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

CAUCUS AGENDA

February 18, 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

HB 2121(BSI) SNAP; mandatory employment and training
SPONSOR: WILLOUGHBY, LD 13 HOUSE
APPROP 2/5/2025 DP (11-6-0-1)
(No: GUTIERREZ, SANDOVAL, STAHL HAMILTON, TRAVERS, AUSTIN, VOLK Abs: BLATTMAN)

HB 2122(BSI) SNAP; work requirement waivers; exemptions
SPONSOR: WILLOUGHBY, LD 13 HOUSE
APPROP 2/5/2025 DP (11-6-0-1)
(No: GUTIERREZ, SANDOVAL, STAHL HAMILTON, TRAVERS, AUSTIN, VOLK Abs: BLATTMAN)

Committee on Commerce

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

HB 2116(BSI) small estate; affidavit; limits
SPONSOR: CARTER N, LD 15 HOUSE
COM 2/11/2025 DPA (10-0-0-0)

HB 2195(BSI) digital advertising; content; children; penalty
SPONSOR: WILLOUGHBY, LD 13 HOUSE
COM 2/11/2025 DPA (6-3-1-0)
(No: AGUILAR, VILLEGAS, CAVERO Present: CONNOLLY)

HB 2210(BSI) DIFI; continuation
SPONSOR: LIVINGSTON, LD 28 HOUSE
COM 2/11/2025 DP (10-0-0-0)

HB 2233(BSI) elevator contractors; elevator mechanics; regulation
SPONSOR: HENDRIX, LD 14 HOUSE
COM 2/11/2025 DPA (10-0-0-0)

HB 2411(BSI) alcohol consumption; golf courses
SPONSOR: KOLODIN, LD 3 HOUSE
COM 2/11/2025 DP (8-2-0-0)
(No: VILLEGAS, CONNOLLY)

HB 2447(BSI) self-certification program; administrative review
SPONSOR: CARBONE, LD 25 HOUSE
COM 2/11/2025 DP (8-1-0-1)
(No: AGUILAR Abs: HENDRIX)

HB 2683(BSI) businesses; requirement to accept cash
SPONSOR: CHAPLIK, LD 3 HOUSE
COM 2/11/2025 DP (10-0-0-0)

HB 2748(BSI) ticket sales; resellers; website requirements
SPONSOR: WENINGER, LD 13 HOUSE
COM 2/11/2025 DP (7-3-0-0)
(No: AGUILAR, VILLEGAS, CAVERO)

HB 2749(BSI) unclaimed property; virtual currency; security
SPONSOR: WENINGER, LD 13 HOUSE
COM 2/11/2025 DPA (10-0-0-0)

Committee on Education

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

HB 2164(BSI) public schools; ultraprocessed foods
SPONSOR: BIASIUCCI, LD 30 HOUSE
ED 2/4/2025 DPA (10-0-1-1)
(Abs: ABEYTIA Present: GARCIA)

HB 2167(BSI) school districts; records; noncompliance; penalties
SPONSOR: GRESS, LD 4 HOUSE
ED 2/11/2025 DPA (7-5-0-0)
(No: GUTIERREZ, HERNANDEZ L, SIMACEK, GARCIA, ABEYTIA)

HB 2169(BSI) school districts; board meetings; expenditures
SPONSOR: GRESS, LD 4 HOUSE
ED 2/11/2025 DPA (7-4-1-0)
(No: GUTIERREZ, SIMACEK, GARCIA, ABEYTIA Present: HERNANDEZ L)

HB 2196(BSI) schools; AEDs; CPR training; requirements
SPONSOR: WILLOUGHBY, LD 13 HOUSE
ED 2/4/2025 DPA (10-1-0-1)
(No: GUTIERREZ Abs: ABEYTIA)
APPROP 2/12/2025 DPA (18-0-0-0)

HB 2407(BSI) schools; purchases; board members
SPONSOR: KOLODIN, LD 3 HOUSE
ED 2/11/2025 DP (7-5-0-0)
(No: GUTIERREZ, HERNANDEZ L, SIMACEK, GARCIA, ABEYTIA)

HB 2514(BSI) notices; directory information; disclosure; consent
SPONSOR: OLSON, LD 10 HOUSE
ED 2/11/2025 DP (12-0-0-0)

HB 2640(BSI) school districts; leases; termination; nonrenewal
SPONSOR: GRESS, LD 4 HOUSE
ED 2/11/2025 DPA (7-4-1-0)
(No: GUTIERREZ, SIMACEK, GARCIA, ABEYTIA Present: HERNANDEZ L)

HB 2724(BSI) patriotic youth groups; school access
SPONSOR: RIVERO, LD 27 HOUSE
ED 2/11/2025 DP (8-4-0-0)
(No: GUTIERREZ, SIMACEK, GARCIA, ABEYTIA)

Committee on Federalism, Military Affairs & Elections

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

HB 2038(BSI) technical correction; accountants; investigations
(FMAE S/E: voter registration; citizenship proof)
SPONSOR: KOLODIN, LD 3 HOUSE
FMAE 2/12/2025 DPA/SE (4-3-0-0)
(No: HERNANDEZ L, MÁRQUEZ, GARCIA)

HB 2060(BSI) state sovereign authority; elections
SPONSOR: FINK, LD 27 HOUSE
FMAE 2/12/2025 DPA (4-3-0-0)
(No: HERNANDEZ L, MÁRQUEZ, GARCIA)

HB 2206(BSI) multistate voter registration system; prohibition
SPONSOR: TAYLOR, LD 29 HOUSE
FMAE 2/12/2025 DP (4-3-0-0)
(No: HERNANDEZ L, MÁRQUEZ, GARCIA)

HB 2391(BSI) JPs; constables; signatures
SPONSOR: CARTER N, LD 15 HOUSE
FMAE 2/12/2025 DP (4-2-1-0)
(No: HERNANDEZ L, MÁRQUEZ Present: GARCIA)

HB 2649(BSI) electoral college; support
SPONSOR: MONTENEGRO, LD 29 HOUSE
FMAE 2/12/2025 DP (4-2-1-0)
(No: MÁRQUEZ, GARCIA Present: HERNANDEZ L)

HB 2651(BSI) voting equipment; requirements; origin
SPONSOR: MONTENEGRO, LD 29 HOUSE
FMAE 2/12/2025 DP (4-3-0-0)
(No: HERNANDEZ L, MÁRQUEZ, GARCIA)

HCM 2004(BSI) military bases; exemption from ESA
SPONSOR: GRIFFIN, LD 19 HOUSE
FMAE 2/12/2025 DP (4-3-0-0)
(No: HERNANDEZ L, MÁRQUEZ, GARCIA)

HCR 2040(BSI) elections; foreign contributions; donations; certification
SPONSOR: MONTENEGRO, LD 29 HOUSE
FMAE 2/12/2025 DP (4-3-0-0)
(No: HERNANDEZ L, MÁRQUEZ, GARCIA)

Committee on Government

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

HB 2216(BSI) pregnancy centers; grant program
SPONSOR: BLACKMAN, LD 7 HOUSE
GOV 2/12/2025 DP (4-3-0-0)
(No: STAHL HAMILTON, VILLEGAS, MÁRQUEZ)

HB 2296(BSI) shared parenting time; presumption; prohibition
SPONSOR: FINK, LD 27 HOUSE
GOV 2/12/2025 DP (6-0-1-0)
(Present: MÁRQUEZ)

HB 2671(BSI) DCS; kinship care placement; requirement
SPONSOR: FINK, LD 27 HOUSE
GOV 2/12/2025 DPA (4-3-0-0)
(No: STAHL HAMILTON, VILLEGAS, MÁRQUEZ)

HCR 2042(BSI) preferential treatment; discrimination; prohibited acts
SPONSOR: MONTENEGRO, LD 29 HOUSE
GOV 2/12/2025 DP (4-3-0-0)
(No: STAHL HAMILTON, VILLEGAS, MÁRQUEZ)

Committee on Health & Human Services

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

HB 2026(BSI) dental board; formal hearings
SPONSOR: BLISS, LD 1 HOUSE
HHS 2/10/2025 DP (11-0-0-1)
(Abs: GRESS)

HB 2066(BSI) child care facilities; program providers
SPONSOR: GRESS, LD 4 HOUSE
HHS 2/10/2025 DPA (10-2-0-0)
(No: PINGERELLI, LIGUORI)

HB 2126(BSI) medical records; parental rights
SPONSOR: WILLOUGHBY, LD 13 HOUSE
HHS 2/10/2025 DP (8-4-0-0)
(No: CONTRERAS P, MATHIS, LIGUORI, LUNA-NÁJERA)

HB 2628(BSI) pharmacists; emergency medication; administration
SPONSOR: WENINGER, LD 13 HOUSE
HHS 2/10/2025 DP (10-0-0-2)
(Abs: CONTRERAS P, LOPEZ)

Committee on Judiciary

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

HB 2492(BSI) guardianship; court appointments; care placement
SPONSOR: HERNANDEZ C, LD 21 HOUSE
JUD 2/12/2025 DP (8-0-1-0)
(Present: KOLODIN)

HB 2581(BSI) tracking system; sexual assault kits
SPONSOR: BLISS, LD 1 HOUSE
JUD 2/12/2025 DP (8-0-0-1)
(Abs: KOLODIN)

HB 2653(BSI) victims; disclosure requirements; witnesses; names
SPONSOR: WENINGER, LD 13 HOUSE
JUD 2/12/2025 DP (9-0-0-0)

HB 2657(BSI) trusts; estates; policies; procedures
SPONSOR: CARTER N, LD 15 HOUSE
JUD 2/12/2025 DP (9-0-0-0)

HB 2658(BSI) expungement of misdemeanor convictions
SPONSOR: CARTER N, LD 15 HOUSE
JUD 2/12/2025 DPA (9-0-0-0)

HB 2678(BSI) indistinguishable; visual depiction; definition.
SPONSOR: WILLOUGHBY, LD 13 HOUSE
JUD 2/12/2025 DP (6-3-0-0)
(No: CONTRERAS L, KOLODIN, GARCIA)

HB 2680(BSI) sentencing enhancements; vulnerable; incapacitated; adult.
SPONSOR: WAY, LD 15 HOUSE
JUD 2/12/2025 DP (7-0-2-0)
(Present: KOLODIN, GARCIA)

HB 2702(BSI) continuation; ACJC
SPONSOR: KOLODIN, LD 3 HOUSE
JUD 2/12/2025 DPA (6-3-0-0)
(No: CONTRERAS L, HERNANDEZ A, GARCIA)

HB 2720(BSI) hydrolyzed cocaine; threshold amount
SPONSOR: BIASIUCCI, LD 30 HOUSE
JUD 2/12/2025 DP (9-0-0-0)

HCR 2037(BSI) prohibited weapons; definition repeal
SPONSOR: KOLODIN, LD 3 HOUSE
JUD 2/12/2025 DPA (6-3-0-0)
(No: CONTRERAS L, HERNANDEZ A, GARCIA)

Committee on Land, Agriculture & Rural Affairs

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

HB 2083(BSI) game and fish commission; membership
SPONSOR: GRIFFIN, LD 19 HOUSE
LARA 2/10/2025 DP (5-3-0-1)
(No: PESHLAKAI, SANDOVAL, STAHL HAMILTON Abs: MARTINEZ)

HB 2135(BSI) unlawful camping; stock; wildlife; access
SPONSOR: BLISS, LD 1 HOUSE
LARA 2/10/2025 DP (6-1-0-2)
(No: SANDOVAL Abs: MARTINEZ, STAHL HAMILTON)

HB 2588(BSI) wildlife; taking; landowner permits; rules
SPONSOR: GRIFFIN, LD 19 HOUSE
LARA 2/10/2025 DPA (5-3-0-1)
(No: PESHLAKAI, SANDOVAL, STAHL HAMILTON Abs: MARTINEZ)

HB 2603(BSI) hunting; fishing; license; deferred prosecution
SPONSOR: NGUYEN, LD 1 HOUSE
LARA 2/10/2025 DPA (4-2-1-2)
(No: KESHEL, PESHLAKAI Abs: MARTINEZ, STAHL HAMILTON
Present: GRIFFIN)

Committee on Natural Resources, Energy & Water
Chairman: Gail Griffin, LD 19 **Vice Chairman:**
Analyst: Corbin Wright **Intern:** Lane Nelson

HB 2127(BSI) hazardous substance release; notice; liability
SPONSOR: BLISS, LD 1 HOUSE
NREW 2/11/2025 DPA (10-0-0-0)

HB 2128(BSI) environmental remediation; liability; release
SPONSOR: BLISS, LD 1 HOUSE
NREW 2/11/2025 DP (8-2-0-0)
(No: CONTRERAS P, PESHLAKAI)

HB 2270(BSI) groundwater model; stormwater recharge; AMAs
SPONSOR: GRIFFIN, LD 19 HOUSE
NREW 2/11/2025 DP (6-4-0-0)
(No: CONTRERAS P, MATHIS, PESHLAKAI, LIGUORI)

HB 2272(BSI) municipal separate storm sewer system
SPONSOR: GRIFFIN, LD 19 HOUSE
NREW 2/11/2025 DPA (10-0-0-0)

HB 2576(BSI) notice; violation; deficiency correction
SPONSOR: GRIFFIN, LD 19 HOUSE
NREW 2/11/2025 DPA (5-4-0-1)
(No: CONTRERAS P, MATHIS, PESHLAKAI, LIGUORI Abs: MARTINEZ)

HB 2638(BSI) on-farm irrigation efficiency program; continuation
SPONSOR: GRIFFIN, LD 19 HOUSE
NREW 2/11/2025 DP (9-0-0-1)
(Abs: MARTINEZ)

HCM 2007(BSI) hardrock mines; remediation; urging support
SPONSOR: BLISS, LD 1 HOUSE
NREW 2/11/2025 DP (10-0-0-0)

Committee on Public Safety & Law Enforcement
Chairman: David Marshall, Sr., LD 7 **Vice Chairman:** Pamela Carter, LD 4
Analyst: Montse Torres **Intern:** Corinne Del Castillo

HB 2330(BSI) disability; voluntary disclosure; licenses
(PSLE S/E: voluntary disclosure; disability; licenses)

SPONSOR:	WILLOUGHBY, LD 13	HOUSE			
	PSLE	2/10/2025	DPA/SE	(15-0-0-0)	

Committee on Regulatory Oversight

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

HB 2052(BSI) license exemption; basic first aid

SPONSOR:	KOLODIN, LD 3	HOUSE			
	RO	2/11/2025	DP	(5-0-0-0)	

HB 2441(BSI) psychologist board; complaint-related documents

SPONSOR:	KESHEL, LD 17	HOUSE			
	RO	2/11/2025	DP	(5-0-0-0)	

HB 2630(BSI) governor nominations; agency position; eligibility

SPONSOR:	KOLODIN, LD 3	HOUSE			
	RO	2/11/2025	DP	(3-2-0-0)	
	(No: CONTRERAS L, HERNANDEZ C)				

HB 2632(BSI) regulatory costs; rulemaking; legislative ratification

SPONSOR:	KOLODIN, LD 3	HOUSE			
	RO	2/11/2025	DP	(3-2-0-0)	
	(No: CONTRERAS L, HERNANDEZ C)				

Committee on Science & Technology

Chairman: Beverly Pingerelli, LD 28 **Vice Chairman:** Justin Wilmeth, LD 2
Analyst: Nathan Mcrae **Intern:** Deborah Costea

HB 2145(BSI) registered sanitarians; qualifications

SPONSOR:	BLISS, LD 1	HOUSE			
	ST	2/12/2025	DPA	(9-0-0-0)	

HB 2484(BSI) school policies; internet; wireless devices

SPONSOR:	PINGERELLI, LD 28	HOUSE			
	ST	2/12/2025	DP	(9-0-0-0)	

Committee on Transportation & Infrastructure

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

HB 2281(BSI) missing indigenous person; alert system

SPONSOR:	MARTINEZ, LD 16	HOUSE			
	TI	2/5/2025	DP	(7-0-0-0)	

HB 2300(BSI) electric vehicle charging stations; report

SPONSOR:	BIASIUCCI, LD 30	HOUSE			
	TI	2/5/2025	DPA	(7-0-0-0)	

HB 2303(BSI) total loss vehicle; electronic signatures

SPONSOR:	BIASIUCCI, LD 30	HOUSE			
	TI	2/5/2025	DP	(7-0-0-0)	

HB 2728(BSI) DUI; alternative treatment
SPONSOR: MARTINEZ, LD 16 HOUSE

TI	2/12/2025	DP	(6-1-0-0)
(No: CONTRERAS P)			

HCM 2006(BSI) Jimmie Preston; memorial bridge
SPONSOR: PESHLAKAI, LD 6 HOUSE

TI	2/5/2025	DP	(7-0-0-0)

Committee on Ways & Means

Chairman: Justin Olson, LD 10 **Vice Chairman:** Nick Kupper, LD 25
Analyst: Vince Perez **Intern:** Douglas Dexter

HB 2389(BSI) business personal property; exemption.
SPONSOR: CARTER N, LD 15 HOUSE

WM	2/12/2025	DPA	(5-4-0-0)
(No: BLATTMAN, SANDOVAL, CREWS, LUNA-NÁJERA)			

HB 2516(BSI) unclaimed property; transfer; state treasurer
SPONSOR: OLSON, LD 10 HOUSE

WM	2/12/2025	DP	(5-4-0-0)
(No: BLATTMAN, SANDOVAL, CREWS, LUNA-NÁJERA)			

HB 2601(BSI) income tax; exemption; minors
SPONSOR: KUPPER, LD 25 HOUSE

WM	2/12/2025	DP	(5-4-0-0)
(No: BLATTMAN, SANDOVAL, CREWS, LUNA-NÁJERA)			

HB 2722(BSI) public resources; expenditures; prohibition
SPONSOR: CARTER N, LD 15 HOUSE

WM	2/12/2025	DP	(5-4-0-0)
(No: BLATTMAN, SANDOVAL, CREWS, LUNA-NÁJERA)			

HCR 2021(BSI) food; municipal tax; exemption
SPONSOR: BIASIUCCI, LD 30 HOUSE

WM	2/12/2025	DP	(5-4-0-0)
(No: BLATTMAN, SANDOVAL, CREWS, LUNA-NÁJERA)			

HCR 2035(BSI) tax prohibition; vehicle mileage; monitoring
SPONSOR: WENINGER, LD 13 HOUSE

WM	2/12/2025	DPA	(5-4-0-0)
(No: BLATTMAN, SANDOVAL, CREWS, LUNA-NÁJERA)			

HB 2121: SNAP; mandatory employment and training
Sponsor: Representative Willoughby, LD 13
Caucus & COW

Overview

Requires the Arizona Department of Economic Security (DES) to require able-bodied adults who are under 60 years of age and receiving supplemental nutrition assistance to participate in a mandatory employment and training program unless the person meets the exempt criteria.

History

The Supplemental Nutrition Assistance Program (SNAP) is a federal program that provides nutrition benefits to low-income individuals and families that are used at stores to purchase food. Individuals must apply in the state in which they currently live and meet certain requirements. DES receives and reviews applications of eligible recipients for SNAP benefits.

7 U.S.C. § 2015(d) outlines the conditions to participate in SNAP. Each state agency must implement an employment and training program designed by the state agency, in consultation with the state workforce development board or with private employers or employer organizations if the state can demonstrate that consultation with private employers or employer organizations would be more effective or efficient to be approved by the U.S. Secretary of Agriculture for the purpose of assisting members of households participating in SNAP to gain skills, training, work or experience that will increase the ability of the household members to obtain regular employment and meet state or local workforce needs.

A similar bill was introduced in the 56th legislature, 2nd regular session, and was vetoed by the Governor (HB2502 SNAP; mandatory employment; training).

Provisions

1. Instructs DES to require able-bodied adults who are under 60 years of age and are receiving SNAP to participate in the mandatory employment and training program, unless the recipient meets the exempt criteria. (Sec. 1)
2. Outlines the criteria that a SNAP recipient must meet to be exempted from the mandatory employment and training program:
   a) be in compliance with the work registration requirements under Title IV of the Social Security Act or the Federal-State Unemployment Compensation System;
   b) be a parent or other member of a household who is responsible for the care of an incapacitated person or a dependent child who is under the age of six;
   c) be a bona fide student who is enrolled at least half time in any recognized school, training program or institution of higher education unless the recipient is ineligible to participate in the mandatory employment and training program;
   d) be a regular participant in a drug addiction or an alcoholic treatment and rehabilitation program;
   e) be employed a minimum of 30 hours per week or receiving weekly earnings that equal the minimum hourly rate under the Fair Labor Standards Act of 1938, multiplied by 30 hours; or
   f) be 16-18 years of age and not the head of a household, attend school or be enrolled in an employment training program on at least a half-time basis. (Sec. 1)
3. Asserts that a person who is noncompliant with the work registration requirements of Title IV of the Social Security Act or the Federal State Unemployment Compensation System is noncompliant with the work requirements. (Sec. 1)

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

HB 2122: SNAP; work requirement waivers; exemptions
Sponsor: Representative Willoughby, LD 13
Caucus & COW

Overview

Prohibits the Arizona Department of Economic Security (DES) from seeking, applying, accepting or renewing any waiver of work requirement for able-bodied adults without dependents unless it is required by federal law or authorized by state law.

