

April 28, 2017

Supervisors

53rd Legislature - 1st Regular Session, 2017

Friday, Apr 28 2017 12:04 PM

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Supervisors

BILL NUMBER/ SHORT TITLE	SUMMARY	SPONSORS	POSTED HEARINGS & CALENDARS	LAST ACTION
H2011: BONDS; LEVY; NET OF CASH	Local government bond levies are required to be net of all cash in excess of ten percent of the annual payments of principal and interest in the current fiscal year from the previous year remaining in the applicable fund(s) for payment of interest and the bonds. Session law allows the governing body or board of a political subdivision that has cash reserves in excess of ten percent in its interest and redemption fund in FY2017-18 to reduce the excess reserves in equal amounts in FY2017-18 and FY2018-19 and allows a municipality with a population of 500,000 or more to reduce the excess reserves in FY2017-18 through FY2022-23. AS PASSED SENATE.	First sponsor: Rep. Ugenti-Rita		4/24 House concurred in Senate amendments and passed on final reading 39-11 ; ready for governor.
H2013: NEWSPAPERS; PUBLIC NOTICES; PUBLICATION	For the purpose of publication of public notices, a "newspaper" is no longer required to be admitted under federal law as second-class matter in the United States mails for at least one year.	First sponsor: Rep. Finchem		1/18 House local-intl held.
H2026: SECRETARY OF STATE; OMNIBUS	Various changes to statutes relating to the Office of the Secretary of State. The Secretary of State is required to promptly chapter laws filed by the Legislature, to electronically publish and maintain them on the Secretary of State's website, and to transfer to the custody of the Arizona State Library, Archives and Public Records all original paper copies filed. The Secretary of State is also required to publish the Arizona Administrative Register electronically, and information that must be contained in the Register is modified. Repeals statutes requiring athlete agents to register with the Office and related regulations. Repeals statute requiring dance studios to file a \$5,000 bond with the Office. Eliminates various requirements for copies of reports to be filed in the Office. Also establishes the 4-member Commission on Uniform State Laws to review efforts nationally to enact uniform laws and recommend to the Governor and the Legislature the adoption of uniform legislation the Commission deems desirable. The Commission terminates on July 1, 2025. AS PASSED SENATE.	First sponsor: Rep. Coleman		4/25 House concurred in Senate amendments and passed on final reading 45-11 ; ready for governor.

<p>H2027: PSPRS; EXPENDITURE LIMITS; POLITICAL SUBDIVISIONS</p>	<p>If a political subdivision increases its revenue for a specified time period through a vote of the people and that revenue is dedicated to pay unfunded accrued liability under the Public Safety Personnel Retirement System, the expenditure of revenue to pay that liability is excluded from the political subdivision's expenditure limitation established in the state Constitution for the duration of that time period.</p>	<p>First sponsor: Rep. Coleman</p>		<p>1/9 referred to House gov.</p>
<p>H2046: MOTORCYCLE RIDERS; HELMETS; FEES</p>	<p>All operators and passengers of motorcycles, all-terrain vehicles and motor driven cycles are required to wear a protective helmet at all times, instead of only those operators and passengers who are under 18 years of age. An operator or passenger who is at least 18 years of age may be exempted from the helmet requirement if the owner pays a fee in an amount determined by the Director of the Department of Transportation when registering the vehicle. Fees collected are deposited in the Highway User Revenue Fund (HURF). Violations of the helmet requirement are subject to secondary enforcement and are subject to a civil penalty of \$500. Of the civil penalty, \$200 is deposited in HURF and \$300 is deposited in the Spinal and Head Injuries Trust Fund.</p>	<p>First sponsor: Rep. Friese</p>		<p>1/18 FAILED House trans-inf 0-8.</p>
<p>H2048: LEGISLATIVE VACANCIES; APPOINTMENT; REQUIREMENTS</p>	<p>The county board of supervisors is required to appoint a person to fill a legislative vacancy within five business days after receiving the list of names submitted by the precinct committeemen.</p>	<p>First sponsor: Rep. Friese</p>		<p>2/16 referred to Senate gov.</p>
<p>H2088 (Chapter 1): INCORPORATION; URBANIZED AREAS</p>	<p>The county board of supervisors is required to take action on the petition to incorporate an area as a municipality without a resolution approving the incorporation from the nearby municipalities if the area has a population of 15,000 or more persons and that population is more than the population of any adjacent municipality that opposes the proposed incorporation. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Rep. E. Farnsworth</p>		<p>2/21 signed by governor. Chap. 1, Laws 2017.</p>
<p>H2113: GOVERNMENT VEHICLES; POLITICAL SPEECH; PROHIBITION</p>	<p>A motor vehicle that is owned or leased by the state or a political subdivision is prohibited from displaying any information regarding a political organization, including a labor organization, or political speech.</p>	<p>First sponsor: Rep. Thorpe</p>		<p>2/9 House COW approved. FAILED to pass House <u>29-29</u>.</p>
<p>H2124: MINIMUM WAGE; EMPLOYEE BENEFITS; PREEMPTION</p>	<p>Counties and municipalities are prohibited from establishing a minimum wage that is more than the minimum wage established by statute. Contains a legislative intent section. Retroactive to November 1, 2016. Due to voter protection, this legislation requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage.</p>	<p>First sponsor: Rep. Thorpe</p>		<p>1/23 referred to House com.</p>
<p>H2143: PUBLIC CONTRACTS; PROCUREMENT</p>	<p>Contracts for construction, reconstruction or maintenance services of any street, road or bridge that involve an expenditure of \$25,000 or more, including materials and equipment, must call for bids and use the procurement process. Projects cannot be artificially divided or fragmented to circumvent the prescribed limits.</p>	<p>First sponsor: Rep. Leach</p>		<p>1/23 referred to House fed-policy.</p>

