



## City Council Weekly Information Packet

Friday, February 26, 2021

Includes the following documents/information:

- 1) City Council Events Schedule
- 2) State and Federal Update & Grant Opportunities
- 3) Tax Revenue Statistical Report - January 2021
- 4) FY21 General Fund Local Sales Tax Update
- 5) Update on the Status of Special Events Approval
- 6) Community Services Department Update

# MEMORANDUM



TO: Mayor and City Council  
THROUGH: Andrew Ching, City Manager  
FROM: Marge Zylla, Government Relations Officer  
DATE: February 26, 2021  
SUBJECT: State and Federal Update & Grant Opportunities

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Below are summaries of recent actions and announcements at the state and federal level:

- American Rescue Plan Update
- NLC Update, American Rescue Plan
- Governor Executive Orders
- State Legislative Update
- Federal Coronavirus Response Programs for Arizona
- AZ Department of Health Services COVID-19 Update
- Maricopa County Tempe December COVID-19 Data Report
- Grant Opportunities

Please let me know if there are follow-up questions for Tempe's federal lobbyist. Also, please let me know if Tempe staff members are pursuing federal grants so we can arrange for letters of support from our Congressional delegation.

## **American Rescue Plan Update**

*Via Ballard Spahr, 2/25/21*

### **Update on American Rescue Plan (House budget reconciliation legislation)**

Over the past two weeks, nine House authorizing committees marked up their respective COVID-19 relief provisions and transmitted them to the Budget Committee. Earlier this week, the Budget Committee approved the combined provisions to form the America Rescue Plan, President Biden's \$1.9 trillion COVID-19 relief proposal. The legislation is comprised of the following provisions:

**The Agriculture Committee.** Provisions help families put food on the table by extending enhanced SNAP benefits, providing funds to alleviate backlogs and respond to pandemic impacts in our food supply chains, and supporting debt relief and other financial and technical assistance to Black farmers and other farmers of color.

**The Education and Labor Committee.** Provides critical funding to help K-12 schools safely reopen and address lost time in the classroom, as well as provisions to increase workers' income by raising the federal minimum wage and expanding grants to make childcare safer and more affordable for families.

**The Energy and Commerce Committee.** Provisions provide critical funding and resources to increase COVID-19 vaccinations across the country and to test, treat and protect all Americans, including communities of color.

**The Financial Services Committee.** Provisions include funds to protect renters and homeowners, prevent homelessness, and procure essential medical supplies and equipment through the Defense Production Act.

**The Committee on Oversight and Reform.** Provisions provide urgent funding to help communities across the country battle the coronavirus, restore critical services to struggling families, and help save the jobs of our heroes — health care workers, first responders, sanitation and transportation workers, and teachers — in states, localities, tribes, and territories.

**The Small Business Committee.** Provisions help small businesses get back on track with additional funding for EIDL and restaurant grants, expanded PPP eligibility for nonprofits, and support for shuttered and struggling live venues.

**The Veterans' Affairs Committee.** Provisions will provide critical funds to help the VA meet the health and economic needs of our nation's veterans, including funds to waive copays for treatment and help the VA reduce claims and appeals backlogs caused by COVID.

**The Transportation and Infrastructure Committee.** Provisions provide key funding for transit, airports, and FEMA's disaster relief fund that help put people back to work.

**The Ways and Means Committee.** Provisions include additional direct payments, extended pandemic-related unemployment benefits, financial assistance for individuals to retain health coverage through the Affordable Care Act, and funding for enhancements to refundable tax credits - like the Child Tax Credit and the Earned Income Tax Credit - designed to help low-income Americans and combat child poverty.

The America Rescue Plan is scheduled to be considered on the House floor on Friday, February 25, and it's possible that additional changes to the bill will be made prior to floor consideration. The provision providing direct, flexible funding to cities and counties is expected to remain in the bill. The City of Tempe is estimated to receive a direct payment of approximately **\$43,000,000** under this provision.

**NLC Update, American Rescue Plan**  
*Via National League of Cities Staff, 2/26/21*

Today the U.S. House will be voting on H.R. 1219, American Rescue Plan Act of 2021. You can view floor proceedings [here](#). The House is expected to vote on final package late this evening.

The text of the bill is [here](#).

Attached are the updated estimated allocations that the House Committee on Oversight has provided. This is their note to explain differences:

*“As the American Rescue Plan Act makes its way through the legislative process, we continue to refine the estimates for allocations from the State and Local Fiscal Relief Funds. [As noted in Ballard Spahr update above, Tempe is slated to receive a direct payment of approximately \$43 million.]*

*The new “Notes on State and Local Allocation Output” document (also attached) has helpful detail on this update that should assist with many questions that will likely arise. Those from areas with overlapping governments should pay particular attention to the note on sublocal entities (including villages) that may not be listed in the spreadsheet but which may qualify for funding under the bill.”*

Upon passage of the bill, NLC will release a statement which we will share.

**Governor Executive Orders**

The Governor has issued a number of Executive Orders in 2020 and 2021. They can be found at [this link](#). No Executive Orders were issued this week.

**State Legislative Update**

Today is the 47<sup>th</sup> day of the 2021 state legislative session. As of today, 1,708 bills have been posted, 42 have passed the Legislature and 35 have been signed by the Governor. The next bill deadline is 3/26/21, which is the last day for Senate consideration of House bills and House consideration of House bills.

The bills of interest to Tempe will be added to the list and be fine-tuned in the coming months as more information is available the bill language continues to evolve. Staff is analyzing legislative proposals as they become available.

The tracking list (List 1) that follows this memo includes the summaries of bills that may be of interest to Tempe, organized by department. This list will be fine-tuned as staff is able to review bills in depth and as proposals are amended. As more analysis is done, additional comments and/or bill tracking lists may be included. These lists are not exhaustive, and we are continuing to update as bills are introduced. Readers can use the search/find tool (keyboard shortcut: press “Ctrl” and the “F” key) to search for terms of interest, like fireworks, rentals, zoning, etc.

For reference, attached are one-pager summaries on two problematic bills (SB 1409 and SB 1487) that have been created by the League of Arizona Cities and Towns and have been sent to legislators. Also, an op-ed from Councilmember Kuby regarding the opposition to SB 1487 can be found at [this link](#). Summaries of these bills and the latest activity on the bills can be found in the List 1 attachment.

**Federal Coronavirus Response Programs for Arizona**

The Joint Legislative Budget Committee staff’s Federal Coronavirus Response Programs Summary was updated on 2/25/21. It is available at [this link](#).

## AZ Department of Health Services COVID-19 Update

Via ADHS Staff, 2/25/21

Arizona Department of Health Services (Department) COVID-19 updates:

- As of today, over 1.6 million doses of vaccine have been administered in Arizona with over 1.1 million Arizonans receiving first doses of vaccine and nearly 470,000 having a complete series.
  - More information about vaccination by county and by demographics is available on the Vaccine Administration section of our [data dashboard](#).
- ADHS continues to work with partners to operate high throughput state vaccination sites that serve as a national model:
  - Over 370,000 doses of COVID-19 vaccine have been administered at the 3 state vaccination sites - State Farm Stadium, Phoenix Municipal Stadium, and University of Arizona.
  - This week, ADHS [announced the launch of a new state vaccination site at Chandler Gilbert Community College](#). This will transition the site, successfully operated by Dignity Health in partnership with Maricopa County, maintaining high volume vaccination capacity in the East Valley of Maricopa County.
    - The site will be operated by ADHS and DEMA in partnership with Blue Cross Blue Shield of Arizona, Maricopa Community College District, and Walgreens.
    - Appointments at the site will open for registration at 9 A.M. on Monday, March 1st through <https://podvaccine.azdhs.gov/> or by calling 1-844-542-8201.
    - The site will initially operate from 7 A.M. to 5 P.M. Monday through Friday providing Pfizer vaccine.
- A list and map of vaccination sites throughout Arizona with contact and registration information is available at [azhealth.gov/findvaccine](http://azhealth.gov/findvaccine) and is routinely updated as new vaccination sites are added.
  - Arizonans in a vaccination priority group are encouraged to check the map frequently to identify a vaccination site close to them. Links to registration information and site information are available by clicking on the site on the map or scrolling down the list of sites on the left side of the map.
  - People in a prioritized group seeking appointments at a state vaccination site can call 1-844-542-8201 to be connected to a representative who can assist with appointment scheduling in English or Spanish.
- ADHS continues to work with community partners to conduct outreach and provide information to communities throughout Arizona. This week, Dr. Christ and ADHS representatives spoke with residents of the 85009 zip code about COVID-19 vaccines during English and Spanish town hall events.
- On Wednesday, ADHS joined the Governor's Office of Youth Faith and Family for a follow-up [vaccination event with faith-based leaders](#). Religious leaders from several denominations spoke about the safety and effectiveness of COVID-19 vaccines and were given their second dose of vaccine by Dr. Christ.
- This week, over 250,000 doses were allocated to the state for delivery the week of 2/28.
  - More information about the 2/21 allocation by jurisdiction is posted [here](#). This is updated at the beginning of each week.
  - This week, Moderna shipments that were delayed last week due to severe weather arrived at provider sites across the state. This week's shipments have been arriving as scheduled.
- Last Friday, ADHS announced \$100 million to be made available for counties to conduct COVID-19 testing, contact tracing, and other related COVID-19 activities. This funding was awarded through an existing CDC cooperative agreement and allocated with a formula using a \$100,000 base award plus population percentage. Amounts available by county are available in the [announcement](#).
- ADHS continues to monitor COVID-19 data and we are encouraged by some of the downward trends:
  - After reaching a peak in cases with over 65,000 cases reported the week of Jan. 3, cases have significantly decreased in Arizona for six consecutive weeks. Fewer than 10,000 cases were reported the week of Feb. 14.
  - Percent positivity increased slightly the week of Feb. 14 to 9%, up from 8.6% the week of Feb. 7.

- The number of people hospitalized with COVID-19 continues to sharply decrease, with the total percent of occupied inpatient beds dropping below 90%.

The link below provides the most up-to-date health surveillance figures regarding COVID-19 in Arizona. <https://www.azdhs.gov/preparedness/epidemiology-disease-control/infectious-disease-epidemiology/covid-19/dashboards/index.php>

### **Maricopa County Tempe January COVID-19 Data Report**

*Via Maricopa County Staff, 2/22/21*

Attached you will find the data sheet for Tempe for the month of January.

As you may have heard, Maricopa County recently released a COVID-19 vaccine data dashboard. The dashboard includes a map where you can view the percent and rate (per 100,000 persons) of eligible Maricopa County residents (based on residential address) who have received COVID-19 vaccine by ZIP code and city of residence. To access the dashboard, click [here](#).

### **Grant Opportunities**

*Via ASU University City Exchange*

## **Pioneering Ideas: Exploring the Future to Build a Culture of Health**

**no submission deadline**

The Robert Wood Johnson Foundation Pioneering Ideas programs has a call for proposals that address health equity in one of four areas: Future of Evidence; Future of Social Interaction; Future of Food; and Future of Work. Pioneering Ideas also welcomes ideas outside of these focus areas that offer unique approaches to advancing health equity. Scientists, anthropologists, artists, urban planners and community leaders are encouraged to apply.

[MORE INFORMATION](#)

## **NPS Rivers, Trails and Conservation Assistance Program**

**Requests considered on a rolling basis through March 2021**

National Parks Service is accepting applications for community assistance in conservation and outdoor recreation. Project applicants may be state and local agencies, tribes, nonprofit organizations or citizen groups. National Parks and other federal agencies may apply in partnership with other local organizations.

[MORE INFORMATION](#)

## **EDA Public Works and Economic Adjustment Assistance (EAA) Programs**

**no submission deadline**

Economic Development Administration solicits applications from rural and urban areas to provide investments that support construction, non-construction, technical assistance and revolving loan fund projects under EDA's

Public Works and EAA programs. Grants and cooperative agreements are designed to leverage existing regional assets and support the implementation of economic development strategies that advance new ideas and creative approaches to advance economic prosperity in distressed communities. The award range is between \$100,000 - \$30,000,000 with required match based on per capita income and unemployment rate.

[MORE INFORMATION](#)

### **Common Counsel's Grassroots Exchange Fund** **no submission deadline**

The Grassroots Exchange Fund is a rapid response small grants program which supports collaboration between grassroots social change and environmental justice organizations.

A Grassroots Exchange Fund grant is typically \$1,000 and is distributed twice monthly on a rolling cycle.

[VISIT THE EXCHANGE FUND](#)

## **Notes on File Labeled “State and Local Allocation Output 02.25.21”**

Below is a brief summary of the local estimates produced in the “State and Local Allocation Output 02.25.21” file, including any underlying methodological assumptions and potential deviations for how local funding would be distributed in practice.

### **Metro Cities Section**

This update includes a correction for an error in the way the CDBG allocations were weighted across metro cities, counties, and nonentitlement areas. This resulted in increases in the projected assistance to each metro city by about 9% (the nature of the error did not produce any offsetting decreases elsewhere).

Island territories other than Puerto Rico were also removed from the metro city list, consistent with the “state” definition originally used in the text.

Methodology: The list of “metro cities” as defined in the proposal and the allocation amounts provided to those cities were generated from the FY2020 CDBG entitlement awards distributed to those cities as shown on the [HUD website](#). Select city governments that qualify but have chosen not to participate in the CDBG entitlement program have been added, as that information has been made available, with allocation amounts estimated by CRS using the limited data available for those cities.

### **Potential Deviations in Distribution:**

- Funds may be distributed to metro cities based on the formula for FY2021, for which award data is not yet available.
- Other cities that qualify and have chosen not to participate in the CDBG entitlement program may elect to receive assistance as a metro city, which would reduce amounts otherwise available to the remaining metro cities.

### **Other Non-Counties Section**

This update now uses 2019 Census data (identical to other local inputs) and reflects two changes made by the Manager’s Amendment:

- (1) a change in the definition of eligible nonentitlement governments; and
- (2) a change in how nonentitlement payments are distributed from the federal government to states (no change in how states distribute to individual governments).

The combination of both nonentitlement language changes and the new methodology increases the precision of the estimates, allowing for only one run for each government.

Island territories other than Puerto Rico were also removed from the nonentitlement allocations, consistent with the “state” definition originally used in the text.



Methodology: The list of eligible governments and their respective populations was generated from the [2019 City and Town dataset](#) from the Census Bureau, which includes data on both “incorporated areas” and “minor civil divisions.”

- The list of governments for 38 states and DC represent all incorporated areas coded as having active governments, less incorporated areas that are metro cities. This includes:
  - 30 states and DC that do not have governments classified as minor civil divisions: and
  - 8 states which are described by [Census](#) as having minor civil division governments that “for the most part, perform less of a governmental role” (IL, IN, KS, MO, NE, ND, OH, SD).
- The list of governments for the remaining 12 states (CT, ME, MA, MI, MN, NH, NJ, NY, PA, RI, VT, WI) includes both incorporated areas and minor civil divisions with active governments, less governments that are metro cities. Minor civil division governments were included for these states, as [Census](#) describes their activity as mostly resembling “general-purpose local governments.”

In all cases, the list of nonentitlement governments intends to accurately capture the *total population eligible for assistance in each state, rather than the total number of governments eligible for assistance*, as the total state population is used to calculate the amount every nonentitlement government will receive.

Estimates also do not account for the cap on nonentitlement assistance equal to 75% of the government’s previous annual budget.

#### Potential Deviations in Distribution:

- 2020 city and town populations may be used to calculate distribution amounts, for which data is not yet available.
- Government eligibility decisions made by the U.S. Department of Treasury in implementing the law may differ from the assumptions used in states with minor civil divisions.
- Projected amounts may be distributed to more than one nonentitlement government to the extent that eligible nonentitlement governments have overlapping populations (for example, residents of a village government and town government in New York).
- Governments described in the “Metro Cities” section as relinquishing CDBG entitlement program eligibility but choosing to receive metro city funding in this program may be included on this list. Removal of such governments would increase amounts provided to other state nonentitlement governments.
- Every effort has been made to remove metro cities and their sub-local governments from this list, but such efforts may not be comprehensive. To the extent such entities remain and do not receive nonentitlement funding, amounts for other state nonentitlement governments would subsequently increase.

- Governments with assistance amounts subject to the 75% annual budget cap would have their assistance subsequently reduced. Amounts to other state nonentitlements would subsequently increase.

### **Counties Section**

As mentioned in the Metro Cities Section, this update includes a correction for an error in the way the CDBG allocations were weighted across metro cities, counties, and nonentitlement areas. This resulted in a greater number of urban counties getting the CDBG markup (up to 14, from 11 previously) and a subsequent reduction in the amounts received by other counties.

Methodology: County population data draws from the 2019 [Census county population dataset](#). CDBG award data for counties classified as “urban counties” in that program drew from the same [HUD information](#) mentioned in the “Metro Cities” section.

### Potential Deviations in Distribution:

- 2020 county populations may be used to calculate distribution amounts, for which data is not yet available.
- In some cases, governments that relinquish the metro cities designation but choose to classify as metro city for this program may alter the adjustments made to urban counties for purposes of the county distribution. Such effects are likely to be small, however, as only 14 of more than 3,100 counties are currently estimated to have their allocations affected by CDBG participation.
- No adjustment is made to account for areas without active county governments. Amounts in those cases are redistributed to other local governments within the county based on population.

## List 1: Bills of Potential Interest to Tempe with Summaries

**Bills are categorized by Department, some bills can affect multiple Departments. Comments will continue to be added and adjusted as staff analyzes proposals. List is not exhaustive and new bills continue to be introduced.**

55th Legislature - 1st Regular Session, 2021

Friday, Feb 26 2021 2:58 PM

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### CAO

BILL NUMBER/ SHORT TITLE	SUMMARY	POSTED HEARINGS & CALENDARS	COMMENTS	LAST ACTION
H2006: SPEED LIMITS; ROADWAY TURN OFF	For the purpose of statute prohibiting driving a motor vehicle at such a slow speed as to impede the movement of traffic, "vehicle" is defined as a device in, on or by which a person or property is or may be transported on a public highway. "Vehicle" specifically includes electric bicycles, electric miniature scooters, electric standup scooters, devices moved by human power, personal delivery devices, and personal mobile cargo carrying devices. AS PASSED HOUSE.	Hearing: Senate Transportation & Technology (Monday 03/01/21 at 2:00 PM, Senate Rm. 109)	General Comments (all lists):  Potential implications for sharrow--being analyzed	2/18 referred to Senate trans-tech.
H2007: AUTONOMOUS VEHICLES; SAFETY FEATURES; PROHIBITIONS	A person is prohibited from "installing or using a defeat device" (defined) to interfere with or disable a safety feature of a vehicle equipped with specified levels of driving automation that is designed to ensure that a human driver is alert and attentive while driving automation features are engaged. Some exceptions.			1/12 referred to House trans.
H2049: EMINENT DOMAIN; EXISTING CONTRACTS	If a municipality exercises the right of eminent domain to acquire a public utility business or enterprise, the municipality is required to assume all existing assets and contractual obligations directly associated with providing current and future "utility service" (defined) in the certificate of convenience and necessity that is being condemned unless all parties to the contractual obligations agree otherwise. The municipality has no obligation to provide utility service if the contractual obligation was executed on or after the date of the notice that is provided pursuant to eminent domain statutes. AS PASSED HOUSE.	Hearing: Senate Government (Monday 03/01/21 at 2:00 PM, Senate Rm. 1)	General Comments (all lists):  Identical to HB 2499 from the 2020 session. HB 2499 failed in Senate Rules. League opposes. May be held, possibility of amending language.	2/18 referred to Senate gov.
H2050: LIQUOR OMNIBUS	Various changes to statutes relating to spirituous liquor. The list of sources that a retailer may order, purchase or receive spirituous liquor from is expanded to include licensed craft distillers subject to statutory limits. Distillers and brewers are authorized to provide sampling of up to 16 ounces of beer or cooler products, increased from 12 ounces. A representative of a producer or wholesaler participating at a special event is allowed to consume small amounts of the products of the producer or wholesaler on the premises of the special event for the purpose of quality control. A licensee with joint premises privileges is prohibited from allowing a person under the legal drinking age to remain in an area where the primary use is the sale, dispensing or consumption of spirituous liquor if the person is not accompanied by a spouse, parent, grandparent or legal guardian of legal drinking age, instead of if the person is not accompanied by an adult. A licensed craft distiller that produces up to 3,566 gallons, increased from 1,289 gallons, of distilled spirits in a calendar year is allowed to make sales and deliveries of distilled spirits that the licensed craft distiller produces to on-sale and off-sale retailers. As session law, a liquor licensee who had a retail license that reverted to the state between January 1, 2018 and December 31, 2020 due to more than 36 months of continuous nonuse has until December 31, 2022 to file in writing with the Department of Liquor Licenses and Control (DLLC) a request for relief from the license reversion. On receipt of such a request, DLLC is required to reissue the license. As session law, a purchaser of a bar, beer and wine bar, or liquor store license awarded through the annual liquor license lottery between January 1, 2017 and December 31, 2019 that has not been activated has until December 31, 2022 to file in writing with DLLC a request to sell or activate the license. After DLLC receives such a request and the full purchase price of the license, DLLC is required to allow the purchaser to sell or to submit an application to activate the license. AS PASSED HOUSE.	Hearing: Senate Commerce (Wednesday 03/03/21 at 2:00 PM, Senate Rm. 1)		2/18 referred to Senate com.
H2073: RECORDS; CONFIDENTIALITY; ELIGIBLE	For the purpose of statute allowing eligible persons to file an affidavit to request county	Hearing: Senate Judiciary		2/18 referred to Senate jud.

INDIVIDUALS	officers and state agencies prohibit access to that person's information contained in certain public records, the definition of "eligible person" is expanded to include former county attorneys, former municipal prosecutors, former attorneys general, former U.S. Attorneys, commissioners of the municipal court, hearing officers appointed for civil traffic violations, and members of the Commission on Appellate Court Appointments. Persons whose residential address is protected from public disclosure are not required to disclose their address when making campaign contributions and are instead required to provide an alternate mailing address.	(Thursday 03/04/21 at 9:00 AM, Senate Rm. 1)	
H2083: SAFETY FEATURES; AUTONOMOUS VEHICLES; PROHIBITIONS	A person is prohibited from knowingly and intentionally installing or using a "defeat device" (defined) to interfere with or disable a safety feature of a vehicle equipped with specified levels of driving automation that is designed to ensure that a human driver is alert and attentive while driving automation features are engaged. Some exceptions. AS PASSED HOUSE.		2/18 referred to Senate trans-tech.
H2108: TELECOMMUNICATIONS; PUBLIC HIGHWAYS; USE; FEES	For any underground facility that is used for a "small wireless facility" (defined elsewhere in statute), a political subdivision is prohibited from requiring an annual telecommunications fee based on the number of linear feet of trench in the public highways in which the telecommunications corporation has placed facilities.		General Comments (all lists): Oppose in current form. Open-ended nature of current language is problematic. City-approved amendment has been offered, has not been attached to the bill at this time. Cable industry has expressed opposition
H2111: 2ND AMENDMENT; UNENFORCEABLE FEDERAL LAWS	Pursuant to the sovereign authority of the state of Arizona and the state constitution, an act, law, treaty, order, rule or regulation of the U.S. government that violates amendment II of the U.S. Constitution is null, void and unenforceable in Arizona. This state and all political subdivisions are prohibited from using any personnel or financial resources to enforce, administer or cooperate with any act, law, treaty, order, rule or regulation of the U.S. government that violates amendment II of the U.S. Constitution.		2/24 passed House <u>31-29</u> ; ready for Senate.
H2152: POLICE; CAMERA RECORDINGS; REQUIRED REDACTIONS	Before a law enforcement agency releases a copy of a video recording from a law enforcement officer's body-worn camera to the public, the law enforcement agency must redact any portion of the video recording that shows the face or an identifiable body part of any person who appears in the video recording if the person is not the subject of a police investigation or enforcement action and the person was located in a private location or in a public location with an expectation of privacy, the person is a victim of or witness to a crime, or the person was in a state of undress and specified areas of the person's body were not covered. Does not apply to a person who provides the law enforcement agency with a written waiver to release the video recording without any redactions.		2/24 referred to Senate jud.
H2161: TOURISM MARKETING AUTHORITIES	Establishes a new chapter in Title 9 (Cities and Towns) and a new chapter in Title 11 (Counties) allowing the governing body of one or more municipalities and/or of a county with a population of less than 2 million persons (all but Maricopa County) to adopt a resolution, on presentation of a petition signed by the owners of at least 67 percent of the transient lodging rooms in the geographic area, forming a tourism marketing authority to promote and enhance tourism in that geographic area. Establishes powers and duties of a tourism marketing authority, including authorization to levy an assessment of up to \$5 per room on transient lodging rooms sold per night. A tourism marketing authority is governed by a board of directors, and budgeting, recordkeeping and reporting requirements for the board are specified. Establishes a process for termination of a tourism marketing authority. Emergency clause.		2/23 FAILED House <u>28-32</u> .
H2170: WRITS OF GARNISHMENT; ATTORNEY FEES	Accrued attorney fees, including fees for garnishment, if allowed by a judgment or contract, are added to the amount that may be included in a writ of garnishment.		2/23 passed House <u>54-5</u> ; ready for Senate.
H2242: AGENCY ACTIONS; PROCEDURES; FEE AWARDS	Modifies statutes governing fees and other expenses the court awards to a party that prevails in an action against the state or a county or municipality by an adjudication on the merits. An award of fees against the state or a county or municipality cannot exceed \$125,000, increased from \$75,000, for fees incurred at each level of judicial appeal. The maximum rate for attorney fees awarded is \$350 per hour for any awards of	Hearing: Senate Judiciary (Thursday 03/04/21 at 9:00 AM, Senate Rm. 1)	2/18 referred to Senate jud.

	attorney fees against the state or a county or municipality, instead of only for specified cases, and the maximum rate of \$75 per hour for all other cases is deleted. A person is entitled to have an agency not base a decision regarding any filing or other matter submitted to an agency on a requirement or condition that is not specifically authorized by statute, rule or state tribal gaming compact, and an agency is prohibited from doing so. A determination by an agency that an application is not administratively complete is an appealable agency action, with some exceptions. Changes relating to expenses awarded by the court apply to all proceedings that are pending on or filed after the effective date of this legislation. AS PASSED HOUSE			
H2248: CORPORATION COMMISSION; ELECTRIC GENERATION RESOURCES	Without express legislative authorization, the Arizona Corporation Commission (ACC) is prohibited from adopting or enforcing a policy, decision or rule that directly or indirectly regulates the types of "critical electric generation resources" (defined) used or acquired by public service corporations within Arizona's energy grid. Does not apply to any policy, decision or rule adopted before June 30, 2020. Does not prohibit the ACC from setting electricity rates for public service corporations. Contains legislative findings. Retroactive to June 30, 2020.			2/24 House COW approved with flr amend #4480.
H2305: SPIRITUOUS LIQUOR; ALTERNATING PROPRIETORSHIPS	On application by one or more persons, the Department of Liquor Licenses and Control is authorized to approve applications for grouping two or more spirituous liquor producer, craft distiller, or microbrewery licenses at one location under a plan of alternating proprietorships if a licensed producer, craft distiller, or microbrewery has received approval by the U.S. Alcohol and Tobacco Tax and Trade Bureau and the participating producers, craft distillers, or microbreweries operate under the regulations and guidelines that are issued by the Bureau. Each participating spirituous liquor producer or microbrewery is responsible for filing all reports that relate to its production with the Bureau and the Department of Revenue. AS PASSED HOUSE	Hearing: Senate Commerce (Wednesday 03/03/21 at 2:00 PM, Senate Rm. 1)		2/18 referred to Senate com.
H2310: EXECUTIVE ORDERS; REVIEW; ATTORNEY GENERAL	At the request of a member of the Legislature, the Attorney General is required to investigate any official action taken by the governing body of a county or municipality that reduces a "law enforcement agency's" (defined) budget by at least ten percent below the previous year's budget. If the Attorney General concludes that there is a reduction to the law enforcement agency's budget of at least ten percent below the previous year's budget, the Attorney General is required to notify the county or municipality of the conclusion by certified mail and provide 30 days to restore the budget reduction. If the county or municipality fails to restore the budget reduction within 30 days, the Attorney General is required to notify the State Treasurer, who must withhold and redistribute state shared monies from the county or municipality in an amount equal to the reduction of the law enforcement agency's budget. The Attorney General is required to continue to monitor the response of the governing body, and when the reduction to the budget has been restored, is required to notify the Governor and the Legislature and notify the State Treasurer to restore the distribution of state shared revenues to the county or municipality. Does not apply if a county or municipality has reduced their overall budget by at least ten percent below the previous year's budget.		General Comments (all lists):  Striker language is expected. If striker is added, will revisit position based on new language (may be completely different than the initial proposal). Original bill: Oppose. Would preempt city elected officials from setting the city budget. Also problematic for years in which a city expends one-time funding (e.g. significant building renovation, technology investment, vehicle replacements, etc) and would be penalized in future years.	2/24 passed House <u>31-29</u> ; ready for Senate.
H2348: FAILURE; RETURN VEHICLE; OFFENSE; REPEAL	Repeals the crime of unlawful failure to return a motor vehicle subject to a security interest, a class 6 (lowest) felony.		General Comments (all lists):  Support	2/24 passed House <u>59-0</u> ; ready for Senate.
H2372: AGRICULTURAL OPERATIONS; NUISANCE; LIABILITY	Statute governing nuisance liability for agricultural operations is repealed and replaced. A nuisance action cannot be filed against an agricultural operation conducted on farmland unless a list of specified conditions apply. Establishes a rebuttable presumption that an agricultural operation conducted on farmland is not a public or private nuisance, which may be overcome by a preponderance of the evidence that the operation is violating applicable federal, state or local laws and regulations. Establishes requirements for the court to award costs, expenses, and/or compensatory damages in a nuisance action. The circumstances under which agricultural operations conducted on farmland may be		General Comments (all lists):  League opposes. Nuisance preemption for certain agricultural activities. Proponents have stated that the intent is not to stop nuisance mitigation efforts (noise, flooding, pest issues, odor), but language doesn't currently reflect that. HB1224 is the mirror bill in the other Chamber.	2/23 retained on House COW calendar.

	regulated or considered to be a nuisance are a matter of statewide concern. This legislation supersedes any municipal ordinance that makes an agricultural operation conducted on farmland a nuisance or provides for an abatement of the agricultural operation as a nuisance, and any such ordinance is void and has no force or effect. Contains legislative findings.			
H2389: STATE OF EMERGENCY; AUTOMATIC TERMINATION	A state of emergency declared by the Governor terminates 21 days after the date on which the state of emergency is proclaimed, unless the Legislature extends the state of emergency by concurrent resolution. A state of emergency may be terminated earlier than the 21-day period by proclamation of the Governor or by concurrent resolution of the Legislature. If a state of emergency is not extended by the Legislature, the Governor is prohibited from proclaiming a new state of emergency based on the same or substantially similar facts and circumstances without the passage of a concurrent resolution by the Legislature consenting to the new state of emergency. If the Governor fails to comply with this prohibition, any citizen is authorized to apply to the superior court for a writ of mandamus to compel the Governor to comply.		General Comments (all lists): Monitor	1/27 referred to House govern- elect.
H2400: MUNICIPAL ORDINANCES; POSTING	Municipal ordinances imposing a penalty, fine, forfeiture or other punishment are required to be posted at city or town hall or in one public place within the municipality, and on the municipality's website, instead of being required to be posted in three or more public places within the municipality. AS PASSED HOUSE	Hearing: Senate Government (Monday 03/01/21 at 2:00 PM, Senate Rm. 1)	General Comments (all lists): Support. League resolution.	2/18 referred to Senate gov.
H2412: PROHIBITED AGREEMENTS; PUBLIC WORKS PROJECTS	The list of prohibited provisions in a public works contract is modified to remove requiring a contractor to participate in or contribute to an apprenticeship program that is registered with the U.S. Department of Labor and requiring a contractor to become a party to any project labor agreement.			1/25 referred to House govern- elect, com.
H2420: LAW ENFORCEMENT BUDGET; REDUCTION; CERTIFICATION	By October 15 of each year, counties and municipalities are required to certify in writing to each state agency through which the county or municipality receives any state monies that there has been no disproportionate funding reductions to the county's or municipality's law enforcement agency. The certification must include a statement that any reduction in funding or proposed funding to the law enforcement agency is a result of reduced revenue collection and the reduction in law enforcement agency funding is "proportionate" (defined) to the reduction in revenue. A county or municipality that has disproportionately reduced its law enforcement agency funding is not eligible to receive state shared monies. The State Treasurer is required to continue to withhold state shared monies until certification from the county or municipality that the reduction in the law enforcement agency's budget has been restored to a proportionate amount.		General Comments (all lists): Oppose. Would preempt city elected officials from setting the city budget. Also problematic for years in which a city expends one-time funding (e.g. significant building renovation, technology investment, vehicle replacements, etc) and would be penalized in future years.	2/23 from House rules okay.
H2462: CIVILIAN REVIEW BOARD MEMBERS; TRAINING	Before a person becomes a member of a "civilian review board" (defined) that reviews the actions of peace officers in Arizona, the person is required to satisfactorily complete a community college police academy and at least 20 hours of virtual law enforcement training.			2/24 passed House <u>31-29</u> ; ready for Senate.
H2481: SHORT-TERM RENTALS; ENFORCEMENT; PENALTIES	Modifies the list of regulations that counties and municipalities are authorized to impose on vacation rentals or short-terms rentals to include requiring the owner of a vacation rental or short-term rental to license or register with the county or municipality, and restricting the occupancy of a vacation rental or short-term rental to the lesser of the occupancy limit of the county or municipality or 2 adults per bedroom plus 2 additional adults. Vacation rentals and short-term rentals cannot advertise to exceed the occupancy limit of the dwelling or for any nonresidential use. Counties and municipalities are authorized to impose a civil penalty for each day a property is in violation of this advertisement prohibition. An online lodging operator that falsifies information to an online lodging marketplace is guilty of a petty offense. A county or municipality cannot prohibit the operation of a vacation rental or short-term rental based solely on its status as a vacation rental or short-term rental if the owner of the vacation rental or short-term rental, as of May 1, 2021, has a valid transaction privilege tax license, and as of June 2, 2021, has provided the owner's or the owner's		General Comments (all lists): Update: Additional amendment language is being contemplated. Position will be updated to reflect potential changes to language. Earlier: Support. City-approved amendment was added in committee.	2/11 from House gov-elect with amend <u>#4195</u> .

	designee's contact information to the county or municipality in which the vacation rental or short-term rental is located, if required by ordinance.			
H2482: REGULATION; SHORT-TERM RENTALS	Modifies the list of regulations that counties and municipalities are authorized to impose on vacation rentals or short-term rentals to include: requiring contact information for the owner of the rental to be posted on the front door or in another location on the property that is visible and accessible to the public; restricting the maximum number of adult occupants allowed on the property at one time to the lesser of the occupancy limit established by the county or municipality or no more than 2 adults per bedroom, up to 4 bedrooms, plus 2 additional adults per 1,000 square feet of livable space in excess of 3,000 square feet of livable space; requiring the installation of safety and monitoring equipment that monitors and detects noise and notifies the owner if noise is unreasonable or in violation of a noise ordinance; prohibiting smoking outside within 100 feet of a residential structure; restricting occupants from checking in without the presence of the owner or the owner's designee; and prohibiting occupants from parking on public or private streets if on-property parking is available. Vacation rentals and short-term rentals cannot advertise to exceed the occupancy limit of the dwelling or for any nonresidential use, and are required to display the transaction privilege tax license in any online advertisement for rental of the unit. Establishes penalties for violations.			1/27 referred to House govern. elect.
H2485: URBAN AIR MOBILITY STUDY COMMITTEE	Establishes a 26-member Urban Air Mobility Study Committee to review current laws in Arizona that could impact the urban air mobility industry and discuss necessary revisions. The Committee is required to submit a report of its findings and recommendations to the Governor and the Legislature by July 1, 2022, and self-repeals October 1, 2023. AS PASSED HOUSE			2/23 passed House <a href="#">41-18</a> ; ready for Senate. 2/24 referred to Senate trans-tech.
H2506: WORKERS' COMPENSATION; RATES; FIREFIGHTERS; CANCER	Fire investigators are added to the presumption that specified types of cancer and related diseases that result in disability or death are an occupational disease and are deemed to arise out of employment if specified conditions are met. All insurance carriers, self-insuring employers and workers' compensation pools that secure workers' compensation for firefighters and fire investigators are required to compile and report to the Industrial Commission claim and claim reserve information for all cancer-related claims filed by or on behalf of firefighters and fire investigators. The Commission is required to compile and make available to insurance carriers, rating organizations, employers, public safety workers and workers' compensation pools the claim-related information collected to assist with the setting of workers' compensation insurance rates. In addition to the six uniform percentage deviations already authorized by statute, insurers covering firefighters and fire investigators are permitted to file one uniform percentage deviation that increases the statewide rates under the rating organization's rate filing for the class codes associated with firefighters and fire investigators to address the anticipated increase in losses and expenses for claims that are compensable due to the workers' compensation presumption. The deviation filing must be accompanied by analysis from an actuary that substantively illustrates the basis for the rate increase. Contains a legislative intent section.		General Comments (all lists): Similar to SB1451, League support	2/23 from House rules okay.
H2549: PROBABLE CAUSE HEARING; PANDEMIC LIABILITY	Subject to Arizona rules of court, the court is required to conduct a probable cause hearing for every civil action that is filed and that claims a party is liable for damages based on contracting an illness that is a public health pandemic. At the probable cause hearing, the plaintiff has the burden of proof to demonstrate that there is sufficient evidence to establish that the injury exists and that the defendant is likely the cause of the injury. On a finding of probable cause, the court may proceed to a trial on the merits.			2/24 House COW approved with amend <a href="#">#4330</a> .
H2550: COMPLAINTS AGAINST PEACE OFFICERS; NOTIFICATION	Before a law enforcement agency accepts a complaint made against a peace officer, the agency is required to provide the person making the complaint a notice stating that it is a class 1 (highest) misdemeanor to knowingly make a false, fraudulent or unfounded report or statement to a law enforcement agency.			2/24 House COW approved.

<p>H2551: MISCONDUCT INVOLVING WEAPONS; PUBLIC PLACES</p>	<p>A person who possesses a valid concealed weapons permit is exempt from the prohibition on carrying a concealed weapon in a public establishment or at a public event. Some exceptions, including for public establishments or events that are a "secured facility" (defined), that are the licensed premises of a liquor licensee, that are an educational institution, and that are a vehicle or craft.</p>		<p>General Comments (all lists):  Oppose. Unfunded mandate and preempts local decision-making.</p>	<p>2/24 passed House <a href="#">31-29</a>; ready for Senate.</p>
<p>H2553: PEACE OFFICERS; FORCE; PROHIBITED RULES</p>	<p>A "government body" (defined to include a law enforcement agency or department) is prohibited from adopting a policy or rule that prohibits a law enforcement officer from using physical force or deadly physical force when the use is allowed by law, unless it includes a statement that any nonforce tactics required to be used first are only required in situations where a reasonable person would conclude that the use of the nonforce tactics would not expose the law enforcement officer or another person to the threat of physical injury, serious physical injury or death. A government body is prohibited from adopting a policy or rule that prohibits a law enforcement officer from using a defensive tactic if the use of that tactic in a particular situation would otherwise be allowed under law, unless the Arizona Peace Officer Standards and Training Board has determined that the tactic should not be used in the situation.</p>			<p>1/28 referred to House mil-pub safety.</p>
<p>H2556: TOBACCO; VAPING; PENALTIES; LEGAL AGE</p>	<p>It is unlawful for a person to knowingly sell, give or furnish a tobacco product, vapor product or any instrument or paraphernalia solely designed for smoking or ingesting tobacco or shisha to a person who is under the minimum age of sale for tobacco products as set by the Federal Food, Drug, and Cosmetic Act, instead of to minors. Establishes penalties for violations, including mandatory attendance at a court-approved tobacco retailer educational course and graduated fines. In addition to the fines, if a person commits a second or subsequent violation, the court is required to prohibit the enterprise from selling, giving or furnishing tobacco products or vapor products for a specified period based on the number of violations. Beginning January 1, 2022, each tobacco products or vapor products retailer is required to keep records to separately show the gross proceeds of sales of tobacco products and vapor products and the gross proceeds of sales or gross income derived from sales of other forms of tangible personal property or other business activities subject to transaction privilege taxes, and report the sales separately to the Department of Revenue.</p>			<p>2/24 House COW approved with amend <a href="#">#4289</a>. Passed House <a href="#">57-2</a>; ready for Senate.</p>
<p>H2567: PEACE OFFICERS; INVESTIGATOR MEMBERSHIP REQUIREMENTS</p>	<p>The voting membership of any government committee, board or entity that investigates law enforcement officer misconduct, certifies misconduct investigations, or recommends disciplinary actions or imposes discipline for law enforcement officer misconduct is required to be at least 2/3 Arizona Peace Officer Standards and Training Board certified law enforcement officers of any rank who are from the same department or agency as the officer who is the subject of the investigation or disciplinary action. If an entity does not meet these requirements, a supervisor, department or agency head that supervises a law enforcement officer is authorized to investigate and impose discipline for an officer's misconduct independently of the entity.</p>			<p>2/24 House COW approved with amend <a href="#">#4486</a>.</p>
<p>H2596: ADOT; TELECOMMUNICATION FACILITIES INSTALLATION</p>	<p>The Arizona Department of Transportation (ADOT) or a "provider" (defined as an eligible telecommunications carrier recognized by the Arizona Corporation Commission, or a political subdivision) with permission from ADOT is authorized to install "telecommunication facilities" (defined) and requirements for the installation process are established. If ADOT expands the use of an existing easement or other property right and the expanded use reduces the fair market value of the property, the property owner is entitled to just compensation from ADOT or the provider. Establishes a process for assessing the diminution in value. Establishes notice requirements for excavation to install underground telecommunication facilities within an existing easement or other property right. ADOT is authorized to enter into an agreement with a public or private entity for the purpose of using, managing or operating state-owned telecommunication facilities and coordinating activities in Arizona relating to planning, mapping and procuring broadband service. ADOT is permitted to give a provider longitudinal</p>	<p>Calendar: 3/1 House COW</p>		<p>2/23 retained on House COW calendar.</p>



	access to the right-of-way of a highway for the installation, operation and maintenance of a telecommunication facility by entering into an agreement with a provider and issuing a permit. ADOT must require compensation from a provider for longitudinal access, and requirements for the compensation are listed. More.			
H2602: TOBACCO; RETAIL; LICENSING	Beginning January 1, 2023, a "retail tobacco vendor" (defined) is prohibited from distributing "tobacco products" (defined to include "electronic smoking devices") in Arizona without a valid tobacco retail sales license issued by the Department of Liquor Licenses and Control (DLLC). DLLC is required to establish fees for a tobacco retail sales license, and is prohibited from issuing a license until the vendor has obtained the required local license. It is unlawful for a retail tobacco vendor or a retail tobacco vendor's representative, agent or employee to sell, furnish, give or provide a tobacco product to a person who is under the minimum age of sale for tobacco products as set by the federal Food, Drug, and Cosmetic Act, and requirements for verifying photo identification are specified. Establishes penalties for violations, including attendance at an education class and graduated fines ranging from \$500 to \$3,000. For a second or subsequent violation, the court is required to prohibit the vendor from distributing tobacco products for a specified time period. DLLC is required to adopt rules to carry out retail tobacco vendor regulations, and is authorized to delegate the enforcement and compliance inspections to any county that accepts the delegation. Establishes the Tobacco Retail Sales Licensing Fund, consisting of licensing fees collected, to be administered by DLLC. DLLC is required to deposit 90 percent of all licensing fees in the Fund and the remaining 10 percent in the general fund. More.		General Comments (all lists):  Supported by American Heart Association, American Cancer Society, Children's Action Alliance, AZ Public Health Association	2/3 referred to House hel- hu ser, com.
H2617: JUDGMENTS; LIENS; HOMESTEAD	Increases the homestead exemption to \$250,000, from \$150,000. A civil judgment in favor of the state becomes a lien on the real property of the judgment debtor, including the judgment debtor's homestead property, that is located in the county in which the judgment is recorded, whether the property is then owned by the judgment debtor or is later acquired, from the time of recording until satisfied or lifted. Applies retroactively to all judgments in favor of the state without regard to when the judgment was recorded. Civil judgments obtained by the state that are entered on or after September 13, 2013, or that were entered before September 13, 2013 and that were current and collectible under the laws applicable on that date are exempt from statute allowing a writ of execution or other process to be issued to enforce a judgment. Previously, all civil judgments obtained by the state were exempt.	Calendar: 3/1 House COW		2/16 from House rules okay.
H2623: FIREWORKS; USE; OVERNIGHT HOURS; PROHIBITION	Counties and municipalities are authorized to prohibit the use of permissible consumer fireworks between the hours of 10PM and 8AM.		General Comments (all lists):  Support	2/24 passed House <a href="#">35-24</a> ; ready for Senate.
H2635: PET DEALERS; STATE PREEMPTION; REPEAL	Repeals statute prohibiting local regulations or ordinances that impose requirements on pet dealers in excess of state law or that prohibit the sale of dogs or cats by a pet store or pet dealer based on the source from which the animal is obtained.			2/3 referred to House com, gov-elect.
H2648: RELIGIOUS SERVICES; ESSENTIAL SERVICES	During a state of emergency, religious services are declared an essential service and are deemed necessary and vital to the health and welfare of the public. State government is required to allow a religious organization to continue operating and to engage in religious services during a state of emergency to the same or greater extent than other organizations or businesses that provide essential services and that are necessary and vital to the health and welfare of the public are allowed to operate. Does not prohibit state government from requiring religious organizations to comply with neutral health, safety or occupancy requirements that are issued by state government or the federal government and that apply to all organizations and businesses that provide essential services. State government is prohibited from enforcing any health, safety or occupancy requirement that imposes a substantial burden on a religious service unless state government demonstrates that applying the burden to the religious service in that particular instance is essential to further a compelling governmental interest and is the			2/23 House COW approved. Passed House <a href="#">38-22</a> ; ready for Senate.

	least restrictive means of furthering that compelling governmental interest. Establishes claims and defenses against state action under these provisions, and provides remedies for violations. This legislation is required to be construed in favor of a broad protection of the free exercise of religion. Contains legislative findings.			
H2686: CANDIDATE SIGNS; PROHIBITION; PRIMARY	Increases the period of time that political signs may be placed in a public right-of-way to 150 days before the date of the general election until 7 days after the date of the general election, instead of 45 days before the primary election until 7 days after the general election. The date of the election does not include the period of early voting for that election.			2/2 referred to House govern.
H2693: RANKED CHOICE VOTING; MUNICIPALITIES	Municipalities may choose by majority vote of the municipal council that elections for members of the municipal council be conducted by ranked choice voting. The municipality is required to conduct a voter education and outreach campaign to familiarize voters with ranked choice voting, and to ensure that an explanation of ranked choice voting is posted at each polling place and included with each early ballot. Establishes requirements for tabulating ranked choice votes.			2/2 referred to House govern.
H2696: GOVERNMENT ASSISTANCE; POINT OF CONTACT	In any written communication between a state agency or a municipality and a person that demands payment of a tax, fee, penalty, fine or assessment or that denies an application for a permit or license, the state agency or municipality is required to provide the name, telephone number and email address of the employee who is authorized and able to provide information about the communication. An employee who is authorized and able to provide information about any such communication is required to reply within five business days after the state agency or municipality receives that communication.			2/22 passed House <a href="#">59-1</a> ; ready for Senate. 2/23 referred to Senate gov.
H2715: RESIDENTIAL PICKETING; OFFENSE	A person commits residential picketing, a class 3 (lowest) misdemeanor, if the person intentionally engages in picketing or otherwise demonstrates near the residence of an individual if the actions are such that a reasonable person would find the acts harassing, annoying, or alarming.			2/24 House COW approved.
H2716: LICENSING; BUILDING PERMITS; TEMPORARY PERMITS	In determining the order in which the municipality will review an application for a license, the municipality is prohibited from prioritizing applications for a license that is subject to licensing timeframe requirements over applications for a license that is not. If a municipality requires a building permit for the construction of any single-family dwelling, the municipality is required to issue the building permit within seven calendar days after the applicant submits an administratively complete application if the applicant has satisfied specified requirements. If the municipality fails to issue the building permit within seven calendar days, the applicant must be granted a temporary building permit and is authorized to commence with construction.		General Comments (all lists): Oppose. Issues with timing of impact fee payment, lack of specificity regarding construction documents and site plans	2/24 House COW approved with amend <a href="#">#4292</a> .
H2751: SEARCH WARRANTS; AUDIBLE NOTICE; REQUIREMENTS	Before executing a search warrant, a peace officer who is recognizable and identifiable as a uniformed peace officer is required to provide audible notice of the officer's authority and purpose. The audible notice must be reasonably expected to be heard by the occupants of the place to be searched. Magistrates are no longer permitted to authorize an unannounced entry to execute a search warrant.		General Comments (all lists): Potential amending language forthcoming	2/24 retained on House COW calendar.
H2765: LAW ENFORCEMENT; DEADLY FORCE; INVESTIGATIONS	If a law enforcement officer uses deadly physical force in the performance of the officer's official duties and causes the death of another person, an investigator or law enforcement officer who is not from the same law enforcement agency as the officer, the Attorney General or the county attorney from another county is required to conduct the investigation into the officer's use of deadly physical force and provide the results of the investigation to the county attorney of the county in which the use of deadly physical force occurred.			2/23 from House rules okay.
H2770: MASK MANDATES; BUSINESS EXCEPTION	A business in Arizona is not required to enforce on its premises a mask mandate that is established by the state, a city, town or county or any other jurisdiction of this state.		General Comments (all lists): Oppose. Businesses play an important role in providing safe environments in the community. If businesses encounter an individual who is challenging the requirement, the city can be contacted for added enforcement response.	2/22 from House rules okay.

<p>H2802: AMBULANCE SERVICES; SERVICE AREAS</p>	<p>Various changes to statutes relating to ambulance service. Within 90 days after receiving a complete application for an ambulance service certificate of necessity, the Department of Health Services (DHS) is required to determine whether public necessity requires the proposed ambulance service in a service area. If necessity for the ambulance service is found to exist, DHS is required to issue a certificate of necessity to operate the ambulance service. DHS rules are required to provide for DHS to determine a separate set of response times of ambulances for each city, town or fire district within each certificate of necessity if the service area includes a response area designated as urban or suburban. More.</p>			<p>2/15 House hel-hu ser held.</p>
<p>H2804: PUBLIC MEETINGS; EXECUTIVE SESSIONS</p>	<p>A public body is authorized to hold an executive session for legal advice solely for advice in the other areas for which an executive session may be held. Discussion of the objectives on which an officer or employee of a public body will be evaluated must be conducted in a public meeting.</p>		<p>General Comments (all lists): Oppose</p>	<p>2/23 from House rules okay.</p>
<p>H2810: CIVIL ASSET FORFEITURE; CONVICTION; PROCEDURES</p>	<p>The list of property subject to seizure and forfeiture is modified to require the proceeds to be traceable to an offense that resulted in a criminal conviction. Property is subject to forfeiture only if the owner is convicted of an offense to which forfeiture applies and the state establishes by clear and convincing evidence that the property is subject to forfeiture. The state is prohibited from proceeding with further forfeiture proceedings before a criminal conviction for an offense to which forfeiture applies unless no timely claims for the seized property were filed or the court waived the conviction requirement. After a person is convicted of an offense for which forfeiture applies, the court may order the person to forfeit property acquired through the commission of the offense, property directly traceable to property acquired through the commission of the offense, and property the person used in the commission of the offense or to facilitate the offense. Establishes circumstances under which the court is allowed to waive the conviction requirement. Does not prevent property from being forfeited by the terms of a plea agreement. A person who claims to be an innocent owner has the burden of production to show that the person either held a legal right, title or interest in the property seized at the time the illegal conduct occurred, or acquired as a bona fide purchaser a legal right, title or interest in the property after the commission of the crime. All property seized by a law enforcement agency at any time must be returned to the owner, if known, within ten business days after the property's seizure unless the owner has been arrested and charged with a criminal offense subject to forfeiture, the property is sought to be used as evidence, it is illegal for the owner to possess the property, or the property was seized for forfeiture. Within 60 days after making a seizure for forfeiture, the state is required to file a notice of pending forfeiture proceeding or return the property to the person from whom it was seized. Establishes requirements for serving the notice of pending forfeiture. Allows an owner of the property to file a claim against the property at any time within 60 days after the notice or 60 days before a criminal trial, whichever is later. Beginning August 28, 2024, the Attorney General is prohibited from using monies from the Anti-Racketeering Revolving Fund to pay salaries for full-time equivalent positions. Statutes governing various forfeiture proceedings are repealed and replaced. Much more.</p>		<p>General Comments (all lists): League opposition</p>	<p>2/24 passed House <u>57-2</u>; ready for Senate.</p>
<p>H2813: AUTONOMOUS VEHICLES</p>	<p>Establishes a new chapter in Title 28 (Transportation) regulating autonomous vehicles. Except as otherwise provided, the operation of autonomous vehicles with or without a human driver is subject to all applicable federal and state laws. A person is allowed to operate an autonomous vehicle with the automated driving system engaged on public roads in Arizona with a licensed human driver who is able to resume part or all of the dynamic driving task or respond to a request to intervene. A fully autonomous vehicle is authorized to operate on public roads without a human driver only if a person submits both a law enforcement interaction plan to the Arizona Department of Transportation (ADOT) and the Department of Public Safety (DPS) that is consistent with and addresses all of the elements in the law enforcement protocol that was issued by DPS in 2018, and a</p>			<p>2/24 passed House <u>59-1</u>; ready for Senate.</p>

	<p>written statement to ADOT acknowledging that a list of specified requirements for the equipment and functioning of the fully autonomous vehicle are met. When engaged, the automated driving system is considered the driver or operator of the autonomous vehicle for the purpose of assessing compliance with applicable traffic or motor vehicle laws. DPS is required to maintain a law enforcement protocol for fully autonomous vehicles, and provisions that must be included in the protocol are specified. Counties and municipalities are prohibited from imposing taxes and fees on automated driving systems or autonomous vehicles. A traffic or motor vehicle law cannot prohibit the operation of an autonomous vehicle or require a human driver to operate a fully autonomous vehicle with the automated driving system engaged, if the fully autonomous vehicle is operated in compliance with this legislation. Establishes requirements for a fully autonomous vehicle operating without a human driver that is involved in an accident resulting in damage to a vehicle, or injury or death, The parent or other adult accompanying a passenger under 16 years of age may be issued a citation for a violation of seatbelt or child restraint requirements that occurs in a fully autonomous vehicle operating with the automated driving system engaged. Fully autonomous vehicles that are incapable of operation by a human driver are exempt from various vehicle equipment requirements. More.</p>			
H2827: BUSINESSES; FIREARMS; UNLAWFUL ACTS	<p>A government entity or financial institution is prohibited from discriminating against a "firearm entity" (defined) because the firearm entity supports or is engaged in the lawful commerce of firearms, firearm accessories or ammunition products. A person who is injured by a violation of this prohibition is authorized to bring a civil action against the government entity or financial institution.</p>			2/24 retained on House COW calendar.
H2854: FIREWORKS; PERMISSIBLE SALE DAYS; USE	<p>Restricts the sale of permissible consumer fireworks to May 20 through July 6 of each year, and restricts the use of permissible consumer fireworks to June 24 through July 6 of each year.</p>			2/11 referred to House com.
H2861: BUILDING PERMITS; FEES	<p>Municipalities are authorized to charge fees that are reasonably proportionate to the direct costs associated with reviewing and issuing a building permit. Any fees charged for issuing a building permit may be used only to fund the department responsible for issuing the building permit and cannot be used as revenue for the general expenses of the municipality. Municipalities are required to post on their websites the revenues collected from all building permits and the itemized costs attributable to issuing a building permit.</p>		General Comments (all lists): Oppose. Does not appear to be options for amendments.	2/22 from House rules okay.
H2876: GOVERNMENT CONTRACTS; PUBLIC-PRIVATE PARTNERSHIPS	<p>A public-private partnership agreement is required to contain a provision that provides for negotiations between the Arizona Department of Transportation (ADOT) and the private partner for the private partner to recover all damages incurred for a delay for which ADOT is responsible, that is unreasonable under the circumstances and that was not within the contemplation of the parties to the contract. Does not void any provision in the contract that requires notice of claims or delays, provides for arbitration or any other procedure for settlement or provides for liquidated damages. A public-private partnership agreement is required to contain a provision that requires ADOT to pay the private partner reasonable compensation for all work performed by the private partner to relocate or adjust utility facilities that are located either within or outside the project right-of-way and that are required to be relocated or adjusted in order to construct the work contracted to the private partner. Any provision in the agreement that imposes the risk of utility relocation or adjustment expenses on the private partner is void.</p>			2/24 passed House 56-3; ready for Senate.
H2880: SEPARATE LEGAL ENTITIES; JOINT POWERS	<p>The governing body of a separate legal entity formed by public entities are allowed, instead of required, to be composed of official elected to one or more of the governing bodies of the public agencies that formed the separate legal entity. The public agencies that formed the separate legal entity have sole authority to select the governing body of the separate legal entity and cannot assign or designate this authority to a third party. The elected officials who are members of a separate legal entity serve at the sole discretion of</p>			2/10 referred to House govern.

	the governing bodies of the public agencies that formed the separate legal entity and cannot delegate their duties as elected officials of the separate legal entity.			
H2882: TECH CORRECTION; ACTION TO RESTRAIN	Minor change in Title 28 (Transportation) related to authorized third parties. Apparent striker bus.		General Comments (all lists):  Oppose. Should be dead for this session. Interim discussion is anticipated. Striker amendment would preempt food trucks requirements and may be problematic for trash, lighting, safety measures, location requirements.	2/24 retained on House COW calendar.
S1057: PUBLIC WORKS; CONTRACTS; PAYMENTS	If the Department of Transportation directs a contractor to perform changed or additional work in accordance with a construction contract, a process is established for a contractor or subcontractor to request payment for changed or additional work completed during the preceding calendar month in monthly pay estimates, pending a final determination of the total amount to be paid for the changed or additional work. The person designated in the construction contract to certify and approve the monthly payment estimate will make an interim determination for purposes of approval for payment of those costs. Either party may disagree with an interim determination and assert a claim in accordance with the terms of the contract. In any action or arbitration brought under these circumstances, the successful party must be awarded reasonable attorney fees and costs.		General Comments (all lists):  Neutral if language remains as the agreed-upon language from the 2020 session. Likely dead this session.	1/11 referred to Senate com.
S1076: LOW-INCOME MULTIFAMILY HOUSING; VALUATION	The owner of "low-income multifamily residential rental property" (defined) is authorized to elect a statutory income method for valuing the property. The calculation for this valuation method is established. Requirements for a property owner to elect this valuation method are specified, including documentation requirements. Low-income multifamily residential rental properties that are valued using this method are classified as class four property for property tax purposes.	Hearing: House Ways & Means (Wednesday 03/03/21 at 9:00 AM, House Rm. 3)		2/23 referred to House ways-means.
S1084: STATE OF EMERGENCY; AUTOMATIC TERMINATION	A state of emergency declared by the Governor terminates 21 days after the date on which the state of emergency is proclaimed, unless the Legislature extends the state of emergency by concurrent resolution. A state of emergency may be terminated earlier than the 21-day period by proclamation of the Governor or by concurrent resolution of the Legislature. If a state of emergency is not extended by the Legislature, the Governor is prohibited from proclaiming a new state of emergency based on the same or substantially similar facts and circumstances without the passage of a concurrent resolution by the Legislature consenting to the new state of emergency. If the Governor fails to comply with this prohibition, any citizen is authorized to apply to the superior court for a writ of mandamus to compel the Governor to comply.	Calendar: 3/1 Senate COW	General Comments (all lists):  Monitor	2/24 retained on Senate COW calendar.
S1102: ELECTRIC VEHICLE OMNIBUS; APPROPRIATIONS	Counties and municipalities are prohibited from issuing a residential structure building permit for a single-family structure if the residential structure does not have a circuit with a dedicated outlet to charge an electric vehicle in the residential structure's garage or within ten feet of a parking space on the outside of the residential structure. Some exceptions. The Arizona Department of Administration (ADOA) is required to conduct a two-year electric vehicle ready homes pilot program. ADOA is required to reimburse the owner of a single-family or multifamily residential structure for the actual cost, up to \$1,000, of installing a high voltage electrical outlet for the purpose of charging an electric vehicle. ADOA is required to submit a report to the Governor and the Legislature detailing the results of the pilot program by December 31, 2023. The pilot program self-repeals October 1, 2024. ADOA is required to conduct a two-year electric vehicle charging station pilot program. All state agencies are authorized to apply to ADOA for funding necessary for covering the costs of installation of electric vehicle charging stations at their agency locations. ADOA is required to submit a report with specified information relating to the pilot program to the Governor and the Legislature by December 31, 2023. Appropriates \$500,000 from the general fund in FY2021-22 to ADOA for the electric vehicle ready homes pilot program and \$500,000 from the general fund in FY2021-22 to ADOA for the electric vehicle charging station pilot program.			2/15 FAILED Senate gov 4- 4.

S1103: LIEUTENANT GOVERNOR; DUTIES; BALLOT	No later than 60 days before the date of the general election, a candidate for Governor is required to submit to the Secretary of State the name of a person who will be the joint candidate for Lieutenant Governor with that gubernatorial candidate and whose name will appear on the general election ballot jointly with that candidate. The direction, operation and control of the Department of Administration is the responsibility of the Lieutenant Governor. Conditionally enacted on the state Constitution being amended by the voters at the 2020 general election by passage of an unspecified SCR (blank in original) relating to the establishment of the office of Lieutenant Governor. Applies beginning with elections for the term of office that starts in 2027.		General Comments (all lists):  Expecting a striker with tobacco preemptions on this bill	2/24 from Senate appro with amend #4460. From Senate rules with the tech amend.
S1121: TECH CORRECTION; INTENSIVE PROBATION; MODIFICATION	Minor change in Title 13 (Criminal Code) related to intensive probation. Apparent striker bus.		General Comments (all lists):  Striker requires cities to allow marijuana facilities. Open questions on language clarity. May have constitutional issues.	2/24 from Senate appro with amend #4462. From Senate rules okay.
S1154: TECH CORRECTION; VALUATION; PERSONAL PROPERTY	Minor change in Title 42 (Taxation) related to valuation of locally assessed property. Apparent striker bus.		General Comments (all lists):  Should be dead. Earlier: May be getting a third striker amendment. We will continue to monitor and evaluate new language. Earlier: This will be a striker with proposal in HB 2049 (eminent domain; existing contracts). Oppose.	2/17 FAILED SENATE COMMERCE 4-5.
S1175: CORPORATION COMMISSION; ELECTRIC GENERATION RESOURCES	Without express legislative authorization, the Arizona Corporation Commission (ACC) is prohibited from adopting or enforcing a policy, decision or rule that directly or indirectly regulates the types of "critical electric generation resources" (defined) used or acquired by public service corporations within Arizona's energy grid. Does not apply to any policy, decision or rule adopted before June 30, 2020. Does not prohibit the ACC from setting electricity rates for public service corporations. Contains legislative findings. Retroactive to June 30, 2020.			2/24 retained on Senate COW calendar.
S1218: NONHEALTH PROFESSIONS; OCCUPATIONS; REGULATIONS	The state may regulate a profession or occupation only if there is credible evidence of harm that the unregulated practice threatens the public health, safety or welfare. Regulation cannot be imposed for the exclusive purpose of protecting a profession or occupation from economic competition. Each committee of reference (COR) that reviews an agency that administers an "occupational regulation" (defined elsewhere in statute) is required to consider a specified list of factors in determining the need for continuation or termination of the agency, including the extent to which failure to regulate a profession or occupation will result in the loss of insurance, an impact to the ability to practice as required by federal law, or the loss of constitutionally afforded practices. The list of possible recommendations that the sunset review report from the COR is required to include is expanded to include recommendations that the Legislature repeal the occupational license, convert the license to a less restrictive regulation, or instruct the state agency to seek legislation or adopt rules to reflect the COR's recommendation to impose less restrictive regulations, change the requisite personal qualifications, or redefine the scope of practice.			2/24 referred to House com.
S1224: AGRICULTURAL OPERATIONS; NUISANCE LIABILITY	Statute governing nuisance liability for agricultural operations is repealed and replaced. A nuisance action cannot be filed against an agricultural operation conducted on farmland unless a list of specified conditions apply. Establishes a rebuttable presumption that an agricultural operation conducted on farmland is not a public or private nuisance, which may be overcome by a preponderance of the evidence that the operation is violating applicable federal, state or local laws and regulations. Establishes requirements for the court to award costs, expenses, and/or compensatory damages in a nuisance action. The circumstances under which agricultural operations conducted on farmland may be regulated or considered to be a nuisance are a matter of statewide concern. This legislation supersedes any municipal ordinance that makes an agricultural operation conducted on farmland a nuisance or provides for an abatement of the agricultural operation as a nuisance, and any such ordinance is void and has no force or effect. Contains legislative findings.	Hearing: Senate Rules (Monday 03/01/21 at 1:00 PM, Senate Rm. 109)	General Comments (all lists):  Amendment is being worked on. League opposes. Nuisance preemption for certain agricultural activities. Proponents have stated that the intent is not to stop nuisance mitigation efforts (noise, flooding, pest issues, odor), but language doesn't currently reflect that. HB2372 is the mirror bill in the other Chamber.	2/11 from Senate nat res- energy-water do pass.

