



City of Phoenix

General Information Packet

Thursday, April 4, 2024

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For Transmittal, Minutes of the Policy Session on March 19, 2024

Summary

This item transmits the Minutes of the Policy Session on March 19, 2024.

The Minutes are attached for review as **Attachment A**.

Responsible Department

This item is submitted by the City Manager's Office.



ATTACHMENT A

City of Phoenix

Minutes

Meeting Location:
City Council Chambers
200 W. Jefferson St.
Phoenix, Arizona 85003

City Council Policy Session

Tuesday, March 19, 2024

2:30 PM

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CALL TO ORDER

The Phoenix City Council convened in Policy Session on Tuesday, March 19, 2023, at 2:34 p.m. in the Council Chambers.

Present: 9 - Councilwoman Yassamin Ansari, Councilwoman Betty Guardado, Councilwoman Kesha Hodge Washington, Councilwoman Ann O'Brien, Councilwoman Laura Pastor, Councilman Kevin Robinson, Councilman Jim Waring, Vice Mayor Debra Stark and Mayor Kate Gallego

Vice Mayor Stark and Councilman Waring attended virtually.

City Attorney reads Public Comment.

COUNCIL INFORMATION AND FOLLOW-UP REQUESTS

Councilwoman O'Brien discussed various events she attended over the weekend. She participated in the Fire Department's Annual Awards Ceremony, the I Cycle Phoenix event, St. Patrick's Day Parade, Mahjong event, and kicked off the 4th Annual Phoenix Police Honor Week with a 5K run and walk event.

Councilwoman Ansari discussed the successful 3rd Annual Nowruz celebration with approximately 2,000 attendees at Civic Space Park, highlighted by live performances and appearances from Grammy winner Hamid Sedi. She also discussed the upcoming Right to Counsel discussion at the Economic Development and Housing Subcommittee and the need to invest in programs to prevent homelessness. Additionally, she mentioned upcoming events in District 7, including participation in the Phoenix Pride Rainbows Festival and the launch of service at the Phoenix Bookmobile in Estrella Village.

Councilwoman Pastor highlighted several upcoming events and initiatives in District 4, including a coffee and discussion session with the Police Department and Neighborhood Services Department, improvements to bus stops in collaboration with local businesses, the arrival of the CVS Health van for a mobile clinic, and the 3rd Annual 5K with the African American Reconstruction. She also mentioned hosting a brunch event at the Carver Museum to kick off Women's History Month to promote a cancer screening program for underserved communities. Additionally, she shared updates on community events such as the Oak Street Memorial Mural Festival and participation in the St. Patrick's Day parade. Lastly, she encouraged community participation in budget hearings and provided contact information for her office.

Councilwoman Guardado expressed gratitude to community partners for their commitment to District 5 and announced several upcoming events and initiatives including the grand opening of the Realtime Operations Center at Cactus Park police precinct, the Easter Jubilee event at Homestead Park, the Maryvale Mercado, and budget hearings where community input is encouraged. Additionally, she highlighted the Maryvale Jobs and Resource Fair, emphasizing the importance of community involvement in shaping the district's future.

Roll Call and City Clerk Reads 24-Hour Paragraph

CONSENT ACTION

This item is scheduled to allow the City Council to act on the Mayor's recommendations on the Consent Agenda. There is no Consent Agenda for this meeting.

CALL FOR AN EXECUTIVE SESSION

A vote may be held to call an Executive Session for a future date.

REPORTS AND BUDGET UPDATES BY THE CITY MANAGER

This item is scheduled to allow the City Manager to provide brief informational reports on topics of interest to the City Council. The City Council may discuss these reports but no action will be taken.

INFORMATION AND DISCUSSION (ITEMS 1-3)**1 Fiscal Year 2024-25 City Manager's Trial Budget****Discussion**

City Manager Jeffrey Barton provided updates on the trial budget and the balanced budget for Fiscal Year (FY) 2024-25. He proposed setting aside the \$80 million surplus as a reserve fund to address future budget challenges, particularly for FY 2025-26 and FY 2026-27, due to state actions impacting revenue streams. Mr. Barton expressed confidence in maintaining essential City services.

Budget and Research Director Amber Williamson provided an overview of the proposed City Manager's Trial Budget for FY 2024-25. She highlighted the General Fund budget status, which accounts for 30 percent of the City budget, and funds core programs like police and fire services. She discussed the \$80 million surplus and the projected deficits in subsequent years due to state actions impacting revenue streams. She recommended setting aside the surplus as a reserve fund. She outlined steps for community engagement in the budget process, including community hearings and online feedback channels. She also detailed the timeline for budget adoption, with key dates in May and June.

2 Fiscal Year 2024-29 Preliminary Five-Year Capital Improvement Program**Discussion**

Budget and Research Deputy Director Christopher Fazio provided information on the comprehensive budget of \$11 billion over five years, with \$3 billion proposed for the next fiscal year. The Capital Improvement Program (CIP) encompasses nearly 900 projects, leveraging grant funding and partner agency contributions. He said the program predominantly focuses on infrastructure sectors including: aviation, water, wastewater, transit, and street transportation, alongside drainage infrastructure. Funding sources include: the general fund, voter-approved General Obligation (GO) bond, special revenue funds, enterprise funds,

bond funds, and other capital funds. He summarized the projects covered by the 2023 GO Bond program, which include: public safety, library, park, historic preservation, economic development, environmental sustainability, cultural facility, and affordable housing initiatives. He highlighted specific allocations from the General Fund, including facility maintenance, information technology improvements, flood hazard mitigation, fire apparatus replacement, and public safety radio replacements. He concluded with an overview of the extensive CIP details available on the City's budget website, with plans for updates and adoption steps in the coming months.

Vice Mayor Stark acknowledged resident concerns about the impact of the rental tax loss on day-to-day operations. She requested clarification from staff regarding the continuity of these services despite the budget challenges.

Ms. Williamson responded that residents should continue to report any issues, such as potholes or park repairs, as the City remains dedicated to addressing concerns promptly. She reiterated that there are no anticipated service reductions for the upcoming fiscal year, reinforcing the City's ongoing efforts to meet the community's needs.

Mayor Gallego opened the floor to public comment.

Sebastian Del Portillo addressed the Council in solidarity with Poder in Action in support of the priorities outlined in the People's Budget. He stated these priorities arise from extensive conversations with community members and reflect the needs of those most affected by the city's history of racism and economic exploitation. Mr. Portillo highlighted the pressing issue of heat-related deaths in Phoenix, noting that 645 people died last year due to heat exhaustion and called for increased funding to install more water fountains in parks and outside City buildings to provide access to this basic human need. He advocated for funding for the right to counsel in eviction cases, citing the fast, confusing, and dehumanizing nature of the eviction system. Mr. Portillo emphasized the need for fair trials and due process to prevent homelessness and ensure community members remain safe and stable, especially in the face of fatal high temperatures. He stressed the importance of increasing the number of

permanent supportive housing units to address the homelessness crisis and urged the Council to listen to the community's demands and take action to address these urgent issues.

Viri Hernandez discussed the importance of allocating the \$80 million budget towards critical community needs, particularly amidst housing and heat crises. She stressed that the City's priority should be keeping people alive and sheltered, especially given the high number of heat-related deaths, increased homelessness, and eviction cases in the past year. She mentioned instances where legal representation, however basic, made a significant difference in preventing evictions and homelessness. She urged the City to invest in legal support services for those facing eviction and to provide portable and accessible water for the unsheltered population. She mentioned funds could be reallocated from the Police Department, which holds a budget of \$1 billion, in addition to the \$80 million under consideration. She emphasized the need to prioritize community needs and allocate resources accordingly, ensuring that every dollar serves to improve and safeguard lives.

Stephanie Gonzalez addressed the Council, drawing attention to the major concerns voiced by tens of thousands of people over the past five years, including housing, climate issues, mental health, and substance use. She urged the Council to invest the \$80 million surplus from the upcoming budget into three critical areas: increasing the number of water fountains both at and outside buildings owned by the City to address the pressing need for access to clean water, establishing an emergency eviction legal services program to assist individuals facing evictions or experiencing violations of tenant rights, and expanding the number of permanent supportive housing units for those experiencing homelessness. She expressed dismay at the disproportionately low allocation of funds to the Housing Department, which received only \$2 million from the General Fund compared to the substantial budget of \$741 million allocated to the Police Department, including funding for new job positions. She stated the need to prioritize community needs over unnecessary expansions within law enforcement, urging the Council to focus on addressing the pressing needs of the people they serve.

Shalae Flores urged the Council to reconsider its approach to addressing

the housing crisis, beginning with a story about an individual who tried to challenge the City's inherent white supremacy and patriarchy but faced backlash and ultimately left city government. Shalae criticized the Council's focus on maintaining the status quo rather than improving people's lives, highlighting how capitalist tendencies have led to the abandonment and dehumanization of Phoenicians. She said that the housing and unsheltered crisis is a governance failure, not an individual one, and criticized the trial budget for its surface-level approach. She called for significant preventative services to create long-term solutions, starting with humanizing those without housing by halting police sweepings and increasing access to water fountains for hydration during the summer. She also advocated for expanding the number of supportive housing units, which are outlined in the People's Budget, and expressed readiness to push back against any attempts to marginalize the community.

Blanca Abarca expressed frustration with the lack of funding and attention her community has received despite living in the area for 25 years. She stated the importance of conscious intention and action from the government to improve social conditions within communities. She criticized the budget presented by the Council, stating that it does not reflect the needs of her community and fails to allocate sufficient funds for social development and youth programs. She highlighted the discrepancy between increasing funding for the Police Department while neglecting community needs. She mentioned a promise made to 52 children in District 7 that has not been fulfilled, questioning the Council's commitment to its proposals. She shared the importance of accessibility in interpretation and expressed her desire to see her community's needs reflected in the budget.

Councilwoman Ansari acknowledged Ms. Abarca's concerns and provided context regarding efforts to secure a permanent space for her dance group. She mentioned ongoing collaboration to complete insurance forms required for the space and assured Ms. Abarca that staff would keep her updated on progress. Councilwoman Ansari said she is committed to addressing the issue directly and working with Ms. Abarca and her team to find a solution.

Maria Alonzo expressed her concerns about housing and the need for assistance, particularly regarding access to water during hot weather. She said that immigrants also contribute through taxes and voiced opposition to allocating more money to the Police Department, citing negative experiences with Police response.

Councilwoman Guardado clarified Maria Alonzo's concerns stating Ms. Alonzo had said that when residents call the Police Department, the Police arrive, and what the community has observed is that Police presence often results in harm to the community rather than assistance.

Viri Hernandez requested permission to serve as a spanish translator.

Mayor Gallego stated the need to remain with the interpretation staff.

Angelina Gil expressed concerns about the growing homelessness issue in parks, escalating rents, and the difficult choices families face between paying rent and buying groceries. She highlighted the increasing number of deaths due to extreme weather conditions and the lack of support for those suffering from addiction or other issues. Angelina stated the need for more community support and resources for crises, mental health, and homelessness, urging officials to take action to address these pressing issues.

Ms. Hernandez clarified the comment of Angelina Gil stating the scarcity of crisis support lines and resources, leading people to resort to calling 911 for non-emergency situations. She called for investment in additional crisis support services to help people navigate resources effectively. Additionally, she invited officials to join community members in parks and neighborhoods to witness firsthand the needs of the community.

Marisela Pedrosa commented on the need for specific allocations within the budget to address crises such as homelessness and housing insecurity. She stressed that these issues are not caused by individuals but by governmental shortcomings. Ms. Pedrosa called for significant investment in preventive services and long-term solutions instead of allocating millions of dollars to the Police Department. She expressed frustration that her message wasn't being translated and urged for

assistance in ensuring her concerns were heard.

Councilwoman Guardado expressed the need for translation assistance during the meeting, as attendees were having difficulty understanding the spoken translation. She apologized for the inconvenience and requested another individual to provide translation services to ensure that everyone could comprehend the proceedings effectively.

Mayor Gallego requested to switch interpreters.

Assistant City Manager Lori Bays confirmed Mr. Mario Barajas was available.

Councilwoman Guardado expressed the need for improved translation services, noting that interruptions during translation were causing confusion and prolonging the process.

Marisela Pedrosa pointed out that while millions of dollars are allocated to the Police, hundreds of people are living and dying on the streets. She stressed the urgent need for permanent housing and support for those in crisis, rather than funding for Police who may use force against vulnerable individuals. She shared personal stories about friends, including single mothers, who cannot afford rent and end up living in cars with their children.

Isabel Garcia expressed her opposition to the trial budget, highlighting the historical neglect of marginalized communities by the City. She criticized the allocation of funds towards the Police Department, emphasizing that the money should instead be invested in essential resources and services for these communities. She cited the high budget for the Police Department and the allocation of funds for new Police positions, stating that the Police do not need more money. She advocated for redirecting funds towards infrastructure for affordable housing and implementing critical interventions such as an emergency eviction legal services program and increasing the number of permanent supportive housing units. She called for more water fountains in parks and outside City-owned buildings.

Betra Rita expressed frustration with the interpretation during the meeting, noting that the messages from Spanish-speaking individuals may not be clearly conveyed or understood by the Council due to translation issues. She voiced her opposition to the trial budget, stating that it does not address the needs of the community, particularly those who have been impacted by homelessness, especially in the Maryvale area. She criticized the emphasis on investing in more police officers, arguing that criminalizing actions in their neighborhoods is not a solution. She demanded that funds be allocated to address the real problems faced by the community, emphasizing the importance of finding solutions rather than exacerbating existing issues. She insisted that the Council prioritize investing in the community's needs.

Maria Sanchez expressed her opposition to the budget, highlighting the \$80 million surplus and disagreeing with the City Manager's recommendations. She stated the importance of investing in initiatives that will benefit the community and keep residents safe. She said there is need for investment in housing and support services for vulnerable communities, particularly in the face of challenges like extreme heat. She called for an increase in permanent supportive housing units and the creation of an emergency eviction legal service program to address rising eviction rates.

Rebecca Denis expressed her opposition to the proposed budget and voiced support for the Pueblo Budget. She said that the \$80 million surplus should not be reserved for a rainy day but should be used to address the immediate needs of Phoenix citizens who are currently facing economic challenges. She stressed the housing crisis in the City and called for concrete actions to support those struggling to keep a roof over their heads. She advocated for increasing the number of water fountains in parks and public spaces, as well as creating an emergency eviction legal services program to assist those facing eviction or tenant rights violations. She criticized corporate management companies for taking advantage of marginalized communities and urged the City to prioritize the needs of its residents over other budget allocations. She stated the importance of using the surplus funds to address pressing issues, prevent further harm and save lives in the future.

Luke Black voiced his opposition to the proposed budget and urged the Council to prioritize funding for the community. He stated three specific demands: increasing the number of water fountains in parks and public spaces, establishing an emergency eviction legal services program, and increasing the number of permanent supportive housing units for those without shelter. He stated the urgency of addressing these needs, particularly given the impending heatwave and the ongoing housing crisis. He criticized the City's allocation of funds, pointing out the disparity between the substantial budget for the Police Department and the lack of support for essential community services. He urged the Council to prioritize the needs of the people over other budget allocations and to take immediate action to address the pressing issues facing the community.

Ben Laughlin expressed his opposition to the trial budget and shared his thoughts on the City's budget allocation, particularly regarding the Police budget. He questioned the funding of 21 new positions that support the Police Department, questioning how much money is already allocated to the Police each year. He criticized the prioritization of Police funding over essential community resources needed for health and safety. He referenced the Pueblo Budget, which outlined nearly 70 investments identified by residents, primarily from Black, Indigenous, and other People Of Color (BIPOC) and working-class neighborhoods. He suggested reallocating funds from the Police Department to support these community needs, such as creating positions for trash and recycling services. He also raised concerns about the proposed allocation of the \$80 million surplus, questioning whether it would truly benefit the community or be used to maintain the Police budget. He urged the Council to invest in essential resources like water fountains in parks, an emergency eviction legal services program, and an increase in supportive housing units for the homeless. He shared the importance of prioritizing investments that will keep people alive and urged the Council to allocate the surplus funds accordingly.

Mayor Gallego closed the floor to public comment.

Councilwoman Pastor asked about the possibility of revisiting the budget to address essential amenities, considering the anticipated budget

shortfall for the next year. She expressed interest in exploring alternative approaches to ensure essential needs are met within the budget constraints.

Ms. Williamson explained that changes to the proposed trial budget are possible before the final budget is presented in May. She stated that the allocation of the \$80 million one-time surplus is crucial, and that using any portion of this surplus for ongoing costs could create additional future challenges, requiring careful consideration to ensure financial stability and the ability to address future budgetary needs.

Councilwoman Pastor asked about the potential impact of using some of the \$80 million surplus for current needs.

Ms. Williamson replied that if any portion of the \$80 million surplus were to be spent, it would be factored into the updated status report for the FY 2025-26 budget, which would be presented to the Council next February. She said staff would discuss potential solutions for balancing the budget, which could include increasing revenue, cutting programs and services, or a combination of both.

Mayor Gallego opened the floor to public comment for one final comment.

Andrea Luna Cervantes advocated for using a portion of the \$80 million surplus in the FY 2024-25 budget to address the housing crisis. She stressed the importance of investing in affordable and accessible housing, increasing access to water fountains, and providing permanent supportive housing units for those without shelter. She highlighted the need for access to legal defense for tenants facing evictions and urged the Council to consider these priorities and allocate funds accordingly, stating that it would improve the quality of life for communities often overlooked.

Mayor Gallego closed the floor to public comment.

3 Phoenix City Code Chapter 20: Office of Accountability and Transparency Proposed Amendments Including Civilian Review Board

Deputy City Manager Ginger Spencer introduced Shannon Johanni,

Office of Accountability and Transparency (OAT) Interim Director, highlighting her law background and experience in victim advocacy. She then provided an overview of proposed changes concerning OAT, including the establishment a Civilian Review Board and aligning Chapter 20 with State law and current practices. She stated that the Civilian Review Board has been envisioned by the Mayor and Council since the creation of OAT, and with 11 of 15 positions now filled in the newly created OAT, staff is progressing towards this goal. She outlined staff's recommendation to remove language from the ordinance regarding OAT's involvement in Police Department investigations and disciplinary processes to align with State law.

Office of Accountability and Transparency Interim Director Shannon Johanni outlined the proposed Civilian Review Board's alignment with the Council's transparency goals for the Police Department. The board, starting with 12 members, would review OAT monitoring reports and Police Department responses, offering recommendations and determinations on independent monitoring reports available to the public. She said this structure aims to enhance community engagement, accountability, and collaboration between the community and Police Department.

City Attorney Julie Kriegh explained the alignment of Chapter 20 sections with current practices and Arizona Revised Statute 38-1117. She said the plan is to remove language referencing OAT's involvement in investigations and disciplinary actions against the Police Department in order to comply with State law, and outlined next steps involve gathering feedback from the Mayor, Council, and community, followed by revisions and formatting of the ordinance for approval by the Council. Ms. Kriegh stated the ordinance will then undergo review by an ordinance committee before final adoption at a Council Formal meeting.

Councilman Robinson mentioned section 20-14, concerning the assignment of administrative Police advisory members. He noted it may pose issues regarding representation from different Police associations and highlighted the potential for perception issues, particularly with the absence of representation from the Phoenix Law Enforcement Association (PLEA). Councilman Robinson stated the importance of addressing this issue to ensure fairness and transparency in the process.

He expressed gratitude for the work being done and underscored the significance of meeting the community's needs for transparency and accountability in law enforcement.

Councilwoman O'Brien inquired about section 20-8, mentioning language regarding prospective recommendations for future investigations and the appropriate disciplinary sanctions. She asked staff to clarify what appropriate disciplinary sanctions in future investigations entails, and how it might affect officers.

Ms. Spencer explained that OAT monitors cases and assesses whether the Police Department's investigations are thorough and complete. She said OAT makes recommendations regarding future investigations, policies, or training based on their findings. She then said regarding appropriate disciplinary sanctions in future investigations, OAT would observe discrepancies between the operations order and the actions taken by the Police Chief. She stated if such discrepancies arise, the Police Chief has 30 days to respond to the monitoring report and the Civilian Review Board would also consider this information when reviewing cases.

Councilwoman O'Brien asked if the recommendation could harm officers who have already undergone investigations.

Ms. Spencer responded that OAT's recommendations would not affect ongoing investigations or the Police Chief's decisions on discipline.

Councilwoman O'Brien inquired about the distinction between monitoring and review.

Ms. Kriegh explained that while there may be legal distinctions between monitoring and review, in practice, OAT operates without a significant difference between the two.

Councilwoman O'Brien asked about the involvement of OAT representatives in interviews and sought clarification on their role.

Ms. Johanni replied that a staff member from OAT attending an interview

would serve as an observer only. She stated OAT staff would not participate in the interview process by asking questions or providing feedback, their role would be limited to listening to the interview in real-time.

Councilwoman O'Brien asked why OAT would attend the interview if they couldn't influence the interview process.

Ms. Johanni responded that OAT staff observations could inform future monitoring reports, particularly regarding interview techniques and types of questions asked. She said OAT staff's attendance wouldn't impact the current investigation, it is more about gathering insights for future recommendations.

Councilwoman O'Brien suggested adding clarity to ensure OAT staff can only observe and cannot participate in any way during interviews. She then raised concerns about the Mayor having sole authority to appoint all members of the Civilian Review Board and suggested that each Councilmember appoint a member, subject to approval by a supermajority vote. She questioned the process for inviting guest speakers to the board and suggested considering an appeals process to ensure all perspectives are represented.

Ms. Spencer replied that a solution to ensure balanced representation by proposing that guest speakers invited by the board be approved by the OAT Director and the Police Chief.

Vice Mayor Stark inquired about the process through which the Board would collaborate to make recommendations regarding training and best practices. She asked about the nature of discussions within the Board and the outcomes of deliberations.

Ms. Spencer explained the Board would evaluate the thoroughness of Police investigations and provide recommendations, particularly on training. She said the Board would have the authority to adopt, agree with, or decline the recommendations made by OAT. She said the Board could also request additional information if needed to make decisions.

Vice Mayor Stark asked whether OAT staff were examining the practices of other communities and if staff could engage with cities that have had review boards for a while to learn from their experiences. She emphasized the importance of ensuring that staff's approach to the Civilian Review Board is thorough and properly executed.

Ms. Spencer confirmed that OAT is actively researching other cities, including examining videos of their meetings. She said this research will help staff address any questions or concerns and ensure the City is well-prepared when establishing the Board.

Vice Mayor Stark expressed appreciation for the thorough approach and indicated openness to recommendations from all Councilmembers and suggested a potential hybrid approach for board appointments. She stated the need to align with State law and expressed support for moving forward with establishing the Board.

Councilwoman Pastor sought clarification on a specific scenario where a report recommended following the operations order, which required a certain suspension length, but a different outcome was given.

Ms. Johannni confirmed OAT cannot control outcomes and can only make recommendations.

Councilwoman Pastor highlighted the importance of clarifying the terms monitoring and review, to avoid confusion. She shared examples of previous reports where recommendations were made based on observations during investigations, such as ensuring questions about racial profiling are asked during interviews.

Ms. Johannni responded that one of the recommendations from a previous report was for OAT to ask specific questions about each allegation during investigations. She said in a recent case involving an allegation of racial bias, the investigator had only reviewed body-worn camera footage and reached a conclusion without directly addressing the allegation.

Councilwoman Pastor shared the extensive effort and research that went

into developing OAT, its purpose of promoting accountability and transparency for both the community and the City. She said OAT was intended to provide a platform for all sides to voice their concerns and ensure that decisions were based on evidence. She then said moving forward to the establishment of the Civilian Review Board, she expressed support for Council involvement in the selection process, suggesting a process similar to the one used for appointing members to the Ethics Committee, where candidates would apply and undergo various review stages before final selection by the Council and Mayor.

Councilwoman Hodge Washington inquired about the communication process with the community following officer-involved incidents. She suggested that OAT explore best practices for improving communication with affected individuals and their families, stating this suggestion aligns with section 20.1(C), which outlines OAT's responsibility to provide support services to the impacted community.

Ms. Spencer said OAT can collaborate with the Police Chief and the Human Services Department to enhance coordination in addressing this issue.

Councilwoman Hodge Washington expressed the need to improve awareness of existing services. She suggested exploring better communication practices to ensure that information about available services reaches those who need services most.

Mayor Gallego highlighted the establishment of the Civilian Review Board as the next step in enhancing the transparency and accountability of the Police Department. She expressed hope that the board would facilitate community conversation and trust-building. She mentioned the potential role of the Board in addressing emerging technology issues and clarified the intent for the Board to lead mediation efforts. She acknowledged the necessity of making changes to comport with State legislation, even if not initially supported by the City. She proposed adding more specific directions regarding partial terms for board members to ensure continuity while allowing new members to join over time.

Mayor Gallego opened the floor to public comment.

Luke Black expressed frustration with the lack of accountability within the Police Department. He referred to the violent incidents in 2018 and subsequent years, emphasizing the need for independent oversight and accountability measures. Mr. Black criticized the changes to OAT, suggesting that they diminish its effectiveness by limiting its involvement in investigations. He also raised concerns about the selection process for the Civilian Review Board, arguing that it could be influenced by the Mayor's agenda rather than serving the interests of Phoenix residents. He vowed to continue advocating for justice and holding both the Police and the Council accountable for their actions.

Jose Hernandez shared his and his mother's experiences as victims of Police violence, particularly the loss of his younger brother. He echoed concerns raised by another speaker about the erosion of power within OAT. He then highlighted the community's efforts in 2019 and 2020 to advocate for independent and transparent civilian oversight in Phoenix. He criticized certain Council members for what he perceived as insincere support for OAT, motivated by political considerations rather than genuine commitment. He recounted the legislative efforts to weaken OAT, culminating in House Bill 2721 introduced by former Police officer and State Representative John Kavanagh, which aimed to increase law enforcement representation within oversight bodies. He argued that such measures perpetuate a culture of impunity within the Police Department and undermine efforts for accountability. He referenced the resignation of Roger Smith, the former Director of OAT, citing lack of independence as a reason. He also mentioned an ongoing lawsuit related to internal interference in OAT's operations. He concluded by expressing disappointment in the current proposal to further restrict OAT's powers, emphasizing that inadequate oversight is not preferable to none at all.

Maria Sanchez spoke against the proposed changes to OAT, emphasizing the need for independent oversight due to a lack of trust in the Police's ability to investigate themselves. She criticized certain individuals for what she perceived as political maneuvering rather than genuine commitment to oversight. She expressed concern that the proposed changes would render OAT ineffective and likened it to the internal investigations conducted by Police. She argued that the budget

allocated to OAT would be wasted if its effectiveness was diminished. She highlighted the upcoming election year and urged decision-makers to address safety concerns rather than engaging in political posturing.

Rebecca Denis voiced strong opposition to the proposed amendments to OAT, particularly City Code section 20-6.8, which she believes would further weaken OAT's already limited power to hold the Police Department accountable. She expressed dismay at the inclusion of Police officers on the proposed Civilian Review Board, arguing that it contradicts the very definition of civilian. She spoke about her journey to radicalization, attributing it to witnessing Police violence, experiencing racial profiling, and seeing people who resemble her being killed by law enforcement. She recounted her efforts to engage in reform processes, only to be met with inaction and broken promises from City officials and Police leadership. She criticized the lack of trust in the Mayor and City Council and vehemently opposed the notion of them appointing nine members to the Civilian Review Board.

Viri Hernandez expressed deep disappointment with the proposed policy changes, noting that when the initial policy was passed, there was widespread community support for transparency, accountability, and investigations. She now sees the current proposal as falling short of those goals and described it as "trash." She criticized the political direction behind the proposal, particularly the provision for the Mayor to appoint nine members to the Civilian Review Board. She highlighted the alarming statistics of Police shootings and killings under the Mayor's leadership and accused the Council of failing to understand racial disparities and the experiences of communities of color. She pointed out the influence of Police unions in the proposed board, expressing concern that it does not adequately represent families, survivors, or victims of Police violence. She concluded by emphasizing the lack of accountability and transparency in the proposed process, suggesting that the allocated funds would be better utilized elsewhere.

State Senator Anna Hernandez expressed her appreciation for the discussion and shared her concerns about further stripping power from OAT. She highlighted how progress made in the Chamber in February 2020 was undermined by Police unions at the State legislature,

emphasizing the need to avoid similar mistakes. She criticized the influence of Police unions and their lack of good faith in advocating against victims of sexual violence receiving reports within a 14-day window. She found it undemocratic for the Mayor to have sole authority in appointing a nine-member board and suggested that each Council District should have a say in the appointments. She also voiced concerns about the supermajority requirement, advocating for equitable representation across all districts to uphold democratic principles.

Ben Laughlin stated that the policy passed to establish OAT was not the vision of the majority of the Council or the Mayor in 2019. He explained that community members spent significant time drafting a policy for civilian oversight, emphasizing the importance of independence, investigative capability, transparency, and accountability. He criticized efforts by some Council members to undermine civilian oversight and protect the Police Department at all costs. He warned that approving changes to OAT as proposed would create something more harmful than having no oversight at all. He accused some Councilmembers of shaping the changes to serve the interests of Police unions, rather than prioritizing community safety. He urged the Council to prioritize the people's safety over political considerations and suggested that OAT should be dismantled if changes continue to weaken its effectiveness.

Catherine Bowman expressed support for the Police Department's efforts in managing public safety issues in the City. She stated the importance of ethical and law-based policing. She shared her personal experience of losing a family member who was in county jail experiencing alcohol withdrawal. She then addressed the proposed changes in Title 20, specifically regarding the Civilian Review Board. She raised concerns about the prohibitions outlined in section 20-5D, which could impact individuals and their family members who have any affiliation with law enforcement. She suggested that the language in the job posting for Monitor positions may not align with the Council's intent and urged staff to review section 20-5D to ensure it reflects intentions accurately.

Mayor Gallego closed the floor to public comment.

Councilwoman Pastor expressed her concerns about the changes to

OAT, noting that the initial intention was to include an investigative component. She acknowledged the community's input and emphasized the importance of transparency and accountability. She asked how these values could be upheld considering the community's current perceptions of OAT.

Ms. Johanni responded to the community's concerns by affirming the ongoing value of OAT to the City, the community, and Police Department. She clarified that the Police Department's value from OAT lies not in using it as a platform to promote Police reform efforts but in responding to OAT's reports and recommendations publicly. She acknowledged the frustration from the community but attributed the limitations of OAT to State law rather than the Council's actions. Ms. Johanni said that despite these constraints, OAT remains committed to being as robust as possible within the legal framework. She highlighted the importance of OAT's monitoring process in shaping misconduct investigations and ensuring thorough consideration of evidence, ultimately contributing to transparency and accountability in the community.

Councilwoman Pastor raised concerns about the implementation of recommendations, noting that while recommendations may be made, it ultimately falls on the Police Chief to decide whether to adopt changes. She mentioned the potential inconsistency if a new Police Chief does not prioritize community input. She said this dilemma underscores the challenge of ensuring sustained accountability and transparency over time, especially with changes in leadership. She asked how these concerns could be addressed and maintain community trust in the process.

Ms. Johanni replied that while OAT plays a crucial role in promoting accountability and transparency within the Police Department, it cannot be solely responsible for ensuring outcomes. She stressed the importance of collective advocacy from both the public and City leadership, including the Council and the Mayor, in demanding accountability and transparency. She said if changes and reforms are not implemented despite recommendations from OAT and public calls for accountability, then it becomes the responsibility of City leadership to address the issue.

Councilwoman Pastor asked staff to outline how OAT will remain independent.

Ms. Johanni emphasized that OAT operates independently and conducts its reports without external influence. She acknowledged that her tenure in the role has been relatively short compared to her predecessor, but stated she has not experienced any limitations on OAT's independence during her time in the position. She clarified that she has not received any demands or requests to alter the content or substance of OAT's reports, including annual, quarterly, or monitoring reports. She stated any edits made to reports were done internally by herself and OAT's monitoring supervisor for the purpose of clarity, consistency, and maintaining professionalism.

Councilwoman Pastor reiterated the importance of independence for OAT. She said independence, in this context, meant that OAT could function without external interference or influence, allowing it to conduct thorough investigations and write reports without undue pressure or manipulation of content. She reiterated the need for clarity and accuracy in reports but stressed that the content should not be altered.

Ms. Johanni affirmed that there had been no content editing in any of the reports released by OAT during her tenure. She said that the reports had been critical of the Police Department where necessary, demonstrating OAT's commitment to transparency and accountability. She clarified that any edits made were solely for correcting spelling errors and not for altering the substance or tone of the reports.

Councilwoman Pastor expressed her concerns about the future of OAT, the importance of ensuring its purity and adherence to its original intentions, even as personnel changes over time. She acknowledged the community's dissatisfaction with the current state of OAT, highlighting the need for transparency and accountability. Despite her skepticism, she expressed her commitment to ensuring that OAT remains independent and effective in its operations, holding individuals accountable regardless of who occupies positions of authority.

Ms. Johanni reassured that efforts are underway to ensure OAT's continued independence, accountability, and transparency. She acknowledged that there is still progress to be made, she expressed confidence in OAT's capacity to

issue critical feedback and recommendations to the Police Department. She emphasized the importance of community input and engagement in refining practices and policies to meet the community's needs. She affirmed the commitment to both delivering OAT's work to the public and ensuring its independence.

Councilwoman Guardado expressed disappointment in the current state of the OAT, acknowledging that it has deviated from the initial vision set forth in 2020. She apologized to the community members who advocated for OAT and expressed regret that it has not lived up to their expectations. She emphasized the need for stronger community involvement and collaboration to ensure that OAT truly serves its intended purpose. She expressed a willingness to work closely with OAT to amplify community voices and address the shortcomings of the current system.

Councilwoman Pastor reflected on the history of community activism, particularly in response to Arizona's State Bill 1070, which led to significant social and political changes over the course of a decade. She highlighted the role of community voices in rallying against unjust practices, including those of a sheriff who engaged in controversial actions that separated families and caused lasting trauma. She stated that the involvement of the Department of Justice (DOJ) in investigating these practices underscored the need for transparency and accountability. She expressed skepticism about whether OAT would truly bring about the necessary changes. She questioned whether OAT would provide the guidance needed to address systemic issues and meet the expectations set forth by the DOJ. She stressed the importance of ensuring that the community's concerns are heard and addressed transparently.

