ARIZONA HOUSE OF REPRESENTATIVES
Fifty-seventh Legislature - First Regular Session

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April 08, 2025

ARIZONA HOUSE OF REPRESENTATIVES
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CAUCUS AGENDA

April 08, 2025

Bill Number	Short Title	Committee	Date	Action

Committee on Appropriations

Chairman: David Livingston, LD 28 **Vice Chairman:** Matt Gress, LD 4
Analyst: Jeremy Bassham **Intern:** Grey Gartin

SB 1300(BSI) unclaimed property; department of revenue
(APPROP S/E: San Simon Valley; groundwater; election)
SPONSOR: PETERSEN, LD 14
APPROP 3/31/2025 DPA/SE (11-7-0-0)
(No: BLATTMAN, GUTIERREZ, SANDOVAL, STAHL HAMILTON, TRAVERS, AUSTIN, VOLK)

Committee on Commerce

Chairman: Jeff Weninger, LD 13 **Vice Chairman:** Michael Way, LD 15
Analyst: Paul Benny **Intern:** Aaryan Dravid

SB 1229(BSI) planning; home design; restrictions; prohibition.
SPONSOR: BOLICK, LD 2
COM 3/25/2025 DPA (5-4-1-0)
(No: HENDRIX, VILLEGAS, CAVERO, CONNOLLY Present: DIAZ)

Committee on Education

Chairman: Matt Gress, LD 4 **Vice Chairman:** James Taylor, LD 29
Analyst: Chase Houser **Intern:** Lane Nelson

SB 1502(BSI) literacy endorsement; curricula; special education
SPONSOR: FARNSWORTH, LD 10
ED 3/18/2025 DP (12-0-0-0)

SB 1525(BSI) ~~CTEDs; state universities; intergovernmental agreements~~
(Now: CTEDs; postsecondary institutions; intergovernmental agreements)
SPONSOR: DUNN, LD 25
ED 3/25/2025 DP (12-0-0-0)

SB 1615(BSI) student athletes; employment status; restrictions
SPONSOR: SHOPE, LD 16
ED 3/25/2025 DPA (11-1-0-0)
(No: FINK)

Committee on Federalism, Military Affairs & Elections

Chairman: John Gillette, LD 30 **Vice Chairman:** Rachel Keshel, LD 17
Analyst: Joel Hobbins **Intern:** Sam Robinson

SB 1280(BSI) cast vote record; public record
SPONSOR: FINCHEM, LD 1
FMAE 3/26/2025 DPA (4-3-0-0)
(No: HERNANDEZ L, MÁRQUEZ, GARCIA)

SB 1281(BSI) adjutant general; duties
SPONSOR: GOWAN, LD 19
FMAE 3/26/2025 DP (7-0-0-0)

SB 1375(BSI) voter registration rolls; internet access
SPONSOR: FINCHEM, LD 1
FMAE 3/26/2025 DP (4-3-0-0)
(No: HERNANDEZ L, MÁRQUEZ, GARCIA)

SB 1495(BSI) national guard; active duty; requirements
SPONSOR: ROGERS, LD 7
FMAE 3/26/2025 DP (4-2-0-1)
(No: HERNANDEZ L, GARCIA Abs: MÁRQUEZ)

Committee on Government

Chairman: Walt Blackman, LD 7 **Vice Chairman:** Lisa Fink, LD 27
Analyst: Joel Hobbins **Intern:** Sam Robinson

SB 1092(BSI) vehicle mileage; tracking; tax; prohibitions
SPONSOR: HOFFMAN, LD 15
GOV 3/27/2025 DP (4-3-0-0)
(No: STAHL HAMILTON, VILLEGAS, MÁRQUEZ)

SB 1584(BSI) public employees; merit; hiring practices
SPONSOR: SHAMP, LD 29
GOV 3/26/2025 DP (4-3-0-0)
(No: CONTRERAS P, SIMACEK, MÁRQUEZ)

SB 1586(BSI) gender transition procedures; provider liability
SPONSOR: SHAMP, LD 29
GOV 3/26/2025 DP (4-3-0-0)
(No: CONTRERAS P, SIMACEK, MÁRQUEZ)

SB 1661(BSI) broadband service district authority; formation
SPONSOR: DUNN, LD 25
GOV 3/26/2025 DP (7-0-0-0)

Committee on Health & Human Services

Chairman: Selina Bliss, LD 1 **Vice Chairman:** Ralph Heap, LD 10
Analyst: Ahjahna Graham **Intern:** Ashley Bills

SB 1604(BSI) ~~licensed secure facility; incompetent defendants~~
(Now: licensed secure health facility; defendants)
SPONSOR: ANGIUS, LD 30
HHS 3/24/2025 DPA (10-1-0-1)
(No: LIGUORI Abs: WENINGER)

Committee on Judiciary

Chairman: Quang H. Nguyen, LD 1 **Vice Chairman:** Khyl Powell, LD 14
Analyst: Nathan Mcrae **Intern:** Deborah Costea

SB 1143(BSI) firearms transactions; merchant codes; prohibition
SPONSOR: ROGERS, LD 7
JUD 3/26/2025 DP (6-2-0-1)
(No: HERNANDEZ A, GARCIA Abs: CONTRERAS L)

SB 1244(BSI) child abduction; biological family relationship
SPONSOR: FARNSWORTH, LD 10
JUD 3/26/2025 DP (4-2-2-1)
(No: CONTRERAS L, GARCIA Abs: HERNANDEZ A Present: BLISS, NGUYEN)

SB 1542(BSI) personal property exemption; money proceeds
(JUD S/E: litigation; financing; foreign adversaries; enforcement)
SPONSOR: CARROLL, LD 28
JUD 3/26/2025 DPA/SE (7-2-0-0)
(No: BLISS, CONTRERAS L)

SB 1591(BSI) concealed weapons permits; fees
SPONSOR: ROGERS, LD 7
JUD 3/26/2025 DPA (6-3-0-0)
(No: CONTRERAS L, HERNANDEZ A, GARCIA)

SB 1705(BSI) firearms; state preemption; civil penalty
SPONSOR: GOWAN, LD 19
JUD 3/26/2025 DP (6-3-0-0)
(No: CONTRERAS L, HERNANDEZ A, GARCIA)

SB 1726(BSI) unlawful occupants; property; removal; documents
SPONSOR: ROGERS, LD 7
JUD 3/26/2025 DP (4-2-2-1)
(No: CONTRERAS L, GARCIA Abs: HERNANDEZ A Present: BLISS, MARSHALL)

Committee on Land, Agriculture & Rural Affairs

Chairman: Lupe Diaz, LD 19 **Vice Chairman:** Michele Peña, LD 23
Analyst: Blanca Santillan Ramos **Intern:** Lane Nelson

SB 1721(BSI) ~~technical correction; obstructing governmental operations~~
(Now: egg-laying hens; housing size standards)
SPONSOR: BOLICK, LD 2
LARA 3/24/2025 DP (5-3-0-1)
(No: KESHEL, SANDOVAL, STAHL HAMILTON Abs: PESHLAKAI)

Committee on Natural Resources, Energy & Water

Chairman: Gail Griffin, LD 19 **Vice Chairman:** Chris Lopez, LD 16
Analyst: Corbin Wright **Intern:** Lane Nelson

SB 1523(BSI) water use; prohibition; landscaping
SPONSOR: DUNN, LD 25
NREW 3/25/2025 DPA (10-0-0-0)

SB 1538(BSI) corporation commission; non-thermal generating unit
SPONSOR: CARROLL, LD 28

NREW	3/25/2025	DP	(6-4-0-0)

(No: CONTRERAS P, MATHIS, PESHLAKAI, LIGUORI)

SB 1730(BSI) underground storage tanks; reimbursement
SPONSOR: SHOPE, LD 16

NREW	3/25/2025	DP	(9-0-0-1)

(Abs: PESHLAKAI)

Committee on Regulatory Oversight

Chairman: Joseph Chaplik, LD 3 **Vice Chairman:** Alexander Kolodin, LD 3
Analyst: Diana Clay **Intern:** Aaryan Dravid

SB 1612(BSI) document retention; proposals; donations
SPONSOR: SHOPE, LD 16

RO	3/25/2025	DP	(3-2-0-0)

(No: CONTRERAS L, HERNANDEZ C)

Committee on Transportation & Infrastructure

Chairman: Leo Biasiucci, LD 30 **Vice Chairman:** Teresa Martinez, LD 16
Analyst: Luca Moldovan **Intern:** Kylee Lyon

SB 1089(BSI) ADOT; report; construction projects; bidders
SPONSOR: HOFFMAN, LD 15

TI	3/26/2025	DP	(4-2-0-1)

(No: CONTRERAS P, TRAVERS Abs: HERNANDEZ C)

SB 1514(BSI) employer-employee arbitration; contract; disputes
SPONSOR: PAYNE, LD 27

TI	3/19/2025	DPA	(4-1-1-1)

(No: HERNANDEZ C Abs: TSOSIE Present: CONTRERAS P)

SB 1300: unclaimed property; department of revenue
S/E: San Simon Valley; groundwater; election
Sponsor: Senator Petersen, LD 14
Caucus & COW

Summary of the Strike-Everything Amendment to SB 1300

Overview

An emergency measure to allow the Cochise County Board of Supervisors to call a special election to designate a portion of the San Simon Valley groundwater subbasin an Irrigation Non-expansion Area (INA).