<p>H2152: ARIZONA EMISSIONS BANK; CREDITS; AMENDMENTS</p>	<p>The Arizona Emissions Bank is renamed the Voluntary Arizona Emissions Bank, and statutes regulating the Bank are modified. The state, a political subdivision and any person that reduces "qualifying emissions" (defined) may apply to the Department of Environmental Quality to certify "emission reduction credits" (defined) to be deposited in the Bank. The Dept is required to act on an application and certify the credits under rules adopted by the Dept before the credits may be deposited and used to offset future increases in emissions. Except to the extent required by the federal Clean Air Act, Dept rules must provide for the award of emission reduction credits equal to the full amount of reductions in qualifying emissions that are permanent, quantifiable, surplus, real and otherwise enforceable. Emission reduction credits can no longer be used, traded, sold or otherwise expended within the same nonattainment area, maintenance area or modeling domain. Emission reduction credits do not expire and may not be reduced or withdrawn without permission of the owner. AS PASSED SENATE.</p>	<p>First sponsor: Rep. Bowers</p>		<p>4/25 House concurred in Senate amendments and passed on final reading <u>56-0</u>; ready for governor.</p>
<p>H2167: ASRS; CONTRIBUTIONS; ADJUSTMENTS</p>	<p>If more than the correct amount of employer or member contributions is paid into the Arizona State Retirement System through a mistake of law, ASRS is required to return those contributions to the employer upon request through an employer credit. If less than the correct amount of employer or member contributions is paid into ASRS by an employer, members who are inactive, retired or on long-term disability must make required payments using after-tax income and a personal check, cashier's check or money order.</p>	<p>First sponsor: Rep. Livingston</p>		<p>3/21 from Senate rules okay.</p>
<p>H2175: FIRE DISTRICTS; DISTRICT BOARD</p>	<p>If a fire district's population exceeds 50,000 inhabitants, the district is authorized to expand to a board consisting of seven members. Previously, the board was authorized to expand only if the county board of supervisors determined that the population exceeded 50,000 at any time prior to 180 days before the next regularly scheduled election for members of the district board.</p>	<p>First sponsor: Rep. Coleman</p>		<p>1/26 House gov held.</p>
<p>H2179: MUNICIPALITIES; COUNTIES; INTERGOV AGREEMENTS; REQS</p>	<p>Municipalities and counties are permitted to enter into an intergovernmental agreement only after an affirmative vote of the majority of the members of the governing body at a public hearing. Intergovernmental agreements are limited to a period of eight years and an affirmative vote of the majority of the members of the governing body is required to extend the agreement. Municipal and county governing bodies are required to review all agreements in place on the effective date of this legislation and hold a public hearing and a vote to reaffirm the agreements. Some exceptions.</p>	<p>First sponsor: Rep. Ugenti-Rita</p>		<p>2/22 retained on House COW calendar.</p>
<p>H2185: JUVENILE CORRECTIONS; TRANSFER TO COUNTIES</p>	<p>Repeals the Department of Juvenile Corrections and all related statutes contained in Title 41 (State Government, Chapter 26. The counties succeed to the authority, powers, duties and responsibilities of Dept. All equipment and other property, investigative findings, and appropriated monies that remain unexpended and unencumbered on the effective date of this legislation are transferred to</p>	<p>First sponsor: Rep. Thorpe</p>		<p>1/17 referred to House jud-pub safety, appro.</p>

	<p>the counties. Of the appropriated monies that remain unexpended and unencumbered, 60 percent are allocated in equal shares to each of the 15 counties, and 40 percent are allocated to each county based on population. The Legislature is required to annually appropriate an amount equal to at least \$39,876,700, increased each calendar year by the increase in the consumer price index, allocated to the counties in the same manner. Effective July 1, 2019.</p>			
<p>H2212: FEDERAL FINANCIAL ASSISTANCE; REPORTS</p>	<p>By October 31 of each year, each "designated state agency" and "political subdivision" (both defined) is required to prepare a report that states, with respect to that agency or political subdivision, the aggregate dollar amount of "federal receipts" (defined) received in the preceding fiscal year, the aggregate dollar amount of federal monies appropriated by the Legislature for the preceding fiscal year, calculates federal monies as a percentage of the total budget, and develops a plan for operating the agency or political subdivision if there is a reduction of federal monies. The reports must be submitted to the Department of Administration by November 1 of each year, and the Dept is required to prepare a summary report for submission to the Legislature by December 1 of each year. AS PASSED HOUSE.</p>	<p>First sponsor: Rep. Leach</p>		<p>3/20 FAILED to pass Senate <u>14-15.</u></p>
<p>H2230: INTERGOV PUBLIC TRANSPORTATION AUTHORITY; TAXATION</p>	<p>Various changes relating to intergovernmental public transportation authorities. An authority is a tax-levying public improvement and taxing subdivision of the state. A county board of supervisors may organize an authority with boundaries coterminous with the county boundaries. The board of directors of an authority with boundaries coterminous with the county boundaries is authorized to request that the issue of levying a county transportation excise tax be submitted to the qualified electors at a countywide special election or placed on the ballot at a countywide general election. Establishes requirements for the election, including publicity pamphlet mailings, submittal of arguments for or opposing the ballot measure, and information that must be printed on the ballot.</p>	<p>First sponsor: Rep. Shooter</p>		<p>2/2 from House trans-inf do pass.</p>
<p>H2257: STATE LAW; LOCAL VIOLATIONS</p>	<p>Before a member of the Legislature requests that the Attorney General investigate any official action taken by the governing body of a county or municipality that the member alleges violates state law, the member is required to send a written notice by certified mail to the governing body that describes the alleged violation and wait at least seven business days after mailing the notice to allow the governing body to send a written reply by certified mail. During the 30-day investigation period, the Attorney General is permitted to confer with the member and the governing body to resolve the matter. If the Attorney General concludes that the action may violate state law, the Attorney General is allowed, instead of required, to file a special action in the Supreme Court, and the Supreme Court is allowed, instead of required, to give the action precedence over all other cases and to require the county or municipality to post a bond.</p>	<p>First sponsor: Rep. Thorpe</p>		<p>2/2 House gov held.</p>