ADJOURN

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 5:06 p.m.



2024 State Legislative Report

This report provides information regarding the status of current state legislative issues.

Summary

April 3, 2024 is the 87th day of the Second Regular Session of the 56th Arizona State Legislature. **Attachment A** provides current status of legislation. To date, 1,759 bills have been introduced and staff continues to review these measures to identify potential impacts.

Responsible Department

This item is submitted by City Manager Jeffrey Barton and the Office of Government Relations.

Attachment A
City Council Information
April 3, 2024



The Office of Government Relations is guided by the principles endorsed by the Mayor and Council. Our highest priorities are maintaining and preserving **shared revenues**, opposing **unfunded mandates**, protecting **local authority**, and involvement in **water resource** matters.

This Legislative Report provides the most current information about bills that could impact the City. April 3, 2024 is the 87th day of the Second Regular Session of the 56th Arizona State Legislature. To date, 1,759 bills have been introduced and staff continues to review these measures to identify potential impacts.

Please note the highlighted sections represent bills newly added to this report and bills stricken out are considered “dead” at this point.

~~HB2005 – Arizona power authority; DWR cooperation~~

~~Sponsor:~~ Rep. Gail Griffin (R)

~~Summary:~~ The Department of Water Resources is required to coordinate with the Arizona Power Authority on matters within the Authority's jurisdiction relating to surface water, groundwater, and the development of state water plans.

~~Last Action:~~ 01/17/2024 H – Removed from Hearing Agenda – 01/23/2024, 2:00 PM – House NREW, HHR 1

~~COP Position:~~ Neutral

HB2006 - Real estate; acting in concert

Sponsor: Rep. Gail Griffin (R)

Summary: A well share agreement, road maintenance agreement, or use of the same licensed contractor or registered technical professional for a county of less than 500,000 people alone are not sufficient to constitute unlawful acting in concert for the purpose of avoiding land division regulations. AS PASSED HOUSE.

Last Action: 03/28/2024 S - PASSED - Senate Motion to Reconsider Third

COP Position: Neutral

HB2007 - Subdivided lands; civil penalties**Sponsor:** Rep. Gail Griffin (R)**Summary:** The civil penalty for a subdivider or real estate agent who violates regulations on subdivided land is up to \$2,000 for each lot where a violation occurs, instead of up to \$2,000 for "each infraction," where a single infraction could concern more than one lot in a subdivision.**Last Action:** 03/12/2024 S - Senate Caucus – Y**COP Position:** Neutral**HB2008 - Commercial; industrial; conservation requirements; rules****Sponsor:** Rep. Gail Griffin (R)**Summary:** By January 1, 2025, for each initial and subsequent Active Management Area, the Department of Water Resources is required to adopt rules for commercial and industrial water users within and outside the service area of a designated service provider that provide for greater water efficiency, conservation, and recycling.**Last Action:** 03/26/2024 S - Senate Caucus - Y**COP Position:** Oppose**HB2009 - Subdivisions; acting in concert****Sponsor:** Rep. Gail Griffin (R)**Summary:** It is unlawful for a person or group of persons acting in concert to attempt to avoid subdivision laws by acting in concert to divide a parcel of land into six or more lots by using a series of owners or conveyances within a 10-year period, instead of over any time period.**Last Action:** 03/25/2024 S - Hearing Scheduled - 03/26/2024 - Committee of the Whole, Floor**COP Position:** Neutral**~~HB2011 - Lottery; water infrastructure finance authority~~****~~Sponsor:~~** Rep. Gail Griffin (R)**~~Summary:~~** Of the monies remaining in the State Lottery Fund each fiscal year after all existing statutory appropriations and deposits, \$50 million is appropriated to the Water Infrastructure Finance Authority of Arizona.**~~Last Action:~~** 01/30/2024 H - DP - House Natural Resources, Energy & Water**~~COP Position:~~** Support**~~HB2013 - Water improvements program; nonprofit corporations~~****~~Sponsor:~~** Rep. Gail Griffin (R)**~~Summary:~~** Nonprofit corporations are authorized to establish a water improvements program where persons may make donations for the purpose of providing financial assistance to owners of residential real property to make improvements to an existing drinking water well or to provide a water delivery system for the residence.**~~Last Action:~~** 04/02/2024 G - Vetoed**~~COP Position:~~** Neutral**HB2014 – NOW: water infrastructure**

Sponsor: Rep. Gail Griffin (R)

Summary: Allows the Water Infrastructure Finance Authority (WIFA) to conduct discussions and negotiations and enter into an agreement, including an offtake agreement, with an eligible entity that is reasonably necessary to facilitate a water supply development project that imports water from outside the boundaries of Arizona.

Last Action: 04/03/2024 S - DPA - Senate Committee of the Whole

COP Position: Neutral

~~HB2015 - Subsequent water management areas; basins~~

~~Sponsor:~~ Rep. Gail Griffin (R)

~~Summary:~~ For the purpose of designating a groundwater basin part of an active management area (AMA) through a petition signed by ten percent of the registered voters who reside within the boundaries of the proposed AMA, those registered voters are also required to receive their drinking water from that groundwater basin.

~~Last Action:~~ 02/27/2024 H - PASSED - House Motion to Reconsider Third - House Motion to Reconsider Third

~~COP Position:~~ Neutral

HB2017 - Assured water supply; commingling

Sponsor: Rep. Gail Griffin (R)

Summary: For the purposes of determining whether a certificate or designation of assured water supply is issued to an applicant, the Director of the Arizona Department of Water Resources shall consider any type of water or sources of water that are being commingled.

Last Action: 03/25/2024 S - Hearing Scheduled - 03/26/2024 - Committee of the Whole, Floor

COP Position: Neutral

~~HB2019 - Groundwater model; public inspection; challenge~~

~~Sponsor:~~ Rep. Gail Griffin (R)

~~Summary:~~ The Arizona Department of Water Resources shall make available at no cost for public inspection any hydraulic modeling that the department uses to determine projected groundwater levels for the purposes of evaluating an application for a certificate or designation of assured water supply, including the hydraulic model's findings, conclusions, methods and assumptions. The Director of the Arizona Department of Water Resources shall establish a process for a party to challenge any hydraulic model that the department makes available for public inspection.

~~Last Action:~~ 04/02/2024 G - Vetoed

~~COP Position:~~ Oppose

HB2020 - Long-term storage; stormwater; rainwater; rules

Sponsor: Rep. Gail Griffin (R)

Summary: A person that develops or plans to develop infrastructure in an active management area that results in increased natural, incidental or artificial recharge to the groundwater basin is entitled to earn and hold long-term storage credits in an amount not to exceed the level of increased recharge or projected increased recharge of a

groundwater basin. On or before January 1, 2025, the director shall adopt rules that promote new construction of facilities that are eligible to earn long-term storage credits. Contains criteria and rules for long-term storage credit eligibility. A person that applies for long-term storage credits under this law is exempt from certain permitting requirements.

Last Action: 03/26/2024 S - Senate Majority Caucus - Y

COP Position: Oppose

~~HB2021 - Conservation easements; in lieu payments~~

~~Sponsor:~~ Rep. Gail Griffin (R)

~~Summary:~~ ~~The holder of a conservation easement shall make an annual monetary payment in lieu of taxes on the reduction of value of the property caused by the placement of the conservation easement. The payments in lieu of taxes shall be paid to the county treasurer of the county in which the property impacted by the easement is located. Payments made under this law shall be distributed by the county treasurer to the county and to school districts, cities and towns in the county in the same manner as other property tax revenues. Retroactive to January 1, 2024.~~

~~Last Action:~~ 02/26/2024 H - FAILED - House Third Reading - House Third Reading

~~COP Position:~~ Neutral

HB2023 - Land divisions; disclosure affidavit; recording

Sponsor: Rep. Gail Griffin (R)

Summary: Makes a series of changes to the affidavit required to by law to be filled out and recorded with the deed to the property impacted by the sale. The changes include requiring the disclosure of the water hauling company name, phone number and water supply that services the property if applicable; removes the disclosure noting that the buyer is responsible for verifying the proper replacement and disposal of any applicable solar energy devices; adds a section requiring disclosure of any battery energy storage devices and, if applicable, the company leasing the storage devices; adds a note that it is unlawful for a person or group to attempt to avoid subdivision laws by attempting to divide a property parcel into six or more lots and notes investigation and enforcement responsibility; requires disclosure of whether the seller is a trustee in a trustee's sale, a person conducting an execution sale or mortgage foreclosure or a personal representative of an estate and information is unknown to the seller. Requires the seller, if they are a trustee of a subdivision trust, to provide a disclosure affidavit as required by this section of law.

Last Action: 03/21/2024 S - DP - Senate Government

COP Position: Neutral

HB2024 - Lottery; on-farm irrigation efficiency fund

Sponsor: Rep. Gail Griffin (R)

Summary: After appropriations and deposits have been made, \$50,000,000 of the funds left in the Arizona State Lottery Fund in FYs 2024-2025 and 2025-2026 will be deposited into the On-Farm Irrigation Efficiency Fund.

Last Action: 03/26/2024 S - DP - Senate Appropriations

COP Position: Support

~~HB2025 – Residential lease community; water; requirements~~**~~Sponsor:~~** Rep. Gail Griffin (R)

~~Summary:~~ Contains a series of new requirements for a "residential lease community" (defined) to obtain a building permit within an initial active water management area. These requirements include a written commitment of water service from a city, town or private water company designated as having an assured water supply. These new requirements do not apply to the construction, provision or leasing of residential structures that are located on agricultural property and are offered as housing to agricultural workers. Starting January 1, 2024, residential lease communities within water service member areas will be subject to a onetime activation fee from the water district against each detached residential dwelling unit to be constructed within the community.

~~Last Action:~~ 02/27/2024 S – Transmit to Senate**~~COP Position:~~** Neutral**~~HB2026 – Residential lease community; water; certificate~~****~~Sponsor:~~** Rep. Gail Griffin (R)

~~Summary:~~ Contains a series of new requirements for a person seeking a building permit within an active water management area containing a portion of the Central Arizona Project aqueduct. These requirements include receiving a certificate of assured water supply unless the applicant has obtained a written commitment for water service from either a city, town or private water company with a designation of assured water supply. These new requirements do not apply to the construction, provision or leasing of residential structures that are located on agricultural property and are offered as housing to agricultural workers. Applications for building permits that were received before September 31, 2023 are exempted from these changes as long as the applicant has a certificate of assured water supply or a written commitment of water services for the residences within their application.

~~Last Action:~~ 03/07/2024 S – Referred to Committee – Natural Resources, Energy and Water**~~COP Position:~~** Support**~~HB2028 – Groundwater model; unpledged storage credits~~****~~Sponsor:~~** Rep. Gail Griffin (R)

~~Summary:~~ The Director of the Arizona Department of Water Resources is required to ensure that any hydraulic modeling the department uses to determine projected groundwater levels for the purposes of evaluating an application for a certificate or designation of assured water supply assumes any long-term storage credits not pledged to a current water user or application will be available for use.

~~Last Action:~~ 02/07/2024 H – Removed from Hearing Agenda – 02/13/2024, 2:00 PM – House NREW, HHR 1**~~COP Position:~~** Oppose**~~HB2029 – Groundwater model; unpledged effluent~~****~~Sponsor:~~** Rep. Gail Griffin (R)

Summary: ~~The Director of the Arizona Department of Water Resources is required ensure that any hydraulic modeling the department uses to determine projected groundwater levels for the purposes of evaluating an application for a certificate or designation of assured water supply assumes any effluent created within the active management area and not pledged to a specific user will be used to replace the groundwater demand in the basin.~~

Last Action: 02/29/2024 H - PASSED - House Motion to Reconsider Third

COP Position: ~~Oppose~~

HB2030 - Cities; towns; water service; audit

Sponsor: Rep. Gail Griffin (R)

Summary: Municipalities with a population of more than 240,000 that has a designation of assured water supply and is located within an initial active water management area are required to hire an independent auditor to conduct a full rate audit and cost-of-service study of the municipalities water and sewer service if the city meets the requirements outlined in the bill. Requirements include having entered into a contract or subcontract with the Central Arizona Project; participated in an intentional created surplus program; received federal monies for voluntary conservation measures for the Colorado River; sold long-term storage credits using effluent generated within the municipalities water service area. Outlines the requirements of the audit and cost-of-service study. Requires the municipalities to submit a copy of their auditor's reports to the governor, legislature and secretary of state. This section will expire on January 1, 2027.

Last Action: 04/03/2024 S - DP - Senate Committee of the Whole

COP Position: ~~Oppose~~

HB2043 - Statute of limitations; criminal offenses

Sponsor: Rep. Travis Grantham (R)

Summary: ~~Changes the starting date on the statute of limitations on class 2 through class 6 felonies, misdemeanors, and petty offenses from the date of discovery of the crime by the appropriate charging authority to the date that the crime occurred.~~

Last Action: 01/18/2024 H - Removed from Hearing Agenda - 01/24/2024, 9:00 AM - House JUD, HHR 4

COP Position: ~~Oppose~~

HB2044 - Restitution; child survivors; DUI

Sponsor: Rep. Selina Bliss (R)

Summary: ~~Requires a defendant involved in a car accident while intoxicated that resulted in the death of another party is required to pay child support for the minor child of the victim until the child reaches 18 years of age or graduates from high school, whichever is later. The court will decide the manner and amount of the restitution based off a series of outlined factors. If the defendant is imprisoned, they are required to begin payment of the child support no later than the first anniversary of the date of their release.~~

Last Action: 02/27/2024 H - PASSED - House Motion to Reconsider Third - House Motion to Reconsider Third

COP Position: Neutral

HB2045 - Dangerous drugs; definition; xylazine

Sponsor: Rep. Selina Bliss (R)

Summary: Modifies the list of "dangerous drugs" (defined) within the criminal code to include xylazine.

Last Action: 04/02/2024 G - Transmit to Governor

COP Position: Neutral

~~HB2046 - Juror information; master jury list~~

~~Sponsor:~~ Rep. Selina Bliss (R)

~~Summary:~~ Requires that dates of birth and, when available, telephone numbers and email addresses be included in the master jury list.

~~Last Action:~~ 03/01/2024 S - Hearing Scheduled - 03/07/2024 - Senate JUD, SHR 1

~~COP Position:~~ Neutral

~~HB2054 - SNAP eligibility; probation compliance~~

~~Sponsor:~~ Rep. Timothy M. Dunn (R)

~~Summary:~~ Makes compliance with the terms of probation, including any applicable drug testing requirements, the only criteria for eligibility for Supplemental Nutrition Assistance Program (SNAP) benefits for people convicted of a felony related to the use or possession of a controlled substance.

~~Last Action:~~ 01/29/2024 H - DISC/HELD - House Health & Human Services - House Health & Human Services

~~COP Position:~~ Neutral

HB2055 - Underground water storage; permitting

Sponsor: Rep. Timothy M. Dunn (R)

Summary: Increases the number of days that the Arizona Department of Water Resources has to review applications for water storage at an underground storage facility to 180 days. Requires ADWR to issue a decision on the application within 100 days after notice of the application is given.

Last Action: 04/02/2024 G - Signed

COP Position: Support

~~HB2056 - Appropriation; on-farm efficiency fund~~

~~Sponsor:~~ Rep. Timothy M. Dunn (R)

~~Summary:~~ Appropriates \$30,000,000 from the general fund in FY2024-25 to the on-farm irrigation efficiency fund.

~~Last Action:~~ 01/16/2024 H - DP - House Natural Resources, Energy & Water

~~COP Position:~~ Neutral

~~HB2057 - Appropriation; long-term water augmentation fund~~

~~Sponsor:~~ Rep. Timothy M. Dunn (R)

~~Summary:~~ Appropriates \$143,800,000 from the general fund in FY2024-25 to the long-term water augmentation fund. This appropriation is exempt from lapsing.

Last Action: 01/30/2024 H - DP - ~~House Natural Resources, Energy & Water - House Natural Resources, Energy & Water~~

COP Position: Support

~~HB2059 - Contiguous real estate; definition~~

Sponsor: Rep. Gail Griffin (R)

Summary: ~~Modifies the definition of "contiguous" to include lots, parcels or fractional interests that are separated by a private road or street and does not include the same separated by a public road, street or highway that has been dedicated to and accepted by Arizona or by any political subdivision of the state. Repeals the five-year continuous public use requirement.~~

Last Action: 01/29/2024 H - FAILED - ~~House Land, Agriculture & Rural Affairs -~~

COP Position: Neutral

HB2060 - Irrigation non-expansion area; substitution; acres

Sponsor: Rep. Gail Griffin (R)

Summary: Allows an owner of acreage in an irrigation non-expansion area to permanently retire acreage that may legally be irrigated and substitute that acreage's associated water for any end use, provided the owner demonstrates that the use of that water does not result in a net increase of groundwater withdrawal in the non-expansion area. The Director of the Arizona Department of Water Resources may not require a net groundwater usage reduction as a requirement of approval of an application to make the substitution of acreage.

Last Action: 03/19/2024 S - Senate Caucus - Y

COP Position: Neutral

HB2062 - Assured water supply; certificate; model

Sponsor: Rep. Gail Griffin (R)

Summary: Requires the Department of Water Resources to review assured water supply applications and issue a written determination of action within 15 days of receipt of an application for an assured water supply upon request of the applicant, if the application is for the Phoenix active management area, was submitted between January 26, 2021 and May 31, 2023, and the applicant has not received a certificate of assured water supply or had an application denied. Requires the Department of Water Usage to use the 2006-2009 Salt River valley regional model and financial information submitted by the applicant, and notify all eligible applicants of the ability to have determinations of assured water supply reviewed within five days of the bill being enacted. Imposes a 90-day window from enactment of the bill for applicants to request a review and stipulates that the section is repealed effective January 1, 2025.

Last Action: 03/26/2024 S - Senate Caucus - Y

COP Position: Oppose

HB2063 - Exempt wells; certificate; groundwater use

Sponsor: Rep. Gail Griffin (R)

Summary: Limits an exempt well registered with the Department of Water Resources to withdraw no more than 35 gallons per minute and requires the Director of the

department to issue each groundwater user that registers an exempt well a certificate of water rights. Stipulates that a groundwater user may not appropriate sub flow or surface water and that withdrawn water is not exempt from a general stream adjudication.

Last Action: 04/03/2024 S - DPA - Senate Committee of the Whole

COP Position: Neutral

HB2064 - School safety zone; offenses; sentencing

Sponsor: Rep. Selina Bliss (R)

Summary: Allows the imposition of an additional five years to the minimum, maximum and presumptive sentence of anyone in a "position of trust" (defined) that is convicted of a designated crime committed in a school safety zone.

Last Action: 04/02/2024 G - Transmit to Governor

COP Position: Neutral

HB2076 - Domestic violence; definition; animal abuse

Sponsor: Rep. Barbara Parker (R)

Summary: Expands the list of offenses for "domestic violence" to include intentionally or knowingly subjecting a domestic animal to cruel mistreatment, and intentionally or knowingly killing a domestic animal without either legal privilege or consent of the domestic animal's owner or handler.

Last Action: 04/02/2024 S - Senate Caucus - Y

COP Position: Neutral

~~**HB2078 - Advisory committee; subcommittee; exemption**~~

~~**Sponsor:** Rep. Laurin Hendrix (R)~~

~~**Summary:** Relating to public meetings, exempts communications among a quorum of a three member advisory committee or subcommittee that involves discussion or deliberation regarding a matter before the advisory committee or subcommittee.~~

~~**Last Action:** 01/18/2024 H - Removed from Hearing Agenda - 01/24/2024, 9:00 AM - House GOV, HHR 3~~

~~**COP Position:** Neutral~~

HB2080 - Elections; municipal vacancies; primary

Sponsor: Rep. Laurin Hendrix (R)

Summary: Provides that if the person holding an office is appointed at the time of the primary, their term of office ends when an elected candidate takes the oath of office and that the candidate that receives a majority of votes at the primary election shall be declared elected to that office upon canvass and certification of results and on taking the oath of office.

Last Action: 04/03/2024 G - Transmit to Governor

COP Position: Neutral

~~**HB2088 - Bond; override; contributions; contracts; prohibition**~~

~~**Sponsor:** Rep. Laurin Hendrix (R)~~

~~**Summary:** Prohibits an individual, corporation, partnership, association or other organization contributes to an entity promoting the issuance of a bond or passage of a~~

budget override, said entity is prohibited from bidding on a contract that is funded as a result of that bond or budget override.

Last Action: 01/30/2024 H—House Caucus—Y

COP Position: ~~Oppose~~

HB2093 - Emergency services; prudent layperson; definition

Sponsor: Rep. Barbara Parker (R)

Summary: Adds language to the definition of emergency services that allows a prudent layperson with standard medical knowledge to attest to the medical condition and symptoms of a person suffering from a medical condition warranting emergency intervention. Includes mental health and the potential of the person in need causing harm to others as part of the jeopardy factors to determine if emergency services are warranted.

Last Action: 03/29/2024 G - Signed

COP Position: Neutral

~~HB2096 — NOW: Cottage homes; construction; requirements; exemptions~~

Summary: ~~Stipulates that zoning requirements may not extend beyond existing provisions governing the use of gray water and the users of gray water, provided each is in compliance with existing law. Prohibits any ordinance that prevents, restricts or regulates the use or occupation of land, including improvements, related to gray water that is in compliance with existing gray water rules, regulations and statutes. Amends permitting exclusions to include gray water system development, repairs and improvements not exceeding \$500 in cost. Permits the use and discharge of gray water (defined) at a private residence provided total gray water is 400 gallons per day or less, originates from the residence it is used and contained within the property boundary for gardening, landscape and composting, avoids human contact, the surface application does not touch food plants, or contain hazardous chemicals or water used to wash diapers, is managed to minimize standing surface water and utilizes best practices to improve soil and filtration conditions, possesses a shutdown mechanism in the event of malfunction, restricts access to gray water holding tanks, is not situated in a floodway, maintains a vertical separation of at least five feet from the point of application and the groundwater table, has clearly indicated piping and only uses graywater on the surface via flood or drip distribution mechanisms. Prohibits a county, city, town or political subdivision to require a permit or notice if a private landowner uses or discharges gray water in compliance with those stipulations and from requiring a private residence to connect to an on-site wastewater facility (defined) or outside sewage system if graywater use meets those requirements and all toilets at the residence are composting toilets (defined) and kitchen sinks do not have an active garbage disposal. Prohibits a county, city, town or political subdivision from prohibiting a person from installing a composting toilet provided the property is located on an unincorporated area that allows for residential construction, the property is two acres or larger and is not directly adjacent to a city or town.~~

Sponsor: Rep. Barbara Parker (R)

Last Action: 02/27/2024 H - FAILED — House Third Reading

COP Position: Neutral

HB2097 - Gray water; definition; residential standards**Sponsor:** Rep. Barbara Parker (R)

Summary: Stipulates that zoning requirements may not extend beyond existing provisions governing the use of gray water and the users of gray water, provided each is in compliance with existing law. Prohibits any ordinance that prevents, restricts or regulates the use or occupation of land, including improvements, related to gray water that is in compliance with existing gray water rules, regulations and statutes. Amends permitting exclusions to include gray water system development, repairs and improvements not exceeding \$500 in cost. Defines “composting toilets” to mean a treatment technology that is manufactured or constructed and receives human waste from a waterless toilet into a system that is aerobic, reduces waste volume, nutrient content and harmful microorganisms to accepted levels for disposal, by dehydration and biological activity. Defines gray water as water collected separately from sewage flow from clothes washers, dishwashers, bathroom shower and sinks and kitchen sinks that do not include a garbage disposal system. Excludes wastewater from a kitchen sink that has a garbage disposal, flush toilets or wastewater contaminated by soiled diapers. Redefines “on-site wastewater treatment facility” to exclude systems installed specifically to treat and dispose of gray water.

Last Action: 04/02/2024 S - RETAINED - Senate Committee of the Whole**COP Position:** Neutral**HB2100 - Administrative completeness review; licensing****Sponsor:** Rep. Gail Griffin (R)

Summary: Requires state agencies to publicly list on the Agency’s website items that are needed for an application to be administratively complete. Stipulates that a Notice of Deficiencies submitted in the stated timeframe renders an application administratively complete. Prohibits and agency from determining merits or outcome of an application or notify and applicant of the Agency’s determination within the Administrative Completeness Review Time Frame. Prohibits the Agency from using materials to formulate an opinion if those materials are not part of the application or covered under the public disclosure requirements of the bill unless the documents or report were submitted for public inspection or the applicant had an opportunity to challenge any associated findings. Requires an Agency to provide an applicant with a list of required items at the time the applicant picks up an application.

Last Action: 03/29/2024 G - Vetoed**COP Position:** Neutral**HB2101 - Land division; applicant submissions; review****Sponsor:** Rep. Gail Griffin (R)

Summary: Stipulates that an application for division of land shall be approved if an owner answers two new questions pertaining to land ownership and ownership interests, and sales of said land over the last 10 years.

Bill History: 03/25/2024 S - Hearing Scheduled - 03/26/2024 - Committee of the Whole, Floor

COP Position: Neutral

HB2104 – Misconduct investigations; time limit; applicability**Sponsor:** Rep. Kevin Payne (R)

Summary: Requires an employer who receives notice of employee misconduct by a person authorized by the employer to initiate an investigation into the misconduct before September 24, 2022 to complete the investigation within one year of the effective date of the bill. Requires the dismissal of the investigation if the investigation is not complete within one year of the effective date of the bill. Stipulates that the timeframe does not apply to misconduct investigations on or after September 24, 2022 or investigations that are suspended pursuant to Arizona law. Sets a repeal date for this provision for on December 31, 2025.

Last Action: 01/23/2024 H – Removed from Hearing Agenda – 01/29/2024, 2:00 PM – House MAPS, HHR 1

COP Position: Neutral**HB2116 - Fatality review; information; access****Sponsor:** Rep. Julie Willoughby (R)

Summary: Requires within five days upon request of the Chairperson of the Child Fatality Review Team, excluding weekends and holidays the provision of information and records pertaining to a child whose death is being reviewed by the team. Permits law enforcement to withhold information or reports if releasing them interferes with an ongoing criminal investigation or prosecution. Requires law enforcement provide unredacted reports to a Local Child Fatality Review Team or a Maternal Mortality Review Program upon request, provided compliance does not fall under the exclusion of the permissible withholding of information. Permits a member of a state or local Child Fatality Review Team or Maternal Mortality Review Program to contact, interview or obtain information from a close contact or family member of the deceased child or mother upon approval by the teams in question. Repeals the ability of a state or local Child Fatality Review Team who is also a public officer or employee to contact, interview and obtain information from a family member related to the Review Team as part of the officer's or employee's official duties. Adds recognition of the Maternal Mortality Review Program where appropriate.

Last Action: 04/01/2024 H - PASSED - House Concurrence

COP Position: Neutral**HB2117 – Workers' compensation; occupational disease; presumption****Sponsor:** Rep. Kevin Payne (R)

Summary: Repeals the requirement that a firefighter or fire investigator have a physical examination prior to being hired that did not indicate cancer for a cancer diagnosis to qualify as an occupational disease. Requires that the examination did not result in a cancer diagnosis to qualify as an occupational disease in the event of a cancer diagnosis. States that the legislative intent is that recurring cancer be eligible for coverage under the prior language in the bill.

Last Action: 03/05/2024 S – Referred to Committee – Senate Government

COP Position: Neutral

HB2120 - Law enforcement; defunding; prohibition**Sponsor:** Rep. David Marshall, Sr. (R)

Summary: Prohibits a city or town from reducing the annual operating budget below the prior year's level of funding for any law enforcement agency and stipulates that when a city or town does reduce the funding level in that manner, the Arizona State Treasurer shall withhold state shared funds equal to the amount of the reduction, until the city or town has notified the State Treasurer's office that the funds have been restored. Exempts municipalities that lack the funds to cover the cost of the prior year's level of funding for the police department. Exempts payments for debt-service, bonds or other long-term obligations in the police department budget incurred before the funding reduction from being withheld by the State Treasurer. This bill becomes effective January 1, 2025.

Last Action: 03/28/2024 S - DPA - Senate Committee of the Whole**COP Position:** Oppose**HB2123 - Wells; water measuring devices; prohibition****Sponsor:** Rep. Austin Smith (R)

Summary: Prohibits the state or a political subdivision from requiring a water measuring device for any well located in a basin or subbasin that contains a river system or source that is subject to general adjudication of water rights and the basin or subbasin is located outside of an Initial Active Management Area or outside an area where groundwater may be withdrawn and transferred pursuant to Arizona law.

Last Action: 04/02/2024 G - Vetoed**COP Position:** Oppose**HB2124 - Agricultural operations; water; protection; definition****Sponsor:** Rep. Austin Smith (R)

Summary: Adds water use by an owner, lessee, agent, independent contractor, and supplier on any facility used for the production of crops, livestock, poultry, livestock and poultry products for the purposes of agritourism to the definition of "Agricultural Operations" (defined.) Allows a court to award reasonable costs and legal fees in a lawsuit deemed to be a nuisance action if the action was filed to take or reduce the water use by the other party.

Last Action: 04/03/2024 S - DPA - Senate Committee of the Whole**COP Position:** Oppose**HB2125 - Annexation; notice; approval****Sponsor:** Rep. Austin Smith (R)

Summary: Directs the cost of mailing a notice of annexation to the chairperson of the Board of Supervisors of the county in which the territory being annexed is located be assumed by the governing body of the city or town initiating the annexation. Increased the percentage of required value and persons needed to circulate a petition and record it in the Office of the County Recorder from 50 percent to 60%. Stipulates that property owners, whether they sign a petition or not, are calculated in the sixty percent of value and persons needed for the petition.

Last Action: 04/03/2024 G - Transmit to Governor

COP Position: Neutral

HB2127 - Assured water supply certificate; effluent

Sponsor: Rep. Gail Griffin (R)

Summary: Permits an applicant for a Certificate of Assured Water Supply for a proposed subdivision in the Tucson, Phoenix, Prescott or Santa Cruz Active Management Area to use effluent projected to be produced by the subdivision provided the application indicates the proposed subdivision will use all effluent produced by the subdivision, the applicant may use it to demonstrate physical availability and consistency with the management plan and the Director shall deem that there is sufficient groundwater to be consistent with the Active Management Area's management plan, and if the applicant enrolls as a member land pursuant to ARS 48-3774 and all projected effluent produced by the subdivision will be recharged in the same subbasin where the subdivision is located, the Director shall grant a Certificate of Assured Water Supply.

Last Action: 03/26/2024 S - Senate Caucus - Y

COP Position: Oppose

HB2129 - Improved lot or parcel; definition

Sponsor: Rep. Gail Griffin (R)

Summary: Modifies the definition of "Improved lot or parcel" to cover condominiums as defined by state law, within four years after the sales contract is agreed upon.

Last Action: 04/02/2024 G - Signed

COP Position: Neutral

~~HB2132 - Municipal land sales; public notice~~

~~Sponsor:~~ Rep. Gail Griffin (R)

~~Summary:~~ ~~Places restrictions on a town or city selling property worth more than \$1,500,000 and less than \$15,000,000, including mandating at least one public hearing after publishing an invitation for bids at least 30 days before scheduled approval of a purchase agreement. Requires the Notice of the public hearing to include a description of the property proposed for sale and the reasons for the sale, and information on how to submit written and verbal public comment. Requires a vote by members of the governing body and the adoption of a resolution approving the sale and the terms of the sale to be published on the town or city website upon completion of the sale. Mandates that any real property sold under this provision must be sold at the appraised value of the property or higher. Allows the sale or disposal of an airport following Arizona law governing the sale of public property. Does not apply to charter cities.~~

~~Last Action:~~ ~~02/21/2024 S - Hearing Scheduled - 02/21/2024 - Second Reading, Floor~~

~~COP Position:~~ Neutral

~~HB2133 - Solar panel disposal fund~~

~~Sponsor:~~ Rep. Gail Griffin (R)

~~Summary:~~ ~~Establishes a Solar Panel Disposal Fund that includes legislative appropriations and solar panel installation fees under the administration of the Department of Environmental Quality (Department.) Directs the State Treasurer to~~

~~invest and divest funds from the fund according to state law and provided expenditures apply to recycling and disposing of solar panels and groundwater remediation efforts necessitated by improper solar panel disposal. Directs the Department to provide grant opportunities to aid groundwater quality remediation efforts and that applications for grants be submitted by June 30 of each year. Directs the Department to report to the Governor, Senate President and Speaker of the Arizona House, and State Treasurer by August 15 of each year outlining who received grants and how much they received, programs or projects the funds support and the outcomes of those programs or projects. Imposes a fee of \$1 per solar panel installed and directs that money to the Disposal fund. 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.~~

~~**Last Action:** 02/13/2024 H—HELD—House Natural Resources, Energy & Water—House Natural Resources, Energy & Water~~

~~**COP Position:** Neutral~~

HB2134 - Aggravated unlawful flight; law enforcement

Sponsor: Rep. Timothy M. Dunn (R)

Summary: Makes unlawful flight an aggravated offense if the fleeing driver willfully endangers the life of another person, provided the law enforcement vehicle is clearly visible or if an unmarked vehicle the driver admits to knowing it was a law enforcement vehicle, or evidence shows the driver knew or should have known it was a law enforcement vehicle. Designated aggravated unlawful flight from a pursuing law enforcement vehicle as a class 2 felony if the offense causes serious injury, the driver is transporting a minor under 15 years of age, or the driver is driving under the influence of drugs or alcohol. Prohibits probation, pardon, commutation or suspension of sentence or release on any other basis until the person has served at least four months in prison.