History

Irrigation Non-Expansion Area (INA)

Arizona's Groundwater Code, enacted in 1980, prescribed uses of groundwater "to conserve, protect and allocate its use" and provide a framework for the comprehensive management and regulation of the withdrawal, transportation, use, conservation and conveyance of rights to use groundwater in this state (A.R.S. § 45-401).

As part of the management framework, the Code initially designated two INAs, the Joseph City INA and the Douglas INA with the third, the Harquahala INA, being created in 1981. (A.R.S. §§ 45-431 and 45-432) (ADWR).

Initiation of an INA Designation

Current law prescribes that an INA designation process can be initiated by either:

1) the Director of ADWR;
2) a petition of voters; or
3) a petition of irrigation users of groundwater (A.R.S. § 45-433).

Provisions

1. Authorizes the Cochise County Board of Supervisors, within 90 days of the effective date of this measure, to call a special election to vote on designation of the San Simon Valley groundwater subbasin as an INA. (Sec. 1)
2. Classifies eligible electors for the special election. (Sec. 1)
3. Outlines requirements pertaining to the special election for:
   a) Cochise County and county recorder;
   b) the Director of the Arizona Department of Water Resources (ADWR); and
   c) the ballot. (Sec. 1)
4. Prescribes the language to be on the ballot. (Sec. 1)
5. Contains an emergency clause. (Sec. 2)

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

SB 1229: planning; home design; restrictions; prohibition.
Sponsor: Senator Bolick, LD 2
Caucus & COW

Overview

Prescribes municipal restrictions relating to home design and development standards for single-family homes.

History

Statute requires each municipality's planning agency and governing body to prepare and adopt, in coordination with the Arizona State Land Department, a comprehensive, long range general plan for the development of the municipality. The general plan must include a statement of community goals and development policies, including maps and plan proposals (A.R.S. § 9-461.05).

Municipalities, for conserving and promoting the public health, safety and general welfare, may adopt zoning ordinances that: 1) regulate the use of buildings, structures and land between agriculture residence, industry and business; 2) regulate the location, height, bulk, number of stories and size of buildings and structures, the size and use of lots, yards, courts and other open spaces, the percentage of a lot that may be occupied by a building or structure, access to incident solar energy and the intensity of land use; 3) establish requirements for off-street parking and loading; 4) establish and maintain building setback lines; and 5) establish floodplain and age-specific community zoning districts and districts of
historical significance (A.R.S. § 9-462.01).

Provisions

Home Design

1. Prohibits a municipality from interfering with a home buyer's right to choose the features, amenities, structure, floor plan and interior and exterior design of a home. (Sec. 1)

2. Prohibits a municipality from requiring:
   a) a shared feature or amenity that would require certain associations to maintain or operate the feature or amenity, unless required by federal law; or
   b) screening, walls or fences on residential property. (Sec. 1)

3. Specifies the home design provisions:
   a) do not supersede applicable building codes, fire codes or public health and safety regulations;
   b) do not apply to lots or parcels that are located on tribal land, land in a high noise or accident potential zone of a military airport or ancillary military facility; and
   c) apply to developments constructed after the effective date, in a municipality with a population of more than seventy thousand persons. (Sec. 1)

Home Size

4. Prohibits municipalities from adopting or enforcing any code, ordinance, regulation or other legal requirement establishing:
   a) minimum lot sizes that are greater than 3,000 square feet for new developments that are 5 or more acres in size and that will be platted and located in an area zoned as single-family residential;
   b) minimum square footage or dimensions for a single-family home that are more than the minimum square footage or dimensions the municipality requires for any other type of dwelling unit;
   c) maximum or minimum lot coverage for a single-family home and any accessory structures on a lot less than 10,000 square feet;
   d) minimum building setbacks for a single-family home that are more than 5 feet from the side lot lines and 10 feet from the front and rear lot lines; and

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

e) design, architectural or aesthetic elements for a single-family home, except for a single-family home on land that is designated as a district of historical significance or an area that is designated as historic on the national register of historic places. (Sec. 1)

5. Authorizes a municipality to:
   a) enforce adopted minimum lot sizes greater than 3,000 square feet where multiple lots smaller than 5 acres with existing dwelling units are aggregated together;
   b) enforce adopted minimum setbacks for a portion of a home that is occupied by a garage facing the street in which the minimum front setback may not exceed 18 feet from the back of the sidewalk or lot line; and
   c) allow smaller lot sizes and smaller setbacks than those prescribed. (Sec. 1)

6. Allows a municipality to require:
   a) the preparation and submission of acceptable electric and water utility plans and specifications; and
   b) the construction of or payment for necessary public services needed to serve the new single-family homes. (Sec. 1)

7. Specifies the home size provisions:
   a) do not supersede applicable building codes, fire codes, utility clearance requirements, utility easements, minimum parking requirements or public health and safety regulations;
   b) do not apply to lots or parcels that are located on tribal land, on land in high noise or accident potential zone of a military airport or ancillary military facility; and
   c) apply to developments constructed after the effective date, in a municipality with a population of more than seventy thousand persons. (Sec. 1)

Miscellaneous

8. Includes language relating to Legislative findings and determinations regarding housing shortages, municipal restrictive regulations, property rights and preemption of further regulating a property owner's right to use their property. (Sec. 1)

9. Defines *building code*, *fire code, fire code official* and *shared feature or amenity*. (Sec. 1)

10. Cites act as the "Arizona Starter Homes Act." (Sec. 2)

Amendments

Committee on Commerce

1. Adds that unless as required to meet adopted minimum retention standards, a municipality cannot require certain shared features or amenities.

2. Modifies the definition of *shared feature or amenity*.

3. Clarifies that a municipality is prohibited from adopting or enforcing any code, ordinance, regulation or other legal requirement establishing exterior nonstructural ornamentation, design or architectural elements for a single-family home.

SB 1502: literacy endorsement; curricula; special education
Sponsor: Senator Farnsworth, LD 10
Caucus & COW

Overview

Instructs the State Board of Education (SBE) to require that all approved educator preparation programs in mild-moderate special education include the courses necessary to obtain the K-5 literacy endorsement. Defines *curriculum*, as it relates to K-3 literacy plan requirements, to include curriculum used to provide reading instruction to children with disabilities or English language learners.

History

SBE rules must require, beginning August 1, 2025, that all certificated teachers who provide literacy instruction in kindergarten or the 1st-5th grades obtain the K-5 literacy endorsement. A teacher must complete evidence-based science of reading training or coursework and pass a literacy instruction assessment to show they are capable of: 1) effectively teaching foundational reading skills, phonological awareness, phonics, fluency, vocabulary and comprehension; 2) implementing reading instruction using high-quality instructional materials; and 3) providing effective instruction and interventions for students with reading deficiencies. All approved educator preparation programs in elementary education or early childhood education must require the courses necessary to obtain the K-5 literacy endorsement (A.R.S. § 15-501.01) (A.A.C. R7-2-615).

K-3 literacy plan requirements mandate each school district or charter school that provides instruction in kindergarten through the 3rd grade: 1) select and administer screening, ongoing diagnostic and classroom-based instructional reading assessments to monitor student progress; 2) use diagnostic information to plan evidence-based appropriate and effective instruction and intervention; 3) conduct a curriculum evaluation and adopt an evidence-based reading curriculum that includes the essential components of reading instruction; and 4) provide ongoing teacher training based on evidence-based reading research (A.R.S. § 15-704).

Provisions

1. Instructs SBE to adopt rules that require all approved educator preparation programs in mild-moderate special education, as defined by SBE, to include the courses necessary to obtain the K-5 literacy endorsement. (Sec. 1)
2. Includes in *curriculum*, as it relates to K-3 literacy plan requirements, any curriculum used to provide reading instruction to children with disabilities or English language learners. (Sec. 2)
3. Makes technical changes. (Sec. 1)

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

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Senate: ED DP 4-3-0-0 | 3rd Read 26-1-3-0
House: ED DP 12-0-0-0

SB 1525: CTEDs; postsecondary institutions; intergovernmental agreements
Sponsor: Senator Dunn, LD 25
Caucus & COW

Overview

Authorizes a career technical education district (CTED) governing board to enter into an intergovernmental agreement (IGA) with an Arizona public university to offer career and technical education (CTE) courses or programs if a community college district (CCD) is unable to offer the CTE course or program in the next school year.

History

A CTED governing board is responsible for the management and control of the CTED, including the content and quality of courses offered. A CTED governing board and a CCD may enter into IGAs to provide for administrative, operational and educational services and facilities. Any agreement between a CTED governing board and another CTED or a school district, charter school or CCD must be in the form of an IGA or other written contract that specifies: 1) the financial and accountability provisions, including the format for the billing of all services; 2) the responsibilities of each involved party; 3) the type and quality of instruction that will be provided; 4) the transportation services that will be provided and how transportation costs will be paid; 5) the amount the CTED will contribute to a CTE course and the amount of support required by the other party; 6) that the services provided by the parties must be proportionally calculated in the cost of delivering the service; 7) that the payment for services may not exceed the cost of the services provided; 8) that the CTED will provide specified minimum services; and 9) an itemized listing of goods and services that are provided and paid for as prescribed (A.R.S. § 15-393).

The Arizona Board of Regents (ABOR) exercises the powers necessary for the effective governance and administration of the three public universities. ABOR may adopt, and authorize each university to adopt, necessary regulations, policies, rules or measures. ABOR may delegate to its committees, the university presidents or other entities it controls any part of its administration and governance authority (A.R.S. § 15-1626).

