

ARIZONA NEWS SERVICE LEGISLATIVE BILL SUMMARIES

53rd
Legislature
First Regular Session

This section lists only new bills filed since previous week's publication.

H 2001 SCHOOL DISTRICT TAX LEVY; RETENTION

A school district that levies the qualifying tax rate, that does not have a budget override in place and that is ineligible for equalization assistance is authorized to retain a portion of the amount that is levied by the district in additional property taxes that would otherwise be transmitted to the general fund, if that district receives less than the average amount of funding per student received by an adjoining district for budget overrides approved in an election. The amount that may be retained is the lowest average amount received per student by an adjoining school district for budget overrides multiplied by the student count of the district, or the amount that would be transmitted to the state, whichever is less. The school district is permitted to increase its budget limits by the amount retained. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 15

H 2002 MARIJUANA; SENTENCE; CIVIL PENALTY; FINES

Reduces the criminal classification for possession or use of marijuana with a specified weight as follows: less than one ounce is subject to a civil penalty of up to \$100, from a class 6 (lowest) felony; at least one ounce but less than two pounds is reduced to a petty offense, from a class 6 felony; two pounds or more to a class 3 (mid-level) misdemeanor, from either a class 4 or 5 felony. Reduces the criminal classification for importing, transporting for sale or selling marijuana with a specified weight as follows: less than two pounds to a class 3 misdemeanor, from a class 5 (second-lowest) felony; at least two pounds but less than four pounds to a class 6 felony, from a class 4 felony; more than

four pounds to a class 5 felony, from a class 3 felony. The court must order a juvenile who is adjudicated delinquent for a first violation of these marijuana related violations to complete at least 10 hours of community restitution in lieu of other penalties. If the community restitution is not complete within one year, the juvenile is subject to all other penalties prescribed by law. **First Sponsor:** Rep. Cardenas **ARS Titles Affected:** 13 41

H 2003 MARIJUANA; REGULATION; TAXATION

A person who is at least 21 years of age may possess, consume, use, display, purchase or transport one ounce or less of marijuana, may grow up to five marijuana plants and may possess, process or transport the marijuana produced by the plants on the premises where the plants were grown. Some restrictions. It is unlawful to smoke marijuana in a public place. Establishes regulations for marijuana accessories and retail marijuana stores. Establishes an excise tax on the sale or transfer of marijuana at the rate of \$50 per ounce. Revenues generated by the tax must be used to enforce these regulations, and any remaining monies are distributed as follows: 30 percent to the Department of Education, 20 percent to the Department of Health Services for specified drug programs, and 50 percent to the general fund. The Department of Health Services is required to adopt rules necessary for implementation. Due to a potential increase in state revenue, this bill requires the affirmative vote of at least 2/3 of each house of the Legislature for passage. **First Sponsor:** Rep. Cardenas **ARS Titles Affected:** 36 42

H 2004 VETERAN-OWNED BUSINESSES; PROCUREMENT PREFERENCE

The Department of Administration is required to establish a "veteran-owned business" (defined) participation goal of awarding state contracts to veter-

an-owned businesses. The participation goal is at least 1.5 percent for the year beginning on January 1, 2018 and increases to 3 percent or more for every year after. Effective January 1, 2018. **First Sponsor:** Rep. Cardenas **ARS Titles Affected:** 41

H 2005 APPROPRIATION; GRANTS; READING-INTENSIVE PROGRAMS

Monies in the Technology-Based Language Development and Literacy Intervention Fund are continuously appropriated to the Department of Education to provide grants to school districts and charter schools to fund reading-intensive programs. Requirements for grant eligibility and factors the Dept may consider when awarding grants are specified. **First Sponsor:** Rep. Cardenas **ARS Titles Affected:** 15 41

H 2006 ELDERLY HOMEOWNERS; CLASS SIX PROPERTY

The list of property classified as class six for property tax purposes is expanded to include real property and improvements to the property that are used as the owner's primary residence, that are owned by an individual who qualifies for property valuation protection under the state Constitution (for which a person must be age 65 or older), and that are valued at full cash value. Other requirements to qualify for this classification are specified. Does not apply to real property and improvements with a full cash value of \$600,000 or more unless the property qualified for valuation protection under the state Constitution as of December 31, 2017. **First Sponsor:** Rep. Cardenas **ARS Titles Affected:** 32 42

H 2007 TECH CORRECTION; TAXES; INTANGIBLE INCOME

Minor change in Title 43 (Taxation of Income) related to intangible income of a nonresident. Apparent striker bus. **First Sponsor:** Rep. Ugenti-Rita **ARS Titles Affected:** 43

H 2008 TECH CORRECTION; TAX DEBT; ENFORCEMENT

Minor change in Title 42 (Taxation) related to tax debt enforcement. Apparent striker bus. **First Sponsor:** Rep. Ugenti-Rita **ARS Titles Affected:** 42

H 2009 TECH CORRECTION; TAX REFUND ACCOUNT

Minor change in Title 42 (Taxation) related to tax refund accounts. Apparent striker bus. **First Sponsor:** Rep. Ugenti-Rita **ARS Titles Affected:** 42

H 2010 ASRS; POLITICAL SUBDIVISION ENTITIES

Employees of "political subdivision entities" (defined in statute) who are hired on or after the effective date of this legislation are excluded from membership in the Arizona State Retirement System. **First Sponsor:** Rep. Ugenti-Rita **ARS Titles Affected:** 38

H 2011 BONDS; LEVY; NET OF CASH

Local government bond levies are required to be net of all cash from the previous year remaining in the applicable fund(s) for payment of interest and the bonds. **First Sponsor:** Rep. Ugenti-Rita **ARS Titles Affected:** 35

H 2012 CRISIS REFERRAL SERVICES; CONFIDENTIALITY

Any communication that is made to a "crisis referral service" by a "designated person" (both defined) and any records related to the communication are confidential. A crisis referral service and any service employees cannot be compelled to disclose the confidential information in a legal proceeding or investigation before any agency of the state or a political subdivision. Some exceptions. **First Sponsor:** Rep. Finchem **ARS Titles Affected:** 38

continued on next page

A great addition to your lobby.

Arizona's first and best on-line legislative bill tracking service.

Find out how to make your mark at the Capitol with LOLA.
Contact us at 602.258.7026 or staff@azcapitolreports.com.

azcapitolreports.com

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

H 2013 NEWSPAPERS; PUBLIC NOTICES; PUBLICATION

For the purpose of publication of public notices, a “newspaper” is no longer required to be admitted under federal law as second-class matter in the United States mails for at least one year. **First Sponsor:** Rep. Finchem **ARS Titles Affected:** 11 39

H 2014 LEGAL TENDER EXCHANGE; TAX EFFECT

The lists of subtractions from Arizona gross income for individual and corporate income tax purposes are expanded to include the amount of any net capital gain included in Arizona adjusted gross income for the tax year that is derived from the exchange of one kind of legal tender for another kind of legal tender. The list of additions to Arizona gross income for individual and corporate income tax purposes is expanded to include the amount of any net capital loss included in Arizona adjusted gross income for the tax year that is derived from the exchange of one kind of legal tender for another kind of legal tender. For these purposes, “legal tender” is defined as a medium of exchange, including “specie” (defined as coins having precious metal content), that is authorized by the U.S. Constitution or Congress for the payment of debts, public charges, taxes and dues. Effective for tax years beginning with 2018. **First Sponsor:** Rep. Finchem **ARS Titles Affected:** 43

H 2015 GOLD BONDS; STUDY COMMITTEE

Establishes the 11-member Joint Study Committee on Gold Bonds to study the use of gold bonds as hard asset-backed instruments to reduce state debt and protect public pension obligations of the state. The Committee is required to submit a report of its recommendations to the Legislature by December 31, 2017 and self-repeals October 1, 2018. **First Sponsor:** Rep. Finchem **ARS Titles Affected:** 41

H 2016 TRANSFER PUPILS; TRANSCRIPTS

If a student previously attended another school, a school is permitted to request the student’s transcript from that school after obtaining consent from the student’s parent. **First Sponsor:** Rep. Cardenas **ARS Titles Affected:** 15

H 2017 BONDS; DISCLOSURE; NOTICE

The information contained on the ballot for a bond measure is expanded to include a statement that the primary property tax rate may increase to pay for the operation and maintenance of projects funded by the bonds. The estimated tax impact of debt service for bonds and the estimated total cost of the proposed bond authorization that are included in the informational pamphlet for bond elections must be shown based on the maximum interest rate to be authorized by the voters. The pamphlet must also include a disclosure in bold-faced type that the expenditure of the amount authorized by the bond is governed by the general purposes, and not the proposed projects and expenditures. **First Sponsor:** Rep. Leach **ARS Titles Affected:** 35

H 2018 MEDICAL MARIJUANA; CULTIVATION; FACILITIES

Medical marijuana cultivation facilities must have a roof and a hardened covering. 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. **First Sponsor:** Rep. Leach **Other Sponsors:** Rep. Boyer, **ARS Titles Affected:** 36

H 2019 COMMUNITY COLLEGE BONDS; VOTER APPROVAL

Community college district boards are required to obtain approval of a majority of the qualified voters in the district voting at the regularly scheduled election on the first Tuesday after the first Monday in November before issuing negotiable bonds for the purpose of acquiring a project or projects. Previously, a district board was authorized to issue bonds without voter approval. Requirements for ballot language and information that must be included in publicity pamphlets for district bond elections are specified. **First Sponsor:** Rep. Leach **ARS Titles Affected:** 15

H 2020 BOARDS; DIRECTORS; CONFLICT OF INTEREST

Any public officer or employee of a public agency who serves on a board or is an employee of a non-profit organization that is eligible to receive public monies is required to refrain from voting on or otherwise participating in an appropriation or grant of public monies to that nonprofit organization. **First Sponsor:** Rep. Lawrence **ARS Titles Affected:** 38

H 2021 CHILD CARE ASSISTANCE; ELIGIBILITY

Eligibility for supplemental child care assistance for education and training activities is expanded to include if the eligible parent or guardian to be enrolled in an accredited educational institution, remedial educational activity or employment training program leading to a high school diploma or equivalency diploma, a vocational, technical or trade certification or an associate’s degree or bachelor’s degree. **First Sponsor:** Rep. Lawrence **ARS Titles Affected:** 46

H 2022 UNLAWFUL DISCHARGE OF FIREARMS; EXCEPTION

The list of exceptions from the definition of unlawful discharge of firearms, a class 6 (lowest) felony, is modified to include using rat shot or snake shot that consists of pellets that are 1.3 millimeters or less in diameter and that meet other specified requirements, instead of using “blanks.” **First Sponsor:** Rep. Lawrence **ARS Titles Affected:** 13

H 2023 SALT RIVER HORSE HERD; PENALTY

The criminal classification for harassing, shooting, killing or slaughtering a horse that is part of the Salt River horse herd is increased to a class 6 (lowest) felony, from a class 1 (highest) misdemeanor. Conditionally enacted on the conditional enactment of Laws 2016, Chapter 136, which establishes the crime of harassing, shooting, injuring, killing or slaughtering a horse that is part of the Salt River horse herd. **First Sponsor:** Rep. Lawrence **Other Sponsors:** Rep. Townsend, **ARS Titles Affected:** 3

H 2024 FALSE REPORTING; CLASSIFICATION

The criminal classification for knowingly making a false or fraudulent report for the purpose of interfering with the orderly operation of a law enforcement agency or misleading a peace officer is increased to a class 4 (mid-level) felony, from a class 1 (highest) misdemeanor. **First Sponsor:** Rep. Lawrence **ARS Titles Affected:** 13

H 2025 FALLEN FIREFIGHTER MEMORIAL; COMMITTEE

The Arizona Firefighters and Emergency Paramedics Memorial Board is repealed and replaced with the newly established 9-member Arizona Fallen Firefighter Memorial Committee. Board duties are modified and transferred to the Committee. The Committee is required to establish an acceptable set of standards for persons to be memorialized on the Arizona Fallen Firefighter Memorial located in Wesley Bolin Plaza and to conduct an annual fallen firefighters memorial service. The Committee terminates on July 1, 2017. **First Sponsor:** Rep. Bowers **ARS Titles Affected:** 15 41

H 2026 SECRETARY OF STATE; OMNIBUS

Various changes to statutes relating to the Office of the Secretary of State. The Secretary of State is required to publish laws filed by the Legislature electronically and maintain them on the Secretary of State’s website, and to transfer to the custody of the Arizona State Library, Archives and Public Records all original paper copies filed. The Secretary of State is also required to publish the Arizona Administrative Register electronically, and information that must be contained in the Register is modified. Repeals statutes requiring athlete agents to register with the Office and related regulations. Repeals statute requiring dance studios to file a \$5,000 bond with the Office. Eliminates various requirements for copies of reports to be filed in the Office. **First Sponsor:** Rep. Coleman **ARS Titles Affected:** 9 15 18 32 33 37 41 44 49

H 2027 PSPRS; EXPENDITURE LIMITS; POLITICAL SUBDIVISIONS

If a political subdivision increases its revenue for a specified time period through a vote of the people and that revenue is dedicated to pay unfunded accrued liability under the Public Safety Personnel Retirement System, the expenditure of revenue to pay that liability is excluded from the political subdivision’s expenditure limitation established in the state Constitution for the duration of that time period. **First Sponsor:** Rep. Coleman **ARS Titles Affected:** 12 15 17 22 41

H 2028 CLASS SIX PROPERTY; ELDERLY HOMEOWNERS

The list of property classified as class six for property tax purposes is expanded to include real and personal property and improvements to the property that are used as the owner’s primary residence, that are owned by an individual who qualifies for property valuation protection under the state Constitution (for which a

person must be age 65 or older), and that are valued at full cash value. Other requirements to qualify for this classification are specified. **First Sponsor:** Rep. Leach **ARS Titles Affected:** 42

H 2029 MEDICAL MARIJUANA DISPENSARIES; LOCATION CHANGE

After the Department of Health Services issues a registration certificate to a nonprofit medical marijuana dispensary, the dispensary is permitted to change its location or the cultivation site only to another location in the same community health analysis area as established by the Dept at the time the original registration certificate was issued, and the new dispensary is subject to the other requirements for a new dispensary. 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. **First Sponsor:** Rep. Leach **Other Sponsors:** Rep. Boyer, **ARS Titles Affected:** 36

H 2030 INSURANCE COVERAGE; TELEMEDICINE; UROLOGY

Health and disability insurance policies or contracts executed or renewed on or after January 1, 2018 are required to provide coverage for health care services for urology that are provided through “telemedicine” (defined as the use of interactive audio, video or other electronic media for diagnosis, consultation or treatment) if the service would be covered were it provided through in-person consultation and if the service is provided to a subscriber receiving the service in Arizona, instead of only in a rural region of Arizona. Effective January 1, 2018. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 20

H 2031 PHARMACY; VIRTUAL MANUFACTURERS; VIRTUAL WHOLESALERS

For the purpose of Board of Pharmacy statutes, the definitions of “full service wholesale permittee,” “non-prescription drug wholesale permittee” and “manufacturer” are expanded to include a virtual wholesaler or virtual manufacturer, as applicable, as defined in rule by the Board. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 32

H 2032 PHARMACY BOARD; NOTICE REQUIREMENTS

Board of Pharmacy licensees and permittees are required to create an online profile using the Board’s licensing software. The list of information that Board licensees are required to give notice to the Board of a change in is expanded to include the licensee’s contact information and employer’s address. The licensee is required to either give written notice to the Board office staff of the change or electronically update the person’s online Board profile. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 32

H 2033 CONTROLLED SUBSTANCES; DEFINITION

For the purpose of controlled substances regulations, certain specified substances are added to the list of controlled substances included in schedule I. For the purpose of the criminal code, the definition of “narcotic drugs” is expanded to include certain specified substances. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 13 36

H 2034 TECH CORRECTION; MATERIALS; RESIDENT PREFERENCE

Minor change in Title 34 (Public Buildings) related to contract preferences. Apparent striker bus. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 34

H 2035 TECH CORRECTION; ARBOR DAY

Minor change in Title 1 (General Provisions) related to Arbor Day. Apparent striker bus. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 1

H 2036 TECH CORRECTION; GROUNDWATER PERMITS

Minor change in Title 45 (Waters) related to groundwater permits. Apparent striker bus. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 45

H 2037 TECH CORRECTION; LIGHT POLLUTION

Minor change in Title 49 (Environment) related to light pollution. Apparent striker bus. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 49

H 2038 TAX CREDITS; EXEMPTIONS; SUNSET REPEAL

Any new transaction privilege or use tax credit established by the Legislature is required to include in its enabling legislation a specific repeal date of from and after December 31 of no later than the 8th full calendar year following the date the “tax expen-

diture” (defined) is enacted. The Joint Legislative Income Tax Credit Review Committee is renamed the Joint Legislative Income Tax Credit Sunset Review Committee, and if the Committee recommends that a credit be retained, the credit must be assigned a subsequent repeal date. **First Sponsor:** Rep. Cardenas **ARS Titles Affected:** 42 43

H 2039 FINDER FEES; APARTMENT TENANTS

The finder fee paid to an apartment tenant is no longer capped at \$200, and a tenant is no longer limited to receiving a finder fee 5 times in any 12 month period. **First Sponsor:** Rep. Weninger **ARS Titles Affected:** 32

H 2040 AZ ONLINE INSTRUCTION; TRANSFER CREDITS

A student who transfers credit from a charter school or school district in this state or from a regionally accredited Arizona online instruction must be awarded core credit for any core credit course completed and elective credit for any elective course completed if that course is aligned to the competency requirements adopted by the State Board of Education. School districts are prohibited from charging a fee to a student who takes an examination in a course to obtain academic credit from the district if the credit for a substantially equivalent course was previously earned in Arizona online instruction. **First Sponsor:** Rep. Leach **ARS Titles Affected:** 15

H 2041 DHS; HEALTH CARE INSTITUTIONS; LICENSURE

A health care institution license issued by the Department of Health Services does not expire and remains valid unless the Dept revokes or suspends the license, or unless the license is considered void because the licensee did not pay the licensing fee before the due date. The Director of the Dept is authorized to establish by rule a licensing fee, including a grace period and a fee for late payments, and to establish a process for the Dept to notify a licensee of the licensing fee due date as well as a process for the licensee to request a different due date. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 36

H 2042 DHS; FINGERPRINTING REQUIREMENTS

Volunteers who provide medical services, nursing services, behavioral health services, health-related services or supportive services at a residential care institution, nursing care institution or a home health agency are required to have a valid fingerprint clearance card. The list of persons exempt from the fingerprinting requirements for children’s behavioral health program personnel and volunteers is modified. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 36

H 2043 STATE HOSPITAL; PROPERTY LEASES

The Director of the Department of Health Services is authorized to take all necessary steps to enhance the highest and best use of the Arizona State Hospital property, including contracting with third parties to provide services or entering into lease agreements for specified purposes. The lease or sublease of Arizona State Hospital lands or buildings is exempted from certain regulations related to disposition of real property by state agencies and the prohibition on state competition with private enterprise. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 36 37 41

H 2044 METAL DEALER LICENSURE; LOCAL AUTHORITY

Statute prohibiting counties and municipalities from registering scrap metal dealers does not effect a county’s or municipality’s power to enforce laws relating to business licensing of scrap metal dealers. **First Sponsor:** Rep. Livingston **Other Sponsors:** Rep. Weninger, **ARS Titles Affected:** 44

H 2045 INSURANCE CONTRACTS

Any summary of benefits, illustration or other similar explanatory document made available by an insurer does not amplify, extend or modify the terms of an insurance policy if the document contains a disclaimer. If an insurer provides an insured with a copy of a policy that is translated into a language other than English, the English language version of the policy is the binding contract between the parties. **First Sponsor:** Rep. Livingston **ARS Titles Affected:** 20

H 2046 MOTORCYCLE RIDERS; HELMETS; FEES

All operators and passengers of motorcycles, all-terrain vehicles and motor driven cycles are required to wear a protective helmet at all times, instead of

continued on next page

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

only those operators and passengers who are under 18 years of age. An operator or passenger who is at least 18 years of age may be exempted from the helmet requirement if the owner pays a fee in an amount determined by the Director of the Department of Transportation when registering the vehicle. Fees collected are deposited in the Highway User Revenue Fund (HURF). Violations of the helmet requirement are subject to secondary enforcement and are subject to a civil penalty of \$500. Of the civil penalty, \$200 is deposited in HURF and \$300 is deposited in the Spinal and Head Injuries Trust Fund. **First Sponsor:** Rep. Friese **ARS Titles Affected:** 28 41

H 2047 LIQUOR; SERVING AGE; REDUCTION
All employees manufacturing, selling or handling spirituous liquors are required to be 18 years of age, reduced from 19 years of age. **First Sponsor:** Rep. Weninger **ARS Titles Affected:** 4

H 2048 LEGISLATIVE VACANCIES; APPOINTMENT; REQUIREMENTS
The county board of supervisors is required to appoint a person to fill a legislative vacancy within five business days after receiving the list of names submitted by the precinct committeemen. **First Sponsor:** Rep. Friese **Other Sponsors:** Rep. Clark, **ARS Titles Affected:** 41

H 2049 PROVISIONAL BALLOTS; INCORRECT PRECINCT; TALLY
For a voter who casts a provisional ballot in an incorrect precinct, the county recorder is required to count that person’s votes for candidates and ballot measures for which the person was entitled to vote but cannot count the votes for which that person was not entitled to vote, as determined by that person’s residence. **First Sponsor:** Rep. Friese **Other Sponsors:** Rep. Clark, **ARS Titles Affected:** 16

H 2050 ADMINISTRATIVE PROCEDURE; DECLARATORY JUDGMENT
Any person who is or may be affected by an agency rule is permitted to obtain a judicial declaration of the validity of the rule by filing an action for declaratory relief in the superior court in any county, instead of only in Maricopa County. **First Sponsor:** Rep. Finchem **Other Sponsors:** Rep. Thorpe, **ARS Titles Affected:** 41

H 2051 JCCR; MEMBERSHIP
The legislative members of the Joint Committee on Capital Review are no longer required to be members of the appropriations committees. **First Sponsor:** Rep. Livingston **ARS Titles Affected:** 41

H 2052 LIMITED LINE CROP INSURANCE
For the purpose of insurance produce licensing statutes, the definition of “limited line insurance” is expanded to include limited line crop insurance. **First Sponsor:** Rep. Livingston **ARS Titles Affected:** 20

H 2053 CAMPAIGN FINANCE; CORPORATE RECIPIENTS; REGISTRATION
Any corporation, limited liability company or labor organization that makes a contribution of a specified amount to a political committee or to another corporation, limited liability company or labor organization in an attempt to influence an election is required to register and notify the appropriate filing officer no later than one business day after making the contribution. The contribution amount that triggers this requirement is based on the office which is up for election. The corporation, limited liability company or labor organization is also required to notify the filing officer of each additional accumulation of contributions that exceeds the threshold amount. Corporations, limited liability companies or labor organizations that fail to meet these requirements are liable in a civil action for a civil penalty of up to three times the total amount of the contributions. Any person who makes a knowingly false filing relating to a contribution under this requirement is guilty of a class 1 (highest) misdemeanor. **First Sponsor:** Rep. Clark **Other Sponsors:** Sen. Farley, Rep. Friese, **ARS Titles Affected:** 16

H 2054 FOREIGN NONPROFIT CORPORATIONS; FOREIGN LLCs
For the purpose of statute requiring foreign corporations and foreign limited liability companies to have authority from the Corporation Commission to conduct affairs or transact business in Arizona, “conducting affairs” and “transacting business” includes the expenditure of monies for the purpose of influencing the outcome of an election in Arizona. **First Sponsor:** Rep. Clark **Other Sponsors:** Sen. Farley, Rep. Rubalcava, **ARS Titles Affected:** 10 29

H 2055 BALLOTS; DEFECTS; NOTICE & CURE
The county recorder or officer in charge of elections is required to provide for a method of notifying an early ballot voter or provisional ballot voter if there is a defect in the voter’s ballot materials that will result in the rejection of the voter’s ballot and allow the voter to attempt to cure the defect by 7:00 PM on election day. The county recorder or officer in charge of elections is required to tabulate the ballot as otherwise provided by law and to further notify the voter whether the ballot was verified and counted. **First Sponsor:** Rep. Clark **Other Sponsors:** Sen. Farley, Rep. Rubalcava, Rep. Friese, **ARS Titles Affected:** 16

H 2056 INDEPENDENT EXPENDITURES; CORPORATIONS; UNIONS; AUDIT
After each general election, the Clean Elections Commission is required to conduct random audits from among those corporations, limited liability companies or labor organizations that register and make independent expenditures in that election cycle. The Commission is authorized to hire an independent accounting firm to conduct the random audits. Audits are confidential unless a finding is made that a violation occurred, in which case the Commission is required to notify the appropriate filing officer of the alleged violation. 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. **First Sponsor:** Rep. Clark **Other Sponsors:** Sen. Farley, Rep. Friese, **ARS Titles Affected:** 16

H 2057 STO SCHOLARSHIPS; BENEFICIARY RECOMMENDATIONS
School tuition organizations that receive contributions from taxpayers for the purposes of income tax credits are no longer permitted to allow donors to recommend student beneficiaries, and are prohibited from awarding or reserving scholarships on the basis of donor recommendations. **First Sponsor:** Rep. Friese **Other Sponsors:** Rep. Fernandez, **ARS Titles Affected:** 43

H 2058 STO CREDIT CAP; GROWTH TRIGGER
Beginning in FY2017-18, the 20 percent increase to the aggregate dollar amount of the cap on the income tax credit for contributions to school tuition organizations will only occur if the “transaction privilege tax growth rate” and the “total nonfarm employment growth rate” (both defined) are each less than two percent. Previously, the cap was annually increased by 20 percent. **First Sponsor:** Rep. Friese **Other Sponsors:** Rep. Fernandez, **ARS Titles Affected:** 43

H 2059 STO AGGREGATE CREDIT CAP; FREEZE
The aggregate dollar amount of the cap on the tax credit for contributions to school tuition organizations increases annually by 20 percent only through FY2016-17. Retroactive to July 1, 2017. **First Sponsor:** Rep. Fernandez **Other Sponsors:** Rep. Friese, **ARS Titles Affected:** 43

H 2060 STO SCHOLARSHIPS; MEANS TESTING
School tuition organizations are required to award at least 66 percent of educational scholarships or tuition grants from contributions for the purpose of income tax credits to students whose family income does not exceed 185 percent of the income limit required to qualify a child for reduced-price lunches under federal law. **First Sponsor:** Rep. Friese **Other Sponsors:** Rep. Fernandez, **ARS Titles Affected:** 43

H 2061 STOS; ADMINISTRATIVE COST ALLOCATION
School tuition organizations are required to allocate at least 95 percent, increased from 90 percent, of annual revenue from contributions for the purpose of income tax credits for educational scholarships or tuition grants. **First Sponsor:** Rep. Friese **Other Sponsors:** Rep. Fernandez, **ARS Titles Affected:** 43

H 2062 STO CAP; GENERAL FUND PERCENTAGE
The aggregate dollar amount of the cap on corporate income tax credit for contributions to school tuition organizations in any fiscal year cannot exceed one percent of the amount appropriated for all purposes by the Legislature from the general fund in any fiscal year. **First Sponsor:** Rep. Friese **Other Sponsors:** Rep. Fernandez, **ARS Titles Affected:** 43

H 2063 STO SCHOLARSHIPS; STUDENT TRANSFERS
The list of students that must receive at least 90 percent of contributions made to school tuition organizations using the higher income tax credit limits is modified to remove students who received an educational

scholarship or tuition grant under other requirements in a previous year and continue to attend a qualified school in a subsequent year. **First Sponsor:** Rep. Friese **Other Sponsors:** Rep. Fernandez, **ARS Titles Affected:** 43

H 2064 INTERNAL REVENUE CODE; FULL CONFORMITY
Makes changes to the state’s income tax laws so that they conform to the IRS Code in effect as of January 1, 2017. An annual exercise. **First Sponsor:** Rep. Ugenti-Rita **Other Sponsors:** Rep. Leach, **ARS Titles Affected:** 42 43

H 2065 WASTE TIRE DISPOSAL; CONTINUATION
The termination date of the Waste Tire Fund and Program and the fee of two percent of the purchase price of new retail tires is moved to January 1, 2028, from January 1, 2018. **First Sponsor:** Rep. Coleman **ARS Titles Affected:** 41

H 2066 AGGRAVATED DUI; SENTENCE; COUNTY JAIL
Persons convicted of a violation of aggravated driving under the the influence may serve their sentence in a county jail. Municipalities and counties are authorized to establish a medium security facility for the confinement of persons convicted of driving under the influence. **First Sponsor:** Rep. Shope **ARS Titles Affected:** 28

H 2067 REAL ESTATE LICENSING; EXCEPTION; ASSISTANTS
Real estate licensing regulations do not apply to an individual who is hired by a real estate licensee as an assistant, transaction coordinator or other administrator if the individual is not engaging in any activity for which a license is required. **First Sponsor:** Rep. Shope **ARS Titles Affected:** 32

H 2068 INDEPENDENT EXPENDITURES; CORPORATIONS; FUNDING DISCLOSURE
Any corporation, limited liability company or labor organization that makes an independent expenditure and that accepts donations or contributions is required to file campaign finance reports, instead of only those entities that are organized primarily for the purpose of influencing an election. Disclosure statements for any campaign literature or advertisements purchased with monies from a corporation, limited liability company or labor organization making an independent expenditure must state whether the expenditure is authorized by any candidate and must include the four largest of its major funding sources as of the time the literature or advertisement is produced. **First Sponsor:** Rep. Clark **ARS Titles Affected:** 16

H 2069 INSURANCE TAXES; INSTALLMENTS; ELECTRONIC FILING
An insurer is required to file monthly insurance premium tax reports and payments from March through August if that insurer paid or is required to pay a tax of \$50,000 or more during the preceding calendar year, increased from \$2,000 or more. Beginning January 1, 2018, the Department of Insurance is permitted to require insurance premium tax reports and payments to be submitted electronically. Effective January 1, 2018. **First Sponsor:** Rep. Livingston **ARS Titles Affected:** 20 36

H 2070 LIFE SETTLEMENT CONTRACTS; BROKER LICENSES
The expiration date for an insurance broker license is required to coincide with the expiration date of the life line of authority as prescribed by insurance producer licensing statutes, instead of expiring every four years on the license anniversary date. **First Sponsor:** Rep. Livingston **ARS Titles Affected:** 20

H 2071 WORKFORCE TRAINING; UNEMPLOYED WORKERS
Establishes the Arizona Works Program within the Department of Economic Security to provide tuition waivers, housing assistance, on-the-job training and apprenticeship programs for “eligible persons” (defined) who have lost employment due to economic conditions. The Dept is required to administer the Program and develop application and selection criteria. Guidelines for tuition waiver scholarships and housing assistance vouchers are established based on the number of credit hours per semester in which the eligible person is enrolled and the median monthly rent of the county in which the person attends school. The Dept is authorized to accept grants, donations, contributions, gifts or other assistance from public or private sources to provide the tuition waiver scholar-

ships and housing assistance vouchers. The Program terminates on July 1, 2027. Contains a legislative intent section. **First Sponsor:** Rep. Cardenas **Other Sponsors:** Rep. Gabaldon, Rep. Rubalcava, Rep. Benally, Rep. Powers Hannley, Rep. Engel, Rep. Epstein, Rep. Espinoza, Rep. Alston, Rep. Blanc, Rep. Rios, Rep. Andrade, Rep. Chavez, Rep. Martinez, Rep. Navarrete, **ARS Titles Affected:** 41

H 2072 MANUFACTURED HOMES; REAL ESTATE TRANSACTIONS
The list of transactions where licensed real estate brokers and licensed real estate salesmen are exempt from the requirements of specified housing regulations is expanded to include transactions with respect to manufactured homes and mobile homes that are located in mobile home parks. **First Sponsor:** Rep. Weninger **ARS Titles Affected:** 41

H 2073 GOVT DEPOSITS; INVESTMENT; FINANCIAL INSTITUTIONS
The list of authorized investments by various government entities is expanded to include deposits placed in accordance with the procedures prescribed in statutes governing the investment of government monies in deposits. **First Sponsor:** Rep. Weninger **ARS Titles Affected:** 6 9 35 45 48

H 2074 APPROPS; FAIRGROUNDS; PRESERVATION; HISTORIC BUILDINGS
Appropriates \$1 million from the general fund in FY2017-18 to the Arizona Exposition and State Fair Board for the preservation and renovation of historic buildings under the control of the Board. **First Sponsor:** Rep. Clark **Other Sponsors:** Sen. Hobbs, Rep. Alston, **ARS Titles Affected:** 41