S1256: VICTIMS' PRIVACY; CRIMINAL CASE INFORMATION	A victim's identifying and locating information that is obtained, compiled or reported by a law enforcement agency or prosecution agency must be redacted from records pertaining to the criminal case involving the victim, including discovery disclosed to the defendant's attorney or any of the attorney's staff.			2/22 substituted in House for identical bill 2428. Passed House <u>58-2</u> ; ready for governor.
S1257: STATE LIQUOR BOARD; MEMBERSHIP	One of the five members of the State Liquor Board with no financial interest in business licensed to deal with spirituous liquors is required to be a current or former elected municipal official. Session law allows current Board members to continue to serve until the expiration of their normal terms.		General Comments (all lists): Support. Previous League resolution, League supports.	2/4 passed Senate <u>29-0</u> ; ready for House.
S1258: STATE OF EMERGENCY; TOLLING; PERMITS	A state of emergency proclamation issued by the Governor in response to an event that causes the state or a county or municipality to alter or limit "ordinary government operations" (defined) tolls the period remaining to exercise the rights under any permit, license, approval or other authorization issued by the Department of Environmental Quality or a county or municipality for the duration of the state of emergency proclamation and extends the period remaining to exercise those rights for an additional six months after the tolling period. Does not apply to a list of specified permits and licenses. Emergency clause. AS PASSED SENATE			2/17 passed Senate <u>30-0</u> ; ready for House.
S1277: PROHIBITED AGREEMENTS; PUBLIC WORKS CONTRACTS	The list of prohibited provisions in a public works contract is modified to remove requiring a contractor to participate in or contribute to an apprenticeship program that is registered with the U.S. Department of Labor and requiring a contractor to become a party to any project labor agreement.			1/21 referred to Senate com.
S1299: INCORPORATION; URBANIZED AREAS	Modifies requirements for a community to incorporate as a city or town to require the map and petition to be file simultaneously or within 24 hours of each other. Before obtaining any signatures on a petition for incorporation, the petitioners are required to publish a copy of the petition in a newspaper of general circulation in the area to be affected for two consecutive weeks. Makes other changes to the process of filing a petition for incorporation. AS PASSED SENATE			2/23 substituted in House for identical bill 2526. Passed House <u>59-0</u> ; ready for governor.
S1304: TECH CORRECTION; STATE ELECTIONS; CONTEST	Minor change in Title 16 (Elections) related to contest of state elections. Apparent striker bus.		General Comments (all lists): Anticipating a striker amendment related to licensing of engineers	2/22 from Senate com with amend <u>#4381</u> .
S1328: UNENFORCEABLE FEDERAL LAWS; SECOND AMENDMENT	Pursuant to the sovereign authority of the state of Arizona and the state Constitution, an act, law, treaty, order, rule or regulation of the U.S. government that violates amendment II of the U.S. Constitution is null, void and unenforceable in Arizona. This state and all political subdivisions are prohibited from using any personnel or financial resources to enforce, administer or cooperate with any act, law, treaty, order, rule or regulation of the U.S. government that violates amendment II of the U.S. Constitution. Contains legislative findings.	Calendar: 3/1 Senate COW		2/15 from Senate jud do pass. 2/16 from Senate rules okay.
S1333: LAW ENFORCEMENT; BUDGET REDUCTION; PROHIBITION	Municipalities are prohibited from reducing the annual operating budget for a law enforcement agency by any amount below the previous year's budget. If a municipality reduces the annual operating budget for a law enforcement agency, the municipality is required to notify the State Treasurer of the reduction, and the State Treasurer is required to withhold any state shared monies from the municipality in an amount equal to the amount of the reduction of the annual operating budget for the law enforcement agency. Some exceptions. The State Treasurer is required to deposit any amounts withheld in the newly established Law Enforcement Support Fund. If a municipality reduces the annual operating budget for a law enforcement agency by more than 25 percent, the State Treasurer is required to withhold state shared monies in an amount equal to the law enforcement agency's entire budget for the previous year. If a municipality reduces a law enforcement agency's budget by more than 25 percent, the municipality is required to notify the county sheriff, that sheriff is authorized to assume law enforcement functions for that municipality, and the State Treasurer is required to provide all state shared monies withheld from the municipality to the county sheriff's department. The State Treasurer is required to continue to withhold state shared monies until notification from the		General Comments (all lists): Oppose. Would preempt city elected officials from setting the city budget.	2/16 from Senate rules okay.

	municipality that the reduction in the law enforcement agency's budget has been restored. More. Retroactive to January 1, 2021.			
S1334: FIREWORKS; AERIAL DEVICES	The definition of "permissible consumer fireworks" in a county with a population of more than 500,000 persons is expanded to include "multiple-tube aerial devices" (defined as specified mine and shell devices and multiple tube fireworks devices and pyrotechnic articles that are defined in an American Pyrotechnics Association rule, with some exclusions).		General Comments (all lists):  Oppose. Held in committee, should be dead	2/10 Senate com do pass; report awaited.
S1377: CIVIL LIABILITY; PUBLIC HEALTH PANDEMIC	If the Governor declares a state of emergency for a public health pandemic, a person or "provider" (defined) that acts in good faith to protect a person or the public from injury from the pandemic is not liable for damages in any civil action for any injury, death or loss to person or property that is based on a claim that the person or provider failed to protect the person or the public from the effects of the pandemic, unless it is proven by clear and convincing evidence that the person or provider failed to act or acted with willful misconduct or gross negligence. If the Governor declares a state of emergency for a public health pandemic, a health professional or health care institution that acts in good faith is not liable for damages in any civil action for an injury or death that is directly or indirectly sustained because of the health professional's or health care institution's action or omission while providing health care services in support of Arizona's response to the state of emergency declared by the Governor, unless it is proven by clear and convincing evidence that the professional or institution failed to act or acted with willful misconduct or gross negligence. Some exceptions. Applies to all causes of action that are brought after the effective date of this legislation for an act or omission by a person or provider that occurred on or after March 11, 2020 and before December 30, 2022 and that relates to a public health pandemic that is the subject of the state of emergency declared by the Governor. Retroactive to March 11, 2020. Severability clause.		General Comments (all lists):  League support, includes local governments	2/24 passed Senate <u>18-12</u> ; ready for House.
S1379: VACATION RENTALS; SHORT-TERM RENTALS; ENFORCEMENT	Modifies the list of regulations that counties and municipalities are authorized to impose on vacation rentals or short-terms rentals to include restricting the occupancy of a vacation rental or short-term rental to 2 adults per bedroom, up to 4 bedrooms, plus 2 additional adults per 1,000 square feet of livable space in excess of 3,000 square feet of livable space, and requiring the owner of a vacation rental or short-term rental to maintain liability insurance appropriate to cover the rental in the aggregate of at least \$500,000 or to advertise and offer each vacation rental or short-term rental through a hosting platform that provides equal or greater coverage. Counties and municipalities are authorized to impose civil penalties for each day a property is in violation of specified provisions. Modifies civil penalties for online lodging operators that fail to comply with applicable transaction privilege tax requirements.	Calendar: 3/1 Senate COW	General Comments (all lists):  Would want a proposal on this topic to go further. Would not expect this proposal to resolve issues altogether.	2/25 retained on Senate COW calendar.
S1402: TOBACCO; RETAIL; LICENSING	Beginning January 1, 2023, a "retail tobacco vendor" (defined) is prohibited from distributing "tobacco products" (defined to include "electronic smoking devices") in Arizona without a valid tobacco retail sales license issued by the Department of Liquor Licenses and Control (DLLC). DLLC is required to establish fees for a tobacco retail sales license, and is prohibited from issuing a license until the vendor has obtained the required local license. It is unlawful for a retail tobacco vendor or a retail tobacco vendor's representative, agent or employee to sell, furnish, give or provide a tobacco product to a person who is under the minimum age of sale for tobacco products as set by the federal Food, Drug, and Cosmetic Act, and requirements for verifying photo identification are specified. Establishes penalties for violations, including attendance at an education class and graduated fines ranging from \$500 to \$3,000. For a second or subsequent violation, the court is required to prohibit the vendor from distributing tobacco products for a specified time period. DLLC is required to adopt rules to carry out retail tobacco vendor regulations, and is authorized to delegate the enforcement and compliance inspections to any county that accepts the delegation. Establishes the Tobacco Retail Sales Licensing Fund, consisting of licensing fees		General Comments (all lists):  Supported by American Heart Association, American Cancer Society, Children's Action Alliance, AZ Public Health Association	2/18 Senate com held.



	collected, to be administered by DLLC. DLLC is required to deposit 90 percent of all licensing fees in the Fund and the remaining 10 percent in the general fund. More.			
S1409: ZONING ORDINANCES; PROPERTY RIGHTS; COSTS	Before adopting any zoning ordinance or zoning ordinance text amendment of general applicability, the legislative body of a municipality is required to consider and adopt an individual property rights cost of housing impact statement regarding the impact of the zoning ordinance, which must include a list of specified information. Municipalities are prohibited from adopting or enforcing a land use regulation that unreasonably increases the cost to construct housing for sale or rent.	Calendar: 3/1 Senate COW	General Comments (all lists):  Oppose, poses a heavy burden for the city. See League one-pager attachment for additional detail on issues.	2/24 retained on Senate COW calendar.
S1419: HIGHWAY VIDEO SURVEILLANCE; PROHIBITION	The state and political subdivisions are prohibited from conducting "highway video surveillance" (defined) on a controlled access highway or on a sidewalk. A person who suffers an injury as a result of a violation of this prohibition is entitled to damages of at least \$1,000 for each violation, plus costs and reasonable attorney fees. Statutes authorizing and regulating photo enforcement are repealed.		General Comments (all lists):  Failed in committee	2/15 FAILED SENATE trans- tech 4=5.
S1420: SCHOOLS; UNIVERSITIES; CONSULAR IDENTIFICATION CARDS	School districts and charter schools are required to accept a consular identification card to show verifiable documentation of Arizona residency. Community colleges and universities under the jurisdiction of the Arizona Board of Regents are required to accept a consular identification card as a valid form of identification. The state and political subdivisions are required to accept a consular identification card that is issued by a foreign government as a valid form of identification if the foreign government uses "biometric identity verification techniques" (defined) in issuing the card, instead of being prohibited from accepting a consular identification card as a valid form of identification.		General Comments (all lists):  League resolution.	2/24 Senate COW approved with amend <a href="#">#4282</a> . Passed Senate <a href="#">20-10</a> ; ready for House. Substituted in House for identical bill 2458. Passed House 41-18; ready for governor.
S1428: SOCIAL MEDIA; CENSORSHIP; CIVIL ACTION	The owner or operator of a social media website that contracts with a social media website user in Arizona is prohibited from purposely deleting or censoring the user's "religious speech" or "political speech" (both defined), and from using an algorithm to disfavor, "shadowban" (defined) or censor the user's religious speech or political speech. The owner or operator of a social media website that violates these prohibitions is liable for at least \$75,000 in damages for each separate deletion or censoring, actual damages, punitive damages if aggravating factors are present, and other forms of equitable relief. A court is authorized to award the prevailing party in a cause of action reasonable attorney fees and costs. A social media website cannot use the user's alleged hate speech as a basis for justification or defense of the website's actions at trial. Some exceptions. Applies to the owner or operator of a social media website that censors a social media website user's religious speech or political speech beginning from and after the effective date of this act. Contains legislative findings. Emergency clause.			1/27 referred to Senate trans-tech.
S1430: HIGHLY FATAL; DEFINITION	During a state of emergency, the Governor is authorized to issue orders that encourage, instead of mandate, medical examinations for exposed persons and/or treatment or vaccination of persons who are diagnosed with an illness or who are reasonably believed to have been exposed. The Governor's authority to issue orders that isolate and quarantine persons is limited to quarantine in the person's home while infected and contagious with a virus or other infectious agent for no longer than 30 days. On finding that a "highly contagious and highly fatal disease" (defined) with transmission characteristics similar to smallpox exists in Arizona, the measures allowed for addressing such a disease apply only to counties where at least 3.5 percent of the population of that county is confirmed to have been infected with the virus and the death rate from the virus in that county is greater than 3.5 percent when dividing the number of individuals confirmed to have died from the virus in that county by the total number of individuals in that county estimated to have been infected with the virus.	Calendar: 3/1 Senate COW		2/16 from Senate rules okay.
S1431: FLOOD CONTROL DISTRICTS; ADVISORY BOARD	County flood control district boards of directors are required, instead of allowed, to appoint a citizens' flood control advisory board. Advisory board membership is modified by reducing the number of members to six, from seven, and requiring			2/23 passed Senate <a href="#">16-14</a> ; ready for House.

	each member of the board of directors to appoint one advisory board member. The advisory board is required to have access to budget information and make recommendations regarding the flood control district budget. Session law allows all persons currently serving as members of an advisory board to continue to serve until the expiration of their normal terms. AS PASSED SENATE			
S1450: WORKERS' COMPENSATION; SPECIAL FUND; FIREFIGHTERS	In claims involving a firefighter eligible for workers' compensation due to cancer that is deemed to arise out of employment, the claim is eligible for reimbursement if the firefighter filed a workers' compensation claim after January 1, 2017, and if the employer has adopted cancer mitigation best practices, including increased cancer screenings and equipment proven to minimize contaminant risk, including turnouts, hoods, gloves and washing machines or commercial laundry services. Retroactive to tax years beginning with 2017.		General Comments (all lists): Support. Bill is not expected to move forward	1/27 referred to Senate com.
S1451: WORKERS' COMPENSATION; RATES; FIREFIGHTERS; CANCER	Fire investigators are added to the presumption that specified types of cancer and related diseases that result in disability or death are an occupational disease and are deemed to arise out of employment if specified conditions are met. All insurance carriers, self-insuring employers and workers' compensation pools that secure workers' compensation for firefighters and fire investigators are required to compile and report to the Industrial Commission claim and claim reserve information for all cancer-related claims filed by or on behalf of firefighters and fire investigators. The Commission is required to compile and make available to insurance carriers, rating organizations, employers, public safety workers and workers' compensation pools the claim-related information collected to assist with the setting of workers' compensation insurance rates. In addition to the six uniform percentage deviations already authorized by statute, insurers covering firefighters and fire investigators are permitted to file one uniform percentage deviation that increases the statewide rates under the rating organization's rate filing for the class codes associated with firefighters and fire investigators to address the anticipated increase in losses and expenses for claims that are compensable due to the workers' compensation presumption. The deviation filing must be accompanied by analysis from an actuary that substantively illustrates the basis for the rate increase. Contains a legislative intent section. AS PASSED SENATE		General Comments (all lists): League support	2/18 passed Senate <u>22-8</u> ; ready for House.
S1464: PROCUREMENT; INFORMATION CONTENT PROVIDER; PROHIBITION	Beginning on the effective date of this legislation, the Director of the Department of Administration is required to terminate, and direct any state government unit or political subdivision to terminate, any existing contract with a contractor that is an information content provider or a qualified marketplace platform that has engaged in "targeted censorship" (defined as deleting or placing a disclaimer on any form of free speech that is unequally applied based on a particular belief that is expressed in any form). State government units and political subdivisions are prohibited from contracting with an information content provider or a qualified marketplace platform that has engaged in targeted censorship.			1/28 referred to Senate trans-tech.
S1482: PROFESSIONS; THERAPY BAN PROHIBITION	A state office, agency, political subdivision, or local government or any organization with authority to license or discipline the members of a profession cannot prohibit, impose any penalty or take any adverse action against any individual who gives, receives or consents to counsel, guidance or any other communication that is consistent with conscience or religious belief, whether described as therapy or not, and whether provided for a fee or not.			2/17 Failed hel-hu ser 4-4.
S1483: PET DEALERS; PROHIBITION; CATS; DOGS	A pet store or pet dealer is prohibited from obtaining for resale, selling or offering for sale a dog or cat from a person who is required to be licensed by the pet dealer regulations of the U.S. Department of Agriculture (USDA) unless the person has a USDA inspection report dated one year or less before the date of the order of the dog or cat. Violations are an unlawful practice, subject to investigation and enforcement action by the Attorney General.			1/28 referred to Senate com.
S1487: PRIVATE ATTORNEY RETENTION; MUNICIPALITIES; COUNTIES	Counties and municipalities are prohibited from entering into a contingency fee contract with a private attorney unless the	Hearing: Senate Rules (Monday	General Comments (all lists): Oppose. Would make it more challenging to hold bad corporate actors accountable	2/9 from Senate gov do pass.

	<p>county or municipal attorney makes a written determination before entering into the contract that contingency fee representation is both cost effective and in the public interest. The written determination is required to include specific findings for a list of specified factors. Counties and municipalities are prohibited from entering into a contingency fee contract that provides for the county's or municipality's private attorney to receive a contingency fee from the county's or municipality's portion of the recovery in excess of an aggregate of a list of specified percentages based on the recovery amount. The contingency fee received by the county's or municipality's private attorney cannot exceed \$50 million. Establishes additional requirements for county or municipal contracts for contingency fee attorney services. Does not apply to any contingency fee contract in which a county or municipality hires a private attorney to pursue debt collection cases. By February 1 of each year, the county attorney or municipal attorney is required to submit a report on the use of contingency fee contracts with private attorneys to the Governor and the Legislature. Information that must be included in the report is specified.</p>	<p>03/01/21 at 1:00 PM, Senate Rm. 109)</p>	<p>(e.g. opioid companies, hazardous waste pollution, etc). Would limit taxpayer restitution and the ability to recover lost funds.</p>	
<p>S1496: E-LIQUIDS; TOBACCO PRODUCTS; VAPOR PRODUCTS</p>	<p>The powers and duties of the Department of Liquor Licenses and Control (DLLC) are expanded to include enforcing statute regulating tobacco sales, investigating the sales of "alternative nicotine products," "e-liquids," "tobacco products" or "vapor products" (all defined) to persons under the "legal tobacco and vapor use age" (defined as 21 years of age or older), causing to be removed from the marketplace alternative nicotine products, e-liquids, tobacco products or vapor products that may be contaminated, illegal or adulterated, and taking other regulatory actions related to these products. A person is prohibited from selling alternative nicotine products, e-liquids, tobacco products or vapor products in Arizona or from outside Arizona without a license issued by DLLC. The Director of DLLC is authorized to determine the fee for an application for an initial license or renewal license. A license is valid for two years. A license is not transferable and cannot be leased or subleased. Establishes requirements for licensees to obtain identification from a person ordering or purchasing these products in order to determine that the person is not under the legal use age. Sales of these products cannot be made using a drive-through or other feature allowing the purchase without leaving a vehicle. A person under the legal drinking age or legal tobacco and vapor use age who misrepresents the person's age, solicits another person to purchase or furnish, or uses a fraudulent identification to obtain these products is guilty of a petty offense. A person who knowingly sells or furnishes these products or any instrument or paraphernalia used to smoke or ingest these products to a person under 21 years of age is guilty of a petty offense. Establishes civil penalties for violations and conditions under which a license may be suspended or revoked. Establishes appeal rights and procedures. Various regulations of tobacco products are expanded to include e-liquids, vapor products and alternative nicotine products. Much more. Effective January 1, 2022. Severability clause. Due to voter protection, one section of this legislation requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage.</p>		<p>General Comments (all lists): Oppose</p>	<p>2/18 Senate com held.</p>
<p>S1502: PUBLIC NUISANCE; NOISE; EVIDENCE</p>	<p>A prosecution for a public nuisance violation that involves noise is required to include an accurate recording and measurement of the noise made by a peace officer or code enforcement officer. Measurement standards are specified. Applies to all cases in which the defendant did not plead guilty or no contest and that, as of the effective date of this legislation, have not been submitted to the fact finder to render a verdict.</p>	<p>Calendar: 3/1 Senate COW</p>	<p>General Comments (all lists): Problematic due to available resources, ambient noise issues, legal challenges</p>	<p>2/24 retained on Senate COW calendar.</p>
<p>S1520: MUNICIPALITY; GENERAL PLAN; ADOPTION; AMENDMENT</p>	<p>All major amendments to a municipality's general plan proposed for adoption by the governing body of a municipality must be presented at a public hearing within 12 months of when the proposal is made.</p>			<p>2/23 passed Senate <u>30-0</u>; ready for House.</p>
<p>S1533: OBSTRUCTING HIGHWAYS; RACING; ASSESSMENT; IMPOUNDMENT</p>	<p>Levies a penalty assessment of \$1,000 on every fine, penalty and forfeiture imposed and collected by the courts for a violation of racing on highways. The assessments are deposited in the newly established Drag</p>		<p>General Comments (all lists): Support. Adjustments made from last year's bill with similar language to reflect needed impoundment duration changes.</p>	<p>2/24 Senate COW approved with fir amend <u>#4535</u>. 2/25 Passed Senate <u>25-3</u>; ready for House.</p>

	Racing Prevention Enforcement Fund, to be used to prevent racing on streets and highways in Arizona. Increases the criminal classification of obstructing a highway to a class 2 (mid-level) misdemeanor, from a class 3 (lowest) misdemeanor, except that a second or subsequent violation within 24 months is a class 1 (highest) misdemeanor. A person who knowingly aids and abets another person in the commission of a violation of reckless driving or racing on highways is guilty of a class 2 (mid-level) misdemeanor, except that a second or subsequent violation within 24 months is a class 1 (highest) misdemeanor. Also, a peace officer is required to cause the removal and either immobilization or impoundment of a vehicle if the peace officer determines that a person is driving a vehicle in violation of reckless driving or racing on highways.			
S1573: ONLINE LODGING; REGULATION; PROPERTY CLASSIFICATION	Repeals statutes prohibiting municipalities and counties from prohibiting vacation rentals or short-term rentals and limiting the restrictions that municipalities and counties may place on those rentals to a list of specified purposes. Real and personal property and improvements that are used for residential purposes, that are solely leased or rented to lodgers for periods of less than thirty days and that are valued at full cash value are classified as class one property, instead of class four property, for property tax purposes. Some exceptions.			2/1 referred to Senate fin.
S1643: ATTORNEY FEES; COSTS; RECOVERY	A court is required to award fees and other expenses to a party that prevails in a civil action brought by that party seeking declaratory or injunctive relief against the state, a county, or municipality for an action that violates the U.S. Constitution, the state Constitution, or a state law.		General Comments (all lists): Oppose. Taxpayers would pay for frivolous lawsuits.	2/15 from Senate jud do pass. 2/16 from Senate rules okay.
S1645: PUBLICATION OF NOTICE	Modifies the publication of notice requirement for a district, municipal officer, board or commission to require publication in a newspaper that is printed and published within the county in which the district or municipality is located and that is circulated to residents of the district or municipality.		General Comments (all lists): League resolution	2/25 Senate COW approved with amend <a href="#">#4273</a> .
S1648: COVID-19 VACCINE; CONDITION OF EMPLOYMENT	A person cannot be required to take or receive or disclose whether the person has taken or received a COVID-19 vaccine as a condition of employment, entry into any business or "public space" (defined) or receipt of any service or good. Discrimination for refusing to take or receive a COVID-19 vaccine is prohibited.			2/3 referred to Senate com.
S1687: GOVERNMENTAL ENTITIES; SOCIAL MEDIA; PROHIBITION	A "governmental entity" (defined), at any level, is prohibited from using a social media platform for any official or governmental purpose. A governmental entity is prohibited from giving or controlling a social media account to or for an "elected official" (defined). Does not apply to a personal social media account operated by an elected official.		General Comments (all lists): Oppose. These platforms are utilized to connect residents, businesses and visitors to information	2/16 from Senate trans-tech do pass.
SCR1001: STATE OF EMERGENCY DECLARATION; TERMINATION	The Legislature declares that the Declaration of Emergency issued by the Governor on March 11, 2020 due to the COVID-19 outbreak is terminated. The Secretary of State is directed to transmit a copy of this resolution to the Governor.		General Comments (all lists): Monitor	2/16 from Senate rules okay.

## Clerk and Elections

BILL NUMBER/ SHORT TITLE	SUMMARY	POSTED HEARINGS & CALENDARS	COMMENTS	LAST ACTION
H2039: ELECTIONS; HAND COUNTS; FIVE PERCENT	The number of precincts in each county that must be randomly selected for a hand count after each election is increased to five percent of the precincts in the county or five precincts, whichever is greater, from two percent or two precincts. Voting centers are deemed to be a precinct for the purposes of the hand counts.			1/27 from House gov-elect with amend <a href="#">#4024</a> .
H2054: VOTER REGISTRATION DATABASE; DEATH RECORDS	The Secretary of State is required, instead of permitted, to compare the records of deaths with the statewide voter registration database.	Hearing: Senate Government (Monday 03/01/21 at 2:00 PM, Senate Rm. 1)		2/18 referred to Senate gov.
H2181: WRITE-INS; RESIDENCY; FILING DEADLINE	Any person desiring to become a write-in candidate for an elective office in any election is required to be at the time of filing a qualified elector of the county, city, town or district the person proposes to represent and must have been a resident of that county, city, town or district for 120 days before the date of the election. The deadline for filing a nomination paper to be a write-in candidate is moved to 5PM on the 76th day before the election, from 5PM on the 40th day before the election.		General Comments (all lists):  Update: Amendment alleviates city concerns. Earlier: May lessen residency requirements for write-in candidates compared to non-write-in candidates. Working on amending language to resolve issue.	2/24 passed House <a href="#">57-0</a> ; ready for Senate.
H2302: ELECTION LAWSUITS; SETTLEMENTS; APPROVALS	If a proposed settlement of an election-related civil action by the Secretary of State materially affects a county recorder, the Secretary of State cannot settle or otherwise compromise that civil action without consulting the county recorders. A county recorder is authorized to object to the settlement based on the difficulty or impracticability of its requirements, and is authorized to demonstrate or otherwise provide evidence regarding that difficulty or impracticability. If the county recorder's evidence is sufficient, the Secretary of State's settlement cannot be approved without the consent of the county recorder. A county recorder is authorized to join in any election-related civil action that materially affects the county recorder.			2/22 from House gov-elect with amend <a href="#">#4406</a> .
H2307: VOTING EQUIPMENT; OVERVOTE NOTICE	If the voting equipment used for the election provides for the rejection of overvoted ballots or ballots that contain other irregularities, the county board of supervisors is required to provide for a written notice advising the voter that if the voter chooses to override the overvoted office or measure or override any other ballot irregularity, the voter's vote for that office or measure will not be tallied. The notice must be posted on or near the voting equipment so that the voter has a clear view of the notice.	Calendar: 3/1 House COW		1/27 from House gov-elect do pass.
H2308: RECALL PETITIONS AND ELECTIONS; REVISIONS	Various changes to statutes relating to recall petitions and elections. Establishes a standard form for recall petitions. Requires the validity of signatures on each sheet to be sworn to by the circulator before a notary public on a specified form on the back of the sheet. The Secretary of State is required to make available a sample recall petition that strictly complies with the standard form. All nonresident circulators and paid circulators are required to register as circulators with the Secretary of State before circulating recall petitions, and any signatures collected by a circulator who fails to register as required are disqualified. Establishes requirements for circulator registration. If a registered circulator is properly served with a subpoena to provide evidence in an action regarding circulation of petitions and fails to appear or produce documents as provided for in the subpoena, all signatures collected by that circulator are deemed invalid. Any person may challenge the lawful registration of circulators in the superior court of the county in which the circulator is registered, and deadlines for challenges are specified. Establishes a process for a person who has signed a recall petition to withdraw the person's signature. Specifies that various unlawful acts relating to recall petitions are a class 1 (highest) misdemeanor. Establishes a list of acts that constitute recall petition signature fraud and classifies recall petition signature fraud as a class 1 (highest) misdemeanor, except that a person who engages or participates in a "pattern of recall petition fraud" (defined) is guilty of a class 4 (lower mid-level) felony. Establishes a			2/24 House COW approved with amend <a href="#">#4323</a> .

	process for verification of recall petition signatures. More.			
H2314: PRESIDENTIAL ELECTORS; BALLOTS	The names of the presidential electors are allowed, instead of required, to be printed on the ballot next to the surname of the presidential candidate and vice presidential candidate.			2/24 passed House <a href="#">52-6</a> ; ready for Senate.
H2358: VOTER REGISTRATION UPDATE; ADDRESS CHANGE	By May 1 of each year or more frequently, the county recorder of each county is required to use the national change of address system of the U.S. Postal Service (USPS) to identify registered voters whose addresses may have changed, and update the voter registration records as needed. Previously, the county recorder was authorized to use change of address information supplied by the USPS by May 1 of each year preceding a state primary and general election. If a registered voter has changed residence to a new county, the county recorder is required to cancel the registration in the previous county of residence, and is no longer required to provide information on how the registrant can continue to be eligible to vote.			2/3 House gov-elect do pass; report awaited.
H2359: ELECTION EQUIPMENT; ACCESS; LOCKS	Any port, plug, door or other method of physical or electronic access to a voting machine or to any electronic pollbook is required to be locked with a tamper-evident locking device that has a unique numbering system to prevent unauthorized access.	Calendar: 3/1 House COW		2/4 from House gov-elect do pass.
H2360: DRIVER LICENSE VOTER REGISTRATIONS; COMMITTEE	The Secretary of State is required to operate and maintain the driver license voter registration system in conjunction with a committee of county recorders that is selected by a statewide county recorder membership group. If the Secretary of State and committee of county recorders contract with a third party for some or all of the operation and maintenance of the driver license voter registration system, the contract must require that the website address for access to the system use the top-level domain .gov.			2/24 passed House <a href="#">58-0</a> ; ready for Senate.
H2361: WRITE-INS; EARLY BALLOTS; PROCESSING	The deadline for filing a nomination paper to be a write-in candidate is moved to 5PM on the 76th day before the election, from 5PM on the 40th day before the election. Tallying of early ballots is permitted to begin immediately after the envelope and completed affidavit are processed and delivered to the early election board, and the prohibition on early ballots being tallied any early than 14 days before election day is deleted.			1/27 House gov-elect held.
H2362: ELECTIONS; BALLOT PRIVACY FOLDERS	The poll worker serving as judge is required to give each voter a ballot privacy folder in addition to the ballot.			2/24 House COW approved with amend <a href="#">#4093</a> . Passed House <a href="#">47-11</a> ; ready for Senate.
H2363: MUNICIPAL ELECTION OFFICERS; CERTIFICATION TRAINING	For municipal employees who work on elections, the municipality is authorized to train its own employees if the municipal training program is approved by the Secretary of State.			2/24 House COW approved. Passed House <a href="#">58-2</a> ; ready for Senate.
H2369: EARLY BALLOTS; NOTARIZATION; IDENTIFICATION	Requires a voter's signature on an early ballot return envelope to be notarized. For an early ballot that is delivered to a polling place or other location that is designated to receive voted early ballots, the voter is required to present identification to the election board worker as required for in-person voting. A family member and a household member are removed from the list of persons authorized to collect an early ballot on behalf of a voter.			1/26 referred to House gov-elect.
H2426: PRESIDENTIAL ELECTORS; CONGRESSIONAL DISTRICTS; AT-LARGE	Each political party that is qualified for representation on an official party ballot at the primary election and accorded a column on the general election ballot is required to designate one presidential elector for each congressional district and two presidential electors as at-large presidential electors. A presidential elector who is designated for a congressional district is not required to be a resident of that congressional district. Presidential electors who are designated for a congressional district are required to cast their electoral college votes for the candidates for president and vice president who jointly received the highest number of votes in that congressional district as prescribed in the statewide canvass. The two at-large presidential electors are required to cast their electoral college votes for the candidates for president and vice-president who jointly received the highest number of votes from an aggregate vote of all the members of the State Legislature voting as a single body.			1/26 referred to House gov-elect.
H2560:	A county recorder is required to remove a			1/28

REMOVAL; PERMANENT EARLY VOTING LIST	voter from the permanent early voting list if the voter fails to vote using an early ballot in a general election for which there was a federal race on the ballot.			referred to House gov-elect.
H2569: ELECTIONS; PRIVATE FUNDING; PROHIBITION	The state, counties, municipalities, school districts or other public bodies that conduct or administer elections are prohibited from receiving or expending private monies for preparing for, administering or conducting an election, including registering voters.			2/25 retained on House COW calendar.
H2616: ELECTION DATA; LEGISLATIVE REVIEW AUTHORITY	After the tabulation of all ballots is completed and before issuance of the official canvass for the county, the county recorder and the county board of supervisors are required to provide to designated representatives of the Legislature access to or copies of election data, including election results and other election records, and election equipment, systems and facilities. On written request, the President of the Senate and the Speaker of the House of Representatives must receive this access or information without regard to whether the Legislature is in session. A majority of the members of either house of the Legislature are required to receive access only while the Legislature is in session and on written request.			1/28 referred to House gov-elect.
H2693: RANKED CHOICE VOTING; MUNICIPALITIES	Municipalities may choose by majority vote of the municipal council that elections for members of the municipal council be conducted by ranked choice voting. The municipality is required to conduct a voter education and outreach campaign to familiarize voters with ranked choice voting, and to ensure that an explanation of ranked choice voting is posted at each polling place and included with each early ballot. Establishes requirements for tabulating ranked choice votes.			2/2 referred to House gov-elect.
H2701: POLLING PLACES; IDENTIFICATION; EARLY VOTING	Various changes relating to elections and polling places. Any qualified elector is authorized to vote by early ballot in person at any polling place. A qualified elector may vote by mail only if the elector is physically unable to cast a ballot within the period for early voting, or has a physical disability, is confined to a nursing home or other similar facility, is on military duty or is temporarily residing outside Arizona. County boards of supervisors are required, instead of allowed, to authorize the use of voting centers in place of specifically designated polling places for 30 days before the day of the election. A county with a population of less than 200,000 persons is required to have a maximum of four voting centers, a county with a population of 200,000 persons or more and less than 1 million persons is required to have a maximum of eight voting centers, and a county with a population of 1 million persons or more is required to have a maximum of fifteen voting centers, as determined by the board of supervisors. Election precinct lines are required to be drawn to include as a priority public elementary, middle and high schools within an election precinct. School principals are no longer authorized to deny a request to provide space for use as a polling place. A driver license applicant is required to submit proof of identity by presenting all of the following documentation: an original or certified copy of a U.S. passport or birth certificate, proof of a social security number by presenting an original or copy of a social security card or W-2 form, and proof of residency in Arizona in two forms, such as a utility bill or bank statement. The list of satisfactory proof of U.S. citizenship that the county recorder may accept for voter registration is expanded to include an identification card issued by Arizona or the U.S. Due to voter protection, several sections of this legislation require the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage.			2/2 referred to House gov-elect.
H2720: BALLOTS; ELECTION CONTESTS; CERTIFICATES	Various changes relating to elections. The Legislature retains its legislative authority regarding the office of presidential elector and by majority vote at any time before the presidential inauguration is authorized to revoke the Secretary of State's issuance or certification of a presidential elector's certificate of election. The Legislature is permitted to take this action without regard to whether the Legislature is in regular or special session or has held committee or other hearings on the matter. Any party to an election contest may request a jury trial, which must be granted and tried as other jury trials in a civil action, except that the statutory provisions for election contests			

	<p>prevail over any conflicting rules of procedure for jury trials. In an election contest jury trial, a court is prohibited from granting a motion to dismiss or a motion for summary judgment that would result in dismissal until after the jury has issued its verdict. Without regard to the system or method used to produce or tabulate ballots, the county recorder or officer in charge of elections is required to maintain a count of the number of physical ballots printed and the number of ballots otherwise generated in the following categories: early ballots, regular ballots, provisional ballots, federal-only ballots, and ballots generated in an electronic form. The county recorder or officer in charge of elections is required to post that information on the county's website within one day after election day. The county recorder or officer in charge of elections is required to create digitized images of ballots and to keep the digitized images and the physical ballots as public records. At least ten persons from the general public who are registered voters in the county are allowed to observe the proceedings at the counting center at any time throughout the day. All observers must be allowed to observe each essential part of the proceedings at the counting center. When ballots are damaged or defective and cannot be counted by the automatic tabulating equipment, the images that are made of a duplicate of those ballots must be posted to the county's website within 24 hours after duplication along with the determination by the election board as to that voter's intent for each contest adjudicated. Any disruption in live video coverage of the custody of all ballots while the ballots are present in a tabulation room in the counting center will result in the members of the board of supervisors and the county recorder being deemed ineligible for reelection and barred from holding any public office in Arizona for ten years after the expiration of the term of office in which the disruption in video coverage occurred. More.</p>			
<p>H2722: EMERGENCY VOTING; MANUAL; PHOTOGRAPHS; ELECTIONEERING</p>	<p>Repeals statute allowing county boards of supervisors to authorize the use of voting centers in place of or in addition to polling places. An emergency voting center may be established only on occurrence of a genuine emergency such as war, civil unrest or natural disaster that makes it likely that large numbers of voters will be substantially impaired in their ability to vote on election day as compared to other elections. The elections instructions and procedures manual prepared by the Secretary of State is required to provide for transparency and election security to the maximum extent allowed by law. If any provision of the instructions and procedures manual conflicts with any statute, the provision of the instructions and procedures manual is unenforceable and statute prevails. In addition to the Secretary of State, the Legislature is required to provide personnel who are experts in electronic voting systems and procedures and in electronic voting system security to field check and review electronic voting systems and recommend needed statutory and procedural changes, including changes in the instructions and procedures manual. Also, a person is allowed to take photographs or videos of himself, his/her own ballot and any election worker, but is prohibited from taking photographs or videos of other voters or other voters' ballots.</p>			<p>2/1 referred to House gov-elect.</p>
<p>H2723: CAMPAIGN FINANCE; REPORTS; CONTRIBUTION AMOUNT</p>	<p>The maximum amount an individual may contribute to a campaign committee in one election cycle without being individually identified on campaign finance reports is increased to \$200, from \$50.</p>			<p>2/25 House COW approved.</p>
<p>H2792: EARLY BALLOTS; REQUEST REQUIRED</p>	<p>Except for a voter who is on the permanent early voting list or for an all mail-ballot election, a county recorder, municipality clerk or other election officer is prohibited from delivering or mailing an early ballot to a person who has not requested an early ballot for that election. An election officer who violates this prohibition is guilty of a class 5 (second lowest) felony.</p>			<p>2/25 House COW approved with amend #4326.</p>
<p>H2793: VOTER REGISTRATION; REQUEST REQUIRED</p>	<p>An agency, department or division of Arizona or any person acting on its behalf and any political subdivision of Arizona or any person acting on its behalf are prohibited from registering a person to vote unless the person affirmatively requests to register to vote.</p>			<p>2/25 House COW approved.</p>
<p>H2794: ELECTION DEADLINES; MODIFICATIONS PROHIBITED</p>	<p>An officer or agent of Arizona, a political subdivision, or any other governmental entity in Arizona is prohibited from modifying</p>			<p>2/22 from House gov-elect do pass.</p>



	any deadline, filing date, submittal date or other election-related date that is provided for in statute. A person who violates this prohibition is guilty of a class 6 (lowest) felony.			
H2798: EARLY VOTING PROCEDURES; SIGNATURE CARDS	Voters on the permanent early voting list are required to sign and return the election notice to the county recorder with a copy of the voter's Arizona driver license or Arizona nonoperating identification in order to receive a ballot. If the information that the voter returns does not match the voter's records, the county recorder or officer in charge of elections is required to contact the voter to resolve the discrepancy. If the discrepancy is not resolved, the county recorder or other officer in charge of elections is prohibited from mailing the voter an early ballot and the voter must be removed from the permanent early voting list. The requirement for the county recorder or other officer in charge of elections to contact a voter with an inconsistent signature on an early ballot affidavit and allow the voter to correct the signature is deleted.			2/10 referred to House gov-elect.
H2799: VOTER REGISTRATION ROLLS; ELECTIONEERING	The Secretary of State is required to use the records of deaths transmitted by the Department of Health Services to establish a nonpublic database for use by county recorders to cancel the names of deceased persons from county voter registration databases. A legislative committee is required to have access to the records to confirm the process of cancellation of deceased voters. For the purpose of electioneering being prohibited within 75 feet of a polling place, the definition of "electioneering" is modified to include wearing, displaying or carrying an item that expresses support for or opposition to a candidate or ballot question that appears on the ballot in that election.			2/10 referred to House gov-elect.
H2800: ELECTIONS; LEGISLATIVE SESSION; PROCEDURES MANUAL	Declares that the Legislature has plenary authority over elections. An election special session of the Legislature begins by operation of law on the date of the regular primary election and the regular general election and continues for at least three days following the election. During an election special session, the Legislature is authorized to conduct hearings and receive testimony, documents and other evidence as appropriate relating to any irregularities that occur during and after the election. The Legislature is authorized to vote to reject or confirm the preliminary results of the election. If confirmed, the Legislature is required to forward that confirmation to the county board of supervisors of the county examined by the Legislature. On rejection, the Legislature is required to forward its findings to the office of the Attorney General for possible civil or criminal action. Also, the official election instructions and procedures manual prepared by the Secretary of State is required to be approved by a vote of the Legislature, instead of by the Governor and the Attorney General.			2/10 referred to House gov-elect.
H2811: SAME DAY REGISTRATION; PROHIBITION	An agency, department or division of Arizona or any person acting on its behalf, and any political subdivision or any person acting on its behalf are prohibited from registering a person to vote on an election day and deeming that person eligible to vote in that election. Any person who violates this section is guilty of a class 6 (lowest) felony.			2/25 House COW approved with fir amend #4544.
H2826: ELECTIONS; COUNTY CANVASS; LEGISLATIVE REVIEW	The certified permanent copy of a county's official canvass for all offices and ballot measures is required to be delivered to the Legislature. On receipt of an official county canvass, the Legislature "under its plenary powers regarding elections" is authorized to call itself into session for the purpose of reviewing the official county canvass, certifying its results by majority vote and transmitting those results to the Secretary of State.			2/10 referred to House gov-elect.
H2875: VOTER REGISTRATION; MAINTENANCE; EARLY VOTING	The election notice and form sent to voters on the permanent early voter list is required to include instructions to complete the form by confirming or updating the voter's voter registration information, providing the voter's voter identification card number, indicating whether the voter wishes to continue to receive an early ballot, signing the form and returning it to the county recorder. If the voter completes and returns the notice and form, the county recorder or other officer in charge of elections is required to examine the information and signature and compare it to the information on the voter registration rolls. If the voter			2/10 referred to House gov-elect.

	does not complete the form and return the notice, the county recorder or other officer in charge of elections is required to send a second notice requesting the same information. If the second notice and form are not returned within 30 days after the second mailing, the county recorder or other officer in charge of elections is required to remove the voter from the permanent early voting list.			
H2881: ELECTION HAND COUNTS; VERIFICATION COMMITTEE	The number of precincts in each county that must be randomly selected for a hand count after each election is increased to the number of precincts required to achieve a statistical significance consisting of a percentage confidence level as determined by the Vote Count Verification Committee with a margin of error as determined by the Committee that is to be based on the total number of ballots cast in that county, instead of two percent or two precincts.			2/10 referred to House govern- elect.
HCR2001: INITIATIVES; SINGLE SUBJECT; TITLE	The 2022 general election ballot is to carry the question of whether to amend the state Constitution to require every initiative measure to cover only a single subject that is expressed in the title.			2/23 House COW approved.
S1002: EARLY VOTING ENVELOPES; PARTY AFFILIATION	Early ballot return envelopes are required to be of a type that does not reveal the voter's political party affiliation.	Hearing: House Government & Elections (Wednesday 03/03/21 at 9:00 AM, House Rm. 1)		2/23 referred to House govern- elect.
S1003: EARLY VOTING; SIGNATURE REQUIRED; NOTICE	If a signature is missing from an early ballot envelope, the county recorder or other officer in charge of elections is required to make reasonable efforts to contact the voter, advise the voter of the missing signature and allow the voter to add the signature no later than 7:00 PM on election day. The information that must be printed in the instructions to early voters must include a statement that the ballot will not be counted without the voter's signature on the envelope. Session law states that the Legislature intends that these are clarifying changes only and do not provide for any substantive change in the law.			2/24 Senate COW approved.
S1010: RECOUNT REQUESTS; AMOUNT; BOND; PROCEDURE	The number of precincts in each county that must be randomly selected for a hand count after each election is increased to five percent of the precincts in the county or five precincts, whichever is greater, from two percent or two precincts. Voting centers are deemed to be a precinct for the purposes of the hand counts. The Attorney General, the Secretary of State, or the Legislative Council is authorized to require that a higher percentage or greater number of precincts be hand counted for any specified county. Any person is authorized to file an action for a recount in any election that is not subject to an automatic recount if the person files a bond with the superior court in an amount determined by the court to be sufficient to fully reimburse the costs of conducting the recount. Recounts conducted by request are required to comply with the requirements and procedures of an automatic recount prescribed by statute.	Calendar: 3/1 Senate COW		2/2 from Senate rules okay.
S1020: VOTING LOCATIONS; ELECTIONEERING	Any facility used as a polling place or voting center is required to allow persons to electioneer and engage in other political activity outside of the 75 foot limit in public areas and parking lots used by voters, and counties are no longer allowed to prohibit political activity near polling places or voting centers in the case of an emergency.			2/22 retained on Senate COW calendar.
S1023: ELECTIONS; COUNTY SUPERVISORS; BALLOTS; MARKERS	For elections for which the county board of supervisors is responsible, the board of supervisors cannot require a specific marking pen to be used on paper ballots and cannot provide any pen that creates marks that are visible on the reverse side of the paper ballot or that otherwise may damage or cause a ballot to be spoiled.			1/11 referred to Senate gov.
S1025: ELECTIONS; POLLS; OVERRIDE NOTIFICATION	If an overvote or other irregularity in a ballot results in the rejection of the ballot while attempting to deposit it in the ballot box, the election board official is required to advise the voter that if the voter chooses to override the overvoted office or measure, the voter's vote for that office or measure will not be tallied.			2/24 passed Senate <u>16-14</u> ; ready for House.
S1036: VOTING SYSTEMS TECHNOLOGY STUDY COMMITTEE	Establishes a 13-member Joint Study Committee on Voting Systems Technology and Best Practices to research, take testimony and receive reports on new voting systems technology and best practices. The Committee is required to submit a report of its findings and recommendations to the Governor and the Legislature by June 30, 2022, and self-repeals October 1, 2022.			1/11 referred to Senate gov.

S1068: ELECTIONS MANUAL; LEGISLATIVE COUNCIL; GRRC	The official election instructions and procedures manual prepared by the Secretary of State is required to be approved by the Legislative Council and the Governor's Regulatory Review Council, instead of the Governor and the Attorney General.			2/24 Senate COW approved with fir amend <a href="#">#4532</a> .
S1069: PERMANENT EARLY VOTING LIST; ELIGIBILITY	If a voter fails to vote an early ballot in both the primary election and the general election for two consecutive primary and general elections for which there was a federal, statewide or legislative race on the ballot, the county recorder is required to remove the voter from the permanent early voting list and the voter will no longer be sent an early ballot by mail automatically. By December 1 of each even -numbered year, the county recorder or other officer in charge of elections is required to send a notice to each voter who is removed under this provision informing the voter that if the voter wishes to remain on the permanent early voting list, the voter must confirm that in writing, sign the notice, and return the completed notice within 30 days after the notice is sent.			2/16 Senate COW approved with amend <a href="#">#4012</a> and fir amend <a href="#">#4266</a> . FAILED Senate <a href="#">15-15</a> .
S1071: VOTING IRREGULARITIES; REPORT; LEGISLATIVE REVIEW	The county recorder or other officer in charge of elections is required to maintain a record of all voting irregularities that occur during early voting, emergency voting and election day voting. Information that must be described in the record is listed. Within 30 days after election day, the county recorder or other officer in charge of elections is required to provide the record to the Legislature.			1/11 referred to Senate gov.
S1072: ELECTION CONTESTS; FILING DEADLINE	The deadline for a voter to contest a state election is moved to 30 days after completion of the canvass of the election and declaration of the result by the Secretary of State or by the Governor, from 5 days after.			1/11 referred to Senate gov.
S1083: ELECTIONS; RECOUNT MARGIN	Modifies the criteria that triggers an automatic election recount to require a recount when the margin between the two candidates receiving the greatest number of votes for a particular office, or between the number of votes cast for and against a measure or proposition, is less than or equal to 0.5 percent of the number of votes cast for both candidates or on the measure or proposition. Previously, the difference in votes that triggered an automatic recount was the lesser of 0.1 percent or either a specified number of votes based on the office to be filled or 200 votes for a measure or proposition.			2/24 Senate COW approved with fir amend <a href="#">#4533</a> .
S1104: CAMPAIGN FINANCE; CONTRIBUTION; DISCLOSURES; ITEMIZATION	The information that must be included in campaign finance reports is expanded to include contributions from out-of-state individuals, including identification of the contributor's occupation and employer. After receiving a combined total of \$5,000 from in-state contributors who each contributed an individual aggregate of \$50 or less to a political committee during an election cycle, the campaign finance report is required to identify every subsequent individual in-state contributor, and the amount and date of each contribution.	Hearing: House Government & Elections (Wednesday 03/03/21 at 9:00 AM, House Rm. 1)		2/24 referred to House govern- elect.
S1105: BALLOT MEASURES; 200-WORD DESCRIPTION	The description of an initiative or referendum measure that is printed on the petition circulated to the voters may be up to 200 words, increased from 100 words.			2/23 passed Senate <a href="#">17-13</a> ; ready for House.
S1106: VOTING RESIDENCY; INTENT TO REMAIN	A person who knowingly causes or allows himself to be registered as a voter in Arizona solely for the purpose of voting in an election in Arizona without the intent to remain as prescribed in statute is guilty of a class 6 (lowest) felony.			2/24 Senate COW approved.
S1240: HAND COUNTS; PRECINCTS; PROCEDURES MANUAL	For a county that uses voting centers, the ballots from each voting center are required to be separated by precinct before the random selection of precincts for a hand count occurs, and every ballot from a precinct must be grouped with the other ballots from that precinct. A voting center cannot be deemed a precinct for purposes of randomly selecting precincts for a hand count from a pool of precincts. States that if a provision in the elections instructions and procedures manual conflicts with state statute, the state statute prevails.			2/24 Senate COW approved.
S1241: VOTING EQUIPMENT; BALLOTS; RECEIPT	Electronic voting systems are required to provide a paper receipt to the voter at the time the voter's ballot is received for tabulation. The paper receipt is required to state whether the voter's ballot was tabulated or rejected and, if rejected, the reason for the rejection. Does not apply to a voter who votes with an early or provisional ballot.	Calendar: 3/1 Senate COW		2/16 from Senate rules okay.
S1242:	Beginning in 2021 and every two years			1/21

ELECTION EQUIPMENT; SECURITY; LEGISLATIVE REVIEW	thereafter, the committee appointed by the Secretary of State to investigate and test the various types of vote recording or tabulating machines or devices is required to provide for a detailed review of election equipment security for counties with a population of more than 500,000 persons that focuses on the actual equipment, software and other systems used in the most recent general election. An additional person who is an expert in election equipment security must assist with the review. On completion, the review must be presented to the standing committees of the Legislature with jurisdiction over election issues at a public meeting that is held by August 1 following the general election.			referred to Senate gov.
S1427: VOTER FRAUD UNIT; AUDITOR GENERAL	The Auditor General is required to supervise and support a voter fraud unit. All matters, including contracts, orders and judicial or quasi-judicial actions, whether completed or pending, of the voter fraud unit in the Department of Law are transferred, on the effective date of this legislation, and maintain the same status with the Auditor General. All personnel, property and records, all data and investigative findings, all obligations and all appropriated monies remaining unspent and unencumbered of the voter fraud unit in the Department of Law are transferred to the Office of the Auditor General on the effective date of this legislation and may be used as otherwise provided by law.			1/27 referred to Senate gov.
S1444: ELECTION DATA; LEGISLATIVE REVIEW AUTHORITY	After the tabulation of all ballots is completed and before issuance of the official canvass for the county, the county recorder and the county board of supervisors are required to provide to designated representatives of the Legislature access to or copies of election data, including election results and other election records, and election equipment, systems and facilities. On written request, the President of the Senate and the Speaker of the House of Representatives must receive this access or information without regard to whether the Legislature is in session. A majority of the members of either house of the Legislature are required to receive access only while the Legislature is in session and on written request.			1/27 referred to Senate gov.
S1485: ELECTIONS; VOTING CENTER TABULATION	Voting centers are required to be equipped to tabulate the ballots that are cast at that voting center.	Calendar: 3/1 Senate COW		2/24 from Senate appro with amend #4469. From Senate rules okay.
S1492: ELECTION LAW AMENDMENTS	Various changes relating to election law. A petition for a new political party to be represented by an official party ballot is required to contain the signatures of qualified electors in at least 1/4 of the election precincts of the county or municipality. The county recorder or the city or town clerk is required to review the petitions, select a random sample of 20 percent of the total signatures, individually verify and certify those signatures, and calculate and project the total number of valid signatures to determine whether the party will be recognized. The requirement for candidates to file a statement of interest with the appropriate filing officer no later than the date of the first petition signature on a nomination petition does not apply to candidates for elected office for school districts, community college districts or career technical education districts. A candidate's name printed on the ballot is prohibited from including a slogan, promotional word or phrase, or any word that does not actually constitute a nickname. The maximum number of days before an election that a county board of supervisors is permitted to cancel the election if only one person files a nominating petition to fill certain offices is increased to 105 days, from 75 days. If there is not a sufficient number of persons available to appoint precinct workers who are qualified voters of that precinct, the inspector, marshal, judges and clerks must be qualified voters of Arizona. The required test of election equipment is no longer required to be observed by at least two election inspectors, and is instead required to be observed by at least one representative of the two largest political parties based on statewide voter registration totals. County boards of supervisors are required to deliver the canvass to the Secretary of State within 14 days after the primary election, increased from 10 days, and the Secretary of State is required to canvass the return by the third Monday following the primary election, instead of the			2/24 Senate COW approved with amend #4142 and flr amend #4534.

	second Monday following. More. Emergency clause.			
S1497: BALLOT MEASURES; PROPOSITION 105; DISCLOSURE	For ballot propositions that make statutory changes, a statement that the measure "cannot be changed in the future if approved on the ballot except by a 3/4 vote of the members of each house of the Legislature and if the change furthers the purpose of the original ballot measure, or by referring the change to the ballot" must be printed on the ballot and included in the publicity pamphlet printed by the Secretary of State. Severability clause.	Calendar: 3/1 Senate COW		2/16 from Senate rules okay.
S1503: EARLY BALLOTS; MAIL RETURN PROHIBITED	A voter who receives an early ballot by mail may return the voter's voted early ballot only by delivering it by hand to a designated voting location. Early ballots that are received by mail are invalid and cannot be processed.			2/1 referred to Senate gov.
S1530: EARLY BALLOTS; UNDELIVERABLE; INSTRUCTIONS	The officer charged by law with the duty of preparing ballots at any election is required to ensure that early ballot envelopes state "If the addressee does not reside at this address, mark the unopened envelope 'return to sender' and deposit it in the U.S. mail."	Calendar: 3/1 Senate COW		2/23 from Senate rules with the tech amend.
S1531: PETITION SIGNATURES; DESCRIPTION; INVALIDITY	A circulator of an initiative or referendum petition is required to either read the initiative or referendum description aloud to each person signing before that person signs or to allow the person sufficient time to read the description before the person signs. The circulator must inform the person that reading the description is required so that the person can understand the petition. Each person signing must affirm that the person has heard and understood or read and understood the description before signing the petition. For any person who signs without either hearing or reading the description, the circulator is required to draw a line through the person's signature and the signature is void and cannot be counted.			2/16 from Senate rules okay.
S1594: BALLOTS; DELIVERY RECEIPTS; CUSTODY	Every person delivering the official returns and the voted ballots and every person receiving the official returns and the voted ballots is required to sign the person's name on a receipt and tracking document to substantiate the chain of custody of the returns and ballots. The tracking document with the official returns and the voted ballots must be delivered to and retained at the central counting center.			2/1 referred to Senate gov.
S1595: ELECTIONS; BALLOT ADJUDICATION; OBSERVERS	If any ballot is damaged or defective so that it cannot be counted by the automatic tabulating equipment, a true duplicate copy of the damaged or defective ballot must be made by hand in the presence of statutorily authorized observers. Observers must be allowed to view and be physically present at the duplication and adjudication of ballots within a distance that allows actual observation of the markings and the determinations of the vote adjudication board. The use of electronic vote adjudication features on automatic tabulating equipment is no longer authorized.			2/1 referred to Senate gov.
S1596: WRITE-IN CANDIDATES; SIGNATURES; FILING DEADLINE	The deadline for filing a nomination paper to be a write-in candidate is moved to 5PM on the 120th day before the election, from 5PM on the 40th day before the election.			2/1 referred to Senate gov.
S1597: EARLY VOTING; COUNTY RECORDER AUTHORITY	The county recorder is the county official that has jurisdiction and authority over early voting in the county unless the county recorder declines to retain that jurisdiction and authority. If the county recorder declines, the county officer in charge of elections has jurisdiction and authority over early voting in the county.			2/1 referred to Senate gov.
S1613: ELECTION DATA; RESULTS; ELECTION EQUIPMENT	All election data and results are required to remain in this country and cannot be transferred, transmitted or stored in any other country. All election equipment, including computers, paper and other supplies, is required to be made in America.	Calendar: 3/1 Senate COW		2/23 from Senate rules okay.
S1614: ELECTIONS; ADJUDICATED BALLOTS; CATEGORIES	For any ballots that are required to be duplicated and adjudicated, whether electronically or manually, the county recorder or other officer in charge of elections is required to separate the ballots by type of defect or damage and type of ballot, maintain that separation and post on the county's website the number, type and category of defective or damaged ballots processed by the county.			2/1 referred to Senate gov.
S1615: ELECTIONS; HAND COUNT; LEGISLATIVE AUDITOR	For the regular primary and regular general election, at any time after completion of the unofficial returns and before the county canvass, the Legislature is authorized to require that a complete hand count be			2/1 referred to Senate gov.

	conducted by an independent auditor selected by the Legislature. The Legislature is authorized to require the hand count for up to three contested races. The county board of supervisors and the county recorder must cooperate with and provide access to the Legislature to ballots and related materials and to county facilities for the use of the auditor.			
S1616: ELECTION EQUIPMENT; SECURITY; RESULTS; TABULATION	Any voting equipment that is used in a polling place or voting center and any tabulation equipment that is used in a central counting center or other tabulation center is prohibited from having internet access or any accessible port, and is required to prohibit access by any means to any data or results, except by authorized election personnel. The delivery, use and return of the equipment is required to be logged on a chain of custody document so that the name and signature of every person who delivers, receives, uses and returns that equipment is recorded and retained as an official election record.			2/1 referred to Senate gov.
S1638: VOTING EQUIPMENT; REQUIREMENTS; RECORDS; ORIGIN	Vote recording and vote tabulating machines and devices are required to be manufactured in the United States, and to maintain an internal record of every insert and removal of a mass storage device, every update to software, and every key stroke or screen touch made. Vote recording machines and devices are required to provide a printed record of the voter's choices. Vote tabulating devices are required to maintain an internal record of the ballots inserted or scanned and the number tabulated, including any ballots that are rescanned, based on an identifying mark on each ballot. By the August 2022 primary election, the Secretary of State is required to revoke the certification for vote recording and vote tabulating machines and devices used for elections for federal, state or county offices unless the machines and devices comply with this legislation.			2/3 referred to Senate gov.
S1645: PUBLICATION OF NOTICE	Modifies the publication of notice requirement for a district, municipal officer, board or commission to require publication in a newspaper that is printed and published within the county in which the district or municipality is located and that is circulated to residents of the district or municipality.		General Comments (all lists): League resolution	2/25 Senate COW approved with amend <a href="#">#4273</a> .
S1654: OBSERVERS; HAND COUNTS; RECOUNTS; MARGINS	Modifies the margin between the two candidates receiving the greatest number of votes for a particular office or for and against a ballot measure that triggers an automatic recount. A recount is required when the margin is less than or equal to 0.5 percent of the number of votes cast for both candidates or on the measure, or 0.75 percent of the number of votes cast for both candidates or on the measure if requested by one of the candidates or an authorized representative of a political committee that supports or opposes the measure within two days after the release of unofficial results, or if a second hand count is conducted and the margin is 0.25 percent or less, with some exceptions. If the recount is requested by a candidate or a representative of a political committee when the margin is more than 0.5 percent and less than or equal to 0.75 percent of the number of votes cast, the expenses of a recount must be charged to the candidate or political committee that requested the recount unless the candidate or requesting political committee prevails in the recount. The proceedings at an elections counting center are prohibited from being conducted without equal numbers of designated observers from each political party that is represented on the ballot at that election, unless the county chair of the political party and each of that party's candidates submit a notarized statement that waives that party's and candidate's presence. Hand counts are no longer exempt from the live video requirements established for proceedings at the counting center.			2/3 referred to Senate gov.
S1713: EARLY BALLOTS; IDENTIFICATION; MAILING	The affidavit that must be completed and returned with an early ballot is required to contain the voter's date of birth and either the number from the voter's Arizona driver license or tribal identification card or a copy of specified government-issued identification, or the voter's voter registration number and an item that contains the name and address of the voter that reasonably appears to be the same as the voter's voter registration address. The county recorder is required to send by nonforwardable mail a voter registration card to each registered voter at least once every two years.			2/23 from Senate rules okay.
S1714:	A political action committee that makes an			2/24

CAMPAIGN EXPENDITURES; OUT-OF-STATE; DISCLOSURES	expenditure for an advertisement is required to include a disclosure stating the aggregate percentage of out-of-state contributors as calculated at the time the advertisement was distributed for publication, display, delivery or broadcast. The disclosure must be displayed in a height that is at least ten percent of the vertical height of the advertisement, sign or billboard, or must be clearly readable if the advertisement is delivered electronically.			Senate COW approved.
S1722: POLITICAL SIGNS; CONDOMINIUMS; PLANNED COMMUNITIES	Modifies the time periods during which condominium associations and homeowners' associations cannot prohibit the display of political signs.	Calendar: 3/1 Senate COW		2/23 from Senate rules okay.
S1793: VOTER REGISTRATION DATABASES; DEATH RECORDS	The Secretary of State is required to use the records of deaths transmitted by the Department of Health Services to establish a nonpublic database for use by county recorders to cancel the names of deceased persons from county voter registration databases.			2/23 from Senate rules okay.
S1814: ELECTIONS; AUDITOR GENERAL; VOTER REGISTRATION	Beginning on April 15 each year, the Auditor General is required to audit the processes, equipment and systems used to maintain county voter registration databases and the statewide voter registration database. The Auditor General is required to conduct the audit on the two counties with the largest voter registration databases and is authorized to audit an additional county. By September 30, the Auditor General is required to submit a report on its findings to the Legislature.			2/3 referred to Senate gov.
S1815: WRITE-IN CANDIDATES; RESIDENCY REQUIREMENTS; PETITIONS	For legislative offices, the filing officer is prohibited from accepting the nomination petition of a candidate if the candidate's residence as shown on the nomination petition is not located in the legislative district for which the candidate seeks election. A write-in candidate for any elective office is required to be a resident of the electoral district for the office the candidate seeks for at least 120 days before the date of the election.			2/3 referred to Senate gov.
S1817: VOTER REGISTRATION ROLLS; IRREGULARITY; REPORT	On any complaint of an error or irregularity in county or state voter registration records, the county recorder and Secretary of State are required to investigate the complaint and correct any error within two weeks after receipt of the complaint. The county recorder and the Secretary of State are required to report quarterly to the Legislature on the results of their investigations.			2/3 referred to Senate gov.
S1818: CANDIDATE'S RESIDENCE ADDRESS; NONDISCLOSURE	At the request of a candidate, the filing officer is prohibited from publicly disclosing the candidate's residence address, and the candidate's residence address is not a public record.			2/3 referred to Senate gov.