Provisions

1. Authorizes a CTED governing board to enter into IGAs with an Arizona public university for administrative, operational and educational services and facilities only if the CCD for each county in which the CTED is located is unable to provide the CTE course or program in the next school year. (Sec. 1)

2. Details that a CCD is unable to offer a CTE course or program if:
   a) the CTED governing board, by November 1 annually, notifies the CCD president or chancellor in writing that the CTED seeks to offer CTE programs or courses that are:
      i. not offered through an existing IGA between the CTED governing board and the CCD; and
      ii. available through an Arizona public university; and
   b) within 30 days of receiving notice from the CTED governing board, the CCD president or chancellor either:
      i. notifies the CTED superintendent in writing that no CCD can offer the CTE course or program in the next school year; or
      ii. fails to respond to the CTED superintendent. (Sec. 1)

3. Subjects an IGA between a CTED governing board and an Arizona public university to statutory requirements for an IGA between a CTED governing board, another CTED or a school district, charter school or CCD. (Sec. 1)

4. Calculates average daily membership for a CTE course or program provided by an Arizona public university in the same manner as a CTE course or program provided by a CCD. (Sec. 1)

5. Requires ABOR to enter into an IGA with a CTED governing board if the IGA, in ABOR's judgement, will serve the interests of the state. (Sec. 2)

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

6. Includes, in the powers ABOR may delegate to its committees, the university presidents or other entities it controls, the power to enter into an IGA with a CTED governing board. (Sec. 2)

7. Makes technical changes. (Sec. 1, 2)

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Senate: ED DP 5-0-2-0 | 3rd Read 26-1-3-0
House: ED DPA 11-1-0-0

SB 1615: student athletes; employment status; restrictions
Sponsor: Senator Shope, LD 16
Committee on Education

Overview

An emergency measure that establishes authorizations, restrictions, requirements and legal remedies for student athletes, postsecondary education institutions and regulators regarding the use of a student athlete's own name, image and likeness (NIL).

History

A postsecondary education institution that competes in an intercollegiate sport must allow a student athlete, to the extent allowed by the rules established by the relevant national association for promoting or regulating collegiate athletics, to earn compensation from the use of the student athlete's own NIL. A student athlete may not be denied a scholarship, have a scholarship revoked or be deemed ineligible for a scholarship or for participating in intercollegiate athletics because the student athlete earns compensation for the use of their own NIL. However, a student athlete is not authorized to enter into a contract that provides compensation for the use of their own NIL if the contract: 1) violates the intellectual property of any person, including the student athlete's postsecondary education institution; or 2) conflicts with the student athlete's team contract (A.R.S. § 15-1892).

The Revised Uniform Athlete Agents Act governs contracts between student athletes and athlete agents by: 1) outlining required provisions in a student athlete's contract; 2) requiring notification to be given to the educational institution at which the student athlete is enrolled; 3) allowing the student athlete to cancel the contract within 14 days of signing; and 4) prohibiting certain athlete agent conduct (A.R.S. §§ 15-1770, 15-1771, 15-1772 and 15-1774).

A *student athlete* is an individual who engages in, or is otherwise eligible to engage in, any intercollegiate sport, except an individual who is permanently ineligible to participate in a particular intercollegiate sport. An *intercollegiate sport* is a sport played at the collegiate level and for which student athlete eligibility requirements are established by a national association for the promotion or regulation of college athletics (A.R.S. § 15-1762).

Provisions

Student Athletes

1. Restricts a student athlete who participates in an intercollegiate athletic program at a postsecondary education institution from:
   a) executing a contract for the use of their own NIL before disclosing the proposed contract to the postsecondary education institution at which they participate in an intercollegiate athletic program;
   b) executing a contract for the use of their own NIL if any contractual provision conflicts with their team contract, any contract of the postsecondary education institution, the postsecondary education institution's honor code or a policy of the postsecondary education institution's athletic department; or
   c) using any of the postsecondary education institution's property to increase their opportunities to earn NIL compensation without first obtaining the postsecondary education institution's express authorization. (Sec. 2)

Postsecondary Education Institutions

2. Allows a postsecondary education institution that competes in an intercollegiate sport to:
   a) compensate a student athlete for the use of the student athlete's own NIL, except that monies collected from student fees may not be used for compensation; and
   b) provide benefits to an institutional marketing associate or third-party entity to incentivize the associate or entity to facilitate opportunities for a student athlete to earn compensation for the use of the student athlete's own NIL. (Sec. 2)

3. Prohibits a postsecondary institution that competes in an intercollegiate sport from:

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

a) limiting or preventing a student athlete from fully participating in an intercollegiate athletic program because the student athlete engages in specified activities relating to NIL compensation or the obtainment of professional representation; and
b) considering the aforementioned activities when determining a student athlete's eligibility to receive or renew a scholarship. (Sec. 2)

4. Prevents a postsecondary education institution from classifying a student athlete as an employee solely because the student athlete participates in an athletic program at the postsecondary education institution or receives compensation or shared revenues. (Sec. 2)

5. Removes the limitation that any postsecondary education institution that competes in an intercollegiate sport must allow a student athlete to earn compensation from the use of the student athlete's own NIL *to the extent allowed by the rules established by the relevant national association for promoting or regulating collegiate athletics*. (Sec. 2)

6. Defines *postsecondary education institution* as an Arizona public university or a licensed degree-granting private postsecondary education institution. (Sec. 2)

Regulators

7. Prohibits a regulator from preventing a student athlete from fully participating in an intercollegiate athletic program because the student athlete:
a) earns compensation for either the use of their own NIL or their position on the roster of an intercollegiate athletic program team; or
b) obtains professional representation from an athlete agent or attorney. (Sec. 2)

8. Declares a regulator may not prevent a postsecondary education institution, because a student athlete who participates in an intercollegiate athletic program at the institution engages in the specified activities relating to NIL compensation or the obtainment of professional representation, from:
a) becoming a member of any regulator that is a membership organization; or
b) participating in intercollegiate athletic programs sponsored by the regulator. (Sec. 2)

9. Restricts a regulator from preventing a postsecondary education institution, including any supporting foundation or entity acting on behalf of the postsecondary education institution, from:
a) compensating a student athlete for the use of the student athlete's own NIL or for the student's position on the roster of an intercollegiate athletic program team;
b) sharing with student athletes the revenue that the institution receives for the commercial use of the student athlete's own NIL; or
c) enabling a student athlete to participate in an opportunity to receive compensation for the use of the student athlete's own NIL. (Sec. 2)

10. Prohibits a regulator from:
a) considering a complaint, initiating an investigation or taking any adverse action against a postsecondary education institution, institutional marketing associate or third-party entity for engaging in any authorized conduct; or
b) taking either of the following actions against an individual, third-party entity or student athlete for a violation of the regulator's rules or regulations relating to student athlete NIL compensation:
i. imposing a penalty against a postsecondary education institution or student athlete; or
ii. preventing the postsecondary institution or student athlete from participating in an intercollegiate athletic program. (Sec. 2)

11. Defines *regulator* as any organization with authority over intercollegiate athletic programs, including an athletic conference or an association for promoting or regulating collegiate athletic programs. (Sec. 2)

Cause of Action

12. Enables a student athlete to bring a cause of action against a postsecondary education institution or regulator in a court of competent jurisdiction to seek injunctive relief for a violation regarding student athlete compensation. (Sec. 2)

13. Permits a postsecondary education institution, institutional marketing associate or third-party entity to bring a cause of action against a regulator in a court of competent jurisdiction to enjoin the regulator from taking any adverse action against these entities for engaging in authorized conduct. (Sec. 2)

14. Directs a postsecondary education institution that determines a student athlete violated student athlete compensation requirements to notify the student athlete in writing of the determination. (Sec. 2)

15. Authorizes a postsecondary education institution, if the student athlete does not correct the violation within 10 days after receiving notice of a postsecondary education institution's determination, to bring a cause of action against a student athlete in a court of competent jurisdiction to seek injunctive relief. (Sec. 2)

Public Records

16. Exempts records relating to a contract for the use of a student athlete's own NIL from public records and public records requests. (Sec. 2)

17. Declares information collected by a postsecondary education institution relating to a student athlete's contract to receive compensation for the use of the student athlete's own NIL is confidential and not subject to public disclosure. (Sec. 2)

Miscellaneous

18. Allows an Arizona public university or a tax-exempt nonprofit organization, if the university or organization assists student athletes to earn compensation from the use of the student athlete's own NIL, to conduct a raffle if:
    a) the university or organization maintains its status;
    b) a university or organization member, director, officer, employee or agent does not receive any pecuniary benefit other than being able to participate in the raffle on a basis equal to all other participants;
    c) the university or organization has been in continuous existence in Arizona for one year immediately before the raffle; and
    d) a person, except for a bona fide local member of the sponsoring university or organization, does not participate in raffle management, sales or operation. (Sec. 1)

19. Asserts an employee of a postsecondary education institution or third-party entity is not liable for a student athlete's inability to earn compensation for the use of the student athlete's own NIL because of a decision or action that routinely occurs in the course of intercollegiate athletic programs. (Sec. 2)

20. States that statutes relating to student athlete compensation do not affect the rights of student athletes under Title IX of the Education Amendments of 1972. (Sec. 2)

21. Defines *institutional marketing associate*, *intercollegiate sport* and *third-party entity*. (Sec. 2)

22. Contains an emergency clause. (Sec. 3)

23. Makes technical and conforming changes. (Sec. 2)

Amendments

Committee on Education

1. Modifies the prohibition on a postsecondary education institution from limiting or preventing a student athlete's participation in an intercollegiate athletic program by prohibiting the institution from considering whether a student athlete engages in the specified NIL activities when rostering or determining the student athlete's level of participation.