<p>H2285: COUNTIES; PURCHASES; LOCAL DEALERS</p>	<p>In a county with a population of less than 500,000 persons, for a purchase where the estimated cost is \$50,000 or more, a county purchasing agent, subject to county board of supervisors approval, is authorized to award the contract to a responsible bidder whose bid conforms to the invitation, is the most advantageous to the county concerning conformity to the bid specifications and other factors and is within five percent of the lowest bid. AS PASSED HOUSE.</p>	<p>First sponsor: Rep. Barton</p>		<p>2/27 referred to Senate gov.</p>
<p>H2357: FLOODPLAIN MANAGEMENT REGULATIONS; NONSTRUCTURAL DAMAGE</p>	<p>The powers of a county flood control district do not include the power to restrict the extraction of aggregate if the restriction is designed only to prevent potential flood damage to private property and if the owner of the private property that may be affected provides the district with written consent to the extraction of the aggregate.</p>	<p>First sponsor: Rep. Ugenti-Rita</p>		<p>2/20 from House rules okay. Stricken House consent calendar by Martinez.</p>
<p>H2365 (Chapter 124): WIRELESS FACILITIES; COLLOCATION; RIGHTS-OF-WAY</p>	<p>Adds a new article to Title 9 (Cities and Towns) regulating the use of public highways by wireless providers. An "authority" (defined as a municipality, special district or political subdivision) is prohibited from entering into an exclusive arrangement with a wireless provider for use of a right-of-way for the construction, installation, maintenance, modification, operation or replacement of utility poles or monopoles, or for the collocation of small wireless facilities on utility poles or wireless support structures, or for the collocation of wireless facilities on monopoles. An authority may charge a wireless provider a rate or fee for the use of a right-of-way for these purposes only if the authority charges other communications service providers for the use of the right-of-way and the authority has the legal authority to do so. The rate or fee for a wireless provider is limited to the direct and actual cost of managing the right-of-way and is required to be competitively neutral in regard to other users of the right-of-way. Establishes prohibited rate or fee practices and sets the maximum fee at \$50 times the number of small wireless facilities in the authority's geographic jurisdiction that are placed by the wireless provider in the right-of-way. A new, replacement or modified utility pole that is associated with the collocation of small wireless facilities and that is installed in the right-of-way is not subject to zoning review or approval if it does not exceed 10 feet in height above the tallest utility pole or 40 feet above ground level, whichever is greater. Authorities are authorized to require an application for the installation of new, replacement or modified utility poles associated with the collocation of small wireless facilities, and are required to approve an application unless the utility pole fails to comply with a list of specified requirements. Authorities are prohibited from requiring applicants to perform services that are unrelated to the collocation or instituting a moratorium on applications for the collocation of a small wireless facility. Adds a new article to Title 11 (Counties) regulating the use of public highways by wireless providers. Counties are prohibited from entering into an exclusive arrangement with any wireless provider for use of a right-of-way for the</p>	<p>First sponsor: Rep. Weninger</p>		<p>3/31 signed by governor; Chap. 124, Laws 2017.</p>