H 2075 RADIATION REGULATORY AGENCY; DHS; TRANSFER
The Department of Health Services succeeds to the authority, powers, duties and responsibilities of the Radiation Regulatory Agency. All administrative matters, licenses and registrations, equipment and other property, and personnel of the Agency are transferred to and retain the same status with the Dept on the effective date of this legislation. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 13 26 30 32 41 45 49

H 2076 ADVANCED DIRECTIVES REGISTRY; PROVIDER ACCESS
By December 31, 2018, the Secretary of State is required to establish in rule a process for health care providers to access the health care directives registry. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 36

H 2077 AZ ONLINE INSTRUCTION; FUNDING; TESTING
If a student requests to take an examination from a school district in any course in which academic credit was previously earned in an Arizona online instruction course and if the district determines that the online course provider did not proctor the final examination, the district is permitted to test that student to determine whether to award academic credit. **First Sponsor:** Rep. Carter **Other Sponsors:** Rep. Boyer, **ARS Titles Affected:** 15

H 2078 SCHOOLS; CONCURRENT ENROLLMENT
The list of conditions under which a school district or charter school is permitted to include students enrolled in a concurrent enrollment course for the purpose of calculating average daily membership (ADM) is modified to require the student to earn at least three semester hours of credit in the community college or university course per semester, and to require the school district or charter school to pay the community college or university for the tuition cost of the concurrent enrollment course or reimburse the student for the tuition cost. A concurrent enrollment course is not required to meet 123 hours a year to be considered a subject. The ADM must be based on the instructional hours that the student is enrolled in at the school district or charter school and at the community college or university, and a formula for calculating the ADM is specified. Except as otherwise provided by law, ADM cannot exceed 1.0 for a full-time high school student who attends concurrent enrollment courses. **First Sponsor:** Rep. Carter **Other Sponsors:** Rep. Coleman, Rep. Townsend, Rep. Boyer, **ARS Titles Affected:** 15

H 2079 TECH CORRECTION; REGENTS; OFFICERS
Minor change in Title 15 (Education) related to the Arizona Board of Regents. Apparent striker bus. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 15

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

H 2080 STO; CREDIT CAP; LOW-INCOME QUALIFICATION

Beginning in FY2017-18, the aggregate dollar amount of the cap on the tax credit for contributions to school tuition organizations must be annually increased by the greater of either the percentage of the annually increase in the metropolitan Phoenix consumer price index or two percent. Previously, the cap was annually increased by 20 percent. School tuition organizations are required to allocate at least 95 percent, increased from 90 percent, of its annual revenue from contributions for the purpose of tax credits for educational scholarships or tuition grants. School tuition organizations are required to include on their website the percentage and total dollar amount of educational scholarships and tuition grants awarded during the previous FY to students whose family income does not exceed the “federal poverty level” (defined) and students whose family income does not exceed 133 percent of the federal poverty level, instead of reporting on students whose family income meets economic eligibility requirements for free or reduced-price lunches. **First Sponsor:** Rep. Coleman **Other Sponsors:** Sen. Brophy McGee, **ARS Titles Affected:** 43

H 2081 SCHOOLS; COMPULSORY ATTENDANCE GAP; INCREASE

School attendance is mandatory for children if they are between 6 and 18 years of age (formerly, between 6 and 16) unless the child has obtain a high school diploma or G.E.D. or has graduated from a home school program. **First Sponsor:** Rep. Rubalcava **Other Sponsors:** Rep. Gabaldon, Rep. Gonzales, Rep. Fernandez, Rep. Epstein, Rep. Cardenas, Rep. Alston, Rep. Clark, Rep. Blanc, Rep. Bolding, Rep. Andrade, Rep. Chavez, **ARS Titles Affected:** 15

H 2082 SCHOOLS; DAILY RECESS TIME

Each school district and charter school is required to provide at least 50 minutes of unstructured recess each school day for students in kindergarten through grade five. Unstructured recess time cannot be withheld from a student as punishment unless the student’s parent or guardian is notified beforehand. **First Sponsor:** Rep. Rubalcava **Other Sponsors:** Rep. Gabaldon, Rep. Fernandez, Rep. Benally, Rep. Friesse, Rep. Engel, Rep. Epstein, Rep. Cardenas, Rep. Alston, Rep. Blanc, Rep. Salman, Rep. Rios, Rep. Andrade, Rep. Chavez, Rep. Navarrete, **ARS Titles Affected:** 15

H 2083 SCHOOLS; OVERRIDES; BALLOT LANGUAGE

At an election to approve a school district budget that exceeds the aggregate budget limit for the budget year, the ballot is required to contain the words “locally controlled funding, yes” and “locally controlled funding, no” instead of “budget increase, yes” and “budget increase, no.” **First Sponsor:** Rep. Rubalcava **Other Sponsors:** Rep. Gabaldon, Rep. Gonzales, Rep. Fernandez, Rep. Benally, Rep. Epstein, Rep. Cardenas, Rep. Alston, Rep. Blanc, Rep. Bolding, Rep. Rios, Rep. Andrade, Rep. Chavez, Rep. Navarrete, **ARS Titles Affected:** 15

H 2084 TRIBAL COURTS; INVOLUNTARY COMMITMENT ORDERS

A mental health treatment facility is authorized to admit a patient for involuntary treatment pending the filing of a tribal court’s involuntary commitment order with the clerk of the superior court as required by statute. The facility is required to discharge the patient if the order is not filed by the close of business on the next day that the court is open after the admission of the patient. **First Sponsor:** Rep. E. Farnsworth **ARS Titles Affected:** 12

H 2085 SENTENCING DOCUMENT; FINGERPRINT; MISDEMEANOR OFFENSES

The list of offenses for which the court is required to obtain and record the defendant’s fingerprints at the time of sentencing is expanded to include theft and shoplifting. **First Sponsor:** Rep. E. Farnsworth **ARS Titles Affected:**

H 2086 MUNICIPALITIES; IDENTIFICATION CARDS; PROHIBITION

Municipalities are prohibited from issuing municipal identification cards. If a municipality violates this prohibition, the Attorney General is required to notify the municipality and the municipality has 30 days to resolve the violation. If unresolved, the State Treasurer is required to withhold and redistribute the municipality’s state shared monies until the Attorney General notifies the State Treasurer that the violation is resolved. **First Sponsor:** Rep. Lawrence **ARS Titles Affected:**

H 2087 ARIZONA CRIMINAL JUSTICE COMMISSION; CONTINUATION

The statutory life of the Arizona Criminal Justice Commission is extended ten years to July 1, 2027. Retroactive to July 1, 2017. **First Sponsor:** Rep. E. Farnsworth **ARS Titles Affected:**

H 2088 INCORPORATION; URBANIZED AREAS

The county board of supervisors is required to proceed with incorporation of an area as a municipality without a resolution approving the incorporation from the nearby municipalities if the area has a population of 15,000 or more persons and that population is more than the population of any adjacent municipality that opposes the proposed incorporation. **First Sponsor:** Rep. E. Farnsworth **Other Sponsors:** Sen. Petersen, Rep. Grantham, **ARS Titles Affected:**

H 2089 STUDENT FEES; POLITICAL PURPOSES; PROHIBITION

A school district, charter school, community college or public university is prohibited from using any student activity fees it charges for any political speech, political activity or other political purpose. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 15

H 2090 HOSPITALS; FLU VACCINES

From October 1 through March 1 annually, licensed hospitals are required to offer to all inpatients who are 65 years of age or older, before their discharge from the hospital, an immunization against the influenza virus unless the immunization is contraindicated and contingent on the availability of the vaccine. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 36

H 2091 TANF; SNAP; FINGER IMAGING; REPEAL

Repeals the finger imaging programs for the Temporary Assistance for Needy Families program and the Supplemental Nutrition Assistance program. **First Sponsor:** Rep. J. Allen **ARS Titles Affected:** 46

H 2092 WULFENITE; STATE MINERAL

Declares that wulfenite is the official state mineral. **First Sponsor:** Rep. Finchem **Other Sponsors:** Rep. Clodfelter, Rep. Nutt, Rep. Norgaard, **ARS Titles Affected:** 41

H 2093 USE FUEL TAXES; ADJUSTMENT

The use fuel tax for use fuel used in the propulsion of a use class motor vehicle or a light class motor vehicle is reduced to 24.4 cents per gallon, from 26 cents per gallon. A person who sells use fuel for delivery directly into a vehicle fuel tank is no longer required to be licensed as a vendor. Requirements for vendor receipts, records and refunds are repealed. **First Sponsor:** Rep. Bowers **ARS Titles Affected:** 28

H 2094 COMMUNITY PROTECTION INITIATIVE; REPORT; CONTINUATION

The Community Protection Initiative Program termination is extended four years to July 1, 2021, retroactive to July 1, 2017. The State Forester is required to submit the annual report on the Program by December 1 of each year. **First Sponsor:** Rep. Bowers **ARS Titles Affected:** 37

H 2095 STATE LANDS; PERPETUAL RIGHTS-OF-WAY

The State Land Department is required to grant a perpetual right-of-way, after conducting an appraisal, at public auction to the highest and best bidder if the grant is for the purpose of providing legal access to private property to which access across state land is the historic access or is necessary because state or federal land surrounds the private property. **First Sponsor:** Rep. Bowers **ARS Titles Affected:** 37

H 2096 NATURAL RESOURCES PROJECTS; COURT ACTIONS

A person that files an action in any court to enjoin a “natural resources project” (defined as any project that reduces the risk of catastrophic fire or loss from erosion, flooding and landslides or that protects watersheds) is required to post a bond of \$50,000 or 10 percent of the total cost of the project, whichever is greater. A person that files an action to enjoin a natural resources project and that does not prevail is liable for costs incurred by the project as a result of the injunction. **First Sponsor:** Rep. Thorpe **Other Sponsors:** Rep. Barton, **ARS Titles Affected:** 37

H 2097 SOVEREIGN AUTHORITY; COMMANDEERING; PROHIBITION; EXCEPTION

The state and all political subdivisions are prohibited from using any personnel or financial resources to enforce, administer or cooperate with any “action”

(defined) of the U.S. government that constitutes “commandeering,” defined as any action that is not in pursuance of the U.S. Constitution and that has not been affirmed by a vote of the U.S. Congress and signed into law as prescribed in the U.S. Constitution, or any action that exceeds the powers of the U.S. Congress enumerated in the U.S. Constitution, unless specifically authorized by state legislation. Contains legislative findings. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 1

H 2098 CIVIL FORFEITURE; PUBLIC DEFENDER APPOINTMENT

The list of proceedings and circumstances at which a public defender is required to defend, advise and counsel any person who is entitled to counsel and who is not financially able to employ counsel is expanded to include all seizure and forfeiture proceedings held under the criminal code. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 11

H 2099 ADOT LICENSES; AUTHORIZED PRESENCE REPEAL

The Department of Transportation is no longer prohibited from issuing or renewing a driver license or nonoperating identification license for a person who does not submit proof that the applicant’s presence in the U.S. is authorized under federal law. **First Sponsor:** Rep. Chavez **Other Sponsors:** Sen. Miranda, Rep. Gabaldon, Rep. Hernandez, Rep. Gonzales, Rep. Saldate, Rep. Rubalcava, Rep. Benally, Rep. Descheenie, Rep. Friesse, Rep. Powers Hannley, Rep. Engel, Rep. Cardenas, Rep. Espinoza, Rep. Alston, Rep. Blanc, Rep. Salman, Rep. Rios, Rep. Andrade, Rep. Martinez, Rep. Navarrete, **ARS Titles Affected:** 28

H 2100 PAYROLL DEDUCTIONS; EMPLOYEE PURCHASE PROGRAM

The list of authorized payroll deductions for state officers and employees is expanded to include deductions for a voluntary purchase program. **First Sponsor:** Rep. Lawrence **ARS Titles Affected:** 38

H 2101 PRIVATE PRISON CONTRACTORS; PUBLIC RECORDS

Private prisons that contract with any governmental entity must make public all records relating to costs, operations, staff and inmates to the same extent required of publicly operated prisons or jails. **First Sponsor:** Rep. Andrade **Other Sponsors:** Rep. Gabaldon, Rep. Hernandez, Rep. Fernandez, Rep. Rubalcava, Rep. Cardenas, Rep. Espinoza, Rep. Alston, Rep. Clark, Rep. Bolding, Rep. Chavez, **ARS Titles Affected:** 41

H 2102 PRIVATE PRISON SECURITY OFFICERS; CERTIFICATION

Security officers employed by a private prison contractor are required to be certified by the Arizona Peace Officer Standards and Training (AZPOST) Board by completing the same basic training course, physical examinations and criminal background investigations as correctional officers employed by the Department of Corrections. A contract for adult incarceration cannot be entered into unless the private prison contractor only uses security officers who are AZPOST certified. A security officer employed by a private prison has no authority or jurisdiction outside of the grounds of a private prison facility. A person who exercises the authority or performs the duties of a peace officer and who is not AZPOST certified as a peace officer is guilty of a class 1 (highest) misdemeanor. **First Sponsor:** Rep. Andrade **Other Sponsors:** Rep. Gabaldon, Rep. Fernandez, Rep. Rubalcava, Rep. Cardenas, Rep. Espinoza, Rep. Alston, Rep. Clark, Rep. Bolding, **ARS Titles Affected:** 41

H 2103 PRIVATE PRISON STUDY COMMITTEE

Establishes a 19-member Private Prison Study Committee to research and report on the impact of private prisons on the safety of the public and prisoners, the economic efficiency of housing prisoners in private facilities, and the provision of constitutionally appropriate services for prisoners at private prisons. The Committee must submit a report to the Governor and the Legislature by December 31, 2017 and self-repeals October 1, 2018. **First Sponsor:** Rep. Andrade **Other Sponsors:** Rep. Gabaldon, Rep. Hernandez, Rep. Fernandez, Rep. Rubalcava, Rep. Epstein, Rep. Cardenas, Rep. Espinoza, Rep. Alston, Rep. Clark, Rep. Bolding, Rep. Chavez, **ARS Titles Affected:** 41

H 2104 IVORY; RHINOCEROS HORN; SALES; PROHIBITION

A person is prohibited from importing, selling, purchasing, bartering or possessing with intent to sell any ivory, ivory product, rhinoceros horn or rhinoceros horn product unless the person receives a permit from the Game and Fish Commission to do so for educational or scientific purposes. Some exceptions. A first violation is punishable by a civil penalty of at least \$1,000 or an amount equal to two times the total value of the products involved in the offense, whichever is greater. A second or subsequent violation is punishable by a civil penalty of at least \$5,000 or an amount equal to two times the total value of the products involved in the offense, whichever is greater. **First Sponsor:** Rep. Andrade **Other Sponsors:** Rep. Gabaldon, Rep. Fernandez, Rep. Rubalcava, Rep. Cardenas, Rep. Espinoza, Rep. Alston, Rep. Clark, Rep. Chavez, **ARS Titles Affected:** 17

H 2105 STATE FAIR BOARD; CONTINUATION

The statutory life of the Arizona Exposition and State Fair Board is extended eight years to July 1, 2025. Retroactive to July 1, 2017. **First Sponsor:** Rep. Barton **Other Sponsors:** Rep. Cook, Rep. Nutt, **ARS Titles Affected:** 41

H 2106 GARNISHMENT; CONTINUING LIEN; SCHOOL EMPLOYEE

If a judgment debtor is an employee of a school district, charter school, the Arizona State Schools for the Deaf and the Blind or an accommodation school and the debtor is subject to an employment contract that specifies that paydays are restricted to the school year, a continuing lien ordered by the court is invalid if the debtor leaves the garnishee’s employ for more than 90 days, increased from 60 days, or has not earned any nonexempt earnings for at least 90 days, increased from 60 days. **First Sponsor:** Rep. Boyer **ARS Titles Affected:** 12

H 2107 SCHOOLS; NONRESIDENT PUPILS; MILITARY DUTY

A student complies with the residency requirements for school attendance in a school district if the student’s parent is transferred to or is pending transfer to a “military installation” within Arizona while on “active military duty” (both defined). **First Sponsor:** Rep. Boyer **ARS Titles Affected:** 15

H 2108 EDUCATION; CONFORMING CHANGES

Makes various technical and conforming changes to statutes related to education. **First Sponsor:** Rep. Boyer **ARS Titles Affected:** 15

H 2109 FORFEITURE; MONIES; ASSETS; PROHIBITED DISTRIBUTION

Any monies obtained as a result of a seizure or forfeiture that involved a drug or gambling offense are prohibited from being distributed to or used by any law enforcement agency. If the property forfeited is money that cannot be specifically identified, the court is required to order the monies distributed to crime victims who have not received the full amount of restitution that was ordered by a court before any remaining monies are distributed to law enforcement agencies. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 13

H 2110 UNCONTESTED CIVIL FORFEITURE; REPEAL

Repeals statute allowing the state to make uncontested civil forfeiture available to owners of and interest holders in personal property and regulating that process. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 13

H 2111 ANTI-RACKETEERING FUNDS; ADMINISTRATION; REVENUE DEPARTMENT

Authority to administer the Anti-Racketeering Revolving Fund is transferred to the Department of Revenue (DOR), from the Attorney General, and authority to administer each County Anti-Racketeering Revolving Fund is transferred to the Department of Revenue (DOR), from the County Attorney. A department or agency that receives monies from either Fund is subject to random audit by DOR and must provide a full accounting for monies received from the Fund. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 13

H 2112 MULTI-COUNTY WATER DISTRICT; DIRECTORS; ELECTIONS

An employee of a multi-county water conservation district or the spouse of an employee of the district is not eligible to serve as a member of the board of

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

directors of the district. The names of candidates for election to the board of directors of a district must include a party designation on the ballot. **First Sponsor:** Rep. Finchem **Other Sponsors:** Rep. Barton, Rep. Thorpe, Rep. Clodfelter, Rep. Mitchell, Rep. Nutt, Rep. Norgaard, Rep. Espinoza, Rep. Lawrence, **ARS Titles Affected:** 48

H 2113 GOVERNMENT VEHICLES; POLITICAL SPEECH; PROHIBITION
A motor vehicle that is owned or leased by the state or a political subdivision is prohibited from displaying any information regarding a political organization, including a labor organization, or political speech. **First Sponsor:** Rep. Thorpe **Other Sponsors:** Rep. Barton, Rep. Finchem, Rep. Lawrence, **ARS Titles Affected:** 38

H 2114 PEACE OFFICERS; WEAPONS; FEDERAL FACILITIES
The Attorney General is required to file a formal complaint with the U.S. Attorney General and work to reverse the federal policy that requires sworn Arizona peace officers to disarm before entering a federal facility. **First Sponsor:** Rep. Thorpe **Other Sponsors:** Rep. Barton, Rep. Finchem, Rep. Lawrence, **ARS Titles Affected:**

H 2115 SCHOOL VEHICLES; GLOBAL POSITIONING SYSTEMS
By September 1, 2018, the Department of Education must require all vehicles owned, leased or operated by a school district or charter school to be equipped with a global positioning system and a reporting system approved by the Dept and that comply with specified standards. **First Sponsor:** Rep. Thorpe **Other Sponsors:** Rep. Barton, Rep. Finchem, Rep. Lawrence, **ARS Titles Affected:** 15

H 2116 MUNICIPAL ZONING; REZONING PROTESTS
The group of persons authorized to file a protest in writing against a municipal rezoning, which triggers a requirement for the rezoning to obtain a 3/4 vote of the municipal governing body for passage, is modified to be the owners of 20 percent or more of the property by area and number within the “zoning area” (defined as the area within 150 feet of the proposed change). **First Sponsor:** Rep. Thorpe **Other Sponsors:** Rep. Barton, **ARS Titles Affected:** 9

H 2117 STATE MILITIA; FIREARMS; RIGHTS
The membership of the state militia is modified to include that the citizens must be law-abiding and must own a firearm. Declares a legislative finding that the state militia is necessary for the security of the state and that the militia members have the right to keep and bear arms under the 2nd amendment of the U.S. Constitution, which may not be infringed or called into question by the federal government or any state or local government. **First Sponsor:** Rep. Thorpe **Other Sponsors:** Rep. Barton, Rep. Lawrence, **ARS Titles Affected:** 26

H 2118 FIREARMS TRANSFERS; COMPACT
The state of Arizona enacts, adopts and agrees to be bound by a uniform firearms transfer compact, which prohibits member states from creating, imposing or enforcing any fee, tax, penalty, mandate or regulation governing, punishing, restricting, conditioning or otherwise burdening in any respect or at any time the transfer of firearms by any person in addition to those imposed by federal law, with some exceptions. Any law, regulation or policy existing on the effective date of the compact which is in conflict with this prohibition is repealed and held for naught to the extent of the conflict. Provides for construction, enforcement, withdrawal from and severability of the compact. **First Sponsor:** Rep. Thorpe **Other Sponsors:** Rep. Barton, Rep. Lawrence, **ARS Titles Affected:** 13

H 2119 EDUCATIONAL INSTITUTIONS; STATE LAW VIOLATIONS
If the Attorney General determines that any educational institution that receives state funding is in violation of state law or the state Constitution, the Attorney General is required to notify the institution by certified mail. If the institution fails to resolve the violation within 60 days, the Attorney General is required to notify the State Treasurer, and the State Treasurer is required to either withhold 10 percent of the annual state funding that institution would otherwise receive in the current fiscal year or direct the institution to return up to 10 percent of the state funding received in the current fiscal year. Monies withheld cannot be returned until the educational institution is in full compliance with state law or the state Constitution. **First Sponsor:** Rep. Thorpe **Other Sponsors:** Rep. Finchem, Rep. Lawrence, **ARS Titles Affected:** 15

H 2120 EDUCATION; PROHIBITED COURSES & ACTIVITIES
Statute prohibiting school districts and charter schools from including certain courses or classes in a program of instruction is expanded to prohibit any courses, classes, events or activities that promote division, resentment or social justice toward a race, gender, religion, political affiliation, social class or other class of people, that advocate solidarity or isolation based on ethnicity, race, religion, gender or social class, that violate state or federal civil rights laws, or that negatively target specific nationalities or countries. The list of prohibited courses, classes, events and activities is also established for public universities and community colleges. Contains a legislative intent section. **First Sponsor:** Rep. Thorpe **Other Sponsors:** Rep. Finchem, **ARS Titles Affected:** 15

H 2121 IMMIGRATION; PROHIBITED ACTS; CIVIL ACTION
Officials or agencies of the state and “political subdivisions” (defined) cannot be prohibited or in any way restricted from complying with an immigration detainer, providing a federal immigration official with access to an inmate for an interview, initiating an immigration status investigation, or providing a federal immigration official with the incarceration status or release date of an inmate. On official or agency of the state or a political subdivision that is in violation of these provisions is liable for damages to any person who is injured by the tortious acts of omission of an alien who is unlawfully present in the U.S., and every person who holds a public office or has official duties as an agent or employee of the state or a political subdivision has a duty to report a violation and is protected under statute protecting certain disclosures of information by public employees. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 11

H 2122 COMPETITIVE BIDDING; LEGAL COUNSEL; LIMIT
Any procurement of legal counsel for a contract that is \$50,000 or more must be awarded by competitive sealed bidding subject to the Arizona Procurement Code. No more than 10 percent of the contracts awarded each year for legal counsel may be awarded to a single contractor. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 41

H 2123 VOCATIONAL & TECHNICAL EDUCATION; EVALUATION
School district boards are required to provide for the evaluation of vocational and technical education programs annually, instead of once every five years, and to submit the results of the evaluation to the Arizona Commerce Authority. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 15

H 2124 MINIMUM WAGE; EMPLOYEE BENEFITS; PREEMPTION
Counties and municipalities are prohibited from establishing a minimum wage that is more than the minimum wage established by statute. Contains a legislative intent section. Retroactive to November 1, 2016. Due to voter protection, this legislation requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage. **First Sponsor:** Rep. Thorpe **Other Sponsors:** Rep. Lawrence, **ARS Titles Affected:** 23

H 2125 SEX TRAFFICKING VICTIM; VACATING CONVICTION
A person convicted of any nondangerous offense that was committed as a direct result of the person being a victim of sex trafficking, instead of only a person convicted of prostitution that was committed prior to July 24, 2014, may apply to the court that pronounced sentence to vacate the person’s conviction. The court is required to grant the application and vacate the conviction if the court finds by clear and convincing evidence that the person’s participation in the offense was a direct result of being a victim of sex trafficking. A conviction vacated does not qualify as a historical prior felony conviction and cannot be alleged for sentencing repetitive offenders. Except on an application for employment that requires a fingerprint clearance card, a person whose conviction is vacated may in all instances state that the person has never been arrested for, charged with or convicted of the crime that is the subject of the conviction. **First Sponsor:** Rep. Coleman **Other Sponsors:** Rep. John, Rep. Carter, **ARS Titles Affected:** 13

H 2126 SCHOOLS; PRIOR-YEAR FUNDING
After the first 100 days or 200 days in session of the current school year, a school district is permitted to determine whether it is eligible to increase its revenue

control limit and district support level for the current year due to growth in the student population, and whether it is eligible to increase its revenue control limit for the current year due to growth in the number of student in certain group B funding categories, by following a specified formula. If a school district meets the specified criteria, the school district governing board, after notice and a public hearing, may revise its budget at any time before May 15 to include the increase in its revenue control limit and district support level using the appropriate formula. The governing board is required to submit the revised budget to the Superintendent of Public Instruction by May 18, and will then receive state aid based on the adjusted revenue control limit or district support level. Appropriates \$31 million from the general fund in FY2017-18 to the Department of Education for distribution to school districts and charter schools on a per student basis for the costs associated with prior-year funding. **First Sponsor:** Rep. Coleman **Other Sponsors:** Rep. John, Rep. Carter, **ARS Titles Affected:** 15

H 2127 AUDITOR GENERAL; SPECIAL INVESTIGATIVE UNIT
Appropriates \$572,500 and four FTE positions from the general fund in FY2017-18 to the Auditor General for the special investigative unit. Appropriates \$680,000 and six FTE positions from the general fund in FY2018-19 to the Auditor General for the special investigative unit. **First Sponsor:** Rep. J. Allen **ARS Titles Affected:** 41

H 2128 JLAC: AUDITOR GENERAL
Various changes relating to audits of public agencies. The Auditor General is required to conduct annual, instead of at least biennial, financial and compliance audits of financial transactions and account kept by or for all state agencies subject to the federal single audit requirements. The Auditor General is required to conduct investigations of any political subdivision. All officers of any state agency, board, commission, department, program or committee or any political subdivision are required to afford reasonable and needed facilities for Auditor General staff and make records available in the form and at the time prescribed. The Joint Legislative Budget Committee is required to issue a fiscal note for any legislative measure that requires the Auditor General to perform a special audit, which must be completed before the measure is scheduled for third read in the house of origin or in the house where the special audit provision was added. The President of the Senate and the Speaker of the House of Representatives, instead of the Joint Legislative Audit Committee (JLAC), are required to designate the chairman of each committee of reference and assign agencies to the respective committees of reference according to subject matter. Factors the committee of reference must consider when determining the need for continuation or termination of an agency are modified. JLAC is required to meet annually, instead of at least quarterly. **First Sponsor:** Rep. J. Allen **ARS Titles Affected:** 15 17 20 23 28 41

H 2129 TOXIC DATA REPORTS, PLANS; REQUIREMENTS
Toxic data reports and pollution prevention plans are required to be filed electronically. **First Sponsor:** Rep. Bowers **ARS Titles Affected:** 49

H 2130 WATER QUALITY; MAXIMUM DAILY LOAD
The Department of Environmental Quality is required to submit a report to the Governor and the Legislature detailing progress made under the maximum daily load program by September 1 of each year. **First Sponsor:** Rep. Bowers **ARS Titles Affected:** 49

H 2131 AIR QUALITY COMPLIANCE
Retroactive to July 1, 2017, changes made to the vehicle emissions program by Laws 2014, Chapter 89 are conditionally enacted on the U.S. Environmental Protection Agency approving the proposed modifications as part of the state implementation plan for air quality by July 1, 2020, instead of July 1, 2017. **First Sponsor:** Rep. Bowers **ARS Titles Affected:** 49

H 2132 COMMERCE AUTHORITY; CONCRETE MASONRY EDUCATION
Establishes the Arizona Concrete Masonry Education Council as a nonprofit corporation, which is governed by a 7-member board of directors, to operate under a written contract with the Arizona Commerce Authority to plan, implement and conduct educational programs to train individuals in the field of

concrete masonry and to support research and education programs related to the masonry industry. Powers and duties of the Council are specified. The Council is required to submit a report to the Governor and the Legislature by January 15 of each year. **First Sponsor:** Rep. Bowers **ARS Titles Affected:** 41

H 2133 CORRECTIONAL FACILITIES; COMMUNITY NOTIFICATION
Before incurring any obligation for the establishment of any “correctional facility” or any “change of use” (both defined) of a correctional facility, or for the establishment of any private incarceration facility or community correctional center, the Department of Corrections is required to give at least 60 days’ written notice to a list of specified persons, including property owners and government officials. Information that must be included in the notice is specified. The Dept is required to post a sign that is at least four feet by eight feet in a conspicuous location on the proposed site for 15 calendar days before a required public hearing, and the sign must give notice of the date, time and location of the hearing. **First Sponsor:** Rep. J. Allen **Other Sponsors:** Sen. Barto, **ARS Titles Affected:**

H 2134 SCHOOLS; CHILDREN’S CAMPS; SUNSCREEN USE
A student who attend any public school in Arizona and a child who attends a children’s camp in Arizona is permitted to possess and use a topical sunscreen product while on school property or at a school-sponsored event without a note or prescription from a licensed health care professional if the product is approved by the U.S. Food and Drug Administration for nonprescription use. School boards and children’s camps may allow employees to assist children in the application of topical sunscreen, and employees and volunteers are immune from civil liability for good faith implementation of these provisions, except in cases of gross negligence, willful misconduct or intentional wrongdoing. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 15

H 2135 HEALTH CARE WORKFORCE; DATA
Establishes a 15-member Task Force on Health Care Professional Workforce Data to research and make recommendations for the establishment of a resource center for the collection of data concerning the health care professional workforce. The Task Force is required to submit a report of its findings and recommendations to the Governor and the Legislature by March 1, 2018 and self-repeals July 1, 2018. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 41

H 2136 APPLICATIONS FOR REGULATION; INFO; PROCESS
Groups applying for regulation of a profession or for an increase in the scope of practice of a profession are required to include with the application suggested language for proposed legislation, and have two years in which to work on the application with the legislative committee of reference to ensure it meets statutory requirements. Other information that must be included with the application is specified. Effective January 1, 2018. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 32

H 2137 MEDICAL PRECEPTORS; INCOME TAX CREDIT
Beginning with tax year 2018, an individual and corporate income tax credit is allowed for a “preceptorship” (defined) provided by a taxpayer who is a “medical preceptor” (defined) during the tax year, in the amount of \$100 for each preceptorship with a maximum amount of \$1,000 per taxpayer in any tax year. Conditions that a preceptorship must meet in order to qualify for the credit are established. The total aggregate amount of credits cannot exceed \$100,000 in any fiscal year. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 43

H 2138 LIBRARY TRUSTEES; ANNUAL REPORT
The annual report that municipal library trustees are required to make to the municipal governing body must be made by the second Monday of July, instead of the first Monday of July. **First Sponsor:** Rep. Norgaard **ARS Titles Affected:** 9

H 2139 BUILDING CODE MORATORIUM; REPEAL
Repeals the moratorium on new or modified residential or commercial building codes that was in effect from June 30, 2009 to June 30, 2011. **First Sponsor:** Rep. Norgaard **ARS Titles Affected:** 9

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

H 2140 ARIZONA SILVER-HAIRED LEGISLATURE
Establishes the Arizona Silver-Haired Legislature, a nonpartisan panel consisting of Arizona citizens who are at least 60 years of age and who are elected by their peers, to identify and discuss policy issues and annually submit its recommendations to the Governor and the Legislature. The panel terminates on July 1, 2025. **First Sponsor:** Rep. Gabaldon **Other Sponsors:** Rep. Gonzales, Rep. Saldade, Rep. Fernandez, Rep. Rubalcava, Rep. Powers Hannley, Rep. Espinoza, Rep. Alston, Rep. Bolding, Rep. Andrade, **ARS Titles Affected:** 41

H 2141 DHS; STATE FOOD STANDARDS
The Department of Health Services is required to establish a Food Standards Task Force to develop state food standards. The Dept is required to finalize state food standards for foods served and sold by state agencies and institutions and on state property within 12 months after the effective date of this legislation. Requirements for the standards are specified. The standards terminate on July 1, 2027. **First Sponsor:** Rep. Gabaldon **Other Sponsors:** Rep. Gonzales, Rep. Saldade, Rep. Fernandez, Rep. Rubalcava, Rep. Powers Hannley, Rep. Espinoza, Rep. Alston, Rep. Bolding, Rep. Andrade, Rep. Martinez, **ARS Titles Affected:** 36