SB 1280: cast vote record; public record
Sponsor: Senator Finchem, LD 1
Caucus & COW

Overview
Mandates the transmission of an unaltered *cast vote record* by the County Recorder to the Secretary of State.

History
An Arizona registrant's information may be disclosed through a public records request which can include information like the registrant's address. An eligible person can request the public be prohibited from accessing the persons identifying information. Federal and state law allow any person or organization to make a public records request for registration information to the County Recorder or Secretary of State (A.R.S. § 16-153, 52 U.S.C. § 20507).

Registrant records, including precinct registers, can only be used for specified purposed and cannot be used, sold, transferred or obtained for a prohibited commercial purpose. These records contain voter information including the voters name, party preference, address, phone number and birth year (A.R.S. § 16-168).

Provisions
1. Requires, within 48 hours of the Board of Supervisors transmittal of the county canvass, the County Recorder to transmit the *cast vote record* to the Secretary of State. (Sec. 1)
2. Specifies the transmitted *cast vote record* must be unaltered, with an exception for a precinct or precinct split with less than 25 registered voters. (Sec. 1)
3. Prohibits the County Recorder from randomizing or altering the original files. (Sec. 1)
4. Designates the *cast vote record* as a public record. (Sec. 1)
5. Defines *cast vote record*. (Sec. 1)

Amendments
Committee on Federalism, Military Affairs & Elections
1. Specifies the officer in charge of elections, rather than the County Recorder, is prohibited from randomizing or altering the original files.
2. Details instructions to the officer in charge of elections relating to the *cast vote record* for precincts and precinct splits with less than 25 registered voters.

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

SB 1281: adjutant general; duties
Sponsor: Senator Gowan, LD 19
Caucus & COW

Overview

Authorizes the Adjutant General to establish *Project Challenge*, subject to legislative appropriation and approval of the Governor.

History

The Adjutant General serves as the head of the Department of Emergency and Military Affairs (DEMA) and acts as the Governor's military chief of staff. The National Guard of Arizona is administered and controlled by the Adjutant General, subject to the orders of the Governor who serves as commander in chief. Statute dictates certain additional duties the Adjutant General may perform with the approval of the Governor (A.R.S. §§ 26-101, 26-102).

Provisions

1. Allows the Adjutant General to enter into a contract or agreement with an individual or political subdivision of the state to facilitate the following:
   a) training;
   b) emergency operations;
   c) maintenance of aircraft;
   d) safety, including emergency medical services;
   e) movement or storage of aircraft;
   f) recruitment and retention of personnel for the National Guard of Arizona. (Sec. 1)
2. Removes the requirement for the Adjutant General to establish an educational program designated *Project Challenge*. (Sec. 1)
3. Allows the Adjutant General to establish an educational program designated as *Project Challenge* subject to the Governor's approval and legislative appropriations. (Sec. 1)
4. Designates the program for individuals who have dropped out of high school, are under 20 years old and not adjudicated delinquent. (Sec. 1)
5. Requires the program to be conducted by the National Guard of Arizona in a paramilitary environment. (Sec. 1)
6. States the goal of the program is to provide knowledge and skills necessary for those enrolled to become productive citizens and obtain general equivalency diplomas. (Sec. 1)
7. Allows the Adjutant General to accept and spend money from lawful public and private sources to administer, operate and support the program. (Sec. 1)
8. Contains technical and conforming changes. (Sec. 1, 2)

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

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session

Senate: JUDE DPA 4-3-0-0 | 3rd Read 17-12-1-0
House: FMAE DP 4-3-0-0

SB 1375: voter registration rolls; internet access
Sponsor: Senator Finchem, LD 1
Caucus & COW

Overview
Expands access to voter registration rolls and precinct lists, adds reporting requirements for election inspectors and allows for expanded postelection hand counts.

History
Upon request for an authorized use, an officer in charge of elections must prepare additional copies of an official precinct list and provide them to the requestor on payment of the prescribed fee. Authorized uses include for a political party activity, a political party campaign or election, for revising election district boundaries but not for commercial purposes. Individuals in possession of information derived from voter registration forms or precinct registers are prohibited from distributing, posting or providing access to the information through the internet except as authorized by instructions from the Elections Procedures Manual (A.R.S. § 16-168).

County election officers are required to conduct a hand count of a sample of ballots to test the accuracy of the vote tabulation equipment if there is participation from the county political parties. Those counties that conduct the hand count are required by law to report the results to the Secretary of State (A.R.S. § 16-602).

Provisions
1. Requires the County Recorder to provide access at no cost to voter registration rolls via an internet portal that is accessible to the public and allows the information to be downloaded. (Sec. 2)
2. Adds that information derived from voter registration rolls may be used for purposes relating to a political or political party activity, political campaign or an election, for revising election district boundaries and other legally authorized purposes but not for commercial purposes. (Sec. 2)
3. Requires the officer in charge of elections to provide for electronic access to specified voter registration information. (Sec. 2)
4. Directs upon a request for a noncommercial use that the officer in charge of elections prepare additional copies of an official precinct list and furnish them to any person who establishes an electronic profile with the information provider and attests the information will not be used for a commercial purpose. (Sec. 2)
5. Removes the prohibition on individuals with information derived from voter registration forms or precinct registers from distributing, posting or providing access to the information through the internet. (Sec. 2)
6. States the County Recorders and Secretary of State cannot prohibit any person or entity from distributing precinct lists to any person or entity using the list in a lawful manner. (Sec. 2)
7. Requires before the inspector leaves a voting location at the end of election day, to send data from the voting location ballot report to the election department and officer in charge of elections no later than the last post of election results for that night and make the data available as public record. (Sec. 5)
8. Allows, at the discretion of the board of supervisors, the county officer in charge of elections to perform an expanded postelection hand count of up to 100% of the ballots cast against the tabulation report. (Sec. 6)
9. Makes technical and conforming changes. (1, 2, 3, 4, 5, 7, 8, 9)

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

SB 1495: national guard; active duty; requirements
Sponsor: Senator Rogers, LD 7
Caucus & COW

Overview

States the Arizona National Guard cannot be released from the state into active duty combat, a defined term, unless the United States Congress takes specified official actions.

History

Arizona National Guard

The Arizona National Guard consists of the Arizona Army National Guard and the Arizona Air National Guard. Both components are under the Arizona Department of Emergency and Military Affairs (DEMA). The Governor is statutorily responsible for the administration and control of DEMA as the commander in chief, but the Adjutant General serves as the director of the department. The United States Constitution specifically charges the National Guard of the several states with dual federal and state responsibilities (Art. II § 2, United States Constitution, A.R.S. §§ 26-101, 38-211).

The Adjutant General serves as the military chief of staff for the State of Arizona and the ranking officer in DEMA with the state rank of Major General. The Governor serves as the Commander in Chief of the Arizona National Guard and reserves certain powers relating to its operation. The Governor can, subject to Legislative oversight, declare a state of emergency or a state of war emergency and authorize the Adjutant General to mobilize the Arizona National Guard to an area affected or likely to be affected by a state of emergency.

Congressional Declarations of War and Power to Call Militias

The United States Constitution vests the authority to declare war with the United States Congress. Congress is also empowered to call forth the militias of the several states to execute the laws of the Union, suppress insurrections and repel invasions (Art. I § 8, Clauses 11 and 15, United States Constitution).

Provisions

1. Prohibits the Arizona National Guard from being released from Arizona into active duty combat unless the United States Congress has passed an official declaration of war or has taken other specified official action to explicitly call forth the Arizona National Guard for enumerated purposes. (Sec. 1)
2. Directs the Governor to take all actions necessary to comply with this act. (Sec. 1)
3. Defines *active duty combat* and *official declaration of war*. (Sec. 1)

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

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session

Senate: GOV DPA 4-3-0-0 | 3rd Read: 17-12-1-0
House: GOV DP 4-3-0-0

SB 1092: vehicle mileage; tracking; tax; prohibitions
Sponsor: Senator Hoffman, LD 15
Caucus & COW

Overview
States Arizona and its political subdivisions cannot establish travel reduction goals, record individual vehicle miles of travel or impose taxes or fees based on vehicle miles traveled.

History
Vehicle miles of travel refers to the number of miles traveled by a motor vehicle for commute trips. A *travel reduction plan* is a written report that outlines travel reduction measures, usually designed to achieve a predetermined level of travel reduction through incentives and disincentives (A.R.S. § 49-581).

Provisions
1. Prohibits Arizona and its cities, towns, counties and political subdivisions from:
   a) considering or establishing any vehicle miles of travel reduction goals or targets for the development of transportation, or land use planning or selection of transportation or transit projects;
   b) maintaining a record of a person's vehicle miles of travel by recording the odometer reading of a person's vehicle through specified ways; and
   c) imposing or collecting a mileage fee, a tax, a per-mile charge, fee or tax or any other tax or fee based on vehicle miles traveled by a person in a motor vehicle. (Sec. 1)
2. Exempts existing interstate agreements that administer or report taxes or registration fees for commercial vehicles operated in more than one state and motor vehicles owned by Arizona or its political subdivisions. (Sec. 1)

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

SB 1584: public employees; merit; hiring practices
Sponsor: Senator Shamp, LD 29
Caucus & COW

Overview

Prohibits the state or its political subdivisions from hiring employees based on conditions other than merit and allows for legal action to be taken if a violation occurs.

