000 for specified counties to establish Programs ([Laws 2021, Ch. 408](#)). The 3-year budget plan also included one-time GF appropriations of \$7,000,000 in both FY 2023 and FY 2024 for this purpose.

The Fund is administered by the Attorney General and consists of two subaccounts. The Consumer Remediation Subaccount receives funds from lawsuits where the Attorney General wins a judgement or settlement due to violations of consumer protection. At the direction of the Attorney General, the State Treasurer may invest monies in the Fund, with investment earnings credited to the appropriate subaccount ([A.R.S. § 44-1531.02](#)).

Provisions

1. Requires any county receiving state funds for a Program to issue a report to the President of the Senate, the Speaker of the House of Representatives and the Joint Legislative Budget Committee by December 1 annually beginning in 2026. (Sec. 1)
2. Outlines required contents of the report, including:
 - a) the percentage of inmates with specified risk factors;
 - b) the incidence of recidivism; and
 - c) the percentage of released individuals connected with services. (Sec. 1)
3. Appropriates \$20,000,000 from the Consumer Remediation Subaccount of the Fund in FY 2025 for the Attorney General to issue two-year grants to county sheriffs to continue or establish a Program. (Sec. 2)
4. Prohibits the Attorney General from allocating more than \$2,500,000 to an individual county over the two-year grant cycle and prohibits grants from being awarded to Maricopa and Pima counties. (Sec. 2)
5. Allows up to \$1,000,000 to be available for a statewide database to accommodate additional counties. (Sec. 2)
6. Lists requirements that a county must demonstrate by the end of the grant cycle, including dedicated Program staff within the county jail and a commitment for local contributions to the Program. (Sec. 2)
7. Makes a technical change. (Sec. 1)

Amendments

Committee on Appropriations

1. Adopted the strike-everything amendment.

- Increases the money available for the statewide database from \$1,000,000 to \$2,000,000 over the two-year grant cycle.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: APPROP DP 14-2-1-0

HB 2417: Arizona commerce authority; continuation
Sponsor: Representative Livingston, LD 28
Caucus & COW

Overview

Continues the Arizona Commerce Authority (ACA) for four years, through July 1, 2028.

History

The ACA is responsible for supporting statewide business expansion and attraction, workforce development and job training, online assistance for new business start-ups and tax credit administration ([Laws 2018, Ch. 66](#)). The ACA is governed by a board of directors to provide private sector leadership in growing and diversifying the economy of Arizona ([A.R.S. § 41-1502](#)). Prior to creation of the ACA, many of these duties were housed in the Arizona Department of Commerce ([Laws 2011, 2nd Special Session, Ch. 1](#)).

The Legislature may continue any state agency for a period up to 10 years, after which the agency is subject to a Sunset Review ([A.R.S. § 41-2955](#)). Arizona's Sunset Review process requires the Legislature to review the purpose and functions of state agencies and determine whether continuation, revision, consolidation or termination is warranted ([A.R.S. § 41-2951](#)).

The ACA is set to expire on July 1, 2024 ([A.R.S. § 41-3024.31](#)).

Provisions

1. Continues, retroactive to July 1, 2024, the ACA until July 1, 2028. (Sec. 1)
2. Repeals the ACA on January 1, 2029. (Sec. 2)
3. Contains a legislative intent clause. (Sec. 3)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: APPROP DP 14-2-0-1

HB 2431: record services fund; appropriation

Sponsor: Representative Dunn, LD 25

Caucus & COW

Overview

Appropriates \$450,000 in FY 2025 from the Record Services Fund to the Secretary of State for electronic and paper records storage.

History

The Office of the Secretary of State includes the Arizona State Library, Archives, and Public Records ([A.R.S. § 41-151.01](#)). The State Library maintains a Trusted Electronic Records Repository to preserve the electronic and digitized records of the State Archives, State Documents Program and any documents and public records received ([A.R.S. § 41-151.15](#)).

The Record Services Fund was established to reduce the costs of preserving and managing Arizona's public records. The Record Services Fund consists of fees collected by the Director of the State Library from state agencies, political subdivisions and other governmental units for records storage services ([A.R.S. § 41-151.12](#)).

Provisions

1. Appropriates \$450,000 from the Record Services Fund in FY 2025 to the Secretary of State to implement the Trusted Electronic Records Repository Program and to secure additional shelving for paper records. (Sec. 1)
2. Makes the appropriation non-lapsing. (Sec. 1)

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



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: APPROP DPA/SE 16-0-0-1

HB 2497: technical correction; joint school district
S/E: department of education; reports; consolidation
Sponsor: Representative Bliss, LD 1
Caucus & COW

Summary of the Strike-Everything Amendment to HB 2497

Overview

Requires the Arizona Department of Education (ADE) to review each requirement for ADE or public schools to report to the Legislature and recommend consolidating or eliminating duplicative and obsolete reports.

History

ADE is administered by the Superintendent of Public Instruction, who is a statewide elected official responsible for the execution of policies implemented by the State Board of Education ([A.R.S. § 15-231](#)). Among other responsibilities, the Superintendent of Public Instruction provides reports on a variety of education-related topics to the Legislature, including ADE's annual report ([A.R.S. § 15-255](#)).

Provisions

1. Directs ADE to review each statutory requirement for a public school or for ADE to report information and evaluate whether:
 - a) the reporting requirement has expired or is obsolete; and
 - b) the same information is required to be submitted in more than one reporting requirement. (Sec. 1)
2. Requires ADE to submit a report to the Speaker of the House of Representatives and President of the Senate by December 1, 2024, that details:
 - a) the summary of ADE's review of reports; and
 - b) a recommendation of legislative action for consolidation, elimination or modification of reporting requirements. (Sec. 1)
3. Contains a delayed repeal date of July 1, 2025. (Sec. 1)
4. Defines *report to the Legislature*. (Sec. 1)

Amendments

Committee on Appropriations

1. Adopted the strike-everything amendment.

<input type="checkbox"/> Prop 105 (45 votes) <input type="checkbox"/> Prop 108 (40 votes) <input type="checkbox"/> Emergency (40 votes) <input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: APPROP DP 10-4-2-1

HB 2610: budget stabilization fund; cap; repeal
Sponsor: Representative Parker B, LD 10
Caucus & COW

Overview

Repeals the limit on the fiscal year-end balance of the Budget Stabilization Fund (BSF).

History

The BSF, also known as the "Rainy Day Fund," was established in 1990 along with a formula to determine state General Fund (GF) deposits and withdrawals based on economic growth. Transfers from the BSF may not exceed the amount required to balance the GF budget. However, if the balance of the BSF exceeds 10% of annual GF revenues at the end of a fiscal year, the surplus is automatically deposited back into the GF ([A.R.S. § 35-144](#)).

[Laws 2019, Ch. 54](#) increased the statutory cap on the BSF from 7% to 10% of annual GF revenues, beginning in FY 2020. For both FY 2023 and FY 2024, budget reconciliation legislation has used notwithstanding session law language to waive the 10% cap ([Laws 2022, Ch. 308 § 7](#); [Laws 2023, Ch. 145 § 2](#)). The [FY 2025 Baseline](#) continues this budget reconciliation provision.

Provisions

1. Repeals the requirement that the BSF cannot exceed 10% of GF revenues. (Sec. 1)
2. Removes the automatic transfer of excess monies in the BSF to the GF. (Sec. 1)
3. Makes conforming changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: APPROP DPA 15-0-0-2

HB 2743: appropriation; address confidentiality program fund
Sponsor: Representative Hernandez C, LD 21
Caucus & COW

Overview

Appropriates \$400,000 from the state General Fund (GF) in FY 2025 to the Address Confidentiality Program Fund (Fund).

History

The Address Confidentiality Program is administered by the Secretary of State and maintains the confidentiality of the actual address of a relocated victim of domestic violence, stalking or a sexual offense. The Address Confidentiality Program provides a substitute address and mail is forwarded by the Secretary of State to the real address ([A.R.S. § 41-162](#)).

The Fund consists of a \$50 criminal assessment on individuals convicted of domestic violence, stalking or a sexual offense (A.R.S. §§ [12-116.05](#), [41-169](#)). In the past, the Secretary of State has also received federal Victim of Crimes Act, or VOCA, funding for the Address Confidentiality Program. The FY 2024 General Appropriations Act also included a one-time appropriation of \$250,000 from the GF for this purpose ([Laws 2023, Ch. 133](#)).

Provisions

1. Appropriates a non-lapsing \$400,000 from the GF in FY 2025 to the Fund. (Sec. 1)
2. Expresses the intent of the Legislature that the appropriation be considered ongoing in future years. (Sec. 1)

Amendments

Committee on Appropriations

1. Changes the fund source from the GF to the Victim Compensation and Assistance Fund.
2. Removes the ongoing legislative intent language.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: APPROP DPA 16-0-1-0

HB 2757: appropriations; Arizona Holocaust education center
Sponsor: Representative Hernandez A, LD 20
Caucus & COW

Overview

Appropriates a total of \$10,000,000 from the state General Fund (GF) across three fiscal years for the creation and operation of the Arizona Holocaust Education Center.

History

[Laws 2021, Chapter 418](#) established the requirement that students be taught about the Holocaust and other genocides at least twice between the 7th and 12th grades. This requirement must be included by the State Board of Education (SBE) in its course of study and competency requirements ([A.R.S. § 15-701.02](#)).

While SBE regulates the conduct of public schools and sets policies, the Arizona Department of Education (ADE), which is led by the elected Superintendent of Public Instruction, is responsible for executing and administering these policies ([A.R.S. §§ 15-203; 15-231](#)).

Provisions

1. Appropriates the following non-lapsing amounts from the GF to ADE for distribution to the Arizona Holocaust Education Center for the Center's creation and operation to fulfill the requirements of Holocaust and other genocide education:
 - a) \$4,000,000 in FY 2025;
 - b) \$3,000,000 in FY 2026; and
 - c) \$3,000,000 in FY 2027. (Sec. 1)

Amendments

Committee on Appropriations

1. Replaces the three appropriations with a single FY 2025 appropriation of a blank sum.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: APPROP DP 12-4-1-0

HB 2765: military personnel; families; poll workers

Sponsor: Representative Gillette, LD 30

Caucus & COW

Overview

Permits active-duty service members with assigned orders to Arizona and their family members to serve on an election board.

History

Election boards are appointed by the county Board of Supervisors. An election board is comprised of an inspector, marshal, judges and clerks. All members of the election board must be qualified voters of the precinct. If an adequate number is unavailable, they must be qualified voters of the state. The Board of Supervisors, no more than 45 days prior to an election, must conduct instructional classes with a written test for certification of election board members. The Board of Supervisors may approve alternative and additional instruction and training for election board members (A.R.S. §§ [16-531](#), [16-532](#)).

A qualified registrant of Arizona must: 1) be a citizen of the United States and be able to provide evidence of citizenship; 2) be 18 years of age by the next regular election; 3) be a resident of this state 29 days preceding the election; 4) be able to write the resident's name or make the resident's mark, unless prevented from doing so by a physical disability; 5) not have been convicted of treason or a felony, unless restored to civil rights; and 6) not have been adjudicated an incapacitated person ([A.R.S. § 16-101](#)).

Provisions

1. Authorizes a county Board of Supervisors to appoint active-duty military members, with assigned orders to Arizona, and their family members with military dependent identification to an election board regardless of voter registration status if a person would be otherwise a qualified registrant of Arizona. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: APPROP DPA 13-3-1-0

HB 2766: veterans' services; behavioral health; appropriation

Sponsor: Representative Gillette, LD 30

Caucus & COW

Overview

Appropriates \$1,000,000 from the Consumer Remediation Subaccount of the Consumer Restitution and Remediation Revolving Fund (Subaccount) to the Arizona Department of Veterans' Services (ADVS) for grants to nonprofits.

History

ADVS assists veterans and their families in securing federal, state and local benefits and cooperates with governmental and private agencies that provide services to veterans and their families ([A.R.S. § 41-603](#)).

The Subaccount is administered by the Attorney General and receives funds from lawsuits where the Attorney General wins a judgement or settlement due to violations of consumer protection. At the direction of the Attorney General, the State Treasurer may invest monies in the Fund, with investment earnings credited to the appropriate subaccount ([A.R.S. § 44-1531.02](#)).

Provisions

1. Appropriates a non-lapsing \$1,000,000 from the Subaccount in FY 2025 to ADVS for grants to nonprofits for mental and behavioral health services for active-duty service members, their families and veterans. (Sec. 1)
2. Outlines mental and behavioral health services that nonprofits grant recipients should provide, including for veterans impacted by post-traumatic stress injuries, substance use disorder and traumatic brain injuries. (Sec. 1)
3. Requires nonprofit organizations to administer services in partnership with hospitals and state universities, regardless of a veteran's discharge status or when the veteran or active-duty service member served. (Sec. 1)
4. Expresses the intent of the Legislature that the appropriation be considered ongoing in future years. (Sec. 1)

Amendments

Committee on Appropriations

1. Removes the ongoing legislative intent language.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: APPROP DP 11-4-2-0

HB 2768: elections; public resources; conflict referral
Sponsor: Representative Livingston, LD 28
Caucus & COW

Overview

Outlines the required procedure for the Attorney General or a county attorney if they receive a complaint that presents a conflict of interest.

History

Arizona, special taxing districts, any public agency, department board, commission committee, council or authority may not spend or use public resources to influence an election. This includes the use of monies, accounts, credit, materials, equipment, buildings, facilities, vehicles, postage, telecommunications, computer hardware and software. ([A.R.S. § 16-192](#)).

The Attorney General may enforce election rules for statewide office, the Legislature, Supreme Court Justices, Judges of the Court of Appeals or statewide initiatives or referendums through civil and criminal penalties. County attorneys may enforce election rules for county, city or town office, community college district governing boards, Superior Court Judges or county, city or town initiatives or referendums through civil and criminal penalties ([A.R.S. § 16-1021](#)).

Provisions

1. Stipulates that if the Attorney General or a county attorney receives a complaint alleging that a government entity used resources to influence an election and that complaint presents a conflict of interest, they must:
 - a) refer the complaint to another county attorney within 30 days of the submission of the complaint; and
 - b) provide the complainant with a written notice which explains the basis for the conflict of interest within 30 days of receiving the complaint. (Sec. 1)
2. Stipulates that if the Attorney General or a county attorney receives a complaint alleging a political party or political action committee received public resources from a government entity to influence an election and that political party or political action committee made any expenditure to influence the election of the Attorney General or the county attorney, they must:
 - a) provide the complainant with a legal analysis that explains whether the Attorney General or county attorney has a conflict of interest and whether the complaint can be investigated in a fair manner; and
 - b) allow the complainant to request the appointment of a special investigator who does not act at the direction of the Attorney General or the county attorney to resolve the complaint. (Sec. 1)
3. Extends the definition of *influencing an election* to include supporting or opposing any political party or political action committee. (Sec. 1)
4. Defines *candidate*, *political action committee* and *political party*. (Sec. 1)
5. Makes technical and conforming changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: APPROP DPA 9-6-1-1

HB 2769: appropriation; law enforcement; child care
Sponsor: Representative Livingston, LD 28
Caucus & COW

Overview

Appropriates \$16,000,000 from the federal Child Care and Development Fund Block Grant (CCDF Block Grant) to the Department of Public Safety (DPS) for child care grants.

History

The CCDF Block Grant was established by Congress in 1990 and most recently reauthorized in 2014 ([P.L. 113-186](#)). The CCDF Block Grant provides flexible federal funding to states to administer child care programs. CCDF Block Grant funding consists of both discretionary and mandatory federal funds and is administered by the U.S. Department of Health and Human Services.

DPS was established in 1968 and coordinates services for local law enforcement agencies in addition to other responsibilities such as the Arizona Highway Patrol, narcotics enforcement and scientific criminal analysis (A.R.S. §§ [41-1711](#); [41-1712](#)).

Provisions

1. Appropriates \$16,000,000 from the CCDF Block Grant in FY 2025 to DPS for child care grants to benefit law enforcement agencies and officers. (Sec. 1)
2. Directs DPS to award grants to law enforcement agencies and nonprofits that support law enforcement agencies in Maricopa County to:
 - a) constructing child care facilities for children of law enforcement officers;
 - b) making tenant improvements to child care facilities for children of law enforcement officers; and
 - c) maintaining and operating child care programs for children of law enforcement officers. (Sec. 1)
3. Outlines priorities for DPS to consider when issuing grants, including assisting with recruitment and retention of law enforcement officers and improving relationships between the agency and impacted communities. (Sec. 1)
4. Requires a nonprofit that receives grant funding to demonstrate to DPS that it has a 50% match from non-state funding. (Sec. 1)
5. Instructs DPS to conduct a quarterly audit of grant awardees. (Sec. 1)
6. Exempts the appropriation from lapsing through FY 2027. (Sec. 1)

Amendments

Committee on Appropriations

1. Allows DPS to use up to \$75,000 to administer the child care grant program.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: APPROP DP 9-7-0-1

HB 2782: homeless shelter fund; performance audit

**Sponsor: Representative Gress, LD 4
Caucus & COW**

Overview

Establishes a new Homeless Shelter and Services Fund with a transfer of \$75,000,000 from the FY 2024 Housing Trust Fund deposit. Creates new criminal violations involving drugs in homeless service zones.

History

The possession, use, manufacture, sale and transportation of dangerous and narcotic drugs is illegal and carries felony classifications ranging from class 4 to class 2 (A.R.S. §§ [13-3407](#); [13-3408](#)).

The Arizona Department of Housing (ADOH) administers various programs and funds related to housing of low- and moderate-income families, housing affordability, special needs populations and decaying housing stock ([A.R.S. § 41-3953](#)). As part of the FY 2024 budget, \$150,000,000 was appropriated to ADOH for a deposit into the Housing Trust Fund and an additional total of \$60,000,000 was appropriated to a new Homeless Shelter and Services Fund, which was established in session law ([Laws 2023, Ch. 133](#)).

Provisions

Criminal Classification

1. Establishes a new felony for intentionally being present in a drug-free homeless service zone to sell or transfer dangerous or narcotic drugs. (Sec. 1)
2. Designates the offense as the same class of felony if the violation had not occurred within a drug-free homeless service zone, except that the presumptive, minimum and maximum sentences must be increased by one year and the individual is not eligible for probation. (Sec. 1)
3. Creates a new class 1 misdemeanor for a provider of services to homeless individuals who allows the possession or use of dangerous or narcotic drugs in a drug-free homeless service zone. (Sec. 1)
4. Adds a fine, to be imposed by the court upon conviction of either new offense, of \$2,000 or three-times the value of the drugs involved in the charge, whichever is greater. (Sec. 1)
5. Requires providers of facility-based homeless services to maintain a visible notice identifying the building as a drug-free homeless service zone. (Sec. 1)
6. Defines *drug-free homeless service zone* as an area within 300 feet of a homeless services facility or shelter. (Sec. 1)

Department of Public Safety (DPS) Reporting

7. Requires the Director of DPS to collect information indicating crimes committed against and by homeless individuals and to include a summary of this data in DPS's annual report to the Governor and Legislature. (Sec. 2, 3)

Homeless Shelter and Services Fund

8. Creates the Homeless Shelter and Services Fund as a continuously appropriated and non-lapsing fund under ADOH to provide specified services to individuals experiencing homelessness. (Sec. 4)
9. Requires recipients of grants from the Homeless Shelter and Services Fund to report on outcomes of individuals experiencing homelessness annually by December 1, 2024. (Sec. 4)
10. Prioritizes spending for:
 - a) parking areas with access to water, electricity and bathrooms;
 - b) camping facilities that are limited to homeless individuals that provide mental health and substance abuse evaluations;

- c) shelters that house up to three individuals for up to two years and provide sleeping accommodations, electricity, showers and bathrooms; and
 - d) temporary shelters that house up to four individuals and provide programs to improve employment and income. (Sec. 4)
11. Exempts owners and employees of private campgrounds from civil actions unless the claim involves intentional or grossly negligent conduct. (Sec. 4)
 12. Allows ADOH to use money to construct temporary housing for homeless individuals and provide a 25% bonus payment for local governments that meet predetermined goals of reducing time spent by homeless individuals in jail, prison or hospitals. (Sec. 4)
 13. Prohibits additional funding to political subdivisions that have a higher per capita rate of homelessness than the state average and that receive Homeless Shelter and Services fund monies until:
 - a) the rate of homelessness is at or below the state average; and
 - b) the political subdivision does not directly or indirectly prohibit enforcement of public camping, sleeping or obstructing a public right-of-way laws. (Sec. 4)
 14. Prohibits individuals from using state- or local-owned lands for unauthorized sleeping, camping or long-term shelter, with violations receiving a warning and an offer for services or shelter. (Sec. 4)
 15. Authorizes a county attorney to bring a civil action against any political subdivision to prohibit the political subdivision from violating these provisions. (Sec. 4)

Mixed Hoteling

16. Requires a homeless shelter provide who engages in mixed hoteling to post specified signs at locations in the facility and online. (Sec. 4)
17. Prohibits state or local monies from being used for mixed hoteling. (Sec. 4)
18. Defines *mixed hoteling* as providing shelter rooms to homeless individuals while concurrently providing hotel services on the same premises. (Sec. 4)

Performance Audit and Appropriations

19. Instructs the Auditor General to conduct a special audit of the amount of expenditures made in the state on individuals experiencing homelessness and submit the special audit report to the Governor, Legislature and Secretary of State by December 31, 2025. (Sec. 5)
20. Transfers \$75,000,000 from the FY 2024 Housing Trust Fund deposit to the Homeless Shelter and Services Fund. (Sec. 6)
21. Transfers, from remaining unexpended monies in the FY 2024 Housing Trust Fund deposit, the following:
 - a) \$50,000,000 to the Arizona Health Care Cost Containment System for five additional secure behavioral health residential facilities;
 - b) \$5,000,000 to the Auditor General for all costs for the performance audit; and
 - c) \$10,000,000 to the Substance Abuse Services Fund for medicated assisted treatment for homeless individuals. (Sec. 6)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: APPROP DPA 12-0-4-1

HB 2858: social media protections; minors
Sponsor: Representative Blattman, LD 9
Caucus & COW

Overview

Outlines requirements for online service providers and social media platforms relating to privacy of minors.

History

[A.R.S. Title 18](#) regulates information technology, including chapters on government information technology, network access, network services and network security.

Provisions

1. Requires each business in Arizona that provides an online service, product or feature that is likely to be accessed by a minor to:
 - a) establish default settings that provide the maximum degree of privacy protections to each user;
 - b) allow each minor to opt out of the collection and use of the minor's personal information;
 - c) prohibit targeted advertising using a minor's personal information;
 - d) accept a fiduciary duty to prioritize a minor's interest over those of the online platform;
 - e) develop content filters to limit cyberbullying on the provider's social media platform. (Sec. 1)
2. Requires each business that provide access to a social media platform to:
 - a) prohibit any user at least 18 years old from sending a message to a minor who is under 18 years old;
and
 - b) prohibit a minor who is under 16 years old from using the social media platform without first receiving approval from the minor's parent or guardian. (Sec. 1)
3. Defines *de-identified data*, *personal information* and *social media platform*. (Sec. 1)
4. Entitles this Act the *Protecting Children on Social Media Act*. (Sec. 2)

Amendments

Committee on Appropriations

1. Excludes telecommunications service and broadband interactive service from the list of online services, products or features.
2. Excludes an Internet-based service that facilitates academic or scholarly research from the definition of *social media platform*.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: APPROP 9-7-1-0

HCR 2047: state land trust; permanent funds.

**Sponsor: Representative Gress, LD 4
Caucus & COW**

Overview

Continues the 6.9% annual distribution rate from the Permanent State School Fund in FYs 2026-2035 if approved by the voters and if the voters approve the statutory measure that establishes a statewide program to increase the base salary of all eligible teachers above the FY 2025 base salary.

History

The Arizona State Land Department (ASLD) manages approximately 9.2 million acres of state trust lands for 13 beneficiaries designated by the Enabling Act ([ASLD](#)). A permanent fund is established for each of the 13 beneficiaries, each of which consists of permanent and expendable receipts. Permanent receipts are one-time revenues deposited into the appropriate beneficiary's permanent fund. Expendable receipts are typically generated as recurring revenue by ASLD and are distributed directly to beneficiaries. The State Treasurer generates expendable receipts by investing monies in the permanent funds; these monies are distributed monthly according to a distribution formula outlined in the Arizona Constitution ([JLBC](#)). The largest beneficiary of state land trust monies is common (K-12) schools, with distributions made to the Permanent State School Fund ([Ariz. Const. art. 10, sec. 7](#)).

[Proposition 123](#) increases, for FYs 2016-2025, the annual distribution rate of the permanent funds from 2.5% to 6.9% of the preceding five-year average monthly market values. The increase in expendable earnings from the Permanent State School Fund that result in the increased distribution rate that would otherwise go to the Classroom Site Fund (CSF) are appropriated for basic state aid (including inflation adjustments). Beginning in FY 2026, each permanent fund's annual distribution rate returns to 2.5%.

Proposition 123 also requires the Governor's Office of Strategic Planning and Budgeting (OSPB) and the Joint Legislative Budget Committee (JLBC) directors to notify the executive and legislative branches, by February 1 annually, that a reduction to the permanent fund's annual distribution rate is necessary to preserve its capital if the preceding five-year average monthly market values have decreased compared to the five-year average monthly market values preceding those five years. After notification, the Legislature may, with the Governor's approval, reduce the annual distribution rate for the next fiscal year to between 2.5% and 6.9% of the permanent fund's preceding five-year average monthly market values.

Provisions

1. Declares the provisions below are effective if the voters approve the statutory measure that establishes a statewide program to increase the base salary of all eligible teachers above the FY 2025 base salary.
2. Adjusts, for FYs 2026-2035, the annual distribution rate for the Permanent State School Fund from 2.5% to 6.9% of its average monthly market values for the preceding five years.
3. Mandates any increase in expendable earnings that results from a distribution rate of more than 2.5% of the Permanent State School Fund's preceding five-year average monthly market values and that would otherwise go to the CSF to be appropriated for the statewide program to increase the base salary of all eligible teachers.
4. Decreases, beginning in FY 2036, the Permanent State School Fund's annual distribution rate to 2.5% of its preceding five-year average monthly values.
5. Sets, beginning in FY 2026, each other permanent fund's annual distribution rate to 2.5% of its preceding five-year average monthly market values.
6. Subjects the Permanent State School Fund's annual distribution rate for FYs 2026-2035 to the existing constitutional language that:
 - a. requires the OSPB and JLBC directors to jointly notify the executive and legislative branches that a reduction to the Permanent State School Fund's annual distribution rate is necessary to preserve its capital if the

preceding five-year average monthly market values have decreased compared to the five-year average monthly market values preceding those five years; and

- b. allows the Legislature, with the Governor's approval, to reduce the annual distribution rate for the next fiscal year to between 2.5% and 6.9% of the preceding five-year average monthly market values.

7. Directs the Secretary of State to submit this proposition to the voters at the next general election.

8. Makes conforming changes.

Amendments

Committee on Appropriations

- 1. Reduces the Permanent State School Fund's distribution rate in FYs 2026-2035 from 6.9% to 5.5%.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: APPROP DPA 9-7-1-0

HCR2048: schools; teacher salary increases; reporting.

Sponsor: Representative Smith, LD 29

Caucus & COW

Overview

Requires each school district and charter school to revise its salary schedules to increase the base salary of all eligible teachers above the FY 2025 base salary, subject to voter approval and if the voters approve the increase to the Permanent State School Fund's annual distribution rate. Creates the Teacher Pay Fund (Fund) and details calculation, compliance and reporting requirements.