History

The Supplemental Nutrition Assistance Program (SNAP) is a federal program that provides nutrition benefits to low-income individuals and families that are used at stores to purchase food. Individuals must apply in the state in which thy currently live and meet certain requirements. DES receives and reviews applications of eligible recipients for SNAP benefits.

Federal law prohibits an individual from participating in SNAP as a member of any household if, during the preceding 36-month period, the individual received SNAP benefits for not less than three months (consecutive or otherwise) during which the individual did not:

1) work 20 hours or more per week, averaged monthly;
2) participate in and comply with the requirements of a work program for 20 hours or more per week, as determined by the state agency;
3) participate in and comply with the requirements of a workfare program or a comparable program established by a state or political subdivision of a state; or
4) receive federal benefits.

Additionally, on request of a state agency and with the support of the state's chief executive officer, the U.S. Secretary of Agriculture (Secretary) may waive the applicability of certain work requirements for SNAP to any group of individuals in the state if the Secretary makes a determination that the area in which the individuals reside has an unemployment rate of over 10% or does not have a sufficient number of jobs to provide employment for the individuals (7 U.S.C. § 2015(o)(4)).

Additionally, for FYs 2020 through 2023, a state agency may provide a number of exemptions such that the average monthly number of exemptions in effect during the fiscal year does not exceed 12% of the number of covered individuals in the state, as estimated by the Secretary, adjusted by the Secretary to reflect changes in the state's caseload and the Secretary's estimate of changes in the proportion of members of households that receive SNAP benefits covered by waivers (7 U.S.C. § 2015 (o)(6)(E)).

An identical bill was introduced in the 56th Legislature, 2nd Regular Session and was vetoed by the Governor (HB2503 SNAP; waivers; exemptions).

Provisions

1. Prohibits DES from seeking, applying, accepting or renewing any waiver of work requirement for able-bodied adults without dependents unless it is required by federal law or authorized by state law. (Sec. 1)

2. Forbids DES from exercising the state's option to provide any exemptions from the federal work requirement unless authorized by state law. (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
House: COM DPA 10-0-0-0

HB 2116: small estate; affidavit; limits
Sponsor: Representative Carter N, LD 15
Caucus & COW

Overview
Increases the monetary cap on the decedent's personal and real property that can be recovered by an affidavit.

History
Thirty days after the decedent's death, a successor to the decedent's estate may recover property by presenting an affidavit to a person indebted to the decedent or who has tangible personal property or an instrument evidencing an obligation to the decedent. The affidavit must state that:

1) 30 days have elapsed since the death of the decedent;
2) the value of the estate's personal property does not exceed $75,000 as of:
   a) the date of death, and no pending petition for the appointment of a personal representative nor has a representative been appointed in any jurisdiction; or
   b) the date of the affidavit, and the personal representative has been discharged or more than one year has elapsed since a closing statement has been filed;
3) the claiming successor is entitled to payment or delivery of the property; and
4) the funeral expenses and expenses of the last illness of the decedent have been paid.

Not sooner than six months after the decedent's death, a person claiming as successor to the decedent's interest in real property may file in the applicable court an affidavit describing the real property and the interest of the decedent in such property. The affidavit must state that:

1) 6 months have elapsed since the death of the decedent;
2) the value of all real property in the decedent's estate located in this state does not exceed $100,000 as of:
   a) the date of death, and no pending petition for the appointment of a personal representative nor has a representative been appointed in any jurisdiction; or
   b) the date of the affidavit, and the personal representative has been discharged or more than one year has elapsed since a closing statement has been filed;
3) funeral expenses, expenses of the last illness and all unsecured debts of the decedent have been paid;
4) the person or persons signing the affidavit are entitled to the real property by reason of the allowance in lieu of homestead;
5) no other person has a right to the interest of the decedent in the described property; and
6) no federal estate tax is due on the decedent's estate.

(A.R.S. § 14-3971)

Provisions

1. Increases the limit of the value of all personal property in a decedent's estate that can be claimed by a successor of a decedent through an affidavit, from $75,000 to $100,000. (Sec. 1)

2. Increases the limit of the value of all real property in a decedent's estate that can be claimed by a successor of a decedent through an affidavit, from $100,000 to $150,000. (Sec. 1)

Amendments
Committee on Commerce

1. Sets the limit of the value of personal property and real property that can be claimed by an affidavit to $200,000 and $300,000 respectively.

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

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session
House: COM DPA 6-3-1-0

HB 2195: digital advertising; content; children; penalty
Sponsor: Representative Willoughby, LD 13
Caucus & COW

Overview
Provides restrictions relating to advertisements displayed on child-directed applications.

History
Individuals who, with knowledge of the character of the item involved, intentionally or knowingly transmit or send to a minor by means of electronic mail, personal messaging or any other direct internet communication an item that is harmful to minors when the person knows or believes at the time of the transmission that a minor in this state will receive the item are guilty of a class 4 felony (A.R.S. § 13-3506.01).

Provisions
1. Proclaims, for application platforms that display advertisements on child-directed applications, that:
   a. the platform cannot display inappropriate and mature advertisements;
   b. the advertisement must be suitable for individuals who are 12 years of age or younger; and
   c. the platform must implement monitoring systems to ensure compliance. (Sec. 1)
2. Instructs the Attorney General to enforce statutory restrictions relating to advertisements displayed on child-directed applications. (Sec. 1)
3. Subjects a civil penalty of up to $10,000 per violation for noncompliance. (Sec. 1)
4. Defines an *application platform*, *child-directed application* and *inappropriate and mature advertisement*. (Sec. 1)
5. Contains a delayed effective date. (Sec. 1)

Amendments
Committee on Commerce
1. Clarifies a child-directed application may not display inappropriate and mature advertisements rather than an application platform.
2. Removes references of application platforms.
3. Deletes language relating to the suitability of advertisements and implementation of monitoring systems.
4. Adds factors in determining whether an application is a child-directed application for compliance purposes.
5. Modifies the definition of *inappropriate and mature advertisement.*

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

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session
House: COM DP 10-0-0-0

HB 2210: DIFI; continuation
Sponsor: Representative Livingston, LD 28
Caucus & COW

Overview
Continues the Arizona Department of Insurance and Financial Insurance (DIFI) for eight years.

History
Established in 2020 with the consolidation of the Department of Financial Institutions, the Department of Insurance and the Automobile Theft Authority, DIFI is a multifaceted agency that regulates the insurance industry, financial institutions and enterprises as well as the distribution of Arizona Automobile Theft Authority Fund monies to combat auto theft.

DIFI regulates such industries through licensure of financial and insurance professionals such as collection agencies, mortgage bankers and brokers, insurers and insurance producers, registering and certifying state-chartered banks and credit unions and conducting scheduled examinations and investigating complaints of licensed professionals and businesses.

DIFI is also responsible for analyzing the methods of combating the problem of vehicle theft and promoting successful methods of reducing the number of vehicle thefts in Arizona.

The House Commerce Committee of Reference (COR) held a public meeting on Tuesday, January 14, 2025, to review the Auditor General's Performance Audit and Sunset Review Report and consider DIFI's responses to the statutorily outlined sunset factors. The COR recommended that DIFI be continued with revisions. DIFI is statutorily set to terminate on July 1, 2025, unless legislation is enacted for its continuation (A.R.S. § 41-3025.02).

Provisions
1. Continues, retroactive to July 1, 2025, DIFI until July 1, 2033. (Sec. 1, 2, 4)
2. Repeals, subject to voter approval, DIFI on January 1, 2034. (Sec. 2)
3. Includes a purpose statement. (Sec. 3)

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

HB 2233: elevator contractors; elevator mechanics; regulation
Sponsor: Representative Hendrix, LD 14
Caucus & COW

Overview

Applies Registrar of Contractors (ROC) licensing requirements to an elevator contractor.

History

The Industrial Commission of Arizona Division of Occupational Safety and Health enforces all standards and regulations relating to elevator safety conditions. An owner and operator of a conveyance, which includes an elevator, escalator, stage lift and special purposes personnel elevator, is statutorily required to: 1) construct, furnish, maintain and provide safe and adequate devices with which to safely and properly convey or move all persons and material utilizing the services offered by the owner or operator of such device; 2) comply with statutory standards and regulations; and 3) ensure that a conveyance is properly inspected (A.R.S. § 23-491.02).

The ROC licenses and regulates residential and commercial contractors. The ROC is required to: 1) classify and qualify applicants for a license; 2) change the license classification in the case of a title reclassification; and 3) conduct investigations to protect the health and safety of the public. Prior to license issuance by the ROC, a qualifying party must: 1) have a minimum of four years' practical or management trade experience, at least two of which must have been within the last ten years, dealing specifically with the type of construction, or its equivalent, for which the applicant is applying for a license; and 2) successfully show qualification in the kind of work for which the applicant proposes to contract, general knowledge of the building, safety, health and lien laws, demonstrate knowledge and understanding of construction plans, standards of construction work and specifications applicable to the particular industry or craft (Title 32, Chapter 10, A.R.S.).

The ROC applies different license classifications for commercial and residential work for each particular trade or field of a construction science profession. The Elevators Classification R-12 and C-12 allows the licensee to install and repair elevators, dumbwaiters, escalators, moving walks and ramps and stage and orchestra lifts.

Provisions

1. Adds the requirement for an owner and operator of a conveyance to ensure that the conveyance is installed, serviced or repaired by an elevator contractor and elevator mechanic. (Sec. 2)

2. Specifies the exemption from ROC licensing requirements does not apply to work that is done by an elevator contractor or elevator mechanic, including the installation, service and repair of elevators or elevator equipment. (Sec. 4, 5)

3. Adds that the installation, service and repair of elevators or elevator equipment do not include routine work that is conducted by an employee of an elevator contractor and that does not involve the actual physical installation, maintenance and repair of elevators. (Sec. 4, 5)

4. Deems it unlawful for a person, other than an elevator mechanic working under the direct supervision of a licensed elevator contractor, to:
   a. erect, construct, alter, replace, maintain, remove or dismantle any elevator or related conveyance contained within buildings or structures in this state; and
   b. wire any elevator or related conveyance from the mainline feeder terminals on the controller. (Sec. 6)

5. Adds the unlawful activities relating to erecting, constructing or wiring any elevator do not apply to the removal or dismantling of conveyances that are destroyed as a result of a demolition of a secured building or structure or for which the hoistway or wellway is demolished back to the basic support structure whereby no access is allowed to the basic support structure to endanger the safety and welfare of a person. (Sec. 6)

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

6. Defines *conveyance, elevator, elevator contractor* and *elevator mechanic*. (Sec. 1, 3)

7. Makes technical and conforming changes. (Sec. 1, 2, 3)

Amendments

Committee on Commerce

1. Specifies that it is a violation of statute relating to ROC licensure, rather than an unlawful act, to perform certain work by a person other than an elevator mechanic.

2. Adds clarifying changes.

HB 2411: alcohol consumption; golf courses
Sponsor: Representative Kolodin, LD 3
Caucus & COW

Overview
Permits certain golf courses to allow patrons to bring their own spiritous liquor onto the golf course.

History
The Department of Liquor Licenses and Control regulates the manufacture, distribution and sale of liquor in Arizona through the issuance of a series of licenses and investigating licensee compliance with liquor laws. Certain liquor licenses have on-sale retail privileges allowing a customer to purchase and consume liquor on the licensed premises.

A retailer is prohibited from knowingly allowing a customer to bring spirituous liquor onto the licensed premises, except that an on-sale retailer may allow a wine and food club to bring wine onto the premises for consumption by the club's members and guests of the club's members in conjunction with meals purchased at a meeting of the club that is conducted on the premises and that at least seven members attend (A.R.S. § 4-244).

Provisions
1. Authorizes golf courses that are at least one thousand yards in size and that are an on-sale retailer to allow patrons to bring and consume, on the premises, spirituous liquor that is purchased at a location outside of the golf course. (Sec. 1)
2. Includes a legislative findings clause. (Sec. 3)
3. Cites this act as the Inflation Reduction Act of 2025. (Sec. 3)
4. Makes conforming changes. (Sec. 2)

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

HB 2447: self-certification program; administrative review
Sponsor: Representative Carbone, LD 25
Caucus & COW

Overview

Requires, rather than allows, a municipality to authorize administrative personnel to perform specified duties.

History

Current 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).

A municipality's legislative body must regulate the subdivision of all lands within its corporate limits and exercise its authority by ordinance to prescribe: 1) procedures to be followed in the preparation, submission, review and approval or rejection of all final plats; 2) standards governing the design of subdivision plats; and 3) minimum requirements and standards for installation of subdivision streets, sewer and water utilities and improvements as a condition of final plat approval (A.R.S. § 9-463.01).

Provisions

1. Requires, rather than allows, the legislative body of a city or town to authorize administrative personnel to review and approve without a public hearing:
   a. site and development plans, land divisions, lot lines and ties and preliminary and final plats; and
   b. design review plans based on objective standards. (Sec. 1)

2. Maintains the ability of the legislative body of a city or town to adopt a self-certification program allowing registered architects and professional engineers to certify and be responsible for compliance with all applicable ordinances and construction standards for projects that the ordinance identifies as being qualified for self-certification. (Sec. 1)

3. Provides a definition for *license*. (Sec. 1)

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

HB 2683: businesses; requirement to accept cash
Sponsor: Representative Chaplik, LD 3
Caucus & COW

Overview
Stipulates that cash must be accepted as a form of payment by businesses located in this state.

History
Statute defines legal tender as a medium of exchange, including specie, that is authorized by the United States Constitution or Congress for payment of debts, public charges, taxes and dues (A.R.S. § 6-851).

Legal tender is federally defined as United States coins and currency (including Federal reserve notes and circulating notes of Federal reserve banks and national banks) are legal tender for all debts, public charges, taxes and dues. Foreign gold or silver coins are not legal tender for debts (31 U.S.C. § 5103).

Provisions
1. Requires a retail business with a physical location in this state to accept cash as a form of payment for goods and services with an aggregate value of $100 or less. (Sec. 2)
2. Prohibits the retail business from charging a fee or penalty for using cash as a form of payment. (Sec. 2)
3. Asserts any person has cause of action against the person that violates the requirement to accept cash if:
   a. denied the right to use cash as a form of payment; or
   b. charged a fee or penalty for using cash as a form of payment. (Sec. 2)
4. Stipulates that a person who violates the requirement to accept cash is liable for damages for each violation in an amount of:
   a. $1,000 but not more than $1,000 per person per day; or
   b. $5,000 per person total. (Sec. 2)
5. Entitles the prevailing plaintiff in an action to recover reasonable attorney fees and costs. (Sec. 2)
6. Directs the court to annually adjust the prescribed liability damage amounts for inflation in accordance with the Consumer Price Index. (Sec. 2)
7. Specifies that the requirement for a retail business to accept cash does not apply to:
   a. a written contract between two parties that dictates the acceptable form of payment; or
   b. the online sale of goods or services. (Sec. 2)
8. Defines *retail business*. (Sec. 2)
9. Makes a technical change. (Sec. 1)

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

HB 2748: ticket sales; resellers; website requirements
Sponsor: Representative Weninger, LD 13
Caucus & COW

Overview

Requires an operator to deliver an electronic ticket to the purchaser on receipt of an order confirmation.

History

A person is prohibited from using or creating a bot to: 1) purchase tickets in excess of the posted limit for an online ticket sale; 2) use multiple internet protocol addresses, multiple purchaser accounts or multiple email addresses to purchase tickets in excess of the posted limit for an online ticket sale; 3) circumvent or disable an electronic queue, waiting period, presale code or other sales volume limitation system associated with an online ticket sale; and 4) circumvent or disable a security measure, access control system or other control or measure that is used to validate that the ticket is not fraudulent (A.R.S. § 44-7202).

Statute prohibits a person from selling an entertainment event ticket purchased for the purpose of resale for a price that exceeds the face value of the ticket, including taxes and other charges, while being within 200 feet of entry to the venue where the event is being held or the venue's parking area. Additionally, a person may not alter a ticket's printed price without the original vendor's written consent. A person who violates the prohibitions is guilty of a petty offense (A.R.S. § 13-3718).

Statute prohibits a reseller, a secondary ticket exchange or an affiliate from reselling: 1) more than one copy of the same ticket to an athletic contest or live entertainment event; 2) a ticket without first informing the purchaser of the location in the entertainment facility of the seat or, if there is not an assigned seat, the general admission area to which the ticket corresponds, including the row and section number of the ticket, as applicable; or 3) a ticket or advertise a ticket for resale, with exceptions (A.R.S. § 44-8031).

Provisions

1. Instructs an operator to deliver an electronic ticket to the purchaser on receipt of an order confirmation. (Sec. 2)
2. Defines *operator* as:
   a. a person or entity, that owns, operates or controls a place of entertainment or that promotes or produces entertainment and that sells a ticket to an event for original sale; and
   b. an employee of an operator. (Sec. 1)
3. Defines *original sale* as the first sale of a ticket by an operator. (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
House: COM DPA 10-0-0-0

HB 2749: unclaimed property; virtual currency; security
Sponsor: Representative Weninger, LD 13
Caucus & COW

Overview
Outlines requirements for a security or virtual currency that is presumed to be abandoned.

History
Statute requires the holder of property that is presumed abandoned to make a report to the Department of Revenue (DOR) concerning the property. The report must contain a description of the property, certain information of the apparent owner of the property if known, the date on which the property became payable, demandable or returnable and the date of the last transaction with the apparent owner of the property and other information that the department by rule deems necessary. Property is presumed abandoned if unclaimed by the apparent property owner within a statutorily prescribed time frame which differs by type of property.

Within three years after receiving abandoned property, DOR must sell the property to the highest bidder at a public sale at a location in this state that in the judgment of the department affords the most favorable market for the property. The department additionally must sell securities that are listed on an established stock exchange at prices prevailing on the exchange at the time of the sale (Title 44, Chapter 3, A.R.S.).

Provisions
1. Presumes any security or virtual currency that can rightfully be claimed is abandoned three years after the initial date the security or virtual currency becomes claimable. (Sec. 2)
2. Stipulates the three-year abandonment presumption begins when a written or electronic communication is returned to the owner as undeliverable by mail, email or any other electronic messaging method. (Sec. 2)
3. Ceases the three-year presumption of abandonment immediately:
   a. on the exercise of an act of ownership interest in the security or virtual currency; or
   b. by a written, oral or electronic communication with the holder of the security or virtual currency that is evidenced by a memorandum or other record that is on file with the holder. (Sec. 2)
4. Defines *exercise of an act of ownership interest*. (Sec. 2)
5. Requires, for unclaimed virtual currency that is reported to DOR, the holder to report and deliver the virtual currency in its native form to DOR within 30 days after reporting the property abandoned. (Sec. 3)
6. Stipulates the holder must maintain the virtual currency until the additional keys required to transfer the virtual currency becomes available if the holder possesses a partial key or is unable to move the virtual currency. (Sec. 3)
7. Prohibits DOR from selling a security or virtual currency listed on an established stock or a virtual currency exchange for less than the prevailing price that is listed on the exchange at the time of the sale. (Sec. 4)
8. Allows DOR to sell a security or virtual currency not listed on an established exchange by any commercially reasonable method. (Sec. 4)
9. Makes technical and conforming changes. (Sec. 1, 2, 3, 4)

Amendments
Committee on Commerce
1. Replaces the term virtual currency with digital asset.

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

2. Allows DOR's designated qualified custodian to stake, airdrop or invest the digital assets held in a low-risk manner.
3. Specifies that upon the expiration of three years from the date the digital asset was transferred to the qualified custodian and if the property remains unclaimed, any airdrops, staking rewards or interest earned are transferred to the Bitcoin and Digital Asset Reserve Fund (Fund).
4. Establishes the Fund consisting of any airdrops, staking rewards or interest earned by prescribed by statute.
5. Specifies the Fund is administered by the State Treasurer and is subject to legislative appropriations.
6. Adds that on legislative approval, 10% of the digital assets held in the Fund must be deposited into the General Fund.
7. Provides a definition for *airdrop, digital assets, non-fungible token* and *stake.*

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session
House: ED DPA 10-0-1-1

HB 2164: public schools; ultraprocessed foods
Sponsor: Representative Biasiucci, LD 30
Caucus & COW

Overview
Restricts a public school from serving or selling ultraprocessed food on the school campus during the normal school day.