History

The Arizona Constitution prohibits the state from granting preferential treatment or discriminating on the basis of sex, race, color, ethnicity or national origin in the operation of public employment, education or contracting. This prohibition does not include qualifications based on sex that are reasonable and necessary, actions to establish or maintain federal programs that would otherwise result in a loss of federal money or invalidate court orders and consent decrees (Article II § 36, Const. of Ariz.).

Provisions

1. Prohibits the state or its political subdivisions from doing the following:
   a) establishing policies or practices that require employees be hired based on anything other than their merit; or
   b) manipulating or influencing the composition of employees with reference to race, ethnicity, sex or national origin except to ensure color-blind and race-neutral hiring in accordance with state and federal antidiscrimination laws. (Sec. 1)
2. Authorizes the Attorney General, a county attorney or any other person to file for declaratory relief, injunctive relief or damages for a violation of this measure. (Sec. 1)
3. Entitles a prevailing party in the action against the state or its political subdivisions to costs and reasonable attorney fees. (Sec. 1)
4. Clarifies that this measure does not contradict state laws or federal employment laws prohibiting discriminatory practices. (Sec. 1)
5. Defines *merit*. (Sec. 1)

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

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session

Senate: RAGE DP 4-3-0-0 | 3rd Read: 17-12-1-0
House: GOV DP 4-3-0-0

SB 1586: gender transition procedures; provider liability
Sponsor: Senator Shamp, LD 29
Caucus & COW

Overview
Makes healthcare professionals personally and strictly liable for costs and damages related to detransition procedures for minors who underwent gender transition and allows affected individuals to bring a civil action for compensation within specified time limits.

History
Laws 2022, Chapter 104 made it illegal for a physician to perform irreversible gender reassignment surgery on minors. *Irreversible gender reassignment surgery* is a medical procedure performed for the purpose of assisting an individual with a gender transition, including any of the following:

1) penectomy, orchiectomy, vaginoplasty, clitoroplasty or vulvoplasty for biologically male patients or hysterectomy or ovariectomy for biologically female patients;
2) metoidioplasty, phalloplasty, vaginectomy, scrotoplasty or implantation of erection or testicular prostheses for biologically female patients; or
3) augmentation mammoplasty for biologically male patients and subcutaneous mastectomy for female patients (A.R.S. § 32-3230).

Provisions

1. Makes a healthcare professional or physician who provides or has provided a minor with a gender transition procedure strictly and personally liable for all costs associated with subsequent detransition procedures within 25 years after the gender transition procedure. (Sec. 1)

2. Allows a person who undergoes a detransition procedure to bring a civil action before they reach 26 years old against a healthcare professional or physician for:
   a) the real value of the costs of any detransition procedure;
   b) any other appropriate relief; and
   c) attorney fees and costs. (Sec. 1)

3. Establishes a period of 25 years after the date of a gender transition procedure during which the healthcare professional or physician who performed the procedure is strictly liable to the minor if the treatment or after-effects of the treatment result in injury, including physical, psychological, emotional or physiological harms. (Sec. 1)

4. Allows a person or their legal guardian to bring a civil action within 8 years after their 18th birthday or within 4 years after the discovery of the injury and the casual relationship between the treatment and the injury, whichever is later. (Sec. 1)

5. States a person or their legal guardian can bring a civil action for:
   a) declaratory or injunctive relief;
   b) compensatory damages, including pain and suffering, loss of reputation, loss of income and loss of consortium, including the loss of the expectation of sharing parenthood;
   c) punitive damages;
   d) attorney fees and costs; and
   e) any other appropriate relief. (Sec. 1)

6. Prohibits a physician from seeking a contractual waiver of the liability prescribed by this act and clarifies that any waiver is contrary to the public policy of this state and is null and void. (Sec. 1)

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

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session

Senate: GOV DPA 4-3-0-0 | 3rd Read: 25-0-5-0
House: GOV DP 7-0-0-0

SB 1661: broadband service district authority; formation
Sponsor: Senator Dunn, LD 25
Caucus & COW

Overview
Authorizes a county with a population of between 200,000 and 210,000 to petition the Board of Supervisors to establish a broadband service authority district and prescribes requirements for the district and its governing board.

History
Statute allows for the creation of special taxing districts, such as fire districts, community park maintenance districts, sanitary districts and hospital districts, which typically serve a single purpose. Special taxing districts are established by municipalities or counties to finance and operate projects within that district. Most special taxing districts are funded by ad valorem taxes levied on all real property within the district limits (A.R.S. §§ 48-261, 48-2220).

Provisions

Broadband Authority Districts

1. Authorizes a group of individuals, businesses or organizations in a county with a population between 200,000 and 210,000 persons to petition the Board of Supervisors to form a broadband authority district for any of the following purposes:
   a) facilitating the expansion and maintenance of broadband infrastructure;
   b) securing and managing funding for broadband projects;
   c) establishing guidelines and goals for broadband performance and accessibility; or
   d) supporting policies and initiatives that promote broadband deployment. (Sec. 2)

2. Authorizes the district to receive funding only from:
   a) grants from government agencies or private organizations; or
   b) services fees that are charged to the users of the broadband services who have elected to receive and use the broadband services and that are used to maintain and operate the broadband services. (Sec. 2)

3. Prohibits the district from deploying last mile residential broadband. (Sec. 2)

4. Prohibits the district from levying any new taxes. (Sec. 2)

5. Clarifies that the district can collect and remit applicable taxes. (Sec. 2)

6. Specifies a broadband authority district organized under this act is a public, political and municipal corporation to the extent of the powers and privileges granted by law to municipal corporations, including immunity of its property and revenue taxation. (Sec. 2)

Formation of a Broadband Authority District

7. Instructs petitioners seeking to form a broadband authority district to submit an application to the Board of Supervisors that includes:
   a) a description of the proposed district boundaries;
   b) the names of the petitioners;
   c) the methodology for the selection of the members of the district board; and
   d) the proposed name of the district. (Sec. 2)

8. Directs the Board of Supervisors to hold a public meeting on the application within 6 weeks and requires notice to be published in a publication of general circulation in the county at least 2 weeks before the public hearing. (Sec. 2)

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

9. Allows individuals who own property in the proposed district boundaries, or other interested parties, to join the petition after the filing and at any time during the Board of Supervisors' consideration of the petition. (Sec. 2)

10. Authorizes the Board of Supervisors, after the public hearing, to:
    a) approve or deny the formation of the district;
    b) approve a modification of the proposed district boundaries; or
    c) approve the methodology for selection of the district board members. (Sec. 2)

Governing Board

11. States the board must consist of between 5 and 7 members and represent interested stakeholders from the district. (Sec. 2)

12. Establishes the following powers and duties of the board:
    a) adopt bylaws for the operation of the district;
    b) hold regular meetings and maintain records of all decisions; and
    c) establish terms of office and procedures for selecting board members. (Sec. 2)

13. Authorizes the board to do all of the following:
    a) enter into contracts to facilitate broadband infrastructure development and maintenance;
    b) manage and allocate monies for district projects;
    c) acquire, hold and dispose of property necessary for district activities;
    d) represent the district in legal matters; and
    e) monitor and report on the performance and impact of broadband deployment efforts. (Sec. 2)

Miscellaneous

14. Defines *authority*, *board*, *broadband service*, *district* and *infrastructure*. (Sec. 1)

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session

Senate: HHS DPA 7-0-0-0 | 3rd Read 24-3-3-0
House: HHS DPA 7-4-0-1

SB 1604: licensed secure health facility; defendants
Sponsor: Senator Angius, LD 30
Caucus & COW

Overview
Instructs patients, found dangerous and incompetent to stand trial who are court ordered to involuntary treatment, to be placed in a licensed secure health facility if the court finds that placement in a secure state mental health facility is not feasible. Prohibits these patients from being treated at a secure behavioral health residential facility (SBHRF) that treats patients who are civilly committed to treatment at the SBHRF.

History
Effective January 1, 2024, if, after a defendant is found incompetent to stand trial, a factfinder finds that the defendant is dangerous and should be involuntarily committed to treatment, the court must dismiss the charges against the defendant without prejudice and commit the defendant to a secure state mental health facility (Laws 2022, Chapter 352 and A.R.S. § 13-4521).

The court may approve a patient, who is unwilling or unable to accept voluntary treatment, for placement in an SBHRF if it finds by clear and convincing evidence that a proposed patient, as a result of mental disorder, is a danger to self or others or has a persistent, acute or grave disability and is in need of treatment (A.R.S. §§ 36-540 and 36-550.09).

A *secure state mental health facility* is licensed by the Department of Health Services (DHS) to provide secure 24-hour on-site supportive treatment and supervision by staff with behavioral health training for persons who have been determined to be seriously mentally ill, chronically resistant to treatment for a mental disorder and who are placed in the SBHRF pursuant to court order (A.R.S. §§ 13-4504 and 36-425.06).