	<p>construction, operation or maintenance of utility poles or for the collocation of small wireless facilities on utility poles or wireless support structures. Counties are authorized to require a permit and charge an application fee for the use of a right-of-way for these purposes. The fee must be reasonable and conform to authorized and published fees for similar permits and cannot exceed \$100 per collocation or installation. Establishes prohibited rate or fee practices. More. AS SIGNED BY GOVERNOR.</p>			
H2406: COUNTIES; MUNICIPAL LAND ACQUISITION; LIMITATION	<p>Counties are authorized to acquire by purchase or any other means land that is located in a municipality only as part of a management agreement agreed to by the municipal governing body. Some exceptions.</p>	First sponsor: Rep. Leach		4/17 Senate voted to reconsider 4/13 failure to pass bill. Date of second vote to be scheduled by president.
H2407: APPROPRIATION; COUNTIES; ESSENTIAL SERVICES	<p>Makes a supplemental appropriation of \$1.65 million from the general fund in FY2017-18 to the Department of Administration for distribution to counties with a population of more than 200,000 and less than 400,000 persons for maintenance of essential county services.</p>	First sponsor: Rep. Stringer		2/28 referred to Senate appro.
H2425: APPROPRIATION; HIGHWAY USER REVENUE FUND	<p>Appropriates \$30 million from the general fund in FY2017-18 to the Highway User Revenue Fund for distributions to counties and municipalities according to specified percentages. The appropriation may be used only for the direct costs of constructing, maintaining or repairing public highways, streets or bridges and the direct costs of rights-of-way acquisitions and related expenses.</p>	First sponsor: Rep. Fernandez		2/7 referred to House appro.
H2461: TOLL ROADS; CONVERSION; PROHIBITION	<p>A county board of supervisors is prohibited from granting an application for a toll road that will be converted from a publicly funded or maintained street or highway. The Department of Transportation is prohibited from entering into any agreement that allows the conversion of an existing publicly funded or maintained street or highway to a toll road.</p>	First sponsor: Rep. Payne		2/28 referred to Senate trans-tech.
H2495: CONSOLIDATED ELECTION DATES; TAX AUTHORIZATION	<p>An election for the approval of or authorizing the assessment of transaction privilege taxes by a county or municipality must be held on the first Tuesday after the first Monday in November in an even-numbered year. Effective January 1, 2018. AS PASSED HOUSE.</p>	First sponsor: Rep. Payne		3/16 FAILED Senate jud 3-4-0.
H2499: FACILITIES RELOCATION: PUBLIC UTILITY EASEMENTS	<p>If a municipality or county requires that a utility adjust or otherwise relocate any of the utility's facilities constructed or installed within a public utility easement, the municipality or county is required to reimburse the utility, or cause the utility to be reimbursed, for the relocation costs, unless an existing license, franchise or agreement provides otherwise. Establishes a process for reimbursement. If a facility is relocated into a right-of-way, the municipality or county is required to provide the utility with a permanent land right within the right-of-way equal to a public utility easement. Municipalities and counties are authorized to adopt reasonable regulations with respect to the construction and installation of facilities within a public utility easement. subject to</p>	First sponsor: Rep. Weninger		2/15 from House com do pass.

	a list of specified conditions. Contains legislative findings.			
H2514 (Chapter 143): CERTIFICATES OF NECESSITY; SERVICE AREA	The merger or consolidation of two or more fire districts does not expand the service area boundaries of an existing certificate of necessity. Beginning on the effective date of this legislation until October 1, 2018, the Director of the Department of Health Services is required to determine the need for expansion of the service area boundaries of a merged or consolidated political subdivision other than a municipality according to the laws and rules for amending a certification of necessity. AS SIGNED BY GOVERNOR.	First sponsor: Rep. Carter		4/10 signed by governor. Chap. 143, Laws 2017.
H2520: GROUNDWATER BASINS; DEPT SURVEY	The Department of Water Resources is required to conduct a survey of one or more areas in the groundwater basins of the upper Colorado River water planning area to determine the status and resiliency of groundwater in these areas. The Dept is required to compile and report to the Legislature and the county board of supervisors for each county in the relevant groundwater basins on specified data generated by the survey. Self-repeals January 1, 2018.	First sponsor: Rep. Cobb		2/16 FAILED House land-agri-rural 4-4.
H2521: TPT REFORM; CONTRACTORS	The sale of tangible personal property to a contractor, regardless of whether the property will be incorporated into a building or structure, is considered to be a sale at retail and is subject to transaction privilege taxes and use taxes (TPT), with some exceptions. Eliminates the prime contracting classification of TPT and establishes a highway, street or bridge construction classification and a manufactured building dealer classification. The tax base for the highway, street or bridge construction classification and for the manufactured building dealer classification is 65 percent of the gross proceeds of sales or gross income derived from the business, and lists of deductions from the tax base for each classification are established. The list of exemptions from the retail classification of TPT is modified to include tangible personal property sold to a contractor and incorporated into any highway, street or bridge construction project or into a manufactured building, and to eliminate the exemption for tangible personal property sold to a contractor and incorporated into any real property, structure, project, development or improvement as part of the business. The list of exemptions from the retail classification of TPT is also modified to include tangible personal property sold to a qualified business if the property sold is to be incorporated into a building, project, development or improvement owned by the qualified business for harvesting or processing qualifying forest products. Beginning January 1, 2018, the Department of Revenue (DOR) is required to establish and maintain a municipal revenue sharing pool consisting of a portion of municipal TPT revenues. DOR is required to deposit a percentage, as determined by a specified formula, of the monthly retail TPT revenues from each municipality in the pool. Each municipality is required to report to DOR the value of building permits issued and	First sponsor: Rep. Cobb		2/20 from House rules okay.