History
Statute tasks the Arizona Department of Education (ADE) with developing minimum nutrition standards that meet at least federal guidelines and regulations for foods and beverages sold or served on elementary, middle or junior high school grounds during the normal school day. ADE may develop nutrition standards that: 1) include portion sizes, minimum nutrient values and a listing of contents; and 2) are more stringent than the federal guidelines and regulations.

Food and beverages sold or served on school grounds of elementary, middle and junior high schools or at school-sponsored events during the normal school day must meet the ADE-developed minimum nutrition standards, including a la carte items in the food service program and food and beverages sold in vending machines, snack bars and meal-period kiosks and at school stores. Parents, students and community members may review food and beverage contracts to ensure that food and beverages sold on campuses provide nutritious sustenance to students, promote good health, help students learn, provide energy and model fit living for life (A.R.S § 15-242).

Schools participating in the National School Lunch Program (NSLP) and School Breakfast Program (SBP) must follow federally set meal patterns that outline weekly meal components, amounts of food and dietary specifications (NSLP Meal Pattern, SBP Meal Pattern).

Provisions
1. Prohibits a public school from serving or selling ultraprocessed food on the school campus during the normal school day. (Sec. 1)
2. Authorizes ADE to adopt rules and guidelines to implement the prohibition on serving or selling ultraprocessed food.
3. Defines *ultraprocessed food* as a food or beverage that contains one or more of the following ingredients:
   a) potassium bromate;
   b) propylparaben;
   d) titanium dioxide;
   c) brominated vegetable oil;
   d) yellow dye 5 or 6;
   e) blue dye 1 or 2;
   f) green dye 3; or
   g) red dye 3 or 40. (Sec. 1)
4. Specifies a parent is not prevented from providing their student ultraprocessed food during the normal school day. (Sec. 1)
5. Contains legislative findings. (Sec. 2)

Amendments
Committee on Education

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

1. Prohibits a public school from allowing any third party to sell ultraprocessed food on the school campus during the normal school day.
2. Replaces the authorization for ADE to adopt rules and guidelines with the requirement that ADE post on its website:
   a) a standardized form that a public school may use to certify that it is complying with the prohibition on serving or selling ultraprocessed foods; and
   b) a list of each public school that has certified to ADE that the public school is complying with the prohibition on serving or selling ultraprocessed foods.
3. Entitles this legislation as the *Arizona Healthy Schools Act*.

HB 2167: school districts; records; noncompliance; penalties
Sponsor: Representative Gress, LD 4
Caucus & COW

Overview

Establishes training requirements and penalties for a school district that fails to correct a deficiency in the Uniform System of Financial Records (USFR) within 18 months. Prevents a school district that fails to correct a deficiency in the USFR within 90 days from calling an election for a district additional assistance (DAA) override or the issuance of bonds as specified. Creates the School Financial Transparency Portal Fund (Transparency Portal Fund).

History

The Arizona Auditor General (OAG), in conjunction with the Arizona Department of Education (ADE), establishes the USFR for all school districts to use each fiscal year. The USFR prescribes the minimum internal control policies and procedures to be used by school districts for accounting, financial reporting, budgeting, attendance reporting and other compliance requirements (USFR).

The OAG must inform in writing a school district that fails to maintain the USFR of the school district's deficiencies and give the school district 90 days to correct the deficiencies. The OAG must also report to ADE and the State Board of Education (SBE) any school district that fails to establish and maintain the USFR or fails to correct deficiencies within 90 days after receiving notice of the deficiencies. SBE, on report from the OAG, must determine whether school districts are maintaining the USFR. If SBE determines that a school district is not in compliance or has failed to correct a deficiency within 90 days after receiving notice from the OAG, SBE must direct the Superintendent of Public Instruction (SPI) to withhold up to 10% of the school district's apportionment of state monies for each violation until the OAG reports the school district complies with the USFR. During the withholding, the OAG and ADE must assist the school district to achieve compliance (A.R.S. §§ 15-271 and 15-272).

A school district governing board (governing board) must order a DAA override in order to adopt a budget that includes an amount for capital purposes that exceeds the DAA budget limit. If the DAA override is approved by the voters, a school district may assess secondary property taxes for capital projects (A.R.S. § 15-481).

A governing board may, or on petition of 15% of the school district's electors, call an election to decide whether: 1) school district bonds should be issued and sold for prescribed capital purposes; or 2) to change the list of capital projects or the purposes authorized by a previous vote to issue bonds. If the question to issue bonds is approved by the voters, the school district may assess secondary property taxes to redeem bonds and pay interest (A.R.S. § 15-491).

Laws 2021, Chapter 404 directs the Arizona Department of Administration (ADOA) to contract with a third party to develop a transparent and easily accessible School Financial Transparency Portal (Transparency Portal). The Transparency Portal must include specified school level financial data for charter schools, individual schools operated by a school district and school districts (A.R.S. § 15-747).

Provisions

Sanctions for USFR Noncompliance

1. Instructs SBE, if a school district fails to correct a deficiency in the USFR within 18 months after receiving notice from the OAG, to consult with ADE to determine the amount of training and other interventions necessary or appropriate to assist the school district to achieve compliance. (Sec. 1)

2. Directs SBE, if a school district fails to correct a deficiency in the USFR within 18 months after receiving notice from the OAG, to direct the SPI to:
   a. provide the training and interventions to the school district within six months;

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

b. impose a civil penalty, beginning the 18th month, against the school district in an amount equal to 1% of the school district's adopted or revised budget for each month until the OAG reports the school district's compliance with the USFR; and
c. deposit the collected civil penalty monies in the Transparency Portal Fund. (Sec. 1)

3. Specifies the training must be provided to the school district superintendent, business manager, chief financial officer and any other administrator or executive identified by SBE or ADE. (Sec. 1)

4. Requires ADE to notify SBE when the training and interventions are completed. (Sec. 1)

DAA Override and Bond Elections

5. Prohibits a governing board, if the school district fails to correct a deficiency in the USFR within 90 days after receiving notice from the OAG, from doing the following until the school district has corrected any deficiencies and complied with the USFR for at least 12 months:
   a. ordering an election for a DAA override; or
   b. calling an election to issue school district bonds or to change the list of capital projects or the purposes authorized by a previous vote to issue bonds (Sec. 3, 4)

6. Specifies, for the purposes of the prohibition on ordering a DAA override or bond election, the school district has corrected any deficiencies beginning the date that the OAG reports that the school district is in compliance with the USFR. (Sec. 3, 4)

Transparency Portal Fund

7. Establishes the Transparency Portal Fund and states that:
   a. the Fund consists of the civil penalty monies imposed on a school district that fails to correct a deficiency in the USFR within 18 months of notice from the OAG;
   b. the Fund is administered by ADE; and
   c. Fund monies are continuously appropriated and exempt from lapsing. (Sec. 5)

8. Authorizes ADE to use Transparency Portal Fund monies for the costs of the Transparency Portal, including reimbursing ADOA for the costs of the contractor selected to develop the Transparency Portal. (Sec. 5)

Miscellaneous

9. Makes technical changes. (Sec. 1, 3, 5)

10. Makes conforming changes. (Sec. 1, 2, 3, 4, 5)

Amendments

Committee on Education

1. Requires ADE, rather than the SPI, to provide the required training and interventions.

2. Authorizes ADE to contract with a third party to provide the required training and interventions.

3. Requires the school district to pay for any costs incurred by ADE to provide the required training and interventions.

4. Calculates the 1% civil penalty based on the school district's most recent general budget limit, rather than adopted or revised budget.

5. Transfers all the following matters relating to the Transparency Portal from ADOA to ADE on the general effective date:
   a) contracts executed by ADOA;
   b) rules adopted by ADOA; and
   c) property, records, data, investigative findings and obligations.

6. Specifies the transfer of matters relating to the Transparency Portal maintain the same status with ADE.

7. Transfers all appropriated monies that are unspent and unencumbered of ADOA for the Transparency Portal to the Transparency Portal Fund.

HB 2169: school districts; board meetings; expenditures
Sponsor: Representative Gress, LD 4
Caucus & COW

Overview

Requires a school district governing board (governing board) to hold its meetings in a public facility in the school district and provide the public with online access to meeting materials and minutes as prescribed. Establishes requirements a governing board must follow when considering out-of-state travel for employees or governing board members.

History

Governing board meetings must be held at the most convenient public facility in the school district or, if such a facility is not available, at any available public facility that is convenient to all governing board members, regardless of the county or school district (A.R.S. § 15-321).

Open meeting laws require the meetings of any public body, including a governing board, to be public meetings. Individuals must be allowed to attend and listen to deliberations and proceedings. Schools, school boards, executive boards and municipalities must provide for a sufficient amount of seating for the reasonably anticipated attendance of anybody wishing to attend. Open meeting laws require public bodies to take written minutes or a recording of all meetings, including executive sessions. The minutes of a school board meeting must be available three working days after the meeting. Statute also requires public bodies to provide public notice of meetings as prescribed (A.R.S. §§ 38-431, 38-431.01 and 38-431.02).

A governing board may allow a superintendent, principal or the superintendent's or principal's representatives to travel for a school purpose by majority vote of the governing board. A governing board may also allow its members or members-elect to travel inside or outside the school district for a school purpose and to receive reimbursement. The governing board must prescribe procedures and amounts for reimbursement of lodging and subsistence expenses, but reimbursement cannot exceed the maximum statutory reimbursement amounts (A.R.S. §§ 15-342 and 38-624).

Provisions

Governing Board Meetings

1. Mandates all meetings of a governing board and the governing board's subcommittees be held at a public facility in the school district, subject to open meeting law requirements. (Sec. 2)
2. Requires a governing board to provide the public with online access to all governing board and subcommittee meeting materials in the same manner as the governing board provides online access to meeting notices. (Sec. 2)
3. Includes, in the meeting materials required to be provided to the public, supplemental materials presented at the meeting or provided to governing board members in preparation for the meeting. (Sec. 2)
4. Directs a governing board to provide the public with online access to the specified meeting materials and governing board and subcommittee meeting minutes for at least five years after the date of the meeting. (Sec. 2)
5. Instructs a governing board for a school district with a student count of more than 5,000 to provide the public with:
   a. a live video feed of each governing board meeting; and
   b. online access to the video recordings for at least five years after the meeting. (Sec. 2)

Out-of-State Travel

6. Requires a governing board to approve, by majority vote in a public meeting at least one month before the proposed travel and on a per-trip basis, any out-of-state travel for a superintendent, principal, the superintendent's or principal's representatives or governing board members or members-elect. (Sec. 3)

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

7. Mandates the governing board identify each individual who may travel out of state and estimate the total cost of the proposed travel when considering the proposed out-of-state travel. (Sec. 3)

Miscellaneous

8. Makes technical changes. (Sec. 3)
9. Makes conforming changes. (Sec. 1, 3)

Amendments

Committee on Education

1. Specifies a governing board must approve any out-of-state travel by roll call vote at least two weeks, rather than one month, before the proposed travel.
2. Adds that a governing board, when considering proposed out-of-state travel, must:
   a) identify the job title of each individual who may travel;
   b) identify the name and address of the lodging facility at which each individual will stay;
   c) estimate the cost per individual; and
   d) publicly note and describe the school purposes and the benefit of the proposed travel to the school district.
3. Authorizes an individual not identified in the original out-of-state travel proposal approved by the governing board to travel in place of an individual identified in the original proposal if:
   a) the superintendent notifies the governing board in writing at the next regular governing board public meeting that an individual who was not identified in the original proposal traveled in place of the individual identified in the original proposal;
   b) the written notification provided by the superintendent includes the information required for the original proposal; and
   c) the travel expenses incurred by the individual not identified in the original proposal do not exceed the estimated cost for the individual identified in the original proposal.

HB 2196: schools; AEDs; CPR training; requirements
Sponsor: Representative Willoughby, LD 13
Caucus & COW

Overview

Establishes automated external defibrillator (AED) and training requirements for public high schools that sponsor an athletic team or sports program. Appropriates an unspecified amount from the state General Fund (GF) in FY 2026 for AED and training requirements.

History

An AED is a medical device heart monitor and defibrillator that is capable of determining, without intervention by an operator, if a controlled electrical charge to the heart should be performed to restore a viable cardiac rhythm. Unless otherwise exempted, a person who is a *trained user* of an AED has completed a state-approved course in cardiopulmonary resuscitation (CPR) and the use of an AED for the lay rescuer and first responder, including the course adopted by the American Heart Association in effect as of December 31, 1998 (A.R.S. § 36-2261).

Provisions

1. Requires, beginning August 1, 2025, each public school that provides instruction to students in the 9th-12th grades and that sponsors an athletic team or sports program to:
   a. provide an AED at each school campus and school-sponsored athletic event;
   b. ensure that each AED is:
      i. in an unlocked location that is accessible during the school day and at each venue where any school-sponsored athletic event is held;
      ii. in a location where it may be promptly retrieved and used at the school or any school-sponsored athletic event;
      iii. maintained in good working order and tested according to the manufacturer's guidelines; and
   c. require each coach to complete a state-approved course that provides instruction in CPR, first aid and the use of AEDs and that follows nationally recognized emergency cardiovascular guidelines. (Sec. 1)

2. Allows a school district or charter school to accept gifts, grants and donations for the prescribed AED and training requirements. (Sec. 1)

3. Appropriates an unspecified amount from the state GF in FY 2026 to the Arizona Department of Education (ADE) to implement the prescribed AED and training requirements. (Sec. 2)

4. Instructs ADE to distribute appropriated monies to schools that have 50% or more of students eligible for free or reduced-price lunches (FRPL) for:
   a. purchasing and maintaining AEDs;
   b. purchasing CPR training kits;
   c. providing the state-approved course for coaches; and
   d. purchasing other goods and services identified by ADE that are necessary for implementing the AED and training requirements. (Sec. 2)

5. Defines *AED*, *school-sponsored athletic event* and *training*. (Sec. 1)

Amendments

Committee on Education

1. Removes the requirement that a public high school that sponsors an athletic team or sports program provide an AED at each school campus.

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

2. Specifies a public high school that sponsors an athletic team or sport program must provide an AED at each school-sponsored athletic event *where students are present*.
3. Modifies the location requirements for an AED by requiring the AED to *either* be at each venue where any school-sponsored athletic event is held *or* in a location from which it may be promptly retrieved and used at any school-sponsored athletic event.
4. Broadens the training requirement for coaches by requiring each coach to complete a training course, rather than a state-approved course, that provides instruction in CPR, first aid and the use of AEDs.
5. Replacements the requirement that ADE distribute the appropriated monies only to schools in which 50% or more of students are eligible for FRPL with the requirement that ADE prioritize the distribution of appropriated monies to schools in which 50% or more of students are eligible for FRPL.

Committee on Appropriations

1. Removes the requirement that a public high school that sponsors an athletic team or sports program provide an AED at each school campus.
2. Specifies a public high school that sponsors an athletic team or sport program must provide an AED at each school-sponsored athletic event *where students are present*.
3. Modifies the location requirement for an AED by requiring the AED to *either* be at each venue where any school-sponsored athletic event is held *or* in a location from which it may be promptly retrieved and used at any school-sponsored athletic event.
4. Broadens the training requirement for coaches by requiring each coach to complete a training course, rather than a state-approved course, that provides instruction in CPR, first aid and the use of AEDs.
5. Replaces the requirement that ADE distribute the appropriated monies only to schools in which 50% or more of students are eligible for FRPL with the requirement that ADE distribute appropriated monies to any school that has a total ending cash balance of $5,000,000 or less according to the most recent annual financial report published by the school.

HB 2407: schools; purchases; board members
Sponsor: Representative Kolodin, LD 3
Caucus & COW

Overview

Limits the authorization for a school district governing board (governing board) to make purchases from a member of the governing board to school districts that are not located in a county with a population of at least 750,000.

History

A governing board member is eligible to vote on any budgetary, personnel or other question that comes before the governing board, though it is unlawful for a governing board member to vote on a specific item that concerns the appointment, employment or remuneration of that member or the spouse or dependent of the member. A governing board may purchase, subject to statutory limitations, supplies, materials and equipment from a governing board member (A.R.S. §§ 15-323, 38-503).

Statute authorizes a governing board to make purchases from a governing board member if the transaction does not exceed $300 and the total purchases do not exceed $1,000 in a 12-month period. The governing board must have adopted, by majority vote, a policy authorizing such purchases within the preceding 12-month period. However, statute allows the governing board of a school district that has a student count of fewer than 3,000 to make purchases from a governing board member in any aforementioned amount or as specified in statute relating to school district and charter school procurement practices. The governing board must approve each purchase and the purchase amount or contract must be included in the governing board's meeting minutes (A.R.S. §§ 15-213, 15-323).

The Arizona Office of Economic Opportunity estimates that, as of July 1, 2024, 2 of Arizona's 15 counties have a population of at least 750,000: Maricopa and Pima counties (Arizona Population Estimates).

Provisions

1. Narrows the authorization for the governing board of a school district with fewer than 3,000 students to make purchases from a governing board member to school districts that are not located, in whole or in part, in a county with a population of at least 750,000. (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
House: ED DP 12-0-0-0

HB 2514: notices; directory information; disclosure; consent
Sponsor: Representative Olson, LD 10
Caucus & COW

Overview
Prescribes parent and eligible student notification and consent requirements for schools regarding the disclosure of directory information. Modifies requirements relating to the parental involvement policy adopted by a school district governing board (governing board).

History
The Family Educational Rights and Privacy Act of 1974 (FERPA) regulations define *directory information* as information in a student's education record that would not generally be considered harmful or an invasion of privacy if disclosed. Federal regulations detail the information included as *directory information*, such as the student's name, address, telephone listing, email, photograph and date and place of birth. An educational agency or institution may disclose directory information to third parties without consent if it has given public notice to parents of students and eligible students of: 1) the types of personally identifiable information designated as directory information; 2) the parent's or eligible student's right to refuse the designation; and 3) the period of time within which a parent or eligible student has to notify in writing that they do not want the information designated as directory information (34 C.F.R. §§ 99.3 and 99.37).

If a school district or charter school allows the release of student directory information, the information must be released by October 31st annually. The Arizona Department of Education (ADE) must provide a form to school districts and charter schools to distribute to students annually that allows students to request their directory information not be released. Statute details the complaint process a person may follow if they suspect a school district or charter school has violated FERPA requirements (A.R.S. § 15-141).

A governing board, in consultation with parents, teachers and administrators, must develop and adopt a policy to promote the involvement of parents and guardians of students enrolled in the school district. Statute details the information that must be included in this policy. A governing board may adopt a policy to provide its parental involvement policy in an electronic form (A.R.S. § 15-102).

Provisions

Directory Information

1. Stipulates a school may disclose directory information relating to students in accordance with state and federal law if the school first notifies the parent or eligible student of:
   a. the types of information designated as directory information by the school;
   b. the parent's or eligible student's right to refuse the school's designation of any of the types of information about the student as directory information; and
   c. the time period within which a parent or eligible student must notify the school in writing that the parent or eligible student does not want any of the types of information about the student designated as directory information. (Sec. 2)

2. Prohibits a school, except as required by state or federal law, from disclosing the address, telephone number or email of a student unless the parent or eligible student:
   a. has affirmatively consented in writing to the disclosure;
   b. has not opted out of the disclosure; and
   c. the disclosure is to:
      i. students enrolled in the school for educational purposes; or
      ii. school employees for school business purposes. (Sec. 2)

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

3. Specifies the form provided by ADE to school districts and charter schools must allow parents and eligible students, rather than pupils, to request that the directory information not be released. (Sec. 2)

4. Specifies the form provided by ADE must be distributed by school districts and charter schools to parents and eligible students, rather than pupils. (Sec. 2)

5. Defines *eligible student* as a student who is at least 18 years old or emancipated. (Sec. 2)

Governing Board Parental Involvement Policy

6. Modifies requirements relating to a governing board's parental involvement policy by:
   a. requiring, rather than allowing, the governing board to adopt a policy to provide its parental involvement policy to parents in an electronic or printed form; and
   b. instructing the governing board to provide a copy of its adopted parental involvement policy to parents in an annual notice. (Sec. 1)

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

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session
House: ED DPA 7-4-1-0

HB 2640: school districts; leases; termination; nonrenewal
Sponsor: Representative Gress, LD 4
Caucus & COW

Overview
Implements public hearing, public comment and timeframe requirements a school district governing board (governing board) must follow when proposing to terminate or refuse to renew a lease.

History
The Division of School Facilities (SFD) is required to annually publish a list of both vacant and partially used buildings that are owned by the state or school districts and that may be suitable for the operation of a school. This list is to be made available on SFD's website and to: 1) charter school applicants; 2) applicants applying to SFD for additional space; and 3) existing school districts and charter schools. A *vacant building* is a building that has been vacant and unused for at least two years. A *partially used building* has at least 4,500 square feet of contiguous, unused space.