Last Action: 04/03/2024 H - House Majority Caucus - Y - Concurred

COP Position: Neutral

HB2142 – Move over law study committee

Sponsor: Rep. David L. Cook (R)

Summary: ~~Creates a Move Over Law Committee and establishes the criteria for membership. Prohibits committee members from receiving compensation for participation, excepting the reimbursement of expenses by the members appointed by the Governor. Directs the Committee to assess the efficacy of the emergency vehicle law and to determine if additional promotion of the law is warranted, identify any additional resources or policies that would enhance public safety, propose legislation to address issues identified by the Committee, make policy recommendations and compile and submit a report of the Committees activities and recommendations for the Governor and legislature by December 1, 2024. The Committee is repealed October 1, 2025.~~

~~**Last Action:** 02/20/2024 S—Referred to Committee—Senate Transportation, Technology and Missing Children~~

~~**COP Position:** Neutral~~

HB2143 – Driver license fees; homeless exemption

Sponsor: Rep. David L. Cook (R)

Summary: Removes the requirement that a homeless person seeking exemptions from motor vehicle operation and licensing fees be a veteran. Removes references to veteran status for non-driver IDs.

Last Action: 02/20/2024 H - DPA - House Committee of the Whole

COP Position: Support

HB2146 - Mobile homes; cooling; prohibition

Sponsor: Rep. David L. Cook (R)

Summary: Prohibits a person that owns or operates a mobile home park from preventing a tenant from installing necessary cooling methods to reduce energy costs and prevent heat related illness and death, including temporary window mounted ventilation or air conditioners, wall mounted air conditioners, window coverings, awnings, skirting or other cooling methods.

Last Action: 04/02/2024 G - Signed

COP Position: Neutral

HB2148 - Fire protection systems; inspections

Sponsor: Rep. David L. Cook (R)

Summary: Requires that fire protection system inspections that include fire dampers, smoke dampers or a combination of both be performed by individuals certified by any entity certified and accredited by the Americans Standards Institute. Requires cities, towns or counties that have adopted a fire code to adopt a regulation that achieves compliance with this regulation by January 1, 2025.

Last Action: 04/02/2024 S - Senate Caucus - Y

COP Position: Neutral

HB2157 - Probation; termination; deportation

Sponsor: Rep. Selina Bliss (R)

Summary: Prohibits the court from using deportation of a defendant as a sole reason for terminating probation or intensive probation that is already in place.

Last Action: 04/02/2024 G - Transmit to Governor

COP Position: Neutral

~~HB2158 - Prohibited possessor; consecutive sentence~~

~~Sponsor:~~ Rep. Selina Bliss (R)

~~Summary:~~ Requires a sentence to run consecutively if a person is convicted of possessing a deadly weapon, or a person prohibited from possessing a deadly weapon possesses a deadly weapon, while committing a new felony offense.

~~Last Action:~~ 01/18/2024 H - Removed from Hearing Agenda - 01/24/2024, 9:00 AM - House JUD, HHR 4

~~COP Position:~~ Neutral

~~HB2161 - Industrial development bonds; preapproval; threshold~~

~~Sponsor:~~ Rep. Selina Bliss (R)

Summary: Prohibits a company from issuing bonds other than refunding bond proceeds that are used exclusively to refund a prior bond issue to finance a multifamily residential rental project unless that company is approved by the Arizona Finance Authority, governing body of a county or a municipality having a population exceeding 3% (reduced from 7%) of the total state population.

Last Action: 02/26/2024 S – Referred to Committee – Senate Government

COP Position: Neutral

HB2162 – Municipal general plan; adoption

Sponsor: Rep. Selina Bliss (R)

Summary: Requires a new general plan for municipalities that have more than 2,500 but less than 10,000 people, whose population growth exceeded an average of 2% per year for the ten-year period prior to the most recent United States decennial census, and any city with more than 10,000 persons, be presented to voters at the next scheduled municipal election, or at a special election at least 180 days (up from 120) after the governing body adopted the plan. Permits a governing body of a municipality that has more than 2,500 but less than 10,000 people whose population rate did not exceed an average of two percent for the ten-year period prior to the most recent United States decennial census to formulate a new general plan but requires that plan to be presented to voters at the next municipal election or at a special election at least 180 days after the adoption of the plan. If the plan is rejected by voters, the governing body must resubmit or revise the proposed plan and present it to voters in the next scheduled municipal election or at a special election at least 180 days after readoption.

Last Action: 02/20/2024 S – Referred to Committee – Senate Government

COP Position: Neutral

HB2175 – Marijuana monies; university police

Sponsor: Rep. Kevin Payne (R)

Summary: Adds university police departments under the Arizona Board of Regents as a recipient of excess funds in the Smart and Safe Arizona fund. 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.

Last Action: 01/16/2024 H – Removed from Hearing Agenda – 01/22/2024, 2:00 PM – House MAPS, HHR 1

COP Position: Oppose

HB2184 - Brackish groundwater pilot program

Sponsor: Rep. Austin Smith (R)

Summary: Stipulates that brackish groundwater desalination demonstration program funds, matching funds and associated activities apply to the entire state. Directs the pilot program's location be determined by the Department of Water Resources. Directs that the central Arizona project receive matching funds contingent to the amount it contributes to Brackish Groundwater Desalination projects within Active Management Areas.

Last Action: 04/02/2024 G - Vetoed

COP Position: Neutral

HB2185 - Liquor; policies; procedures**Sponsor:** Rep. Matt Gress (R)

Summary: Permits the Arizona Department of Liquor Licenses (ADLL) to issue specialized event licenses with the approval of the Board of Supervisors for events to be held in unincorporated places of a county, to the governing body of a city or town for events held in the city or town, and to the President of the University under the jurisdiction of the Arizona Board of Regents (ABR) for events held on university property. Permits the ADLL to issue special event licenses for wine festivals, craft distillery festivals and microbreweries. Repeals the authority to determine the location of a special event in any of the three. Permits the presence of purchased spiritous liquor by the purchaser at all licensed events. Allows an applicant for a liquor license and bar licenses to consolidate the application and apply for both at the same time. Repeals the requirement that samples must be restricted to a sampling area.

Last Action: 04/02/2024 S - Hearing Scheduled - 04/03/2024 - Additional Committee of the Whole, Floor

COP Position: Neutral

HB2186 - Remedial groundwater incentive; brackish groundwater**Sponsor:** Rep. Alexander Kolodin (R)

Summary: Establishes that the use of remedial groundwater by someone with or applying for a certificate of designation of assured water supply is in compliance with the goals of an Active Management Area if the Department of Water Resources (DWR) determines the use is consistent with the management goals of remedial groundwater metering and reporting as defined in this bill. Establishes that use of remedial groundwater in this case without the approval of the DWR if the remedial groundwater associated with the withdraw or use is considered a "Hazardous Substance" (defined,) the total amount of remedial groundwater to be withdrawn does not exceed the amount of remedial groundwater in the relevant area that is considered a Hazardous Substance, all required information prescribed in this bill is present and the individual complies with metering and reporting requirements established in this bill. Implements remedial groundwater applications and rules pertaining to permissions, use, applications processes, determinations, reporting and timelines for review of applications as well as developing the formula used to calculate, increase or decrease the annual authorized volume of remedial groundwater that can be withdrawn. Requires a person in compliance with the remedial groundwater applications and rules established by this bill to meter remedial groundwater withdrawals separately from groundwater withdrawn under another groundwater withdrawal authority. A person deemed to be in compliance with this bill shall include withdrawal amounts in its annual report. Requires an individual deemed to be withdrawing remedial groundwater that meets the definition of a Hazardous Substance shall provide the DWR no less than 120 days before commencement of the withdrawal the annual volume to be withdrawn, total amount of remedial groundwater that meets the Hazardous Substance criteria, the time period for withdrawal, commencement date of withdrawal, a statement of purpose, evidence of compliance with USA Environmental Protection Agency or Department of Environmental Quality approval for the withdrawal, the person to whom the certificate or designation of

assured water supply to which the remedial groundwater will be pledged and all pertinent contact information so that the Department of Water Resources can contact that person. (More)

Last Action: 04/02/2024 S - Senate Caucus - Y

COP Position: **Oppose**

~~HB2189 – TPT; use tax; exemption; aviation~~

Sponsor: Rep. Timothy M. Dunn (R)

Summary: ~~Repeals the requirement of the Department of Revenue to provide a form to document eligibility for a deduction when purchasing an aircraft and the prescribed process for documenting transfer of ownership, the percentage of operational control and associated taxes. Repeals the stipulations and definitions pertaining to the sale of aircraft, navigational and communication instruments and other accessories, related equipment, and the associated deduction from the tax base for said sales and the reclassifying of all such as those used for general or commercial aviation. Applies the bill to the taxable periods from the first day of the month following the general effective date.~~

Last Action: ~~02/14/2024 H – DISC/HELD – House Ways & Means~~

COP Position: **Oppose**

~~HB2190 – Prohibited agreements; public works contracts~~

Sponsor: Rep. David L. Cook (R)

Summary: ~~Prohibits agencies or political subdivisions of the state to require a contractor, subcontractor, supplier or carrier enter into a neutrality agreement with any service provider as a condition of bidding, negotiating or awarding a public works contract. Repeals prohibitions on becoming a party to a labor agreement or other agreement with labor union representatives, and requiring participation in any apprenticeship program registered with the US Department of Labor. Sets requirements for Certificates of Environmental Compatibility.~~

Last Action: ~~02/14/2024 H – FAILED – House Government~~

COP Position: ~~Neutral~~

HB2195 - On-site wastewater treatment facilities; permitting

Sponsor: Rep. Laurin Hendrix (R)

Summary: Permits an on-site wastewater treatment facility to discharge under a general permit if the operation complies with existing permit rules and is operated by a technology manufacturer certified service provider and has a design flow of 3,000 gallons per day or more but less than 75,000 gallons per day. Requires the Arizona Department of Environmental Quality to include an addendum to general permit authorization that requires affected facilities to conduct maintenance, monitoring, records keeping and reporting in addition to any requirements of a general permit.

Last Action: 04/03/2024 H - House Caucus - Y - Concurred

COP Position: Neutral

HB2199 - Restaurants; small alcohol ratio exemption

Sponsor: Rep. Matt Gress (R)

Summary: Creates an exception for a restaurant licensee that derives at least 90% of its gross revenue from food sales, including food for consumption off-premises, from the limit of off-sale use by the licensee's total spirituous liquor sales.

Last Action: 04/01/2024 H - PASSED - House Concurrence

COP Position: Neutral

~~HB2200 – Groundwater transportation; Harquahala non-expansion area~~

~~Sponsor:~~ Rep. Timothy M. Dunn (R)

~~Summary:~~ ~~Determines that the state, a political subdivision of the state and a public service corporation that is regulated by the corporation commission and holds a certificate of convenience and necessity for water service in an initial active management area, are eligible to transport groundwater away from the Harquahala Irrigation Non-Expansion Area. Permits eligible parties to withdraw groundwater from the land for transportation to an initial active management area for its own use or use by the Arizona water banking authority if the groundwater transported is used by customers of an entity eligible to transport groundwater within five years after groundwater transportation and it is not otherwise sold or used by any other entity than the eligible entity, and, if the entity is a public service company, all costs associated with attaining and delivering the groundwater are collected from the customers of the public service company's water distribution system where the transported groundwater is used. Exempts the Arizona Department of Water Resources from rulemaking requirements outlined in the Administrative Procedure chapters of state law.~~

~~Last Action:~~ 03/04/2024 S – Referred to Committee – Senate Natural Resources, Energy and Water

~~COP Position:~~ Neutral

HB2201 - Harquahala non-expansion area; groundwater transportation

Sponsor: Rep. Timothy M. Dunn (R)

Summary: Permits the transportation of groundwater withdrawn in Harquahala Irrigation Non-Expansion Area to an Initial Active Management Area if the groundwater is used by customers of an eligible entity within five years after the transport and is not sold or conveyed for use by other than the eligible entity and by a public service corporation if the cost of the withdrawal and transport are covered by the customers of the corporation where the groundwater is used. Enables the State, subdivision of the State and public service corporation regulated by a corporation commission that possesses a Certificate of Conveyance and Necessity for water service in the Initial Active Management Area. Directs the Department of Water Resources (DWP) to adopt rules to govern withdrawal and transportation and reporting procedures for groundwater withdrawn. Enables Initial Active Management Area entities, the Arizona Water Baking Authority, or any location in La Paz County to withdraw and transport water from the Harquahala Irrigation Non-Expansion Area. Exempts the DWP from rule making requirements for one year after the effective date.

Last Action: 04/02/2024 S - DPA - Senate Committee of the Whole

COP Position: Neutral

HB2202 – EORP; appropriations; repayment

Sponsor: Rep. David Livingston (R)

Summary: Requires the Clerk of the Supreme Court to deposit 26% of fees collected with the State Treasurer for transmission to the Public Safety Personnel Retirement System's Board's office for official distribution through June 30, 2024. Requires the Clerk of the Supreme Court to deposit 26% of fees collected to the Department of Administration for distribution according to state law, starting on July 1, 2024. Outlines the percentages for submission from the clerks of the Court of Appeals, Superior Court Clerks, County Treasurers, Justices of the Peace, and schedule for transmission. Requires the Department of Administration and the Board to coordinate to ensure that all financial transactions covered in this bill adhere to US federal code. Establishes the fee schedule for cities, towns and counties to repay the state for amounts paid in FY2023–2024 to the Elected Official's Retirement Plan for Unfunded Accrued Liability.

Last Action: 02/15/2024 H – Removed from Hearing Agenda – 02/19/2024, 1:30 PM – House APPROP, HHR 1

COP Position: Neutral

HB2203 - Public retirement plans; liabilities; administration

Sponsor: Rep. David Livingston (R)

Summary: Modifies the payment compound timeframe from daily to annually for late payments of contributions by the Arizona Department of Administration and the treasurer of each county and participating city. Requires for active or inactive members who are reemployed under the same retirement plan, that assets equal to the actuarially accrued liability earned with the prior employer through the date of reemployment be transferred to the subsequent employer and all benefit liabilities be attributed to that employer. Requires actuarially accrued liability to be computed using methods and assumptions prescribed by the system's actuary and adopted by the Arizona State Retirement Board. Exempts trust funds administered by the Board from the Revised Arizona Unclaimed Property Act and directs the Board to adopt policies for monies assumed abandoned, including all notification and distribution processes and methods to comply with state and federal tax law. Repeals the prohibition on participants in the defined contribution plan taking loans on any portion of the accumulated assets in the participant's annuity account. Makes the contributions and employer account asset transfers section retroactive to August 6, 2016 and the employer and member contributions section retroactive to August 9, 2017.

Last Action: 04/02/2024 H - Hearing Scheduled - 04/03/2024 - Final Reading, Floor

COP Position: Neutral

HB2213 – Governmental entities; proxy voting; prohibition

Sponsor: Rep. David Livingston (R)

Summary: Requires the State Treasurer to post a current list of investments by name on the State Treasurer's publicly accessible website, maintain and update that list within a reasonable timeframe, or when alterations are made. Requires the State Treasurer to post the current list of investment managers on the State Treasurer's publicly accessible website, maintain and update that list within a reasonable timeframe, or when alterations are made. Requires all investments made by the State Treasurer be in the interest of the tax payer and based on "pecuniary factors" (defined). Requires any

~~governmental entity establishing or maintaining a “plan” (defined) must make direct investment decisions, vote all directly held shares or have governmental entity’s directly held shares based solely on pecuniary factors. Requires the governmental entity involved in indirect or comingled investments to inform the general partner or investment manager that where the governmental entity has the option, investment decisions and share votes must be made solely on pecuniary interests.~~

~~**Last Action:** 02/28/2024 S – Referred to Committee – Senate Government~~

~~**COP Position:** Oppose~~

HB2242 - Sexual conduct; minor; classification; sentence

Sponsor: Rep. Julie Willoughby (R)

Summary: Requires that anyone convicted of sexual conduct with a minor who is at least 15 years of age is guilty of a Class 4 (down from Class 6) felony and if that person is placed on probation, they must be sentenced to serve one year in jail.

Last Action: 04/03/2024 H - House Majority Caucus - Y - Refused

COP Position: Neutral

HB2245 - Narcotic drugs; fentanyl; sentencing

Sponsor: Rep. Quang H. Nguyen (R)

Summary: Requires that anyone convicted of possession of a narcotic drug for sale or convicted of transporting of narcotics for sale, importing narcotics into Arizona, offering to transport or import narcotics for sale or convicted of selling, transferring or offering to sell or transfer a narcotic drug and the violation includes selling another person fentanyl in the amount of 200 grams or more, the person shall be sentenced to a minimum of five calendar years in prison, with the maximum potential sentence being 15 calendar years in prison and the presumptive sentence being 10 calendar years in prison for a first offense. Repeat offenders will be sentenced to a minimum of 10 calendar years in prison, with the maximum potential sentence being 20 calendar years in prison and the presumptive sentence being 15 calendar years. Allows for the presumptive term to be upgraded to mitigated or aggravated based on state law. AS PASSED HOUSE.

Last Action: 04/02/2024 G - Signed

COP Position: Neutral

~~HB2269 – Towing companies; private towing; requirements~~

~~**Sponsor:** Rep. David L. Cook (R)~~

~~**Summary:** Requires the minimum rate for towing, transporting or impounding a motor vehicle from private property not fall below the state agencies’ towing services agreement for towing and storage rates. Requires that a private property parking area owner must post signs on the property that are conspicuously visible to drivers, be made of weather resistant materials, a minimum of 12 inches wide and 18 inches in height, located at each point of entrance for the area, permanently mounted, contain the language “Unauthorized vehicles will be towed at owner’s expense,” and display a phone number that is monitored 24 hours a day where the owner or operator of a towed vehicle may locate the vehicle. Requires the owner of the area, an owner’s agent or the towing carrier take photos of the vehicle being towed before the vehicle is loaded onto the towing vehicle that are available to the owner of the vehicle or agent of the owner~~

~~within 24 hours after the either requests them. Directs the towing carrier to release a towed vehicle to the owner of record or the agent of the owner upon presentation of a valid, government issued photo identification and one of the following: Vehicle title, current registration, repossession affidavit, hold harmless liability release, proof of lien, insurance company request for release pursuant to state law, or proof of financial or security interest in the vehicle at the time of the tow. Requires of the towing carrier reimbursement of a towing fee that is in excess than the fee posted at the area the vehicle was towed, registration with the Department of Public Safety (DPS,) maintenance of appropriate insurance, and to provide proof of insurance requires to the DPS. It removes the class 2 misdemeanor designation if a private towing carrier tows or transports a vehicle from private property without the owner or operator's permission unless it receives a request from a law enforcement agency or the express written permission from the owner or the agent of the owner of the property.~~

~~**Last Action:** 02/20/2024 S - Referred to Committee - Senate Transportation, Technology and Missing Children~~

~~**COP Position:** Neutral~~

~~HB2272 - PSPRS board; continuation~~

~~**Sponsor:** Rep. David Livingston (R)~~

~~**Summary:** The statutory life of the Arizona Public Safety Personnel Retirement System Board of Trustees is extended 8 years until July 1, 2032. Retroactive to July 1, 2024.~~

~~**Last Action:** 01/11/2024 Removed from Hearing Agenda - 01/17/2024, 9:00 AM - House WM, HHR 1~~

~~**COP Position:** Support~~

HB2274 - NOW: theme park districts; formation

Sponsor: Rep. David Marshall, Sr. (R)

Summary: Allows the governing body of a county acting on its own to establish a theme park district without approval from a city.

Last Action: 04/01/2024 S - PFC - Senate Rules

COP Position: Oppose

HB2275 - Settlement agreements; report; approval

Sponsor: Rep. David Marshall, Sr. (R)

Summary: Requires a county, city or town to submit a "settlement agreement report" (defined) to the legislature and Attorney General describing the settlement terms when the agreement costs more than \$500,000 to implement at least 90 days before entering into the agreement. Requires a city or town to submit a "settlement agreement" (define) larger than \$1,000,000 to the Governor for approval before the agreement is considered legally binding, and, if the Governor approves the agreement, the city or town must submit the agreement to the Joint Legislative Audit Committee, which may recommend that the agreement be finalized or amended. Requires a city or town to notify the General Counsel of the Senate and House of Representatives upon initiation of any settlement agreement negotiations and update the General Counsels of developments in the negotiation process. Require the Attorney General to submit a settlement

agreement report to the legislature describing the terms of the settlement at least 90 days before entering into the agreement.

Last Action: 04/02/2024 S - Senate Caucus - Y

COP Position: Oppose

HB2279 – NOW: homeless; fund; audit

Sponsor: Rep. Matt Gress (R)

Summary: Establishes the Homeless Shelter and Services Fund (Fund) administered by the Arizona Department of Housing (ADH) to be used for services for individuals experiencing homelessness in a drug-free homeless service zone and who are US citizens. Transfers from the Housing Trust Fund: \$50,000,000 to the Arizona Health Care Cost Containment System to establish five additional secure behavioral health residential facilities; \$5,000,000 to the Arizona Auditor General for a special audit; and \$500,000 to the Arizona Criminal Justice Commission to implement data collection requirements. Establishes rules for grants. Allows ADH to construct temporary housing for individuals experiencing homelessness. Requires reporting on drug overdoses and crimes committed by and against homeless individuals. Requires prioritization of grants to children, parents or legal guardians with children, senior citizens, and veterans. Prohibits use of government-owned lands for unauthorized sleeping, camping or long-term shelter. Prohibits the discouraging of enforcement of any order that prohibits public camping, sleeping or obstruction. Requires a homeless service provider engaged in “mixed hoteling” (defined) to post a warning. Prohibits the sale, transfer or possession of dangerous drugs or narcotic drugs in a drug-free homeless service zone.

Last Action: 03/26/2024 - DPA/SE - Senate Appropriations

COP Position: Oppose

~~HB2282 – Unemployment; requirements; disqualifications; shared work~~

~~Sponsor:~~ Rep. Leo Biasiucci (R)

~~Summary:~~ ~~Requires that an individual must be available for work to be eligible for unemployment benefits and actively seeks and applies for suitable work, conducts at least five work search actions each week, or, if the individual is applying for a weekly benefit, they provide a weekly report that details the individual's work search actions for every week a benefit is sought. Prohibits the Arizona Department of Economic Security (ADES) from paying benefits for an initial or ongoing claim until the claim is cross checked against the National Association of State Workforce Agencies Integrity Data Hub, United States Department of Health and Human Services Directory of New Hires, Department of Economic Security's New Hire Reporting System, Arizona Department of Corrections Inmate Database, Social Security Administration's Prisoner Update Processing System, Center for Disease Control and Prevention's National Vital Statistics Death Records Database, and the Department of Health Services Bureau of Vital Records Death Records Database. Prohibits ADES from paying any claim found to be ineligible or fraudulent and requires those instances to be referred for prosecution. Requires an individual to be disqualified for benefits if ADES finds the individual has failed to actively seek and apply for or accept suitable work if offered. Requires an employer to report to ADES when an individual who was previously employed with that employer refuses to return to work, refuses to accept an offer of suitable work, fails~~

~~without cause to appear for a scheduled interview, or fails to respond to an offer of employment. Requires ADES to allow employers to submit reports digitally or through e-mail and to review each report to determine whether an individual should be disqualified from receiving benefits.~~

~~**Last Action:** 02/29/2024 H - Hearing Scheduled - 02/29/2024 - Third Reading, Floor
COP Position: Neutral~~

HB2297 - Adaptive reuse; commercial buildings; zoning

Sponsor: Rep. Leo Biasiucci (R)

Summary: Requires by January 1, 2025, municipalities with 100,000 or more persons to allow “multifamily residential development” (defined) or “Adaptive Reuse” (defined) development of any commercial, office or mixed use building without requiring a conditional use permit, planning unit development, rezoning application or other discretionary municipal review. Stipulates that a development that is developed per this legislation is subject to site plan review and approval, which must include approval by an applicable utility provider that is impacted by the proposed development. Requires eligible buildings to have access to public sewer and water service and to comply with all building and fire codes and that the “maximum residential density” (defined) is the maximum allowed under the zoning ordinance. Permits existing building setback requirements and prohibits enforcement of any regulation that exceeds existing zoning ordinance setback requirements for multifamily residential development or adaptive reuse and stipulates that if the existing zoning ordinance is less than what is allowed for multifamily residential development or adaptive use, the property is to be considered “nonconforming” (defined) unless existing easements are within the setback areas. Permits the height of the structure to remain even if it violates existing height restrictions and includes “rooftop construction” in this exemption. Requires at least 10% of the development be set aside for “moderate income housing” (defined) or “low income housing” (defined) and exempts the property from of any regulation that exceeds existing parking space requirements beyond standard requirements for multifamily residential development. Exempts land designated as a district of historical significance, in the immediate vicinity of a municipal, Federal Aviation Administration commercially licensed, general aviation or military airport or ancillary military facility. Permits a municipality to designated commercial hubs and other areas defined by law from multifamily residential development or adaptive reuse redevelopment. Requires both types of housing be allowed in at least 10% of existing commercial, office or mixed use buildings if those building meet certain criteria. AS PASSED HOUSE.

Last Action: 04/02/2024 S - Senate Minority Caucus - Y

COP Position: Oppose

HB2309 - GPLET; agreement posting; abatement period

Sponsor: Rep. Travis Grantham (R)

Summary: Requires a government lessor to include a lease or an abstract of a lease in its public database or post its development agreements on the website of the county, city, or town where the government improvement property is located, and include all development agreements that are subject to excise tax. Reduces the time a city or town

may abate this tax from 8 to 4 years. Stipulates that these requirements apply to agreements entered into after January 1, 2024.

Last Action: 04/02/2024 G - Vetoed

COP Position: Oppose

HB2310 - Grooming; classification

Sponsor: Rep. Travis Grantham (R)

Summary: Defines grooming as the act of a person knowingly using electronic communications to perform an act in person or through a third party or using any written communication to seduce, lure, or entice, or attempt to seduce, lure, or entice a minor, a minor's guardian or another person whom the person believes to be a minor or a minor's guardian; to commit any offense related to laws pertaining to obscenity, distribute photographs that depict a person's sex organs, or engage in any unlawful conduct with a minor or another person whom the person believes to be a minor. Designates grooming as a class 5 felony, or a class 4 felony if the defendant is in a position of trust.

Last Action: 04/01/2024 S - PFC - Senate Rules

COP Position: Neutral

HB2325 - Backyard fowl; regulation; prohibition

Sponsor: Rep. Kevin Payne (R)

Summary: Counties and municipalities are prohibited from adopting any law, ordinance, or other regulation that prohibits a resident of a single-family detached residence that is one-half acre or less in size from keeping "fowl" (defined as a cock or hen of the domestic chicken) in the backyard of the property. Counties and municipalities are allowed to establish specified regulations on fowl, including restricting the number of fowl and prohibiting a resident from keeping male fowl, including roosters.

Last Action: 04/03/2024 H - House Caucus - Y - Concurred

COP Position: Oppose

HB2326 - Peace officer nonlethal device fund

Sponsor: Rep. Kevin Payne (R)

Summary: Establishes the Peace Officer Non-Lethal Device Fund, and requires the fund be funded by monies deposited pursuant to this law, the State Treasurer shall administer the fund, and monies in the fund be used only for the purchase and maintenance of non-lethal devices that do not cause harm or injury when used during the apprehension of suspected offenders. Requires a \$2.00 penalty assessment to be levied on every fine, penalty, and forfeiture imposed and collected by the courts for criminal offenses, on every civil penalty imposed and collected for civil traffic violations, and on every fine, penalty, or forfeiture for a violation of the motor vehicle statutes, or for any local ordinance related to the stopping, standing, or operation of a vehicle. Requires County Courts transmit the penalty assessment collected and a remittance report of the fines, civil penalties, and forfeitures collected, to the County Treasurer, except that municipal courts shall transmit the penalties and the remittance report to the city or town treasurer. Requires the county, city, or town treasurer to transmit all monies collected under this law to the State Treasurer and requires the State Treasurer to

deposit all monies collected under this law into the Peace Officer Nonlethal Device Fund. Permits the court to mitigate all or part of the penalty assessment per state law. Requires the State Treasurer to invest and divest monies in the fund per state law, and stipulates that monies earned from investment shall be credited to the fund. Exempts monies in the fund from all provisions pertaining to lapsing of appropriations, but stipulates that said monies are subject to legislative appropriation.

Last Action: 03/26/2024 S - DPA/SE - Senate Appropriations

COP Position: Neutral

HB2328 - Mobile food vendors; operation; rules

Sponsor: Rep. Kevin Payne (R)

Summary: Permits a mobile food vendor to operate on a private, residential property in a residential area if the property is the primary resident of the property owner, a tenant with a lease or a trustee of a living trust that owns the property, the vendor has secured written permission to operate on the property, does not serve members of the public, is not the spouse trustee of the property, does not serve food between the hours of 10 p.m. and 6 a.m., and removes all food waste, cooking grease and other trash from the property in compliance with all applicable laws. Prohibits a city or town to charge more than \$150 annually for a location based license or permit, and requires that all fees imposed adhere to state law governing mobile food vendors. Prohibits counties from requiring generators be attached to mobile food units. Permits the mobile food unit to request an exemption from serving area requirements if the unit can meet health and safety standards on its own.

Last Action: 04/03/2024 S - DP - Senate Committee of the Whole

COP Position: Neutral

~~HB2332 - Traffic; vehicle laws; cities; prohibition~~

~~Sponsor:~~ Rep. Cesar Aguilar (D)

~~Summary:~~ Prohibits local authorities from enacting or enforcing an ordinance or regulation that prohibits "cruising" (defined) or limits motor vehicle suspension modifications or bumper heights.

~~Last Action:~~ 03/18/2024 S - FAILED - Senate Transportation, Technology and Missing Children

~~COP Position:~~ ~~Oppose~~

~~HB2362 - AHCCCS; undocumented individuals~~

~~Sponsor:~~ Rep. Mariana Sandoval (D)

~~Summary:~~ Permits a person unable to provide documentation of qualified alien status to apply for Title XIX status as defined under the "eligible persons" requirements under state law, and if otherwise eligible, may enroll in covered health and medical services. Removes the director of the Arizona state library as a mandatory recipient of the required summary report.

~~Last Action:~~ 02/06/2024 H - Removed from Hearing Agenda - 02/12/2024, 2:00 PM - House HHS, HHR-4

~~COP Position:~~ Neutral

~~HB2366 – Physical availability; review; designated providers~~**~~Sponsor:~~** Rep. Gail Griffin (R)

~~Summary:~~ Prohibits the Arizona Department of Water Resources (ADWR) from adopting rules pertaining to Pinal Active Management Areas that are applied to a city or town in the Phoenix Active Management Area that has an Assured Water Supply designation. Requires that within 30 days of the effective date the ADWR must review physical availability of groundwater and stored water of each city or town in the Phoenix Active Management Area that has been assigned a designation of an Assured Water Supply.

~~Last Action:~~ 02/27/2024 H – Hearing Scheduled – 02/28/2024 – Additional Committee of the Whole, Floor

~~COP Position:~~ ~~Oppose~~

HB2367 - Solid waste; fees; rules**Sponsor:** Rep. Gail Griffin (R)

Summary: Stipulates that authorized total fees or associated percentages that formulate fees for the sale of new vehicles tires as determined by the Department of Environmental Quality (DEQ) are applicable until the effective date of this bill. Requires an owner or operator of a waste tire collection site register with DEQ. Removes the public notice and comment requirement and statutory authorization mandate on DEQ to increase fees associated with waste tire collection sites, transporting human excreta from privies, septic tanks, cesspools and other waste treatment processes, general permits, solid waste landfills, the storage, processing, treatment and disposal of solid waste, and biohazardous medical waste. Removes criteria for determining fees on various activities, operations and sites by DEQ and authorizes DEQ to charge fees for processing applications for facilities, sites and applications for the disposal of waste mentioned in this bill. Directs the DEQ to register collection and recycling facilities that accept lead acid batteries, solid waste and biohazardous medical waste facilities, handlers or used oil, and to charge an initial registration fee to those facilities that is deposited into the Solid Waste Fee Fund. Requires DEQ to establish fees as part of the rule making process for solid waste, biohazardous medical waste, and biosolid processing that are to be deposited into the Solid Waste Fee Fund. Requires used oil transporters, marketers, processors and re-refiners to submit to DEQ an annual report within 30 days of the end of the year that contains all required tracking information. Requires DEQ to charge an annual fee to facilities that generate, transport or receive special waste and exempts facilities that pay fees associated with this bill from paying the annual fee. Adds lead acid battery collection and recycling fees to the Solid Waste Fee Fund. Contains an emergency clause.

Last Action: 04/02/2024 H - Transmit to House

COP Position: Neutral

HB2369 - Dredge; fill; permits; clean up**Sponsor:** Rep. Gail Griffin (R)

Summary: Removes references to the Arizona Pollutant Discharge Elimination System Program (as it pertains to the Arizona Game and Fish Department (AGFD) In-Lieu Fee Program Restoration Endowment Trust Fund and stipulates compensatory mitigation

monies in-lieu fee permittees mitigation credits come from federal in-lieu fee permittees. Removes the Arizona Department of Environmental Quality (ADEQ) as a partner as it pertains to projects funded by the AGFD In-Lieu Fee Program Restoration Endowment Trust Fund. Exempts state agencies from paying fees associated with covering costs of permits and inspections and removes the ability of the AGFD to formulate a permit program for the discharge of dredged or fill material into Waters of the United States (WOTUS).

Last Action: 04/02/2024 G - Transmit to Governor

COP Position: Support

HB2370 - Oxygenated fuel; federal approval; extension

Sponsor: Rep. Gail Griffin (R)

Summary: Extends the deadline for the United State Environmental Protection Agency (EPA) to approve proposed modifications to the gasoline fuel formulation requirements to July 1, 2027 so that Laws 2017, Chapter 295, Section 2 becomes effective. Contains emergency clause.