	<p>canceled by the municipality during the preceding month. Each month DOR is required to compile the net value of the building permits averaged over the preceding 36 months and allocate and pay the monies in the pool among the municipalities in proportion to each municipality's 36-month average net value of building permits. Session law provides for the application of taxes to preexisting and subsequent contracts. Due to voter protection, some sections of this legislation require the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage.</p>			
<p>H2529: TRANSPORTATION INFRASTRUCTURE; STUDY CMTE; APPROP</p>	<p>Establishes an 11-member Transportation Infrastructure Study Committee to study the feasibility of constructing, maintaining and improving transportation infrastructure to Phoenix from an international point of entry in the southern part of Arizona. Appropriates \$300,000 from the general fund in FY2017-18 to the House of Representatives for the cost of the study. The Committee is required to report its findings and recommendations to the Governor and the Legislature by December 15, 2017 and self-repeals January 1, 2018. AS PASSED HOUSE.</p>	<p>First sponsor: Rep. Rivero</p>		<p>3/22 from Senate appro do pass.</p>
<p>S1007: HOMEBASED BUSINESS; OPERATIONS; EMPLOYEES</p>	<p>County ordinances regulating home-based businesses are prohibited from restricting a business from generating traffic, parking or delivery activity that does not cause on-street parking congestion, from having more than one client on the property at one time, or from employing a list of specified individuals.</p>	<p>First sponsor: Sen. D. Farnsworth</p>		<p>2/14 from Senate com-pub safety do pass.</p>
<p>S1025: PUBLIC ENTITIES; ABSOLUTE IMMUNITY; DEFENSES</p>	<p>For the purpose of statute providing immunity to a public entity or public employee for an injury arising out of a plan or design for construction or maintenance of or improvement to transportation facilities where the entity or employee gave a reasonably adequate warning of hazards, if a genuine issue of material fact exists as to whether the public entity or employee has met the statutory immunity requirements, the issue must be resolved by a trial before and separate and apart from a trial on damages. AS PASSED HOUSE.</p>	<p>First sponsor: Sen. Burges</p>		<p>4/26 Senate concurred in House amendments and passed on final reading <u>28-0</u>; ready for governor.</p>
<p>S1089: LOTTERY FUNDING; LTAF; RESTORATION</p>	<p>Establishes the Local Transportation Assistance Fund (LTAF) and requires the Legislature to appropriate an amount necessary to provide that the total monies available in LTAF for each fiscal year (FY) equal \$20.5 million. The State Treasurer is required to pay municipalities a maximum of \$23 million each FY from the available monies in LTAF in proportion to the population of each municipality, except that each municipality is entitled to receive at least \$10,000. The State Treasurer is also required to distribute up to \$18 million each FY to counties. Establishes the County Assistance Fund and specifies distributions from the Fund. Establishes the State Parks Board Heritage Fund, and requires the Heritage Fund to be administered by the State Parks Board for specified purposes. State Lottery Fund (SLF) monies must be used to reimburse the general fund for payment to LTAF of \$18 million each FY. Of the monies remaining in the SLF, up to a maximum of \$23 million each FY must be</p>	<p>First sponsor: Sen. Farley</p>		<p>1/17 referred to Senate appro.</p>

	deposited in the general fund to be used to offset reimbursements to LTAF and up to a maximum of \$7.65 million each FY must be deposited in the general fund to be used to offset reimbursements to the County Assistance Fund. Of the monies remaining in SLF, \$10 million must be deposited in the Heritage Fund. Monies equivalent to the amount of SLF monies specified must be transferred from the general fund to the other funds specified at the beginning of each FY. More.			
S1090: HURF EXPENDITURES; TRANSPORTATION INFRASTRUCTURE	Revenues in the Highway User Revenue Fund are required to be spent only for the construction or maintenance of transportation infrastructure.	First sponsor: Sen. Farley		1/17 referred to Senate trans-tech, appro.
S1122: PERSONAL PROPERTY TRANSFER; LIMITATIONS PROHIBITED	The state, counties and municipalities are prohibited from requiring as a condition of a private sale, gift, donation or other transfer of personal property that the property owner search or facilitate the search of any federal or state databases or that a third party be involved.	First sponsor: Sen. Griffin		4/24 passed House <u>32-23</u> ; ready for governor.
S1125: INCORPORATION; URBANIZED AREAS	The county board of supervisors is required to proceed with incorporation of an area as a municipality without a resolution approving the incorporation from the nearby municipalities if the area has a population of 15,000 or more persons and that population is more than the population of any adjacent municipality that opposes the proposed incorporation.	First sponsor: Sen. Griffin		2/16 Senate COW approved with amend <u>#4145</u> . See H2088.
S1144: TPT EXEMPTIONS & DEDUCTIONS; SUNSET	The Joint Legislative Income Tax Credit Review Committee is renamed the Joint Legislation Tax Expenditure Review Committee. The Committee is required to adopt and review the "tax expenditures" (defined) for transaction privilege and affiliated excise taxes according to a 10-year review schedule, and the Committee is required to compile and adopt the schedule by December 15, 2017. After a review, the Committee is required to recommend the tax expenditures to be amended, repealed or retained. The Committee is required to report its recommendations to the Legislature and the Governor by December 15 of the year the tax expenditure is reviewed. If the tax expenditure is recommended to be retained or amended, the next review year must be no later than the 10th full calendar year following the date the tax expenditure was reviewed. Modifies the income tax credit review schedule. AS PASSED SENATE.	First sponsor: Sen. Farley		3/23 from House ways-means do pass.
S1147: COUNTY ELECTIONS; MOTOR FUEL TAXES	Counties and regional transportation authorities are authorized to levy a county motor fuel tax of up to 10 cents per gallon, if approved by the qualified electors voting at a countywide election. The net revenues collected from the tax must be deposited in the Regional Transportation Fund for a county with a population of less than 1.2 million or a regional transportation authority, or in the newly established County Motor Fuel Tax Fund for a county with a population of 1.2 million or more persons (Maricopa County). Revenues must be used exclusively for highway and street purposes. The tax must be levied beginning January 1 or July 1, whichever date occurs first after voter approval, and may be in effect for up to 20 years. AS	First sponsor: Sen. Worsley		3/22 House trans-inf do pass; report awaited.