A school district wishing to sell or lease a vacant or partially used building cannot: 1) prohibit a charter school or private school from negotiating to buy or lease the property in the same manner as other potential buyers or lessees; or 2) accept an offer for the sale or lease of a vacant or partially used building from a buyer or lessee that is less than an offer from a charter school or private school. More generally, the owner of a building on the vacant and partially used buildings list cannot withdraw the property from sale or lease solely because a charter school or private school is the highest bidder. However, statute does not require the owner of a building on the list to sell or lease the building or a portion of the building to a charter school or any other school or prospective buyer or tenant.

Once a lease for an existing tenant that is a public school or that provides services to public school students concludes, the lease may be terminated, renewed according to the terms of the existing agreement or renewed with a negotiated increase. If the building owner intends to negotiate an increase, the owner must provide a rationale for the proposed increase to the lessee (A.R.S. § 15-119).

Provisions
1. Stipulates a school district, as the building owner, may terminate or refuse to renew a lease for an existing tenant that is a public school, private school or that is providing services to public school students only if the governing board:
   a. announces it is proposing to refuse to renew or terminate the lease in a public hearing;
   b. provides an opportunity for public comment regarding the proposal for at least 90 days after the date of the announcement and before the governing board may vote on the proposal;
   c. reviews and considers any submitted public comments before approving the proposal; and
   d. approves the proposal in a public hearing before the date of the proposed termination or the date on which the lease is scheduled to expire. (Sec. 1)
2. Details that public comment may include written or emailed comments or oral comments during the required public hearings. (Sec. 1)
3. Contains a retroactivity clause of January 2, 2025. (Sec. 2)
4. Makes technical and conforming changes. (Sec. 1)

Amendments
Committee on Education
1. Grants a charter school that is leasing a building from a school district or that is the most recent lessee of a vacant building that is owned by a school district the right of first refusal to purchase the building if the school district decides to sell the building.

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

2. Provides that the owner of a building on the vacant and partially used buildings list may not withdraw the property from sale or lease solely because a charter school exercises its right of first refusal.
3. Exempts the proceeds from the sales of school property to other schools from statutory restrictions relating to the required disposition of proceeds from the sale or lease of school property.

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session
House: ED DP 8-4-0-0

HB 2724: patriotic youth groups; school access
Sponsor: Representative Rivero, LD 27
Caucus & COW

Overview
Permits a patriotic youth group to address public school students during regular school hours and details request procedures and material distribution requirements.

History
A *youth group* is a group or organization intended to serve young people under the age of 21. Federal law lists organizations that are considered *patriotic societies*, such as the Boys & Girls Clubs of America, Boy Scouts of America, Girls Scouts of America and Big Brothers-Big Sisters of America. A public elementary school, public secondary school, local educational agency or state educational agency that receives funds through the U.S. Department of Education and that has a designated open or limited public forum cannot discriminate against or deny equal access or a fair opportunity to meet to any group officially affiliated with the Boy Scouts of America or any other youth group listed in federal law as a patriotic society that wishes to conduct a meeting within the open or limited public forum (20 U.S.C. § 7905) (36 U.S.C. Subtitle II, Part B).

Provisions
1. Allows, during the first quarter of each academic school year, a public school principal to authorize representatives from any patriotic youth group to address students about how the group supports educational interests and civic involvement for up to 10 minutes during regular school hours. (Sec. 1)
2. Requires a patriotic youth group representative who intends to address public school students to submit a verbal or written request to the principal during the first two weeks of the academic school year. (Sec. 1)
3. Permits the principal, after receiving the request, to provide the patriotic youth group with verbal or written approval with the date and time the representative may address students. (Sec. 1)
4. Instructs the principal to ensure that any materials provided by the patriotic youth group and its representatives are distributed directly to students on school property throughout the academic school year to encourage student participation in the group. (Sec. 1)
5. Authorizes the principal to request prior access to the materials for approval and to determine the method of distribution directly to students. (Sec. 1)
6. Prohibits a public school from discriminating against or denying equal access or a fair opportunity to meet to any patriotic youth group that wishes to conduct a meeting within a designated open or limited public forum. (Sec. 1)
7. Defines *patriotic youth group*. (Sec. 1)

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

HB 2038: ~~technical correction; accountants; investigations~~
S/E: voter registration; citizenship proof
Sponsor: Representative Kolodin, LD 3
Committee on Federalism, Military Affairs & Elections

Summary of the Strike-Everything Amendment to HB 2038

Overview

An emergency measure that establishes the procedure a County Recorder must follow if they receive or received information that a registered voter who filled out a state voter registration form has not provided satisfactory documentary proof of citizenship.

History

DPOC, AVID & MVD

When a person registers to vote in Arizona, they must submit documentary proof of citizenship (DPOC) under state law. DPOC can include an applicant's driver license number, a photocopy of an applicant's birth certificate or a photocopy of pertinent pages of an applicant's U.S. passport. If a voter fails to satisfy this requirement, but they are otherwise eligible to register, and the registrant certifies under penalty of perjury that they are a United States citizen, then they are registered as a federal only voter. Federal only voters are only eligible to vote in federal elections, like for President of the United States.

A person may provide their Arizona driver license number when registering to vote, since United States citizens would have already submitted DPOC to the Motor Vehicle Division (MVD) when applying for their driver license. However, this only applies to Arizona driver licenses issued after October 1, 1996, since prior to this date the MVD did not necessarily require such documents nor log that such documents were submitted.

The Access Voter Information Database (AVID) serves as Arizona's statewide voter registration database. When a county enters a voter's registration application into AVID, the database queries the person's license records through an interface with the MVD database. A person's regular, non-foreign type driver license that was issued after October 1, 1996, is considered valid DPOC. Assuming an applicant meets all other voter registration requirements, the county would register the applicant as a full ballot voter upon confirmation of this information (A.R.S. § 16-166, Prop. 200, Arizona v. Inter-Tribal Council of Arizona).

2024 Data Coding Oversight

In September of 2024, the Arizona Secretary of State announced that his office had discovered a *data coding oversight* in the MVD and AVID databases. It was later discovered that this oversight affected approximately 218,000 voters. Following a petition for special action filed by the Maricopa County Recorder with the Arizona Supreme Court, the court issued an opinion that the affected voters, originally believed to be 98,000 voters, should receive full ballots for the 2024 general election. The Secretary of State later announced that an additional 120,000 Arizona voters may be affected by this oversight, bringing the total number of affected voters to 218,000. The Secretary of State indicated in a press release that the Supreme Court's decision stands and applies to the additionally discovered registrants (Richer v. Fontes (2024), September 30 SOS Press Release).

Provisions

1. Instructs a County Recorder that receives or has received information from the MVD that a registered voter used the state voter registration form and has not provided satisfactory DPOC, to provide notice to the voter within 60 days that includes specified information. (Sec. 1)

2. Instructs the County Recorder, if a voter who is required to provide satisfactory DPOC per this measure fails to timely do so, to:

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

a. change the voter's registration status to not registered, if the voter does not timely provide satisfactory DPOC; and
b. cancel the voter's registration if, after the next general election, the voter has not provided satisfactory DPOC. (Sec. 1)

3. Repeals this measure on January 1, 2027. (Sec. 1)

4. Contains an emergency clause.

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session
House: FMAE DPA: 4-3-0-0

HB 2060: state sovereign authority; elections
Sponsor: Representative Fink, LD 27
Caucus & COW

Overview
Requires elections for federal office to be held in the same manner as state and local elections.

History
The Arizona Constitution allows the state to exercise its sovereign authority to restrict the actions of its personnel and financial resources by initiative, referendum, bill or by pursuing legal remedy. Using this authority allows the state to prohibit using state resources to enforce, administer or cooperate with designated federal actions or programs (Article II § 3, Const. of Ariz.).

Provisions
1. Requires elections for federal offices be conducted as prescribed by state statutes and in the same manner as elections for state and local officers. (Sec. 1)
2. Specifies that state laws relating to voter registration, proof of citizenship, proof of residency and proof of identification for registration and voting must be followed for elections for federal office. (Sec. 1)

Amendments
Committee on Federalism, Military Affairs and Elections
1. Clarifies that qualifications to vote in an election for federal office must be the same as for state and local elections.

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

HB 2206: multistate voter registration system; prohibition
Sponsor: Representative Taylor, LD 29
Caucus & COW

Overview

Prohibits the state from participating in voter registration or voter registration list maintenance organizations that require the state to share information derived from voter registration records.

History

The Electronic Registration Information Center (ERIC) is a non-profit organization that aims to assist states in improving the accuracy of their voter rolls and increasing access to voter registration. Arizona joined ERIC as a member state in 2017. The member states are required to submit certain data, such as voter registration and motor vehicle license data. ERIC issues the states reports that include voters who have moved, voters who have died and individuals who are potentially eligible to vote (ERIC).

Provisions

1. Prohibits the state from being a member of a multistate voter registration or voter registration list maintenance organization that requires the state to provide the organization with information derived from voter registration records. (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
House: FMAE DP 4-2-1-0

HB 2391: JPs; constables; signatures
Sponsor: Representative Carter N, LD 15
Caucus & COW

Overview
Alters the number of signatures a candidate for justice of the peace or constable must collect.

History
A nomination paper is a form filed with the appropriate office by a person, declaring their intent to become a candidate for a particular political office. The requirement for the number of qualified signatures a candidate must collect differs based on the office they are running for. A qualified signer is a qualified elector who is: 1) a registered member of the political party from which the candidate is seeking nomination; 2) a member of a party not entitled to continued representation; or 3) registered as an independent (A.R.S. §§ 16-311, 16-321).

Only certain candidates can collect their nomination petition signatures through E-QUAL, a secure internet portal maintained by the Secretary of State, including candidates for statewide and federal legislative offices, judicial offices requiring a nomination petition, municipal offices, county offices, office of the clerk of the superior court and precinct committeemen (A.R.S. §§ 16-316, 16-317, 16-318, 16-319, SOS Website).

Provisions
1. Requires a candidate for justice of the peace or constable, in a county with a population of 1,000,000 persons or more, to collect at least 1% but not more than 10% of the number of qualified signers in their precinct. (Sec. 1)
2. Specifies that in a county with a population less than 1,000,000 persons, a candidate for justice of the peace or constable must collect at least 1% but not more than 10% of the number of qualified signers in their precinct or 300 signatures, whichever is less. (Sec. 1)
3. Makes 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
House: FMAE DP 4-2-1-0

HB 2649: electoral college; support
Sponsor: Representative Montenegro, LD 29
Caucus & COW

Overview
Asserts the Legislature's support for the electoral college.

History
The number of presidential electors is equal to the number of Senators and Representatives in Congress from this state. After the Secretary of State issues the canvass containing the results of a presidential election, the presidential electors of Arizona cast their electoral college vote for the candidate that received the highest number of votes (A.R.S. § 16-212).

Provisions
1. Declares the Legislature's support of the electoral college in presidential elections. (Sec. 1)

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

HB 2651: voting equipment; requirements; origin
Sponsor: Representative Montenegro, LD 29
Caucus & COW

Overview

Requires starting in 2029 that the Secretary of State cannot certify new vote recording or tabulating machines unless they are completely sourced, manufactured and assembled in the United States.

History

The Secretary of State is charged with appointing a committee to investigate and test the various types of vote recording and vote tabulating machines that can be certified for use in federal, state and county elections. The committee submits its recommendations to the Secretary of State who makes the final adoption of which machines will be certified for use in this state. Machines used at any election for federal, state or county offices may only be used in this state if they comply with the Help America Vote Act (HAVA) and if those machines have been tested and approved by a laboratory that is accredited pursuant to the HAVA (A.R.S. § 16-442).

Provisions

1. Prohibits the Secretary of State, beginning in 2029, from certifying a vote recording or tabulating machine used for federal, state and county elections unless 100% of the parts and components are sourced, manufactured and assembled in the United States. (Sec. 1)
2. Exempts vote recording and vote tabulating machines and devices acquired before January 1, 2028, from the requirement in this act. (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
House: FMAE DP 4-3-0-0

HCM 2004: military bases; exemption from ESA
Sponsor: Representative Griffin, LD 19
Caucus & COW

Overview
A Concurrent Memorial requesting that Congress enact legislation exempting military bases and training facilities from the Endangered Species Act.

History
The Endangered Species Act (ESA) requires federal agencies to ensure actions they authorize, fund or carry out are not likely to jeopardize the continued existence of any listed species or result in the destruction or adverse modification of designated critical habitats of such species (16 U.S.C. § 1531, *et. seq*).

Provisions
1. States the mission of the United States Department of Defense (DOD) is to provide for a military force that is needed to deter war and protect our country. (Sec. 1)
2. Recognizes the fundamental principle of military readiness is for the military to train as it intends to fight. (Sec. 1)
3. Acknowledges that DOD has established several military training facilities in Arizona to accomplish its military readiness goal. (Sec. 1)
4. Asserts the DOD indicates that heightened focus on the application of environmental statutes has affected the use of its training areas.
5. Specifies that compliance with environmental regulations, especially the ESA, has:
   a. Caused some training activities to be canceled, postponed or modified; and
   b. Forced military officials to make adjustments to training regimens. (Sec. 1)
6. Acknowledges that the DOD has obtained exemptions from three environmental laws and sought exemptions for three others since 2003 and such exemptions help ensure the military's ability to meet unexpected threats and maintain its high state of readiness. (Sec. 1)
7. Asserts a report from the Government Accountability Office found DOD's existing environmental exemptions have not adversely affected the environment. (Sec. 1)
8. States the military has proven to be a responsible and effective steward of land and environment. (Sec. 1)
9. Asserts the importance of having a strong national defense. (Sec. 1)
10. Urges Congress to enact legislation exempting United States military bases and training facilities from the regulations and restrictions of the ESA. (Sec. 1)
11. Requires the Secretary of State transmit this Memorial to the President of the United States, the Speaker of the House of Representatives, the President of the Senate and each Member of Congress from Arizona. (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
House: FMAE DP 4-3-0-0

HCR 2040: elections; foreign contributions; donations; certification
Sponsor: Representative Montenegro, LD 29
Caucus & COW

Overview
Prohibits the use of monies or in-kind goods and services from a foreign government in election administration.

History
Campaign finance reports are required to be filed by any candidate committee, political action committee or political party. These reports must include the total receipts during the reporting period including contributions from out-of-state individuals and political action committees. In addition, disbursements or expenditures advocating for the election or defeat of a candidate and the passage or defeat of a ballot measure must be included. Campaign finance reports must be accompanied by a certification by a committee's treasurer, issued under penalty of perjury, that the contents of the report are true and correct (A.R.S. §§ 16-901, 16-926).

The Attorney General is responsible for the enforcement of election statutes and regulations through civil and criminal actions (A.R.S. § 16-1021).

Provisions
1. Prohibits government entities from using monies or in-kind goods or services that are donated by a foreign government or foreign nongovernmental source for election administration. (Sec. 1)
2. Requires a person or vendor that provides services to a government entity for election administration to provide a certification including a dated and sworn statement to the Secretary of State. (Sec. 1)
3. Specifies that this certification must be updated annually. (Sec. 1)
4. Requires that, upon receipt of previously unknown information, the person update their certification and include a new statement that the person is not knowingly the recipient of donations from a foreign source. (Sec. 1)
5. Mandates that the Secretary of State require government entities to provide a quarterly report that lists any person or vendor providing services to that government entity for election administration. (Sec. 1)
6. Requires records of the certifications to be maintained by the Secretary of State and posted online. (Sec. 1)
7. Specifies that failing to provide the certification or providing an inaccurate certification invalidates any agreement with the government entity and bars the government entity from entering or continuing any agreement with that person. (Sec. 1)
8. Establishes that a person or vendor that knowingly fails to provide an accurate certification is guilty of a class 1 misdemeanor. (Sec. 1)
9. Authorizes the Attorney General to file an action regarding a person knowingly violating the above provisions and details the damages for such an action. (Sec. 1)
10. Allows any qualified elector or state official to bring a civil action for any or all of the following:
    a) enjoining a violation of the above provisions;
    b) enforcing any of the above provisions; and
    c) outlines what the court must award if an action is successful. (Sec. 1)
11. Specifies that the remedies and penalties prescribed are in addition to all other causes of action, remedies and penalties provided by law. (Sec. 1)

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

12. Prohibits a foreign government from knowingly giving a person, entity or committee, and such an entity from knowingly accepting or using, in-kind goods or services contributed by a foreign government or a foreign nongovernmental source to influence the outcome of an election or ballot measure. (Sec. 2)
13. Requires any person, entity or committee required to file campaign finance reports to certify under penalty of perjury that they did not accept or use monies or in-kind goods or services from a foreign government or foreign nongovernmental source. (Sec. 2)
14. Specifies that a foreign government does not include federally recognized sovereign tribal nations. (Sec. 1, 2)
15. Defines *foreign nongovernmental source* and *person*. (Sec. 1, 2)
16. Requires the Secretary of State to submit this proposition to the voters at the next general election. (Sec. 2).
17. Becomes effective if approved by the voters and on proclamation of the Governor.

HB 2216: pregnancy centers; grant program
Sponsor: Representative Blackman, LD 7
Caucus & COW

Overview

Establishes the Positive Alternatives for Pregnancy and Parenting Grant Program, and establishes requirements to receive a grant, how the program will be administered and reporting requirements.

History

The Arizona Department of Health Services (Department) is required to post on their website home page a list of public and private agencies and services available to assist a woman through pregnancy, childbirth and while their child is a dependent. Agencies that counsel, refer or perform abortions are prohibited from the list. The Department must also provide a separate webpage for information about public and nonprofit adoption agencies not affiliated with an abortion provider (A.R.S. § 36-2153.01).

The Health Insurance Portability and Accountability Act of 1996, commonly known as HIPAA, establishes federal standards to protect a patient's sensitive health information from being disclosed without their consent (CDC).

Provisions

1. Establishes the Positive Alternatives for Pregnancy and Parenting Grant Program (Program) in the Department. (Sec.1)
2. States that the purpose of the Program is to develop a statewide effort to promote healthy pregnancies and childbirths by awarding grants to nonprofits that provide pregnancy support services. (Sec.1)
3. Allows the Department to accept and spend gifts, grants and donations for the Program. (Sec.1)
4. Requires the Department to oversee the Program and authorizes the Department to use a contract management agency to operate the Program including creating and administering a grant program and coordinating between the Department and direct client service providers. (Sec.1)
5. States the Program must fund services that include:
   a. medical care and information including pregnancy tests, sexually transmitted infection tests, other health screenings, ultrasound services, prenatal care and birth classes and planning;
   b. nutritional services and education;
   c. housing, education and employment assistance during pregnancy and up to one year after a birth;
   d. adoption education, planning and services;
   e. child care assistance if necessary for the client to receive pregnancy support services;
   f. parenting education and support services for up to one year following a birth;
   g. material items that support pregnancy and childbirth such as cribs, car seats, clothing and formula; and
   h. information regarding healthcare benefits, including Medicaid coverage. (Sec.1)
6. Requires grants to be awarded annually on a competitive basis to direct client services providers that display competent experience in services as prescribed above. (Sec.1)
7. Requires the Department, with input from the contract management agency, to determine the maximum grant amounts allowed to be awarded to a direct client service agency but prohibits the limit from being more than 85% of the annual revenue for the prior year of any provider. (Sec.1)
8. Requires the direct client service provider to sign a contract with the contract management agency stipulating they must use the funds at their discretion to provide pregnancy support services and cannot use grant money to promote political or religious purposes. (Sec.1)

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

9. Stipulates in the contract that direct client service providers cannot perform, promote or act as a referral for abortion unless the client has a condition that makes abortion necessary to prevent the client's death. (Sec.1)

10. Establishes requirements for a direct client service provider to apply for a grant including:
    a. be a nonprofit incorporated in the state with a tax exempt 501(c)(3) status;
    b. have a mission statement of promoting healthy pregnancy and childbirth;
    c. have a system of financial accountability complying with generally accepted accounting principles including an annual budget;
    d. have a board that hires and supervises a director that manages the organization's operations;
    e. have provided pregnancy support services for one year prior to applying;
    f. at a minimum offer pregnancy tests and counseling for women dealing with unplanned pregnancy;
    g. provide confidential and free pregnancy support services;
    h. provide pregnant clients with accurate information on developmental characteristics of babies and unborn children, including printed material on fetal development and support available after birth;
    i. ensure awarded grant money is not used to encourage or affirmatively counsel for abortions unless it is necessary to prevent a woman from death, directly refer a woman to an abortion provider or provide an abortion; and
    j. maintain confidentiality of all data, files and records relating to clients in compliance with state and federal law. (Sec.1)

11. Requires the Department to publish client service provider criteria on its website. (Sec.1)

12. Requires direct client service providers to maintain and report data to the contract management agency annually that includes the number of clients who:
    a. used the direct client service provider's pregnancy support services;
    b. are or were pregnant; and
    c. chose childbirth, adoption or abortion after receiving pregnancy support services. (Sec. 1)

13. Allows the Department, at their discretion, to require other information and data from a provider. (Sec.1)

14. Requires the Department, the contract management agency and direct client service providers to maintain confidentiality of all data, files and records of clients related to the services provided according to federal and state laws including HIPAA. (Sec.1)

15. Requires the contract management agency to contract an audit of direct client service providers annually 120 days after the agency's fiscal year to verify they are in compliance with all statutory and Department requirements. (Sec.1)

16. Requires the Department to report no later than September 1 about the program to the Governor, Speaker of the House of Representatives and Senate President, with a copy of the report sent to the Secretary of State. (Sec.1)

17. Requires the report include the number of gifts, grants and donations the Program receives, the total amount of Program expenses and the amounts awarded as grants to direct client service providers. (Sec.1)

18. Defines pertinent terms. (Sec.1)

HB 2296: shared parenting time; presumption; prohibition
Sponsor: Representative Fink, LD 27
Caucus & COW

Overview

Specifies a court may not assume a parenting plan that includes shared parenting time is in the best interest of the child.