H 2142 FOSTER PARENTS; TRAINING
The number of hours of ongoing foster parent training that the parent must complete for license renewal is increased to 16 hours during the preceding two years, from 12 hours. Foster parent training programs are required to include a mandatory workshop on cultural hygiene. **First Sponsor:** Rep. Gabaldon **Other Sponsors:** Rep. Gonzales, Rep. Saldade, Rep. Fernandez, Rep. Rubalcava, Rep. Friese, Rep. Powers Hannley, Rep. Espinoza, Rep. Alston, Rep. Salman, Rep. Rios, Rep. Andrade, Rep. Martinez, **ARS Titles Affected:** 8

H 2143 PUBLIC CONTRACTS; PROCUREMENT
Contracts for construction, reconstruction or maintenance services of any street, road or bridge that involve an expenditure of \$25,000 or more, including materials and equipment, must call for bids and use the procurement process. Projects cannot be artificially divided or fragmented to circumvent the prescribed limits. **First Sponsor:** Rep. Leach **Other Sponsors:** Rep. Finchem, Rep. Weninger, Rep. Payne, Rep. Rivero, Rep. Livingston, Rep. Lawrence, Rep. Bowers, **ARS Titles Affected:** 28 32 34

H 2144 SERVICES DELIVERED BY INTERNET; TAXATION
The billing address of a customer of a video, audio or data service that is delivered to the customer through an internet connection is the taxable situs of the service regardless of where the service originates, terminates or passes through. Only a taxing jurisdiction in which the billing address is located may impose or collect taxes, charges or fees on the service. **First Sponsor:** Rep. Leach **ARS Titles Affected:** 42

H 2145 HOUSEHOLD GOODS; UNLAWFUL MOVING PRACTICES
After taking possession of a consumer’s household goods, a “household goods mover” (defined) is prohibited from refusing to deliver the goods and from enforcing or threatening to enforce a carrier’s lien against a consumer’s household goods when providing “household goods moving services” (defined) for an intrastate move. Also establishes requirements for advertisements by a household goods mover. Violations are an unlawful practice subject to enforcement by the Attorney General. **First Sponsor:** Rep. Weninger **ARS Titles Affected:** 44

H 2146 HOAS; DISCLOSURE DOCUMENTS; AGENT
Homeowner’s associations and condo associations are required to deliver copies of the bylaws, rules, declaration and other specified documents to a purchaser and the purchaser’s authorized agent, if any. Previously the association was required to deliver the documents to the purchaser or the agent. **First Sponsor:** Rep. Weninger **ARS Titles Affected:** 33

H 2147 EXPERIENCED TEACHER RETENTION PILOT PROGRAM
The Department of Education is required to conduct a five-year Experienced Teacher Retention Pilot Program. Program participants are eligible to receive a 75 percent discount on tuition at state universities during the Program. Eligibility requirements for the Program are specified. The Program self-repeals January 1, 2024. Appropriates \$2.5 million

from the general fund in FY2017-18 and \$5 million from the general fund in each of FY2018-19 through FY2021-22 to the Dept for the Program. **First Sponsor:** Rep. Friese **Other Sponsors:** Sen. Otondo, Rep. Hernandez, Rep. Rubalcava, Rep. Benally, Rep. Engel, Rep. Alston, Rep. Blanc, Rep. Bolding, Rep. Rios, Rep. Navarrete, **ARS Titles Affected:** 41

H 2148 PUBLIC SAFETY; VIOLENCE PREVENTION; COMMITTEE
Establishes a 14-member Public Safety and Violence Prevention Study Committee to research and report on how to promote public safety and curtail violence. The Committee is required to submit a report to the Governor and the Legislature by December 31, 2017 and self-repeals October 1, 2018. **First Sponsor:** Rep. Friese **Other Sponsors:** Sen. Otondo, Sen. Farley, Rep. Gabaldon, Rep. Hernandez, Rep. Fernandez, Rep. Rubalcava, Rep. Benally, Rep. Powers Hannley, Rep. Engel, Rep. Epstein, Rep. Espinoza, Rep. Alston, Rep. Blanc, Rep. Rios, Rep. Navarrete, **ARS Titles Affected:** 41

H 2149 MENTAL HEALTH; INJUNCTION; FIREARM POSSESSION
An immediate family member or a peace officer is authorized to file a verified petition with a magistrate, justice of the peace or superior court judge for an injunction that prohibits a person from possessing, controlling, owning or receiving a firearm. Any court may issue or enforce a mental health injunction against firearm possession, regardless of the location of the person. Information that must be included in the petition is specified. If the court finds that there is clear and convincing evidence to issue a mental health injunction against firearm possession, the court must issue the injunction. Information that must be included in the injunction is specified. Provides for enforcement. More. **First Sponsor:** Rep. Friese **Other Sponsors:** Rep. Gabaldon, Rep. Powers Hannley, Rep. Engel, Rep. Alston, Rep. Rios, **ARS Titles Affected:** 12

H 2150 FIREARM SALES; TRANSFERS; BACKGROUND CHECKS
If neither party to a prospective firearms sale or transfer is a licensed firearms dealer, the parties must complete the transaction through a licensed firearms dealer. Some exceptions. The dealer must process the sale or transfer and comply with all requirements of federal, state and local law as if the dealer were a party to the transaction, including a background check on both parties. If the dealer cannot legally deliver the weapon to the purchaser, the dealer must return the weapon to the seller. If the dealer cannot legally return the weapon to the seller, the dealer must deliver the weapon to law enforcement. The dealer may charge a fee of up to \$20 for the costs incurred in facilitating the sale or transfer. Violations are a class 5 (second-lowest) felony. **First Sponsor:** Rep. Friese **Other Sponsors:** Rep. Powers Hannley, Rep. Engel, Rep. Espinoza, Rep. Blanc, Rep. Rios, Rep. Chavez, Rep. Navarrete, **ARS Titles Affected:** 13

H 2151 INDIGENT DEFENSE FUND; DISTRIBUTION; PURPOSE
The Arizona Criminal Justice Commission is required to distribute monies in the State Aid to Indigent Defense Fund each fiscal year to each county for the sole purpose of providing state aid to the county public defender, legal defender and contract indigent defense counsel for the processing of criminal cases. **First Sponsor:** Rep. Cardenas **ARS Titles Affected:** 11

H 2152 ARIZONA EMISSIONS BANK; CREDITS; AMENDMENTS
Credits to the Arizona Emissions Bank must reflect the full certified amount of the credit and the Department of Environmental Quality is prohibited from discounting credits. The statutory termination date of July 1, 2019 for the Bank is deleted. **First Sponsor:** Rep. Bowers **ARS Titles Affected:** 49

H 2153 ARIZONA POWER AUTHORITY; DIRECTOR; RESIDENCY
Deletes the statement that the Director of the Arizona Commerce Authority “need not be a resident” of Arizona. **First Sponsor:** Rep. Bowers **ARS Titles Affected:** 30

H 2154 SUPERVISED PRISONERS; VIOLATIONS; GRADUATED SANCTIONS
The Department of Corrections is required to develop and maintain a graduated sanctions policy for prisoners who violate a condition of parole or commu-

nity supervision. Parole and community supervision officers are required to comply with the policy before submitting a petition to the Board of Executive Clemency that alleges a violation of the prisoner’s release conditions. The Dept is required to adopt rules for the policy, which must include a list of specified provisions. The Dept is authorized to contract with a county to permit a prisoner who is on parole or community supervision to be incarcerated in a county jail facility as a sanction. The Dept is required to submit an annual report on the sanctions to the Governor and the Legislature, and information that must be included in the report is specified. Also repeals statute requiring inmates to achieve functional literacy at an eighth grade literacy level before the inmate becomes eligible for early release. **First Sponsor:** Rep. Coleman **ARS Titles Affected:** 31 41

H 2155 VICTIMS’ RIGHTS; FAILURE TO COMPLY
The failure to comply with a victim’s constitutional or statutory rights is a ground for the victim to request a reexamination proceeding within 20 days, increased from 10 days, after the proceeding at which the victim’s right was denied. **First Sponsor:** Rep. Coleman **ARS Titles Affected:** 8 13

H 2156 COUNTY TRANSPORTATION EXCISE TAX; RATES
The Department of Revenue is required to collect the county transportation excise tax at different rates among tax classifications, including rates of zero for transactions that are above stated dollar values, if approved by a majority of the qualified electors. **First Sponsor:** Rep. Shope **ARS Titles Affected:** 42

H 2157 PRIVATE PROPERTY ACCESS; RIGHTS-OF-WAY
The state or any political subdivision is required to grant a perpetual right-of-way to the owner of private property if the grant is for the purpose of providing legal access to private property to which access across land owned by the state or political subdivision is the historic access or is necessary because state or federal land surrounds the private property. **First Sponsor:** Rep. Bowers **ARS Titles Affected:** 33

H 2158 TAX LIEN FORECLOSURES; SUBDIVISIONS; EXEMPTION
Lots, parcels or fractional interests that are the result of a foreclosure of the right to redeem are added to the list of lands that are exempt from statutes regulating the sale of subdivided lands. Does not apply to a tax lien purchaser if the deed described in the judgment is not recorded in the office of the county recorder and does not exempt a tax lien purchase who actually subdivides or intends to subdivide land or create a subdivision. **First Sponsor:** Rep. Shope **ARS Titles Affected:** 32

H 2159 VEHICLE IMPOUNDMENT; RELEASE OF VEHICLES
The spouse of the registered owner of an immobilized or impounded vehicle or any person identified as an owner of the vehicle on Department of Transportation records is no longer required, in order to obtain the release of a vehicle before the end of the 30 day immobilization or impoundment period, to enter into an agreement with the immobilizing or impounding agency that provides that if the spouse or person allows a driver who does not have a valid driving privilege or who commits a violation that causes the vehicle to be immobilized or impounded again within one year, the spouse or person will not be eligible to obtain release of the vehicle before the end of the 30 day immobilization or impoundment period. **First Sponsor:** Rep. Mitchell **ARS Titles Affected:** 28

H 2160 ANNUITY TRANSACTIONS; TRAINING REQUIREMENTS
Insurance producers are prohibited from soliciting the sale of an annuity product unless the producer has adequate knowledge of the product to recommend the annuity and is in compliance with the insurer’s standards for product training. And insurance producer who sells annuity products is required to complete a four credit training course approved by the Department of Insurance. Insurance produces who hold a life insurance line of authority on the effective date of this legislation are required to complete the training requirements within six months after the effective date. Information that must be included in the training is specified. **First Sponsor:** Rep. Livingston **ARS Titles Affected:** 20

H 2161 WORKERS’ COMP; OCCUPATIONAL DISEASES; CANCER
The list of diseases or impairments affecting a firefighter’s or peace officer’s health and resulting in disability or death that are presumed to be an occupational disease for the purpose of workers’ compensation if a list of specified conditions are met is expanded to include prostate cancer. **First Sponsor:** Rep. Boyer **ARS Titles Affected:** 23

H 2162 JPS; RESIDENCY REQUIREMENTS
A candidate for justice of the peace is required to be a qualified elector of the precinct from which the person proposes to represent at the time of filing a nomination paper and to reside in that precinct for at least one year before the date of the general election. Applies to a justice of the peace who is elected from and after the effective date of this legislation. **First Sponsor:** Rep. Boyer **ARS Titles Affected:** 22

H 2163 SCHOOLS; CERTIFICATION; DISCIPLINE; RECIPROCITY
If a person’s application for teacher certification is denied by the State Board of Education on grounds of immoral or unprofessional conduct, the Board is required to determine that the person is prohibited from submitting an application for certification for a specified period of up to five years. A final adjudication or judgment in another jurisdiction that a certified person has engaged in immoral or unprofessional conduct must be treated as immoral or unprofessional conduct for purposes of any disciplinary proceeding conducted against that person in Arizona. An applicant for teacher certification who has been disciplined in another jurisdiction for immoral or unprofessional conduct is required to successfully complete the disciplinary process in that jurisdiction before applying for certification in Arizona. **First Sponsor:** Rep. Boyer **ARS Titles Affected:** 15

H 2164 TEACHERS; ALT PERFORMANCE EVAL CYCLE
School district governing boards are authorized to allow teachers who have been designated in either of the two highest performance classifications for at least two consecutive evaluations to be evaluated at least once every three school years, instead of each school year. **First Sponsor:** Rep. Boyer **ARS Titles Affected:** 15

H 2165 AUTHORIZED THIRD PARTIES; ELECTRONIC TITLE
If the Department of Transportation establishes a system to require recording of certificate of title information through electronic media, the Dept must implement the system no sooner than January 1, 2018 and no later than January 1, 2023. The Dept is required to notify authorized third party electronic service providers and partners of the system’s establishment and implementation. The Dept is prohibited from authorizing a government entity to be a third party electronic service provider or partner. **First Sponsor:** Rep. Campbell **Other Sponsors:** Sen. Fann, Sen. Otondo, Rep. Stringer, **ARS Titles Affected:** 28

H 2166 ASRS; RETURN TO WORK
Arizona State Retirement System (ASRS) employers are required to pay retirement contributions at an alternate contribution rate on behalf of a retired member who returns to work with an ASRS employer in any capacity, instead of only a retired member who returns to work in a position ordinarily filled by an employee of the employer. **First Sponsor:** Rep. Livingston **ARS Titles Affected:** 38

H 2167 ASRS; CONTRIBUTIONS; ADJUSTMENTS
If more than the correct amount of employer or member contributions is paid into the Arizona State Retirement System through a mistake of law, ASRS is required to return those contributions to the employer upon request through an employer credit. If less than the correct amount of employer or member contributions is paid into ASRS by an employer, members who are inactive, retired or on long-term disability must make required payments using after-tax income and a personal check, cashier’s check or money order. **First Sponsor:** Rep. Livingston **ARS Titles Affected:** 38

H 2168 ASRS; REINSTATEMENT; CONTRIBUTION AMOUNT
A member of the Arizona State Retirement System who is reemployed by an ASRS employer is permitted to redeposit the amount of the contributions that the

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

ASRS paid, instead of that the member received, at the time of the member’s separation from service, with interest. **First Sponsor:** Rep. Livingston **ARS Titles Affected:** 38

H 2169 ASRS; STATE RETIREMENT; WAITING PERIOD; REPEAL

Repeals statute requiring any state employee initially hired on or after July 20, 2011 to wait until the 27th week of employment to become a member of the Arizona State Retirement System (ASRS) or the ASRS Long-Term Disability Program. **First Sponsor:** Rep. Livingston **ARS Titles Affected:** 38

H 2170 ANTI-RACKETEERING MONIES; POLICE TRAINING

Requires five percent of the monies deposited in the Anti-Racketeering Revolving Fund and five percent of the monies deposited in each County Anti-Racketeering Revolving Fund to be transferred to the State Treasurer for deposit in the Peace Officers’ Training Fund. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 13

H 2171 TECH CORRECTION; LAND DEPARTMENT; SEAL

Minor change in Title 37 (Public Lands) related to the seal of the State Land Department. Apparent striker bus. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 37

H 2172 MEDICAL ASSISTANCE REQUESTS; EVIDENCE; MITIGATION

A person who, in good faith, seeks medical assistance for someone experiencing a drug related overdose and a person who experiences a drug related overdose and is in need of medical assistance cannot be charged or prosecuted for the possession or use of a controlled substance or drug paraphernalia if the evidence for the violation was gained as a result of seeking medical assistance. **First Sponsor:** Rep. Powers Hannley **Other Sponsors:** Sen. Mendez, Rep. Gabaldon, Rep. Hernandez, Rep. Gonzales, Rep. Benally, Rep. Descheenie, Rep. Frieze, Rep. Engel, Rep. Cardenas, Rep. Espinoza, Rep. Blanc, Rep. Salman, Rep. Bolding, Rep. Butler, Rep. Andrade, Rep. Chavez, Rep. Navarrete, **ARS Titles Affected:** 13

H 2173 LICENSE PLATE DISPLAY; REGISTRATION SUSPENDED

The civil penalty for displaying a license plate on the motor vehicle if the registration or license plate has been suspended is an amount to be determined by the court, instead of no less than \$250. **First Sponsor:** Rep. Boyer **ARS Titles Affected:** 28

H 2174 AGGRAVATED DUI; AFFIRMATIVE DEFENSE

It is an affirmative defense to a violation of aggravated driving under the influence (DUI) because a person committed a DUI while the person’s driver license was suspended, canceled, revoked or refused as a result of a previous DUI that the person did not know that the driver license was suspended, canceled, revoked or refused. **First Sponsor:** Rep. Boyer **ARS Titles Affected:** 28

H 2175 FIRE DISTRICTS; DISTRICT BOARD

If a fire district’s population exceeds 50,000 inhabitants, the district is authorized to expand to a board consisting of seven members. Previously, the board was authorized to expand only if the county board of supervisors determined that the population exceeded 50,000 at any time prior to 180 days before the next regularly scheduled election for members of the district board. **First Sponsor:** Rep. Coleman **ARS Titles Affected:** 48

H 2176 MOBILE HOME RELOCATION; LONG-TERM RVS

If a tenant is required to move due to a change in use or redevelopment of the mobile home park, the maximum amount that the tenant may collect from the Mobile Home Relocation Fund is \$7,500, increased from \$5,000, for a single section mobile home and \$12,500, increased from \$10,000, for a multisection mobile home. Each owner of a park trailer or park model located in a park who does not own the land on which it is located is required to annually pay an assessment to the Fund in an amount determined by the Department of Housing by rule. For recreational vehicles that are park trailers or park models, the landlord is required to notify all tenants in writing of a change in use at least 180 days before the change in use, is prohibited from increasing rent within 90 days before giving notice of a change in use, and

is required to pay \$250 to the Fund for each park trailer or park model relocated. If a tenant is required to move due to a change in use or redevelopment of the park, the tenant is permitted to collect payment from the Fund, abandon the park trailer or park model and collect 1/4 of the maximum allowable moving expense from the Fund, and to collect additional monies from the Fund for incremental costs of removing a ground set park trailer or park model, if applicable. More. **First Sponsor:** Rep. Coleman **ARS Titles Affected:** 33

H 2177 MUNICIPALITIES; DEVELOPMENT; REIMBURSEMENT ZONES

Any municipality is authorized to establish an Economic Development Reimbursement Authority (Authority) with the consent of the other “member entities” (defined as the municipality, county, school district and any other political subdivision in which a reimbursement zone is geographically located), through which economic development activities can be reimbursed. The Authority is authorized to spend tax revenue assessed on behalf of the member entities in a manner consistent with the “reimbursement zone plan” (defined). The process for Authority establishment is specified and requirements for the reimbursement zone plan are established. Conditions under which improvements are eligible for reimbursement through the Authority are listed. More. **First Sponsor:** Rep. Coleman **ARS Titles Affected:** 9

H 2178 MUNICIPAL ELECTIONS; DATES; COUNTY ADMINISTRATION

A municipality that holds a candidate election is prohibited from entering into a contract with or otherwise agreeing or allowing the county to administer the municipality’s election if the election is held in an even-numbered year on a date other than those prescribed in statute or if the election is held in an odd-numbered year. Does not apply to a special election to fill a vacancy or a recall election. **First Sponsor:** Rep. Ugenti-Rita **ARS Titles Affected:** 16

H 2179 MUNICIPALITIES; COUNTIES; INTERGOV AGREEMENTS; REQs

Municipalities and counties are permitted to enter into an intergovernmental agreement only after an affirmative vote of the majority of the members of the governing body at a public hearing. Intergovernmental agreements are limited to a period of eight years and an affirmative vote of the majority of the members of the governing body is required to extend the agreement. Municipal and county governing bodies are required to review all agreements in place on the effective date of this legislation and hold a public hearing and a vote to reaffirm the agreements. Some exceptions. **First Sponsor:** Rep. Ugenti-Rita **ARS Titles Affected:** 11

H 2180 WORKERS’ COMPENSATION; PHYSICIANS’ MEDICAL REPORTS

The Industrial Commission has exclusive jurisdiction over complaints involving alleged unfair medical reporting by a physician designated by an employer, and is required to investigate allegations of unfair medical reporting either on receiving a complain or on the Commission’s own motion. If the Commission finds that unfair medical reporting has occurred, the Commission is required to award the claimant a benefit penalty of 25 percent of the benefit amount ordered to be paid or \$500, whichever is more. The Commission is required to adopt a definition of unfair medical reporting by rule. **First Sponsor:** Rep. Finchem **Other Sponsors:** Sen. Borrelli, Rep. Clodfelter, **ARS Titles Affected:** 23

H 2181 WORKERS’ COMPENSATION; PEACE OFFICERS; PHYSICIANS

When an accident occurs to a peace officer, the peace officer is permitted to select a physician from an alternative physicians list, which the Industrial Commission is required to establish. **First Sponsor:** Rep. Finchem **Other Sponsors:** Sen. Borrelli, Rep. Clodfelter, **ARS Titles Affected:** 23

H 2182 WORKERS’ COMPENSATION; PHYSICIAN DISQUALIFICATION

If a workers’ compensation claim is denied based on a physician’s medical report and the denial is reversed for three separate claims within a two-year period, the physician cannot be chosen as an attending physician for the purpose of workers’ compensation claims for a period of five years after the most recent reversal. **First Sponsor:** Rep. Finchem **Other Sponsors:** Sen. Borrelli, Rep. Clodfelter, **ARS Titles Affected:** 23

H 2183 LIFETIME LIMIT; CASH ASSISTANCE

A needy family is ineligible for Temporary Assistance for Needy Families cash assistance, except in case of hardship, if the needy family includes a head of household or spouse who has received cash assistance for himself or on behalf of a dependent child for a total of 18 months, increased from 12 months. Cash assistance will terminate on September 1, 2017 for any family that has received 18 or more months of cash assistance as of that date. **First Sponsor:** Rep. Espinoza **Other Sponsors:** Sen. Mendez, Rep. Gabaldon, Rep. Fernandez, Rep. Cook, Rep. Frieze, Rep. Engel, Rep. John, Rep. Cardenas, Rep. Alston, Rep. Blanc, Rep. Andrade, **ARS Titles Affected:** 46

H 2184 AT-RISK YOUTH; CAREER, COLLEGE READINESS

School districts and charter schools that provide high school instruction are authorized to establish a Career and College Readiness Program for “at-risk youth” (defined). Program requirements are established, and school districts and charter schools that participate in the Program are required to annually report specified information to the Department of Education. The Dept is required to submit to the Governor and the Legislature a report that summarizes Program information by September 15 of each year. The Program terminates on July 1, 2027. **First Sponsor:** Rep. Espinoza **Other Sponsors:** Sen. Contreras, Sen. Mendez, Rep. Gabaldon, Rep. Fernandez, Rep. Rubalcava, Rep. Cook, Rep. Shope, Rep. Powers Hannley, Rep. Finchem, Rep. Shooter, Rep. John, Rep. Cardenas, Rep. Rivero, Rep. Alston, Rep. Blanc, Rep. Salman, Rep. Andrade, Rep. Chavez, Rep. Martinez, Rep. Navarrete, **ARS Titles Affected:** 15

H 2185 JUVENILE CORRECTIONS; TRANSFER TO COUNTIES

Repeals the Department of Juvenile Corrections and all related statutes contained in Title 41 (State Government, Chapter 26. The counties succeed to the authority, powers, duties and responsibilities of Dept. All equipment and other property, investigative findings, and appropriated monies that remain unexpended and unencumbered on the effective date of this legislation are transferred to the counties. Of the appropriated monies that remain unexpended and unencumbered, 60 percent are allocated in equal shares to each of the 15 counties, and 40 percent are allocated to each county based on population. The Legislature is required to annually appropriate an amount equal to at least \$39,876,700, increased each calendar year by the increase in the consumer price index, allocated to the counties in the same manner. Effective July 1, 2019. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 41

H 2186 OMBUDSMAN-CITIZENS AID; REPORTS

The information that must be included in the Ombudsman-Citizens Aide’s annual report to the Governor and the Legislature is expanded to include a description of the public awareness and outreach activities conducted by the Ombudsman-Citizens Aide. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 41

H 2187 STUDY COMMITTEE; ELEMENTARY MATH RETENTION

Establishes a 16-member Joint Study Committee on Elementary Mathematics Retention Policies to study and develop policies to retain students in elementary school who are not proficient in mathematics. The Committee is required to report its findings and recommendations to the Governor and the Legislature by December 1, 2018 and self-repeals January 1, 2019. **First Sponsor:** Rep. Lawrence **ARS Titles Affected:** 41

H 2188 CIVIL LIABILITY; MINORS; ANIMALS; VEHICLE

A person who uses reasonable force to enter a locked and unattended motor vehicle to remove a minor or confined “domestic animal” (defined) is not liable for damages in a civil action if the person has a good faith belief that the minor or animal is in imminent danger, notifies a first responder, and remains with the minor or animal until the first responder arrives. **First Sponsor:** Rep. Lawrence **ARS Titles Affected:** 12

H 2189 DISABILITY INSURANCE; SERVICE COVERAGE

Exempts disability income, fixed or hospital indemnity or specific disease policies from statute requiring disability insurance contracts and policies issued, delivered or renewed on or after July 1, 2017 in

Arizona to provide coverage for lawful health care services provided by a health care provider to a subscriber regardless of the familial relationship of the provider to the subscriber if that service would be covered were it provided not a subscriber who was not related to the provider. **First Sponsor:** Rep. Cobb **ARS Titles Affected:** 20

H 2190 DHS; STROKE; TREATMENT INFO; REGISTRY

The Department of Health Services is required to establish and maintain a statewide stroke registry to compile information and statistics concerning the treatment of patients who suffer from strokes in Arizona. Establishes requirements for the registry. **First Sponsor:** Rep. Cobb **ARS Titles Affected:** 36

H 2191 CHILD SUPPORT; ADMINISTRATIVE ORDER; ENFORCEMENT

The Title IV-D agency or its agent is authorized to serve the parties in a child support proceeding with a notice of mandatory conference. On stipulation of the parties, the Title IV-D agency or its agent is required to issue an administrative order of child support which has the same force and effect as a judgment of the superior court. IF both parties appear at the mandatory conference but are unable to reach an agreement, the Title IV-D agency is required to file a request for a court hearing to establish support. If either party fails to attend the mandatory conference, the Title IV-D agency or its agent is authorized to issue a temporary administrative order of support, which becomes final 60 days after issuance unless either party requests a court hearing. The Department of Economic Security is required to establish an insurance industry data match reporting system that allows insurers to ascertain whether a claimant is a child support obligor who owes any arrearage. If a claimant is identified, the insurer is required to report specified information to the Dept, and the Dept may use the information for the administration and enforcement of child support. **First Sponsor:** Rep. Cobb **ARS Titles Affected:** 25

H 2192 CHILD SUPPORT; DRIVER LICENSE RESTRICTION

If at a hearing to enforce a child support order, the court finds that the obligor has wilfully failed to pay child support and is at least six months in arrears, the court is required to send a certificate of noncompliance to the Department of Transportation that the non-commercial driver license of the obligor be restricted to a list of specified travel. **First Sponsor:** Rep. Cobb **ARS Titles Affected:** 25 28

H 2193 GROUNDWATER RESOURCE MANAGEMENT; TASK FORCE

Establishes a 9-member Groundwater Resources Management and Land Credit Task Force to establish a framework and criteria for a property development credit program to encourage appropriate donation, acquisition and use of conservation areas that will provide support for maintenance of groundwater in exchange for development credits usable on private land suitable for development. The Task Force is required to submit a report of its findings and recommendations to the Governor and the Legislature by December 31, 2017 and self-repeals October 1, 2018. **First Sponsor:** Rep. Cobb **ARS Titles Affected:** 41

H 2194 INDOOR TANNING; MINORS; RESTRICTED USE

Tanning facility operators or employees are prohibited from allowing a person under 18 years of age to use a “tanning device” (defined). Tanning facilities are required to maintain a record of each customer using a tanning device for at least two years. Tanning facilities are prohibited from advertising or distributing promotional materials that claim that using a tanning device is free from risk or will result in medical or health benefits. **First Sponsor:** Rep. Carter **Other Sponsors:** Rep. Cobb, **ARS Titles Affected:** 36

H 2195 MEDICAL BOARD; LICENSURE; DISCIPLINARY ACTION

Various changes to statutes related to the Arizona Medical Board. The definition of “unprofessional conduct” is modified to include a pattern of using or being under the influence of alcohol or drugs while practicing medicine or to the extent that judgment may be impaired. On a determination that a doctor of medicine has violated statute or rule, the Board is authorized to assess the doctor the Board’s administrative costs and expenses incurred in conducting

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

the investigation and in connection with a formal interview or hearing. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 32

H 2196 RESIDENTIAL CARE INSTITUTIONS; EMPLOYMENT

A residential care institution that is authorized to provide “recidivism reduction services” may employ “recidivism reduction staff” (both defined) who have successfully completed treatment for recidivism reduction as prescribed by Department of Health Services rules and who meet other specified qualifications to assist in the delivery of those services. **First Sponsor:** Rep. Carter **Other Sponsors:** Rep. Cobb, **ARS Titles Affected:** 36

H 2197 TELEMEDICINE; AUDIO VISUAL REQUIREMENTS

Deletes the requirement that telemedicine audio and visual capability meets the elements required by the federal Centers for Medicare and Medicaid Services. **First Sponsor:** Rep. Carter **Other Sponsors:** Sen. Brophy McGee, Rep. Cobb, **ARS Titles Affected:** 32

H 2198 COMMITTEE; CHILDHOOD EXPERIENCES; EFFECTS; PREVENTION

Establishes a 19-member Adverse Childhood Experiences Study Committee to study matters relating to adverse childhood experiences, including prevention, treatment and various long-term effects. The Committee is required to report its findings and recommendations to the Governor and the Legislature by March 1, 2018 and self-repeals July 1, 2018. **First Sponsor:** Rep. Carter **Other Sponsors:** Rep. Cobb, **ARS Titles Affected:** 41

H 2199 GIFTED PUPILS; FUNDING

Priority for the local use of additional assistance for gifted programs in school districts must be given to identifying and serving “economically disadvantaged pupil” (defined) and minority pupil populations. Appropriates \$3.5 million from the general fund in FY2017-18 to the Department of Education for additional assistance for gifted programs. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 15

H 2200 COMMUNITY NOTIFICATION; FORM OF NOTICE

Community notification for registered sex offenders is no longer required to be in the form of a flyer. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 13

H 2201 UNIVERSITY DEBT OBLIGATIONS; REPORT

The deadline for the annual report on university debt and obligations that the Arizona Board of Regents is required to submit to the Joint Legislative Budget Committee and the Governor’s Office of Strategic Planning and Budgeting is moved to October 1, from November 1. Effective July 1, 2018. **First Sponsor:** Rep. Finchem **ARS Titles Affected:** 15

H 2202 SCHOOLS; DYSLEXIA; HANDBOOK; DEFINITION

The Department of Education is required to develop and maintain a handbook for use in schools that provides guidance for students, parents and teachers concerning dyslexia. Information that must be included in the handbook is specified. For the purpose of common school promotion requirements, the definition of “dyslexia” is modified. **First Sponsor:** Rep. Norgaard **Other Sponsors:** Sen. S. Allen, Rep. Finchem, Rep. Carter, Rep. Coleman, Rep. Boyer, Rep. Salman, **ARS Titles Affected:** 15

H 2203 ENDOWED-CARE CEMETERIES; UNITRUSTS

A trustee of an irrevocable trust fund, in its sole discretion and without the approval of the court, is authorized to convert the trust to a total return unitrust and administer the endowed-care fund as provided in statute governing total return trusts. **First Sponsor:** Rep. Norgaard **ARS Titles Affected:** 32

H 2204 NATIVE AMERICAN VETERANS; TAX SETTLEMENT

Unexpended and unencumbered monies remaining in the Veterans’ Income Tax Settlement Fund (which was established as part of the FY2016-17 budget) revert to the general fund on June 30, 2021, instead of June 30, 2019. The Department of Veterans’ Services is permitted to accept claims for settlement payment from the Fund through December 31, 2019, instead of December 31, 2017. The dates during which a veteran had state income tax withheld from active duty military pay as part of the qualifying circumstances for settlement payment from the Fund are modified to begin on July 1, 1977, instead of September 1, 1993. **First Sponsor:** Rep. Shope **ARS Titles Affected:** 41

H 2205 DHS; COMMISSION; TASK FORCE; REPEAL

Repeals the Advisory Health Council, the Prostate Cancer Task Force, and the Biomedical Research Commission. Some responsibilities of these entities are transferred to the Department of Health Services. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 36 41