**Communication and Media Relations**

BILL NUMBER/ SHORT TITLE	SUMMARY	POSTED HEARINGS & CALENDARS	COMMENTS	LAST ACTION
S1428: SOCIAL MEDIA; CENSORSHIP; CIVIL ACTION	The owner or operator of a social media website that contracts with a social media website user in Arizona is prohibited from purposely deleting or censoring the user's "religious speech" or "political speech" (both defined), and from using an algorithm to disfavor, "shadowban" (defined) or censor the user's religious speech or political speech. The owner or operator of a social media website that violates these prohibitions is liable for at least \$75,000 in damages for each separate deletion or censoring, actual damages, punitive damages if aggravating factors are present, and other forms of equitable relief. A court is authorized to award the prevailing party in a cause of action reasonable attorney fees and costs. A social media website cannot use the user's alleged hate speech as a basis for justification or defense of the website's actions at trial. Some exceptions. Applies to the owner or operator of a social media website that censors a social media website user's religious speech or political speech beginning from and after the effective date of this act. Contains legislative findings. Emergency clause.			1/27 referred to Senate trans-tech.
S1687: GOVERNMENTAL ENTITIES; SOCIAL MEDIA; PROHIBITION	A "governmental entity" (defined), at any level, is prohibited from using a social media platform for any official or governmental purpose. A governmental entity is prohibited from giving or controlling a social media account to or for an "elected official" (defined). Does not apply to a personal social media account operated by an elected official.		General Comments (all lists):  Oppose. These platforms are utilized to connect residents, businesses and visitors to information	2/16 from Senate trans- tech do pass.



### Community Development

BILL NUMBER/ SHORT TITLE	SUMMARY	POSTED HEARINGS & CALENDARS	COMMENTS	LAST ACTION
H2049: EMINENT DOMAIN; EXISTING CONTRACTS	If a municipality exercises the right of eminent domain to acquire a public utility business or enterprise, the municipality is required to assume all existing assets and contractual obligations directly associated with providing current and future "utility service" (defined) in the certificate of convenience and necessity that is being condemned unless all parties to the contractual obligations agree otherwise. The municipality has no obligation to provide utility service if the contractual obligation was executed on or after the date of the notice that is provided pursuant to eminent domain statutes. AS PASSED HOUSE.	Hearing: Senate Government (Monday 03/01/21 at 2:00 PM, Senate Rm. 1)	General Comments (all lists):  Identical to HB 2499 from the 2020 session. HB 2499 failed in Senate Rules. League opposes. May be held, possibility of amending language.	2/18 referred to Senate gov.
H2108: TELECOMMUNICATIONS; PUBLIC HIGHWAYS; USE; FEES	For any underground facility that is used for a "small wireless facility" (defined elsewhere in statute), a political subdivision is prohibited from requiring an annual telecommunications fee based on the number of linear feet of trench in the public highways in which the telecommunications corporation has placed facilities.		General Comments (all lists):  Oppose in current form. Open-ended nature of current language is problematic. City-approved amendment has been offered, has not been attached to the bill at this time. Cable industry has expressed opposition	2/23 retained on House COW calendar.
H2290: HEALTH CARE INSTITUTIONS; ACCREDITATION; INSPECTIONS	The Department of Health Services is authorized to accept an accreditation report in lieu of a compliance inspection for any health care institution, instead of only a behavioral health residential facility providing services to children, only if the institution is accredited by an independent, nonprofit accrediting organization approved by the Secretary of the U.S. Department of Health and Human Services, and the institution has not been subject to an enforcement action within the year preceding the annual licensing fee anniversary date.			2/2 from House rules okay.
H2300: GROUP HOMES; MONITORING; APPROPRIATION	Establishes a 3-year Developmental Disabilities Group Home Monitoring Pilot Program in the Department of Economic Security (DES), which requires a designated entity to monitor and inspect in person all of the group homes once each year and take a list of other specified regulatory actions. DES is required to develop a process to determine which of its clients are at a higher risk of abuse or neglect. By December 31, 2024, the designated entity is required to report to the Governor and the Legislature on the outcomes of the Pilot Program. Appropriates \$1.2 million from the general fund in FY2020-21 to DES for the Pilot Program.			2/16 from House hel-hu ser do pass.
H2317: COMMUNITY FACILITIES DISTRICTS	Various changes to statutes relating to community facilities districts. The annual ad valorem tax levied by a district is prohibited from exceeding the amount necessary to meet annual payments of principal and interest on bonds issued by the district, projected payments of principal and interest on new debt planned for that year, a reasonable delinquency factor, including an amount necessary to correct prior year errors or shortages in the levy, if applicable, and any expenses and fees required. The levy is required to be the 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 a segregated fund or funds for the levy. If a district sells general obligation bonds above par, the amount of "net premium" (defined) associated with a general obligation bond issue may be used only to pay costs incurred in issuing the bonds or as a deposit in a debt service fund and used only to pay interest on the issue of general obligation bonds. If used for any other purpose, and if the district has general obligation bond voter authorization and available capacity under its debt limitations, both the available aggregate indebtedness capacity of the district and the principal amount authorized at the general obligation bond election for the district must be reduced by the amount of net premium used for that purpose. For districts that are formed after August 9, 2017 and before the effective date of this legislation and for which the district board consists of the governing body of the municipality or county with two additional district board members who were initially designated by an owner	Hearing: Senate Finance (Wednesday 03/03/21 at 9:00 AM, Senate Rm. 109)	General Comments (all lists):  League support	2/23 passed House <u>58-0</u> ; ready for Senate.

	<p>who owned the largest amount of privately owned acreage in the district at formation, at any time after receipt of a petition signed by the owners of a majority of the privately owned real property within the boundaries of the district as measured by square footage or acreage, the district board is authorized to adopt a resolution to permanently remove the two additional appointed district board members and their positions on the board. If a community facilities district will be governed by a governing body with two additional board members who are initially designated by the owner who owns the largest amount of privately-owned acreage in the district, the resolution ordering formation of the district is permitted to state, or the district board is permitted to adopt a resolution that provides, that those two additional members are permanently advisory nonvoting members. Emergency clause.</p>			
<p>H2372: AGRICULTURAL OPERATIONS; NUISANCE; LIABILITY</p>	<p>Statute governing nuisance liability for agricultural operations is repealed and replaced. A nuisance action cannot be filed against an agricultural operation conducted on farmland unless a list of specified conditions apply. Establishes a rebuttable presumption that an agricultural operation conducted on farmland is not a public or private nuisance, which may be overcome by a preponderance of the evidence that the operation is violating applicable federal, state or local laws and regulations. Establishes requirements for the court to award costs, expenses, and/or compensatory damages in a nuisance action. The circumstances under which agricultural operations conducted on farmland may be regulated or considered to be a nuisance are a matter of statewide concern. This legislation supersedes any municipal ordinance that makes an agricultural operation conducted on farmland a nuisance or provides for an abatement of the agricultural operation as a nuisance, and any such ordinance is void and has no force or effect. Contains legislative findings.</p>		<p>General Comments (all lists):  League opposes. Nuisance preemption for certain agricultural activities. Proponents have stated that the intent is not to stop nuisance mitigation efforts (noise, flooding, pest issues, odor), but language doesn't currently reflect that. HB1224 is the mirror bill in the other Chamber.</p>	<p>2/23 retained on House COW calendar.</p>
<p>H2481: SHORT-TERM RENTALS; ENFORCEMENT; PENALTIES</p>	<p>Modifies the list of regulations that counties and municipalities are authorized to impose on vacation rentals or short-term rentals to include requiring the owner of a vacation rental or short-term rental to license or register with the county or municipality, and restricting the occupancy of a vacation rental or short-term rental to the lesser of the occupancy limit of the county or municipality or 2 adults per bedroom plus 2 additional adults. Vacation rentals and short-term rentals cannot advertise to exceed the occupancy limit of the dwelling or for any nonresidential use. Counties and municipalities are authorized to impose a civil penalty for each day a property is in violation of this advertisement prohibition. An online lodging operator that falsifies information to an online lodging marketplace is guilty of a petty offense. A county or municipality cannot prohibit the operation of a vacation rental or short-term rental based solely on its status as a vacation rental or short-term rental if the owner of the vacation rental or short-term rental, as of May 1, 2021, has a valid transaction privilege tax license, and as of June 2, 2021, has provided the owner's or the owner's designee's contact information to the county or municipality in which the vacation rental or short-term rental is located, if required by ordinance.</p>		<p>General Comments (all lists):  Update: Additional amendment language is being contemplated. Position will be updated to reflect potential changes to language. Earlier: Support. City-approved amendment was added in committee.</p>	<p>2/11 from House gov-elect with amend #4195.</p>
<p>H2482: REGULATION; SHORT-TERM RENTALS</p>	<p>Modifies the list of regulations that counties and municipalities are authorized to impose on vacation rentals or short-term rentals to include: requiring contact information for the owner of the rental to be posted on the front door or in another location on the property that is visible and accessible to the public; restricting the maximum number of adult occupants allowed on the property at one time to the lesser of the occupancy limit established by the county or municipality or no more than 2 adults per bedroom, up to 4 bedrooms, plus 2 additional adults per 1,000 square feet of livable space in excess of 3,000 square feet of livable space; requiring the installation of safety and monitoring equipment that monitors and detects noise and notifies the owner if noise is unreasonable or in violation of a noise ordinance; prohibiting smoking outside within 100 feet of a residential structure; restricting occupants from checking in without the presence of the owner or the owner's designee; and prohibiting occupants from parking on public or private streets if</p>			<p>1/27 referred to House gov-elect.</p>

	on-property parking is available. Vacation rentals and short-term rentals cannot advertise to exceed the occupancy limit of the dwelling or for any nonresidential use, and are required to display the transaction privilege tax license in any online advertisement for rental of the unit. Establishes penalties for violations.		
H2545: CONTRACTOR LICENSE NUMBERS; ADVERTISING; EXCEPTION	A contractor's license number is required to be placed on all broadcast, internet or billboard advertising unless the advertising includes a website's uniform resource locator that directly links to a website that prominently displays the licensee's name and license number. AS PASSED HOUSE	Hearing: Senate Commerce (Wednesday 03/03/21 at 2:00 PM, Senate Rm. 1)	2/23 referred to Senate com.
H2596: ADOT; TELECOMMUNICATION FACILITIES INSTALLATION	The Arizona Department of Transportation (ADOT) or a "provider" (defined as an eligible telecommunications carrier recognized by the Arizona Corporation Commission, or a political subdivision) with permission from ADOT is authorized to install "telecommunication facilities" (defined) and requirements for the installation process are established. If ADOT expands the use of an existing easement or other property right and the expanded use reduces the fair market value of the property, the property owner is entitled to just compensation from ADOT or the provider. Establishes a process for assessing the diminution in value. Establishes notice requirements for excavation to install underground telecommunication facilities within an existing easement or other property right. ADOT is authorized to enter into an agreement with a public or private entity for the purpose of using, managing or operating state-owned telecommunication facilities and coordinating activities in Arizona relating to planning, mapping and procuring broadband service. ADOT is permitted to give a provider longitudinal access to the right-of-way of a highway for the installation, operation and maintenance of a telecommunication facility by entering into an agreement with a provider and issuing a permit. ADOT must require compensation from a provider for longitudinal access, and requirements for the compensation are listed. More.	Calendar: 3/1 House COW	2/23 retained on House COW calendar.
H2602: TOBACCO; RETAIL; LICENSING	Beginning January 1, 2023, a "retail tobacco vendor" (defined) is prohibited from distributing "tobacco products" (defined to include "electronic smoking devices") in Arizona without a valid tobacco retail sales license issued by the Department of Liquor Licenses and Control (DLLC). DLLC is required to establish fees for a tobacco retail sales license, and is prohibited from issuing a license until the vendor has obtained the required local license. It is unlawful for a retail tobacco vendor or a retail tobacco vendor's representative, agent or employee to sell, furnish, give or provide a tobacco product to a person who is under the minimum age of sale for tobacco products as set by the federal Food, Drug, and Cosmetic Act, and requirements for verifying photo identification are specified. Establishes penalties for violations, including attendance at an education class and graduated fines ranging from \$500 to \$3,000. For a second or subsequent violation, the court is required to prohibit the vendor from distributing tobacco products for a specified time period. DLLC is required to adopt rules to carry out retail tobacco vendor regulations, and is authorized to delegate the enforcement and compliance inspections to any county that accepts the delegation. Establishes the Tobacco Retail Sales Licensing Fund, consisting of licensing fees collected, to be administered by DLLC. DLLC is required to deposit 90 percent of all licensing fees in the Fund and the remaining 10 percent in the general fund. More.	General Comments (all lists):  Supported by American Heart Association, American Cancer Society, Children's Action Alliance, AZ Public Health Association	2/3 referred to House hel- hu ser, com.
H2617: JUDGMENTS; LIENS; HOMESTEAD	Increases the homestead exemption to \$250,000, from \$150,000. A civil judgment in favor of the state becomes a lien on the real property of the judgment debtor, including the judgment debtor's homestead property, that is located in the county in which the judgment is recorded, whether the property is then owned by the judgment debtor or is later acquired, from the time of recording until satisfied or lifted. Applies retroactively to all judgments in favor of the state without regard to when the judgment was recorded. Civil judgments obtained by the state that are entered on or after September 13, 2013, or that were entered before September 13, 2013 and that were current and collectible under the laws applicable on that date are exempt from statute allowing a writ of execution or other	Calendar: 3/1 House COW	2/16 from House rules okay.

	process to be issued to enforce a judgment. Previously, all civil judgments obtained by the state were exempt.			
H2618: PUBLIC NUISANCE; NOISE; EVIDENCE	A prosecution for a public nuisance violation that involves noise is required to include an accurate recording and measurement of the noise made by a peace officer or code enforcement officer. Measurement standards are specified. Applies to all cases in which the defendant did not plead guilty or no contest and that, as of the effective date of this legislation, have not been submitted to the fact finder to render a verdict.		General Comments (all lists):  Oppose. Issue with ability to have required technology, whether the required technology will register the nuisance (eg. it may not register bass), and the term "intentionally" creates concerns.	2/24 House COW approved with fir amend <a href="#">#4479</a> .
H2686: CANDIDATE SIGNS; PROHIBITION; PRIMARY	Increases the period of time that political signs may be placed in a public right-of-way to 150 days before the date of the general election until 7 days after the date of the general election, instead of 45 days before the primary election until 7 days after the general election. The date of the election does not include the period of early voting for that election.			2/2 referred to House gov- elect.
H2716: LICENSING; BUILDING PERMITS; TEMPORARY PERMITS	In determining the order in which the municipality will review an application for a license, the municipality is prohibited from prioritizing applications for a license that is subject to licensing timeframe requirements over applications for a license that is not. If a municipality requires a building permit for the construction of any single-family dwelling, the municipality is required to issue the building permit within seven calendar days after the applicant submits an administratively complete application if the applicant has satisfied specified requirements. If the municipality fails to issue the building permit within seven calendar days, the applicant must be granted a temporary building permit and is authorized to commence with construction.		General Comments (all lists):  Oppose. Issues with timing of impact fee payment, lack of specificity regarding construction documents and site plans	2/24 House COW approved with amend <a href="#">#4292</a> .
H2753: DISTILLERIES; LICENSING; ENVIRONMENTAL EXEMPTION	A microbrewery licensee is permitted to hold a craft distiller license, subject to all other requirements of both licenses. The microbrewery and the craft distiller are authorized to provide sampling and sales of the distilled spirits, beer sampling, and retail sales on the same premises. Licensed producers, craft distillers, brewers and farm wineries are subject to the rules and exemptions prescribed by the U.S. Food and Drug Administration under specified federal regulations relating to food safety. Production and storage spaces are not subject to non-federal food safety guidelines adopted by local governing boards.			2/24 retained on House COW calendar.
H2772: FANTASY SPORTS BETTING; EVENT WAGERING	Numerous changes to statutes relating to gaming. Establishes a new chapter in Title 5 (Amusements and Sports) regulating "fantasy sports contest" (defined), conditionally enacted on each Indian Tribe with a gaming facility in Pima County and in the Phoenix metropolitan area entering into a 2021 Gaming Compact Amendment and publishing in the federal register notice of the U.S. Secretary of the Interior's approval or approval by operation of law. An individual who is licensed by the Arizona Department of Gaming (ADG) is authorized to offer one or more fantasy sports contests if specified conditions apply, including that the individual collects no more than \$10,000 in total entry fees for all fantasy sports contests offered in a calendar year, at least 95 percent of which are awarded to the fantasy sports contest players. Establishes requirements for licensure, authorizes ADG to adopt rules related to conducting fantasy sports contests, and establishes penalties for violations. Individuals who are under 21 years of age are prohibited from participating in a fantasy sports contest. Establishes a list of prohibited actions for licensed fantasy sports contest operators and prohibits fantasy sports contests from being offered on a kiosk or machine open to public use. ADG is required to establish a fee for the privilege of operating fantasy sports contests that is not less than the highest percentage of revenue share that an Indian Tribe pays to Arizona pursuant to the tribal-state gaming compacts and any amendments. ADG is authorized to use up to 10 percent of fee monies for the costs of regulating fantasy sports contests and is required to transfer the remaining monies to the general fund. An Indian Tribe that lawfully conducts class III gaming pursuant to a tribal-state gaming compact with Arizona is authorized to offer and conduct fantasy sports contests, directly or through a third-party operator, without applying for or holding a license if all activities of the fantasy sports contest occur within the boundary of its Indian lands and the Indian			2/16 from House rules okay.

Tribe complies with any regulations that are included in the compact. Establishes a new chapter in Title 5 (Amusements and Sports) regulating "event wagering" (defined), conditionally enacted on each Indian Tribe with a gaming facility in Pima County and in the Phoenix metropolitan area entering into a 2021 Gaming Compact Amendment and publishing in the federal register notice of the U.S. Secretary of the Interior's approval or approval by operation of law. Establishes powers and duties of ADG to enforce event wagering statutes. Event wagering may be conducted only to the extent that it is conducted in accordance with this legislation, and a person is prohibited from offering any activity in connection with event wagering in Arizona unless all necessary licenses have been obtained in accordance with federal and state law and any applicable ADG rules. Does not apply to event wagering conducted exclusively on Indian lands by an Indian Tribe operated in accordance with a tribal-state gaming compact and any amendments. ADG is authorized to issue up to 10 event wagering operator licenses to applicants other than an Indian Tribe and up to 10 event wagering operator licenses to Indian Tribes in Arizona that have signed the most recent Tribal-State Gaming Compact and any applicable amendments. Establishes requirements for licensure as an event wagering operator. A license authorized an event wagering operator to offer event wagering through a facility within a 5-block radius of the operator's sports facility and event wagering through a mobile platform as specified by ADG. Establishes provisions for license revocation, suspension or denial. An event wagering operator is authorized to partner with a racetrack enclosure or additional wagering facility that holds a racing permit to obtain a limited event wagering license for event wagering only at one specific physical location. ADG is allowed to issue a total of up to 10 limited event wagering licenses. Management services providers are required to obtain a license from ADG and are authorized to contract with an event wagering operator or operators. ADG is required to establish and collect application and license fees. ADG is required to establish bond in escrow, cash on hand, and insurance requirements for licensees. Establishes a list of prohibited wagers. ADG is required to establish a fee for the privilege of operating event wagering that is not less than the highest percentage of revenue share that an Indian Tribe pays to Arizona pursuant to the tribal-state gaming compact. ADG is authorized to use up to 10 percent of fee monies for the costs of regulating fantasy sports contests and is required to transfer the remaining monies to the general fund. Fantasy sports contest operators and event wagering operators are required to allow problem gamblers to voluntarily exclude themselves and to develop and maintain a program to mitigate and curtail compulsive play or compulsive gambling. After the conditions for enactment of this legislation are met, the Arizona State Lottery Commission is authorized to establish and operate a single "electronic keno game" and a single "mobile draw game" on a centralized computer system controlled by the lottery that allows a player to place wagers, view the outcome of a game and receive winnings over the internet, including on personal electronic devices. An electronic keno game may be operated only within an "authorized keno location" (defined as a physical facility with a specified gaming license that is a fraternal organization, veterans' organization, racetrack enclosure, or wagering facility where pari-mutuel wagering is conducted). If the electronic keno game is to be played on personal electronic devices, players must be geographically restricted by means of geofencing to authorized keno locations. Establishes limits on the number of authorized keno locations and the frequency of electronic keno game draws and prohibits certain user interface depictions. Establishes the 2021 Compact Trust Fund is established for the exclusive purposes of mitigating impacts to Indian Tribes from gaming authorized by the "2021 Gaming Compact Amendment" (defined) and providing economic benefits to beneficiary tribes, including those with an effective gaming compact that includes the 2021 amendments and do not engage in gaming. Contains a legislative intent section. Emergency clause.

H2781:

The maximum size of a political sign located

2/4

POLITICAL SIGNS; SIZE REQUIREMENTS	in an area not zoned for residential use is decreased to an area of 24 square feet, from 32 square feet.			referred to House govern.
H2844: WINERIES; MICROBREWERIES; DISTILLED SPIRITS	Department of Health Safety rules relating to food and drink sales are required to provide an exemption for spirituous liquor produced on the premises in the area in which production and manufacturing of spirituous liquor occurs. This exemption must include the area licensed by the Department of Liquor Licenses and Control as a microbrewery, farm winery or craft distiller that is open to the public and serves spirituous liquor and commercially prepackaged food, crackers or pretzels for consumption on the premises. For the purpose of Title 4 (Alcoholic Beverages), the definition of "beer" is modified.			2/24 passed House <u>56-2</u> ; ready for Senate.
H2855: BUILDING PERMITS; REQUIREMENTS; STATEWIDE PREEMPTION	Establishes a list of requirements for a building permit issued by a county or municipality in connection with the construction, reconstruction, installation, demolition, maintenance or repair of any commercial building estimated to cost more than \$250,000 or in connection with a residential building with five or more units, including not having a license revoked or suspended in the past three years and maintaining appropriate workers' compensation insurance coverage. The regulation of the issuance of building permits is a matter of statewide concern and specified provisions are not subject to further regulation by a county or municipality.			2/10 referred to House com.
H2861: BUILDING PERMITS; FEES	Municipalities are authorized to charge fees that are reasonably proportionate to the direct costs associated with reviewing and issuing a building permit. Any fees charged for issuing a building permit may be used only to fund the department responsible for issuing the building permit and cannot be used as revenue for the general expenses of the municipality. Municipalities are required to post on their websites the revenues collected from all building permits and the itemized costs attributable to issuing a building permit.		General Comments (all lists):  Oppose. Does not appear to be options for amendments.	2/22 from House rules okay.
H2882: TECH CORRECTION; ACTION TO RESTRAIN	Minor change in Title 28 (Transportation) related to authorized third parties. Apparent striker bus.		General Comments (all lists):  Oppose. Should be dead for this session. Interim discussion is anticipated. Striker amendment would preempt food trucks requirements and may be problematic for trash, lighting, safety measures, location requirements.	2/24 retained on House COW calendar.
S1062: ENGINEERING DEFINITIONS	For the purpose of Board of Technical Registration statutes, the definition of "engineering practice" is modified, including specifying that the service or work must be to the extent that the engineering education, training and experience requirements for professional registration are necessary to protect the public health, safety or welfare. Also modifies the definition of "engineer" and defines "professional engineer." AS PASSED SENATE	Hearing: House Commerce (Tuesday 03/02/21 at 2:00 PM, House Rm. 3)	General Comments (all lists):  Potential for technical changes to clarify that bill. The proposal is largely fine.	2/24 referred to House com.
S1076: LOW-INCOME MULTIFAMILY HOUSING; VALUATION	The owner of "low-income multifamily residential rental property" (defined) is authorized to elect a statutory income method for valuing the property. The calculation for this valuation method is established. Requirements for a property owner to elect this valuation method are specified, including documentation requirements. Low-income multifamily residential rental properties that are valued using this method are classified as class four property for property tax purposes.	Hearing: House Ways & Means (Wednesday 03/03/21 at 9:00 AM, House Rm. 3)		2/23 referred to House ways-means.
S1085: NURSING-SUPPORTED GROUP HOMES; LICENSURE	By July 1, 2022, a "nursing supported group home" (defined) that is operated in Arizona by a service provider under contract with the Department of Economic Security is required to be licensed as a health care institution. Effective July 1, 2022, nursing supported group homes are added to various statutes regulating group homes. A nursing supported group home is not required to comply with the zoning standards for a health care institution prescribed by the Department of Health Services.	Hearing: House Health & Human Services (Monday 03/01/21 at 2:00 PM, House Rm. 4)		2/23 referred to House hel-hu ser.
S1102: ELECTRIC VEHICLE OMNIBUS; APPROPRIATIONS	Counties and municipalities are prohibited from issuing a residential structure building permit for a single-family structure if the residential structure does not have a circuit with a dedicated outlet to charge an electric vehicle in the residential structure's garage or within ten feet of a parking space on the outside of the residential structure. Some exceptions. The Arizona Department of Administration (ADOA) is required to			2/15 FAILED Senate gov 4-4.

	<p>conduct a two-year electric vehicle ready homes pilot program. ADOA is required to reimburse the owner of a single-family or multifamily residential structure for the actual cost, up to \$1,000, of installing a high voltage electrical outlet for the purpose of charging an electric vehicle. ADOA is required to submit a report to the Governor and the Legislature detailing the results of the pilot program by December 31, 2023. The pilot program self-repeals October 1, 2024. ADOA is required to conduct a two-year electric vehicle charging station pilot program. All state agencies are authorized to apply to ADOA for funding necessary for covering the costs of installation of electric vehicle charging stations at their agency locations. ADOA is required to submit a report with specified information relating to the pilot program to the Governor and the Legislature by December 31, 2023. Appropriates \$500,000 from the general fund in FY2021-22 to ADOA for the electric vehicle ready homes pilot program and \$500,000 from the general fund in FY2021-22 to ADOA for the electric vehicle charging station pilot program.</p>			
S1103: LIEUTENANT GOVERNOR; DUTIES; BALLOT	<p>No later than 60 days before the date of the general election, a candidate for Governor is required to submit to the Secretary of State the name of a person who will be the joint candidate for Lieutenant Governor with that gubernatorial candidate and whose name will appear on the general election ballot jointly with that candidate. The direction, operation and control of the Department of Administration is the responsibility of the Lieutenant Governor. Conditionally enacted on the state Constitution being amended by the voters at the 2020 general election by passage of an unspecified SCR (blank in original) relating to the establishment of the office of Lieutenant Governor. Applies beginning with elections for the term of office that starts in 2027.</p>		<p>General Comments (all lists):  Expecting a striker with tobacco preemptions on this bill</p>	<p>2/24 from Senate appro with amend #4460. From Senate rules with the tech amend.</p>
S1121: TECH CORRECTION; INTENSIVE PROBATION; MODIFICATION	<p>Minor change in Title 13 (Criminal Code) related to intensive probation. Apparent striker bus.</p>		<p>General Comments (all lists):  Striker requires cities to allow marijuana facilities. Open questions on language clarity. May have constitutional issues.</p>	<p>2/24 from Senate appro with amend #4462. From Senate rules okay.</p>
S1154: TECH CORRECTION; VALUATION; PERSONAL PROPERTY	<p>Minor change in Title 42 (Taxation) related to valuation of locally assessed property. Apparent striker bus.</p>		<p>General Comments (all lists):  Should be dead. Earlier: May be getting a third striker amendment. We will continue to monitor and evaluate new language. Earlier: This will be a striker with proposal in HB 2049 (eminent domain; existing contracts). Oppose.</p>	<p>2/17 FAILED SENATE COMMERCE 4-5.</p>
S1218: NONHEALTH PROFESSIONS; OCCUPATIONS; REGULATIONS	<p>The state may regulate a profession or occupation only if there is credible evidence of harm that the unregulated practice threatens the public health, safety or welfare. Regulation cannot be imposed for the exclusive purpose of protecting a profession or occupation from economic competition. Each committee of reference (COR) that reviews an agency that administers an "occupational regulation" (defined elsewhere in statute) is required to consider a specified list of factors in determining the need for continuation or termination of the agency, including the extent to which failure to regulate a profession or occupation will result in the loss of insurance, an impact to the ability to practice as required by federal law, or the loss of constitutionally afforded practices. The list of possible recommendations that the sunset review report from the COR is required to include is expanded to include recommendations that the Legislature repeal the occupational license, convert the license to a less restrictive regulation, or instruct the state agency to seek legislation or adopt rules to reflect the COR's recommendation to impose less restrictive regulations, change the requisite personal qualifications, or redefine the scope of practice.</p>			<p>2/24 referred to House com.</p>
S1224: AGRICULTURAL OPERATIONS; NUISANCE LIABILITY	<p>Statute governing nuisance liability for agricultural operations is repealed and replaced. A nuisance action cannot be filed against an agricultural operation conducted on farmland unless a list of specified conditions apply. Establishes a rebuttable presumption that an agricultural operation conducted on farmland is not a public or private nuisance, which may be overcome by a preponderance of the evidence that the operation is violating applicable federal, state or local laws and regulations. Establishes requirements for the court to</p>	<p>Hearing: Senate Rules (Monday 03/01/21 at 1:00 PM, Senate Rm. 109)</p>	<p>General Comments (all lists):  Amendment is being worked on. League opposes. Nuisance preemption for certain agricultural activities. Proponents have stated that the intent is not to stop nuisance mitigation efforts (noise, flooding, pest issues, odor), but language doesn't currently reflect that. HB2372 is the mirror bill in the other Chamber.</p>	<p>2/11 from Senate nat res-energy-water do pass.</p>

	award costs, expenses, and/or compensatory damages in a nuisance action. The circumstances under which agricultural operations conducted on farmland may be regulated or considered to be a nuisance are a matter of statewide concern. This legislation supersedes any municipal ordinance that makes an agricultural operation conducted on farmland a nuisance or provides for an abatement of the agricultural operation as a nuisance, and any such ordinance is void and has no force or effect. Contains legislative findings.			
S1258: STATE OF EMERGENCY; TOLLING; PERMITS	A state of emergency proclamation issued by the Governor in response to an event that causes the state or a county or municipality to alter or limit "ordinary government operations" (defined) tolls the period remaining to exercise the rights under any permit, license, approval or other authorization issued by the Department of Environmental Quality or a county or municipality for the duration of the state of emergency proclamation and extends the period remaining to exercise those rights for an additional six months after the tolling period. Does not apply to a list of specified permits and licenses. Emergency clause. AS PASSED SENATE			2/17 passed Senate <u>30-0</u> ; ready for House.
S1304: TECH CORRECTION; STATE ELECTIONS; CONTEST	Minor change in Title 16 (Elections) related to contest of state elections. Apparent striker bus.		General Comments (all lists): Anticipating a striker amendment related to licensing of engineers	2/22 from Senate com with amend <u>#4381</u> .
S1327: TAX CREDIT; AFFORDABLE HOUSING	Establishes a credit against individual and corporate income taxes and insurance premium taxes for projects that qualify for the federal low-income housing tax credit and that are placed in service from and after June 30, 2022. The credit is equal to the amount of the federal low-income housing credit for the qualified project. To claim the credit, a taxpayer is required to apply to the Arizona Department of Housing and receive an eligibility statement. If the amount of the credit exceeds taxes due, the taxpayer may carry the unused amount forward for up to five consecutive taxable years. The Department of Revenue is required to allocate a total of \$8 million of affordable housing tax credits in any calendar year. Establishes a 9-member Affordable Housing Tax Credit Review Committee to review the tax credits on the fifth year after the effective date of the credit and every five years thereafter and submit a report to the Governor and the Legislature. Self-repeals January 1, 2028. AS PASSED SENATE		General Comments (all lists): Support. League resolution. Similar to HB 2732 from the 2020 session, which the city supported. Mirror bill is HB 2562.	2/17 passed Senate <u>17-13</u> ; ready for House.
S1379: VACATION RENTALS; SHORT-TERM RENTALS; ENFORCEMENT	Modifies the list of regulations that counties and municipalities are authorized to impose on vacation rentals or short-terms rentals to include restricting the occupancy of a vacation rental or short-term rental to 2 adults per bedroom, up to 4 bedrooms, plus 2 additional adults per 1,000 square feet of livable space in excess of 3,000 square feet of livable space, and requiring the owner of a vacation rental or short-term rental to maintain liability insurance appropriate to cover the rental in the aggregate of at least \$500,000 or to advertise and offer each vacation rental or short-term rental through a hosting platform that provides equal or greater coverage. Counties and municipalities are authorized to impose civil penalties for each day a property is in violation of specified provisions. Modifies civil penalties for online lodging operators that fail to comply with applicable transaction privilege tax requirements.	Calendar: 3/1 Senate COW	General Comments (all lists): Would want a proposal on this topic to go further. Would not expect this proposal to resolve issues altogether.	2/25 retained on Senate COW calendar.
S1409: ZONING ORDINANCES; PROPERTY RIGHTS; COSTS	Before adopting any zoning ordinance or zoning ordinance text amendment of general applicability, the legislative body of a municipality is required to consider and adopt an individual property rights cost of housing impact statement regarding the impact of the zoning ordinance, which must include a list of specified information. Municipalities are prohibited from adopting or enforcing a land use regulation that unreasonably increases the cost to construct housing for sale or rent.	Calendar: 3/1 Senate COW	General Comments (all lists): Oppose, poses a heavy burden for the city. See League one-pager attachment for additional detail on issues.	2/24 retained on Senate COW calendar.
S1432: POLITICAL SIGNS; REMOVAL DATE	The period during which it is a class 2 (mid-level) misdemeanor to remove or cover a political sign ends 15 days after the general election, instead of 7 days after the general election, except that for a sign for a candidate in a primary election who does not advance to the general election, the period ends 15 days after the primary election, instead of 7 days after the primary election.			2/18 passed Senate <u>17-13</u> ; ready for House.
S1493:	Municipal governing bodies are authorized to		General Comments (all lists):	2/1



ABANDONED BUILDINGS; ORDINANCES	adopt, implement and enforce an ordinance that establishes registration, inspection and maintenance requirements for a building in a commercial zone that is "abandoned" (defined) for more than 150 days. Provisions that must be included in the ordinance are specified, including an appeal process for the owner. Municipalities are authorized to charge fees for registration and inspection of a vacant or abandoned building, and to grant fee waivers for good cause shown.		League resolution. Dead in this form.	referred to Senate gov.
S1520: MUNICIPALITY; GENERAL PLAN; ADOPTION; AMENDMENT	All major amendments to a municipality's general plan proposed for adoption by the governing body of a municipality must be presented at a public hearing within 12 months of when the proposal is made.			2/23 passed Senate <u>30-0</u> ; ready for House.
S1573: ONLINE LODGING; REGULATION; PROPERTY CLASSIFICATION	Repeals statutes prohibiting municipalities and counties from prohibiting vacation rentals or short-term rentals and limiting the restrictions that municipalities and counties may place on those rentals to a list of specified purposes. Real and personal property and improvements that are used for residential purposes, that are solely leased or rented to lodgers for periods of less than thirty days and that are valued at full cash value are classified as class one property, instead of class four property, for property tax purposes. Some exceptions.			2/1 referred to Senate fin.
S1601: MUNICIPAL ORDINANCES; PENALTIES; NOTICE	A municipal governing body is prohibited from imposing a fine, penalty or assessment for failure to remove rubbish, trash, weeds or dilapidated buildings until the 30-day notice requirement has been met and the time to request an appeal of the notice and the assessment has elapsed.			2/18 passed Senate <u>30-0</u> ; ready for House.
S1752: COMMUNITY FACILITIES DISTRICTS	Various changes to statutes relating to community facilities districts. The annual ad valorem tax levied by a district is prohibited from exceeding the amount necessary to meet annual payments of principal and interest on bonds issued by the district, projected payments of principal and interest on new debt planned for that year, a reasonable delinquency factor, including an amount necessary to correct prior year errors or shortages in the levy, if applicable, and any expenses and fees required. The levy is required to be the 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 a segregated fund or funds for the levy. If a district sells general obligation bonds above par, the amount of "net premium" (defined) associated with a general obligation bond issue may be used only to pay costs incurred in issuing the bonds or as a deposit in a debt service fund and used only to pay interest on the issue of general obligation bonds. If used for any other purpose, and if the district has general obligation bond voter authorization and available capacity under its debt limitations, both the available aggregate indebtedness capacity of the district and the principal amount authorized at the general obligation bond election for the district must be reduced by the amount of net premium used for that purpose. For districts that are formed after August 9, 2017 and before the effective date of this legislation and for which the district board consists of the governing body of the municipality or county with two additional district board members who were initially designated by an owner who owned the largest amount of privately owned acreage in the district at formation, at any time after receipt of a petition signed by the owners of a majority of the privately owned real property within the boundaries of the district as measured by square footage or acreage, the district board is authorized to adopt a resolution to permanently remove the two additional appointed district board members and their positions on the board. If a community facilities district will be governed by a governing body with two additional board members who are initially designated by the owner who owns the largest amount of privately-owned acreage in the district, the resolution ordering formation of the district is permitted to state, or the district board is permitted to adopt a resolution that provides, that those two additional members are permanently advisory nonvoting members. Emergency clause.			2/23 from Senate rules okay.
S1794: HISTORIC RACE WAGERING	The Department of Gaming is required to allow historic race wagering that is conducted on the grounds of a commercial live-racing permittee's racetrack or at an additional wagering facility operated by a commercial live-racing permittee that			2/24 from Senate appro with amend <u>#4459</u> . From Senate rules okay.

	<p>operates a racetrack if the wagering meets specified requirements. The Dept is required to adopt rules to allow historic race wagering to be conducted as regulated gambling on the grounds of a commercial live-racing permittee's racetrack and additional wagering facilities that meet specified requirements. Establishes requirements for historic racing terminal locations. Limits the total number of historic racing terminals operated in Arizona to the greater of 7,500 or 15 percent of the aggregate positions allowed under the Tribal-State Gaming Compact. Any racing permittee that enters into an agreement with an advance deposit wagering provider is required to enter into an agreement that includes paying a percentage of wagers to the recognized horsemen's organization that has represented since 1988 the horsemen participating in racing meetings. More. Severability clause.</p>			
<p>S1797: FANTASY SPORTS BETTING; EVENT WAGERING</p>	<p>Numerous changes to statutes relating to gaming. Establishes a new chapter in Title 5 (Amusements and Sports) regulating "fantasy sports contest" (defined), conditionally enacted on each Indian Tribe with a gaming facility in Pima County and in the Phoenix metropolitan area entering into a 2021 Gaming Compact Amendment and publishing in the federal register notice of the U.S. Secretary of the Interior's approval or approval by operation of law. An individual who is licensed by the Arizona Department of Gaming (ADG) is authorized to offer one or more fantasy sports contests if specified conditions apply, including that the individual collects no more than \$10,000 in total entry fees for all fantasy sports contests offered in a calendar year, at least 95 percent of which are awarded to the fantasy sports contest players. Establishes requirements for licensure, authorizes ADG to adopt rules related to conducting fantasy sports contests, and establishes penalties for violations. Individuals who are under 21 years of age are prohibited from participating in a fantasy sports contest. Establishes a list of prohibited actions for licensed fantasy sports contest operators and prohibits fantasy sports contests from being offered on a kiosk or machine open to public use. ADG is required to establish a fee for the privilege of operating fantasy sports contests that is not less than the highest percentage of revenue share that an Indian Tribe pays to Arizona pursuant to the tribal-state gaming compacts and any amendments. ADG is authorized to use up to 10 percent of fee monies for the costs of regulating fantasy sports contests and is required to transfer the remaining monies to the general fund. An Indian Tribe that lawfully conducts class III gaming pursuant to a tribal-state gaming compact with Arizona is authorized to offer and conduct fantasy sports contests, directly or through a third-party operator, without applying for or holding a license if all activities of the fantasy sports contest occur within the boundary of its Indian lands and the Indian Tribe complies with any regulations that are included in the compact. Establishes a new chapter in Title 5 (Amusements and Sports) regulating "event wagering" (defined), conditionally enacted on each Indian Tribe with a gaming facility in Pima County and in the Phoenix metropolitan area entering into a 2021 Gaming Compact Amendment and publishing in the federal register notice of the U.S. Secretary of the Interior's approval or approval by operation of law. Establishes powers and duties of ADG to enforce event wagering statutes. Event wagering may be conducted only to the extent that it is conducted in accordance with this legislation, and a person is prohibited from offering any activity in connection with event wagering in Arizona unless all necessary licenses have been obtained in accordance with federal and state law and any applicable ADG rules. Does not apply to event wagering conducted exclusively on Indian lands by an Indian Tribe operated in accordance with a tribal-state gaming compact and any amendments. ADG is authorized to issue up to 10 event wagering operator licenses to applicants other than an Indian Tribe and up to 10 event wagering operator licenses to Indian Tribes in Arizona that have signed the most recent Tribal-State Gaming Compact and any applicable amendments. Establishes requirements for licensure as an event wagering operator. A license authorized an event wagering operator to offer event wagering through a facility within a 5-block</p>			<p>2/23 Senate appro held.</p>

radius of the operator's sports facility and event wagering through a mobile platform as specified by ADG. Establishes provisions for license revocation, suspension or denial. An event wagering operator is authorized to partner with a racetrack enclosure or additional wagering facility that holds a racing permit to obtain a limited event wagering license for event wagering only at one specific physical location. ADG is allowed to issue a total of up to 10 limited event wagering licenses. Management services providers are required to obtain a license from ADG and are authorized to contract with an event wagering operator or operators. ADG is required to establish and collect application and license fees. ADG is required to establish bond in escrow, cash on hand, and insurance requirements for licensees. Establishes a list of prohibited wagers. ADG is required to establish a fee for the privilege of operating event wagering that is not less than the highest percentage of revenue share that an Indian Tribe pays to Arizona pursuant to the tribal-state gaming compact. ADG is authorized to use up to 10 percent of fee monies for the costs of regulating fantasy sports contests and is required to transfer the remaining monies to the general fund. Fantasy sports contest operators and event wagering operators are required to allow problem gamblers to voluntarily exclude themselves and to develop and maintain a program to mitigate and curtail compulsive play or compulsive gambling. After the conditions for enactment of this legislation are met, the Arizona State Lottery Commission is authorized to establish and operate a single "electronic keno game" and a single "mobile draw game" on a centralized computer system controlled by the lottery that allows a player to place wagers, view the outcome of a game and receive winnings over the internet, including on personal electronic devices. An electronic keno game may be operated only within an "authorized keno location" (defined as a physical facility with a specified gaming license that is a fraternal organization, veterans' organization, racetrack enclosure, or wagering facility where pari-mutuel wagering is conducted). If the electronic keno game is to be played on personal electronic devices, players must be geographically restricted by means of geofencing to authorized keno locations. Establishes limits on the number of authorized keno locations and the frequency of electronic keno game draws and prohibits certain user interface depictions. Establishes the 2021 Compact Trust Fund is established for the exclusive purposes of mitigating impacts to Indian Tribes from gaming authorized by the "2021 Gaming Compact Amendment" (defined) and providing economic benefits to beneficiary tribes, including those with an effective gaming compact that includes the 2021 amendments and do not engage in gaming. Contains a legislative intent section. Emergency clause.

### Community Services

BILL NUMBER/ SHORT TITLE	SUMMARY	POSTED HEARINGS & CALENDARS	COMMENTS	LAST ACTION
H2034 (Chapter 9): NOXIOUS WEEDS; GOVERNMENT PROJECTS	The state, state agencies, political subdivisions, and any other governmental entity are authorized to remove "noxious weeds" (defined elsewhere in statute), including Russian olive and salt cedar trees, as part of routine maintenance operations and capital projects. The state, state agencies, political subdivisions, and any other governmental entity are prohibited from using noxious weeds, including Russian olive and salt cedar trees, in landscaping. AS SIGNED BY GOVERNOR			2/12 signed by governor. Chap. 9, Laws 2021. <a href="#">message</a>
H2050: LIQUOR OMNIBUS	Various changes to statutes relating to spirituous liquor. The list of sources that a retailer may order, purchase or receive spiritual liquor from is expanded to include licensed craft distillers subject to statutory limits. Distillers and brewers are authorized to provide sampling of up to 16 ounces of beer or cooler products, increased from 12 ounces. A representative of a producer or wholesaler participating at a special event is allowed to consume small amounts of the products of the producer or wholesaler on the premises of the special event for the purpose of quality control. A licensee with joint premises privileges is prohibited from allowing a person under the legal drinking age to remain in an area where the primary use is the sale, dispensing or consumption of spirituous liquor if the person is not accompanied by a spouse, parent, grandparent or legal guardian of legal drinking age, instead of if the person is not accompanied by an adult. A licensed craft distiller that produces up to 3,566 gallons, increased from 1,289 gallons, of distilled spirits in a calendar year is allowed to make sales and deliveries of distilled spirits that the licensed craft distiller produces to on-sale and off-sale retailers. As session law, a liquor licensee who had a retail license that reverted to the state between January 1, 2018 and December 31, 2020 due to more than 36 months of continuous nonuse has until December 31, 2022 to file in writing with the Department of Liquor Licenses and Control (DLLC) a request for relief from the license reversion. On receipt of such a request, DLLC is required to reissue the license. As session law, a purchaser of a bar, beer and wine bar, or liquor store license awarded through the annual liquor license lottery between January 1, 2017 and December 31, 2019 that has not been activated has until December 31, 2022 to file in writing with DLLC a request to sell or activate the license. After DLLC receives such a request and the full purchase price of the license, DLLC is required to allow the purchaser to sell or to submit an application to activate the license. AS PASSED HOUSE.	Hearing: Senate Commerce (Wednesday 03/03/21 at 2:00 PM, Senate Rm. 1)		2/18 referred to Senate com.
H2127: APPROPRIATION; STATE PARKS; HERITAGE FUND	Appropriates \$10 million from the general fund in FY2021-22 to the Arizona State Parks Heritage Fund.			2/18 referred to Senate appro.
H2216: APPROPRIATION; STATE PARKS HERITAGE FUND	Appropriates \$10 million from the general fund in FY2021-22 to the Arizona State Parks Heritage Fund.			1/20 referred to House nat res-energy-water, appro.
H2551: MISCONDUCT INVOLVING WEAPONS; PUBLIC PLACES	A person who possesses a valid concealed weapons permit is exempt from the prohibition on carrying a concealed weapon in a public establishment or at a public event. Some exceptions, including for public establishments or events that are a "secured facility" (defined), that are the licensed premises of a liquor licensee, that are an educational institution, and that are a vehicle or craft.		General Comments (all lists):  Oppose. Unfunded mandate and preempts local decision-making.	2/24 passed House <a href="#">31-29</a> ; ready for Senate.
H2817: APPROPRIATION; HAZARDOUS VEGETATION REMOVAL	Appropriates \$2.2 million from the general fund in FY2021-22 to the Arizona Department of Forestry and Fire Management for hazardous vegetation removal.			2/22 from House rules okay.
H2882: TECH CORRECTION; ACTION TO RESTRAIN	Minor change in Title 28 (Transportation) related to authorized third parties. Apparent striker bus.		General Comments (all lists):  Oppose. Should be dead for this session. Interim discussion is anticipated. Striker amendment would preempt food trucks requirements and may be problematic for trash, lighting, safety measures, location requirements.	2/24 retained on House COW calendar.
S1073:	The due date for the trustees of a municipal			1/11

MUNICIPAL PUBLIC LIBRARIES; ANNUAL REPORT	public library to make a report to the municipal governing body is changed to the second Monday of July of each year, instead of the first Monday of July of each year.			referred to Senate rules only.
S1223: NOXIOUS WEEDS; GOVERNMENT PROJECTS	The state, state agencies, political subdivisions, and any other governmental entity are authorized to remove "noxious weeds" (defined elsewhere in statute), including Russian olive and salt cedar trees, as part of routine maintenance operations and capital projects. The state, state agencies, political subdivisions, and any other governmental entity are prohibited from using noxious weeds, including Russian olive and salt cedar trees, in landscaping.			2/2 from Senate rules okay.
S1334: FIREWORKS; AERIAL DEVICES	The definition of "permissible consumer fireworks" in a county with a population of more than 500,000 persons is expanded to include "multiple-tube aerial devices" (defined as specified mine and shell devices and multiple tube fireworks devices and pyrotechnic articles that are defined in an American Pyrotechnics Association rule, with some exclusions).		General Comments (all lists): Oppose. Held in committee, should be dead	2/10 Senate com do pass; report awaited.
S1384: STATE PARKS; LOTTERY; HERITAGE FUND	Of the monies remaining in the State Lottery Fund each fiscal year after statutory appropriations and deposits and after the \$10 million deposit in the Game and Fish Commission Heritage Fund, \$10 million must be deposited in the Arizona State Parks Board Heritage Fund.		General Comments (all lists): Support	2/25 Senate COW approved with amend #4275.
S1442: HAZARDOUS VEGETATION REMOVAL; STATE FORESTER	To implement the program to remove vegetative natural products where the vegetation is hazardous, the State Forester is authorized to enter into an intergovernmental agreement or memorandum of understanding with a "public agency" (defined elsewhere in statute) to identify and remove the hazardous vegetation from land in this state, including state, federal, tribal and private lands for the purposes of fire prevention, forest and watershed restoration and critical infrastructure protection. Does not apply to State Trust Land. The State Forester is authorized to use legislative appropriations and accept and spend monies from public agencies, gifts, donations and grants for the costs of implementing this legislation. The consent of the property owner is required to remove hazardous vegetation on private property, and the consent of the Tribe is required to remove hazardous vegetation on tribal land. AS PASSED SENATE	Hearing: House Natural Resources, Energy & Water (Tuesday 03/02/21 at 2:00 PM, House Rm. 4)		2/17 passed Senate 27-3; ready for House.

## Court

BILL NUMBER/ SHORT TITLE	SUMMARY	POSTED HEARINGS & CALENDARS	COMMENTS	LAST ACTION
H2066: ARREST PROCEDURES; MAGISTRATES	If the offense a person is arrested for was committed in another county, the arrested person may be taken before either the nearest or most accessible magistrate in the county in which the arrest occurs or the county where the offense was committed.	Hearing: Senate Judiciary (Thursday 03/04/21 at 9:00 AM, Senate Rm. 1)		2/18 referred to Senate jud.
H2067: CRIMINAL CONVICTION; SET ASIDE; APPLICABILITY	If the court grants an application to set aside the judgment of guilt, the court's order is required to include a certificate of second chance if the person has not previously received a certificate and the person was convicted of a misdemeanor, of a class 4, 5, or 6 (three lowest) felony and at least two years have elapsed since the person fulfilled the conditions of probation or sentence, or of a class 2 (second highest) or 3 (upper mid-level) felony and at least five years have elapsed since the person fulfilled the conditions of probation or sentence. A certificate of second chance releases the person from all barriers to obtain an occupational license if the person is otherwise qualified, with some exceptions, and releases an employer from liability for negligently hiring the person and a person or entity from liability for providing housing to the person if the liability is based on the existence of the person's prior criminal offense.	Calendar: 3/1 House COW		2/23 from House rules okay.
H2073: RECORDS; CONFIDENTIALITY; ELIGIBLE INDIVIDUALS	For the purpose of statute allowing eligible persons to file an affidavit to request county officers and state agencies prohibit access to that person's information contained in certain public records, the definition of "eligible person" is expanded to include former county attorneys, former municipal prosecutors, former attorneys general, former U.S. Attorneys, commissioners of the municipal court, hearing officers appointed for civil traffic violations, and members of the Commission on Appellate Court Appointments. Persons whose residential address is protected from public disclosure are not required to disclose their address when making campaign contributions and are instead required to provide an alternate mailing address.	Hearing: Senate Judiciary (Thursday 03/04/21 at 9:00 AM, Senate Rm. 1)		2/18 referred to Senate jud.
H2075: SENTENCING; JUDGMENT OF GUILT; FINGERPRINTS	The court must require either that a defendant's fingerprint be permanently affixed to a court document or order, or that the defendant's two fingerprint biometric-based identifier be obtained and recorded, and is no longer required to affix or obtain and record a defendant's fingerprint "at the time of sentencing and in open court."	Hearing: Senate Judiciary (Thursday 03/04/21 at 9:00 AM, Senate Rm. 1)		2/18 referred to Senate jud.
H2084: DUI; MARIJUANA; IMPAIRMENT	In a trial, action or proceeding for a violation of driving under the influence, it is presumed that a defendant is under the influence and impaired by marijuana if the defendant has a blood concentration of 2.0 nanograms per milliliter or more of tetrahydrocannabinol within two hours of the time of driving or being in actual physical control of a vehicle as shown by an analysis of the defendant's blood.			1/14 referred to House jud.
H2110: CIVIL PENALTIES; TRAFFIC; MITIGATION; RESTITUTION	If a "monetary obligation" (defined) is imposed on a person at sentencing, the court is authorized to order the person to perform community restitution in lieu of the payment of the monetary obligation. The court is required to credit any community restitution performed at a rate equal to the state minimum wage. AS PASSED HOUSE.			2/18 referred to Senate trans-tech.
H2162: UNDESIGNATED OFFENSES; MISDEMEANOR STATUS; EXCEPTIONS	An undesignated felony offense must be treated as a misdemeanor until the court enters an order designating it a misdemeanor or felony, instead of being required to be treated as a felony until the court enters an order designating it a misdemeanor. Some exceptions. On the person's "successful" (defined) fulfillment of the conditions of probation and discharge by the court, the court is required to designate an undesignated offense a misdemeanor. Does not apply to a person who owes victim restitution or who has willfully failed to pay a monetary obligation ordered by the court. AS PASSED HOUSE			2/18 referred to Senate jud.
H2171: MARIJUANA VIOLATIONS; COURT JURISDICTION; PROCEDURES	Establishes a new chapter in Title 22 (Justice and Municipal Courts) governing civil marijuana violations. Grants the justice court and municipal court jurisdiction of civil marijuana violation cases. Grants the juvenile court jurisdiction over civil marijuana		General Comments (all lists): Supported by AZ courts offices/councils.	2/18 referred to Senate jud.

	violations that are committed by persons who are under 18 years of age. A civil marijuana violation case may be commenced by issuance or filing of a uniform traffic ticket and complaint issued by a peace officer. The process for issuing a complaint of a civil marijuana violation is established. Peace officers are authorized to stop and detain a person as is reasonably necessary to investigate an actual or suspected violation of marijuana statutes and to serve a copy of the complaint for an alleged civil violation. Emergency clause. AS PASSED HOUSE			
H2185: CIVIL JURIES; SIZE; CONCURRENCE	From the effective date of this legislation until January 1, 2023, the presiding judge of the superior court in a county may order that a jury for trial in any court of record of a civil case is consists of six persons, instead of eight persons, and the concurrence of all but one, instead of two, is necessary to render a verdict. Emergency clause. AS PASSED HOUSE	Hearing: Senate Judiciary (Thursday 03/04/21 at 9:00 AM, Senate Rm. 1)		2/18 referred to Senate jud.
H2549: PROBABLE CAUSE HEARING; PANDEMIC LIABILITY	Subject to Arizona rules of court, the court is required to conduct a probable cause hearing for every civil action that is filed and that claims a party is liable for damages based on contracting an illness that is a public health pandemic. At the probable cause hearing, the plaintiff has the burden of proof to demonstrate that there is sufficient evidence to establish that the injury exists and that the defendant is likely the cause of the injury. On a finding of probable cause, the court may proceed to a trial on the merits.			2/24 House COW approved with amend #4330.
H2757: TRAFFIC SURVIVAL SCHOOL; ONLINE PROHIBITED	Traffic survival school courses of instruction must be offered and completed in person and cannot be offered online.			2/23 FAILED House <u>13-46</u> .
S1249: CONVICTION; SET ASIDE; TRAFFIC VIOLATIONS	Traffic violations are no longer excluded from statute allowing a person convicted of a criminal offense to apply to the court to have the judgment of guilt set aside on fulfillment of the conditions of probation or sentence and discharge by the court.			2/17 passed Senate <u>30-0</u> ; ready for House.
S1267: RECORD OF PROCEEDING; ELECTRONIC RECORDING	The state, state agencies, political subdivisions, the judiciary and courts of law are authorized to use for any purpose electronic devices in lieu of court reporters or stenographers. If requested by either party in writing at least five court days before a trial or hearing, a court reporter or stenographer must be used if available on the day of the trial or hearing. Some exceptions. Either party is permitted to provide a certified reporter or stenographer in addition to the electronic devices used by a court to record the proceedings. The official record of the proceedings is the record prepared by the court reporter or prepared by the court pursuant to rules adopted by the Supreme Court. AS PASSED SENATE			2/23 passed Senate <u>18-12</u> ; ready for House.
S1390: GUARDIAN AD LITEM; PROTECTIVE PROCEEDING	The court is authorized to appoint a guardian ad litem for an individual if the court determines that the individual's best interest otherwise would not be represented or adequately protected. If a conflict of interest does not exist, a guardian ad litem may be appointed to represent multiple individuals or interests. If not otherwise compensated, a guardian ad litem is entitled to reasonable compensation from the estate of the ward or protected person.	Calendar: 3/1 Senate COW		2/23 from Senate rules okay.
S1408: LEGISLATIVE SUBPOENAS; RECORDS; PENALTIES	The Legislature's plenary authority to conduct an investigation on any matter cannot be infringed by any other law. Notwithstanding any other law, county election equipment, systems and records and other information that is under the control of county personnel cannot be deemed privileged information, confidential information or other information protected from disclosure, are subject to subpoena and are required to be produced. A court is authorized to compel a person to produce the records that are subject to the subpoena. Retroactive to January 1, 2020. AS PASSED SENATE		General Comments (all lists): League opposes	2/18 Senate COW approved with amend #4242. Passed Senate <u>16-14</u> ; ready for House.
S1551: DRIVER LICENSE SUSPENSIONS; RESTRICTIONS	The court is authorized to waive any civil penalties if payment within 30 days will place an undue economic burden on a person. A judge is authorized to mitigate any fine except one imposed for driving under the influence if the defendant demonstrates that the payment would work a hardship on the defendant or the defendant's immediate family. The court is required to order a person's driver license to be restricted or suspended for failure to pay civil penalties only for commercial driver license holders. If, on or before the effective date of this legislation, a driving privilege that is not a commercial driver license is suspended or restricted due to failure to pay civil penalties, the Arizona Department of Transportation is			2/23 passed Senate <u>30-0</u> ; ready for House.

required to rescind the suspension or restriction and reinstate the person's driving privilege if the suspension resulted from not paying a civil penalty imposed for a civil traffic violation. AS PASSED SENATE			
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## Economic Development

BILL NUMBER/ SHORT TITLE	SUMMARY	POSTED HEARINGS & CALENDARS	COMMENTS	LAST ACTION
H2049: EMINENT DOMAIN; EXISTING CONTRACTS	If a municipality exercises the right of eminent domain to acquire a public utility business or enterprise, the municipality is required to assume all existing assets and contractual obligations directly associated with providing current and future "utility service" (defined) in the certificate of convenience and necessity that is being condemned unless all parties to the contractual obligations agree otherwise. The municipality has no obligation to provide utility service if the contractual obligation was executed on or after the date of the notice that is provided pursuant to eminent domain statutes. AS PASSED HOUSE.	Hearing: Senate Government (Monday 03/01/21 at 2:00 PM, Senate Rm. 1)	General Comments (all lists): Identical to HB 2499 from the 2020 session. HB 2499 failed in Senate Rules. League opposes. May be held, possibility of amending language.	2/18 referred to Senate gov.
H2161: TOURISM MARKETING AUTHORITIES	Establishes a new chapter in Title 9 (Cities and Towns) and a new chapter in Title 11 (Counties) allowing the governing body of one or more municipalities and/or of a county with a population of less than 2 million persons (all but Maricopa County) to adopt a resolution, on presentation of a petition signed by the owners of at least 67 percent of the transient lodging rooms in the geographic area, forming a tourism marketing authority to promote and enhance tourism in that geographic area. Establishes powers and duties of a tourism marketing authority, including authorization to levy an assessment of up to \$5 per room on transient lodging rooms sold per night. A tourism marketing authority is governed by a board of directors, and budgeting, recordkeeping and reporting requirements for the board are specified. Establishes a process for termination of a tourism marketing authority. Emergency clause.			2/23 FAILED House <a href="#">28-32</a> .
H2317: COMMUNITY FACILITIES DISTRICTS	Various changes to statutes relating to community facilities districts. The annual ad valorem tax levied by a district is prohibited from exceeding the amount necessary to meet annual payments of principal and interest on bonds issued by the district, projected payments of principal and interest on new debt planned for that year, a reasonable delinquency factor, including an amount necessary to correct prior year errors or shortages in the levy, if applicable, and any expenses and fees required. The levy is required to be the 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 a segregated fund or funds for the levy. If a district sells general obligation bonds above par, the amount of "net premium" (defined) associated with a general obligation bond issue may be used only to pay costs incurred in issuing the bonds or as a deposit in a debt service fund and used only to pay interest on the issue of general obligation bonds. If used for any other purpose, and if the district has general obligation bond voter authorization and available capacity under its debt limitations, both the available aggregate indebtedness capacity of the district and the principal amount authorized at the general obligation bond election for the district must be reduced by the amount of net premium used for that purpose. For districts that are formed after August 9, 2017 and before the effective date of this legislation and for which the district board consists of the governing body of the municipality or county with two additional district board members who were initially designated by an owner who owned the largest amount of privately owned acreage in the district at formation, at any time after receipt of a petition signed by the owners of a majority of the privately owned real property within the boundaries of the district as measured by square footage or acreage, the district board is authorized to adopt a resolution to permanently remove the two additional appointed district board members and their positions on the board. If a community facilities district will be governed by a governing body with two additional board members who are initially designated by the owner who owns the largest amount of privately-owned acreage in the district, the resolution ordering formation of the district is permitted to state, or the district board is permitted to adopt a resolution that	Hearing: Senate Finance (Wednesday 03/03/21 at 9:00 AM, Senate Rm. 109)	General Comments (all lists): League support	2/23 passed House <a href="#">58-0</a> ; ready for Senate.

	provides, that those two additional members are permanently advisory nonvoting members. Emergency clause.			
H2499: SMALL BUSINESS GRANTS; APPROPRIATION	Establishes the Small Business Assistance Grant Fund to be administered by the Arizona Commerce Authority to provide grants to small businesses that closed as a result of the COVID-19 pandemic. "Small businesses" (defined as businesses operating in Arizona that employ 25 or fewer employees and that meet other specified requirements) are authorized to apply to the Authority for a grant. The Authority is required to award grants of \$10,000, and is required to allocate at least 30 percent of the monies in the Fund to small businesses located in counties with a population of less than 900,000 persons (all but Maricopa and Pima). The Authority is permitted to contract with a nonprofit organization in Arizona that supports, promotes and advocates for businesses in Arizona to accept and review grant applications. Contains a legislative intent section. Appropriates \$10 million from the general fund in FY2020-21 to the Small Business Assistance Grant Fund. Emergency clause.			1/27 referred to House com, appro.
H2500: YOUTH ENTREPRENEURSHIP; PILOT PROGRAM; APPROPRIATION	Appropriates \$5 million from the general fund in FY2021-22 to the Arizona Commerce Authority for the establishment of a youth entrepreneurship pilot program that provides persons who are at least 16 but under 24 years of age with specified experiences, including a community-based entrepreneurial education and mentoring from local small business owners. By October 1 of each year of the pilot program, the Authority is required to submit a report on program outcomes to the Governor and the Legislature. The pilot program self-repeals July 1, 2026.			1/28 referred to House com, appro.
H2530: LIQUOR PRODUCERS; EQUIPMENT DONATIONS	A licensed producer of distilled spirits and spirituous liquor is authorized to make a good faith donation of used or excess equipment, including equipment that contains the producer's logo, to an establishment licensed for serving and consuming liquor to expand outdoor dining capacity. A licensed producer that makes a good faith donation and a licensed establishment that receives the donation are not liable for damages in any civil action for any injury or death due to the condition of the equipment unless the injury or death is a direct result of the intentional misconduct or gross negligence of the producer or establishment.			2/24 retained on House COW calendar.
H2714: ENVIRONMENTAL TECHNOLOGY; BIOMASS; FORESTRY PRODUCTS	Modifies the requirements to qualify for assistance from the Environmental Technology Assistance Program to allow the capital investment made by a manufacturer, producer or processor to be in a facility that is used predominantly to process biomass and forestry industry products.			2/24 passed House <a href="#">36-24</a> ; ready for Senate.
H2772: FANTASY SPORTS BETTING; EVENT WAGERING	Numerous changes to statutes relating to gaming. Establishes a new chapter in Title 5 (Amusements and Sports) regulating "fantasy sports contest" (defined), conditionally enacted on each Indian Tribe with a gaming facility in Pima County and in the Phoenix metropolitan area entering into a 2021 Gaming Compact Amendment and publishing in the federal register notice of the U.S. Secretary of the Interior's approval or approval by operation of law. An individual who is licensed by the Arizona Department of Gaming (ADG) is authorized to offer one or more fantasy sports contests if specified conditions apply, including that the individual collects no more than \$10,000 in total entry fees for all fantasy sports contests offered in a calendar year, at least 95 percent of which are awarded to the fantasy sports contest players. Establishes requirements for licensure, authorizes ADG to adopt rules related to conducting fantasy sports contests, and establishes penalties for violations. Individuals who are under 21 years of age are prohibited from participating in a fantasy sports contest. Establishes a list of prohibited actions for licensed fantasy sports contest operators and prohibits fantasy sports contests from being offered on a kiosk or machine open to public use. ADG is required to establish a fee for the privilege of operating fantasy sports contests that is not less than the highest percentage of revenue share that an Indian Tribe pays to Arizona pursuant to the tribal-state gaming compacts and any amendments. ADG is authorized to use up to 10 percent of fee monies for the costs of regulating fantasy sports contests and is			2/16 from House rules okay.

required to transfer the remaining monies to the general fund. An Indian Tribe that lawfully conducts class III gaming pursuant to a tribal-state gaming compact with Arizona is authorized to offer and conduct fantasy sports contests, directly or through a third-party operator, without applying for or holding a license if all activities of the fantasy sports contest occur within the boundary of its Indian lands and the Indian Tribe complies with any regulations that are included in the compact. Establishes a new chapter in Title 5 (Amusements and Sports) regulating "event wagering" (defined), conditionally enacted on each Indian Tribe with a gaming facility in Pima County and in the Phoenix metropolitan area entering into a 2021 Gaming Compact Amendment and publishing in the federal register notice of the U.S. Secretary of the Interior's approval or approval by operation of law. Establishes powers and duties of ADG to enforce event wagering statutes. Event wagering may be conducted only to the extent that it is conducted in accordance with this legislation, and a person is prohibited from offering any activity in connection with event wagering in Arizona unless all necessary licenses have been obtained in accordance with federal and state law and any applicable ADG rules. Does not apply to event wagering conducted exclusively on Indian lands by an Indian Tribe operated in accordance with a tribal-state gaming compact and any amendments. ADG is authorized to issue up to 10 event wagering operator licenses to applicants other than an Indian Tribe and up to 10 event wagering operator licenses to Indian Tribes in Arizona that have signed the most recent Tribal-State Gaming Compact and any applicable amendments. Establishes requirements for licensure as an event wagering operator. A license authorized an event wagering operator to offer event wagering through a facility within a 5-block radius of the operator's sports facility and event wagering through a mobile platform as specified by ADG. Establishes provisions for license revocation, suspension or denial. An event wagering operator is authorized to partner with a racetrack enclosure or additional wagering facility that holds a racing permit to obtain a limited event wagering license for event wagering only at one specific physical location. ADG is allowed to issue a total of up to 10 limited event wagering licenses. Management services providers are required to obtain a license from ADG and are authorized to contract with an event wagering operator or operators. ADG is required to establish and collect application and license fees. ADG is required to establish bond in escrow, cash on hand, and insurance requirements for licensees. Establishes a list of prohibited wagers. ADG is required to establish a fee for the privilege of operating event wagering that is not less than the highest percentage of revenue share that an Indian Tribe pays to Arizona pursuant to the tribal-state gaming compact. ADG is authorized to use up to 10 percent of fee monies for the costs of regulating fantasy sports contests and is required to transfer the remaining monies to the general fund. Fantasy sports contest operators and event wagering operators are required to allow problem gamblers to voluntarily exclude themselves and to develop and maintain a program to mitigate and curtail compulsive play or compulsive gambling. After the conditions for enactment of this legislation are met, the Arizona State Lottery Commission is authorized to establish and operate a single "electronic keno game" and a single "mobile draw game" on a centralized computer system controlled by the lottery that allows a player to place wagers, view the outcome of a game and receive winnings over the internet, including on personal electronic devices. An electronic keno game may be operated only within an "authorized keno location" (defined as a physical facility with a specified gaming license that is a fraternal organization, veterans' organization, racetrack enclosure, or wagering facility where pari-mutuel wagering is conducted). If the electronic keno game is to be played on personal electronic devices, players must be geographically restricted by means of geofencing to authorized keno locations. Establishes limits on the number of authorized keno locations and the frequency of electronic keno game draws and prohibits certain user interface depictions. Establishes the 2021 Compact Trust Fund is established

	for the exclusive purposes of mitigating impacts to Indian Tribes from gaming authorized by the "2021 Gaming Compact Amendment" (defined) and providing economic benefits to beneficiary tribes, including those with an effective gaming compact that includes the 2021 amendments and do not engage in gaming. Contains a legislative intent section. Emergency clause.			
S1076: LOW-INCOME MULTIFAMILY HOUSING; VALUATION	The owner of "low-income multifamily residential rental property" (defined) is authorized to elect a statutory income method for valuing the property. The calculation for this valuation method is established. Requirements for a property owner to elect this valuation method are specified, including documentation requirements. Low-income multifamily residential rental properties that are valued using this method are classified as class four property for property tax purposes.	Hearing: House Ways & Means (Wednesday 03/03/21 at 9:00 AM, House Rm. 3)		2/23 referred to House ways-means.
S1077: FOSTER YOUTH EMPLOYMENT; TAX CREDIT	Establishes an individual and corporate income tax credit for taxpayers that employ at least one individual who is a "qualified foster youth" (defined as an individual who is currently in foster care or who within the prior seven years was at least 14 years of age and was in foster care, who was not previously employed by the taxpayer and who works at least 20 hours per week for the taxpayer). The amount of the credit is up to \$1,000 of the gross wages paid to each qualified foster youth by the taxpayer during the taxable year, not to exceed \$5,000 per taxpayer. The aggregate amount of tax credits in a calendar year is capped at \$1 million. If the allowable credit exceeds taxes due, the unclaimed amount of the credit may be carried forward for up to five consecutive tax years. Other requirements to qualify for the tax credit are established. Applies to tax years beginning with 2022.			2/24 retained on Senate COW calendar.
S1101: TOURISM MARKETING AUTHORITIES	Establishes a new chapter in Title 9 (Cities and Towns) and a new chapter in Title 11 (Counties) allowing the governing body of one or more municipalities and/or of a county with a population of less than 2 million persons (all but Maricopa County) to adopt a resolution, on presentation of a petition signed by the owners of at least 67 percent of the transient lodging rooms in the geographic area, forming a tourism marketing authority to promote and enhance tourism in that geographic area. Establishes powers and duties of a tourism marketing authority, including authorization to levy an assessment of up to \$5 per room on transient lodging rooms sold per night. A tourism marketing authority is governed by a board of directors, and budgeting, recordkeeping and reporting requirements for the board are specified. Establishes a process for termination of a tourism marketing authority. Emergency clause.			2/9 from Senate rules okay.
S1154: TECH CORRECTION; VALUATION; PERSONAL PROPERTY	Minor change in Title 42 (Taxation) related to valuation of locally assessed property. Apparent striker bus.		General Comments (all lists):  Should be dead. Earlier: May be getting a third striker amendment. We will continue to monitor and evaluate new language. Earlier: This will be a striker with proposal in HB 2049 (eminent domain; existing contracts). Oppose.	2/17 FAILED SENATE COMMERCE 4-5.
S1327: TAX CREDIT; AFFORDABLE HOUSING	Establishes a credit against individual and corporate income taxes and insurance premium taxes for projects that qualify for the federal low-income housing tax credit and that are placed in service from and after June 30, 2022. The credit is equal to the amount of the federal low-income housing credit for the qualified project. To claim the credit, a taxpayer is required to apply to the Arizona Department of Housing and receive an eligibility statement. If the amount of the credit exceeds taxes due, the taxpayer may carry the unused amount forward for up to five consecutive taxable years. The Department of Revenue is required to allocate a total of \$8 million of affordable housing tax credits in any calendar year. Establishes a 9-member Affordable Housing Tax Credit Review Committee to review the tax credits on the fifth year after the effective date of the credit and every five years thereafter and submit a report to the Governor and the Legislature. Self-repeals January 1, 2028. AS PASSED SENATE		General Comments (all lists):  Support. League resolution. Similar to HB 2732 from the 2020 session, which the city supported. Mirror bill is HB 2562.	2/17 passed Senate <u>17-13</u> ; ready for House.
S1377: CIVIL LIABILITY; PUBLIC HEALTH PANDEMIC	If the Governor declares a state of emergency for a public health pandemic, a person or "provider" (defined) that acts in good faith to protect a person or the public from injury from the pandemic is not liable		General Comments (all lists):  League support, includes local governments	2/24 passed Senate <u>18-12</u> ; ready for House.