History

The Arizona State Land Department (ASLD) manages approximately 9.2 million acres of state trust lands for 13 beneficiaries designated by the Enabling Act ([ASLD](#)). A permanent fund is established for each of the 13 beneficiaries, each of which consists of permanent and expendable receipts ([JLBC](#)). The largest beneficiary of state land trust monies is common (K-12) schools, with distributions made to the Permanent State School Fund ([Ariz. Const. art. 10, sec. 7](#)). [Proposition 123](#) increases, for FYs 2016-2025, the annual distribution rates of the permanent funds from 2.5% to 6.9% of the preceding five-year average monthly market values. Beginning in FY 2026, each permanent fund's annual distribution rate returns to 2.5%.

A school district governing board (governing board) is authorized to fix the salaries and benefits of employees for the next year. A governing board may also reduce salaries or eliminate certificated teachers to effectuate economies in the operation of the school district or to improve the efficient conduct and administration of its schools. A notice of general salary reduction must be given to each affected certificated teacher (A.R.S. §§ [15-502](#), [15-544](#)).

Each governing board and charter school governing body (governing body) must establish a system to evaluate the performance of teachers that results in at least one evaluation each school year. This system must include four performance classifications, with teachers being designated as: 1) highly effective; 2) effective; 3) developing; and 4) ineffective (A.R.S. §§ [15-189.06](#), [15-537](#)).

[Laws 2018, Chapter 285](#) requires a charter school's and school district's budget to contain the average teacher salary for the current year and the previous year, as well as the dollar and percentage increase in the average teacher salary for the current year. This average teacher salary data must be prominently posted on the school district's or charter school's website home page (A.R.S. §§ [15-189.05](#), [15-903](#)).

Provisions

Base Salary of Eligible Teachers

1. Mandates each school district and charter school, if the voters approve the increase to the Permanent State School Fund's distribution rate, revise its salary schedules to increase the base salary of all eligible teachers who are or will be employed. (Sec. 3)
2. Prohibits a school district or charter school, if the salary increases are required, from reducing the base salary of eligible teachers below the FY 2025 base salary schedule reported to the Arizona Department of Education (ADE). (Sec. 3)
3. Defines *eligible teacher* as a person who is employed by a charter school or school district and who either:
 - a. meets both of the following:
 - i. is employed for a full school day or full class load, or the equivalents, as determined by ADE; and
 - ii. devotes more than 75% of their work time to nonadministrative activities that provide student instruction;or
 - b. meets both of the following:

- i. is employed as a special education teacher for a full school day or full class load, or the equivalents, as determined by ADE; and
 - ii. devotes more than 50% of their work time to support student academic achievement as prescribed by the governing board or governing body. (Sec. 3)
4. Includes, in *eligible teacher*, current teachers and teachers who begin work for the school district or charter school after the effective date. (Sec. 3)
 5. Excludes, from *eligible teacher*, an administrator or a person designated in either of the two lowest performance classifications after a teacher performance evaluation. (Sec. 3)
 6. States a school district's or charter school's authority to adjust an individual teacher's salary in a manner consistent with the applicable base salary schedule is not restricted. (Sec. 3)

Fund

7. Establishes the Fund consisting of legislative appropriations and Permanent State School Fund distributions. (Sec. 3)
8. Tasks ADE with administering the Fund and establishing procedures for determining eligibility for Fund monies. (Sec. 3)
9. States that Fund monies are:
 - a. continuously appropriated;
 - b. exempt from lapsing;
 - c. in addition to any other monies the school district or charter school receives and may not supplant, replace or cause a reduction in other funding sources; and
 - d. exempt from the revenue control limit. (Sec. 3)
10. Stipulates the required eligible teacher base salary increases must be:
 - a. the State Treasurer's estimate of the Permanent State School Fund distributions that are deposited in the Fund for the budget year; and
 - b. the same amount for each eligible teacher, regardless of experience level. (Sec. 3)
11. Directs ADE, if salary increases are required, to allocate Fund monies to eligible school districts and charter schools in an amount equal to the per teacher amount determined by Joint Legislative Budget Committee (JLBC) Staff, multiplied by the number of eligible teachers employed by the school district or charter school. (Sec. 3)
12. Requires the following to occur by March 30 annually:
 - a. the State Treasurer must provide, to JLBC Staff, an estimate of the amount of Permanent State School Fund distributions that will be deposited in the Fund for the budget year; and
 - b. JLBC Staff must determine a per teacher amount from the Fund for the budget year using the reported statewide number of eligible teachers and based on the State Treasurer's estimate. (Sec. 3)
13. Stipulates ADE must allocate monies appropriated by the Legislature to the Fund for other salary increases according to the terms of the appropriation. (Sec. 3)

Fund Reporting and Compliance

14. Instructs a school district or charter school that receives Fund monies to submit, by November 15 annually and to the Superintendent of Public Instruction, a report that provides an accounting of the expenditures of Fund monies from the previous fiscal year. (Sec. 3)
15. Tasks ADE and the Auditor General (OAG) with prescribing the format of the school district and charter school Fund expenditures report. (Sec. 3)
16. Requires ADE, on report from the OAG, to determine whether school districts and charter schools are complying with the prescribed Fund and salary requirements. (Sec. 3)
17. Declares a school district or charter school that is determined to not be in compliance, or that has failed to correct a deficiency within 90 days of notice from the OAG, is ineligible to receive Fund monies from the date of the determination until the OAG reports that the school district or charter school is in compliance. (Sec. 3)

Miscellaneous

18. Includes, in a school district's budget format, a statement identifying the number of eligible teachers who are employed for the current year. (Sec. 4)

19. Adds that a charter school's budget must contain:
 - a. the salary schedule for eligible teachers who are employed for the current year; and
 - b. a statement identifying the number of eligible teachers who are employed for the current year. (Sec. 2)
20. Directs the Secretary of State to submit this proposition to the voters at the next general election. (Sec. 5)
21. Makes conforming changes. (Sec. 4)

Amendments

Committee on Appropriations

1. Directs ADE, beginning January 1, 2025, to notify a school district or charter school that is determined by ADE to be in violation of average teacher salary posting requirements that:
 - a) the school district or charter school is in violation; and
 - b) ADE may impose a civil penalty if the violation is not corrected.
2. Instructs ADE, if it determines a school district or charter school has failed to correct a violation within 60 days after notice, to impose a civil penalty of up to \$5,000 for each day the violation continues.
3. Subjects actions taken by ADE to enforce average teacher salary posting requirements to appeal according to Uniform Administrative Hearing Procedures.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: APPROP DPA 10-7-0-0

HCR2060: lawful presence; e-verify program; penalties

Sponsor: Representative Toma, LD 27

Caucus & COW

Overview

Submits a proposition to the voters relating to employment and the use of the E-Verify program.

History

Each employer must use the E-Verify program after hiring an employee to verify the employment eligibility of the employee and must keep a record of the verification for the duration of the employee's employment or at least three years, whichever is longer. An *employer* is defined as any individual or type of organization that transacts business in Arizona. Employer includes this state, any political subdivision and self-employed individuals. In the case of an independent contractor, employer means the independent contractor and does not include the person or organization that uses the contract labor ([A.R.S. § 23-211](#)).

Provisions

1. Requires a municipality or county that receive state monies for a public welfare program to use the E-Verify program to verify the adult recipient is lawfully present in the United States under federal law before disbursing public welfare monies.
2. Directs the municipality or county to keep a record of the citizen verification for at least three years.
3. Establishes that due to the economic and fiscal impact of illegal immigration on Arizona, regulating public welfare programs that use state monies is a matter of statewide concern.
4. States that a person commits obstruction of the legal duty to use E-Verify by committing any completed or preparatory offense for the benefit of any person who has the intent to obstruct a person from using the E-Verify program and a violation is a class 6 felony.
5. Modifies the definition of *employer* within statute relating to employment practices by including, rather than excluding, a person or organization that uses contract labor.
6. Includes an independent contractor or subcontractor to the requirement of an employer to use the E-Verify program after hiring.
7. Requires an agency to verify an applicant is lawfully present in the United States by using the E-Verify program before issuing a document or license and must keep this record for at least three years.
8. Defines *agency* and *license*.
9. Entitles this Act the *Protecting Arizona Against Illegal Immigration Act*.
10. Directs the Secretary of State to submit this proposition to the voters at the next general election.
11. Makes technical changes.

Amendments

Committee on Appropriations

1. Delays the requirement to use E-Verify for municipalities, counties or state agencies until on or after January 1, 2026.
2. Specifies that the E-Verify program must be used before enrolling the recipient in the public welfare program unless state law declares a person without lawful immigration status is eligible for the financial aid or benefit.

3. Directs a municipality or county, by January 1, 2029, to use the E-Verify program to confirm each non-United States citizen who receives financial aid or benefit through a public welfare program is lawfully present in the United States under federal law.
4. Instructs the municipality, county or state agency to do the following if verification of the lawful presence of the recipient cannot be made:
 - a) promptly remove the recipient from the public welfare program; and
 - b) discontinue the provision of financial aid or benefit to the recipient unless state law declares a person without lawful immigration status is eligible.
5. Clarifies that a person commits obstruction of the legal duty to use E-Verify when the person, acting alone or in conjunction with another person, commits an offense.
6. Stipulates that an employer commits obstruction of the legal duty to use E-Verify if the employer knowingly refuses to verify the employment eligibility of a person through the program as statutorily required when the employer knows that the person is not lawfully present in the United States under federal law.
7. Requires an employer to do the following on or after January 1, 2026:
 - a) verify the employment eligibility of the employee, independent contractor or subcontractor through the E-Verify program; and
 - b) keep a record of the verification for the duration of the employment or at least three years, whichever is longer.
8. Exempts, from the requirement to use the E-Verify program:
 - a) independent contractors or subcontractors that are paid less than \$600 per year by the employer;
 - b) independent contractors or subcontractors that have received employment authorization documents from the federal government; and
 - c) direct sellers as defined in federal code.
9. Stipulates that, on or after January 1, 2026:
 - a) the Attorney General or county attorney must investigate, upon receipt of a complaint, whether an employer violated E-Verify program requirements;
 - b) a county sheriff or other local law enforcement may assist in investigation of a complaint;
 - c) the Attorney General or county attorney may file an action in superior court to enforce the E-Verify program requirements after an investigation to find an employer has knowingly employed an unauthorized alien;
 - d) an employer who is found in violation is liable for a civil penalty that is supplementary and no more than \$10,000 for each employed unauthorized alien and outlines how the civil penalties must be paid;
 - e) it is an affirmative defense in an action that the employer complied in good faith with federal code;
 - f) independent contractors and subcontractors are not required to conduct a self-verification; and
 - g) an employer is not required to use the E-Verify program for employees, independent contractors or subcontractors if the employer has already confirmed eligibility for employment through the E-Verify program.
10. Defines *public welfare program*.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: COM DPA 10-0-0-0

HB 2209: industrial commission of Arizona; continuation
Sponsor: Representative Livingston, LD 28
Caucus & COW

Overview

Continues the Industrial Commission of Arizona (ICA) for eight years.

History

Industrial Commission of Arizona

Established in 1925, the ICA is a regulatory agency responsible for labor-related issues regarding occupational safety and health, youth employment laws, resolution of wage related disputes, minimum wage, vocational rehabilitation, and workers' compensation coverage. The ICA is composed of five members who are appointed by the Governor and confirmed by the Senate. The Director who oversees the daily operations and works with various agency divisions is also appointed by the Governor and confirmed by the Senate. The ICA is a self-supporting agency whose operations and other statutorily mandated functions are funded through an annual assessment on workers' compensation premiums ([Title 23, A.R.S.](#))

Sunset Review Process

The sunset review process provides a system for the Legislature to evaluate the need to continue the existence of state agencies which are reviewed by a legislative committee of reference (COR). The COR is required to hold a public hearing, receive testimony from agency officials and the public and consider the agency's responses to the statutorily-outlined sunset factors in determining whether to recommend continuing, consolidating or terminating the agency ([A.R.S 41-2954](#)).

The House Commerce COR held a public meeting on January 16, 2024, and recommended that the Legislature continue the ICA for three years. The ICA terminates on July 1, 2024, unless continued by the Legislature ([A.R.S. § 41-3024.20](#)).

Provisions

1. Continues, retroactive to July 1, 2024, the ICA for eight years until July 1, 2032. (Sec. 1, 2, 4)
2. Repeals the ICA on January 1, 2033. (Sec. 2)
3. Includes a purpose statement. (Sec. 3)

Amendments

Committee on Commerce

1. Lowers the ICA continuation to three years.
2. Adds a Legislative Intent clause.

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



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: COM DP 8-1-0-1

HB 2210: occupational safety advisory committee; continuation
Sponsor: Representative Livingston, LD 28
Caucus & COW

Overview

Continues the Occupational Safety and Health Advisory Committee (Advisory Committee) for eight years.

History

Occupational Safety and Health Advisory Committee

The Advisory Committee was established in 1972 to provide recommendations and assistance to the Industrial Commission of Arizona (ICA) in the drafting of standards and regulations. The Advisory Committee consists of a reasonably balanced representation of person knowledgeable in safety and health appointed by the ICA. The number of members on the Advisory Committee is not specified by statute so long as it is a reasonably balanced representation of industries, including agriculture, labor and persons knowledgeable in safety and health. Statute requires the Director of the Division of Occupational Safety and Health serve as an "ex-officio" non-voting member ([A.R.S. § 23-409](#)).

Sunset Review Process

The sunset review process provides a system for the Legislature to evaluate the need to continue the existence of state agencies which are reviewed by a legislative committee of reference (COR). The COR is required to hold a public hearing, receive testimony from agency officials and the public and consider the agency's responses to the statutorily-outlined sunset factors in determining whether to recommend continuing, consolidating or terminating the agency ([A.R.S 41-2954](#)).

The House Commerce COR held a public meeting on January 16, 2024, and recommended that the Legislature continue the Advisory Committee for eight years. The Advisory Committee terminates on July 1, 2024, unless continued by the Legislature ([A.R.S. § 41-3024.17](#)).

Provisions

1. Continues, retroactive to July 1, 2024, the Advisory Committee for eight years until July 1, 2032. (Sec. 1, 2, 4)
2. Repeals the Advisory Committee on January 1, 2033. (Sec. 2)
3. Includes a purpose statement. (Sec. 3)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: COM DP 8-1-0-1

HB 2211: occupational safety review board; continuation
Sponsor: Representative Livingston, LD 28
Caucus & COW

Overview

Continues the Occupational Safety and Health Review Board (Review Board) for eight years.

History

Occupational Safety and Health Review Board

The Review Board is established within the Industrial Commission of Arizona to hear and rule on appeals of administrative law judge decisions generated under the Division of Occupational Safety and Health. The Review Board consists of five members who are appointed by the Governor and who by reason of training, education or experience are qualified to carry out the powers and duties of the Review Board ([A.R.S. § 23-422](#)).

Sunset Review Process

The sunset review process provides a system for the Legislature to evaluate the need to continue the existence of state agencies which are reviewed by a legislative committee of reference (COR). The COR is required to hold a public hearing, receive testimony from agency officials and the public and consider the agency's responses to the statutorily-outlined sunset factors in determining whether to recommend continuing, consolidating or terminating the agency ([A.R.S. 41-2954](#)).

The House Commerce COR held a public meeting on January 16, 2024, and recommended that the Legislature continue the Review Board for eight years. The Review Board terminates on July 1, 2024, unless continued by the Legislature ([A.R.S. § 41-3024.19](#)).

Provisions

1. Continues, retroactive to July 1, 2024, the Review Board for eight years until July 1, 2032. (Sec. 1, 2, 4)
2. Repeals the Review Board on January 1, 2033. (Sec. 2)
3. Includes a purpose statement. (Sec. 3)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: COM DP 8-1-0-1

HB 2212: boiler advisory board; continuation
Sponsor: Representative Livingston, LD 28
Caucus & COW

Overview

Continues the Boiler Advisory Board for eight years.

History

Boiler Advisory Board

The Boiler Advisory Board was established in 1977 to assist the Industrial Commission of Arizona (ICA) in the drafting standards and regulations related to boilers, lined hot water heaters and pressure vessels. The five ICA-appointed members of the Boiler Advisory Board consists of one member who represents the boiler, pressure vessel or lined hot water heater manufacturer industry, one member who represents a public utility, one member who represents a public utility, one member who is an owner or operator of a boiler, pressure vessel or lined hot water heater and one member who is a licensed contractor ([A.R.S. § 23-486](#)).

Sunset Review Process

The sunset review process provides a system for the Legislature to evaluate the need to continue the existence of state agencies which are reviewed by a legislative committee of reference (COR). The COR is required to hold a public hearing, receive testimony from agency officials and the public and consider the agency's responses to the statutorily-outlined sunset factors in determining whether to recommend continuing, consolidating or terminating the agency ([A.R.S 41-2954](#)).

The House Commerce COR held a public meeting on January 16, 2024, and recommended that the Legislature continue the Boiler Advisory Board for eight years. The Boiler Advisory Board terminates on July 1, 2024, unless continued by the Legislature ([A.R.S. § 41-3024.18](#)).

Provisions

1. Continues, retroactive to July 1, 2024, the Boiler Advisory Board for eight years until July 1, 2032. (Sec. 1, 2, 4)
2. Repeals the Boiler Advisory Board on January 1, 2033. (Sec. 2)
3. Includes a purpose statement. (Sec. 3)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: COM DP 8-1-0-1

HB 2253: board of technical registration; continuation
Sponsor: Representative Wilmeth, LD 2
Caucus & COW

Overview

Continues the Board of Technical Registration (BTR) for eight years.

History

Board of Technical Registration

Created in 1921, originally referred to as the State Board of Registration, the BTR provides for the safety, health and welfare of the public by establishing and enforcing standards of qualification for alarm agents, architects, engineers, geologists, home inspectors, landscape architects, and land surveyors and determining if applicants are qualified to be registered or certified. The BTR is a 90/10 board which requires 90% of fees and other revenues received by the BTR to be deposited into the Technical Registration Fund used to cover the BTR's operational expenses and 10% to be deposited into the state General Fund. The 11-member BTR consists of one architect, one professional engineer, one landscape architect, one geologist, one land surveyor and six public members with at least one of whom has a legal, construction or design product background. Members are appointed by the Governor for a three-year term and may not serve more than two consecutive terms ([Title 32, Chapter 1, A.R.S.](#))

Sunset Review Process

The sunset review process provides a system for the Legislature to evaluate the need to continue the existence of state agencies which are reviewed by a legislative committee of reference (COR). The COR is required to hold a public hearing, receive testimony from agency officials and the public and consider the agency's responses to the statutorily-outlined sunset factors in determining whether to recommend continuing, consolidating or terminating the agency ([A.R.S § 41-2954](#)).

The House Commerce COR held a public meeting on January 16, 2024, and recommended that the Legislature continue the BTR for eight years. The BTR terminates on July 1, 2024, unless continued by the Legislature ([A.R.S. § 41-3024.11](#)).

Provisions

1. Continues, retroactive to July 1, 2024, the BTR for eight years until July 1, 2032. (Sec. 1, 2, 4)
2. Repeals the BTR on January 1, 2033. (Sec. 2)
3. Includes a purpose statement. (Sec. 3)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: COM DP 6-4-0-0

HB 2282: unemployment; requirements; disqualifications; shared work

Sponsor: Representative Biasiucci, LD 30

Caucus & COW

Overview

Modifies the criteria that an unemployed person must meet to be eligible for Unemployment Insurance (UI) benefits. Requires the Department of Economic Security (DES) to cross-check the validity of UI claims against outlined data sets.

History

The Department of Economic Security (DES) administers the unemployment insurance benefit program, which provides temporary financial relief to eligible unemployed individuals who separate from their previous employers at no fault of their own. To be eligible for UI [benefits](#), an individual must be able to work, available for work and actively seeking work. Further, the individual must engage in a systematic and sustained effort to search for work on at least four different days each week and make at least four work search contacts each week.

DES examines any claim for benefits and determines whether the claim is valid. DES must promptly notify the claimant of the determination. The claimant has 15 days from the date the notification was mailed to appeal the determination.

Individuals who fail to apply for available and suitable work, actively engage in seeking work, accept suitable work when offered or return to customary self-employment as directed by DES are disqualified from UI benefits ([Title 23, Chapter 4, A.R.S.](#)).

Provisions

UI Benefit Eligibility

1. Modifies eligibility requirements by adding that an individual must actively seek and apply for suitable work and:
 - a. conduct at least five specified work search actions each week to qualify as actively seeking and applying for suitable work; and
 - b. provide a weekly report that details the individual's work search actions for every week a benefit is sought. (Sec. 4)
2. Removes the requirement that an individual engage in a systematic and sustained effort to obtain work during at least four days of the week and make at least one job contact per day on four different days of the week to be eligible for UI benefits. (Sec. 4)

UI Claim Validity

3. Prohibits DES from paying benefits until the initial claim, or ongoing claim on a weekly basis, is cross-checked for validity against prescribed data sets. (Sec. 5)
4. Stipulates a claim will not be paid and the claimant is disqualified from receiving benefits and referred for prosecution if a cross-check results in information indicating that a claim is ineligible or fraudulent. (Sec. 5)
5. Directs DES, prior to paying benefits, to examine any initial claim and confirm the claim's validity if the initial claim:
 - a. was submitted electronically through an internet address located outside of Arizona or the U.S.;
 - b. references an address for which another current claim was submitted; or
 - c. is associated with a direct deposit for a bank account already used for another current claim. (Sec. 5)
6. Allows DES to refer the matter for prosecution if a fraudulent claim was filed. (Sec. 5)

Disqualification from UI Benefits

7. Restates that an individual is disqualified for UI benefits if the individual has failed without cause to:
 - a. actively seek and apply for suitable work;
 - b. accept an offer of suitable work; or

- c. accept reemployment at the same employer for suitable work, if offered. (Sec. 6)
- 8. Directs an employer to report to DES when an individual who was a previous employee:
 - a. refuses to return to work or accept an offer of suitable work; or
 - b. fails to appear for a scheduled interview or respond to an offer of employment. (Sec. 6)
- 9. Permits employers to submit the required report to DES either digitally or through email. (Sec. 6)
- 10. Requires DES to conduct an independent review of each submitted report to determine whether an individual should be disqualified from receiving benefits. (Sec. 6)
- 11. Makes technical changes. (Sec. 1-6)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: ED DPA 6-4-0-0

HB 2089: community colleges; expenditure limitation

**Sponsor: Representative Hendrix, LD 14
Caucus & COW**

Overview

Modifies the operating state aid amounts to be withheld from a community college district (CCD) that exceeds its expenditure limitation in FYs 2025, 2026 and 2027.

History

The Economic Estimates Commission must annually determine each CCD's expenditure limitation by adjusting the CCD's FY 1980 local revenue expenditures to reflect changes in student population and the cost of living. A CCD governing board may not authorize local revenue expenditures in excess of the expenditure limitation unless authorized to do so by law ([Ariz. const. art. IX, sec. 21](#)). The following operating state aid amounts must be withheld if a CCD exceeds its expenditure limitation: 1) an amount equal to the excess expenditures if the excess expenditures are less than 5% of the limitation; 2) an amount equal to triple the excess expenditures if the excess expenditures are 5% or more but less than 10% of the limitation, or are less than 5% of the limitation but it is at least the second consecutive instance of excess expenditures; and 3) the lesser of an amount equal to five times the excess expenditures or 1/3 of the CCD's operating state aid allocation if the excess expenditures are 10% or more of the limitation ([A.R.S. § 41-1279.07](#)).

A CCD's operating state aid is annually determined by the Legislature and is adjusted to reflect changes in student enrollment ([A.R.S. § 15-1466](#)).

Provisions

1. Replaces the statutory operating state aid amounts that are to be withheld from a CCD that exceeds its expenditure limitation in FYs 2025, 2026 and 2027 with the following amounts:
 - a. an amount equal to 10% of the excess expenditures if excess expenditures are less than 5% of the limitation;
 - b. an amount equal to 20% of the excess expenditures if excess expenditures are 5% or more but less than 10% of the limitation;
 - c. an amount equal to 50% of the excess expenditures if excess expenditures are 10% or more but less than 12% of the limitation; and
 - d. an amount calculated according to the existing statutory withholding amounts if the excess expenditures are 12% or more of the limitation. (Sec. 1)
2. Limits, to 1% of its budget, the maximum operating state aid amount to be withheld from a provisional CCD established before December 31, 2015, that is in a county with a population of not more than 300,000. (Sec. 1)
3. Limits, to 0.5% of its budget, the maximum operating state aid amount to be withheld from a CCD in a county with a population that does not exceed 1,000,000. (Sec. 1)
4. Contains a retroactivity clause of July 1, 2023. (Sec. 2)

Amendments

Committee on Education

1. Includes science, technology, engineering and mathematics (STEM) and workforce programs state aid and monies deposited in a CCD's Workforce Development Account in the funding that is to be withheld according to the statutory withholding amounts from a CCD that exceeds its expenditure limitation in any fiscal year without authorization.
2. Adds STEM and workforce programs state aid and monies deposited in a CCD's Workforce Development Account in the funding that is to be withheld according to the modified withholding amounts from a CCD that exceeds its expenditure limitation in FYs 2025, 2026 and 2027.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: ED DPA 7-1-2-0

HB 2759: student organizations; terrorism; withholding monies

Sponsor: Representative Hernandez A, LD 20

Caucus & COW

Overview

Prohibits a public university or community college (institution of higher education) from recognizing a student organization that supports a foreign terrorist organization (FTO) as specified.

History

Federal law empowers the U.S. Secretary of State (U.S. SOS) with the authority to designate an organization as an FTO if the U.S. SOS finds that: 1) the organization is a foreign organization; 2) the organization engages in terrorist activity; and 3) the organization's terrorist activity or terrorism threatens the security of U.S. nationals or the national security ([8 U.S.C. § 1189](#)). The U.S. State Department maintains a list of designated FTOs ([U.S. State Department](#)).

Under state law, *terrorist organization* means any organization designated by the U.S. State Department as an FTO. Statute declares it is unlawful for a person to intentionally or knowingly commit specified acts of terrorism, including providing advice, assistance or direction in the conduct, financing or management of a terrorist organization (A.R.S. §§ [13-2301](#), [13-2308.01](#)).

Provisions

1. Prohibits an institution of higher education from formally recognizing a student organization that:
 - a. provides material support to an FTO, including an FTO that calls for genocide against the Jewish people;
 - b. vocally supports, calls for or advocates for genocide, including genocide against the Jewish people;
 - c. promotes an FTO in any manner that places a Jewish student in reasonable apprehension of imminent physical injury; or
 - d. promotes an FTO on its social media accounts or communication platforms.
2. Requires an institution of higher education to enforce its code of conduct, including provisions regarding violent speech on campus.
3. Directs an institution of higher education to fully investigate the activities of any student organization that has been reported for a potential violation of:
 - a. federal laws regarding providing material support or resources to terrorists or designated FTOs; or
 - b. any state law relating to supporting an FTO.
4. Instructs an institution of higher education to:
 - a. require the faculty advisor of each formally recognized student organization to report any potential violation of the specified federal or state laws; and
 - b. discipline a faculty advisor who knowingly violates the requirement to report any potential violation of the specified federal or state laws.
5. Mandates an institution of higher education rescind formal recognition of any student organization determined to have violated the specified federal or state laws.
6. Requires the State Treasurer to:
 - a. withhold state monies that an institution of higher education is entitled to receive pursuant to the community college operating state aid formula or the annual appropriation for public universities; and
 - b. return the withheld monies when the institution of higher education demonstrates its compliance with the prescribed requirements.
7. Defines *FTO* and *institution of higher education*.