H 2206 APPROPRIATIONS; DES; DEVELOPMENTAL DISABILITIES

Makes a supplemental appropriation of an unspecified amount (blank in original) from the general fund in FY2017-18 and of an unspecified amount (blank in original) from the Long-Term Care System Fund in FY2017-18 to the Department of Economic Security for capitation rate adjustments related to Arizona Long-Terms Care System developmental disability services. The Dept is authorized to increase the home and community based service provider reimbursement rates for services contracted with the Division of Developmental Disabilities to more than 100 percent of the benchmark rates published in the 2014 rate rebase study. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 41

H 2207 APPROPRIATION; NONMEDICAL SERVICES; AGING

Makes a supplemental appropriation of an unspecified amount (blank in original) from the general fund in FY2017-18 to the Department of Economic Security for nonmedical home and community based services provided through area agencies on aging. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 41

H 2208 INHALERS; ADMINISTRATION; SCHOOLS; AUTHORIZED ENTITIES

Pursuant to a standing order issued by the chief medical officer of the Department of Health Services or a county health department, or by a licensed medical doctor or doctor of osteopathy, a trained school district or charter school employee is authorized to administer or assist in the administration of inhalers to a student or adult whom the employee believes in good faith to be exhibiting symptoms of respiratory distress while at school or at school-sponsored activities. If sufficient monies are appropriated by the Legislature, each school district and charter school is required to stock one inhaler at each school. If sufficient monies are not appropriated, a school district or charter school is permitted to stock the inhaler. Medical personnel and school employees are immune from civil liability with respect to decisions made and actions taken based on good faith implementation of these requirements, except in cases of gross negligence, wilful misconduct or intentional wrongdoing. The State Board of Education is required to adopt rules that prescribe annual training for school personnel in the administration of inhalers, recognition of respiratory distress symptoms and procedures for the administration of inhalers in emergency situations. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 15

H 2209 FAMILY CAREGIVER INCOME TAX CREDIT

For tax years beginning with 2018, an individual income tax credit is established for taxpayers who incur “qualifying expenses” (defined) for the care and support of “qualifying family members” (defined) in the taxpayer’s home. The amount of the credit is equal to 50 percent of the qualifying expenses incurred, up to \$1,000. To qualify for the credit, the taxpayer’s Arizona gross income in the tax year cannot exceed \$75,000 for a single person or a married person filing separately, or \$150,000 for a married couple filing jointly. If the allowable amount of the credit exceeds taxes due, the unused amount of the credit is waived and cannot be refunded or carried forward. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 43

H 2210 COLLEGE READINESS; ASSESSMENTS

Beginning with the 2017-18 school year, the State Board of Education is required to review and approve a college readiness assessment to be administered each year to all public school students who enter grade 11. Beginning with the 2017-18 school year, the State Board of Education is required to review and approve career readiness assessments and assessment-based credentials that measure and document foundational workplace skills, which must be available to any 12th grade student on a voluntary basis. Requirements for each assessment are established. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 15

H 2211 ALCOHOL; DRUG MONITORING PROGRAM; ESTABLISHMENT

Establishes a Statewide Continuous Sobriety and Drug Monitoring Program in the Attorney General’s Office, requires the Attorney General to adopt rules to

implement the Program, including rules for Program fees, and specifies Program requirements, including a requirement to use a primary testing methodology for the presence of alcohol or drugs that best facilitates the ability to apply immediate sanctions for noncompliance and that is available at an affordable cost. The Program is the preferred pretrial release and monitoring program for offenders who are charged with or convicted of either a second or subsequent offense involving driving under the influence or any crime in which alcohol or drug abuse was a contributing factor in the commission of the crime. The Board of Executive Clemency and the Department of Corrections may require a prisoner’s participation in the Program as a condition of community supervision, parole or other authorized release if the prisoner was convicted of either a second or subsequent offense involving driving under the influence or any crime in which alcohol or drug abuse was a contributing factor in the commission of the crime. More. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 13

H 2212 FEDERAL FINANCIAL ASSISTANCE; REPORTS

By October 31 of each year, each “designated state agency” and “political subdivision” (both defined) is required to prepare a report that states, with respect to that agency or political subdivision, the aggregate dollar amount of “federal receipts” (defined) received in the preceding fiscal year, the aggregate dollar amount of federal monies appropriated by the Legislature for the preceding fiscal year, calculates federal monies as a percentage of the total budget, and develops a plan for operating the agency or political subdivision if there is a reduction of federal monies. The reports must be submitted to the Department of Administration by November 1 of each year, and the Dept is required to prepare a summary report for submission to the Legislature by December 1 of each year. **First Sponsor:** Rep. Leach **ARS Titles Affected:** 35

H 2213 GPLET REFORM; K-12 TAXES

Beginning with development agreements for the least of government property improvements approved by a governing body beginning January 1, 2017, the abatement of government property lease excise tax (GPLET) is limited to amounts otherwise designated for counties, municipalities and community college districts. The proportional amount of GPLET revenue for school districts cannot be abated. A slum and blighted area may be designated only in an area where at least 50 percent of the parcels of real property are “blighted parcels” (defined) that substantially impair or arrest the sound growth of the state or a political subdivision, constitute an economic or social liability or are a menace to public health, safety or welfare. A municipality is permitted to designate a central business district as a slum and blighted area only for a period of five years before the municipality must redesignate the area. **First Sponsor:** Rep. Leach **Other Sponsors:** Rep. Barton, Rep. Mitchell, Rep. Kern, Rep. Livingston, Rep. Ugenti-Rita, **ARS Titles Affected:** 42

H 2214 INCOME TAX SUBTRACTION; ADA RETROFITS

The list of subtractions from Arizona gross income for the purposes of individual or corporate income taxes is expanded to include the amount of eligible access expenditures paid or incurred during the tax year to comply with the requirements of the federal Americans with Disabilities Act of 1990 (ADA) or related state statutes by retrofitting developed real property that was originally placed in service at least 10 years before the current tax year. A taxpayer who has been cited for noncompliance with the ADA by either federal or state enforcement officials is ineligible for the subtraction. **First Sponsor:** Rep. Leach **Other Sponsors:** Rep. Cobb, **ARS Titles Affected:** 43

H 2215 DRIVER LICENSE TESTING; REQUIRED QUESTIONS

Applicants for a driver license are required to pass a test regarding what a driver should do if stopped by a law enforcement officer, and are required to correctly answer every question that covers a list of specified information. **First Sponsor:** Rep. Boyer **ARS Titles Affected:** 28

H 2216 PROHIBITED FIREARM TRACKING; CLASSIFICATION

It is a class 6 (lowest) felony to require a person to use or be subject to “electronic firearm tracking technology” (defined) or to disclose any identifiable

information about a person or the person’s firearm for the purpose of using electronic firearm tracking technology. Does not apply to a law enforcement officer who obtains a search warrant and uses the technology to locate a person or firearm that is the subject of a criminal investigation, or to the owner of a firearm who consents in writing. **First Sponsor:** Rep. Boyer **ARS Titles Affected:** 13

H 2217 SCHOOL DISTRICTS; SOLAR PANELS; OVERCHARGES

A solar company is authorized to charge a school district that installs a solar panel system only for the energy used by the school district. The Attorney General, county attorney for the county in which an alleged violation of this provision occurs or any resident of an affected school district may file an action for breach of contract and/or fraud in the superior court. **First Sponsor:** Rep. Coleman **ARS Titles Affected:** 15

H 2218 SCHOOL TAX CREDIT; CAPITAL OUTLAY

The individual income tax credit for contributions to public schools may be used for acquiring capital items, as defined in the uniform system of financial records, beginning July 1, 2017 through June 30, 2020. The site council of a public school is authorized to transfer undesignated contributions to any other district school where at least 50 percent of the students meet the eligibility requirements for free or reduced-price lunches. **First Sponsor:** Rep. Norgaard **Other Sponsors:** Rep. Boyer, **ARS Titles Affected:** 43

H 2219 SCHOOL CAPITAL FINANCE REVISIONS

Various changes relating to school capital finance. The School Facilities Board (SFB) is authorized to distribute monies from the New School Facilities Fund (NSF Fund) for land if the enrollment projections submitted by a school district indicate a need for a new school or an addition to an existing school within the next 10 years. If the SFB approves a school district for funding from the NSF Fund and the full legislative appropriation is not available in the following fiscal year, the district is authorized to use any legally available monies and may reimburse the fund from which the monies were used in subsequent years when legislative appropriations are made available. The list of allowable uses for monies received from settlement of legal controversies or from recovery of costs by a school district in litigation is expanded to include to reimburse the SFB Building Renewal Grant Fund in specified circumstances. Also eliminates various requirements to report project information to the SFB. **First Sponsor:** Rep. Norgaard **ARS Titles Affected:** 15

H 2220 ELECTRONIC FILES; ACCESS; OFFICIAL RECORD

The Supreme Court and any justice or judge in Arizona is prohibited from designating a paper transcript of a hearing or other proceeding as the only official record if the hearing or other proceeding is electronically recorded and the recording is audible. If the presiding judge of the superior court provides electronic file access or filing privileges to attorneys, the privileges must also be provided to clients and pro se litigants. **First Sponsor:** Rep. Bowers **ARS Titles Affected:** 12

H 2221 MUNICIPALITIES; SCHOOL DISTRICTS; PROHIBITED CONTRACTS

Municipalities are prohibited from adopting any code, ordinance or other legal requirement that requires a home builder or developer to demonstrate that a school district has adequate public facilities to accommodate new students or to donate monies or personal property to a school district. Municipalities are prohibited from denying a rezoning request or building permit for failure to demonstrate that a school district has adequate public facilities to accommodate new students or to donate monies or personal property to a school district. School district governing boards are prohibited from entering into a contract with a home builder or developer relating to a donation of monies or personal property, and any contract that does so is void and unenforceable. Contains legislative findings. The prohibitions on municipalities are retroactive to October 1, 2000. **First Sponsor:** Rep. Leach **ARS Titles Affected:** 9 15

H 2222 PUBLIC SCHOOL TAX CREDIT; EXPANSION

The individual income tax credit for contributions to public schools may be used for school meal programs or “consumable student health care supplies” (defined). **First Sponsor:** Rep. Alston **Other Sponsors:** Rep. Salman, **ARS Titles Affected:** 43

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

H 2223 CHILD CARE WAITING LIST; APPROPRIATION

Deletes the waiting lists for child care assistance through the Department of Economic Security. Appropriates \$80.95 million from the general fund in FY2017-18 to the Dept for child care assistance costs to eliminate the current waiting list and provide child care assistance to eligible families with family incomes up to 165 percent of the federal poverty level. **First Sponsor:** Rep. Alston **Other Sponsors:** Rep. Gabaldon, Rep. Gonzales, Rep. Saldade, Rep. Fernandez, Rep. Rubalcava, Rep. Engel, Rep. Cardenas, Rep. Clark, Rep. Blanc, Rep. Salman, Rep. Rios, Rep. Andrade, Rep. Chavez, Rep. Navarrete, **ARS Titles Affected:** 46

H 2224 HOUSING TRUST FUND; UNCLAIMED PROPERTY

The amount of proceeds from the sale of abandoned property that are deposited in the Housing Trust Fund each fiscal year is changed to 55 percent of the proceeds, instead of \$2.5 million. **First Sponsor:** Rep. Alston **Other Sponsors:** Rep. Blanc, Rep. Salman, **ARS Titles Affected:** 44

H 2225 FORESTRY WASTE; PERMITS

The State Forester is authorized to issue a permit to any person to clear “forestry waste” (defined) in the nonfederal forested lands in Arizona to protect against wildfires, and to establish an application process and fee in rule for this purpose. **First Sponsor:** Rep. Finchem **Other Sponsors:** Rep. Barton, **ARS Titles Affected:** 37

H 2226 COMPACT; BALANCED BUDGET; CONVENTION

Enacts a compact declaring the state’s intent to originate a balanced budget amendment to the U.S. Constitution. The compact becomes binding when at least one other state has adopted substantively identical legislation. Contains a model of the proposed balanced budget amendment, which prohibits total outlays of the government of the U.S. from exceeding total receipts at any point in time unless the excess is financed by debt that is first approved by the legislatures of the several states. The amendment also requires any bill that provides for a new or increased general revenue tax to be approved by a 2/3 roll call vote of the whole number of each house of Congress, with the exception of either a new end user sales tax that would completely replace every existing income tax or the reduction or elimination of an exemption, deduction or credit. Once at least 3/4 of the states adopt the compact, the legislatures of each member state applies to Congress for a convention for proposing the balanced budget amendment. Provides for the appointment of convention delegates and specifies convention rules. Upon referral of the amendment to the states, each member state hereby adopts and ratifies the amendment. Contains provisions for construction, enforcement, venue and severability of the compact. Emergency clause. **First Sponsor:** Rep. Mesnard **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. S. Allen, Sen. Smith, Sen. Petersen, Sen. Montenegro, Sen. Barto, Sen. Lesko, Sen. Burges, Sen. Kavanagh, Sen. Worsley, Rep. Stringer, Rep. Cobb, Rep. Mosley, Rep. Barton, Rep. Cook, Rep. Shope, Rep. Clodfelter, Rep. Finchem, Rep. Leach, Rep. Grantham, Rep. John, Rep. Nutt, Rep. J. Allen, Rep. Coleman, Rep. Townsend, Rep. Boyer, Rep. Kern, Rep. Payne, Rep. Rivero, Rep. Livingston, Rep. Ugenti-Rita, Rep. Syms, **ARS Titles Affected:** 41

H 2227 LEGISLATORS; MILEAGE RATE

Each member of the Legislature will be reimbursed for travel at the federal mileage reimbursement rate as determined annually by the U.S. General Services Administration, instead of as prescribed by law. **First Sponsor:** Rep. Mesnard **Other Sponsors:** Sen. Farley, Sen. Griffin, Sen. Yarbrough, Sen. Contreras, Sen. Yee, Sen. Hobbs, Sen. Quezada, Rep. Fernandez, Rep. Friese, Rep. J. Allen, Rep. Townsend, Rep. Rios, **ARS Titles Affected:** 41

H 2228 CHILD & FAMILY ADVOCACY

After receiving a Department of Child Safety (DCS) report from the centralized intake hotline, the child welfare investigator is required to consider whether the child should be assessed and interviewed at a “child and family advocacy center” (defined). Establishes the qualifications that a child and family advocacy center must meet to be considered for referral by DCS. **First Sponsor:** Rep. Shooter **ARS Titles Affected:** 8

H 2229 JTDES; COURSES & PROGRAMS; APPROVAL

The definitions of “joint technical education course” and “joint technical education district program” are modified to include courses that require specialized instruction materials and courses or programs that lead to “career readiness” if a vocation or industry does not require certification or licensure. **First Sponsor:** Rep. Shooter **ARS Titles Affected:** 15

H 2230 INTERGOV PUBLIC TRANSPORTATION AUTHORITY; TAXATION

Various changes relating to intergovernmental public transportation authorities. An authority is a tax-levying public improvement and taxing subdivision of the state. A county board of supervisors may organize an authority with boundaries coterminous with the county boundaries. The board of directors of an authority with boundaries coterminous with the county boundaries is authorized to request that the issue of levying a county transportation excise tax be submitted to the qualified electors at a countywide special election or placed on the ballot at a county-wide general election. Establishes requirements for the election, including publicity pamphlet mailings, submittal of arguments for or opposing the ballot measure, and information that must be printed on the ballot. **First Sponsor:** Rep. Shooter **ARS Titles Affected:** 28 42

H 2231 DESALINATION; STUDY COMMITTEE

Establishes a 9-member Desalination Study Committee to review data collected from operating desalination plants and study opportunities for other desalination projects in Arizona. The Committee is required to submit a report of its findings and recommendations to the Governor and the Legislature by December 31, 2017 and self-repeals October 1, 2018. **First Sponsor:** Rep. Shooter **ARS Titles Affected:** 41

H 2232 COMMERCIAL CANCELLATION; NOTICE; UNEARNED PREMIUM

If a commercial insurer owed the insured unearned premium, the insurer is required to either mail the notice of cancellation and refund of unearned premium together or mail them separately if both are mailed to the insured at least 45 days before the effective date of the cancellation. **First Sponsor:** Rep. Livingston **ARS Titles Affected:** 20

H 2233 REGISTRATION EXEMPTIONS; SECURITIES

The list of exempt transactions for the purposes of securities registration is modified to declare that a sale is not considered to be made in the course of repeated or successive transactions if at least six months, reduced from nine months, have passed after the date of the last sale of the security by the issuer to an Arizona resident. The list of qualifications that must be met for an offer or sale of a security by the issuer to be exempt from specified securities regulations is expanded to include that the issuer is an Arizona resident. **First Sponsor:** Rep. Weninger **ARS Titles Affected:** 44

H 2234 LOTTERY; SOFTWARE APPLICATIONS

The prohibition on the Lottery Commission establishing or operating any game played on the internet does not apply to the ordering of a lottery ticket through a “software application” (defined) where a paper lottery ticket is produced by a licensed lottery retailer in compliance with statute. The ordering of a lottery ticket through a software application is authorized as regulated gambling. **First Sponsor:** Rep. Weninger **ARS Titles Affected:** 5

H 2235 TAX CREDIT CAP; ANGEL INVESTOR

From July 1, 2017 through June 30, 2021, the Arizona Commerce Authority may certify tax credits for qualified investments made in a qualified small business for up to \$10 million, reduced from \$20 million. **First Sponsor:** Rep. Weninger **ARS Titles Affected:** 41

H 2236 UNDERGROUND FACILITIES; SMALL SIGNS; OBLIGATIONS

A person that installs a “small sign” (defined) is deemed to be the person responsible for “excavation” (defined) operations and is deemed to be the excavator for the purpose of underground facilities regulations. If a person that installs a small sign fails to take measures for the protection of the underground facilities or to install the sign in a careful and prudent manner and the underground facilities are damaged, the person is liable to the owner of the underground facilities for the total cost of the repair. **First Sponsor:** Rep. Weninger **ARS Titles Affected:** 40

H 2237 FORCIBLE ENTRY; DETAINER; PROHIBITED RULES

A state agency or court is prohibited from adopting or enforcing a rule or policy that requires a mandatory or technical form for providing notice or for pleadings in an action for forcible entry or forcible or special detainer. The form of any notice or pleading that meets statutory requirements for content and formatting of a notice or pleading is sufficient to provide notice and pursue an action for forcible entry or forcible or special detainer. **First Sponsor:** Rep. E. Farnsworth **ARS Titles Affected:** 12 33

H 2238 SEX TRAFFICKING; VIOLATION

The crime of child prostitution, a class 2 (second-highest) felony, is renamed child sex trafficking, and the acts constituting a commission of child sex trafficking are expanded to include knowingly enticing, recruiting, harboring, making available to another or otherwise obtaining a minor with the intent to cause the minor to engage in, or with the knowledge that the minor will engage in, prostitution, any sexually explicit performance or any act constituting sexual abuse, sexual assault or molestation. 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. **First Sponsor:** Rep. Grantham **Other Sponsors:** Sen. Petersen, Sen. Hobbs, **ARS Titles Affected:** 8 13

H 2239 INCOMPETENT; NONRESTORABLE DEFENDANTS; INVOLUNTARY COMMITMENT

Various changes related to defendants who are incompetent to stand trial. If a defendant is charged with a sexually violent offense and the county attorney requests, the court is authorized to order a screening of the defendant to determine if the defendant is a sexually violent person. If the court orders a screening, one of the mental health experts appointed by the court is required to be a competent professional (defined elsewhere in statute). If a mental health expert appointed by the court determines that a defendant is incompetent to stand trial and not restorable to competency within 21 months, the expert is required to determine whether the defendant may be a sexually violent person. If a mental health expert determines that a defendant is incompetent to stand trial, the information that must be included in the expert’s report is expanded to include the nature of the mental health disorder, disease or defect or of any personality or other disorder that makes the defendant likely to be “dangerous” (defined) or a sexually violent person, and if the prognosis includes a determination that there is no substantial probability that the defendant will regain competency within 21 months, whether the defendant should be considered dangerous or may be a sexually violent person. If the court finds that a defendant is incompetent to stand trial and that there is no substantial probability that the defendant will regain competency within 21 months, any party is permitted to request that the court hold a hearing to determine if the defendant is dangerous and should be involuntarily committed. The court is also authorized to order an assessment of the defendant’s eligibility for private insurance or public benefits that may be applied to the expenses of the defendant’s medically necessary maintenance and treatment. If an incompetent defendant is found to be not restorable to competency, the state is permitted to request a hearing to determine if the defendant is dangerous, which must be established by clear and convincing evidence after examination by mental health experts, and should be involuntarily committed to a secure state mental health facility. The psychiatrist, psychologist or other competent professional of the Arizona State Hospital (ASH) or a licensed facility under the supervision of the ASH is required to annually examine each person who is involuntarily committed due to a determination that the defendant is dangerous. The person who conducts the annual examination is required to submit an examination report to the court, and the report is required to contain specified information, including whether the person remains dangerous. If the report indicates that the person is competent to stand trial or is no longer dangerous, the court is required to hold a hearing within 45 days after receiving the report to determine whether the person is competent or is no longer dangerous. If after a hearing the court finds that the person has been restored to competency, the court is required to order that the criminal proceedings resume. If the court finds that the person has not been restored to competency, the court is required to take specified actions depending on whether the court finds that the person is dangerous. If the Superintendent

of ASH or the Director of the Department of Health Services determines that a person’s mental illness, defect or disability has so changed that the person is no longer dangerous, the Superintendent or the Director is required to allow a person to petition the court for conditional release to a less restrictive alternative. If the court determines that conditional release to a less restrictive alternative is in the best interest of the person, will adequately protect the community, and meets a list of specified conditions, the court must enter judgment and order the person’s conditional release, and the court may impose any conditions on the person that the court determines are necessary. Circumstances under which the court may deny the request for conditional release to a less restrictive alternative are specified. Establishes circumstances under which the court may revoke a conditional release. More. **First Sponsor:** Rep. E. Farnsworth **ARS Titles Affected:** 13 36

H 2240 ALTERNATE GRAND JURORS; SERVICE

Specified that alternate grand jurors are sworn at the time of impanelment but not designated as permanent jurors. Previously, alternate grand jurors were not administered the oath unless a duly impaneled and sworn grand juror was permanently excused. **First Sponsor:** Rep. E. Farnsworth **ARS Titles Affected:** 21

H 2241 VICTIMS’ RIGHTS; PLEADING ENDORSEMENTS

On the filing of a notice of appearance, counsel for the victim is required to be endorsed on all pleadings. AS PASSED HOUSE. **First Sponsor:** Rep. E. Farnsworth **ARS Titles Affected:** 13

H 2242 ANIMAL CRUELTY; DOMESTIC ANIMALS; CLASSIFICATION

The list of acts constituting cruelty to animals is expanded to include intentionally or knowingly subjecting a “domestic animal” (defined) 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. Cruelty to animals under these circumstances is a class 5 (second-lowest) felony. **First Sponsor:** Rep. E. Farnsworth **ARS Titles Affected:** 13

H 2243 ANTI-RACKETEERING REVOLVING FUNDS; ELECTRONIC REPORTS

The quarterly report that each government entity receiving monies from the Anti-Racketeering Revolving Fund is required to file with the Attorney General, and the summary report of that information that the Attorney General is required to file quarterly with the Arizona Criminal Justice Commission must be made in an electronic format. The Commission is required to compile the reports quarterly, instead of annually, and submit a single comprehensive electronic report to the Governor and the Legislature. **First Sponsor:** Rep. E. Farnsworth **ARS Titles Affected:** 13

H 2244 CONCEALED WEAPONS PERMIT; ELECTRONIC REPORTS

The annual report of information on concealed weapons permits that the Department of Public Safety is required to submit to the Governor and the Legislature must be electronically reported. The Dept is also required to annually submit an electronic report to the Governor and the Legislature that includes any changes that were made to a written agreement with another state establishing mutual concealed weapons permit or license recognition. **First Sponsor:** Rep. E. Farnsworth **ARS Titles Affected:** 13

H 2245 SUPREME COURT; ANNUAL REPORT; FEES

By January 8 of each year, the Supreme Court is required to report to the Governor and the Legislature the amount of fees that were collected in every court in Arizona for the previous year, which must include the revenue and collection rates for each court. The report may be in an electronic form. **First Sponsor:** Rep. E. Farnsworth **ARS Titles Affected:** 12

H 2246 ARIZONA LENGTHY TRIAL FUND; CONTINUATION

The termination date of the Arizona Lengthy Trial Fund is extended ten years to July 1, 2027. The termination date of the additional fee on each filing, appearance and answer or response fee charged by a clerk of the superior court (which is deposited in the Fund) is extended eight years to January 1, 2027. **First Sponsor:** Rep. Grantham **ARS Titles Affected:** 41

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

H 2247 SCHOOL BUS DRIVERS; FINGERPRINT CARDS

Each person who applies for a school bus driver certificate is required to have a valid fingerprint clearance card, instead of being required to submit a full set of fingerprints to the Department of Public Safety for the purpose of a federal criminal records check. A person who is issued a school bus driver certificate is required to maintain a valid fingerprint clearance card, and the Dept is required to suspend a school bus driver certificate if the card is invalid, suspended, canceled or revoked. Current school bus driver certificate holders are required to obtain a valid fingerprint clearance card by June 30, 2018. **First Sponsor:** Rep. Grantham **Other Sponsors:** Rep. E. Farnsworth, **ARS Titles Affected:** 28 41

H 2248 JTEDS; ADULTS

Joint Technical Education Districts (JTEDs) are authorized to offer vocational education programs beyond secondary education to adult students who have either graduated from high school or obtained a general education diploma, for the purposes of the JTED’s participation in any student financial assistance program authorized by federal law. Any person may file a complaint with the State Board of Vocational Education regarding an alleged violation by a JTED of federal or state law governing adult students who enroll in a JTED course under this authorization. **First Sponsor:** Rep. Bowers **ARS Titles Affected:** 15

H 2249 VEHICLE REGISTRATION; NONRESIDENTS; PENALTY

A person who violates license plate requirements for a nonresident’s foreign vehicle is responsible for a civil traffic violation, instead of being guilty of a class 2 (second-highest) misdemeanor. **First Sponsor:** Rep. Boyer **ARS Titles Affected:** 28

H 2250 EMERGENCY GENERATOR SYSTEMS; EXEMPTION

A generator and its related pumps, equipment and systems that are certified for compliance with a U.S. Department of Defense specification in effect on January 1, 2017 are exempt from state and county air quality emissions standards. If required for compliance, the Department of Environmental Quality is required to request from the U.S. Environmental Protection Agency an exemption from the Clean Air Act provisions that regulate emissions caused by these generators. **First Sponsor:** Rep. Shooter **ARS Titles Affected:** 49

H 2251 ADOT; MERIDIAN ROAD EXTENSION

The Department of Transportation is required to work with interested parties to extend Meridian Road south-bound across state trust land in consultation with the State Land Department and any affected county or municipality. **First Sponsor:** Rep. Cook **Other Sponsors:** Sen. Fann, Sen. Pratt, Sen. D. Farnsworth, Rep. Stringer, Rep. Rubalcava, Rep. Shope, Rep. Clodfelter, Rep. Grantham, Rep. John, Rep. Coleman, Rep. Espinoza, Rep. Kern, Rep. Payne, Rep. Bowers, Rep. Syms, **ARS Titles Affected:** 41

H 2252 RURAL SCHOOL EMPLOYEES; TUITION WAIVER

The Arizona Board of Regents is required to provide a tuition waiver to enroll in online courses to a person with an associate degree who wishes to enroll in courses to obtain a bachelor’s degree in education or who is a certificated teacher or administrator who wishes to obtain a graduate degree or enroll in advanced education courses that are related to that person’s current employment. Each community college district is required to provide a tuition waiver to a person who is a classified employee of a “rural school district” (defined) in Arizona who has not previously earned an associate or bachelor’s degree and who wishes to obtain an associate degree. Other eligibility requirements for the tuition waivers are specified. **First Sponsor:** Rep. Cook **Other Sponsors:** Sen. Fann, Sen. S. Allen, Sen. Pratt, Rep. Stringer, Rep. Rubalcava, Rep. Cobb, Rep. Barton, Rep. Descheenie, Rep. Shope, Rep. Clodfelter, Rep. Engel, Rep. Grantham, Rep. Mitchell, Rep. John, Rep. Nutt, Rep. Espinoza, Rep. Payne, Rep. Bowers, Rep. Syms, **ARS Titles Affected:** 15

H 2253 STATE VETERINARIAN; ANIMAL IDENTIFICATION; APPROPRIATION

The Department of Agriculture is prohibited from submitting to the federal government any premises registration data, animal identification or tracking

data, producer information or other information relating to animal identification unless the submission is either required by state law or authorized by a voluntary participant in the national animal identification system. Appropriates \$217,976 and 4 FTE positions from the general fund in FY2017-18 to the Department of Agriculture for the State Veterinarian. **First Sponsor:** Rep. Cook **Other Sponsors:** Sen. Fann, Sen. S. Allen, Sen. Pratt, Sen. Griffin, Sen. Kavanagh, Rep. Stringer, Rep. Rubalcava, Rep. Barton, Rep. Shope, Rep. Clodfelter, Rep. Grantham, Rep. Mitchell, Rep. John, Rep. Nutt, Rep. Espinoza, Rep. Payne, Rep. Bowers, Rep. Syms, Rep. Martinez, **ARS Titles Affected:** 3

H 2254 JUDICIAL PRODUCTIVITY CREDITS; SALARY CALCULATION

The formula for calculating judicial productivity credits, which is used to determine the annual salary of each justice of the peace, is modified. Beginning January 1, 2018, the Supreme Court is required to annually perform the calculations in each justice court for the previous 12-month period ending on June 30 to determine the judicial productivity credits, and to report the credits for each justice court to the applicable county board of supervisors within 120 days after the end of each 12-month period. Any resulting adjustment to the salary of the justice of the peace is effective on the following January 1. Each justice of the peace must be paid a percentage of the salary of a superior court judge using a specified schedule based on the number of judicial productivity credits. **First Sponsor:** Rep. E. Farnsworth **ARS Titles Affected:** 22

H 2255 BALLOT MEASURES; CONTRIBUTIONS; NONRESIDENTS; PROHIBITION

A person who is not a resident is prohibited from making a ballot measure expenditure. A committee that is organized for the purpose of influencing a ballot measure election is prohibited from accepting a contribution from a person who is not a resident or a committee that is not registered in Arizona. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 16

H 2256 TECH CORRECTION; STATE MUSEUM

Minor change in Title 15 (Education) related to the state museum. Apparent striker bus. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 15

H 2257 STATE LAW; LOCAL VIOLATIONS

Before a member of the Legislature requests that the Attorney General investigate any official action taken by the governing body of a county or municipality that the member alleges violates state law, the member is required to send a written notice by certified mail to the governing body that describes the alleged violation and wait at least seven business days after mailing the notice to allow the governing body to send a written reply by certified mail. During the 30-day investigation period, the Attorney General is permitted to confer with the member and the governing body to resolve the matter. If the Attorney General concludes that the action may violate state law, the Attorney General is allowed, instead of required, to file a special action in the Supreme Court, and the Supreme Court is allowed, instead of required, to give the action precedence over all other cases and to require the county or municipality to post a bond. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 41

H 2258 COUNTY CONTRIBUTIONS; HOSPITALIZATION; MEDICAL; REPEAL

Repeals the county contributions for AHCCCS hospitalization and medical care for FY2016-17 contained in the FY2016-17 budget. The state has no obligation to refund monies paid. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 41

H 2259 TRAFFIC VIOLATION SURCHARGES; CRIME LAB

Levies a surcharge of \$14 on every fine, penalty and forfeiture imposed and collected by the courts for criminal offenses, on civil penalties imposed and collected for a civil traffic violation, and on any fine, penalty or forfeiture for a violation of motor vehicle statutes, certain local ordinances or game and fish statutes. The appropriate authorities are required to transmit the surcharge to the State Treasurer on or before the 15th day of each month for deposit in the Crime Laboratory Operations Fund. The \$45 surcharge on each individual attending defensive driving school, which was previously deposited in the Fund, is eliminated. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 12 28 41

H 2260 VOTER REGISTRATION; STUDENT ADDRESSES

A dormitory or other temporary college or university address is prohibited from being used for determining residency for voter registration purposes and is deemed to be evidence of a temporary address with intent to return to some other permanent address. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 16

H 2261 DEFENSIVE DRIVING SCHOOL LIST; PROHIBITION

The Supreme Court is prohibited from posting on the internet a list of certified defensive driving schools. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 28

H 2262 MUNICIPAL ZONING; REZONING PROTEST REQUIREMENTS

A protest filed opposing a municipal rezoning must be signed by the property owners opposing the proposed amendment and filed in the office of the clerk of the municipality no later than 12:00 noon one business day before the date on which the governing body will vote on the proposed amendment. **First Sponsor:** Rep. Weninger **ARS Titles Affected:** 9