	<p>for damages in any civil action for any injury, death or loss to person or property that is based on a claim that the person or provider failed to protect the person or the public from the effects of the pandemic, unless it is proven by clear and convincing evidence that the person or provider failed to act or acted with willful misconduct or gross negligence. If the Governor declares a state of emergency for a public health pandemic, a health professional or health care institution that acts in good faith is not liable for damages in any civil action for an injury or death that is directly or indirectly sustained because of the health professional's or health care institution's action or omission while providing health care services in support of Arizona's response to the state of emergency declared by the Governor, unless it is proven by clear and convincing evidence that the professional or institution failed to act or acted with willful misconduct or gross negligence. Some exceptions. Applies to all causes of action that are brought after the effective date of this legislation for an act or omission by a person or provider that occurred on or after March 11, 2020 and before December 30, 2022 and that relates to a public health pandemic that is the subject of the state of emergency declared by the Governor. Retroactive to March 11, 2020. Severability clause.</p>			
S1378: OFFICE OF SONORA; CONTINUATION	<p>The statutory life of the Office of Sonora is extended eight years to July 1, 2029. Retroactive to July 1, 2021.</p>			2/17 passed Senate <u>29-1</u> ; ready for House.
S1409: ZONING ORDINANCES; PROPERTY RIGHTS; COSTS	<p>Before adopting any zoning ordinance or zoning ordinance text amendment of general applicability, the legislative body of a municipality is required to consider and adopt an individual property rights cost of housing impact statement regarding the impact of the zoning ordinance, which must include a list of specified information. Municipalities are prohibited from adopting or enforcing a land use regulation that unreasonably increases the cost to construct housing for sale or rent.</p>	Calendar: 3/1 Senate COW	General Comments (all lists):  Oppose, poses a heavy burden for the city. See League one-pager attachment for additional detail on issues.	2/24 retained on Senate COW calendar.
S1421: APPROPRIATIONS; STEM INTERNSHIPS	<p>Appropriates \$2 million from the general fund in FY2021-22 to the Arizona Commerce Authority for matching monies for educational stipends for high school, college and university students and for K-12 teachers in Arizona who participate in STEM internships. The Authority is required to establish guidelines and procedures for awarding the stipends. Some stipend requirements are specified, including maximum award amounts. By December 1, 2022, the Authority is required to submit an annual report to the Governor and the Legislature on the stipends and internships.</p>			1/27 referred to Senate educ, appro.
S1752: COMMUNITY FACILITIES DISTRICTS	<p>Various changes to statutes relating to community facilities districts. The annual ad valorem tax levied by a district is prohibited from exceeding the amount necessary to meet annual payments of principal and interest on bonds issued by the district, projected payments of principal and interest on new debt planned for that year, a reasonable delinquency factor, including an amount necessary to correct prior year errors or shortages in the levy, if applicable, and any expenses and fees required. The levy is required to be the 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 a segregated fund or funds for the levy. If a district sells general obligation bonds above par, the amount of "net premium" (defined) associated with a general obligation bond issue may be used only to pay costs incurred in issuing the bonds or as a deposit in a debt service fund and used only to pay interest on the issue of general obligation bonds. If used for any other purpose, and if the district has general obligation bond voter authorization and available capacity under its debt limitations, both the available aggregate indebtedness capacity of the district and the principal amount authorized at the general obligation bond election for the district must be reduced by the amount of net premium used for that purpose. For districts that are formed after August 9, 2017 and before the effective date of this legislation and for which the district board consists of the governing body of the municipality or county with two additional district board members who were initially designated by an owner who owned the largest amount of privately owned acreage in the district at formation, at any time after receipt of a petition signed</p>			2/23 from Senate rules okay.

<p>by the owners of a majority of the privately owned real property within the boundaries of the district as measured by square footage or acreage, the district board is authorized to adopt a resolution to permanently remove the two additional appointed district board members and their positions on the board. If a community facilities district will be governed by a governing body with two additional board members who are initially designated by the owner who owns the largest amount of privately-owned acreage in the district, the resolution ordering formation of the district is permitted to state, or the district board is permitted to adopt a resolution that provides, that those two additional members are permanently advisory nonvoting members. Emergency clause.</p>			
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## Engineering and Transportation

BILL NUMBER/ SHORT TITLE	SUMMARY	POSTED HEARINGS & CALENDARS	COMMENTS	LAST ACTION
H2006: SPEED LIMITS; ROADWAY TURN OFF	For the purpose of statute prohibiting driving a motor vehicle at such a slow speed as to impede the movement of traffic, "vehicle" is defined as a device in, on or by which a person or property is or may be transported on a public highway. "Vehicle" specifically includes electric bicycles, electric miniature scooters, electric standup scooters, devices moved by human power, personal delivery devices, and personal mobile cargo carrying devices. AS PASSED HOUSE.	Hearing: Senate Transportation & Technology (Monday 03/01/21 at 2:00 PM, Senate Rm. 109)	General Comments (all lists):  Potential implications for sharrows--being analyzed	2/18 referred to Senate trans-tech.
H2007: AUTONOMOUS VEHICLES; SAFETY FEATURES; PROHIBITIONS	A person is prohibited from "installing or using a defeat device" (defined) to interfere with or disable a safety feature of a vehicle equipped with specified levels of driving automation that is designed to ensure that a human driver is alert and attentive while driving automation features are engaged. Some exceptions.			1/12 referred to House trans.
H2108: TELECOMMUNICATIONS; PUBLIC HIGHWAYS; USE; FEES	For any underground facility that is used for a "small wireless facility" (defined elsewhere in statute), a political subdivision is prohibited from requiring an annual telecommunications fee based on the number of linear feet of trench in the public highways in which the telecommunications corporation has placed facilities.		General Comments (all lists):  Oppose in current form. Open-ended nature of current language is problematic. City-approved amendment has been offered, has not been attached to the bill at this time. Cable industry has expressed opposition	2/23 retained on House COW calendar.
H2133: APPROPRIATION; GRAND AVENUE; SR 303	Appropriates \$150,000 from the general fund in FY2021-22 to the Department of Transportation to study options for expanding the on and off ramps at the intersection of Grand Avenue and State Route 303.			2/18 referred to Senate appro.
H2143: ADOT REVISIONS	Various changes to statutes relating to the Department of Transportation. The Dept is authorized to establish a system or process that enables the Dept to accept certificate of title brands from other states or jurisdictions and to record these brands on the appropriate vehicle records. The list of reasons for which the Dept is authorized to disclose personal information is modified to remove for bulk distribution of surveys, marketing or solicitations if the Dept has obtained the express consent of the person, and statute requiring the Dept to allow persons to opt in to the disclosure is also deleted. The Dept is prohibited from selling records with personal identifying information for a commercial purpose, with some exceptions. The Dept is required to disqualify a person from driving a commercial motor vehicle for the life of the person if the person is convicted of sex trafficking, trafficking of persons for forced labor or services or child sex trafficking and a commercial motor vehicle was used in the commission of the offense. A towing company that is owed partial reimbursement for towing an abandoned vehicle is required to register with the state's procurement office in order to qualify for payment. The Dept is required to make three good faith attempts to contact the towing company identified as having towed an abandoned vehicle in order to facilitate payment of the partial reimbursement. If the Dept does not receive a response from or is unable to make contact with the towing company after 30 days, the payment is subject to forfeiture and reverts to the Abandoned Vehicle Administration Fund. Requirements for registered scrap metal dealers and licensed automotive recyclers to purchase a vehicle without obtaining a certificate of title are modified to require the signature of the vehicle owner, instead of the vehicle seller.	Hearing: Senate Transportation & Technology (Monday 03/01/21 at 2:00 PM, Senate Rm. 109)		2/18 referred to Senate trans-tech.
H2243: OCCUPATIONAL AND PROFESSIONAL LICENSURE; NOTICE	A regulating entity under Title 32 (Professions and Occupations) is required to prominently print a specified notice regarding reciprocity on all license and certificate applications and regulating entity websites.			2/2 from House rules okay.
H2437: FUEL; ELECTRIC CARS; HYBRIDS; TAXES	Imposes a tax on a vehicle that accesses a street or highway and that is propelled by electricity of \$111 per year for FY2021-22, \$139 per year for FY2022-23, and \$166 per year for FY2023-24. Imposes a tax on a vehicle that accesses a street or highway and that is propelled by a combination of electricity and other fuels of \$45 per year for FY2021-22, \$56 per year for FY2022-23, and \$67 per year for FY2023-24. For FY2023-24		General Comments (all lists):  League support	2/10 House trans held.

	and each year after, each of these rates must be adjusted annually to reflect the change in the gross domestic product implicit price deflator reported by the U.S. Department of Commerce from January 1, 2020 to December 31 of the prior year. Due to a potential increase in state revenue, this legislation requires the affirmative vote of at least 2/3 of the members of each house of the Legislature for passage, and becomes effective on signature of the Governor.			
H2596: ADOT; TELECOMMUNICATION FACILITIES INSTALLATION	The Arizona Department of Transportation (ADOT) or a "provider" (defined as an eligible telecommunications carrier recognized by the Arizona Corporation Commission, or a political subdivision) with permission from ADOT is authorized to install "telecommunication facilities" (defined) and requirements for the installation process are established. If ADOT expands the use of an existing easement or other property right and the expanded use reduces the fair market value of the property, the property owner is entitled to just compensation from ADOT or the provider. Establishes a process for assessing the diminution in value. Establishes notice requirements for excavation to install underground telecommunication facilities within an existing easement or other property right. ADOT is authorized to enter into an agreement with a public or private entity for the purpose of using, managing or operating state-owned telecommunication facilities and coordinating activities in Arizona relating to planning, mapping and procuring broadband service. ADOT is permitted to give a provider longitudinal access to the right-of-way of a highway for the installation, operation and maintenance of a telecommunication facility by entering into an agreement with a provider and issuing a permit. ADOT must require compensation from a provider for longitudinal access, and requirements for the compensation are listed. More.	Calendar: 3/1 House COW		2/23 retained on House COW calendar.
H2749: APPROPRIATION; CAMELBACK ROAD WIDENING	Appropriates \$8 million from the general fund in FY2021-22 to the Department of Transportation to distribute to the city of Goodyear to widen Camelback Road from the Loop 303 to Litchfield Road.			2/11 from House trans with amend #4200.
H2876: GOVERNMENT CONTRACTS; PUBLIC-PRIVATE PARTNERSHIPS	A public-private partnership agreement is required to contain a provision that provides for negotiations between the Arizona Department of Transportation (ADOT) and the private partner for the private partner to recover all damages incurred for a delay for which ADOT is responsible, that is unreasonable under the circumstances and that was not within the contemplation of the parties to the contract. Does not void any provision in the contract that requires notice of claims or delays, provides for arbitration or any other procedure for settlement or provides for liquidated damages. A public-private partnership agreement is required to contain a provision that requires ADOT to pay the private partner reasonable compensation for all work performed by the private partner to relocate or adjust utility facilities that are located either within or outside the project right-of-way and that are required to be relocated or adjusted in order to construct the work contracted to the private partner. Any provision in the agreement that imposes the risk of utility relocation or adjustment expenses on the private partner is void.			2/24 passed House <u>56-3</u> ; ready for Senate.
S1026: APPROPRIATIONS; EXTENDED BUS ROUTES	Appropriates \$200,000 from the general fund in each of FY2021-22 and FY2022-23 to the Department of Transportation to distribute to a regional public transportation authority to extend bus routes to Apache Junction. By December 31, 2023, the Dept is required to submit an assessment of the long-term efficacy of extending the bus routes and a recommendation for long-term funding of the bus routes to the Governor and the Legislature.			1/11 referred to Senate appro.
S1062: ENGINEERING DEFINITIONS	For the purpose of Board of Technical Registration statutes, the definition of "engineering practice" is modified, including specifying that the service or work must be to the extent that the engineering education, training and experience requirements for professional registration are necessary to protect the public health, safety or welfare. Also modifies the definition of "engineer" and defines "professional engineer." AS PASSED SENATE	Hearing: House Commerce (Tuesday 03/02/21 at 2:00 PM, House Rm. 3)	General Comments (all lists): Potential for technical changes to clarify that bill. The proposal is largely fine.	2/24 referred to House com.
S1218: NONHEALTH PROFESSIONS; OCCUPATIONS; REGULATIONS	The state may regulate a profession or occupation only if there is credible evidence of harm that the unregulated practice threatens the public health, safety or			2/24 referred to House com.



	welfare. Regulation cannot be imposed for the exclusive purpose of protecting a profession or occupation from economic competition. Each committee of reference (COR) that reviews an agency that administers an "occupational regulation" (defined elsewhere in statute) is required to consider a specified list of factors in determining the need for continuation or termination of the agency, including the extent to which failure to regulate a profession or occupation will result in the loss of insurance, an impact to the ability to practice as required by federal law, or the loss of constitutionally afforded practices. The list of possible recommendations that the sunset review report from the COR is required to include is expanded to include recommendations that the Legislature repeal the occupational license, convert the license to a less restrictive regulation, or instruct the state agency to seek legislation or adopt rules to reflect the COR's recommendation to impose less restrictive regulations, change the requisite personal qualifications, or redefine the scope of practice.			
S1304: TECH CORRECTION; STATE ELECTIONS; CONTEST	Minor change in Title 16 (Elections) related to contest of state elections. Apparent striker bus.		General Comments (all lists):  Anticipating a striker amendment related to licensing of engineers	2/22 from Senate com with amend <u>#4381</u> .
S1345: NEIGHBORHOOD ELECTRIC SHUTTLES	Statute regulating neighborhood electric vehicles is expanded to include a "neighborhood electric shuttle" (defined). Neighborhood electric shuttles cannot be operated at a speed of more than 25 miles per hour and cannot be driven on a highway with a posted speed limit greater than 35 miles per hour. For the purpose of vehicle registration and vehicle license taxes for motor vehicles powered by alternative fuels, a neighborhood electric shuttle is added to the definition of "motor vehicle."			2/11 passed Senate 29-0; ready for House.
S1405: APPROPRIATION; TRANSPORTATION CONSTRUCTION PROJECTS; I-10	Appropriates \$5 million from the general fund in FY2021-22 to the Department of Transportation to distribute to the Town of Marana for transportation construction projects in the vicinity of Interstate 10.			2/18 passed Senate <u>28-2</u> ; ready for House.
S1419: HIGHWAY VIDEO SURVEILLANCE; PROHIBITION	The state and political subdivisions are prohibited from conducting "highway video surveillance" (defined) on a controlled access highway or on a sidewalk. A person who suffers an injury as a result of a violation of this prohibition is entitled to damages of at least \$1,000 for each violation, plus costs and reasonable attorney fees. Statutes authorizing and regulating photo enforcement are repealed.		General Comments (all lists):  Failed in committee	2/15 FAILED SENATE trans- tech 4=5.
S1461: APPROPRIATION; WIDENING; I-10	Appropriates \$50 million from the general fund in FY2021-22 to the Arizona Department of Transportation (ADOT) to widen Interstate 10 between Chandler and Casa Grande. ADOT is required to use the monies for construction-related activities, including drawing down federal matching monies for the project.			2/18 passed Senate <u>28-2</u> ; ready for House.
S1465: APPROPRIATION; CAMELBACK ROAD WIDENING	Appropriates \$8 million from the general fund in FY2021-22 to the Department of Transportation to distribute to the city of Goodyear to widen Camelback Road from the Loop 303 to Litchfield Road.			2/22 passed Senate <u>24-6</u> ; ready for House.
S1532: COUNTY TRANSPORTATION PLANNING ASSISTANT	In a county with a population of three million or more persons (Maricopa County), the board of supervisors is required to appoint a transportation planning assistant who is required to streamline bus service between the incorporated and unincorporated areas of the county.		General Comments (all lists):  Would create odd structure that would not be in line with the structure for bus system governance in the region	2/22 passed Senate <u>29-1</u> ; ready for House.
S1650: TRANSPORTATION TAX; ELECTION; GAS TAX	Numerous changes to statutes related to transportation. Beginning January 1, 2022, the motor fuel and use fuel tax rates of 18 cents per gallon are required to increase annually by 1 cent. Beginning July 1, 2022, the motor fuel and use fuel tax rates are also required to be adjusted annually to reflect the average annual change in the consumer price index published by the U.S. Department of Labor, Bureau of Labor Statistics. The motor fuel tax rate increase of 1 cent per year stops after December 31, 2045. Each fiscal year, the Arizona Department of Transportation (ADOT) is required to allocate 40 percent of the revenues received from motor fuel and use fuel taxes to counties with a population of at least 3 millions persons (Maricopa County) and municipalities within those counties, and 60 percent of the revenues to counties with a population of less than 3 million persons and municipalities within those counties. Imposes a tax on a vehicle that accesses a street or highway and that is propelled by electricity		General Comments (all lists):  Planning restrictions are problematic.	2/15 Senate trans-tech held.

	<p>or by a combination of electricity and other fuels of \$500 per year for a vehicle that is propelled only by alternative fuel and \$300 per year for a vehicle that is propelled by a combination of alternative fuel and other fuels. If approved by a majority of the qualified electors at an election held November 8, 2022, beginning January 1, 2026, a county with a population of 3 million or more persons (Maricopa County) is required to levy a county transportation excise tax at a rate of up to 15 percent of the transaction privilege tax (TPT) rate that applies as of January 1, 2024 to each person engaging in a business subject to TPT. The tax will be in effect for a term of 20 years. Net revenues from the tax must be distributed as follows: 56.2 percent to the Regional Area Road Fund for freeways, 10.5 percent to the Regional Area Road Fund for major arterial streets and intersection improvements, and 33.3 percent to the Public Transportation Fund for specified bus and rail expenses. A regional planning agency in a county with a population of 3 million or more persons (Maricopa County) is required to give a project in the regional transportation plan a higher priority for completion if the federal government provides federal monies for the project or if a municipality makes a single sum contribution to the project of at least five percent of the total cost of the project. The termination date of a county regional planning agency transportation policy committee is extended 20 years to July 1, 2044. Session law requires ADOT to widen Interstate 17 in two specified locations, to widen Interstate 10 in three specified locations, and to construct a suspension bridge over a river when constructing State Route 30. Due to a potential increase in state revenue, this legislation requires the affirmative vote of at least 2/3 of the members of each house of the Legislature for passage, and becomes effective on signature of the Governor.</p>			
<p>S1681: APPROPRIATION; OCOTILLO ROAD; BRIDGE; EXTENSION</p>	<p>Appropriates \$7.9 million from the general fund in FY2021-22 to the Department of Transportation to distribute to the Town of Gilbert to construct a bridge and extend Ocotillo Road.</p>			<p>2/18 passed Senate <u>25-5</u>; ready for House.</p>
<p>S1753: PUBLIC WORKS CONTRACTS; APPRENTICE LABOR</p>	<p>A contractor or subcontractor that employs a worker on a public works contract is required to use one or more "apprentices" (defined) for at least ten percent of the total hours of labor worked for each "apprenticed craft" (defined) or type of work to be performed on the public works contract for which more than three workers are employed. Beginning January 1, 2022, the Industrial Commission is authorized to collaborate with the Department of Economic Security to adopt rules to increase the percentage of total hours of labor required to be performed by an apprentice. On request of a contractor or subcontractor, a public body may submit a request to the Commission to modify or waive the percentage of hours of labor provided by one or more apprentices for "good cause" (defined), and the Commission is required to determine whether to grant a modification or waiver within 15 days.</p>			<p>2/3 referred to Senate com.</p>

## FMR

BILL NUMBER/ SHORT TITLE	SUMMARY	POSTED HEARINGS & CALENDARS	COMMENTS	LAST ACTION
H2294: YIELDING TO EMERGENCY VEHICLES; PENALTIES	A person who violates the requirement to move over or slow down when approaching a stationary vehicle displaying flashing lights or warning lights is subject to a civil penalty of \$275 for a first violation, \$500 for a second violation, and \$1,000 for a third or subsequent violation, and is liable for any injury and any property damage that results from the violation. The Arizona Department of Transportation (ADOT) is required to educate the public about the requirement to move over or slow down periodically throughout the year and maintain information about the requirement on the ADOT website. AS PASSED HOUSE.			2/18 referred to Senate trans-tech.
H2454: TELEHEALTH; HEALTH CARE PROVIDERS; REQUIREMENTS	Modifies the requirements for health and disability insurers to cover telehealth services, and applies these requirements to policies issued, delivered or renewed on or after January 1, 2021. Insurers are required to reimburse health care providers at the same level of payment for equivalent services whether provided through telehealth or in-person care. The definition of "telehealth" is expanded to include the use of an audio-only telephone encounter between an insured and a health care provider if specified conditions are met. Medical examinations for workers' compensation insurance may be conducted via telehealth with the consent of both the employee and the requesting party. A health care provider regulatory board or agency is prohibited from enforcing any statute, rule or policy that would require a health care provider who is licensed by that board or agency and who is authorized to write prescriptions to require an in-person examination of the patient before issuing a prescription, except as specifically prescribed by federal law. Health care providers are required to make a good faith effort to use best practices in determining whether a health care service should be provided through telehealth instead of in person. Prohibits health insurers from using contracted telehealth providers to meet network adequacy standards required by state or federal law. Prohibits health insurers from requiring a health care provider to use a telehealth platform that is sponsored or provided by the insurer. Health care providers who are licensed in another state are authorized to provide telehealth services to a person in Arizona if the provider complies with a list of requirements, including maintaining liability insurance and following community of care standards. Establishes a 27-member Telehealth Advisory Committee on Telehealth Best Practices to review standards for telehealth best practices and relevant peer-reviewed literature. The Committee is required to submit a report of its findings and recommendations to the Governor and the Legislature by September 1, 2021, and self-repeals July 1, 2029. Retroactive to January 1, 2021. By September 1, 2021, the Department of Health Services is required to develop a three-year pilot program that allows the delivery of acute care services to patients in the patient's home by licensed hospitals in Arizona working in coordination with licensed home health professionals. By January 1, 2023, the Department of Insurance and Financial Institutions is required to report specified information on telehealth encounters to the Legislature. Emergency clause. AS PASSED HOUSE			2/18 referred to Senate fin.
H2481: SHORT-TERM RENTALS; ENFORCEMENT; PENALTIES	Modifies the list of regulations that counties and municipalities are authorized to impose on vacation rentals or short-term rentals to include requiring the owner of a vacation rental or short-term rental to license or register with the county or municipality, and restricting the occupancy of a vacation rental or short-term rental to the lesser of the occupancy limit of the county or municipality or 2 adults per bedroom plus 2 additional adults. Vacation rentals and short-term rentals cannot advertise to exceed the occupancy limit of the dwelling or for any nonresidential use. Counties and municipalities are authorized to impose a civil penalty for each day a property is in violation of this advertisement prohibition. An online lodging operator that falsifies		General Comments (all lists):  Update: Additional amendment language is being contemplated. Position will be updated to reflect potential changes to language. Earlier: Support. City-approved amendment was added in committee.	2/11 from House gov-elect with amend #4195.

	<p>information to an online lodging marketplace is guilty of a petty offense. A county or municipality cannot prohibit the operation of a vacation rental or short-term rental based solely on its status as a vacation rental or short-term rental if the owner of the vacation rental or short-term rental, as of May 1, 2021, has a valid transaction privilege tax license, and as of June 2, 2021, has provided the owner's or the owner's designee's contact information to the county or municipality in which the vacation rental or short-term rental is located, if required by ordinance.</p>		
<p>H2482: REGULATION; SHORT-TERM RENTALS</p>	<p>Modifies the list of regulations that counties and municipalities are authorized to impose on vacation rentals or short-term rentals to include: requiring contact information for the owner of the rental to be posted on the front door or in another location on the property that is visible and accessible to the public; restricting the maximum number of adult occupants allowed on the property at one time to the lesser of the occupancy limit established by the county or municipality or no more than 2 adults per bedroom, up to 4 bedrooms, plus 2 additional adults per 1,000 square feet of livable space in excess of 3,000 square feet of livable space; requiring the installation of safety and monitoring equipment that monitors and detects noise and notifies the owner if noise is unreasonable or in violation of a noise ordinance; prohibiting smoking outside within 100 feet of a residential structure; restricting occupants from checking in without the presence of the owner or the owner's designee; and prohibiting occupants from parking on public or private streets if on-property parking is available. Vacation rentals and short-term rentals cannot advertise to exceed the occupancy limit of the dwelling or for any nonresidential use, and are required to display the transaction privilege tax license in any online advertisement for rental of the unit. Establishes penalties for violations.</p>		<p>1/27 referred to House govt elect.</p>
<p>H2506: WORKERS' COMPENSATION; RATES; FIREFIGHTERS; CANCER</p>	<p>Fire investigators are added to the presumption that specified types of cancer and related diseases that result in disability or death are an occupational disease and are deemed to arise out of employment if specified conditions are met. All insurance carriers, self-insuring employers and workers' compensation pools that secure workers' compensation for firefighters and fire investigators are required to compile and report to the Industrial Commission claim and claim reserve information for all cancer-related claims filed by or on behalf of firefighters and fire investigators. The Commission is required to compile and make available to insurance carriers, rating organizations, employers, public safety workers and workers' compensation pools the claim-related information collected to assist with the setting of workers' compensation insurance rates. In addition to the six uniform percentage deviations already authorized by statute, insurers covering firefighters and fire investigators are permitted to file one uniform percentage deviation that increases the statewide rates under the rating organization's rate filing for the class codes associated with firefighters and fire investigators to address the anticipated increase in losses and expenses for claims that are compensable due to the workers' compensation presumption. The deviation filing must be accompanied by analysis from an actuary that substantively illustrates the basis for the rate increase. Contains a legislative intent section.</p>	<p>General Comments (all lists): Similar to SB1451, League support</p>	<p>2/23 from House rules okay.</p>
<p>H2615: EPINEPHRINE INJECTIONS; FIRST RESPONDERS IMMUNITY</p>	<p>Pursuant to a standing order issued by a licensed physician, naturopathic physician, physician assistant, or nurse practitioner, a "first responder" (defined) who is trained in administering epinephrine injections is authorized to administer an epinephrine injection to a person who the first responder believes in good faith is experiencing anaphylaxis. Licensed physicians and nurse practitioners who issue a standing order and first responders who administer epinephrine injections are immune from professional liability and criminal prosecution for any decision made, act or omission or injury that results from that act if the person acts with reasonable care and in good faith, except in cases of wanton or willful neglect.</p>	<p>Hearing: Senate Health &amp; Human Services (Wednesday 03/03/21 at 9:00 AM, Senate Rm. 1)</p>	<p>2/18 referred to Senate hel-hu ser.</p>
<p>H2802: AMBULANCE SERVICES; SERVICE AREAS</p>	<p>Various changes to statutes relating to ambulance service. Within 90 days after receiving a complete application for an ambulance service certificate of necessity, the Department of Health Services (DHS) is</p>		<p>2/15 House hel-hu ser held.</p>

	required to determine whether public necessity requires the proposed ambulance service in a service area. If necessity for the ambulance service is found to exist, DHS is required to issue a certificate of necessity to operate the ambulance service. DHS rules are required to provide for DHS to determine a separate set of response times of ambulances for each city, town or fire district within each certificate of necessity if the service area includes a response area designated as urban or suburban. More.			
H2882: TECH CORRECTION; ACTION TO RESTRAIN	Minor change in Title 28 (Transportation) related to authorized third parties. Apparent striker bus.		General Comments (all lists):  Oppose. Should be dead for this session. Interim discussion is anticipated. Striker amendment would preempt food trucks requirements and may be problematic for trash, lighting, safety measures, location requirements.	2/24 retained on House COW calendar.
S1043: PUBLIC SAFETY; CANCER INSURANCE; ELIGIBILITY	The Board of Trustees of the Public Safety Personnel Retirement System is required to annually review the premiums required under the Public Safety Cancer Insurance Policy Program to ensure the financial security of the Program. Persons eligible for coverage under the Program remain eligible upon retirement for the statutorily specified time periods, regardless of whether the person has a cancer diagnosis.		General Comments (all lists):  May be dead for the session. Would anticipate discussions for future sessions	1/26 from Senate rules okay.
S1045: DEFINED CONTRIBUTION; HEALTH SUBSIDY; DISABILITY	Retired members of the Public Safety Personnel Defined Contribution Retirement System are no longer required to pay the premium for coverage in the group health and accident coverage and are no longer excluded from eligibility for benefits under the health insurance premium assistance program for members with disabilities. The accidental disability pension for a member of the Public Safety Personnel Retirement System must be at least 50 percent of the member's average monthly benefit compensation.			2/24 Senate COW approved with flr amend <a href="#">#4531</a> .
S1046: MEMBER DISTRIBUTIONS; DEFERRED RETIREMENT; TRANSFERS	For the purpose of Public Safety Personnel Retirement System (PSPRS) rollover distributions, the definition of "eligible retirement plan" is expanded to include a Roth individual retirement account that satisfies the requirements of section 408A of the federal Internal Revenue Code. A PSPRS member or the member's surviving spouse who is entitled to receive an eligible rollover distribution is authorized to elect to directly roll over all or part of that distribution to an eligible retirement plan, and a member's beneficiary other than the spouse is authorized, on the death of the member, to elect to directly roll over all or part of an eligible rollover distribution from the system. Requirements for eligible rollover distributions are specified. Retroactive to January 1, 2020.	Hearing: House Government & Elections (Wednesday 03/03/21 at 9:00 AM, House Rm. 1)		2/23 referred to House govern elect.
S1220: MENTAL HEALTH PROFESSIONALS; TRAUMA COUNSELING	For the purpose of programs to provide peace officers and firefighters with traumatic event counseling, the definition of "licensed mental health professional" is expanded to include mental health professionals who are licensed by the Board of Behavioral Health Examiners and who hold either a master's or doctoral degree related to the mental health profession, and licensed mental health nurse practitioners or psychiatric clinical nurse specialists. AS PASSED SENATE.			2/25 referred to House hel-hu ser.
S1250: OVERDOSE; DISEASE PREVENTION; PROGRAMS	Counties, municipalities, and nongovernmental organizations, or any combination of these entities, are authorized to establish and operate an overdose and disease prevention program, and required objectives for the program are listed. A program is required to offer specified services, including disposal of used needles and hypodermic syringes, needles and hypodermic syringes at no cost, access to kits that contain naloxone hydrochloride or any other opioid antagonist that is approved by the U.S. Food and Drug Administration to treat a drug overdose or referrals to programs that provide access, and consultations concerning mental health or substance use disorder treatment. An employee, volunteer or participant in the program cannot be charged with or prosecuted for possession of a needle, hypodermic syringe or other injection supply item obtained from or returned to a program or possession of a residual amount of a controlled substance contained in a used needle, hypodermic syringe or injection supply item obtained from or returned to a program, if the person claiming immunity provides verification that the item was obtained from a program.			2/4 passed Senate <a href="#">27-2</a> ; ready for House.

<p>S1373: HEALTH FACILITIES; DUTY OF CARE</p>	<p>Licensed health care institutions that provide residential care and the institution's employees and agents have an affirmative duty of care for their residents. These institutions are required to provide basic life support and first aid, in accordance with that resident's advance directives and do-not-resuscitate order, including initiating immediate cardiopulmonary resuscitation (CPR) before the arrival of emergency medical services, to a resident who experiences symptoms of cardiac arrest or cessation of respiration. Staff who are certified in CPR and first aid must be available at the health care institution at all times. These institutions are prohibited from implementing policies that prevent employees from providing immediate CPR, first aid or emergency care to the institution's residents. Health care institutions and staff members who render CPR or first aid according to these requirements are not liable for civil damages as a result of any act or omission by the person rendering care, if the care is rendered in good faith and consistent with CPR or first aid certification standards. This liability exclusion does not apply to a person who acts with gross negligence while rendering care. AS PASSED SENATE</p>		<p>General Comments (all lists): League support. Policy supports effective and appropriate use of FMR resources.</p>	<p>2/23 passed Senate <u>25-5</u>; ready for House.</p>
<p>S1374: CRISIS STANDARDS OF CARE; REQUIREMENTS</p>	<p>If the Department of Health Services (DHS) adopts or establishes a crisis standards of care plan to address resource allocation when the demand for certain health care services exceeds the supply of necessary resources, a list of specified tenets and requirements apply to the plan, including requiring individual assessments made on the basis of the best available objective medical evidence. A health care provider or health care institution staff member is prohibited from pressuring or coercing a patient or the patient's health care decision maker to sign a do-not-resuscitate order or make a particular health care treatment decision. DHS is required to modify any existing crisis standards of care plan within 60 days after the effective date of this legislation to comply with these requirements. Emergency clause.</p>			<p>2/22 retained on Senate COW calendar.</p>
<p>S1396: PSPRS; SURVIVOR BENEFITS</p>	<p>The amount of a surviving spouse's pension from the Public Safety Personnel Retirement System is 40 percent of the deceased member's average monthly salary or 4/5 of what the deceased member's pension would have been on the date of death had the member been retired, whichever is greater. Previously, the surviving spouse's pension was 40 percent of the deceased member's average monthly salary.</p>			<p>2/23 passed Senate <u>30-0</u>; ready for House.</p>
<p>S1450: WORKERS' COMPENSATION; SPECIAL FUND; FIREFIGHTERS</p>	<p>In claims involving a firefighter eligible for workers' compensation due to cancer that is deemed to arise out of employment, the claim is eligible for reimbursement if the firefighter filed a workers' compensation claim after January 1, 2017, and if the employer has adopted cancer mitigation best practices, including increased cancer screenings and equipment proven to minimize contaminant risk, including turnouts, hoods, gloves and washing machines or commercial laundry services. Retroactive to tax years beginning with 2017.</p>		<p>General Comments (all lists): Support. Bill is not expected to move forward</p>	<p>1/27 referred to Senate com.</p>
<p>S1451: WORKERS' COMPENSATION; RATES; FIREFIGHTERS; CANCER</p>	<p>Fire investigators are added to the presumption that specified types of cancer and related diseases that result in disability or death are an occupational disease and are deemed to arise out of employment if specified conditions are met. All insurance carriers, self-insuring employers and workers' compensation pools that secure workers' compensation for firefighters and fire investigators are required to compile and report to the Industrial Commission claim and claim reserve information for all cancer-related claims filed by or on behalf of firefighters and fire investigators. The Commission is required to compile and make available to insurance carriers, rating organizations, employers, public safety workers and workers' compensation pools the claim-related information collected to assist with the setting of workers' compensation insurance rates. In addition to the six uniform percentage deviations already authorized by statute, insurers covering firefighters and fire investigators are permitted to file one uniform percentage deviation that increases the statewide rates under the rating organization's rate filing for the class codes associated with firefighters and fire investigators to address the anticipated increase in losses and expenses</p>		<p>General Comments (all lists): League support</p>	<p>2/18 passed Senate <u>22-8</u>; ready for House.</p>

	for claims that are compensable due to the workers' compensation presumption. The deviation filing must be accompanied by analysis from an actuary that substantively illustrates the basis for the rate increase. Contains a legislative intent section. AS PASSED SENATE			
S1605: WORKERS COMPENSATION; PHYSICIANS; PUBLIC SAFETY	The Industrial Commission is required to develop and annually update a list of approved physicians to conduct initial examinations "public safety employees" (defined elsewhere in statute) or periodic medical examinations of public safety employees. If an accident occurs to a public safety employee, the Industrial Commission is required to randomly select from the list a physician who shall be allowed by the public safety employee, or any person in charge of the public safety employee, to make one examination of the injured public safety employee in order to ascertain the character and extent of the injury occasioned by the accident.			2/18 from Senate com do pass.

## Human Services

BILL NUMBER/ SHORT TITLE	SUMMARY	POSTED HEARINGS & CALENDARS	COMMENTS	LAST ACTION
H2016: CHILD CARE ASSISTANCE; EDUCATION; TRAINING	The Department of Economic Security is authorized to waive a portion or the entirety of the work requirements to continue to provide supplemental child care assistance to a person who has been receiving assistance and who has enrolled full time in an accredited educational institution, remedial educational activity or employment training program leading to a vocational, technical or trade certification or an associate degree or bachelor's degree, and the educational or training program is reasonably related to employment goals. The person is required to demonstrate satisfactory progress to the Dept in the education or training activity.			2/18 referred to Senate hel- hu ser.
H2020: SCHOOLS; CHILD CARE; REDUCED FEES	A public school that provides or contracts for child care services is permitted to reduce the fee a public school employee pays for the child care services if the cost the public school pays for those services is not grossly disproportionate to the total consideration received from the employee.	Hearing: Senate Education (Tuesday 03/02/21 at 2:00 PM, Senate Rm. 1)		2/18 referred to Senate educ.
H2163: PRISONERS; DISCHARGE; TRANSITION PROGRAM	Retroactive to July 1, 2020, the statutory termination date for the Arizona Department of Corrections (ADC) Transition Program is extended ten years to July 1, 2030. Retroactive to and beginning July 1, 2021, and each year thereafter, ADC is required to release at least 3,500 eligible inmates to enter the Transition Program. If there are not 3,500 eligible inmates, ADC is required to release as many inmates as ADC determines meet the eligibility requirements. Also, ADC is required to inform a prisoner at least one month before the prisoner's discharge of the discharge date. AS PASSED HOUSE			2/18 referred to Senate appro.
H2164: COORDINATED REENTRY PLANNING SERVICES PROGRAMS	Counties are authorized to establish a coordinated reentry planning services program within a county jail for the purpose of screening and assessing persons who are booked into the jail and connecting those persons with behavioral health and substance use disorder treatment providers at the earliest possible stage in the criminal justice process. Elements that must be included in the program are specified. The county is required to establish a committee to develop the program's policies and procedures, and stakeholders that must be represented on the committee are listed. Appropriates \$8 million from the general fund in FY2021-22 and \$7 million from the general fund in each of FY2022-23 and FY2023-24 to the newly established Coordinated Reentry Planning Services Program Fund for the program. Appropriates \$8 million from the Fund in FY2021-22 and \$7 million from the Fund in each of FY2022-23 and FY2023-24 to a county with a population of up to 1.5 million persons (any county but Maricopa) to establish and operate a coordinated reentry planning services program. Each eligible county is required to receive a proportional share of the monies based on the county's population.			2/3 House crim jus ref held.
H2165: PRISONERS; ELIGIBILITY	An inmate who is sentenced to at least two years of imprisonment and who has served at least one year of the sentence is eligible for the Home Arrest Program if the inmate has not been convicted of a serious offense or violent or aggravated felony or a dangerous crime against children (all defined in the Criminal Code), is within four years of beginning any form of release from incarceration in the Department of Corrections, and does not have any violent disciplinary infractions during the inmate's current term of imprisonment. The Board of Executive Clemency is required to determine which inmates are released to the Program based on this criteria and a determination that there is a substantial probability that the inmate will remain at liberty without violating the law and that the release is in the best interests of the state. Establishes a list of conditions for home arrest, including active electronic monitoring surveillance for at least one year or until eligible for probation or community supervision, participating in gainful employment or other beneficial activities, submitting to alcohol and drug tests as mandated, remaining at			2/23 referred to Senate jud.



	the inmate's place of residence at all times except according to mandated conditions, and paying specified fees. AS PASSED HOUSE			
H2189: COORDINATED REENTRY PLANNING SERVICES PROGRAMS	Counties are authorized to establish a coordinated reentry planning services program within a county jail for the purpose of screening and assessing persons who are booked into the jail and connecting those persons with behavioral health and substance use disorder treatment providers at the earliest possible stage in the criminal justice process. Elements that must be included in the program are specified. The county is required to establish a committee to develop the program's policies and procedures, and stakeholders that must be represented on the committee are listed. Appropriates \$8 million from the general fund in FY2021-22 and \$7 million from the general fund in each of FY2022-23 and FY2023-24 to the newly established Coordinated Reentry Planning Services Program Fund for the program. Appropriates \$8 million from the Fund in FY2021-22 and \$7 million from the Fund in each of FY2022-23 and FY2023-24 to a county with a population of up to 1.5 million persons (any county but Maricopa) to establish and operate a coordinated reentry planning services program. Each eligible county is required to receive a proportional share of the monies based on the county's population.	Hearing: Senate Judiciary (Thursday 03/04/21 at 9:00 AM, Senate Rm. 1)		2/24 referred to Senate jud, appro.
H2197: EVICTION PREVENTION; STUDY COMMITTEE	Establishes a 19-member Study Committee on Statewide Eviction Prevention and Housing Affordability to conduct a comprehensive study on reducing eviction filings, review related policies and statutes, conduct research on housing affordability issues, and propose legislation to address these issues. The Committee is required to submit a report of its activities and recommendations to the Governor and the Legislature by December 1, 2021, and self-repeals November 1, 2022.			1/25 referred to House hel- hu ser.
H2244: HOUSING TRUST FUND; UNCLAIMED PROPERTY	The amount of proceeds from the sale of abandoned property that are deposited in the Housing Trust Fund each fiscal year is changed to 55 percent of the proceeds, instead of \$2.5 million.			1/21 referred to House ways-means, appro.
H2464: VETERAN SUICIDES; ANNUAL REPORT	Information that the Department of Health Services must include in the annual report on veteran suicides is expanded to include utilization and encounter data for a nonprofit veterans' services organization that provides services related to reducing suicides among Arizona's military and veteran populations.			
H2489: APPROPRIATION; AFFORDABLE HOUSING	Appropriates \$25 million from the general fund in FY2021-22 to the Housing Trust Fund.			2/23 from House appro with amend #4424. From House rules okay.
H2506: WORKERS' COMPENSATION; RATES; FIREFIGHTERS; CANCER	Fire investigators are added to the presumption that specified types of cancer and related diseases that result in disability or death are an occupational disease and are deemed to arise out of employment if specified conditions are met. All insurance carriers, self-insuring employers and workers' compensation pools that secure workers' compensation for firefighters and fire investigators are required to compile and report to the Industrial Commission claim and claim reserve information for all cancer-related claims filed by or on behalf of firefighters and fire investigators. The Commission is required to compile and make available to insurance carriers, rating organizations, employers, public safety workers and workers' compensation pools the claim-related information collected to assist with the setting of workers' compensation insurance rates. In addition to the six uniform percentage deviations already authorized by statute, insurers covering firefighters and fire investigators are permitted to file one uniform percentage deviation that increases the statewide rates under the rating organization's rate filing for the class codes associated with firefighters and fire investigators to address the anticipated increase in losses and expenses for claims that are compensable due to the workers' compensation presumption. The deviation filing must be accompanied by analysis from an actuary that substantively illustrates the basis for the rate increase. Contains a legislative intent section.		General Comments (all lists): Similar to SB1451, League support	2/23 from House rules okay.
H2532: EMOTIONAL ABUSE; VULNERABLE ADULTS	For the purpose of Adult Protective Services statutes, the definition of "abuse" is expanded to include "emotional abuse" (defined).			2/1 referred to House hel- hu ser.

H2542: VETERAN SUICIDES; ANNUAL REPORT	Information that the Department of Health Services must include in the annual report on veteran suicides is expanded to include utilization and encounter data for a nonprofit veterans' services organization that provides services related to reducing suicides among Arizona's military and veteran populations.			2/24 referred to Senate jud.
H2562: TAX CREDIT; AFFORDABLE HOUSING	Establishes a credit against individual and corporate income taxes and insurance premium taxes for projects that qualify for the federal low-income housing tax credit and that are placed in service from and after June 30, 2022. The credit is equal to the amount of the federal low-income housing credit for the qualified project. To claim the credit, a taxpayer is required to apply to the Arizona Department of Housing and receive an eligibility statement. If the amount of the credit exceeds taxes due, the taxpayer may carry the unused amount forward for up to five consecutive taxable years. The Department of Revenue is required to allocate a total of \$8 million of affordable housing tax credits in any calendar year. Establishes a 9-member Affordable Housing Tax Credit Review Committee to review the tax credits on the fifth year after the effective date of the credit and every five years thereafter and submit a report to the Governor and the Legislature. Self-repeals January 1, 2029.		General Comments (all lists): Support. League resolution. Similar to HB 2732 from the 2020 session, which the city supported. Mirror bill is SB 1327.	2/18 House COW approved with fir amend #4335.
H2600: SEXUAL ASSAULT SURVIVORS; RIGHTS	Establishes a list of rights that a survivor of a sexual assault has, including the right to consult with a sexual assault victim advocate, the right to not be charged for a medical evidentiary examination, the right to a prompt analysis of sexual assault kit evidence, the right to be reasonably protected from the defendant, and the right to not be required to submit to a polygraph examination.			
H2706: APPROPRIATION; VETERANS' SERVICES; BENEFITS COUNSELORS	Makes a supplemental appropriation of \$948,400 from the general fund in FY2021-22 to the Department of Veterans' Services to hire additional benefits counselors.			2/24 passed House <u>56-3</u> ; ready for Senate.
H2805: UNEMPLOYMENT INSURANCE; BENEFITS; TAX BASE	Beginning January 1, 2022, the taxable wage for unemployment insurance is in excess of \$8,000, increased from \$7,000. Beginning January 1, 2022, the weekly benefit amount for unemployment insurance is capped at \$300, increased from \$240.			2/24 passed House <u>50-9</u> ; ready for Senate.
S1038: LANDLORD TENANT; RENT; FIFTEEN DAYS	A landlord is authorized to terminate a rental agreement if rent is not paid within 15 days, increased from 5 days, after written notice by the landlord of nonpayment and the landlord's intention to terminate the rental agreement.			1/11 referred to Senate com.
S1039: EVICTION PREVENTION; STUDY COMMITTEE	Establishes a 19-member Study Committee on Statewide Eviction Prevention and Housing Affordability to conduct a comprehensive study on reducing eviction filings, review related policies and statutes, conduct research on housing affordability issues, and propose legislation to address these issues. The Committee is required to submit a report of its activities and recommendations to the Governor and the Legislature by December 1, 2021, and self-repeals November 1, 2022.			1/11 referred to Senate com.
S1043: PUBLIC SAFETY; CANCER INSURANCE; ELIGIBILITY	The Board of Trustees of the Public Safety Personnel Retirement System is required to annually review the premiums required under the Public Safety Cancer Insurance Policy Program to ensure the financial security of the Program. Persons eligible for coverage under the Program remain eligible upon retirement for the statutorily specified time periods, regardless of whether the person has a cancer diagnosis.		General Comments (all lists): May be dead for the session. Would anticipate discussions for future sessions	1/26 from Senate rules okay.
S1059: MENTAL DISORDERS; CONSIDERATIONS; INVOLUNTARY TREATMENT	A person who has a substance use disorder without any co-occurring mental disorder cannot be considered for involuntary treatment. A person who initially presents with impairments consistent with both a mental disorder and substance use disorder is eligible for screening and evaluation, and may be eligible for involuntary treatment if, after considering the person's history, an appropriate examination and a reasonable period of time to rule out substance abuse as the primary cause of the alleged behavior, the person's presentation is consistent with a mental disorder that would benefit from treatment. A person who has an intellectual disability cannot be considered for involuntary treatment unless the person also has a mental disorder that would benefit from treatment. AS PASSED SENATE			2/23 referred to House hel-hu ser.
S1076: LOW-INCOME MULTIFAMILY HOUSING; VALUATION	The owner of "low-income multifamily residential rental property" (defined) is authorized to elect a statutory income method for valuing the property. The	Hearing: House Ways & Means (Wednesday 03/03/21)		2/23 referred to House ways-means.

	calculation for this valuation method is established. Requirements for a property owner to elect this valuation method are specified, including documentation requirements. Low-income multifamily residential rental properties that are valued using this method are classified as class four property for property tax purposes.	at 9:00 AM, House Rm. 3)	
S1171: VICTIMS' RIGHTS ENFORCEMENT FUND; USES	Monies in the Victims' Rights Enforcement Fund may be distributed to nonprofit organizations and entities that can demonstrate a five-year history of providing, without cost to the crime victim, technical assistance and training to other criminal justice agencies that provide direct legal services to crime victims.		2/25 Senate COW approved with amend <a href="#">#4369</a> .
S1196: AFFORDABLE HOUSING; PROPERTY VALUATION	The initial appraised value of "community land trust property" (defined) in the year the property first qualifies for classification as "affordable housing" (defined) is the initial investment basis. In subsequent valuations by the assessor, the value of the community land trust property cannot exceed the sum of the market value of the community land trust property and the initial investment basis.		1/19 referred to Senate fin.
S1247: OPIOID PRESCRIPTIONS; NALOXONE REQUIREMENT; EXCEPTION	The requirement for a health professional prescribing a patient more than 90 morphine milligram equivalents per day to also prescribe naloxone hydrochloride or another opioid antagonist does not apply to a patient who is receiving hospice care or end-of-life care.		1/21 referred to Senate hel- hu ser.
S1250: OVERDOSE; DISEASE PREVENTION; PROGRAMS	Counties, municipalities, and nongovernmental organizations, or any combination of these entities, are authorized to establish and operate an overdose and disease prevention program, and required objectives for the program are listed. A program is required to offer specified services, including disposal of used needles and hypodermic syringes, needles and hypodermic syringes at no cost, access to kits that contain naloxone hydrochloride or any other opioid antagonist that is approved by the U.S. Food and Drug Administration to treat a drug overdose or referrals to programs that provide access, and consultations concerning mental health or substance use disorder treatment. An employee, volunteer or participant in the program cannot be charged with or prosecuted for possession of a needle, hypodermic syringe or other injection supply item obtained from or returned to a program or possession of a residual amount of a controlled substance contained in a used needle, hypodermic syringe or injection supply item obtained from or returned to a program, if the person claiming immunity provides verification that the item was obtained from a program.		2/4 passed Senate <a href="#">27-2</a> ; ready for House.
S1322: EVICTION PROCEEDINGS; VIRTUAL APPEARANCES	In a special detainer or forcible detainer proceeding before the court, any party, including an attorney or witness, must be permitted to participate remotely by using a telephone or video conference connection.		2/25 Senate COW approved with fir amend <a href="#">#4595</a> .
S1327: TAX CREDIT; AFFORDABLE HOUSING	Establishes a credit against individual and corporate income taxes and insurance premium taxes for projects that qualify for the federal low-income housing tax credit and that are placed in service from and after June 30, 2022. The credit is equal to the amount of the federal low-income housing credit for the qualified project. To claim the credit, a taxpayer is required to apply to the Arizona Department of Housing and receive an eligibility statement. If the amount of the credit exceeds taxes due, the taxpayer may carry the unused amount forward for up to five consecutive taxable years. The Department of Revenue is required to allocate a total of \$8 million of affordable housing tax credits in any calendar year. Establishes a 9-member Affordable Housing Tax Credit Review Committee to review the tax credits on the fifth year after the effective date of the credit and every five years thereafter and submit a report to the Governor and the Legislature. Self-repeals January 1, 2028. AS PASSED SENATE	General Comments (all lists): Support. League resolution. Similar to HB 2732 from the 2020 session, which the city supported. Mirror bill is HB 2562.	2/17 passed Senate <a href="#">17-13</a> ; ready for House.
S1369: APPROPRIATIONS; COORDINATED HUNGER SERVICES	Makes a supplemental appropriation of \$1 million from the general fund in each of FY2021-22, FY2022-23, and FY2023-24 to the Department of Economic Security for coordinated hunger services.		2/18 passed Senate <a href="#">27-3</a> ; ready for House.
S1425: ANTIDISCRIMINATION; HOUSING; EMPLOYMENT; PUBLIC ACCOMMODATIONS	The list of attributes for which a person cannot be discriminated against in employment practices, various housing related statutes, and in places of public accommodation is expanded to include		1/27 referred to Senate com.