Amendments

Committee on Education

1. Adds that an institution of higher education may not formally recognize a student organization that engages in activities that manifest evidence of prejudice based on antisemitism.
2. Defines *antisemitism*.
3. Removes the requirement that the State Treasurer withhold state monies as specified from an institution of higher education that is not in compliance with the prescribed prohibitions and requirements.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: GOV DP 9-0-0-0

[HB 2136](#): ADOA; continuation
Sponsor: Representative Dunn, LD 25
Caucus & COW

Overview

Continues the Arizona Department of Administration for four years.

History

[The Arizona Department of Administration](#) (ADOA) is the administrative and business hub of state government. ADOA provides medical and other health benefits to state employees, processes claims when employees get injured, purchases goods and services needed to conduct business, maintains office buildings for employees to work in and provides information technology and telecommunication services for employees. ADOA is made up of several departments: accounting and finance, benefits services, general services, government transformation office, human resources, procurement, regulatory review council, risk management, school facilities oversight, and technology.

The House Government Committee of Reference met on January 17, 2024 to hear a performance audit, conducted by the Office of the Auditor General, on ADOA. The House Government Committee of Reference recommended that ADOA be continued for four years.

Provisions

1. Continues, retroactive to July 1, 2024, ADOA until July 1, 2028. (Sec. 2, 4)
2. Repeals ADOA on January 1, 2029. (Sec. 2)
3. Contains a purpose statement. (Sec. 3)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: GOV DPA 9-0-0-0

HB 2428: state personnel board; continuation

Sponsor: Representative Dunn, LD 25

Caucus & COW

Overview

Continues the State Personnel Board (SPB) for four years.

History

SPB is tasked with hearing and reviewing appeals relating to dismissal of employees from covered state service, suspension for more than 80 working hours or involuntary demotion that resulted from disciplinary action ([A.R.S. § 41-782](#)).

The House Government Committee of Reference met on January 10, 2024 to hear a sunset review on SPB. The House Government Committee of Reference recommended that SPB be continued for four years.

Provisions

1. Continues, retroactive to July 1, 2024, SPB until July 1, 2028. (Sec. 2, 4)
2. Repeals SPB on January 1, 2029. (Sec. 2)
3. Contains a purpose statement. (Sec. 3)

Amendments

Committee on Government

1. Continues, retroactive to July 1, 2024, SPB until July 1, 2032.
2. Repeals SPB on January 1, 2033.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: GOV DPA 9-0-0-0

HB 2429: continuation; office on tribal relations

Sponsor: Representative Dunn, LD 25

Caucus & COW

Overview

Continues the Governor's Office on Tribal Relations (GOTR) for four years.

History

GOTR was established in 1953 as the Commission of Indian Affairs for the purpose of considering and studying conditions among the Indians residing within the State of Arizona. In 2016, the Commission was renamed to GOTR with the charge to assist and support tribal communities and nations within the state and to enhance government-to-government relations between the 22 tribal nations within the boundaries of Arizona.

The House Government Committee of Reference met on January 10, 2024, to hear a sunset review on GOTR. The House Government Committee of Reference recommended that GOTR be continued for four years.

Provisions

1. Continues, retroactive to July 1, 2024, GOTR until July 1, 2028. (Sec. 2, 4)
2. Repeals GOTR on January 1, 2029. (Sec. 2)
3. Contains a purpose statement. (Sec. 3)

Amendments

Committee on Government

1. Continues, retroactive to July 1, 2024, GOTR until July 1, 2032.
2. Repeals GOTR on January 1, 2033.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: GOV DP 9-0-0-0

HB 2430: business services sustainability fund; monies
Sponsor: Representative Dunn, LD 25
Caucus & COW

Overview

Renames the Data Processing Acquisition Fund to the Business Services Sustainability Fund.

History

The Data Processing Acquisition Fund was established in 1996 to improve data processing in the Secretary of State's Office consisting of fees collected pursuant to statute related to filing and recording fees. Monies in the Data Processing Acquisition Fund are exempt from statute relating to lapsing of appropriations, except that unencumbered and unexpended monies that exceed \$250,000 revert to the state General Fund at the end of each calendar year ([A.R.S. §§ 18-441, 41-126](#)).

Provisions

1. Renames the Data Processing Acquisition Fund to the Business Services Sustainability Fund (Fund). (Sec. 1)
2. Directs the Secretary of State to deposit into the Fund the following portions of monies collected for application fees:
 - a. \$5 of the \$15 collected for the registration or renewal of a trademark; and
 - b. \$5 of the \$10 collected for the registration or renewal of a trade name. (Sec. 1)
3. Makes technical and conforming changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: GOV DP 5-2-2-0

HB 2436: state contracts; foreign adversary; prohibition

Sponsor: Representative Diaz, LD 19

Caucus & COW

Overview

Stipulates that a covered company may not enter into a contract with a state agency or political subdivision of this state for goods or services.

History

The Director of the Arizona Department of Administration (ADOA) is authorized by statute to adopt rules that govern the procurement and management of all construction, materials and services to be procured by this state and the disposal of materials ([A.R.S. § 41-2511](#)).

Provisions

1. Prohibits a covered company from bidding on, submitting a proposal for or entering into a contract with a state agency or political subdivision for goods or services. (Sec. 1)
2. Requires all companies that submit a proposal or bid for a state contract for goods or services to submit a certification letter to ADOA certifying that the company is not a covered company. (Sec. 1)
3. Directs the following to occur if ADOA determines that a company has submitted a false or misleading certification letter:
 - a. the company is liable for a civil penalty of \$250,000 or twice the amount of the contract, whichever is greater;
 - b. the state agency or ADOA must terminate the contract with the company; and
 - c. the company is prohibited from bidding on any state contracts for at least 60 months. (Sec. 1)
4. Authorizes a state agency to enter into a contract for goods manufactured by a covered company if:
 - a. there are no other reasonable options for the procurement of the specific good;
 - b. the contract is preapproved by ADOA; and
 - c. not procuring the good would pose a greater threat than the threat associated with the manufacture of the good by a covered company. (Sec. 1)
5. Stipulates that each bid or offer submitted for a state contract must include a disclosure that states whether 24 months prior to submission, the bidder, offerer or any subsidiaries had any business operations involving contracts with or services from:
 - a. a foreign adversary;
 - b. a state-owned enterprise of a foreign adversary; or
 - c. a company domiciled within a foreign adversary.
6. Allows a bidder or offerer to be given an opportunity after the bid or offer is submitted to submit the required disclosure if not previously done. (Sec. 1)
7. Authorizes a procurement officer to consider the disclosure when evaluating the bid, offer or when awarding the contract. (Sec. 1)
8. Requires a procurement officer to provide a state agency with the name of each entity enumerated in the required disclosure. (Sec. 1)
9. Prohibits a bid or offer to be submitted for a state contract if the bidder, offerer or any subsidiaries has at least 60 months prior to submission had any business operations involving contracts with or services from:
 - a. a military entity of any foreign adversary;
 - b. a political party of a foreign adversary; or
 - c. a federally banned corporation. (Sec. 1)
10. Prescribes that the following must occur if ADOA determines a violation of the prohibited practices:

- a. the company is liable for a civil penalty of \$250,000 or twice the amount of the contract, whichever is greater;
- b. the state agency or ADOA must terminate the contract with the company; and
- c. the company is prohibited from bidding on any state contracts for at least 60 months. (Sec. 1)

11. Entitles this legislation the "Protection Procurement Act." (Sec. 2)

12. Defines:

- a. *company*;
- b. *covered company*;
- c. *domicile*;
- d. *federally banned corporation*; and
- e. *foreign adversary*. (Sec. 1)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: GOV DP 7-1-1-0

HB 2575: homeowners' associations; powers
Sponsor: Representative Biasiucci, LD 30
Caucus & COW

Overview

Outlines powers of homeowners' associations.

History

Statute defines an *association* as a nonprofit corporation or unincorporated association of owners that is created to own and operate portions of a planned community as prescribed in its own declaration. An association has the power to assess association members to pay the costs and expenses incurred in the performance of the association's obligations under its own declaration ([A.R.S. § 33-1802](#)).

Provisions

1. Permits, unless otherwise prescribed in an association's declaration, an association to:
 - a) adopt and amend bylaws and rules;
 - b) adopt and amend budgets for revenues, expenditures and reserves;
 - c) collect assessments for common expenses from their members;
 - d) hire and discharge managing agents and other employees, agents, and independent contractors;
 - e) institute, defend or intervene in litigation or administrative proceedings on behalf of itself or two or more members on matters affecting the association, planned community or their members' interests;
 - f) make contracts and incur liabilities;
 - g) regulate the use, maintenance, repair, replacement and modification of common areas;
 - h) grant easements, leases, licenses and concessions within common areas;
 - i) impose and receive any payments, fees or charges for the use, rental or operation of common areas;
 - j) impose reasonable charges for the preparation and recordation of amendments to the declaration or statements of unpaid assessments;
 - k) provide for the indemnification of its officers and executive board of directors;
 - l) maintain directors' and officers' liability insurance;
 - m) exercise any other powers granted by community documents; and
 - n) exercise powers that may be exercised in Arizona by legal entities of the same type as the association. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: GOV DP 7-0-0-2

HB 2581: physical presence; resident
Sponsor: Representative Gillette, LD 30
Caucus & COW

Overview

Outlines requirements relating to a resident having physical presence in Arizona.

History

Current statute establishes various residency requirements in order to qualify for different programs or licenses. In order to be a qualified elector in the state of Arizona an individual must be a resident of this state for 29 days prior to the election ([A.R.S. § 16-101](#)). For vehicle registration, a resident is defined as a person who remains in this state for an aggregate period of seven months or more during a calendar year ([A.R.S. § 28-2001](#)).

Provisions

1. Establishes that a resident is an individual who has actual physical presence in Arizona for at least 181 days with the intent to remain. (Sec. 1)
2. States that residency applies only to:
 - a. property tax purposes;
 - b. vehicle registration pursuant to statute; and
 - c. voter registration pursuant to statute. (Sec. 1)
3. Authorizes the county assessor, Director of the Arizona Department of Transportation and the county recorder to establish a physical presence requirement of less than 181 days if the individual demonstrates an intent to remain by providing evidence of any of the following:
 - a. employment;
 - b. purchase of residential property;
 - c. rental of residential property;
 - d. purchase of real property for residential purposes;
 - e. the enrollment of the individual or individual's children in a school district or charter school; or
 - f. active duty military service member identification. (Sec. 1)
4. Directs Legislative Council staff to prepare proposed conforming legislation for consideration in the Fifty-seventh Legislature, First Regular Session. (Sec. 2)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: GOV DPA/SE 7-1-1-0

HB 2612: technical correction; waste; enforcement; venue
S/E: ballot collection conviction; public office
Sponsor: Representative Dunn, LD 25
Caucus & COW

Summary of the Strike-Everything Amendment to HB 2612

Overview

Prohibits a person from holding any elected public office in Arizona if the person is convicted of specified ballot abuse offenses, including the crime of knowingly collecting early ballots.

History

[Laws 2016, Chapter 5](#) establishes the crime of knowingly collecting voted or unvoted early ballots and classifies this offense as a class 6 felony. For first time felony offenders, the presumptive sentence for this crime is one year of incarceration. Certain individuals are exempt from this law, including election officials and United States Postal Service workers engaging in their official duties and family members, household members and caregivers of a voter (A.R.S. §§ [16-1005](#), [13-702](#)).

Provisions

1. Specifies a person convicted of ballot abuse, including knowingly collecting early ballots, is ineligible to hold an elected public office in Arizona. (Sec. 1, 2)
2. Requires any person holding an elected public office, who has been convicted of a ballot abuse offense, to resign from office. (Sec. 1, 2)
3. Makes technical changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: GOV DPA/SE 9-0-0-0

**HB 2613: bond contracts; technical correction
S/E: historical societies; continuation
Sponsor: Representative Dunn, LD 25
Caucus & COW**

Summary of the Strike-Everything Amendment to HB 2613

Overview

Continues the Arizona Historical Society (AHS) and the Prescott Historical Society of Arizona for eight years.

History

The Arizona Historical Society is tasked with procuring, by gift, exchange or purchase:

- 1) books and materials pertaining to the history of Arizona and the west;
- 2) narratives of historical events of the early settlement of Arizona;
- 3) data relating to Indian tribes; and
- 4) historical and scientific reports of the western states ([A.R.S. § 41-823](#)).

The Prescott Historical Society of Arizona must preserve, maintain and perpetuate the Sharlot Hall Museum, the gubernatorial mansion and the historical collections contained therewithin and on the grounds of the mansion and museum in Prescott, Arizona ([A.R.S. § 41-833](#)).

The Senate Natural Resources, Energy and Water Committee of Reference and the House Government Committee of Reference met on January 11, 2024 to hear a sunset review on AHS and the Prescott Historical Society. Both Committees of Reference recommended that the AHS and the Prescott Historical Society be continued for eight years.

Provisions

Arizona Historical Society

1. Continues, retroactive to July 1, 2024, AHS until July 1, 2032. (Sec. 2, 6)
2. Repeals AHS on January 1, 2033. (Sec. 2)
3. Contains a purpose statement. (Sec. 4)

Prescott Historical Society

1. Continues, retroactive to July 1, 2024, the Prescott Historical Society until July 1, 2032. (Sec. 3, 6)
2. Repeals the Prescott Historical Society on January 1, 2033. (Sec. 3)
3. Contains a purpose statement. (Sec. 5)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: GOV DP 5-4-0-0

HB 2721: municipal zoning; middle housing
Sponsor: Representative Carbone, LD 25
Caucus & COW

Overview

Adopts requirements for middle housing development.

History

Current statute enumerates the general powers of cities and towns. Municipalities have the authority to buy, sell and lease property, provide for the construction or rehabilitation of housing development projects or areas and issue building permits ([A.R.S. Title 9, Chapter 4](#)).

Provisions

1. Stipulates that by January 1, 2026, a city or town with 75,000 or more people must authorize by ordinance and incorporate the development of duplexes, triplexes, fourplexes, fiveplexes and townhomes as a permitted use on all lots zoned for single-family residential use into its development regulations, zoning regulations and other official controls. (Sec. 1)
2. Prohibits a city or town from:
 - a. discouraging the development of middle housing through unreasonable costs, fees, or delays or other requirements and actions which individually or cumulatively make impracticable the permitting, siting or construction of middle housing;
 - b. restricting middle housing types to less than two floors or a floor area ratio of less than one;
 - c. setting restrictions or processes for middle housing that are more restrictive than single-family dwellings in the same zone;
 - d. requiring owner occupancy of structures on the lot; or
 - e. requiring structures to comply with commercial building codes or contain fire sprinklers. (Sec. 1)
3. Requires a city or town to allow a property owner to determine the location, number and form of off-street vehicle parking spaces. (Sec. 1)
4. Specifies that this Act does not prohibit a municipality governing body from allowing:
 - a. single-family dwellings in areas zoned for single-family dwellings; or
 - b. additional types of middle housing not required by this Act. (Sec. 1)
5. Exempts middle housing requirements from applying to:
 - a. unincorporated areas;
 - b. areas lacking sufficient urban services;
 - c. areas not serviced by municipal water and sewer services;
 - d. areas not zoned for residential use; and
 - e. unincorporated areas zoned under an interim zoning designation that maintains the area's potential for planned urban development. (Sec. 1)
6. Declares that middle housing is allowed on all lots zoned for single-family residential use in a municipality without limitations if the city or town does not adopt required middle housing regulations by January 1, 2026. (Sec. 1)
7. Defines:
 - a. *duplex*;
 - b. *fiveplex*;
 - c. *floor area ratio*;
 - d. *fourplex*;
 - e. *household*;
 - f. *middle housing*;
 - g. *permitted use*;

- h. *townhouses*; and
- i. *triplex*. (Sec. 1)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: GOV DP 5-2-0-2

HB 2788: United Nations; sustainable development; prohibition

Sponsor: Representative Jones, LD 17

Caucus & COW

Overview

Stipulates that Arizona may not adopt the sustainable development agenda of the United Nations.

History

In 2015 the member states of the United Nations adopted the following goals as the 2030 Agenda for Sustainable Development:

- 1) no poverty;
- 2) zero hunger;
- 3) good health and well-being;
- 4) quality education;
- 5) gender equality;
- 6) clean water and sanitation;
- 7) affordable and clean energy;
- 8) decent work and economic growth;
- 9) industry, innovation and infrastructure;
- 10) reduced inequalities;
- 11) sustainable cities and communities;
- 12) responsible consumption and production;
- 13) climate action;
- 14) life below water;
- 15) life on land;
- 16) peace, justice and strong institutions; and
- 17) partnerships for the goals ([United Nations](#)).

Provisions

1. Prohibits this state or any political subdivisions from spending public monies to adopt, enforce or implement the goals adopted in 2015 by the member states of the United Nations as the 2030 agenda for sustainable development. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: GOV DPA 7-0-0-2

HB 2824: students; community service commendation

**Sponsor: Representative Hodge, LD 8
Caucus & COW**

Overview

Requires the Arizona Department of Education (ADE) to establish a community service commendation for students who complete community service as specified.

History

Statute requires the State Board of Education (SBE) to adopt guidelines to encourage high school students to volunteer for 20 hours of community service prior to their graduation. These guidelines must include: 1) a list of general community service categories; 2) a description of how the community service will be monitored; 3) a consideration of risk assessment for community service projects; 4) orientation and notification procedures of community service opportunities for students entering the 9th grade; 5) procedures for a 9th grade student to prepare a written proposal outlining the type of community service they would like to perform and the goals they would like to achieve; and 6) procedures for a school employee designated as the community service program coordinator to evaluate and certify the completion of the community service ([A.R.S. § 15-203](#)).

Provisions

1. Instructs ADE, subject to approval by SBE, to establish:
 - a. a community service commendation for students who complete at least 200 hours of community service consistent with SBE guidelines; and
 - b. a process for students to apply for the commendation. (Sec. 1)
2. Directs a school district governing board to adopt policies for students who complete at least 200 hours of community service, consistent with SBE guidelines, to apply for a community service commendation. (Sec. 2)
3. Contains a retroactivity clause of January 1, 2024. (Sec. 3)

Amendments

Committee on Government

1. Specifies that community service does not include any activity intended to influence an election as defined in statute.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: GOV DP 9-0-0-0

HB 2846: agency; licensing; information
Sponsor: Representative Heap, LD 10
Caucus & COW

Overview

Stipulates additional required information agencies must share when an applicant obtains a license application.

History

Current information that an agency must provide to an applicant when an applicant obtains a license application is a list of necessary steps for obtaining a license, the applicable licensing time frames and the name and phone number of an agency contact the applicant can contact for assistance during the application process ([A.R.S. § 41-1079](#)).

Statute defines *license* as any agency permit, certificate, approval, registration, charter or similar form of authorization that is required by law and that is issued by an agency for the purposes of operating a business in Arizona or to an individual who provides service to another person where the license is necessary in performing that service ([A.R.S. § 41-1080](#)).

Provisions

1. Requires an agency that issues licenses to provide the following information to applicants when they obtain a license application:
 - a. whether or not the agency accepts cash payments for licenses and fees; and
 - b. whether or not the agency offers in-person meetings for the purpose of obtaining a license. (Sec. 1)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: GOV DP 8-1-0-0

HCM2002: national guard; mobilization; border
Sponsor: Representative Montenegro, LD 29
Caucus & COW

Overview

Urges the Governor of Arizona to mobilize the National Guard at the border of Arizona.

History

The [National Guard](#) has served as the primary combat reserve of the U.S. Army since 1636. The National Guard serves as a combat force for communities in 50 states, three territories and the District of Columbia during natural disasters, pandemics and civil disturbances.

Provisions

1. Urges the Governor to mobilize the National Guard at the border of Arizona.
2. Encourages the Secretary of State to transmit a copy of this Memorial to the Governor.

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



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: GOV DPA 8-0-0-1

HCR2038: drug cartels; terrorist organizations
Sponsor: Representative Montenegro, LD 29
Caucus & COW

Overview

Refers a proposition to the voters relating to the Arizona Department of Homeland Security (Department).

History

The Department is tasked with the following requirements:

- 1) formulating policies to enhance the ability of Arizona to prevent and respond to acts of terrorism, cybersecurity threats and other critical hazards;
- 2) adhering to all federal grant terms and conditions;
- 3) requesting appropriations or grants for homeland security purposes;
- 4) receiving all awards granted to Arizona by the federal government for homeland security purposes; and
- 5) distributing monies to local jurisdictions based on criteria in the federal grant guidelines ([A.R.S. § 41-4254](#)).

Provisions

1. States that Arizona declares drug cartels are terrorist organizations.
2. Instructs the Department to do everything in its authority to address the threat posed by drug cartels.
3. Defines *drug cartel* and *threat*.
4. Directs the Secretary of State to submit this proposition to the voters at the next general election.

Amendments

Committee on Government

1. Specifies that nothing in this Act supports an alien's claim for asylum under federal law.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: TI DPA/SE 11-0-0-0

HB 2403: ~~technical correction; nuisance; nonconforming eggs~~

S/E: candidate committee; campaign finance report

Sponsor: Representative Cook, LD 4

Caucus & COW

Summary of the Strike-Everything Amendment to HB2403

Overview

Increases, from the four calendar quarters before the appropriate general election to eight calendar quarters, the required number of campaign finance reports for candidate committees for a statewide candidate.

History

A candidate committee is required to file campaign finance reports during the four calendar quarters preceding the general election at which the candidate is seeking election. A *calendar quarter* is the period of three consecutive calendar months ending on March 31, June 30, September 30 or December 31 (A.R.S. §§ [16-901](#), [16-927](#)).

Provisions

1. Requires candidate committees for statewide candidates to file campaign finance reports only during the eight calendar quarters comprising the twenty-four-month period before the general election for the office the candidate is seeking election. (Sec. 1)
2. Makes conforming changes. (Sec. 1)

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



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: GOV DP 5-3-1-0

HCR2056: preferential treatment; discrimination; prohibition

**Sponsor: Representative Montenegro, LD 29
Caucus & COW**

Overview

Refers a proposition to the voters relating to discrimination.

History

[Article II, Section 36](#) of the Arizona Constitution prohibits Arizona from granting preferential treatment to or discriminating against an individual or group based on race, sex, color, ethnicity or national origin in the operation of public employment, public education or public contracting. The Constitution further states that preferential treatment or discrimination prohibitions do not prohibit action that must be taken to establish or maintain eligibility for any federal program if ineligibility would result in a loss of federal monies to this state.

Provisions

1. Prohibits Arizona from compelling an applicant, employee or contractor to endorse giving preferential treatment to or discriminating against an individual based on race or ethnicity as a condition of hiring, promoting or contracting decisions.
2. Stipulates that Arizona is not permitted to disadvantage or treat differently on the basis of race or ethnicity an individual from among a pool of applicants, students, employees or contract recipients when making an admitting, contracting, hiring or promoting decision.
3. Specifies that any action that would otherwise be prohibited and that is taken in accordance with federal requirements must be limited to advertising, communication or outreach efforts.
4. Prohibits Arizona from implementing any disciplinary policy or action that treats an individual student or group of students differently on the basis of race or ethnicity.
5. Asserts that access to facilities, grounds or services of Arizona may not be conditioned on race or ethnicity of an individual or group.
6. Declares that, to uphold the United States Constitution as the supreme law of the land, this state deems any requirements that Arizona practice racial discrimination inconsistent with the 14th Amendment of the United States Constitution and subject to the prohibitions outlined in the Arizona Constitution relating to the authority to exercise sovereign authority against federal action.
7. Specifies that preferential treatment and discrimination prohibitions do not prohibit qualifications based on tribal membership as part of a program established to serve members of Indian tribes.
8. Outlines the specifics for what it means to compel an applicant, contractor or employee to endorse giving preferential treatment or discriminating on the basis of race or ethnicity for the purposes of eligibility for federal programs.
9. Asserts that this Act does not prevent Arizona from requiring applicants, contractors or employees to do any of the following:
 - a. disclose or discuss the content of their scholarly research or creative works;
 - b. certify compliance with state and federal antidiscrimination law; or
 - c. discuss services, pedagogical approaches or experiences with students or individuals with mental or physical disabilities.
10. Establishes that an applicant or employee is allowed to provide any information related to preferential treatment or discrimination on their own initiative.

11. Directs the Secretary of State to submit this proposition to the voters at the next general election.

12. Makes technical and conforming changes.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: HHS DP 9-0-0-1

HB 2035: insurance; claims; appeals; provider credentialing

Sponsor: Representative Cook, LD 7

Caucus & COW

Overview

Establishes procedures and timeframes for when a health care insurer denies a health care service claim and provides a process for health care providers to request a hearing with the Office of Administrative Hearings (OAH) if their claim denial grievance is unresolved.

History

A *health care insurer* includes a disability insurer, group disability insurer, blanket disability insurer, health care services organization, hospital service corporation and a medical service corporation, prepaid dental plan organization, dental service corporation or optometric service corporation.

Clean claims are written or electronic claims for health care services or benefits that may be processed without obtaining additional information, including coordination of benefits information, from the health care provider, the enrollee or a third party, except in fraud cases ([A.R.S. § 20-3101](#)).

Statute outlines the process for timely payment of health care provider's claims and to address grievances. Specifically, health care insurers must adjudicate any clean claim from a contracted or noncontracted health care provider relating to health care insurance coverage within 30 days after the health care insurer receives the clean claim or within the time specified by the contract.

If the claim is not a clean claim and the health care insurer requires additional information to adjudicate the claim, the health care insurer must send a written request for additional information to the contracted or noncontracted health care provider, enrollee or third party within 30 days after the health care insurer receives the claim. A health care insurer must not delay the payment of clean claims to a contracted or noncontracted provider or pay less than the amount agreed to by contract to a contracted health care provider without reasonable justification ([A.R.S. § 20-3102](#)).