H 2263 EDUCATION EXCISE TAX RATES

Increases the additional transaction privilege tax rate which is designated for certain education-related purposes to 1 percent of the tax base, from 0.6 percent of the tax base, and the repeal date of July 1, 2021 for the additional transaction privilege tax rate is deleted. 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. **First Sponsor:** Rep. Engel **Other Sponsors:** Rep. Hernandez, Rep. Rubalcava, Rep. Benally, Rep. Friesse, Rep. Cardenas, Rep. Alston, Rep. Blanc, Rep. Rios, Rep. Chavez, **ARS Titles Affected:** 42

H 2264 ENVIRONMENT; CITIZEN SUITS

Various changes to statutes relating to the private right of action in water and air quality violations, including decreasing the time period before a plaintiff may file an action after giving notice of the violation to 60 days, from 120 days, and expanding the list of proper defendants in a civil action to include a person, the state or a political subdivision, instead of only the director of the Department of Environmental Quality. **First Sponsor:** Rep. Engel **Other Sponsors:** Rep. Benally, Rep. Epstein, Rep. Alston, Rep. Blanc, Rep. Salman, **ARS Titles Affected:** 49

H 2265 CLEAN POWER; STATE PLAN; STANDARDS

Modifies references to federal environmental regulations that must be complied with in developing and enforcing the state implementation plan for carbon emissions. The Director of the Department of Environmental Quality is required, instead of allowed, to submit a state plan to the Environmental Protection Agency Administrator for approval after review and comment by the Joint Legislative Review Committee, or if the Committee fails to act in a timely manner pursuant to statutory requirements. **First Sponsor:** Rep. Engel **Other Sponsors:** Rep. Benally, Rep. Alston, Rep. Blanc, Rep. Salman, Rep. Rios, Rep. Navarrete, **ARS Titles Affected:** 41 49

H 2266 CASH ASSISTANCE; LIFETIME LIMIT

A needy family is ineligible for Temporary Assistance for Needy Families cash assistance, except in case of hardship, if the needy family includes a head of household or spouse who has received cash assistance for himself or on behalf of a dependent child for a total of 24 months, increased from 12 months. Cash assistance will terminate on September 1, 2017 for any family that has received 24 or more months of cash assistance as of that date. **First Sponsor:** Rep. Engel **Other Sponsors:** Rep. Gabaldon, Rep. Hernandez, Rep. Fernandez, Rep. Rubalcava, Rep. Benally, Rep. Friesse, Rep. Powers Hannley, Rep. John, Rep. Epstein, Rep. Espinoza, Rep. Alston, Rep. Blanc, Rep. Salman, Rep. Rios, Rep. Chavez, Rep. Navarrete, **ARS Titles Affected:** 46

H 2267 CAPTIVE INSURANCE; FUND

On the close of each fiscal year, all unencumbered monies in the Captive Insurance Regulatory and Supervision Fund exceeding \$200,000, increased from \$100,000, revert to the general fund. **First Sponsor:** Rep. Livingston **ARS Titles Affected:** 20

H 2268 SEXUAL ASSAULT EVIDENCE; SUBMISSION; REPORTS

A health care facility that obtains written consent to release sexual assault kit evidence is required to notify the appropriate law enforcement agency within 24

hours after evidence collection. The law enforcement agency is required to take possession of the kit within five business days and submit the evidence to a public accredited crime laboratory for forensic analysis within 15 business days after its receipt. All kits submitted for analysis must be analyzed as soon as practicable if sufficient personnel and resources are available, and a public accredited crime laboratory is permitted to contract with a private accredited crime laboratory to perform the analysis. By August 30 of each year, each law enforcement agency and public accredited crime laboratory is required to report specified information about sexual assault kits to the Arizona Criminal Justice Commission, and the Commission is required to report a compilation of those reports to the Governor and the Legislature by December 1 of each year. **First Sponsor:** Rep. Syms **Other Sponsors:** Sen. Hobbs, Rep. Rubalcava, Rep. Cobb, Rep. Barton, Rep. Cook, Rep. Engel, Rep. Leach, Rep. John, Rep. Nutt, Rep. Payne, Rep. Livingston, Rep. Bowers, Rep. Salman, Rep. Navarrete, **ARS Titles Affected:** 13

H 2269 VICTIMS' RIGHTS; REQUIREMENTS; MONETARY JUDGMENTS

In any civil action, a monetary judgment cannot be paid to a person who is or was previously incarcerated in the Department of Corrections before all restitution and incarceration costs owed by the person are paid if the monetary judgment is against the state, a political subdivision, a correctional facility, or officer or agent of a correctional facility. If the monetary judgment is not sufficient to pay both restitution and incarceration costs owed, the judgment must first be used to pay any outstanding restitution. Also, various notices that must be provided to crime victims may be provided in electronic format or other specified formats. **First Sponsor:** Rep. Syms **Other Sponsors:** Sen. Fann, Rep. Rubalcava, Rep. Barton, Rep. Cook, Rep. Leach, Rep. Mitchell, Rep. John, Rep. Nutt, Rep. Kern, Rep. Payne, Rep. Bowers, **ARS Titles Affected:** 8 12 13

H 2270 POSTSECONDARY ED; VETERANS; TRANSFER CREDITS

Public universities, community colleges and licensed private vocational programs are required to notify an applicant for admission who is a current or former member of the U.S. military that the applicant may be eligible to receive academic credit for college-level military training and education, and are required to work with the Department of Veterans’ Services to assess and apply the applicant’s education, training and experience received through military duty or service to academic credits in selected programs of study. **First Sponsor:** Rep. Syms **Other Sponsors:** Rep. Barton, Rep. Cook, Rep. Leach, Rep. John, Rep. Nutt, Rep. Payne, **ARS Titles Affected:** 15

H 2271 OCCUPATIONAL LICENSING; MILITARY MEMBERS

The education, training or experience requirements for a license, certificate or registration issued pursuant to Title 32 (Professions and Occupations) are completely or partially satisfied, as determined by the licensing entity, on presentation of satisfactory evidence that the applicant received substantially equivalent education, training or experience as a member of the U.S. Armed Forces. **First Sponsor:** Rep. Syms **Other Sponsors:** Rep. Rubalcava, Rep. Barton, Rep. Cook, Rep. Leach, Rep. John, Rep. Nutt, Rep. Payne, Rep. Bowers, **ARS Titles Affected:** 32

H 2272 VOTING; RANKING; BALLOT FORMAT

Establishes a system of ranked choice voting, including methods for tabulating ranked choice votes. The list of capabilities a voting machine or device must have is expanded to include implementing ranked choice voting when ranking for contests is possible. **First Sponsor:** Rep. Clark **Other Sponsors:** Sen. Mendez, **ARS Titles Affected:** 16

H 2273 APPROPRIATION; ELECTIONS AND DATABASE SECURITY

Appropriates \$2 million from the general fund in FY2017-18 to the Secretary of State for providing grants to counties for election systems security improvements and security improvements for voter registration databases and other voter information. The Secretary of State is permitted to retain up to \$500,000 of the appropriation for the same purposes. **First Sponsor:** Rep. Clark **Other Sponsors:** Sen. Mendez, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 41

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

H 2274 ELECTIONS; SIGNATURE GATHERING; PREVENTION; REPORTING

For the purpose of campaign contribution and expenditure regulations, the definition of “expenditure” includes any payment or other thing of value that is made for the purpose of preventing the collection of signatures or the distribution of petitions for a ballot measure or a candidate’s nomination. Campaign finance reports are required to include as a separate line item expenditures made for the purpose of preventing the collection of signatures or the distribution of petitions for a ballot measure or a candidate’s nomination. **First Sponsor:** Rep. Clark **Other Sponsors:** Sen. Bowie, Sen. Mendez, Sen. Quezada, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 16

H 2275 COUNTY RECORDER; NONPARTISAN ELECTION

The election for the office of county recorder must be conducted in a nonpartisan manner. The names of all candidates for the office of county recorder must appear on the ballot and all other campaign and election materials without party designation. **First Sponsor:** Rep. Clark **Other Sponsors:** Sen. Bowie, Sen. Mendez, Sen. Quezada, Rep. Andrade, Rep. Chavez, **ARS Titles Affected:** 11

H 2276 ELECTION LAW; REVIEW; COMMISSION

Establishes a 5-member Election Law and Administration Review Commission to review election administration plans and states in state election laws and procedures for compliance with the federal Voting Rights Act and other protections for voters’ rights. The Commission is required to submit its findings and recommendations to the Legislature by December 15 of each year. The Commission terminates on July 1, 2025. **First Sponsor:** Rep. Clark **Other Sponsors:** Sen. Bowie, Sen. Mendez, Sen. Quezada, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 16

H 2277 NATIONAL POPULAR VOTE; INTERSTATE AGREEMENT

Establishes an agreement among the states to elect the U.S. President by national popular vote. **First Sponsor:** Rep. Salman **Other Sponsors:** Sen. Contreras, Sen. Mendez, Rep. Gabaldon, Rep. Hernandez, Rep. Saldate, Rep. Fernandez, Rep. Rubalcava, Rep. Benally, Rep. Powers Hannley, Rep. Engel, Rep. Cardenas, Rep. Espinoza, Rep. Alston, Rep. Clark, Rep. Blanc, Rep. Bolding, Rep. Rios, Rep. Andrade, Rep. Chavez, Rep. Martinez, Rep. Navarrete, **ARS Titles Affected:** 16

H 2278 MOTOR VEHICLE TITLE LOANS; PROHIBITION

A person, whether located in Arizona or another state, is prohibited from making, offering or arranging a secondary motor vehicle finance transaction to or with an individual in Arizona. A transaction made in violation is void as to principal and all charges, constitutes an unlawful practice and is subject to enforcement procedures and penalties under consumer fraud statutes. **First Sponsor:** Rep. Salman **Other Sponsors:** Sen. Contreras, Sen. Mendez, Rep. Gabaldon, Rep. Hernandez, Rep. Saldate, Rep. Fernandez, Rep. Rubalcava, Rep. Benally, Rep. Powers Hannley, Rep. Engel, Rep. Cardenas, Rep. Espinoza, Rep. Alston, Rep. Clark, Rep. Blanc, Rep. Rios, Rep. Butler, Rep. Andrade, Rep. Martinez, Rep. Navarrete, **ARS Titles Affected:** 44

H 2279 INSURANCE; FEES; INSURANCE PRODUCERS

The requirements for fees to be exempt from the prohibition on insurance producers charging or receiving any fee or service charge in addition to the premium are modified, including by requiring the fee or service charge and information in support of it to be filed with the Department of Insurance at least 30 days before it becomes effective. The Dept is authorized to disapprove any fee or service charge filed by issuing an order specifying how it fails to comply with the requirements. Contains a legislative intent section. **First Sponsor:** Rep. Livingston **ARS Titles Affected:** 20

H 2280 DEPARTMENT OF REVENUE; ELECTRONIC FILING

Numerous changes relating to the Department of Revenue and tax administration. Various reports and returns are required to be filed electronically for reporting periods beginning January 1, 2020, or when the Dept has established an electronic filing program, whichever is later. The

threshold that triggers a requirement for a tax other than individual income tax to be paid by electronic funds transfer is lowered from \$20,000 in taxes owed for any tax period ending before January 1, 2019, to \$10,000 in 2019, \$5,000 in 2020, and \$500 in 2021 and beyond, and those same thresholds trigger new requirement for those taxpayers to file returns electronically in those same tax years. For tax years beginning with 2017, state employees are required to file their state individual income tax return electronically and pay all state individual income tax liabilities with the filed return or make payment arrangements when the return is filed. For tax years beginning with 2018, establishes an individual income tax credit of \$25 or the amount of taxes due, whichever is less, for a taxpayer who files an individual income tax return electronically for the first time. Does not apply to taxpayers who are eligible to file a return free of charge, and expires in the tax year following the year the Dept notifies Legislative Council that 95 percent of individual taxpayers filed a return electronically. **First Sponsor:** Rep. Shooter **ARS Titles Affected:** 5 41 42 43

H 2281 ANTI-RACKETEERING MONIES; AUTH USES; PROHIBITIONS

Monies in the Anti-Racketeering Revolving Fund and in each county anti-racketeering revolving fund can no longer be used to fund gang prevention programs, substance abuse prevention programs, or programs that provide assistance to victims of a criminal offense. Monies in the Funds are prohibited from being used for providing a gift to any individual or group, or for any political or promotional purpose. The Attorney General is required to investigate all allegations of unlawful use of Fund monies, and is required to cause an annual audit to be made of the Funds and each entity that receives monies from the Funds. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 13

H 2282 FEDERAL JUDGE; GOOD BEHAVIOR; REMOVAL

By simple majority vote, the Legislature is authorized to remove a federal judge who presides in Arizona and who is “not serving in good behavior” (defined). **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 12

H 2283 POSTSECONDARY INSTITUTIONS; EMPLOYMENT STATISTICS

Public universities and community colleges are required to provide specified related employment statistics to students who are enrolled in any program of instruction and to the students’ parents, and a warning that participation in that program of instruction “may not result in the student’s employability.” **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 15

H 2284 INFORMATION TECHNOLOGY; CONSOLIDATED PURCHASING

The Department of Administration is required to identify opportunities for information technology consolidation and shared services, including consolidating servers and data centers. The Dept is required to adopt a policy establishing a two-year hardware, platform and software refresh evaluation cycle for budget units that contains specified provisions. By January 1, 2017, each budget unit would have been required to report to the Dept regarding the budget unit’s plan for migrating the unit’s information technology infrastructure from an on-premises to an off-site data center hosted and managed by a third party. Beginning January 1, 2018, each budget unit is required to report to the Dept, the Chief Information Officer and the chairperson of the Joint Legislative Budget Committee (JLBC) by January 1 and July 1 of each year on the budget unit’s progress in transferring data under these requirements. A budget unit is required to submit each information technology infrastructure plan to the JLBC for approval within 90 days after awarding any contract for information technology infrastructure that exceeds \$2.5 million. **First Sponsor:** Rep. Shooter **ARS Titles Affected:** 18

H 2285 COUNTIES; PURCHASES; LOCAL DEALERS

For a purchase where the estimated cost exceeds \$50,000, a county purchasing agent, subject to county board of supervisors’ approval, is authorized to award the contract to a “local dealer” (defined) in preference to any competing bidder that is not a local dealer if the bid of the competing bidder, quality and suitability considered, is less than five percent lower. **First Sponsor:** Rep. Barton **ARS Titles Affected:** 11

H 2286 TRUTH IN TAXATION; INCREASE; NOTICE

Changes the required wording of truth in taxation hearing notices to state both the amount the proposed tax increase will cause the taxes on a \$100,000 home to be and the amount of taxes that would be owed on a \$100,000 home without the proposed tax increase. Also requires the Property Tax Oversight Commission to review the secondary property tax levy of each special taxing district to determine violations of truth in taxation requirements. **First Sponsor:** Rep. Barton **ARS Titles Affected:**

H 2287 FIREARM DISCHARGE; MENTAL STATE; APPLICABILITY

Changes the culpable mental state for unlawful discharge of a firearm, a class 6 (lowest) felony, to knowingly or recklessly, from with criminal negligence. Unlawful discharge of a firearm does not apply if the firearm is discharged more than 1/4 mile, decreased from 1 mile, from any occupied structure. **First Sponsor:** Rep. Rivero **ARS Titles Affected:** 13

H 2288 EARLY CHILDHOOD EDUCATION; ASSISTANCE

To close the achievement gap and increase kindergarten readiness for low-income and minority children, the Department of Economic Security is required to provide child care assistance vouchers at a higher reimbursement rate for quality early childhood education to eligible children and families, including foster families, families with children who are at risk for removal by the Department of Child Safety, children in families receiving Temporary Assistance for Needy Families, and children in working families who are below 165 percent of the federal poverty level. A provider is eligible to receive a higher reimbursement rate voucher at a rate equal to the lesser of the 75th percentile of the most recent market rate survey or the quality first scholarship rate determined by the Arizona Early Childhood Development and Health Board if the provider is a head start grantee, received a three to five star rating from the Board or has a national accreditation from an organization that is recognized by the Department of Education. **First Sponsor:** Rep. Rivero **ARS Titles Affected:** 46

H 2289 VACATING FELONY CONVICTION; EXPUNGEMENT; RECORDS

A person convicted of a class 5 (second-lowest) or class 6 (lowest) felony is permitted to petition the court that pronounced sentence to vacate the judgment of conviction and expunge any records related to that conviction. The person may file the petition no less than five years after the date the person fulfills the conditions of probation or sentence. Information that must be included in the petition is listed. Does not apply to a person convicted of a list of specified criminal offenses. **First Sponsor:** Rep. Rivero **ARS Titles Affected:** 13

H 2290 PROVISIONAL LICENSES; CRIMINAL CONVICTIONS

A “licensing authority” (defined) is required to issue to an otherwise qualified applicant who has been convicted of an offense either the regular license or a provisional license that is valid for at least 90 days but not more than 360 days. The licensing authority may revoke a provisional license if the licensee commits a new offense, commits an act or omission causing the licensee’s community supervision, probation or parole to be revoked, or violates the law or rules governing the practice of the occupation for which the provisional license is issued. If the licensee does not violate these terms, the licensing authority is required to issue the regular license upon expiration of the provisional license term. Does not apply to a person who is convicted of specified criminal offenses. **First Sponsor:** Rep. Rivero **ARS Titles Affected:** 41

H 2291 VACATING FELONY CONVICTION; RECORD DESTRUCTION

A person convicted of a class 4, 5 or 6 felony is authorized to petition the court that pronounced sentence to vacate the judgment of conviction and expunge any records relating to that conviction. The person may file the petition no less than five years after the date the person fulfills the conditions of probation or sentence. Information that must be included in the petition is listed. Does not apply to a person convicted of a list of specified criminal offenses. **First Sponsor:** Rep. Rivero **ARS Titles Affected:** 13

H 2292 VOTING RIGHTS; RESTORATION; FELONIES

For a person who has been convicted of two or more felonies, the person’s right to vote is automatically

restored on completion of probation or absolute discharge from imprisonment. **First Sponsor:** Rep. Navarrete **Other Sponsors:** Rep. Fernandez, Rep. Rubalcava, Rep. Frieze, Rep. Engel, **ARS Titles Affected:** 13

H 2293 PRISONER MEDICAL CARE; EXCLUDED SURGERY

Medical and health services provided to prisoners sentenced to the Department of Corrections do not include gender reassignment surgery. **First Sponsor:** Rep. Kern **ARS Titles Affected:** 31

H 2294 AHCCCS; EXCLUSIONS; GENDER REASSIGNMENT

Gender reassignment surgeries are not covered health and medical services under the Arizona Health Care Cost Containment System. **First Sponsor:** Rep. Kern **ARS Titles Affected:** 36

H 2295 ATTORNEY REGULATION; ASSESSMENTS; MEMBERSHIP DUES

All regulatory functions relating to the practice of law in Arizona, including the regulation of attorneys, are within the authority of the Supreme Court. The Supreme Court is authorized to collect a mandatory assessment from each attorney as a condition of practicing law in Arizona, to support the Court’s regulatory functions, and may use the monies only for specified regulatory functions. The State Bar of Arizona is permitted to establish, collect and use voluntary membership dues from an attorney for any lawful use that is not included in the Court’s regulatory functions. If the State Bar accepts any mandatory assessment monies collected by the Court to carry out a regulatory function, the State Bar is required to disclose and make available records and other matters in the same manner as is required of a public body under public records statutes, annually make available to the public a list of all expenditures made with the mandatory assessment monies, and annually provide an independent audit of the expenditures to ensure they were in furtherance of the regulatory functions. Any person may request to examine or be furnished copies of any “record” (defined) not otherwise available on the State Bar’s website. The State Bar is required to promptly furnish, and is authorized to charge a fee for, the copies. Any person who is wrongfully denied access to records has a cause of action against the State Bar for any damages resulting from the denial. **First Sponsor:** Rep. Kern **ARS Titles Affected:** 12

H 2296 BEST INTERESTS OF CHILD; PRESUMPTION

Except as provided in specified statutes, there is a rebuttable presumption that joint legal decision-making and equal parenting time are in the best interests of the child. **First Sponsor:** Rep. Kern **ARS Titles Affected:** 25

H 2297 NATIONAL GUARD; READINESS CENTER; APPROPRIATION

Appropriates \$6 million from the general fund in FY2017-18 to the National Guard Fund for the establishment and construction of the readiness center. **First Sponsor:** Rep. Kern **ARS Titles Affected:** 41

H 2298 ELIGIBILITY VERIFICATION; PUBLIC PROGRAMS

The Department of Economic Security is required to establish a computerized income, asset and identity eligibility verification system in order to verify eligibility, eliminate the duplication of assistance and deter waste, fraud and abuse within the Supplemental Nutrition Assistance Program and Temporary Assistance for Needy Families (TANF) cash assistance. The Dept is required to contract with a third-party vendor or vendors to develop a system or systems to verify applicant income, asset and identity information to prevent fraud, misrepresentation and inadequate documentation when determining an applicant’s eligibility for assistance before the distribution of benefits, periodically between eligibility redeterminations and during eligibility redeterminations and reviews. Specific requirements for various aspects of the system are established. By July 1, 2019 and each year thereafter, the Dept is required to report to the Governor and the Legislature detailing the effectiveness and general findings of the system, and the report must include specified information, including the savings that have resulted from the system. Effective January 1, 2019. **First Sponsor:** Rep. Kern **ARS Titles Affected:** 46

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

H 2299 CRIMES; EMPLOYMENT STATUS; FIRST RESPONDERS

It is unlawful for any person to select the victim of a list of specified criminal offenses because of the victim’s actual or perceived employment as a peace officer, a public or private firefighter or emergency medical services personnel. If the underlying offense is a felony, a violation is a class 4 (mid-level) felony. If the underlying offense is a misdemeanor, a violation is a class 1 (highest) misdemeanor. The sentence imposed for a violation must be consecutive to any other sentence imposed on the person. **First Sponsor:** Rep. Kern **ARS Titles Affected:** 13

H 2300 SUPREME COURT; REGULATION OF ATTORNEYS

All regulatory functions relating to the practice of law in Arizona, including the regulation of attorneys, are within the authority of the Supreme Court, and all regulatory functions that are administered by the State Bar on the effective date of this legislation are transferred to and placed exclusively in the Supreme Court. The Supreme Court is required to actively supervise attorneys to regulate the practice of law in Arizona, and is authorized to collect a mandatory assessment from each attorney as a condition of practicing law in Arizona. Attorneys cannot be required to be a member of any organization to become or remained licensed. **First Sponsor:** Rep. Kern **ARS Titles Affected:** 12

H 2301 CHILD CUSTODY; INVESTIGATORS; APPT

Before ordering an investigation and report concerning legal decision-making or parenting time, the court is required to hold an appointment review hearing to address a list of specified issues relating to the necessity of and cost of the report. Factors the court must consider in determining whether to order an investigation and report are specified. An appointment to perform an investigation and report is prohibited from exceeding 60 days’ duration and 40 billed hours. The total hourly billing rate paid to the investigator is prohibited from exceeding \$50. **First Sponsor:** Rep. Kern **ARS Titles Affected:** 25

H 2302 ELECTORAL COLLEGE; ELECTORS; VIOLATION; CLASSIFICATION

After the Secretary of State issues the statewide canvass containing the results of a presidential election, the presidential electors of Arizona are required to cast their electoral college votes for the candidate for president and the candidate for vice president who jointly received the highest number of votes in Arizona as prescribed in the canvass. A presidential elector who knowingly refuses to cast the vote under this requirement is guilty of a class 3 (mid-level) felony. **First Sponsor:** Rep. Kern **ARS Titles Affected:** 16

H 2303 DISSOLUTION OF MARRIAGE; PERJURY; DAMAGES

A party in a dissolution of marriage action is permitted to bring a separate action against the other party for damages suffered as a result of the other party’s perjury in the dissolution action. The party who makes a claim for perjury must show that the other party committed perjury by clear and convincing evidence or that the other party was convicted of perjury. If the court find that burden met, the court is authorized to award damages in an amount that is the greater of either \$500 for each occurrence of perjury or \$10,000, punitive damages if appropriate, and reasonable costs and attorney fees. **First Sponsor:** Rep. Kern **ARS Titles Affected:** 25

H 2304 VOTER GUIDE; PUBLICITY PAMPHLET; E-MAIL

Voter guides on statewide and legislative candidates and publicity pamphlets on ballot measures may be delivered to a household with a registered voter by e-mail, at the option of the voter. 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. **First Sponsor:** Rep. Kern **ARS Titles Affected:** 16 19

H 2305 VEHICLE OCCUPANTS; EVIDENCE OF IDENTITY

The evidence of identity that a person other than that driver of a motor vehicle must provide to a peace officer or duly authorized agent of a traffic enforcement agency on request must meet the same requirements as the evidence of identity that the driver must provide. **First Sponsor:** Rep. Kern **ARS Titles Affected:** 28

H 2306 STUDY COMMITTEE; TEACHER SHORTAGES

Establishes a 14-member Joint Study Committee on Teacher Shortages to study the causes and impacts of and develop strategies to reduce and eliminate the teacher shortage in Arizona. The Committee is required to report its findings and recommendations to the Governor and the Legislature by December 15, 2017 and self-repeals January 1, 2018. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 41

H 2307 CONTROLLED SUBSTANCES PRESCRIPTION MONITORING PROG

The maximum amount the Executive Director of the Board of Pharmacy is authorized to annually transfer to the Controlled Substances Prescription Monitoring Program from the Board of Pharmacy Fund is increased to \$500,000, from \$395,795. Each medical practitioner regulatory board is required to notify medical practitioners who register under the federal Controlled Substances Act of the practitioner’s responsibility to register with the Board of Pharmacy and be granted access to the Program’s central database tracking system, instead of each board being required to notify the Board of Pharmacy and the Board of Pharmacy notifying the practitioners. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 32 36

H 2308 PHARMACY BOARD; LOGISTICS PROVIDERS; PERMITS

The Board of Pharmacy must require and provide for biennial registration of every “third-party logistics provider” (defined) where drugs are housed or stored by issuing third-party logistics provider permits. A third-party logistics provider that engages in the logistics services of prescription of over-the-counter dangerous drugs or dangerous devices within or from Arizona is required to hold a third-party logistics provider permit. Establishes requirements for drug storage practices. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 32 41

H 2309 MILITARY FAMILY RELIEF FUND; CONTINUATION

The statutory termination date of the Military Family Relief Fund and the individual income tax credit for cash contributions to the Fund are extended four years to December 31, 2022, from December 31, 2018. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 41 43

H 2310 APPROPS; ALTCS; ELDERLY; PHYSICAL DISABILITIES

Makes a supplemental appropriation of an unspecified amount (blank in original) from the general fund in FY2017-18 and an unspecified amount (blank in original) from expenditure authority in FY2017-18 to the Arizona Health Care Cost Containment System for fee-for-service and capitation rate adjustments related to Arizona Long-Term Care System elderly services and services for persons with physical disabilities. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 41

H 2311 ASU; CONSOLIDATION OF BUDGET UNITS

Arizona State University (ASU) west campus and ASU east campus are no longer identified as separate budget units from ASU. **First Sponsor:** Rep. Boyer **Other Sponsors:** Rep. Grantham, Rep. Coleman, Rep. Norgaard, Rep. Bowers, Rep. Udall, **ARS Titles Affected:** 15 35

H 2312 CRIMINAL HISTORY; HIRING PRACTICES; LIMITATION

Employers are prohibited from inquiring, considering or requiring disclosure of the criminal conviction record of an applicant for employment during the hiring process unless it has a direct relationship to the employment position, is only for the period of the five most recent consecutive years, and takes place after the applicant has received a conditional offer of employment. Does not apply to positions that require a valid fingerprint clearance card. **First Sponsor:** Rep. Navarrete **Other Sponsors:** Rep. Fernandez, Rep. Rubalcava, Rep. Friese, Rep. Engel, Rep. Nutt, Rep. Rivero, **ARS Titles Affected:** 23

H 2313 MEDICAL MARIJUANA; STUDY COMMITTEE

Establishes an 11-member Medical Marijuana Study Committee to discuss the purpose and benefits of medical marijuana and make recommendations for legislation that furthers the purpose of the Arizona Medical Marijuana Act. The Committee is required to report its findings and recommendations to the Governor and the Legislature by December 15, 2017 and self-repeals January 1, 2021. **First Sponsor:** Rep. Cardenas **ARS Titles Affected:** 41

H 2314 SCHOOL RESOURCES; RELIGIOUS PURPOSE; PROHIBITION

A person acting on behalf of a school district or charter school is prohibited from spending or using school district or charter school resources for a “religious purpose” (defined) and from giving students written religious materials while acting in an official capacity. The Attorney General or the county attorney may initiate a suit in the superior court in the county in which an alleged violation occurs. **First Sponsor:** Rep. Cardenas **ARS Titles Affected:** 15

H 2315 PSPRS; NORMAL RETIREMENT; AGE; REPEAL

Eliminates the normal retirement ages for members of the Public Safety Personnel Retirement System hired on or after January 1, 2012, leaving the number of years of service to determine normal retirement. **First Sponsor:** Rep. Cardenas **ARS Titles Affected:** 38

H 2316 PRECINCT COMMITTEE; TERM OF OFFICE

The term of office of a precinct committeeman begins on the day after the county board of supervisors issues the official canvass for the primary election at which the precinct committeeman was a candidate and continues until the canvass is issued for the following primary election at which a precinct committeeman is elected. **First Sponsor:** Rep. Lawrence **ARS Titles Affected:** 16

H 2317 PARTISAN OFFICES; DISTRICTS; CITIES; SCHOOLS

Municipalities are required to print on the ballot the party designation for all candidates for the office of mayor or city or town council and deletes statute authorizing municipalities to provide for nonpartisan primary election victories. School district governing board, multi-county water conservation district and special health care district election ballots are required to include candidate partisan designations, instead of having no designation except the title of the office. Applies to elections held on or after January 1, 2018. **First Sponsor:** Rep. Lawrence **ARS Titles Affected:** 9 15 16 48

H 2318 CONCEALED WEAPONS PERMIT; SUSPENSION; REVOCATION

Concealed weapons permits of a person who is arrested or indicted of an offense that would make the person unqualified for the permit are no longer immediately suspended and seized and then restored if the permittee is found not guilty or the charges are dismissed. On the effective date of this legislation, the Department of Public Safety is required to reinstate all suspended concealed weapons permits unless the Dept determines that a permit should be revoked or that the person is no longer eligible for a permit. The Dept is required to notify each suspended permit holder of the status of the person’s permit. **First Sponsor:** Rep. Lawrence **ARS Titles Affected:** 13

H 2319 SECURITY GUARD TRAINING INSTRUCTORS; CERTIFICATION

Establishes qualifications for “firearms safety training instructor” and “security guard training instructor” (both defined) registration certificates. The Department of Public Safety is required to issue registration certificates to firearms safety training instructors and security guard training instructors who satisfactorily comply with these requirements. Security guard agencies are required to use only registered firearms safety training instructors and security guard training instructors. **First Sponsor:** Rep. Lawrence **ARS Titles Affected:** 32

H 2320 BALLOT MEASURES; PROP 105 DISCLOSURES

For ballot propositions that make statutory changes, a statement that the measure “cannot be changed in the future if approved on the ballot except by a 3/4 vote of the Legislature and if the change furthers the purpose of the original ballot measure, or by referring the change to the ballot” must be printed on the ballot, included in the publicity pamphlet printed by the Secretary of State and included on any advertisement or fundraising solicitation to support or oppose the measure. Severability clause. **First Sponsor:** Rep. Ugenti-Rita **ARS Titles Affected:** 16 19

H 2321 HOAS; CUMULATIVE VOTING; PROHIBITION

Condominium associations and HOAs are prohibited from using cumulative voting. **First Sponsor:** Rep. Clark **Other Sponsors:** Rep. Finchem, **ARS Titles Affected:** 33

H 2322 FRANCHISES; MARK OWNERS; EMPLOYMENT RELATIONSHIPS

A franchisor is not an employer or co-employer of either a franchisee or an employee of the franchisee unless the franchisor agrees in writing to assume that role. The owner of a mark is not en employer or co-employer of either the licensee or an employee of the licensee unless the owner of the mark agrees in writing to assume that role. **First Sponsor:** Rep. Lovas **ARS Titles Affected:** 23