Last Action: 04/02/2024 G - Signed

COP Position: Neutral

HB2374 - Unlawful flight from law enforcement

Sponsor: Rep. Lupe Diaz (R)

Summary: ~~Modifies willfully fleeing a peace officer as an operator of a watercraft from a Class 5 felony to a Class 1 misdemeanor. Adds aggravated unlawful flight from a pursuing law enforcement vehicle to the qualifications that warrant first degree murder when committed in connection with the committing of other listed crimes in the law. Stipulates that unlawful flight from a pursuing law enforcement vehicle is a Class 5 felony. Stipulates that a driver commits aggravated unlawful flight from a pursuing law enforcement vehicle if the person fails to comply with a peace officer's orders and flees either a marked or unmarked law enforcement vehicle and drives at least 35 miles per hour over the posted speed limit, or intentionally, knowingly and recklessly causes serious physical injury or death to another person during the pursuit. Qualifies aggravated unlawful flight from a pursuing law enforcement vehicle as a Class 2 felony. Permits an officer to move or cause the removal of a vehicle if the driver of the vehicle engages in aggravated unlawful flight from a pursuing law enforcement vehicle, or if the driver commits aggravated unlawful flight from a pursuing law enforcement vehicle and subsequently attempt to flee by other means.~~

Last Action: 02/22/2024 H - PASSED - House Motion to Reconsider Third

COP Position: Neutral

HB2375 - Guaranteed income program; prohibition

Sponsor: Rep. Lupe Diaz (R)

Summary: Prohibits a county or municipality from establishing, adopting, enforcing or maintaining any ordinance, order or rule that has the purpose or effect of making payments to persons as part of a "guaranteed income program" (defined) and prohibits that municipality from interpreting or applying a law of general application in a manner that conflicts with that prohibition.

Last Action: 04/02/2024 G - Vetoed
COP Position: Neutral

HB2378 - Continuation; PSPRS

Sponsor: Rep. Neal Carter (R)

Summary: The statutory life of the Public Safety Personnel Retirement System Board of Trustees is extended 5 years to January 1, 2029. Retroactive to July 1, 2024.

Last Action: 03/26/2024 S - Senate Caucus - Y

COP Position: Support

HB2379 - Internal revenue code; conformity

Sponsor: Rep. Neal Carter (R)

Summary: 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, 2024. For the purpose of Title 43 (Taxation of Income), the definition of "Internal Revenue Code" for tax year 2024 means the U.S. Internal Revenue Code in effect on January 1, 2024.

Last Action: 03/18/2024 G - Signed

COP Position: Neutral

HB2380 - TPT; municipalities; audits; guidelines

Sponsor: Rep. Neal Carter (R)

Summary: Permits the Arizona Department of Revenue (ADR) to deny a request by a city or town to audit a taxpayer if that taxpayer is engaged in business in more than one city or town. Stipulates that any intergovernmental contract or agreement to provide a uniform method of administration, collection, audit and licensing of transaction privilege and affiliated excise taxes must include the criteria under which the ADR can deny an audit. Prohibits a city or town from auditing a taxpayer that is engaged in business in more than one city or town if the ADR denies an audit request either has made. Requires the ADR to establish and publish uniform audit guidelines.

Last Action: 03/29/2024 G - Signed

COP Position: Neutral

HB2381 - Non-contiguous county island fire districts

Sponsor: Rep. Neal Carter (R)

Summary: Excludes fire districts formed pursuant to noncontiguous county island fire district formation from the requirement that a proposed annexation be contiguous with the district's existing boundary. Permits a fire district through its board to expand its boundaries to include unincorporated parcels within a city or town municipal planning area if the parcel is contiguous with the city or town boundaries or the existing district being formed and in compliance with all state law.

Last Action: 04/02/2024 G - Signed

COP Position: Neutral

HB2382 - TPT; sourcing; validation

Sponsor: Rep. Neal Carter (R)

Summary: Requires the Arizona Department of Revenue (DoR) to establish a Taxpayer Assistance Team (Team) to ensure taxpayers are levying the correct Transaction Privilege Tax (TPT) rate and sourcing the transaction to the correct jurisdictions. Directs the Team to randomly select a sampling of TPT licenses and Municipal Privilege Tax (MPT) licenses to verify the business location identified on the license corresponds to the proper TPT rate and source by the taxpayer. Requires the Team to notify taxpayers when they discover a mistake and provide resources to the taxpayer to remedy that mistake. Stipulates that a seller regularly conducts retail sales at a business location for taxation purposes. Requires DoR to create an application, certification, regulatory and compliance investigation processes for a third-party provider to offer sourcing services to taxpayers for transactions involving tangible personal property. Provides liability protection to taxpayers that use a certified third-party provider for sourcing transactions. Requires the DoR to conduct a taxpayer education campaign to educate and obtain feedback from remote sellers, marketplace facilitators, and TPT license holders in unincorporated areas of a county on issues related to the correct use of the TPT rates and transaction sourcing methods by December 31, 2024. Requires DoR to submit a report on the taxpayer education campaign and feedback received to the Governor and legislature by March 31, 2025.

Last Action: 04/03/2024 H - House Majority Caucus - Y – Concurred

COP Position: Neutral

~~HB2384 – Development requests; expedited processing~~

~~Sponsor:~~ Rep. David Livingston (R)

~~Summary:~~ Requires a county or municipality to approve a “request” (defined) submitted by an “applicant” (defined) for development in the municipality within 60 days after receipt of the request and if a response does not happen in that time frame, the request is deemed approved. Requires the municipality if it denies the request to state in writing the reasoning for the denial and if the request is deemed “incomplete,” (defined) the municipality is required to state why it is considered incomplete within 15 days after it receives the request. Upon sending notification that the request is incomplete, the 60 day timeframe is restarted. The effective date is January 1, 2025.

~~Last Action:~~ 2/28/2024 S – Referred to Committee – Senate Government

~~COP Position:~~ ~~Oppose~~

HB2393 - Presidential preference; parties; voting methods

Sponsor: Rep. Alexander Kolodin (R)

Summary: Requires any political party that chooses not to participate in the presidential preference election and chooses to select a nominee for President by way of a vote open to the entire membership of the party, to provide a voting method for uniformed services or overseas citizens, and persons with disabilities. The political party can choose its means of voting and is not obligated to hold a presidential preference election or select a nominee for President by popular vote.

Last Action: 04/01/2024 H - PASSED - House Concurrence

COP Position: Neutral

HB2400 - School safety program; proposals

Sponsor: Rep. Matt Gress (R)

Summary: Adds school safety officers and “school psychologists” (defined) to the list of on campus personnel supported by the School Safety Program and School Safety Officers to the list of those to be included in any proposal for funds. Requires plans for training officers on the Family Educational Rights and Privacy Act, civil rights, and adolescent mental health issues to be included in any proposal for funds. Permits a school district or charter school that cannot place one or more of the “School Resource Officer” (defined,) Juvenile Probation Officer or “School Safety Officer” (defined,) or a combination of those, to submit an alternative program proposal for supporting the costs of safety technology, training and infrastructure improvements for school campuses and details what must be included in the alternative proposal. Requires the Department of Education (DE) to review and administer alternative program proposals and to use relevant crime statistics to verify the information contained in the alternative proposal. Requires any School Safety Program to include a school mental health professional guidance manual adopted by DE and to incorporate its multidisciplinary approach to school safety. Permits a former peace officer in the state who retired in good standing to serve as a representative for law enforcement in the School Safety Program. Exempts school building blueprints and floor plans from public disclosure laws.

Last Action: 04/02/2024 S - RETAINED - Senate Committee of the Whole

COP Position: Neutral

HB2405 - Voter registrations; recorder; inactive status

Sponsor: Rep. John Gillette (R)

Summary: Permits the county recorders to place a person’s voter registration information in inactive status and provide the person with notice of the action, if the County Recorder believes the person provided fraudulent or incorrect voter registration information.

Last Action: 03/18/2024 S - DP - Senate Elections

COP Position: Oppose

HB2408 - Property tax assessment; destroyed property

Sponsor: Rep. John Gillette (R)

Summary: Upon notice by a property owner of a property that has been “destroyed” (defined) after the County Assessor closes the rolls, the County Assessor is permitted to issue a Notice of Proposed Correction per state law. For the purposes of classifying property in accordance to state law, the County Assessor may maintain the property classification in place on the date of destruction for a period of five years or until a verifiable change in use occurs, whichever is sooner. Requires the Property Assessor to notify the property owner of the status of the property assessment and classification in accordance to state law related to property tax appeals and reviews.

Last Action: 03/29/2024 G - Signed

COP Position: Neutral

~~HB2413 - Wildfire suppression; liability; increase~~

~~Sponsor:~~ Rep. David L. Cook (R)

Summary: Increases wildland suppression or other unplanned all-risk emergency liabilities to \$8,000,000.

Last Action: 02/12/2024 H – HELD – House Land, Agriculture & Rural Affairs

COP Position: Neutral

HB2417 – Arizona commerce authority; continuation

Sponsor: Rep. David Livingston (R)

Summary: The statutory life of the Arizona Commerce Authority is extended four years to January 1, 2028. Retroactive to July 1, 2024.

Last Action: 02/29/2024 S – Referred to Committee – Senate Government

COP Position: Neutral

HB2418 – Fire district advisory board

Sponsor: Rep. David Livingston (R)

Summary: Establishes the Fire District Advisory Board to ensure effective and efficient delivery of fire suppression, rescue, emergency medical and affiliated emergency services throughout the state. Details the membership of the Board, and outlines terms of board members and the reasons the Governor may remove a member of the Board. Directs the Fire District Advisory Board to hold public meetings, coordinate with the Arizona Department of Forestry (ADF) to identify critical needs, including where fire sheds pose a danger to adjacent communities, make recommendations to the Governor and legislature concerning appropriations to improve fire and emergency medical services in unincorporated and rural areas and for fire protection services and fuel and fire mitigation projects. The Board shall also apply for grants and annually evaluate and determine compliance with all state systems, laws and ADF rules. Defines actions and activities the Board may participate in. Requires the ADF to provide the Board with administrative support. (More)

Last Action: 03/07/2024 S – Referred to Committee – Senate Government

COP Position: Neutral

HB2435 – Repetitive offenders; organized retail theft

Sponsor: Rep. Ben Toma (R)

Summary: Requires that a person convicted of a third or subsequent violation related to retail theft be sentenced as a Category Two Repetitive Offender.

Last Action: 03/15/2024 S – Hearing Scheduled – 03/21/2024, 9:00 AM – Senate JUD, SHR 1

COP Position: Neutral

HB2439 – Property conveyance; foreign entities; prohibition

Sponsor: Rep. Steve Montenegro (R)

Summary: Prohibits land from being conveyed to a “foreign entity” (defined.) Adds the exception pertaining to limitations on the amount of land one person may purchase to the authorization of any person over 18 being entitled to purchase land.

Last Action: 02/29/2024 H – PASSED – House Motion to Reconsider Third

COP Position: Neutral

HB2452 – Marijuana funds; uses; enforcement**Sponsor:** Rep. Steve Montenegro (R)

Summary: Permits monies in the Medical Marijuana Fund or the Smart and Safe Arizona Fund to be used interchangeably to implement this bill. Adds grants for the Arizona Poison Control System for operations and to support health care providers and providing public health and safety education related to, the Attorney General to investigate and enforce actions pertaining to, and municipal police departments, county sheriff departments, and tribal police agencies to investigate and take action against, the illicit sale of marijuana and intoxicating cannabinoids to required expenditures by the State Treasurer from the Smart and Safe Arizona fund are spent. Authorizes the Attorney General to use monies from either fund to investigate and take enforcement action related to the illicit sale, marketing, and distribution of marijuana and illicit cannabinoids. Due to voter protection, certain sections of this legislation require the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage.

Last Action: 02/06/2024 H – Hearing Scheduled – 02/12/2024, 2:00 PM – House HHS, HHR 4

COP Position: Neutral

HB2457 – Government investments; plans; fiduciaries; products**Sponsor:** Rep. Steve Montenegro (R)

Summary: A "fiduciary" (defined) is required to discharge his/her duties with respect to a "plan" (defined as any plan, fund, or program established or maintained by the state or a political subdivision to provide retirement income or benefits to employees, defer income, or invest taxpayer monies for any purpose) solely in the interest of the participants and beneficiaries of the plan, and is required to take into account only pecuniary factors when evaluating an investment. Only the governmental entity that establishes or maintains a plan may vote the shares held by the plan, and the shares held by a plan must be voted only in the pecuniary interest of the plan. A fiduciary is prohibited from adopting a practice of following the recommendations of a proxy advisory firm unless the firm's guidelines are consistent with these requirements. The State Treasurer is required to post a current list of state investments by name and a current list of investment managers on the State Treasurer's publicly accessible website. All state investments are required to be made in the sole interest of the beneficiary taxpayer.

Last Action: 03/05/2024 S – Referred to Committee – Senate Government

COP Position: **Oppose**

HB2470 – Planned communities; authority; public roadways**Sponsor:** Rep. Cory McGarr (R)

Summary: Stipulates that if a government entity accepts a transfer of ownership of community roadways of a planned community the association, then relinquishes authority to regulate that roadway. Removes the approval process for relinquishing the roadway(s,) including meeting requirements and deadlines, voting requirements, public recording requirements and the exclusion of one-way and privately owned roadways included in the transfer.

Last Action: 03/04/2024 H - FAILED - House Third Reading
COP Position: Neutral

HB2471 - ACA; reform

Sponsor: Rep. Cory McGarr (R)

Summary: Transfers the powers and duties of the Arizona Commerce Authority (ACA) to other state agencies. Modifies the governance and administration of the ACA statutes. Contains requirements for enactment and becomes effective on the signature or the Governor (Proposition 108).

Last Action: 03/21/2024 S - DPA/SE - Senate Government

COP Position: **Oppose**

HB2472 - Election contests; procedures

Sponsor: Rep. Cory McGarr (R)

Summary: ~~Permits challenging an election based on counting votes where the chain of custody is broken and early votes present inconsistent signatures or personal information. Requires an appeal of a final judgment from a court to be filed and heard by the Arizona Supreme Court within 10 days of the issuance of the final judgment, a response filed within 5 days of the appeal filing and a reply filed within 3 days after the date on which the response is filed. Requires the state supreme court to schedule a hearing to be held within five days after the filing date of the reply and to render a decision within five days after the hearing. Considers an organization a person for the purposes of inspecting a ballot and may rotate staff to inspect ballots on behalf of the organization or entity. Permits involved parties to inspect physical ballots, ballot images, early ballot envelopes and registration records. Permits discovery on any matter that could pertain to an election and directs the court to liberally consider discovery requests and not limit discovery where possible. Permits each participating party to depose up to 10 persons.~~

Last Action: 02/26/2024 S - Referred to Committee - Senate Elections

COP Position: **Oppose**

HB2479 - Missing; abducted; runaway children

Sponsor: Rep. Barbara Parker (R)

Summary: Allows the Arizona Department of Child Safety (ADCS) with custody of a child to "immediately" notify law enforcement of a child being missing, abducted, a runaway, or whose location is unknown, and taking action to notify appropriate individuals, locate and secure the child. Adds the child's school officials, friends, household members and others deemed appropriate, who may have relevant information about the child's whereabouts or circumstances pertaining to their disappearance. Requires law enforcement to document all actions taken upon receiving a report from ADCS about a missing child and to notify local law enforcement of the missing child who is then to provide to local media outlets information about the child and the circumstances surrounding their disappearance as is deemed appropriate in helping to locate the child. Requires law enforcement to provide social media updates on the missing, abducted or runaway child and will work with a specialized artist to create an age appropriate progressive image of the child if they are missing for more

than two years. Requires the ADCS train employees in department policies and procedures for locating missing children, including ongoing efforts, unless law enforcement deems such actions as a hindrance. Directs the ADCS personnel to use any legal databases available to locate the child and to request welfare checks on a child of law enforcement if the ADCS deems it appropriate. Defines internal steps the ADCS personnel shall take to aid in the search for the child, determine the nature of their disappearance, ensure the welfare of the child and determine additional needs of the child that the ADCS can meet. Defines required reporting protocols and data retainment requirements for ongoing and past instances of missing children under the care of the ADCS. Requires the legislature to convene an oversight committee to address policy and procedure issues, and recommend solutions to those issues as they pertain to locating missing children, and to oversee an independent audit of the department to verify it is in compliance with appropriate processes to locate missing, abducted and runaway children. Requires the Joint Legislative Oversight Committee to monitor the ADCS in this regard and bring in a third party management overseer if the Committee deems it necessary.

Last Action: 04/03/2024 H - House Majority Caucus - Y - Concurred

COP Position: Neutral

HB2481 - Open meetings; public body; legislature

Sponsor: Rep. Barbara Parker (R)

Summary: Requires all “public bodies” (defined as no longer including the legislature) provide an opportunity for public comment in person before any final decision is made, subject to reasonable time, place and manner restrictions. Requires at least 48 hours’ notice and the official agenda to be available to the public (with a hyperlink to all relevant documents, contracts, agreements or proposals under consideration in the meeting) for any public meetings and allows a meeting to be recessed with less than 48 hours’ notice if the initial session of the meeting adheres to all state laws. Stipulates that any 48 hour requirements includes Saturdays if the public has access to the physically posted notice. Removes the ability of the legislature to provide exemptions from requirements or to met by technological means.

Last Action: 04/02/2024 S - Senate Caucus – Y

COP Position: **Oppose**

~~HB2485 – Criminal damage; trespassing; critical facilities~~

~~Sponsor:~~ Rep. Selina Bliss (R)

~~Summary:~~ Includes interfering with, or otherwise preventing the performance of a normal function of any utility infrastructure or property or the intended course of path of any utility service as a qualification for intentional or reckless aggravated criminal damage. Includes adding the cost of the loss of the utility service in determining the amount of damage to property as a result of aggravated criminal damage.

~~Last Action:~~ 02/14/2024 H – FAILED – House Judiciary

~~COP Position:~~ Neutral

HB2490 - Proper venue; challenges; policy statements

Sponsor: Rep. Selina Bliss (R)

Summary: Defines a “proper venue” a party may appeal a final administrative decision to the Superior Court as the county where the plaintiff resides, their place of business is located, or the Agency in question is headquartered, and Maricopa County. Prohibits a County from restricting the proper venue or require the party to travel to the Agency’s County, venue, or headquarters to submit or receive documentation that supports the analysis used by the Agency in the final administrative decision.

Last Action: 04/02/2024 S - Senate Caucus - Y

COP Position: Neutral

HB2497 – Judicial offices; petitions; electronic signature

Sponsor: Rep. Selina Bliss (R)

Summary: Requires the Secretary of State (SOS) to provide a secure, online petition signature collection system (E-Qual) for candidates for judicial office.

Last Action: 04/03/2024 H - House Majority Caucus - Y - Concurred

COP Position: Neutral

HB2502 - SNAP; mandatory employment; training

Sponsor: Rep. Leo Biasiucci (R)

Summary: Requires the Department of Economic Security to require able-bodied adults under 60 years of age who are receiving Supplemental Nutrition Assistance to participate in a mandatory employment and training program per federal law, unless the recipient is in compliance with work registration requirements under the Social Security Act or federal-state unemployment system, a parent or care giver of an incapacitated person or a dependent child under the age of six, a student enrolled at least half time in a recognized school, training program or institution of higher learning, a regular participant in drug addiction or an alcoholic treatment and rehabilitation program, employed a minimum of 30 hours per week or receiving weekly earnings equal to the minimum hourly rate under the Fair Labor Standards Act of 1938, or is 16, 17 or 18 years of age and not the head of household or attends school or is enrolled in an employment training program at least on a half-time basis.

Last Action: 04/02/2024 G – Vetoed

COP Position: Oppose

HB2503 - SNAP; waivers; exemptions

Sponsor: Rep. Leo Biasiucci (R)

Summary: Prohibits the Arizona Department of Economic Security (ADES) to seek, apply for, accept or renew any waiver of work requirements for able-bodied adults under federal law without dependents unless it is required by federal law, or authorized by state law. Prohibits the ADES from exercising the state’s option to provide exemptions from work requirements under federal law unless authorized by state law.

Last Action: 04/02/2024 G - Vetoed

COP Position: Oppose

HB2508 - False reporting; public alarm; classification

Sponsor: Rep. Matt Gress (R)

Summary: Adds causing public alarm or an emergency response to the definition of “false reporting” and designated false reporting as a Class 6 felony if a person commits it while committing a second violation, or commits false reporting involving an “educational institution” (defined), or a place used for worship or religious services.

Last Action: 04/02/2024 G - Transmit to Governor

COP Position: Neutral

~~HB2510 – Landlord tenant; legal aid notice~~

Sponsor: Rep. Teresa Martinez (R)

Summary: Requires a landlord to include in any notice as prescribed, terminating a lease for cause, the website AZCourtHelp.org.

Bill History: 02/07/2024 H – Removed from Hearing Agenda – 02/13/2024, 2:00 PM – House COM, HHR 3

COP Position: Neutral

~~HB2518 – Municipalities; housing needs assessment; zoning~~

Sponsor: Rep. Matt Gress (R)

Summary: Removes the requirement that notices pertaining to public hearings on zoning ordinances be published in at least one newspaper of general circulation in the local vicinity. Requires that before January 1, 2025, a municipality adopt an amendment to the Municipality’s zoning ordinance that requires a determination on a zoning application’s administrative completeness within 30 days after receipt of the application. Requires that if an application is not administratively complete that the municipality follow state law until the application is deemed complete, and determine that any resubmitted application is complete or incomplete within 15 days after receiving the resubmitted application. Requires the municipality determine whether an application is approved or denied within 180 days upon a determination of administrative completeness. Outlines methods of extending the approval deadline and stipulates that this process does not apply to land designated as a district of historical significance. Requires a municipality to publish a needs assessment starting January 1, 2025 and every five years thereafter and defines the data that must be included in the assessment and that a municipality submit to the Arizona Department of Housing a summary of proposed residential housing units submitted and the total number of new housing units that have been approved, and outlines additional data that must be submitted in the report. Requires a municipality that has conducted a housing needs assessment as of January 1, 2021 update existing reports to reflect information required in this bill, excepting projections required by this bill. Stipulates that the reporting requirements do not apply to tribal land or a municipality with less than 30,000 people.

Last Action: 03/07/2024 S – Referred to Committee – Senate Government

COP Position: Support

~~HB2545 – Annual vehicle emissions testing; exemption~~

Sponsor: Rep. Rachel Jones (R)

Summary: Exempts any vehicle manufactured in or after the 2018 model year from annual emissions program requirements.

Last Action: 03/27/2024 S – FAILED – Senate Third Reading

COP Position: Neutral

HB2546 – Vehicle emissions; exemption

Sponsor: Rep. Rachel Jones (R)

Summary: Includes vehicles manufactured before the 2018 model year in any references to covered vehicles under the Act as it pertains to inspection, registration, sales, leasing, vehicle classes, and both tampering and emissions testing. Exempts vehicles manufactured after the 2018 model year from any requirement by the Arizona Department of Environmental Quality (ADEQ) pertaining to enforcing this Act. Requires approval from the United States Environmental Protection Agency for modifications to the vehicle emissions testing program as part of the Arizona implementation plan for air quality by July 1, 2027, for this Act to become effective and for the ADEQ to notify the Director of the Arizona Legislative Council before September 1, 2027 of the date the condition was met or not met.

Last Action: 04/01/2024 S - FAILED - Senate Third Reading

COP Position: Neutral

HB2548 - Military installations; general plan amendments

Sponsor: Rep. Kevin Payne (R)

Summary: Requires municipalities and counties to notify the office of a military installation or range or Arizona national guard site (influence area) when certain land use applications are deemed complete. Additionally, the State Real Estate Department must disclose whether the property for sale is located in an influence area.

Bill History: 03/29/2024 G - Signed

COP Position: Neutral

HB2552 – Housing grants; military; veteran; homeless

Sponsor: Rep. Kevin Payne (R)

Summary: Establishes a Housing Grant program to construct military transitional, veteran, affordable, or homeless housing in the state. Directs the Arizona Department of Housing (ADH) to administer the grant and permits grants to be awarded to veteran owned and operated nonprofits and for profit companies for the construction of military transitional, veteran, affordable, or homeless housing, using renewable and innovative building materials and energy. Permits grants to be used by the same for manufacture and construction of renewable and innovative building materials, or to install renewable and innovative energy components. Requires each grant project to optimize energy performance and compliance with the state energy code and provides a list of acceptable uses. Permits the ADH to issue grants to qualified applicants that agree to the requirements that the project being built with grant monies adhere to a standard approved by the Green Building Rating System. Defines acceptable types of projects grant monies can be used to complete. Self repeals January 1 2030.

Last Action: 03/04/2024 S - Referred to Committee - Senate Government

COP Position: Support

HB2570 – Planning; home design; restrictions; prohibition

Sponsor: Rep. Leo Biasiucci (R)

Summary: ~~Prevents a municipality from interfering with a home buyer's right to choose the features, amenities, structure, floor plan and interior and exterior design of a home; and from requiring the formation of a homeowners' association, a condominium association or any other association or a shared feature or amenity that would require a homeowners' association, a condominium association or any other association to maintain or operate the feature or amenity, unless necessary for stormwater management. Prevents a municipality from requiring screening, walls or fences, or private streets. Notwithstanding any other law, prevents any municipality designated as an urban area by the census bureau with a population greater than 50,000 may not regulate maximum or minimum lot sizes on which a single-family home may be located; minimum square footage or dimensions for a single-family home; maximum or minimum lot coverage for a single-family home and any accessory structures; minimum building setbacks greater than five feet for a single-family home; design, architectural or aesthetic elements for a single-family home. The provisions do not supersede applicable building codes, fire codes or public health and safety regulations.~~

Last Action: 03/18/2024 G - Vetoed

COP Position: ~~Oppose~~

HB2580 - Election officer certification training; yearly

Summary: Requires that an election officer's certificate expires on December 31 in the year after the general election.

Sponsor: Rep. Alexander Kolodin (R)

Last Action: 04/02/2024 S - Senate Minority Caucus - Y

COP Position: Neutral

HB2581 - Physical presence; resident

Sponsor: Rep. John Gillette (R)

Summary: Determines a resident to be an individual with a physical presence in the state for at least 181 days with the intent to remain in the state for tax purposes, vehicle registration and voter registration. Permits the County Assessor, Director of the Arizona Department of Transportation (ADT) to determine a person is a resident if they demonstrate an intent to remain in the state and provide evidence of in-state employment, purchase of real property, rental of residential property, purchase of real property for residential purposes, the enrollment of the individual or their children in a school district or charter school, or upon showing an active duty military service member identification for the service member or their dependents. Requires the Legislative Council to prepare proposed legislation to conform the ARS with the provisions established by this bill to be considered in the fifty-seventh legislature, first regular session.

Last Action: 04/03/2024 S - DP - Senate Committee of the Whole

COP Position: ~~Oppose~~

HB2584 - Residential building materials; requirements; prohibition

Sponsor: Rep. John Gillette (R)

Summary: Prohibits a municipality from adopting or enforcing any code, ordinance, standard, stipulation or other legal requirement that prohibits or limits, directly or

indirectly, using or installing a building product or material in the construction, renovation, maintenance or other alteration of a residential building if the building product or material is approved for use by a national construction model code; or subjects a “prefabricated residential building” (defined), material or component to additional or different requirements from other residential buildings except as required by federal law.

Last Action: 04/02/2024 S - Senate Caucus - Y

COP Position: **Oppose**

~~HB2585 – Military poll workers; party representatives~~

~~Sponsor:~~ Rep. John Gillette (R)

~~Summary:~~ ~~Permits a county board of supervisors to appoint an active duty military member with assignment orders to a post of duty in this state and a family member of an active duty military member with assignment orders to a post of duty in this state and who has identification as a military dependent to an election board, or as ballot challengers or a party representative, regardless of their residency or voter status.~~

~~Bill History:~~ 01/31/2024 H – HELD – House Municipal Oversight & Elections – House Municipal Oversight & Elections

~~COP Position:~~ Neutral

HB2589 - Assured water supply; analysis; availability

Sponsor: Rep. Timothy M. Dunn (R)

Summary: Requires the Arizona Department of Water Resources (ADWR) to accept an “analysis” (defined) as a valid demonstration of physical availability for the volume of groundwater stated in the analysis after reducing the volume of groundwater by all certifications of assured water supply if the ADWR issues the analysis before May 31, 2023, the analysis has not expired and the analysis includes a determination of physical availability of groundwater.

Last Action: 04/02/2024 S - Senate Caucus - Y

COP Position: **Oppose**

~~HB2592 – Unemployment insurance; benefit amounts; definition~~

~~Sponsor:~~ Rep. Michael Carbone (R)

~~Summary:~~ ~~Reduces the maximum amount of unemployment insurance benefits during a benefit year to between 12 and 26 times the individual's weekly benefit amount, based on the unemployment rate in the prior calendar quarter, as follows: 12 times for an unemployment rate of 5 percent or less; 14 times for an unemployment rate of 5 to 5.5 percent; 16 times for an unemployment rate of 5.5 to 6 percent; 18 times for an unemployment rate of 6 to 6.5 percent; 20 times for an unemployment rate of 6.5 to 7 percent; 22 times for an unemployment rate of 7 to 7.5 percent; 24 times for an unemployment rate of 7.5 to 8 percent; and 26 times for an unemployment rate of over 8 percent.~~

~~Last Action:~~ 02/28/2024 H – RET ON CAL – House Committee of the Whole

~~COP Position:~~ Neutral

~~HB2593 – Public records; time frame~~

Sponsor: Rep. Michael Carbone (R)

Summary: ~~An entity that is subject to a public records request is required to provide, after receiving a request for the records, a notification that includes specified information, including the expected date the request will be processed. An entity that willfully or intentionally refuses to comply with public records request laws or otherwise acts in bad faith is subject to a civil penalty of \$500 to \$5,000 for each occurrence.~~

Last Action: 03/21/2024 S — HELD — Senate Government

COP Position: ~~Oppose~~

HB2594 — TPT; prime contracting; exemption; alterations

Sponsor: Rep. Michael Carbone (R)

Summary: ~~Changes “alteration” to mean a structural change that causes a physical change to a building but does not increase the square footage of the structure under the roof and excludes a secondary structure on the same property if the contract is not more than 15% of the most recent full cash valuation by assessors. Alters “modification” to include other activities or actions or actions that increase the square footage of the principal structure in question. Modifies “residential” to mean a property not properly classified as Class 2 property that is used for residential purposes, class 3 or 4 property as defined by law. The effective date is January 1, 2025, and applies to contracts, bids and other bidding obligations entered, submitted or issued from that date on.~~

Last Action: 02/08/2024 H — Removed from Hearing Agenda — 02/14/2024, 9:00 AM — House WM, HHR 1

COP Position: Neutral

HB2618 - Spirituous liquor; DHS; inspection; exemption

Sponsor: Rep. Alma Hernandez (D)

Summary: Exempts spirituous liquor produced by a licensed producer, or imported and sold by a wholesaler, including all spirituous liquor poured at a licensed special event, festival or fair in the state, from inspection and licensing requirements pertaining to the production, handling, storage, serving and transportation of food or drink, provided they adhere to all Arizona licensing and permitting laws, certifications, rules and regulations.

Last Action: 03/26/2024 S - Senate Caucus - Y

COP Position: Neutral

HB2623 - Vacate conviction; sex trafficking; victims

Sponsor: Rep. Matt Gress (R)

Summary: Removes the stipulation of having to be convicted of an action that predates July 24, 2014 if a person who was convicted of sex related crime was a victim of trafficking.

Last Action: 04/03/2024 S - DPA - Senate Committee of the Whole

COP Position: Neutral

HB2628 - Department of environmental quality; omnibus

Sponsor: Rep. Gail Griffin (R)

Summary: Makes various changes to statutes relating to the Department of Environmental Quality, including the origin of the small drinking systems fund, the

adoption of rules to establish criteria for a public water system to opt out of the monitoring assistance program, the criteria for determining which vehicles need to comply with minimum emissions standards and functional tests, the clarification of a closed solid waste facility.

Last Action: 04/03/2024 H - House Caucus - Y - Concurred

COP Position: Neutral

~~HB2630 – Sealing case records; subsequent felony~~

~~Sponsor:~~ Rep. Ben Toma (R)

~~Summary:~~ ~~Changes the applicability of the law allowing a record to be sealed from specific crimes, such as a misdemeanor violation, to “any eligible” convictions. Allows a person with sealed case records who commits a subsequent felony to petition the court to seal their arrest, conviction and sentence related to the subsequent offense after the legally prescribed period of time for the felony has expired and an additional five years have passed. Removes the prohibition on requesting sealed records until after the assigned period has passed. Adds a Class 2 or 3 felony, and an arrest under the organized retail theft provisions, to the list of instances where a person cannot attest to never having been arrested or convicted. Removes the specific crimes of theft, theft of means of transportation, forgery, identity theft or other cases of fraud to the list of crimes that prohibit one from claiming no arrest or convictions and references the applicable crimes that apply under the criminal code and under the telecommunication fraud provisions of state law. Adds that a person convicted of a dangerous offense per the state criminal code is not eligible to have a record of the conviction sealed. Requires the Board of Fingerprinting to consider sealed records as a mitigating circumstance to determine a good cause exception under state law.~~

~~Last Action:~~ 02/21/2024 S – Referred to Committee – Senate Judiciary

~~COP Position:~~ Neutral

HB2634 - Department of revenue; reuse zone

Sponsor: Rep. Travis Grantham (R)

Summary: Moves the statutes covering military reuse zones to the taxation statutes as a new Article in the first Chapter.

Last Action: 03/29/2024 G – Signed

COP Position: **Support**

HB2647 - Physical availability credits; water supply

Sponsor: Rep. Austin Smith (R)

Summary: Permits a person with a grandfathered right to legally irrigate land in an Active Management Area to permanently retire the land from irrigation in anticipation of a future non-irrigation status and retain a physical availability credit. Permits a physical availability credit to be used to withdraw or receive for land subject to irrigation the amount of water calculated for a non-irrigation use if the land has been actively farmed in the last seven calendar years, the new non-irrigation use remains connected to the original irrigation acres defined in the grandfathered right, and the water is delivered by a “municipal provider” (defined) within in Active Management Area as part of a contract to maintain water delivery levels under the grandfathered agreement. Defines the

calculation that must be used to determine the amount of groundwater that may be withdrawn or received. Requires the physical availability credit to be used in the original irrigation acreage and if the amount needed is less than the credit, the credit may be used elsewhere as defined by law. Defines the process of determining whether to issue a Certificate of Assured Water Supply to designate or redesignate a municipal provider as having an assured water supply, and the criteria the Arizona Department of Water Resources (ADWR) may use to make such a determination. Delineates the parts of the ARS that govern administrative proceedings, re-hearings, reviews and judicial reviews of final decisions per the ADWR. Removes the date deadline for the rules providing for a reduction in water demand for an application for a designation of assured water supply or a certificate for the same. Requires the ADWR to find that for an assured water supply designation, the amount of groundwater calculated is physically present and that the projected use of groundwater determined to be available is consistent with any applicable management goals set forth in the ADWR rules or state law.