Provisions

Denial of Health Care Service Claims

1. Requires health care insurers that deny a health care service claim in whole or in part, to provide to a health care provider at the time of the denial, contact information that includes a telephone number and an email address for an individual who is able to respond to questions about the claim denial. (Sec. 3)
2. Requires health care insurers, if requested by the health care provider, to provide the following information to them within 15 days after receiving the request:
 - a. if the denial was based on lack of medical necessity, a detailed reason why the health care service was not medically necessary and the health care provider's right to appeal;
 - b. a health care provider's right to dispute the health care insurer's decision that includes certain information on the dispute process and how to request a hearing; and
 - c. if the health care plan is not subject to regulation by the Arizona Department of Insurance and Financial Institutions (DIFI), a notification to the health care provider of the appropriate regulatory authority. (Sec. 3)
3. Directs health care insurers, within 30 days after receiving a written grievance, to respond in writing with their decision, unless the health care provider and insurer mutually agree to a longer period of time. (Sec. 3)
4. Requires a health care insurer's decision regarding the grievance to include:
 - a. the date of the decision;
 - b. the factual and legal basis for the decision;
 - c. the health care provider's right to request a hearing; and
 - d. the manner in which a health care provider may request a hearing. (Sec. 3)

5. Instructs a health care insurer to remit payment for the approved portion of the claim within 15 days after the date of the insurer's decision if they find in favor of the health care provider, in whole or in part. (Sec. 3)
6. Subjects a health care insurer's establishment of an internal system for resolving payment disputes and other contractual grievances with providers to the prescribed time periods for a health care service claim denial. (Sec. 2)

Health Care Provider Claim Dispute Hearing

7. Allows health care providers to submit a written request for a hearing to DIFI and must provide a copy of the request to the health care insurer within 30 days after receiving the health care insurer's decision or the date on which the provider should have received the health care insurer's decision if the provider's grievance is unresolved. (Sec. 3)
8. Requires DIFI to request a hearing with the OAH if a provider timely submits a hearing request to them. (Sec. 3)
9. Specifies that if the health care provider decides to withdraw their request for a hearing, they must send a written request for withdrawal to DIFI. (Sec. 3)
10. Directs DIFI to accept the written withdrawal request if it is received before DIFI requests an OAH hearing. (Sec. 3)
11. Specifies that if DIFI already submits a request for a hearing, the provider must promptly send a written request for withdrawal to OAH. (Sec. 3)
12. States that if a party to a decision issued seeks further administrative review, DIFI is prohibited from being a party to the action, unless it files a motion to intervene in the action. (Sec. 3)

Health Insurer Credentialing

13. Reduces the number of calendar days health care insurers must conclude the process of credentialing and loading an applicant's information into the health insurer's billing system from 100 to 45 calendar days after the date the health insurer receives a complete credentialing application. (Sec. 5)
14. Requires health care insurers to provide written or electronic confirmation:
 - a. within two business days on receipt of a complete credentialing application; or
 - b. within seven business days on receipt of a credentialing application with deficiencies. (Sec. 5)
15. Specifies that health care insurers must provide written or electronic notice of the approval or denial of a complete credentialing application to an applicant within seven days after the conclusion of the credentialing process. (Sec. 5)
16. Requires health care insurers to pay a claim for a covered service provided to a subscriber by a participating provider who has a fully executed contract with a network plan and whose credentialing application has been approved by the health insurer retroactively to the date of the participating provider's complete credentialing application. (Sec. 6)
17. Defines terms. (Sec. 1, 4)
18. Makes technical and conforming changes. (Sec. 1, 2, 4, 5)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: HHS DP 8-1-0-1

HB 2447: department of child safety; continuation
Sponsor: Representative Montenegro, LD 29
Caucus & COW

Overview

Continues the Arizona Department of Child Safety (DCS) for 4 years.

History

DCS was established to protect the children of Arizona by: 1) investigating reports of abuse and neglect; 2) assessing, promoting and supporting the safety of a child in a safe and stable family or other appropriate placement in response to allegations of abuse or neglect; 3) working cooperatively with law enforcement regarding reports that include criminal conduct allegations; and 4) without compromising child safety, coordinating services to achieve and maintain permanency on behalf of the child, strengthen the family and provide prevention, intervention and treatment services. DCS is overseen by a director appointed by the Governor who must have administrative experience in family support services, the protection of children from maltreatment and possess qualifications that enable them to manage the affairs of DCS (A.R.S. §§ [8-451](#) and [8-452](#)).

The Senate Health and Human Services and House Health & Human Services Committees of Reference met jointly on January 3, 2024, to conduct a review of DCS. Both Committees of Reference recommended DCS be continued for four years.

Provisions

1. Continues, retroactive to July 1, 2024, DCS until July 1, 2028. (Sec. 2, 4)
2. Repeals DCS on January 1, 2029. (Sec. 2)
3. Contains a purpose statement. (Sec. 3)
4. Makes a conforming change. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: HHS DPA/SE 10-0-0-0

HB 2449: mental health conditions; medications; prohibitions

Sponsor: Representative Montenegro, LD 29

Caucus & COW

Summary of the Strike-Everything Amendment to HB 2449

Overview

Prohibits medications that are covered by AHCCCS and prescribed to address a mental disorder from being subject to prior authorization or step therapy protocols unless certain criteria are met.

History

Step Therapy Protocol

[Laws 2021, Chapter 431](#), established *step therapy protocol*, which is a protocol or program that establishes the specific sequence in which prescription drugs that are for a specified medical condition and are medically necessary for a particular patient are covered by a health care insurer under a health care plan ([A.R.S. § 20-3651](#)). Step therapy protocol applies to any health care plan that is subject to state law regulating insurance, provides prescription drug benefits and includes coverage for a step therapy protocol regardless of how that coverage is described. As well as a contractor, agent or similar entity that implements coverage for a step therapy protocol on behalf of a health care plan, including a pharmacy benefit manager or utilization review agent ([A.R.S. § 20-3652](#)).

Clinical Review Criteria

Clinical review criteria are the written screening procedures, decision abstracts, clinical protocols and practice guidelines that are used by a health care insurer, pharmacy benefit manager or utilization review agent to determine the medical necessity and appropriateness of health care services. Clinical review criteria used by a health care insurer, pharmacy benefit manager or utilization review agent to establish a step therapy protocol must be based on clinical practice guidelines that: 1) recommend that the prescription drugs be taken in the specific sequence required by the step therapy protocol; 2) are developed and endorsed by a multidisciplinary panel of experts that manages conflicts of interest among the members of the writing and review groups; 3) are based on high quality studies, research and medical practice; 4) are created by an explicit and transparent process; and 5) are regularly updated at least once a year through a review of new evidence and research and newly developed treatments.

If no clinical practice guidelines exist, peer reviewed publications may be used. Each health care insurer, pharmacy benefit manager and utilization review agent must annually certify to the Department of Insurance and Financial Institutions that the clinical review criteria used in the insurer's, manager's or agent's step therapy protocol for prescription drugs meet the prescribed requirements ([A.R.S. §§ 20-3651](#) and [20-3653](#)).

Prior Authorization

Prior authorization requirement is: 1) a practice implemented by a health care services plan or its utilization review agent in which coverage of a health care service is dependent on an enrollee or a provider obtaining approval from the health care services plan before the service is performed, received or prescribed, as applicable; 2) includes preadmission review, pretreatment review, prospective review or utilization review procedures conducted by a health care services plan or its utilization review agent before providing a health care service; and 3) does not include case management or step therapy protocols.

Currently, a health care services plan or its utilization review agent may impose a prior authorization requirement for health care services provided to an enrollee, except for emergency ambulance services and emergency services, health care services arising after the initial medical screening examination and immediately necessary stabilizing treatment. A health care services plan must allow at least one modality of medication-assisted treatment to be available without prior authorization ([A.R.S. §§ 20-3401](#) and [20-3402](#)).

Arizona Health Care Cost Containment System (AHCCCS)

Established in 1981, AHCCCS is Arizona's Medicaid program that oversees contracted health plans for the delivery of health care to individuals and families who qualify for Medicaid and other medical assistance programs. Through

contracted health plans across the state, AHCCCS delivers health care to qualifying individuals including low-income adults, their children or people with certain disabilities. Current statute outlines covered health and medical services offered to AHCCCS members ([A.R.S. § 36-2907](#)).

The AHCCCS Pharmacy and Therapeutics Committee ([P&T Committee](#)) is advisory to the AHCCCS administration and is responsible for evaluating scientific evidence of the relative safety, efficacy, effectiveness and clinical appropriateness of prescription drugs. The P&T Committee makes recommendations to AHCCCS on developing and maintaining a statewide drug list and prior authorization criteria as appropriate. The P&T Committee may also evaluate individual drugs and therapeutic classes of drugs. Meetings are open to the public.

Provisions

1. Specifies that medications that are prescribed to address a mental disorder are not subject to prior authorization or step therapy protocols, except that AHCCCS may impose step therapy protocols that requires a member to try not more than one prescription drug before receiving coverage for the drug prescribed by the member's physician or primary care provider for persons who are at least 18 years of age and meet certain criteria. (Sec. 1 and 2)
2. Specifies that AHCCCS can impose a step therapy protocol for members who are at least 18 years of age if all of the following apply:
 - a. the prescribed medication is either on the system's approved behavioral health drug list or is currently available under the Medicaid Drug Rebate Program;
 - b. the medication is prescribed to prevent, assess or treat any of the specified qualifying mental disorders as determined by the person's health care provider; and
 - c. the prescription does not exceed labeled dosages approved by the United States Food and Drug Administration (FDA). (Sec. 1)
3. Specifies, for behavioral health services, AHCCCS can impose a step therapy protocol for members who are at least 18 years of age if all of the following apply:
 - a. the medication is prescribed to prevent, assess or treat any of the specified qualifying mental disorders as determined by the person's health care provider;
 - b. the prescribed medication is a covered benefit; and
 - c. the prescription does not exceed labeled dosages approved by FDA. (Sec. 2)
4. Requires AHCCCS when developing a preferred drug list for prescription drug coverage to ensure that the P&T Committee reviews any drug that is newly approved by the FDA to treat a qualifying mental disorder at the first committee meeting following the date of the drug's approval. (Sec. 1)
5. Allows the drug to be reviewed at the second P&T Committee meeting following the date of the drug's approval if there is not adequate time to review the newly approved drug. (Sec. 1)
6. Defines *step therapy protocol*. (Sec. 1 and 2)
7. Makes technical and conforming changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: HHS DP 8-2-0-0

HB 2453: AHCCCS; naturopathic physicians
Sponsor: Representative Montenegro, LD 29
Caucus & COW

Overview

Adds naturopathic physicians to the definition of *physician* for the Arizona Health Care Cost Containment System (AHCCCS), subject to approval from the Centers for Medicare and Medicaid Services (CMS).

History

The *practice of naturopathic medicine* means a medical system of diagnosing and treating diseases, injuries, ailments, infirmities and other conditions of the human mind and body, including by natural means, drugless methods, drugs, nonsurgical methods, devices, physical, electrical, hygienic and sanitary measures and all forms of physical agents and modalities ([A.R.S. § 32-1501](#)). Naturopathic physicians are licensed to practice naturopathic medicine by the Naturopathic Physicians Medical Board after meeting qualifications for licensure ([A.R.S. § 32-1522](#)).

For AHCCCS coverage, a *physician* is defined as an individual who is licensed as a doctor of medicine or a doctor of osteopathy ([A.R.S. § 36-2901](#)).

Provisions

1. Expands the definition of *physician* for AHCCCS to include licensed naturopathic physicians. (Sec. 1)
2. Specifies that this legislation does not become effective unless CMS approves naturopathic physicians as service providers on or before October 1, 2027. (Sec. 2)
3. Makes this legislation effective by October 1 of the year following the approval. (Sec. 2)
4. Requires AHCCCS to notify the Director of Arizona Legislative Council in writing on or before November 1, 2027 either:
 - a) of the date of the approval by CMS; or
 - b) that CMS did not approve AHCCCS's request. (Sec. 2)
5. Makes a technical change. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: HHS DPA 9-1-0-0

HB 2494: nursing board; licensure; appropriation

Sponsor: Representative Bliss, LD 1

Caucus & COW

Overview

Appropriates \$100,000 and one FTE position from the Arizona Board of Nursing (AZBN) Fund to AZBN to provide expedited licenses and certificates to Advanced Practice Registered Nurses (APRN) or Registered Nurses (RN). Establishes criteria that APRNs and RNs must meet to receive an expedited license or certificate.

History

Established in 1921, AZBN was created to regulate the practice of nursing in Arizona. AZBN duties include: 1) issuing and renewing licenses and certificates to qualified applicants; 2) investigating complaints; 3) administering disciplinary actions for violations of statutes and rules; 4) approving nursing education programs; and 5) providing information to the public about licensees and certificate holders.

APRNs are either registered nurse practitioners, certified nurse midwives, certified nurse anesthetists or clinical nurse specialists certified by AZBN ([A.A.C. R4-19-101](#)). A *RN* or *professional nurse* means a person who practices registered nursing and holds an issued license pursuant to state laws, regulations and multistate compact privileges ([A.R.S. § 32-1601](#)).

An applicant for a license to practice as a RN must file with AZBN a verified written application accompanied by the prescribed fee and must submit satisfactory proof that: 1) the applicant has completed satisfactorily the basic curriculum in an approved RN program and holds a diploma or degree from that program; 2) the applicant, if convicted of one or more felonies, has received an absolute discharge from the sentences for all felony convictions three or more years before the date of filing an application; and 3) if the applicant has been convicted of a felony, the court has entered judgement of conviction for a class 1 misdemeanor ([A.R.S. § 32-1632](#)).

Time frames for each type of licensure, certification or approval issued by AZBN are pursuant to the licensing time frame statutes and described in rule ([A.A.C. R4-19-102](#)).

Provisions

1. Requires AZBN to issue licenses or certificates to APRNs or RNs within five business days after receipt of an application from a person who meets the outlined criteria. (Sec. 2)
2. Outlines criteria that APRNs and RNs must meet to receive an expedited license or certificate as follows:
 - a. holds a current license or certificate to practice in at least one other state or territory of the United States (US) and be in good standing in all states or US territories;
 - b. has not had a license or certificate revoked and has not voluntarily surrendered the license or certificate in any other state or US territory while under investigation for unprofessional conduct;
 - c. provides proof of a valid and unencumbered license or certificate in another state or US territory through board review of a national nurse license verification system or by another manner determined by AZBN as sufficient proof the person is in good standing with all professional licensing entities;
 - d. does not have a complaint, allegation or investigation pending before another professional licensing entity in another state or US territory that relates to the unprofessional conduct;
 - e. provides proof of having a federal background check already completed by another state or US territory professional licensing entity; and
 - f. is an Arizona resident, is physically working or has accepted an offer to physically work in this state. (Sec. 2)
3. Specifies that if an APRN or RN is seeking an expedited license or certificate by endorsement and has had discipline imposed by any licensing entity in another state or territory, AZBN must determine that the matter has been resolved. (Sec. 2)
4. Prohibits AZBN, if a matter has not been resolved by that jurisdiction, from issuing or denying a license or certificate until the matter is resolved and any discipline imposed has been completed. (Sec. 2)

5. Instructs AZBN, if an applicant has any complaint, allegation or investigation pending, to suspend the application process and not issue or deny a license or certificate to the applicant until the complaint, allegation or investigation is resolved. (Sec. 2)
6. Requires AZBN to accept another state or US territory professional licensing entity's requirement for a background check before issuing a license or certificate as sufficient proof that the person has completed a background check. (Sec. 2)
7. Requires AZBN to acknowledge by written or oral communication to the applicant for an expedited license or certificate the date of receipt of the application. (Sec. 2)
8. Requires AZBN within five days to provide the following to the applicant:
 - a. a notice of licensure or certification approval; or
 - b. a written explanation of reasons the applicant is not eligible for expedited licensure or certification. (Sec. 2)
9. Specifies that a person who received an expedited license or certificate by AZBN is subject to the laws regulating the person's practice in this state and AZBNs jurisdiction. (Sec. 2)
10. States that an expedited issued license or certificate is valid only in this state. (Sec. 2)
11. Asserts that an expedited license or certificate allows a person to practice as an APRN or RN in Arizona and is valid until the license or certificate is required to be renewed. (Sec. 2)
12. Specifies that if a qualified candidate cannot be identified within 90 days after a vacancy occurs then a registered nurse may be appointed to fulfill the two public or two licensed practical nurse positions on the AZBN board. (Sec. 1)
13. Appropriates \$100,000 and one FTE from the AZBN Fund in FY 2025 to AZBN for providing expedited licenses and certificates to APRNs and RNs. (Sec. 3)
14. Exempts the appropriation from lapsing. (Sec. 3)
15. Makes a technical change. (Sec. 1)

Amendments

Committee on Health & Human Services

1. Authorizes AZBN to collect fees for expedited licenses and certificates.
2. Waives any fees that are required to provide the expedited licenses or certificates to veterans and spouses of active-duty military members.
3. Requires AZBN to further investigate the applicant's application as necessary to determine if they can be licensed or certified.
4. Defines *licensing entity*.
5. Makes additional technical changes.

<input type="checkbox"/> Prop 105 (45 votes) <input type="checkbox"/> Prop 108 (40 votes) <input type="checkbox"/> Emergency (40 votes) <input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: HHS DP 7-0-3-0

HB 2543: group foster homes; staffing requirement

Sponsor: Representative Jones, LD 17

Caucus & COW

Overview

Modifies the definition of a *group foster home* to include two adult employees on the premises at all times.

History

The primary purpose of DCS is to protect children. To achieve this DCS will do and focus equally on: 1) investigating reports of abuse and neglect; 2) assessing, promoting and supporting the safety of a child in a safe and stable family or other appropriate placement in response to allegations of abuse and neglect; 3) cooperating with law enforcement regarding reports that include allegations of criminal conduct; and 4) coordinating services to achieve and maintain permanency for the child, strengthen the family and provide prevention, intervention and treatment services without compromising the child's safety ([A.R.S. § 8-451](#)).

A *group foster home* is a licensed regular or special foster home that is suitable for placement of more than five minor children but not more than ten minor children ([A.R.S. § 8-501](#)). DCS must place a child in the least restrictive type of placement available, consistent with the best interests of the child. The order for placement preference is as follows:

- 1) with a parent;
- 2) with a grandparent;
- 3) in kinship care with another member of the child's extended family, including a person who has a significant relationship with the child;
- 4) in licensed family foster care;
- 5) in therapeutic foster care;
- 6) in a group home; and
- 7) in a residential treatment facility ([A.R.S. § 8-514](#)).

Provisions

1. Expands the definition of a *group foster home* to include at least two adult employees on the premises at all times. (Sec. 1)
2. Makes technical changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: HHS DP 7-3-0-0

HB 2582: pharmacists; collaborative practice agreements
Sponsor: Representative Gillette, LD 30
Caucus & COW

Overview

Includes physician assistants and certified nurse midwives in the statutory definition of a *provider* who may enter into a collaborative practice agreement with a pharmacist.

History

A *collaborative practice agreement* is an agreement between a pharmacist and a provider that outlines the drug therapy and disease management services, including initiating, monitoring and modifying prescription drug and laboratory test orders that are authorized by the provider and delegated to the pharmacist for the purpose of drug therapy management or disease management based on the pharmacist's skills or training. Initiating, monitoring and modifying does not include a pharmacist's selection of drug products that are not prescribed by the provider unless the selection of specific drug products is authorized by the collaborative practice agreement.

These collaborative practice agreements may be between one or more pharmacists and one or more providers. A *provider* can be a licensed medical doctor, osteopathic physician or registered nurse practitioner.

A collaborative practice agreement must:

- 1) outline the duties related to drug therapy and disease management that the provider is delegating to the pharmacist to perform;
- 2) specify, at a minimum, the conditions to be managed by the pharmacist through disease management and drug therapy management, the circumstances for which the pharmacist must notify the provider and any documentation or recordkeeping requirements; and
- 3) specify that the pharmacist must follow the written drug therapy and disease management guidelines provided by the provider and may provide drug therapy and disease management services only pursuant to those guidelines.

The Arizona State Board of Pharmacy, the Arizona Medical Board, the Arizona Board of Osteopathic Examiners in Medicine and Surgery and the Arizona State Board of Nursing may adopt rules relating to collaborative practice agreements ([A.R.S. § 32-1970](#)).

Provisions

1. Adds *physician assistants* and *certified nurse midwives* to the list of providers who may enter into a collaborative practice agreement with a pharmacist. (Sec. 1)
2. Makes a technical change. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: HHS DPA 8-1-0-1

HB 2587: adult protective services; reporting; records
Sponsor: Representative Dunn, LD 25
Caucus & COW

Overview

Requires the Arizona Department of Health Services (DHS) when determining the amount of a civil penalty to consider whether the health care institution and staff are in compliance with the vulnerable adult reporting requirements. Provides the Arizona Department of Economic Security (DES) and protective services workers access to unredacted law enforcement records when performing duties related to an adult protective services case.

History

[Adult Protective Services \(APS\)](#) is a program within the DES Division of Aging and Adult Services and is responsible for investigating allegations of abuse, exploitation and neglect of vulnerable adults.

A protective services worker's duties include: 1) receiving reports of abused, exploited or neglected vulnerable adults; 2) receiving from any source oral or written information regarding an adult who may be in need of protective services; 3) on receipt of information make an evaluation to determine if the adult is in need of protective services, if any, are needed; 4) offer an adult in need of protective services or his guardian whatever services appear appropriate in view of the evaluation; and 5) file petitions as necessary for guardian or conservator appointments, temporary appointments or application for a special visitation warrant. DES or a protective services worker employed by DES may not be appointed as guardian, conservator or temporary guardian ([A.R.S. § 46-452](#)).

Retaliation against a person who in good faith reports abuse, neglect or exploitation is prohibited. Retaliation against a vulnerable adult who is the subject of a report is prohibited. Any adverse action taken against a person who reports the abuse, neglect or exploitation or a vulnerable adult who is the subject of the report within 90 days after the report is filed is presumed to be retaliation ([A.R.S. § 46-454](#)).

The DHS Director may assess a civil penalty against a person who violates health care institution statutes or rules. The following must be determined when considering a civil penalty: 1) repeated violations of statutes or rules; 2) patterns of noncompliance; 3) types of violations; 4) severity of violations; 5) potential for and occurrences of actual harm; 6) threats to health and safety; 7) number of persons affected by the violations; 8) number of violations; 9) size of the facility; and 10) length of time that the violations have been occurring ([A.R.S. § 36-431.01](#)).

Provisions

1. Includes, in the criteria that DHS Director must consider when determining the amount of a civil penalty, whether the health care institution and staff are in compliance with the vulnerable adult reporting requirements. (Sec. 1)
2. Authorizes protective service workers to file for an emergency order of protection as a third party or an injunction against harassment to prevent an alleged perpetrator from having access to the vulnerable adults. (Sec. 2)
3. Allows DES or protective services workers to access unredacted law enforcement records related to an adult protective services case when performing official duties. (Sec. 2)
4. Requires law enforcement entities to furnish relevant records to APS on request. (Sec. 2)
5. Requires a peace officer to notify and make available to the APS Central Intake Unit any reports received, including all related unredacted police records. (Sec. 3)
6. Requires a peace officer to provide the information to APS as soon as possible. (Sec. 3)
7. Makes technical and conforming changes. (Sec. 1, 2, 3)

Amendments

Committee on Health & Human Services

1. Allows DES or protective services workers to access law enforcement records, rather than unredacted records, that are related to an adult protective services case when performing official duties.
2. Authorizes protective service workers to file for an order protection, rather than an emergency order protection, as a third party on behalf of a vulnerable adult.
3. Establishes the Vulnerable Adult System Study Committee (Committee) and outlines membership and duties.
4. Authorizes the Committee's Co-chairpersons to designate work groups to research, study and make recommendations to the Committee.
5. Requires DES, in conjunction with the work groups, to develop an action plan for implementation once a strategic direction is established.
6. Asserts that public members are eligible to receive reimbursement of expenses.
7. Requires the Committee to submit a report of its findings and recommendations to the Governor, the President of the Senate and the Speaker of the House of Representatives along with a copy to the Secretary of State by October 1, 2025.
8. Repeals the Committee on January 1, 2026.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: HHS DP 7-3-0-0

HB 2621: sovereign authority; border; health crisis
Sponsor: Representative Montenegro, LD 29
Caucus & COW

Overview

Deems that the trafficking of fentanyl across Arizona's border is a public health crisis and directs the Arizona Department of Health Services (DHS) to do everything within its power to address the crisis.

History

DHS aims to promote, protect and improve the health and wellness of individuals and communities in Arizona. The agency strives to set the standard for personal and community health through direct care, science, public policy and leadership. DHS operates programs from the following areas: 1) disease prevention and control; 2) health promotion; 3) community public health; 4) environmental health; 5) maternal and child health; 6) emergency preparedness; and 7) regulation of healthcare intuitions and facilities.

The Centers for Disease Control (CDC) describes fentanyl as a synthetic opioid that is 50 to 100 times stronger than morphine. The number of overdose deaths involving synthetic opioids in 2020 was more than 18 times the number in 2013 with more than 56,000 people dying from synthetic opioid overdoses in 2020. Fentanyl is listed as a narcotic drug in statute (A.R.S. § 13-3401).

Article I, Section 10 of the U.S. Constitution states that no state can, without the consent of Congress, lay any Duty of Tonnage, keep troops or ships of war in times of peace, enter into any agreement or compact with another state or with a foreign power or engage in war, unless actually invaded or in such imminent danger as will not admit of delay.

Article IV, Section 4 of the U.S. Constitution states that the U.S. must guarantee to every state a Republican form of government and protect each of them against invasion and on application of the Legislature or of the Executive (when the Legislature cannot be convened) against domestic violence.

Article II, Section 3 of Arizona's Constitution permits the state to protect the people's freedom and preserve the checks and balances of the U.S. Constitution by exercising its sovereign authority to restrict the actions of its personnel and use of its financial resources to purposes consistent with the U.S. Constitution by passing an initiative or referendum, a bill or any other available legal remedy.

Provisions

1. Declares it is the public policy of Arizona to protect the state from drug cartels that threaten the public safety, health or general welfare of its people. (Sec. 1)
2. Deems that the federal government's failure to secure Arizona's border to protect it from an unlawful invasion is dangerous and unprecedented. (Sec. 1)
3. Requires Arizona laws to be interpreted and construed to protect its sovereign authority against any unlawful invasion at its border with Mexico. (Sec. 1)
4. Declares the trafficking of fentanyl across Arizona's border as a public health crisis and that overdose deaths involving synthetic opioids are primarily driven by illicitly manufactured fentanyl. (Sec. 2)
5. Asserts that DHS must do everything within its authority to address the crisis. (Sec. 2)
6. Defines the terms *drug cartel* and *unlawful invasion*. (Sec. 1)

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



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: HHS DP 6-4-0-0

HB 2686: health profession regulatory boards
Sponsor: Representative Bliss, LD 1
Caucus & COW

Overview

Establishes procedures and timeframes for Health Profession Regulatory Boards (HPRB) when handling complaints.

History

A *Health Profession Regulatory Board* is any board that regulates one or more health professions in this state. An HPRB is prohibited from acting on its own motion or on any complaint received in which an allegation of unprofessional conduct or other violations that applies to a professional who holds an Arizona license or certificate occurred more than four years before the complaint is received by the board. This time limit does not apply to: 1) medical malpractice settlements or judgments, allegations of sexual misconduct or an incident or occurrence that involved a felony, diversion of a controlled substance or impairment while practicing by the licensee or certificate holder; and 2) the board's consideration of the specific unprofessional conduct related to the licensee's or certificate holder's failure to disclose conduct or a violation as required by law (A.R.S. §§ [32-3218](#) and [32-3224](#)).

Each HPRB may establish a nondisciplinary confidential program, including enrollment criteria, for the monitoring of a licensee or certificate holder who has been reported or voluntarily reports to their HPRB 1) that they may be chemically dependent or have a substance misuse history; or 2) that they may have a medical psychiatric, psychological or behavioral health disorder that may impact their ability to practice safely. A program may include education, intervention, therapeutic treatment and posttreatment monitoring and support. The licensee or certificate holder is responsible for the costs associated with any treatment, rehabilitation or monitoring under the program. The HPRB and licensee or certificate holder may enter into a nondisciplinary confidential stipulated agreement for participation in a program. The HPRB may take further action if the licensee or certificate holder refuses to enter into a nondisciplinary confidential stipulated agreement with the board or fails to comply with the agreement's terms ([A.R.S. § 32-3223](#)).