Provisions
1. Requires the court to order defendants who are found dangerous and incompetent to stand trial, and who should be involuntarily committed for treatment, to the custody of DHS for placement in a licensed secure health facility if the court determines that commitment to a secure state mental health facility is not feasible. (Sec. 2)
2. Forbids patients who are civilly placed in an SBHRF by court order from being treated at an SBHRF that treats patients who are committed to treatment after being found dangerous and incompetent to stand trial in a criminal proceeding. (Sec. 3)
3. Makes conforming changes. (Sec. 1-2)

Amendments
Committee on Health & Human Services
1. Removes the requirement that the court order persons who are found dangerous and incompetent to stand trial and are court ordered to involuntary treatment, to be placed in a licensed secure health facility if the court finds that placement in a secure state mental health facility is not feasible.

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

SB 1143: firearms transactions; merchant codes; prohibition
Sponsor: Senator Rogers, LD 7
Caucus & COW

Overview

Prohibits governmental and certain private entities from creating registries related to firearms and from distinguishing firearm retailers via Merchant Category Codes (MCCs).

History

MCCs are four-digit numbers used by credit card companies and payment processors to classify businesses based on the goods or services they provide; MCCs are used for purposes like fraud detection, rewards program categorization, and data analysis (Visa Merchant Data Standards Manual). MCCs are specified by the ISO 18245 standard (ISO 18245:2023).

Provisions

1. Forbids any government entity from knowingly keeping or causing to be kept any list, record or registry of privately owned firearms or their owners, except when done in the regular course of a criminal investigation or prosecution or when otherwise required by law. (Sec. 2)
2. Prohibits a payment card network from requiring or incentivizing the use of an MCC in a way that distinguishes firearm retailers from other retailers. (Sec. 2)
3. Prohibits any person or covered entity from assigning a firearm retailer an MCC that distinguishes them from other retailers. (Sec. 2)
4. Instructs the attorney general or a county attorney to investigate reasonable allegations of violations of this Act. (Sec. 2)
5. Requires that if a violation is found, written notice must be given to the violating party, and the violator must cease the offending conduct within 30 business days of receipt of notice. (Sec. 2)
6. Instructs the attorney general or county attorney to file an injunction if the violator does not cease the conduct within 30 business days of notice. (Sec. 2)
7. Directs the court to grant the injunction and award attorney's fees and costs if it finds the violator did not cease the prohibited conduct. (Sec. 2)
8. Instructs the attorney general or county attorney to petition the court to seek a civil penalty, of not more than $1,000 per violation, if the violator purposely fails to comply with the injunction within 30 days of proper service. (Sec. 2)
9. Directs the court to consider factors such as the violator's financial resources and the public harm or risk caused when determining the amount of the civil penalty. (Sec. 2)
10. Stipulates that any civil penalty order is stayed pending appeal. (Sec. 2)
11. Grants exclusive enforcement authority for this Act to the attorney general and county attorneys and asserts that the remedies in this Act are the exclusive remedies for violations of this Act. (Sec. 2)
12. Designates this legislation with the short title *Second Amendment Financial Privacy Act*. (Sec. 3)
13. Defines pertinent terms. (Sec. 1)

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

SB 1244: child abduction; biological family relationship
Sponsor: Senator Farnsworth, LD 10
Caucus & COW

Overview

Broadens the scope of who may qualify for a reduced penalty when a child under state custody is not promptly returned.

History

It is a criminal offense to abduct a child under the custody of a state agency, such as the Department of Child Safety or Department of Juvenile Corrections. A person commits this offense if he knowingly takes, entices or retains such a child from lawful custody; or if he refuses or impedes the child's prompt return after visitation. The penalties vary based on the circumstances, ranging from a class 3 felony (if the child is taken out of state) to a class 1 misdemeanor (if the child left voluntarily and the parent's motive was protective) (A.R.S. § 13-1310).

Provisions

1. Expands who may qualify for a reduced penalty, when a child in state custody is not promptly returned, from only the child's natural or adoptive parents to any adult with a biological family relationship to the child. (Sec. 1)
2. Makes technical changes. (Sec. 1)

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

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session

Senate: FIN DP 7-0-0-0 | 3rd Read 29-0-0-1
House: JUD DPA/SE 7-2-0-0

SB 1542: ~~personal property exemption; money proceeds~~
S/E: litigation; financing; foreign adversaries; enforcement
Sponsor: Senator Carroll, LD 28
Caucus & COW

Summary of the Strike-Everything Amendment to SB 1542

Overview

Requires third-party litigation funders to disclose any financial involvement from foreign adversaries in civil litigation and prohibits such foreign entities from influencing litigation strategy.

History

According to the American Bar Association, *litigation finance* is the practice of an unrelated third party providing capital to a plaintiff to fund litigation in return for a portion of any monetary recovery.

Under 15 Code of Federal Regulations § 791.4, the US Secretary of Commerce has formally identified specific foreign governments and entities as *foreign adversaries* for the purposes of implementing certain Executive Order-based regulations. The countries and entities currently listed are China, Cuba, Iran, North Korea, Russia and the Maduro Regime in Venezuela. This designation is based on conduct deemed significantly adverse to US national security and is informed by various national security strategies and intelligence assessments. The list may be amended at the Secretary's discretion without prior notice, and any changes take effect immediately upon publication.

Provisions

1. Requires a third-party litigation funder in a civil action against Arizona or one of its political subdivisions to, when it knows that its funding includes monies from a foreign entity, disclose in writing to the Attorney General the following:
   a) names and details of foreign entities with a financial stake in the litigation;
   b) entities receiving proprietary or national security-related information through funding agreements; and
   c) copies of the relevant funding agreements. (Sec. 1)
2. Specifies that said disclosure must occur within 30 days of executing the agreement, filing the action or learning of the foreign funding — whichever is latest. (Sec. 1)
3. Instructs the third-party litigation funder to make the disclosure by declaration under penalty of perjury; the declaration must be based on actual knowledge formed after reasonable inquiry. (Sec. 1)
4. Specifies that the disclosure must be updated no later than 30 days after the third-party litigation funder knows that a correction or supplement is needed. (Sec. 1)
5. Prohibits foreign third-party litigation funders from:
   a) creating agreements where non-parties have contingent financial interests funded by foreign entities; and
   b) influencing litigation strategy, including attorney selection or settlement decisions. (Sec. 1)
6. Asserts that the right to make decisions with respect to the course of any civil action remains solely with the party and the party's attorney. (Sec. 1)
7. Asserts that the existence of a litigation funding contract is subject to discovery in all civil actions. (Sec. 1)
8. Specifies that this Act does not apply to nonprofit legal organizations. (Sec. 1)
9. Makes agreements in violation of this Act voidable. (Sec. 1)

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

10. Authorizes the Attorney General to:
    a) enforce compliance;
    b) impose civil penalties;
    c) prohibit foreign third-party litigation funders from operating in Arizona; and
    d) impose any other appropriate sanctions. (Sec. 1)

11. Directs the Attorney General to submit a report with specified information to designated members of the legislative branch at least once each year. (Sec. 1)

12. Defines *foreign entity* to mean an entity that is controlled or based in a country designated as a *foreign adversary* by the US Secretary of Commerce in 15 CFR § 791.4. (Sec. 1)

13. Defines additional pertinent terms. (Sec. 1)

14. Designates this legislation with the short title *Arizona Transparency and Limitations on Foreign Third-party Litigation Funding Act*. (Sec. 2)

Amendments

Committee on Judiciary

1. Applies this Act to a third-party litigation funder in a civil action against any party *other than* Arizona or its subdivisions, rather than a third-party litigation funder in a civil action against Arizona or its subdivisions.

SB 1591: concealed weapons permits; fees
Sponsor: Senator Rogers, LD 7
Caucus & COW

Overview

Disallows The Department of Public Safety (DPS) from charging Arizona residents fees for their concealed weapons permits (CCWs).

History

A.R.S. § 13-3112 governs the issuance, suspension, revocation and recognition of CCWs. DPS must issue a permit to applicants who meet specific eligibility criteria, including age, citizenship, lack of disqualifying criminal or mental health history and proof of firearms competence. A CCW is valid for five years at a time. It must be carried when legally required, and failure to present it upon request by law enforcement may result in a civil penalty and temporary suspension. DPS maintains a secure computerized system for law enforcement to verify CCW status and reports annually on CCW statistics. Arizona also recognizes out-of-state CCWs if the issuing state reciprocates and the holder meets Arizona's legal standards. DPS is authorized to charge fees for the issuance and renewal of CCWs; fees are deposited into a dedicated fund to administer the cost of the CCW permitting process and to pay for DPS operating expenses (A.R.S. § 41-1722). The current fee for an initial CCW application is $60, and the current fee for a renewal application is $43 (DPS, Concealed Weapons Permit Unit).

Provisions

1. Restricts DPS from charging a CCW permitting fee to a resident of Arizona. (Sec. 1)
2. Clarifies that DPS is still authorized to charge a CCW permitting fee to out-of-state individuals. (Sec. 1)

Amendments

Committee on Judiciary

1. Instructs DPS to charge a separate fee for resident and non-resident CCW permitting; the resident fee must be 10% of fee charged to non-residents.

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

SB 1705: firearms; state preemption; civil penalty
Sponsor: Senator Gowan, LD 19
Caucus & COW

Overview

Allows courts to impose civil penalties on individual local officials who knowingly violate state firearm preemption laws.