Last Action: 04/02/2024 S - Senate Minority Caucus - Y

COP Position: Neutral

HB2658 - Pedestrians; congregating; medians; unsafe locations

Sponsor: Rep. Joseph Chaplik (R)

Summary: Prevents a pedestrian from congregating or engaging in solicitation if the pedestrian is either on a painted or raised traffic island or median, or on an exit or entrance ramp or roadway of a controlled access highway, or in an unsafe location where there is not a sidewalk or a safe corridor for pedestrians. If there is a violation a peace officer may issue a warning but is prevented from issuing a citation; for a second violation the person is responsible for a civil traffic violation; for a third violation the person is guilty of a class 1 misdemeanor.

Last Action: 04/03/2024 H - House Caucus - Y - Concurred

COP Position: Oppose

HB2664 - Cannabis possession; school zones; definition

Sponsor: Rep. Leo Biasiucci (R)

Summary: Adds "cannabis" (defined) to the list of drugs it is unlawful to intentionally be in a drug free school zone to sell or transfer and stipulates that any items on the list are illegal to bring into a school zone in any form or medium. Designates a violation of this law as a felony pursuant to all applicable state laws pertaining to sentencing, first time and subsequent drug offenses and drug offenses including possession and sale of an illegal drug.

Last Action: 04/02/2024 S - Senate Caucus - Y

COP Position: Neutral

~~HB2666 - Tourism advisory council; public entities~~

~~Sponsor:~~ Rep. Leo Biasiucci (R)

~~Summary:~~ Allows the Arizona Tourism Advisory Council engage with public entities, including cities, towns and counties, in addition to private corporations, to further the goals of the AOT.

~~Last Action:~~ 02/26/2024 S - Referred to Committee - Senate Government

COP Position: Neutral

HB2714 — NOW: housing trust fund; municipalities; report

Sponsor: Rep. Marcelino Quiñonez (D)

Summary: Requires municipalities to report housing metrics annually to the Arizona Department of Housing.

Last Action: 02/29/2024 S — Transmit to Senate

COP Position: Neutral

HB2720 - Accessory dwelling units; requirements

Sponsor: Rep. Michael Carbone (R)

Summary: Requires a municipality with a population of more than 75,000 to allow on any lot or parcel where a single-family dwelling is allowed: at least one attached, detached or internal accessory dwelling unit; at least one additional accessory dwelling unit for each accessory dwelling unit on the lot or parcel that is a “restricted-affordable dwelling unit” (defined); and an accessory dwelling unit that is 75% of the gross floor area of the single-family dwelling on the same lot or parcel or 1,000 square feet, whichever is less. Prohibits a municipality from: prohibiting the use or advertisement of either the single-family dwelling or any accessory dwelling unit located on the same lot or parcel as separately leased long-term rental housing; requiring a familial, marital, employment or other preexisting relationship between the owner or occupant of a single-family dwelling and the occupant of an accessory dwelling unit located on the same lot or parcel; prohibiting or requiring kitchen facilities in an accessory dwelling unit; requiring that a lot or parcel have additional parking to accommodate an accessory dwelling unit or requiring payment of fees instead of additional parking; requiring that an accessory dwelling unit match the exterior design, roof pitch or finishing materials of the single-family dwelling that is located on the same lot; setting restrictions for accessory dwelling units that are more restrictive than those for single-family dwellings within the same zoning area with regard to height, setbacks, lot size or coverage or building frontage; setting rear or side setbacks for accessory dwelling units that are more than five feet from the property line; requiring improvements to public streets as a condition of allowing an accessory dwelling unit, except as necessary to reconstruct or repair a public street that is disturbed as a result of the construction of the accessory dwelling unit; requiring a restrictive covenant concerning an accessory dwelling unit on a lot or parcel zoned for residential use by a single-family dwelling. Prohibits a municipality from requiring an accessory dwelling unit to comply with a commercial building code or contain a fire sprinkler. Allows restrictive covenants concerning accessory dwelling units entered into between private parties. Prohibits a municipality from conditioning a permit, license or use of an accessory dwelling unit on adopting or implementing a restrictive covenant between private parties. Provides that if a municipality fails to adopt these development regulations by January 1, 2025, accessory dwelling units will be allowed on all lots or parcels zoned for residential use in the municipality without limits.

Last Action: 03/26/2024 S - Senate Caucus - Y

COP Position: **Oppose**

HB2721 - Municipal zoning; middle housing

Sponsor: Rep. Michael Carbone (R)

Summary: Stipulates that by January 1, 2026, a city or town with 75,000 or more people must authorize by ordinance and incorporate the development of duplexes, triplexes, fourplexes, fiveplexes and townhomes as a permitted use on all lots zoned for single-family residential use into its development regulations, zoning regulations and other official controls.

Last Action: 04/02/2024 S - Hearing Scheduled - 04/03/2024 - Committee of the Whole, Floor

COP Position: **Oppose**

HB2725 – State debt payoff

Sponsor: Rep. David L. Cook (R)

Summary: ~~Makes a supplemental appropriation of \$411,000,000 from the general fund in FY2023-24 to the Arizona Department of Administration to pay for the retirement or defeasance of the financing agreements entered into for state properties. Makes a supplemental appropriation of \$194,500,000 from the general fund in FY2023-24 to the Arizona Board of Regents to pay for the retirement or defeasance of the lease-purchase capital financing agreements entered into for university research facilities. Removes appropriations to the Arizona Convention Center Development Fund in FY2024-25 through FY2043-44. Removes appropriations to Arizona State University, University of Arizona, and Northern Arizona University for lease-purchase capital financing for research infrastructure projects in FY2024-25 through FY2030-31.~~

Last Action: ~~02/15/2024 H – Removed from Hearing Agenda – 02/19/2024, 1:30 PM – House APPROP, HHR 1~~

COP Position: **Support**

HB2734 – NOW: public hearings; voting

Sponsor: Rep. Analise Ortiz (D)

Summary: Limits public hearings on any zoning ordinance to two hearings.

Last Action: 03/26/2024 S - Senate Majority Caucus - Y

COP Position: **Oppose**

HB2742 - Aggravated assault; transit; airport; rail

Sponsor: Rep. Consuelo Hernandez (D)

Summary: Adds that assaulting a public transit employee, airport employee or railway worker as a form of aggravated assault.

Last Action: 04/02/2024 S - Senate Caucus - Y

COP Position: **Support**

HB2743 - Appropriation; address confidentiality program fund

Sponsor: Rep. Consuelo Hernandez (D)

Summary: Appropriates \$400,000 from the Arizona General Fund in FY2024-25 to the Address Confidentiality Program Fund. Considered ongoing funding exempt from lapsing.

Last Action: 03/26/2024 S - DP - Senate Appropriations

COP Position: Neutral

HB2750 – Motorcycle helmets; minors; citations**Sponsor:** Rep. Quang H. Nguyen (R)**Summary:** ~~Permits a law enforcement officer to issue a citation for a violation of not wearing a protective helmet to an operator or passenger of a motorcycle, all terrain vehicle or motor driven cycle who is 16 or 17 years old.~~**Last Action:** 03/04/2024 S – ~~Referred to Committee – Senate Transportation, Technology and Missing Children~~**COP Position:** Neutral**HB2751 - Interstate compact; fire management; aid****Sponsor:** Rep. David L. Cook (R)

Summary: Allows the Governor to enter into the Great Plains Interstate Fire Compact (Compact) on behalf of Arizona with any other state. States that the Compact's purpose is to promote effective prevention of forest fires in the Great Plains region by maintaining adequate forest firefighting services by the member states and providing for reciprocal aid in fighting forest fires among the compacting states. Specifies that the Compact is operative immediately if two or more member states ratify it. Allows, in each state, the State Forester, or the equivalent, to act as Compact administrator for that state, consult with like officials of the other member states, and implement cooperation between the states in forest fire prevention and control. Allows each member state to formulate and put into effect a forest fire plan. Allows, if a member state's forest fire control agency requests aid from any other member state in combating, controlling or preventing forest fires, the state forest fire control agency of that state to render all possible aid to the requesting agency, consonant with maintaining protection at home. Requires the "employees" (defined) of a state rendering outside aid pursuant to the request of another member state to have the same powers and immunities as comparable employees of the state to which they are rendering aid. Exempts a member state and its officers and employees rendering outside aid from liability for any act or omission or maintaining or using any equipment in connection with rendering outside aid. Requires all liability that may arise under the laws of the requesting state, the aiding state or of a third state in connection with a request for aid to be assumed by the requesting state. Instructs the member state receiving aid to reimburse the member state rendering the aid for specified incurred expenses. States that the Compact does not prevent any assisting member state from assuming loss, damage, expense or other cost from loaning the equipment or from donating the services to the receiving member state without charge. Directs each member state to ensure that workers' compensation benefits are in conformity with the state's minimum legal requirements and available to all employees and contract firefighters sent to a requesting state. Allows the Compact administrators to formulate procedures for claims and reimbursement in accordance with the laws of the member states. States that ratification of this Compact does not authorize or permit any member state to diminish its forest firefighting forces, services or facilities. Requires each member state to maintain adequate forest firefighting forces and equipment to meet demands for forest fire protection within its borders to the same extent as if the Compact were not operative. Provides that the Compact does not limit a state's powers to provide for forest fire management. States that the compact does not

affect any existing or future cooperative relationship between the U.S. Forest Service and a member state. Allows representatives of the U.S. Forest Service to attend meetings of the Compact administrators. States the provisions relating to reciprocal aid in combating forest fires are operative as between any state party to the Compact if the Legislature of the other state has given its assent to the mutual aid provisions of this compact. Requires the Compact to continue in force and remain binding in each state ratifying it until the Legislature or Governor of the state takes action to withdraw from the compact.

Last Action: 04/03/2024 S - DP - Senate Committee of the Whole

COP Position: **Support**

HB2767 - Emergency management assistance; reimbursement

Sponsor: Rep. Selina Bliss (R)

Summary: Establishes the Arizona Mutual Aid Compact (Compact) revolving fund to be used for the costs incurred by Arizona while assisting other states with emergencies or natural disasters or to reimburse “supporting partners” (defined) of Arizona and Arizona agencies that respond to compact requests that are coordinated and approved by the Arizona Department of Emergency and Military Affairs, Division of Emergency Management.

Last Action: 04/03/2024 S - DPA - Senate Committee of the Whole

COP Position: **Support**

HB2769 - Appropriation; law enforcement; child care

Sponsor: Rep. David Livingston (R)

Summary: Appropriates \$16,000,000 from the federal Child Care and Development Fund block grant in FY2024-25 to the Arizona Department of Public Safety (ADPS) for the solicitation and award of customized child care grants to benefit law enforcement agencies and law enforcement officers. Exempt from lapsing. Requires ADPS to award grants to law enforcement agencies and nonprofit agencies that support law enforcement agencies located in a county with a population of more than 3,000,000 persons to construct child care facilities for children of law enforcement officers (Officers), make tenant improvements to facilities, and maintain and operate customized child care programs for children of Officers. Lists priorities for granting awards. Allows ADPS to distribute an award only if the intended recipient demonstrates that it has a commitment of at least 50% matching monies from sources other than the state of Arizona. Requires a quarterly audit of grant recipients.

Last Action: 03/26/2024 S - DP - Senate Appropriations

COP Position: Neutral

~~HB2782 - Homeless shelter fund; performance audit~~

~~Sponsor:~~ Rep. Matt Gress (R)

~~Summary:~~ Establishes the Homeless Shelter and Services Fund to be administered by the Arizona Department of Housing (ADH) and consisting of continuous legislative appropriation, exempt from lapsing, to be used for substance abuse treatment, mental health treatment, homeless outreach teams, short-term shelter, transitional housing, secure behavioral health residential facilities, or grants for any other services for

individuals experiencing homelessness. Transfers to the fund \$75,000,000 remaining unexpended on the effective date of this Act from the \$150,000,000 appropriation in the Housing Trust Fund deposit line item. Of the remaining unexpended monies: transfers \$50,000,000 to the Arizona Health Care Cost Containment System to establish five additional secure behavioral health residential facilities for individuals experiencing homelessness (may also be used for provider support for the new facilities); transfers \$5,000,000 to the Arizona Auditor General (AAG) for all necessary costs to conduct the special audit pursuant to this Act; and transfers \$10,000,000 to the Substance Abuse Services Fund for medicated assisted treatment for individuals experiencing homelessness. Requires that grants be performance based and track key metrics, and that recipients provide yearly reports for three years. Requires ADH to create forms, procedures and criteria for awarding grants and to prioritize spending. Lists additional items for which monies may be used. Creates immunity from liability for an owner or employee of a private campground used for homeless individuals absent intentional or gross negligence. Allows ADH to use monies to construct temporary housing for individuals experiencing homelessness. Prohibits ADH from providing more than 25% percent of the baseline allocation for any grant as a bonus payment for political subdivisions organizations that can meet predetermined goals for reducing days in jail or prison and days hospitalized for individuals experiencing homelessness. Establishes rules for any political subdivision that receives monies from the fund and has a higher per capita rate of homelessness than the state average as established by the U.S. census. Prohibits a political subdivision from discouraging enforcement of any order that prohibits public camping, sleeping or obstructing a public right-of-way, including roads and sidewalks. Provides for a county attorney to enforce this Act in a civil action. Requires a homeless service provider engaged in "mixed hoteling" (defined) to post the provided warning at its own expense. Requires AAG to conduct a special audit with listed information and requires the cooperation of state and local government. Declares it a crime with an enhanced sentence subject to fines to intentionally be present in a drug-free homeless service zone to sell or transfer dangerous drugs or narcotic drugs or, as a provider of facility-based services that primarily serves homeless individuals and that receives state, local and federal monies, to allow the possession or use of dangerous drugs or narcotic drugs in a drug-free homeless service zone. Requires the provider of services to post a sign declaring the property a "drug-free homeless service zone" (defined). Requires the Arizona Department of Public Safety to direct criminal justice agencies to collect and provide an annual report indicating crimes committed by individuals who are identified as homeless and crimes committed against individuals who are identified as homeless.

Last Action: 03/18/2024 S - Transmit to Senate

COP Position: **Oppose**

HB2815 - Religious institutions; use-by-right development

Sponsor: Rep. Marcelino Quiñonez (D)

Summary: Prohibits a municipality from requiring a conditional use permit, planned unit development permit, rezoning application or other discretionary local government review for a development that qualifies as a "use-by-right" (defined) development (Development). Lists allowances for Developments located in areas zoned for

~~residential use and in areas not zoned for residential use. If the municipality allows for greater residential density or building heights than allowed by statute, the greater density or building height allowances apply. Prohibits a Development from using an incentive, waiver or concession to increase the height of the Development to greater than the height authorized by statute. Limits, in a single-family residential zone, ancillary uses for a Development to child care centers and facilities operated by community-based organizations for recreational, social or educational services for the residents of the Development and members of the community in which the Development is located. Allows a Development to include commercial uses that are allowed without a use or development permit except in a single-family zone. Allows a Development to dedicate up to 50% of the total units for moderate-income households and up to 10% of the units for staff, and requires all remaining units to be dedicated to low-income households. Requires the "religious institution" (defined) to record a deed restriction that requires the property to allocate at least 40% of the units in the Development to low-income households for a period of 55 years unless there is a local ordinance, a federal, state or local grant requirement or a project financing requirement that requires a conflicting restrictive covenant. Requires the Development to provide off-street parking of up to one space per unit unless a municipal ordinance provides for a lower number of off-street parking spaces. Prohibits a municipality from imposing a parking requirement if the parcel is located within one-half mile walking distance of public transit, a high-quality transit corridor or a major transit stop. Limits a municipality's authority to impose restrictions on a Development. Requires a religious institution that allows a Development on its land to notify the county assessor that the property is no longer qualified for a tax exemption.~~

Last Action: 02/29/2024 S - Transmit to Senate

COP Position: ~~Oppose~~

HB2843 - Defense of premises; definition

Sponsor: Rep. Justin Heap (R)

Summary: Amends the definition of premises for purposes of an existing justification defense in the criminal code.

Last Action: 04/02/2024 G - Transmit to Governor

COP Position: Neutral

HB2846 - Hoophouses; building permits; exemption

Sponsor: Rep. Justin Heap (R)

Summary: Exempts the construction of a hoophouse or a polyhouse from municipal and county building permit requirements if certain requirements are met.

Last Action: 04/02/2024 S - Senate Caucus - Y

COP Position: Neutral

HB2860 - Water conservation infrastructure; reimbursement

Sponsor: Rep. David Livingston (R)

Summary: ~~Allows the Arizona State Treasurer to distribute a maximum of \$200,000,000 in specified prime contracting transaction privilege tax revenues to a~~

municipality or county for water conservation infrastructure improvements for the benefit of an economic development.

Last Action: 02/19/2024 H - HELD - House Appropriations

COP Position: Neutral

HB2866 - Electric vehicles; registration fee

Sponsor: Rep. David L. Cook (R)

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

Last Action: 02/29/2024 H - FAILED - House Third Reading

COP Position: Neutral

HB2884 - Zero-emission vehicle program; rebate

Sponsor: Rep. Justin Wilmoth (R)

Summary: Establishes the Zero-emission Vehicle Program that provides rebates to persons who purchase a zero-emission vehicle.

Last Action: 02/13/2024 H - DPA - House Commerce

COP Position: Neutral

HCR2003 - NOW: For-sale housing; development; groundwater replenishment

Sponsor: Rep. Gail Griffin (R)

Summary: The 2024 general election ballot is to carry the question of whether to require the Director of Water Resources to only consider projected water supplies and established water storage capacity in determining if a water district's member's projected water use is consistent with the goal of the Active Management Area and if the district member is a municipal provider that was designated as an assured provider, the designation is terminated until the Director determines compliance with the designation standards. Requires the direct only consider the district member's surface water, effluent and groundwater withdrawn outside the Active Management Area in which the member is located when considering redesignation. Requires the Arizona Secretary of State to submit this to voters at the next general election in compliance with Article IV, Part 1, Section 1 of the Constitution of Arizona.

Last Action: 03/21/2024 S - DP - Senate Natural Resources, Energy and Water

COP Position: Neutral

HCR2018 - Tax prohibition; vehicle mileage; monitoring

Sponsor: Rep. Travis Grantham (R)

Summary: The 2024 general election ballot is to carry the question of whether to amend Article IV of the Constitution of Arizona, prohibiting the state, and any county, city, town, municipal corporation, or other political subdivision, from imposing a tax or fee on any person based on the vehicle miles traveled by the person in a motor vehicle, or enact any rule or law to monitor or limit the vehicle miles traveled by a person in a motor vehicle unless the rule or law requires that the person voluntarily consents to the monitoring or limitation. Stipulates that this change does not apply to an interstate

~~agreement to administer the payment or reporting of fuel taxes for registration fees for commercial vehicles that operate in more than one state.~~

~~Last Action: 03/06/2024 S - FAILED - Senate Third Reading~~

~~COP Position: **Oppose**~~

HCR2023 - Property tax; refund; nuisance enforcement

Sponsor: Rep. Ben Toma (R)

Summary: The 2024 general election ballot is to carry the question to amend Title 42, Chapter 17 by adding Article 9, to allow a property owner to apply for a primary property tax refund for taxes paid to a city, town or county if the receiving entity adopts a pattern or policies declining to enforce existing laws, ordinances or other legislation prohibiting illegal camping, obstructing public thoroughfares, loitering, panhandling, public urination or defecation, public consumption of alcoholic beverages or possession of illegal substances, or maintains a public nuisance, and the property in question is reduced in fair market value because of those actions, or the property owner incurs expenses because of said actions. The amount of any refund shall be the reduction in fair market value because of the entity's actions or the expenses incurred by the property owner that were reasonably necessary to mitigate the issue, or both. Further, this ballot is to carry the question of whether the State Treasurer shall withhold payments to the city, town or county in question the amount of refunds claimed under this section until the entire amount of the refund is collected and if the city, town or county elect to challenge the refund allowed under this section, each shall bear the burden of proof to demonstrate its actions are lawful or that the refund amount is unreasonable. The statute repeals itself on January 1, 2036. (More)

Last Action: 03/04/2024 G - Transmit to Secretary of State

COP Position: **Oppose**

~~**HCR2028 - Elections; signature verification process**~~

~~**Sponsor:** Rep. Alexander Kolodin (R)~~

~~**Summary:** The 2024 general election ballot is to carry the question of whether to amend ARS Title 16, Chapter 4, Article 8 pertaining to voter "signature verification" (defined). Defines the physical and electronic signature verification process an election official must follow when processing early ballots, procedures if the election official discovers inconsistencies with the signatures. Exempts certain ballot affidavits from signature verification provided certain features are present and requires that election officials use the 2020 Secretary of State Signature Verification Guide for reference when performing signature verification.~~

~~**Last Action:** 02/07/2024 H - HELD - House Municipal Oversight & Elections~~

~~**COP Position:** Neutral~~

HCR2032 - Voting centers; precinct voting

Summary: The 2024 general election ballot is to carry the question of whether to amend ARS 16 to specify that at the time election precincts are designated, an election precinct may not contain more than 1,000 registered voters, the Board of Supervisors may not authorize the use of voting centers in place of or in addition to specifically designated polling places, the County Recorder may not establish early voting

locations at the Recorder's office, and an elector that appears no later than 9 p.m. on the Friday prior to an election at an early voting location established by the County Recorder may not receive a ballot or update their registration information.

Sponsor: Rep. Rachel Jones (R)

Last Action: 03/26/2024 S - Senate Caucus - Y

COP Position: Oppose

HCR2040 - Public monies; prohibited expenditures

Sponsor: Rep. Austin Smith (R)

Summary: The 2024 general election ballot is to carry the question of whether to amend the ARS to regulate public monies expenditures by prohibiting expending public funds on anything that promotes, advocates, plans for, or becomes a member of an organization that promotes, advocates or plans for reducing the consumption or production of meat or dairy products, animal-based protein with insect or synthetic protein, reducing or replacing motor vehicle travel with walking, biking or public transit, reducing or limiting travel by airplane, limiting the number of articles of clothing a person may buy or own, reusing water that has touched human feces as a municipal source of drinking water, reducing greenhouse gas emissions, tracking consumption based emissions, limiting the increase of global temperature, producing or adopting a climate action plan, replacing private ownership, furthering Marxist ideologies, including stakeholder capitalism, or implementing mass surveillance systems to monitor motor vehicle travel, and to clarify who may bring an action against violations of this resolution.

Last Action: 03/14/2024 S - DP - Senate Judiciary

COP Position: Oppose

HCR2049 - Ballot measures; challenges

Sponsor: Rep. Neal Carter (R)

Summary: Subject to voter approval, constitutionally prohibits a tax or fee based on vehicle miles traveled and any rule or law that monitors or limits vehicle miles of travel without consent and excludes limiting or monitoring the miles traveled by government-owned vehicles, the provision of travel reimbursements and specified interstate agreements.

Last Action: 03/18/2024 S - DPA/SE - Senate Transportation, Technology and Missing Children

COP Position: Oppose

HCR2050 - Energy source; restriction; prohibition

Sponsor: Rep. Gail Griffin (R)

Summary: The 2024 general election ballot is to carry the question of whether to amend the Arizona Constitution to prohibit the state or any of its political subdivisions from restricting the manufacture, use or sale of a device based on the energy source that is either "used to power the device or consumed by the device" (defined).

Last Action: 03/21/2024 S - DP - Senate Natural Resources, Energy and Water

COP Position: Neutral

HCR2051 - Rural communities; groundwater; tools

Sponsor: Rep. Gail Griffin (R)

Summary: Directs the Legislature to provide and continue to provide rural communities with an abundance of tools to adequately manage and address their current and future groundwater resources.

Last Action: 03/21/2024 S - DP - Senate Natural Resources, Energy and Water

COP Position: Neutral

HCR2056 - Preferential treatment; discrimination; prohibition

Sponsor: Rep. Steve Montenegro (R)

Summary: Prohibits Arizona from compelling an applicant, employee or contractor to endorse giving preferential treatment to or discriminating against an individual based on race or ethnicity as a condition of hiring, promoting or contracting decisions. Stipulates that Arizona is not permitted to disadvantage or treat differently on the basis of race or ethnicity an individual from among a pool of applicants, students, employees or contract recipients when making an admitting, contracting, hiring or promoting decision.

Specifies that any action that would otherwise be prohibited and that is taken in accordance with federal requirements must be limited to advertising, communication or outreach efforts. Prohibits Arizona from implementing any disciplinary policy or action that treats an individual student or group of students differently on the basis of race or ethnicity. Asserts that access to facilities, grounds or services of Arizona may not be conditioned on race or ethnicity of an individual or group. Declares that, to uphold the United States Constitution as the supreme law of the land, this state deems any requirements that Arizona practice racial discrimination inconsistent with the 14th Amendment of the United States Constitution and subject to the prohibitions outlined in the Arizona Constitution relating to the authority to exercise sovereign authority against federal action. Specifies that preferential treatment and discrimination prohibitions do not prohibit qualifications based on tribal membership as part of a program established to serve members of Indian tribes. Outlines the specifics for what it means to compel an applicant, contractor or employee to endorse giving preferential treatment or discriminating on the basis of race or ethnicity for the purposes of eligibility for federal programs. Asserts that this Act does not prevent Arizona from requiring applicants, contractors or employees to disclose or discuss the content of their scholarly research or creative works; certify compliance with state and federal antidiscrimination law; or discuss services, pedagogical approaches or experiences with students or individuals with mental or physical disabilities. Establishes that an applicant or employee is allowed to provide any information related to preferential treatment or discrimination on their own initiative. Directs the Secretary of State to submit this proposition to the voters at the next general election.

Last Action: 03/13/2024 S - DP - Senate Government

COP Position: **Oppose**

HCR2060 – Lawful presence; e-verify program; penalties

Sponsor: Rep. Ben Toma (R)

Summary: ~~The 2024 general election ballot is to carry the question of whether to amend Title 9, Chapter 4, Article 8 Arizona Revised Statutes relating to unauthorized aliens. Requires a municipality or county that receive state monies for a public welfare~~

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

~~Last Action: 02/23/2024 S - Transmit to Senate~~

~~COP Position: Oppose~~

HJR2001 - Phoenix-Mesa gateway airport; reuse zone

Sponsor: Rep. Travis Grantham (R)

Summary: Phoenix-Mesa Gateway Airport is renewed as a military reuse zone for 10 years from October 19, 2026.

Last Action: 04/03/2024 S - DP - Senate Committee of the Whole

COP Position: Support

~~SB1003 - Prohibition; photo radar~~

~~**Sponsor:** Sen. Wendy Rogers (R)~~

~~**Summary:** Prohibits the use of "photo-enforcement systems" (defined) by law enforcement and local authorities to enforce traffic laws. Contains a legislative intent clause.~~

~~**Last Action:** 03/22/2024 H - FAILED - House Transportation & Infrastructure~~

~~**COP Position:** Oppose~~

~~SB1004 - Agricultural land; foreign ownership; violation~~

~~**Sponsor:** Sen. Wendy Rogers (R)~~

~~**Summary:** Establishes the Office of Agricultural Intelligence within the Arizona Department of Agriculture and lays out a series of entities that are prohibited from purchasing, acquiring or taking "control" (defined) of the title or any interest in "agricultural lands" (defined) or land primarily used for timber harvest, mineral extraction, gravel making or other natural resource production. The office is responsible for administration and enforcement of laws related to the prohibition of foreign ownership of Arizona land and headed by a designee of the director of the Arizona Department of Agriculture. The office will investigate, analyze and collect information relating to the violation of the prohibition and work with the Arizona Attorney General on action against violators of the prohibition. Entities prohibited from land ownership include: agents of a "designated country" (defined), agents of a company or legal entity~~

~~with majority control by citizens of a designated country, individuals who are citizens of a designated country or whose operations are headquartered in a designated country. Lawful permanent residents of the United States are exempt from the list of prohibited entities. Requires those in violation to divest interest in the land within 2 years of the effective date. Those in knowing violation of the prohibition are guilty of a class 6 felony.~~
Last Action: 03/13/2024 H— Referred to Committee— Land, Agriculture & Rural Affairs—
House Land, Agriculture & Rural Affairs
COP Position: Neutral

SB1005 - Public monies; ideology training; prohibition

Sponsor: Sen. Jake Hoffman (R)

Summary: Prohibits a public entity from requiring an employee to participate in "diversity, equity and inclusion" (DEI) programs (defined), spending public funds on DEI contracts, programs, technology, supplies, services, or employment, and promoting any DEI oriented theories as that public entity's official position. Allows for employees forced to do any of the above to bring an action against the public entity.

Last Action: 03/12/2024 H - House Caucus - Y

COP Position: Oppose

SB1009—Voting registrations; ballot requests; source

Sponsor: Sen. Jake Hoffman (R)

Summary: ~~Prohibits the use of a signature a voter submitted on a non-official form being used as the sole evidence for signature comparisons by the County Recorder when processing a request for an early ballot or to amend a voter's registration information. Mandates that only a political party, county recorder or election official can distribute early ballot request forms to voters, removing candidates from the list of allowable distributors. Exempts elections for special taxing districts formed for the purpose of protecting or providing services to agricultural lands and crops from these changes.~~

Last Action: 02/15/2024 S— DISC/HELD— Senate Elections

COP Position: Neutral

SB1010—Vehicle mileage; tracking; tax; prohibitions

Sponsor: Sen. Jake Hoffman (R)

Summary: ~~Prohibits a city, town, county or political subdivision from considering or establishing Vehicles Miles Travel Reduction goals for use with state projects; or track or maintain a record of personal vehicle miles of travel records (via odometer readings, cameras, or any other means of recording) of any person; or impose any mileage fee or tax on miles traveled by an individual in a motor vehicle.~~

Last Action: 02/29/2024 S— FAILED— Senate Third Reading

COP Position: Oppose

SB1011—General plan; transportation; independent study

Sponsor: Sen. Jake Hoffman (R)

Summary: ~~Eliminates the requirement of routes, parking and street crossing areas for bicycles in municipal plans. Requires municipal plans not include policies or projects~~

that reduce motor vehicle traffic system capacity and that any plan components that affect the level of service on an arterial street be subject to an independent, emergency vehicle impact study.

Last Action: 01/23/2024 H - Removed from Hearing Agenda - 01/29/2024, 2:00 PM - Senate TTMC, SHR 2

COP Position: Oppose

SB1012 - Transportation system performance; ADOT

Sponsor: Sen. Jake Hoffman (R)

Summary: Amends existing requirements to cover the development of performance metrics and the use of said metrics in board presentation material for the Arizona Department of Transportation (ADOT) to include mobility, integration of modes of travel, and safety improvements. Requires ADOT to use new weighting metrics for deciding on highway and transit products that include weighting congestion reduction and increased mobility at 40% each for highway projects and safety improvements/reduction in roadway fatalities at 20% for highway projects. For transit projects, ridership on each route may not be weighted lower than 70% of the system average. The ridership minimum may be weighted at 50% of the system average if the lines are contracted to a private operator. Prohibits the ADOT from considering or adopting a motor vehicle travel mile reduction target, or using metrics that provide benefits based on race, color or ethnicity.

Last Action: 03/22/2024 H - FAILED - House Transportation & Infrastructure

COP Position: Neutral

SB1013 - Government investments; products; fiduciaries; plans

Sponsor: Sen. Jake Hoffman (R)

Summary: Requires the State Treasurer to post a current list of state investments and investment managers by name on the State Treasurer's website. Mandates that all investments be made in the interest of the taxpayer based on "pecuniary factors" (defined) as a "fiduciary" (defined), prohibits "unnecessary investment risks" or promoting of "nonpecuniary" (defined) benefits or social goals. Outlines rules guiding voting on shares, including that it is prohibited to grant proxy voting authority to someone outside of the government entity unless that person follows government guidelines to act based on pecuniary factors.

Last Action: 03/12/2024 H - House Caucus - Y

COP Position: Neutral

SB1019 - Appropriation; health innovation trust fund

Sponsor: Sen. Thomas "T.J." Shope (R)

Summary: Appropriates \$5,000,000 from the Arizona General Fund in FY 2024 - 2025 for the Arizona Health Innovation Trust Fund as part of the goal of the Fund to ultimately attain a permanent endowment balance of at least \$200,000,000.

Last Action: 03/18/2024 H - W/D - House Health & Human Services

COP Position: Neutral

SB1025 - DUI; transportation network drivers

Sponsor: Sen. John Kavanagh (R)

Summary: Adds conditions to the commercial motor vehicle stipulation for individuals with an alcohol level of .04 or more. Adds two applications of that section: A commercial vehicle that requires a person to obtain a commercial license, and, a transportation network company vehicle and the person operating the vehicle is a transportation network company driver as defined by law. Adds transportation network company driver in physical control of a transportation network company vehicle criteria for blood testing to determine if the operator is considered intoxicated, possibly intoxicated or not intoxicated.

Last Action: 04/02/2024 G - Transmit to Governor

COP Position: Neutral

SB1030 - Correctional facilities; body scanners

Sponsor: Sen. Thomas "T.J." Shope (R)

Summary: Adds a political subdivision of the state to the list of entities that can request x-rays be done on an inmate, or can perform a body scan using low-dose ionizing radiation on an inmate.