Provisions

1. Instructs HPRBs to require complainants to identify themselves in the complaint and make themselves available for an evidentiary interview. (Sec. 1)
2. Permits complainants to request that their identity remain confidential during the investigatory process. (Sec. 1)
3. Entitles a respondent to review a complete investigatory file, including the identity of the complainant if the investigatory process results in a determination that a violation may have occurred. (Sec. 1)
4. Allows a HPRB to continue to maintain the complainant's confidentiality from the licensee until the conclusion of the administrative process. (Sec. 1)
5. Allows HPRBs to conduct a closed evidentiary hearing if the complainant requests the complainant's identity remain private and the HRPB has a reasonable basis to conduct the hearing. (Sec. 1)
6. Allows HPRBs to act on a complaint if the complainant refuses to identify themselves only if the HPRB has sufficient information that a violation may have occurred within its jurisdiction that directly impacts the safety of patients. (Sec. 1)
7. Requires HPRBs to limit an investigation of a complaint to those investigative subjects and actions that are substantially linked to the issues raised in the complaint and that would reasonably be taken to investigate the issue in the complaint. (Sec. 1)

8. Requires HPRBs, if on reasonable belief that a crime has been committed, to seek legal advice from its assigned legal counsel on whether they should report the alleged criminal conduct to the appropriate criminal justice agency, including whether any statutory reporting requirements exist. (Sec. 1)
9. Asserts that if the HPRB has reasonable belief that conduct by a licensed, permitted or certificated individual or other entity over which the HRPB does not have jurisdiction may violate the law or codes of conduct, the HRPB must report the conduct to the appropriate state regulatory board or state agency. (Sec. 1)
10. Asserts that it is an act of unprofessional conduct for any licensee, permittee or certificate holder of any HPRB to file a false, fraudulent or anonymous complaint or report with the HPRB. (Sec. 1)
11. Directs each HPRB to implement a policy prioritizing complaint based on the harm to a patient or potentially to the public. (Sec. 1)
12. Instructs a HPRB to assign high priority status to complaints alleging sexual conduct with a patient, criminal assault, theft or providing services while under the influence of any illegal or legal substance that impairs the health professional. (Sec. 1)
13. Requires an HPRB, within 180 days after receipt of a complaint against a licensee, permittee or certificate holder to do one of the following:
 - a. submit the investigation for review;
 - b. report the number of investigations that cannot be reasonably completed within 180 days due to the complexity of the matter or that the respondent has requested additional time to respond or has caused delays in the investigation; or
 - c. administratively dismiss the complaint without prejudice. (Sec. 1)
14. Specifies that if it has been determined that the HPRB cannot complete an investigation within 180 days, HPRB may continue the investigation to its conclusion and report at each regularly scheduled meeting the status of every case opened over the previous 180 days. (Sec. 1)
15. Requires HPRB to include in the uncompleted investigations report, the number of days the investigation has been opened and whether there is a practice restriction or evaluation. (Sec. 1)
16. Allows a HPRB to continue its investigation for an additional 100 days to complete its investigation and proceed with the administrative procedure to submit the complaint for review. (Sec. 1)
17. Allows, if an HPRB administratively dismisses a complaint without prejudice, HPRBs to reopen their investigation if it has additional evidence, information or testimony to conclude the investigation with the available options prescribed for each HPRB. (Sec. 1)
18. Prohibits HPRBs from making an administrative dismissal or nondisciplinary remedial act publicly available or report any such action to the National Practitioner Data Bank, consistent with federal law. (Sec. 1)
19. Prohibits HPRBs from stating that there are nondisciplinary remedial actions or dismissed actions available for review. (Sec. 1)
20. Requires HPRBs, on notification of an open investigation and before an investigation interview of any respondent, to provide the respondent with a written notice stating the following:
 - a. the respondent has the right to be represented by legal counsel;
 - b. the respondent must be provided with a reasonable period of time of at least 10 days after receiving the written notice to retain legal counsel; and
 - c. the respondent has the right to provide a response without assistance of counsel before answering questions. (Sec. 1)
21. Asserts that the written notice must inform the respondent that any statements made during an interview may be used against the respondent by the HPRB. (Sec. 1)
22. States that if a HPRB determines and orders that a licensee, permittee or certificate holder obtain a psychological, psychiatric or other medical evaluation and the person requests that the evaluation be made by a professional other than the professional recommended by the HPRB, the HPRB must approve an evaluation from a professional with the credentials, training and expertise to address the issues the HPRB has requested in its order. (Sec. 1)
23. Requires HPRBs to post all written substantive policies in a clearly identifiable section on its website. (Sec. 1)

24. Prohibits HPRBs from including any questions on a license, permit, certificate or an endorsement application that requests information about whether the applicant has sought mental health assistance or has received a mental health diagnosis or treatment. (Sec. 1)
25. Permits HPRBs to ask if the licensee is currently under a regulatory entity's order in another state for the monitoring of a health condition, including substance abuse. (Sec. 1)
26. Allows HPRBs to administratively suspend a license, permit or certificate if the licensee, permittee or certificate holder does not submit a complete application and payment for renewal within 60 days after the renewal deadlines and assess a civil penalty for the renewal delay from the date the renewal was due until completed and paid. (Sec. 1)
27. Prohibits HPRBs from revoking a license, permit or certificate solely on the failure to renew the license, permit or certificate. (Sec. 1)
28. Defines *without prejudice*. (Sec. 1)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: HHS DP 9-1-0-0

HB 2744: involuntary treatment; guardians; agents; rights
Sponsor: Representative Hernandez C, LD 21
Caucus & COW

Overview

Entitles guardians and agents who may have decisional authority to make personal, medical and treatment decisions for a patient pursuant to a court order or validly executed mental health power of attorney to certain rights regarding involuntary treatment of a patient.

History

At least 72 hours before the court conducts a hearing on the petition for court-ordered treatment, a copy of the petition, affidavits in support of the petition and the notice of the hearing must be served on the patient, who must be informed of the purpose of the hearing and advised of the patient's right to consult counsel. If the patient has not employed counsel, counsel must be appointed by the court at least three days before the hearing. If at the time of the petition for evaluation the patient had counsel, the same attorney should, if possible, be appointed to represent the patient at the hearing for court-ordered treatment.

If the court finds by clear and convincing evidence that the proposed patient, as a result of a mental disorder, is a danger to self, is a danger to others or has a persistent or acute disability or a grave disability and is in need of treatment, and is either unwilling or unable to accept voluntary treatment, the court must order the patient to undergo one of the following: 1) treatment in a program of outpatient treatment; 2) treatment in a program consisting of combined inpatient and outpatient treatment; or 3) for eligible veterans, inpatient treatment in a mental health treatment agency, in a hospital operated by or under contract with the U.S. Department of Veterans Affairs, in the state or private hospital (A.R.S. §§ [36-535](#) and [36-540](#)).

Provisions

Guardians and Agents Rights

1. Entitles guardians and agents, who may have decisional authority to make personal, medical or treatment decisions for a patient pursuant to a court order or validly mental health power of attorney, to the following rights in any proceedings regarding involuntary treatment of the patient:
 - a. to be notified of any petition for treatment, motion for an amended court order, application for continued court-ordered treatment and request for judicial review;
 - b. to provide to the court, if allowed, with their position regarding the relief being sought in any proceedings and any relevant information to help the court make a determination;
 - c. to provide relevant information to any agency providing inpatient or outpatient screening, evaluation or treatment to the patient; and
 - d. to participate in treatment and discharge planning with the inpatient or outpatient treatment providers when appropriate. (Sec. 1)

Direct Petition for Court-Ordered Evaluation

2. Allows a parent, spouse or guardian of a person to directly file a petition for evaluation with the court. (Sec. 2)
3. Asserts that a petition for court-ordered evaluation:
 - a. does not need to comply with the application and prescreening provisions; and
 - b. must include a certificate executed by certain health care professionals that are able to state that they have examined the person who is subject of the petition within the preceding 48 hours and find that the person appears to meet the criteria for involuntary evaluation and the observation on which that conclusion is based. (Sec. 2)

Service of Petition

4. Requires a petitioner to serve a copy of the petition, affidavits in support of the petition and the notice of the hearing on any guardian identified in the petition. (Sec. 4)

5. Allows a guardian, in lieu of personal service, to provide a written acknowledgment that the guardian has received the documents. (Sec. 4)
6. Directs the petitioner to complete service on the guardian at least two calendar days before the hearing on the petition. (Sec. 4)
7. Asserts that failure to serve a guardian is not grounds for dismissing the petition. (Sec. 4)

Court Options

8. States that if there is a court order for treatment and a guardianship with additional mental health authority existing at the same time, the treatment and placement decisions made by the treatment agency assigned by the court to supervise and administer the patient's treatment program pursuant to the court order for treatment are controlling unless the court orders otherwise. (Sec. 5)
9. Allows a guardian of a patient, during any period of outpatient treatment, to file a report with the court that:
 - a. addresses whether the patient is complying with the terms of the order;
 - b. whether the outpatient treatment plan is appropriate; and
 - c. whether the patient needs inpatient treatment. (Sec. 5)
10. Specifies that the report must state in detail the facts on which the guardian relies and may include other supporting documents. (Sec. 5)
11. Requires a copy of the report and other supporting documents to be given to the patient's attorney and the outpatient treatment agency. (Sec. 5)
12. Requires a court, after reviewing the report and supporting documents, to set a conference, hearing or take other actions if the court determines there is reasonable cause to believe either of the following:
 - a. that the patient is not complying with the terms of the order;
 - b. that the outpatient treatment plan is no longer appropriate; or
 - c. that the patient needs inpatient treatment. (Sec. 5)
13. Makes technical and conforming changes. (Sec. 3, 5)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: HHS DP 9-1-0-0

HB 2758: rare disease advisory council
Sponsor: Representative Hernandez A, LD 20
Caucus & COW

Overview

Establishes the Arizona Rare Disease Advisory Council (RDAC) to gather public testimony, educate and recommend to the Legislature and government entities on the needs of individuals with rare diseases living in Arizona. Outlines RDAC membership and duties and contains legislative findings.

History

The [Arizona Department of Health Services \(DHS\)](#) aims to promote, protect and improve the health and wellness of individuals and communities in Arizona. The agency strives to set the standard for personal and community health through direct care, science, public policy and leadership. DHS operates programs from the following areas: 1) disease prevention and control; 2) health promotion; 3) community public health; 4) environmental health; 5) maternal and child health; 6) emergency preparedness; and 7) regulation of healthcare intuitions and facilities.

Currently, there are 26 states that have established an RDAC. These states include: Alabama Colorado, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Louisiana, Maine, Maryland, Massachusetts, Minnesota, Missouri, Nevada, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Utah, Virginia, and West Virginia ([National Organization for Rare Disorders](#)).

Provisions

1. Establishes the RDAC within DHS to provide guidance and recommendations to educate the public, Legislature and other government agencies and departments, as appropriate, on the needs of individuals who have rare diseases and living in Arizona. (Sec. 1)
2. Requires the appointment process to be conducted in a transparent manner to provide interested individuals an opportunity to apply for RDAC membership. (Sec. 1)
3. Requires all RDAC members to be full-time residents of Arizona, if practicable. (Sec. 1)
4. Requires RDAC membership to include a diverse set of stakeholders who represent the geographic and population diversity of this state. (Sec. 1)
5. Lists the types of members to be appointed to the RDAC. (Sec. 1)
6. Requires the initial meeting of the RDAC to occur within 90 days after the effective date. (Sec. 1)
7. Directs the RDAC to meet at least once a month, during the first year. (Sec. 1)
8. Allows RDAC to meet in person or via an online meeting platform. (Sec. 1)
9. Requires RDAC to provide opportunities for the public to hear updates on their work and provide input. (Sec. 1)
10. Instructs RDAC to develop and maintain a public website on which meeting minutes and notices will be posted and public comments can be submitted. (Sec. 1)
11. Requires RDAC members to serve three-year terms. (Sec. 1)
12. Specifies that RDAC members are not eligible to receive compensation but are eligible for reimbursement of expenses. (Sec. 1)
13. Requires the RDAC to do the following:
 - a. convene public hearings, make inquiries and solicit comments from the public to assist the RDAC with a first-year landscape or survey of the unmet needs of rare disease patients, caregivers and providers in the state;
 - b. provide testimony and comments on pending legislation and rules that impact the state's rare disease community;

- c. consult with experts to develop policy recommendations that improve patient access to, and quality of, rare disease specialists, affordable and comprehensive health care coverage, relevant diagnostics, timely treatment and other needed services;
 - d. research and make recommendations to state agencies and health insurers that provide services to persons with rare diseases regarding the impact of orphan drug pricing, prior authorization, cost-sharing or other barriers to providing treatment and care for patients,
 - e. evaluate and make recommendations to improve the Arizona Health Cost Containment System and state-regulated private health insurance coverage of drugs for rare disease patients,
 - f. engage with the state Drug Utilization Review Board and the Pharmacy and Therapeutics committee, to improve coverage of diagnostics and facilities access to necessary health care providers with expertise in treating rare diseases; and
 - g. identify and distribute educational resources for health care providers to foster recognition and optimize treatment of rare diseases. (Sec. 1)
14. Requires RDAC to submit a report to the Governor and chairpersons and ranking members of the Health and Human Services Committee of the Senate and the House of Representatives, or their successor committee annually on December 1. (Sec. 1)
15. Specifies that a draft of the annual report must be made available for public comment and discussed at an open public meeting before submission. (Sec. 1)
16. Requires the annual report to:
- a. describe RDAC's activities and progress; and
 - b. provide recommendations to the Governor and Legislature on ways to address the needs of people living in Arizona with rare diseases. (Sec. 1)
17. Allows the RDAC to solicit gifts, grants and donations for operations, activities and initiatives. (Sec. 1)
18. Outlines initial terms for RDAC members. (Sec. 2)
19. Requires the Governor to make all subsequent appointments as prescribed by statute. (Sec. 2)
20. Contains legislative findings. (Sec. 3)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: HHS DPA 9-1-0-0

HB 2764: long-term care; enforcement; memory care
Sponsor: Representative Dunn, LD 25
Caucus & COW

Overview

Requires the Director of the Arizona Department of Health Services (DHS) to establish a certification process for assisted living facilities and nursing care institutions wishing to provide enhanced memory care services. Raises the maximum civil penalty the DHS Director may assess for violations of health care institution statutes and rules. Increases the number of members on the Board of Examiners of Nursing Care Institution Administrators and Assisted Living Facility Managers (NCIA Board).

History

Health Care Institution Licensure

A *health care institution* is every place, institution, building or agency, whether organized for profit or not, that provides facilities with medical services, nursing services, behavioral health services, health screening services, other health-related services, supervisory care services, personal care services or directed care services and includes home health agencies, outdoor behavioral health care programs and hospice service agencies. *Residential care institutions* are health care institutions other than a hospital or a nursing care institution that provides resident beds or residential units, supervisory care services, personal care services, behavioral health services, directed care services or health-related services for persons who do not need continuous nursing services. *Assisted living facilities* are residential care institutions, including an adult foster care home, that provides or contracts to provide supervisory care services, personal care services or directed care services on a continuous basis. *Nursing care institutions* are health care institutions that provide inpatient beds or resident beds and nursing services to persons who need continuous nursing services but who do not require hospital care or direct daily care from a physician ([A.R.S. § 36-401](#)).

Current law establishes processes and procedures that applicants must follow to obtain a health care institution license. Applicants must submit to DHS: 1) an application on a written or electronic form that contains certain information about the health care institution; 2) a notarized attestation form that verifies the architectural plans and specifications of the health care institution; and 3) the applicable application fee. An application for a health care institution license must be submitted at least 60 days, but not more than 120 days before the anticipated date of operation. An application for a substantial compliance survey must be submitted at least 30 days before the date on which the survey was requested.

If a current licensee intends to terminate the operation of a licensed health care institution or if a change in ownership is planned, the current licensee must notify the DHS Director in writing at least 30 days before the termination of operation or change in ownership has taken place. The current licensee is responsible for preventing any interruption of services required to sustain the life, health and safety of the patients or residents. A new owner is prohibited from beginning to operate the health care institution until the DHS Director issues a license to the new owner ([A.R.S. §§ 36-401 and 36-422](#)).

Civil Penalties

The DHS Director may assess a civil penalty against a person who violates health care institutions statutes or rules in an amount of up to \$500 for each violation. Every day a violation occurs constitutes a separate violation. The DHS Director may issue a notice of the assessment which must include the proposed amount of the assessment. A person may appeal the assessment by requesting a hearing from the Office of Administrative Hearings. If the assessment is appealed, the DHS Director cannot take any further action to enforce and collect the assessment until after the hearing. The DHS Director must consider certain factors when determining a civil penalty. These factors include: 1) repeated violations of statutes or rules; 2) patterns of noncompliance; 3) types of violations or severity of violations; 4) potential for and occurrences of actual harm; 5) threats to health and safety; 6) number of persons affected by the violations; 7) number of violations; 8) size of the facility; and 9) length of time that the violations have been occurring ([A.R.S. § 36-431.01](#)).

Inspections

The DHS Director must inspect the premises of each health care institution and investigate the applicant's character and qualifications to ensure compliance with statutes and administrative rules. The DHS Director may in certain circumstances accept an accreditation report in lieu of a compliance inspection upon receiving a report for the licensure period and the health care institution is accredited by an independent, nonprofit accredited organization approved by the Secretary of the U.S. Department of Health and Human Services. Statute prohibits the DHS Director from accepting an accreditation report instead of a compliance inspection from: 1) an intermediate care facility for people with intellectual disabilities; 2) a nursing-supported group home; and 3) a health care institution that has been subject to an enforcement action within the year preceding the annual licensing fee anniversary date ([A.R.S. § 36-424](#)).

Board of Examiners of Nursing Care Institution Administrators and Assisted Living Facility Managers

The NCIA Board was established in 1975 to oversee nursing care institution administrators and assisted living facility managers in Arizona. NCIA Board adopts rules for licensing and certifying applicants, conducting examinations to determine applicant qualification and adopting fees. It also conducts investigations or administrative hearings in response to complaints and prescribes standards for assisted living facility training programs.

The NCIA Board consists of 11 members appointed by the Governor, including: 1) one administrator holding an active license; 2) one manager holding an active license; 3) one administrator of a nonprofit or faith-based skilled nursing facility; 4) one administrator of a proprietary skilled nursing facility; 5) two managers of an assisted living center; 6) one manager of an assisted living home; 7) two public members not affiliated with a nursing care institution or an assisted living facility; 8) one public member who represents an organization that advocates for the elderly; and 9) one person who is a family member of a resident in either a skilled nursing facility or an assisted living facility at the time the person is appointed to the NCIA Board (A.R.S. §§ [36-446.02](#) and [36-446.03](#)).

Provisions

DHS Director

1. Requires the DHS Director to prescribe the following:
 - a. guidelines for the agency to monitor health care institutions on-site that are found to not be in substantial compliance with applicable licensure requirements; and
 - b. guidelines for the agency to provide technical assistance to health care institutions that request assistance relating to regulatory compliance. (Sec. 1)
2. Requires the DHS Director to establish the following:
 - a. on-site monitoring fees for health care institutions that are subject to the on-site monitoring requirements; and
 - b. technical assistance fees for health care institutions that request assistance from DHS. (Sec. 1)
3. Allows DHS to continue to pursue any court, administrative or enforcement action against a licensee even if the health care institution is in the process of being sold, transferred or if the health care institution has closed. (Sec. 6)
4. Allows DHS, if it is determined that patient safety may be in jeopardy due to a licensee's actions, to deny a new application for licensure or a currently licensed health care institution while any enforcement or court action related to the licensure or operation of the health care institution is pending against the licensee. (Sec. 6)
5. Permits DHS to deny the approval of a change in ownership of a currently licensed health care institution if DHS determined that the transfer of ownership, whether involving a direct owner or indirect owner may jeopardize patient safety. (Sec. 6)

Enhanced Memory Care Certification

6. Task the DHS Director with establishing rules for a certification process, including fees, for an assisted living facility or nursing care institution that wishes to provide enhanced memory care services to residents or patients with a diagnosis of Alzheimer's disease, dementia or a related neurocognitive disorder to receive approval to provide those services. (Sec. 2)
7. Allows enhanced memory care services to be provided in a designated separate unit of an assisted living facility or nursing care institution that is dedicated solely to provide enhanced memory care services to persons with a diagnosis of Alzheimer's disease, dementia or a related neurocognitive disorder. (Sec. 2)

8. Requires an assisted living facility, nursing care institution or any other facility that represent to the public or advertises that the entity provides enhanced memory care services to have a certification from DHS. (Sec. 2)
9. States that the enhanced memory care certification is valid for two years. (Sec. 2)
10. Defines *enhances memory care services*. (Sec. 2)
11. Prohibits the DHS Director from accepting an accreditation report in lieu of a compliance inspection for the following entities:
 - a. a residential care institution unless it has the same direct owner or indirect owner as a licensed hospital; and
 - b. a nursing care institution unless it has the same direct owner or indirect owner as a licensed hospital. (Sec. 3)

Civil Penalties

12. Adds that a health care institution license does not expire and remains valid unless the licensee did not pay the civil penalties or provider agreement fees before the relevant due date or did not enter into an agreement with DHS before the relevant due date to pay all outstanding fees or civil penalties. (Sec. 4)
13. States that if DHS determines a facility to be deficiency free on a compliance survey it does not have to conduct a compliance survey for 24 months after the date of the deficiency free survey, except for a residential care institution or a nursing care institution that does not have the same direct or indirect owner as a licensed hospital. (Sec. 4)
14. Increases the maximum civil penalty assessed for violations of health care institution statutes and rules from \$500 to \$1,000 per violation which may be assessed for each resident or patient that DHS determines was impacted by the violation. (Sec. 5)
15. Expands on the criteria that DHS must consider when establishing a model by rule for assessing civil penalties:
 - a. the potential for an occurrence of actual harm, including to patients, staff or residents;
 - b. threats to health and safety, including to patients, staff or residents; and
 - c. the type of health care institution. (Sec. 5)

Board of Examiners of Nursing Care Institution Administrators and Assisted Living Facility Managers

16. Increases the NCIA Board membership from 11 to 13 by adding the following members:
 - a. one person who is a current or former resident of a skilled nursing or assisted living facility;
 - b. one public member who represents an organization that advocates for individuals with Alzheimer's disease, dementia or other related neurocognitive diseases or disorders;
 - c. one person who represents an organization that advocates for persons who have physical disabilities; and
 - d. one person who represents an organization that advocates for persons who have intellectual or developmental disabilities. (Sec. 7)
17. Removes the two public members who are not affiliated with a nursing care institution or assisted living facility from the NCIA Board. (Sec. 7)

Miscellaneous

18. Exempts DHS from rulemaking requirements until July 1, 2025, except that DHS must hold at least two public meetings. (Sec. 8)
19. Makes the enhanced memory care certification provisions effective on July 1, 2025. (Sec. 9)
20. Makes technical and conforming changes. (Sec. 1, 4, 5 and 7)

Amendments

Committee on Health & Human Services

1. Requires DHS to establish by rule minimum training standards for staff and volunteers who work in a certified assisted living facility or nursing care institution that provides memory care services.
2. Requires the training standards to include a minimum of eight hours of initial training and four hours of annual continuing education.
3. Directs DHS to provide staff and volunteers who complete the training a certificate of completion that may be used to work at any assisted living facility or nursing care institution to provide memory care services.
4. Asserts that if a staff member or volunteer has not worked at an assisted living facility or nursing care institution that is certified to provide memory care services for a period of 10 months, the person is required to repeat the initial training.

5. Removes a provision relating to where memory care services can be provided.
6. Makes technical and conforming changes.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: JUD DP 9-0-0-0

HB 2047: prisoners; transition program
Sponsor: Representative Bliss, LD 1
Caucus & COW

Overview

Allows inmates to receive a one-time, 90-day extension of transition services if they meet certain eligibility requirements.

History

Current law requires the Department of Corrections (Department) to establish a transition program for eligible inmates to receive transition services in the community for up to 90 days. The Department is tasked with administering the transition program and contracting with private or nonprofit entities to provide eligible inmates with transition services, which the Department must procure pursuant to [A.R.S. title 41](#), chapter 23 (Arizona Procurement Code). Statute outlines eligibility requirements for inmates, lists the required services and programs that must be offered and requires that victims be notified and given the opportunity to be heard before inmates are released from the program. The Department is also required to conduct and submit an annual survey to the Governor, President of the Senate and Speaker of the House of Representatives on certain data points relating to transition services ([A.R.S. § 31-281](#)).

Provisions

1. Allows the Department to grant a one-time extension to allow an eligible inmate to continue receiving transition services for an additional 90 days if all of the following are met:
 - a. the Department determines the inmate will need additional treatment or intervention to adequately address the inmate's criminogenic needs;
 - b. the contracted entity providing the inmate's transition services uses an empirically validated and peer reviewed instrument to evaluate the risk of inmate recidivism and primary criminogenic factors; and
 - c. the contracted entity submits an updated individualized service plan to the Department. (Sec. 1)
2. Makes a conforming change. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: JUD DP 5-4-0-0

HB 2374: unlawful flight from law enforcement

**Sponsor: Representative Diaz, LD 19
Caucus & COW**

Overview

Establishes *aggravated unlawful flight from a pursuing law enforcement vehicle* as a class 2 felony offense and makes other changes to existing statute relating to unlawful flight from law enforcement.

History

Under current law, a person commits *unlawful flight from a pursuing law enforcement vehicle*, a class 5 felony, by wilfully fleeing or attempting to elude a pursuing official law enforcement vehicle and the law enforcement vehicle is either:

- 1) marked to show that it is an official law enforcement vehicle and has engaged its siren and lights pursuant to [A.R.S. § 28-624](#); or
- 2) unmarked and either of the following applies:
 - a) the driver admits to knowing that the vehicle was an official law enforcement vehicle; or
 - b) evidence shows that the driver knew that the vehicle was an official law enforcement vehicle ([A.R.S. § 28-622.01](#)).

Statute further allows a peace officer who has reasonable grounds to believe that a vehicle has been lost, stolen, abandoned or otherwise unclaimed to have the vehicle removed from any street or highway or any other public or private land. For purposes of this authorization, statute permits an officer to remove a vehicle if the driver of the vehicle engages in unlawful flight from a pursuing law enforcement vehicle pursuant to [A.R.S. § 28-622.01](#) or leaves the vehicle and continues to engage in the offense ([A.R.S. § 28-4834](#)).

Additionally, [A.R.S. title 5](#), chapter 3, which codifies several provisions regulating boating and watersports, contains an unlawful flight provision similar to [A.R.S. § 28-622.01](#) above. Specifically, it is a class 5 felony offense for the operator of a watercraft to wilfully flee or attempt to elude a pursuing law enforcement officer who is attempting to order the watercraft ashore to correct any unlawful condition, issue a written warning or written repair order or issue a citation for any violation of that chapter (A.R.S. § 5-391).

The most severe homicide offense in the criminal code is *first degree murder*. One form of first degree murder, commonly referred to as *felony murder*, involves a person who, either alone or with others, commits or attempts to commit one of several statutorily enumerated felony offenses and, while in the course of and in furtherance of the offense, the person or another person causes the death of any person. Among many others, one of the enumerated offenses in the felony murder statute is unlawful flight from a pursuing law enforcement vehicle pursuant to [A.R.S. § 28-622.01](#) ([A.R.S. § 13-1105](#)).

Arizona courts have interpreted *wilfully*, which is defined in [A.R.S. § 1-215](#), to be equivalent to *knowingly*, which is defined in [A.R.S. § 13-105](#). See *State v. Gendron*, 166 Ariz. 562, 565 (App. 1990), *vacated in part on other grounds*, 168 Ariz. 153 (1991).

Serious physical injury is defined as physical injury that creates a reasonable risk of death or that causes serious and permanent disfigurement, serious impairment of health or loss or protracted impairment of the function of any bodily organ or limb. *Physical injury* is defined as the impairment of physical condition. The *culpable mental states*, which include *intentionally*, *knowingly*, *recklessly* and *criminal negligence* are also defined in statute ([A.R.S. § 13-105](#)).