H 2323 CRITICAL HEALTH INFO; EMERGENCY RESPONDERS

Municipalities and counties are authorized to establish by ordinance a program to provide “emergency responders” (defined) with critical health information about program participants so that emergency responders may aid program participants who are involved in motor vehicle emergencies or accidents and who are unable to communicate. Program requirements are specified and program participants may be charged a nominal fee for program costs. **First Sponsor:** Rep. Gabaldon **Other Sponsors:** Sen. Fann, Sen. Dalesandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Contreras, Sen. Mendez, Sen. Miranda, Sen. Brophy McGee, Sen. Quezada, Rep. Campbell, Rep. Hernandez, Rep. Gonzales, Rep. Saldate, Rep. Fernandez, Rep. Rubalcava, Rep. Thorpe, Rep. Benally, Rep. Cook, Rep. Shope, Rep. Friese, Rep. Powers Hannley, Rep. Clodfelter, Rep. Engel, Rep. Leach, Rep. Carter, Rep. Coleman, Rep. Epstein, Rep. Norgaard, Rep. Cardenas, Rep. Espinoza, Rep. Boyer, Rep. Rivero, Rep. Lawrence, Rep. Alston, Rep. Clark, Rep. Bowers, Rep. Blanc, Rep. Salman, Rep. Bolding, Rep. Rios, Rep. Andrade, Rep. Chavez, Rep. Martinez, Rep. Navarrete, **ARS Titles Affected:** 28

H 2324 VLT; REGISTRATION; EXEMPTIONS; PURPLE HEART

A person who is a veteran and a bona fide purple heart medal recipient or that person’s surviving spouse is exempt from vehicle license taxes and registration fees. **First Sponsor:** Rep. Grantham **ARS Titles Affected:** 28

H 2325 PROPERTY TAX ASSESSMENT OF GREENHOUSES

“Greenhouses” (defined) that are used for growing and processing vegetables, fruit or citrus and that total at least 100,000 square feet in area must be valued and assessed as agricultural tangible personal property for property tax purposes. **First Sponsor:** Rep. Ugenti-Rita **ARS Titles Affected:** 42

H 2326 FIRE DISTRICTS; CREATION; MERGER; CONSOLIDATION

Various changes related to fire districts. For the purpose of fire district creation and boundary changes, the county assessor’s parcel map and the assessed valuation of the properties shown at the time the district impact statement is submitted are deemed sufficient for any required maps and determining the assessed valuations required during the process. Any challenge to a fire district merger is required to be filed within the 30-day period after adoption of the resolution to merge. **First Sponsor:** Rep. Coleman **ARS Titles Affected:** 48

H 2327 REPEAL; RIGHT TO WORK

Statute prohibiting agreements denying employment because of nonmembership in labor organizations is repealed. Conditionally enacted on the state Constitution being amended by the voters at the 2018 general election to repeal the right to work or employment without membership in labor organizations. **First Sponsor:** Rep. Cardenas **Other Sponsors:** Rep. Gabaldon, Rep. Hernandez, Rep. Gonzales, Rep. Saldate, Rep. Fernandez, Rep. Rubalcava, Rep. Benally, Rep. Descheenie, Rep. Powers Hannley, Rep. Espinoza, Rep. Alston, Rep. Clark, Rep. Blanc, Rep. Salman, Rep. Bolding, Rep. Rios, Rep. Andrade, Rep. Chavez, Rep. Martinez, Rep. Navarete, **ARS Titles Affected:** 23

H 2328 CORPORATE INCOME TAX RATE; FREEZE

Eliminates the reduction in the tax rate was to 4.9 percent of net income, from 5.5 percent, that would have been effective for tax years beginning with 2017. Retroactive to January 1, 2017. 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. **First Sponsor:**

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

Rep. Friese **Other Sponsors:** Rep. Gabaldon, Rep. Hernandez, Rep. Gonzales, Rep. Saldate, Rep. Fernandez, Rep. Rubalcava, Rep. Benally, Rep. Descheenie, Rep. Powers Hannley, Rep. Engel, Rep. Espinoza, Rep. Alston, Rep. Clark, Rep. Blanc, Rep. Salman, Rep. Bolding, Rep. Rios, Rep. Andrade, Rep. Chavez, Rep. Navarrete, **ARS Titles Affected:** 43

H 2329 VEHICLE INSURANCE; RENEWAL; FEES; DPS
On the renewal of a semiannual motor vehicle liability policy, the Department of Insurance is required to charge the insured a fee in an amount determined by the Director, to be deposited in the Arizona Highway Patrol Fund. The total amount of the fees is required to cover the projected annual budget for the highway patrol division of the Department of Public Safety. 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. **First Sponsor:** Rep. Campbell **ARS Titles Affected:** 20

H 2330 WATER AUGMENTATION SYSTEMS; TAX CREDIT
For tax years 2018 through 2025, establishes an individual income tax credit for installing a residential water augmentation system during the tax year in the taxpayer’s residence in Arizona. The credit amount is 25 percent of the cost of the system, with a maximum credit of \$1,000. Establishes requirements for a taxpayer to qualify for the credit. If the credit exceeds taxes due, the unused amount may be carried forward for up to five consecutive tax years. Effective January 1, 2018. **First Sponsor:** Rep. Campbell **Other Sponsors:** Sen. Fann, Rep. Stringer, **ARS Titles Affected:** 43

H 2331 AUTO DEALERS; RECALLS; MANUFACTURER COMPENSATION
A motor vehicle manufacturer is required to pay fair and reasonable compensation to its new motor vehicle dealers for all labor and parts that are required to perform recall repairs. If a manufacturer issues a “stop-sale or do not drive notification” (defined) on a used motor vehicle, the manufacturer is required to compensate the new motor vehicle dealer at a rate of at least 2.43 percent of the value of the used motor vehicle per month or portion of a month while the stop-sale or do not drive notification remains in effect. **First Sponsor:** Rep. Campbell **Other Sponsors:** Sen. Fann, **ARS Titles Affected:** 28

H 2332 PROPERTY TAX VALUATION APPEALS
Establishes requirements for a court appeal that asserts that the taxing authority’s valuation is excessive for a property whose full cash value exceeds \$4 million, including requiring the appellant to serve a preliminary expert opinion affidavit that includes specified information on the value of the property. **First Sponsor:** Rep. Campbell **Other Sponsors:** Sen. Fann, Rep. Stringer, **ARS Titles Affected:** 42

H 2333 PATIENT REFERRAL INDUCEMENTS; UNLAWFUL COMPENSATION
It is unlawful for any person, including any health care provider, health care facility or structured sober living home to offer or pay, or to solicit or receive, any commission or bonus to induce the referral of patients or patronage to or from a health care provider, health care facility or structured sober living home. Some exceptions. Violations are a class 3 (mid-level) felony if the consideration has a value of \$1,000 or more, a class 4 (lower mid-level) felony if the consideration has a value of more than \$100 but less than \$1,000, and a class 6 (lowest) felony if the consideration has a value of \$100 or less. **First Sponsor:** Rep. Campbell **Other Sponsors:** Sen. Fann, Rep. Stringer, **ARS Titles Affected:** 13

H 2334 AHCCCS; DISPROPORTIONATE SHARE HOSPITAL PAYMENTS
Establishes procedures and calculations for disproportionate share hospital (DSH) payments to qualifying hospitals owned or leased by a special health care district (SHCD hospitals). SHCD hospitals are required to report specified information on qualifying DSH expenditures to the AHCCCS Administration by May 1 of each year. The AHCCCS Administration is required to annually determine the amount of allotted federal financial participation available for DSH payments for SHCD hospitals using a specified calculation. If the amount of qualifying federal participation that can be claimed and the amount of allotted federal financial participation available for DSH payments for SHCD hospitals are both

equal to or greater than \$77.5 million, the AHCCCS Administration is required to file a claim for federal financial participation in the amount of \$77.5 million. The AHCCCS Administration is required to distribute specified amounts of that federal money to the qualifying SHCD hospitals and to the general fund for FY2017-18 through FY2019-20. Beginning in FY2020-21 and each FY after, the AHCCCS Administration is required to distribute \$55 million to the qualifying SHCD hospitals and \$22.5 million to the general fund. If either of the calculated amounts is less than \$77.5 million, the AHCCCS Administration is required to file a claim for federal financial participation for the lesser of the two amounts and to distribute the monies to the qualifying SHCD hospitals and the general fund in proportion to the earlier amounts specified. **First Sponsor:** Rep. Bowers **ARS Titles Affected:** 36

H 2335 TOBACCO POSSESSION; SALE; AGE; SIGNAGE
For the purpose of statute prohibiting furnishing a tobacco product to an underage person, a petty offense, tobacco products may not be furnished to a person who is under 21 years of age, instead of to a minor, and the required mental state of doing so knowingly is eliminated. The definition of “tobacco product” is expanded to include “electronic smoking devices” (defined). The crimes of a retail tobacco vendor selling, furnishing or giving beedies or bidis, of selling tobacco products through a vending machine except in specified circumstances, and of delivering or causing unsolicited tobacco products to be delivered to a residence are all modified to apply to products sold or given to an individual who is under 21 years of age, instead of to a minor. Retail tobacco vendors are prohibited from selling or permitting the sale of tobacco products unless a sign with specified dimensions is posted at the location stating that a person who is under 21 years of age cannot purchase tobacco products. Violations are an unlawful practice and a petty offense. **First Sponsor:** Rep. Boyer **Other Sponsors:** Rep. Carter, Rep. Coleman, **ARS Titles Affected:** 13 36

H 2336 END-OF-LIFE DECISIONS; TERMINALLY ILL
A “qualified patient” (defined) is permitted to make a written request for medication to end the patient’s life. Establishes a process for the request, including a requirement for it to be signed and witnessed by at least two persons who meet specified requirements. Also establishes required procedures for the attending physician and a consulting physician. Requires a 15-day waiting period and provides for effect on construction of wills and contracts. Specifies immunities and civil penalties for violations. **First Sponsor:** Rep. Powers Hannley **Other Sponsors:** Sen. Farley, Sen. Mendez, Sen. Quezada, Rep. Gabaldon, Rep. Hernandez, Rep. Gonzales, Rep. Fernandez, Rep. Rubalcava, Rep. Friese, Rep. Engel, Rep. Cardenas, Rep. Alston, Rep. Salman, Rep. Butler, Rep. Andrade, **ARS Titles Affected:** 36

H 2337 LIQUOR OMNIBUS
Various changes to statutes relating to liquor licenses and liquor regulations. If a new person is added to the ownership of a liquor licensee’s business but the controlling persons remain identical, there is no “acquisition of control” that triggers statutory requirements for the licensee. Assignment fees for an acquisition of control or a restructuring are \$100 for the first license held by a licensee and \$50 for each remaining license, with an aggregate maximum of \$1,000. The Department of Liquor Licenses and Control is authorized to issue on a temporary basis up to 150 daily craft distillery festival licenses for each craft distillery, increased from for up to 75 calendar days. The Dept is authorized to issue a remote tasting room license to a craft distiller or a domestic farm winery for a tasting room located on the same property as another remote tasting license, subject to a list of specified provisions. In each county, the Dept is required to annually issue additional beer and wine bar licenses at the rate of one of each type for every additional 5,000 person increase over the population in that county until January 1, 2022. Beginning January 1, 2022, the Dept is required to annually issue additional beer and wine bar licenses at the rate of one of each type for every additional 10,000 person increase over the population in that county. Authorization for a restaurant licensee to continue to operate with its restaurant license if its food sales are at least 30 percent but less than 40 percent is deleted. Wholesalers are authorized to accept the return of malt beverage products from

an on-sale retailer under specified conditions. Events that are hosted by a licensed liquor club or a member of the club in which person are admitted who are not guests or members of the club are limited to 12 such events in a calendar year per club. **First Sponsor:** Rep. Weninger **Other Sponsors:** Rep. Shope, **ARS Titles Affected:** 4 28

H 2338 PUBLIC EMPLOYEES; COLLECTIVE BARGAINING
Public employees may form, join and participate in, or refrain from forming, joining or participating in unions. A three-member Public Employee Labor Relations Board is formed to certify or decertify union representation and to hear complaints of prohibited practices. Local public employee labor relations boards are also authorized. State employees are forbidden from engaging in or encouraging a strike, and public employers cannot engage in an employee lockout. The Board terminates on July 1, 2027. **First Sponsor:** Rep. Cardenas **ARS Titles Affected:** 23 41

H 2339 PRESIDENTIAL PREFERENCE ELECTION; REIMBURSEMENT
The Secretary of State is required to reimburse counties for the charges the counties incurred for the presidential preference election based on the number of official active registered voters (voters) in that county as follows: actual expenses incurred up to \$3.00 per voter for counties with 450,000 voters or more, actual expenses incurred up to \$3.50 per voter for counties with at least 35,000 but less than 450,000 voters, and actual expenses incurred up to \$4.00 per voter for counties with less than 35,000 voters. **First Sponsor:** Rep. Coleman **ARS Titles Affected:** 16

H 2340 MUNICIPALITIES; PEACE OFFICER STAFFING REQUIREMENT
Municipalities with a population of 500,000 or more persons are required to provide a minimum of 2.5 peace officers for every 1,000 persons. **First Sponsor:** Rep. Lawrence **Other Sponsors:** Sen. Borrelli, **ARS Titles Affected:** 9

H 2341 NATIONAL GUARD; DEPLOYMENT; PROFESSIONAL LICENSES
A license, certificate or registration issued under Title 32 (Professions and Occupations) to “any member of the U.S. Armed Forces National Guard or other reserve component” does not expire while the person is serving on federal active duty and must be extended 180 days after the person returns from active duty. Previously, this provision applied to any member of “the Arizona National Guard or the U.S. Armed Forces reserves.” **First Sponsor:** Rep. Andrade **Other Sponsors:** Sen. Peshlakai, Sen. Mendez, Rep. Campbell, Rep. Gabaldon, Rep. Fernandez, Rep. Rubalcava, Rep. Leach, Rep. Townsend, Rep. Cardenas, Rep. Espinoza, Rep. Payne, Rep. Rivero, Rep. Lawrence, Rep. Alston, Rep. Salman, Rep. Bolding, **ARS Titles Affected:** 32

H 2342 VETERANS’ SERVICES; BENEFITS COUNSELORS; APPROPS
Makes a supplemental appropriation of \$500,000 and 10 FTE positions from the general fund in FY2017-18 to the Department of Veterans’ Services to hire additional benefits counselors. **First Sponsor:** Rep. Andrade **Other Sponsors:** Sen. Peshlakai, Sen. Mendez, Rep. Campbell, Rep. Gabaldon, Rep. Hernandez, Rep. Fernandez, Rep. Rubalcava, Rep. Cardenas, Rep. Espinoza, Rep. Rivero, Rep. Lawrence, Rep. Alston, Rep. Salman, Rep. Bolding, Rep. Chavez, **ARS Titles Affected:** 41

H 2343 DUAL LANGUAGE EDUCATION; STUDY COMMITTEE
Establishes a 10-member Dual Language Education Program Study Committee to study and analyze research-based data on the impacts of dual language education programs and their effectiveness in education English language learners and fluent English students. The Committee is required to report its findings and recommendations to the Governor and the Legislature by December 31, 2017, and self-repeals July 1, 2018. **First Sponsor:** Rep. Saldate **Other Sponsors:** Sen. Mendez, Rep. Gabaldon, Rep. Hernandez, Rep. Fernandez, Rep. Engel, Rep. Alston, Rep. Chavez, **ARS Titles Affected:** 41

H 2344 STATE BOARD; COMMUNITY COLLEGES
Establishes a 15-member State Board of Directors for Community Colleges to set standards for community colleges, establish qualifications of community college instructional staff, fix tuitions and fees that the community college districts will charge, prescribe

admissions qualifications, and prescribe guidelines for transferability between community college district vocational and technical education programs. The Board terminates on July 1, 2027. **First Sponsor:** Rep. Saldate **Other Sponsors:** Sen. Mendez, Rep. Gabaldon, Rep. Hernandez, Rep. Fernandez, Rep. Engel, Rep. Alston, Rep. Chavez, **ARS Titles Affected:** 15 41

H 2345 STUDY; STATE BOARD; COMMUNITY COLLEGES
Establishes a 9-member State Board for Community Colleges Study Committee to examine the impact that the establishment of a state board for community colleges would have on specified issues. The Committee is required to reports its findings and recommendations to the Governor and the Legislature by December 1, 2017, and self-repeals January 1, 2018. **First Sponsor:** Rep. Saldate **Other Sponsors:** Sen. Mendez, Rep. Gabaldon, Rep. Hernandez, Rep. Fernandez, Rep. Thorpe, Rep. Engel, Rep. Alston, Rep. Chavez, **ARS Titles Affected:** 41

H 2346 ERRONEOUS CONVICTIONS; CIVIL ACTION
A person who has been erroneously convicted is permitted to apply to a court for compensation. The person claiming to have been erroneously convicted has the burden of proving the erroneous conviction. If the court determines that the person did not commit the offense by clear and convincing evidence, the court must enter a judgment for damages against the agency that prosecuted the person. Damages that the court is permitted to award are specified. A person who was convicted before the effective date of this legislation may file a civil action within two years after the effective date. **First Sponsor:** Rep. Saldate **Other Sponsors:** Rep. Alston, **ARS Titles Affected:** 31

H 2347 EMPLOYMENT OMNIBUS
Various changes related to employment regulations. Prohibits employers from terminating any employee unless the employee commits one of a list of acts, and from requiring any employee to reenact an injury arising out of or in the course of employment. Establishes employee training requirements. Employers are required to allow a labor organization to offer presentations to new employees. Employer policies do not supersede any valid provision of a collective bargaining agreement. The list of protected classes for employment discrimination purposes is expanded to include gender, gender identity or expression, sexual orientation and marital status, and adds an exemption for a religious organization for positions directly related to the religious functions of the organization. **First Sponsor:** Rep. Andrade **Other Sponsors:** Rep. Gabaldon, Rep. Gonzales, Rep. Saldate, Rep. Fernandez, Rep. Rubalcava, Rep. Benally, Rep. Descheenie, Rep. Friese, Rep. Powers Hannley, Rep. Cardenas, Rep. Espinoza, Rep. Alston, Rep. Clark, Rep. Blanc, Rep. Salman, Rep. Bolding, Rep. Rios, Rep. Chavez, Rep. Martinez, Rep. Navarrete, **ARS Titles Affected:** 23 41

H 2348 AUTOMATIC VOTER REGISTRATION; LICENSES; IDS
Beginning January 1, 2018, every person who is applying for a driver license or renewal, including a nonoperating identification license or renewal, and who is otherwise qualified to register to vote must be registered to vote automatically on completion of the license application unless the applicant clearly expresses a decision not to register. **First Sponsor:** Rep. Clark **Other Sponsors:** Sen. Quezada, Rep. Salman, **ARS Titles Affected:** 16

H 2349 EARLY BALLOTS; COLLECTION; AFFIDAVIT
If a person returns an early ballot for another voter, the early ballot affidavit must be signed by the voter and the person returning the ballot in the same manner as any other person assisting a voter with an early ballot. **First Sponsor:** Rep. Clark **ARS Titles Affected:** 16

H 2350 PRESIDENTIAL PREFERENCE ELECTION; INDEPENDENT VOTERS
Voters registered without a political party designation may vote in the presidential preference election and may select the ballot of any political party at that election. **First Sponsor:** Rep. Clark **ARS Titles Affected:** 16

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

H 2351 EARLY VOTING LOCATIONS; EXTENDED HOURS

On-site early voting locations are required to be open until 7:00 PM each business day during the early voting period through the Monday preceding election day (instead of until 5:00 PM through the Friday preceding election day), and must also be open on Saturdays and Sundays until 7:00 PM during the two weekends immediately preceding election day. **First Sponsor:** Rep. Clark **ARS Titles Affected:** 16

H 2352 NATIONAL GUARD; REDUCED TUITION RATE

A member of the Arizona National Guard is eligible to attend any public institution of higher education in Arizona at the same tuition rate as an employee of that institution if the member has exhausted the member’s benefits through specified federal veterans benefits programs. **First Sponsor:** Rep. Kern **ARS Titles Affected:** 26

H 2353 SCHOOL DISTRICT LEASES; DURATION

The maximum period of time that school district governing boards may enter into leases or lease-purchase agreements for school buildings or grounds without voter approval is increased to 15 years, from 10 years. **First Sponsor:** Rep. Boyer **ARS Titles Affected:** 15

H 2354 SCIENCE EDUCATION SPECIAL PLATES

The Department of Transportation is required to issue science education special license plates if a person pays \$32,000 in start-up costs by December 31, 2017. Of the \$25 annual fee, \$8 is an administrative fee and \$17 is a donation to the newly established Science Education Special Plate Fund, to be allocated to a charitable organization that delivers informal science education to students, teachers and families and meets other specified requirements. **First Sponsor:** Rep. Ugenti-Rita **ARS Titles Affected:** 28

H 2355 MUTUAL HOLDING COMPANY REORGANIZATION

Adds an article of statute to Title 20 (Insurance) regulating mutual holding company reorganization. Requires the Director of the Department of Insurance to approve reorganization plans. Establishes requirements for the contents of reorganization plans and a process for plan review and approval, including a hearing. **First Sponsor:** Rep. Livingston **ARS Titles Affected:** 20

H 2356 EMPLOYEE PURCHASE PROGRAM; PAYROLL DEDUCTION

The list of authorized payroll deductions for state officers and employees is expanded to include deductions for a voluntary purchase program. **First Sponsor:** Rep. Lawrence **ARS Titles Affected:** 38

H 2357 FLOODPLAIN MANAGEMENT REGULATIONS; NONSTRUCTURAL DAMAGE

The powers of a county flood control district do not include the power to restrict the extraction of aggregate if the restriction is designed only to prevent potential flood damage to private property and if the owner of the private property that may be affected provides the district with written consent to the extraction of the aggregate. **First Sponsor:** Rep. Ugenti-Rita **ARS Titles Affected:** 48

H 2358 DOG RACING; CONFORMING CHANGES

Various changes to statutes related to dog racing in order to conform to Laws 2016, Chapter 246, which prohibits live dog racing from being conducted in Arizona after December 31, 2016. **First Sponsor:** Rep. Norgaard **ARS Titles Affected:** 5 11 42

H 2359 UNIVERSITIES; GOVERNING BOARDS

Establishes the Governing Board of Arizona State University, the Governing Board of the University of Arizona, and the Governing Board of Northern Arizona University to provide direct oversight of each university. All three governing boards consist of three members appointed by the Governor, one member appointed by the Speaker of the House of Representatives, and one member appointed by the President of the Senate, and each governing board is required to elect a chairperson from among its members. Each governing board is a body corporate with perpetual succession, and powers and duties of the boards are established. Governing board members are not eligible for compensation, but are eligible for reimbursement of specified expenses. The role of Arizona Board of Regents (ABOR) throughout various statutes is deleted and replaced by the governing boards, including the power to appoint and employ university presidents and other staff, to fix tuition

and fees, to establish curricula, to award degrees and diplomas, to prescribe admission qualifications, and to adopt budgets. Modifies the powers and duties of ABOR and states that ABOR is a general advisory body over the state university system responsible for general oversight but not direct oversight of the universities. Each governing board, instead of ABOR, is an annual budget unit for the purpose of state budgeting. Each governing board terminates on July 1, 2027. Session law provides for the governing boards to succeed to the authority, powers, duties and responsibilities of ABOR and for the transfer of appropriated monies and properties. **First Sponsor:** Rep. Finchem **Other Sponsors:** Rep. Cook, Rep. Leach, Rep. Mitchell, Rep. Norgaard, **ARS Titles Affected:** 1 3 5 9 11 15 17 18 23 27 28 34 35 36 38 41 42 43 44 48

H 2360 CALL CENTER RELOCATION; NOTICE; PENALTY

Employers intending to relocate a “call center” (defined) from Arizona to another state or a foreign country are required to notify the Department of Economic Security at least 120 days before the relocation. Violations are subject to a civil penalty of up to \$10,000 for each day. The Dept is required to compile a semiannual list of all employers that relocate a call center to another state or a foreign country. These employers are not eligible for direct or indirect state grants or state guaranteed loans for five years, with some exceptions. Effective November 1, 2017. **First Sponsor:** Rep. Cardenas **ARS Titles Affected:** 44

H 2361 HIGH SCHOOLS; COLLEGE ACCESSIBILITY AWARENESS

Each high school is required to provide college accessibility awareness to communicate information to students enrolled at that school about college admissions requirements and the financial aid application process. Each report card issued to students in grades 9 through 12 is required to include a checklist that indicates that student’s progress toward completing the admissions requirements for universities under the jurisdiction of the Arizona Board of Regents. **First Sponsor:** Rep. Bolding **ARS Titles Affected:** 15

H 2362 CRIMINAL; ARREST RECORDS; ERASURE

If a person is arrested for, charged with or indicted for a violation of a criminal law and the court or a prosecutor dismisses or does not file a criminal charge against the person for at least 13 months after the arrest or dismissal, all law enforcement, grand jury, prosecuting agency and court records that pertain to the arrest or charge must be erased. Some exceptions. If a judgment of guilt is set aside, the person may request that the court seal the person’s arrest and conviction records. The court or a law enforcement agency is prohibited from publicly disclosing an arrest and conviction record that is sealed. A person whose arrest record is sealed is authorized to deny under all circumstances that the arrest and conviction ever occurred. **First Sponsor:** Rep. Bolding **ARS Titles Affected:** 13

H 2363 PEACE OFFICER DATABASE; DISCIPLINARY ACTIONS

The Arizona Peace Officer Standards and Training Board is required to establish and make available on its website a law enforcement officer database that includes the names and discipline record, if any, of every law enforcement officer in Arizona that is accessible only to a law enforcement agency that is conducting a background investigation of an applicant for the position of a law enforcement officer. Law enforcement agencies are required to check the database before hiring an applicant for the position of a law enforcement officer. Law enforcement agencies are required to report to the Board specified information within 10 days after a final ruling or determination on certain disciplinary actions of law enforcement officers. A person is authorized to bring an action in superior court to enforce these requirements. **First Sponsor:** Rep. Bolding **Other Sponsors:** Rep. Clark, **ARS Titles Affected:** 41

H 2364 EMPLOYMENT; HOUSING; PUBLIC ACCOMMODATIONS; ANTIDISCRIMINATION

The list of attributes for which a person cannot be discriminated against in employment practices, various housing related statutes, and in places of public accommodation is expanded to include “sexual orientation,” “gender identity,” and “veteran status” (all defined). **First Sponsor:** Rep. Rios **Other Sponsors:** Sen. Otondo, Rep. Gabaldon, Rep. Hernandez, Rep.

Gonzales, Rep. Fernandez, Rep. Rubalcava, Rep. Friese, Rep. Powers Hannley, Rep. Cardenas, Rep. Alston, Rep. Blanc, Rep. Salman, Rep. Bolding, Rep. Andrade, Rep. Martinez, Rep. Navarrete, **ARS Titles Affected:** 41

H 2365 WIRELESS FACILITIES; COLLOCATION; RIGHTS-OF-WAY

Adds a chapter to Title 11 (Counties) regulating “wireless facilities” (defined). An “authority” (defined as a county, municipality, special district or political subdivision) is prohibited from entering into an exclusive arrangement with any person for use of a right-of-way for the construction, operation, marketing or maintenance of wireless facilities or wireless support structures or the collocation of small wireless facilities. An authority may charge a wireless provider a rate or fee, or may refrain for charging a wireless provider a fee, for the use of a right-of-way for these purposes. Establishes prohibited rate or fee practices and sets the maximum fee at \$20 times the number of utility poles or wireless support structures in the authority’s geographic jurisdiction on which the wireless provider has collocated a small wireless facility antenna. Establishes a list of rights of wireless providers. Authorities cannot prohibit, regulate or charge for the collocation of small wireless facilities, but may require permits. Establishes regulations for access to authority poles or utility poles. Establishes a process for dispute resolution. **First Sponsor:** Rep. Weninger **Other Sponsors:** Sen. Smith, **ARS Titles Affected:** 11

H 2366 AGRICULTURAL LAND; FALLOWING; PROPERTY TAX

In a county with a population of less than 400,000 persons, when classifying property as used for agricultural purposes for property tax purposes, a temporary reduction or transfer of the available water supply or irrigation district water allotments (which allows agricultural property to be inactive or partially inactive and keep the agricultural classification) must be verified by an official certification from the irrigation district to the county assessor that confirms the reduction or transfer. **First Sponsor:** Rep. Shope **ARS Titles Affected:** 42

H 2367 PUBLIC DEBT; REPORTING; PENALTIES

By August 15 of each year, state agencies, boards and commissions, counties, municipalities, school districts, and other political subdivisions are required to file a report relating to the issuance of debt during the latest full fiscal year in a form prescribed by the State Treasurer. The State Treasurer is required to compile reports on all issues of public debt and maintain an online accessible and searchable database of the reports. The State Treasurer is required to suspend all financial distributions from the State Treasurer’s Office to any entity required to file a report that is not in full compliance with these requirements. Appropriates an unspecified amount (blank in original) from the general fund in FY2017-18 to the State Treasurer for the purposes of this legislation. **First Sponsor:** Rep. Lovas **ARS Titles Affected:** 18 35 41

H 2368 OXYGENATED FUEL STANDARDS; FORMULA

The list of substances that cannot exceed a total of more than 0.10 percent oxygen by weight collectively in gasoline that is supplied or sold by any person and that is intended as a final product for fueling motor vehicles in Arizona is modified to remove iso-butanol. **First Sponsor:** Rep. Mosley **Other Sponsors:** Rep. Campbell, Rep. Stringer, Rep. Clodfelter, Rep. Shooter, Rep. John, Rep. J. Allen, Rep. Coleman, Rep. Boyer, Rep. Lawrence, Rep. Ugenti-Rita, Rep. Bowers, **ARS Titles Affected:** 3

H 2369 REPEAL; STATE BOARDS & COMMITTEES

Repeals various state boards and committees. Repeals the Arizona State Parks Board, and transfers Board powers and duties to the Arizona State Parks Director. Repeals the Arizona Agricultural Protection Commission and the chapter of statute known as the Arizona Agricultural Protection Act. Repeals the Citizens Transportation Oversight Committee, the Conservation Advisory Committee, the Advisory Board of the Arizona State Library, Archives and Public Records, the Agricultural Best Management Practices Advisory Committee, and the Water Quality Assurance Revolving Fund Advisory Board. **First Sponsor:** Rep. Shope **Other Sponsors:** Rep. J. Allen, **ARS Titles Affected:** 5 17 28 37 38 39 41 42 43 45 49

H 2370 WITHHOLDING OF WAGES; SCHOOL EMPLOYEES

School districts are no longer permitted to withhold wages during their normal two week payroll processing cycle. **First Sponsor:** Rep. Coleman **ARS Titles Affected:** 23

H 2371 OVERSIZE COMMERCIAL VEHICLES; LOCAL AUTHORITY

If a local authority issues special permits to excess size and weight vehicles, the local authority is required to adopt and enforce ordinances that are identical to rules adopted by the Department of Transportation that relate to overdimensional or over-weight commercial vehicles, and the local authority is permitted to adopt ordinances relating to infrastructure restrictions, route restrictions and time of day restrictions. Applies to ordinances adopted by a local authority before and after the effective date of this legislation. **First Sponsor:** Rep. John **Other Sponsors:** Rep. Cook, Rep. Payne, **ARS Titles Affected:** 28

H 2372 PUBLIC BENEFITS; FEE WAIVERS; REQUIREMENTS

Various changes to public assistance programs. A needy family may continue to receive Temporary Assistance for Needy Families (TANF) cash assistance for 12 months in addition to the 12-month limit if the head of household is in full compliance with all work search and training requirements and each dependent child in the assistance unit who is required to attend school has a school attendance record of at least 90 percent unless the child was “medically unable to attend school.” A head of household who receives TANF cash assistance or any person authorized by the head of household is prohibited from using an electronic benefit transfer (EBT) card to purchase lottery tickets. The Department of Economic Security (DES) is required to limit the cash withdrawal amount for an EBT card to \$30 per day. If a person requests a third replacement EBT card within a 12-month period or uses more than 10 percent of the EBT card balance in a 6-month period on out-of-state purchases, DES is required to schedule an interview for the person with a fraud investigator and an eligibility expert. DES is required to post online a spending report of the Supplemental Nutrition Assistance Program (SNAP) and TANF benefits, which must include specified information. DES is required to provide the Jobs Program to eligible families transitioning off of TANF cash assistance for up to 12 months after a cash assistance case closure. A person who is convicted of using or possessing a drug may be eligible for SNAP if the person successfully completes a drug treatment program, agrees to random drug testing, and is in compliance with all terms of probation, if applicable. An “agency” (defined) is required to waive any fee charged for an initial “license” (defined) for any individual applicant whose family income does not exceed 200 percent of the federal poverty guidelines. **First Sponsor:** Rep. Weninger **Other Sponsors:** Sen. Brophy McGee, Rep. Townsend, **ARS Titles Affected:** 41 46