Last Action: 03/29/2024 G - Signed

COP Position: Support

SB1041 - Groundwater savings certificate; assured water

Sponsor: Sen. Jake Hoffman (R)

Summary: Requires a Groundwater Savings Certificate (defined,) issued by the Arizona Department of Water Resources (ADWR) for anyone proposing to offer subdivided lands for sale or lease before presenting the subdivision plan for approval. Requires the certificate be obtained before any filings with the State Real Estate Commissioner of a notice to offer the subdivision for sale or lease. Requires a city, town or county to only prove a subdivision if the Groundwater Savings Certificate is present, or the applicant has secured a written commitment for water service for the subdivision from a city, town or private water company designated as having an assured water supply. Requires the ADWR to designate private water companies in Active Management Areas that have an assured water supply or a Groundwater Savings Certificate. Requires rules to be drafted for an application for a Groundwater Savings Certificate if a gray water systems will be installed and meets all gray water environmental requirements.

Last Action: 04/03/2024 H - RET ON CAL - House Committee of the Whole

COP Position: Oppose

SB1051 - Location tracking applications; disabling prohibited

Sponsor: Sen. Frank Carroll (R)

Summary: Prohibits a person from knowingly and deliberately disabling or coercing a minor to disable a location tracking application or function installed on a minor's "electronic communications device" (defined) while the person is committing or attempting to commit a crime. Designates either action as a Class 2 Felony.

Last Action: 03/12/2024 H - House Caucus – Y

COP Position: Neutral

SB1054 - State construction project delivery methods**Sponsor:** Sen. Frank Carroll (R)**Summary:** Modifies existing language concerning commence dates for rules governing transportation-related construction projects to December 31, 2030.**Last Action:** 03/29/2024 G - Signed**COP Position:** Support**~~SB1056 - Municipalities; counties; fee increases; vote~~****~~Sponsor:~~** Sen. Warren Petersen (R)**~~Summary:~~** Prohibits a common council of a municipality from levying or imposing an increase in any assessment, tax or fee without approval by two-thirds vote of the common council of the municipality. Prohibits the Board of Supervisors of a County from levying or imposing an increase in any assessment, tax or fee without approval by two-thirds vote of the Board of Supervisors of the county.**~~Last Action:~~** 04/02/2024 H - RET ON CAL - House Committee of the Whole**~~COP Position:~~** Oppose**~~SB1057 - Internal revenue code; conformity~~****~~Sponsor:~~** Sen. J.D. Mesnard (R)**~~Summary:~~** For the purpose of Title 42 (Taxation) for the purposes of computing income tax for taxable years starting January 1, 2024, the "Internal Revenue Code" means the US Internal Revenue Code of 1986, as amended, including 2023 provisions with specific adoption of retroactive effective dates, but including no changes after January 1, 2024 and provisions that are retroactively effective during 2023.**~~Last Action:~~** 02/28/2024 S - DP - Senate Committee of the Whole**~~COP Position:~~** Neutral**SB1063 - Political signs; removal; elections****Sponsor:** Sen. John Kavanagh (R)**Summary:** Removes reference to a specific primary election and adds a reference to a first election and extends the period it is a misdemeanor to remove, alter, deface or cover a political sign of a winner of a primary or first election until 15 days after the general or runoff election. Adds signs that support or oppose a "question or issue" to the prohibition of cities, towns and counties removing, altering, defacing or covering a political sign and stipulates that the prohibition only applies to 45 days before any election and 15 days after an election, except for candidates that advance to a general or runoff election, provided there are no more than 45 days between those elections and a general election. Adds that the prohibition of removing, altering, defacing or covering a political sign applies to any election held by a city, state, county, school district, special taxing district or other governing entity including the state of Arizona.**Last Action:** 04/02/2024 H - Hearing Scheduled - 04/03/2024 - Third Reading, Floor**COP Position:** Neutral**SB1064 - Gasoline formulations; air quality****Sponsor:** Sen. Justine Wadsack (R)

Summary: Permits in counties with more than adherence with California Phase 3 reformulated gasoline, gasoline that meets standards for federal Phase II reformulated gasoline. Sets standards, including exemptions, for gasoline that is stored, shipped, produced and sold, to comply with if the gasoline qualifies for a waiver granted by federal authorities, including stipulations for pressure and oxygen content, or any other thresholds prescribed by the United States Environmental Protection Agency (EPA.) Establishes the standards for the supplier or blender, or all suppliers or blenders to petition to comply with standards other than are set forth by this law if a petitioner can prove that maintaining standards presents a possible shortage of supply. Permits the legislature to petition the Department of Environmental Quality (DEQ) to allow retail sellers to be allowed to sell or offer gasoline for sale that does not meet the standards prescribed above. Directs the DEQ to submit proposed modifications to the gasoline fuel formulation requirements recommended to the US EPA. The balance of the bill applies to selling gasoline or oxygenate by one seller to another, rules for gasoline reformulation in other zoned areas and a final report of compliance or non-compliance by October 1, 2025.

Last Action: 03/26/2024 H - House Majority Caucus - Y

COP Position: Oppose

SB1071 - Peer support teams; information; disclosure

Sponsor: Sen. Thomas "T.J." Shope (R)

Summary: Includes "or "Peer Support Team Member"" (defined) to those who cannot be compelled to disclose information given in confidence during a critical response incident from a "designated person" (defined) during a legal proceeding, trial, or investigation before any agency of the state or political subdivision of the state, unless the designated person voluntarily agrees to testify.

Last Action: 04/02/2024 S - Transmit to Senate

COP Position: Neutral

SB1073 - Obstruction highway; large event; classification

Sponsor: Sen. John Kavanagh (R)

Summary: Makes continuing to interfere with passage on any roadway in or leading to an airport or on a highway, bridge or tunnel currently holding 25 or more vehicles after being ordered to desist, a Class 6 felony.

Last Action: 04/02/2024 G - Vetoed

COP Position: Neutral

SB1074 - Peace officer violence victims' rights

Sponsor: Sen. Anna Hernandez (D)

Summary: Stipulates that the "victim" (defined) and "victim's family" (defined) of peace officer violence have a right to be treated with fairness, respect, and dignity and be free from intimidation, harassment, and abuse, have free access to legal and community support, delay or refuse an interview, deposition or other discovery requests from an investigative agency without fear of intimidation or retaliation. Prohibits investigators or peace officers from interviewing a victim's family within 24 hours following a critical incident. Prohibits an investigator from making false or misleading informational

~~statements or opinions before an investigation is concluded. Requires the investigative agency to communicate with the victim, victim's family or witnesses in their preferred language. Requires an investigative agency to make an interpreter or multilingual representative available within one hour after a critical incident, and for the duration of the investigation, for a non-English speaking victim, the victim's family, and any witnesses. Requires an investigative agency to provide free, quick and unredacted access to information, materials and findings that are relevant to the victim's injury or death, and to be given sufficient time to review the information, materials, or findings, including, but not limited to, unredacted body worn camera footage, incident reports, and bystander footage and surveillance video. Requires that access to the above mentioned forms of communication be given to the victim or the victim's family within 72 hours after a critical incident and 48 hours before the information is released to the media or the public. Grants the victim or the victim's family the right to request that any images of the victim be blurred before a document or footage involving them is released to the public. Requires the victim, the victim's family, or an official representative be granted free, quick, and unredacted access to the employment files of the peace officer or peace officers involved in the critical incident. Permits the victim, the victim's family, or their representative to be present and, on request, heard at investigative and disciplinary proceedings were those involved in the critical incident have the right to be present. Requires an investigative agency provide milestones and outcomes on the investigation progress to the victim, victim's family, or their representative, at least 24 hours before the public is notified. Permits the victim, victim's family, were there representative to petition the County Attorney who has jurisdiction over the case to intervene or reopen a case against the peace officers involved in the critical incident. Requires the law enforcement agency involved to include the victim and the victim's family in any processes that lead to policy change or reform efforts. Requires municipalities to establish a victim advocate role that is independent of the Police Department. Requires that any peace officer involved in a shooting or in custody death be permanently removed from any law enforcement role and the peace officer's pension permanently withheld. Requires the state to fully fund an independent nonprofit legal and advocacy organization to provide legal counsel and healing support following a critical incident. (More)~~

Last Action: 02/15/2024 S—HELD—Senate Judiciary

COP Position: Pending

SB1076 – Marijuana funds; uses; enforcement

Sponsor: Sen. Thomas "T.J." Shope (R)

Summary: ~~Permits monies in the Medical Marijuana Fund or the Smart and Safe Arizona Fund to be used interchangeably to implement this bill. Adds grants for the Arizona Poison Control System for operations and to support health care providers and providing public health and safety education related to, the Attorney General to investigate and enforce actions pertaining to, and municipal police departments, county sheriff departments, and tribal police agencies to investigate and take action against, the illicit sale of marijuana and intoxicating cannabinoids to required expenditures by the State Treasurer from the Smart and Safe Arizona fund are spent. Authorizes the Attorney General to use monies from either fund to investigate and take enforcement~~

~~action related to the illicit sale, marketing, and distribution of marijuana and illicit cannabinoids. Due to voter protection, certain sections of this legislation require the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage.~~

~~**Last Action:** 01/24/2024 H - Removed from Hearing Agenda - 01/30/2024, 1:30 PM - Senate HHS, SHR 1~~

~~**COP Position:** Neutral~~

SB1078 - Fraudulent voice recordings

Sponsor: Sen. John Kavanagh (R)

Summary: Designates using a voice recording of another person with the intent of tricking others to think that the voice recording is the live verse of the person recorded as criminal impersonation and a Class 5 felony.

Last Action: 04/01/2024 H - DPA - House Committee of the Whole

COP Position: Neutral

SB1081 - Exemption area; assured water supply

Summary: Requires the Arizona Department of Water Resources (ADWR), if requested to designate a portion of a city or town that is located both in the area delineated for exemption and in the Phoenix Active Management Area (AMA) as having an assured water supply if the portion of the city or town seeking the water supply designation is located entirely within an irrigation and water conservation district; and if the city or town has contracted with the irrigation and water conservation district for a term of 100 years or more, under which the city or town will receive water that the landowners in the district have the right to use on their lands and will treat and deliver the water for exclusive use on irrigation and conservation district lands for municipal use; and if the city or town is not using new groundwater as the basis for the assured water supply within any portion of the its service area located inside the irrigation and water conservation district. An irrigation and conservation district is allowed to permit the city or town to withdraw of up to 10,000 acre feet per year of groundwater from the irrigation and water conservation district wells for municipal use on lands within the boundaries of an irrigation and water conservation district. The ADWR may deem groundwater withdrawn to be physically available and sufficient groundwater, and consistent with the management goals of the Phoenix AMA if the average groundwater level in the irrigation and water conservation district, as measured by 10 index wells, is less than 150 feet below surface level over a three year period. If the ADWR determines average groundwater levels in the irrigation and water conservation district, as measured by 10 index wells, is more than 150 feet below surface level over a three year period, all future groundwater withdrawals from wells in the irrigation and water conservation district for municipal use shall be deemed to be groundwater subject to replenishment and any portion of the city or town with a contract for groundwater with an irrigation and water conversation district shall either be or apply for and become a member service area.

Sponsor: Sen. Sine Kerr (R)

Last Action: 04/02/2024 H - Hearing Scheduled - 04/03/2024 - Third Reading, Floor

COP Position: Oppose

~~SB1090 – NOW: accident victims; public records~~

~~Sponsor:~~ Sen. Anthony Kern (R)

~~Summary:~~ Allows a law enforcement agency or prosecuting agency that creates or receives a public record to withhold the disclosure of a record that contains the name of a person who is involved in an accident that either causes the death of, or serious physical injury to, the person unless a court of competent jurisdiction orders the disclosure.

~~Last Action:~~ 03/14/2024 H – Removed from Hearing Agenda – 03/20/2024, 8:30 AM – House JUD, HHR 4

~~COP Position:~~ Neutral

SB1092 - Income tax; currency transactions; effect

Sponsor: Sen. Warren Petersen (R)

Summary: Allows, beginning Tax Year 2025, individual and corporate taxpayers to subtract capital gains, and add capital losses, derived from a “foreign currency” (defined) or “virtual currency” (defined) transaction, to the individual’s or corporation’s gross income calculation.

Last Action: 3/26/2024 H - House Majority Caucus - Y

COP Position: Neutral

~~SB1100 – Arizona state hospital; private entity~~

~~Sponsor:~~ Sen. Catherine Miranda (D)

~~Summary:~~ Requires an independent evaluator submit a report on a contracting entity’s compliance with the contract for the Arizona state hospital’s client services delivery within 90 days after the fourth year of the contract. Removes the requirement that the Arizona Department of Health Services report to the Joint Budget Committee on privatization plans, and removes the requirement that that report be supplied to the director of the Arizona state library, archives and public records.

~~Last Action:~~ 02/07/2024 H – Removed from Hearing Agenda – 02/13/2024, 1:30 PM – Senate HHS, SHR 1

~~COP Position:~~ Neutral

~~SB1112 – Planning; home design; restrictions; prohibition~~

~~Sponsor:~~ Sen. Sonny Borrelli (R)

~~Summary:~~ Prevents a municipality from interfering with a home buyer's right to choose the features, amenities, structure, floor plan and interior and exterior design of a home; and from requiring the formation of a homeowners' association, a condominium association or any other association or a shared feature or amenity that would require a homeowners' association, a condominium association or any other association to maintain or operate the feature or amenity, unless necessary for stormwater management. Prevents a municipality from requiring screening, walls or fences, or private streets. Notwithstanding any other law, prevents any municipality designated as an urban area by the census bureau with a population greater than 50,000 may not regulate maximum or minimum lot sizes on which a single-family home may be located; minimum square footage or dimensions for a single-family home; maximum or minimum lot coverage for a single-family home and any accessory structures; minimum building

~~setbacks greater than five feet for a single family home; design, architectural or aesthetic elements for a single family home. The provisions do not supersede applicable building codes, fire codes or public health and safety regulations.~~

~~**Last Action:** 02/27/2024 S – DPA – Senate Committee of the Whole~~

~~**COP Position:** Oppose~~

~~**SB1116 – Voter registrations; payment prohibited**~~

~~**Sponsor:** Sen. Ken Bennett (R)~~

~~**Summary:** Prohibits a person from paying or receiving money or any other thing of value based on the number of voter registrations or voter registration forms collected, completed or submitted.~~

~~**Last Action:** 02/28/2024 H – Referred to Committee – House Municipal Oversight & Elections~~

~~**COP Position:** Neutral~~

SB1117 - Criminal justice data collection; system

Sponsor: Sen. Ken Bennett (R)

Summary: Requires compliance with an Arizona Criminal Justice Commission request for a state or local criminal justice agency to submit information currently collected and that is readily reportable electronically. Prohibits the Commission from releasing personally identifying information, location information, photograph or mugshot of any individual. Directs the Commission to implement the state, county and municipal online data system, on the Commission's website in a readily accessible, electronic format upon approval via a vote of the Commission. Requires compliance of all Commission approved criminal justice agencies to submit data currently collected and readily electronically reportable into the online data system. Sets requirements of data collection for law enforcement agencies, victims, agency and service providers, events and results. Requires law enforcement agencies to submit the total number of sworn-in peace officers on January 31 of each year to the Arizona Peace Officer Standards and Training Board and stipulates the required data for the submission. Stipulates data collection requirements for prosecuting agencies, courts, the Arizona State Department of Corrections and probation. Directs the Commission to establish policies to protect confidential information and prohibits the Commission from using any collected data for political or commercial purposes. Appropriates \$1,400,000 from the Arizona general fund to the Commission and exempts the appropriation from statutes pertaining to the lapsing of appropriations.

Last Action: 03/28/2024 H - DPA - House Committee of the Whole

COP Position: Neutral

SB1129 – NOW: Unlawful occupants; property; removal

Sponsor: Sen. Wendy Rogers (R)

Summary: Designates a "transient occupant" (defined) of a residential dwelling as an unlawful occupant of the property upon issuance of a written direction to leave the premises from the person who is entitled to the possession of the property. Stipulates that if the transient occupant fails to leave upon the delivery of the written notice, they are subject to removal by a law enforcement officer as prescribed by state law, or by an

order of a court. Permits the owner of the property to submit a sworn affidavit to a law enforcement officer stating the transient occupant has been notified, the date of the notification, and that the occupant unlawfully continues to occupy the premises. Permits, upon receipt of the affidavit, the law enforcement officer to direct the transient occupant to surrender possession and if they fail to surrender possession, to designate them as committing trespass. Permits a person wrongfully removed from a property to file an action and recover damages for forcible entry and detainer against the person who claims the right to possession. AS PASSED SENATE.

Last Action: 04/03/2024 H - DPA - House Committee of the Whole

COP Position: Neutral

~~SB1131 – Low voter turnout elections; repeat~~

~~Sponsor:~~ Sen. John Kavanagh (R)

~~Summary:~~ Requires that for any non-statewide or federal election, any election that receives less than 25% of the eligible registered voters casting a ballot, the results are declared void and the election is required to be repeated on an election date with a statewide or federal office on the ballot.

~~Last Action:~~ 02/05/2024 S – DPA – Senate Elections – Senate Elections

~~COP Position:~~ ~~Oppose~~

~~SB1144 – False reporting; public alarm; classification~~

~~Sponsor:~~ Sen. Anthony Kern (R)

~~Summary:~~ Adds causing public alarm or an emergency response to the definition of “false reporting” and designated false reporting as a Class 6 felony if a person commits it while committing a second violation, or commits false reporting involving an “educational institution” (defined), or a place used for worship or religious services.

~~Last Action:~~ 03/21/2024 H – Removed from Hearing Agenda – 03/25/2024, 1:30 PM – House APPROP, HHR 1

~~COP Position:~~ ~~Support~~

~~SB1148 – Income tax; rebate; seniors~~

~~Sponsor:~~ Sen. Anthony Kern (R)

~~Summary:~~ Requires the Arizona Department of Revenue (ADR) to issue a one-time individual income tax, general welfare rebate to Arizona taxpayers that filed a full-year resident tax return for the taxable year of 2022, were 55 years old or older, and who had a “tax liability” (defined) of at least \$1 on the filed, full-year resident tax return for the taxable year of 2022, if they did not meet the tax liability requirement for 2022, filed a full-year tax return for the taxable year of 2021 under identical filing status used on the taxpayer’s 2022 tax return and had a tax liability of at least \$1, or if they did not meet the requirements for 2022 or 2021, filed a full-year resident tax return for the taxable year 2020 under the identical filing status and had a tax liability of at least \$1. Requires the ADR to conclude a taxpayer is not eligible for the rebate if they do not meet the criteria for one of those three years. Requires the taxpayer identification number as reported on the 2022 tax return to be used to identify those eligible for a rebate. Requires the ADR to issue to a qualifying taxpayer a rebate total to be determined later, and for a married couple filing jointly, where only one spouse qualifies for the return, to

~~issue only a rebate for the qualifying spouse, and if the qualifying spouse is deceased the taxpayer's surviving spouse, personal representative or executor of their estate is to receive the rebate. Requires the ADR to pay all rebates by November 15, 2024, but not earlier than October 15, 2024, and to attempt to pay the rebate via an electronic funds transfer, followed by a check in the mail to the home address provided by the taxpayer. Permits a taxpayer that does not receive a rebate by November 15, 2025, to file a claim application online and in the manner stated by the ADR. Requires that in computing Arizona adjusted gross income, the rebate be subtracted from the taxpayer's Arizona gross income. Defines an appeal process and requires the ADR to develop and file a summary report for the Joint Legislative Budget Committee detailing the total amount of rebates issued, administrative costs associated with administering the program, and the total number of rebates issued.~~

~~Last Action: 02/27/2024 S—Senate Caucus—Y~~

~~COP Position: **Oppose**~~

SB1162 – NOW: Residential zoning; housing; assessment; hearings

Sponsor: Sen. Janae Shamp (R)

Summary: Removes the requirement that notices pertaining to public hearings on zoning ordinances be published in at least one newspaper of general circulation in the local vicinity. Requires that before January 1, 2025, a municipality adopt an amendment to the Municipality's zoning ordinance that requires a determination on a zoning application's administrative completeness within 30 days after receipt of the application. Requires that if an application is not administratively complete that the municipality follow state law until the application is deemed complete, and determine that any resubmitted application is complete or incomplete within 15 days after receiving the resubmitted application. Requires the municipality determine whether an application is approved or denied within 180 days upon a determination of administrative completeness. Outlines methods of extending the approval deadline and stipulates that this process does not apply to land designated as a district of historical significance. Requires a municipality to publish a needs assessment starting January 1, 2025 and every five years thereafter and defines the data that must be included in the assessment and that a municipality submit to the Arizona Department of Housing a summary of proposed residential housing units submitted and the total number of new housing units that have been approved, and outlines additional data that must be submitted in the report. Requires a municipality that has conducted a housing needs assessment as of January 1, 2021 update existing reports to reflect information required in this bill, excepting projections required by this bill. Stipulates that the reporting requirements do not apply to tribal land or a municipality with less than 30,000 people.

Last Action: 04/02/2024 S - Transmit to Senate

COP Position: Neutral

SB1172 - Physical availability credits; water supply

Sponsor: Sen. Thomas "T.J." Shope (R)

Summary: Permits a person with a grandfathered right to legally irrigate land in an Active Management Area to permanently retire the land from irrigation in anticipation of a future non-irrigation status and retain a physical availability credit. Permits a physical

availability credit to be used to withdraw or receive for land subject to irrigation the amount of water calculated for a non-irrigation use if the land has been actively farmed in the last seven calendar years, the new non-irrigation use remains connected to the original irrigation acres defined in the grandfathered right, and the water is delivered by a “municipal provider” (defined) within in Active Management Area as part of a contract to maintain water delivery levels under the grandfathered agreement. Defines the calculation that must be used to determine the amount of groundwater that may be withdrawn or received. Requires the physical availability credit to be used in the original irrigation acreage and if the amount needed is less than the credit, the credit may be used elsewhere as defined by law. Defines the process of determining whether to issue a Certificate of Assured Water Supply to designate or redesignate a municipal provider as having an assured water supply, and the criteria the Arizona Department of Water Resources (ADWR) may use to make such a determination. Delineates the parts of the ARS that govern administrative proceedings, re-hearings, reviews and judicial reviews of final decisions per the ADWR. Removes the date deadline for the rules providing for a reduction in water demand for an application for a designation of assured water supply or a certificate for the same. Requires the ADWR to find that for an assured water supply designation, the amount of groundwater calculated is physically present and that the projected use of groundwater determined to be available is consistent with any applicable management goals set forth in the ADWR rules or state law.

Last Action: 03/26/2024 H - House Majority Caucus - Y

COP Position: Neutral

SB1181 - Groundwater replenishment; member lands; areas

Sponsor: Sen. Warren Petersen (R)

Summary: Gives a municipal provider the option of allowing a parcel of member land to remain as such and retain its replenishment obligation, and, if it assumes the member land obligation within its designation, that parcel of member land has no replenishment obligation for parcel of member land included in the service area of a municipal provider that is not a member service area but has been designated as having an assured water supply, and, if the parcel of land member is included in the service area of a municipal provider that is a member service area and has been designated as having an assured water supply. Requires a municipal provider, in the case where its service area contains member lands and it is applying to become designated as having an assured water supply, to notify the district before the final decision and order of designation, whether it chooses to allow member lands to remain as member lands or to assume the member land's replenishment obligation under the municipal provider's designation or member service area. Stipulates that after the order of designation is issued, no new member lands may be enrolled within the municipal provider service area in the case of a designation of assured water supply the member land shall remain member land for 10 years after the date of designation if a municipal provider opts to allow the member land to remain member land under its service area. Permits the Arizona Department of Water Resources (ADWR) to require a schedule of reduction of parcels of member land, commencing after 10 years. Stipulates that this legislation applies to designations of assured water supply issued after the legislation's effective date.

Last Action: 03/19/2024 H - House Caucus - Y

COP Position: Neutral

~~SB1183 – Voting locations; peace officers~~

~~Sponsor:~~ Sen. John Kavanagh (R)

~~Summary:~~ Permits the County Recorder or other Officer in charge of elections to request a peace officer be dispatched to a polling place, voting center or on-site early voting location and remain at that location during its hours of operation if a voter, or election official, including election board members, officially complains of more than one incident of harassment at that location.

~~Last Action~~ 02/06/2024 S – Senate Majority Caucus – Y

~~COP Position:~~ Neutral

~~SB1184 – Continuation; department of transportation~~

~~Sponsor:~~ Sen. David C. Farnsworth (R)

~~Summary:~~ Prohibits the Arizona Department of Transportation (ADOT) from building or maintaining facilities that charge motor vehicles other than government-owned motor vehicles charged on government property. Prohibits ADOT from using public monies for training, orientation or therapy that presents any form of blame or judgment based upon race, ethnicity or sex. Prohibits ADOT from using public monies to develop a carbon reduction plan or a plan or strategy to reduce greenhouse gas emissions, except that it may develop a plan if necessary to accept federal monies. ADOT may not implement any strategies identified in the plan without express legislative authorization. The statutory life of ADOT is extended. Stipulates that ADOT's termination date is contingent on its implementation of the recommendations of the Arizona Auditor General (AAG) in the audit report issued August 2023 and the sunset review report issued in September 2023 as part of ADOT's sunset review. Stipulates that ADOT terminates on July 1, 2029, if it has implemented less than 80% of the recommendations, July 1, 2030, if it has implemented 80-89% of the recommendations, July 1, 2031, if it has implemented 90-99% of the recommendations, or July 1, 2032 if it has implemented 100% of the recommendations. Requires AAG to write a follow-up report 18 months after the sunset review report stating the percentage implemented by ADOT. AS PASSED SENATE.

~~Last Action:~~ 03/22/2024 H – FAILED – House Transportation & Infrastructure

~~COP Position:~~ Oppose

SB1185 - Catalytic converter; unlawful use; classification

Sponsor: Sen. John Kavanagh (R)

Summary: Designates that purchasing, soliciting, advertising, possessing or selling 10 or more used catalytic converters is a Class 6 felony.

Last Action: 04/03/2024 H - PASSED - House Miscellaneous Motion

COP Position: Support

SB1189 - Political subdivisions; gun shows; preemption

Sponsor: Sen. Justine Wadsack (R)

Summary: Disallows Political subdivisions from prohibiting a gun show from occurring in the political subdivision or enacting or enforcing any ordinance, rule or policy that

primarily affects gun shows and effectively prohibited a gun show from occurring in the political subdivision.

Last Action: 04/02/2024 H - Hearing Scheduled - 04/03/2024 - Third Reading, Floor

COP Position: Oppose

SB1195 - Public monies; prohibited uses

Sponsor: Sen. Anthony Kern (R)

Summary: Prohibits a “public entity” (defined) from expending public funds on anything that promotes, advocates, plans for, or becomes a member of an organization that promotes, advocates or plans for reducing the consumption or production of meat or dairy products, animal-based protein with insect or synthetic protein, reducing or replacing motor vehicle travel with walking, biking or public transit, reducing or limiting travel by airplane, limiting the number of articles of clothing a person may buy or own, reusing water that has touched human feces as a municipal source of drinking water, reducing greenhouse gas emissions, tracking consumption based emissions, limiting the increase of global temperature, producing or adopting a climate action plan, replacing private ownership with shared or rented goods to promote a circular economy, furthering Marxist ideologies, including stakeholder capitalism, or implementing mass surveillance systems to monitor motor vehicle travel, and to clarify who may bring an action against violations of this resolution. Stipulates that any qualified elector of the state has standing to bring a suit in court of law against any public entity that violates this law, to remedy the violation via jury or bench trial, and if successful, the court shall permanently enjoin the actions found to violate this legislation and shall award reasonable costs and attorney fees to the plaintiff.

Last Action: 03/13/2024 H - DP - House Government

COP Position: Oppose

SB1196 – NOW: vehicle lighting; law enforcement; construction

Sponsor: Sen. Anthony Kern (R)

Summary: Permits red and blue lights on a vehicle, that is used in an off-duty capacity by a law enforcement officer for traffic control, in service of an entity other than a law enforcement agency.

Last Action: 04/02/2024 H - DPA - House Committee of the Whole

COP Position: Neutral

~~**SB1207 – Attorney fees; defendant; acquittal**~~

~~**Sponsor:** Sen. Wendy Rogers (R)~~

~~**Summary:** Permits a defendant acquitted on merits who hired a private attorney to be awarded reasonable attorney fees and costs.~~

~~**Bill History:** 02/14/2024 H - Removed from Hearing Agenda - 02/20/2024, 2:00 PM - Senate APPROP, SHR 109~~

~~**COP Position:** Oppose~~

~~**SB1212 – Vapor products; sales; directory**~~

~~**Sponsor:** Sen. Thomas "T.J." Shope (R)~~

Summary: Requires each manufacturer of “vapor products” (defined) that are sold in the state, directly or indirectly, to certify under pains and penalties of perjury to the Arizona Attorney General on an official certification form that the manufacturer has received a marketing authorization or similar order for the products sold in Arizona from the US FDA in accordance with federal law, the product was marketed in the United States by August 8, 2016, the manufacturer submitted a permanent tobacco product application for the vapor product to the US FDA per federal law by September 9, 2020, and the application either remains under review or a final decision on the application has not taken effect. Requires the manufacturer to list each vapor product sold in the state separately on the certification form. Requires that each annual certification form be accompanied by a copy of the marketing authorization or other order for the vapor product issued by the US FDA, or a copy of the acceptance letter of the application to the US FDA noting that the final authorization order has not taken effect, and a fee for each vapor product in an amount to be determined by the Arizona Attorney General. Requires the Attorney General to deposit, pursuant to this legislation, all fees collected from a vapor manufacturer. Establishes the Vapor Product Fund consisting of monies deposited pursuant to this legislation and stipulates that the Attorney General administer the fund and that the fund is continuously appropriated and that it is exempt from lapsing appropriations provisions. Requires the vapor manufacturer to notify the Attorney General if anything changes in the information submitted on the certification form within 30 days after the change. Requires the Attorney General to maintain a list on its website of all manufacturers and vapor products for which certification forms have been presented by October 1, 2024. Requires the Attorney General to provide notice of deficiencies and allow manufacturers to address them and prohibits the Attorney General from removing a manufacturer from the certification list until 15 days after the manufacturer has been notified of any deficiencies. Provides for an appeals process regarding any determination to remove a manufacturer or product from the certifications list. Requires, if a product or manufacturer is removed from the certification list, that a retailer or distributor has no more than 21 days after the removal to remove the product from its inventory and to return all of the product in question to the manufacturer for disposal. Stipulates that if the product is not removed within 21 days, it is subject to seizure, forfeiture, and destruction, and may not be purchased or sold in the state, and that the person from whom the vapor products are confiscated shall pay for the cost of seizure, forfeiture, and destruction. Prohibits, beginning on October 1, 2024, a person or organization from selling a vapor product in the state that is not included in the certification directory, and the manufacturer from selling, directly or through a distributor, retailer, or similar intermediary, a vapor product not included in the directory. Stipulates that a sale of a vapor product that is not included in the directory is subject to a civil penalty for each vapor product that is offered for sale for each day of the violation until the vapor product is removed or properly listed in the directory. Details a fine schedule based on the number of violations. Stipulates that a manufacturer whose vapor products are not listed in the directory and are sold in this state is subject to a civil penalty of \$500.00 for each vapor product offered for sale until the vapor product is removed from the market or properly listed in the directory. Prescribes additional penalties for a manufacturer falsely representing any of the information required on the certification form including permitting the Attorney General and other appropriate state agencies to

~~investigate and take appropriate action pursuant to state law. Permits applicable state agencies to examine the inventory of vapor products offered by a retailer and the books, papers, invoices, and other records pertaining to the receipt, placement, storage, sale, or offers related to the vapor products in question. Designates vapor products offered for sale in violation of this legislation as contraband, which may be seized without a warrant by law enforcement. Requires the Attorney General to investigate each complaint it receives relating to this legislation and any violations. Requires each distributor and retailer to comply with unannounced inspections and checks for the purpose of enforcing this legislation. Requires any foreign manufacturer or associated corporation to appoint and continually engage without interruption the services of an agent in the USA to act as an agent for the manufacturer or associated corporation, and defines the requirements that that agent must comply with to remain the agent of record. Requires the Attorney General to provide a report to the legislature regarding the status of the directory, manufacturers and vapor products included in the directory, revenue and expenditures related to the administration of this legislation, and any enforcement activities pursuant to violations of this legislation by February 1, 2025. Permits the Attorney General to adopt rules necessary to administer this legislation.~~
Last Action: 02/07/2024 H— Removed from Hearing Agenda— 02/13/2024, 1:30 PM— Senate HHS, SHR 1
COP Position: Neutral

SB1213—Income tax; credit; labor costs

Sponsor: Sen. Wendy Rogers (R)

Summary: ~~Requires the State Treasurer, on notice from the Department of Revenue, to withhold from a city or town an amount equal to one twelfth of the total amount of tax credits claimed per state law for the prior tax year by taxpayers up to \$5,000,000 and to deposit the amount withheld into the state general fund. Prohibits the State Treasurer from withholding any amount the city or town certifies is needed to maintain debt service or payment obligations that were issued or incurred by a Pledge of Distribution pursuant to this legislation. Permits, for the taxable year beginning January 1, 2025, a credit against the taxes imposed by this legislation for a portion of the taxpayer's increased hourly labor costs that result from paying a "local minimum wage" (defined) that is more than the "state minimum wage" (defined). Sets the requirements to qualify for a credit and permits a credit carryover up to five consecutive taxable years against those years' tax liability. Defines the criteria that allows co-owners of a business, including partners and shareholders to claim a share of the credit. Requires the Arizona Department of Revenue (ADR) to notify the State Treasurer of the towns or cities in which a taxpayer that claimed a credit works and the total amount to withhold from the Urban Revenue Sharing Distribution per state law over the course of the fiscal year to reimburse the state for the amount of tax credits claimed per this legislation. Defines the credit against a portion of increased labor costs per this legislation, the criteria for it to apply to a business as well as the requirements to claim it, the calculations to use to derive the credit total, the notification procedures required of the State Treasurer in regards to alerting towns and cities of what to withhold from the Urban Revenue Sharing Distribution per state law.~~

Last Action: 03/20/2024 H— FAILED— House Ways & Means

COP Position: ~~Oppose~~

SB1221 - Basin management areas; appropriation

Sponsor: Sen. Sine Kerr (R)

Summary: Establishes a process for the designation of a basin management area (BMA) and an active BMA in any location not included in an active management area (AMA), to be initiated by petition to the Director of the Arizona Department of Water Resources (ADWR). Outlines the goals of an active BMA, active BMA council (council) makeup, rights to water, reporting requirements, and requirements for the continuation or termination of an active BMA. Appropriates \$40,000,000 from allocated state monies from the American Rescue Plan Act of 2021 in FY 2025 to ADWR and requires ADWR to use the \$5,000,000 appropriated in FY 2024 from the state GF to ADWR for Statewide Water Resources Planning to fund water conservation measures in an established BMA.