Provisions

1. Establishes *aggravated unlawful flight from a pursuing law enforcement vehicle* as a class 2 felony offense involving a person who commits unlawful flight from a pursuing law enforcement vehicle pursuant to [A.R.S. § 28-622.01](#) and the person either:
 - a. drives at least 35 miles per hour over the posted speed limit during the pursuit; or
 - b. intentionally, knowingly or recklessly causes serious physical injury to or death of another person during the pursuit. (Sec. 4)

2. Adds this new offense to the enumerated list of offenses in the felony murder statute ([A.R.S. § 13-1105](#)) and to the statute allowing a peace officer to remove a vehicle under certain circumstances ([A.R.S. § 28-4834](#)). (Sec. 2, 5)
3. Lowers the sentencing classification for the unlawful flight provision involving watercraft ([A.R.S. § 5-391](#)) from a class 5 felony to a class 1 misdemeanor. (Sec. 1)
4. Makes technical and conforming changes. (Sec. 1, 2, 3, 5)

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



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: JUD DP 5-4-0-0

HB 2820: drug trafficking homicide; sentencing **Sponsor: Representative Nguyen, LD 1** **Caucus & COW**

Overview

Establishes *drug trafficking homicide* as a class 1 felony offense and prescribes special sentencing ranges and enhancements that may apply in certain circumstances.

History

The criminal code currently includes four types of homicide offenses:

- 1) first degree murder ([A.R.S. § 13-1105](#));
- 2) second degree murder ([A.R.S. § 13-1104](#));
- 3) manslaughter ([A.R.S. § 13-1103](#)); and
- 4) negligent homicide ([A.R.S. § 13-1102](#)).

The criminal code also outlines certain criminal offenses and sentencing classifications specific to different types of drugs. Two of these drug categories are *dangerous drugs* and *narcotic drugs*, both of which are defined to encompass a detailed list of materials, compounds, mixtures or preparations containing various substances or derivatives. Examples of dangerous drugs include mescaline, methamphetamine and phencyclidine (PCP), while examples of narcotic drugs include cocaine, fentanyl and heroin ([A.R.S. § 13-3401](#)).

Criminal offenses relating to dangerous drugs and narcotic drugs are prescribed in A.R.S. §§ 13-3407 and 13-3408, respectively, and while there are distinctions, both statutes largely mirror each other as to the core offenses. Under subsection A, paragraph 7 of both statutes, it is a class 2 felony offense to knowingly transport for sale, import into Arizona, offer to transport for sale or import into Arizona, sell, transfer or offer to sell or transfer a dangerous drug or a narcotic drug. For these purposes, *sale* (or *sell*) means an exchange for anything of value or advantage, present or prospective ([A.R.S. § 13-3401](#)).

Current law also provides for enhanced sentencing for various recognized categories of offenses, including crimes that fall within the definitions of a *dangerous offense* ([A.R.S. § 13-105](#)), a *dangerous crime against children (DCAC)* ([A.R.S. § 13-705](#)), a *serious offense* or a *violent or aggravated felony* ([A.R.S. § 13-706](#)). The applicable term of imprisonment for an offense may also be aggravated or mitigated if certain other circumstances are found to be present ([A.R.S. § 13-701](#)).

Provisions

1. Adds drug trafficking homicide as a new homicide offense in the criminal code, which a person commits if all of the following circumstances are met:
 - a. the person sells a dangerous drug under [A.R.S. § 13-3407](#), subsection A, paragraph 7 or sells a narcotic drug under [A.R.S. § 13-3408](#), subsection A, paragraph 7;
 - b. injecting, inhaling, absorbing or ingesting a dangerous drug or narcotic drug, either alone or in combination with other dangerous drugs or narcotic drugs, causes the death of the person to whom the drug was sold; and
 - c. the person knows, has reason to know or is criminally negligent as to the identity of the drug. (Sec. 3)
2. Classifies drug trafficking homicide as a class 1 felony carrying a 10-25 year prison sentence (16 year presumptive), unless the convicted person has previously been convicted of drug trafficking homicide or a class 2 or 3 felony involving a dangerous offense, in which case the offense carries a 15-29 year prison sentence (20 year presumptive). (Sec. 3)
3. Permits the presumptive prison terms above to be aggravated or mitigated under [A.R.S. § 13-701](#). (Sec. 3)
4. Specifies that drug trafficking homicide is punishable as a DCAC if the victim is under 15 years old. (Sec. 1, 3)
5. Adds drug trafficking homicide to the list of offenses currently included in the definitions of a serious offense and a violent or aggravated felony. (Sec. 2)

6. Includes a serious offense that is also a drug offense as an offense that, upon conviction and if other circumstances are met, requires a person to be sentenced to 25 years to life imprisonment. (Sec. 2)
7. States legislative findings and intent. (Sec. 4)
8. Makes technical changes. (Sec. 1)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: JUD DP 5-3-0-1-0-0

HCR2042: sex trafficking; minors; natural life

Sponsor: Representative Bliss, LD 1

Caucus & COW

Overview

Directs the Secretary of State to submit a proposition to the voters that would amend the Arizona Constitution to require natural life imprisonment for an adult who is convicted of sex trafficking of a minor child.

History

Under the current criminal code, child sex trafficking is a criminal offense generally relating to child prostitution that can be committed in a number of different ways. Almost all forms of this offense are classified as class 2 felonies, and many of them may include special sentencing ranges or sentence enhancements depending on the type of offense or age of the victim. The only form of child sex trafficking that is not a class 2 felony involves a defendant who is at least 18 years old engaging in prostitution with a minor between 15 and 17 years old whom the defendant did not know or have reason to know was a minor ([A.R.S. § 13-3212](#)).

Provisions

1. Adds a new provision to the Arizona Constitution that requires an adult who is convicted of sex trafficking of a minor child to be sentenced to natural life imprisonment without eligibility of any form of release.
2. For purposes of this new provision, defines *sex trafficking of a minor child* as knowingly paying for sex with a minor, receiving payment for placing a minor in another person's custody with intent to cause the minor to engage in sex with another person or providing or obtaining a minor with intent to cause the minor to engage in sex with another person.
3. Authorizes the Legislature to implement this new provision as appropriate.
4. Requires the Secretary of State to submit the proposition to the voters at the next general election.

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



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: LARA DPA 9-0-0-0

HB 2012: department of forestry; continuation
Sponsor: Representative Griffin, LD 19
Caucus & COW

Overview

Continues the Arizona Department of Forestry and Fire Management (DFFM) for eight years through July 1, 2032.

History

The DFFM provides land management services and prevents wildfires on state and private land located outside of cities and towns. The State Forester is appointed by the Governor and is responsible for the direction, operation and control of the DFFM ([A.R.S. § 37-1301](#)).

The Legislature may continue any state agency for a period up to 10 years, after which the agency is subject to a Sunset Review ([A.R.S. § 41-2955](#)). Arizona's Sunset Review process requires the Legislature to review the purpose and functions of state agencies and determine whether continuation, revision, consolidation or termination is warranted ([A.R.S. § 41-2951](#)).

The DFFM is set to expire on July 1, 2024 ([A.R.S. § 41-3024.21](#)).

Provisions

1. Continues, retroactive to July 1, 2024, the DFFM until July 1, 2032.
2. Repeals the DFFM on January 1, 2033.
3. Contains a legislative intent clause.

Amendments

Committee on Land, Agriculture & Rural Affairs

1. Requires the State Forester to provide a written report to the Arizona State Legislature, the Governor and the Secretary of State.
2. Requires the written report to include current and ongoing wildfire mitigation and suppression activities and the associated budget allocated for wildfire mitigation and suppression.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: LARA DP 7-0-0-2

HB 2053: G&F; publications revolving fund

Sponsor: Representative Dunn, LD 25

Caucus & COW

Overview

Increases, from \$80,000 to \$250,000, the maximum amount of monies that must remain in the Game and Fish Publications Revolving Fund (Revolving Fund) before reverting excess monies to the Game and Fish Fund (Fund).

History

The Revolving Fund consists of monies received from the sale of publications relating to wildlife and activities of the Arizona Game and Fish Department (AZGFD). The monies in the Revolving Fund are appropriated to AZGFD to produce and distribute publications and information.

Currently, any monies in excess of \$80,000 revert to the Fund at the end of the fiscal year (A.R.S. §§ [17-269](#), [17-231](#)).

Provisions

1. Increases, from \$80,000 to \$250,000, the maximum amount of monies that must remain in the Revolving Fund before reverting excess monies to the Fund.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: LARA DP 9-0-0-0

HB 2415: Arizona racing commission; continuation
Sponsor: Representative Cook, LD 7
Caucus & COW

Overview

Continues the Arizona Racing Commission (Commission) for two years.

History

Arizona Racing Commission

In 1949, the Legislature created the Commission and legalized pari-mutuel wagering ([Laws 1949, Chapter 61](#)). In 1982, the Legislature created the Arizona Department of Racing to regulate and supervise pari-mutuel racing and wagering in Arizona and protect the racing participants and wagering public ([Laws 1982, Chapter 310](#)). Before the Department of Racing was created, the Commission performed those regulatory activities. In 2015, the Legislature transferred the responsibilities of the Department of Racing to the Department of Gaming ([Laws 2015, Chapter 19](#)). The Commission consists of five members, appointed by the Governor to five year terms ([A.R.S. § 5-102](#)).

The Commission: 1) issues racing dates; 2) prepares and adopts rules to govern racing meetings and protect and promote the safety and welfare of racing animals, public health and the proper conduct of racing and pari-mutuel wagering; 3) conducts hearings on applications for permits and approves permits; 4) reviews all applications to construct capital improvements at racetracks; and 5) supervises the Director of the Division of Racing ([A.R.S. § 5-104](#)).

Sunset Review Process

The sunset review process provides a system for the Legislature to evaluate the need to continue the existence of state agencies which are reviewed by a legislative committee of reference (COR). The COR is required to hold a public hearing, receive testimony from agency officials and the public and consider certain sunset factors to determine whether to recommend continuing, consolidating or terminating the agency ([A.R.S. § 41-2954](#)).

The Senate Natural Resources, Energy and Water COR and House Land, Agriculture and Rural Affairs COR held a public meeting on January 11, 2024 and recommended that the Legislature continue the Commission for two years, until July 1, 2026 or up to six years, until July 1, 2030. The Arizona Racing Commission terminates on July 1, 2024, unless continued by the Legislature ([A.R.S. § 41-3024.28](#)).

Provisions

1. Continues, retroactively to July 1, 2024, the Commission until July 1, 2026. (Sec. 2, 4)
2. Repeals the Commission on January 1, 2027. (Sec. 2)
3. Includes a purpose statement. (Sec. 3)

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



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: MAPS DP 13-0-0-1

HB 2107: department of homeland security; continuation
Sponsor: Representative Payne, LD 27
Caucus & COW

Overview

Continues the Arizona Department of Homeland Security (AZDOHS) for 8 years.

History

AZDOHS is responsible for creating plans to respond to terrorism, cybersecurity threats and other critical hazards and to distribute state and federal monies for homeland security ([A.R.S. §41-4254](#)). AZDOHS has three main roles in fulfilling its responsibilities including serving as: 1) an advisory agency to the Governor and her staff; 2) a grant administrative agency responsible for managing various Homeland Security Grant Programs; and 3) the Statewide Information Security and Privacy Office ([A.R.S. §41-4282](#)).

Provisions

1. Continues, retroactive to July 1, 2024, AZDOHS until July 1, 2032. (Sec. 2, 4)
2. Repeals AZDOHS on July 1, 2033. (Sec. 2)
3. Contains a purpose statement. (Sec. 3)
4. Makes a conforming change. (Sec. 1)

Amendments

1. Continues, retroactive to July 1, 2024, AZDOHS until July 1, 2028.
2. Repeals AZDOHS on July 1, 2029.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: MAPS DP 14-0-0-0

HB 2117: workers' compensation; occupational disease; presumption
Sponsor: Representative Payne, LD 27
Caucus & COW

Overview

Specifies when a cancer may be deemed to not be presumed to arise out of employment.

History

Firefighters and fire investigators, both working and retired, that have any disease, infirmity or impairment caused by specified cancers and that results in disability or impairment, are considered to have an occupational disease and qualify for workers compensation if:

- 1) they were assigned to hazardous duty for at least five years;
- 2) they passed a physical examination before employment without evidence of cancer;
- 3) they are 65 years old or younger, and diagnosed with cancer no more than 15 years after employment;
- 4) there is not evidence that the cancer, if it is of the respiratory tract, is from tobacco usage or smoking; and
- 5) there is not clear and convincing evidence that the cancer was caused by something other than occupational exposure to a carcinogen ([A.R.S. § 23-901.09](#)).

Provisions

1. Specifies when a cancer may be deemed to not be presumed to *arise out of employment*; instead of the pre-employment examination resulting in only an *evidence of cancer*, it must have resulted in a *cancer diagnosis*. (Sec. 1)
2. States that the Legislature intends reoccurring cancers to be eligible for coverage. (Sec. 2)

Amendments

1. Provides that the requirements, for a cancer to be presumed to arise out of employment, apply to the reoccurrence of a previously diagnosed cancer.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: MAPS DPA 8-6-1-0 | APPROP DPA 10-6-1-0

HB 2278: gang and immigration intelligence; appropriation
Sponsor: Representative Biasiucci, LD 30
Caucus & COW

Overview

Appropriates an unspecified amount of monies to the Gang and Immigration Intelligence Team Enforcement Mission Fund (Fund) for the establishment of a counterterrorism information center.

History

The Fund was established for: 1) employer sanctions enforcement; 2) human smuggling and drug smuggling enforcement; 3) gang and strict immigration enforcement; 4) county jail reimbursement costs relating to illegal immigration; and 5) any other use authorized by law. The Fund consists of monies collected by the superior court for civil penalties having to do with certain immigration laws and appropriations from the legislature ([A.R.S. § 41-1724](#)).

[The Gang and Immigration Intelligence Team Enforcement Mission](#) (GIITEM) is a task force led by the Department of Public Safety (DPS) Gang Enforcement Bureau. GIITEM has the mission of suppressing criminal gangs and transnational crime. GIITEM was designed to suppress gang activity as well as reduce the impact on law enforcement agencies that concentrated enforcement produces.

Provisions

1. Requires GIITEM to partner with sheriffs in counties on the border of Arizona and Mexico to establish a counterterrorism information center for the analysis and sharing of information with state, local, federal, tribal and private sector entities. (Sec. 1)
2. Adds grants to the types of monies appropriated to the Fund. (Sec. 1)
3. Adds county attorneys to the entities that may receive monies from the Fund. (Sec. 1)
4. Directs that monies are also to be used for the prosecution of human smuggling, drug smuggling, gangs and strict immigration. (Sec. 1)
5. Appropriates an unspecified amount of monies in FY 2025 from an unspecified fund to the Fund, and appropriates those monies to DPS, to establish a southern Arizona counterterrorism information center. (sec. 2)
6. Exempts the appropriation from lapsing. (Sec. 2)
7. Makes conforming changes. (Sec. 1)

Amendments

Committee on Military Affairs and Public Safety

1. Appropriates \$2,000,000 from the Consumer Remediation Subaccount of the Consumer Restitution and Remediation Revolving Fund in both FY 2025 and FY 2026.

Committee on Appropriations

2. Appropriates \$2,000,000 from the Consumer Remediation Subaccount of the Consumer Restitution and Remediation Revolving Fund in both FY 2025 and FY 2026.

<input type="checkbox"/> Prop 105 (45 votes) <input type="checkbox"/> Prop 108 (40 votes) <input type="checkbox"/> Emergency (40 votes) <input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: MAPS DPA 11-4-0-0

HB 2326: peace officer nonlethal device fund

Sponsor: Representative Payne, LD 27

Caucus & COW

Overview

Creates the Peace Officer Nonlethal Device Fund (Fund) and institutes a \$2 assessment on various fines and penalties to be deposited in the Fund.

History

Arizona law imposes various surcharges and assessments on fines and penalties. As of 2019, the assessment imposed totaled \$44 per fine, and the surcharges imposed totaled 78% per fine. Thus, with a base fine of \$100, these surcharges and fines would increase the payment to \$222 — the base \$100, plus the \$44 assessment, plus the 78% surcharge which would be \$78. In FY 2018, \$75.8 million was collected from these surcharges and assessments ([JLBC, Court Surcharges and Assessments](#)).

Provisions

1. Creates a \$2 penalty assessment on every fine, penalty or forfeiture imposed for a:
 - a) criminal offence;
 - b) civil traffic violation; and
 - c) violation of the motor vehicle statutes or for any local ordinance relating to the stopping, standing or operation of a vehicle (Penalty Assessment). (Sec. 1)
2. Directs courts to transmit the collected Penalty Assessments, as well as a remittance report of the Penalty Assessments, to their respective county treasurers, or in the case of municipal courts, municipal treasurers. (Sec. 1)
3. Directs the county and municipal treasurers to deposit Penalty Assessment monies in the Fund. (Sec. 1)
4. Permits the court to mitigate the Penalty Assessment in cases of financial or other hardships. (Sec. 1)
5. Establishes the Fund under the administration of the State Treasurer. (Sec. 2)
6. Designates monies in the fund as subject to legislative appropriation. (Sec. 2)
7. Requires monies in the Fund to be used only for nonlethal devices for peace officers that do not cause permanent harm or injury. (Sec. 2)
8. Instructs the State Treasurer to invest and divest Fund monies in accordance with existing state law. (Sec. 2)
9. Specifies that monies earned from investment of Fund monies are to be credited to the Fund. (Sec. 2)
10. Exempts Fund monies from lapsing. (Sec. 2)

Amendments

Committee on Military Affairs and Public Safety

1. Removes the \$2 penalty assessment.
2. Directs \$2 from a \$9 assessment, on every individual charged with a civil or criminal traffic offence who attends a court authorized diversion program, to the Fund.
3. Decreases the Peace Officer Training Equipment Fund assessment, which is taken from the aforesaid \$9 assessment, from \$4 to \$2.

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



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: MAPS DP 11-2-1-0

HB 2552: housing grants; military; veteran; homeless
Sponsor: Representative Payne, LD 27
Caucus & COW

Overview

Creates the Housing Grant Program (Grant Program), under the administration of the Department of Housing (DOH), to construct military transitional housing, veteran housing, affordable housing or homeless housing (Program Housing) with grants awarded to veteran owned and operated for-profit or non-profit companies and organizations (Housing Entities) using renewable building materials, innovative building materials and renewable energy and innovative energy for utilities (Sustainable Elements).

History

The DOH annually administers approximately \$180 million in federal and non-appropriated state housing and community development funds. The department provides affordable housing opportunities in conjunction with the Arizona Industrial Development Authority ([JLBC Baseline Budget FY 2025, DOH](#)).

The Military Transitional Housing Fund (Fund) provides monies for transitional housing opportunities for military members separating from the military in newly constructed housing facilities ([JLBC Baseline Budget FY 2025, DOH](#)).

The United States Green Building Council (USGBC) is a non-profit organization that promotes sustainability in building design, construction and operation. Its building rating system provides a framework for healthy, efficient, carbon and cost-saving green buildings ([United States Green Building Council, LEED](#)).

Provisions

1. Directs that monies in the Fund be used to construct a transitional comprehensive care facility for military members transitioning into civilian life. (Sec. 1)
2. Adds that the Fund consists of legislative appropriations, in addition to federal monies. (Sec. 1)
3. Broadens the use of Fund monies to include project and constructing planning, in addition to newly constructed transitional housing. (Sec. 1)
4. Establishes the Grant Program, under the administration of DOH, for the construction of Program Housing in Arizona. (Sec. 2)
5. Permits Grant Program grants to be awarded to Housing Entities for the construction of Program Housing using Sustainable Elements. (Sec. 2)
6. Permits Grant Program monies to also be awarded to Housing Entities for the:
 - a) construction of renewable or innovative building materials; and
 - b) installation of renewable or innovative energy components, machinery or equipment. (Sec. 2)
7. Requires Grant Program projects to optimize energy performance and comply with the State Energy Conservation Code. (Sec. 2)
8. Allows Grant Program projects to include various specified Sustainable Elements. (Sec. 2)
9. Permits DOH to issue Grant Program grants conditional on a Housing Entity adopting requirements that a Grant Program project comply with the USGBC building rating system or a rating system authorized by the same. (Sec. 2)
10. Permits Grant Program projects to include the replacement or installation of:
 - a. a heating, ventilation and air conditioning system that is designed to reduce energy costs by at least 5%; and
 - b. a plumbing system that is designed to reduce potable water consumption in the aggregate by at least 30%. (Sec. 2)

11. Defines relevant terms. (Sec. 2)
12. Repeals the Grant Program on January 1, 2030. (Sec. 3)
13. Makes technical and conforming changes. (Sec. 1)

Amendments

1. Removes all requirements for the Grant Program that relate to the use of Sustainable Elements.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: MAPS DPA 12-3-0-0 | APPROP DPA 8-5-3-1

HB 2574: school safety software; appropriation
Sponsor: Representative Biasiucci, LD 30
Caucus & COW

Overview

Appropriates \$7,000,000 in FY 2025 and \$5,000,000 in FY 2026 to establish a statewide connected behavioral threat assessment and management platform (Assessment Platform) to identify potential threats to schools.

History

The Secret Service developed [threat assessments](#) to deal with people who threaten to attack public officials and analyze certain dangerous situations. Threat assessments are conducted when people threaten to commit a violent act or engage in behavior that appears to threaten targeted violence. *Threat assessments are a process of evaluating the threat — and the circumstances surrounding the threat — to uncover any facts or evidence that indicate a threat is likely to be carried out.*

The University of Virginia developed the [Comprehensive School Threat Assessment Guidelines](#) (CSTAG) for schools. CSTAG integrated recommendations from Federal Bureau of Investigation and Secret Service studies of school shootings with field-tested experiences from educators working in Virginia public schools. *School-based threat assessments must be a flexible and efficient process that can quickly resolve threats that are not serious and concentrate efforts on the small number of serious threats.* CSTAG outlines how to distinguish a transient threat (not serious) from a substantive threat (poses a continuing risk to others).

Provisions

1. Appropriates \$7,000,000 in FY 2025 and \$5,000,000 in FY 2026 from the State General Fund to the Department of Education to establish an Assessment Platform to identify potential threats to schools. (Sec. 1)
2. Specifies that the Assessment Platform must be centralized, web-based and hosted in a secure cloud environment while incorporating behavioral assessment best practices at least as stringent as CSTAG. (Sec. 1)
3. Exempts the appropriation from lapsing. (Sec. 1)

Amendments

Committee on Military Affairs and Public Safety

1. Appropriates \$4,500,000 in FY 2025 from the state General Fund instead of \$7,000,000 in FY 2025 and \$5,000,000 in FY 2026.

Committee on Appropriations

1. Appropriates \$4,500,000 in FY 2025 from the state General Fund instead of \$7,000,000 in FY 2025 and \$5,000,000 in FY 2026.

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



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: MAPS DP 13-0-0-1

HB 2606: home arrest; electronic monitoring
Sponsor: Representative Payne, LD 27
Caucus & COW

Overview

Creates the Home Arrest Program (Program) to permit qualifying prison inmates to serve up to 18 months of their sentence under home arrest instead of under imprisonment.

History

The Department of Corrections (DOC) is responsible for the custody, control, correction, treatment and rehabilitation of all adult offenders committed to the state; it administers and oversees the various institutions, facilities and programs that are part of the correctional program of Arizona. In addition, DOC administers all community supervision services, including those for adult offenders who are released from incarceration. DOC is to provide the supervisory staff and administrative functions at the state level for all matters relating to said responsibilities (A.R.S. §§ [41-1602](#); [41-1604](#)).

Provisions

1. Makes eligible to the Program an inmate, who has served at least one year of his sentence and:
 - a. was convicted of:
 - i. specified trespassing and burglary offenses;
 - ii. class 4, 5 or 6 felony drug offenses; or
 - iii. any felony involving damage to property, theft, business and commercial fraud, forgery or credit card fraud;
 - b. is within 18 months of beginning any form of release from incarceration;
 - c. has not been convicted of a dangerous crime against children, a serious offence, a violent felony or an aggravated felony;
 - d. does not have any violent disciplinary infractions during the current term of imprisonment;
 - e. has not previously participated in the Program; and
 - f. does not have any felony detainees. (Sec. 2)
2. Directs DOC to notify eligible inmates of the Program no later than 120 days before their eligibility. (Sec. 2)
3. Instructs DOC, within 30 days of receiving an application, to:
 - a) ensure the inmate qualifies;
 - b) verify suitability of the residence the inmate proposes to reside in; and
 - c) send victim notification. (Sec. 2)
4. Prohibits an inmate from being released into the Program unless the victim has been notified and given an opportunity to be heard. (Sec. 2)
5. Requires inmates who participate in the Program to be monitored by DOC through electronic monitoring for a minimum of one year, or until they become available for probation or community supervision. (Sec. 2)
6. Provides that an inmate's eligibility for home arrest is conditional on his adherence to various monitoring, testing, employment, supervision and program participation requirements, which costs he may be obligated to pay for in whole or in part. (Sec. 2)
7. Asserts that an inmate who is placed on home arrest is still on inmate status and subject to all its limitations of rights. (Sec. 2)
8. Permits the Director of DOC to revoke an inmate's home arrest if he violates a condition of his home arrest. (Sec. 2)

9. Requires the Director of DOC to revoke an inmate's home arrest if he is arrested for a subsequent felony offence committed while on home arrest. (Sec. 2)
10. Mandates that the ratio of supervising corrections officers to supervised inmates must not exceed 1 officer for every 100 inmates. (Sec. 2)
11. Establishes various reporting requirements and directs specified information to be provided to the public and designated members of the legislative and executive branches. (Sec. 2)
12. Outlines that the Program becomes available to inmates based on their remaining length of sentence as follows:
 - a. for inmates with less than 6 months of incarceration remaining, January 1, 2025;
 - b. for inmates with less than 12 months of incarceration remaining, April 1, 2025; and
 - c. for inmates with less than 18 months of incarceration remaining, July 1, 2025. (Sec. 3)
13. Makes technical and conforming changes. (Sec. 1)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: MAPS DP 14-0-0-1

[HB 2722](#): national guard; life insurance
Sponsor: Representative Grantham, LD 14
Caucus & COW

Overview

Establishes group life insurance program coverage for officers and enlisted personnel of the Arizona National Guard with a \$10,000 benefit.

History

Officers and enlisted personnel of the Arizona National Guard, while on state active duty exceeding thirty consecutive days, are considered employees of Arizona and are eligible for health and accident insurance benefits. On completing state active-duty orders, a member of the Arizona National Guard does not continue to receive health and accident insurance benefits ([A.R.S. § 26-158](#)).

[Intestate succession](#) is a legal process for people that pass away without having a will dictating the distribution of assets and property. The rules of intestate succession in Arizona dictate that someone who dies without a named beneficiary would have the estate passed on to family members in the following order: 1) spouse; 2) descendants; 3) parents; 4) descendants of the parents; 5) grandparents or descendants of grandparents; 6) other relatives ([A.R.S. § 14-2103](#)).

Provisions

1. Entitles officers and enlisted personnel of the Arizona National Guard to state-funded group life insurance program coverage. (Sec. 1)
2. Provides a \$10,000 benefit to the named beneficiary of the officers or personnel or, in the absence of one, follows the rules of intestate succession. (Sec. 1)
3. Specifies that the \$10,000 benefit is in addition to any health and accident insurance and travel expense benefits provided. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: MOE DPA 8-0-0-1

HB 2166: statewide voter registration database; costs
Sponsor: Representative Dunn, LD 25
Caucus & COW

Overview

Requires the statewide voter registration system to be funded solely by the Secretary of State.