	PASSED SENATE.			
S1185: PRECINCT COMMITTEEMEN; TERM OF OFFICE	The term of office of a precinct committeeman begins on the day after the county board of supervisors issues the official canvass for the primary election at which the precinct committeeman was a candidate and continues until the canvass is issued for the following primary election at which a precinct committeeman is elected.	First sponsor: Sen. Kavanagh		1/24 referred to Senate jud.
S1201: MEDICAL EXAMINER; COMMUNICABLE DISEASES; DISCLOSURE	A good Samaritan is authorized to petition the court for an order authorizing testing of a deceased person for certain diseases if there are reasonable grounds to believe an exposure occurred and there is probable cause to believe that the deceased person transferred blood or other bodily fluids on or through the skin or membranes of the good Samaritan. If the court finds that probably cause exists, the court is required to order the county medical examiner or alternate medical examiner to draw two specimens of blood, if available, for testing. The county medical examiner or alternate medical examiner, on a determination that the circumstance of a death provide jurisdiction, is required to provide a blood sample from a deceased person for the purpose of communicable disease testing at the request of a public safety employee or good Samaritan pursuant to statutory procedures, if the blood is available and the collection or release will not interfere with a medical examination, autopsy or certification of death. AS PASSED SENATE.	First sponsor: Sen. Griffin		4/26 passed House <u>54-0</u> ; ready for governor.
S1210: STATE LAW; VIOLATIONS; POLITICAL SUBDIVISIONS	Statute requiring the Attorney General to investigate any official action taken by the governing body of a county or municipality at the request of a member of the Legislature who alleges that the action violates state law or the state Constitution is expanded to include all "political subdivisions" (defined).	First sponsor: Sen. Smith		2/16 from Senate gov do pass.
S1211 (Chapter 44): ADOT OMNIBUS	The Arizona Department of Transportation (ADOT) is authorized to assume the responsibility of the U.S. Department of Transportation with respect to highway projects with the state under specified federal laws. Repeals statute requiring counties with a population of more than 400,000 (Maricopa and Pima) and municipalities with a population of more than 30,000 that is located in those counties to budget and spend local revenues for street and highway purposes according to a specified formula. AS SIGNED BY GOVERNOR.	First sponsor: Sen. Fann		3/22 signed by governor. Chap. 44, Laws 2017.
S1214: CABLE AFFILIATES; WFI EQUIPMENT	A municipal licensing authority is required to issue a permit to attach allowed wi-fi radio equipment to the cable television system in public streets, roads and alleys to a cable operator's "affiliates" (defined), and is authorized to levy fees and charges on a cable operator's affiliates for microcell equipment. This provision is conditionally enacted on H2365 becoming law, and applies to all cable operator licenses issued before the effective date of this legislation. Political subdivisions are prohibited from discriminating against a cable operator in its use of its cable system and from	First sponsor: Sen. Fann		4/26 signed by governor. Chap. no. awaited.

	preventing a cable operator from using its cable system in the public highways to provide telecommunications services and other noncable services if the cable operator complies with applicable federal and state requirements. Political subdivisions are authorized to establish conditions on cable system licenses that are competitively neutral and nondiscriminatory with conditions applicable to telecommunications corporations. AS PASSED HOUSE.			
S1247: CONSERVATION EASEMENT; IN LIEU PAYMENTS	The holder of a conservation easement is permitted to make an annual payment of monies in lieu of taxes on the reduction of value of the original parcel caused by the placement of the conservation easement. The payment must be paid to the county treasurer of the county in which the property is located. Retroactive to January 1, 2017. AS PASSED SENATE.	First sponsor: Sen. Griffin		4/13 House COW approved.
S1250: COUNTY MOTOR FUEL TAXES	Counties are authorized to levy by ordinance a tax on wholesale motor vehicle fuel and wholesale use fuel sold in the county of up to 3 percent of the total sale of motor vehicle fuel or use fuel. By June 15 of each fiscal year, the Department of Transportation is required to transfer monies deposited in the Highway User Revenue Fund as a result of county-imposed fuel tax to the county in which the tax was collected.	First sponsor: Sen. Farley		1/25 referred to Senate fin, trans-tech.
S1264: STATE LOTTERY; COUNTY ASSISTANCE FUND	Establishes the County Assistance Fund and requires \$7.65 million of monies remaining in the State Lottery Fund after appropriations and deposits authorized by statute to be deposited in the County Assistance Fund. The State Treasurer is required to distribute monies in the Fund equally among counties with a population of 500,000 or fewer persons. When each county that is entitled to monies from the Fund has received \$550,000, the State Treasurer is required to transfer any remaining monies deposited in the Fund during that FY to the general fund.	First sponsor: Sen. Dalessandro		1/25 referred to Senate appro.
S1308 (Chapter 179): FLOOD CONTROL DISTRICTS; EASEMENTS, LEASES	Statute allowing a municipality to sell and convey all or any part of its real or personal property does not apply to the grant of an easement on or a lease of county flood control district property to any party other than the state or a political subdivision. A county flood control district is permitted to authorize the grant of an easement on or a lease of the district real property without public auction if a list of specified conditions is met, including that the district posts and publishes notice, that the appraised value for the rental of the property is less than \$5,000 per month for proposed leases, and that the reimbursement to the county for the easement granted or the lease executed is not less than the appraised value. AS SIGNED BY GOVERNOR.	First sponsor: Sen. Griffin		4/21 signed by governor. Chap. 179, Laws 2017.