	"sexual orientation" and "gender identity" (both defined).			
S1455: LENDING; CREDIT SUPPORT PROGRAMS; REPORT	The Department of Administration (DOA) is required to prepare a report for the prior fiscal year that includes a list of each "lending program" and "credit support program" (both defined) and specified information about each program. DOA is required to provide the report to the Governor and the Legislature by December 15 of each year. AS PASSED SENATE			2/18 passed Senate <u>30-0</u> ; ready for House.
S1466: FAMILY CAREGIVER GRANT PROGRAM	The Family Caregiver Grant Program is expanded to include an individual's qualifying expenses during a calendar year due to caring for and supporting a qualifying family member in the qualifying family member's primary residence, in addition to in the individual's home. An individual who receives a Program grant is ineligible to apply for another Program grant after receiving \$1,000 for each qualifying family member, instead of being ineligible for three consecutive calendar years after receiving a Program grant. Session law allows an individual who received a Program grant before the effective date of this legislation to apply for additional grant monies if the individual has not received grant monies totaling \$1,000 for each qualifying family member. The termination date for the Program is extended one year, to July 1, 2024.			2/18 passed Senate <u>30-0</u> ; ready for House.
S1514: APPROPRIATION; EMERGENCY SHELTER BEDS; SENIORS	Appropriates \$5 million from the general fund in FY2021-22 to the Department of Economic Security (DES) for emergency shelter beds in western Maricopa County to shelter and serve homeless seniors who are at least 55 years of age. DES is required to distribute the monies to a single Arizona nonprofit provider that meets a list of specified requirements.			2/18 passed Senate <u>27-3</u> ; ready for House.
S1607: LANDLORD TENANT; COVID RENT FREEZE	For any residential rental property, a landlord is prohibited from increasing a tenant's rental amount during the period of a proclaimed state of emergency due to COVID-19 and for 30 days after the proclaimed state of emergency terminates.			2/1 referred to Senate com.
S1608: LANDLORD; TENANT; MORATORIUM; GRACE PERIOD	For any tenant who has received relief from eviction as the result of federal law, presidential executive order or state executive order, the tenant has a six-month grace period to pay any unpaid rent after the federal or state relief from eviction expires.			2/1 referred to Senate com.
S1634: DEVELOPMENTAL DISABILITIES; DOWN SYNDROME	For the purpose of programs administered by the Department of Economic Security Division of Developmental Disabilities, the definition of "developmental disability" is expanded to include a severe, chronic disability that is attributable to "down syndrome" (defined).			2/3 referred to Senate hel- hu ser, appro.
S1661: HOUSING ASSISTANCE PROGRAM; APPROPRIATION	Establishes a Housing Assistance Program within the Arizona Department of Housing (AZDH) to develop strategies to reduce homelessness, to fund programs to increase access to housing, and to provide grants to nonprofit legal services organizations, community action agencies, or HUD-approved housing counseling agencies participating in the Program. Establishes an 8-member Housing Assistance Program Oversight Committee to review and approve Program grants and coordinate statewide resources to promote access to housing, community and legal resources for those at risk of losing or those who have lost their homes. By November 1 of each year, AZDH is required to report specified information on the Program to the Governor and the Legislature. Appropriates \$10 million from the general fund in FY2021-22 to AZDH to implement the Program, including contracting with nonprofit organizations to hire "housing navigators" (defined).			2/3 referred to Senate com, appro.
S1723: HOUSING TRUST FUND; UNCLAIMED PROPERTY	The amount of proceeds from the sale of abandoned property that are deposited in the Housing Trust Fund each fiscal year is changed to 55 percent of the proceeds, instead of \$2.5 million.			2/25 Senate COW approved.
S1787: UNEMPLOYMENT INSURANCE; BENEFITS; DURATION	If Arizona's "average unemployment rate" (defined) is at or below 5.5 percent, the maximum amount of unemployment benefits an individual may receive in a benefit year is decreased to 12 times the individual's weekly benefit amount. If Arizona's "average unemployment rate" (defined) is above 5.5 percent but no more than 9 percent, the maximum amount of unemployment benefits an individual may receive in a benefit year is decreased to 12 times the individual's weekly benefit amount plus one additional week of benefits for each 0.5 percent increment in the average unemployment			2/17 Senate com held.

rate above 5.5 percent. Previously, the maximum amount of benefits was 26 times the individual's weekly benefit amount. Effective January 1, 2022.			
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## Internal Services and Budget

BILL NUMBER/ SHORT TITLE	SUMMARY	POSTED HEARINGS & CALENDARS	COMMENTS	LAST ACTION
H2008: ASRS; EMPLOYER; MEMBER; CONTRIBUTIONS	The Arizona State Retirement System (ASRS) is prohibited from paying an employer earnings attributable to excess contributions but is required to reduce the amount returned to an employer by the amount of losses attributable to the excess contributions. On receipt of an employer credit or return of contributions, the employer is required to return any member portion of the returned contributions to the member. If an employer pays less than the correct amount of employer or member contributions into ASRS, the correct amount of member contributions is prohibited from being paid to ASRS after the death of the member.			2/18 substituted in Senate for identical bill 1352. Passed Senate 30-0; ready for governor.
H2025: DELINQUENT PROPERTY TAX; INTEREST; WAIVER	Subject to the approval of the county board of supervisors, the county treasurer is authorized to waive the interest that accrues on delinquent property taxes, and any other penalties, for a delinquency that occurs during the one-year period after a mortgage or deed of trust is satisfied or otherwise released on the property. A taxpayer may receive this waiver only once per property. AS PASSED HOUSE.	Hearing: Senate Finance (Wednesday 03/03/21 at 9:00 AM, Senate Rm. 109)		2/18 referred to Senate fin.
H2044: INSURANCE; OMNIBUS	Makes various changes to statutes relating to insurance. Expands applicability of statute regulating electronic communications and records of insurance to include disability, marine and transportation, surety, prepaid legal, prepaid dental, title, identity theft, disability, workers' compensation, and annuities that are subject to Title 20 (Insurance). The list of persons exempt from the requirement to obtain a license as an insurance producer is expanded to include a person whose activities in Arizona are limited to providing a website or other electronic platform for insurers and a person that processes payments or charges for insurance premiums if that person does not sell, solicit or negotiate insurance. A "federal home loan bank" (defined) cannot be stayed, enjoined or prohibited from exercising or enforcing any right or cause of action against collateral pledged by an insurer member under any federal home loan bank security agreement or other similar arrangement relating to a security agreement to which that federal home loan bank is a party. Service contracts are required to disclose whether the contracts cover or exclude preexisting conditions. More.			2/1 House COW approved with amend <a href="#">#4053</a> .
H2045 (Chapter 1): CIVIL RIGHTS; AMENDMENTS	For the purpose of employment discrimination statutes, the terms "because of sex" and "on the basis of sex" includes because of or on the basis of pregnancy or childbirth or related medical conditions. Women who are affected by pregnancy or childbirth or related medical conditions must be treated the same for all employment-related purposes, including receipt of benefits under fringe benefit programs, as other persons not so affected but similar in their ability or inability to work. AS SIGNED BY GOVERNOR			2/4 signed by governor; Chap. 1, Laws 2021. <a href="#">message</a>
H2051: PROCUREMENT; INFORMATION DISCLOSURE; BIDDERS	During competitive sealed bidding to award state contracts, the Director of the Department of Administration is required to provide a question and answer period for bidders and interested parties to submit written questions and for the Director to provide written responses. The Director is required to provide in writing all questions and answers to all bidders and interested parties outside of the procurement process.			2/18 referred to Senate gov.
H2059 (Chapter 23): RETIREMENT SYSTEMS; BENEFIT COMPUTATION; RETURN-TO-WORK	In the computation of average monthly benefit compensation for the Public Safety Personnel Retirement System, a period of nonpaid or partially paid industrial leave must be considered based on the compensation the employee would have received in the employee's job classification if the employee was not on industrial leave. Payment of benefits to a Public Safety Personnel Retirement System, Corrections Officer Retirement Plan or Elected Officials' Retirement Plan member are required to commence no later than April 1 of the calendar year following the later of the date the member terminates employment or the calendar year in which the member attains			2/18 signed by governor. Chap. 23, Laws 2021. <a href="#">message</a>

	72 years of age, increased from 70.5 years of age. AS SIGNED BY GOVERNOR			
H2109: BINGO; CONDUCT; LICENSES	Increases the maximum annual gross receipts for a class A bingo license to \$75,000, from \$15,600 and increases the maximum annual gross receipts for a class B and class C bingo license to \$500,000, from \$300,000. A person is no longer prohibited from conducting a lottery or raffle within a 12-hour period before or after a bingo occasion or game on any premises used for bingo games or within 1,000 feet of the bingo game.	Hearing: Senate Commerce (Wednesday 03/03/21 at 2:00 PM, Senate Rm. 1)		2/18 referred to Senate com.
H2112: TRUTH IN TAXATION; PRESS RELEASES	When community college district governing boards and county flood control district governing bodies are required to issue a press release because the proposed primary property tax levy is greater than the amount levied in the preceding tax year, the press release is required to include the name of the newspaper of general circulation in which the truth in taxation notice will be published and the dates on which it will be published. The district or governing body is also required to post the press release on their official website.	Hearing: Senate Finance (Wednesday 03/03/21 at 9:00 AM, Senate Rm. 109)		2/18 referred to Senate fin.
H2113: CHARITABLE CONTRIBUTION; DEDUCTION; INFLATION ADJUSTMENT	For tax years beginning with 2022, the Department of Revenue is required to adjust the percentage of a taxpayer's charitable deductions that are allowed in addition to the standard deduction for personal income taxes according to the average annual change in the metropolitan Phoenix Consumer Price Index published by the U.S. Department of Labor, except that the adjusted percentage cannot exceed 100 percent. The revised percentage must be raised to the nearest whole percent and cannot be revised below the amounts prescribed in the prior taxable year.	Hearing: Senate Finance (Wednesday 03/03/21 at 9:00 AM, Senate Rm. 109)		2/18 referred to Senate fin.
H2114: INCOME TAX; RETURNS; FILING EXTENSION	The due date for an income tax return for a taxpayer filing a corporate or exempt organization return that has been granted an extension or extensions is seven months after the initial due date provided for filing returns. Does not include small business corporation returns. Retroactive to tax years beginning with 2021.			1/28 passed House <u>59-0</u> ; ready for Senate.
H2115: MOTORCYCLE SAFETY FUND; CONTINUATION	The Department of Transportation is required to deposit \$1 of each motorcycle registration fee collected in the Motorcycle Safety Fund through June 30, 2025, instead of through June 30, 2021.			1/28 passed House <u>59-0</u> ; ready for Senate.
H2122: BONDS; FINANCIAL ADVISORY FEES	Deletes the requirement for school or municipal bond financial advisory fees for bonds issued pursuant to a bond election to be paid from either the amount authorized by the voters or current operating funds.			2/18 referred to Senate fin.
H2134: COMMERCIAL DRIVER LICENSES; THIRD PARTIES	A third party driver license provider is authorized to perform administrative and testing functions for the issuance and renewal of commercial driver licenses as authorized by the Department of Transportation and pursuant to federal law, instead of being prohibited from processing commercial driver licenses. Emergency clause. AS PASSED HOUSE.			2/22 referred to Senate trans-tech.
H2138: ABOR; OPTIONAL RETIREMENT PROGRAMS	The optional retirement programs that the Arizona Board of Regents (ABOR) is authorized to establish are allowed to be purchased for all employees of the institutions under ABOR jurisdiction, instead of only faculty and administrative officers. If an employee does not continue in service with an institution under the jurisdiction of ABOR for at least five years, the amount of employer contributions, with interest, are forfeited to the institution and used to make future employer contributions, instead of refunded to the state.		General Comments (all lists):  Oppose. Proposal adds unfunded liability to ASRS, which leads to higher contribution rates for employers and employees that would remain as plan participants.	1/21 referred to House gov- elect.
H2139: ASRS; SELF-INSURANCE PRGGRAM	If the Arizona State Retirement System Board determines that a self-insurance program should no longer be offered, the monies in the self-insurance program account must be used to provide any remaining benefits and to pay administration costs for the program or health insurance premium payments. If those liabilities are satisfied, the Board is required to return any remaining monies to the employer. Previously, the monies were required to be transferred to another account of ASRS as determined by the Board.			2/2 from House rules okay.
H2152: POLICE; CAMERA RECORDINGS; REQUIRED REDACTIONS	Before a law enforcement agency releases a copy of a video recording from a law enforcement officer's body-worn camera to the public, the law enforcement agency must redact any portion of the video recording that shows the face or an identifiable body part of any person who appears in the video recording if the person			2/24 referred to Senate jud.

	is not the subject of a police investigation or enforcement action and the person was located in a private location or in a public location with an expectation of privacy, the person is a victim of or witness to a crime, or the person was in a state of undress and specified areas of the person's body were not covered. Does not apply to a person who provides the law enforcement agency with a written waiver to release the video recording without any redactions.			
H2173: COMMERCIAL DRIVER LICENSES; RENEWAL TIME	A person possessing a commercial driver license on or before June 30, 2005 and the holder of a class A, B or C driver license is required to renew the license within eight years, increased from five years, in a manner established by the Department of Transportation.	Hearing: Senate Transportation & Technology (Monday 03/01/21 at 2:00 PM, Senate Rm. 109)		2/18 referred to Senate trans-tech.
H2177: STATE PERSONNEL BOARD; HEARINGS	If an employee or former employee believes that a personnel action taken against him is the result of his disclosure of specified allegations, the employee must make a complaint to an appropriate independent personnel board or the State Personnel Board (Board) within 10 working days, instead of 10 days, of the effective date of the action taken against him. If a covered employee appeals to the Board his dismissal from covered service, the Board is required to hear the appeal within 60 days, increased from 30 days.			2/18 referred to Senate gov.
H2211: TPT; PRIME CONTRACTING; EXEMPTIONS; CERTIFICATES	Various changes to statutes relating to transaction privilege taxes (TPT) for prime contracting. The definitions of "modification" and "alteration" for the purpose of computing the tax base for the prime contracting classification of TPT are modified. A certificate that a contractor provides to a person stating that the contractor is liable for any amount of transaction privilege taxes due is valid for a period of up to one year. After the certificate expires, the contractor is allowed to execute and provide to the person a new certificate. The Department of Revenue (DOR) is required to prescribe a form for a certificate to be used by a prime contractor that is subject to TPT for purchasing tangible personal property, the purchase price of which was excluded from the tax base under the retail classification of TPT. The prime contractor is required to obtain the certificate from DOR, and the certificate is valid for up to one year. After the certificate expires, the contractor is allowed to obtain a new certificate. Applies to contracts entered into beginning January 1, 2022.		General Comments (all lists): Should be dead. Oppose. Revenue loss. Support the contracting proposal in SB 1721.	2/17 House ways-means held.
H2268: SCHOOLS; TOTAL COMPENSATION STATEMENTS	School district governing boards and charter school governing bodies are required to annually provide a total compensation statement to each employee that includes a list of specified pay and benefits.			2/18 referred to Senate educ.
H2297: MILITARY LEAVES OF ABSENCE; DURATION	Military leaves of absence are no longer limited to 30 days in any 2 consecutive years, and the military leave period is instead based on the average total of regularly scheduled hours worked in a biweekly period. A full-time officer or employee who works 2,080 hours annually is entitled to up to 120 hours of military leave annually and up to 240 hours in any 2 consecutive years. An officer or employee who is regularly scheduled to work more than 2,080 annually is entitled to 15 days of military leave each fiscal year based on the total number of hours in the individual's regularly scheduled biweekly hours.	Hearing: Senate Judiciary (Thursday 03/04/21 at 9:00 AM, Senate Rm. 1)		2/24 referred to Senate jud.
H2305: SPIRITUOUS LIQUOR; ALTERNATING PROPRIETORSHIPS	On application by one or more persons, the Department of Liquor Licenses and Control is authorized to approve applications for grouping two or more spirituous liquor producer, craft distiller, or microbrewery licenses at one location under a plan of alternating proprietorships if a licensed producer, craft distiller, or microbrewery has received approval by the U.S. Alcohol and Tobacco Tax and Trade Bureau and the participating producers, craft distillers, or microbreweries operate under the regulations and guidelines that are issued by the Bureau. Each participating spirituous liquor producer or microbrewery is responsible for filing all reports that relate to its production with the Bureau and the Department of Revenue. AS PASSED HOUSE	Hearing: Senate Commerce (Wednesday 03/03/21 at 2:00 PM, Senate Rm. 1)		2/18 referred to Senate com.
H2306: RIGHT TO REDEEM; LIEN SALE	A real property tax lien cannot be redeemed after the entry of a judgment of foreclosing the right to redeem. When the court enters judgment foreclosing the right to redeem, the court must direct the county treasurer to sell the property and deliver the deed to the purchaser after the purchaser pays, instead of to deliver the deed to the party in whose			2/17 House ways-means held.



	<p>favor the judgment was entered. The foreclosure of the right to redeem does not extinguish the property owner's or another lienholder's interest in the surplus proceeds from the sale of the property. The treasurer is required to sell the property at public auction. An auction must be held within 6 months after the entry of a judgment foreclosing the right to redeem. Requirements for notice of the auction and conducting the auction are established, including requiring the county treasurer to set the minimum bid at the property's limited cash value. After deducting and distributing interest, penalties, fees and costs charged against the parcel, the county treasurer is required to post a public list of the remaining monies that any party that had a legal interest in the property before the judgment foreclosing the right to redeem or the issuance of the tax deed to this state may claim. The county treasurer is required to continuously post a list of properties sold in the past five years in the treasurer's office and on the treasurer's official website. After receiving full payment for the property, the county treasurer is required to notify by mail the former property owner and any person with a recorded interest in the property, and information that must be included in the notice is listed. Any portion of the surplus monies that remains unclaimed after five years must be treated as unclaimed property. More. Emergency clause.</p>			
<p>H2310: EXECUTIVE ORDERS; REVIEW; ATTORNEY GENERAL</p>	<p>At the request of a member of the Legislature, the Attorney General is required to investigate any official action taken by the governing body of a county or municipality that reduces a "law enforcement agency's" (defined) budget by at least ten percent below the previous year's budget. If the Attorney General concludes that there is a reduction to the law enforcement agency's budget of at least ten percent below the previous year's budget, the Attorney General is required to notify the county or municipality of the conclusion by certified mail and provide 30 days to restore the budget reduction. If the county or municipality fails to restore the budget reduction within 30 days, the Attorney General is required to notify the State Treasurer, who must withhold and redistribute state shared monies from the county or municipality in an amount equal to the reduction of the law enforcement agency's budget. The Attorney General is required to continue to monitor the response of the governing body, and when the reduction to the budget has been restored, is required to notify the Governor and the Legislature and notify the State Treasurer to restore the distribution of state shared revenues to the county or municipality. Does not apply if a county or municipality has reduced their overall budget by at least ten percent below the previous year's budget.</p>		<p>General Comments (all lists):  Striker language is expected. If striker is added, will revisit position based on new language (may be completely different than the initial proposal). Original bill: Oppose. Would preempt city elected officials from setting the city budget. Also problematic for years in which a city expends one-time funding (e.g. significant building renovation, technology investment, vehicle replacements, etc) and would be penalized in future years.</p>	<p>2/24 passed House <u>31-29</u>; ready for Senate.</p>
<p>H2316 (Chapter 26): CENTRALLY ASSESSED PROPERTY; VALUATION; PIPELINES</p>	<p>The "base value" (defined), which is part of the calculation for determining property taxes on pipeline property, is required to be adjusted if one of a list of specified circumstances applies, including a final ruling by a court of competent jurisdiction in Arizona that the full cash value of a pipeline in Arizona is more than the market value using standard appraisal methods, and specified agreements between a pipeline company and the Department of Revenue to adjust the base value as a result of a pending tax appeal or to correct an error in the calculation of full cash value of the system plant in service. Retroactive to tax years beginning with 2016. AS SIGNED BY GOVERNOR</p>			<p>2/18 signed by governor. Chap. 26, Laws 2021. <a href="#">message</a></p>
<p>H2321: DOR; ADMINISTRATIVE RULINGS; PROCEDURES</p>	<p>The Department of Revenue (DOR) is authorized to issue draft rulings, procedures and other administrative announcements that apply to tax laws and regulations either generally or for a specific set of facts. DOR is required to establish and maintain a publicly accessible record of all draft and final rulings, procedures and administrative announcements on the DOR website and is required to prominently announce additions, modifications and other changes to this record on the website's home page. Establishes requirements for draft rulings, procedures and other administrative announcements to become final, including a required period for public comment. Does not apply to private taxpayer rulings, tax forms and instructions, routine notices that remind taxpayers of normal filing obligations and other routine DOR communications that</p>	<p>Hearing: Senate Finance (Wednesday 03/03/21 at 9:00 AM, Senate Rm. 109)</p>		<p>2/18 referred to Senate fin.</p>

	do not substantively apply to and interpret tax laws and regulations. The court is required to decide all questions of law without deference to any determination that is made by DOR. AS PASSED HOUSE.			
H2331 (Chapter 28): PROPERTY TAX; MOBILE HOMES; DELINQUENCY	For a mobile home for which an affidavit of affixture has not been recorded, that is not placed on the real property roll and that is used as the owner's primary residence, delinquent taxes may be collected only after the tax is delinquent for one year and the person liable for paying the tax has not redeemed the property within six months after the end of the one-year period. AS SIGNED BY GOVERNOR			2/18 signed by governor. Chap. 28, Laws 2021. <a href="#">message</a>
H2337: WAGE DISCLOSURE; EMPLOYEE RIGHTS	Employers are prohibited from taking adverse employment action against an employee because the employee discloses his/her wage information, and from requiring an employee to sign a waiver or other document that prohibits such disclosure. Establishes penalties for violations.			1/26 referred to House com.
H2356: ASRS; NONPARTICIPATORY EMPLOYER LIABILITY	The list of Arizona State Retirement System (ASRS) nonparticipating employers is modified to remove an employer that is no longer contributing to ASRS on behalf of current employees due to a reduction in the number of actively contributing employees by 30 percent or more over a 3-year period or a reduction in the number of actively contributing employees by 50 percent or more over any period of time, based on the number of contributing employees as of August 3, 2018. [Capitol Reports Note: This type of nonparticipating employer was added by Laws 2018, Chapter 210.]			2/8 from House rules okay.
H2381: PSPRS; CORP; LOCAL BOARDS; CONSOLIDATION	Various changes to statutes governing the Public Safety Personnel Retirement System (PSPRS) and Corrections Officer Retirement Plan (CORP). The powers and duties of PSPRS local boards and CORP local boards are expanded to include deciding all questions of eligibility for membership and disability and in the line of duty death benefits, and a uniform process for reviewing applications for these benefits is established. Each PSPRS local board and CORP local board is required to hire an independent legal counsel, and requirements and prohibitions for the legal counsel are specified. PSPRS and CORP local board members are required to complete local board training within 180 days after appointment or election. PSPRS and CORP employers and local boards are required to submit any materials requested by the PSPRS Board of Trustees for any reason. If the PSPRS Board of Trustees finds through an audit or investigation that a local board is not in compliance with statute or rule, the local board has 60 days to take corrective action, and failure to take adequate correction action authorizes the Board of Trustees to act on behalf of that local board until the matter is resolved. PSPRS and CORP local boards are authorized to enter into an intergovernmental agreement with other local boards to consolidate the boards. Effective January 1, 2022. AS SIGNED BY GOVERNOR			2/24 signed by governor. Chap. no. awaited. <a href="#">message</a>
H2386: TOWN COUNCILS; FINANCIAL STATEMENTS; WEBSITES	The financial statement that municipal councils are required to publish before a biennial election must also be posted on the town's website, if any, at least 10 days before the biennial election.			2/18 referred to Senate gov.
H2391: COUNTY PROPERTY TAX INFORMATION; WORKSHEET	Within seven days after adopting the property tax rates and levies, the county board of supervisors is required to compile and make available to the public the adopted property tax rates, levies and valuations for all taxing jurisdictions in the county on a worksheet prescribed by the Department of Revenue. County boards of supervisors are required to post a complete copy of the worksheet in a prominent location on the county's official website. AS PASSED HOUSE	Hearing: Senate Finance (Wednesday 03/03/21 at 9:00 AM, Senate Rm. 109)		2/18 referred to Senate fin.
H2400: MUNICIPAL ORDINANCES; POSTING	Municipal ordinances imposing a penalty, fine, forfeiture or other punishment are required to be posted at city or town hall or in one public place within the municipality, and on the municipality's website, instead of being required to be posted in three or more public places within the municipality. AS PASSED HOUSE	Hearing: Senate Government (Monday 03/01/21 at 2:00 PM, Senate Rm. 1)	General Comments (all lists): Support. League resolution.	2/18 referred to Senate gov.
H2420: LAW ENFORCEMENT BUDGET; REDUCTION; CERTIFICATION	By October 15 of each year, counties and municipalities are required to certify in writing to each state agency through which the county or municipality receives any state monies that there has been no disproportionate funding reductions to the		General Comments (all lists): Oppose. Would preempt city elected officials from setting the city budget. Also problematic for years in which a city expends one-time funding (e.g. significant	2/23 from House rules okay.

	<p>county's or municipality's law enforcement agency. The certification must include a statement that any reduction in funding or proposed funding to the law enforcement agency is a result of reduced revenue collection and the reduction in law enforcement agency funding is "proportionate" (defined) to the reduction in revenue. A county or municipality that has disproportionately reduced its law enforcement agency funding is not eligible to receive state shared monies. The State Treasurer is required to continue to withhold state shared monies until certification from the county or municipality that the reduction in the law enforcement agency's budget has been restored to a proportionate amount.</p>		<p>building renovation, technology investment, vehicle replacements, etc) and would be penalized in future years.</p>	
<p>H2429: TAX CORRECTIONS ACT OF 2021</p>	<p>Corrections to the tax code as recommended by the Department of Revenue and Legislative Council. Changes are for clarification or to blend conflicting statutes and are not intended to be substantive. 48 pages. An annual exercise. AS PASSED HOUSE.</p>			<p>2/18 referred to Senate fin.</p>
<p>H2437: FUEL; ELECTRIC CARS; HYBRIDS; TAXES</p>	<p>Imposes a tax on a vehicle that accesses a street or highway and that is propelled by electricity of \$111 per year for FY2021-22, \$139 per year for FY2022-23, and \$166 per year for FY2023-24. Imposes a tax on a vehicle that accesses a street or highway and that is propelled by a combination of electricity and other fuels of \$45 per year for FY2021-22, \$56 per year for FY2022-23, and \$67 per year for FY2023-24. For FY2023-24 and each year after, each of these rates must be adjusted annually to reflect the change in the gross domestic product implicit price deflator reported by the U.S. Department of Commerce from January 1, 2020 to December 31 of the prior year. Due to a potential increase in state revenue, this legislation requires the affirmative vote of at least 2/3 of the members of each house of the Legislature for passage, and becomes effective on signature of the Governor.</p>		<p>General Comments (all lists): League support</p>	<p>2/10 House trans held.</p>
<p>H2462: CIVILIAN REVIEW BOARD MEMBERS; TRAINING</p>	<p>Before a person becomes a member of a "civilian review board" (defined) that reviews the actions of peace officers in Arizona, the person is required to satisfactorily complete a community college police academy and at least 20 hours of virtual law enforcement training.</p>			<p>2/24 passed House <u>31-29</u>; ready for Senate.</p>
<p>H2481: SHORT-TERM RENTALS; ENFORCEMENT; PENALTIES</p>	<p>Modifies the list of regulations that counties and municipalities are authorized to impose on vacation rentals or short-term rentals to include requiring the owner of a vacation rental or short-term rental to license or register with the county or municipality, and restricting the occupancy of a vacation rental or short-term rental to the lesser of the occupancy limit of the county or municipality or 2 adults per bedroom plus 2 additional adults. Vacation rentals and short-term rentals cannot advertise to exceed the occupancy limit of the dwelling or for any nonresidential use. Counties and municipalities are authorized to impose a civil penalty for each day a property is in violation of this advertisement prohibition. An online lodging operator that falsifies information to an online lodging marketplace is guilty of a petty offense. A county or municipality cannot prohibit the operation of a vacation rental or short-term rental based solely on its status as a vacation rental or short-term rental if the owner of the vacation rental or short-term rental, as of May 1, 2021, has a valid transaction privilege tax license, and as of June 2, 2021, has provided the owner's or the owner's designee's contact information to the county or municipality in which the vacation rental or short-term rental is located, if required by ordinance.</p>		<p>General Comments (all lists): Update: Additional amendment language is being contemplated. Position will be updated to reflect potential changes to language. Earlier: Support. City-approved amendment was added in committee.</p>	<p>2/11 from House gov-elect with amend <u>#4195</u>.</p>
<p>H2482: REGULATION; SHORT-TERM RENTALS</p>	<p>Modifies the list of regulations that counties and municipalities are authorized to impose on vacation rentals or short-term rentals to include: requiring contact information for the owner of the rental to be posted on the front door or in another location on the property that is visible and accessible to the public; restricting the maximum number of adult occupants allowed on the property at one time to the lesser of the occupancy limit established by the county or municipality or no more than 2 adults per bedroom, up to 4 bedrooms, plus 2 additional adults per 1,000 square feet of livable space in excess of 3,000 square feet of livable space; requiring the installation of safety and monitoring equipment that monitors and detects noise and notifies the owner if noise is unreasonable or in violation of a noise</p>			<p>1/27 referred to House gov-elect.</p>

	ordinance; prohibiting smoking outside within 100 feet of a residential structure; restricting occupants from checking in without the presence of the owner or the owner's designee; and prohibiting occupants from parking on public or private streets if on-property parking is available. Vacation rentals and short-term rentals cannot advertise to exceed the occupancy limit of the dwelling or for any nonresidential use, and are required to display the transaction privilege tax license in any online advertisement for rental of the unit. Establishes penalties for violations.			
H2486: TPT EXEMPTION; MOTOR VEHICLE DEALERS	The list of exemptions from the tax base for the retail classification of transaction privilege taxes (TPT) and use taxes, including municipal TPT, is modified to include all sales of motor vehicles to nonresidents of Arizona for use outside of Arizona, instead of only those that the dealer ships or delivers to a destination outside of Arizona.			2/2 referred to House ways-means.
H2508: MONEY TRANSMITTERS; EXEMPTIONS; AUTHORIZED DELEGATES	A person that provides money transmitter services for a bank, credit union or savings and loan association under a written agreement where the entity remains responsible for providing the money transmitter services to its customers is exempt from statutes regulating money transmitters, but is subject to statute requiring reporting of suspecting money laundering to the Attorney General.	Calendar: 3/1 House COW		2/22 from House rules okay.
H2524: COUNTIES; CITIES; TOWNS; COVID EXPENDITURES	By September 1, 2021, each county and municipality is required to submit a report to the Governor and the Legislature of all expenditures made in FY2019-20 and FY2020-21 from each "COVID-related federal or state fund source" (defined). Specific information that must be included in the report is listed.		General Comments (all lists): Information is already available. Bill appears to be dead.	2/3 House gov-elect held.
H2570: LICENSES; PANDEMICS; REVOCATION PROHIBITION	State agencies, counties, and municipalities are prohibited from revoking any license that is required to operate a business for not complying with an order issued by the Governor due to a state of emergency proclaimed by the Governor for an epidemic or pandemic disease, unless the agency, county or municipality can demonstrate by clear and convincing evidence that the business was the actual cause of transmission of the disease that is the subject of the order.		General Comments (all lists): Not aware of any instance of this relating to municipalities. League opposes	2/23 from House rules okay.
H2604: RETIREMENT SYSTEMS; BOARDS; PAID LEAVE	Public Safety Personnel Retirement System (PSPRS) employers are required to provide an employee-member of the PSPRS Board of Trustees or a PSPRS local board paid leave of absence for the time the employee attends board meetings. Corrections Officer Retirement Plan employers are required to provide an employee-member of the a local board paid leave of absence for the time the employee attends board meetings.			2/1 referred to House gov-elect.
H2649: COMPUTER DATA CENTERS; TAX INCENTIVES	The deadline for the Arizona Commerce Authority to certify new computer data centers for tax relief for computer data centers is extended ten years, to December 31, 2033. At any time within a qualification period, an owner or operator of a computer data center is authorized to add additional contiguous land to a certified computer data center or remove any portion of undeveloped land from a certified computer data center without penalty, and requirements to do so are specified. Also, the minimum investment of \$100 million in new renewable energy facilities in Arizona that a taxpayer must make in order to qualify for the tax credit for renewable energy investment may include investments made by a third-party entity on behalf of or for the direct benefit of the taxpayer. The exemption from the retail classification of transaction privilege taxes (TPT) for computer data equipment sold to the owner, operator or qualified colocation tenant of a computer data center for use in the qualified computer data center is deleted and replaced with a deduction from the tax base of the retail classification of TPT for such computer data equipment. Session law requires any claim for refund of TPT based on the retroactive application of this change to be submitted to the Department of Revenue by December 31, 2021. The aggregate refund amount is capped at \$10,000. Interest is not allowed and may not be compounded on any refundable amount of these claims if paid before July 1, 2022. Contains a legislative intent section. Retroactive to tax period beginning September 13, 2013. Nonseverability clause.			2/24 passed House 41-17; ready for Senate.
H2670:	The excise tax on the operation of			2/23

UNDERGROUND STORAGE TANKS; TAX EXTENSION	underground storage tanks measured by the quantity of regulated substances placed in the tank at a rate of one cent per gallon is extended seven years, through December 31, 2030.			passed House <a href="#">53-6</a> ; ready for Senate.
H2696: GOVERNMENT ASSISTANCE; POINT OF CONTACT	In any written communication between a state agency or a municipality and a person that demands payment of a tax, fee, penalty, fine or assessment or that denies an application for a permit or license, the state agency or municipality is required to provide the name, telephone number and email address of the employee who is authorized and able to provide information about the communication. An employee who is authorized and able to provide information about any such communication is required to reply within five business days after the state agency or municipality receives that communication.			2/22 passed House <a href="#">59-1</a> ; ready for Senate. 2/23 referred to Senate gov.
H2773: SPIRITUOUS LIQUOR; DELIVERY; OFF-SALE PERMITS	Bar liquor licensees are authorized to take orders for beer, wine or mixed cocktails by telephone, mail, catalog, or internet for delivery off the licensed premises. Restaurant liquor licensees that hold specified permits are authorized to take orders for beer or mixed cocktails by telephone, mail, catalog, or internet for delivery off the licensed premises. The liquor licensee is allowed to maintain a delivery service and to contract with one or more third-party licensed facilitators for delivery of spirituous liquor if the spirituous liquor is loaded for delivery at the premises of the restaurant or bar licensee in Arizona and delivered in Arizona. All containers of spirituous liquor that are delivered must be conspicuously labeled with the words "Contains alcohol, signature of person who is twenty-one years of age or older is required for delivery." Delivery must be made by an employee of the licensee or an employee of an authorized third-party facilitator who is at least 21 years of age and delivery must be made to a customer who is at least 21 years of age and who displays identification at the time of delivery. Establishes licensing requirements for third-party facilitators.			2/16 from House rules okay.
H2787: OCCUPATIONAL REGULATION; GOOD CHARACTER; DEFINITION	If a person applying for occupational licensure has a disqualifying criminal record, the agency is required to consider a list of specified factors in determining whether the person's criminal record disqualifies the person based on a clear and convincing showing, including the nature and seriousness of the crime for which the person was convicted, and evidence of rehabilitation or treatment undertaken by the person that might mitigate against a direct relation to the ability and fitness required to perform the duties and responsibilities of the occupation. Also establishes a list of factors that the agency is prohibited from considering.			2/22 from House rules okay.
H2795: INSURANCE; IMPLEMENTATION CREDITS; EXCEPTIONS	Disability insurers and service corporations are authorized to pay implementation credits to offset expenses that a group policyholder or employer incurs in specified circumstances in the same manner as life insurers.			2/24 passed House <a href="#">59-0</a> ; ready for Senate.
H2821: BONDS; CHANGE OF PURPOSE; ELECTION	The governing body or board of a political subdivision is authorized to call an election to change the purposes for which the monies derived from the sale of bonds authorized at a prior bond election may be spent. An election called to change the purposes for which bond monies may be spent may be held only on the first Tuesday following the first Monday in November. This authorization self-repeals January 1, 2025.			2/24 passed House <a href="#">57-2</a> ; ready for Senate.
H2861: BUILDING PERMITS; FEES	Municipalities are authorized to charge fees that are reasonably proportionate to the direct costs associated with reviewing and issuing a building permit. Any fees charged for issuing a building permit may be used only to fund the department responsible for issuing the building permit and cannot be used as revenue for the general expenses of the municipality. Municipalities are required to post on their websites the revenues collected from all building permits and the itemized costs attributable to issuing a building permit.	General Comments (all lists):  Oppose. Does not appear to be options for amendments.		2/22 from House rules okay.
S1004: STATE FINANCE REVIEW; TASK FORCE	Establishes a 22-member Citizens Finance Review Task Force to analyze the source of general fund and nongeneral fund revenues and expenditures as compared to other states, and make recommendations regarding the responsible retirement of existing state debt. The Task Force is required to submit a report to the Governor and the Legislature by September 30, 2022,			2/23 referred to House ways-means, appro.

	and to present the report to a joint meeting of the legislative appropriations committees by January 31, 2023. Self-repeals October 1, 2023. AS PASSED SENATE			
S1040: TAX CREDIT; EARNED INCOME	Establishes an income tax credit for an individual who qualifies for an earned income tax credit under the federal Internal Revenue Code, in the amount of five percent of the federal credit allowed to the taxpayer for the tax year. Only one claimant per household per tax year is entitled to the credit. If the amount of the credit exceeds taxes due, the excess is paid in the same manner as a refund. The Department of Revenue is required to make suitable claim forms available with the individual income tax returns. Retroactive to tax years beginning with 2021.		General Comments (all lists): Held, likely dead	2/23 referred to House ways-means.
S1042: WORKERS' COMPENSATION; SETTINGS; DEFINITION	For the purpose of statute allowing the Industrial Commission to include separate reimbursement guidelines for medications dispensed in settings that are not accessible to the general public, "settings that are not accessible to the general public does not include mail order pharmacies delivering pharmaceutical services to workers' compensation claimants, if specified conditions are met. Emergency clause. AS PASSED SENATE.			2/24 referred to House com.
S1044: CREDIT FOR REINSURANCE	Statutes governing credit for reinsurance are repealed and replaced. Establishes requirements for domestic ceding insurers to be allowed a credit for reinsurance. If the assuming insurer does not meet the requirements prescribed in this legislation, the credit for reinsurance cannot be allowed unless the assuming insurer agrees in the trust agreements to a list of specified conditions. Much more. The Director of the Department of Insurance and Financial Institutions is authorized to adopt rules to carry out this legislation. Applies to all cessions after the effective date of this legislation under reinsurance agreements that have an inception, anniversary or renewal date at least six months after the effective date. Contains a legislative intent section. AS PASSED SENATE.	Hearing: House Commerce (Tuesday 03/02/21 at 2:00 PM, House Rm. 3)		2/24 referred to House com.
S1045: DEFINED CONTRIBUTION; HEALTH SUBSIDY; DISABILITY	Retired members of the Public Safety Personnel Defined Contribution Retirement System are no longer required to pay the premium for coverage in the group health and accident coverage and are no longer excluded from eligibility for benefits under the health insurance premium assistance program for members with disabilities. The accidental disability pension for a member of the Public Safety Personnel Retirement System must be at least 50 percent of the member's average monthly benefit compensation.			2/24 Senate COW approved with fir amend #4531.
S1046: MEMBER DISTRIBUTIONS; DEFERRED RETIREMENT; TRANSFERS	For the purpose of Public Safety Personnel Retirement System (PSPRS) rollover distributions, the definition of "eligible retirement plan" is expanded to include a Roth individual retirement account that satisfies the requirements of section 408A of the federal Internal Revenue Code. A PSPRS member or the member's surviving spouse who is entitled to receive an eligible rollover distribution is authorized to elect to directly roll over all or part of that distribution to an eligible retirement plan, and a member's beneficiary other than the spouse is authorized, on the death of the member, to elect to directly roll over all or part of an eligible rollover distribution from the system. Requirements for eligible rollover distributions are specified. Retroactive to January 1, 2020.	Hearing: House Government & Elections (Wednesday 03/03/21 at 9:00 AM, House Rm. 1)		2/23 referred to House governect.
S1049 (Chapter 5): INSURANCE; OMNIBUS	Makes various changes to statutes relating to insurance. Expands applicability of statute regulating electronic communications and records of insurance to include disability, marine and transportation, surety, prepaid legal, prepaid dental, title, identity theft, disability, workers' compensation, and annuities that are subject to Title 20 (Insurance). The list of persons exempt from the requirement to obtain a license as an insurance producer is expanded to include a person whose activities in Arizona are limited to providing a website or other electronic platform for insurers and a person that processes payments or charges for insurance premiums if that person does not sell, solicit or negotiate insurance. A "federal home loan bank" (defined) cannot be stayed, enjoined or prohibited from exercising or enforcing any right or cause of action against collateral pledged by an insurer member under any federal home loan bank security agreement or other			2/9 signed by governor. Chap. 5, Laws 2021. <a href="#">message</a>

	similar arrangement relating to a security agreement to which that federal home loan bank is a party. Service contracts are required to disclose whether the contracts cover or exclude preexisting conditions. Service contracts can exclude preexisting conditions only if the conditions were either known or would have been known by visually inspecting, operating, or testing the covered property. AS SIGNED BY GOVERNOR			
S1051: ASRS; EMPLOYER PAYMENTS; INELIGIBLE CONTRIBUTIONS	In statutes governing employer payments for ineligible contributions to the Arizona State Retirement System, the term "shall" provide a benefit or credit replaces the term "is legally obligated to" provide a benefit or credit.	Hearing: House Government & Elections (Wednesday 03/03/21 at 9:00 AM, House Rm. 1)		2/23 referred to House govern. elect.
S1052: ASRS; REQUIRED BEGINNING DATE; DISTRIBUTIONS	For the purpose of the requirement that payment of an Arizona State Retirement System member's deferred benefits begin by the member's "required beginning date," the definition of "required beginning date" is modified to refer to the federal Internal Revenue Code, instead of April 1 following the calendar year in which the member attains 70.5 years of age. If a member dies after the member's required beginning date and the member had not commenced distribution of retirement benefits, ASRS is required to treat the member as having commenced distribution of retirement benefits on the required beginning date.			1/28 passed Senate <u>29-0</u> ; ready for House.
S1053 (Chapter 29): ASRS; NONPARTICIPATORY EMPLOYER LIABILITY	The list of Arizona State Retirement System (ASRS) nonparticipating employers is modified to remove an employer that is no longer contributing to ASRS on behalf of current employees due to a reduction in the number of actively contributing employees by 30 percent or more over a 3-year period or a reduction in the number of actively contributing employees by 50 percent or more over any period of time, based on the number of contributing employees as of August 3, 2018. [Capitol Reports Note: This type of nonparticipating employer was added by Laws 2018, Chapter 210.] AS SIGNED BY GOVERNOR			2/18 signed by governor. Chap. 29, Laws 2021. <a href="#">message</a>
S1054 (Chapter 14): ASRS; SELF-INSURANCE PROGRAM	If the Arizona State Retirement System Board determines that a self-insurance program should no longer be offered, the monies in the self-insurance program account must be used to provide any remaining benefits and to pay administration costs for the program or health insurance premium payments. If those liabilities are satisfied, the Board is required to return any remaining monies to the employer. Previously, the monies were required to be transferred to another account of ASRS as determined by the Board. AS SIGNED BY GOVERNOR			2/12 signed by governor. Chap. 14, Laws 2021. <a href="#">message</a>
S1074: LOCAL GOVERNMENTS; AUDITS; PUBLIC MEETING	Within 90 days after completing a financial audit, county board of supervisors, municipal governing bodies, and community college districts boards must require the certified public accountant or auditor who performed the audit to present the audit results and any findings to the board or governing body in a regular meeting without the use of a consent agenda. The board or governing body is required to accept the audit results and any findings by a roll call vote.			2/24 passed Senate <u>18-12</u> ; ready for House.
S1077: FOSTER YOUTH EMPLOYMENT; TAX CREDIT	Establishes an individual and corporate income tax credit for taxpayers that employ at least one individual who is a "qualified foster youth" (defined as an individual who is currently in foster care or who within the prior seven years was at least 14 years of age and was in foster care, who was not previously employed by the taxpayer and who works at least 20 hours per week for the taxpayer). The amount of the credit is up to \$1,000 of the gross wages paid to each qualified foster youth by the taxpayer during the taxable year, not to exceed \$5,000 per taxpayer. The aggregate amount of tax credits in a calendar year is capped at \$1 million. If the allowable credit exceeds taxes due, the unclaimed amount of the credit may be carried forward for up to five consecutive tax years. Other requirements to qualify for the tax credit are established. Applies to tax years beginning with 2022.			2/24 retained on Senate COW calendar.
S1096: COMMERCIAL DRIVER LICENSES; THIRD PARTIES	A third party driver license provider is authorized to perform administrative and testing functions for the issuance and renewal of commercial driver licenses as authorized by the Department of Transportation and pursuant to federal law, instead of being prohibited from processing commercial driver licenses. Emergency clause. AS PASSED SENATE.	Hearing: House Health & Human Services (Monday 03/01/21 at 2:00 PM, House Rm. 4)		2/23 referred to House helu ser.

S1103: LIEUTENANT GOVERNOR; DUTIES; BALLOT	No later than 60 days before the date of the general election, a candidate for Governor is required to submit to the Secretary of State the name of a person who will be the joint candidate for Lieutenant Governor with that gubernatorial candidate and whose name will appear on the general election ballot jointly with that candidate. The direction, operation and control of the Department of Administration is the responsibility of the Lieutenant Governor. Conditionally enacted on the state Constitution being amended by the voters at the 2020 general election by passage of an unspecified SCR (blank in original) relating to the establishment of the office of Lieutenant Governor. Applies beginning with elections for the term of office that starts in 2027.		General Comments (all lists):  Expecting a striker with tobacco preemptions on this bill	2/24 from Senate appro with amend <a href="#">#4460</a> . From Senate rules with the tech amend.
S1108: TAX OMNIBUS	Various changes to statutes relating to taxes. The list of additions to Arizona gross income for the purpose of computing Arizona adjusted gross income for individual and corporate income tax purposes is modified to remove the amount of any depreciation allowed by specified federal code. The list of subtractions from Arizona gross income for the purpose of computing Arizona adjusted gross income for income tax purposes is modified to include 50 percent of the net long-term capital gain included in federal adjusted gross income for the tax year that is derived from an investment in an asset acquired after December 31, 2020. Increases the dependent tax credit to \$120 for each dependent who is under 17 years of age, from \$100, and to \$30 for each dependent who is at least 17 years of age, from \$25. Lowers the state equalization assistance property tax rate to \$0.3520 in tax year 2021, \$0.2776 in tax year 2022, and an unspecified amount (blank in original) in tax year 2023, from \$0.4426 in tax year 2020. Lowers the tax rate for class one property taxes to 17.5 percent for tax year 2022 and 17 percent for tax years beginning with 2023, from 18 percent in 2021. The maximum additional tax rate that a county fire district board may levy is increased to \$3.375 per \$100 of assessed valuation for tax year 2022 and \$3.50 per \$100 of assessed valuation for tax year 2023 and each tax year after, from \$3.25 per \$100 of assessed valuation. Retroactive to July 1, 2021, establishes a tax on vehicles propelled only by electricity, natural gas or propane of \$110 per year, and a tax on hybrid vehicles of \$44 per year. Income tax revisions are retroactive to tax years beginning January 1, 2021.			2/24 Senate COW approved with flr amend <a href="#">#4523</a> .
S1109: INDIVIDUAL INCOME TAX; RATE ADJUSTMENT	For each fiscal year beginning with FY2021-22, the Joint Legislative Budget Committee (JLBC) is required to follow a specified formula to compute an individual income tax rate reduction. For each tax year beginning January 1, 2022 and after, the Department of Revenue is required to reduce for the current taxable year each individual income tax rate by an equal percentage such that the total amount of the rate reduction is equal to the amount calculated by the JLBC. If the amount calculated by the JLBC is equal to or less than zero, the individual income tax rates shall be the same as the rates for the immediately preceding taxable year. Applies to taxable years beginning with 2022.			2/24 Senate COW approved with flr amend <a href="#">#4524</a> .
S1110: TPT; EXEMPTIONS; INDIAN TRIBES	Transaction privilege and affiliated excise taxes do not apply to the gross proceeds of sales or gross income derived from any business activities performed by an "Indian tribe" (defined), a tribally owned business, a tribal entity or an "affiliated Indian" (defined) if the business activity takes place on an "Indian reservation" (defined); from business activities performed by nonaffiliated Indians or non-Indian vendors or from contracting activities on an Indian reservation for an Indian tribe, a tribal entity or an affiliated Indian; and from retail sales of tangible personal property to an Indian tribe, a tribally owned business, a tribal entity or an affiliated Indian if the sale takes place on an Indian reservation.			2/25 passed Senate <a href="#">27-0</a> ; ready for House.
S1112: NONCUSTODIAL FEDERAL MONIES; APPROPRIATION	The Legislature retains the authority to appropriate all "noncustodial federal monies" (defined). If the Legislature does not make an appropriation for a particular fund, specific grant program or block of noncustodial federal monies, the budget unit that has lawful authority is required to administer and spend these monies pursuant to federal and state law. If the amount of the noncustodial federal monies			2/24 referred to House appro.



	received is less than the amount appropriated, the appropriation must be reduced to the amount received. If the amount of the noncustodial federal monies received is more than the amount appropriated, the total appropriation of federal and state monies allocated for a program must remain at the amount designated by the Legislature, and the State Treasurer is required to credit the excess noncustodial federal monies to the appropriate budget unit account. A budget unit that receives noncustodial federal monies is required to account for the noncustodial federal monies in separate accounts or funds as necessary to meet accounting, budgetary and auditing requirements. Effective January 1, 2023.			
S1113: UNUSED TAX CREDIT; TERMINATION; TIME	The Department of Revenue is required to terminate the recognition and servicing of an individual or corporate income tax credit that was not claimed by or allowed to any individual or corporate taxpayer after three consecutive years of no use, decreased from four consecutive years. For this purpose, unused credits carried forward from prior years are not considered claimed or allowed in the year the credit carried forward is used. If the credit included for repeal in the tax corrections legislation has unused credits carried forward from prior years, the tax corrections legislation must include a savings clause to allow for the continued use of the carried forward amounts for the remainder of the carry forward period.			2/24 referred to House ways-means.
S1135: INCOME TAX SUBTRACTION; 529 CONTRIBUTIONS	The subtraction from Arizona gross income for the purposes of individual income taxes for contributions to college savings plans established under section 529 of the federal Internal Revenue Code is modified to allow taxpayers to subtract up to \$2,000 per beneficiary, instead of \$2,000 total, for a single individual or head of household, and to subtract up to \$4,000 per beneficiary, instead of \$4,000 total, for a married couple filing jointly. For tax years beginning with 2021, the list of subtractions from Arizona gross income for the purposes of individual income taxes is expanded to include the amount contributed during the tax year to an Achieving a Better Life Experience (ABLE) Account on behalf of the designated beneficiary to the extent that the contributions were not deducted in computing federal adjusted gross income. The maximum amount of the subtraction is \$2,000 per beneficiary for a single individual or head of household, and \$4,000 per beneficiary for a married couple filing jointly. Retroactive to tax years beginning with 2021. AS PASSED SENATE	Hearing: House Ways & Means (Wednesday 03/03/21 at 9:00 AM, House Rm. 3)		2/24 referred to House ways-means.
S1136: RETIREMENT SYSTEMS; BENEFIT COMPUTATION; RETURN-TO-WORK	In the computation of average monthly benefit compensation for the Public Safety Personnel Retirement System, a period of nonpaid or partially paid industrial leave must be considered based on the compensation the employee would have received in the employee's job classification if the employee was not on industrial leave. Payment of benefits to a Public Safety Personnel Retirement System, Corrections Officer Retirement Plan or Elected Officials' Retirement Plan member are required to commence no later than April 1 of the calendar year following the later of the date the member terminates employment or the calendar year in which the member attains 72 years of age, increased from 70.5 years of age.			2/9 from Senate rules okay.
S1142: SMI; EMPLOYMENT; INCOME TAX CREDITS	For tax years beginning with 2022, establishes an individual and corporate income tax credit for a taxpayer who employs 100 employees or fewer and who employs at least one Arizona resident who is "seriously mentally ill" (defined elsewhere in statute). Other requirements to qualify for the credit are specified. The amount of the credit is \$2 for each hour worked by an eligible employee during the calendar year, capped at \$20,000 per taxpayer. If the allowable amount of the credit exceeds taxes due, the unused amount may be carried forward for up to five consecutive taxable years. The credit is subject to an aggregate cap of \$5 million for any calendar year. AS PASSED SENATE			2/23 passed Senate <a href="#">25-5</a> ; ready for House.
S1149 (Chapter 16): OCCUPATIONAL AND PROFESSIONAL LICENSURE; NOTICE	A regulating entity under Title 32 (Professions and Occupations) is required to prominently print a specified notice regarding reciprocity on all license and certificate applications and regulating entity websites. AS SIGNED BY GOVERNOR			2/12 signed by governor. Chap. 16, Laws 2021. <a href="#">message</a>
S1173:	An employee is entitled to a total of 12			1/19

<p>FAMILY LEAVE</p>	<p>workweeks of leave during any 12 month period for the birth of a child of the employee, the placement of a child with the employee for adoption or foster care, to care for a family member with a serious health condition, or because of a serious health condition that makes the employee unable to perform the functions of the employee's position. Employees are authorized to take intermittent leave or leave on a reduced leave schedule under specified conditions. If an employer provides paid leave for fewer than 12 weeks, the additional weeks of leave may be provided without compensation. Establishes requirements for notice for foreseeable leave, spouses employed by the same employer, certification of serious health conditions, restoration of employment after leave, and employment benefits during leave. Specifies a list of prohibited acts and provides penalties for violations.</p>			<p>referred to Senate com.</p>
<p>S1180: CIVIL RIGHTS; AMENDMENTS</p>	<p>For the purpose of employment discrimination statutes, the terms "because of sex" and "on the basis of sex" includes because of or on the basis of pregnancy or childbirth or related medical conditions. Women who are affected by pregnancy or childbirth or related medical conditions must be treated the same for all employment-related purposes, including receipt of benefits under fringe benefit programs, as other persons not so affected but similar in their ability or inability to work.</p>			<p>1/26 from Senate rules okay.</p>
<p>S1214: PSPRS; CORP; LOCAL BOARDS; CONSOLIDATION</p>	<p>Various changes to statutes governing the Public Safety Personnel Retirement System (PSPRS) and Corrections Officer Retirement Plan (CORP). The powers and duties of PSPRS local boards and CORP local boards are expanded to include deciding all questions of eligibility for membership and disability and in the line of duty death benefits, and a uniform process for reviewing applications for these benefits is established. Each PSPRS local board and CORP local board is required to hire an independent legal counsel. PSPRS and CORP local board members are required to complete local board training within 180 days after appointment or election. PSPRS and CORP employers and local boards are required to submit any materials requested by the PSPRS Board of Trustees for any reason. If the PSPRS Board of Trustees finds through an audit or investigation that a local board is not in compliance with statute or rule, the local board has 60 days to take corrective action, and failure to take adequate correction action authorizes the Board of Trustees to act on behalf of that local board until the matter is resolved. PSPRS and CORP local boards are authorized to enter into an intergovernmental agreement with other local boards to consolidate the boards. Effective January 1, 2022.</p>			<p>2/3 Senate COW approved with amend #4019 and fir amend #4082.</p>
<p>S1216: TREASURER; INVESTMENT OF TRUST FUNDS</p>	<p>Deletes authorization for securities owned by the permanent endowment funds to be loaned to the financial or dealer community under certain circumstances. Deletes authorization for permanent endowment securities to be sold at a price below par or cost if the proceeds of the sale are reinvested in securities whose incremental yield will recover the dollar loss.</p>			<p>2/2 from Senate rules okay.</p>
<p>S1217: SECURITIES; EXEMPT TRANSACTIONS</p>	<p>The list of classes of transactions that are exempt from specified securities regulations is expanded to include transactions by an issuer, its parent or subsidiary companies, and their respective directors, managers, general partners, officers and employees acting as such to offer or sell securities of the issuer pursuant to specified federal code, in which the sum of the aggregate offering price and aggregate sales does not exceed \$75 million, including up to \$22.5 million offered by all selling securityholders that are affiliates of the issuer. AS PASSED SENATE.</p>			<p>2/25 referred to House com.</p>
<p>S1220: MENTAL HEALTH PROFESSIONALS; TRAUMA COUNSELING</p>	<p>For the purpose of programs to provide peace officers and firefighters with traumatic event counseling, the definition of "licensed mental health professional" is expanded to include mental health professionals who are licensed by the Board of Behavioral Health Examiners and who hold either a master's or doctoral degree related to the mental health profession, and licensed mental health nurse practitioners or psychiatric clinical nurse specialists. AS PASSED SENATE.</p>			<p>2/25 referred to House hel- hu ser.</p>
<p>S1252: CORPORATE INCOME TAX; SUBTRACTION</p>	<p>The corporate income tax rate is phased out over tax years 2022 to 2031 by reducing the rate 0.49 percent per year. For tax years</p>		<p>General Comments (all lists): Amended, new fiscal note is anticipated. Original bill: Oppose. Conservative</p>	<p>2/24 Senate COW approved with amend #4175.</p>

	beginning January 1, 2031, the rate is set to zero. Previously, the corporate income tax rate was 4.9 percent of net income for tax years beginning with 2017.		estimate of Tempe's loss is \$1M in FY22, \$2M in FY23, and \$3M in FY24 and each year ongoing.	NOTE SHORT TITLE CHANGE.
S1326: PROPERTY TAX; MOBILE HOMES; DELINQUENCY	For a mobile home for which an affidavit of affixture has not been recorded, that is not placed on the real property roll and that is used as the owner's primary residence, the delinquent taxes may be collected only after the tax is delinquent for one year and the person liable for paying the tax has not redeemed the property within six months after the end of the one-year period.			2/9 from Senate rules okay.
S1330: TPT EXEMPTION; LIVESTOCK WATERING EQUIPMENT	The list of exemptions from the tax base for the retail classification of transaction privilege taxes and use taxes is modified to include machinery and equipment sold to a person engaged in commercially producing livestock in Arizona, if the machinery and equipment are used directly and primarily for watering livestock.			2/23 FAILED Senate <u>14-16</u> .
S1333: LAW ENFORCEMENT; BUDGET REDUCTION; PROHIBITION	Municipalities are prohibited from reducing the annual operating budget for a law enforcement agency by any amount below the previous year's budget. If a municipality reduces the annual operating budget for a law enforcement agency, the municipality is required to notify the State Treasurer of the reduction, and the State Treasurer is required to withhold any state shared monies from the municipality in an amount equal to the amount of the reduction of the annual operating budget for the law enforcement agency. Some exceptions. The State Treasurer is required to deposit any amounts withheld in the newly established Law Enforcement Support Fund. If a municipality reduces the annual operating budget for a law enforcement agency by more than 25 percent, the State Treasurer is required to withhold state shared monies in an amount equal to the law enforcement agency's entire budget for the previous year. If a municipality reduces a law enforcement agency's budget by more than 25 percent, the municipality is required to notify the county sheriff, that sheriff is authorized to assume law enforcement functions for that municipality, and the State Treasurer is required to provide all state shared monies withheld from the municipality to the county sheriff's department. The State Treasurer is required to continue to withhold state shared monies until notification from the municipality that the reduction in the law enforcement agency's budget has been restored. More. Retroactive to January 1, 2021.		General Comments (all lists): Oppose. Would preempt city elected officials from setting the city budget.	2/16 from Senate rules okay.
S1348: ASRS; SUPPLEMENTAL EMPLOYEE DEFERRAL PLANS	The Arizona State Retirement System (ASRS) is authorized to establish one or more supplemental employee deferral plan to provide public employees an opportunity to save additional tax-deferred monies for retirement. On or after July 1, 2022, an employee of an ASRS employer is permitted to elect to participate in a supplemental employee deferral plan if the employee meets the eligibility requirements that are prescribed by ASRS. Repeals the article of statute governing ASRS deferred compensation plans.			2/22 passed Senate <u>30-0</u> ; ready for House.
S1349: PROCUREMENT; FINAL LIST; NUMBER	For the purpose of the procurement code, a request for qualifications is required to state that in a procurement of multiple contracts for professional services to be awarded to a single person or firm, that there will be a single final list of ten persons or firms, increased from at least three and not more than five persons or firms. The maximum number of persons or firms on the single final list for a procurement for multiple contracts that are awarded to separate persons or firms is increased to ten, from five. If the purchasing agency will hold interviews as part of the selection process, the minimum number of interviews held is increased to ten.	Hearing: Senate Rules (Monday 03/01/21 at 1:00 PM, Senate Rm. 109)	General Comments (all lists): Update--should be amended to "up to" 10, not a minimum threshold of 10. With that language, would be fine. Original bill: Minimum threshold could be problematic. Needing more fact finding to ascertain potential effects on municipalities.	2/23 withdrawn from Senate appro.
S1350: INCOME TAX; RETURNS; FILING EXTENSION	The due date for an income tax return for a taxpayer filing a corporate or exempt organization return that has been granted an extension or extensions is seven months after the initial due date provided for filing returns. Does not include small business corporation returns. Retroactive to tax years beginning with 2021.			2/22 passed Senate <u>30-0</u> ; ready for House.
S1352: ASRS; EMPLOYER; MEMBER; CONTRIBUTION	The Arizona State Retirement System (ASRS) is prohibited from paying an employer earnings attributable to excess contributions but is required to reduce the amount returned to an employer by the amount of losses attributable to the excess contributions. On receipt of an employer			2/16 from Senate rules okay.

	credit or return of contributions, the employer is required to return any member portion of the returned contributions to the member. If an employer pays less than the correct amount of employer or member contributions into ASRS, the correct amount of member contributions is prohibited from being paid to ASRS after the death of the member.			
S1379: VACATION RENTALS; SHORT-TERM RENTALS; ENFORCEMENT	Modifies the list of regulations that counties and municipalities are authorized to impose on vacation rentals or short-term rentals to include restricting the occupancy of a vacation rental or short-term rental to 2 adults per bedroom, up to 4 bedrooms, plus 2 additional adults per 1,000 square feet of livable space in excess of 3,000 square feet of livable space, and requiring the owner of a vacation rental or short-term rental to maintain liability insurance appropriate to cover the rental in the aggregate of at least \$500,000 or to advertise and offer each vacation rental or short-term rental through a hosting platform that provides equal or greater coverage. Counties and municipalities are authorized to impose civil penalties for each day a property is in violation of specified provisions. Modifies civil penalties for online lodging operators that fail to comply with applicable transaction privilege tax requirements.	Calendar: 3/1 Senate COW	General Comments (all lists):  Would want a proposal on this topic to go further. Would not expect this proposal to resolve issues altogether.	2/25 retained on Senate COW calendar.
S1392: NET OPERATING LOSS; CARRYBACK; CARRYOVER	For taxable years beginning with 2018, the list of additions to Arizona gross income for the purpose of individual income taxes is expanded to include the amount of net operating losses taken under a specified section of the federal Internal Revenue Code to the extent the amount is not included in computing federal adjusted gross income. For taxable years beginning with 2018, the list of subtractions from Arizona gross income for the purpose of individual income taxes is expanded to include the amount of the net operating loss deduction that would have been disallowed under a specified section of the federal Internal Revenue Code. To the extent not already excluded from Arizona gross income, for any taxable year the taxpayer has a net operating loss, the net operating loss is a net operating loss carryover for each of the 20 succeeding taxable years for net operating losses arising in taxable periods beginning with 2021, and is a net operating loss carryback for each of the 5 taxable years preceding the taxable year of the net operating loss for net operating losses arising in taxable periods beginning January 1, 2018 through December 31, 2020, and for each of the 2 taxable years preceding the taxable year of the net operating loss for net operating losses arising in taxable periods beginning with 2021. Establishes a formula for the net operating loss carryover and the net operating loss carryback. Retroactive to tax years beginning with 2018.			2/24 Senate COW approved with amend <a href="#">#4310</a> .
S1396: PSPRS; SURVIVOR BENEFITS	The amount of a surviving spouse's pension from the Public Safety Personnel Retirement System is 40 percent of the deceased member's average monthly salary or 4/5 of what the deceased member's pension would have been on the date of death had the member been retired, whichever is greater. Previously, the surviving spouse's pension was 40 percent of the deceased member's average monthly salary.			2/23 passed Senate <a href="#">30-0</a> ; ready for House.
S1397: INTERNAL REVENUE CODE; CONFORMITY	For the purpose of Title 42 (Taxation), the definition of "Internal Revenue Code" is updated to mean the U.S. Internal Revenue Code in effect as of January 1, 2021. For the purpose of Title 43 (Taxation of Income), the definition of "Internal Revenue Code" for tax year 2021 means the U.S. Internal Revenue Code in effect on January 1, 2021. For the purpose of Title 43 (Taxation of Income), the definition of "Internal Revenue Code" for tax years beginning January 1, 2020 means the U.S. Internal Revenue Code in effect on January 1, 2020, including those provisions of the Coronavirus Aid, Relief, and Economic Security Act, the Paycheck Protection Program Flexibility Act of 2020, and the Consolidated Appropriations Act of 2021 that are retroactively effective during tax year 2020.			2/23 passed Senate <a href="#">30-0</a> ; ready for House.
S1398: TPT DEDUCTIONS; COMPUTER DATA CENTERS	The exemption from the retail classification of transaction privilege taxes (TPT) for computer data equipment sold to the owner, operator or qualified colocation tenant of a computer data center for use in the qualified computer data center is deleted and replaced with a deduction from the tax base of the retail classification of TPT for such computer data equipment. Session law		General Comments (all lists):  League opposes	2/22 passed Senate <a href="#">25-5</a> ; ready for House.

	requires any claim for refund of TPT based on the retroactive application of this change to be submitted to the Department of Revenue by December 31, 2021. The aggregate refund amount is capped at \$10,000. Interest is not allowed and may not be compounded on any refundable amount of these claims if paid before July 1, 2022. Contains a legislative intent section. Retroactive to tax period beginning September 13, 2013. Nonseverability clause.			
S1434: CRIMINAL HISTORY; REQUIRED DISCLOSURE; LIMITATIONS	Employers with 15 or more employees and state agencies are prohibited from inquiring about, considering or requiring disclosure of the criminal conviction record of an applicant for employment during the hiring process, except during or after an "interview" (defined), or if there is no interview, after the applicant has received a conditional offer of employment. An inquiry about, consideration of or requirement of disclosure of an applicant's criminal conviction record is limited to the period of seven years from the date of conviction or seven years from release from incarceration, whichever is later. Does not apply to employment positions that require a valid fingerprint clearance card, positions requiring an applicant to submit fingerprints for a state and criminal records check, employment positions with law enforcement, probation, prosecutor agencies, emergency medical services transport or employment as a certified court security officer or firefighter.			2/22 from Senate com with amend <a href="#">#4370</a> .
S1450: WORKERS' COMPENSATION; SPECIAL FUND; FIREFIGHTERS	In claims involving a firefighter eligible for workers' compensation due to cancer that is deemed to arise out of employment, the claim is eligible for reimbursement if the firefighter filed a workers' compensation claim after January 1, 2017, and if the employer has adopted cancer mitigation best practices, including increased cancer screenings and equipment proven to minimize contaminant risk, including turnouts, hoods, gloves and washing machines or commercial laundry services. Retroactive to tax years beginning with 2017.		General Comments (all lists): Support. Bill is not expected to move forward	1/27 referred to Senate com.
S1451: WORKERS' COMPENSATION; RATES; FIREFIGHTERS; CANCER	Fire investigators are added to the presumption that specified types of cancer and related diseases that result in disability or death are an occupational disease and are deemed to arise out of employment if specified conditions are met. All insurance carriers, self-insuring employers and workers' compensation pools that secure workers' compensation for firefighters and fire investigators are required to compile and report to the Industrial Commission claim and claim reserve information for all cancer-related claims filed by or on behalf of firefighters and fire investigators. The Commission is required to compile and make available to insurance carriers, rating organizations, employers, public safety workers and workers' compensation pools the claim-related information collected to assist with the setting of workers' compensation insurance rates. In addition to the six uniform percentage deviations already authorized by statute, insurers covering firefighters and fire investigators are permitted to file one uniform percentage deviation that increases the statewide rates under the rating organization's rate filing for the class codes associated with firefighters and fire investigators to address the anticipated increase in losses and expenses for claims that are compensable due to the workers' compensation presumption. The deviation filing must be accompanied by analysis from an actuary that substantively illustrates the basis for the rate increase. Contains a legislative intent section. AS PASSED SENATE		General Comments (all lists): League support	2/18 passed Senate <a href="#">22-8</a> ; ready for House.
S1464: PROCUREMENT; INFORMATION CONTENT PROVIDER; PROHIBITION	Beginning on the effective date of this legislation, the Director of the Department of Administration is required to terminate, and direct any state government unit or political subdivision to terminate, any existing contract with a contractor that is an information content provider or a qualified marketplace platform that has engaged in "targeted censorship" (defined as deleting or placing a disclaimer on any form of free speech that is unequally applied based on a particular belief that is expressed in any form). State government units and political subdivisions are prohibited from contracting with an information content provider or a qualified marketplace platform that has engaged in targeted censorship.			1/28 referred to Senate trans-tech.
S1467: ELECTED OFFICIALS' RETIREMENT PLAN;	Appropriates the following amounts from the general fund in the following fiscal years to	Calendar:		2/24 from Senate appro do

<p>APPROPRIATIONS</p>	<p>the Elected Officials' Retirement Plan Fund to supplement the normal cost plus an amount to amortize the unfunded accrued liability: \$6 million in FY2021-22, \$7 million in FY2022-23, \$8 million in FY2023-24, \$9 million in FY2024-25, and \$10 million in FY2025-26 through FY2042-43.</p>	<p>3/1 Senate COW</p>	<p>pass. From Senate rules okay.</p>
<p>S1605: WORKERS COMPENSATION; PHYSICIANS; PUBLIC SAFETY</p>	<p>The Industrial Commission is required to develop and annually update a list of approved physicians to conduct initial examinations "public safety employees" (defined elsewhere in statute) or periodic medical examinations of public safety employees. If an accident occurs to a public safety employee, the Industrial Commission is required to randomly select from the list a physician who shall be allowed by the public safety employee, or any person in charge of the public safety employee, to make one examination of the injured public safety employee in order to ascertain the character and extent of the injury occasioned by the accident.</p>		<p>2/18 from Senate com do pass.</p>
<p>S1651: WORKERS; COMPENSATION; SERVICE; ELECTRONIC TRANSMISSION</p>	<p>Various notices of workers' compensation hearings and decisions may be transmitted to interested parties by means other than mailing to the last known address, including by electronic transmission, with the written consent of the receiving party.</p>		<p>2/18 passed Senate <u>30-0</u>; ready for House.</p>
<p>S1720: PEER-TO-PEER CAR SHARING</p>	<p>Establishes a new chapter in Title 28 (Transportation) regulating "peer-to-peer car sharing," defined as the authorized use of a shared vehicle by an individual other than the shared vehicle owner through a "peer-to-peer car sharing program" (defined). A peer-to-peer car sharing program is required to assume the liability of a shared vehicle owner for bodily injury or property damage that occurs to a third party during the car sharing period in an amount that is stated in the car sharing program agreement and that is at least the minimum amount of motor vehicle liability coverage required by statute. Some exceptions. A peer-to-peer car sharing program is required to ensure that during each car sharing period the shared vehicle owner and the shared vehicle driver are insured under a motor vehicle liability insurance policy that recognizes that the vehicle insured under the policy is made available and used through a peer-to-peer car sharing program, and that does not exclude the use of a shared vehicle by a shared vehicle driver. This insurance is primary during each car sharing period. Establishes authorized motor vehicle liability insurer exclusions relating to peer-to-peer car sharing. Establishes various requirements for peer-to-peer car sharing programs, including record collection, car sharing program agreement disclosures, driver license requirements, and responsibility for equipment and safety recalls. This legislation does not prohibit or restrict a public airport from implementing rules or licensing requirements or from assessing fees or charges that apply to shared vehicle transactions that are conducted at the public airport. A shared vehicle transaction is subject to transaction privilege taxes but is not subject to the rental vehicle surcharge. A peer-to-peer car sharing program is required to register with the Department of Revenue (DOR) for a license for the payment of transaction privilege taxes levied by the state and one or more counties, municipalities, or special taxing districts for the taxes due from a shared vehicle owner for any vehicle sharing transaction facilitated by the peer-to-peer car sharing program. A licensed peer-to-peer car sharing program is required to electronically remit to DOR the applicable surcharges and taxes, to electronically report the taxes monthly, and to remit the aggregate total amounts for each of the respective taxing jurisdictions. Establishes requirements for sourcing of shared vehicle transactions. A peer-to-peer car sharing program that accepts payment for a shared vehicle transaction is required to pay the transaction privilege and use taxes if the program's gross income derived from the program's business on its own behalf or on behalf of at least one shared vehicle owner with customers in Arizona is more than \$100,000. A shared vehicle owner is entitled to an exclusion from any applicable taxes for any shared vehicle transaction that is facilitated by a peer-to-peer car sharing program and for which the program has collected and remitted applicable taxes. Counties, municipalities, and political subdivisions are prohibited from imposing any additional taxes, fees or charges on the</p>	<p>Calendar: 3/1 Senate COW</p>	<p>2/25 retained on Senate COW calendar.</p>

	gross proceeds or gross income of a shared vehicle transaction.			
S1721: TPT; PRIME CONTRACTING CLASSIFICATION	The gross proceeds of sales or gross income derived from a construction contract with an owner of real property or the improvements to real property that does not exceed \$100,000 per unit for a "residential project" (defined) or \$1 million for a nonresidential project is not subject to tax under the prime contracting classification of transaction privilege taxes, and is required to be exempt from municipal transaction privilege and use taxes. Only the contract price is used to determine whether a contract exceeds the threshold amount described in this paragraph with no subtractions for amounts paid to subcontractors or any deductions or exemptions allowed. Project elements cannot be artificially separated from a contract to cause a project to qualify for this exemption. The Department of Revenue has the burden of proving that project elements have been artificially separated from a contract. A contract that primarily involves construction of any electricity generating facility or system installed on any commercial, residential or governmental property, including the maintenance, repair, replacement or alteration of existing improvements of an electricity generating or distribution facility, is not subject to tax under the prime contracting classification of transaction privilege taxes. Retroactive to contracts entered into beginning July 1, 2021. Establishes provisions for application to contracts that were bid or entered into from January 1, 2015 through July 1, 2021.	Hearing: Senate Rules (Monday 03/01/21 at 1:00 PM, Senate Rm. 109)	General Comments (all lists): Support, fixes and clarifies the contracting TPT system for contractors	2/18 from Senate fin do pass.
S1783: SMALL BUSINESSES; ALTERNATE INCOME TAX	Levies an "Arizona small business" (defined) income tax of 4.5 percent of "Arizona small business taxable income" (defined). Establishes adjustments, deductions, and credits for Arizona small business income taxes. For tax years beginning with 2021, a small business taxpayer is allowed to elect to file a return for the tax year with the Department of Revenue to report that small business taxpayer's share of Arizona small business gross income. Modifies the tax rates for the income of estates or any kind of property held in trust for tax years beginning with 2021. Retroactive to January 1, 2021.			2/24 Senate COW approved with flr amend <a href="#">#4528</a> .
S1787: UNEMPLOYMENT INSURANCE; BENEFITS; DURATION	If Arizona's "average unemployment rate" (defined) is at or below 5.5 percent, the maximum amount of unemployment benefits an individual may receive in a benefit year is decreased to 12 times the individual's weekly benefit amount. If Arizona's "average unemployment rate" (defined) is above 5.5 percent but no more than 9 percent, the maximum amount of unemployment benefits an individual may receive in a benefit year is decreased to 12 times the individual's weekly benefit amount plus one additional week of benefits for each 0.5 percent increment in the average unemployment rate above 5.5 percent. Previously, the maximum amount of benefits was 26 times the individual's weekly benefit amount. Effective January 1, 2022.			2/17 Senate com held.
S1789: RENTAL VEHICLE SURCHARGE; VLT	A person engaged in the business of renting motor vehicles without drivers is authorized to use the rental vehicle surcharge monies collected in 2021 to reimburse the amount of vehicle license tax imposed in 2020 and 2021 on the rental vehicle.			2/23 passed Senate <a href="#">30-0</a> ; ready for House.
S1799: INCOME TAX; STANDARD DEDUCTION; INCREASE	For tax years beginning with 2022, the standard deduction for individual income taxes is increased to \$24,400, from \$12,200, for a single person or a married person filing separately, increased to \$36,700, from \$18,350, for a head of household, and increased to \$48,800, from \$24,400, for a married couple filing jointly. For each taxable year beginning with 2023, the Department of Revenue is required to adjust these dollar amounts for inflation in the same manner in which the federal basic standard deduction is adjusted for inflation pursuant to the federal Internal Revenue Code.			2/3 referred to Senate fin.