History

In a legal decision-making or parenting time proceeding, the court is required to make a decision based on the best interests of the child. In these proceedings, both parties are required to submit a proposed parenting plan that outlines each parent's rights and responsibilities, practical schedules of parenting time and procedures for review and communication (A.R.S. §§ 25-403, 25-403.02).

Either party can make a motion for the modification of a legal decision-making or parenting time decree after a specified time. When making a decision on a modification petition, the court is required to consider the bests interests of the child, any changes in circumstance from the original decree and certain factors relating to a parent's military status or involvement (A.R.S. § 25-411).

Provisions

1. Prohibits a court from assuming that a parenting plan or parenting time schedule, that reflects shared parenting time, is in the best interests of the child. (Sec. 1, 2, 3)
2. Makes technical and conforming changes. (Sec. 1, 2, 3)

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

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session
House: GOV DPA 4-3-0-0

HB 2671: DCS; kinship care placement; requirement
Sponsor: Representative Fink, LD 27
Caucus & COW

Overview

Requires that extended family members be included and a part of all proceedings in a search for potential foster parents and in court proceedings relating to kinship foster care.

History

Kinship Foster Care

The Arizona Department of Child Safety (DCS) established kinship foster care services to promote placement of a child in the custody of DCS with the child's relative. Kinship foster care parents may be eligible to receive full foster care financial benefits and temporary financial assistance. DCS must provide kinship foster care parents with certain nonfinancial services and information about the resources available to them (A.R.S. § 8-514.03).

Temporary Custody, Initial Search and Documentation

If a child is placed in the temporary custody of DCS, the department must conduct a search to identify and notify the child's adult relatives and persons with a significant relationship to the child. This search for relatives or persons with a significant relationship to the child must include interviews with specified persons, a comprehensive search of relevant records and other means that are likely to identify one of these persons. In addition, DCS is required to provide documentation with the court containing the completed due diligence search efforts that specify the steps taken by DCS to locate possible kinship foster care placements. Any person identified as a possible kinship foster care parent through this search must be provided written notice that includes information about the child's current situation, the options available to them, the process to become a foster parent and the resources available for foster parents (A.R.S. § 8-514.07).

Preliminary Protective Hearings

A preliminary protective hearing is held within five to seven days of a child being taken into temporary custody by DCS. Statute dictates who must be and may be present at this hearing and the court's obligation to advise a parent or guardian of their rights. During the hearing the court must follow specific procedural requirements that include instructions on what factors are relevant, specific information that a parent, guardian or child must be informed of and what information DCS must provide. At the conclusion of the hearing, if the child is not returned to their parent or guardian, the court must enter orders regarding the placement of the child (A.R.S. § 8-824).

Initial Dependency Hearing

An initial dependency hearing must be set within 21 days after the petition is filed. At the hearing the court must determine if the parent or guardian is providing all of the necessary information required of them, if DCS is conducting their required due diligence search and if DCS is attempting to identify and place the child with their siblings, if possible (A.R.S. § 8-842).

Provisions

1. Requires kinship foster care services to place the child in kinship foster care with their relative, an extended family member or a person with a significant relationship to the child. (Sec. 2)
2. Adds extended family members to the possible kinship placements to be identified, notified and involved with the mandatory due diligence search by DCS when a child is in their temporary custody. (Sec. 3)
3. Specifies that extended family members and a person with a significant relationship with the child must also be included in all required documentation to the court, including documents on potential kinship placement and on completed due diligence search efforts. (Sec. 3)

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

4. Mandates extended family members be provided with written notice if they are identified as a potential placement through the mandatory search by DCS. (Sec. 3)
5. Instructs DCS to include extended family members in further search efforts if the child is not given a permanent placement. (Sec. 3)
6. Adds relatives, extended family members and a person with a significant relationship with the child to the list of people that the child has a right to receive appropriate care from and who should be considered for placement. (Sec. 4)
7. Specifies that a child has the right be placed with or in close proximity to their siblings when it does not pose a risk to the child's or their sibling's safety. (Sec. 4)
8. Establishes that the child in foster care has the right to receive an update, at least every 30 days, of the status of DCS's efforts to place them in kinship foster care. (Sec. 4)
9. Changes when DCS must submit their required written report to the court from one day to five days prior to the preliminary protective hearing. (Sec. 6)
10. Specifies that reports in a preliminary protective hearing must also reference extended family members as a possible placement for the child. (Sec. 6)
11. Asserts that it is an abuse of judicial discretion, during a preliminary protective hearing and initial dependency hearing, if the court fails to order the placement of a child with a relative, extended family member or a person who has a significant relationship with the child, if the placement is available. (Sec. 6, 7)
12. Requires the court, in an initial dependency hearing, to order the child be placed with a relative, extended family member or a person who has a significant relationship with the child, if the placement is available and in the best interest of the child within 48 hours after the hearing. (Sec. 7)
13. Defines *extended family member* and *best interest of the child*. (Sec. 1, 2, 5)
14. Makes technical and conforming changes. (Sec. 1, 4, 5, 7)

Amendments

Committee on Government

1. Requires DCS to file specified documentation with the court at least every 30 days for a minimum of 6 months.
2. Adds relatives extended family members and persons with a significant relationship to the child to the list of people referenced in the rights of a child in foster care or kinship foster care.
3. Specifies kinship foster homes are a part of the placement options for a child in the custody of DCS.
4. Specifies a child must be updated with DCS's efforts to place them only if it is requested by the child.
5. Removes language that asserts that a child's specified rights in foster care do not establish an independent cause of action.

HCR 2042: preferential treatment; discrimination; prohibited acts
Sponsor: Representative Montenegro, LD 29
Caucus & COW

Overview

A constitutional amendment that expands prohibitions on preferential treatment and discrimination on the basis of race or ethnicity in public education, spending and hiring practices.

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 from compelling an applicant, employee, student or contractor to endorse or support an individual on the basis of race or ethnicity as a condition of admission, graduation, hiring, promotion, certification, contracting decision or other employment function or scholarship opportunity. (Sec. 1)

2. Prohibits the state from requiring or soliciting the previously mentioned individuals' statements in support of the following:
   a. theories or practices that advocate for differential treatment on the basis of race or ethnicity;
   b. formulations of race-based diversity, equity, inclusion, or intersectionality in contemporary American society beyond equal protections of law guaranteed by the United States Constitution; or
   c. belief that a racially neutral or colorblind law, policy or institution perpetuates racial oppression, injustice or race-based privilege in contemporary American society. (Sec. 1)

3. Prohibits the state from spending public money to operate or contract an office or position in a public educational institution responsible for promoting preferential treatment or discrimination toward an individual or group based on race or ethnicity. (Sec. 1)

4. Specifies that the previous provision prohibits using appropriated money or revenue to promote or promulgate the following:
   a. efforts to manipulate or influence the composition of the faculty or student body with reference to race, sex or ethnicity except from ensuring colorblind and sex neutral admission and hiring practices according to federal and state antidiscrimination laws;
   b. differential treatment or special benefits based on race or ethnicity;
   c. policies and procedures designed or implemented in reference to race or ethnicity;
   d. training, programming, or activities with reference to race, ethnicity, intersectionality, gender identity or sexual orientation; or
   e. related practices or concepts as prescribed by the legislature. (Sec. 1)

5. Clarifies the prohibition does not include the following:
   a. academic instruction, research or creative work and its dissemination by students, faculty or research personnel;
   b. activities of registered student organizations or arrangements with guest speakers or performers for short-term engagements; or
   c. mental or physical health services provided by a licensed professional. (Sec. 1)

6. Prohibits the state from implementing disciplinary policies or practices that treat students or employees differently based on race or ethnicity. (Sec. 1)

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

7. Prohibits the state from requiring or soliciting an individual to confess race-based privilege or discuss the individual's race, ethnicity or views and experience of others race and ethnicity. (Sec. 1)

8. Prohibits the state from giving preferable consideration to an individual for an opinion or act in support of another individual or group based on their race or ethnicity. (Sec. 1)

9. Prohibits the state from requiring training or courses that promote the tenets of provisions 2, 7 and 8. (Sec. 1)

10. Prevents prohibitions on the following;
    a. sex-specific spaces or designations that are reasonable and necessary for the operation of public employment, education or contracting;
    b. establishing or maintaining a federal program if ineligibility results in a loss of federal money to the state and the action that would be otherwise prohibited is limited to outreach, advertising or communication and does not modify the application criteria or evaluation of students, employees or candidates;
    c. qualifications based on tribal membership for programs designed to serve Indian tribes;
    d. data collection, advertising or outreach required by federal law;
    e. mental or physical health services provided by a licensed professional;
    f. training, programs or activities created by an attorney and approved by an institution's general counsel and governing board for the sole purpose of complying with an applicable court order, or anti-discrimination laws;
    g. identifying and discussing historical movements, ideologies or instances of racial hatred or discrimination including slavery, Indian removal, the Holocaust or Japanese-American internment;
    h. requiring disclosures of a state applicant, employee or contractor's scholarly research or creative work;
    i. requiring a state applicant, employee or contractor to certify compliance with state and federal antidiscrimination laws; or
    j. requiring a state applicant, employee or contractor to certify the existence of an affirmative action plan that does not include preferential treatment based on race or ethnicity if required by federal law. (Sec. 1)

11. Specifies the measure only applies to actions taken after December 14, 2010. (Sec. 1)

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.

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session
House: HHS DP 11-0-0-1

HB 2026: dental board; formal hearings
Sponsor: Representative Bliss, LD 1
Caucus & COW

Overview
Allows the Arizona State Board of Dental Examiners (Board) to issue a formal complaint and order a formal hearing if after completion of the Board's investigation or review finds information that is sufficient to merit revocation or suspension of a license.

History
The Board regulates and licenses dental professionals, including dentists, dental hygienists, dental consultants, dental therapists and denturists. Additionally, the Board reviews complaints against licensees and business entities, conducts investigations and is authorized to take disciplinary action for violations of state laws relating to the profession (A.R.S. §§ 32-1201 through 32-1299.26).

Currently, the Board or its investigation committee can investigate any evidence that appears to demonstrate any of the causes or grounds for disciplinary action against any person who is licensed by the Board. The Board or its investigation committee must conduct necessary investigations, including interviews between the investigation committee or Board representatives and the licensee, with respect to any information obtained by the Board or investigation committee during the course of an investigation.

If, after completing its investigation or review, the Board finds that the information provided is sufficient to merit disciplinary action against a licensee, the Board may request that the licensee participate in a formal interview before the Board. If the licensee refuses or accepts the invitation for a formal interview and the results indicate that grounds may exist for revocation or suspension, the Board must issue a formal complaint and order that a hearing be held. If the Board finds that the protection of the public requires emergency action after completion of the formal interview, the Board may order a summary suspension of the license pending formal revocation proceedings or other actions (A.R.S. § 32-1263.02).

Provisions
1. Permits the Board to issue a formal complaint and order a formal hearing if after completion of the Board's investigation or review finds information that is sufficient to merit revocation or suspension of a license. (Sec. 1)
2. Allows the Board to take certain actions if after completing a formal hearing the Board finds that the information provided during the investigation or review is insufficient to merit suspension or revocation of a license. (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
House: HHS DPA 10-2-0-0

HB 2066: child care facilities; program providers
Sponsor: Representative Gress, LD 4
Caucus & COW

Overview

Specifies that an out-of-school time (OST) program provider that opts to be licensed as a child care facility is not required to keep a roster of school-age children for each room or activity area within the facility. Requires a child care facility licensing application to include a notarized attestation from a registered architect that verifies the architectural plans and specifications meet or exceed standards adopted by the Arizona Department of Health Services (DHS).

History

A *child care facility* is any facility in which child care is regularly provided for compensation for five or more children not related to the proprietor (A.R.S. § 36-881).

DHS prescribes rules regarding the health, safety and well-being of children being cared for in a child care facility. These rules include standards for the following:

1) adequate physical facilities for the care of children, such as building construction, fire protection, sanitation, sleeping facilities, isolation facilities, toilet facilities, heating, ventilation, indoor and outdoor activity areas and if provided by the facility, transportation safely to and from the premises;
2) adequate staffing per number and age groups of children by persons who are qualified by education or experience to meet their respective responsibilities in care of children;
3) activities, toys and equipment to enhance the development of each child;
4) nutritious and well-balanced food;
5) encouragement of parental participation; and
6) exclusion of any person from the facility whose presence may be detrimental to the welfare of children (A.R.S. § 36-883).

Provisions

1. States that an OST program provider that opts to be licensed as a child care facility and keeps a roster of school-age children who are present in the facility is not required to keep a roster of the school-age children for each room or activity area within the facility. (Sec. 1)
2. Requires a license application for a child care facility to include, on a form provided by DHS, a notarized attestation from a registered architect that verifies the architectural plans and specifications meet or exceed the standards adopted by DHS. (Sec. 1)

Amendments

Committee on Health & Human Services

1. Specifies that an OST program provider that opts to be licensed as a child care facility is not required to keep a roster of school-age children for each room or activity area within the child care facility if both:
   a) the program provider keeps a roster of school-age children who are present at the child care facility; and
   b) the school-age children are supervised by designated staff when moving from one activity area to another activity area with their respective cohort, as required by DHS. (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-seventh Legislature
First Regular Session
House: HHS DP 8-4-0-0

HB 2126: medical records; parental rights
Sponsor: Representative Willoughby, LD 13
Caucus & COW

Overview
Requires a health care entity to give a parent access to any electronic portal and any other health care delivery platform that is separate but equal to the minor child's access throughout the minority of the parent's child, while maintaining any confidentiality that is owed to the minor child pursuant to law or court order.

History
As outlined in the parents' bill of rights, all parental rights are exclusively reserved to a parent or a minor child without obstruction or interference from this state, any political subdivision, any other governmental entity or other institution. This includes:

1) the right to make all health care decisions for the minor child, including the right to not consent to the immunization of their child, the right to consent to mental health treatment or screening for their child and the right to consent to surgical procedures for their child; and
2) the right to request, access and review all written and electronic medical records of the minor child unless otherwise prohibited by law or unless the parent is the subject of an investigation of a crime committed against the minor child and law enforcement officially requests that the information not be released (A.R.S. §§ 1-602, 15-873, 36-2271, 36-2272).

Medical services that do not require parental consent include:

1) when it has been determined by a physician that an emergency exists and is necessary to perform surgical procedures for the treatment of a serious disease, injury or drug abuse, to save the life of the patient or when such parent or legal guardian cannot be located or contacted after reasonably diligent effort;
2) when an emergency exists that requires a person to perform mental health screening or provide mental health treatment to prevent serious injury or save the life of a minor child;
3) an emergency case in which a minor needs immediate hospitalization, medical attention or surgery and after reasonable efforts made under the circumstances, the parents of such minor cannot be located for the purpose of consenting thereto, consent for said emergency attention may be given by any person standing in loco parentis to said minor; and
4) any minor who is at least 12 years old who is found, upon diagnosis of a licensed physician or registered nurse practitioner to be under the influence of a dangerous drug or narcotic (which includes withdrawal symptoms), may be considered an emergency case and the minor is considered as having consented to hospital or medical care needed for treatment for that condition (A.R.S. §§ 36-2271, 36-2272, 44-133, 44-133.01).

A similar bill was introduced in the 56th Legislature, 2nd Regular Session and was vetoed by the Governor (HB 2183 parental rights; medical records).

Provisions
1. Requires a health care entity to give a parent access to any electronic portal and any other health care delivery platform that is separate but equal to the minor child's access throughout the minority of the parent's child, while maintaining any confidentiality that is owed to the minor child pursuant to law or court order. (Sec. 1)

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

2. Specifies that a parent's right to request, access and review all written and electronic medical records of the minor child includes access to written and electronic medical records for services not requiring parental consent, including those in certain emergency circumstances in which the minor is:
   a) in need of a mental health screening and treatment;
   b) in need of immediate hospitalization, medical attention or surgery; and
   c) at least 12 years old and has been diagnosed to be under the influence of a dangerous drug or narcotic and in need of treatment. (Sec. 1)

3. Makes a technical change. (Sec. 1)

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session
House: HHS DP 10-0-0-2

HB 2628: pharmacists; emergency medication; administration
Sponsor: Representative Weninger, LD 13
Caucus & COW

Overview

Allows an authorized pharmacist to order and administer emergency medication to manage an acute allergic reaction to the medication that was administered at the pharmacy. Outlines procedures for pharmacists who administer emergency medication.

History

The State Board of Pharmacy (Board) regulates the practice of pharmacy to protect the health, safety and welfare of Arizona citizens.

A pharmacist who administers an immunization, vaccine or emergency medication must:

1) notify the person's identified primary care provider or physician within 48-hours after administering the immunization, vaccine or emergency medication, as prescribed by the Board by rule;
2) report information to the Arizona State Immunization Information System established by the Department of Health Services;
3) maintain a record of the immunization;
4) notify the person's identified primary care provider or physician, within 24-hours after occurrence, any adverse reaction that is reported to or witnessed by the pharmacist and that is listed by the vaccine manufacturer as a contraindication to further doses of the vaccine;
5) notify the vaccine adverse event reporting system in accordance with the United States Centers for Disease Control and Prevention's (CDC) Advisory Committee recommendations;
6) provide vaccine information materials to those requesting immunizations or vaccines and, for persons under 18 years of age, provide educational materials to the person's parent or guardian about the importance of pediatric preventive health care visits as recommended by the American Academy of Pediatrics; and
7) follow the standard operating procedures adopted by the pharmacy or other institution where the immunization, vaccine or emergency medication is administered that are based on the vaccine administration protocols and immunization practices published in the CDC Morbidity and Mortality weekly report (A.R.S. § 32-1974).

The Board must adopt rules for ordering and administering vaccines, immunizations and emergency medications regarding: 1) recordkeeping and reporting requirements; and 2) requirements and qualifications for pharmacist authorization (A.R.S. § 32-1974).

Provisions

1. Allows an authorized pharmacist to order and administer emergency medication to manage an acute allergic reaction to the medication that was administered at the pharmacy. (Sec. 1)

2. Requires a pharmacist who administers emergency medication to:
   a. notify the person's identified primary care provider or physician within 48-hours after administering the emergency medication as prescribed by Board rule; and
   b. follow the standard operating procedures adopted by the pharmacy or other institution where the emergency medication is administered, including any emergency management policies and procedures. (Sec. 1)

3. Requires a pharmacist to make a reasonable effort to identify the person's primary care provider or physician by the following methods:

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

a. checking pharmacy records; and
b. requesting the information from the person or, in the case of a minor, the person's parent or guardian. (Sec. 1)

4. Clarifies that this does not establish a cause of action against a patient's primary care provider or physician for any adverse reaction, complication or negative outcome arising from the administration of any emergency medication by a pharmacist to the patient if the medication is administered without a prescription order written by the primary care provider or physician. (Sec. 1)

5. Defines *emergency medication* to be emergency epinephrine, corticosteroids, albuterol, oxygen and antihistamines. (Sec. 1)

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session
House: JUD DP 8-0-1-0

HB 2492: guardianship; court appointments; care placement
Sponsor: Representative Hernandez C, LD 21
Caucus & COW

Overview
Allows the court to appoint a medical professional to evaluate an alleged incapacitated person's capacity under certain conditions, modifies responsibility for evaluation costs, and expands a guardian's authority to consent to certain treatment services for a ward.

History
Guardianship is a legal arrangement where a court appoints a guardian to make personal decisions for a person (called a ward) who is unable to make such decisions for himself due to incapacity. A guardian is responsible for the personal care and decisions of the ward, such as healthcare or living arrangements. Guardianship is distinct from conservatorship; a conservator is responsible for managing an incapacitated person's financial affairs. The same person may serve both roles, but they are distinct legal arrangements (A.R.S. Title 14, Chapter 5).