<p>S1329: FIRE FLOW REQUIREMENTS; RURAL APPLICABILITY</p>	<p>In a county with a population of less than 500,000 persons (all but Maricopa and Pima), the state or a county, municipality or fire district are authorized to provide alternative methods to comply with the requirements to provide water and/or fire flow for fire protection under a fire or building code for single-family residential properties if the alternative methods are part of a wildland-urban interface code or an international fire or building code. A property owner may apply for a waiver of the water or fire flow requirements and alternative methods under specified circumstances. AS PASSED SENATE.</p>	<p>First sponsor: Sen. S. Allen</p>		<p>3/23 from House land-agri-rural do pass.</p>
<p>S1333: WORKERS' COMPENSATION; CLAIM SETTLEMENT</p>	<p>The interested parties to a claim are authorized to settle and release all or any part of the claim, and to negotiate a "full and final settlement" (defined). Some exceptions. Requirements for a full and final settlement are established.</p>	<p>First sponsor: Sen. Fann</p>		<p>1/26 referred to Senate com-pub safety.</p>
<p>S1358: MUNICIPALITIES; COUNTIES; RENT CONTROL; SENIORS</p>	<p>Municipalities and counties are authorized to adopt a rent control ordinance for residential dwelling units and mobile home spaces that are rented to an individual who is 62 years of age or older.</p>	<p>First sponsor: Sen. Hobbs</p>		<p>1/31 referred to Senate gov.</p>
<p>S1379: MISUSED TRANSPORTATION EXCISE TAX; REPAYMENT</p>	<p>If a jurisdiction did not use revenues from the county transportation excise tax in the manner required by statute, the Department of Revenue must require that jurisdiction to directly repay the full amount of misused monies to the county's Regional Area Road Fund beginning immediately as a lump sum or in consecutive annual payments of at least 10 percent of the full amount for each fiscal year. AS PASSED SENATE.</p>	<p>First sponsor: Sen. Lesko</p>		<p>4/26 passed House <u>54-0</u>; ready for governor.</p>
<p>S1402: HOAS; IMPROVEMENT DISTRICTS; ZONING</p>	<p>Counties and municipalities are no longer prohibited from requiring as part of a subdivision approval or regulation or a zoning ordinance that a subdivider or developer establish a homeowner's association, and are instead required to provide for the establishment of single-family residential property developments that do not include property held in common ownership and that are required to be included in an improvement district for the limited purpose of owning, operating and maintaining any detention and retention basins, landscaping, open spaces, parks, entryways, street rights-of-way, recreational facilities and other improvements for the benefit of the private property owners within the development and the improvement district. Does not prohibit a subdivider or developer from obtaining approval for a residential property development that does not include property held in common ownership without an improvement district.</p>	<p>First sponsor: Sen. D. Farnsworth</p>		<p>1/31 referred to Senate gov.</p>
<p>S1403: MUNICIPALITIES; COUNTIES; TINY HOMES; CODES</p>	<p>Municipalities and counties are required to adopt residential building code requirements for "tiny home" (defined as a single-family dwelling that is not more than 400 square feet) construction.</p>	<p>First sponsor: Sen. D. Farnsworth</p>		<p>1/31 referred to Senate gov.</p>

<p>S1406 (Chapter 175): PUBLIC ACCOMMODATION; SERVICES; CIVIL ACTION</p>	<p>Before filing a civil action that alleges a public accommodation operated by a private entity has a building, facility or parking lot that violates public accommodation statutes, an aggrieved person or the person's attorney is required to provide written notice to the covered person or entity that includes "sufficient detail" (defined) to allow the covered person or entity to identify and cure the violation or to comply with the law. If the covered person or entity does not cure the violation or comply with the law within 30 days after receiving the notice, the person may file the civil action. When filing a civil action, an aggrieved person is required to file an affidavit, under penalty of perjury, that the aggrieved person has read the entire complaint and agrees with all of the allegations and facts contained in the complaint, and is not receiving and has not been promised anything of value in exchange for filing the civil action. The court is authorized to stay an action to determine whether the person or the person's attorney is a vexatious litigant or to determine if there are multiple civil actions that involve the same plaintiff and that should be consolidated. The court is authorized to impose a sanction on a plaintiff or the plaintiff's attorney if the court determines that an action or series of actions is brought for the primary purpose of obtaining a payment from the defendant due to the costs of defending the action in court. Also, public accommodation statutes do not apply to websites. Contains legislative findings. Severability clause. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Sen. Fann</p>		<p>4/18 signed by governor. Chap. 175, Laws 2017.</p>
<p>S1407: WORKERS' COMPENSATION; EMPLOYEE DEFINITION; NOTICE</p>	<p>For the purpose of workers' compensation, beginning December 1, 2017, the state, a political subdivision or a self-insurance pool consisting of public entities is authorized to direct medical care, and requirements for entities that do so are specified. Establishes a process for an injured worker from one of these entities to choose an alternative treating physician, and allows an injured worker to seek and receive "emergency care" (defined) without restrictions in the case of a "medical emergency" (defined). Session law requires the chairman of the Industrial Commission to convene a 10-member panel to make recommendations for implementing these provisions. For the purpose of workers' compensation statutes, the definition of "employee" is expanded to include a working member of a limited liability company (LLC) who owns less than 50 percent of the membership interest in the LLC, and a working member of an LLC who owns 50 percent or more of the membership interest in the LLC who is deemed an employee entitled to workers' compensation benefits on written acceptance of an application for coverage by the working member at the discretion of the insurance carrier for the LLC. The basis for computing wages for premium payments and compensation benefits for the working member is an assumed average monthly wage of \$600 or more, up to the normal statutory maximums, and is subject to the discretionary approval of the insurance carrier. If a public safety employee files a request for a hearing in connection with the employee's medical benefits or a change of</p>	<p>First sponsor: Sen. Fann</p>		<p>3/21 stricken from House consent calendar by Powers Hannley, Boyer.</p>