## Municipal Utilities

BILL NUMBER/ SHORT TITLE	SUMMARY	POSTED HEARINGS & CALENDARS	COMMENTS	LAST ACTION
H2035: APPROPRIATION; ARIZONA WATER PROTECTION FUND	Appropriates \$1 million from the general fund in FY2021-22 to the Arizona Water Protection Fund.	Hearing: Senate Appropriations (Tuesday 03/02/21 at 2:00 PM, Senate Rm. 109)	General Comments (all lists):  AMWUA support	2/18 referred to Senate appro.
H2041 (Chapter 21): GROUNDWATER REPLENISHMENT RESERVES	Modifies the calculation for groundwater replenishment reserve targets for active management areas within a multi-county water conservation district. AS SIGNED BY GOVERNOR		General Comments (all lists):  AMWUA support	2/18 signed by governor. Chap. 21, Laws 2021. <a href="#">message</a>
H2042: AQUIFER PROTECTION PERMITS; INJECTION WELLS	A class V well is no longer exempt from the underground injection control permit program if the well has an aquifer protection permit that satisfies federal underground injection control requirements for a class V well. Except for class V wells operating under underground injection control permit program rules or specified federal code, any underground injection well covered by an underground injection control permit is exempt from aquifer protection permit requirements. If a notice of appeal of a permit issued under the Arizona Pollutant Discharge Elimination System Program is filed with the Water Quality Appeals Board, those permit provisions that are being contested and those that cannot be severed from the contested provisions are automatically stayed while the appeal is pending before the Board, instead of while the appeal is pending, including during any court proceedings. AS SIGNED BY GOVERNOR			2/24 signed by governor. Chap. no. awaited. <a href="#">message</a>
H2043: UNDERGROUND STORAGE TANKS; PERFORMANCE STANDARDS	A person is prohibited from installing an underground storage tank (UST) or a new piping component that is 50 percent or more of the total linear footage of all connected piping of the UST, unless the UST or all connected piping meets the secondary containment performance standards for new UST systems, the release detection requirements for hazardous substance UST systems, and the interstitial monitoring requirements prescribed in specified federal code as in effect on January 1, 2020. An owner or operator who installs or replaces a dispenser system that connects to a UST is required to install an under-dispenser containment that meets the performance standards for new UST systems prescribed in specified federal code as in effect on January 1, 2020.			2/22 substituted in Senate for identical bill 1365. Passed Senate <a href="#">17-13</a> ; ready for governor.
H2056 (Chapter 22): WATER CONSERVATION NOTICE; NO FORFEITURE	Beginning on the effective date of this legislation, a person who is entitled to the use of water is authorized to file with the Department of Water Resources a water conservation plan notice. Information that must be included in the notice is listed. On filing a water conservation plan notice, the conservation of water pursuant to the plan does not constitute abandonment or forfeiture of the water conserved. A person cannot accrue long-term storage credits for any water that is conserved in a water conservation plan notice. A water conservation plan is required to designate a duration of up to 10 years, and the person filing the notice may file a subsequent notice for one or more periods of up to 10 years. Contains a legislative intent section stating that the Legislature intends that this act apply prospectively only. AS SIGNED BY GOVERNOR		General Comments (all lists):  AMWUA monitor	2/18 signed by governor. Chap. 22, Laws 2021. <a href="#">message</a>
H2069: GENETIC TESTING; PRIVATE PROPERTY	Except as specifically authorized or required by state or federal law, genetic testing and the information derived from genetic testing, whether in the possession of a public or private entity, are the exclusive private property of the person tested. Does not apply to genetic testing information that is protected from disclosure under the federal Health Insurance Portability and Accountability Act privacy standards. Applies only to genetic testing conducted and information derived from genetic testing conducted after the effective date of this legislation. AS PASSED HOUSE			2/18 House COW approved with amend <a href="#">#4162</a> . Passed House <a href="#">59-1</a> ; ready for Senate.
H2074: WATER BANKING; STORAGE CREDITS; SUBCONTRACTORS	The Arizona Water Banking Authority is authorized to distribute long-term water storage credits to Central Arizona Water Conservation District's (CAWCD) municipal and industrial subcontractors. Long-term water storage credits that are distributed to a CAWCD municipal and industrial		General Comments (all lists):  Support. AMWUA support	1/14 referred to House nat res-energy-water.



	subcontractor cannot be sold, and the subcontractor is responsible for all fees assessed by the Authority or the Department of Water Resources for the distribution of the long-term storage credits and all costs of recovery of the long-term storage credits.			
H2078 (Chapter 4): GROUNDWATER; WATERLOGGED AREA EXEMPTION; DATE	The exemption from irrigation water duties for persons entitled to use groundwater under an irrigation grandfathered right is extended ten years, to December 31, 2034. The exemption from any applicable conservation requirements for the distribution of groundwater for the Arlington Canal Company, the Buckeye Water Conservation and Drainage District and the St. John's Irrigation District is extended ten years, to December 31, 2034. The Director of the Department of Water Resources is required to submit a recommendation to the Governor and the Legislature by November 15, 2031 regarding extending these exemptions. AS SIGNED BY GOVERNOR		General Comments (all lists): AMWUA support	2/5 signed by governor; Chap. 4, Laws 2021. <a href="#">message</a>
H2201: DRINKING WATER STANDARDS; POLLUTANTS	The Department of Environmental Quality (DEQ) is required to establish drinking water aquifer water quality standards for a list of specified pollutants. Information DEQ must review when developing the standards is listed. The standards are required to be protective of public health, including vulnerable subpopulations such as pregnant women, nursing mothers, infants and children.			1/20 referred to House nat res-energy-water.
H2203: WELL DRILLING; GROUNDWATER BASINS	Beginning on the effective date of this legislation, a person is prohibited from constructing and the Department of Water Resources is prohibited from issuing a permit or drilling card for a new well in the Upper San Pedro Groundwater Basin or the Verde Valley Groundwater Subbasin. Some exceptions.		General Comments (all lists): AMWUA monitor	1/20 referred to House nat res-energy-water.
H2204: WELLS; PERMITS; SPACING RULES	The Department of Water Resources (DWR) is required to adopt rules governing the location of new wells and replacement wells in new locations in groundwater basins that DWR determines to be experiencing declining groundwater levels, for wells having a pump with a maximum capacity of more than 35 gallons per minute. In lieu of adopting new rules, DWR is permitted to follow the criteria for proposed withdrawals in active management areas.		General Comments (all lists): AMWUA support	1/20 referred to House nat res-energy-water.
H2205: APPROPRIATION; WQARF	Appropriates \$15 million from the general fund in FY2021-22 to the Water Quality Assurance Revolving Fund.		General Comments (all lists): AMWUA support	1/20 referred to House nat res-energy-water, appro.
H2206: SUBSEQUENT IRRIGATION NON-EXPANSION AREAS; PROCEDURES	The circumstances that must exist for the Director of the Department of Water Resources to designate an area that is not included in an active management area as a subsequent irrigation non-expansion area are modified to include that there is insufficient groundwater to provide a "reasonably safe supply for irrigation" (defined) of the cultivated lands in the area at the reasonable projected rates of withdrawal, instead of at the current rates of withdrawal. In making the determination, the Director is allowed to consider credible evidence that indicates likely future changes to rates of withdrawal. Also modifies the procedure for the designation of a subsequent irrigation non-expansion area initiated by petition.		General Comments (all lists): AMWUA support	1/20 referred to House nat res-energy-water.
H2209: GROUNDWATER PUMPING; MEASURING; REPORTING	A person who withdraws groundwater from a nonexempt well under any circumstances and in any location is required to use a water measuring device approved by the Department of Water Resources (DWR), maintain records of the withdrawals, and file an annual report to DWR with specified information on the withdrawals. Some exceptions.		General Comments (all lists): AMWUA support	1/20 referred to House nat res-energy-water.
H2239: ASSURED WATER SUPPLY; AVAILABILITY; PLATS	For an application to modify or renew a designation of assured water supply in the Pinal Active Management Area, the Department of Water Resources is prohibited from reviewing the physical availability of groundwater that was determined to be physically available under the previous designation. The following are deemed physically available for purposes of an assured water supply designation: stored water that is to be recovered by the applicant within the "area of impact" (defined) on an annual basis or under long-term storage credits pledged to the designation, and physically available water that will be stored within the area of impact on an annual basis or as long-term storage credits in the future. For the purposes of statute governing an assignment of a			1/20 referred to House nat res-energy-water.

	certificate of assured water supply, and for a holder of a certificate of assured water supply for a platted subdivision, an increase in the total number of housing units does not constitute a material change in the subdivision plat, plan or map. Contains a legislative intent section.			
H2243: OCCUPATIONAL AND PROFESSIONAL LICENSURE; NOTICE	A regulating entity under Title 32 (Professions and Occupations) is required to prominently print a specified notice regarding reciprocity on all license and certificate applications and regulating entity websites.			2/2 from House rules okay.
H2247: FOREST PRODUCTS; PROCESSING; TAX CREDIT	Establishes an individual and corporate income tax credit for taxpayers with a current healthy forest enterprise incentive certification and memorandum of understanding with the Arizona Commerce Authority that "process" "qualifying forest products" (both defined) between January 1, 2022 and December 31, 2030 at a facility located in Arizona. The amount of the credit is up to \$10,000 for the first 20,000 tons and \$5,000 for every 10,000 tons after of qualifying forest products the taxpayer processes in the calendar year, not to exceed \$500,000 per taxpayer. The aggregate amount of tax credits in a calendar year is capped at \$2 million. If the allowable credit exceeds taxes due, the unclaimed amount of the credit may be carried forward for up to five consecutive tax years. Other requirements to qualify for the tax credit and an application process are established. Applies to tax years beginning with 2022.		General Comments (all lists): AMWUA support	2/24 passed House <a href="#">42-18</a> ; ready for Senate.
H2286: WATER EFFICIENT PLUMBING FIXTURES	Beginning January 1, 2022, a person is prohibited from distributing, selling or installing any plumbing fixture for use in Arizona in any new residential, commercial, industrial or public construction or for replacing plumbing fixtures in existing residential, commercial, industrial or public construction, unless the fixture is a "watersense-labeled plumbing fixture" (defined as a fixture that has been tested and certified under the U.S. Environmental Protection Agency's Watersense Program established under America's Water Infrastructure Act of 2018). Some exceptions, including that these requirements do not apply to any plumbing fixture that is documented to have been purchased by a plumbing wholesaler, retailer or end user and that is actually located in Arizona before January 1, 2022. Effective January 1, 2022.		General Comments (all lists): AMWUA support	1/26 referred to House nat res-energy-water, com.
H2330: ENVIRONMENTAL QUALITY PROGRAMS; TERMINATIONS; REPEAL	Repeals the statutory termination dates of July 1, 2022 for the Vehicle Emissions Inspection Program and the Oil and Gas Conservation Commission. Retroactive to July 1, 2020, repeals the statutory termination dates of July 1, 2020 for the Voluntary Remediation Program and the article of statute governing total maximum daily loads. Retroactive to July 1, 2020, establishes the Water Monitoring Assistance Program in the Department of Environmental Quality in the same manner it existed in statute prior to being repealed on July 1, 2020. Emergency clause.		General Comments (all lists): AMWUA support	2/18 referred to Senate nat res-energy-water.
H2333: ENERGY; WATER; SAVINGS ACCOUNTS	The maximum length of a contract between a county or municipality and an energy or water services company to pay for the incremental cost of energy or water savings measures in facilities owned by the county or municipality is increased to 25 years, from 15 years. Other costs and revenue are included in the estimated impact to be achieved by a county or municipality through energy or water savings measures or services. Reports on school district contracts for guaranteed energy cost savings must be filed with the Department of Administration, instead of the Governor's Office of Energy Policy.			2/15 House add'l COW approved with flr amend #4247.
H2336: ASSURED WATER SUPPLY; SUBDIVISIONS	In the Pinal Active Management Area, for an application to modify or renew a designation of assured water supply, or for a new application for a designation for the same service area to be served by a substitute provider acquiring the assets of the prior provider, if specified conditions apply to the volume of groundwater and stored water, the Department of Water Resources (DWR) is prohibited from reviewing the physical availability of groundwater that was determined to be physically available under the previous designation. Does not affect the DWR review of assured water supply criteria other than the physical availability of groundwater and stored water to be recovered outside the area of impact of		General Comments (all lists): AMWUA support	2/4 House COW approved with flr amend <a href="#">#4100</a> and <a href="#">#4101</a> .

	storage. The following are deemed physically available for purposes of an assured water supply designation: stored water that is to be recovered by the applicant within the "area of impact" (defined) under long-term storage credits pledged to the designation, and stored water that is to be recovered by the applicant within the area of impact of storage either on an annual basis or as long-term storage credits to be earned in the future if the water to be stored meets the physical availability requirements for the water supply. Contains a legislative intent section.			
H2388: WATER SUPPLY DEVELOPMENT FUND; APPROPRIATION	Appropriates \$50 million from the general fund in FY2021-22 to the Water Supply Development Revolving Fund. The list of circumstances under which a water provider may qualify for monies in the Fund is expanded to include water providers located in a county with a population of less than 1.5 million persons (all except Maricopa County). For the purpose of water infrastructure finance programs, the definitions of "water provider" and "water supply development" are modified.		General Comments (all lists): AMWUA monitor	2/3 from House nat res- energy-water do pass.
H2390: LAW CLINIC; STREAM ADJUDICATIONS; APPROPRIATION	A university under the jurisdiction of the Arizona Board of Regents is authorized to offer pro bono assistance to claimants in the general stream adjudication of water rights who are not represented by counsel and whose adjusted gross income for any of the preceding three years is less than 500 percent of the federal poverty guidelines. Any university that offers such assistance is required to cooperate and coordinate with the faculty of a cooperative extension in Arizona that has a program to support the economic vitality of rural communities and the use of natural resources in those communities. By November 15 of each year, a university that offers such assistance is required to submit a written report of assistance activities to the Governor and the Legislature. Appropriates \$500,000 from the general fund in FY2021-22 to the University of Arizona to establish an adjudication law clinic to assist claimants in the general stream adjudication of water rights.		General Comments (all lists): AMWUA support	1/26 House nat res-energy- water held.
H2441: WATER; SUBSTITUTE ACREAGE	A person who owns acres of land that may be irrigated lawfully is authorized to permanently retire those acres from irrigation and substitute for those acres the same number of acres in the same contiguous farming unit if the owner demonstrates to the Department of Water Resources that the legally irrigated acres were damaged by "floodwaters" after being irrigated and that it is not economically feasible to restore the flood damaged acres to irrigation use. A person who owns contiguous acres of land that may be irrigated lawfully is authorized to permanently retire a portion of those acres from irrigation and substitute for the retired acres the same number of acres within the same "farm unit" (defined) under common ownership, if all of a list of specified conditions apply, including that a "limiting condition" (defined) associated with the acres to be retired from irrigation substantially impedes the implementation of efficient irrigation practices on the legally irrigated acres. Does not affect the person's existing or vested rights to the use of water. AS PASSED HOUSE	Hearing: Senate Natural Resources, Energy & Water (Wednesday 03/03/21 at 2:00 PM, Senate Rm. 109)	General Comments (all lists): AMWUA monitor	2/18 referred to Senate nat res-energy-water.
H2456: COLORADO RIVER FOURTH PRIORITY WATER	A person with a claim for rights to use any amount of the fourth priority Colorado River water that is subject to the federal Boulder Canyon Project Act and that was allocated by the U.S. Bureau of Reclamation for agricultural, municipal and industrial uses for Colorado River communities is prohibited from transferring or otherwise conveying that claim for use of that water to any location or use other than an agricultural, municipal or industrial use in a Colorado River community.		General Comments (all lists): AMWUA monitor	2/3 referred to House nat res-energy-water.
H2576: WATER RIGHTS; GENERAL ADJUDICATIONS; FUNDING	Establishes the General Adjudication Personnel and Support Fund, to be administered by the Supreme Court. Monies in the Fund must be used by both the Supreme Court and the Department of Water Resources for full-time personnel and other support equipment and services related to general water rights adjudication. For FY2020-21, FY2021-22 and FY2022-23, before any monies are spent from the Fund, the Joint Legislative Budget Committee is required to review the expenditure plan for the fiscal year in which the monies are to be spent. Appropriates the following amounts from the general fund in FY2021-22 to the Fund for the following purposes: \$147,610		General Comments (all lists): AMWUA support	2/17 from House nat res- energy-water do pass.

	for two full-time paralegals for the Special Water Master, \$109,710 for a full-time law clerk for the Special Water Master, \$133,920 to expand the court's electronic case management system, and \$2 million for the purposes of the Fund.			
H2577: APPROPRIATION; WATER SUPPLY STUDY	Appropriates \$5 million from the general fund in FY2021-22 to the Department of Water Resources to study potential sources of water for use in Arizona. AS PASSED HOUSE			2/23 passed House <u>55-4</u> ; ready for Senate.
H2594: LAW CLINIC; STREAM ADJUDICATIONS; APPROPRIATION	A university under the jurisdiction of the Arizona Board of Regents is authorized to offer pro bono assistance to claimants in the general stream adjudication of water rights who are not represented by counsel and whose adjusted gross income for any of the preceding three years is less than 500 percent of the federal poverty guidelines. Any university that offers such assistance is required to cooperate and coordinate with the faculty of a cooperative extension in Arizona that has a program to support the economic vitality of rural communities and the use of natural resources in those communities. By November 15 of each year, a university that offers such assistance is required to submit a written report of assistance activities to the Governor and the Legislature. Appropriates \$500,000 from the general fund in FY2021-22 to the University of Arizona to establish an adjudication law clinic to assist claimants in the general stream adjudication of water rights.		General Comments (all lists): AMWUA support	2/2 referred to House nat res-energy-water, appro.
H2595: SUBSEQUENT IRRIGATION NON-EXPANSION AREAS; PROCEDURES	The circumstances that must exist for the Director of the Department of Water Resources to designate an area that is not included in an active management area as a subsequent irrigation non-expansion area are modified to include that there is insufficient groundwater to provide a "reasonably safe supply for irrigation" (defined) of the cultivated lands in the area at the reasonable projected rates of withdrawal, instead of at the current rates of withdrawal. In making the determination, the Director is allowed to consider credible evidence that indicates likely future changes to rates of withdrawal. Also modifies the procedure for the designation of a subsequent irrigation non-expansion area initiated by petition.		General Comments (all lists): AMWUA support	2/3 referred to House nat res-energy-water.
H2614: REMIEDIATED WATER; GROUNDWATER; USE	If groundwater is withdrawn within an active management area (AMA) and is not reinjected into the aquifer, the groundwater is required to be put to reasonable and beneficial use within the same AMA, either for the use of the municipality or private water company in whose service area the groundwater is withdrawn, or used according to a grandfathered right. A person who receives groundwater from a person withdrawing groundwater as part of a remedial action is not required to pay for the groundwater or the costs associated with the remedial action, unless otherwise responsible for the cost of remedial action, and the person must use the groundwater only according to specified sections of the Groundwater Code. Session law requiring the Department of Water Resources (DWR) to include in its management plans provisions to encourage the beneficial use of groundwater that is withdrawn under approved remedial action projects is made permanent. A declaration that the use of up to an aggregate of 65,000 acre-feet of groundwater withdrawn within all AMAs according to approved remedial action projects must be considered consistent with the management goal for the AMA, and providing for specified amounts in excess of that aggregate limit to be included in the consideration which session law applied to each calendar year until 2025, is moved to permanent law and applies to each calendar year until 2050. By January 1, 2025, the Director of DWR is required to amend assured water supply rules to carry out the purposes of this legislation. Before the amendment of these rules, the Director is required to treat any groundwater withdrawn pursuant to an approved remedial action project as consistent with the management goal as provided in this legislation.		General Comments (all lists): AMWUA support	1/28 referred to House nat res-energy-water.
H2679: WATER; RURAL MANAGEMENT AREAS	A county board of supervisors in a county outside of an active management area may designate by resolution one or more groundwater basins or subbasins in the county as a rural management area if the board finds that one or more of a list of specified conditions exist. A process for the board to adopt the resolution is established,		General Comments (all lists): AMWUA monitor	2/3 referred to House nat res-energy-water.

	including public notice, public meetings and a majority vote. The resolution is required to provide for the formation of a 5-member rural management area advisory council to establish management goals for the rural management area and identify best management practices to achieve the goals. The advisory council is required to submit a proposed management plan to the Department of Water Resources (DWR), and DWR is required to take action on the plan within 30 days after receipt. On approval by DWR, the plan applies in the rural management area.			
H2778: STREAM ADJUDICATIONS; COOPERATIVE EXTENSION; APPROPRIATION	A university under the jurisdiction of the Arizona Board of Regents is authorized to offer pro bono assistance to claimants in the general stream adjudication of water rights who are not represented by counsel and whose adjusted gross income for any of the preceding three years is less than 500 percent of the federal poverty guidelines. Any university that offers such assistance is required to cooperate and coordinate with the faculty of a cooperative extension in Arizona that has a program to support the economic vitality of rural communities and the use of natural resources in those communities. By November 15 of each year, a university that offers such assistance is required to submit a written report of assistance activities to the Governor and the Legislature. Appropriates \$500,000 from the general fund in FY2021-22 to the University of Arizona for distribution to the natural resource users law and policy center within the Arizona cooperative extension to assist claimants in the general stream adjudication of water rights.	Calendar: 3/1 House COW		2/22 from House rules okay.
S1021: GROUNDWATER; WATERLOGGED AREA EXEMPTION; DATE	The exemption from irrigation water duties for persons entitled to use groundwater under an irrigation grandfathered right is extended ten years, to December 31, 2034. The exemption from any applicable conservation requirements for the distribution of groundwater for the Arlington Canal Company, the Buckeye Water Conservation and Drainage District and the St. John's Irrigation District is extended ten years, to December 31, 2034. The Director of the Department of Water Resources is required to submit a recommendation to the Governor and the Legislature by November 15, 2031 regarding extending these exemptions.		General Comments (all lists): AMWUA support	1/26 from Senate rules okay.
S1037: WATER EFFICIENT PLUMBING FIXTURES	Beginning January 1, 2022, a person is prohibited from distributing, selling or installing any plumbing fixture for use in Arizona in any new residential, commercial, industrial or public construction or for replacing plumbing fixtures in existing residential, commercial, industrial or public construction, unless the fixture is a "watersense-labeled plumbing fixture" (defined as a fixture that has been tested and certified under the U.S. Environmental Protection Agency's Watersense Program established under America's Water Infrastructure Act of 2018). Some exceptions, including that these requirements do not apply to any plumbing fixture that is documented to have been purchased by a plumbing wholesaler, retailer or end user and that is actually located in Arizona before January 1, 2022. Effective January 1, 2022.		General Comments (all lists): AMWUA support	1/11 referred to Senate com, nat res-energy-water.
S1079: WELL DRILLING; GROUNDWATER BASINS	Beginning on the effective date of this legislation, a person is prohibited from constructing and the Department of Water Resources is prohibited from issuing a permit or drilling card for a new well in the Upper San Pedro Groundwater Basin or the Verde Valley Groundwater Subbasin. Some exceptions.		General Comments (all lists): AMWUA monitor	1/12 referred to Senate nat res-energy-water.
S1147: WATER BANKING; STORAGE CREDITS; SUBCONTRACTORS	The Arizona Water Banking Authority is authorized to distribute long-term water storage credits to Central Arizona Water Conservation District's (CAWCD) municipal and industrial subcontractors. Long-term water storage credits that are distributed to a CAWCD municipal and industrial subcontractor cannot be sold, and the subcontractor is responsible for all fees assessed by the Authority or the Department of Water Resources for the distribution of the long-term storage credits and all costs of recovery of the long-term storage credits.		General Comments (all lists): Support. AMWUA support	2/24 referred to House nat res-energy-water.
S1177: FOREST PRODUCTS; PROCESSING; TAX CREDIT	Establishes an individual and corporate income tax credit for taxpayers with a current healthy forest enterprise incentive certification and memorandum of understanding with the Arizona Commerce		General Comments (all lists): AMWUA support	2/25 referred to House nat res-energy-water.

	<p>Authority that "process" "qualifying forest products" (both defined) between January 1, 2022 and December 31, 2032 at a facility located in Arizona. The amount of the credit is up to \$10,000 for the first 20,000 tons and \$5,000 for every 10,000 tons after of qualifying forest products the taxpayer processes in the calendar year, not to exceed \$500,000 per taxpayer. The aggregate amount of tax credits in a calendar year is capped at \$2 million. If the allowable credit exceeds taxes due, the unclaimed amount of the credit may be carried forward for up to five consecutive tax years. Other requirements to qualify for the tax credit and an application process are established. Applies to tax years beginning with 2022. AS PASSED SENATE</p>			
S1218: NONHEALTH PROFESSIONS; OCCUPATIONS; REGULATIONS	<p>The state may regulate a profession or occupation only if there is credible evidence of harm that the unregulated practice threatens the public health, safety or welfare. Regulation cannot be imposed for the exclusive purpose of protecting a profession or occupation from economic competition. Each committee of reference (COR) that reviews an agency that administers an "occupational regulation" (defined elsewhere in statute) is required to consider a specified list of factors in determining the need for continuation or termination of the agency, including the extent to which failure to regulate a profession or occupation will result in the loss of insurance, an impact to the ability to practice as required by federal law, or the loss of constitutionally afforded practices. The list of possible recommendations that the sunset review report from the COR is required to include is expanded to include recommendations that the Legislature repeal the occupational license, convert the license to a less restrictive regulation, or instruct the state agency to seek legislation or adopt rules to reflect the COR's recommendation to impose less restrictive regulations, change the requisite personal qualifications, or redefine the scope of practice.</p>			2/24 referred to House com.
S1222: CONSERVATION DISTRICTS; WATER; INVASIVE VEGETATION	<p>The powers of natural resource conservation districts are expanded to include conducting surveys, investigations and research relating to eradicating invasive vegetation, and increasing public awareness of water conservation statewide, including water conservation methods and best management practices. Modifies the requirements to qualify for the individual income tax credit for purchasing and installing an agricultural water conservation system to allow the expense to be consistent with a conservation plan the taxpayer filed with a natural resources conservation service or a natural resource conservation district in Arizona.</p>			2/25 referred to House nat res-energy-water.
S1223: NOXIOUS WEEDS; GOVERNMENT PROJECTS	<p>The state, state agencies, political subdivisions, and any other governmental entity are authorized to remove "noxious weeds" (defined elsewhere in statute), including Russian olive and salt cedar trees, as part of routine maintenance operations and capital projects. The state, state agencies, political subdivisions, and any other governmental entity are prohibited from using noxious weeds, including Russian olive and salt cedar trees, in landscaping.</p>			2/2 from Senate rules okay.
S1274 (Chapter 17): ASSURED WATER SUPPLY; SUBDIVISIONS	<p>In the Pinal Active Management Area, for an application to modify a designation of assured water supply, if specified conditions apply to the volume of groundwater and stored water, the Department of Water Resources (DWR) is prohibited from reviewing the physical availability of groundwater and stored water to be recovered outside of the area of impact of storage sought to be included in the designation. Does not affect the DWR review of assured water supply criteria other than the physical availability of groundwater and stored water to be recovered outside the area of impact of storage. The following are deemed physically available for purposes of an assured water supply designation: stored water that is to be recovered by the applicant within the "area of impact of storage" (defined) under existing long-term storage credits pledged to the designation, and stored water that is to be recovered by the applicant within the area of impact of storage either on an annual basis or as long-term storage credits to be earned in the future if the water to be stored meets the physical availability requirements for the water supply. AS SIGNED BY GOVERNOR</p>		General Comments (all lists):  AMWUA support	2/12 signed by governor. Chap. 17, Laws 2021. <a href="#">message</a>
S1314:	A person who withdraws groundwater from a		General Comments (all lists):	1/25

<p>GROUNDWATER PUMPING; MEASURING; REPORTING</p>	<p>nonexempt well under any circumstances and in any location is required to use a water measuring device approved by the Department of Water Resources (DWR), maintain records of the withdrawals, and file an annual report to DWR with specified information on the withdrawals. Some exceptions.</p>		<p>AMWUA support</p>	<p>referred to Senate nat res-energy-water.</p>
<p>S1364: AQUIFER PROTECTION PERMITS; INJECTION WELLS</p>	<p>A class V well is no longer exempt from the underground injection control permit program if the well has an aquifer protection permit that satisfies federal underground injection control requirements for a class V well. Except for class V wells operating under underground injection control permit program rules or specified federal code, any underground injection well covered by an underground injection control permit is exempt from aquifer protection permit requirements. If a notice of appeal of a permit issued under the Arizona Pollutant Discharge Elimination System Program is filed with the Water Quality Appeals Board, those permit provisions that are being contested and those that cannot be severed from the contested provisions are automatically stayed while the appeal is pending before the Board, instead of while the appeal is pending, including during any court proceedings.</p>			<p>2/9 from Senate rules okay.</p>
<p>S1366: REMEDIATED WATER; GROUNDWATER; USE</p>	<p>If groundwater is withdrawn within an active management area (AMA) and is not reinjected into the aquifer, the groundwater is required to be put to reasonable and beneficial use within the same AMA, either for the use of the municipality or private water company in whose service area the groundwater is withdrawn, or used according to a grandfathered right or a service area right. A person who receives groundwater from a person withdrawing groundwater as part of a remedial action is not required to pay for the groundwater or the costs associated with the remedial action, unless otherwise responsible for the cost of remedial action, and the person must use the groundwater only according to specified sections of the Groundwater Code. Session law requiring the Department of Water Resources (DWR) to include in its management plans provisions to encourage the beneficial use of groundwater that is withdrawn under approved remedial action projects is made permanent. A declaration that the use of up to an aggregate of 65,000 acre-feet of groundwater withdrawn within all AMAs according to approved remedial action projects must be considered consistent with the management goal for the AMA, and providing for specified amounts in excess of that aggregate limit to be included in the consideration which session law applied to each calendar year until 2025, is moved to permanent law and applies to each calendar year until 2050. By January 1, 2025, the Director of DWR is required to amend assured water supply rules to carry out the purposes of this legislation. Before the amendment of these rules, the Director is required to treat any groundwater withdrawn pursuant to an approved remedial action project as consistent with the management goal as provided in this legislation. AS PASSED SENATE</p>		<p>General Comments (all lists): AMWUA support</p>	<p>2/17 passed Senate <u>30-0</u>; ready for House.</p>
<p>S1368: WATER CONSERVATION NOTICE; NO FORFEITURE</p>	<p>Beginning on the effective date of this legislation, a person who is entitled to the use of water is authorized to file with the Department of Water Resources a water conservation plan notice. Information that must be included in the notice is listed. On filing a water conservation plan notice, the conservation of water pursuant to the plan does not constitute abandonment or forfeiture of the water conserved. A person cannot accrue long-term storage credits for any water that is conserved in a water conservation plan notice. A water conservation plan is required to designate a duration of up to 10 years, and the person filing the notice may file a subsequent notice for one or more periods of up to 10 years. Contains a legislative intent section stating that the Legislature intends that this act apply prospectively only.</p>		<p>General Comments (all lists): AMWUA monitor</p>	<p>2/9 from Senate rules okay.</p>
<p>S1370: ENVIRONMENTAL QUALITY; PROGRAM TERMINATIONS; REPEAL</p>	<p>Repeals the statutory termination dates of July 1, 2022 for the Vehicle Emissions Inspection Program and the Oil and Gas Conservation Commission. Retroactive to July 1, 2020, repeals the statutory termination dates of July 1, 2020 for the Voluntary Remediation Program and the article of statute governing total maximum daily loads. Retroactive to July 1, 2020, establishes the Water Monitoring Assistance Program in the Department of</p>	<p>Hearing: House Natural Resources, Energy &amp; Water (Tuesday 03/02/21 at 2:00 PM, House Rm. 4)</p>	<p>General Comments (all lists): AMWUA support</p>	<p>2/25 referred to House nat res-energy-water.</p>

	Environmental Quality in the same manner it existed in statute prior to being repealed on July 1, 2020. Emergency clause. AS PASSED SENATE			
S1386: WATER; AUGMENTATION AUTHORITY; SPECIAL DISTRICTS	By the third Monday of August of each year, the County Water Augmentation Authority is required to charge an annual contract assessment against each parcel of "contract land" (defined) that is subject to an annual contract assessment. This charge becomes a lien on the parcel and is collected in the same manner as an ad valorem tax. When the public interest or convenience requires, the board of directors of a county improvement district is authorized to order the acquisition, creation, maintenance or pledge of "water assets" (defined) for the purpose of municipal, industrial, commercial or domestic development. County improvement districts, including domestic water or wastewater improvement districts, are authorized to undertake "water supply development" (defined elsewhere in statute) with monies borrowed from or financial assistance provided by the Water Infrastructure Finance Authority of Arizona.		General Comments (all lists):  AMWUA monitor	2/17 Senate nat res-energy-water held.
S1429: SOLID WASTE SERVICES; PRIVATE PROVIDER	A county or municipality is prohibited from providing for or enforcing a criminal penalty against a person who refuses to purchase solid waste collection services from a private service provider.			2/25 Senate COW approved with amend #4361.
S1446: GROUNDWATER REPLENISHMENT RESERVES	Modifies the calculation for groundwater replenishment reserve targets for active management areas within a multi-county water conservation district.			2/9 from Senate rules okay.
S1753: PUBLIC WORKS CONTRACTS; APPRENTICE LABOR	A contractor or subcontractor that employs a worker on a public works contract is required to use one or more "apprentices" (defined) for at least ten percent of the total hours of labor worked for each "apprenticed craft" (defined) or type of work to be performed on the public works contract for which more than three workers are employed. Beginning January 1, 2022, the Industrial Commission is authorized to collaborate with the Department of Economic Security to adopt rules to increase the percentage of total hours of labor required to be performed by an apprentice. On request of a contractor or subcontractor, a public body may submit a request to the Commission to modify or waive the percentage of hours of labor provided by one or more apprentices for "good cause" (defined), and the Commission is required to determine whether to grant a modification or waiver within 15 days.			2/3 referred to Senate com.



## Neighborhood Interest

BILL NUMBER/ SHORT TITLE	SUMMARY	POSTED HEARINGS & CALENDARS	COMMENTS	LAST ACTION
H2030: HOMEOWNERS' ASSOCIATIONS; FIRST RESPONDER FLAGS	Condominium associations and homeowners' associations cannot prohibit the display of a "first responder flag" (defined). AS PASSED HOUSE	Hearing: Senate Government (Monday 03/01/21 at 2:00 PM, Senate Rm. 1)		2/18 referred to Senate gov.
H2052: HOMEOWNERS' ASSOCIATIONS: POLITICAL; COMMUNITY ACTIVITY	Condominium associations and planned community associations cannot prohibit or unreasonably restrict a unit owner or member's ability to peacefully assemble and use private or common elements of the community if done in compliance with reasonable restrictions for the use of that property adopted by the board of directors. An individual unit owner or member or a group of unit owners or members are permitted to organize to discuss or address association business, including board elections or recalls, potential or actual ballot issues or revisions to the community documents, property maintenance or safety issues or any other association business or actions. A unit owner or member is allowed to invite a political candidate or other non-unit owner guest to speak to an assembly of unit owners or members. For the purpose of the prohibition on condominium associations and planned community associations prohibiting the display of a political sign, the definition of "political sign" is expanded to include a sign regarding any activity to elect or remove association directors or to circulate or oppose petitions for actions in the association or in support of or opposition to association ballot measures or other questions.	Hearing: Senate Government (Monday 03/01/21 at 2:00 PM, Senate Rm. 1)		2/18 referred to Senate gov.
H2355: ANIMAL ABUSER REGISTRATION; PENALTIES	An adult who has been convicted of a violation or attempted violation of cruelty to animals, animal fighting or bestiality is required to register with the Department of Public Safety (DPS) within 5 days after the conviction or within 10 days after entering and remaining in the state. Beginning January 1, 2022, DPS is required to maintain a central animal abuser registry with the names and registration information of every person required to register. Beginning January 1, 2022, any person that sells, gives or adopts out domesticated dogs or cats is authorized to conduct a central animal abuser registry check for the name and address of every person who is requesting to adopt, buy or own a domesticated dog or cat, and is prohibited from intentionally or knowingly selling, giving or adopting out a domesticated dog or cat to a person who is listed in the registry. Failing to register is a class 1 (highest) misdemeanor. Intentionally or knowingly selling, gifting or adopting a domesticated dog or cat to a person listed in the registry is subject to a civil penalty of at least \$1,000.			2/24 House add'l COW approved with amend <u>#4525</u> .
H2481: SHORT-TERM RENTALS; ENFORCEMENT; PENALTIES	Modifies the list of regulations that counties and municipalities are authorized to impose on vacation rentals or short-term rentals to include requiring the owner of a vacation rental or short-term rental to license or register with the county or municipality, and restricting the occupancy of a vacation rental or short-term rental to the lesser of the occupancy limit of the county or municipality or 2 adults per bedroom plus 2 additional adults. Vacation rentals and short-term rentals cannot advertise to exceed the occupancy limit of the dwelling or for any nonresidential use. Counties and municipalities are authorized to impose a civil penalty for each day a property is in violation of this advertisement prohibition. An online lodging operator that falsifies information to an online lodging marketplace is guilty of a petty offense. A county or municipality cannot prohibit the operation of a vacation rental or short-term rental based solely on its status as a vacation rental or short-term rental if the owner of the vacation rental or short-term rental, as of May 1, 2021, has a valid transaction privilege tax license, and as of June 2, 2021, has provided the owner's or the owner's designee's contact information to the county or municipality in which the vacation rental or short-term rental is located, if required by ordinance.		General Comments (all lists):  Update: Additional amendment language is being contemplated. Position will be updated to reflect potential changes to language. Earlier: Support. City-approved amendment was added in committee.	2/11 from House gov-elect with amend <u>#4195</u> .
H2482: REGULATION; SHORT-TERM RENTALS	Modifies the list of regulations that counties and municipalities are authorized to impose			1/27 referred to House gov-

	on vacation rentals or short-terms rentals to include: requiring contact information for the owner of the rental to be posted on the front door or in another location on the property that is visible and accessible to the public; restricting the maximum number of adult occupants allowed on the property at one time to the lesser of the occupancy limit established by the county or municipality or no more than 2 adults per bedroom, up to 4 bedrooms, plus 2 additional adults per 1,000 square feet of livable space in excess of 3,000 square feet of livable space; requiring the installation of safety and monitoring equipment that monitors and detects noise and notifies the owner if noise is unreasonable or in violation of a noise ordinance; prohibiting smoking outside within 100 feet of a residential structure; restricting occupants from checking in without the presence of the owner or the owner's designee; and prohibiting occupants from parking on public or private streets if on-property parking is available. Vacation rentals and short-term rentals cannot advertise to exceed the occupancy limit of the dwelling or for any nonresidential use, and are required to display the transaction privilege tax license in any online advertisement for rental of the unit. Establishes penalties for violations.			elect.
H2507: LANDLORDS; DECEASED TENANT; PETS	A landlord is authorized to request the name and contact information of a person who is authorized to enter the dwelling unit to retrieve the tenant's animal if the tenant dies or is otherwise incapacitated. If the landlord is unable to contact the authorized person within one day, the landlord may deem the animal abandoned and remove the animal to an animal shelter or boarding facility. The landlord is allowed to release the animal to a relative of the deceased or incapacitated tenant if specified conditions apply. AS PASSED HOUSE			2/23 passed House <u>59-0</u> ; ready for Senate.
H2573: LANDLORD; TENANT; FEE DISCLOSURE: WAIVER	At or before a tenancy begins, the landlord is required to disclose to the tenant any additional fees or costs that may be chargeable to the tenant and that are not included in the periodic rental rate. The landlord is required to include the same disclosures in any advertisement that states the periodic rental rate. A landlord is required to allow a tenant to choose not to receive and pay for any nonessential services, to allow a tenant to pay rent and any other amounts due with any legal tender, and to assess any properly charged additional fees or costs only on the same date that the rental payment is due. A landlord is prohibited from charging additional fees for accepting an online payment through the landlord's website or other system that is provided by the landlord.			2/24 House COW approved with amend <u>#4290</u> . Passed House <u>58-0</u> ; ready for Senate.
H2618: PUBLIC NUISANCE; NOISE; EVIDENCE	A prosecution for a public nuisance violation that involves noise is required to include an accurate recording and measurement of the noise made by a peace officer or code enforcement officer. Measurement standards are specified. Applies to all cases in which the defendant did not plead guilty or no contest and that, as of the effective date of this legislation, have not been submitted to the fact finder to render a verdict.		General Comments (all lists):  Oppose. Issue with ability to have required technology, whether the required technology will register the nuisance (eg. it may not register bass), and the term "intentionally" creates concerns.	2/24 House COW approved with flr amend <u>#4479</u> .
H2619: HOMEOWNERS' ASSOCIATIONS; DECLARATION AMENDMENT; MAJORITY	A condo association declaration may be amended by a vote of the unit owners to which more than 50 percent of the votes are allocated, decreased from at least 67 percent of the votes. The declaration is no longer allowed to require a larger majority. A homeowners' association declaration may be amended by an affirmative vote or written consent of a majority of the owners or eligible voters, instead of by the number of owners or eligible voters specified in the declaration.			1/28 referred to House gov- elect.
H2623: FIREWORKS; USE; OVERNIGHT HOURS; PROHIBITION	Counties and municipalities are authorized to prohibit the use of permissible consumer fireworks between the hours of 10PM and 8AM.		General Comments (all lists):  Support	2/24 passed House <u>35-24</u> ; ready for Senate.
H2711: ANTENNA USE; PRIVATE PROPERTY	If an antenna is installed on property within the exclusive use or control of the antenna user, whether the user has a direct or indirect ownership or leasehold interest in the property, an "authority" (defined elsewhere in statute) is prohibited from unreasonably delaying or preventing installation, maintenance or use of the antenna, unreasonably increasing the cost of installation, maintenance or use of the antenna, and preventing reception of acceptable signal quality. Applies to antennas that are not larger than one meter			2/24 House COW approved with amend <u>#4291</u> and flr amend <u>#4471</u> .

	in diameter and installed on private property.			
H2854: FIREWORKS; PERMISSIBLE SALE DAYS; USE	Restricts the sale of permissible consumer fireworks to May 20 through July 6 of each year, and restricts the use of permissible consumer fireworks to June 24 through July 6 of each year.			2/11 referred to House com.
H2882: TECH CORRECTION; ACTION TO RESTRAIN	Minor change in Title 28 (Transportation) related to authorized third parties. Apparent striker bus.		General Comments (all lists):  Oppose. Should be dead for this session. Interim discussion is anticipated. Striker amendment would preempt food trucks requirements and may be problematic for trash, lighting, safety measures, location requirements.	2/24 retained on House COW calendar.
S1322: EVICTION PROCEEDINGS; VIRTUAL APPEARANCES	In a special detainer or forcible detainer proceeding before the court, any party, including an attorney or witness, must be permitted to participate remotely by using a telephone or video conference connection.			2/25 Senate COW approved with flr amend #4595.
S1334: FIREWORKS; AERIAL DEVICES	The definition of "permissible consumer fireworks" in a county with a population of more than 500,000 persons is expanded to include "multiple-tube aerial devices" (defined as specified mine and shell devices and multiple tube fireworks devices and pyrotechnic articles that are defined in an American Pyrotechnics Association rule, with some exclusions).		General Comments (all lists):  Oppose. Held in committee, should be dead	2/10 Senate com do pass; report awaited.
S1425: ANTIDISCRIMINATION; HOUSING; EMPLOYMENT; PUBLIC ACCOMMODATIONS	The list of attributes for which a person cannot be discriminated against in employment practices, various housing related statutes, and in places of public accommodation is expanded to include "sexual orientation" and "gender identity" (both defined).			1/27 referred to Senate com.
S1644: HOMEOWNERS' ASSOCIATIONS; DECLARATION; BYLAWS; AMENDMENTS	A condo association declaration may be amended by a vote of the unit owners to which more than 50 percent of the votes are allocated, decreased from at least 67 percent of the votes. The declaration is no longer allowed to require a larger majority. A homeowners' association declaration may be amended by an affirmative vote or written consent of a majority of the owners or eligible voters, instead of by the number of owners or eligible voters specified in the declaration. For a condo association or homeowners' association, an amendment to the declaration of that takes any of a list of specified actions requires the approval of owners of 75 percent of all lots, or the declaration may provide otherwise. A vote to approve an amendment to the declaration may take place at a meeting or without a meeting. Establishes requirements for notice of a vote. More.			2/3 referred to Senate gov.
S1687: GOVERNMENTAL ENTITIES; SOCIAL MEDIA; PROHIBITION	A "governmental entity" (defined), at any level, is prohibited from using a social media platform for any official or governmental purpose. A governmental entity is prohibited from giving or controlling a social media account to or for an "elected official" (defined). Does not apply to a personal social media account operated by an elected official.		General Comments (all lists):  Oppose. These platforms are utilized to connect residents, businesses and visitors to information	2/16 from Senate trans-tech do pass.
S1722: POLITICAL SIGNS; CONDOMINIUMS; PLANNED COMMUNITIES	Modifies the time periods during which condominium associations and homeowners' associations cannot prohibit the display of political signs.	Calendar: 3/1 Senate COW		2/23 from Senate rules okay.
S1785: PROPERTY; FIREARMS CLAUSES; AGREEMENTS; PROHIBITION	Rental agreements are prohibited from providing that the tenant agrees not to carry, possess, transport or store on the premises a firearm, a part of a firearm or firearm ammunition that is authorized under state or federal law. Applies to the tenant, the tenant's guest, the tenant's dwelling and any parking area or other area open for use by the tenant. Condo associations and homeowners' associations cannot prohibit an owner, member, tenant or guest from carrying, possessing, transporting or storing a firearm, a part of a firearm or firearm ammunition that is authorized under state or federal law in any dwelling, office, parking lot or common element.			2/3 referred to Senate jud.

## Police

BILL NUMBER/ SHORT TITLE	SUMMARY	POSTED HEARINGS & CALENDARS	COMMENTS	LAST ACTION
H2006: SPEED LIMITS; ROADWAY TURN OFF	For the purpose of statute prohibiting driving a motor vehicle at such a slow speed as to impede the movement of traffic, "vehicle" is defined as a device in, on or by which a person or property is or may be transported on a public highway. "Vehicle" specifically includes electric bicycles, electric miniature scooters, electric standup scooters, devices moved by human power, personal delivery devices, and personal mobile cargo carrying devices. AS PASSED HOUSE.	Hearing: Senate Transportation & Technology (Monday 03/01/21 at 2:00 PM, Senate Rm. 109)	General Comments (all lists):  Potential implications for sharrow--being analyzed	2/18 referred to Senate trans-tech.
H2007: AUTONOMOUS VEHICLES; SAFETY FEATURES; PROHIBITIONS	A person is prohibited from "installing or using a defeat device" (defined) to interfere with or disable a safety feature of a vehicle equipped with specified levels of driving automation that is designed to ensure that a human driver is alert and attentive while driving automation features are engaged. Some exceptions.			1/12 referred to House trans.
H2012 (Chapter 6): UNAUTHORIZED RACING MEETINGS; PENALTIES; RACKETEERING	A person, association or corporation that knowingly holds an "unauthorized racing meeting" (defined as any racing meeting conducted outside the bounds of a racing permit) is guilty of a class 6 (lowest) felony. Holding an unauthorized racing meeting is added to the definition of "racketeering" for the purpose of the criminal code. AS SIGNED BY GOVERNOR			2/12 signed by governor. Chap. 6, Laws 2021. <a href="#">message</a>
H2027: LEAVING ACCIDENT SCENE; PRIVATE PROPERTY	The requirements for the driver of a vehicle involved in an accident to stop, remain at the scene of the accident, give specified information to others, and give reasonable assistance to an injured person are applicable to accidents on public or private property. The criminal classification for violating these requirements and for violating the requirement to take reasonable steps to locate and notify the owner of an unattended vehicle or fixtures or other property adjacent to a highway that the driver struck are increased to a class 1 (highest) misdemeanor, from a class 3 (lowest) misdemeanor.			2/18 referred to Senate trans-tech.
H2050: LIQUOR OMNIBUS	Various changes to statutes relating to spirituous liquor. The list of sources that a retailer may order, purchase or receive spiritual liquor from is expanded to include licensed craft distillers subject to statutory limits. Distillers and brewers are authorized to provide sampling of up to 16 ounces of beer or cooler products, increased from 12 ounces. A representative of a producer or wholesaler participating at a special event is allowed to consume small amounts of the products of the producer or wholesaler on the premises of the special event for the purpose of quality control. A licensee with joint premises privileges is prohibited from allowing a person under the legal drinking age to remain in an area where the primary use is the sale, dispensing or consumption of spirituous liquor if the person is not accompanied by a spouse, parent, grandparent or legal guardian of legal drinking age, instead of if the person is not accompanied by an adult. A licensed craft distiller that produces up to 3,566 gallons, increased from 1,289 gallons, of distilled spirits in a calendar year is allowed to make sales and deliveries of distilled spirits that the licensed craft distiller produces to on-sale and off-sale retailers. As session law, a liquor licensee who had a retail license that reverted to the state between January 1, 2018 and December 31, 2020 due to more than 36 months of continuous nonuse has until December 31, 2022 to file in writing with the Department of Liquor Licenses and Control (DLLC) a request for relief from the license reversion. On receipt of such a request, DLLC is required to reissue the license. As session law, a purchaser of a bar, beer and wine bar, or liquor store license awarded through the annual liquor license lottery between January 1, 2017 and December 31, 2019 that has not been activated has until December 31, 2022 to file in writing with DLLC a request to sell or activate the license. After DLLC receives such a request and the full purchase price of the license, DLLC is required to allow the purchaser to sell or to submit an application to activate the license. AS PASSED HOUSE.	Hearing: Senate Commerce (Wednesday 03/03/21 at 2:00 PM, Senate Rm. 1)		2/18 referred to Senate com.
H2066: ARREST PROCEDURES; MAGISTRATES	If the offense a person is arrested for was committed in another county, the arrested	Hearing: Senate Judiciary		2/18 referred to Senate jud.

	person may be taken before either the nearest or most accessible magistrate in the county in which the arrest occurs or the county where the offense was committed.	(Thursday 03/04/21 at 9:00 AM, Senate Rm. 1)	
H2067: CRIMINAL CONVICTION; SET ASIDE; APPLICABILITY	If the court grants an application to set aside the judgment of guilt, the court's order is required to include a certificate of second chance if the person has not previously received a certificate and the person was convicted of a misdemeanor, of a class 4, 5, or 6 (three lowest) felony and at least two years have elapsed since the person fulfilled the conditions of probation or sentence, or of a class 2 (second highest) or 3 (upper mid-level) felony and at least five years have elapsed since the person fulfilled the conditions of probation or sentence. A certificate of second chance releases the person from all barriers to obtain an occupational license if the person is otherwise qualified, with some exceptions, and releases an employer from liability for negligently hiring the person and a person or entity from liability for providing housing to the person if the liability is based on the existence of the person's prior criminal offense.	Calendar: 3/1 House COW	2/23 from House rules okay.
H2076: COURT FEES; DIGITAL EVIDENCE; STORAGE	The list of victims of assault that cause an assault to be classified as aggravated assault if the defendant knows of their profession is expanded to include a "probation officer" (defined). The list of circumstances under which an assault is classified as aggravated assault is modified to include if the person committing the assault is subject to the custody of a county probation department and commits the assault knowing or having reason to know that the victim is acting in an official capacity as an employee of the county probation department. The crime of resisting arrest, a class 6 (lowest) felony, is expanded to include intentionally preventing or attempting to prevent a person reasonably known to the person to be a probation officer acting under the officer's official authority from effecting an arrest by using or threatening to use physical force against the probation officer or another or by using other means to create a substantial risk of causing physical injury to the probation officer or another.		2/24 House COW approved with amend #4327. NOTE SHORT TITLE CHANGE. Passed House <u>59-0</u> ; ready for Senate.
H2082: COERCION; THEFT BY EXTORTION	A person commits theft by extortion, a class 4 (lower mid-level) felony, by knowingly obtaining or seeking to obtain property or services by means of a threat to perform any act that does not in itself materially benefit the person but that is calculated to harm another person materially with respect to that person's health, safety, business, calling, career, financial condition, reputation or personal relationships. Establishes the crime of coercion and classifies coercion as a class 1 (highest) misdemeanor. A person commits coercion by compelling or inducing another person to engage in conduct which that other person has a legal right to abstain from engaging in, to abstain from engaging in conduct in which that other person has a legal right to engage, or to join a group, organization or criminal enterprise which that other person has a right to abstain from joining, by means of instilling in that other person a fear that, if the demand is not complied with, the person or some other person will take any of a list of specified actions, including causing physical injury to a person or engage in other conduct constituting a crime.		1/14 referred to House jud.
H2084: DUI; MARIJUANA; IMPAIRMENT	In a trial, action or proceeding for a violation of driving under the influence, it is presumed that a defendant is under the influence and impaired by marijuana if the defendant has a blood concentration of 2.0 nanograms per milliliter or more of tetrahydrocannabinol within two hours of the time of driving or being in actual physical control of a vehicle as shown by an analysis of the defendant's blood.		1/14 referred to House jud.
H2098: MISSING CHILDREN; MANDATORY REPORTING	A law enforcement agency that opens a case for a missing child is required to submit a report of the missing child to the National Center for Missing and Exploited Children.		2/23 referred to Senate jud.
H2099: MISSING AND MURDERED INDIGENOUS PEOPLES	The Study Committee on Missing and Murdered Indigenous Women and Girls is renamed the Study Committee on Missing and Murdered Indigenous Peoples. Committee membership is modified by removing seven members and adding one attorney general or judge from a tribal jurisdiction, and Committee duties are modified. The Committee is required to submit a report of its activities and recommendations to the Governor and the Legislature by December 1, 2022, December		2/23 from House appro with amend #4420. From House rules okay.