An individual or any interested party may file a petition with the court for guardianship of an alleged incapacitated person. The court, upon receiving such petition, must schedule a hearing and ensure the alleged incapacitated person has legal representation. A court-appointed investigator and a physician, psychologist or registered nurse (medical professional) must assess the person's condition and submit their reports to the court. The person has the right to be present at the hearing, cross-examine witnesses, present evidence, and request a jury trial (A.R.S. § 14-5303).

Provisions
1. Asserts that the court may appoint a medical professional to perform an independent evaluation of an alleged incapacitated person's capacity if:
   a. The person does not have an established relationship with a medical professional who is qualified to perform the evaluation; and
   b. If a guardianship petition is filed, or upon the court's own motion. (Sec. 2)
2. Permits, if a guardianship petition is denied, the court to order the alleged incapacitated person or the petitioner to pay the costs of the evaluation. (Sec. 2)
3. Stipulates, if the court determines that the alleged incapacitated person or the petitioner are unable to pay the costs of the evaluation, that the court may order the county of jurisdiction to pay the costs. (Sec. 2)
4. Permits a guardian to consent to treatment for a ward in:
   a. A community residential treatment program;
   b. An in-home individual and family support prevention service; or
   c. A medication management and observation service. (Sec. 3)
5. Makes technical and conforming changes. (Sec. 1-3)

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

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session
House: JUD DP 8-0-0-1

HB 2581: tracking system; sexual assault kits
Sponsor: Representative Bliss, LD 1
Caucus & COW

Overview
Directs the Department of Public Safety (DPS) to create a statewide Sexual Assault Kit Evidence Tracking System (Tracking System) to monitor the collection, storage, analysis and destruction of sexual assault kits.

History
A health care facility that obtains written consent to release sexual assault kit evidence shall notify the investigating law enforcement agency — or, if the investigating agency is not known, the law enforcement agency that has jurisdiction in that portion of the local unit of government in which the health care facility is located — within forty-eight hours after the sexual assault kit evidence collection (A.R.S. § 13-1426). Law enforcement agencies and crime laboratories are required to annually report to DPS data on the number of sexual assault kits received and analyzed (A.R.S. § 13-1427).

Provisions
1. Mandates that DPS must establish a Tracking System. (Sec. 1)
2. Instructs medical providers, law enforcement agencies, public accredited crime laboratories and other entities that have custody or use of sexual assault kit evidence to submit that information to the Tracking System. (Sec. 1)
3. Requires the Tracking System to be able to track the:
   a. initial collection of evidence for the kit in a forensic medical examination;
   b. receipt and storage of the kit at a law enforcement agency;
   c. receipt and analysis of the kit at a public accredited crime laboratory; and
   d. storage and destruction of the kit. (Sec. 1)
4. Requires the Tracking System to allow authorized entities to update and track the status and location of the kits. (Sec. 1)
5. Requires the Tracking System to allow victims to anonymously track and receive updates regarding the status and location of their kits, along with advance notification of destruction. (Sec. 1)
6. Asserts that the Tracking System's records are confidential except that they may be accessed by the victim and authorized entities that are responsible for the kit. (Sec. 1)
7. Defines pertinent terms. (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
House: JUD DP 9-0-0-0

HB 2653: victims; disclosure requirements; witnesses; names
Sponsor: Representative Weninger, LD 13
Caucus & COW

Overview
Allows victims and crime witnesses to request the redaction of their names from public records in certain cases.

History
Statute restricts the disclosure of a victim's identifying and locating information — such as address, date of birth or social security number — in court proceedings and criminal case records. Victims cannot be compelled to testify about such information unless they consent or a court finds a compelling need for disclosure, and law enforcement and prosecution agencies must redact victims' private details from case records before sharing them with the defense (A.R.S. §§ 8-413; 13-4434). Similar provisions are made in law for witnesses to a crime (A.R.S. § 39-123.01).

Provisions
1. Permits victims in juvenile or criminal cases to request that their names be redacted from public records requests if law enforcement reasonably expects that disclosure would lead to harassment, threats to safety or witness tampering. (Sec. 1-2)
2. Stipulates that the name redaction for victims does not apply to any record:
   a. that is:
      i. transmitted between law enforcement agencies, prosecution agencies or a court; or
      ii. that is disclosed to the defendant, the defendant's attorney or any of the attorney's staff;
   b. where the victim is deceased;
   c. where the victim has consented to disclosure;
   d. that a court has ordered disclosed; or
   e. in a case where there is a final disposition. (Sec. 1-2)
3. Permits crime witnesses to request that their names be redacted from public records requests if law enforcement reasonably expects that disclosure would lead to harassment, threats to safety or witness tampering. (Sec. 3)
4. Stipulates that the name redaction for witnesses does not apply to any record:
   a. where the witness has consented to disclosure;
   b. that a court has ordered disclosed; or
   c. in a case where there is a final disposition. (Sec. 3)
5. Defines *final disposition*. (Sec. 1, 3)
6. Makes technical and conforming changes. (Sec. 1-3)

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

HB 2657: trusts; estates; policies; procedures
Sponsor: Representative Carter N, LD 15
Caucus & COW

Overview
Makes various revisions to A.R.S. Title 14 to update and clarify statute.

History
A.R.S. Title 14 governs trusts, estates and protective proceedings, providing a legal framework for the administration of decedents' estates, probate processes, wills, intestate succession, trusts, guardianships, conservatorships and fiduciary responsibilities. It includes provisions for managing estates of deceased or incapacitated persons, creating and enforcing trusts, addressing non-probate transfers and managing the rights and property of individuals under disability or minors. The title also sets rules for the conduct of fiduciaries, the use of powers of attorney, adult guardianships and digital assets access.

Provisions
1. Revises the definition of *will*, to include a document that nominates *guardians* and *conservators*, not just *guardians*. (Sec. 1)
2. Replaces the term *executor* with *personal representative*. (Sec. 1, 4-5)
3. Replaces the term *judge* with *judicial officer* in select provisions. (Sec. 1, 6)
4. Makes technical and conforming changes. (Sec. 1-8)

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

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session
House: JUD DPA 9-0-0-0

HB 2658: expungement of misdemeanor convictions
Sponsor: Representative Carter N, LD 15
Caucus & COW

Overview
Allows a person who was convicted of a misdemeanor to submit a *petition for expungement* (Petition) with the convicting court, provided that the individual satisfies all outlined requirements.

History
Current law allows an eligible person who has been convicted of a criminal offense to apply to the court to have the judgment of guilt *set aside*. When reviewing the application to set aside judgement, the court is mandated to review a multitude of factors, record all reasoning regarding the application and allow any victims to be present at the hearing. A conviction that has been set aside may not be redacted or removed from the individual's record but must contain an annotation indicating that it has been set aside (A.R.S. § 13-905).

Statute requires a court to issue a *certificate of second chance* upon approval of the Application if the individual has not previously received a certificate and either of the following are true:

1) the conviction is for a misdemeanor, class 6, 5 or 4 felony and a minimum of two years has passed since the fulfillment of probation or sentencing conditions; or
2) the conviction is for a class 2 or 3 felony and a minimum of five years has passed since the fulfillment of all probation or sentencing conditions (A.R.S. § 13-905).

The certificate releases an individual from any barriers resulting from the set aside conviction while obtaining an occupational license. Additionally, a certificate restores the individual's right to possess a firearm and provides the individual's employer and other entities with certain protections (A.R.S. §§ 12-588.03; 13-905).

Provisions
1. Permits a person who is convicted of a misdemeanor to petition the court for an expungement of conviction. (Sec. 1)
2. Stipulates that the Petition cannot be filed sooner than three years after completing all probation or sentencing conditions. (Sec. 1)
3. Instructs the petitioner to serve the Petition on the prosecuting attorney. (Sec. 1)
4. Requires the Petition to include:
   a. whether the petitioner has fulfilled the conditions of sentence or probation;
   b. whether the petitioner has any additional arrests or convictions; and
   c. a written recommendation for expungement from a third party. (Sec. 1)
5. Directs the court, upon receipt of a Petition, to notify the prosecuting agency. (Sec. 1)
6. Allows the prosecuting agency 30 days to respond to the Petition. (Sec. 1)
7. Permits the court to hold a hearing if requested by either party or if there is a genuine dispute of facts regarding if the Petition should be granted. (Sec. 1)
8. Requires the court to deny a Petition if either:
   a. the petitioner has unresolved matters in any jurisdiction; or
   b. the petitioner has not paid full restitution and all fines. (Sec. 1)
9. Requires the court, unless the prosecuting agency establishes by clear and convincing evidence that the petitioner is not eligible for expungement, to grant the expungement. (Sec. 1)

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

10. Directs the court to issue a signed order or minute entry granting or denying the Petition in which it makes findings of fact and conclusions of law. (Sec. 1)

11. Outlines the legal effects of an expungement, including vacating the conviction, sealing all related records and notifying various law enforcement agencies to update their records. (Sec. 1)

12. Asserts that an offence that is expunged may not be used in a subsequent prosecution by a prosecuting agency or court. (Sec. 1)

13. Instructs, if the victim hade a request for postconviction notice, the prosecuting attorney to inform the victim of the Petition and the victim's right to be heard on the Petition. (Sec. 1)

14. Asserts that, after expungement, a person may lawfully respond to an inquiry as though the conviction did not exist. (Sec. 1)

15. Excludes from eligibility for expungement the following offences:
    a. domestic violence;
    b. sexual offences;
    c. sexual exploitation of children;
    d. driving under the influence; and
    e. any felony offence committed at the same time as the expunged misdemeanor. (Sec. 1)

16. Contains a delayed effective date of January 1, 2026. (Sec. 2)

Provisions

Committee on Judiciary

1. Makes the court's granting of expungement to an eligible petitioner discretionary rather than required.

2. Revises various parts of the petitioning and hearing process.

3. Specifies that a person with an expunged record must still disclose his expunged crime when applying to a law enforcement agency.

HB 2678: indistinguishable; visual depiction; definition.
Sponsor: Representative Willoughby, LD 13
Caucus & COW

Overview

Modifies and expands several statutory definitions, in relation to the sexual exploitation of children, to include digital and indistinguishable depictions.

History

Chapter 35.1 of the Arizona Criminal Code outlines various offenses, classifications and legal procedures related to the sexual exploitation of minors. This chapter covers crimes such as the sexual exploitation of a minor, the commercial sexual exploitation of a minor and the production of visual depictions of minors engaged in sexual conduct. A.R.S. § 13-3551 provides the definitions for various particular terms used in Chapter 35.1.

Provisions

1. Defines *indistinguishable* to mean a visual depiction that a viewer would reasonably conclude is of an actual minor. (Sec. 1)
2. Broadens the definition of *minor* to include a visual depiction that is indistinguishable from an actual minor. (Sec. 1)
3. Broadens the definition of *visual depiction* to include visual images that are created or modified by computer software, artificial intelligence or other digital editing tools. (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
House: JUD DP 7-0-2-0

HB 2680: sentencing enhancements; vulnerable; incapacitated; adult.
Sponsor: Representative Way, LD 15
Caucus & COW

Overview
Modifies the sentencing ranges for certain felony offenses committed against vulnerable adults or incapacitated persons.

History
A *vulnerable adult* is an individual at least 18 years of age, who is unable to protect himself due to mental or physical impairment (A.R.S. § 13-3623).

An *incapacitated person*, is any person who is mentally or physically impaired and lacks proper understanding of their decisions, due to illness, intoxication or other causes (A.R.S. § 14-5101).

Statute prescribes sentencing ranges for felony offenders. A first-time felony offender may be sentenced within the following ranges:

1) for a class 6 felony, between six months and one and a half years;
2) for a class 5 felony, between nine months and two years;
3) for a class 4 felony, between one and a half years and three years;
4) for a class 3 felony, between two and a half years and seven years; and
5) for a class 2 felony, between 4 years and 10 years (A.R.S. § 13-702).

Provisions
1. Asserts that an individual who is at least 18-years of age or tried as an adult, and is convicted of any felony knowingly committed against a vulnerable or incapacitated adult, will not be eligible for sentence suspension or early confinement release. (Sec. 1)

2. Outlines exceptions for sentence suspension and early confinement release. (Sec. 1)

3. Increases the minimum, presumptive and maximum sentences by three years for a class 4, 5, or 6 felony and five years for a class 2 or 3 felony, in addition to any applicable enhanced sentences. (Sec. 1)

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

HB 2702: continuation; ACJC
Sponsor: Representative Kolodin, LD 3
Caucus & COW

Overview
Continues the Arizona Criminal Justice Commission (ACJC) for six months.

History
ACJC provides a cooperative exchange of information and analysis, on criminal justice and law enforcement, between public and private agencies. In addition, ACJC presents recommendations, reports and analyses to the legislature and governor regarding the Arizonan justice system.

The recommendation of the Judiciary Committee of Reference (COR) is that the ACJC be revised (Judiciary Committee on January 15, 2025).

Provisions
1. Continues, retroactively to July 1, 2025, ACJC until December 31, 2025. (Sec. 1, 5)
2. Contains a purpose statement. (Sec. 2)
3. Contains a legislative findings clause. (Sec. 3)
4. Contains a conforming legislative clause. (Sec. 4)

Amendments
Committee on Judiciary
1. Strikes the legislative findings clause. (Sec. 3)

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

HB 2720: hydrolyzed cocaine; threshold amount
Sponsor: Representative Biasiucci, LD 30
Caucus & COW

Overview

Consolidates the threshold amount for cocaine base and hydrolyzed cocaine with the nine-gram threshold for regular cocaine.

History

In Chapter 34 of the Criminal Code, the term *threshold amount* refers to a legally defined quantity of a drug that triggers enhanced criminal penalties for drug-related offenses. When the amount of drugs involved in an offense equals or exceeds the threshold amount, stricter sentencing guidelines may apply, as well as limitations on probation, suspension of sentence or early release from confinement.

Provisions

1. Strikes the 750-milligram threshold amount for cocaine base and hydrolyzed cocaine. (Sec. 1)
2. Adds hydrolyzed cocaine to the nine-gram threshold for regular cocaine. (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
House: JUD DPA 6-3-0-0

HCR 2037: prohibited weapons; definition repeal
Sponsor: Representative Kolodin, LD 3
Caucus & COW

Overview
Removes the category of *prohibited weapon* from Arizona law.

History
In the Arizona Criminal Code, a *prohibited weapon* is defined to include:

1) bombs, grenades, landmines and rockets with more than four ounces of propellant;
2) suppressors made to muffle the sound of a firearm;
3) fully automatic firearms;
4) short barreled rifles and shotguns;
5) breakable containers with flammable liquids and a wick (commonly called Molotov cocktails);
6) chemical explosives;
7) improvised explosive devices; and
8) parts or materials designed and intended to make bombs or explosives.

Statute explicitly exempts explosives, suppressors, automatic firearms and short barreled firearms from the definition of *prohibited weapon*, if those items are possessed in compliance with federal law (A.R.S. § 13-3101).

Provisions

1. Deletes the definition and category of *prohibited weapons* from the Criminal Code. (Sec. 1)
2. Instructs Legislative Council staff to prepare conforming legislation for this Act, to be considered in 2027 by the Fifty-Eighth Legislature, First Regular Session. (Sec. 5)
3. Contains an intent clause. (Sec. 4)
4. Designates this legislation with the short title *Shall Not Be Infringed Act*. (Sec. 6)
5. Makes technical and conforming changes. (Sec. 1-3)
6. Instructs the Secretary of State to submit this proposition to the voters at the next general election.

Amendments
Committee on Judiciary

1. Restores the definition and category of *prohibited weapons* to the Criminal Code.
2. Removes from the category of prohibited weapons:
   a) suppressors made to muffle the sound of a firearm;
   b) fully automatic firearms; and
   c) short barreled rifles and shotguns.
3. Strikes the instruction to Legislative Council to prepare conforming legislation.

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

HB 2083: game and fish commission; membership
Sponsor: Representative Griffin, LD 19
Caucus & COW

Overview

Modifies the membership of the Arizona Game and Fish Commission (Commission) to include a cattleman or rancher.

History

The Commission is responsible for establishing the rules and regulations for managing, conserving and protecting wildlife. The Commission is comprised of five members appointed by the Governor, subject to Senate confirmation, who serve five-year terms. Of the five members, not more than three members can be of the same political party and no two members may be residents of the same county. Members must be well informed about wildlife and requirements for its conservation. Commission members who attend general or specific meetings or perform official duties receive $30 for each day engaged in the service of the Commission and are paid monthly from the Game and Fish Fund (A.R.S. §§ 17-201, 17-231, 38-211 and 38-611).

Provisions

1. Requires the Commission's membership to include no less than one cattleman or rancher. (Sec. 1)

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

HB 2135: unlawful camping; stock; wildlife; access
Sponsor: Representative Bliss, LD 1
Caucus & COW

Overview
Modifies statute relating to unlawful camping.

History
It is unlawful for a person to camp within one-fourth mile of a natural water hole containing water or a man-made watering facility containing water in such a place that wildlife or domestic stock will be denied access to the only reasonably available water. A person who violates or fails to comply with a lawful order is guilty of a class 2 misdemeanor (A.R.S. §§ 17-308 and 17-309).

The court can impose a person that is found guilty of a class 2 misdemeanor with either: 1) 2-years' of probation; 2) a $750 fine; or 3) a maximum of 4 months in jail (A.R.S. §§ 13-707, 13-802 and 13-902).

Provisions
1. Modifies the unlawful camping statute to mean it is unlawful for a person to camp within one-fourth mile of a natural water hole or a man-made watering facility containing water in such a place that wildlife or domestic stock will be denied access. (Sec. 1)

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session
House: LARA DPA 5-3-0-1

HB 2588: wildlife; taking; landowner permits; rules
Sponsor: Representative Griffin, LD 19
Caucus & COW

Overview
Requires the Arizona Game and Fish Department (Department) to issue a landowner permit to take specified wildlife on private lands.

History
The Arizona Game and Fish Commission (Commission) is responsible for establishing the rules and regulations for managing, conserving and protecting wildlife. The Commission is comprised of five members appointed by the Governor, subject to Senate confirmation, who serve five-year terms. The Department administers the rules and regulations as set by the Commission (A.R.S. §§ 17-201, 17-231 and 38-211).

The Commission is required to prescribe rules for license classifications that are valid for taking or handling of wildlife, fees for licenses, permits, tags and stamps and application fees. The Commission may temporarily reduce or waive fees prescribed by rule, on the recommendation of the Department Director. The Commission is required to submit an annual report on license classifications, fees for licenses, permits, tags and stamps and any other fees prescribed by rule to the Legislature by December 31 of each year. The Joint Legislative Audit Committee may assign a committee of reference to hold a public hearing and review of the annual reports submitted by the Commission (A.R.S. § 17-333).

Wildlife means all wild mammals, wild birds and the nests or eggs thereof, reptiles, amphibians, mollusks, crustaceans and fish, including their eggs or spawn (A.R.S. § 17-101).

Provisions
1. Instructs the Department to issue a landowner permit for taking of elk, antelope, oryx and deer on private lands. (Sec. 1)
2. Allows the Department to adopt rules to expand the use of landowner permits to other species of wildlife. (Sec. 1)
3. Requires the Department, if the Commission determines necessary, to issue a landowner permit to reduce conflict between humans and wildlife and to provide sport hunting opportunities consistent with the rules adopted. (Sec. 1)

Amendments
Committee on Land, Agriculture & Rural Affairs
1. Restricts the Department from issuing landowner permits for a species if the total number of permits issued for that species exceeds 10% of the total number of tags issued for that species through the general lottery draw during the calendar year.

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

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session
House: LARA DPA 4-2-1-2

HB 2603: hunting; fishing; license; deferred prosecution
Sponsor: Representative Nguyen, LD 1
Caucus & COW

Overview
Allows the Game and Fish Commission (Commission) to revoke or suspend a person's license to take or possess wildlife if the licensee is entering a deferred prosecution agreement.

History
The Commission may revoke or suspend a license issued to any person and deny the person the right to secure another license to take or possess wildlife for five year on conviction or after adjudication as a delinquent juvenile for:

1) unlawfully taking, selling, offering for sale, bartering or possession of wildlife;
2) carless use of firearms that resulted in the injury or death of a person;
3) destroying, injuring or molesting livestock or damaging or destroying growing crops, personal property, notices or signboards or other improvements while hunting, trapping or fishing;
4) littering public hunting or fishing areas while taking wildlife;
5) knowingly allowing another person to use the person's game tag;
6) taking or driving wildlife from closed areas or while trespassing;
7) trespassing on private land to hunt, fish, trap or guild wildlife;
8) intentionally interfering with, preventing or disrupting the lawful taking of wildlife by another person while in a hunting area as outlined;
9) knowingly purchasing, applying for, accepting, obtaining or using a fraud or misrepresented license, permit, tag or stamp to take wildlife;
10) acting as a guide without having procured a guide license;
11) taking a game bird, game mammal or game fish and knowingly permitting an edible portion thereof to go to waste; or
12) using an aircraft to take, assist in taking, harass, chase, drive, locate or assist in locating wildlife (A.R.S. § 17-340).