History

The Help America Vote Act of 2002 requires states to establish and maintain a *single, uniform, official, centralized, interactive computerized* statewide voter registration database that meets certain minimum requirements. Arizona's current statewide voter registration database, the Access Voter Information Database (AVID) was implemented in 2019. The Secretary of State and the counties have an agreement which generally requires the counties to pay for 50% of the annual AVID costs while the state pays the remaining 50%. Each county pays a percentage of the total county share based on registered voter populations ([52 U.S.C. § 21083](#), A.R.S. §§ [16-168](#), [16-168.01](#)).

Provisions

1. Transfers the responsibility to fund the development and administration of the statewide voter registration database from a cost sharing agreement between the counties and the Secretary of State to solely the Secretary of State. (Sec. 1)

Amendments

Committee on Municipal Oversight & Elections

1. Adds a conditional enactment clause that specifies that this bill is only effective if HB 2590 is signed into law.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: MOE DP 5-3-0-1

HCR 2027: house of representatives; designated seats

Sponsor: Representative McGarr, LD 17

Caucus & COW

Overview

Establishes a seat *A* and *B* in which candidates for the House of Representatives separately run for and are elected to.

History

The House of Representatives is composed of two members elected from each of the thirty legislative districts. Members of the Legislature must meet certain minimum qualifications, such as being a citizen of the United States who is at least 25 years old and a resident of Arizona for at least three years (Ariz. Const. art. 4, [Part 2 § 1](#), [Part 2 § 2](#)).

Provisions

1. Designates an *A* and *B* seat, established by alphabetical order, for each legislative district in the House of Representatives beginning with the inauguration of the Fifty-seventh Legislature, First Regular Session. (Sec. 1)
2. Requires candidates for the House of Representatives to run for and be elected from either seat *A* or seat *B* of a legislative district. (Sec. 1)
3. Requires the Secretary of State to submit the proposition to the voters at the next general election.
4. Becomes effective if approved by the voters and on proclamation of the Governor.
5. Makes technical changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: MOE DP 5-4-0-0

HCR2032: voting centers; precinct voting
Sponsor: Representative Jones, LD 17
Caucus & COW

Overview

Prohibits the Board of Supervisors from authorizing the use of voting centers, removes language allowing a County Recorder to establish on-site early voting locations and limits the size of election precincts to a maximum of 1,000 registered voters.

History

Election Precincts

Election precincts are the smallest units of electoral districts. The Board of Supervisors is responsible for establishing the geographic boundaries of election precincts and ensuring that a convenient number of precincts are established to reasonably accommodate voters. Election precinct boundaries must fall within the existing election districts, including legislative and community college districts. While Arizona law requires a polling place to be designated within each precinct, the law also allows for the combination of adjacent precincts in certain circumstances, exceptions when adequate polling locations are unavailable, the consolidation or combination of polling places in certain circumstances and the authorization of voting centers to be used in addition to or in place of specifically designated polling places ([A.R.S. § 16-411](#)).

Voting Locations

Arizona utilizes two types of voting locations: precinct-based polling places and voting centers. Precinct-based polling places are specifically designated for that precinct and require voters to vote at that specific polling place. Alternatively, a voter can vote at any voting center within their county, regardless of which precinct they live in. The Board of Supervisors may decide to utilize either a precinct-based or voting center model, or a combination of both ([A.R.S. § 16-411](#)).

On-Site Early Voting Locations

The County Recorder may establish on-site early voting locations at the County Recorder's office and may establish additional locations at their discretion. A voter must present valid identification to vote at an on-site early voting location. On-site early voting locations may open on the same day that the County Recorder sends out early ballots and may remain open until 5:00 p.m. on the Friday before the election ([A.R.S. § 16-542](#)).

Provisions

1. Specifies that at the time election precincts are designated, they must not contain more than 1,000 registered voters. (Sec. 1)
2. Prohibits the Board of Supervisors from authorizing the use of voting centers in place of or in addition to specifically designated polling places. (Sec. 1)
3. Repeals statute allowing the County Recorder to establish on-site early voting locations. (Sec. 3)
4. Requires the Secretary of State to submit the proposition to the voters at the next general election.
5. Becomes effective if approved by the voters and on proclamation of the Governor.
6. Makes technical and conforming changes. (Sec. 1-7)

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



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: MOE 5-4-0-0

HCR 2040: public monies; prohibited expenditures

Sponsor: Representative Smith, LD 29

Caucus & COW

Overview

Outlines prohibited uses of public monies by a *public entity*.

History

Public money includes bonds and evidence of indebtedness and money belonging to, received or held by state, county, district, city or town officers in their official capacity. Prohibitions on the uses of public monies include human somatic cell nuclear transfer, known as human cloning and health insurance relating to coverage of non-lifesaving or impairment adverting abortions (A.R.S. §§ [35-302](#) et. seq.).

Provisions

1. Prohibits *public entities* from spending public monies to promote any of the following:
 - a) reducing the consumption or production of meat or dairy products or replacing animal-based protein with insect or synthetic protein;
 - b) reducing or replacing motor vehicle travel with walking, biking or public transit;
 - c) reducing or limiting travel by airplane;
 - d) limiting the number of articles of clothing individuals may purchase or own;
 - e) reusing water that has touched human feces as a source of municipal drinking water;
 - f) reducing greenhouse gas emissions or tracking and collecting of information or data for determining consumption-based emissions;
 - g) limiting the increase of the average global temperature or producing or adopting a climate action plan;
 - h) replacing private ownership with shared or rented goods and services to promote a circular economy;
 - i) furthering Marxist ideologies, including stakeholder capitalism; and
 - j) implementing mass surveillance systems to monitor motor vehicle travel. (Sec. 1)
2. Permits any qualified elector of Arizona to file suit against any *public entity* violating the prohibited uses of public monies. (Sec. 1)
3. Requires, if a *public entity* is found in violation of uses of public monies in a court of record, the court must permanently enjoin the actions and the party who brought the suit be awarded reasonable attorney fees and costs. (Sec. 1)
4. Defines *public entity*. (Sec. 1)
5. Requires the Secretary of State to submit the proposition to the voters at the next general election.
6. Becomes effective if approved by the voters and on proclamation of the Governor.

Amendments

Committee on Municipal Oversight & Elections

1. Removes language prohibiting *public entities* from spending public monies to promote reusing water that has touched human feces as a source of municipal drinking water.
2. Adds language prohibiting public entities from spending public monies to promote hiring practices based on skin color, sexuality, identity or national origin rather than meritocracy, character and professional qualifications.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: MOE DP 5-4-0-0

HCR2049: ballot measures; challenges.
Sponsor: Representative Carter, LD 15
Caucus & COW

Overview

Allows a person to bring an action in the superior court that challenges the constitutionality of proposed constitutional amendments and measures.

History

The Arizona Constitution recognizes the reserved power of the people to propose laws and amendments to the constitution and to enact or reject such laws and amendments at the polls. The first of these reserved powers is the initiative: 10% of qualified electors have the right to propose any measure and 15% have the right to propose any amendment to the constitution. The second of these reserved powers is the referendum: the legislature or 5% of qualified electors may order any measure, item, section or part of any measure enacted by the Legislature to the people at the polls, except for laws immediately necessary for the preservation of public peace, health or safety, or for support and maintenance of the departments of state government ([Const. of Ariz. Art. IV, Part 1, § 1](#)).

Provisions

1. Authorizes a person to bring an action in superior court to contest the constitutionality of a proposed measure or amendment to the constitution on the grounds that the measure or amendment would violate the United States Constitution or the Arizona Constitution. (Sec. 1)
2. Instructs the courts to advance, hear and decide on any action contesting the constitutionality of a proposed measure or amendment that is brought at least 90 days before the election at which the measure or amendment will be voted on. (Sec. 1)
3. Allows any party to appeal to the Arizona Supreme Court within five calendar days after the superior court enters its judgement. (Sec. 1)
4. Prohibits the Secretary of State or other election official from certifying or printing the measure or amendment on the official ballot if a court of competent jurisdiction, at least 90 days before the appropriate election, finds the measure or amendment to be unconstitutional. (Sec. 1)
5. Clarifies that this law does not preclude or limit any claim, cause of action or remedy given by law to challenge the validity or legal sufficiency of an initiative measure, referendum or constitutional amendment, or a petition filed in support of the same. (Sec. 1)
6. Contains a Legislative findings and declaration of purpose clause. (Sec. 1)
7. Requires the Secretary of State to submit the proposition to the voters at the next general election.
8. Becomes effective if approved by the voters and upon proclamation of the Governor.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: MOE DP 5-4-0-0

HCR2058: legislative districts; population; census; citizenship

Sponsor: Representative Heap, LD 10
Caucus & COW

Overview

Directs the Independent Redistricting Commission (IRC) or other officer or body designated by the Legislature, to take a census in years ending in zero and use this data to determine the citizen population of each Legislative district.

History

Proposition 106 is a citizen initiative that amended the Arizona Constitution by removing the Legislature's authority to draw congressional and state legislative districts and reassigned this duty to the IRC. This measure was approved by the voters in 2000.

Provisions

1. Directs the IRC, or other officer or body designated by the Legislature, to take a census that must be completed no later than December 31 of years ending in zero. (Sec. 1)
2. Requires the census to include a tabulation of the number of United States citizens residing in Arizona and their residences. (Sec. 1)
3. Specifies the census may be conducted consistent with the procedures and methods adopted by the United States' census bureau or its successor agency. (Sec. 1)
4. Prohibits the IRC, or other designated body, from employing federal practices inconsistent with this act. (Sec. 1)
5. Instructs the IRC to use the data collected from the census to determine the citizen population of each Legislative district. (Sec. 1)
6. Specifies, if no census is timely completed, the IRC must use the most current data from the United States census bureau or its successor agency to determine the citizen population of each Legislative district. (Sec. 1)
7. Requires the IRC, during the commencement of the mapping process for legislative districts, to create districts of equal citizen population in a grid-like pattern across the state. (Sec. 1)
8. Specifies any member of the Legislature has standing to initiate any action or proceedings to enforce the provisions of this act. (Sec. 1)
9. Contains a Legislative findings and declaration of purpose clause.
10. Makes technical and conforming changes.

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



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: MOE DP 5-4-0-0

HCR2062: date; bond elections; voter turnout
Sponsor: Representative Carbone, LD 25
Caucus & COW

Overview

Establishes additional requirements for bond issuance elections and elections to authorize indebtedness.

History

Municipalities, counties, school districts and other political subdivisions may issue bonds to finance the cost of certain capital projects like building schools and highways. A bond is a debt security in which the purchaser acts as a money lender to the bond issuer in exchange for regular interest payments. A political subdivision must submit the question of whether to issue a bond to the qualified electors of that jurisdiction and may be required to disclose certain information such as the purpose and maximum amount of the proposed bonds. Upon approval by the voters, bonds are repaid with interest using property tax monies (A.R.S. §§ [9-524](#), [11-264.01](#), [US SEC](#)).

A governing body or the board of a political subdivision may submit to the voters the question of whether to authorize indebtedness. Upon a petition signed by 15% of the qualified electors, a political subdivision is required to call an election on the question. All election expenses must be paid for from the political subdivision's current operating funds ([A.R.S. § 35-452](#)).

Provisions

1. Limits elections seeking the approval of indebtedness or the issuance of a bond to be held on the first Tuesday after the first Monday in November in even numbered years only. (Sec. 3)
2. Increases, from 15% to 25% of qualified electors required to sign a petition that subsequently mandates the governing body or board of a political subdivision to call an election seeking the approval of indebtedness. (Sec. 4)
3. Stipulates that a bond is only issued, or indebtedness approved if a majority of qualified electors vote in favor of the question and the voter turnout on that issue is at least 60%. (Sec. 4, 5)
4. Specifies that a bond election otherwise scheduled for 2025 must not be held earlier than 2026. (Sec. 7)
5. Exempts charter cities from this law. (Sec. 7)
6. Requires the Secretary of State to submit the proposition to the voters at the next general election.
7. Becomes effective if approved by the governor and upon proclamation of the Governor.
8. Makes technical and conforming changes. (Sec. 1, 2, 3, 4, 5, 6)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: NREW DP 8-2-0-0 | APPROP DP 12-3-2-0

HB 2024: lottery; on-farm irrigation efficiency fund

Sponsor: Representative Griffin, LD 19

Caucus & COW

Overview

Deposits \$50,000,000 into the On-Farm Irrigation Efficiency Fund (Fund) from the State Lottery Fund in FYs 2025 and 2026.

History

[Laws 2022, Chapter 332](#) established the On-Farm Irrigation Efficiency Pilot Program to provide grants and collect data for on-farm irrigation efficiency systems to reduce on-farm water use while minimizing or eliminating the use of flood irrigation or fallowing.

The Fund consists of legislative appropriations, grants from federal agencies and other approved monies and is administered by the University of Arizona Cooperative Extension. The Fund provides grants to farmers to buy and install approved water-efficient irrigation systems that replace flood irrigation and are proven to save at least 20% of water used.

A grant cannot exceed \$1,000,000 per applicant or \$1,500 per acre of irrigable land that is served by the on-farm irrigation efficiency system.

The State Lottery Fund consists of all revenues from the sale of lottery tickets excluding the amount designated for prize payments. The State Lottery Fund balance is annually reduced by a series of statutory appropriations. The distribution, sometimes known as the "lottery waterfall," is ordered to provide funding for the lottery revenue bond debt service, then \$84,150,000 for the state General Fund (GF), followed by \$10,000,000 for the Game and Fish Heritage Fund, \$23,966,800 for health and welfare programs in fiscal year 2024 (annually adjusted for inflation), \$1,000,000 for homeless shelters, a further \$15,490,000 for the GF, \$3,500,000 for the Arizona Competes Fund, followed by up to 80% of university capital improvement debt service costs and, finally, the remaining balance is deposited into the GF (A.R.S. §§ [5-571](#), [5-572](#)).

Provisions

1. Deposits \$50,000,000 into the Fund from the State Lottery Fund in FYs 2025 and 2026. (Sec. 1)
2. Makes technical and conforming changes. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes) <input type="checkbox"/> Prop 108 (40 votes) <input type="checkbox"/> Emergency (40 votes) <input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: NREW DPA 6-4-0-0

HB 2029: groundwater model; unpledged effluent

**Sponsor: Representative Griffin, LD 19
Caucus & COW**

Overview

Requires the Director of the Arizona Department of Water Resources (ADWR) to assume, for purposes of groundwater modeling, that unpledged effluent created within an active management area (AMA) will be used to replace the groundwater demand in the basin.

History

The Groundwater Code's *Assured and Adequate Water Supply Program* requires a developer to provide information on a proposed subdivision's water supplies to ADWR before the property can be marketed. Specific requirements apply, depending on whether the subdivision is inside or outside an AMA ([A.R.S. § 45-576](#)).

ADWR uses hydrologic models to simulate and predict groundwater conditions. Models incorporate various assumptions to make long-term management decisions and predict potential future impacts. An applicant for a determination of assured water supply is required to submit a hydrologic study, using a method of analysis approved by the Director of ADWR ([A.C.C. R12-15-716\(B\)](#)).

A groundwater model can include a variety of data relating to: 1) measurements of water levels over time; 2) physical availability of water; 3) natural recharge and discharge rates; 4) water level decline rates and trends; 5) projected water demand associated with the project; 6) the proposed source of supply; and 7) an evaluation of existing uses ([ADWR Hydrologic Guidelines](#)).

Effluent is water that has been collected in a sanitary sewer for subsequent treatment in a facility that is regulated by the Arizona Department of Environmental Quality. Such water remains effluent until it acquires the characteristics of groundwater or surface water ([A.R.S. § 45-101](#)).

Provisions

1. Requires the Director of ADWR to ensure that any groundwater modeling ADWR uses to evaluate projected groundwater levels for the purposes of determining an assured water supply designation assumes any effluent, if created in an AMA and not pledged to a specific user, will be used to replace groundwater demand in the basin.

Amendments

Committee on Natural Resources, Energy & Water

1. Clarifies that modeling used by ADWR to determine physical availability of water when evaluating an application for assured water supply assumes that any future effluent created within the AMA will be used to replace groundwater demand in the basin if:
 - a) the effluent is not under contract to be used for a specified end use; or
 - b) is under contract to be used to replenish groundwater in the AMA and will not be used to generate long term storage credits.
2. Makes a technical change.

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



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: NREW DP 10-0-0-0

HB 2102: appropriation; Arizona geological survey

Sponsor: Representative Griffin, LD 19
Caucus & COW

Overview

Appropriates \$750,000 and six FTE positions from the state General Fund (GF) in FY 2025 to the University of Arizona (U of A) for the Arizona Geological Survey (AGS).

History

The AGS provides information to the public on geology and offers advice on using mineral and land resources in Arizona. Its responsibilities include: 1) mapping geologic features; 2) providing objective information about the geologic character of Arizona; 3) preparing data files with known earth fissures; and 4) maintaining a central database of reports, maps and other publications regarding Arizona's geology, mining and mineral resources. The State Geologist leads the AGS (A.R.S. §§ [27-102](#), [27-103](#), [27-106](#)).

The FY 2025 Baseline appropriation to the AGS includes \$1,148,500 and 20.9 FTE positions from the GF ([JLBC](#)).

Provisions

1. Appropriates \$750,000 and six FTE positions from the state GF in FY 2025 to the U of A for the AGS. (Sec. 1)
2. Requires the appropriated monies to be used for:
 - a. increasing the technical capacity of the AGS;
 - b. enabling the AGS to leverage federal grant funding; and
 - c. fulfilling the AGS's statutory requirements. (Sec. 1)
3. States that the Legislature intends that the appropriation made be considered ongoing funding in future years. (Sec. 1)

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



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: NREW DP 9-0-0-1

[HB 2367](#): solid waste; fees; rules
Sponsor: Representative Griffin, LD 19
Caucus & COW

Overview

An emergency measure authorizing the Arizona Department of Environmental Quality (ADEQ) to adopt rules and increase fees for specified solid waste programs.

History

The Arizona Department of Environmental Quality (ADEQ) is responsible for implementation and enforcement of state and federal programs relating to air quality, water quality, solid waste management, hazardous waste disposal and underground storage tank regulation. ADEQ also shares responsibility for federal programs that have been delegated to the state by the U.S. Environmental Protection Agency (EPA) including the Clean Air Act, the Safe Drinking Water Act, the National Pollutant Discharge Elimination System program and the Resource Conservation and Recovery Act program ([Title 49](#)) ([SOS](#)).

ADEQ's responsibilities for solid waste management are delineated in statute. [Laws 2011, Chapter 220](#) prohibited ADEQ from increasing specified solid waste program fees after September 30, 2013, without specific statutory authority, required the rule making process to include public notice and comment, and required review of the proposed rule by JLBC.

The Solid Waste Fee Fund (Fund) consists of fees from solid waste or special waste management programs, landfill registration and disposal fees, fees for coal combustion residuals, quarterly deposits from the Arizona Department of Revenue's waste tire fund, donations, and legislative appropriations. Monies in the Fund are used for solid waste program costs, including waste tire removal expenses, special waste facility staff education, special waste management compliance monitoring, coal combustion residuals program, and used oil handling education and enforcement ([JLBC FY 2025 Baseline Book](#)).

Provisions

1. Authorizes ADEQ to adopt rules and establish fees for solid waste programs relating to:
 - a) sale of new vehicle tires and management of waste tires;
 - b) sale, disposal, collection and recycling facilities that accept lead acid batteries;
 - c) waste program general permits;
 - d) solid waste landfills and facilities;
 - e) medical waste facilities;
 - f) financial assurance requirements;
 - g) facility plan approval;
 - h) solid waste facility self-certification;
 - i) registration fees for handlers of used oil as part of the federal used oil program;
 - j) solid waste landfill disposal fees; and
 - k) facilities that generate, transport or receive special waste. (Sec. 1-8, and 11-14)
2. Deletes for specified solid waste programs, provisions:
 - a) prohibiting ADEQ from increasing permit fees without specific statutory authorization;
 - b) requiring Joint Legislative Budget Committee review of proposed fees; and
 - c) requiring public notice and comment. (Sec. 2,3 5-8, 10, 11, 14)
3. Modifies reporting requirements for used oil fuel transporters, used oil fuel marketers, used oil processors, and re-refiners to require annual reports, rather than quarterly reports to ADEQ. (Sec. 12)
4. Removes ADEQ's permanent exemption from rulemaking requirements relating to costs to process special waste management plans. (Sec. 15)

5. Specifies fees, generated from programs related to lead acid batteries, recycling, medical waste facilities, financial assurance requirements, and facility plan approval, will be deposited into the Fund. (Sec. 4, 8)
6. Makes technical and conforming changes. (Sec. 1-3, 5-14)
7. Contains an emergency clause. (Sec. 17)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: NREW DPA 5-4-0-1

HCR2003: groundwater management; technical correction

S/E: sale housing

Sponsor: Representative Griffin, LD 19

Caucus & COW

Overview

States that for-sale housing developments, if enrolled in the Central Arizona Groundwater Replenishment District (CAGR), should be allowed outside the service area of a designated provider.

History

Groundwater Code and Assured Water Supply

The Groundwater Management Code (Code), enacted in 1980 established the statutory framework to regulate and control the use of groundwater in Arizona. As part of the management framework, the Code designated active management areas (AMAs) and irrigation non-expansion areas (INAs) where specific regulations regarding withdrawal and use of groundwater apply. There are currently six AMAs: Douglas, Phoenix, Pinal, Prescott, Tucson and Santa Cruz and three INAs: Harquahala, Hualapai and Joseph City (A.R.S. §§ [45-411](#), [45-411.03](#), [45-431](#), [45-554](#))(ADWR)(SOS).

The Code's *Assured and Adequate Water Supply Program* requires a developer to provide information on a proposed subdivision's water supplies to the Arizona Department of Water Resources (ADWR) before the land can be offered for sale or lease. Specific requirements apply depending on whether the subdivision is inside or outside an AMA ([A.R.S. § 45-576](#)) (ADWR).

Central Arizona Groundwater Replenishment District

The Central Arizona Groundwater Replenishment District (CAGR) is a function of the Central Arizona Project that replenishes groundwater pumped by its members and provides a way to comply with requirements of the assured water supply program ([CAGR](#)).

Provisions

1. States that for-sale housing developments, if enrolled in the CAGR, should be allowed outside the service area of a designated provider.

Amendments

Committee on Natural Resources, Energy & Water

1. Makes technical changes.

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



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: NREW DP 6-4-0-0

HCR2050: energy source; restriction; prohibition

Sponsor: Representative Griffin, LD 19

Caucus & COW

Overview

Prohibits a city, town, county or political subdivision from restricting the manufacture, use or sale of a device based on the energy source that is either used to power the device or consumed by the device.

History

[Ariz. Const. § Art. 22](#) consists of sections regarding schedules and miscellaneous laws.

When the Secretary of State is ordered by the Legislature to submit to the people a measure or proposed amendment to the Constitution, they must print a publicity pamphlet that contains:

- 1) a true copy of the title and text of the measure or proposed amendment;
- 2) the form in which the measure or proposed amendment will appear on the ballot;
- 3) the arguments for and against the measure or amendment;
- 4) a legislative council analysis of the ballot proposal; and
- 5) the summary of a fiscal impact statement prepared by the Joint Legislative Budget Committee staff ([A.R.S. § 19-123](#)).

Provisions

1. Prohibits a municipality, county or political subdivision in Arizona from restricting the manufacture, use or sale of a device based on the energy source that is either used to power the device or consumed by the device.
2. Defines *used to power the device or consumed by the device* as a significant function of the device uses the energy source or consumes the energy source to accomplish the function.
3. Requires the Secretary of State to submit the proposition to the voters at the next general election.
4. Becomes effective if approved by the voters and on proclamation of the Governor.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: RA DPA 6-0-0-0

HB 2091: registrar of contractors agency; continuation

Sponsor: Representative Hendrix, LD 14

Committee on Regulatory Affairs

Overview

Continues the Registrar of Contractors (ROC) for 8 years.

History

Established in 1931, ROC licenses and regulates residential and commercial contractors, investigates complaints against contractors, is authorized to suspend or revoke licenses, conduct hearings, issue citations and assess civil penalties. ROC's daily operations are overseen by the Governor appointed Registrar. ROC is a 90/10 agency that deposits 90% of its collected revenues into the ROC Fund for administrative expenses and 10% into the state General Fund.

The Residential Contractors' Recovery Fund is administered by ROC for the benefit of claimants damaged by an act, representation, transaction or conduct of a licensed registered contractor that is in violation of statutory rules or regulations relating to contractors ([Title 32, Chapter 10, A.R.S.](#)).

ROC is set to terminate on July 1, 2024 ([A.R.S. § 41-304.04](#)). The House of Representatives Commerce Committee of Reference (COR) met on January 16, 2024, to conduct a sunset review of ROC and recommended that the ROC be continued for 8 years.

Provisions

1. Continues, retroactive to July 1, 2024, the ROC until July 1, 2032. (Sec. 2, 4)
2. Repeals the Agency on January 1, 2033. (Sec. 2)
3. Contains a purpose statement. (Sec. 3)
4. Makes a conforming change. (Sec. 1)

Amendments

Committee on Regulatory Affairs

1. Continues the Agency for four years instead of eight.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: DPA/SE 8-0-2-0

HB 2317: continuing care; automated external defibrillators

S/E: sober living homes

**Sponsor: Representative Gress, LD 4
Caucus & COW**

Summary of the Strike-Everything Amendment to HB 2317

Overview

Makes modifications relating to the licensing, oversight and regulations of sober living homes. Increases the cap on civil penalties for violations of sober living homes from \$500 to \$1,000. Repeals certified sober living homes.

History

A sober living home is any premises, place or building that provides alcohol-free or drug free-housing that: 1) promotes independent living and life skills development; 2) may provide activities that are directed primarily toward recovery from substance use disorders; 3) provides a supervised setting to a group of unrelated individuals who are recovering from substance use disorders; and 4) does not provide any medical or clinical services or medication administration on-site, except for verification of abstinence ([A.R.S. § 36-2061](#)).

The Arizona Department of Health Services (DHS) is required to adopt rules to establish minimum standards and requirements for the licensure of sober living homes in Arizona that are necessary to ensure the public health, safety and welfare. The DHS Director may use the current standards adopted by any recognized national organization approved by DHS as guidelines in prescribing the minimum standards and requirements. Statute outlines the minimum standards necessary for the DHS Director to adopt for sober living homes. A person operating a sober living home in Arizona that has failed to attain or maintain licensure must pay a civil penalty of \$1,000 per violation ([A.R.S. § 36-2062](#)).

On determination by the DHS Director that there is reasonable cause to believe a sober living home is not adhering to the licensing requirements, the DHS Director and any duly assigned DHS employee or agent may enter the premises of the sober living home at any reasonable time to determine the home's state of compliance. If an inspection reveals that the sober living home is not adhering to the licensing requirements, the DHS Director may take action. Any sober living home whose license has been suspended or revoked is subject to inspection on application for relicensure or reinstatement of a license. The DHS Director may impose a civil penalty on a person that violates any sober living home regulations in an amount of not more than \$500 for each violation ([A.R.S. § 36-2063](#)).

A sober living home that is certified by a certifying organization may operate and receive referrals. A sober living home certification is in lieu of licensure until the sober living home is licensed. A certified sober living home must apply to DHS for licensure within 90 days after DHS's initial licensing rules are final. DHS must notify the certifying organization when the initial licensure rules are final. In lieu of an initial on-site licensure survey and any annual on-site survey, DHS must issue a license to a sober living home that submits an application prescribed by DHS and that meets the following requirements: 1) is currently certified as a sober living home by a certifying organization; and 2) meets all department licensure requirements ([A.R.S. § 36-2064](#)).