	1, 2023, and December 1, 2024. The self-repeal date for the Committee is extended four years to October 1, 2025. Appropriates and unspecified amount (blank in original) from the Consumer Protection-Consumer Fraud Fund in FY2021-22 to the Attorney General for the work of the Committee.			
H2100: MISSING; UNIDENTIFIED PERSON; REPORTING REQUIREMENTS	A law enforcement agency that receives a report of a missing or unidentified person is required to submit the report of the missing and unidentified person to the National Missing and Unidentified Person System that is administered by the National Institute of Justice within an unspecified amount of time (blank in original) after receiving the report.			1/20 referred to House mil-pub safety.
H2111: 2ND AMENDMENT; UNENFORCEABLE FEDERAL LAWS	Pursuant to the sovereign authority of the state of Arizona and the state constitution, an act, law, treaty, order, rule or regulation of the U.S. government that violates amendment II of the U.S. Constitution is null, void and unenforceable in Arizona. This state and all political subdivisions are prohibited from using any personnel or financial resources to enforce, administer or cooperate with any act, law, treaty, order, rule or regulation of the U.S. government that violates amendment II of the U.S. Constitution.			2/24 passed House <u>31-29</u> ; ready for Senate.
H2116: HUMAN TRAFFICKING; CIVIL ACTION; LIABILITY	A person who engages in the trafficking of a person or who intentionally or knowingly benefits from participating in a venture that traffics another person is liable to the person trafficked for damages that arise from the trafficking of that person by the person or venture. It is not a defense to liability that the person was acquitted or has not been prosecuted for or convicted of an offense under the criminal code. A claimant who prevails must be awarded actual damages, including damages for mental anguish even if an injury other than mental anguish is not shown, court costs and reasonable attorney fees, and may also recover exemplary damages. These rights and remedies supplement any other rights and remedies provided by law, including common law rights.	Hearing: Senate Judiciary (Thursday 03/04/21 at 9:00 AM, Senate Rm. 1)		2/18 referred to Senate jud.
H2118: FURNISHING TOBACCO; MINORS; ENTERPRISE PENALTIES	It is unlawful for a person to knowingly sell, give or furnish a tobacco product, vapor product or any instrument or paraphernalia solely designed for smoking or ingesting tobacco or shisha to a person who is under the minimum age of sale for tobacco products as set by the Federal Food, Drug, and Cosmetic Act, instead of to minors. Establishes penalties the court must impose on an enterprise that violates this prohibition based on the number of violations. Penalties include mandatory attendance at a court-approved tobacco retailer educational course and graduated fines ranging from \$500 to \$5,000. For a second or subsequent violation, the court is required to prohibit the enterprise from selling, giving or furnishing tobacco products or vapor products for a specified time period. A violation of this restriction is a petty offense, subject to an additional fine and an extension of the prohibition. AS PASSED HOUSE			2/23 referred to Senate com.
H2152: POLICE; CAMERA RECORDINGS; REQUIRED REDACTIONS	Before a law enforcement agency releases a copy of a video recording from a law enforcement officer's body-worn camera to the public, the law enforcement agency must redact any portion of the video recording that shows the face or an identifiable body part of any person who appears in the video recording if the person is not the subject of a police investigation or enforcement action and the person was located in a private location or in a public location with an expectation of privacy, the person is a victim of or witness to a crime, or the person was in a state of undress and specified areas of the person's body were not covered. Does not apply to a person who provides the law enforcement agency with a written waiver to release the video recording without any redactions.			2/24 referred to Senate jud.
H2162: UNDESIGNATED OFFENSES; MISDEMEANOR STATUS; EXCEPTIONS	An undesignated felony offense must be treated as a misdemeanor until the court enters an order designating it a misdemeanor or felony, instead of being required to be treated as a felony until the court enters an order designating it a misdemeanor. Some exceptions. On the person's "successful" (defined) fulfillment of the conditions of probation and discharge by the court, the court is required to designate an undesignated offense a misdemeanor. Does not apply to a person who owes victim restitution or who has willfully failed to pay a monetary obligation ordered by the court. AS PASSED HOUSE			2/18 referred to Senate jud.

H2178: THEFT BY EXTORTION; DEFENSE	It is a defense to prosecution to theft by extortion by knowingly obtaining or seeking to obtain property or services by means of a threat to bring criminal charges, expose a secret or take or withhold action as a public servant that a reasonable person would believe that the property or services were obtained by the threat of a reasonable action, instead of that the property was lawfully claimed as compensation, restitution or indemnification. AS PASSED HOUSE	Hearing: Senate Judiciary (Thursday 03/04/21 at 9:00 AM, Senate Rm. 1)		2/18 referred to Senate jud.
H2182: RAPID DNA TESTING; APPROPRIATION	The Department of Public Safety (DPS) is required to adopt rules prescribing procedures for administering "rapid DNA testing" of "crime scene DNA samples" (both defined), and provisions that must be included in the rules are listed. Makes a supplemental appropriation of \$1.2 million and 3 FTE positions from the general fund in FY2021-22 to DPS to purchase and deploy four rapid DNA testing devices throughout Arizona. By October 15, 2021, January 15, 2022, April 15, 2022 and July 15, 2022, the Director of DPS is required to submit a report to the legislative judiciary committees containing specified information relating to the rapid DNA testing devices.			2/4 from House appro with amend <a href="#">#4117</a> .
H2187: DUI; ADMINISTRATIVE SUSPENSION; LICENSE	The list of reasons that the Department of Transportation is required to immediately revoke the license of a driver is expanded to include if the driver is convicted of or forfeits bail not vacated on a third or subsequent charge of aggravated driving under the influence within 84 months. AS PASSED HOUSE	Hearing: Senate Transportation & Technology (Monday 03/01/21 at 2:00 PM, Senate Rm. 109)		2/23 referred to Senate trans-tech.
H2293: VEHICLE IMPOUNDMENT; EXCEPTIONS; STORAGE CHARGES	The list of reasons for which a peace officer is required to cause the removal and either immobilization or impoundment of a vehicle is modified to include if the peace officer determines that the person's driving privilege is suspended for any reason except for failure to pay a civil penalty or failure to appear as directed for a scheduled court appearance, and to remove if the person's driving privilege is revoked for transporting or concealing from detection an alien in Arizona. A peace officer who needs to be present at an emergency is not required to remove, immobilize or impound a vehicle. The exemption from the requirement to remove the vehicle if the driver's spouse is present and meet specified qualifications to be able to drive the vehicle to a place of safety is expanded to apply to any other person who is with the driver at the time of the arrest. The minimum amount of time a vehicle must be immobilized or impounded is decreased to 20 days, from 30 days. AS PASSED HOUSE			2/24 referred to Senate trans-tech.
H2294: YIELDING TO EMERGENCY VEHICLES; PENALTIES	A person who violates the requirement to move over to slow down when approaching a stationary vehicle displaying flashing lights or warning lights is subject to a civil penalty of \$275 for a first violation, \$500 for a second violation, and \$1,000 for a third or subsequent violation, and is liable for any injury and any property damage that results from the violation. The Arizona Department of Transportation (ADOT) is required to educate the public about the requirement to move over or slow down periodically throughout the year and maintain information about the requirement on the ADOT website. AS PASSED HOUSE.			2/18 referred to Senate trans-tech.
H2295: LAW ENFORCEMENT OFFICERS; DATABASE; RULES	A "prosecuting agency" (defined) is prohibited from placing a law enforcement officer's name in a "rule 15.1 database" (defined) unless the officer is given at least 10 days prior written notice by mail or email to the officer's current or last known employment address. Information that must be included in the written notice is listed, including information on the right to request reconsideration of the allegations and placement in the database. If an officer submits a request for reconsideration, and the reconsideration is approved on its merits, the officer's name must be removed from the database. A prosecuting agency that maintains a rule 15.1 database is required to adopt a policy that includes specified provisions, including the criteria used to place a law enforcement officer's name in the database and the notice requirements of this legislation. A law enforcement agency is prohibited from using the placement of an officer's name in a rule 15.1 database as the sole reason for taking a list of employment actions against the officer.		General Comments (all lists): League opposes	2/23 FAILED House <a href="#">29-30</a> .
H2296: RESTRICTED LICENSE; DUI; SUSPENSION REPORT	After completing at least 45 consecutive days of the revocation period, a person whose driving privilege is revoked for a conviction of reckless driving, aggressive driving, or racing on highways is eligible for a special ignition			2/23 passed House <a href="#">59-0</a> ; ready for Senate.

	interlock restricted driver license. For driving under the influence violations, a law enforcement officer is required to forward the certified report of the arrest to the Department of Transportation within 30 days after the arrest occurs or within 30 days after the date the the chemical test result is created. AS PASSED HOUSE			
H2305: SPIRITUOUS LIQUOR; ALTERNATING PROPRIETORSHIPS	On application by one or more persons, the Department of Liquor Licenses and Control is authorized to approve applications for grouping two or more spirituous liquor producer, craft distiller, or microbrewery licenses at one location under a plan of alternating proprietorships if a licensed producer, craft distiller, or microbrewery has received approval by the U.S. Alcohol and Tobacco Tax and Trade Bureau and the participating producers, craft distillers, or microbreweries operate under the regulations and guidelines that are issued by the Bureau. Each participating spirituous liquor producer or microbrewery is responsible for filing all reports that relate to its production with the Bureau and the Department of Revenue. AS PASSED HOUSE	Hearing: Senate Commerce (Wednesday 03/03/21 at 2:00 PM, Senate Rm. 1)		2/18 referred to Senate com.
H2309: VIOLENT; DISORDERLY ASSEMBLY; PUBLIC ORDER	Establishes the crime of violent or disorderly assembly, a class 6 (lowest) felony, if a person, with seven or more other persons acting together, and with the intent to engage in conduct constituting a riot or an unlawful assembly, causes damage to property or injury to another person. A person who is arrested for a violation of violent or disorderly assembly cannot be released from custody for 12hours after the time of the arrest unless a magistrate finds that the person is not likely to immediately resume the criminal behavior based on the circumstances of the arrest and the person's previous criminal history, if any. To the extent allowed by federal law, a person who is convicted of violent or disorderly assembly is prohibited from obtaining any state or local "public benefits" (defined), and from being employed by the state or a county, municipality, or political subdivision. The list of circumstances under which assault is classified as aggravated assault, a class 6 (lowest) felony is expanded to include if the person commits the assault on a peace officer in the course of committing violent or disorderly assembly. A person convicted of aggravated assault in this circumstance must be sentenced to serve at least 6 months in jail and is not eligible for probation or suspension of execution of sentence until the entire sentence is served. The criminal classifications of obstructing a highway or other public thoroughfare, public nuisance, aiming a laser pointer at a peace officer, and recklessly damaging property in an amount of more than \$250 but less than \$1,000, are each increased to a class 6 (lowest) felony, from a class 1 (highest) misdemeanor, if the offense is committed in the course of committing violent or disorderly assembly.			2/24 House COW approved with amend #4254 and fir amend #4481.
H2310: EXECUTIVE ORDERS; REVIEW; ATTORNEY GENERAL	At the request of a member of the Legislature, the Attorney General is required to investigate any official action taken by the governing body of a county or municipality that reduces a "law enforcement agency's" (defined) budget by at least ten percent below the previous year's budget. If the Attorney General concludes that there is a reduction to the law enforcement agency's budget of at least ten percent below the previous year's budget, the Attorney General is required to notify the county or municipality of the conclusion by certified mail and provide 30 days to restore the budget reduction. If the county or municipality fails to restore the budget reduction within 30 days, the Attorney General is required to notify the State Treasurer, who must withhold and redistribute state shared monies from the county or municipality in an amount equal to the reduction of the law enforcement agency's budget. The Attorney General is required to continue to monitor the response of the governing body, and when the reduction to the budget has been restored, is required to notify the Governor and the Legislature and notify the State Treasurer to restore the distribution of state shared revenues to the county or municipality. Does not apply if a county or municipality has reduced their overall budget by at least ten percent below the previous year's budget.		General Comments (all lists):  Striker language is expected. If striker is added, will revisit position based on new language (may be completely different than the initial proposal). Original bill: Oppose. Would preempt city elected officials from setting the city budget. Also problematic for years in which a city expends one-time funding (e.g. significant building renovation, technology investment, vehicle replacements, etc) and would be penalized in future years.	2/24 passed House 31-29; ready for Senate.
H2335: UNLAWFUL FOOD OR DRINK CONTAMINATION	It is a class 2 (mid-level) misdemeanor to intentionally introduce, add or mingle any bodily fluid or foreign object not intended for human consumption with any water, food, drink or other product intended for			2/11 House COW approved.



	consumption by a human being, except that if a human being consumes the contaminated product or the damage caused by the contamination is at least \$1,000, the criminal classification is increased to a class 1 (highest) misdemeanor.			
H2348: FAILURE; RETURN VEHICLE; OFFENSE; REPEAL	Repeals the crime of unlawful failure to return a motor vehicle subject to a security interest, a class 6 (lowest) felony.		General Comments (all lists): Support	2/24 passed House <u>59-0</u> ; ready for Senate.
H2384: MEMBERSHIP; AZPOST	Increases the number of members of the Arizona Peace Officer Standards and Training Board to 15, from 13, by increasing the number of public members to 4, from 2, and requiring at least one of the public members to be a member of a federally recognized Native American Tribe. AS PASSED HOUSE			2/23 passed House <u>58-1</u> ; ready for Senate.
H2420: LAW ENFORCEMENT BUDGET; REDUCTION; CERTIFICATION	By October 15 of each year, counties and municipalities are required to certify in writing to each state agency through which the county or municipality receives any state monies that there has been no disproportionate funding reductions to the county's or municipality's law enforcement agency. The certification must include a statement that any reduction in funding or proposed funding to the law enforcement agency is a result of reduced revenue collection and the reduction in law enforcement agency funding is "proportionate" (defined) to the reduction in revenue. A county or municipality that has disproportionately reduced its law enforcement agency funding is not eligible to receive state shared monies. The State Treasurer is required to continue to withhold state shared monies until certification from the county or municipality that the reduction in the law enforcement agency's budget has been restored to a proportionate amount.		General Comments (all lists): Oppose. Would preempt city elected officials from setting the city budget. Also problematic for years in which a city expends one-time funding (e.g. significant building renovation, technology investment, vehicle replacements, etc) and would be penalized in future years.	2/23 from House rules okay.
H2461: DPS; BODY CAMERAS; APPROPRIATIONS	Appropriates \$1.5 million from the general fund in each of FY2021-22 through FY2025-26 to the Department of Public Safety (DPS) to purchase and deploy 1,267 body cameras for DPS personnel.		General Comments (all lists): Amended at request of law enforcement	2/23 passed House <u>59-0</u> ; ready for Senate. 2/24 referred to Senate appro.
H2462: CIVILIAN REVIEW BOARD MEMBERS; TRAINING	Before a person becomes a member of a "civilian review board" (defined) that reviews the actions of peace officers in Arizona, the person is required to satisfactorily complete a community college police academy and at least 20 hours of virtual law enforcement training.			2/24 passed House <u>31-29</u> ; ready for Senate.
H2465: SEARCH WARRANTS; PROCEDURES; NOTIFICATIONS	Before an ex parte order for the interception of wire, electronic or oral communications (ex parte order for interception), a judge must determine that the issuance of a search warrant has been tried and failed or reasonably appears to be unlikely to succeed or to be too dangerous. The maximum amount of time that an ex parte order for interception may be authorized is decreased to 20 days, from 30 days. Records of an ex parte order for interception must be retained during the duration of any relation investigation and any subsequent litigation or trial. A communication that does not involve the person being investigated or the particular crime listed in the order is prohibited from being recorded on any tape, electronic, wire or other comparable device. Within 14 days, decreased from 90 days, after an application for an ex parte order for interception is denied or after the period of an order expires, the issuing or denying judge is required to serve the persons named in the order or application with a notice, and the information that must be contained in the notice is expanded. The notification is not required until the identity of the person specified in the order is known or could be reasonably identified by a law enforcement agency, and law enforcement agencies are authorized to submit a request to delay the notification or a portion of the notification for up to 30 days. The court may grant permission to delay notification if specified conditions are met, and may grant additional extensions of the delay of up to 30 days each. Some exceptions. All electronic information or data and records of a provider of an electronic communication service or remote computing service pertaining to a subscriber or customer that are obtained in violation of these requirements are subject to the rules of evidence governing exclusion as if the records were obtained in violation of the 4th Amendment to the U.S. Constitution. More.			
H2481: SHORT-TERM RENTALS; ENFORCEMENT; PENALTIES	Modifies the list of regulations that counties and municipalities are authorized to impose on vacation rentals or short-terms rentals to include requiring the owner of a vacation		General Comments (all lists): Update: Additional amendment language is being contemplated. Position will be	2/11 from House gov-elect with amend <u>#4195</u> .

	rental or short-term rental to license or register with the county or municipality, and restricting the occupancy of a vacation rental or short-term rental to the lesser of the occupancy limit of the county or municipality or 2 adults per bedroom plus 2 additional adults. Vacation rentals and short-term rentals cannot advertise to exceed the occupancy limit of the dwelling or for any nonresidential use. Counties and municipalities are authorized to impose a civil penalty for each day a property is in violation of this advertisement prohibition. An online lodging operator that falsifies information to an online lodging marketplace is guilty of a petty offense. A county or municipality cannot prohibit the operation of a vacation rental or short-term rental based solely on its status as a vacation rental or short-term rental if the owner of the vacation rental or short-term rental, as of May 1, 2021, has a valid transaction privilege tax license, and as of June 2, 2021, has provided the owner's or the owner's designee's contact information to the county or municipality in which the vacation rental or short-term rental is located, if required by ordinance.		updated to reflect potential changes to language. Earlier: Support. City-approved amendment was added in committee.	
H2482: REGULATION; SHORT-TERM RENTALS	Modifies the list of regulations that counties and municipalities are authorized to impose on vacation rentals or short-term rentals to include: requiring contact information for the owner of the rental to be posted on the front door or in another location on the property that is visible and accessible to the public; restricting the maximum number of adult occupants allowed on the property at one time to the lesser of the occupancy limit established by the county or municipality or no more than 2 adults per bedroom, up to 4 bedrooms, plus 2 additional adults per 1,000 square feet of livable space in excess of 3,000 square feet of livable space; requiring the installation of safety and monitoring equipment that monitors and detects noise and notifies the owner if noise is unreasonable or in violation of a noise ordinance; prohibiting smoking outside within 100 feet of a residential structure; restricting occupants from checking in without the presence of the owner or the owner's designee; and prohibiting occupants from parking on public or private streets if on-property parking is available. Vacation rentals and short-term rentals cannot advertise to exceed the occupancy limit of the dwelling or for any nonresidential use, and are required to display the transaction privilege tax license in any online advertisement for rental of the unit. Establishes penalties for violations.			1/27 referred to House govt-elect.
H2483: ANIMAL OWNERSHIP; POSSESSION; PROHIBITION	It is a class 1 (highest) misdemeanor for a person who has been convicted of specified types of cruelty to animals, animal fighting, or bestiality to own, possess, adopt, foster, reside with or otherwise have contact with, care for or have custody of any "animal" (defined as a domesticated dog or cat) in the person's household. This prohibition remains in place for the following amounts of time: for a first misdemeanor conviction, at least 5 years; for a first felony conviction or a second or subsequent misdemeanor conviction, at least 15 years; and for a second or subsequent felony conviction, for the person's lifetime. Within 30 days after a person is prohibited from possessing an animal, the person is required to transfer all animals in the person's care or custody to another person who is not in the person's household. After at least one year, the person is permitted to apply to the sentencing court to have the person's right to possess an animal restored, and the court may grant the application if specified conditions are found.			2/24 referred to Senate com.
H2484: ANIMAL FIGHTING PARAPHERNALIA; OFFENSE	It is a class 1 (highest) misdemeanor for a person to knowingly own, possess, purchase, sell, transfer or manufacture "animal fighting paraphernalia" (defined) for the purpose of engaging in, promoting or facilitating animal fighting or cockfighting. AS SIGNED BY GOVERNOR			2/24 signed by governor. Chap. no. awaited. <a href="#">message</a>
H2485: URBAN AIR MOBILITY STUDY COMMITTEE	Establishes a 26-member Urban Air Mobility Study Committee to review current laws in Arizona that could impact the urban air mobility industry and discuss necessary revisions. The Committee is required to submit a report of its findings and recommendations to the Governor and the Legislature by July 1, 2022, and self-repeals October 1, 2023. AS PASSED HOUSE			2/23 passed House <a href="#">41-18</a> ; ready for Senate. 2/24 referred to Senate trans-tech.
H2502: ELECTRONIC COMMUNICATIONS; PERSONAL INFORMATION; HARASSMENT	It is a class 1 (highest) misdemeanor to use an "electronic communication device" (defined) to electronically distribute, publish, email, hyperlink or make available for downloading a person's personal identifying			2/24 passed House <a href="#">48-11</a> ; ready for Senate.

	information, without the person's consent and for the purpose of imminently causing the person or the person's immediate family member unwanted physical contact, injury or harassment by a third party.			
H2550: COMPLAINTS AGAINST PEACE OFFICERS; NOTIFICATION	Before a law enforcement agency accepts a complaint made against a peace officer, the agency is required to provide the person making the complaint a notice stating that it is a class 1 (highest) misdemeanor to knowingly make a false, fraudulent or unfounded report or statement to a law enforcement agency.			2/24 House COW approved.
H2551: MISCONDUCT INVOLVING WEAPONS; PUBLIC PLACES	A person who possesses a valid concealed weapons permit is exempt from the prohibition on carrying a concealed weapon in a public establishment or at a public event. Some exceptions, including for public establishments or events that are a "secured facility" (defined), that are the licensed premises of a liquor licensee, that are an educational institution, and that are a vehicle or craft.		General Comments (all lists):  Oppose. Unfunded mandate and preempts local decision-making.	2/24 passed House <a href="#">31-29</a> ; ready for Senate.
H2552: CRIMINAL DAMAGE: MONUMENTS; MEMORIALS; STATUES	Defacing, damaging or tampering with a public or private monument, memorial or statue is classified as aggravated criminal damage, a class 6 (lowest) felony. If the damaged property is at least \$1,500 but less than \$10,000, the criminal classification is increased to a class 5 (second lowest) felony, and if the damaged property is \$10,000 or more, the criminal classification is increased to a class 4 (lower mid-level) felony.			2/24 passed House <a href="#">31-29</a> ; ready for Senate.
H2553: PEACE OFFICERS; FORCE; PROHIBITED RULES	A "government body" (defined to include a law enforcement agency or department) is prohibited from adopting a policy or rule that prohibits a law enforcement officer from using physical force or deadly physical force when the use is allowed by law, unless it includes a statement that any nonforce tactics required to be used first are only required in situations where a reasonable person would conclude that the use of the nonforce tactics would not expose the law enforcement officer or another person to the threat of physical injury, serious physical injury or death. A government body is prohibited from adopting a policy or rule that prohibits a law enforcement officer from using a defensive tactic if the use of that tactic in a particular situation would otherwise be allowed under law, unless the Arizona Peace Officer Standards and Training Board has determined that the tactic should not be used in the situation.			1/28 referred to House mil- pub safety.
H2567: PEACE OFFICERS; INVESTIGATOR MEMBERSHIP REQUIREMENTS	The voting membership of any government committee, board or entity that investigates law enforcement officer misconduct, certifies misconduct investigations, or recommends disciplinary actions or imposes discipline for law enforcement officer misconduct is required to be at least 2/3 Arizona Peace Officer Standards and Training Board certified law enforcement officers of any rank who are from the same department or agency as the officer who is the subject of the investigation or disciplinary action. If an entity does not meet these requirements, a supervisor, department or agency head that supervises a law enforcement officer is authorized to investigate and impose discipline for an officer's misconduct independently of the entity.			2/24 House COW approved with amend <a href="#">#4486</a> .
H2568: ELECTRONIC COMMUNICATIONS; SOCIAL MEDIA POST	For the purpose of the crime of using an electronic communication to terrify, intimidate, threaten or harass, a class 1 (highest) misdemeanor, the definition of "electronic communication" is expanded to include a social media post.			2/24 passed House <a href="#">45-15</a> ; ready for Senate.
H2618: PUBLIC NUISANCE; NOISE; EVIDENCE	A prosecution for a public nuisance violation that involves noise is required to include an accurate recording and measurement of the noise made by a peace officer or code enforcement officer. Measurement standards are specified. Applies to all cases in which the defendant did not plead guilty or no contest and that, as of the effective date of this legislation, have not been submitted to the fact finder to render a verdict.		General Comments (all lists):  Oppose. Issue with ability to have required technology, whether the required technology will register the nuisance (eg. it may not register bass), and the term "intentionally" creates concerns.	2/24 House COW approved with flr amend <a href="#">#4479</a> .
H2623: FIREWORKS; USE; OVERNIGHT HOURS; PROHIBITION	Counties and municipalities are authorized to prohibit the use of permissible consumer fireworks between the hours of 10PM and 8AM.		General Comments (all lists):  Support	2/24 passed House <a href="#">35-24</a> ; ready for Senate.
H2699: AZPOST; MANDATORY REPORTING; PEACE OFFICERS	A law enforcement agency is required, instead of allowed, to report to the Arizona Peace Officer Standards and Training Board (AZPOST Board) any peace officer misconduct in violation of the rules for retention. A prosecuting agency is required to report to the AZPOST Board any information that the prosecuting agency has determined			2/2 referred to House mil- pub safety.

	may call into question the credibility of a peace officer and that has been disclosed in a case in which the peace officer testified.			
H2715: RESIDENTIAL PICKETING; OFFENSE	A person commits residential picketing, a class 3 (lowest) misdemeanor, if the person intentionally engages in picketing or otherwise demonstrates near the residence of an individual if the actions are such that a reasonable person would find the acts harassing, annoying, or alarming.			2/24 House COW approved.
H2751: SEARCH WARRANTS; AUDIBLE NOTICE; REQUIREMENTS	Before executing a search warrant, a peace officer who is recognizable and identifiable as a uniformed peace officer is required to provide audible notice of the officer's authority and purpose. The audible notice must be reasonably expected to be heard by the occupants of the place to be searched. Magistrates are no longer permitted to authorize an unannounced entry to execute a search warrant.		General Comments (all lists): Potential amending language forthcoming	2/24 retained on House COW calendar.
H2753: DISTILLERIES; LICENSING; ENVIRONMENTAL EXEMPTION	A microbrewery licensee is permitted to hold a craft distiller license, subject to all other requirements of both licenses. The microbrewery and the craft distiller are authorized to provide sampling and sales of the distilled spirits, beer sampling, and retail sales on the same premises. Licensed producers, craft distillers, brewers and farm wineries are subject to the rules and exemptions prescribed by the U.S. Food and Drug Administration under specified federal regulations relating to food safety. Production and storage spaces are not subject to non-federal food safety guidelines adopted by local governing boards.			2/24 retained on House COW calendar.
H2754: SCHOOL SAFETY; SCHOOL RESOURCE OFFICERS	School resource officers and juvenile probation officers are authorized to respond any suspected crime against a person or property that is a serious offense or that involves a deadly weapon or dangerous instrument or serious physical injury and any conduct that poses a threat of death or serious physical injury to employees, students or anyone on school property according to protocols established by their law enforcement agency. Previously, school resource officers were authorized to respond only to situations that present the imminent danger of bodily harm. If a school district or charter school enters into a memorandum of understanding or any other agreement with a law enforcement agency for the purpose of hiring a school resource officer or juvenile probation officer, the memorandum of understanding or agreement is required to include specified provisions, including that the officer is not responsible for student discipline except in response to those suspected crimes. By January 1, 2022, all school resource officers who serve on school grounds are required to complete a basic school resource officer course and an adolescent mental health training. By September 1 of each year, each school district and charter school is required to report to the Arizona Department of Education (ADE) the number of school resource officers or juvenile probation officers per school. Appropriates \$241,500 from the general fund in FY2021-22 to ADE for the costs of the training.			2/23 from House appro do pass. From House rules okay.
H2757: TRAFFIC SURVIVAL SCHOOL; ONLINE PROHIBITED	Traffic survival school courses of instruction must be offered and completed in person and cannot be offered online.			2/23 FAILED House <u>13-46</u> .
H2765: LAW ENFORCEMENT; DEADLY FORCE; INVESTIGATIONS	If a law enforcement officer uses deadly physical force in the performance of the officer's official duties and causes the death of another person, an investigator or law enforcement officer who is not from the same law enforcement agency as the officer, the Attorney General or the county attorney from another county is required to conduct the investigation into the officer's use of deadly physical force and provide the results of the investigation to the county attorney of the county in which the use of deadly physical force occurred.			2/23 from House rules okay.
H2770: MASK MANDATES; BUSINESS EXCEPTION	A business in Arizona is not required to enforce on its premises a mask mandate that is established by the state, a city, town or county or any other jurisdiction of this state.		General Comments (all lists): Oppose. Businesses play an important role in providing safe environments in the community. If businesses encounter an individual who is challenging the requirement, the city can be contacted for added enforcement response.	2/22 from House rules okay.
H2773: SPIRITUOUS LIQUOR; DELIVERY; OFF-SALE PERMITS	Bar liquor licensees are authorized to take orders for beer, wine or mixed cocktails by telephone, mail, catalog, or internet for delivery off the licensed premises. Restaurant liquor licensees that hold specified permits are authorized to take orders for beer or			2/16 from House rules okay.

	<p>mixed cocktails by telephone, mail, catalog, or internet for delivery off the licensed premises. The liquor licensee is allowed to maintain a delivery service and to contract with one or more third-party licensed facilitators for delivery of spirituous liquor if the spirituous liquor is loaded for delivery at the premises of the restaurant or bar licensee in Arizona and delivered in Arizona. All containers of spirituous liquor that are delivered must be conspicuously labeled with the words "Contains alcohol, signature of person who is twenty-one years of age or older is required for delivery." Delivery must be made by an employee of the licensee or an employee of an authorized third-party facilitator who is at least 21 years of age and delivery must be made to a customer who is at least 21 years of age and who displays identification at the time of delivery. Establishes licensing requirements for third-party facilitators.</p>			
<p>H2791: APPROPRIATION; PEACE OFFICER TRAINING EQUIPMENT</p>	<p>All training equipment purchased with monies in the Peace Officer Training Equipment Fund are required to be purchased under an existing supply schedule contract with the Department of Public Safety. An eligible vendor is also required to participate in a cooperative purchasing agreement with the Department of Administration. Establishes requirements for virtual training simulators purchased with monies in the Fund. Appropriates \$2 million from the general fund in FY2021-22 to the Fund.</p>		<p>General Comments (all lists): Amendment may not alleviate all concerns</p>	<p>2/22 from House mil-pub safety with amend #4411.</p>
<p>H2809: MARIJUANA; ADVERTISING; LABELING; SIGNAGE; SALE</p>	<p>Marijuana establishments are required to label all marijuana and marijuana products at a retail site with a warning that marijuana should not be used by women who are pregnant or breastfeeding. Department of Health Services (DHS) rules must require marijuana establishments to display a conspicuous sign that warns pregnant women about the potential dangers to fetuses caused by smoking or ingesting marijuana while pregnant or to infants while breastfeeding and the risk of being reported to the Department of Child Safety. DHS rules are also required to prohibit a marijuana establishment retail site from providing free samples of marijuana or marijuana products for on-site use. Marijuana establishments are prohibited from selling marijuana or marijuana products to persons who are "obviously intoxicated" (defined). Establishes a list of prohibited advertising for marijuana establishments and nonprofit medical marijuana dispensaries. 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>2/23 passed House 57-2; ready for Senate.</p>
<p>H2810: CIVIL ASSET FORFEITURE; CONVICTION; PROCEDURES</p>	<p>The list of property subject to seizure and forfeiture is modified to require the proceeds to be traceable to an offense that resulted in a criminal conviction. Property is subject to forfeiture only if the owner is convicted of an offense to which forfeiture applies and the state establishes by clear and convincing evidence that the property is subject to forfeiture. The state is prohibited from proceeding with further forfeiture proceedings before a criminal conviction for an offense to which forfeiture applies unless no timely claims for the seized property were filed or the court waived the conviction requirement. After a person is convicted of an offense for which forfeiture applies, the court may order the person to forfeit property acquired through the commission of the offense, property directly traceable to property acquired through the commission of the offense, and property the person used in the commission of the offense or to facilitate the offense. Establishes circumstances under which the court is allowed to waive the conviction requirement. Does not prevent property from being forfeited by the terms of a plea agreement. A person who claims to be an innocent owner has the burden of production to show that the person either held a legal right, title or interest in the property seized at the time the illegal conduct occurred, or acquired as a bona fide purchaser a legal right, title or interest in the property after the commission of the crime. All property seized by a law enforcement agency at any time must be returned to the owner, if known, within ten business days after the property's seizure unless the owner has been arrested and charged with a criminal offense subject to forfeiture, the property is sought to be used as evidence, it is illegal for the owner to possess the property, or the property was seized for forfeiture. Within 60 days after making a</p>		<p>General Comments (all lists): League opposition</p>	<p>2/24 passed House 57-2; ready for Senate.</p>

	seizure for forfeiture, the state is required to file a notice of pending forfeiture proceeding or return the property to the person from whom it was seized. Establishes requirements for serving the notice of pending forfeiture. Allows an owner of the property to file a claim against the property at any time within 60 days after the notice or 60 days before a criminal trial, whichever is later. Beginning August 28, 2024, the Attorney General is prohibited from using monies from the Anti-Racketeering Revolving Fund to pay salaries for full-time equivalent positions. Statutes governing various forfeiture proceedings are repealed and replaced. Much more.			
H2827: BUSINESSES; FIREARMS; UNLAWFUL ACTS	A government entity or financial institution is prohibited from discriminating against a "firearm entity" (defined) because the firearm entity supports or is engaged in the lawful commerce of firearms, firearm accessories or ammunition products. A person who is injured by a violation of this prohibition is authorized to bring a civil action against the government entity or financial institution.			2/24 retained on House COW calendar.
H2844: WINERIES; MICROBREWERIES; DISTILLED SPIRITS	Department of Health Safety rules relating to food and drink sales are required to provide an exemption for spirituous liquor produced on the premises in the area in which production and manufacturing of spirituous liquor occurs. This exemption must include the area licensed by the Department of Liquor Licenses and Control as a microbrewery, farm winery or craft distiller that is open to the public and serves spirituous liquor and commercially prepackaged food, crackers or pretzels for consumption on the premises. For the purpose of Title 4 (Alcoholic Beverages), the definition of "beer" is modified.			2/24 passed House <u>56-2</u> ; ready for Senate.
H2854: FIREWORKS; PERMISSIBLE SALE DAYS; USE	Restricts the sale of permissible consumer fireworks to May 20 through July 6 of each year, and restricts the use of permissible consumer fireworks to June 24 through July 6 of each year.			2/11 referred to House com.
H2882: TECH CORRECTION; ACTION TO RESTRAIN	Minor change in Title 28 (Transportation) related to authorized third parties. Apparent striker bus.		General Comments (all lists):  Oppose. Should be dead for this session. Interim discussion is anticipated. Striker amendment would preempt food trucks requirements and may be problematic for trash, lighting, safety measures, location requirements.	2/24 retained on House COW calendar.
S1043: PUBLIC SAFETY; CANCER INSURANCE; ELIGIBILITY	The Board of Trustees of the Public Safety Personnel Retirement System is required to annually review the premiums required under the Public Safety Cancer Insurance Policy Program to ensure the financial security of the Program. Persons eligible for coverage under the Program remain eligible upon retirement for the statutorily specified time periods, regardless of whether the person has a cancer diagnosis.		General Comments (all lists):  May be dead for the session. Would anticipate discussions for future sessions	1/26 from Senate rules okay.
S1045: DEFINED CONTRIBUTION; HEALTH SUBSIDY; DISABILITY	Retired members of the Public Safety Personnel Defined Contribution Retirement System are no longer required to pay the premium for coverage in the group health and accident coverage and are no longer excluded from eligibility for benefits under the health insurance premium assistance program for members with disabilities. The accidental disability pension for a member of the Public Safety Personnel Retirement System must be at least 50 percent of the member's average monthly benefit compensation.			2/24 Senate COW approved with flr amend <u>#4531</u> .
S1046: MEMBER DISTRIBUTIONS; DEFERRED RETIREMENT; TRANSFERS	For the purpose of Public Safety Personnel Retirement System (PSPRS) rollover distributions, the definition of "eligible retirement plan" is expanded to include a Roth individual retirement account that satisfies the requirements of section 408A of the federal Internal Revenue Code. A PSPRS member or the member's surviving spouse who is entitled to receive an eligible rollover distribution is authorized to elect to directly roll over all or part of that distribution to an eligible retirement plan, and a member's beneficiary other than the spouse is authorized, on the death of the member, to elect to directly roll over all or part of an eligible rollover distribution from the system. Requirements for eligible rollover distributions are specified. Retroactive to January 1, 2020.	Hearing: House Government & Elections (Wednesday 03/03/21 at 9:00 AM, House Rm. 1)		2/23 referred to House governm. elect.
S1059: MENTAL DISORDERS; CONSIDERATIONS; INVOLUNTARY TREATMENT	A person who has a substance use disorder without any co-occurring mental disorder cannot be considered for involuntary treatment. A person who initially presents with impairments consistent with both a mental disorder and substance use disorder is eligible for screening and evaluation, and			2/23 referred to House hel-hu ser.

	may be eligible for involuntary treatment if, after considering the person's history, an appropriate examination and a reasonable period of time to rule out substance abuse as the primary cause of the alleged behavior, the person's presentation is consistent with a mental disorder that would benefit from treatment. A person who has an intellectual disability cannot be considered for involuntary treatment unless the person also has a mental disorder that would benefit from treatment. AS PASSED SENATE			
S1088: CONTROLLED SUBSTANCES; SCHEDULE DESIGNATION	The State Board of Pharmacy is required to adopt by rule the schedule I, II, III, IV and V controlled substances listed in the code of federal regulations and to amend the rules as necessary to reflect changes in the designations. The rules adopted by the Board are prohibited from including any material, compound, mixture or preparation that contains any quantity of a controlled substance that is listed as an exempt substance in specified federal code. The definition of "controlled substances" throughout statute is modified to include those adopted by the Board by rule according to this requirement. The statutory lists of chemicals that are designated as controlled substances in each schedule level are deleted. AS PASSED SENATE	Hearing: House Health & Human Services (Monday 03/01/21 at 2:00 PM, House Rm. 4)		2/23 referred to House hel-hu ser.
S1103: LIEUTENANT GOVERNOR; DUTIES; BALLOT	No later than 60 days before the date of the general election, a candidate for Governor is required to submit to the Secretary of State the name of a person who will be the joint candidate for Lieutenant Governor with that gubernatorial candidate and whose name will appear on the general election ballot jointly with that candidate. The direction, operation and control of the Department of Administration is the responsibility of the Lieutenant Governor. Conditionally enacted on the state Constitution being amended by the voters at the 2020 general election by passage of an unspecified SCR (blank in original) relating to the establishment of the office of Lieutenant Governor. Applies beginning with elections for the term of office that starts in 2027.		General Comments (all lists): Expecting a striker with tobacco preemptions on this bill	2/24 from Senate appro with amend #4460. From Senate rules with the tech amend.
S1121: TECH CORRECTION; INTENSIVE PROBATION; MODIFICATION	Minor change in Title 13 (Criminal Code) related to intensive probation. Apparent striker bus.		General Comments (all lists): Striker requires cities to allow marijuana facilities. Open questions on language clarity. May have constitutional issues.	2/24 from Senate appro with amend #4462. From Senate rules okay.
S1125: BIAS MOTIVATED INTIMIDATION; FIRST RESPONDERS	Establishes the crime of bias motivated intimidation, a class 4 (lower mid-level) felony. A person commits bias motivated intimidation if the person maliciously and intentionally intimidates, harasses or terrorizes another person because of that person's actual or perceived employment as a "first responder" (defined) and the intimidation, harassment or terror causes either the death of or serious physical injury to another person, or damage to or the destruction of any real or personal property of another person where the amount of the damage or the value of the destroyed property exceeds \$500.			1/12 referred to Senate jud.
S1127: VEHICLE SPEED LIMITS	The definition of excessive speeding, a class 3 (lowest) misdemeanor is modified to include exceeding the posted speed limit by more than 20 miles per hour, instead of exceeding 85 miles per hour. If the maximum speed limit on a public highway in Arizona is 65 miles per hour, a person is prohibited from driving a motor vehicle at a speed in excess of 65 miles per hour on that highway. If the speed at which the person is alleged to have driven or the speed at which the court finds the person drove is 75 miles per hour or less, the offense is designated as the waste of a finite resource and is a civil traffic violation. If the maximum speed limit on a public highway in Arizona is 75 miles per hour, a person is prohibited from driving a motor vehicle at a speed in excess of 75 miles per hour on that highway. If the speed at which the person is alleged to have driven or the speed at which the court finds the person drove is 85 miles per hour or less, the offense is designated as the waste of a finite resource and is a civil traffic violation.	Calendar: 3/1 Senate COW		2/16 from Senate rules okay.
S1167: UNLAWFUL FOOD OR DRINK CONTAMINATION	It is a class 2 (mid-level) misdemeanor to intentionally introduce, add or mingle any bodily fluid or foreign object not intended for human consumption with any water, food, drink or other product intended for consumption by a human being, except that if a human being consumes the contaminated product or the damage caused by the contamination is at least \$1,000, the criminal classification is increased to a class 1			2/18 signed by governor. Chap. 30, Laws 2021. <a href="#">message</a>

	(highest) misdemeanor. AS SIGNED BY GOVERNOR			
S1220: MENTAL HEALTH PROFESSIONALS; TRAUMA COUNSELING	For the purpose of programs to provide peace officers and firefighters with traumatic event counseling, the definition of "licensed mental health professional" is expanded to include mental health professionals who are licensed by the Board of Behavioral Health Examiners and who hold either a master's or doctoral degree related to the mental health profession, and licensed mental health nurse practitioners or psychiatric clinical nurse specialists. AS PASSED SENATE.			2/25 referred to House hel-hu ser.
S1235: VEHICLE ACCIDENTS; FINANCIAL RESPONSIBILITY VERIFICATION	When the Arizona Department of Transportation (ADOT) verifies the financial responsibility of the owner of a motor vehicle involved in an accident in Arizona, ADOT cannot suspend the driver license or registration privilege of the person appearing as the registered owner of the vehicle in ADOT records if the person is able to provide proof the the vehicle was sold before the accident "occurred," instead of before "the date of the accident."			2/16 passed Senate <u>30-0</u> ; ready for House.
S1248: ELECTRONIC COMMUNICATIONS; SOCIAL MEDIA POST	For the purpose of the crime of using an electronic communication to terrify, intimidate, threaten or harass, a class 1 (highest) misdemeanor, the definition of "electronic communication" is expanded to include a "social media post" (defined). AS PASSED SENATE			2/23 passed Senate <u>28-2</u> ; ready for House.
S1257: STATE LIQUOR BOARD; MEMBERSHIP	One of the five members of the State Liquor Board with no financial interest in business licensed to deal with spirituous liquors is required to be a current or former elected municipal official. Session law allows current Board members to continue to serve until the expiration of their normal terms.		General Comments (all lists): Support. Previous League resolution, League supports.	2/4 passed Senate <u>29-0</u> ; ready for House.
S1333: LAW ENFORCEMENT; BUDGET REDUCTION; PROHIBITION	Municipalities are prohibited from reducing the annual operating budget for a law enforcement agency by any amount below the previous year's budget. If a municipality reduces the annual operating budget for a law enforcement agency, the municipality is required to notify the State Treasurer of the reduction, and the State Treasurer is required to withhold any state shared monies from the municipality in an amount equal to the amount of the reduction of the annual operating budget for the law enforcement agency. Some exceptions. The State Treasurer is required to deposit any amounts withheld in the newly established Law Enforcement Support Fund. If a municipality reduces the annual operating budget for a law enforcement agency by more than 25 percent, the State Treasurer is required to withhold state shared monies in an amount equal to the law enforcement agency's entire budget for the previous year. If a municipality reduces a law enforcement agency's budget by more than 25 percent, the municipality is required to notify the county sheriff, that sheriff is authorized to assume law enforcement functions for that municipality, and the State Treasurer is required to provide all state shared monies withheld from the municipality to the county sheriff's department. The State Treasurer is required to continue to withhold state shared monies until notification from the municipality that the reduction in the law enforcement agency's budget has been restored. More. Retroactive to January 1, 2021.		General Comments (all lists): Oppose. Would preempt city elected officials from setting the city budget.	2/16 from Senate rules okay.
S1334: FIREWORKS; AERIAL DEVICES	The definition of "permissible consumer fireworks" in a county with a population of more than 500,000 persons is expanded to include "multiple-tube aerial devices" (defined as specified mine and shell devices and multiple tube fireworks devices and pyrotechnic articles that are defined in an American Pyrotechnics Association rule, with some exclusions).		General Comments (all lists): Oppose. Held in committee, should be dead	2/10 Senate com do pass; report awaited.
S1336: VEHICLE IMPOUNDMENT; EXCEPTIONS; STORAGE CHARGES	The list of reasons for which a peace officer is required to cause the removal and either immobilization or impoundment of a vehicle is expanded to include if the peace officer determines that the person's driving privilege is suspended for any reason except for failure to pay a civil penalty or failure to appear as directed for a scheduled court appearance. A peace officer who needs to be present at an emergency is not required to remove, immobilize or impound a vehicle. The exemption from the requirement to remove the vehicle if the driver's spouse is present and meet specified qualifications to be able to drive the vehicle to a place of safety is expanded to apply to any other person who is with the driver at the time of the arrest. The minimum amount of time a vehicle must be immobilized or impounded is decreased to 20 days, from 30 days. Also, knowingly			2/22 passed Senate <u>30-0</u> ; ready for House.



	transporting or moving an alien that has entered or remains in the United States in violation of law is removed from the list of reasons for which a peace officer is required to cause the removal and either immobilization or impoundment of a vehicle. AS PASSED SENATE			
S1379: VACATION RENTALS; SHORT-TERM RENTALS; ENFORCEMENT	Modifies the list of regulations that counties and municipalities are authorized to impose on vacation rentals or short-term rentals to include restricting the occupancy of a vacation rental or short-term rental to 2 adults per bedroom, up to 4 bedrooms, plus 2 additional adults per 1,000 square feet of livable space in excess of 3,000 square feet of livable space, and requiring the owner of a vacation rental or short-term rental to maintain liability insurance appropriate to cover the rental in the aggregate of at least \$500,000 or to advertise and offer each vacation rental or short-term rental through a hosting platform that provides equal or greater coverage. Counties and municipalities are authorized to impose civil penalties for each day a property is in violation of specified provisions. Modifies civil penalties for online lodging operators that fail to comply with applicable transaction privilege tax requirements.	Calendar: 3/1 Senate COW	General Comments (all lists): Would want a proposal on this topic to go further. Would not expect this proposal to resolve issues altogether.	2/25 retained on Senate COW calendar.
S1396: PSPRS; SURVIVOR BENEFITS	The amount of a surviving spouse's pension from the Public Safety Personnel Retirement System is 40 percent of the deceased member's average monthly salary or 4/5 of what the deceased member's pension would have been on the date of death had the member been retired, whichever is greater. Previously, the surviving spouse's pension was 40 percent of the deceased member's average monthly salary.			2/23 passed Senate <u>30-0</u> ; ready for House.
S1402: TOBACCO; RETAIL; LICENSING	Beginning January 1, 2023, a "retail tobacco vendor" (defined) is prohibited from distributing "tobacco products" (defined to include "electronic smoking devices") in Arizona without a valid tobacco retail sales license issued by the Department of Liquor Licenses and Control (DLLC). DLLC is required to establish fees for a tobacco retail sales license, and is prohibited from issuing a license until the vendor has obtained the required local license. It is unlawful for a retail tobacco vendor or a retail tobacco vendor's representative, agent or employee to sell, furnish, give or provide a tobacco product to a person who is under the minimum age of sale for tobacco products as set by the federal Food, Drug, and Cosmetic Act, and requirements for verifying photo identification are specified. Establishes penalties for violations, including attendance at an education class and graduated fines ranging from \$500 to \$3,000. For a second or subsequent violation, the court is required to prohibit the vendor from distributing tobacco products for a specified time period. DLLC is required to adopt rules to carry out retail tobacco vendor regulations, and is authorized to delegate the enforcement and compliance inspections to any county that accepts the delegation. Establishes the Tobacco Retail Sales Licensing Fund, consisting of licensing fees collected, to be administered by DLLC. DLLC is required to deposit 90 percent of all licensing fees in the Fund and the remaining 10 percent in the general fund. More.		General Comments (all lists): Supported by American Heart Association, American Cancer Society, Children's Action Alliance, AZ Public Health Association	2/18 Senate com held.
S1419: HIGHWAY VIDEO SURVEILLANCE; PROHIBITION	The state and political subdivisions are prohibited from conducting "highway video surveillance" (defined) on a controlled access highway or on a sidewalk. A person who suffers an injury as a result of a violation of this prohibition is entitled to damages of at least \$1,000 for each violation, plus costs and reasonable attorney fees. Statutes authorizing and regulating photo enforcement are repealed.		General Comments (all lists): Failed in committee	2/15 FAILED SENATE trans-tech 4=5.
S1420: SCHOOLS; UNIVERSITIES; CONSULAR IDENTIFICATION CARDS	School districts and charter schools are required to accept a consular identification card to show verifiable documentation of Arizona residency. Community colleges and universities under the jurisdiction of the Arizona Board of Regents are required to accept a consular identification card as a valid form of identification. The state and political subdivisions are required to accept a consular identification card that is issued by a foreign government as a valid form of identification if the foreign government uses "biometric identity verification techniques" (defined) in issuing the card, instead of being prohibited from accepting a consular identification card as a valid form of identification.		General Comments (all lists): League resolution.	2/24 Senate COW approved with amend <u>#4282</u> . Passed Senate <u>20-10</u> ; ready for House. Substituted in House for identical bill 2458. Passed House 41-18; ready for governor.
S1424: CRIMINAL RESPONSIBILITY; GENDER;	The use of force against another is not justified if the use of force occurs in response			1/27 referred to Senate jud.

SEXUAL ORIENTATION	to the person's discovery of or the victim's disclosure of the victim's "gender identity" or "sexual orientation" (both defined), or a nonviolent romantic or sexual advance made by the victim toward the person. When determining whether a defendant committed an offense under the immediate influence of a sudden quarrel or heat of passion resulting from an adequate provocation, it is not an adequate provocation that the offense resulted from the defendant's discovery of or the victim's disclosure of the victim's gender identity or sexual orientation, or a nonviolent romantic or sexual advance made by the victim toward the defendant. Applies whether or not a defendant's knowledge, discovery or belief regarding the victim's gender identity or sexual orientation was accurate.			
S1502: PUBLIC NUISANCE; NOISE; EVIDENCE	A prosecution for a public nuisance violation that involves noise is required to include an accurate recording and measurement of the noise made by a peace officer or code enforcement officer. Measurement standards are specified. Applies to all cases in which the defendant did not plead guilty or no contest and that, as of the effective date of this legislation, have not been submitted to the fact finder to render a verdict.	Calendar: 3/1 Senate COW	General Comments (all lists):  Problematic due to available resources, ambient noise issues, legal challenges	2/24 retained on Senate COW calendar.
S1511: CHILD; VULNERABLE ADULT; ABUSE	It is a class 2 (second highest) felony for a health care professional to intentionally or knowingly engage in any of the following practices or cause any of the following practices to be performed on a child or vulnerable adult to attempt to change the child's or vulnerable adult's sex or to affirm the child's or vulnerable adult's perception of their sex if that perception is inconsistent with the child's or vulnerable adult's sex: performing surgeries that sterilize; performing a mastectomy; administering, prescribing or supplying specified medications that induce transient or permanent infertility; and removing any otherwise healthy or non-diseased body part or tissue. If done recklessly, the criminal classification is reduced a class 3 (upper mid-level) felony, and if done with criminal negligence, the criminal classification is reduced to a class 4 (lower mid-level) felony. Does not apply to a health care professional who acts in accordance with a good faith medical decision of a parent or guardian of a child or vulnerable adult who is born with a medically verifiable genetic disorder of sex development. These medical practices are added to the definition of "abuse" and committing child abuse under this definition against a minor who is under 15 years of age is classified as a dangerous crime against children.			2/1 referred to Senate hel- hu ser.
S1515: LITTERING; ARSON RELATED FINES; USE	A separate violation of criminal littering occurs on each day of part of a day that the person who throws or places on public property or another person's property any litter or destructive material does not remove the litter or material. Establishes an additional fine of at least \$250 for each violation of criminal littering or polluting. If a fine is assessed for a violation of reckless burning, arson, burning of wildlands, unlawful cross burning, or unlawful symbol burning, 100 percent of any assessed fine must be deposited in the general fund of the county in which the fine was assessed, and the county must use at least 50 percent of the fine for fire restoration and rehabilitation costs. If a fine is assessed for a violation of arson of an occupied jail or prison facility, 100 percent of the fine must be deposited in the Cooperative Forest Fund and used for fire restoration and rehabilitation costs in Arizona.			2/1 referred to Senate jud.
S1533: OBSTRUCTING HIGHWAYS; RACING; ASSESSMENT; IMPOUNDMENT	Levies a penalty assessment of \$1,000 on every fine, penalty and forfeiture imposed and collected by the courts for a violation of racing on highways. The assessments are deposited in the newly established Drag Racing Prevention Enforcement Fund, to be used to prevent racing on streets and highways in Arizona. Increases the criminal classification of obstructing a highway to a class 2 (mid-level) misdemeanor, from a class 3 (lowest) misdemeanor, except that a second or subsequent violation within 24 months is a class 1 (highest) misdemeanor. A person who knowingly aids and abets another person in the commission of a violation of reckless driving or racing on highways is guilty of a class 2 (mid-level) misdemeanor, except that a second or subsequent violation within 24 months is a class 1 (highest) misdemeanor. Also, a peace officer is required to cause the removal and either immobilization or impoundment of a vehicle if the peace officer determines that a person is		General Comments (all lists):  Support. Adjustments made from last year's bill with similar language to reflect needed impoundment duration changes.	2/24 Senate COW approved with fir amend #4535. 2/25 Passed Senate 25-3; ready for House.

	driving a vehicle in violation of reckless driving or racing on highways.			
S1605: WORKERS COMPENSATION; PHYSICIANS; PUBLIC SAFETY	The Industrial Commission is required to develop and annually update a list of approved physicians to conduct initial examinations "public safety employees" (defined elsewhere in statute) or periodic medical examinations of public safety employees. If an accident occurs to a public safety employee, the Industrial Commission is required to randomly select from the list a physician who shall be allowed by the public safety employee, or any person in charge of the public safety employee, to make one examination of the injured public safety employee in order to ascertain the character and extent of the injury occasioned by the accident.			2/18 from Senate com do pass.
S1639: DAMAGING; MONUMENTS; ARTIFACTS REMOVAL	Recklessly defacing or damaging a public or private monument or historical artifact is classified as criminal damage, a class 2 (mid-level) misdemeanor. If the damaged property is at least \$250, the criminal classification is increased to between a class 1 (highest) misdemeanor and a class 4 (lower mid-level) felony, depending on the value of the damaged property. The Department of Administration is only allowed to relocate, remove, alter, rename, rededicate or otherwise disturb monuments or memorials that are erected, named or dedicated on or after March 22, 1822 and that are located in the governmental mall if it is necessary to accommodate construction, repair or improvements to the monuments or memorials or the surrounding property where the monuments or memorials are located. A monument or memorial that is removed or relocated must be returned within 90 days after the completion of the construction, repair or improvement project.			2/3 referred to Senate gov.
S1658: FIREARMS AND EQUIPMENT; REGULATION	A person who is lawfully entitled to retain possession of "firearms and equipment" (defined) is authorized to retain possession of firearms and equipment and use or transport firearms and equipment in Arizona for any lawful purpose. The right to retain, use or transport firearms and equipment cannot be impaired or infringed by the Legislature, the state, state agencies, or political subdivisions. A retroactive law that regulates firearms and equipment, including a law that requires an additional or new tax on firearms and equipment that were purchased under a previous law that required only a onetime tax, or mandatory firearms and equipment buyback or registration laws are unlawful and unenforceable.			2/3 referred to Senate jud.
S1660: CRIMES AGAINST CHILDREN; DEPENDENCIES; OMNIBUS	Numerous changes to statutes relating to dependent children. For the purpose of the Criminal Code relating to sexual offenses, the definition of "position of trust" is expanded to include adult school employees, a minor's employer, employee of a group home or residential treatment facility where the minor resides, and more. On motion of the prosecution, the court may order that a pro se defendant in a prosecution for sexual abuse or child sex trafficking is prohibited from directly questioning the minor victim if the court determines that direct questioning by the pro se defendant would prevent the minor victim from being able to reasonably communicate. The term "child sex trafficking" replaces the term "prostitution" in various statutes. The State Board of Education is required to establish best practices for social media and cellular telephone use between students and school personnel, including teachers, coaches and counselors, and encourage school district governing boards and charter school governing bodies to adopt policies that implement these best practices. The Department of Education is required to develop a statewide training curriculum on the child abuse mandatory reporting laws for public school personnel, and each public school must require its personnel to complete the training.	Calendar: 3/1 Senate COW		2/25 retained on Senate COW calendar.
S1784: UNLAWFUL ASSEMBLY; RIOT; HIGHWAYS; PENALTIES	In addition to any other penalty, the court is required to order a person who is convicted of unlawful assembly to pay a fine of at least \$500. The criminal classification of riot is increased to a class 4 (lower mid-level) felony, from a class 5 (second lowest) felony. The list of acts that constitute obstructing a highway or other public thoroughfare is expanded to include recklessly interfering with the passage of any highway or public thoroughfare by creating an unreasonable inconvenience or hazard, while engaging in unlawful assembly. Obstructing a highway or other public thoroughfare under these circumstances is a class 6 (lowest) felony.			2/3 referred to Senate jud.

S1797:  
FANTASY SPORTS BETTING; EVENT  
WAGERING

Numerous changes to statutes relating to gaming. Establishes a new chapter in Title 5 (Amusements and Sports) regulating "fantasy sports contest" (defined), conditionally enacted on each Indian Tribe with a gaming facility in Pima County and in the Phoenix metropolitan area entering into a 2021 Gaming Compact Amendment and publishing in the federal register notice of the U.S. Secretary of the Interior's approval or approval by operation of law. An individual who is licensed by the Arizona Department of Gaming (ADG) is authorized to offer one or more fantasy sports contests if specified conditions apply, including that the individual collects no more than \$10,000 in total entry fees for all fantasy sports contests offered in a calendar year, at least 95 percent of which are awarded to the fantasy sports contest players. Establishes requirements for licensure, authorizes ADG to adopt rules related to conducting fantasy sports contests, and establishes penalties for violations. Individuals who are under 21 years of age are prohibited from participating in a fantasy sports contest. Establishes a list of prohibited actions for licensed fantasy sports contest operators and prohibits fantasy sports contests from being offered on a kiosk or machine open to public use. ADG is required to establish a fee for the privilege of operating fantasy sports contests that is not less than the highest percentage of revenue share that an Indian Tribe pays to Arizona pursuant to the tribal-state gaming compacts and any amendments. ADG is authorized to use up to 10 percent of fee monies for the costs of regulating fantasy sports contests and is required to transfer the remaining monies to the general fund. An Indian Tribe that lawfully conducts class III gaming pursuant to a tribal-state gaming compact with Arizona is authorized to offer and conduct fantasy sports contests, directly or through a third-party operator, without applying for or holding a license if all activities of the fantasy sports contest occur within the boundary of its Indian lands and the Indian Tribe complies with any regulations that are included in the compact. Establishes a new chapter in Title 5 (Amusements and Sports) regulating "event wagering" (defined), conditionally enacted on each Indian Tribe with a gaming facility in Pima County and in the Phoenix metropolitan area entering into a 2021 Gaming Compact Amendment and publishing in the federal register notice of the U.S. Secretary of the Interior's approval or approval by operation of law. Establishes powers and duties of ADG to enforce event wagering statutes. Event wagering may be conducted only to the extent that it is conducted in accordance with this legislation, and a person is prohibited from offering any activity in connection with event wagering in Arizona unless all necessary licenses have been obtained in accordance with federal and state law and any applicable ADG rules. Does not apply to event wagering conducted exclusively on Indian lands by an Indian Tribe operated in accordance with a tribal-state gaming compact and any amendments. ADG is authorized to issue up to 10 event wagering operator licenses to applicants other than an Indian Tribe and up to 10 event wagering operator licenses to Indian Tribes in Arizona that have signed the most recent Tribal-State Gaming Compact and any applicable amendments. Establishes requirements for licensure as an event wagering operator. A license authorized an event wagering operator to offer event wagering through a facility within a 5-block radius of the operator's sports facility and event wagering through a mobile platform as specified by ADG. Establishes provisions for license revocation, suspension or denial. An event wagering operator is authorized to partner with a racetrack enclosure or additional wagering facility that holds a racing permit to obtain a limited event wagering license for event wagering only at one specific physical location. ADG is allowed to issue a total of up to 10 limited event wagering licenses. Management services providers are required to obtain a license from ADG and are authorized to contract with an event wagering operator or operators. ADG is required to establish and collect application and license fees. ADG is required to establish bond in escrow, cash on hand, and insurance requirements for licensees. Establishes a list of prohibited wagers. ADG is required to establish a fee for the privilege of operating event wagering that is not less than the highest percentage of revenue share that an

2/23  
Senate appro held.

Indian Tribe pays to Arizona pursuant to the tribal-state gaming compact. ADG is authorized to use up to 10 percent of fee monies for the costs of regulating fantasy sports contests and is required to transfer the remaining monies to the general fund. Fantasy sports contest operators and event wagering operators are required to allow problem gamblers to voluntarily exclude themselves and to develop and maintain a program to mitigate and curtail compulsive play or compulsive gambling. After the conditions for enactment of this legislation are met, the Arizona State Lottery Commission is authorized to establish and operate a single "electronic keno game" and a single "mobile draw game" on a centralized computer system controlled by the lottery that allows a player to place wagers, view the outcome of a game and receive winnings over the internet, including on personal electronic devices. An electronic keno game may be operated only within an "authorized keno location" (defined as a physical facility with a specified gaming license that is a fraternal organization, veterans' organization, racetrack enclosure, or wagering facility where pari-mutuel wagering is conducted). If the electronic keno game is to be played on personal electronic devices, players must be geographically restricted by means of geofencing to authorized keno locations. Establishes limits on the number of authorized keno locations and the frequency of electronic keno game draws and prohibits certain user interface depictions. Establishes the 2021 Compact Trust Fund is established for the exclusive purposes of mitigating impacts to Indian Tribes from gaming authorized by the "2021 Gaming Compact Amendment" (defined) and providing economic benefits to beneficiary tribes, including those with an effective gaming compact that includes the 2021 amendments and do not engage in gaming. Contains a legislative intent section. Emergency clause.

## Strategic Mgmt and Diversity

BILL NUMBER/ SHORT TITLE	SUMMARY	POSTED HEARINGS & CALENDARS	COMMENTS	LAST ACTION
H2045 (Chapter 1): CIVIL RIGHTS; AMENDMENTS	For the purpose of employment discrimination statutes, the terms "because of sex" and "on the basis of sex" includes because of or on the basis of pregnancy or childbirth or related medical conditions. Women who are affected by pregnancy or childbirth or related medical conditions must be treated the same for all employment-related purposes, including receipt of benefits under fringe benefit programs, as other persons not so affected but similar in their ability or inability to work. AS SIGNED BY GOVERNOR			2/4 signed by governor; Chap. 1, Laws 2021. <a href="#">message</a>
H2069: GENETIC TESTING; PRIVATE PROPERTY	Except as specifically authorized or required by state or federal law, genetic testing and the information derived from genetic testing, whether in the possession of a public or private entity, are the exclusive private property of the person tested. Does not apply to genetic testing information that is protected from disclosure under the federal Health Insurance Portability and Accountability Act privacy standards. Applies only to genetic testing conducted and information derived from genetic testing conducted after the effective date of this legislation. AS PASSED HOUSE			2/18 House COW approved with amend <a href="#">#4162</a> . Passed House <a href="#">59-1</a> ; ready for Senate.
H2395: PARKED VEHICLES BLOCKING SIDEWALK; PROHIBITION	The prohibition against a person stopping, standing or parking a vehicle on a sidewalk includes stopping, standing or parking a vehicle so that any part of or attachment to the vehicle blocks an area of a sidewalk and impedes continuous pedestrian use of the sidewalk in a manner that is not consistent with the Americans With Disabilities Act.			2/18 referred to Senate trans-tech.
H2590: DAY OF RACIAL HEALING; OBSERVED	The third Tuesday in January of each year shall be observed as the National Day of Racial Healing. National Day of Racial Healing is not a legal holiday.			2/22 from House gov-elect do pass.
H2642: ANTIDISCRIMINATION; HOUSING; EMPLOYMENT; PUBLIC ACCOMMODATIONS	The list of attributes for which a person cannot be discriminated against in employment practices, various housing related statutes, and in places of public accommodation is expanded to include "sexual orientation" and "gender identity" (both defined).			2/2 referred to House jud, gov-elect.
H2787: OCCUPATIONAL REGULATION; GOOD CHARACTER; DEFINITION	If a person applying for occupational licensure has a disqualifying criminal record, the agency is required to consider a list of specified factors in determining whether the person's criminal record disqualifies the person based on a clear and convincing showing, including the nature and seriousness of the crime for which the person was convicted, and evidence of rehabilitation or treatment undertaken by the person that might mitigate against a direct relation to the ability and fitness required to perform the duties and responsibilities of the occupation. Also establishes a list of factors that the agency is prohibited from considering.			2/22 from House rules okay.
S1092: DEAF; HARD OF HEARING; DEAFBLIND	The duties of the Commission for the Deaf and the Hard of Hearing are expanded to include issues and services relating to the needs of the "deafblind" (defined), and to include making recommendations to the Legislature on assessment standards that optimize the language acquisition and literacy development of deaf and hard of hearing newborns, infants and children.			2/24 referred to House hel- hu ser.
S1426: CONVERSION THERAPY; PROHIBITION; MINORS	It is an act of unprofessional conduct for a "health care professional" (defined) to provide "conversion therapy" (defined as any practice or treatment that seeks to change the sexual orientation or gender identity of a person) to a patient or client who is under 18 years of age. Some exceptions.			