Deferred prosecution is a special supervision program in which the county attorney of a participating county may divert or defer, before a guilty plea or a trial, the prosecution of a person who is accused of committing a crime (A.R.S. § 11-361).

Provisions
1. Authorizes the Commission to revoke or suspend a person's license to take or possess wildlife if the licensee is entering a deferred prosecution agreement. (Sec. 1)

2. Makes a technical change. (Sec. 1)

Amendments
Committee on Land, Agriculture & Rural Affairs
1. Stipulates that an active license revocation for an agreement to defer prosecution terminates after the licensee provides proof to the Commission that:
   a) they have satisfactorily completed the terms and obligations of a deferred prosecution;
   b) their criminal charges have been dismissed;
   c) they have completed all required training courses; and
   d) they have paid in full all civil penalties imposed.

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

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session
House: NREW DPA 10-0-0-0

HB 2127: hazardous substance release; notice; liability
Sponsor: Representative Bliss, LD 1
Caucus & COW

Overview
Establishes notification requirements when a property that has been identified as contaminated by hazardous waste is offered for sale.

History
The Water Quality Assurance Revolving Fund (WQARF) supports ADEQ in the identification, prioritization, assessment and resolution of threats to contaminated soil and groundwater sites. When ADEQ receives notice of a release or potential release of a hazardous substance and certain conditions exist, ADEQ will begin a preliminary investigation into the contamination. If ADEQ determines that additional investigation or action is required, the site becomes eligible for listing on the WQARF Registry (A.R.S. § 49-287.01). The WQARF registry lists sites in Arizona that can pose a risk to the environment or public health due to hazardous substances. These sites are subject to current or planned investigation and cleanup. (ADEQ)

Provisions
1. Requires the owner of a qualifying property to provide written notice to:
   a. any prospective buyer if the potential liability of the property could be transferred to that buyer;
   b. the Director of the ADEQ; and
   c. the State Mine Inspector, if the qualifying property is a mine or abandoned mine. (Sec. 1)
2. Outlines when that notice should occur. (Sec. 1)
3. Defines *qualifying property*. (Sec. 1)
4. Makes technical and conforming changes. (Sec.1)

Amendments
Committee on Natural Resources, Energy and Water
1. Removes the potential liability of the qualifying property transferring to buyer.
2. Eliminates language regarding name of any buyers and anticipated closing date from being included in the sale contract.
3. Adds language to include any portion of the property in a purchase of qualifying property.
4. Defines *prospective buyer* in his act.
5. Redefines q*ualifying property*.
6. Defines *written notice*.

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

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session
House: NREW DP 8-2-0-0

HB 2128: environmental remediation; liability; release
Sponsor: Representative Bliss, LD 1
Caucus & COW

Overview
Establishes and outlines obligations of prospective remediators for a contaminated site on the Water Quality Assurance Revolving Fund (WQARF) registry.

History
Remediation is action taken to address a contaminant by reducing the level of the contaminant in the environment or preventing or reducing exposure to the environment (A.R.S. § 49- 171).

The WQARF Registry is a list compiled by the Arizona Department of Environmental Quality (ADEQ) that lists sites that may pose a risk to public health or the environment due to hazardous substances. The sites must have ongoing or planned investigation and cleanup. There are currently 38 sites on the WQARF Registry (ADEQ).

Provisions
1. Defines:
   a. *prospective remediator*; and
   b. *prospective remediator agreement*. (Sec. 1)
2. Adds prospective remediator to statutes, for prospective purchasers of sites on the WQARF registry or where ADEQ has identified contamination of the facility, relating to:
   a. agreements;
   b. assignments;
   c. notices;
   d. fees; and
   e. authority. (Sec. 2,3,4 and 5)
3. Makes technical and conforming changes. (Sec. 1, 2, 3, 4 and 5)

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

HB 2270: groundwater model; stormwater recharge; AMAs
Sponsor: Representative Griffin, LD 19
Caucus & COW

Overview

Requires the Arizona Department of Water Resources (ADWR) adopt rules to update the Department's groundwater modeling for active management areas (AMAs) to account for stormwater recharge.

History

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).

Provisions

1. Requires ADWR to update the Department's groundwater modeling for AMAs. (Sec 1)
2. Requires the Director to assume stormwater generated by the development of new or existing infrastructure will offset a portion of future groundwater use. (Sec 1)
3. Mandates the Director to annually update the groundwater model for AMAs to reflect new natural, incidental or artificial stormwater recharge. (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
House: NREW DPA 10-0-0-0

HB 2272: municipal separate storm sewer system
Sponsor: Representative Griffin, LD 19
Caucus & COW

Overview
Removes the definition of *county* as it relates to local stormwater quality programs.

History
Stormwater runoff is generated from rain and snowmelt that flows over land or surfaces and does not soak into the ground. The runoff can pick up pollutants such as trash, chemicals, microbial contaminants, oils and sediment. Stormwater runoff does not flow to wastewater treatment facilities like domestic water, before being discharged to the nearest waterway. The pollutants impact water quality and aquatic habitat. To protect streams, rivers and lakes, the Arizona Department of Environmental Quality (ADEQ) administers Arizona Pollutant Discharge Elimination System (AZPDES) permits. These permits require communities, construction companies, industries and others to use best management practices to filter out pollutants or prevent pollution at its source (ADEQ).

Structural systems owned by a public entity to collect and convey stormwater discharged to waters of the United States are known as MS4s. There are two categories of MS4s that are required to maintain AZPDES permit coverage;

a) Phase I MS4s, or otherwise known as Large or Medium MS4s; and
b) Phase II MS4s, or otherwise known as Small MS4s.

Actions to decrease the discharge of pollutants are found in the Stormwater Management Program (SWMP), which is a document prepared by each MS4 and posted on the city, county or agency website (ADEQ).

Provisions
1. Eliminates the definition of *county* as provided in A.R.S. 49-371, which relates to local stormwater quality regulatory programs. (Sec. 1)

Amendments
Committee on Natural Resources, Energy and Water
1. Defines *county*.

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

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session
House: NREW DPA 5-4-0-1

HB 2576: notice; violation; deficiency correction
Sponsor: Representative Griffin, LD 19
Caucus & COW

Overview
Outlines the actions that must be taken if a person fails to correct alleged deficiencies in a reasonable amount of time.

History
Current law describes the process and procedure for inspectors, auditors and regulators for agencies. If it is found that there are alleged deficiencies, the agency will provide an opportunity to correct the alleged deficiencies. A report must include specific evidence of alleged deficiencies. (A.R.S § 41-1009)

Provisions
1. Adds written specific evidence that must be included in the inspection report. (Sec 1)
2. Permits the agency to take enforcement action authorized by law only if the regulated person fails to correct the alleged deficiencies and the agency determines the alleged deficiencies have not been corrected within a reasonable period of time. (Sec 1)
3. Allows the agency to determine within thirty days of receipt of corrected alleged deficiencies if the regulated person is in substantial compliance and notify regulated person. (Sec 1)
4. Authorizes the agency to take enforcement action if:
   a. the regulated person fails to correct alleged deficiencies;
   b. the agency determines the alleged deficiencies have not been corrected in a reasonable amount of time;
   c. the regulated person intentionally misrepresents information or acts unlawfully;
   d. the alleged deficiencies cause actual harm to a person's health;
   e. the regulated party has repeat violations from consecutive inspections. (Sec. 1)
5. Outlines the timeline to calculate a civil penalty. (Sec. 1)

Amendments
Committee on Natural Resources, Energy & Water
1. Adds language to specify an agency inspector, auditor or regulator.
2. States the agency that is preforming an inspection must produce an inspection report at the time of inspection.
3. Includes jurisdiction to federal law.
4. Removes list of requirements authorizing agency enforcement action.
5. Alters the definition of *inspection*.

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

HB 2638: on-farm irrigation efficiency program; continuation
Sponsor: Representative Griffin, LD 19
Caucus & COW

Overview

Changes the repeal date of the On-Farm Irrigation Efficiency Pilot Program from January 1, 2027 to January 1, 2030.

History

Laws 2022, chapter 332 establishes the On-Farm Irrigation Pilot Program for the purpose of providing grants and collecting data for on-farm irrigation efficiency systems to reduce on-farm use of groundwater, surface water, mainstream Colorado River water or water delivered through the Central Arizona Project (CAP) while minimizing or eliminating the use of flood irrigation or fallowing to reduce on-farm use.

The program and its fund are operated by the University of Arizona Cooperative Extension (UACE). UACE is a research and education service that works with the federal government and all Arizona counties by collaborating with agriculture professionals in areas including crop production systems, range and livestock systems and water resources management (AZDA).

Provisions

1. Extends the On-Farm Irrigation Efficiency Pilot Program to January 1, 2030. (Sec. 1)

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

HCM 2007: hardrock mines; remediation; urging support
Sponsor: Representative Bliss, LD 1
Caucus & COW

Overview

Urges the Arizona State Mine Inspector and the Department of Environmental Quality (ADEQ) to apply for the pilot program under the Good Samaritan Remediation of Abandoned Hardrock Mines Act.

History

The Good Samaritan Remediation of Abandoned Hardrock Mines Act of 2024 was signed into law on December 17, 2024 and seeks to address public safety and environmental threats associated with abandoned hardrock mines in the United States. The Act establishes a pilot program under the Environmental Protection Agency to allow not-for-profit cleanup efforts at abandoned mine sites. (S.2781)

Provisions

1. Urges the Arizona State Mine Inspector and ADEQ to work with federal agencies and members of the private sector to find qualified mining sites and apply for the pilot program. (Sec 1)
2. Requests the Arizona Secretary of State to provide copies of this memorial to the State Mine Inspector and the Director of ADEQ and each member of Congress from the state of Arizona. (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
House: PSLE DPA/SE 15-0-0-0

HB 2330: disability; voluntary disclosure; licenses
S/E: voluntary disclosure; disability; licenses
Sponsor: Representative Willoughby, LD 13
Caucus & COW

Summary of the Strike-Everything Amendment to HB 2330

Overview
Directs the Arizona Department of Transportation (ADOT) to note in their records that an individual with an identifiable license or vehicle occupant may need a communication accommodation and stipulates that the data must be available to law enforcement agencies.

History
ADOT must provide a space, on a driver or nonoperating identification license, for a licensee to indicate a medical condition using a medical code prescribed by ADOT. A licensee must present a signed statement from a licensed physician or licensed registered nurse practitioner stating that the person has said medical condition. ADOT, through rule, must prescribe a medical code identifying medical conditions using numerals or letters commonly accepted by the medical profession. ADOT cannot maintain the medical code in their records after issuing a driver or nonoperating identification license unless a person requests otherwise (A.R.S. 28-3167).

In accordance with the Driver's Privacy Protection Act of 1994, ADOT cannot disclose *highly restricted personal information,* including *medical or disability information* (A.R.S. §§ 28-455; 28-440).

Provisions
1. Instructs ADOT to note in their customer record that a person may need a communication accommodation if requested by a person with a driver license or nonoperating identification license. (Sec. 1)
2. Allows the owner of a registered vehicle to request ADOT to note in their vehicle record that a vehicle occupant may need a communication accommodation. (Sec. 1)
3. Stipulates that ADOT determines the method in which requests can be made. (Sec. 1)
4. Requires ADOT to establish procedures to make communication accommodation notations available only to law enforcement agencies. (Sec. 1)
5. Defines *communication accommodation* and *disability that can impair communication*. (Sec. 1)

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

HB 2052: license exemption; basic first aid
Sponsor: Representative Kolodin, LD 3
Caucus & COW

Overview

Exempts any person while providing *basic first aid* in good faith and without compensation from medical licensing requirements.

History

Any person while engaged in the following acts are exempt from medical licensing requirements, including: 1) providing medical assistance in case of an emergency; 2) administering family remedies, including the sale of vitamins, health foods or health food supplements or any other natural remedies, except prescription drugs or medicines; 3) practicing religion, treatment by prayer or the laying on of hands as a religious rite or ordinance; 4) practicing any of the healing arts by Indian tribes in this state; 5) practicing lawfully any of the healing arts to the extent authorized by a state issued license; 6) activities or functions that do not require the exercise of a physician's judgement for their performance, are not in violation of state law and are not usually or customarily delegated by a physician; 7) official duties of a medical officer in the military or federal agencies or their successor agencies; 8) any act, task or function competently performed by a physician assistant; or 9) emergency harvesting of donor organs by a physician or team of physicians licensed to practice medicine in another state or country for use in another state or country (A.R.S. §32-1421).

Provisions

1. Excludes any person, while providing *basic first aid* to an injured person in good faith and without compensation, from medical licensing requirements. (Sec. 1)

2. Defines *basic first aid* to mean any of the following:
   a. cleaning minor cuts, scrapes or scratches;
   b. treating a minor burn;
   c. applying bandages and dressings;
   d. removing debris from the eyes;
   e. providing fluids to relieve heat stress; and
   f. administering nonprescription pain-relieving medication, antiseptic medication or topical ointments, creams or analgesics for the purpose of treating the ailments. (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
House: RO DP 5-0-0-0

HB 2441: psychologist board; complaint-related documents
Sponsor: Representative Keshel, LD 17
Caucus & COW

Overview
Requires that documents received and reviewed by the Arizona Board of Psychologist Examiners (Board) be provided to the complainant in a Board investigation unless otherwise restricted by state or federal law.

History
Laws 1965, Ch. 102 established the Board to regulate the psychology profession, license psychologists, investigate complaints of unprofessional conduct, discipline violators and provide consumer information to the public.

The Board is comprised of 10 members appointed by the Governor and confirmed by the Senate. Members serve for five-year terms and receive $100 in compensation for each cumulative eight hours of actual service in the business of the Board. Seven of the members must be licensed under the Board's rules and three must be public members who are ineligible for licensure (A.R.S. § 32-2062, 32-2063).

The Board may investigate evidence that appears to show a psychologist is psychologically incompetent, guilty of unprofessional conduct or mentally or physically unable to safely practice psychology. The Board and its authorized agents may examine and copy documents, reports, records and other physical evidence related to such an investigation.

In so doing, the Board must currently keep documents associated with an investigation confidential and closed to the public, and no documents may be released without a court order compelling their production (A.R.S. §§ 32-2081, 32-2082).

Provisions
1. Outlines that all documents received and reviewed by the Board in connection with an investigation must be provided to the complainant except as otherwise restricted under state or federal law. (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
House: RO DP 3-2-0-0

HB 2630: governor nominations; agency position; eligibility
Sponsor: Representative Kolodin, LD 3
Caucus & COW

Overview
Prohibits a nominee for a state agency director position who is rejected by the Senate, from being eligible for any other position within the same state agency for which the individual was nominated.

History
Certain gubernatorial nominees for state agencies are subject to confirmation by the Senate's advise and consent process as defined in Senate Rule 20 (A). Such nominees for public office must meet general requirements, are subject to tenure limitations and are liable to impeachment for high crimes, misdemeanors or malfeasance in office.

The Governor is required to nominate a qualified person and transmit the nomination to the Senate if the term of any appointive state office becomes expired or vacant during a regular legislative session. When the Senate consents to a nomination, its secretary is required to transmit a certified copy of the resolution of consent to the Secretary of State, who must notify the Governor.

A nominee cannot serve longer than one year after nomination without Senate consent. If the Senate rejects a nomination, the nominee cannot be appointed, and the Governor must promptly nominate another person who meets requirements for such office.

If the Senate takes no action on a Governor's nomination during the legislative session or a required nomination from the Governor is not received by the Senate during the legislative session, the Governor must appoint a nominee to serve in the unfilled position and discharge its duties after the legislative session until the nominee undergoes the Senate's advise and consent process during the next legislative session (A.R.S. §§ 32-211, 32-311).

Provisions
1. Stipulates that during the confirmation process, if the Senate rejects the Governor's nomination of an agency director, then the person is ineligible for other positions within the state agency for which the person was nominated. (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
House: RO DP 3-2-0-0

HB 2632: regulatory costs; rulemaking; legislative ratification
Sponsor: Representative Kolodin, LD 3
Caucus & COW

Overview
Prescribes the requirements for specified proposed agency rules to be ratified by the Legislature before enactment.

History
The mission of the Office of Economic Opportunity (OEO) is to expand economic opportunities for people in Arizona by leading the analysis and evaluation of Arizona's population and economy and investing in communities to power the state's economic growth (OEO).

Statute designates the Administrative Rules Oversight Committee (AROC) to oversee the adoption of rules by state agencies. The 11-member committee includes: 1) five members of the House of Representatives appointed by the Speaker; 2) five members of the Senate appointed by the President; and 3) the Governor or designee. Legislative Council serves as the staff for AROC (A.R.S.§ 41-1046).

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 the rule reduces regulatory restraints or burdens, is necessary to implement the law or is required by a final court order or decision (A.R.S. § 41-1038 et al.).

Provisions
1. Directs an agency to submit a proposed rule to OEO for review if the rule is estimated to increase state regulatory costs by more than $100,000 within five years after implementation. (Sec. 1)
2. Stipulates that if the OEO confirms estimated regulatory costs will increase by more than $500,000 within five years after the proposed rule's implementation, the rule may not become effective until the Legislature ratifies the proposed rule. (Sec. 1)
3. Instructs OEO to submit the proposed rule to AROC no later than 30 days before the next regular legislative session. (Sec. 1)
4. Requires AROC to submit the proposed rule to the Legislature as soon as practicable. (Sec. 1)
5. Authorizes any legislator to sponsor legislation to ratify the proposed rule, which is exempt from provisions relating to the time and manner of agency rulemaking. (Sec. 1)
6. Prohibits an agency from filing a final rule with the Secretary of State before obtaining legislative ratification of the proposed rule. (Sec. 1)
7. Requires an agency to publish a notice of termination in the register and terminate the proposed rulemaking if the Legislature does not enact legislation to ratify the proposed rule during the current legislative session. (Sec. 1)
8. Allows a legislator or person who is regulated by an agency proposing a rule to request OEO to review the rule. (Sec. 1)
9. Excludes emergency rules from the legislative ratification requirements. (Sec. 1)
10. States that, beginning on the general effective date, a rule is void and unenforceable unless the rule is ratified as prescribed. (Sec. 1)

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

11. Excludes the Arizona Corporation Commission from the requirements of legislative ratification of proposed agency rules. (Sec. 1)

12. Allows the Legislature to eliminate by concurrent resolution any agency rule that costs taxpayers more than $1,000,000 per year. (Sec. 1)

13. Allows citizens or businesses affected by an agency rule to request that OEO assess the rule's impact on taxpayers. (Sec. 1)

14. Requires OEO to complete the assessment and notify AROC, the public and the Legislature of the findings within six months. (Sec. 1)

15. Contains a severability clause. (Sec. 2)

HB 2145: registered sanitarians; qualifications
Sponsor: Representative Bliss, LD 1
Caucus & COW

Overview

Changes the requirements for a person to become a registered sanitarian in the state of Arizona.

History

A.R.S. § 13-136.01 governs the requirements to become a registered sanitarian in the state of Arizona. A person is eligible for registration as a sanitarian if the person:

1) has completed five years of employment as a sanitarian aide, in either a recognized public health agency or private industry, in a position directly related to environmental health;
2) has completed at least five years of full-time military duty in the field of environmental health; or
3) has successfully completed 30 semester hours of credit at an accredited college or university in the natural sciences.

Provisions

1. Lowers the minimum years of employment required, as either as sanitarian aide or in military duty, for an applicant to become a sanitarian, from five years to three years. (Sec. 1)
2. Revises the education needed for employment as a sanitarian, from 30 semester hours of credit in the natural sciences, to 30 hours in subjects relevant to the role of a sanitarian, as approved by the Sanitarians Council. (Sec. 1)
3. Makes technical changes. (Sec 1)

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

HB 2484: school policies; internet; wireless devices
Sponsor: Representative Pingerelli, LD 28
Caucus & COW

Overview

Mandates each school district governing board (governing board) and charter school governing body (governing body) prescribe policies that govern student access to the internet and limit the use of wireless communication devices.

History

A local education agency must adopt policies regarding the use of technology and the internet while at school that include notifying a parent of: 1) the adopted policies; and 2) the parent's ability to prohibit their student from using technology and the internet while at school in which personally identifiable information or material that meets prescribed criteria may be shared with the operator of an internet website, online service, online application or mobile application as specified (A.R.S. § 15-1046).

The State Board of Education (SBE) must establish best practices for social media and cell phone use between students and school personnel and encourage governing boards and governing bodies to adopt policies that implement these best practices. Additionally, statute requires SBE to make these best practices available to public and private schools (A.R.S. § 15-203). In June 2022, SBE adopted social media and phone guidance (Social Media and Phone Guidance for Educators).