Provisions

1. Requires DHS standards and requirements for the licensure of sober living homes to include policies and procedures to implement if a license is suspended or revoked or a cease-and-desist notice is issued. (Sec. 2)
2. Instructs DHS to obtain documentation from the local jurisdiction of a sober living home verifying compliance with all local zoning, building, fire and licensing ordinances and rules before approving:
 - a. a license or license renewal;
 - b. any proposed change in the maximum number of residents; or
 - c. any construction or modification of the sober living home. (Sec. 2)
3. Requires DHS to identify on each license the maximum number of unrelated residents who are allowed to live in the sober living home, including any manager or other staff living on the premises. (Sec. 2)
4. Requires DHS or its third-party contractor to conduct a physical, on-site inspection of a sober living home to verify compliance with sober living home regulations:
 - a. before approving a license or license renewal, any proposed change in the maximum number of residents or any construction or modification of a sober living home;
 - b. at least annually for each sober living home; and
 - c. promptly on determination by the DHS Director that reasonable cause exists that a sober living home is not adhering to sober living home regulations. (Sec. 4)
5. Prohibits licensure applicants from self-attesting to compliance in lieu of an inspection. (Sec. 4)
6. Requires DHS to complete an investigation of a sober living home that is the subject of a complaint within 30 calendar days after receiving a complaint that identifies an alleged violation. (Sec. 4)
7. Requires DHS or its third-party contractor to conduct a physical, on-site inspection of a sober living home if it is determined that there is reasonable cause to believe the sober living home is not adhering to the sober living home regulations. (Sec. 4)
8. Raises the cap on civil penalties for violations of sober living homes from \$500 to \$1,000. (Sec. 4)
9. Requires the DHS Director, upon determining a person has violated sober living home regulations, to deny the application, request for a change affecting the license or both. (sec. 4)
10. Permits the DHS Director, if an investigation reveals a licensee has committed a violation, to either:
 - a. suspend or revoke the license; or
 - b. promptly serve the licensee a notice requiring the person to cease and desist from operating the sober living home within 10 days. (sec. 4)
11. Requires a cease-and-desist notice to state that the licensee may make a written request for a hearing before the DHS Director or their designee. (Sec. 4)
12. Permits DHS to request the county attorney with jurisdiction over a sober living home that fails to cease operations to enforce the law. (Sec. 4)
13. Permits DHS to notify the Attorney General, who must immediately seek a restraining order and an injunction against the sober living home. (Sec. 4)
14. Asserts that a person who continues to operate a sober living home without a license 10 days after receiving a notice is guilty of a class 1 misdemeanor. (Sec. 4)
15. Instructs the DHS Director, on determination that reasonable cause exists that a person is operating a sober living home without a license, to serve a cease-and-desist order. (Sec. 4)
16. Requires a person subject to a cease-and-desist order to provide clear and convincing evidence to the DHS Director that the premises, place or dwelling unit was not intended primarily for housing individuals recovering from or receiving treatment for a disability or disorder related to alcohol, drug or substance use. (Sec. 4)

17. Directs DHS, within 10 days of receiving a complaint from a political subdivision of the state, to notify the political subdivision of the complaint's status. (Sec. 4)
18. Requires DHS or its third-party contractor, within 10 calendar days after completion of an investigation, to provide the applicable political subdivision with its findings, including copies of investigative reports, all penalties and sanctions imposed and enforcement actions taken. (Sec. 4)
19. Prohibits DHS from contracting with any owner, operator, administrator or association of sober living homes. (Sec. 4)
20. Requires third-party contractors to be paid from the Health Services Licensing Fund. (Sec. 4)
21. Requires DHS, on request, to disclose the address of a sober living home to a third-party contractor of DHS. (Sec. 7)
22. Instructs DHS to notify a local jurisdiction of all applications for licensure and renewal and all requests for changes affecting a sober living home in that jurisdiction within 10 calendar days of receipt of an application for licensure, licensure renewal or request for changes. (Sec. 7)
23. Requires DHS to include in its annual report the number of complaints against licensed sober living homes:
 - a. received by DHS each year;
 - b. investigated by DHS or its third-party contractor; and
 - c. that resulted in inspections by DHS or its third-party contractor. (Sec. 8)
24. Requires DHS, annually on January 2, to submit to the Health and Human Services Committees of the Senate and House of Representatives, or their successor committees, a report on sober living homes that are required to be licensed, but are not, including the number of applicable:
 - a. complaints received;
 - b. complaints that were investigated and inspected by DHS or its third-party contractor; and
 - c. enforcement actions taken. (Sec. 8)
25. Asserts that the Legislature recognizes the need to protect the public from unscrupulous operators of sober living homes and finds and determines that strict compliance with and enforcement of the requirements of state law are necessary and required to ensure the public health, safety and welfare. (Sec. 3)
26. Redefines *sober living home* as any premises, place or dwelling unit that is used for individuals recovering from alcohol or drug addiction and provides an alcohol-free and drug-free living environment, peer support, assistance with obtaining drug addiction services and other drug addiction assistance. (Sec. 1)
27. Repeals certified sober living homes. (Sec. 5)
28. Defines terms. (Sec. 1)
29. Makes technical and conforming changes. (Sec. 1, 2, 4, 6-8)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: RA DPA/SE

HCR 2052: rulemaking; legislative approval

S/E: rulemaking; legislative authority

Sponsor: Representative McGarr, LD 17

Caucus & COW

Summary of the Strike-Everything Amendment to HCR 2052

Overview

Authorizes the Legislature to reject a rule approved by the Governor's Regulatory Review Council (Council) with a concurrent resolution. Deems the rule void if the Legislature rejects the rule by concurrent resolution.

History

Statute prohibits state agencies from conducting rulemaking without prior written approval of the Governor. State agencies may not adopt any new rule that would increase existing regulatory burdens on the free exercise of property rights or the freedom to engage in lawful business or occupation unless: 1) the rule reduces regulatory restraints or burdens; or 2) is necessary to implement statutes or is required by a final court order or decision (A.R.S. §§ [41-1038](#), [41039](#)).

Prior to submitting rulemaking to the Council, state agencies must hold a public comment period and receive final written approval from the Governor. The Council cannot consider rules submitted by state agencies without receiving the Governor's initial and final approval of the rulemaking. Additionally, state agencies must also recommend three rules for the Governor to eliminate for every additional rule requested. Rules that are necessary to secure or maintain assumption of federal regulatory programs, comply with an auditor general recommendation or address a new statutory requirement are exempt from consideration. State agencies additionally may not publicize any directives, policy statements, documents or forms on its website unless authorized by statute or rule ([A.R.S. § 41-1039](#)).

The [Council](#) is comprised of seven members appointed by the Governor. Their primary responsibilities are reviewing new rules or amendments proposed by state agencies and reviewing existing agency rules every five years on a rotating basis to determine if they are still necessary and effective.

Provisions

1. States that regardless of any other law, the Legislature may reject an approved and effective rule approved by the Council through a concurrent resolution. (Sec. 1)
2. Declares the rule to be void if rejected by the Legislature. (Sec. 1)
3. Directs the Secretary of State to submit this proposition to the voters at the next general election. (Sec. 1)²
4. Becomes effective if approved by the voters and on proclamation of the Governor. (Sec. 1)
5. Makes technical and conforming changes. (Sec. 1)

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



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: TI DP 6-5-0-0

HB 2037: department of transportation; continuation

**Sponsor: Representative Cook, LD 7
Caucus & COW**

Overview

Continues the Arizona Department of Transportation (ADOT) for eight years.

History

Arizona Department of Transportation

[Laws 1973, Chapter 146](#) established ADOT to provide for an integrated and balanced state transportation system with a director responsible for the Department's administration ([A.R.S. § 28-331](#)). ADOT has exclusive control and jurisdiction over state highways, state routes, state-owned airports and all state-owned transportation systems or modes.

The duties of ADOT are as follows: 1) register motor vehicles and aircraft, license drivers, collect revenues, enforce motor vehicle and aviation statutes and perform related functions; 2) do multimodal state transportation planning, cooperate and coordinate transportation planning with local governments and establish an annually updated priority program of capital improvements for all transportation modes; 3) design and construct transportation facilities in accordance with a priority plan and maintain and operate state highways, state-owned airports and state public transportation systems; 4) investigate new transportation systems and cooperate with and advise local governments concerning the development and operation of public transit systems; 5) have administrative jurisdiction of transportation safety programs and implement them following applicable law; and 6) operate a state motor vehicle fleet for all motor vehicles that are owned, leased or rented by this state ([A.R.S. § 28-332](#)).

ADOT terminates on July 1, 2024, unless legislation is enacted for its continuation ([A.R.S. § 41-3024.25](#)).

Senate Transportation and Technology and House Transportation and Infrastructure Committee of Reference (COR)

On January 4, 2024, the COR met jointly to conduct a review of ADOT and recommended that ADOT be continued for four to six years. The report of the Committee of Reference can be found [here](#).

Provisions

1. Continues, retroactive to July 1, 2024, ADOT until July 1, 2032. (Sec. 1-2, 4)
2. Repeals ADOT on January 1, 2033. (Sec. 2)
3. Includes a purpose statement. (Sec. 3)

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



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: TI DPA 7-3-1-0

HB 2038: recordings; disclosure
Sponsor: Representative Cook, LD 7
Caucus & COW

Overview

Makes it a class 5 felony offense for a person to intentionally record a wire or electronic communication without first providing notice to all of the parties. Adds notice provisions to existing statutes making it a class 5 felony offense for a person to intentionally intercept either a wire or electronic communication to which the person is not a party or a conversation or discussion at which the person is not present.

History

A person is guilty of a class 5 felony who either intentionally intercepts:

- 1) a wire or electronic communication to which he is not a party, or aids, authorizes, employs, procures or permits another to so do, without the consent of either a sender or receiver;
- 2) a conversation or discussion at which he is not present, or aids, authorizes, employs, procures or permits another to so do, without the consent of a party to such conversation or discussion; or
- 3) the deliberations of a jury or aids, authorizes, employs, procures or permits another to so do.

A person who intentionally and without lawful authority installs or uses a pen register or trap and trace device on the telephone lines or communications facilities of another person which are utilized for wire or electronic communication is guilty of a class 6 felony ([A.R.S. § 13-3005](#)).

Provisions

1. Mandates that a person is guilty of a class 5 felony who intentionally records a wire or electronic communication without first providing notice to all of the parties. (Sec. 1)
2. Clarifies that a person is guilty of a class 5 felony who intentionally intercepts a wire or electronic communication to which he is not party, or aids, authorizes, employs, procures or permits another to do so, without the consent of and *notice to* either a sender or receiver *of the wire or electronic communication*. (Sec. 1)
3. States that a person is guilty of a class 5 felony who intentionally intercepts a conversation or discussion at which he is not present, or aids, authorizes, employs, procures or permits another to do so, without the consent of and *notice to* either a party to the conversation or discussion. (Sec. 1)
4. Makes technical changes. (Sec. 1)

Amendments

Committee on Transportation & Infrastructure

1. Exempts, from a class 5 felony offense when a person intentionally records a wire or electronic communication without notice, a peace officer or a person acting at the direction of a peace officer during an investigation.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: TI DP 9-2-0-0

HB 2414: commercial vehicles; fleet plates; fees

**Sponsor: Representative Cook, LD 7
Caucus & COW**

Overview

Authorizes the Arizona Department of Transportation (ADOT) to issue a commercial vehicle fleet license plate. Creates the Commercial Truck Safety, Education and Workforce Fund.

History

A resident or nonresident engaged in operating one or more fleets of commercial vehicles in this state and another jurisdiction may register and license each fleet for operation in this state ([A.R.S. § 28-2233](#)).

The Director of ADOT may provide for the apportionment of registration and other fees for resident or nonresident fleets of apportionable commercial vehicles that are engaged in interstate and intrastate commerce between this state and another state or states in which fleets operate in accordance with a proportional registration agreement pursuant to alternative proportional registration ([A.R.S. § 28-2261](#)).

A person may register a fleet on an annual basis so that the registration for all vehicles in the fleet expires in the same month. The Director of ADOT must approve the request for fleet registration if the applicant, at least 30 days before the registration date, provides an application containing information necessary for qualification as a fleet registrant and provides a list of all vehicles to be included in the fleet ([A.R.S. § 28-2202](#)).

The initial one-time registration fee is \$245 for a trailer or semitrailer that is not a travel trailer and that exceeds 10,000 pounds gross vehicle weight and on renewal or if previously registered in another state, a one-time fee of \$145 if the trailer's or semitrailer's model year is less than six years old or \$95 if the model year is at least six years old ([A.R.S. § 28-2003](#)).

A *fleet* means two or more vehicles owned by a person and registered in this state ([A.R.S. § 28-2201](#)).

Provisions

Commercial Vehicle Fleet License Plates

6. Allows ADOT to issue a commercial vehicle fleet license plate. (Sec. 2)
7. Allows a fleet with more than 100 commercial vehicles to apply for a commercial vehicle fleet license plate with the fleet's approved logo in a standard location on the license plate as designed by ADOT. (Sec. 2)
8. States that a fleet with more than 25 commercial vehicles may apply for a commercial vehicle fleet license plate with the fleet's name placed on the bottom of the license plate as designed by ADOT. (Sec. 2)
9. Specifies that ADOT may charge the fleet applying for a commercial vehicle fleet license plate a fee in an amount determined by the Director of ADOT for the initial design and administration of the plate in addition to the required registration fee. (Sec. 2)

Commercial Truck Safety, Education and Workforce Fund

10. Establishes the Commercial Truck Safety, Education and Workforce Fund (Fund). (Sec. 2)
11. Instructs the Director of the Governor's Office of Highway Safety (Director) to administer the Fund. (Sec. 2)

12. Directs the State Treasurer to invest and divest monies in the Fund on notice from the Director and states that monies earned from investment must be credited to the Fund. (Sec. 2)
13. Allows up to 10% of Fund monies to be used for administrative costs. (Sec. 2)
14. Specifies that Fund monies are subject to legislative appropriation and are exempt from lapsing. (Sec. 2)
15. Requires the Director of ADOT to deposit the following fees in the Fund, collected from the following commercial motor vehicles that are registered with a gross vehicle weight rating of 10,000 pounds or more:
 - a. a one-time fee that is collected at the initial registration in an amount to be determined by the Director of ADOT for a trailer that complies with the specified registration fee requirements; and
 - b. an annual registration fee in an amount to be determined by the Director of ADOT for a commercial motor vehicle registered under international or alternative proportional registration. (Sec. 2)
16. Instructs the Director to use the monies deposited into the Fund to improve trucking education and public safety, including assisting in workforce development for the trucking industry. (Sec. 2)
17. Adds that the Director may enter into an agreement with an entity to assist in improving trucking education and public safety, including assisting in workforce development for the trucking industry. (Sec. 2)
18. Specifies that the entity must have been established in 2009 and must be a nonprofit corporation in Arizona that is qualified under section 501(c)(3) of the United States Internal Revenue Code for Federal Income Tax purposes. (Sec. 2)

Miscellaneous

19. Makes technical and conforming changes. (Sec. 1, 3, 4)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: TI DP 9-2-0-0

HB 2833: class G driver licenses; qualifications

Sponsor: Representative Gillette, LD 30
Caucus & COW

Overview

Requires the Arizona Department of Transportation (ADOT) to establish an adult driver education course and requires a driver's license applicant who has not previously been issued a license or whose license is expired, suspended or revoked to complete the course.

History

A person under 18 years old may apply for a Class G driver's license if they are at least 16 years old and have held a valid instruction permit for at least six months. The applicant must also:

- 1) have a custodial parent or guardian certify in writing to ADOT that the applicant has completed at least 30 hours of supervised driving practice with at least 10 hours of practice happening at night;
- 2) have satisfactorily completed an ADOT-approved driver education program. If the program is offered by a public school, it must be approved by ADOT in consultation with the Department of Education;
or
- 3) both:
 - i. complete a driver education program offered by a certified defensive driving school that is approved by the Supreme Court or a traffic survival school; and
 - ii. have a custodial parent or guardian certify in writing to ADOT that the applicant has completed at least 20 hours of supervised driving practice with at least 6 hours of practice happening at night.

For the first six months that a Class G licensee holds their license they cannot drive a motor vehicle on a public highway with more than one passenger under the age of 18 unless they are accompanied by a parent or legal guardian seated next to them who has a Class A, B, C or D license or the passengers are the licensee's siblings.

For the first six months that a Class G licensee holds their license they cannot drive a motor vehicle on a public highway from 12:00 a.m. to 5:00 a.m. unless they are accompanied by a parent or legal guardian seated next to them who has a Class A, B, C or D license or they are driving to or from a sanctioned school sponsored activity, their place of employment, a sanctioned religious activity or a family emergency ([A.R.S. § 28-3174](#)).

Provisions

1. Directs ADOT to establish an adult driver education course (course) to enhance street and highway safety and to reduce vehicle collisions and moving traffic violations. (Sec. 1)
2. Requires an applicant before they may be issued a driver's license and regardless of other law to complete the course if the applicant either:
 - a. is at least 16 years old and has not previously:
 - i. been issued a driver's license from this state or another state;
 - ii. completed an ADOT-approved driver education course; or
 - b. has an expired, suspended or revoked driver's license from this state or another state. (Sec. 1)
3. Directs the course to be only taught by an ADOT-approved provider. (Sec. 1)

4. States that, depending on the provider's authority from ADOT, the course may be conducted in a classroom or online. (Sec. 1)
5. Directs the course curriculum to be four hours in length and be demonstrably effective in reducing vehicle collisions or moving violations, or both. (Sec. 1)
6. Requires a course provider to submit an effectiveness study to ADOT that demonstrates the effectiveness of the course curriculum before the course may be approved by ADOT in a manner determined by the Director of ADOT. (Sec. 1)
7. Stipulates that the study must be exclusively conducted by independent state agencies or accredited academic institutions within the United States. (Sec. 1)
8. Allows a prelicensure course that has undergone efficacy studies in other states to qualify as demonstrating the effectiveness of the curriculum of the ADOT-approved provider's course. (Sec. 1)
9. Requires a Class G driver's license applicant who is under 18 years old to successfully complete an ADOT-approved adult driver program. (Sec. 2)
10. Requires an adult driver program to:
 - a. include literature on the restrictions on a Class G license holder in the first six months of holding the license; and
 - b. be taught by an ADOT-approved provider and may be conducted in a classroom or online depending on the provider's authority from ADOT. (Sec. 2)
11. States that a Class G driver's license applicant who is under 18 years old and has successfully completed an adult driver program is not required to pass the driver's license examination administered by ADOT. (Sec. 2)
12. Removes the requirement for a Class G driver's license applicant to pass the driver's license examination administered by ADOT. (Sec. 2)
13. Requires a Class G driver's license applicant's parent or legal guardian to sign a form stating that the parent or legal guardian understands the restrictions on a Class G license holder in the first six months of holding the license. (Sec. 2)
14. Makes conforming changes. (Sec. 2)



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: TI DPA 5-4-0-2

HB 2866: electric vehicles; registration fee

Sponsor: Representative Cook, LD 7

Caucus & COW

Overview

Creates a \$135 registration fee for a motor vehicle that is fueled exclusively by electricity and has been issued an Alternative Fuel Vehicle Special Plate or Sticker by the Arizona Department of Transportation (ADOT).

History

The registration fee for a motor vehicle is \$8, except that the fee for motorcycles is \$9. Motor vehicle registration fees are deposited into the Arizona Highway User Revenue Fund by the Director of ADOT. (A.R.S. §§ [28-2003](#), [2004](#)).

A motor vehicle powered by alternative fuel initially registered in this state before January 1, 2023, was charged a reduced Vehicle License Tax. Alternative fuel vehicles initially registered in this state after January 1, 2023, are now subject to the regular Vehicle License Tax rate of \$2.80 per \$100 of assessed value for new vehicles based on 60% of the manufacturer's base retail price for its initial year of registration (A.R.S. §§ [28-5801](#), [5805](#)).

Provisions

1. Establishes a \$135 registration fee for motor vehicles that are fueled exclusively by electricity and have been issued an Alternative Fuel Vehicle Special Plate or Sticker by ADOT. (Sec. 1)
2. Contains a Proposition 108 clause. (Sec. 2)
3. Makes technical and conforming changes. (Sec. 1)

Amendments

Committee on Transportation & Infrastructure

1. Makes it so the \$135 fee is an *annual* fee for the registration of motor vehicles fueled by *alternative fuel and that are incapable of operating on any other type of fuel* rather than a registration fee for motor vehicles that are fueled exclusively by electricity and have been issued an Alternative Fuel Vehicle Special Plate or Sticker by ADOT.
2. Corrects a technical change.

<input type="checkbox"/> Prop 105 (45 votes)	<input checked="" type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: TI DP 6-5-0-0

HCR 2018: tax prohibition; vehicle mileage; monitoring

Sponsor: Representative Grantham, LD 14

Caucus & COW

Overview

Subject to voter approval, prohibits this state and any city, town, county, municipal corporation or other political subdivision of this state from imposing a fee or tax based on vehicle miles traveled by a person in a motor vehicle or enacting any rule or law to monitor or limit the vehicle miles traveled by a person in a motor vehicle.

History

A *travel reduction plan* is a written report outlining travel reduction measures. *Vehicle Miles Traveled* is the number of miles traveled by a motor vehicle for commute trips.

A mile traveled by a reduced emission vehicle is counted as less than a full vehicle mile traveled for travel reduction plan purposes ([A.R.S. § 49-581](#)).

Provisions

1. Prohibits this state and any county, city, town, municipal corporation or other political subdivision of this state from:
 - a. Imposing a tax or fee on any person based on the vehicle miles traveled by the person in a motor vehicle; or
 - b. Enacting any rule or law to monitor or limit the vehicle miles traveled by a person in a motor vehicle unless the rule or law requires the person to voluntarily consent to the monitoring or limitation. (Sec. 1)
2. States that these restrictions do not apply to an interstate agreement established to administer the payment or reporting of fuel taxes or registration fees for commercial vehicles operating in more than one state. (Sec. 1)
3. Directs the Secretary of State to submit this measure to the voters as a proposition at the next general election. (Sec. 1)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: WM DPA 6-4-0-0

HCR2023: property tax; refund; nuisance enforcement.
Sponsor: Representative Toma, LD 27
Caucus & COW

Overview

Allows a property owner to apply for a primary property tax refund if the fair market value (FMV) of their property is decreased, or they incur expenses caused by a city, town or county adopting a policy, pattern or practice which declines to enforce existing laws or the maintaining of a public nuisance.

History

[Ariz. Const. art 9 § 2](#) states all property that is not exempt under law in Arizona is subject to taxation. *Primary property taxes* mean all ad valorem taxes except for secondary property taxes ([A.R.S. § 42-11001](#)).

The Department of Revenue (DOR) is responsible for providing a uniform system of tax administration and revenue collection for the state. From this revenue collection, a portion of TPT and severance taxes is allocated as the distribution base, which is distributed to cities, towns, counties and other purposes throughout Arizona. 25% of the monies designated as distribution base are designated to the various incorporated municipalities in Arizona in proportion to their population, which is to be used for any purpose ([A.R.S. § 42-5029](#)).

Provisions

1. Allows a property owner to apply for a primary property tax refund in the city, town or county they are located if the FMV of their property is decreased from or they incur expenses to mitigate the city, town or county:
 - a) adopting a policy, pattern or practice that declines to enforce existing laws, ordinances or other legislation prohibiting illegal camping, loitering, panhandling, public urination or defecation, public consumption of alcoholic beverages or possession or use of illegal substances; or
 - b) maintaining a public nuisance. (Sec. 1)
2. Outlines the calculations and methods to refunding the tax (Sec. 1)
3. Requires the state treasurer to:
 - a) withhold monies to the affected city, town or county based on the aggregate amount of the refunds claimed; and
 - b) credit any monies withheld to the state general fund. (Sec. 1)
4. Places the burden of proof onto the city, town or county in any challenge to a refund. (Sec. 1)
5. Removes the requirement that a property owner must submit a claim as a prerequisite to filing a claim for a refund. (Sec. 1)
6. Entitles a taxpayer to claim a refund once per tax year, for every year the policy, pattern practice or public nuisance remains in place. (Sec. 1)
7. States that the refund process is in addition to any other law. (Sec. 1)
8. Directs the DOR to administer the refund process and prescribe the procedure.
9. Outlines the specific acts or decisions that do not apply to the refund process. (Sec. 1)
10. Defines *fair market value* and *property owner*. (Sec. 1)

11. Repeals the refund process beginning January 1, 2036. (Sec. 2)
12. Requires the Secretary of State to submit the proposition to the voters at the next general election.
13. Becomes effective if approved by the voters and on proclamation of the Governor.

Amendments

Committee on Ways & Means

1. Limits the amount of the primary property tax refund to the amount the property owner paid in primary property taxes for the tax year to the affected city, town or county.
2. Grants a property owner a full refund for that tax year in an amount equal to the amount the owner paid in primary property taxes if the total amount of the determined refund exceeds the amount of primary property tax paid.
3. Requires the property owner to apply to DOR for the remaining portion of the refund the following tax year.
4. Requires DOR to notify the affected city, town or county of an application from a property owner within 15 days.
5. Allows the affected city, town or county to respond within 30 days of the notice by:
 - a) accepting the refund, where DOR pays the refund to the property owner;
 - b) rejecting the refund, where the refund is not paid; or
 - c) deciding not to respond, where the refund is deemed accepted.
6. Allows a property owner to file a cause of action in the superior court of the county in which the real property is located if the refund is rejected.
7. Stipulates that in a cause of action filed:
 - a) the city, town or county must bear the burden of demonstrating that its actions are lawful or that the amount of the refund is unreasonable;
 - b) the property owner is not liable to the city, town or county for attorney fees or costs; and
 - c) the prevailing property owner must be awarded reasonable attorney fees and costs.
8. Requires the State Treasurer to credit any monies withheld to DOR as reimbursement for issuing the refunds.
9. Prescribes a refund for the property taxes paid to a city or town if the real property is located within the corporate boundaries of a city or town, and prescribes a refund to a county if the real property is located within an unincorporated area of a county.
10. Defines *affected city, town or county*.



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

House: WM DPA 10-0-0-0

HJR2001: Phoenix-Mesa gateway airport; reuse zone
Sponsor: Representative Grantham, LD 14
Caucus & COW

Overview

Designates the Phoenix-Mesa Gateway Airport as a Military Reuse Zone (MRZ) until October 19, 2036.

History

Phoenix-Mesa Gateway Airport, formerly Williams Air Force Base, closed on September 30, 1993. On August 23, 1996, [Executive Order 96-12](#) designated the airport as an MRZ under the 1992 enactment of the Arizona Defense Restructuring and Military Reuse Zone Programs, and remained an MRZ until July 2006. On October 19, 2006, [Executive Order 2006-15](#) designated the airport as an MRZ for ten years. [Executive Order 2015-11](#) continued the designation until October 19, 2026, when it is set to expire.

After executing a lease with a term of 15 years or longer for the use or occupancy of real property or improvements that are located on a closed military facility with a runway that is at least 8,000 feet long at closing or after title to any part of a closed military facility with a runway that is at least 8,000 feet long at closing is transferred to Arizona or to another public or private entity, the governor, after consulting with the CEO of the Arizona Commerce Authority (ACA), may designate the property as a MRZ ([A.R.S. 41-1531](#)).

Provisions

1. Continues the designation of the Phoenix-Mesa Gateway Airport as an MRZ.
2. Extends the date of termination for the MRZ to October 19, 2036.
3. Requires the Secretary of State to transmit copies of the continuation to the City of Phoenix and the City of Mesa.

Amendments

Committee on Ways & Means

1. Modifies the date of termination for the MRZ to October 19, 2031.

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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