Last Action: 03/26/2024 H - House Caucus - Y

COP Position: Neutral

~~SB1223 - Early ballot list; daily returns~~

~~Sponsor:~~ Sen. Juan Mendez (D)

~~Summary:~~ ~~Removes the weekly list requirement of persons who have returned their early ballots. Removes the requirement that the County Recorder of a county with a population less than 800,000 provide a daily list of early ballot returnees and moves that responsibility to the Arizona Secretary of State. Excludes early ballot returnees from the requirements to provide precinct lists by a County Recorder and the Secretary of State.~~

~~Last Action:~~ 02/05/2024 S - HELD - Senate Elections

~~COP Position:~~ Neutral

SB1232 - Sexual conduct; minor; capital punishment

Sponsor: Sen. Janae Shamp (R)

Summary: Requires a sentencing of death or imprisonment for natural life for a defendant who is convicted of sexual conduct with a minor 12 years of age or younger and was at least eighteen years of age at the time of the crime. A defendant who is sentenced to natural life for this crime is not eligible for commutation, parole, work furlough, work release or release from confinement on any basis. Defines "Victim" of this crime to include the minor's parent, grandparent, sibling or any person related to the minor by consanguinity or affinity to the second degree or any other lawful representative of the minor unless such person is the accused or is in custody for an offense. Classifies sexual conduct with a minor who is twelve years of age or under and who suffers serious physical injury as a Class 1 Felony.

Last Action: 03/19/2024 H - House Caucus - Y

COP Position: Neutral

SB1236 - Internet sex offender website; offenses

Sponsor: Sen. Janae Shamp (R)

Summary: Modifies the list of offenses that cause an offender to be placed on the internet sex offender website by increasing the maximum age of the victims of various

offenses and requires a Level One offender to be 18 years of age or older at the time of the offense. Applies to a person who was convicted of or adjudicated guilty except insane for an offense that requires registration as a sex offender that was committed before, on or after the effective date of this legislation. The Department of Public Safety (DPS) is required to include the name and information of an offender on the internet sex offender website if the offender was convicted of an offense that required registration as a sex offender before the effective date of this legislation.

Last Action: 04/02/2024 H - Hearing Scheduled - 04/03/2024 - Third Reading, Floor
COP Position: Neutral

~~SB1240 – Cast vote record; public records~~

~~Sponsor:~~ Sen. Janae Shamp (R)

~~Summary:~~ Requires that for every election held in Arizona, and after completion of the official canvass, the “cast vote record” (defined) for that election is a public record.

~~Last Action:~~ 02/26/2024 H - Referred to Committee - House Municipal Oversight & Elections

~~COP Position:~~ Neutral

~~SB1241 – Tax credit; gray water systems~~

~~Sponsor:~~ Sen. Thomas "T.J." Shope (R)

~~Summary:~~ Allows a credit against certain taxes imposed, starting January 1, 2024 through December 31, 2035, for expenses related to installing a “residential gray water treatment system” (defined) that is 50% of the cost of the system, not to exceed \$5,000 per system. Eligibility is established by the taxpayer submitting a form developed by the Arizona Department of Revenue (ADR) and documentation proving the purchase and installation of the unit(s). Requires the ADR to review each claim and to certify the purchase beginning January 2 through January 31 of each year following the calendar year for which the credit is claimed, and the amount claimed by any taxpayer, tally all credits claimed and ensure that \$25,000,000 is not exceeded, denying claims beyond that total, even if the amounts certified were not claimed or a taxpayer otherwise fails to comply. Permits a carryover of any portion of an unclaimed credit and stipulates that businesses, partnerships and shareholders may only claim a pro rate share of the credit based on ownership interest or financial investment in the system and that the total amount claimed does not exceed the total amount of a credit for a single taxpayer.

~~Last Action:~~ 02/15/2024 S - DP - Senate Natural Resources, Energy and Water

~~COP Position:~~ **Oppose**

SB1242 – NOW: water conservation grant fund; purpose

Sponsor: Sen. Thomas "T.J." Shope (R)

Summary: Expands the purposes of the Water Conservation Grant Fund.

Last Action: 04/02/2024 H - Hearing Scheduled - 04/03/2024 - Committee of the Whole, Floor

COP Position: Neutral

SB1243 - Groundwater sales; online exchange

Sponsor: Sen. Justine Wadsack (R)

Summary: Allows someone with a grandfathered right to groundwater in the Phoenix, Tucson or Pinal Active Management Area to sell, lease or otherwise convey any portion of that right to pump groundwater or the groundwater itself to any other person in the areas mentioned. Prohibits the right to pump groundwater from one subbasin to transport and use in another subbasin. Establishes permissible uses of grandfathered water rights in the same subbasin as well as information required to be submitted to the Department of Water Resources (DWS) when a transfer of rights is occurring. Permits the DWS to create a form for appropriate notice requirements and the purchaser to access 65% of the total amount of groundwater given by the grandfathered party. Authorizes and direct the DWS to create, maintain and host on its website a water exchange for groundwater and groundwater rights to be transferred, sold, leased or otherwise conveyed to another party. The online water exchange shall be publicly accessible and shall include for each transaction the information submitted in the notices prescribed by Section 45-641.

Last Action: 04/02/2024 H - Hearing Scheduled - 04/03/2024 - Additional Committee of the Whole, Floor

COP Position: **Oppose**

~~SB1262 – Marijuana; social equity licenses; enforcement~~

~~Sponsor:~~ Sen. Sonny Borrelli (R)

~~Summary:~~ ~~Permits an original principal officer or board member with at least a 51% ownership stake in any entity that received a marijuana establishment license under the social equity ownership program to transfer their license to any entity of their choice, provided the original principal officer or board member with at least 51% ownership has been subject to a “predatory agreement” (defined), a principal owner or board member with a minority interest when the license was issued violated any rules related to this legislation, failed to disclose an excluded felony offense, or did not possess a marijuana facility agent card at the time of the application. Requires a transfer to gain the Arizona Attorney General’s (AAG) approval before the transfer can move forward. Permits an original principal owner or board member with 51% share of any entity that received a marijuana establishment license under the social equity ownership program who believes the officer or member was subject of a predatory agreement per this legislation to file a complaint with the AAG and requires the AAG to investigate the complaint and determine if the agreement is predatory. Permits the AAG to take appropriate action against any marijuana facility agent that entered into a predatory agreement to take control of a marijuana establishment via the predatory agreement, including collaborating with the Department of Health Services (ADHS) to deny a license renewal or marijuana facility agent card renewal. Contains a severability clause. 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.~~

~~Last Action:~~ 03/07/2024 S – PASSED – Senate Motion to Reconsider Third

~~COP Position:~~ Neutral

~~SB1264 – Colorado River; pumping; notice; objection~~

~~Sponsor:~~ Sen. Sonny Borrelli (R)

Summary: ~~Requires a statement of no objection from the governing body of a municipality, county, irrigation district or county water authority if the well in question is exempt and located in a "water service area" (defined), to be included in any Notice of Intent to Drill. Requires a statement that a city or town does not object to drilling in the case of a well that is located within the city or town limits or water service area in a county adjacent to the Colorado River and who holds an entitlement to Colorado River water. Requires a statement that an affected irrigation district does not object to the Arizona Department of Water Resources (ADWR) granting a drill permit in the case of an applicant whose target drilling area is within the boundaries of a water service area of an irrigation district, in a county adjacent to the Colorado River and who holds an entitlement to Colorado River water. Requires a county statement of non-objection for any drilling site located within five miles of the Colorado River in a county that is also within the boundaries of a water service area of a county water authority. Requires any entity that receives a Notice of Intent to Drill to approve or reject the application within 45 days, or the ADWR must assume there is objection to the Notice, which counts as a statement of no objection. Requires a statement of non-objection, a default statement of non-objection, or proof that the governing body did not act in the required amount of time for the ADWR to approve a Notice of Intent to Drill.~~

Last Action: 03/05/2024 S - Senate Caucus - Y

COP Position: Neutral

SB1285 - Local candidates; petitions; electronic signatures

Sponsor: Sen. Jake Hoffman (R)

Summary: Increases from 100% to 110% the percentage of the minimum required nomination petition signatures that may be collected using Arizona's online signature collection system. This section applies only to candidates for city or town elected office, county office and the office of precinct committeeman.

Last Action: 03/06/2024 G - Signed

COP Position: Support

SB1286 - Elections; voting centers; polling places

Sponsor: Sen. Jake Hoffman (R)

Summary: Requires a state, county, city, town or school district office and schools within a school district with a gymnasium to provide sufficient space for use as a polling place for any election when requested by the officer in charge of elections. Removes the ability of a district and charter school principal to deny a request for use as a polling place. Requires district schools to close on an election day.

Last Action: 04/02/2024 H - Hearing Scheduled - 04/03/2024 - Committee of the Whole, Floor

COP Position: Neutral

SB1287 - Sexually explicit materials; government; prohibition

Sponsor: Sen. Jake Hoffman (R)

Summary: ~~Prohibits the state, a state agency, county, municipality, or political subdivision of Arizona and its contractors from exposing minors to "sexually explicit materials" (defined). Prohibits a facility or property owned, leased or managed by these~~

~~entities from being used for filming or facilitating sexually explicit acts. Violations are classified as a class 5 felony.~~

~~Last Action: 02/07/2024 S - DPA - Senate Government~~

~~COP Position: Neutral~~

SB1288 - Electronic ballot adjudication; prohibition

Sponsor: Sen. Jake Hoffman (R)

Summary: The county board of supervisors and officer in charge of elections are prohibited from using an electronic vote adjudication. A duplicate copy of a damaged or defective ballot must be made by hand in the presence of witnesses and substituted for the damaged or defective ballot.

Last Action: 04/02/2024 H - DPA - House Committee of the Whole

COP Position: **Oppose**

SB1289 - DWR; hydrology reports

Sponsor: Sen. Jake Hoffman (R)

Summary: Requires the Governor and Director of the Arizona Department of Water Resources (ADWR), 30 days before issuing a report on the hydrologic conditions of an active management area (AMA) or any related report issued regarding groundwater code, to submit a copy of the report to the members of the Natural Resources, Energy and Water committees of the House of Representatives and the Senate, or their successor committees.

Last Action: 04/02/2024 H - Hearing Scheduled - 04/03/2024 - Third Reading, Floor

COP Position: Neutral

SB1299 - Traffic control; right on red

Sponsor: Sen. Anthony Kern (R)

Summary: Requires an evaluation and a documented determination by a registered engineer that allowing a right turn on a red signal is unsafe before a right turn may be prohibited.

Last Action: 04/02/2024 H - Hearing Scheduled - 04/03/2024 - Third Reading, Floor

COP Position: Neutral

SB1330 - On-site ballot tabulation; secured containers

Sponsor: Sen. J.D. Mesnard (R)

Summary: Specifies that voted early ballots and empty completed affidavit envelopes must be deposited in a secured container or secured ballot box, rather than a drop box.

Last Action: 04/02/2024 H - Hearing Scheduled - 04/03/2024 - Third Reading, Floor

COP Position: Neutral

HB1335 – NOW16: public notice; municipal land sales

Sponsor: Sen. Frank Carroll (R)

Summary: Places restrictions on a town or city selling property worth more than \$1,500,000 and less than \$15,000,000, including mandating at least one public hearing after publishing an invitation for bids at least 30 days before scheduled approval of a purchase agreement. Requires the Notice of the public hearing to include a description

of the property proposed for sale and the reasons for the sale, and information on how to submit written and verbal public comment. Requires a vote by members of the governing body and the adoption of a resolution approving the sale and the terms of the sale to be published on the town or city website upon completion of the sale. Mandates that any real property sold under this provision must be sold at the appraised value of the property or higher. Allows the sale or disposal of an airport following Arizona law governing the sale of public property. Does not apply to charter cities.

Last Action: 04/02/2024 H - Hearing Scheduled - 04/03/2024 - Committee of the Whole, Floor

COP Position: Neutral

SB1340 - Public funds; foreign adversaries; divestment

Sponsor: Sen. Frank Carroll (R)

Summary: Prohibits a publicly managed fund from holding an investment in a foreign adversary, an enterprise owned by a foreign adversary, a company domiciled within a foreign adversary or any other entity owned by or domiciled in a foreign adversary, and investing or depositing public monies in a bank that is domiciled in, or has a principal place of business in, a foreign adversary. Requires a publicly managed fund to immediately begin divestment of any of these holdings or investments and to complete total divestment within two years. Defines “foreign adversary” to include China, Cuba, Iran, North Korea, Russia, Saudi Arabia, and Venezuela. Requires the Arizona State Board of Investment (ASBI), within six months, to compile and distribute a list to publicly managed funds of all companies that are owned by and domiciled within a foreign adversary or whose primary affairs are conducted within a foreign adversary. ASBI must review all publicly available information regarding such companies, contact asset and fund managers contracted by a publicly managed fund that invests in such companies, contact other institutional investors that have divested from or engaged with such companies, and retain an independent research firm to identify publicly managed fund holdings that are such companies. Clarifies that this section does not interfere with any required financial safeguards, fiduciary requirements or other sound investment criteria to which a publicly managed fund is subject.

Last Action: 04/02/2024 H - DPA - House Committee of the Whole

COP Position: Neutral

SB1342 - Elections; parties; hand count audits

Sponsor: Sen. John Kavanaugh (R)

Summary: Modifies the requirements that govern the appointment of political party designees for hand count audits and accelerates the time periods by which requirements relating to the lists of hand count board workers (workers) must be met. Prescribes requirements relating to the video recording and publishing of the hand count audit, procedures and results. Lays out requirements for political parties to respond to and assist in the event of worker shortages. AS PASSED SENATE.

Last Action: 04/02/2024 G - Signed

COP Position: Neutral

SB1344 – Felony murder; fentanyl; sentencing

Sponsor: ~~Sen. Anthony Kern (R)~~

Summary: ~~Expands the list of acts that classify a murder as first degree murder, a class 1 (highest) felony, to include knowing possession of fentanyl for sale, knowing manufacture of fentanyl, knowing transport for sale, import into Arizona, offer to transport for sale or import into Arizona of fentanyl, or knowing sale, transfer or offer to sell or transfer of fentanyl.~~

Last Action: ~~03/14/2024 H - Removed from Hearing Agenda - 03/20/2024, 8:30 AM - House JUD, HHR 4~~

COP Position: ~~Neutral~~

SB1357 – NOW: eligible persons; information; confidentiality

Sponsor: Sen. J.D. Mesnard (R)

Summary: An emergency measure that authorizes family members and household members of eligible persons to prohibit the general public from accessing their records.

Last Action: 03/20/2024 H - DPA/SE - House Municipal Oversight & Elections

COP Position: Neutral

SB1358 - Income tax withholding; retirement distributions

Sponsor: Sen. J.D. Mesnard (R)

Summary: Clarifies “pension”(defined), “annuity” (defined), and “retirement account” (defined), payments from which an individual may request the payor to withhold Arizona income tax. Specifies that distributions from a retirement account are eligible for Arizona income tax withholding to the extent that the distributed amount is includable in the individual's Arizona gross income. Requires a distribution from a retirement account to be treated as a payment of wages for income tax purposes, if a request that the retirement account be subject to withholding is in effect at the time of payment. Allows a request to initiate, adjust or terminate withholding from a pension, annuity or retirement account to be executed in writing by paper or electronic means on an ADOR-prescribed form.

Last Action: 03/29/2024 G - Signed

COP Position: Neutral

SB1359 - Election communications; deep fakes; prohibition

Sponsor: Sen. Frank Carroll (R)

Summary: Prescribes requirements governing the distribution of a “synthetic media” (defined) message that is a “deceptive and fraudulent deepfake” (defined) of a candidate for elected office. Prescribes a disclosure that a person, corporation, committee or other entity must include on a deepfake of a candidate within 90 days before an election at which the candidate will appear on the ballot. Prohibits a person, corporation, committee or entity from distributing a deepfake of a candidate that the entity knows or should know is a deepfake of the candidate or of a political party unless the deepfake includes the prescribed disclosure, which, for visual media, the text of the disclosure is required to appear in a size that is easily readable by the average viewer and that is no smaller than the largest font size of other text appearing in the visual media, and stipulates that if the visual media does not include any other text, then the disclosure must appear in a size that is easily readable by the average viewer. Requires

the disclosure, for visual media that is a video, to appear for the duration of the video, and for an audio only media, the disclosure is to be read in a clearly spoken manner and in a pitch that can be easily heard by the average listener at the beginning and end of the audio, but if the audio only media is longer than two minutes, the verbal disclosure must be interspersed within the audio at least every two minutes. Requires the prescribed disclosure to include a blank space for the entity to accurately describe whether the media is an image, video or audio. Allows a candidate whose appearance, action or speech is depicted through a deepfake in violation of the deepfake disclosure requirements to seek injunctive or other equitable relief prohibiting the publication of the deepfake. Specifies that the requirements relating to the disclosure of deepfakes do not apply to a radio or television broadcasting station, including a cable or satellite television operator, programmer or producer that broadcasts a deceptive and fraudulent deepfake that is prohibited by the deepfake disclosure requirements and that is part of a bona fide newscast, news interview or news documentary or on-the-spot coverage of bona fide news events, if the broadcast clearly acknowledges through its content or a disclosure in a manner that can be easily heard or read by the average listener or viewer that there are questions about the authenticity of the materially deceptive audio or visual media; and when it is paid to broadcast a deepfake and has made a good faith effort to establish that the depiction is not a deepfake. The requirements related to the exposure also do not apply to an internet website or regularly published newspaper, magazine or other periodical of general circulation, including an internet or electronic publication, that routinely carries news and commentary of general interest and that publishes materially deceptive audio or visual media that is prohibited by the deepfake disclosure requirements if the publication clearly states that the materially deceptive audio or visual media does not accurately represent the speech or conduct of the candidate; and media that constitutes satire or parody. Classifies, as a class 6 felony, a violation of the deepfake disclosure requirements with the intent to cause violence or bodily harm. Classifies, as a Class 4 felony, a violation of the deepfake disclosure requirements if a person commits the violation within five years of one or more prior deepfake violation convictions. Classifies, as a Class 1 misdemeanor, the violation of the deepfake disclosure requirements, with exceptions.

Last Action: 04/01/2024 H - DPA - House Committee of the Whole

COP Position: Neutral

~~SB1360 – Ballot processing; electronic adjudication; limitation~~

~~Sponsor:~~ Sen. Frank Carroll (R)

~~Summary:~~ Prohibits machines, devices, firmware, or software used in Arizona elections from including any artificial intelligence or learning hardware, firmware, or software. Prohibits artificial intelligence or learning software or firmware from being used in the processing of early ballots or by the election board in verifying the voter's affidavit, and from electronically adjudicating vote. Removes the authority of the SOS and the governing body of a city or town to provide for the experimental use of a voting system or device without a final adoption of the voting system.

~~Last Action:~~ 02/26/2024 H – Referred to Committee – House Municipal Oversight & Elections

~~COP Position:~~ Neutral

SB1361 - Sober living homes

Sponsor: Sen. Frank Carroll (R)

Summary: Modifies requirements of the Department of Health Services (DHS) relating to the licensing, oversight and regulation of “sober living homes” (defined). Prescribes guidelines for the inspection and penalizing of sober living homes that are noncompliant with applicable state and local regulations. Repeals certified sober living homes. Requires DHS standards and requirements for the licensure of sober living homes to include policies and procedures to implement if a “license” (defined) is suspended or revoked or a cease-and-desist notice is issued. Requires DHS to obtain documentation from the local jurisdiction of a sober living home verifying compliance with all local zoning, building, fire and licensing ordinances and rules before approving a license or license renewal; any proposed change in the maximum number of residents; or any construction or modification of the sober living home. Directs DHS to identify on each license the maximum number of unrelated residents who are allowed to live in the sober living home, including and manager or other staff living on the premises. Requires DHS or its third-party contractor to conduct a physical, on-site inspection of a sober living home to verify compliance with sober living home regulations before approving a license or license renewal, any proposed change in the maximum number of residents or any construction or modification of a sober living home; at least annually for each sober living home; and promptly on determination by the DHS that reasonable cause exists that a sober living home is not adhering to sober living home regulations. Prohibits licensure applicants from self-attesting to compliance in lieu of an inspection. Increases the cap on civil penalties for violations of sober living home regulations from \$500 to \$1,000. Requires the DHS, upon determining a person has violated sober living home regulations, to deny the application, request for a change affecting the license or both. Allows the DHS, if an investigation reveals a licensee has committed a violation, to either suspend or revoke the license; or promptly serve the licensee a notice requiring the person to cease and desist from operating the sober living home within 10 days. Requires a cease-and-desist notice to state that the licensee may make a written request for a hearing before the Director or the Director's designee. Authorizes DHS to request the county attorney with jurisdiction over a sober living home that fails to cease operations to enforce the law and allows the DHS to notify the Attorney General, who must immediately seek a restraining order and an injunction against the sober living home. Declares a person who continues to operate a sober living home without a license 10 days after receiving notice guilty of a class 1 misdemeanor. Requires the DHS, on determination that reasonable cause exists that a person is operating a sober living home without a license, to serve a cease-and-desist notice. Requires a person subject to a cease-and-desist order to provide clear and convincing evidence to the DHS that the premises, place or dwelling unit was not intended primarily for housing individuals recovering from or receiving treatment for a disability or disorder related to alcohol, drug or substance abuse. Requires DHS, within 10 days of receiving a complaint from a political subdivision of the state, to notify the political subdivision of the complaint's status. Requires DHS or its third-party contractor, within 10 calendar days after completion of an investigation, to provide the applicable political subdivision with its findings, including copies of investigative reports, all penalties and sanctions

imposed and enforcement actions taken. Prohibits investigative reports prepared by DHS or its third-party contractor from including personal identifying information of sober living home residents. Prohibits DHS from contracting with any owner, operator, administrator or association of sober living homes. Requires third-party contractors to be paid from the Health Services Licensing Fund. Directs DHS, by January 2 of each year, to submit to the Health and Human Services Committees of the Senate and House of Representatives, or their successor committees, a report on sober living homes that are required to be licensed but are not, including the number of applicable complaints received, complaints that were investigated and inspected by DHS or its third-party contractor; and enforcement actions taken. (More)

Last Action: 03/26/2024 H - House Caucus - Y

COP Position: Support

SB1371 - Police reports; time; cost requirements

Sponsor: Sen. Shawnna Bolick (R)

Summary: Entitles a victim of a domestic violence or sexual offense, the victim's attorney or an immediate family member, on behalf of the victim if the victim is killed or incapacitate to receive a free copy of the police report and video recordings. Entitles the victim or their attorney, on request, to a minute entry or portion of the record of any proceeding involving the victims case and that is reasonably necessary to pursue a claimed victim's right at no cost to the victim.

Last Action: 03/29/2024 G – Signed

COP Position: Neutral

~~SB1374 - Foreign donations; election administration; certification~~

~~Sponsor:~~ Sen. Shawnna Bolick (R)

~~Summary:~~ ~~Requires a person other than a government entity, to provide to the Arizona Secretary of State (ASOS) a certification and sworn statement that the person is not knowingly the direct or indirect recipient of foreign donations before entering into any agreement with a government entity to provide money, goods or services relating to elections administration. Specifies a foreign donation certification must be provided at least ten business days before entering into an election administration agreement. Requires the person to update the certification annually and to update the initial certification and sworn statement within five business days of obtaining new information that was initially unknown. Classifies the failure of a person to provide an accurate initial or updated certification as a Class 1 misdemeanor and invalidates any agreement with a state, county or local government entity for election administration for such failure. Prohibits a government entity from entering into or continuing any agreement for election administration with a person that fails to provide accurate certification as outlined. Allows the Arizona Attorney General (AAG) to file an action relating to a person's failure to provide an initial, accurate or updated certification. Allows the AAG to request an injunction, damages of at least \$5,000 for each violation, and any other relief provided by the court when bringing forth an action, in addition to the outlined penalties. Allows any qualified elector or state officer to initiate a civil action to enjoin a certification violation and enforce any requirement relating to disclosure of foreign donation certifications. Requires the court to award the prevailing claimant injunctive relief~~

sufficient to prevent the person from further violations of the foreign donation certification requirement, damages in the amount of \$1,000 per day from the date of noncompliance until the person comes into compliance, and costs and attorney fees. Requires the ASOS to maintain records of the certifications and to post the certifications on the ASOS's website. The ASOS must require government entities to provide ASOS a quarterly report of all persons who provide the entity with monies or in-kind goods and services for election administration, and audit those quarterly reports to ensure compliance with the certification requirement. Specifies that the remedies, duties, prohibitions and penalties associated with a person's foreign donation certification to the ASOS are in addition to any other cause of action, remedy or penalty provided under Arizona law.

Last Action: 03/14/2024 H - Referred to Committee - House Municipal Oversight & Elections

COP Position: Neutral

SB1375 - Ballots; categories; count; identification number

Sponsor: Sen. Shawna Bolick (R)

Summary: Requires each ballot to bear a unique identification number that allows ballots to be linked to specific voting locations. Specifies methods for numbering. Requires the officer in charge of the election to choose the method to use. Requires that a count of the physical ballots that are printed as early ballots, regular ballots, provisional ballots, federal-only ballots, and electronic ballots, including any overlap, be posted on the county's website in real time.

Last Action: 03/26/2024 H - House Caucus - Y

COP Position: **Oppose**

SB1376 - Vehicle loads; restrictions

Sponsor: Sen. Shawna Bolick (R)

Summary: Extends vehicle load restrictions from highways to streets and roadways. Removes an exception that allowed agricultural materials to drop from vehicles.

Last Action: 04/02/2024 H - Hearing Scheduled - 04/03/2024 - Third Reading, Floor

COP Position: Neutral

SB1411 - Organized retail theft task force

Sponsor: Sen. David Gowan (R)

Summary: Requires the Arizona Attorney General (AAG) to create the Organized Retail Theft Task Force to investigate and combat crimes related to stealing, embezzling, or obtaining retail merchandise by fraud, false pretenses or other illegal means for the purpose of reselling those items. Defines membership criteria and the functional duties of the task force. Mandates the AAG to invite federal, state and local law enforcement to participate in the task force, per the defined task force membership requirements. Requires that by July 1, 2025, the AAG to submit a report to the Governor and legislature on the task force's activities, conclusions, findings and recommendations for legislative action relating to criminal penalties for crimes that negatively impact the state's economy.

Last Action: 04/02/2024 H - Hearing Scheduled - 04/03/2024 - Third Reading, Floor

COP Position: Neutral

~~SB1413 – Income tax; subtraction; uniformed services~~

~~Sponsor:~~ Sen. David Gowan (R)

~~Summary:~~ In computing adjusted gross income requires that compensation received for active service as a member of the Uniformed Services (changed from Armed Forces) of the United States be subtracted from Arizona gross income, effective the taxable year beginning January 1, 2025.

~~Last Action:~~ 03/12/2024 H – Referred to Committee – House Ways & Means

~~COP Position:~~ ~~Oppose~~

SB1414 – NOW: organized retail theft; repetitive offenders

Sponsor: Sen. David Gowan (R)

Summary: Requires a person who is convicted of a third or subsequent organized retail theft offense to be sentenced as a category two repetitive offender in certain circumstances.

Last Action: 04/02/2024 H - Hearing Scheduled - 04/03/2024 - Committee of the Whole, Floor

COP Position: Neutral

SB1415 - Accessory dwelling units; requirements

Sponsor: Sen. Anna Hernandez (D)

Summary: Requires a municipality with a population of more than 75,000 to allow on any lot or parcel where a single-family dwelling is allowed: at least one attached, detached or internal accessory dwelling unit; at least one additional accessory dwelling unit for each accessory dwelling unit on the lot or parcel that is a “restricted-affordable dwelling unit” (defined); and an accessory dwelling unit that is 75% of the gross floor area of the single-family dwelling on the same lot or parcel or 1,000 square feet, whichever is less. Prohibits a municipality from: prohibiting the use or advertisement of either the single-family dwelling or any accessory dwelling unit located on the same lot or parcel as separately leased long-term rental housing; requiring a familial, marital, employment or other preexisting relationship between the owner or occupant of a single-family dwelling and the occupant of an accessory dwelling unit located on the same lot or parcel; prohibiting or requiring kitchen facilities in an accessory dwelling unit; requiring that a lot or parcel have additional parking to accommodate an accessory dwelling unit or requiring payment of fees instead of additional parking; requiring that an accessory dwelling unit match the exterior design, roof pitch or finishing materials of the single-family dwelling that is located on the same lot; setting restrictions for accessory dwelling units that are more restrictive than those for single-family dwellings within the same zoning area with regard to height, setbacks, lot size or coverage or building frontage; setting rear or side setbacks for accessory dwelling units that are more than five feet from the property line; requiring improvements to public streets as a condition of allowing an accessory dwelling unit, except as necessary to reconstruct or repair a public street that is disturbed as a result of the construction of the accessory dwelling unit; requiring a restrictive covenant concerning an accessory dwelling unit on a lot or parcel zoned for residential use by a single-family dwelling. Prohibits a municipality from

requiring an accessory dwelling unit to comply with a commercial building code or contain a fire sprinkler. Allows restrictive covenants concerning accessory dwelling units entered into between private parties. Prohibits a municipality from conditioning a permit, license or use of an accessory dwelling unit on adopting or implementing a restrictive covenant between private parties. Provides that if a municipality fails to adopt these development regulations by January 1, 2025, accessory dwelling units will be allowed on all lots or parcels zoned for residential use in the municipality without limits.

Last Action: 04/01/2024 H - RET ON CAL - House Committee of the Whole

COP Position: **Oppose**

SB1429 – Candidates; electronic signatures; limit

Sponsor: Sen. Ken Bennett (R)

Summary: ~~Permits a statewide and legislative candidate to choose up to 25% more than the full number of required nomination petition signatures or up to an amount equal to 25% more than the full number of required contribution qualification forms, or both, by use of the online signature collection system prescribed by this legislation. Permits a town or city candidate to choose to collect up to 25% more than the minimum number of required nomination petition signatures by use of the online signature collection system. Permits a candidate for United States Senator or Representative to collect up to 25% more than the full number of requires nomination petition signatures by use of the online signature system. This legislation is effective upon an affirmative vote of at least three-fourths of the legislature.~~

Last Action: 02/28/2024 H – Referred to Committee – House Municipal Oversight & Elections

COP Position: **Support**

SB1435 - Public entity liability; sexual offenses

Sponsor: Sen. Shawnna Bolick (R)

Summary: Provides there is no tort immunity for a public entity for a sexual offense committed by a public employee if the victim is a minor or a child with a disability.

Last Action: 04/02/2024 H - Hearing Scheduled - 04/03/2024 - Committee of the Whole, Floor

COP Position: **Oppose**

SB1447 - Fentanyl; manufacturing drugs; machines

Sponsor: Sen. John Kavanagh (R)

Summary: Requires a manufacturer, wholesaler, retailer or other person who sells, transfers, furnishes, purchases, receives or resells any regulated “pill tableting machine” (defined) or “encapsulating machine” (defined) and its parts in Arizona to submit a report of all those transactions and purchases to the Arizona Department of Public Safety (ADPS). Requires ADPS to provide a reporting form that contains: manufacturer's name and address; the model, serial number and origin of the machine; seller's name and address; shipping carrier information including names and addresses of the sender and receiver for each piece associated with the machine; the number of pieces shipped and the manifested description of each item whether shipped together or separate; and the date of purchase, sale price and method of payment, including the

full name of the payee. Requires submission of the report to ADPS not less than ten days before delivery of the machine and “not less than three business days” after full or partial payment for the machine or any part of the machine. Requires the report to include any known or intended subsequent transfers after completion of the sale or purchase of the machine. Requires reporting of any suspicious transaction. Provides that it is unlawful to knowingly fail to submit a report, furnish false information or omit any material information, cause another person to furnish false information or to omit any material information, or participate in any transaction structured with intent to avoid the filing of a report. A violation constitutes a class 1 misdemeanor, except that a person who commits a subsequent violation is guilty of a class 6 felony. Exempts from reporting requirements a licensed pharmacist or an employee acting on behalf of a licensed pharmacist, that is registered and licensed with the drug enforcement administration to dispense scheduled substances and that purchases or receives a machine unless the pharmacist or employee resells, transfers or provides the machine to a nonlicensed entity. Adds to the definition of “precursor chemical II” the following ingredients: 4-anilino-n-phenethylpiperidine (ANPP) (C₁₉H₂₄N₂), n-phenethyl-4-piperidone (NPP) (C₁₃H₁₇NO), 4-anilinopiperidine (4AP) (C₁₁H₁₆N₂), 4-anilinopiperidine (4AP) (C₁₁H₁₆N₂), benzylfentanyl (C₂₁H₂₆N₂O), and norfentanyl (C₁₄H₂₀N₂O). Reclassifies as a class 5 felony (previously a class 1 misdemeanor) the counterfeit or substantial duplication of a controlled substance, prescription-only drug or over-the-counter drug.