Provisions

1. Instructs each governing board and governing body to prescribe and enforce policies that:
   a. govern student access to the internet as provided by the school, including policies that restrict student access to social media platforms; and
   b. limit the use of wireless communication devices by students during the school day. (Sec. 1)
2. Specifies the policies to govern student access to the internet must allow teachers to give students access to social media platforms to the extent necessary for educational purposes. (Sec. 1)
3. Requires the policies to limit the use of wireless communication devices by students to allow students to use these devices for educational purposes, as directed by their teacher, or during an emergency. (Sec. 1)
4. Defines *school day*, *social media platform* and *wireless communication devices*. (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
House: TI DP 7-0-0-0

HB 2281: missing indigenous person; alert system
Sponsor: Representative Martinez, LD 16
Caucus & COW

Overview
Establishes the *Missing Indigenous Person Alert System* and outlines requirements for the Arizona Department of Public Safety (DPS) to activate the emergency alert system.

History
The silver alert notification system alerts the report of a missing person who is 65 or older or who has a developmental disability. DPS must request an activation of the emergency alert system and issue a silver alert if:

1) the missing person is 65 or older or who has a developmental disability, Alzheimer's disease or dementia;
2) the law enforcement agency investigating the missing person report has used all available local resources, has determined that the person has gone missing under unexplained or suspicious circumstances and believes that the missing person is in danger because of age, health, mental or physical disability, environment, weather conditions, that the missing person is in the company of a potentially dangerous person or that there are other factors indicating that the missing person may be in peril;
3) there is information available that, if disseminated to the public, could assist in the safe recovery of the missing person; and
4) DPS has been designated to use the federally authorized emergency alert system for the issuance of silver alerts (A.R.S. § 41-1728).

Immediately or within 24 hours after receiving a report, DPS must request the appropriate law enforcement agency to determine if the situation meets amber alert criteria or silver alert criteria. The appropriate law enforcement agency must document its response regarding amber alert or silver alert criteria (A.R.S. § 8-810).

The 2003 National Amber Alert Network Act requires the Attorney General to assign an amber alert coordinator of the Department of Justice to act as the national coordinator of the amber alert communications network regarding abducted children.

Provisions
1. Requires DPS to establish the *Missing Indigenous Person Alert System* as a quick response system designed to issue and coordinate alerts following the report of a missing indigenous person. (Sec. 1)

2. Mandates DPS to request an activation of the emergency alert system, on the request of an authorized person at a law enforcement agency that is investigating a report of a missing indigenous person, if:
   a) the missing person is indigenous;
   b) the law enforcement agency investigating the missing indigenous person report has used all available local resources, has determined that the person has gone missing under unexplained or suspicious circumstances and believes that the missing indigenous person is in danger, that the missing indigenous person is in the company of a potentially dangerous person or that there are other factors indicating that the missing person may be in peril;
   c) there is information available that, if disseminated to the public, could assist in the safe recovery of the missing indigenous person; and
   d) DPS has been designated to use the federally authorized emergency alert system for the issuance of missing indigenous person alerts. (Sec 1)

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

3. Direct DPS, if it issues a missing indigenous person alert, to provide the missing indigenous person alert information to any other entity that provides similar notifications in this state. (Sec. 1)

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session
House: TI DPA 7-0-0-0

HB 2300: electric vehicle charging stations; report
Sponsor: Representative Biasiucci, LD 30
Caucus & COW

Overview
Directs an entity, county, municipality or state agency, that approves or permits an electric vehicle (EV) charging station (charging station) for public or private use on their property, to report to the Arizona Department of Transportation (ADOT) the location of charging stations and total number of parking spots for charging. Tasks the Director of ADOT (Director) with compiling a list of charging stations and posting the list on ADOT's public website.

History
A charging station is the area in the immediate vicinity of a group of chargers and includes the chargers, supporting equipment, parking areas adjacent to the chargers and lanes for vehicle ingress and egress. A charging station could comprise only part of the property on which it is located (C.F.R. § 680.104).

The 2021 Infrastructure Investment and Jobs Act established the National Electric Vehicle Infrastructure (NEVI) Program with minimum standards and requirements for projects funded under the NEVI Formula Program and for the construction of publicly accessible EV chargers, including any EV charging infrastructure project funded with Federal funds. The standards and requirements apply to the installation, operation or maintenance of EV charging infrastructure.

Provisions
1. Requires an entity, county, municipality or state agency, that approves or permits a charging station for public or private use on their property, to report as soon as practicable to ADOT:
   a. the location of the charging station; and
   b. the total number of parking spots designated for EV charging. (Sec. 1)
2. Directs the Director to compile a list of all charging stations in this state and post the list on ADOT's public website. (Sec. 1)
3. Mandates the list to be updated weekly to reflect any new or decommissioned charging locations. (Sec. 1)

Amendments
Committee on Transportation & Infrastructure
1. Mandates reporting requirements for an entity, county, municipality or state agency approving or permitting an EV charging station for public use only, rather than for public or private use.
2. Removes the requirement for the Director to post the list on ADOT's public website.
3. Requires the Director to compile a list of all EV charging stations and to provide a report to the President of the Senate and the Speaker of the House of Representatives by December 31st, 2025, and once every quarter thereafter.
4. Clarifies that the report, rather than the list, is subjected to quarterly reporting, rather than weekly reporting.
5. Defines *entity* as any business that provides for the use of EV charging stations on the business' property.

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

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session
House: TI DP 7-0-0-0

HB 2303: total loss vehicle; electronic signatures
Sponsor: Representative Biasiucci, LD 30
Caucus & COW

Overview
Permits the notarized power of attorney for a total loss vehicle settlement, to be signed electronically and printed on hard copy by using a commercial product that validates a person's identity by using the National Institute of Standards and Technology's (NIST) identity assurance level 2 (IAL2) or higher authorization.

History
The Director and officers, agents and employees of the Arizona Department of Administration (ADOT) that the Director designates may administer oaths and acknowledge signatures, without a fee, in any matter connected with the administration of a law enforced by the Director.

The Director or an officer, agent or employee of ADOT designated by the Director may witness a power of attorney to be used solely in the performance of vehicle title and registration activities.

For the purposes of executing a power of attorney in the performance of vehicle title and registration activities, the power of attorney is not required to be: 1) notarized if it is witnessed by the Director or an officer, agent or employee of ADOT designated by the Director; 2) notarized if it is involving a total loss vehicle settlement and a licensed insurance company submits it electronically to ADOT, as approved by the Director; or 3) witnessed if it is notarized. An agent includes a motor vehicle dealer or a third party as statutorily authorized. (A.R.S. § 28-370).

NIST established digital identity guidelines which addresses how applicants can prove their identities and become enrolled as valid subscribers within an identity system. It provides requirements by which applicants can both identify proof and enroll at one of three different levels, or identity assurance levels (IALs), of risk mitigation in both remote and physically present scenarios. The three IALs reflect the options agencies may select from based on their risk profile and the potential harm caused by an attacker making a successful false claim of an identity. IAL2 means when evidence supports the real-world existence of the claimed identity and verifies that the applicant is appropriately associated with this real-world identity. IAL2 introduces the need for either remote or physically present identity proofing (NIST 800-63-3, SP 800-63-A).

Provisions
1. Allows the notarized power of attorney for a total loss vehicle settlement, to be signed electronically and printed on hard copy by using a commercial product that validates a person's identity by using NIST's IAL2 or higher authorization. (Sec. 1)
2. Stipulates that a power of attorney does not need to be notarized if it involves a vehicle that has been declared a total loss if *an authorized insurance company's agent* submits the power of attorney electronically to ADOT, as approved by the Director. (Sec. 1)
3. Clarifies that the Director and officers, agents and employees of ADOT may administer oaths and acknowledge signatures *without requiring the payment of* a fee, in any matter connected with the administration of a law enforced by the Director. (Sec. 1)
4. Defines *sign electronically* as attaching to or logically associating with an electronic record an electronic sound, symbol or process that is used by a person to execute or adopt the electronic record with the intent to sign the electronic record without the requirement of a physical touch. (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-seventh Legislature
First Regular Session
House: TI DP 6-1-0-0

HB 2728: DUI; alternative treatment
Sponsor: Representative Martinez, LD 16
Caucus & COW

Overview

Permits the court to order a person convicted of driving under the influence (DUI) to participate in a religious program that is approved by the court. Adds evidence-based psychotherapy (psychotherapy) as a valid form of alternative treatment requirement that the court can order a person convicted of DUI to complete.

History

A person convicted of DUI must:

1) Be sentenced to serve not less than 10 consecutive days in jail and is not eligible for probation or suspension of execution of sentence unless the entire sentence is served;
2) Pay a fine of not less than $250;
3) May be ordered by a court to perform community restitution;
4) Pay an additional assessment of $500 to be deposited by the State Treasurer in the Prison Construction and Operations Fund;
5) Pay an additional assessment of $500 to be deposited by the State Treasurer in the Public Safety Equipment Fund;
6) Be required by the Arizona Department of Transportation (ADOT), if the violation involved intoxicating liquor, on report of the conviction, to equip any motor vehicle the person operates with a certified ignition interlock device. The court may order the person to equip any motor vehicle the person operates with a certified ignition interlock device for more than 12 months beginning on the date the person successfully completes the alcohol or other drug screening, education, or treatment program requirements and the person is otherwise eligible to reinstate the person's driver license or driving privilege; and
7) Must be required by ADOT to attend and successfully complete an approved traffic survival school course.

At the time of sentencing the judge may suspend all but one day of the sentence if the person completes a court-ordered alcohol or drug screening, education or treatment program. If the person fails to complete the court-ordered alcohol or drug screening, education or treatment program and has not been placed on probation, the court must issue an order to show cause to the defendant as to why the remaining jail sentence should not be served (A.R.S. 28-1381).

Provisions

1. Permits the court to order a person convicted of DUI to participate in a religious program that is approved by the court. (Sec. 1)

2. Allows a judge to suspend all but one day of the sentence if the person convicted of DUI completes a court-ordered evidence-based psychotherapy. (Sec. 1)

3. Requires the court to issue an order to show cause to the defendant as to why the remaining jail sentence should not be served if the person convicted of DUI fails to complete the psychotherapy requirement and has not been placed on probation. (Sec. 1)

4. Allows the court to order the person convicted of DUI to equip any motor vehicle the person operates with a certified ignition interlock device for more than 12 months beginning on the date the person successfully completes the psychotherapy requirement and the person is otherwise eligible to reinstate the person's driver license or driving privilege. (Sec 1)

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

5. States that, if within a period of 84 months a person is convicted of a second DUI violation, the court may order the person to equip any motor vehicle the person operates with a certified ignition interlock device for more than 12 months beginning on the date the person successfully completes a psychotherapy requirement and the person is otherwise eligible to reinstate the person's driver license or driving privilege. (Sec. 1)

6. Makes technical changes. (Sec. 1)

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session
House: TI DP 7-0-0-0

HCM 2006: Jimmie Preston; memorial bridge
Sponsor: Representative Peshlakai, LD 6
Caucus & COW

Overview
Urges the Arizona State Board on Geographic and Historic Names (ASBGHN) and the United States Board on Geographic Names (BGN) to take appropriate steps to name the truss bridge in Cameron, Arizona, near the United States Route 89 Cameron Roadway as the *Jimmie Preston Memorial Bridge*.

History
Jimmie Preston was born in Tuba City, Arizona in 1922, served as a "Navajo Code Talker" and paratrooper with the 5th Marine Division during World War II. The military code developed by the United States for transmitting messages had been deciphered by the Japanese, so the Navajo Marine Corps radio operators, who became known as the "Navajo Code Talkers", developed code using their native language to communicate military messages and created a dictionary and numerous words for military terms that did not exist in Navajo.

It is declared the public policy of this state that natural or artificial objects, places or things continue to be known by the names they now bear, as determined by ASBGHN, so that the historical record of the state may be protected and preserved (A.R.S. § 41-835).

BGN is a federal body created in 1890 and established in its present form by Public Law in 1947 to maintain uniform geographic name usage throughout the Federal Government.

The United States Route 89 Cameron Roadway bridge is located in Cameron, Arizona, next to the Cameron Old Bridge, a suspension bridge built in 1911. The Cameron Old Bridge was used as a part of United States Route 89 until the new bridge was constructed.

Provisions
1. Urges ASBGHN and BGN to take appropriate steps to name the truss bridge in Cameron, Arizona, near the United States Route 89 Cameron Roadway as the *Jimmie Preston Memorial Bridge* and that the Arizona Department of Transportation approve, place and maintain appropriate signage to identify the *Jimmie Preston Memorial Bridge*.
2. Urges the Arizona Secretary of State to transmit copies of this Memorial to the Chairpersons of ASBGHN and BGN, the Director of ADOT and the President of the Navajo Nation.

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

HB 2389: business personal property; exemption.
Sponsor: Representative Carter N, LD 15
Caucus & COW

Overview
Exempts locally assessed business personal property from property taxation beginning January 1, 2026.

History
The Legislature may determine by law the qualifications and exemption amounts for property (Ariz. Const. Art. 9 § 2).

The following personal properties are given a $269,905 business personal property tax exemption: 1) properties used for agricultural purposes; 2) properties primarily used for agricultural purposes to produce trees other than standing timber, vines, rosebushes, ornamental plants or horticultural crops, regardless of whether the crop is grown in containers, soil or any other medium; 3) shopping centers; 4) golf courses; 5) manufacturers, assemblers or fabricators; 6) properties used in communications transmission facilities and that provides public telephone or telecommunications exchange or interexchange access for compensation to effect two-way communication to, from, through or within Arizona; and 7) properties devoted to any other commercial or industrial use, other than properties specifically included in other classifications.

Provisions
1. Exempts locally assessed business personal property. (Sec. 7, 8, 9, 10, 11, 12, 18, 19, 20)
2. Repeals statutes related to the taxable value of personal property, reducing the minimum value for property in use and the taxable value of solar energy devices classified as personal property. (Sec. 15)
3. Specifies that this Act applies to tax years beginning January 1, 2026.
4. Makes technical and conforming changes. (Sec. 1, 2, 3, 4, 5, 6, 13, 14, 16, 17)

Amendments
Committee on Ways & Means
1. Maintains personal property comprising an environmental technology manufacturing producing or processing facility as class six property. (Sec. 11)

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

HB 2516: unclaimed property; transfer; state treasurer
Sponsor: Representative Olson, LD 10
Caucus & COW

Overview

Transfers control over unclaimed property from the Department of Revenue (DOR) to the State Treasurer, creates an administrative fund for the State Treasurers office and transfers the monies in the DOR Administrative Fund to the State Treasurer Administrative Fund, and directs the Legislative Council staff to prepare legislation to conform the Arizona Revised Statutes (A.R.S.).

History

Currently DOR oversees unclaimed property under the Revised Arizona Unclaimed Property Act with unclaimed property being held in protective custody by DOR (A.R.S. § 44-309). If property or securities are left unclaimed for three years DOR will sell the unclaimed property or securities to the public with property being sold off at the highest bidder and securities sold at the price of the prevailing exchange at time of sale (A.R.S. § 44-312). The proceeds gained are currently deposited into the state General Fund with the exception of: 1) the first $2,000,000 which are deposited into the Seriously Mentally Ill Housing Fund; 2) the second $2,000,000 which are deposited to the Housing Trust Fund; and 3) the next $24,500,000 which is to be deposited into the Department of Revenue Administrative Fund each fiscal year (A.R.S. § 44-313).

Provisions

1. Establishes the State Treasurer Administrative Fund, which will consist of monies from unclaimed property deposited into the Fund and will be administered by the State Treasurer. (Sec. 1)
2. Mandates that the monies in the Fund will be solely used for the administrative costs of the State Treasurer's office and is subject to legislative appropriation. (Sec. 1)
3. Repeals the DOR Administrative Fund. (Sec. 2)
4. Authorizes the transfer of all unexpended and unencumbered monies that remain in the DOR Administrative Fund to the State Treasurer Administrator Fund. (Sec. 2)
5. Removes the definitions for *Department* and *Director*. (Sec. 3)
6. Directs the Legislative Council staff to prepare proposed legislation conforming A.R.S. to the provisions of this act. (Sec. 13)
7. Makes technical changes. (Sec. 3, 7, 9, 10)
8. Makes conforming changes. (Sec. 3)

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

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session
House: WM DP 5-4-0-0

HB 2601: income tax; exemption; minors
Sponsor: Representative Kupper, LD 25
Caucus & COW

Overview
Exempts individuals under 18 years of age whose Arizona gross income is $50,000 or less in a taxable year regardless of the source or nature of the income and excludes individuals under 18 years of age from being subject to withholding by an employer.

History
Employees who are under the age of 18 are not excluded from withholding by employers (A.R.S. § 43-403).

Arizona currently taxes 2.5% of an individual's taxable income (A.R.S. § 43-1011). Taxable income is defined in statute as adjusted gross income less any applicable deductions. Arizona gross income is defined as the individuals federal adjusted gross income for the taxable year (A.R.S. § 43-1001).

Provisions
1. Mandates that the first $50,000 paid to an employee under 18 years of age is not subject to withholding by an employer. (Sec. 1)
2. Changes the article heading of title 43, chapter 10, article 4 from *Deductions* to *Deductions and Exemptions*. (Sec. 2)
3. Establishes an income tax exemption for individuals under the age of 18 and whose Arizona gross income is $50,000 or less for the taxable year regardless of the source or nature of the income. (Sec. 3)
4. Requires the Department of Revenue to establish a process of verifying the eligibility of the exemption. (Sec. 3)
5. Contains an applicability clause. (Sec. 4)

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

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session
House: WM DP 5-4-0-0

HB 2722: public resources; expenditures; prohibition
Sponsor: Representative Carter N, LD 15
Caucus & COW

Overview
The Taxpayer Protection Act creates an new article in statute limiting public entity expenditures for use towards a public purpose and outlines judicial procedures to challenge expenditures, loans or uses of public resources.

History
Title 1, chapter 5, article 1 currently outlines the eligibility requirements, documentation, applicable violations and definitions regarding federal, state and local public benefits (A.R.S. § § 1-501, 1-502, 1-503, 1-504).

The Arizona constitution states that the state, counties, cities, towns, municipalities and subdivisions of the state cannot give or loan credit or make donations or grants to individuals, associations and corporations (Ariz. Const. art 9 § 7). This is referred to as the gift clause.

The *Wistuber* Court defined the appropriate test for avoiding a constitutional violation: the private entity must use public property or funds for a public purpose, and there must be consideration that is not so inequitable and unreasonable that the government's donation or grant of property amounts to an abuse of discretion (141 Ariz. At 349).

Provisions
1. Changes the heading of title 1, chapter 5 from *Public Programs* to *Public Resources*. (Sec. 1)
2. Defines *consideration*, *control*, *public entity*, *public purpose* and *public resources*. (Sec. 2)
3. Prescribes that a public entity may not spend, loan or allow the use of public resources or the entity's taxing power to aid any individual, association, corporation or other private party unless it is done for a public purpose, is supported by consideration and the public entity has control over the expenditure, loan or use of public resources. (Sec. 2)
4. Allows the Attorney General or a taxpayer of Arizona to file an action in the court of General Jurisdiction challenging expenditures, loans or use of public resources. (Sec. 2)
5. Prescribes that a plaintiff will be found successful if the court finds a preponderance of evidence that:
   a) the challenged expenditure, loan or use of public resources isn't used to advance a public purpose;
   b) the challenged expenditure, loan or use of public resources isn't supported by consideration; or
   c) the public entity could not properly maintain control over the expenditure, loan or use of public resources. (Sec. 2)
6. Entitles this act as the *Taxpayer Protection Act*. (Sec. 3)

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

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session
House: WM DP 5-4-0-0

HCR 2021: food; municipal tax; exemption
Sponsor: Representative Biasiucci, LD 30
Caucus & COW

Overview
Prohibits a city, town or other taxing jurisdiction from imposing a municipal transaction privilege tax on the sale of food items intended for home consumption.

History
Current state law prohibits a tax exemption for specific sales of food (A.R.S. § 42-5102) however it also allows a city, town or other taxing jurisdiction to impose a municipal transaction privilege tax on food items intended for home consumption (A.R.S. § 42-6015).

Provisions
1. Prohibits a city, town or other taxing jurisdiction from imposing a municipal transaction privilege tax on the sale of food items intended for home consumption from and after June 30, 2027. (Sec. 1)
2. Requires the Secretary of State to submit this proposition to the voters at the next general election. (Sec. 2)
3. Makes 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
House: WM DPA 5-4-0-0

HCR 2035: tax prohibition; vehicle mileage; monitoring
Sponsor: Representative Weninger, LD 13
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)

Amendments

Committee on Ways & Means

1. Excludes motor vehicles owned and operated by the state or any city, town, municipal corporation or political subdivision from the outlined restrictions. (Sec. 1)

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