## Sustainability

BILL NUMBER/ SHORT TITLE	SUMMARY	POSTED HEARINGS & CALENDARS	COMMENTS	LAST ACTION
H2034 (Chapter 9): NOXIOUS WEEDS; GOVERNMENT PROJECTS	The state, state agencies, political subdivisions, and any other governmental entity are authorized to remove "noxious weeds" (defined elsewhere in statute), including Russian olive and salt cedar trees, as part of routine maintenance operations and capital projects. The state, state agencies, political subdivisions, and any other governmental entity are prohibited from using noxious weeds, including Russian olive and salt cedar trees, in landscaping. AS SIGNED BY GOVERNOR			2/12 signed by governor. Chap. 9, Laws 2021. <a href="#">message</a>
H2056 (Chapter 22): WATER CONSERVATION NOTICE; NO FORFEITURE	Beginning on the effective date of this legislation, a person who is entitled to the use of water is authorized to file with the Department of Water Resources a water conservation plan notice. Information that must be included in the notice is listed. On filing a water conservation plan notice, the conservation of water pursuant to the plan does not constitute abandonment or forfeiture of the water conserved. A person cannot accrue long-term storage credits for any water that is conserved in a water conservation plan notice. A water conservation plan is required to designate a duration of up to 10 years, and the person filing the notice may file a subsequent notice for one or more periods of up to 10 years. Contains a legislative intent section stating that the Legislature intends that this act apply prospectively only. AS SIGNED BY GOVERNOR		General Comments (all lists): AMWUA monitor	2/18 signed by governor. Chap. 22, Laws 2021. <a href="#">message</a>
H2074: WATER BANKING; STORAGE CREDITS; SUBCONTRACTORS	The Arizona Water Banking Authority is authorized to distribute long-term water storage credits to Central Arizona Water Conservation District's (CAWCD) municipal and industrial subcontractors. Long-term water storage credits that are distributed to a CAWCD municipal and industrial subcontractor cannot be sold, and the subcontractor is responsible for all fees assessed by the Authority or the Department of Water Resources for the distribution of the long-term storage credits and all costs of recovery of the long-term storage credits.		General Comments (all lists): Support. AMWUA support	1/14 referred to House nat res-energy-water.
H2079: CONSERVATION DISTRICTS; WATER; INVASIVE VEGETATION	The powers of natural resource conservation districts are expanded to include conducting surveys, investigations and research relating to eradicating invasive vegetation, and increasing public awareness of water conservation statewide, including water conservation methods and best management practices. Modifies the requirements to qualify for the individual income tax credit for purchasing and installing an agricultural water conservation system to allow the expense to be consistent with a conservation plan the taxpayer filed with a natural resources conservation service or a natural resource conservation district in Arizona.	Hearing: Senate Natural Resources, Energy & Water (Wednesday 03/03/21 at 2:00 PM, Senate Rm. 109)		2/22 referred to Senate nat res-energy-water.
H2093: PESTICIDES; RESTRICTED SALE AND USE	A person is prohibited from selling a "neonicotinoid pesticide" (defined) in Arizona without a license to sell a restricted use pesticide. A person is prohibited from using a neonicotinoid pesticide in Arizona unless the person is a certified applicator or a person working under the supervision of a certified applicator; a farmer, or a person working under the supervision of a farmer, that uses a neonicotinoid pesticide for agricultural purposes; or a veterinarian. Some exceptions. Violations are a class 3 (lowest) misdemeanor. The Director of the Department of Agriculture is required to incorporate pollinator habitat expansion and enhancement practices into Arizona's Managed Pollinator Protection Plan developed in coordination with the U.S. Environmental Protection Agency (EPA). The Dept is required to review Arizona pesticide laws and rules for changes necessary to protect pollinators, address the EPA recommendations from the risk assessment for neonicotinoid pesticides, and submit a report of findings and recommendations to the Governor and the Legislature by July 1, 2022. Effective January 1, 2022.			1/14 referred to House land- agri-rural affairs.
H2153: RENEWABLE ENERGY STORAGE EQUIPMENT; VALUATION	For property tax purposes, the reduced valuation of renewable energy equipment of 20 percent of the depreciated cost of the equipment is expanded to include renewable "energy storage" (defined) equipment. For the purpose of the valuation of energy			2/23 referred to Senate fin.

	storage equipment, all energy storage equipment, both colocated with renewable energy and stand-alone energy storage equipment, qualifies for the valuation. The list of deductions from the retail classification of transaction privilege and use taxes is expanded to include "machinery and equipment used directly" (defined) for "energy storage" (defined) for later electrical use. The list of items that municipalities and special taxing districts are prohibited from levying a transaction privilege or other similar tax on is expanded to include the gross proceeds from sales or gross income derived from sales of machinery and equipment used directly for energy storage for later electrical use. County or municipal renewable energy incentive districts are expanded to include renewable energy storage equipment. AS PASSED HOUSE			
H2200: GREENHOUSE GAS PROGRAMS; REPEAL PROHIBITION	Repeals statute prohibiting state agencies from adopting or enforcing a state or regional program to regulate the emission of greenhouse gas for the purposes of addressing changes in atmospheric temperature without express legislative authorization.			1/20 referred to House nat res-energy-water.
H2202: VEHICLE EMISSIONS; CALIFORNIA STANDARDS	Department of Environmental Quality rules on motor vehicle and combustion engine emissions are required to incorporate the standards adopted by the California Air Resources Board relating to motor vehicles in effect on January 1, 2019.			1/20 referred to House nat res-energy-water.
H2248: CORPORATION COMMISSION; ELECTRIC GENERATION RESOURCES	Without express legislative authorization, the Arizona Corporation Commission (ACC) is prohibited from adopting or enforcing a policy, decision or rule that directly or indirectly regulates the types of "critical electric generation resources" (defined) used or acquired by public service corporations within Arizona's energy grid. Does not apply to any policy, decision or rule adopted before June 30, 2020. Does not prohibit the ACC from setting electricity rates for public service corporations. Contains legislative findings. Retroactive to June 30, 2020.			2/24 House COW approved with fir amend <a href="#">#4480</a> .
H2330: ENVIRONMENTAL QUALITY PROGRAMS; TERMINATIONS; REPEAL	Repeals the statutory termination dates of July 1, 2022 for the Vehicle Emissions Inspection Program and the Oil and Gas Conservation Commission. Retroactive to July 1, 2020, repeals the statutory termination dates of July 1, 2020 for the Voluntary Remediation Program and the article of statute governing total maximum daily loads. Retroactive to July 1, 2020, establishes the Water Monitoring Assistance Program in the Department of Environmental Quality in the same manner it existed in statute prior to being repealed on July 1, 2020. Emergency clause.		General Comments (all lists): AMWUA support	2/18 referred to Senate nat res-energy-water.
H2333: ENERGY; WATER; SAVINGS ACCOUNTS	The maximum length of a contract between a county or municipality and an energy or water services company to pay for the incremental cost of energy or water savings measures in facilities owned by the county or municipality is increased to 25 years, from 15 years. Other costs and revenue are included in the estimated impact to be achieved by a county or municipality through energy or water savings measures or services. Reports on school district contracts for guaranteed energy cost savings must be filed with the Department of Administration, instead of the Governor's Office of Energy Policy.			2/15 House add'l COW approved with fir amend <a href="#">#4247</a> .
H2336: ASSURED WATER SUPPLY; SUBDIVISIONS	In the Pinal Active Management Area, for an application to modify or renew a designation of assured water supply, or for a new application for a designation for the same service area to be served by a substitute provider acquiring the assets of the prior provider, if specified conditions apply to the volume of groundwater and stored water, the Department of Water Resources (DWR) is prohibited from reviewing the physical availability of groundwater that was determined to be physically available under the previous designation. Does not affect the DWR review of assured water supply criteria other than the physical availability of groundwater and stored water to be recovered outside the area of impact of storage. The following are deemed physically available for purposes of an assured water supply designation: stored water that is to be recovered by the applicant within the "area of impact" (defined) under long-term storage credits pledged to the designation, and stored water that is to be recovered by the applicant within the area of impact of storage either on an annual basis or as long-term storage credits to be earned in the future if the water to be stored meets the physical		General Comments (all lists): AMWUA support	2/4 House COW approved with fir amend <a href="#">#4100</a> and <a href="#">#4101</a> .



	availability requirements for the water supply. Contains a legislative intent section.			
H2441: WATER; SUBSTITUTE ACREAGE	A person who owns acres of land that may be irrigated lawfully is authorized to permanently retire those acres from irrigation and substitute for those acres the same number of acres in the same contiguous farming unit if the owner demonstrates to the Department of Water Resources that the legally irrigated acres were damaged by "floodwaters" after being irrigated and that it is not economically feasible to restore the flood damaged acres to irrigation use. A person who owns contiguous acres of land that may be irrigated lawfully is authorized to permanently retire a portion of those acres from irrigation and substitute for the retired acres the same number of acres within the same "farm unit" (defined) under common ownership, if all of a list of specified conditions apply, including that a "limiting condition" (defined) associated with the acres to be retired from irrigation substantially impedes the implementation of efficient irrigation practices on the legally irrigated acres. Does not affect the person's existing or vested rights to the use of water. AS PASSED HOUSE	Hearing: Senate Natural Resources, Energy & Water (Wednesday 03/03/21 at 2:00 PM, Senate Rm. 109)	General Comments (all lists): AMWUA monitor	2/18 referred to Senate nat res-energy-water.
H2456: COLORADO RIVER FOURTH PRIORITY WATER	A person with a claim for rights to use any amount of the fourth priority Colorado River water that is subject to the federal Boulder Canyon Project Act and that was allocated by the U.S. Bureau of Reclamation for agricultural, municipal and industrial uses for Colorado River communities is prohibited from transferring or otherwise conveying that claim for use of that water to any location or use other than an agricultural, municipal or industrial use in a Colorado River community.		General Comments (all lists): AMWUA monitor	2/3 referred to House nat res-energy-water.
H2490: AUXILIARY CONTAINERS; REGULATION; PROHIBITION; REPEAL	Repeals statutes prohibiting counties and municipalities from imposing a tax, fee, assessment, charge or return deposit on a consumer or an owner, operator or tenant of a business, commercial building or multifamily housing property for "auxiliary containers" (defined as reusable bags, disposable bags, boxes, beverage cans, bottles, cups and containers that are made from specified materials and that are used for transporting merchandise), and from regulating the sale, use or disposition of auxiliary containers by an owner, operator or tenant of a business, commercial building or multifamily housing property.			1/27 referred to House gov-elect.
H2496: CLIMATE CHANGE; STATE PLAN	The Department of Environmental Quality is required to develop a state plan to address the effects of climate change on Arizona and submit the plan to the Governor for approval.			1/27 referred to House nat res-energy-water.
H2498: BATTERY STORAGE TECHNOLOGY; GRANTS; APPLICATION	Establishes the Arizona Battery Storage Technology Improvement Grant Program to increase renewable energy capability in Arizona, to be administered by the Arizona Commerce Authority. The Authority is required to use Program monies to provide grants to political subdivisions, nonprofit organizations, and private enterprise for research, demonstration projects or market development for improved battery storage technology and its implementation in Arizona. The Authority is required to appoint a Battery Storage Technology Improvement Advisory Council that includes at least 10 specified members to advise the Authority on the criteria for Program grants. Appropriates \$5 million from the general fund in FY2021-22 to the Authority to provide grants through the Program.			2/23 from House appro with amend #4425.
H2528: DISTRIBUTED GENERATION; PUBLIC POWER ENTITIES	A public power entity is required to allow "distributed generation customers" (defined as a retail electric customer that generates electricity through solar or other renewable means and that meets other specified requirements) to export electricity back to the public power entity and is required to regulate the export of electricity back to the public power entity consistent with the corresponding requirements of the Arizona Corporation Commission (ACC). A public power entity is required to reimburse distributed generation customers for the electricity that the customer exports back to the public power entity and must set the reimbursement rate for exported electricity to be at least as much as would be set using the corresponding method required by the ACC.			2/2 referred to House nat res-energy-water.
H2562: TAX CREDIT; AFFORDABLE HOUSING	Establishes a credit against individual and corporate income taxes and insurance premium taxes for projects that qualify for the federal low-income housing tax credit and that are placed in service from and after June 30, 2022. The credit is equal to the		General Comments (all lists): Support. League resolution. Similar to HB 2732 from the 2020 session, which the city supported. Mirror bill is SB 1327.	2/18 House COW approved with fir amend #4335.

	<p>amount of the federal low-income housing credit for the qualified project. To claim the credit, a taxpayer is required to apply to the Arizona Department of Housing and receive an eligibility statement. If the amount of the credit exceeds taxes due, the taxpayer may carry the unused amount forward for up to five consecutive taxable years. The Department of Revenue is required to allocate a total of \$8 million of affordable housing tax credits in any calendar year. Establishes a 9-member Affordable Housing Tax Credit Review Committee to review the tax credits on the fifth year after the effective date of the credit and every five years thereafter and submit a report to the Governor and the Legislature. Self-repeals January 1, 2029.</p>			
<p>H2580: ENVIRONMENTAL QUALITY OMNIBUS</p>	<p>Numerous changes to statutes relating to environmental regulations. Modifies the rules the Department of Environmental Quality is required to adopt to designate attainment areas for national ambient air quality standards. Repeals the article of statute governing hazardous waste disposal at state sites. Repeals statute governing the use of recycled newsprint as part of the Arizona Recycling Program. Repeals the roadside testing program for diesel vehicles. Repeals various committees, programs and requirements that are past the statutory termination date or are no longer applicable.</p>	<p>Hearing: Senate Natural Resources, Energy &amp; Water (Wednesday 03/03/21 at 2:00 PM, Senate Rm. 109)</p>		<p>2/18 referred to Senate nat res-energy-water.</p>
<p>H2737: CORPORATION COMMISSION ACTIONS; INVESTIGATION</p>	<p>At the request of a member of the Legislature, the Attorney General is required to investigate any decision, order or rule adopted or amended by the Arizona Corporation Commission (ACC) that the member alleges is beyond the ACC's statutory or constitutional authority or whether the ACC is not executing or enforcing a statute. If the Attorney General concludes that the ACC does not have the authority or is not executing or enforcing a statute, the Attorney General is required to notify the ACC of the violation by certified mail and provide 30 days to resolve the violation. If the ACC fails to resolve the violation within 30 days, the Attorney General is required to file a special action in the Supreme Court to resolve the issue, and the Supreme Court is required to give the action precedence over all other cases. If the Supreme Court determines that the ACC does not have the authority or is not executing or enforcing a statute, Attorney General is required to inform the Department of Administration (DOA), and DOA is required to withhold ten percent of the ACC operating lump sum budget for the current fiscal year. Does not apply to any order or decision setting rates for public service corporations.</p>			<p>2/23 retained on House COW calendar.</p>
<p>H2817: APPROPRIATION; HAZARDOUS VEGETATION REMOVAL</p>	<p>Appropriates \$2.2 million from the general fund in FY2021-22 to the Arizona Department of Forestry and Fire Management for hazardous vegetation removal.</p>			<p>2/22 from House rules okay.</p>
<p>S1080: GREENHOUSE GAS PROGRAMS; REPEAL PROHIBITION</p>	<p>Repeals statute prohibiting state agencies from adopting or enforcing a state or regional program to regulate the emission of greenhouse gas for the purposes of addressing changes in atmospheric temperature without express legislative authorization.</p>			<p>1/12 referred to Senate nat res-energy-water.</p>
<p>S1102: ELECTRIC VEHICLE OMNIBUS; APPROPRIATIONS</p>	<p>Counties and municipalities are prohibited from issuing a residential structure building permit for a single-family structure if the residential structure does not have a circuit with a dedicated outlet to charge an electric vehicle in the residential structure's garage or within ten feet of a parking space on the outside of the residential structure. Some exceptions. The Arizona Department of Administration (ADOA) is required to conduct a two-year electric vehicle ready homes pilot program. ADOA is required to reimburse the owner of a single-family or multifamily residential structure for the actual cost, up to \$1,000, of installing a high voltage electrical outlet for the purpose of charging an electric vehicle. ADOA is required to submit a report to the Governor and the Legislature detailing the results of the pilot program by December 31, 2023. The pilot program self-repeals October 1, 2024. ADOA is required to conduct a two-year electric vehicle charging station pilot program. All state agencies are authorized to apply to ADOA for funding necessary for covering the costs of installation of electric vehicle charging stations at their agency locations. ADOA is required to submit a report with specified information relating to the pilot program to the Governor and the Legislature by December 31, 2023. Appropriates \$500,000</p>			<p>2/15 FAILED Senate gov 4-4.</p>

	from the general fund in FY2021-22 to ADOA for the electric vehicle ready homes pilot program and \$500,000 from the general fund in FY2021-22 to ADOA for the electric vehicle charging station pilot program.			
S1131: VEHICLE EMISSIONS; STANDARDS	Department of Environmental Quality rules on motor vehicle and combustion engine emissions are required to incorporate the standards adopted by the California Air Resources Board relating to motor vehicles in effect on January 1, 2019.			1/13 referred to Senate nat res-energy-water.
S1133: DRINKING WATER STANDARDS; POLLUTANTS	The Department of Environmental Quality (DEQ) is required to establish drinking water aquifer water quality standards for a list of specified pollutants. Information DEQ must review when developing the standards is listed. The standards are required to be protective of public health, including vulnerable subpopulations such as pregnant women, nursing mothers, infants and children.			1/13 referred to Senate nat res-energy-water.
S1134: ENERGY MEASURING; REPORTING; PROHIBITION; REPEAL	Repeals statutes prohibiting counties and municipalities from requiring an owner, operator or tenant of a business, commercial building or multifamily housing property to measure and report energy usage and consumption.			1/20 referred to Senate nat res-energy-water.
S1152: ZERO EMISSION VEHICLES; PLANS; FLEET	In coordination with the Department of Environmental Quality and the Department of Administration, the Arizona Department of Transportation (ADOT) is required to develop a "zero emission vehicle" (defined) plan designed to increase the number of registered zero emission vehicles in this state to at least 100,000 by 2027, and coordinate and increase the installation of zero emission vehicle infrastructure. Within six months after the effective date of this legislation, ADOT is required to submit a draft of the zero emission vehicle plan to the Governor and the Legislature. State agencies are required to prioritize zero emission vehicles in purchasing and leasing new vehicles and to use zero emission vehicles for agency business travel when feasible. ADOT is required to develop a state zero emission motor vehicle fleet plan that identifies the types of trips for which a zero emission vehicle is feasible and develops procurement options and strategies to increase the purchase and use of zero emission vehicles. Within one year after the effective date of this legislation, ADOT is required to submit a draft of the state zero emission motor vehicle fleet plan to the Governor and the Legislature. Appropriates \$500,000 from the general fund in FY2021-22 to ADOT to acquire telematics technology to develop the state zero emission motor vehicle fleet plan.			2/15 FAILED Senate gov 4-4.
S1175: CORPORATION COMMISSION; ELECTRIC GENERATION RESOURCES	Without express legislative authorization, the Arizona Corporation Commission (ACC) is prohibited from adopting or enforcing a policy, decision or rule that directly or indirectly regulates the types of "critical electric generation resources" (defined) used or acquired by public service corporations within Arizona's energy grid. Does not apply to any policy, decision or rule adopted before June 30, 2020. Does not prohibit the ACC from setting electricity rates for public service corporations. Contains legislative findings. Retroactive to June 30, 2020.			2/24 retained on Senate COW calendar.
S1201: PROHIBITION; PESTICIDES	It is unlawful for a person to sell or use the pesticides clothianidin, imidacloprid, thiametoxam or chlorpyrifos in Arizona.			1/19 referred to Senate nat res-energy-water.
S1222: CONSERVATION DISTRICTS; WATER; INVASIVE VEGETATION	The powers of natural resource conservation districts are expanded to include conducting surveys, investigations and research relating to eradicating invasive vegetation, and increasing public awareness of water conservation statewide, including water conservation methods and best management practices. Modifies the requirements to qualify for the individual income tax credit for purchasing and installing an agricultural water conservation system to allow the expense to be consistent with a conservation plan the taxpayer filed with a natural resources conservation service or a natural resource conservation district in Arizona.			2/25 referred to House nat res-energy-water.
S1274 (Chapter 17): ASSURED WATER SUPPLY; SUBDIVISIONS	In the Pinal Active Management Area, for an application to modify a designation of assured water supply, if specified conditions apply to the volume of groundwater and stored water, the Department of Water Resources (DWR) is prohibited from reviewing the physical availability of groundwater and stored water to be recovered outside of the area of impact of storage sought to be included in the designation. Does not affect the DWR review of assured water supply criteria other than		General Comments (all lists): AMWUA support	2/12 signed by governor. Chap. 17, Laws 2021. <a href="#">message</a>

	the physical availability of groundwater and stored water to be recovered outside the area of impact of storage. The following are deemed physically available for purposes of an assured water supply designation: stored water that is to be recovered by the applicant within the "area of impact of storage" (defined) under existing long-term storage credits pledged to the designation, and stored water that is to be recovered by the applicant within the area of impact of storage either on an annual basis or as long-term storage credits to be earned in the future if the water to be stored meets the physical availability requirements for the water supply. AS SIGNED BY GOVERNOR			
S1291: VEHICLES AND LOADS; GROSS WEIGHT	A natural gas vehicle or vehicle that is fueled primarily by "zero emission technologies" (defined) is permitted to exceed the maximum gross weight limitations by up to 2,000 pounds, up to a maximum gross vehicle weight of 82,000 pounds.			2/25 passed Senate <u>28-0</u> ; ready for House.
S1368: WATER CONSERVATION NOTICE; NO FORFEITURE	Beginning on the effective date of this legislation, a person who is entitled to the use of water is authorized to file with the Department of Water Resources a water conservation plan notice. Information that must be included in the notice is listed. On filing a water conservation plan notice, the conservation of water pursuant to the plan does not constitute abandonment or forfeiture of the water conserved. A person cannot accrue long-term storage credits for any water that is conserved in a water conservation plan notice. A water conservation plan is required to designate a duration of up to 10 years, and the person filing the notice may file a subsequent notice for one or more periods of up to 10 years. Contains a legislative intent section stating that the Legislature intends that this act apply prospectively only.		General Comments (all lists): AMWUA monitor	2/9 from Senate rules okay.
S1370: ENVIRONMENTAL QUALITY; PROGRAM TERMINATIONS; REPEAL	Repeals the statutory termination dates of July 1, 2022 for the Vehicle Emissions Inspection Program and the Oil and Gas Conservation Commission. Retroactive to July 1, 2020, repeals the statutory termination dates of July 1, 2020 for the Voluntary Remediation Program and the article of statute governing total maximum daily loads. Retroactive to July 1, 2020, establishes the Water Monitoring Assistance Program in the Department of Environmental Quality in the same manner it existed in statute prior to being repealed on July 1, 2020. Emergency clause. AS PASSED SENATE	Hearing: House Natural Resources, Energy & Water (Tuesday 03/02/21 at 2:00 PM, House Rm. 4)	General Comments (all lists): AMWUA support	2/25 referred to House nat res-energy-water.
S1371: AIR QUALITY; OMNIBUS	Modifies the Area A and Area B vehicle emissions standards testing requirements for motor vehicles. The list of exemptions from vehicle emissions inspection requirements is expanded to include cranes and oversize vehicles that require permits, and vehicles that are not in use and that are owned by Arizona residents while on active military duty outside of Arizona. These provisions do not become effective unless on or before July 1, 2023 the U.S. Environmental Protection Agency approves the proposed modifications to the vehicle emissions testing program protocols as part of the State Implementation Plan for air quality. The Department of Environmental Quality (DEQ) is required to operate and administer a voluntary vehicle repair and retrofit program in areas that are subject to the vehicle emissions inspection program, instead of a county with a population of more than 400,000 persons being required to operate the program in that county. Retrofit program requirements are modified. DEQ is authorized to conduct research to quantify the effects of vehicular emissions, instead of being required to conduct research to quantify the effect of alternative fuels on toxic components of vehicular emissions. Also repeals the Voluntary Vehicle Repair and Retrofit Program Advisory Committee.			2/9 from Senate rules okay.
S1442: HAZARDOUS VEGETATION REMOVAL; STATE FORESTER	To implement the program to remove vegetative natural products where the vegetation is hazardous, the State Forester is authorized to enter into an intergovernmental agreement or memorandum of understanding with a "public agency" (defined elsewhere in statute) to identify and remove the hazardous vegetation from land in this state, including state, federal, tribal and private lands for the purposes of fire prevention, forest and watershed restoration and critical infrastructure protection. Does not apply to State Trust Land. The State Forester is authorized to use legislative appropriations and accept and spend monies from public	Hearing: House Natural Resources, Energy & Water (Tuesday 03/02/21 at 2:00 PM, House Rm. 4)		2/17 passed Senate <u>27-3</u> ; ready for House.

	agencies, gifts, donations and grants for the costs of implementing this legislation. The consent of the property owner is required to remove hazardous vegetation on private property, and the consent of the Tribe is required to remove hazardous vegetation on tribal land. AS PASSED SENATE			
S1459: AGENCY DECISIONS; ADMINISTRATIVE REVIEWS	Deletes the exemption from judicial review of administrative decisions for the Arizona Corporation Commission.			2/24 Senate COW approved.
S1470: ARIZONA CLIMATE RESILIENCY PLANNING GROUP	Establishes a 22-member Arizona Climate Resiliency Planning Group to review and revise the recommendations made in the Arizona Climate Change Advisory Group's 2006 climate change action plan, develop a resiliency plan to protect or improve the resiliency of Arizona's human populations and natural and economic systems against the risks of climate change, and identify measures that can be taken to meet specified greenhouse gas emissions reductions targets. The Group is required to submit a report of its findings and recommendations to the Governor and the Legislature by August 31, 2022, and self-repeals April 1, 2023.			1/28 referred to Senate nat res-energy-water.
S1602: FOREST PRODUCTS; PROCESSING; TAX CREDIT	Establishes an individual and corporate income tax credit for taxpayers with a current healthy forest enterprise incentive certification and memorandum of understanding with the Arizona Commerce Authority that "process" "qualifying forest products" (both defined) between January 1, 2022 and December 31, 2030 at a facility located in Arizona. The amount of the credit is up to \$10,000 for the first 20,000 tons and \$5,000 for every 10,000 tons after of qualifying forest products the taxpayer processes in the calendar year, not to exceed \$500,000 per taxpayer. The aggregate amount of tax credits in a calendar year is capped at \$2 million. If the allowable credit exceeds taxes due, the unclaimed amount of the credit may be carried forward for up to five consecutive tax years. Other requirements to qualify for the tax credit and an application process are established. Applies to tax years beginning with 2022.			2/1 referred to Senate nat res-energy-water.

**THE LEAGUE OF ARIZONA CITIES AND TOWNS**  
**REQUESTS YOU VOTE NO**  
**SB1409 ZONING ORDINANCES; PROPERTY RIGHTS; COSTS (PETERSEN)**

SB1409 is proposed as an “affordable housing bill,” but it would not spur the development of much-needed affordable housing in Arizona. If SB1409 passes, every zoning ordinance will require an “impact statement” as a condition of approval. This unnecessary bureaucracy will cause delays, waste taxpayer dollars, and exacerbate the very issues SB1409 seeks to remedy.

**SB1409 will negatively impact taxpayers because:**

- It will likely deprive homeowners of the beneficial use and enjoyment of common elements and amenities that are considered standard in existing communities. For example, new developments could be relieved from providing common elements and amenities, landscaping, streetlights, sidewalks, traffic mitigation measures, open space requirements, or common maintenance, which would impact quality of life and desirability of these communities.
- It will completely change long-established zoning processes. It essentially renders useless voter-approved general plans.
- The bill’s vagueness and arbitrary requirements will invite zoning protests and litigation.
- It is an unfunded and a confusing mandate. It will take time and require training and hiring staff or contracting with consultants - all at the expense of taxpayers.
- There is no evidence this red tape will promote (or result in) much-needed affordable housing.

**SB1409 will negatively impact affordable housing:**

- The impact statements will likely serve as a tool to oppose proposed multi-family housing projects, thereby further straining affordable housing options in Arizona.
- The red tape, costs, and delays will slow down housing and economic development.
- It falsely suggests zoning is the only cause of higher housing costs. It fails to consider factors such as the costs of land, construction, materials, labor, water, easements, and interest rates.
- It requires an overly broad and highly subjective assessment of the probable impacts on all individual property rights, personal liberties, and construction costs. This will extend the zoning approval process and increase the likelihood of zoning denials, arbitrary decision-making, legal zoning protests, appeals, and litigation.
- The broad scope of “impacts” to be considered will increase the likelihood of public opposition to proposed housing projects.
- Councils will be forced to decide which rights and liberties are more important than others.

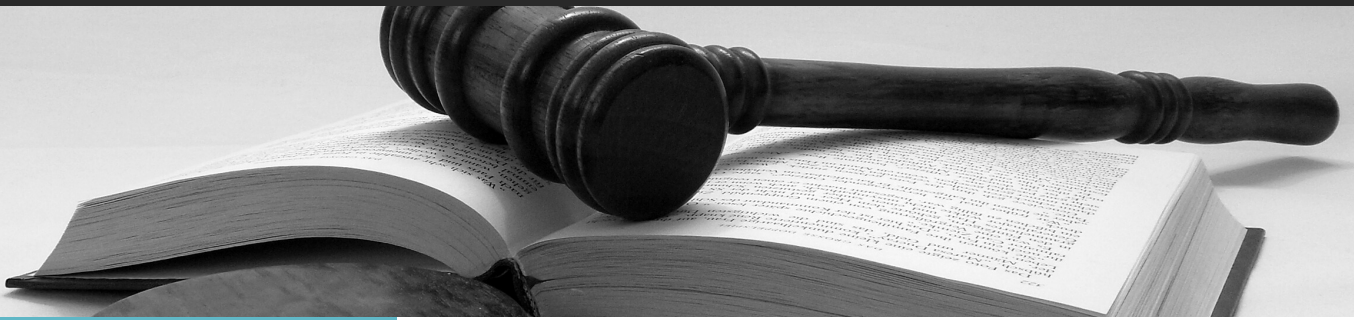
The League and our members **SUPPORT** the following package of bills with direct impacts on affordable housing initiatives in Arizona:

**HB2489 (Chavez) & SB1666 (Engel): appropriation; affordable housing**  
**HB2562 (Cobb) & SB1327 (Gowan): tax credit; affordable housing**

We encourage you to vote in favor of these measures as they are intended to address affordable housing issues.

**We urge you to vote NO on SB1409**

# PRIVATE ATTORNEY RETENTION



## CONTINGENCY FEE AGREEMENTS

are contracts that are entered into whereby payment to the contracted attorney is contingent upon the attorney winning the case. Taxpayers have no out of pocket costs in contingency fee cases.

Attorneys for local governments may engage in contingency fee contracts with private attorneys because cities do not often directly employ experienced litigators to advocate on behalf of the taxpayer.

Cities and towns enter into these contracts very sparingly but do so to receive reimbursement to the benefit of the taxpayer; examples include:

### OPIOIDS

- City police, fire, and EMS departments have spent significant time and millions of dollars responding to opioid overdose calls and the drugs to save lives
- The opioid industry knew their drugs were addictive long before they admitted it publicly but continued to push the drugs to doctors
- Opioid distributors failed to monitor suspicious deliveries of opioids to parts of the country (Mohave County) contrary to FDA requirements
- Taxpayers have shouldered the financial burden of the pharmaceutical industry's impacts on our communities

### CONTAMINATED WATERWAYS

- Some companies have released harmful chemicals into city waterways impacting drinking water quality and requiring substantial decontamination or cleanup efforts at the expense of the taxpayer

### TOBACCO/VAPING

- Tobacco and vaping companies intentionally targeted youth through product advertising
- In response, local police departments have spent money and valuable resources to catch uncover illegal sales of tobacco and vaping products to minors
- Local governments are forced to use resources on sting operations to hold bad actors accountable and keep communities safe. Once again, taxpayers bear this financial burden.



# MYTH VS FACT

SB1487 does not preclude a city from entering into a contingency fee contract with an attorney.



While the text does not technically preclude a city from entering into a contract the language limiting payment amounts to attorneys and the hurdles cities need to go through to engage an attorney would effectively prohibit cities from engaging in contingency fee contracts.

The Attorney General has the same limits as those prescribed in the bill.



This is not comparing apples to apples. The attorney generals' sole responsibility is to be the chief litigator for the state. Cities do not have litigation departments and therefore should not be treated the same as the AG when the AG's office can oversee their case and be the primary attorney on the case.

SB1487 still allows cities and towns to participate in class action lawsuits.



While the text of the proposed bill makes clear cities and towns can participate, a class action suit is a contingency case and would be bound by the framework outlined in the bill; class action cases are handled by a special master of the court and attorney's fees are awarded by the special master, not by a contract with the city; thus, cities in Arizona would be skipped over for class action cases because of the limiting language in statute.

SB1487 is about good governance, transparency, and making sure the taxpayers get the best deal.



This is about a white paper written by the US Chamber of Commerce titled "Mitigating Municipal Litigation" where the Chamber lamented that cities were litigating against the opioid industry.

- Governance: by using this tool sparingly cities and towns have proven they already employ good governance
- Transparency: contingency fees are subject to FOIA request
- Best deal: city managers and attorneys are already negotiating the best rate for the taxpayer and the suggestion they are not is inaccurate and offensive.

**VOTE NO ON SB1487**



# COVID-19 MONTHLY DATA REPORT

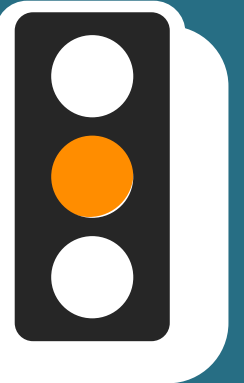
## Tempe, AZ

Population: 195,805

### Where were you in January?

Tempe was **similar**

to the rate of cases diagnosed in Maricopa County.



#### COVID-19 case rate per 100,000 persons

	Maricopa County	Tempe
January (week 1)	843.0	573.5
(week 2)	982.0	633.8
(week 3)	755.0	527.6
(week 4)	637.0	406.0

A case rate is the number of cases in a city compared to the population size. This lets us compare regions with different population sizes.

From **the first 2 weeks in January** to **the last 2 weeks in January**, COVID-19 cases diagnosed in **Tempe**

**decreased.**

Cases in Maricopa County decreased during this time period.

\*Case rates for weeks 1&2 were compared with weeks 3&4 to determine the acceleration of COVID-19 in Tempe.

#### The public should:

- Wear masks when they cannot physically distance.
- Limit gatherings to less than 10 people.
- Stay home as much as possible.
- Practice good health hygiene, including hand washing, covering coughs and sneezes, etc.

The city or town should continue providing these recommendations to its residents.

Maricopa County will continue to monitor COVID-19 cases by city and report them monthly.



# Reporte Mensual de Datos de COVID-19

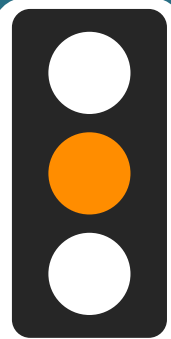
## Tempe, AZ

Población: 195,805

### ¿Dónde estaba en Enero?

Tempe fue **similar**

a la tasa de casos diagnosticados en el Condado Maricopa.



#### Tases de casos de COVID-19 por 100,000 personas

	Condado Maricopa	Tempe
<b>Enero</b> (semana 1)	843.0	573.5
(semana 2)	982.0	633.8
(semana 3)	755.0	527.6
(semana 4)	637.0	406.0

Una tasa de casos es el número de casos en una ciudad en comparación con el tamaño de la población. Esto nos permite comparar regiones con diferentes tamaños de población.

Desde **las 2 primeras semanas de Enero** hasta **las últimas 2 semanas de Enero**, los casos de COVID-19 diagnosticados en **Tempe** **disminuyeron.**

Durante el mismo período, los casos en el condado de Maricopa disminuyeron.

\*Las tasas de casos de las semanas 1 & 2 se compararon con las semanas 3 & 4 para determinar la aceleración de COVID-19 en Tempe.

#### El público debe:

- Ponerse máscara cuando no puedan distanciarse físicamente.
- Limitar las reuniones a menos de 10 personas.
- Quedarse en casa lo más posible.
- Practicar buena higiene de la salud, incluyendo lavarse las manos, cubrirse al toser y estornudar, etc.

La ciudad o pueblo debe seguir brindando estas recomendaciones a sus residentes.

El Condado Maricopa continuará monitoreando los casos de COVID-19 por ciudad y los reportarán mensualmente.



# Memorandum



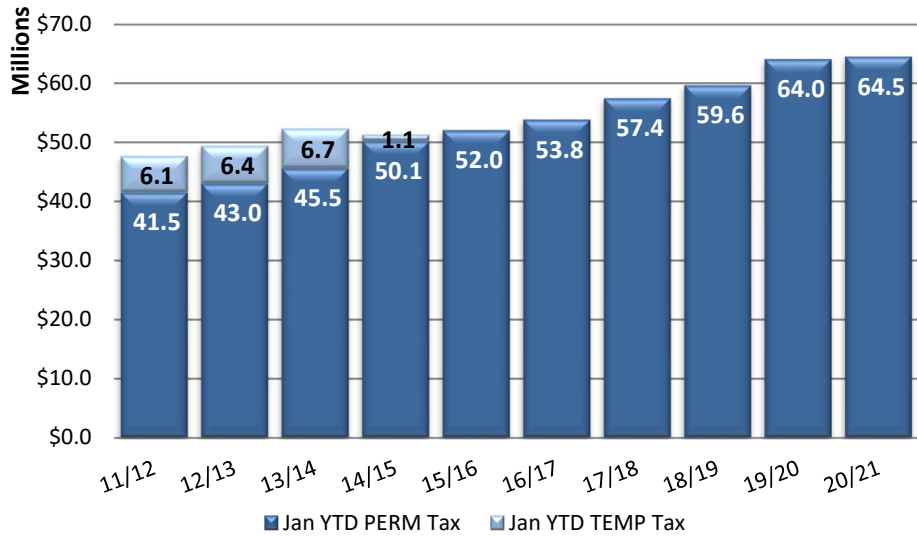
## Municipal Budget Office

Date: February 26, 2021  
 To: Mayor and Council  
 Through: Mark Day, Municipal Budget Director (8697)  
 From: Lauri Vickers, Municipal Budget & Finance Analyst (8980)  
 Subject: Tax Revenue Statistical Report – January 2021

Attached is the Executive Summary of the Tax Revenue Statistical Report for January 2021 covering December sales activity reported to the Arizona Department of Revenue (ADOR).

Total fiscal year-to-date taxable *sales* decreased by 0.9% over the same year-to-date period in the prior fiscal year. Total sales tax *revenue* is down 2.4% or \$2.4 million, despite the growth in retail (\$3.8 million) and rentals (\$523 thousand) activity. All other categories of taxable activity were down. The graph to the right depicts year-to-date General Fund historical sales tax revenue from FY 2011/12 through FY 2020/21. General Fund sales tax revenue is up 0.7% or \$468 thousand over the prior year-to-date period.

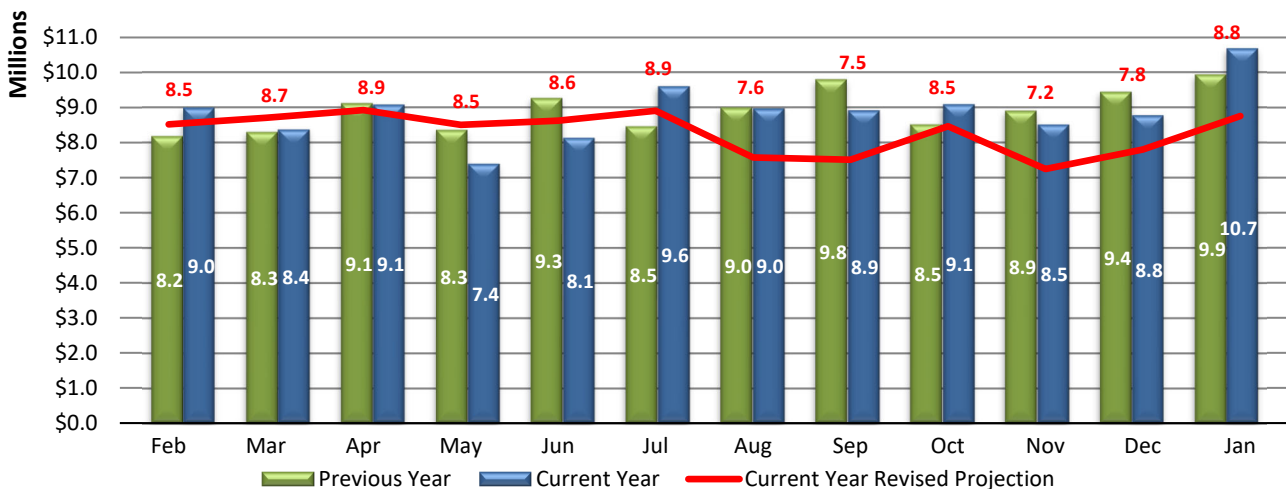
**General Fund Sales Tax Collections through January**



The graph below represents twelve months of activity, comparing current year General Fund monthly sales tax collections to the previous year.

Although sales tax is not projected on a monthly basis, the graph below applies historical collection percentages to a revised revenue projection to gain insight into sales tax performance. The Municipal Budget Office developed a revised revenue projection for FY 2020-21 to reflect the anticipate economic impact of the COVID-19 pandemic. Using this approach, fiscal year-to-date sales tax collections in the General Fund are \$8.2 million above the revised revenue projection. The increase in retail sales has been offsetting the decreases in almost every other taxable activity. The increases in retail sales includes the collection of sales tax on online sales since December 2019. As of November 2020, the underlying weakness in the year over year economic activity started becoming apparent.

**General Fund Monthly Sales Tax Collection vs. Previous Year**



## Executive Summary

### Current Month - January

### Fiscal Year to Date - January

	Current Month - January				Fiscal Year to Date - January											
	2017-18	Change	2018-19	Change	2019-20	Change	2020-21	Change	2017-18	Change	2018-19	Change	2019-20	Change	2020-21	Change
<b>Taxable Sales</b>																
Total Taxable Sales	781,347,000	3.6%	841,124,000	7.7%	868,783,000	3.3%	917,652,000	5.6%	4,991,405,000	6.6%	5,188,785,000	4.0%	5,580,904,000	7.6%	5,531,493,000	-0.9%
Retail Taxable Sales	463,765,000	10.0%	464,459,000	0.1%	501,163,000	7.9%	566,605,000	13.1%	2,738,134,000	14.7%	2,857,156,000	4.3%	3,013,865,000	5.5%	3,229,169,000	7.1%
<b>Tax Revenues by Funds</b>																
Privilege Tax - General Fund (1.2%)	8,932,000	3.8%	9,638,000	7.9%	9,930,000	3.0%	10,667,000	7.4%	57,380,000	6.7%	59,601,000	3.9%	63,983,000	7.4%	64,451,000	0.7%
Bed Tax - General Fund	449,000	-9.5%	483,000	7.6%	667,000	38.1%	298,000	-55.3%	3,307,000	5.4%	3,707,000	12.1%	4,584,000	23.7%	2,174,000	-52.6%
Privilege Tax Rebates - General Fund	474,000	-3.9%	470,000	-0.8%	474,000	0.9%	386,000	-18.6%	2,423,000	-3.7%	2,496,000	3.0%	2,654,000	6.3%	1,990,000	-25.0%
Transit Tax Fund (0.5%)	3,725,000	3.8%	4,027,000	8.1%	4,138,000	2.8%	4,445,000	7.4%	23,927,000	6.7%	24,853,000	3.9%	26,681,000	7.4%	26,855,000	0.7%
Performing Arts Tax Fund (0.1%)	772,000	3.5%	831,000	7.6%	855,000	2.9%	912,000	6.7%	4,925,000	6.3%	5,115,000	3.9%	5,489,000	7.3%	5,488,000	0.0%
<b>Totals</b>	<b>14,352,000</b>	<b>3.0%</b>	<b>15,449,000</b>	<b>7.6%</b>	<b>16,064,000</b>	<b>4.0%</b>	<b>16,708,000</b>	<b>4.0%</b>	<b>91,962,000</b>	<b>6.3%</b>	<b>95,772,000</b>	<b>4.1%</b>	<b>103,391,000</b>	<b>8.0%</b>	<b>100,958,000</b>	<b>-2.4%</b>
<b>Tax Revenues by Business Activities</b>																
Retail	8,348,000	5.6%	8,360,000	0.1%	9,021,000	7.9%	10,199,000	13.1%	49,179,000	9.5%	51,429,000	4.6%	54,250,000	5.5%	58,024,000	7.0%
Rentals	2,211,000	-8.6%	2,897,000	31.0%	3,068,000	5.9%	3,118,000	1.6%	15,032,000	0.6%	17,176,000	14.3%	18,664,000	8.7%	19,187,000	2.8%
Utilities/Communication	533,000	-22.4%	532,000	-0.2%	532,000	0.0%	498,000	-6.4%	5,274,000	-18.5%	5,212,000	-1.2%	5,068,000	-2.8%	5,005,000	-1.2%
Restaurants	1,156,000	17.5%	1,134,000	-1.9%	1,224,000	7.9%	939,000	-23.3%	7,314,000	9.0%	7,418,000	1.4%	7,817,000	5.4%	6,195,000	-20.7%
Contracting	964,000	3.1%	1,377,000	42.8%	1,045,000	-24.1%	997,000	-4.6%	6,582,000	-3.6%	7,080,000	7.6%	7,873,000	11.2%	7,017,000	-10.9%
Hotel/Motel	170,000	-24.4%	182,000	7.1%	247,000	35.7%	116,000	-53.0%	1,252,000	-19.5%	1,417,000	13.2%	1,674,000	18.1%	846,000	-49.5%
Transient (Bed Tax)	449,000	-9.5%	483,000	7.6%	667,000	38.1%	298,000	-55.3%	3,307,000	5.4%	3,707,000	12.1%	4,584,000	23.7%	2,174,000	-52.6%
Non-Recurring Business Activities	275,000	100.0%	229,000	-16.7%	19,000	-91.7%	409,000	2052.6%	2,463,000	100.0%	776,000	-68.5%	2,035,000	162.2%	1,652,000	-18.8%
Amusements	152,000	-18.3%	178,000	17.1%	192,000	7.9%	72,000	-62.5%	808,000	-22.5%	819,000	1.4%	905,000	10.5%	387,000	-57.2%
All Other	94,000	1.1%	77,000	-18.1%	49,000	-36.4%	62,000	26.5%	751,000	-18.9%	738,000	-1.7%	521,000	-29.4%	471,000	-9.6%
<b>Totals</b>	<b>14,352,000</b>	<b>3.0%</b>	<b>15,449,000</b>	<b>7.6%</b>	<b>16,064,000</b>	<b>4.0%</b>	<b>16,708,000</b>	<b>4.0%</b>	<b>91,962,000</b>	<b>6.3%</b>	<b>95,772,000</b>	<b>4.1%</b>	<b>103,391,000</b>	<b>8.0%</b>	<b>100,958,000</b>	<b>-2.4%</b>
<b>Retail Tax Revenues by Activities</b>																
Automotive	1,156,000	6.7%	1,153,000	-0.3%	1,281,000	11.1%	1,240,000	-3.2%	7,474,000	5.8%	7,902,000	5.7%	8,260,000	4.5%	8,197,000	-0.8%
Building Supply Stores	234,000	19.4%	265,000	13.2%	287,000	8.3%	324,000	12.9%	1,878,000	27.1%	1,944,000	3.5%	2,085,000	7.3%	2,368,000	13.6%
Department Stores	1,440,000	0.3%	1,404,000	-2.5%	1,497,000	6.6%	1,367,000	-8.7%	7,245,000	-1.5%	7,298,000	0.7%	7,558,000	3.6%	7,416,000	-1.9%
Drug/Small Stores	1,235,000	61.6%	1,327,000	7.4%	1,569,000	18.2%	1,651,000	5.2%	6,600,000	53.9%	7,496,000	13.6%	8,388,000	11.9%	9,209,000	9.8%
Furniture/Equipment/Electronics	758,000	-56.1%	623,000	-17.8%	636,000	2.1%	754,000	18.6%	5,010,000	-46.7%	4,139,000	-17.4%	4,056,000	-2.0%	4,479,000	10.4%
Grocery Stores	1,093,000	7.4%	1,157,000	5.9%	1,184,000	2.3%	1,224,000	3.4%	5,571,000	7.6%	5,785,000	3.8%	5,893,000	1.9%	6,232,000	5.8%
Manufacturing Firms	747,000	186.2%	671,000	-10.2%	608,000	-9.4%	764,000	25.7%	4,466,000	119.1%	4,860,000	8.8%	4,260,000	-12.3%	4,229,000	-0.7%
All Other Retail	1,685,000	18.5%	1,760,000	4.5%	1,959,000	11.3%	2,875,000	46.8%	10,935,000	35.2%	12,005,000	9.8%	13,750,000	14.5%	15,894,000	15.6%
<b>Totals</b>	<b>8,348,000</b>	<b>5.6%</b>	<b>8,360,000</b>	<b>0.1%</b>	<b>9,021,000</b>	<b>7.9%</b>	<b>10,199,000</b>	<b>13.1%</b>	<b>49,179,000</b>	<b>9.5%</b>	<b>51,429,000</b>	<b>4.6%</b>	<b>54,250,000</b>	<b>5.5%</b>	<b>58,024,000</b>	<b>7.0%</b>

**Privilege Tax Revenue - General Fund (1.2%)  
2020-21 Actual Compared to Revised Projection**

**Monthly Amounts**

	2020-21 Revised Projection		2020-21 Actual	Over / (Under)	
	Percent	Amount		Amount	Percent
Jul	8.9%	\$ 8,906,000	\$ 9,587,000	\$ 681,000	7.6%
Aug	7.6%	7,575,000	8,955,000	1,380,000	18.2%
Sep	7.5%	7,509,000	8,900,000	1,391,000	18.5%
Oct	8.4%	8,464,000	9,077,000	613,000	7.2%
Nov	7.2%	7,246,000	8,503,000	1,257,000	17.3%
Dec	7.8%	7,803,000	8,762,000	959,000	12.3%
Jan	8.7%	8,756,000	10,667,000	1,911,000	21.8%
Feb	8.5%	8,488,000			
Mar	9.1%	9,140,000			
Apr	8.9%	8,898,000			
May	8.5%	8,542,000			
Jun	8.9%	8,919,000			
<b>Totals</b>	<b>100.0%</b>	<b>\$ 100,246,000</b>	<b>\$ 64,451,000</b>	<b>\$ 8,192,000</b>	<b>8.2%</b>

**Cumulative Amounts**

	2020-21 Revised Projection		2020-21 Actual	Over / (Under)	
	Percent	Amount		Amount	Percent
Jul	8.9%	\$ 8,906,000	\$ 9,587,000	\$ 681,000	7.6%
Jul-Aug	16.4%	16,481,000	18,542,000	2,061,000	12.5%
Jul-Sep	23.9%	23,990,000	27,442,000	3,452,000	14.4%
Jul-Oct	32.4%	32,454,000	36,519,000	4,065,000	12.5%
Jul-Nov	39.6%	39,700,000	45,022,000	5,322,000	13.4%
Jul-Dec	47.4%	47,503,000	53,784,000	6,281,000	13.2%
Jul-Jan	56.1%	56,259,000	64,451,000	8,192,000	14.6%
Jul-Feb	64.6%	64,747,000			
Jul-Mar	73.7%	73,887,000			
Jul-Apr	82.6%	82,785,000			
Jul-May	91.1%	91,327,000			
Jul-Jun	100.0%	100,246,000			

**Tax and License Annual Privilege Tax Revenue Projections**

Method	Privilege Tax		Over / (Under)	
	Projected	Budget	Amount	Percent
Percent of Increase	\$ 106,664,000	\$ 100,246,000	\$ 6,418,000	6.4%
Percentage Received	\$ 114,843,000	\$ 100,246,000	\$ 14,597,000	14.6%



# MEMORANDUM

DATE: February 26, 2021  
 TO: Mayor & Council  
 THROUGH: Ken Jones, Deputy City Manager - Chief Financial Officer (8504)  
 FROM: Mark Day, Municipal Budget Director (8697)  
 SUBJECT: FY21 General Fund Local Sales Tax Update

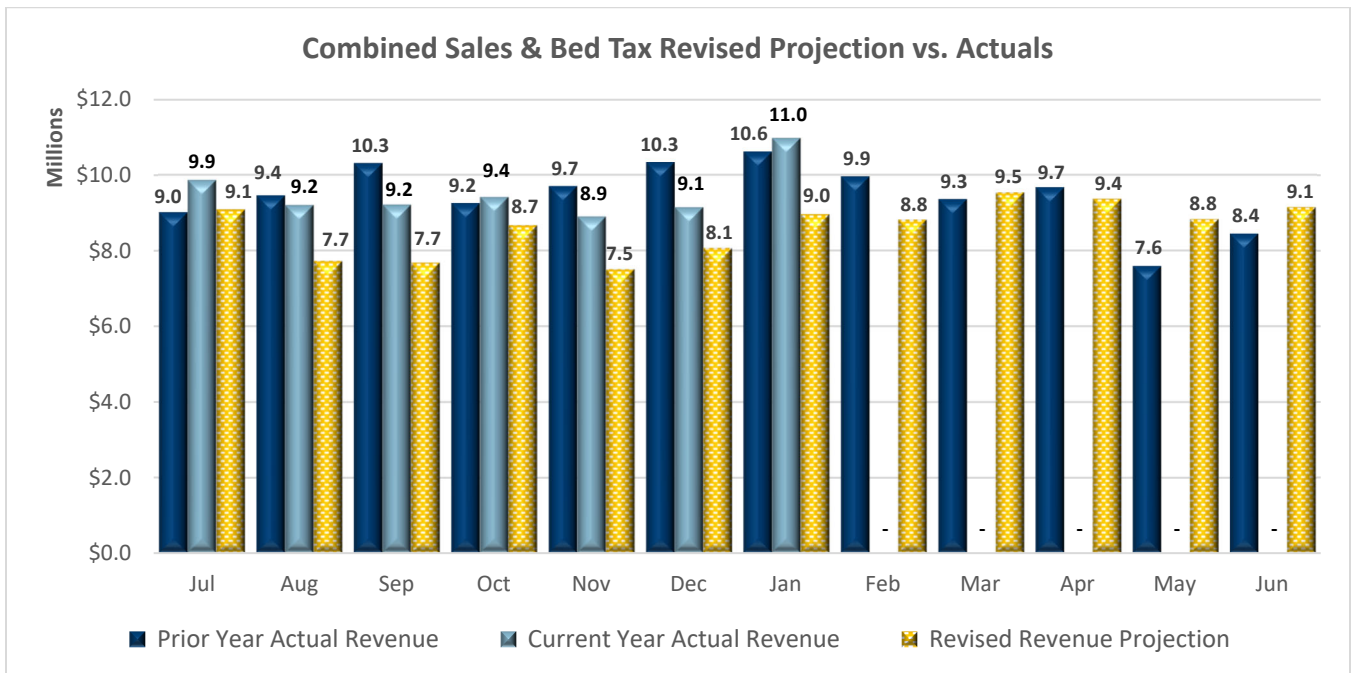
## Background

The Municipal Budget Office, as an adopted Government Finance Office’s Association (GFOA) best practice, routinely compares the City’s revenue projections to actual activity to monitor financial performance. This practice provides the opportunity to adjust for any significant variances to ensure continuity of programs and service delivery. Due to the uncertainty of the economic impacts of the COVID-19 pandemic on City revenues, this monitoring function will be crucial as we progress through the fiscal year in determining if projected year-end revenue targets will be met.

## General Fund Sales Tax & Bed Tax Collections

The purpose of this memo is to provide a “snapshot” of the FY 2020-21 General Fund sales tax and bed tax revenue collections through the month of January 2021. The General Fund portion of the city sales tax (1.2%) and the bed (transient lodging) tax (5.0%) combined represent the General Fund’s largest revenue source.

Although sales and bed tax are not budgeted on a monthly basis, the graph below displays FY 2020-21 General Fund sales tax and bed tax revenue collections, to date, compared to the revised revenue projection amount and FY 2019-20 actuals collections. The FY 2020-21 revised revenue projection amount is based on the most recent economic data available and considers the anticipated economic impacts of the COVID-19 pandemic.



### *Highlights*

General Fund sales tax and bed tax revenues for the month of January are 22.5% above the revised revenue projection (\$11.0M versus \$9.0M) amount, but only 3.5% above prior year collections (\$11.0M versus \$10.6M). If it were not for the receipt of \$409 thousand in one-time revenues in January, there would have been no growth in General Fund sales tax and bed tax revenues for the month of January over prior year collections. Total fiscal year-to-date General Fund sales tax and bed tax collections through January are 15.6% above the revised revenue projection (\$66.6M versus \$57.6M) amount and 2.8% below prior year collections (\$66.6M versus \$68.6M).

Revenues are exceeding revised revenue projects due mainly to higher than anticipated activity in the retail and rentals taxable activities that has offset declines in all the other taxable activities. Revenues have also been bolstered by the collection of tax on online purchases. This revenue stream was first received in November 2019, so starting with the December 2020 report, the results are showing the lack of growth in economic activity now that the year-over-year comparison has the same basis.

Although local sales tax collections are currently exceeding the revised revenue projections, it's important to note that there is still much uncertainty about the on-going impacts of the COVID-19 pandemic on the local and State economy. It is anticipated that the expiration of the enhanced unemployment benefits and the one-time stimulus payments will begin to have an impact on future local sales tax revenues. The Municipal Budget Office continues to review the most recent economic data available and monitor for any significant variances from the revised revenue projections.

### *On-Going Revenue/Expense Monitoring*

The Municipal Budget Office will continue to prepare the Quarterly Financial Report that details revenue and expenses for all the City's major funds as well as the monthly tax statistical report that provides details on the City's sales tax revenues. Both reports are distributed via the Friday Information Packet and are posted on the Municipal Budget Office web page [www.tempe.gov/budget](http://www.tempe.gov/budget).

# MEMORANDUM

**TO:** Mayor and Council  
**THROUGH:** Steven Methvin, Deputy City Manager, x8811  
Keith Burke, Community Services Director, x5819  
**FROM:** Shawn Wagner, Community Services Deputy Director, x5299  
Linda Cano, Community Services Manager, x5260  
**DATE:** February 26, 2021  
**SUBJECT:** Update on the Status of Special Events Approval



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## PURPOSE:

Update Mayor and Council regarding the status of Tempe Special Events.

## CITY COUNCIL STRATEGIC PRIORITY:



Quality of Life

3.19: Achieve ratings of “Very Satisfied” or “Satisfied” with the “Value of Special Events to the City” greater than or equal to the national benchmark cities as measured in the Community Survey

## BACKGROUND INFORMATION:

Due to the current COVID-19 pandemic, criteria have been put in place to determine whether an event should be approved, not approved or cancelled. The criteria are based on the Arizona Department of Health Dashboard’s three (3) COVID-19 benchmarks: COVID-Like Illness; Weekly Percent Positives; and Weekly Cases.

Based on the number of benchmarks in the “red” (substantial transmission) or “yellow” (moderate transmission) categories, the following criteria will be used as a basis for determining whether to approve events, with the criteria loosening as less benchmarks are in the red category.

- All three (3) benchmarks in red category – only the following types of events will be permitted:
  - Events where attendees remain in their own vehicle for all or most of the event
- Two (2) benchmarks in red category – only events with the following will be permitted:
  - Events in the preceding category, or
  - Events with the following:
    - Maximum attendance of one hundred (100) attendees at any one (1) time;
    - Outdoor events; and
    - Majority of attendees are from the local area.
- One (1) benchmark in red category or two (2) benchmarks in yellow category – only events with the following will be permitted:
  - Events in the preceding categories, or
  - Events with the following:
    - Maximum attendance of two hundred fifty (250) attendees at any one (1) time;
    - Outdoor or indoor events; and
    - Less than half of attendees may be from outside the local area.



**CURRENT SPECIAL EVENT STATUS:**

Currently, two benchmarks are in the yellow category and one benchmark is in the red category. Therefore, the Special Events Task Force Committee (SETFC) will resume approving events with a maximum of 250 attendees. Below are the events that are scheduled to be reviewed by the SETFC through March 31, 2021.

<b>Date</b>	<b>Event</b>	<b>Status</b>
March 14	Shamrock Run	Awaiting SETFC Approval
March 27	Thieves Market	Tentative
March 27	LOUD X Outdoor Concert	Awaiting SETFC Approval
April 10	Laura's Run	Tentative
April 17	Phoenix NEDA Run	Tentative
May 4, 17, 21	Movies in the Park Series	Tentative
May 22	Arizona Sunrise Series Run	Awaiting SETFC Approval

If you have any questions, please contact Shawn Wagner at x5299.

# COMMUNITY SERVICES UPDATE

February 26, 2021

## AARP Tax-Aide at Pyle Adult Recreation Center

### Tax-Aide Services

American Association of Retired Persons (AARP) Foundation Tax-Aide has provided free income tax preparation and assistance to area seniors at the Pyle Adult Recreation Center (Pyle Center) for well-over 30 years. This is a volunteer-run service with a special focus on those within the community age 50 and older, or who have a low-to-moderate income. Services will be offered from 9 a.m. through 3 p.m., Monday through Thursday, beginning March 1. Services will end on the tax filing deadline date, April 15. On average, 350 to 400 people utilize the tax-aide service every year. In 2020, the service was interrupted in the middle of tax season by the closure of the Pyle Center on March 15 due to the COVID-19 pandemic.

Tax-Aide is a service that many local seniors depend on. This year, seniors who are not connected to the Internet are especially in need. AARP's plan is for their certified volunteer tax return preparers to complete the returns from their homes using a secure network. Follow-up appointments for clients to return to the Pyle Center to pick-up their returns will be scheduled by AARP, and the same protocols used for intake will be followed.

### Intake Protocol

The following protocol will be used to safely provide tax return services to seniors on a first-come, first-served basis:

- Using the Pyle Center's Multipurpose Room (MP), three AARP volunteers will set-up an intake table at the west door that opens to the exterior, back courtyard.
- AARP will set-up a scanner and computer in the MP room. Documents will be scanned and stored electronically and securely to the cloud.
- Appointments will be made by phone for seniors to arrive at the Pyle Center intake door to deliver their documents to an AARP volunteer who will scan them and then give the documents back to the senior.
  - ◆ Pyle Center staff will assist by taking phone calls and collecting client information to be sent to AARP. AARP will offer appointments in accordance with its booking schedule.
  - ◆ Clients will be given instructions to wear a mask, and about what documents to bring, where to park, and how to locate the intake door. They will be asked to wait in their car, which will be in full view of the door, until their appointment time or until there is no one already being served at the door. The senior will not enter the building because the intake table will be blocking entrance to the room, but the volunteer will be on the other side of the table to serve the senior.
  - ◆ One table and several chairs will be stationed outside the door if needed by seniors.
  - ◆ Clear directional signage will be posted outside.
  - ◆ Pyle will remain closed to the public at all three of its entrances.
  - ◆ AARP will equip the volunteers with sanitation supplies, masks, and a plexiglass barrier between clients and volunteers.

AARP's plan is for their volunteer tax return preparers to complete the returns from their homes using a secure network. Follow-up appointments for clients to pick-up their returns will be made by AARP, and the same protocols for intake will be followed.

For more information, visit [https://www.aarp.org/money/taxes/aarp\\_taxaide/](https://www.aarp.org/money/taxes/aarp_taxaide/).