History

A.R.S. § 13-3108 establishes that the regulation of firearms and ammunition is reserved to the state, prohibiting political subdivisions from enacting laws, ordinances or rules — related to the possession, sale, transportation or use of firearms and related components — unless specifically authorized by state law. State preemption voids any local regulations that conflict with or are more restrictive than state law; limited exceptions are provided for local rules concerning tax applications and certain regulations involving minors, land use, employee conduct and discharge of firearms in specified areas.

Violations of this state's firearm preemption laws are subject to various legal consequences. If a court finds that a political subdivision has knowingly and willfully violated firearm preemption laws, it may impose a civil penalty of up to $50,000 on the political subdivision. Moreover, any individual who, in his official capacity, knowingly and willfully enacts or enforces such a violation may face termination of employment. Additionally, individuals or organizations adversely affected by the unlawful ordinance or policy may file a civil action for declaratory and injunctive relief as well as actual damages; if successful, the plaintiff is entitled to reasonable attorney fees, court costs and up to $100,000 in actual damages (A.R.S. § 13-3108).

Provisions

1. Authorizes the court to impose a civil penalty of up to $5,000 on any elected or appointed local government official or administrative agency head who knowingly and willfully violates state firearm preemption laws. (Sec. 1)
2. Prohibits the use of public monies to defend or reimburse the unlawful conduct of anyone found to have knowingly and willfully violated state firearm preemption laws. (Sec. 1)
3. 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-seventh Legislature
First Regular Session

Senate: JUDE DP 4-2-1-0 | 3rd Read 17-9-0-4
House: JUD DP 4-2-2-1

SB 1726: unlawful occupants; property; removal; documents
Sponsor: Senator Rogers, LD 7
Caucus & COW

Overview
Allows property owners to request expedited removal of unlawful occupants from residential properties upon meeting specific criteria.

History
A person who is not named on the written lease of a property and who remains on said premises without the permission of the tenant or the landlord is not a lawful tenant. A person who knowingly remains on the premises without the permission of the tenant or the landlord may be removed by a law enforcement officer at the request of the tenant or the landlord who is entitled to possession of the premises (A.R.S. § 33-1378).

The criminal code includes multiple forms of criminal trespass offenses, some of which may involve residential property. For example, a person can commit *criminal trespass in the third degree*, a class 3 misdemeanor, by knowingly entering or remaining unlawfully on any real property after a reasonable request to leave by a law enforcement officer, the owner or any other person having lawful control over such property, or reasonable notice prohibiting entry (A.R.S. § 13-1502). Additionally, one form of *criminal trespass in the first degree* involves a person who knowingly enters or remains unlawfully in a residential structure; this is a class 1 misdemeanor (A.R.S. § 13-1504).

Provisions
1. Authorizes a property owner of a residential property to request that a law enforcement agency of that jurisdiction expeditiously remove a person who is unlawfully occupying the residential dwelling if all nine of the following apply:
   a) the requesting person is the owner or his agent;
   b) the property is residential in use;
   c) the unauthorized person is unlawfully occupying the property;
   d) the owner has directed the unauthorized person to leave;
   e) the property was not open to the public when the unauthorized person entered;
   f) the unauthorized person is not a current or former tenant;
   g) there was no prior cohabitation agreement;
   h) the unauthorized person is not an immediate family member of the owner; and
   i) there is no ongoing litigation between the owner and the unauthorized person. (Sec. 2)
2. Instructs the person entitled to possession of the residential property to submit an affidavit of complaint to the law enforcement agency of that jurisdiction to request the expeditious removal of the unauthorized person; the affidavit must affirm under oath that all nine statutory conditions are met. (Sec. 2)
3. Directs law enforcement to conduct a preliminary investigation upon receipt of the affidavit, which may include reviewing alleged lease agreements, interviewing neighbors and other relevant inquiries. (Sec. 2)
4. Requires law enforcement to serve a notice to vacate and restore possession to the owner if probable cause exists that the nine statutory conditions are met. (Sec. 2)
5. Allows property owners to presume abandonment of personal belongings left by the occupant after the occupant has vacated the dwelling. (Sec. 2)
6. Grants law enforcement officers and agencies immunity from liability for wrongful removal actions absent a showing of bad faith. (Sec. 2)

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

7. Asserts that the statute does not limit other property rights or enforcement mechanisms and does not create new rights for unauthorized occupants. (Sec. 2)

8. Classifies unlawful occupation involving intentional property damage as:
   a) a class 1 misdemeanor if damages are under $1,000; and
   b) a class 6 felony if damages are $1,000 or more. (Sec. 2)

9. Classifies knowingly listing for sale or rent a residential property, without legal title or other authority, as a class 6 felony. (Sec. 2)

10. Adds explicitly that the criminal penalty for recording fraudulent real estate documents applies to a document that purports to convey an ownership or leasehold interest in real property. (Sec. 1)

11. Contains an intent clause. (Sec. 3)

12. Makes technical changes. (Sec. 1)

SB 1721: egg-laying hens; housing size standards
Sponsor: Senator Bolick, LD 2
Caucus & COW

Overview

Prohibits the Arizona Department of Agriculture (Department) from adopting rules that prescribe housing requirements for egg-laying hens.

History

The Arizona Administrative Code (ACC) requires, beginning January 1, 2025, all egg-laying hens in Arizona to be housed in a cage-free manner and that all eggs and egg products sold in Arizona be produced from hens housed in a cage-free manner. However, this requirement does not apply to egg producers that operate egg ranches with fewer than 20,000 egg-laying hens. The Department's Animal Services Division is responsible for enforcing these requirements. On March 21, 2025, Governor Hobbs issued a press release directing the Arizona Department of Agriculture to delay cage-free egg rules by seven years, until January 1, 2027 (A.R.S. § 3-1201 et seq.)(A.C.C. R3-2-907).

The United Egg Producers (UEP) Animal Husbandry Guidelines (Guidelines) recommend that each egg-laying hen in a cage be given 67 to 86 square inches of usable space. Further, all hens should be able to stand comfortably upright and the slope of the floor should not exceed 8 degrees. The UEP recommends that cage-free hens have a minimum range of 1.0 to 1.5 square feet of usable space per hen, depending on whether the hens are housed in multitiered aviaries, partially slatted systems, or single-level all litter floor housing systems. The Guidelines also contain additional recommendations for perch and nesting space for cage-free hens (Cage Guidelines and Cage-Free Guidelines).

Additionally, U.S. Food and Drug Administration regulations generally require producers with more than 3,000 egg-laying hens to implement measures to prevent salmonella from contaminating eggs on farms or from growing when these eggs are stored and transported (21 Code of Federal Regulations Part 118).

Provisions

1. Restricts the Department from adopting rules that require or prescribe minimum housing size standards for egg-laying hens. (Sec. 1)
2. Makes technical changes. (Sec. 1)

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

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session

Senate: NR DP 5-2-1-0 | 3rd Read 17-12-1-0-0
House: NREW DPA 10-0-0-0

SB 1523: water use; prohibition; landscaping
Sponsor: Senator Dunn, LD 25
Caucus & COW

Overview

Prohibits a municipality located in an initial active management area (AMA) from adopting or enforcing rules relating to certain plants.

History

Active Management Areas (AMAs)

There are currently 7 active management areas (AMAs) that are subject to regulation according to the Arizona Groundwater Code. There are 5 initial AMAs (Prescott, Phoenix, Pinal, Tucson and Santa Cruz) and 2 subsequent AMAs (Douglas and Willcox) (ADWR).

Current law requires the Arizona Department of Water Resources (ADWR) to adopt a series of five management plans for each AMA, beginning in 1980 and running through 2025 containing progressively more rigorous management requirements for agricultural, municipal and industrial water users. The plans include mandatory conservation programs designed to achieve reductions in groundwater withdrawals and apply to persons withdrawing, distributing or receiving groundwater. (A.R.S. Title 45, chapter 2, article 9).

Low Water Use and Drought Tolerant Plant Lists (LWUPLs)

The Low Water Use and Drought Tolerant Plant Lists (LWUPLs) is used by ADWR to regulate landscaping in medians and public rights-of-way irrigated with any amount of groundwater and in other instances as described in the Management Plans for each of the AMAs (ADWR – 2024 Phoenix AMA LWUPL).

Provisions

1. Prohibits a municipality in an initial AMA from adopting or enforcing any code, rule, ordinance, regulation that directly or indirectly requires:
   a) a minimum
      i. number of trees;
      ii. size for trees or shrubs;
      iii. percentage of irrigated ground cover;
      iv. amount of turf and;
   b) open space that requires irrigation beyond what is required for retention. (Sec.1)
2. States that regulating private property rights and preventing water use mandates are of statewide concern. (Sec.1)
3. Defines *initial active management area*. (Sec.1)
4. Prohibits a municipality in an initial AMA from adopting or enforcing any requirement that directly or indirectly establishes:
   a) minimum turf requirements, except for functional turf, that are associated with public recreation use or other public spaces; and
   b) the installation of plants that are not included on the low water use and drought-tolerant plant list published by ADWR. (Sec.2)
5. Defines *subdivision*. (Sec. 2)

Amendments

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

Committee on Natural Resources, Energy and Water

1. Removes the prohibition of a municipality in an initial AMA from adopting or enforcing any code, rule, ordinance or regulation that directly or indirectly requires specific heights or number or trees, shrubs or turf. (Sec.1)
2. Strikes the regulation of private property rights and the prevention of water use mandates are of statewide concern. (Sec.1)
3. Excludes stormwater drainage areas from the restrictions of functional turf requirements. (Sec.2)
4. Updates the requirement to the current management plan. (Sec.2)
5. Strikes the emergency measure. (Sec.3)

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session

Senate: GOV DP 4-3-0-0 | 3rd Read 16-11-3-0-0
House: NREW DP 6-4-0-0

SB 1538: corporation commission; non-thermal generating unit
Sponsor: Senator Carroll, LD 28
Caucus & COW

Overview

Expands the definition of *plant* in relation to powerplant and transmission line siting to include non-thermal generating units and increases the nameplate rating from at least one hundred to two hundred megawatts.