	<p>physician request that alleges that immediate and irreparable injury, loss or damage will result if the hearing is not held before the time frames prescribed in statute, the Industrial Commission is required to notify the parties if the request for an expedited hearing is granted and, if granted, of a hearing date that is no more than 15 days after the date of the notice, and must require the administrative law judge to issue a determination on the matter and make an award within 5 days after the hearing. AS PASSED SENATE.</p>			
S1408: COUNTIES; MUNICIPALITIES; EUTHANIZING ANIMALS	<p>Animals impounded in a county or municipal pound may no longer be euthanized by the use of T-61 euthanasia solution or its generic equivalent.</p>	<p>First sponsor: Sen. Kavanagh</p>		<p>4/26 passed House <u>54-0</u>; ready for governor.</p>
S1411: COUNTY STADIUM DISTRICTS; REVENUE; SCHOOL DISTRICTS	<p>For any county stadium district formed after the effective date of this legislation, the district board of directors is required to transfer to school districts located in the district an amount equal to 10 percent of revenues received in that calendar quarter, to be allocated to each school district based on the school district's percentage of assessed valuation in relation to the total assessed valuation in the county.</p>	<p>First sponsor: Sen. Bowie</p>		<p>1/31 referred to Senate appro, fin.</p>
S1414: ROAD SIGNAGE; COUNTIES	<p>Counties are permitted to place a sign on a road that the county does not maintain that states "Enter or proceed with caution. Use at your own Risk. This surface is not maintained by the County."</p>	<p>First sponsor: Sen. Griffin</p>		<p>4/26 passed House <u>54-0</u>; ready for governor.</p>
S1446: MOTOR FUEL TAXES; COUNTY ELECTION	<p>Counties and regional transportation authorities are authorized to levy a county motor fuel tax of up to an unspecified amount (blank in original) per gallon, if approved by the qualified electors voting at a countywide election. The net revenues collected from the tax must be deposited in the Regional Transportation Fund and used exclusively for highway and street purposes. The tax must be levied beginning January 1 or July 1, whichever date occurs first after voter approval, and may be in effect for up to 20 years.</p>	<p>First sponsor: Sen. Worsley</p>		<p>1/31 referred to Senate fin.</p>
S1454: COUNTY IMPROVEMENT DISTRICTS; ASSESSMENT; CONTRIBUTION	<p>County improvement districts may be financed from proceeds received from the sale of district bonds, county monies contributed to the district, state or federal grants, private contributions, and any other monies available to the district by law. The payment of preliminary incidental costs for which a district has become liable may be assessed and levied on a per parcel basis or based on the assessed valuation of the property.</p>	<p>First sponsor: Sen. Griffin</p>		<p>3/21 from House rules okay.</p>
S1480: REVISIONS; COMMUNITY FACILITIES DISTRICTS	<p>Various changes to statutes related to community facilities districts. On presentation of a petition signed by the owners of at least 25 percent of the land area proposed to be included in a community facilities district, the county or municipal governing body is required to hold a public hearing within 60 days to consider the application and is authorized to adopt a resolution declaring its intention to form a district that includes contiguous or noncontiguous property that is wholly within the county or municipal boundaries. If the governing body does not adopt a resolution, the governing body is required to provide a written basis for not</p>	<p>First sponsor: Sen. Smith</p>		<p>4/26 signed by governor. Chap. no. awaited.</p>

	<p>adopting the resolution and identify the specific changes needed for the application to be approved and the resolution to be adopted. Establishes a list of information that must be included in a completed application for a community facilities district. The fees and other charges assessed by a municipality or county in connection with district formation are capped at \$15,000. If an application is denied, the county or municipality is prohibited from assessing a fee or other charge in connection with the submission and consideration of a substantially similar application that is submitted within one year following the denial. Any fees or other charges paid by an applicant before district formation that exceed the actual costs of formation must be used by the county or municipality solely to support the formation or administration of the district. Community facilities districts are required to establish and maintain an official website that is electronically searchable by the public and that contains a database of specified information. AS PASSED HOUSE.</p>			
<p>S1505: TOLL ROADS; CONVERSION; PROHIBITION</p>	<p>A county board of supervisors is prohibited from granting an application for a toll road that will be converted from a publicly funded or maintained street or highway. The Department of Transportation is prohibited from entering into any agreement that allows the conversion of an existing publicly funded or maintained street or highway to a toll road.</p>	<p>First sponsor: Sen. Mendez</p>		<p>2/1 referred to Senate trans-tech.</p>
<p>SCR1021: EDUCATION FINANCE TPT; RATES</p>	<p>The 2018 general election ballot is to carry the question of whether to amend state statute to increase the additional transaction privilege tax rate to 1 percent of the tax base, from 0.6 percent of the tax base, effective beginning January 1, 2019, and to eliminate the repeal date of July 1, 2021 for the additional tax rate. Makes various appropriations in specified fiscal years to the Department of Education for specified purposes.</p>	<p>First sponsor: Sen. Quezada</p>		<p>1/31 referred to Senate educ, fin.</p>