H 2373 TOBACCO SETTLEMENT; INDIAN TRIBES; INFO

The Department of Revenue and the Attorney General are authorized to share specified confidential tax information with Indian Tribes or local agencies located in Arizona for the purposes of enforcement of public health control laws relating to tobacco sales, laws relating to reduced cigarette ignition propensity standards, and the tobacco master settlement agreement. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 42

H 2374 SCHOOLS; ADD ASSISTANCE; REDUCTIONS; ELIMINATION

The Department of Education is required to reduce the amount of basic state aid that otherwise would be apportioned to school districts statewide in the following amounts in the following fiscal years: \$293.7 million for FY2018-19, \$234.96 million for FY2019-20, \$176.22 million for FY2020-21, \$117.48 million for FY2021-22, and \$58.74 million for FY2022-23. The Department of Education is required to reduce the amount of basic state aid that otherwise would be apportioned to charter schools statewide in the following amounts in the following fiscal years: \$15.55 million in FY2018-19, \$12.44 million in FY2019-20, \$9.33 million in FY2020-21, \$6.22 million in FY2021-22, and 3.11 million in FY2022-23. **First Sponsor:** Rep. Carter **Other Sponsors:** Rep. Boyer, **ARS Titles Affected:** 41

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

H 2375 VICTIMS; MEDICAL BILLS; PROHIBITED ACTS

A “licensed health care provider” (defined) who provides health and medical services to a victim or claimant and who accepts the full allowable payment for those services from a victim compensation program is deemed to have accepted the payment as the full payment for those services, and is prohibited from collecting or attempting to collect any payment for those services from the victim or claimant. **First Sponsor:** Rep. Boyer **ARS Titles Affected:** 41

H 2376 ARIZONA POWER AUTHORITY; CONFLICTS; MEETINGS

Conflict of interest statutes apply to all members of the Arizona Power Authority Commission. Specifies that the Commission is not prevented from holding executive sessions. **First Sponsor:** Rep. Leach **Other Sponsors:** Rep. Bowers, **ARS Titles Affected:** 30

H 2377 TEACHER AND PRINCIPAL EVALUATIONS

The model framework that the State Board of Education is required to adopt for teacher and principal evaluations cannot include quantitative data on student academic progress, instead of being required to include data on student academic progress that accounts for between 33 and 50 percent of the evaluation outcomes. School districts and charter schools are required to determine the appropriate weight of any evaluation component. **First Sponsor:** Rep. Coleman **ARS Titles Affected:** 15

H 2378 DISPENSING OPTICIANS; REPEAL OF REGULATION

Dispensing opticians and optical establishments are not required to be licensed and must post in a conspicuous location a sign that states “optical services offered by (dispensing optician’s or optical establishment’s name) are not regulated by this state.” Various statutes relating to the licensing of dispensing opticians are repealed. Due to voter protection, one section of this legislation containing conforming changes only requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage. **First Sponsor:** Rep. Mosley **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. Petersen, Rep. Barton, Rep. Thorpe, Rep. Descheenie, Rep. Cook, Rep. Shope, Rep. Clodfelter, Rep. Grantham, Rep. John, Rep. J. Allen, Rep. Coleman, Rep. Weninger, Rep. Espinoza, Rep. Payne, Rep. Livingston, Rep. Lawrence, Rep. Bowers, **ARS Titles Affected:** 20 32 36 41

H 2379 TOWING; VEHICLE REMOVAL; ABANDONED VEHICLES

If the Department of Transportation or a police officer requests a towing or recovery vehicle to assist in moving a vehicle that is incapacitated as a result of a traffic accident, the operator of the towing or recovery vehicle is not liable for any damage to personal property unless the removal is carried out recklessly or in a grossly negligent manner. A towing company in possession of an abandoned vehicle may obtain a transfer of ownership if a person does not recover the vehicle within 45 days after providing proof of ownership, and the vehicle is not part of a civil or criminal proceeding. **First Sponsor:** Rep. Campbell **ARS Titles Affected:** 28

H 2380 TERMS; PRECINCT COMMITTEEMEN

The term of office of a precinct committeeman begins on the day after the county board of supervisors issues the official canvass for the primary election at which the precinct committeeman was a candidate and continues until the canvass is issued for the following primary election at which a precinct committeeman is elected. **First Sponsor:** Rep. Ugenti-Rita **ARS Titles Affected:** 16

H 2381 POLITICAL PARTIES; MEETINGS; E-MAIL

The notice of meetings that the chairmen of the county and state committees of political parties are required to give to precinct or state committeemen may be given by email. **First Sponsor:** Rep. Ugenti-Rita **ARS Titles Affected:** 16

H 2382 PHARMACEUTICALS; MISBRANDING; ENFORCEMENT PROHIBITED

A pharmaceutical manufacturer or its representative may engage in truthful promotion of an “off-label use” (defined) of a drug, biological product or device, and an official or agent of the state cannot enforce or apply statutes prohibiting misbranding against or otherwise prosecute a pharmaceutical manufacturer or its representative for doing so. **First Sponsor:** Rep. Lovas **ARS Titles Affected:** 32

H 2383 STATE FINANCE REVIEW; TASK FORCE

Establishes a 22-member Citizens Finance Review Task Force to perform an analysis of the source of general fund and nongeneral fund revenues and expenditures as compared to other states, and make recommendations regarding the responsible retirement of existing state debt. The Task Force is required to submit a report to the Governor and the Legislature by September 30, 2018, and to present the report to a joint meeting of the legislative appropriations committees by January 31, 2019. Self-repeals October 1, 2020. **First Sponsor:** Rep. Rios **Other Sponsors:** Rep. Gabaldon, Rep. Gonzales, Rep. Fernandez, Rep. Rubalcava, Rep. Friese, Rep. Powers Hannley, Rep. Cardenas, Rep. Alston, Rep. Salman, Rep. Andrade, Rep. Navarrete, **ARS Titles Affected:** 41

H 2384 CONSULAR ID CARDS; PROHIBITION; REPEAL

The state and its political subdivisions are no longer prohibited from accepting a consular identification card issued by a foreign government as a valid form of identification. **First Sponsor:** Rep. Chavez **Other Sponsors:** Rep. Gabaldon, Rep. Fernandez, Rep. Rubalcava, Rep. Benally, Rep. Powers Hannley, Rep. Blanc, Rep. Salman, Rep. Martinez, **ARS Titles Affected:** 41

H 2385 SCHOOLS; ACCOUNTING; BUDGETING; REPORTING

The accounting systems, methods and procedures used by school districts (as determined by the Auditor General) are required to facilitate easy display of information in a searchable digital format, and beginning in FY2018-19, are required to include a format and methodology for accounting at the school level that includes a list of specified information on funding and budget allocations. Beginning in FY2018-19, the list of information that must be included in the annual report card distributed by each school must include that funding and budget information and a comparison of that information for the school to other schools in the local education agency. **First Sponsor:** Rep. Boyer **Other Sponsors:** Sen. S. Allen, Sen. Montenegro, Sen. Lesko, Rep. Cook, Rep. Shope, Rep. Leach, Rep. Shooter, Rep. Carter, Rep. Weninger, Rep. Norgaard, Rep. Livingston, Rep. Lawrence, Rep. Ugenti-Rita, **ARS Titles Affected:** 15

H 2386 INSURANCE; ADVERTISING; FILING REQUIREMENTS

For the purpose of statutes requiring the Department of Insurance to approve certain insurance forms, “advertising matter” and “sales material” do not include a specified list of materials, including web pages and web banner advertisements and social media sites and content, and those materials are not required to be filed. **First Sponsor:** Rep. Livingston **ARS Titles Affected:** 20

H 2387 EARLY CHILDHOOD; SCHOOL READINESS COMMITTEE

Establishes a 6-member Legislative Early Childhood and School Readiness Study Committee to study a list of issues concerning early childhood and school readiness. The Committee is required to submit a report of its recommendations to the Legislature by November 15 of each year and self-repeals October 1, 2022. **First Sponsor:** Rep. Bolding **ARS Titles Affected:** 41

H 2388 PRIVATE POSTSECONDARY EDUCATION GRANTS

Statute establishing and regulating the Private Postsecondary Education Grant Program is repealed and replaced. Impossible to determine new provisions without a line by line comparison. **First Sponsor:** Rep. Boyer **ARS Titles Affected:** 15

H 2389 GOVERNMENTAL ENTITIES; DIPLOMAS; TRANSCRIPTS; RECOGNITION

The state, state agencies, political subdivisions and other governmental entities are required to recognize and treat all diplomas and transcripts associated with schooling options described in statute in the same manner. **First Sponsor:** Rep. Bowers **ARS Titles Affected:** 1

HCM 2001 URGING CONGRESS; NINTH CIRCUIT; DIVISION

The Legislature urges the U.S. Congress to take action to divide the Ninth Circuit into two circuits by enacting HR 250 into law. The Secretary of State is directed to transmit copies of this memorial to the President of the U.S. Senate, the Speaker of the

U.S. House and each member of Congress from Arizona. **First Sponsor:** Rep. E. Farnsworth **Other Sponsors:** Sen. Petersen, Rep. Grantham, **ARS Titles Affected:** 99

HCM 2002 NINTH CIRCUIT; DIVISION; URGING CONGRESS

The Legislature urges the U.S. Congress to enact legislation to divide the Ninth Circuit into two circuits by creating a newly constituted U.S. Court of Appeals for the Twelfth Circuit and including Arizona in whichever circuit does not include the State of California. The Secretary of State is directed to transmit copies of this memorial to the President of the U.S. Senate, the Speaker of the U.S. House and each member of Congress from Arizona. **First Sponsor:** Rep. Leach **Other Sponsors:** Rep. Mesnard, **ARS Titles Affected:** 99

HCM 2003 URGING EPA, CONGRESS; NUCLEAR POWER

The Legislature urges the U.S. Congress and the U.S. Environmental Protection Agency (EPA) to recognize nuclear power as a viable source of clean energy and commend Arizona’s diversified energy portfolio. The Secretary of State is directed to transmit copies of this memorial to the President of the U.S. Senate, the Speaker of the U.S. House, each member of Congress from Arizona and the Administrator of the EPA. **First Sponsor:** Rep. Mosley **Other Sponsors:** Rep. Saldate, Rep. Cook, Rep. Shooter, Rep. John, Rep. J. Allen, Rep. Coleman, Rep. Mesnard, Rep. Cardenas, Rep. Payne, Rep. Andrade, Rep. Martinez, **ARS Titles Affected:** 99

HCM 2004 URGING CONGRESS; AFFORDABLE CARE ACT

The Legislature urges the U.S. Congress to consider a repeal of the Affordable Care Act only if the repeal is accompanied by an adequate replacement plan, and to consider only a replacement plan that retains specified market reforms and the individual mandates and subsidies. The Secretary of State is directed to transmit copies of this memorial to the President of the U.S., the President of the U.S. Senate, the Speaker of the U.S. House and each member of Congress from Arizona. **First Sponsor:** Rep. Friese **Other Sponsors:** Sen. Otondo, Sen. Farley, Sen. Bradley, Sen. Bowie, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Sen. Quezada, Rep. Gabaldon, Rep. Hernandez, Rep. Gonzales, Rep. Saldate, Rep. Fernandez, Rep. Rubalcava, Rep. Benally, Rep. Descheenie, Rep. Powers Hannley, Rep. Engel, Rep. Epstein, Rep. Cardenas, Rep. Espinoza, Rep. Alston, Rep. Clark, Rep. Blanc, Rep. Bolding, Rep. Rios, Rep. Butler, Rep. Andrade, Rep. Chavez, Rep. Martinez, Rep. Navarrete, **ARS Titles Affected:** 99

HCM 2005 HARDROCK MINING; RULE; URGING EPA

The Legislature urges the U.S. Environmental Protection Agency (EPA) to extend the comment period on a rule imposing new financial assurance requirements on the hardrock mining industry, seriously consider business concerns about the rule, confer with regulators in Arizona about the rule, and withdraw the proposed rule and start over. The Secretary of State is directed to transmit copies of this memorial to the President of the U.S., the President of the U.S. Senate, the Speaker of the U.S. House, each member of Congress from Arizona, the Administrator of the EPA and the Governor of Arizona. **First Sponsor:** Rep. Cook **ARS Titles Affected:** 99

HCR 2001 STATE EDUCATION BOARD; MEMBERSHIP; SUPERINTENDENTS

The 2018 general election ballot is to carry the question of whether to amend the state Constitution to change the membership of the Board of Education to the Superintendent of Public Instruction and each county school superintendent. All other Board members are removed, but may continue to serve until the expiration of their normal terms. **First Sponsor:** Rep. Finchem **ARS Titles Affected:** 98

HCR 2002 REPEAL 1998 PROPOSITION 105

The 2018 general election ballot is to carry the question of whether to amend Article IV, Part 1, Section 1, of the state Constitution to repeal the Voter Protection amendment added as Prop 105 in 1998. **First Sponsor:** Rep. Ugenti-Rita **ARS Titles Affected:** 98

HCR 2003 TECH CORRECTION; BOND ELECTIONS

Proposes a minor change in Article VII, Section 13, of the state Constitution related to bond elections. Apparent striker bus for a proposition to be referred to the ballot at the next general election. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 98

HCR 2004 CLEAN ELECTIONS REPEAL; EDUCATION FUNDING

The 2018 general election ballot is to carry the question of whether to amend state statute to repeal the Citizens Clean Elections Act except for the 10 percent surcharge on all civil and criminal fines and penalties collected by the courts (which is deposited in the Clean Elections Fund), and to require the State Treasurer to annually transfer the monies in the Clean Elections Fund to the Department of Education for an equitable per pupil distribution to school districts and charter schools for maintenance and operations. **First Sponsor:** Rep. Leach **ARS Titles Affected:** 97

HCR 2005 MINE INSPECTOR; APPOINTMENT

The 2018 general election ballot is to carry the question of whether to amend the state Constitution to eliminate the election of State Mine Inspector and instead require the Governor to appoint the State Mine Inspector with the advice and consent of the Senate. **First Sponsor:** Rep. Friese **ARS Titles Affected:** 98

HCR 2006 ARTICLE V CONVENTION

Pursuant to Article V of the U.S. Constitution, the Arizona State Legislature formally applies to the U.S. Congress to call a convention for the purpose of proposing an amendment to the U.S. Constitution that will require any one or more of a list of proposals, including: limiting the terms of office for members of Congress to 12 years; repealing the 17th amendment and requiring U.S. Senators to be chosen by their state legislatures; limiting a person’s service on the U.S. Supreme Court to 12 years; limiting the total outlays of the U.S. Government for any fiscal year from exceeding the total receipts for the fiscal year or from exceeding 17.5 percent of the U.S. gross domestic product; prohibiting the U.S. Congress from collecting more than 15 percent of a person’s annual income from whatever source derived; requiring each federal department or agency to terminate unless individually reauthorized every three years; limiting the U.S. Congress’s power to regulate commerce to specified provisions; and allowing the states to override certain federal regulations by a 3/5 vote. The Secretary of State is directed to transmit copies of this resolution to the President and Secretary of the U.S. Senate, the Speaker and Clerk of the U.S. House, each member of Congress from Arizona, and the presiding officers of each house of the several state legislatures. **First Sponsor:** Rep. Thorpe **ARS Titles Affected:** 99

HCR 2007 PROPOSITION 105; EXEMPT REFERENDA

The 2018 general election ballot is to carry the question of whether to amend the state Constitution to exempt legislative referendum from the Voter Protection amendment added as Prop 105 in 1998. **First Sponsor:** Rep. Ugenti-Rita **ARS Titles Affected:** 98

HCR 2008 EDUCATION FINANCE; EXCISE TAX RATES

The 2018 general election ballot is to carry the question of whether to amend state statute to increase the additional transaction privilege tax rate to 1 percent of the tax base, from 0.6 percent of the tax base, effective beginning July 1, 2021. Previously, the 0.6 percent additional tax rate was repealed on July 1, 2021. **First Sponsor:** Rep. Friese **Other Sponsors:** Sen. Otondo, Sen. Farley, Rep. Fernandez, Rep. Rubalcava, Rep. Benally, Rep. Powers Hannley, Rep. Engel, Rep. Cardenas, Rep. Alston, Rep. Blanc, Rep. Rios, Rep. Chavez, **ARS Titles Affected:** 97

HCR 2009 FIREARM SALES; TRANSFERS; BACKGROUND CHECKS

The 2018 general election ballot is to carry the question of whether to amend state statute to require parties to a prospective firearms sale or transfer to complete the transaction through a licensed firearms dealer if neither party is a licensed firearms dealer. Some exceptions. The dealer must process the sale or transfer and comply with all requirements of federal, state and local law as if the dealer were a party to the transaction, including a background check on both parties. If the dealer cannot legally deliver the weapon to the purchaser, the dealer must return the weapon to the seller. If the dealer cannot legally return the weapon to the seller, the dealer must deliver the weapon to law enforcement. The dealer may charge a fee of up to \$20 for the costs incurred in facilitating the sale or transfer. Violations are a class 5 (second-lowest) felony. **First Sponsor:** Rep. Friese **Other Sponsors:** Rep. Powers Hannley, Rep. Engel, Rep. Blanc, Rep. Rios, Rep. Chavez, Rep. Navarrete, **ARS Titles Affected:** 97

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

HCR 2010 APPLICATION; ARTICLE V CONVENTION

Pursuant to Article V of the U.S. Constitution, the Arizona State Legislature formally applies to the U.S. Congress to call a convention for the purpose of proposing an amendment to the U.S. Constitution that will impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government and limit the terms of office for federal government officials and members of Congress. The Secretary of State is directed to transmit copies of this resolution to the President and Secretary of the U.S. Senate, the Speaker and Clerk of the U.S. House, each member of Congress from Arizona, and the presiding officers of each house of the several state legislatures, requesting their cooperation. **First Sponsor:** Rep. Townsend **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. Montenegro, Sen. Lesko, Rep. Campbell, Rep. Stringer, Rep. Cobb, Rep. Mosley, Rep. Barton, Rep. Thorpe, Rep. Cook, Rep. Clodfelter, Rep. Finchem, Rep. Leach, Rep. Grantham, Rep. Shooter, Rep. John, Rep. Nutt, Rep. J. Allen, Rep. Coleman, Rep. Mesnard, Rep. Weninger, Rep. Boyer, Rep. Payne, Rep. Rivero, Rep. Livingston, Rep. Lawrence, Rep. Ugenti-Rita, **ARS Titles Affected:** 99

HCR 2011 MOTOR VEHICLE FUEL TAXES

The 2018 general election ballot is to carry the question of whether to amend state statute to raise the motor vehicle fuel tax to 28 cents per gallon, from 18 cents per gallon, and to require 10 cents per gallon of the tax to be spent only for the construction or maintenance of transportation infrastructure. **First Sponsor:** Rep. Campbell **Other Sponsors:** Sen. Otondo, **ARS Titles Affected:** 97

HCR 2012 RATIFICATION; EQUAL RIGHTS AMENDMENT

Ratifies the Equal Rights Amendment to the U.S. Constitution. The Secretary of State is directed to transmit copies of this resolution to the President of the U.S. Senate and the Speaker of the U.S. House. **First Sponsor:** Rep. Powers Hannley **Other Sponsors:** Sen. Mendez, Rep. Gabaldon, Rep. Hernandez, Rep. Gonzales, Rep. Benally, Rep. Descheenie, Rep. Friese, Rep. Engel, Rep. Cardenas, Rep. Espinoza, Rep. Blanc, Rep. Salman, Rep. Bolding, Rep. Rios, Rep. Butler, Rep. Andrade, Rep. Chavez, Rep. Navarrete, **ARS Titles Affected:** 99

HCR 2013 CONVENTION; BALANCED FEDERAL BUDGET

Pursuant to Article V of the U.S. Constitution, the Arizona State Legislature formally applies to the U.S. Congress to call a convention for the purpose of proposing an amendment to the U.S. Constitution requiring that in the absence of a national emergency, the total of all federal appropriations made by the Congress for any fiscal year cannot exceed the total of all estimated federal revenue for that fiscal year. The Secretary of State is directed to transmit copies of this resolution to the President and Secretary of the U.S. Senate, the Speaker and Clerk of the U.S. House, each member of Congress from Arizona and the presiding officers of each house of the several state legislatures. **First Sponsor:** Rep. Mesnard **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. S. Allen, Sen. Smith, Sen. Montenegro, Sen. Barto, Sen. Lesko, Sen. Burges, Sen. Kavanagh, Sen. Worsley, Rep. Stringer, Rep. Cobb, Rep. Mosley, Rep. Barton, Rep. Thorpe, Rep. Cook, Rep. Shope, Rep. Clodfelter, Rep. Finchem, Rep. Leach, Rep. Grantham, Rep. Mitchell, Rep. John, Rep. Nutt, Rep. J. Allen, Rep. Coleman, Rep. Townsend, Rep. Boyer, Rep. Kern, Rep. Payne, Rep. Livingston, Rep. Ugenti-Rita, Rep. Syms, **ARS Titles Affected:** 99

HCR 2014 TECH CORRECTION; STATE SCHOOL FUND

Proposes a minor change in Article XI, Section 8, of the state Constitution related to the permanent state school fund. Apparent striker bus for a proposition to be referred to the ballot at the next general election. **First Sponsor:** Rep. Shooter **ARS Titles Affected:** 98

HCR 2015 RIGHT TO WORK; REPEAL

The 2018 general election ballot is to carry the question of whether to amend the state Constitution to repeal the right to work or employment without membership in labor organizations. **First Sponsor:** Rep. Cardenas **Other Sponsors:** Rep. Gabaldon, Rep. Hernandez, Rep. Gonzales, Rep. Saldate, Rep. Fernandez, Rep. Rubalcava,

Rep. Benally, Rep. Descheenie, Rep. Powers Hannley, Rep. Espinoza, Rep. Alston, Rep. Clark, Rep. Blanc, Rep. Salman, Rep. Bolding, Rep. Rios, Rep. Andrade, Rep. Chavez, Rep. Martinez, Rep. Navarrete, **ARS Titles Affected:** 98

HCR 2016 CARE ENOUGH; GET IN WAY

The members of the Legislature proclaim January 2017 as Care Enough to Get in the Way Month. **First Sponsor:** Rep. Espinoza **Other Sponsors:** Rep. Gabaldon, Rep. Gonzales, Rep. Fernandez, Rep. Rubalcava, Rep. Benally, Rep. Descheenie, Rep. Friese, Rep. Powers Hannley, Rep. Shooter, Rep. Cardenas, Rep. Alston, Rep. Blanc, Rep. Salman, Rep. Andrade, Rep. Martinez, Rep. Navarrete, **ARS Titles Affected:** 99

HCR 2017 SCHOOLS; ENGLISH LANGUAGE REQ; REPEAL

The 2018 general election ballot is to carry the question of whether to amend state statute to repeal the requirements for English language education for children in public schools. **First Sponsor:** Rep. Saldate **Other Sponsors:** Sen. Mendez, Rep. Gabaldon, Rep. Hernandez, Rep. Fernandez, Rep. Engel, Rep. Alston, Rep. Chavez, **ARS Titles Affected:** 97

HCR 2018 NATIONAL WEAR RED DAY

The members of the Legislature proclaim February 3, 2017 as National Wear Red Day in Arizona and encourage citizens to show their support for women and the fight against heart disease by wearing the color red on National Wear Red Day in Arizona. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 99

HCR 2019 LIVING KIDNEY DONORS DAY

The members of the Legislature proclaim March 20, 2017 as Living Kidney Donors Day in Arizona and recognize the brave citizens of Arizona who have donated a kidney as a living donor. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 99

HCR 2020 TARTAN DAY

The members of the Legislature proclaim April 6, 2017 as Tartan Day in Arizona, and encourage all Arizonans to observe and celebrate Tartan Day with appropriate ceremonies and dress. **First Sponsor:** Rep. Shooter **Other Sponsors:** Rep. Townsend, **ARS Titles Affected:** 99

HCR 2021 SUICIDE PREVENTION MONTH

The members of the Legislature proclaim September 2017 as Suicide Prevention Month in Arizona and express a commitment to promoting suicide prevention efforts in this state. **First Sponsor:** Rep. Cook **Other Sponsors:** Rep. Campbell, Rep. Stringer, Rep. Gabaldon, Rep. Gonzales, Rep. Saldate, Rep. Fernandez, Rep. Rubalcava, Rep. Cobb, Rep. Mosley, Rep. Barton, Rep. Thorpe, Rep. Benally, Rep. Descheenie, Rep. Shope, Rep. Friese, Rep. Powers Hannley, Rep. Clodfelter, Rep. Engel, Rep. Finchem, Rep. Leach, Rep. E. Farnsworth, Rep. Grantham, Rep. Mitchell, Rep. Shooter, Rep. John, Rep. Nutt, Rep. J. Allen, Rep. Carter, Rep. Coleman, Rep. Townsend, Rep. Mesnard, Rep. Weninger, Rep. Epstein, Rep. Norgaard, Rep. Cardenas, Rep. Espinoza, Rep. Boyer, Rep. Kern, Rep. Payne, Rep. Livingston, Rep. Lawrence, Rep. Ugenti-Rita, Rep. Alston, Rep. Bowers, Rep. Udall, Rep. Blanc, Rep. Salman, Rep. Bolding, Rep. Rios, Rep. Butler, Rep. Syms, Rep. Andrade, Rep. Chavez, Rep. Martinez, Rep. Navarrete, **ARS Titles Affected:** 99

HJR 2001 PHOENIX-GOODYEAR AIRPORT; REUSE ZONE

The members of the 53rd Legislature and the Governor renew as a Military Reuse Zone the Phoenix-Goodyear Airport premises and specified surrounding property and set the termination date for this Military Reuse Zone as ten years from December 3, 2017. The Secretary of State is directed to transmit copies of this resolution to the City of Phoenix and the City of Goodyear. **First Sponsor:** Rep. Mitchell **ARS Titles Affected:** 99

HR 2001 WELCOMING THE ULTIMATE FIGHTING CHAMPIONSHIP

The members of the House of Representatives welcome the Ultimate Fighting Championship to Arizona. AS SENT TO SECRETARY OF STATE. **First Sponsor:** Rep. Weninger **ARS Titles Affected:** 99

HR 2002 DEATH RESOLUTION; MAX DINE

The members of the House of Representatives express sincere regret at the passing of Dr. Max Dine, an advocate for individuals with mental illness, and

extend their deepest sympathies and condolences to his family and many friends. **First Sponsor:** Rep. Carter **ARS Titles Affected:** 99

HR 2003 ARIZONA AEROSPACE DAY

The members of the House of Representatives proclaim January 30, 2017 as Arizona Aerospace Day in recognition of the contributions the aerospace industry has made to the history, economy, security and educational system of Arizona. **First Sponsor:** Rep. Thorpe **Other Sponsors:** Rep. Stringer, Rep. Saldate, Rep. Fernandez, Rep. Cobb, Rep. Cook, Rep. Shope, Rep. Friese, Rep. Clodfelter, Rep. Finchem, Rep. Leach, Rep. Grantham, Rep. Shooter, Rep. John, Rep. Nutt, Rep. J. Allen, Rep. Carter, Rep. Coleman, Rep. Weninger, Rep. Payne, Rep. Rivero, Rep. Lawrence, Rep. Ugenti-Rita, Rep. Bowers, Rep. Udall, Rep. Salman, Rep. Rios, Rep. Syms, Rep. Chavez, Rep. Martinez, Rep. Navarrete, **ARS Titles Affected:** 99

S 1001 CIVIL LIABILITY; MINORS; ANIMALS; VEHICLE

A person who uses reasonable force to enter a locked and unattended motor vehicle to remove a minor or confined “domestic animal” (defined) is not liable for damages in a civil action if the person has a good faith belief that the minor or animal is in imminent danger, notifies a first responder, and remains with the minor or animal until the first responder arrives. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 12

S 1002 TECH CORRECTION; SPORTS FACILITIES ACCOUNT

Minor change in Title 5 (Amusements and Sports) related to youth and amateur sports facilities. Apparent striker bus. **First Sponsor:** Sen. Barto **ARS Titles Affected:** 5

S 1003 TECH CORRECTION; FINANCIAL RESPONSIBILITY; VERIFICATION

Minor change in Title 20 (Insurance) related to verification of financial responsibility. Apparent striker bus. **First Sponsor:** Sen. Barto **ARS Titles Affected:** 20

S 1004 TECH CORRECTION; REAL ESTATE LICENSING

Minor change in Title 32 (Professions and Occupations) related to real estate licensing. Apparent striker bus. **First Sponsor:** Sen. Barto **ARS Titles Affected:** 32

S 1005 TECH CORRECTION; STATE HIGHWAYS

Minor change in Title 28 (Transportation) related to state highways. Apparent striker bus. **First Sponsor:** Sen. Barto **ARS Titles Affected:** 28

S 1006 TECH CORRECTION; SPECIAL MASTERS

Minor change in Title 35 (Public Finances) related to expenses of federal special masters. Apparent striker bus. **First Sponsor:** Sen. Barto **ARS Titles Affected:** 35

S 1007 HOMEBASED BUSINESS; OPERATIONS; EMPLOYEES

County ordinances regulating home-based businesses are prohibited from restricting a business from generating traffic, parking or delivery activity that does not cause on-street parking congestion, from having more than one client on the property at one time, or from employing a list of specified individuals. **First Sponsor:** Sen. D. Farnsworth **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. Farley, Sen. Barto, Rep. Mosley, Rep. Powers Hannley, Rep. Leach, Rep. Nutt, Rep. Coleman, Rep. Townsend, Rep. Boyer, Rep. Bowers, Rep. Udall, **ARS Titles Affected:** 11

S 1008 CONTRACTOR LICENSING; EXEMPTIONS; THRESHOLD

The exemption from licensing as a contractor is modified to increase the maximum value of the work done by an exempted person to \$2,000, from \$1,000. **First Sponsor:** Sen. D. Farnsworth **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. Farley, Sen. Barto, Rep. Mosley, Rep. Powers Hannley, Rep. Leach, Rep. Nutt, Rep. Coleman, Rep. Boyer, Rep. Bowers, Rep. Udall, **ARS Titles Affected:** 32

S 1009 THEFT; AMERICAN FLAG; PENALTY

Increases the penalty for theft of an American flag on display for other than its retail sale to a class 6 (lowest) felony, from a class 1 (highest) misdemeanor. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 13

S 1010 REVISER’S TECHNICAL CORRECTIONS; 2017

Fixes multiple defective and conflicting enactments. No substantive changes. 51 pages. An annual exercise. **First Sponsor:** Sen. Yarbrough **ARS Titles Affected:** 10 28 35 41 42 49

S 1011 TECH CORRECTION; ESCAPE; SECURE FACILITY

Minor change in Title 13 (Criminal Code) related to escape from a secure facility. Apparent striker bus. **First Sponsor:** Sen. Burges **ARS Titles Affected:** 13

S 1012 TECH CORRECTION; EMERGENCY INTERCEPTION

Minor change in Title 13 (Criminal Code) related to emergency interception. Apparent striker bus. **First Sponsor:** Sen. Burges **ARS Titles Affected:** 13

S 1013 TECH CORRECTION; DEFRAUDING SECURED CREDITORS

Minor change in Title 13 (Criminal Code) related to defrauding secured creditors. Apparent striker bus. **First Sponsor:** Sen. Burges **ARS Titles Affected:** 13

S 1014 TECH CORRECTION; CIVIL RIGHTS; RESTORATION

Minor change in Title 13 (Criminal Code) related to restoration of civil rights. Apparent striker bus. **First Sponsor:** Sen. Burges **ARS Titles Affected:** 13

S 1015 TECH CORRECTION; PROSTITUTION; EMPLOYMENT

Minor change in Title 13 (Criminal Code) related to prostitution. Apparent striker bus. **First Sponsor:** Sen. Burges **ARS Titles Affected:** 13

S 1016 GOVERNOR’S REGULATORY REVIEW COUNCIL; CONTINUATION

The statutory life of the Governor’s Regulatory Review Council is extended eight years to July 1, 2025. Retroactive to July 1, 2017. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 41

S 1017 ELECTRIC PERSONAL ASSISTIVE MOBILITY DEVICES

For the purpose of transportation-related statutes, the definition of “electric personal assistive mobility device” is expanded to include self-balancing devices with electric propulsion systems that have one wheel, in addition to devices with two wheels. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 28

S 1018 PROCESS SERVERS; MOTOR VEHICLE RECORDS

The list of circumstances in which the Department of Transportation is required to disclose personal information is expanded to include for use by a certified process server in connection with any civil, criminal, administrative or arbitration proceeding in any court or government agency or before any self-regulatory body. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 28