History

The Arizona Corporation Commission (ACC) oversees utility services in the state of Arizona, including the supervision of electric generating plants and transmission lines. The Powerplant and Transmission Line Siting Committee within the ACC has jurisdiction over proposed plants generating over 100 megawatts or more and proposed above-ground transmission lines designed for 115kv or higher. Currently, in order to construct power plant or transmission lines Commission and Committee approval is required as well as a public hearing (ACC).

Siting and permitting of interstate and inter-regional high-voltage transmission requires action by various authorities governing federal, state, local, tribal and private lands where the lines will be located. The Energy Policy Act of 2005 declares its national policy is to enhance and, to the extent possible, increase the coordination and communication among federal agencies with authority to site electric transmission facilities (DOE).

Nameplate rating refers to the maximum rated output of electric power production equipment, as designated by the manufacturer, commonly expressed in megawatts and indicated on a physical nameplate attached to the generator (EIA).

Provisions

1. Modifies the definition of *plant* to include non-thermal energy generating units and increases the nameplate rating to at least 200 megawatts or more. (Sec.1)

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

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session

Senate: NR 4-2-2-0 | 3rd Read 24-1-5-0-0
House: NREW DP 9-0-0-1

SB 1730: underground storage tanks; reimbursement
Sponsor: Senator Shope, LD 16
Caucus & COW

Overview

Requires the Arizona Department of Environmental Quality (ADEQ) to report on the Underground Storage Tank Revolving Fund (Fund) and designates a timeline to submit reimbursement applications.

History

ADEQ's Tank Site Improvement Program (TSIP) utilizes the Underground Storage Tank Revolving Fund (Fund) to provide financial assistance for tank site improvements, leak prevention, closures and corrective action costs associated with leaking underground storage tanks (A.R.S. §§ 49-1015 and 49-1071). The financial assistance is administered to persons who apply to ADEQ, complete the ADEQ – preapproved work and request reimbursement within a specific timeframe (ADEQ- TSIP).

Provisions

1. Requires ADEQ to compile a report on the Fund preapproval process and for the report to:
   a) be completed annually by September 1, starting in 2025;
   b) be submitted to the Governor, Joint Legislative Budget Committee, the President of the Arizona Senate, the Speaker of the Arizona House of Representatives and Arizona Secretary of State; and
   c) include the dollar amount associated with:
      i. applications that ADEQ has preapproved in compliance with existing statute;
      ii. each preapproved application and;
      iii. each preapproved application ADEQ has yet to distribute. (Sec. 1)
2. Mandates that applicants for reimbursement apply to ADEQ within one year after the completion of eligible work. (Sec. 2)
3. Designates February 1, 2026, or one year after the completion of work, as the deadline for an application for projects approved before September 1, 2025. (Sec 2)
4. Asserts September 1, 2025, to begin the one-year submission window and past that day any applicant who has not timely submitted an application for reimbursement loses eligibility. (Sec. 2)

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

SB 1612: document retention; proposals; donations
Sponsor: Senator Shope, LD 16
Caucus & COW

Overview

Removes AHCCCS's exemption from the Arizona Procurement Code and establishes disclosure requirements related to the Request for Proposal (RFP) and grant application process.

History

The Arizona Procurement Code and procurement process is overseen by the Arizona Department of Administration (ADOA) whose Director serves as the central procurement officer of Arizona. The Director is required to: 1) procure or supervise the procurement of all materials, services and construction needed by the state; 2) establish guidelines for the management of all state material inventories; 3) sell, trade or otherwise dispose of surplus state materials; 4) establish programs for the inspection, testing and acceptance of materials, services and construction; and 5) employ staff, adopt rules and provide consultation as necessary to effectuate the Arizona Procurement Code (A.R.S. § 41-2511).

State governmental units must award any grant in accordance with the Competitive Grant Process as outlined by statute. A request for grant applications must include at least: 1) a description of the project, including the scope of the work expected of the awardee; 2) the funding source of the grant and the total amount of funds; 3) whether there is a single award or multiple awards; 4) encouragement of collaboration, if applicable; 5) the criteria and factors under which applications will be evaluated; and 6) the application due date.

Grant applications are required to be publicly received at the time and place designated in the request for grant applications. Each applicant name must be publicly read and recorded. Certain information, such as trade secrets and other proprietary information contained in the application, must remain confidential to the extent it is agreed upon between the state and the applicant (A.R.S. § 41-2702).

Provisions

1. Removes AHCCCS's exemption from the Arizona Procurement Code. (Sec. 1, 2)

2. Requires a company that responds to an RFP to disclose anything of value that the company, its officers or directors or any of their family members have provided, directly or indirectly, during the preceding five years to any of the following:
   a) the Governor;
   b) an entity established, financed, maintained or controlled by the Governor or an agent of the Governor, including:
      i. a campaign committee;
      ii. a joint fundraising committee; or
      iii. an inaugural fund; or
   c) an entity that advocated for the election of the Governor or for the defeat of an electoral opponent of the Governor, including a political committee or other nonprofit that made any independent expenditures. (Sec. 3)

3. Requires a company that applies for a governmental grant to disclose anything of value that the company, its officers or directors or any of their family members have provided, directly or indirectly, during the preceding five years to any of the following:
   a) the Governor;
   b) an entity established, financed, maintained or controlled by the Governor, including:
      i. a campaign committee;

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

ii. a joint fundraising committee; or
iii. an inaugural fund; or

c) an entity that advocated for the election of the Governor or for the defeat of an electoral opponent of the Governor, including a political committee or other nonprofit that made any independent expenditures. (Sec. 5)

4. Prohibits state agencies and state employees from destroying any notes taken during the evaluation of a company that responds to an RFP. (Sec. 4)

5. Allows contracts that were agreed to after the effective date to be resolicited if a state agency or state employee destroyed any notes from the RFP evaluation of a company. (Sec. 4)

6. Makes technical and conforming changes. (Sec. 2, 4)

SB 1089: ADOT; report; construction projects; bidders
Sponsor: Senator Hoffman, LD 15
Caucus & COW

Overview

Requires the Director of the Arizona Department of Transportation (ADOT) to report all instances where the lowest bidder was not selected for a construction project to the President of the Senate and Speaker of the House of Representatives.

History

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 to:

1) register motor vehicles and aircraft, license drivers, collect revenues, enforce motor vehicle and aviation statutes and perform related functions;
2) perform 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).

Provisions

1. Directs the Director of ADOT to issue a quarterly report to the President of the Senate and the Speaker of the House of Representatives. (Sec. 1)

2. Stipulates that the report must disclose each instance that the lowest responsible bidder for a construction project contract was not selected for the contract and include why they were not selected. (Sec. 1)

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

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session

Senate: RAGE DP 4-2-1-0 | 3rd Read 18-11-1-0
House: TI DPA 4-1-1-1

SB 1514: employer-employee arbitration; contract; disputes
Sponsor: Senator Payne, LD 27
Caucus & COW

Overview
Allows for valid, enforceable and irrevocable arbitrated agreements to employment-related disputes between an employer and an employee as prescribed.

History
Arizona adopted the Uniform Arbitration Act (Act) in 1962 to govern an agreement to arbitrate.

Beginning January 1, 2011, the Act must not apply to an agreement to arbitrate any existing or subsequent controversy:

1) between an employer and employee or their respective representatives;
2) contained in a contract of insurance;
3) between a national banking association or a federal savings association or its affiliate, subsidiary or holding company and any customer; or
4) if the arbitration is conducted or administered by a self-regulatory organization as defined in the Securities Exchange Act of 1934 (15 U.S. Code section 78c), the Commodity Exchange Act (7 U.S. Code chapter 1) or regulations adopted under those acts (A.R.S. § 12-3003).

Current statute must not have application to arbitration agreements between employers and employees or their respective representatives (A.R.S. § 12-1517).

A written agreement to submit any existing controversy to arbitration or a provision in a written contract to submit to arbitration any controversy thereafter arising between the parties is valid, enforceable and irrevocable, save upon such grounds as exist at law or in equity for the revocation of any contract (A.R.S. § 12-1501).

Provisions
1. Mandates a written agreement to arbitrate employment-related disputes between an employer and an employee, whose primary job duties directly and necessarily involve the loading, unloading or handling of goods at a warehouse leased or owned by the employer, as valid, enforceable and irrevocable, except when grounds exist at law or in equity to revoke the agreement. (Sec. 1)

Amendments:
Committee on Transportation & Infrastructure
1. Stipulates that regulation on employer and employee arbitration agreements does not diminish an employee's right to file a claim or charge with the civil rights division pertaining to discrimination.
2. Exempts from the employer and employee arbitration agreements an employee subjected to an enforceable collective bargaining agreement, except to the extent allowed in the bargaining agreement.
3. Makes a conforming change.

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