Last Action: 04/02/2024 H - DPA - House Additional Committee of the Whole

COP Position: Neutral

~~SB1472 – Prohibited uses; public monies~~

Sponsor: Sen. Anthony Kern (R)

Summary: ~~Prohibits the use of public funds to promote, support or maintain diversity, equity and inclusion or to engage in political or social activism “this state, a university under the jurisdiction of the Arizona Board of Regents; a community college as defined; a county, city, town or other political subdivision of this state.”~~

Last Action: 03/12/2024 H – Referred to Committee – House Government

COP Position: **Oppose**

~~SB1479 – Fireworks; aerals; licensure; penalties~~

Sponsor: Sen. Brian Fernandez (D)

Summary: ~~Prohibits permissible consumer fireworks to be sold in tents, canopies or membrane structures. Requires that notice of fireworks laws stipulate that permissible fireworks may not be sold to anyone under the age of 18. Authorizes the Arizona Office of the Fire Marshal to seize, remove, or cause to be removed, any unauthorized or illegal fireworks. Stipulates that fireworks that are stored or possessed in violation of this legislation can be removed per order of law enforcement, or the Fire Marshall.~~

~~Designates that a person who sells, or uses, fireworks in violation of this legislation is subject to a civil penalty of \$5,000. Requires a person to annually obtain a license from the office of the State Fire Marshall to sell permissible consumer fireworks as defined by state law. Stipulates the permissible consumer fireworks may only be sold from a temporary consumer fireworks retail stand as defined in NFPA 1124. Requires the State~~

~~Fire Marshall to establish an annual licensing fee in rule. Prohibits an individual who is required to hold a license to sell fireworks who receives three violations in a 36 month period from attaining a license for five years. Stipulates that a license is not required for persons selling permissible consumer fireworks other than those on a regulated list pursuant to state law, if the selling location complies with NFPA 1124 relating to the storage of consumer fireworks and to the retail sale of consumer fireworks, before selling the permissible fireworks to any consumer. Requires A wholesaler engaged in offering permissible consumer fireworks to permanent or temporary seasonal retailers add wholesale she'll register with the State Fire Marshall using a form prescribed by the State Fire Marshall and the fun paying a fee established by the State Fire Marshall.~~

~~Last Action: 02/20/2024 S — Passed Senate Caucus~~

~~COP Position: **Oppose**~~

SB1495 - Personal property exemption; increase

Sponsor: Sen. J.D. Mesnard (R)

Summary: Increases the full cash value exemption for commercial and agricultural business personal property tax from its current level of \$248,691 to \$500,000, starting in TY 2025. The bill becomes effective January 1, 2025.

Last Action: 02/28/2024 H - DP - House Ways & Means

COP Position: **Oppose**

SB1496 - Property tax exemptions; inflation adjustment

Sponsor: Sen. J.D. Mesnard (R)

Summary: Would change the inflation index used to annually calculate the maximum assessed property value for widows, widowers, persons with total and permanent disability, and disabled veterans to qualify for a property tax exemption provided by the Arizona Constitution. Under current law, the Gross Domestic Product (GDP) Price Deflator is used for the annual calculation of the assessed value limit. The proposal would replace this inflation index with the Federal House Price Index (FHPI), beginning in Tax Year (TY) 2025. The bill has a general effective date.

Last Action: 02/28/2024 H - DP - House Ways & Means

COP Position: Neutral

~~**SB1500 — Drones; prohibition; autonomous vehicles**~~

~~**Sponsor:** Sen. David C. Farnsworth (R)~~

~~**Summary:** Prohibits any state, county, local or municipal governmental entity from purchasing, acquiring or using a drone, or any related equipment, produced by a manufacturer domiciled in, owned or controlled by a country of concern.~~

~~**Last Action:** 02/13/2024 S — Passed Senate Caucus~~

~~**COP Position:** **Oppose**~~

SB1506 - Municipalities; housing; commercial redevelopment; zoning

Sponsor: Sen. Janae Shamp (R)

Summary: Requires a municipality with a population of more than 150,000 and designated as an urban area by the US Census Bureau to adopt regulations allowing at least 75% of the land zoned for commercial, office, retail or parking use also to be

permitted as residential or mixed use. Allows listed restrictions for new structures, structures being converted to residential use or mixed use through an “adaptive reuse” (defined) project, and “commercial redevelopment areas” (defined). Prohibits codes or other requirements that require a commercial redevelopment “zoning restriction related to density” (defined), screening, walls or fences, or a shared feature or amenity that would require an association to maintain the shared feature or amenity, unless necessary for stormwater management. Provides as a penalty that if a municipality fails to adopt development regulations as required by this section by January 1, 2025, residential housing shall be allowed on all land zoned for office, retail, parking or other commercial use without limitations after January 1, 2025.

Last Action: 04/01/2024 H - DPA - House Committee of the Whole

COP Position: **Oppose**

~~SB1556 – TPT; administration; remote sellers~~

Sponsor: Sen. Ken Bennett (R)

Summary: ~~Allows a remote seller to elect to pay a single municipal tax rate (single rate) and prescribes requirements for administration of the single rate. Extends reciprocity, if another state tax agency extends comity for remote seller administration and if a central clearinghouse is established, to remote sellers for communicating through state tax agencies and remitting taxes from state to state.~~

Last Action: 02/20/2024 S – Passed Senate Caucus

COP Position: **Oppose**

~~SB1574 – Property seizure; forfeiture~~

Sponsor: Sen. Sonny Borrelli (R)

Summary: ~~Includes instances where a criminal conviction is waived as being eligible for seizure and forfeiture pursuant to state law. Includes incidents where property has been abandoned as one of the criteria not qualifying for property seized that must be returned. Permits US currency, debit cards or credit cards to be considered as part of the totality of the circumstances of indicating a crime to establish probable cause for seizure, per state law.~~

Last Action: 02/15/2024 S – HELD – Senate Judiciary

COP Position: Neutral

~~SB1578 – Involuntary treatment; substance abuse~~

Sponsor: Sen. Justine Wadsack (R)

Summary: ~~Prohibits involuntary treatment for a “substance abuse disorder” (defined) unless the person has been diagnosed with a substance abuse disorder, presents an imminent threat of danger, and can reasonably benefit from treatment. Requires, for involuntary treatment of a substance abuse disorder, that listed procedures are followed. Guarantees the same rights to a person ordered to undergo treatment for a substance abuse disorder as an involuntarily hospitalized mentally ill person. Lists requirements for petition to a court for 60 or 360 days of treatment, including a guarantee by petitioner to pay all costs for treatment ordered by the court. Lists duties of the court on receipt of a petition, including a requirement that a hearing be set within 14 days. Allows a court to order emergency involuntary treatment for a period of not more~~

than 72 hours if the court finds, by clear and convincing evidence, that the person presents an imminent threat of danger. Limits the courts authority to hold the person in jail pending transportation to a health facility or evaluation. Lists authorizations and requirements for a court to issue a summons and consequences for failure to appear.

Last Action: 03/12/2024 H - Referred to Committee - House Judiciary

COP Position: Neutral

~~SB1591 - Criminal damage; fine; business victims~~

Sponsor: Sen. Justine Wadsack (R)

Summary: Requires a court to order a person who is convicted for "criminal damage" (defined) to pay a fine of not less than \$100. Requires the Arizona Supreme Court to distribute the fines collected to a retail business that is a victim of criminal damage and unlikely to receive restitution for damages.

Last Action: 02/29/2024 H - Transmit to House

COP Position: Neutral

~~SB1593 - Homeless encampment; crime enforcement~~

Sponsor: Sen. Justine Wadsack (R)

Summary: Prohibits a municipality or county from allowing a "homeless encampment" (defined) unless no other options for indoor shelter are available in the municipality or county. Requires the arrest of persons living at a homeless encampment who are engaging in criminal activity.

Last Action: 02/15/2024 S - DP - Senate Judiciary

COP Position: Neutral

~~SB1613 - Theft; classification; private arrest~~

Sponsor: Sen. Justine Wadsack (R)

Summary: Removes classification of theft of property or services with a value of \$1000 or more but less than \$2000 as a class 6 felony. Adds theft of property that is a firearm or an animal taken for the purpose of unlawful animal fighting, or theft of any other property or services valued at less than \$2,000, as a class 6 felony. Allows a private person to make an arrest for theft of property from a retail store upon reasonable belief that a felony has been committed and the person to be arrested has committed it.

Last Action: 03/12/2024 H - Referred to Committee - House Judiciary

COP Position: **Oppose**

~~SB1614 - Fentanyl; threshold amount; one pill~~

Sponsor: Sen. Justine Wadsack (R)

Summary: Changes the threshold amount for fentanyl or fentanyl mimetic substances to one pill (previously nine grams).

Last Action: 02/20/2024 S - Passed Senate Caucus

COP Position: **Oppose**

SB1636 - Excise tax; jet fuel; definition

Sponsor: Sen. Frank Carroll (R)

Summary: Expands the definition of jet fuel to include a fuel that can be blended and used with conventional petroleum jet fuels without the need to modify aircraft engines and existing fuel distribution infrastructure; and jet fuels derived from co-processed feedstocks at a conventional petroleum refinery. Applies the modified definition to taxable periods beginning on or after the first day of the month following the general effective date.

Last Action: 03/13/2024 H - DP - House Ways & Means

COP Position: Support

SB1639 – NOW: Subsequent felony; sealing case records

Sponsor: Sen. Frank Carroll (R)

Summary: Changes the applicability of the law allowing a record to be sealed from specific crimes, such as a misdemeanor violation, to “any eligible” convictions. Allows a person with sealed case records who commits a subsequent felony to petition the court to seal their arrest, conviction and sentence related to the subsequent offense after the legally prescribed period of time for the felony has expired and an additional five years have passed. Removes the prohibition on requesting sealed records until after the assigned period has passed. Adds a Class 2 or 3 felony, and an arrest under the organized retail theft provisions, to the list of instances where a person cannot attest to never having been arrested or convicted. Removes the specific crimes of theft, theft of means of transportation, forgery, identity theft or other cases of fraud to the list of crimes that prohibit one from claiming no arrest or convictions and references the applicable crimes that apply under the criminal code and under the telecommunication fraud provisions of state law. Adds that a person convicted of a dangerous offense per the state criminal code is not eligible to have a record of the conviction sealed. Requires the Board of Fingerprinting to consider sealed records as a mitigating circumstance to determine a good cause exception under state law.

Last Action: 04/02/2024 H - Hearing Scheduled - 04/03/2024 - Additional Committee of the Whole, Floor

COP Position: Neutral

~~SB1651 – Elections; hand count audit; selection~~

~~Sponsor:~~ Sen. Ken Bennett (R)

~~Summary:~~ ~~Requires the county chairperson or the chairperson's designee to select the batches of tabulated early ballots for a post-election hand count audit by lot, rather than randomly.~~

~~Last Action:~~ 02/12/2024 S – HELD – Senate Elections

~~COP Position:~~ Neutral

~~SB1653 – Images; voter lists; records; penalties~~

~~Sponsor:~~ Sen. Ken Bennett (R)

~~Summary:~~ ~~Requires a county recorder, 10 days before a general election, to prepare a list of all eligible voters, including the voter's full registered names, years of birth, precinct numbers and street addresses. Requires the county recorder's list of all eligible persons to include voters who are on the inactive voter list. Requires the county recorder to transmit the list of all eligible voters to the Secretary of State and requires~~

~~the Arizona Secretary of State to immediately post the information on a secure website in a convenient downloadable format. Requires a county recorder or other county officer in charge of elections, after a general election and within 48 hours of delivery of the official county canvass, to transmit the Secretary of State a list of all persons who voted in the election, including the person's name, address and method of voting, all unaltered ballot images, and the "cast vote record" (defined) in a sortable format. Exempts, braille ballots, ballots received pursuant to the federal Uniformed and Overseas Citizens Absentee Voting Act, and any summary report for each batch for counties whose election management system does not tie images or electronically adjudicated ballots to underlying original ballot images. Stipulates that, if a ballot was duplicated and an image of the original ballot was created during the duplication process, then the image of the original ballot is required to be transmitted. Requires the Secretary of State to immediately post the list, all unaltered ballot images and cast vote record on a secure website in a convenient and downloadable format. Prohibits the county recorder from including any "personal identifying information" (defined) in the transmittal of any information to the Secretary of State. Requires the Secretary of State to publish the list of all persons who voted in the election, all ballot images and the cast vote record online in a convenient downloadable format immediately after receipt from a county recorder or other officer in charge of elections. Requires the Secretary of State to establish and administer an electronic portal to receive requests for access to the ballot image materials. Requires, for a person requesting access to the materials, the Secretary of State to require the person's name, address, email address, telephone number and proof of identity of the person; and declaration signed by the person stating that the person will not use the material for a commercial purpose as prescribed by statute, alter the images or information, or use the information or images for voter intimidation. Classifies, as a class 5 felony, the act of using any portion of a voter list or ballot image for a commercial purpose or intentionally altering any information or images of the voter lists, ballot images or cast vote record. Prohibits the Secretary of State, county recorder and other county officer in charge of elections from altering or adding any voter data as part of any security measure in implementing the requirements relating to voter lists and ballot images. Requires, for precincts and precinct splits with fewer than 25 voters, the county recorder preparing the registered voter list and the county recorder or other officer in charge of elections preparing ballot images and cast vote records to include only the number of voters, number of ballot images and number of cast vote records; and suppress the names, addresses and all other information for those voters. Increases, from five to seven, the number of days after the completion and declaration of an election canvass in which an elector may contest a state election.~~

~~**Last Action:** 03/12/2024 H Referred to Committee House Municipal Oversight & Elections~~

~~**COP Position:** **Oppose**~~

SB1656 – Ballots; ballot paper; custody

Sponsor: Sen. Ken Bennett (R)

Summary: Requires the County Board of Supervisors, the County Recorder and the County Officer in Charge of Elections to maintain a chain of custody record for ballot

~~paper beginning when the ballot paper is received by the county and continuing through the printing voting processes.~~

~~**Last Action:** 02/28/2024 H Referred to Committee Municipal Oversight & Elections—
House Municipal Oversight & Elections~~

~~**COP Position:** Neutral~~

~~**SB1657—Early voting; two-factor authentication; pilot**~~

~~**Sponsor:** Sen. Ken Bennett (R)~~

~~**Summary:** Allows a county to initiate a pilot program to identify and test additional methods of verifying the identity of early voters.~~

~~**Last Action:** 02/26/2024 S FAILED—Senate Third Reading~~

~~**COP Position:** Neutral~~

~~**SB1661—Luxury tax; record inspection; penalty**~~

~~**Sponsor:** Sen. David Gowan (R)~~

~~**Summary:** Subjects a person who knowingly fails or refuses to allow the Arizona Department of Revenue (ADOR) to examine luxury privilege tax records, in addition to a Class 2 misdemeanor, to a civil penalty of up to \$500, rather than any applicable statutorily prescribed civil or criminal penalty.~~

~~**Last Action:** 02/12/2024 S HELD—Senate Finance and Commerce~~

~~**COP Position:** Neutral~~

SB1665 - Municipal development; permits; review

Sponsor: Sen. David Gowan (R)

Summary: Allows, if a municipality does not approve, conditionally approve or deny an “application” (defined) for a residential building permit within 15 days after the date the application is submitted, any required review of the application to be performed by a qualified third party selected by the applicant. Allows either a person who is employed by the municipality that is reviewing the application, or a person who is employed by another municipality to review residential building permit applications; or a registered engineer or architect, to be the qualified third party selected by the applicant. Allows, if a municipality does not conduct an inspection required as a condition of obtaining a certificate of occupancy for a residential dwelling unit within 48 hours after an inspection request, any required inspection to be performed by a qualified third party selected by the applicant. Allows either a person who is certified to inspect buildings by an international council on model codes and standards for building safety; or a person who is employed by the municipality as a building inspector; or a person who is employed by another municipality as a building inspector; or a registered engineer or architect to be the qualified third party selected by the applicant to conduct the inspection. Prohibits the applicant or a person whose work is the subject of the application from being a qualified third party who reviews a residential building permit application or who performs an inspection. Requires a third party who reviews a residential building permit application or who performs an inspection required to obtain a residential dwelling unit certificate of occupancy to review the application or conduct the inspection and take all other related actions in accordance with all requirements adopted by the municipality where the application was submitted; and provide notice to the municipality of the results of the

review or inspection. Allows a municipality to prescribe a reasonable format for the notice required to be provided by a third party. Prohibits a municipality from requesting or requiring an applicant to waive a deadline or other required procedure. Allows a person to appeal to the governing body of the municipality a decision by the municipality to approve, conditionally approve or deny a residential building permit application; a decision made by a qualified third party authorized to review a residential building permit; the results of an inspection conducted by the municipality; or the results of an inspection conducted by a qualified third party authorized to conduct an inspection. Requires an appeal to be filed with the governing body within 15 days after the date the decision being appealed was made. Requires, if the governing body hearing the appeal does not affirm the decision being appealed within 60 days after the appeal is filed, the application that is the subject of the appeal to be deemed approved or the inspection that is the subject of the appeal to be waived. Requires, within five working days after a request by the applicant, a municipality to meet or discuss with the applicant the request for corrections and provide sufficient information and instruction to allow the applicant to provide the requested corrections. Prohibits, except for an application submitted for a change in zoning, a municipality from denying a license application that is necessary for land development or building construction unless the municipality considers the application withdrawn. Requires a municipality to refund to an applicant all fees charged for reviewing and acting on an application for a license, to excuse payment of any fees that have not yet been paid and to pay any monetary damages resulting from any delay if the municipality makes more than one comprehensive written or electronic request for corrections and one supplemental written or electronic request for corrections limited to previously identified issues; or does not issue an applicant the written or electronic notice granting, conditionally granting or denying a license within the overall times frames or a mutually agreed on time frame extension.

Last Action: 03/28/2024 H - RET ON CAL - House Committee of the Whole

COP Position: **Oppose**

~~SB1666 – Local ballot measures; supplemental filing~~

~~Sponsor:~~ Sen. David Gowan (R)

~~Summary:~~ Allows the proponents of a petition for a city, town or county matter that files the petition within 30 days of the filing deadline, to file additional petition signatures in a single supplemental filing by the filing deadline.

~~Last Action:~~ 03/14/2024 H – Referred to Committee – House Municipal Oversight & Elections

~~COP Position:~~ Neutral

~~SB1667 – Retirement systems; post-traumatic stress disorder~~

~~Sponsor:~~ Sen. David Gowan (R)

~~Summary:~~ "For the purposes of determining spousal eligibility for state retirement payouts, adds those who died by suicide who had a diagnosis of post-traumatic stress disorder to the definition of "killed in the line of duty"."

~~Last Action:~~ 02/20/2024 S – FAILED – Senate Appropriations

~~COP Position:~~ Neutral

SB1669 – Peace officer nonlethal device fund**Sponsor:** Sen. David Gowan (R)

Summary: Establishes the Peace Officer Nonlethal Device Fund (Fund) to be administered by the Arizona State Treasurer (Treasurer). Requires that monies in the Fund be used only for nonlethal devices for peace officers that do not cause any permanent harm or injury when used during the apprehension of suspected offenders. Requires the Treasurer to invest and divest monies in the Fund. Provides that monies in the Fund are exempt the lapsing of appropriations and are subject to legislative appropriation. Requires a \$2 penalty assessment to be levied on every fine for criminal offenses, on every civil penalty for a traffic violation, on every fine, penalty or forfeiture for a violation statutes or local ordinances relating to the stopping, standing or operation of a vehicle. Requires the court to transmit the assessments and a report to the county treasurer, and municipal courts to transmit the assessments report to the city or town treasurer, and the city, town or county treasurer to transmit the assessments report to the Treasurer for deposit in the Fund. Allows the court to mitigate all or part of the assessment as provided by statute.

Last Action: 02/20/2024 S – FAILED – Senate Appropriations**COP Position:** Neutral**SB1673 - Failure to pay; suspension; restriction****Sponsor:** Sen. David Gowan (R)

Summary: Requires a court to determine whether a person's failure to pay civil traffic penalties is willful; and if so, to suspend or restrict the person's driving privileges until the fines, surcharges and assessments are paid. Prohibits a court from notifying Arizona Department of Transportation (ADOT) to refuse to renew a vehicle registration for unpaid civil traffic violation penalties, unless the court finds that the person willfully failed to pay the civil penalty.

Last Action: 04/02/2024 H - Hearing Scheduled - 04/03/2024 - Committee of the Whole, Floor**COP Position:** Neutral**SB1675 - Prior felony conviction; aggravated DUI****Sponsor:** Sen. David Gowan (R)

Summary: Allows an aggravated driving under the influence (DUI) offense that was committed within five years immediately preceding the date of the present offense to be alleged as a historical prior felony conviction, even if the present offense is not also an aggravated DUI offense.

Last Action: 03/29/2024 G - Signed**COP Position:** Neutral**SB1676 – NOW: Continuation; Arizona commerce authority****Sponsor:** Sen. David Gowan (R)

Summary: Continues the Arizona Commerce Authority (ACA) for five years, through July 1, 2029.

Last Action: 03/25/2024 H - DPA/SE - House Appropriations**COP Position:** Neutral

SB1677 - Firefighters; peace officers; PTSD; therapy

Sponsor: Sen. David Gowan (R)

Summary: Conditionally upon the U.S. Food and Drug Administration (FDA) approval of methylenedioxymethamphetamine-assisted therapy (MDMA-AT) for treatment of post-traumatic stress disorder (PTSD) by December 31, 2025, requires employers to provide workers' compensation coverage for MDMA-AT to firefighters and certified peace officers diagnosed with PTSD.

Last Action: 04/02/2024 H - Hearing Scheduled - 04/03/2024 - Additional Committee of the Whole, Floor

COP Position: Oppose

SB1680 - Traffic violations; photo radar; penalties

Sponsor: Sen. David Gowan (R)

Summary: Subjects a person to a civil penalty of \$100 for a traffic violation and prohibits considering the violation when determining a license suspension or revocation, insurance rates or insurability if the civil penalty is paid, as prescribed.

Last Action: 04/01/2024 H - DPA - House Committee of the Whole

COP Position: Neutral

~~SB1681 - Slow driving; left lane; penalty~~

~~**Sponsor:** Sen. David Gowan (R)~~

~~**Summary:** Assesses a civil penalty of \$250 to anyone that operates a vehicle less than the normal speed of traffic appropriate for the time, place and conditions who operate their vehicle in the right hand lane or as close to that lane as is practicable, except when passing another vehicle proceeding in the same direction.~~

~~**Last Action:** 02/22/2024 S - FAILED - Senate Third Reading~~

~~**COP Position:** Neutral~~

SB1682 - State hospital; bed availability

Sponsor: Sen. David Gowan (R)

Summary: Requires the state hospital to admit patients based on clinical need and prohibits placing a limit on admission based on the county in which a patient resides. Removes the stipulation that there is a legally available bed in the state hospital as it pertains to court or hearing ordered continued treatment of a patient.

Last Action: 03/28/2024 H - DP - House Committee of the Whole

COP Position: Support

SB1687 - Drive by shooting; weapon discharge

Sponsor: Sen. David Gowan (R)

Summary: Expands the drive by shooting criminal classification to include that a person commits a violation by discharging a weapon at a person, another occupied motor vehicle or an occupied structure from either a motor vehicle or from the immediate area of a motor vehicle that was used to transport the shooter or the firearm.

Last Action: 03/27/2024 H - Hearing Scheduled - 03/28/2024 - Committee of the Whole, Floor

COP Position: Neutral

~~SB1688 – State hospital; governing board~~

~~Sponsor:~~ Sen. David Gowan (R)

~~Summary:~~ Effective January 1, 2026, establishes the State Hospital Governing Board (Board) and transfers oversight, authorities and responsibilities relating to the Arizona State Hospital (ASH) from the Department of Health Services (DHS) to the Board.

~~Last Action:~~ 03/11/2024 S – Hearing Scheduled – 03/11/2024 – Third Reading, Floor

~~COP Position:~~ Neutral

~~SB1689 – Affordable housing tax credits; extension~~

~~Sponsor:~~ Sen. David Gowan (R)

~~Summary:~~ Allows tax credits to a taxpayer for qualified projects, and qualified affordable housing projects, in the amount that the Arizona Department of Revenue (ADR) determines, pursuant to affordable housing tax credit requirements. Requires the ADR allocate \$4,000,000 in tax credits for the calendar years of 2002 through 2024, and \$8,000,000 in tax credits for the years 2025 through 2031 and stipulates that a credit claimed in 2025 may not be claimed until the federal FY beginning October 1, 2026. Extends selected ARS repeal dates to December 31, 2031 from December 31, 2025.

~~Last Action:~~ 03/11/2024 S – FAILED – Senate Third Reading

~~COP Position:~~ Neutral

~~SCR1001 – Photo radar prohibition~~

~~Sponsor:~~ Sen. Wendy Rogers (R)

~~Summary:~~ Bans local authorities and state agencies from using automated photo enforcement systems to identify excessive speed violations or failures to obey traffic control devices.

~~Last Action:~~ 02/12/2024 S – FAILED – Senate Transportation, Technology and Missing Children

~~COP Position:~~ **Oppose**

~~SCR1002 – Prohibit tax; monitoring; vehicle mileage~~

~~Sponsor:~~ Sen. Jake Hoffman (R)

~~Summary:~~ The 2024 general election ballot is to carry the question of whether to amend the state constitution to prohibit the imposition of a tax or fee based on vehicle miles traveled and prohibit the creation of any rule or law to monitor or limit the miles traveled in a motor vehicle.

~~Last Action:~~ 03/04/2024 S – Hearing Scheduled – 03/05/2024 – Third Reading, Floor

~~COP Position:~~ **Oppose**

~~SCR1006 – Property tax; refund; nuisance enforcement~~

~~Sponsor:~~ Sen. Warren Petersen (R)

~~Summary:~~ The 2024 general election ballot is to carry the question to amend Title 42, Chapter 17 by adding Article 9, to allow a property owner to apply for a property tax refund for taxes paid to a city, town or county if the receiving entity adopts a pattern or policies declining to enforce existing laws, ordinances or other legislation prohibiting

~~illegal camping, obstructing public thoroughfares, loitering, panhandling, public urination or defecation, public consumption of alcoholic beverages or possession of illegal substances, or maintains a public nuisance, and the property in question is reduced in fair market value because of those actions, or the property owner incurs expenses because of said actions. Further, this ballot is to carry the question of whether the State Treasurer shall withhold payments to the city, town or county in question the amount of refunds claimed under this section until the entire amount of the refund is collected and if the city, town or county elect to challenge the refund allowed under this section, each shall bear the burden of proof to demonstrate its actions are lawful or that the refund amount is unreasonable.~~

Last Action: 02/27/2024 S – DPA – Senate Additional Committee of the Whole

COP Position: **Oppose**

~~SCR1011 – Voting; qualifications; methods~~

Sponsor: Sen. Wendy Rogers (R)

Summary: ~~The 2024 general election ballot is to carry the question of whether to amend the state constitution to require that anyone voting in an Arizona election be a citizen of the United States, 18 years or older and a qualified, registered voter, prohibit a person from voting for more candidates for an office than number of offices to be filled, and requires that a person's vote be the sole means of determining the outcome of an election for public office that is required by federal or state law.~~

Last Action: 02/28/2024 H – Referred to Committee – House Municipal Oversight & Elections

COP Position: Neutral

~~SCR1015 – Public monies; prohibited expenditures~~

Sponsor: Sen. Anthony Kern (R)

Summary: ~~The 2024 general election ballot is to carry the question of whether to amend the ARS to regulate public monies expenditures by prohibiting expending public funds on anything that promotes, advocates, plans for, or becomes a member of an organization that promotes, advocates or plans for reducing the consumption or production of meat or dairy products, animal-based protein with insect or synthetic protein, reducing or replacing motor vehicle travel with walking, biking or public transit, reducing or limiting travel by airplane, limiting the number of articles of clothing a person may buy or own, reusing water that has touched human feces as a municipal source of drinking water, reducing greenhouse gas emissions, tracking consumption based emissions, limiting the increase of global temperature, producing or adopting a climate action plan, replacing private ownership, furthering Marxist ideologies, including stakeholder capitalism, or implementing mass surveillance systems to monitor motor vehicle travel, and to clarify who may bring an action against violations of this resolution.~~

Last Action: 02/28/2024 S – Hearing Scheduled – 02/29/2024 – Third Reading, Floor

COP Position: **Oppose**

~~SCR1016 – State retirement systems; digital assets~~

Sponsor: Sen. Jake Hoffman (R)

Summary: The Members of the Legislature encourage the Arizona State Retirement System and the Public Safety Personnel Retirement System to closely monitor the developments in Bitcoin ETFs and other digital asset ETFs and consider the implications of including such assets in their investment portfolios after, to the extent possible, consulting with any firms that have been granted SEC approval to offer a digital asset ETF, and consider the implications of including a digital asset ETF in their investment portfolios.

Last Action: 03/20/2024 H—HELD—House Ways & Means

COP Position: Neutral

SCR1019—Preferential treatment; discrimination; prohibited

Sponsor: Sen. Anthony Kern (R)

Summary: The 2024 general election ballot is to carry the question of whether to amend the Arizona Constitution to prohibit the state from compelling an applicant, employee or contractor from compelling endorsement of or preferential treatment on the basis of race or ethnicity, including implementing an affirmative action policy or any other action that would otherwise be prohibited, implementing a disciplinary policy, or conditioning access to services, facilities or grounds. Defines “compelling endorsement of preferential treatment or discrimination” to include (1) asking for a statement in support of differential treatment or any form of diversity, equity, inclusion or intersectionality beyond equal protection; (2) asking for confession of race-based privilege or for any discussion of race; (3) giving preferential treatment based on race or ethnicity. Proclaims that discrimination for anything other than for bona fide qualifications, federal program eligibility, court orders or consent decrees and for qualifications based on tribal membership for programs serving Indian tribes is inconsistent with the Fourteenth Amendment of the U.S. Constitution. Clarifies that the state is not prevented from requiring applicants, employees and contractors to discuss their scholarly work or to require certification of compliance with antidiscrimination laws.

Last Action: 03/12/2024 H—Transmit to House

COP Position: **Oppose**

SCR1037—Charter cities; population threshold

Sponsor: Sen. Justine Wadsack (R)

Summary: The 2024 general election ballot is to carry the question of whether to amend the state Constitution relating to charter cities by changing the threshold to frame a charter for its own government from 3,500 to less than 500,000 persons.

Last Action: 2/20/2024 S—Passed Senate Caucus

COP Position: **Oppose**

SCR1038—Arizona state parks heritage fund

Sponsor: Sen. Sine Kerr (R)

Summary: The 2024 general election ballot is to carry the question of whether to amend the Arizona Revised Statutes to provide \$10,000,000 to the Arizona State Parks Heritage Fund (Heritage Fund) from monies remaining in the Arizona State Lottery Fund (Lottery Fund) after other statutory obligations each fiscal year. Specifies that the Heritage Fund consists of monies from the Lottery fund and interest earned on those

~~monies in addition to legislative appropriations, grants and donations. Exempts the Arizona State Parks Board from rulemaking requirements for one year after the effective date of this act.~~

~~**Last Action:** 03/07/2024 S - FAILED - Senate Third Reading~~

~~**COP Position:** Neutral~~

SCR1041 - Ballot measures; challenges

Sponsor: Sen. J.D. Mesnard (R)

Summary: Allows a person to bring an action in superior court to contest the constitutionality of an initiative measure or amendment that violates the U.S. Constitution or Arizona Constitution, within 100 days before the election that the measure or amendment is scheduled to appear. Prohibits the Arizona Secretary of State or other officer from certifying or printing the measure or amendment on the ballot if a court of competent jurisdiction enters a judgement, within 100 days before the election, that that the measure or amendment violates the U.S. or Arizona Constitution. Allows any party to appeal to the Arizona Supreme Court within five calendar days of judgement entered by the superior court. Requires the Secretary of State to submit the proposition to the voters at the next general election.

Last Action: 03/20/2024 H - DP - House Municipal Oversight & Elections

COP Position: Neutral

~~**SCR1043 - Cities; towns; elections**~~

~~**Sponsor:** Sen. David Gowan (R)~~

~~**Summary:** The 2024 general election ballot is to carry the question of whether to amend the Arizona Constitution to state that for any municipality that provides for election of municipal council members by district, ward, precinct or other geographic designation, only those voters who are qualified electors of the district, ward, precinct or other geographic designation, as applicable, are eligible to vote for that council member candidate in the municipality's primary, general, runoff or other election. A city or town election shall not allow the ranking of candidates in any manner other than with a single vote for one candidate for each office to be filled.~~

~~**Last Action:** 02/15/2024 S - HELD - Senate Elections~~

~~**COP Position:** Neutral~~

SCR1044 - Judicial retention elections

Sponsor: Sen. David Gowan (R)

Summary: Allows Supreme Court justices to hold office during good behavior, rather than for a regular term of six years. Allows superior court judges in counties with a population of at least 250,000 persons to hold office during good behavior, rather than for a regular term of four years. Subjects a justice of the Supreme Court, judge of an intermediate appellate court or judge of a superior court to a vote of retention based on a conviction of a felony offense; a conviction of any crime involving fraud or dishonesty; an initiation of personal bankruptcy proceedings in which the justice or judge is a debtor; a foreclosure of any mortgage for which the justice or judge is a mortgagor; a determination that the justice or judge does not meet judicial performance standards; or a reprimand of the justice or judge by the Commission, or recommendation by the

Commission that the justice or judge should be disqualified, censured, suspended, retired or removed from office. Requires a justice or judge, who is subject to a retention vote, to file a declaration to be retained with the appropriate office as outlined and that declaration is to be submitted between 60 and 90 days before the regular general election that occurs after the event subjecting the justice or judge to a vote of retention. Specifies that, if the event that subjects the justice or judge to voter retention occurs less than 120 days before the general election, then the declaration must be submitted between 60 and 90 days before the next regular general election. Requires the Chief Justice of the Supreme Court (Chief Justice) to determine if a justice or judge is subject to retention, unless an event requires the Chief Justice to be subject to a vote of retention, then the determination must be made by the Vice Chief Justice. Requires the Chief Justice, within 120 days before a general election, to provide the Secretary of State with a list of all justices or judges who are subject to a vote of retention. Determines that if the majority of voters vote no on a retention question a vacancy in judicial office exists on January 1 of the year following the general election. Requires the Supreme Court rules regarding judicial performance evaluations to specify that each justice or judge must be evaluated at least every four years. Prohibits the returns of any votes of retention or rejection from being included in the November 5, 2024, general election official canvass and the issuance of any certificate of retention or rejection. Becomes effective if approved by the voters retroactive to November 1, 2025.

Last Action: 03/20/2024 H - DPA - House Municipal Oversight & Elections

COP Position: Neutral