S 1019 PUBLIC RECORDS; UNDULY BURDENSOME REQUESTS

It is a defense to any action under public records law that the request for access to public records is unduly burdensome or harassing. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 39

S 1020 CONTRACTORS; QUALIFYING PARTY EXPERIENCE; BONDS

An applicant for a contractor’s license is required to have a minimum of 2 years’ practical experience within the last 20 years, reduced from 4 years’ within the last 10 years, and a person convicted of contracting without a license is no longer ineligible for licensure for one year after the conviction. The minimum amounts of surety bonds or cash deposits that an applicant for a specialty commercial contractor’s license is required to provide to the Registrar of Contractors are eliminated, and the maximum amounts of the bonds or cash deposits are reduced for general and specialty commercial contractors and for general and specialty residential contractors. **First Sponsor:** Sen. D. Farnsworth **Other Sponsors:** Sen. S. Allen, Sen. Barto, Sen. Lesko, Sen. Burges, Rep. Cobb, Rep. Nutt, Rep. J. Allen, Rep. Townsend, Rep. Rivero, Rep. Lawrence, Rep. Bowers, **ARS Titles Affected:** 32

S 1021 MUNICIPAL SERVICE ACCESS CARDS; REQUIREMENTS

If a municipality issues a municipal service access card to individuals to provide access to municipal services that the individual is entitled to receive, the card must meet specified requirements, including stating that the card is not an identification card. Municipalities that issue municipal service access cards that are also identification cards are required to adopt procedures that are at least as stringent as

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

those adopted by the Department of Transportation Motor Vehicle Division for a nonoperating identification license. Applies to all municipal service cards issued, reissued or renewed on or after the effective date of this legislation. A municipal service access card issued before the effective date of this legislation is valid for one year after the effective date. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 9

S 1022 POLITICAL BELIEFS; HATE CRIMES; TRAINING
The types of information to be collected and disseminated by the central state repository of criminal justice information is expanded to include criminal offenses that manifest evidence of prejudice based on political affiliation, beliefs or opinions. The courses of training required for law enforcement officers as prescribed by the Arizona Peace Officer Standards and Training Board are required to include responding to and reporting all criminal offenses that are motivated by political affiliation, opinions or beliefs. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 41

S 1023 DISPENSERS; PRESCRIPTION DRUG MONITORING
The Controlled Substances Prescription Monitoring Program is expanded to include tracking the prescribing, dispensing and consumption of schedule V controlled substances, in addition to schedule II, III, and IV. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 36

S 1024 VEHICLE THEFT; SECURITY INTEREST; REPEAL
Repeals statute establishing the crime of unlawful failure to return a motor vehicle subject to a security interest, which was a class 6 (lowest) felony. **First Sponsor:** Sen. Burges **Other Sponsors:** Sen. D. Farnsworth, **ARS Titles Affected:** 13

S 1025 PUBLIC ENTITIES; ABSOLUTE IMMUNITY; DEFENSES
A public entity or public employee is liable for an injury arising out of a plan or design for construction or maintenance of highways, roads, bridges or rights-of-way where the entity or employee did not give a reasonably adequate warning of hazards only if the entity or employee was grossly negligent. **First Sponsor:** Sen. Burges **Other Sponsors:** Sen. D. Farnsworth, **ARS Titles Affected:** 12

S 1026 BEHAVIORAL HEALTH EXAMINERS; CONTINUATION
The statutory life of the Board of Behavioral Health Examiners is extended eight years to July 1, 2025. Retroactive to July 1, 2017. **First Sponsor:** Sen. Barto **ARS Titles Affected:** 41

S 1027 RESPIRATORY CARE EXAMINERS; CONTINUATION
The statutory life of the Board of Respiratory Care Examiners is extended eight years to July 1, 2025. Retroactive to July 1, 2017. **First Sponsor:** Sen. Barto **ARS Titles Affected:** 41

S 1028 OSTEOPATHIC BOARD; CONTINUATION
The statutory life of the Arizona Board of Osteopathic Examiners in Medicine and Surgery is extended eight years to July 1, 2025. Retroactive to July 1, 2017. **First Sponsor:** Sen. Barto **ARS Titles Affected:** 41

S 1029 PHARMACY BOARD; LICENSURE; FEES
The Board of Pharmacy is no longer required to prorate the fee for a new license for the remaining full calendar months of the license period. Pharmacy technician trainee licenses expire 36 months, increased from 24 months, after issuance, and can no longer be renewed or reissued. **First Sponsor:** Sen. Barto **ARS Titles Affected:** 32

S 1030 AHCCCS; COVERED SERVICES; OCCUPATIONAL THERAPY
The list of medically necessary health and medical services covered by AHCCCS is expanded to include occupational therapy. **First Sponsor:** Sen. Barto **ARS Titles Affected:** 36

S 1031 DANGEROUS; INCOMPETENT DEFENDANTS; STUDY CMTE
Establishes a 15-member Study Committee on Incompetent, Nonrestorable and Dangerous Defendants to research and make recommendations for a program to provide short-term and long-term treatment and supervision of persons who have been charged with violent or dangerous crimes and who have been found incompetent and nonrestorable. The Committee is required to report its findings and rec-

ommendations to the Governor and the Legislature by December 31, 2017 and self-repeals July 1, 2018. **First Sponsor:** Sen. Borrelli **ARS Titles Affected:** 41

S 1032 SERVICE CORPORATIONS; HYDROELECTRIC POWER
For the purpose of public service corporation statutes, “renewable energy” includes the use of hydroelectric power in any rule or order adopted and issued, whether before or after the effective date of this legislation. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 40

S 1033 BOARD OF EXECUTIVE CLEMENCY; CONTINUATION
The statutory life of the Board of Executive Clemency is extended eight years to July 1, 2025. Retroactive to July 1, 2017. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 41

S 1034 APPROPRIATIONS; TEACHER STUDENT LOAN PROGRAM
Appropriates \$600,000 from the general fund in FY2017-18 to the Mathematics, Science and Special Education Teacher Student Loan Fund. **First Sponsor:** Sen. S. Allen **ARS Titles Affected:** 41

S 1035 TECH CORRECTION; BUILDING CODES
Minor change in Title 11 (Counties) related to building codes. Apparent striker bus. **First Sponsor:** Sen. S. Allen **ARS Titles Affected:** 11

S 1036 CHARTER SCHOOLS; RULEMAKING EXEMPTION
The State Board for Charter Schools is required to adopt rules and policies that the Board deems necessary to accomplish its statutory purposes. The Board is exempt from the rulemaking provisions of the Administrative Procedures Act, but is required to provide for notice and opportunity to comment on proposed policies or rules. **First Sponsor:** Sen. S. Allen **Other Sponsors:** Sen. Borrelli, Sen. D. Farnsworth, Rep. Boyer, **ARS Titles Affected:** 15 41

S 1037 SPECIAL EDUCATION; AUDIT; COST STUDY
The Auditor General is required to complete a comprehensive performance audit and cost study of special education programs in the state by December 15, 2017. Information that must be included in the audit is specified. Self-repeals March 1, 2018. **First Sponsor:** Sen. S. Allen **Other Sponsors:** Sen. Borrelli, Sen. D. Farnsworth, Sen. Burges, Rep. Boyer, **ARS Titles Affected:** 41

S 1038 TEACHERS; PROFESSIONAL DEVELOPMENT; PILOT PROGRAM
The Department of Education is required to establish a high-quality teacher professional development program and issue scholarships or grants of up to \$2,000 on a competitive basis to “qualified applicants” (defined) in order to obtain high-quality teacher professional development from a “qualifying postsecondary institution” (defined). Scholarship or grant recipients must agree to teach in a public school in Arizona for at least three additional years after completing the coursework or program. The Dept is required to report to the Governor and the Legislature on the results of the program by November 1 of each year. The program ends on July 1, 2020 and self-repeals on July 2, 2022. Appropriates \$500,000 from the general fund in FY2017-18 to the Dept for the scholarships or grants. **First Sponsor:** Sen. S. Allen **Other Sponsors:** Rep. Rubalcava, Rep. Boyer, **ARS Titles Affected:** 41

S 1039 TEACHERS; ALTERNATIVE CERTIFICATION APPLICATION
A school district or charter school that has received a letter grade of A or B for each of the immediately preceding three years is authorized to apply to the State Board of Education for authority to approve the alternative certification of teachers. The Board is required to adopt rules that facilitate the alternative certification of teachers by school districts and charter schools, and requirements that must be included in the rules are specified. On the submission of verification from a school district or charter school that all the requirements have been met, the teacher must be issued a standard teaching certificate from the state. **First Sponsor:** Sen. S. Allen **Other Sponsors:** Sen. D. Farnsworth, Rep. Boyer, **ARS Titles Affected:** 15

S 1040 ARIZONA TEACHERS; STUDENT LOAN PROGRAM
Establishes the Arizona Teacher Student Loan Program within the Commission for Postsecondary Education to support the recruitment of teachers

in public schools in Arizona. The Commission is authorized to grant loans from the Arizona Teacher Student Loan Fund to defray costs of tuition and fees of the education of students pursuing a teaching degree or a teaching certificate through an alternative teacher certification program. Qualified applicants for the loans must agree to provide instruction in a public school in Arizona in a “low-income school,” “rural school” (both defined) or a school that is located on an Indian Reservation, or to provide instruction in mathematics, science or special education in a public school in Arizona. The Program terminates on July 1, 2025. Emergency clause. **First Sponsor:** Sen. S. Allen **Other Sponsors:** Sen. D. Farnsworth, Sen. Burges, Rep. Boyer, **ARS Titles Affected:** 15

S 1041 TRANSFER CREDITS; ARIZONA ONLINE INSTRUCTION
A student who transfers credit from a charter school or school district in this state or from a regionally accredited Arizona online instruction must be awarded core credit for any core credit course completed and elective credit for any elective course completed. Charter schools and school districts are required to provide a student who transfers credit from a charter school or school district in another state or from online instruction in another state that is not regionally accredited with a list that indicates which credits have been accepted as core or elective credits. A student who generated an average daily membership of 1.0 during the regular school year at a school district or charter school and subsequently or concurrently enrolls in Arizona online instruction through a charter authorizer is permitted to generate an average daily membership and average daily attendance above 1.0, not to exceed 1.25. A student enrolled part-time in Arizona online instruction is funded for online instruction at 85 percent of the base support level that would be calculated for that student if enrolled part-time in a school district or charter school. **First Sponsor:** Sen. S. Allen **Other Sponsors:** Sen. Burges, **ARS Titles Affected:** 15

S 1042 TEACHER CERTIFICATION; RECIPROCITY
The rules that the State Board of Education is required to adopt for alternative teacher preparation programs are required to be substantially different from the rules adopted for the approval of traditional preparation programs and are prohibited from unnecessarily restricting a variety of alternative preparation programs from operating and providing instruction in Arizona. Session law requires the Board to immediately begin the process of adopting new rules for the approval of alternative teacher preparation programs, and to adopt the new rules by November 15, 2017. **First Sponsor:** Sen. S. Allen **Other Sponsors:** Sen. Burges, Rep. Boyer, **ARS Titles Affected:** 15

S 1043 TECH CORRECTION; FALSE CLAIMS; AGRICULTURE
Minor change in Title 3 (Agriculture) related to false claims against perishable agricultural food products. Apparent striker bus. **First Sponsor:** Sen. S. Allen **ARS Titles Affected:** 3

S 1044 TECH CORRECTION; FIDUCIARY FUNDS
Minor change in Title 6 (Financial Institutions) related to deposit of fiduciary funds. Apparent striker bus. **First Sponsor:** Sen. S. Allen **ARS Titles Affected:** 6

S 1045 MARIJUANA; DEFINITION
For the purpose of the Criminal Code, the definition of “marijuana” does not include the plant cannabis sativa L and any part of the plant, whether growing or not, with a delta-9 tetrahydrocannabinol concentration of up to 0.3 percent on a dry weight basis. **First Sponsor:** Sen. Borrelli **Other Sponsors:** Rep. Finchem, **ARS Titles Affected:** 13

S 1046 ARIZONA STATE PARKS BOARD; TRAILS
The Arizona State Parks Board is renamed the Arizona State Parks and Trails Board and the State Parks and Revenue Fund is renamed the Arizona State Parks and Trails Revenue Fund. **First Sponsor:** Sen. Borrelli **ARS Titles Affected:** 5 17 28 37 38 41 42 43

S 1047 MEDICAL STUDENT LOANS; BOARD; CONTINUATION
The statutory life of the Board of Medical Student Loans is extended four years to July 1, 2021. Retroactive to July 1, 2017. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 41

S 1048 CHRISTIAN SCIENCE NURSES; REPORTING DUTY
The list of persons with a duty to report child or vulnerable adult abuse or neglect is expanded to include Christian Science nurses. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 13 46

S 1049 TEXT MESSAGING WHILE DRIVING; PROHIBITION
It is a nonmoving civil traffic violation to use a wireless communication device to manually write or send a written message while operating a motor vehicle on a highway. Some exceptions. Violations are subject to a civil penalty of \$100 for a first violation and \$300 for a second or subsequent violation. If a person in violation is involved in a motor vehicle accident, the person is subject to a civil penalty of \$500, except that if the accident results in the death of another person, the civil penalty is \$10,000. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 28

S 1050 PRIVATE PROCESS SERVERS; DUTIES
The list of papers that private process servers are permitted to serve is modified to correct a statutory reference to papers permitted to be served by a sheriff or constable. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 12

S 1051 AGGRESSIVE SOLICITATION; APPROACHING STOPPED VEHICLE
The list of acts constituting aggressive solicitation, a petty offense, is expanded to include approaching within 10 feet of a person who is in a vehicle that is stopped at a traffic control device except if the driver of the vehicle grants the person permission to approach the vehicle. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 13

S 1052 ASRS; OPTIONAL RETIREMENT BENEFITS; OVERPAYMENT
If a member of the Arizona State Retirement System (ASRS) has received an overpayment due to an error in the records, ASRS is prohibited from authorizing the distribution through a partial lump sum rollover, but is permitted to authorize a direct partial lump sum distribution directly to the member. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 38

S 1053 ASRS; BOARD POWERS
The powers of the Arizona State Retirement System (ASRS) Board are expanded to include authorization to determine the rights, benefits or obligations of any ASRS member under the Long-Term Disability Program or transfers to another retirement system. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 38

S 1054 TRAFFIC ACCIDENTS; FATALITY; IMPLIED CONSENT
If a person was involved in a traffic accident resulting in death or serious physical injury and the peace officer has probably cause to believe that the person caused the accident or the person was issued a citation for a traffic violation, the officer must require the person to submit to and successfully complete a test or tests of the person’s blood, breath, urine or other bodily substance to determine alcohol concentration or drug content. **First Sponsor:** Sen. Burges **Other Sponsors:** Sen. S. Allen, Sen. Pratt, Sen. Montenegro, Sen. D. Farnsworth, **ARS Titles Affected:** 28

S 1055 EXPEDITED RULEMAKING
Various changes related to expedited rulemaking. The list of circumstances under which an agency is permitted to conduct expedited rulemaking is modified to include if the rulemaking implements a course of action that is proposed in a five-year-review report approved by the Governor’s Regulatory Review Council (GRRC) and if the rulemaking adopts rules of another agency that has been or imminently will be consolidated into the agency. Expedited rulemaking becomes effective immediately on the filing of notice with the Secretary of State, instead of 30 days following publication. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 41

S 1056 MUNICIPAL CODES; PUBLICATION; ONLINE
For the purpose of statutes governing municipal codes, the definition of “published” is modified to include electronic reproduction online. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 9

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

S 1057 EXPERIENCED TEACHERS; CERTIFICATION RENEWAL
State Board of Education rules for teacher certification are required to allow a teaching certificate to be renewed within 10 years after its expiration without any other requirements if the person renewing the certificate has at least 10 years of teaching experience and possesses a fingerprint clearance card. A person renewing a certificate under these circumstances is not required to complete continuing education hours or other specified requirements. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 15

S 1058 REPEAL; REGIONAL ATTRACTION DISTRICTS
Repeals Chapter 38 of Title 48 (Special Taxing Districts), which establishes and governs regional attraction districts. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 11 42 48

S 1059 ADULT PROTECTIVE SERVICES; CONFIDENTIAL INFORMATION
The list of persons who may request that the general public be prohibited from accessing that person’s residential address and telephone number as contained in records maintained by the county, Secretary of State and Department of Transportation is expanded to include employees of the Department of Economic Security Adult Protective Services. **First Sponsor:** Sen. Barto **ARS Titles Affected:** 11 13 16 28 39

S 1060 HOAS; DISPUTE PROCESS
Jurisdiction over administrative hearings for disputes between condo or homeowners’ associations and unit owners or members is moved to the State Real Estate Department, from the Department of Fire, Building and Life Safety. **First Sponsor:** Sen. Griffin **Other Sponsors:** Sen. D. Farnsworth, Sen. Kavanagh, **ARS Titles Affected:** 33

S 1061 UNIVERSITIES; TUITION; RATES; FEES
Beginning in the 2017-18 school year and each year thereafter, Arizona Board of Regents (ABOR) rules governing the tuition and fee setting process are required to provide that resident undergraduate tuition and mandatory fees do not exceed the amount set for the 2016-17 school year, except that ABOR may approve an increase of up to two percent in any school year. The rules are also required to provide for payment by a resident undergraduate student of the same amount for four consecutive years in tuition and mandatory fees as that student originally paid during the first year at that university. **First Sponsor:** Sen. S. Allen **Other Sponsors:** Sen. Borrelli, Sen. Smith, Sen. Petersen, Sen. Montenegro, Sen. Griffin, Sen. D. Farnsworth, Sen. Lesko, Sen. Burges, Rep. Thorpe, **ARS Titles Affected:** 15

S 1062 PROPERTY TAX OVERSIGHT COMMISSION; CONTINUATION
The statutory life of the Property Tax Oversight Commission is extended eight years to July 1, 2025. Retroactive to July 1, 2017. **First Sponsor:** Sen. D. Farnsworth **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. S. Allen, Sen. Pratt, Sen. Montenegro, Sen. Barto, Sen. Lesko, Sen. Burges, Sen. Kavanagh, Sen. Worsley, Rep. Cobb, Rep. Lawrence, Rep. Clark, **ARS Titles Affected:** 41

S 1063 TECH CORRECTION; PAYMENT METHOD
Minor change in Title 42 (Taxation) related to payment methods. Apparent striker bus. **First Sponsor:** Sen. Lesko **ARS Titles Affected:** 42

S 1064 TECH CORRECTION; TAX CORRECTION
Minor change in Title 43 (Taxation of Income) related to tax interest. Apparent striker bus. **First Sponsor:** Sen. Lesko **ARS Titles Affected:** 43

S 1065 TECH CORRECTION; PUBLIC EMPLOYEES; EXPENSES
Minor change in Title 38 (Public Officers and Employees) related to travel expenses. Apparent striker bus. **First Sponsor:** Sen. Lesko **ARS Titles Affected:** 38

S 1066 CLERK OF THE COURT; RECORDS; REPORTING
Various records kept by the clerk of the court must be provided to specified entities upon request or as directed by the court, instead of automatically. **First Sponsor:** Sen. Burges **ARS Titles Affected:** 13 31

S 1067 SUPERVISED PRISONERS; VIOLATION; GRADUATED SANCTIONS
The Department of Corrections is required to develop and maintain a graduated sanctions policy for prisoners who violate a condition of parole or commu-

nity supervision. Parole and community supervision officers are required to comply with the policy before submitting a petition to the Board of Executive Clemency that alleges a violation of the prisoner’s release conditions. The Dept is required to adopt rules for the policy, which must include a list of specified provisions. The Dept is authorized to contract with a county to permit a prisoner who is on parole or community supervision to be incarcerated in a county jail facility as a sanction. The Dept is required to submit an annual report on the sanctions to the Governor and the Legislature, and information that must be included in the report is specified. Also repeals statute requiring inmates to achieve functional literacy at an eighth grade literacy level before the inmate becomes eligible for early release. **First Sponsor:** Sen. Burges **ARS Titles Affected:** 31 41

S 1068 COMMUNITY SUPERVISION; EARNED RELEASE CREDITS
The term of community supervision imposed by the court for persons convicted of a felony offense is increased to three days for every seven days of the sentence or sentences imposed, from one day for every seven days of the sentence or sentences imposed, except for prisoners sentenced to a term of imprisonment for a violent crime (defined elsewhere in statute). For prisoners who are in the eligible earned release credit class, the earned release credit is increased to two days for every six days served, from one day for every six days served, except for prisoners sentenced to a term of imprisonment for a violent crime (defined elsewhere in statute). **First Sponsor:** Sen. Burges **ARS Titles Affected:** 13 41

S 1069 VACATING FELONY CONVICTION; RECORD DESTRUCTION
A person convicted of a class 4, 5 or 6 felony is authorized to petition the court that pronounced sentence to vacate the judgment of conviction and expunge any records relating to that conviction. The person may file the petition no less than five years after the date the person fulfills the conditions of probation or sentence. Information that must be included in the petition is listed. Does not apply to a person convicted of a list of specified criminal offenses. **First Sponsor:** Sen. Burges **ARS Titles Affected:** 13

S 1070 TECH CORRECTION; TEXTBOOK PURCHASE
Minor change in Title 15 (Education) related to the purchase of textbooks by schools. Apparent striker bus. **First Sponsor:** Sen. Yarbrough **ARS Titles Affected:** 15

S 1071 PROVISIONAL LICENSES; CRIMINAL CONVICTIONS
A “licensing authority” (defined) is required to issue to an otherwise qualified applicant who has been convicted of an offense either the regular license or a provisional license that is valid for at least 90 days but not more than 360 days. The licensing authority may revoke a provisional license if the licensee commits a new offense, commits an act or omission causing the licensee’s community supervision, probation or parole to be revoked, or violates the law or rules governing the practice of the occupation for which the provisional license is issued. If the licensee does not violate these terms, the licensing authority is required to issue the regular license upon expiration of the provisional license term. Does not apply to a person who is convicted of specified criminal offenses. **First Sponsor:** Sen. Burges **ARS Titles Affected:** 41

S 1072 ADMINISTRATIVE DECISIONS; SCOPE OF REVIEW
When the court reviews a final administrative decision, the court is required to decide all questions of fact and law without regard to any previous determination that may have been made on the question in an administrative hearing. Applies in any action for judicial review of an agency action that is authorized by law. Previously, the court was required to affirm the agency action unless after reviewing the evidence the court concluded that the action was not supported, was contrary to law, or was arbitrary and capricious. **First Sponsor:** Sen. Petersen **Other Sponsors:** Sen. Fann, Sen. Smith, Sen. D. Farnsworth, Sen. Burges, Sen. Worsley, Rep. Finchem, Rep. E. Farnsworth, Rep. Grantham, Rep. Mitchell, Rep. Kern, **ARS Titles Affected:** 12

S 1073 LICENSE PLATE COVERS; PROHIBITION
Unless authorized by the Department of Transportation, it is illegal to apply any covering or substance to a license plate or use an electronic device

or film that obscures from any angle the numbers, characters, year validating tabs or name of the jurisdiction issuing a license plate. **First Sponsor:** Sen. Farley **ARS Titles Affected:** 28

S 1074 SPECIAL LICENSE PLATES; STANDARD DESIGN
All special license plates must have a standard design with one three-inch square area on the plate that is set aside for a logo or message and one area on the bottom of the plate that is set aside for a message. The Department of Transportation is required to determine the standard design of the special plate and approve the logo or message. Applies to all special plates authorized after the effective date of this legislation. Contains a legislative intent section. **First Sponsor:** Sen. Farley **ARS Titles Affected:** 28

S 1075 AGGRAVATED ASSAULT; PRIVATE PROCESS SERVERS
The list of victims of assault that cause an assault to be classified as aggravated assault if the defendant knows of their profession is expanded to include private process servers while in the execution of official duties. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 13

S 1076 TELECOMMUNICATIONS FUND; REPORT; WEBSITE
The Department of Administration is required to post the annual report on the Telecommunications Fund on the Dept’s website. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 41

S 1077 STATE PARKS BOARD; DIRECTOR; APPOINTMENT
The Director of the Arizona State Parks Board is appointed by and serves at the pleasure of the Board instead of the the Governor. **First Sponsor:** Sen. Farley **ARS Titles Affected:** 41

S 1078 ELECTRONIC DIGITAL SIGNATURES; REQUIREMENTS; ADOA
The Department of Administration, in consultation with the State Treasurer, is required to adopt rules establishing policies and procedures for the use of electronic and digital signatures by all state agencies, boards and commissions. **First Sponsor:** Sen. Worsley **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. Smith, Sen. D. Farnsworth, Sen. Burges, **ARS Titles Affected:** 18 28 41 44

S 1079 DES; OWNERSHIP; LAND; BUILDING
Repeals session law from 2014 requiring the Department of Economic Security (DES) to convey ownership of the land and building located at 1717 West Jefferson Street in Phoenix to the Department of Child Safety and requires ownership of that land and building to remain with DES. **First Sponsor:** Sen. Barto **ARS Titles Affected:** 41

S 1080 TEENAGE DRIVERS; COMMUNICATION DEVICES PROHIBITED
For the first six months that a class G driver licensee holds the license, the licensee is prohibited from driving a motor vehicle while using a wireless communication device for any reason, except during an emergency in which stopping the vehicle is impossible or will create an additional hazard. Does not apply beginning on the licensee’s 18th birthday. Instruction permit holders for a class D or G driver license are prohibited from driving a motor vehicle while using a wireless communication device for any reason, except during an emergency in which stopping the vehicle is impossible or will create an additional hazard. Effective July 1, 2018. **First Sponsor:** Sen. Fann **Other Sponsors:** Sen. Farley, Sen. Bowie, Sen. Worsley, Sen. Brophy McGee, **ARS Titles Affected:** 28

S 1081 MUTUAL HOLDING COMPANY REORGANIZATION
Adds an article of statute to Title 20 (Insurance) regulating mutual holding company reorganization. Requires the Director of the Department of Insurance to approve reorganization plans. Establishes requirements for the contents of reorganization plans and a process for plan review and approval, including a hearing. **First Sponsor:** Sen. Fann **Other Sponsors:** Rep. Livingston, **ARS Titles Affected:** 20

S 1082 MOTORCYCLE SAFETY FUND
The requirement for the Department of Transportation to deposit \$1 of each motorcycle registration fee in the Motorcycle Safety Fund is extended five years to June 30, 2021, from June 30, 2016. Eliminates the Motorcycle Safety Advisory Council, which termi-

nates on June 30, 2016. **First Sponsor:** Sen. Fann **Other Sponsors:** Sen. Bowie, Rep. Campbell, Rep. Barton, **ARS Titles Affected:** 28

S 1083 AZ LENGTHY TRIAL FUND; CONTINUATION
The termination date of the Arizona Lengthy Trial Fund is extended eight years to July 1, 2027. The termination date of the additional fee on each filing, appearance and answer or response fee charged by a clerk of the superior court (which is deposited in the Fund) is extended eight years to January 1, 2027. **First Sponsor:** Sen. Worsley **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. Bowie, Sen. Lesko, Sen. Burges, Rep. Shooter, **ARS Titles Affected:** 41

S 1084 ELECTRONIC RECORDS; RETENTION; STORAGE
For the purpose of statute allowing an electronic record to satisfy the requirement of a law that a record be retained, “law” includes a governmental agency’s policy, and governmental agencies are no longer specifically permitted to adopt additional requirements for the retention of a record subject to that agency’s jurisdiction. **First Sponsor:** Sen. Worsley **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. Bowie, Sen. Lesko, Sen. Burges, Rep. Shooter, **ARS Titles Affected:** 44

S 1085 VULNERABLE USERS OF PUBLIC WAYS
An operator of a motor vehicle is prohibited from knowingly, intentionally or recklessly operating the vehicle within three feet of a “vulnerable user of a public way” (defined as a law enforcement officer, emergency responder or a worker in a state highway work zone while in the course of official duties or a pedestrian, person riding an animal or a person operating a farm tractor, skateboard, skates, scooter, wheelchair or bicycle in a crosswalk or on a shoulder of the highway). An operator of a motor vehicle is prohibited from knowingly, intentionally or recklessly distracting or attempting to distract a vulnerable user of a public way for the purpose of causing violence or injury, or forcing or attempting to force a vulnerable user of a public way off of a public way, crosswalk or shoulder of the highway except as necessary for public safety. A violation is a class 2 (mid-level) misdemeanor, except that if a violation resulted in serious physical injury to or death of a vulnerable user of a public way, the court is required to impose specified penalties. **First Sponsor:** Sen. Farley **Other Sponsors:** Sen. Fann, Sen. Bowie, Rep. Clodfelter, **ARS Titles Affected:** 13 28

S 1086 SENTENCING; AGGRAVATING FACTOR; TEXTING
The list of aggravating circumstances for the purpose of determining the sentence for felony offenses is expanded to include that during the commission of the offense, the defendant was operating a motor vehicle while using a “wireless communication device” (defined) to manually type, send, read or enter a written or visual communication, including a text message, instant message, e-mail or a communication on social media. **First Sponsor:** Sen. Farley **Other Sponsors:** Sen. Fann, Sen. Bowie, Sen. Kavanagh, Rep. Clodfelter, **ARS Titles Affected:** 13

S 1087 WIRELESS COMMUNICATION DEVICE; DRIVING; PROHIBITION
It is a nonmoving civil traffic violation to use a wireless communication device to manually type, send, read or enter a written message or visual communication while operating a motor vehicle on a highway. Some exceptions. Violations are subject to a civil penalty of \$100 for a first violation, \$300 for a second or subsequent violation, or \$500 if the person is involved in a motor vehicle accident. **First Sponsor:** Sen. Farley **Other Sponsors:** Sen. Fann, Sen. Bowie, Sen. Kavanagh, Rep. Clodfelter, **ARS Titles Affected:** 28

S 1088 VEHICLES; COLLISIONS; INJURY; TEXTING; PENALTY
The lists of acts constituting the crimes of causing serious physical injury or death by a moving violation, a class 3 (lowest) misdemeanor, and causing serious physical injury by use of a vehicle, a class 5 (second lowest) felony, are expanded to include operating a motor vehicle while using a “wireless communication device” (defined) to manually type, send, read or enter a written or visual communication. Some exceptions. **First Sponsor:** Sen. Farley **Other Sponsors:** Sen. Fann, Sen. Bowie, Sen. Kavanagh, Rep. Clodfelter, **ARS Titles Affected:** 28

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

S 1089 LOTTERY FUNDING; LTAF; RESTORATION
Establishes the Local Transportation Assistance Fund (LTAF) and requires the Legislature to appropriate an amount necessary to provide that the total monies available in LTAF for each fiscal year (FY) equal \$20.5 million. The State Treasurer is required to pay municipalities a maximum of \$23 million each FY from the available monies in LTAF in proportion to the population of each municipality, except that each municipality is entitled to receive at least \$10,000. The State Treasurer is also required to distribute up to \$18 million each FY to counties. Establishes the County Assistance Fund and specifies distributions from the Fund. Establishes the State Parks Board Heritage Fund, and requires the Heritage Fund to be administered by the State Parks Board for specified purposes. State Lottery Fund (SLF) monies must be used to reimburse the general fund for payment to LTAF of \$18 million each FY. Of the monies remaining in the SLF, up to a maximum of \$23 million each FY must be deposited in the general fund to be used to offset reimbursements to LTAF and up to a maximum of \$7.65 million each FY must be deposited in the general fund to be used to offset reimbursements to the County Assistance Fund. Of the monies remaining in SLF, \$10 million must be deposited in the Heritage Fund. Monies equivalent to the amount of SLF monies specified must be transferred from the general fund to the other funds specified at the beginning of each FY. More. **First Sponsor:** Sen. Farley **Other Sponsors:** Sen. Fann, Rep. Clodfelter, **ARS Titles Affected:** 5 9 15 28 36 41 42 48

S 1090 HURF EXPENDITURES; TRANSPORTATION INFRASTRUCTURE
Revenues in the Highway User Revenue Fund are required to be spent only for the construction or maintenance of transportation infrastructure. **First Sponsor:** Sen. Farley **Other Sponsors:** Sen. Fann, Sen. Bowie, Rep. Clodfelter, **ARS Titles Affected:** 28

S 1091 NUCLEAR EMERGENCY APPROP; ASSESSMENTS
Monies collected from the assessment on commercial nuclear generating station are deposited in the Nuclear Emergency Management Fund (NEMF) instead of the general fund. Assesses \$2.5 million in FY2017-18 and \$2.52 million in FY2018-19, plus any applicable interests, against each consortium of public service corporations and municipal corporations engaged in constructing or operating a commercial nuclear generating station in Arizona. Appropriates \$2.5 million in FY2017-18 and \$2.52 million in FY2018-19 from the NEMF to the Department of Emergency and Military Affairs, Department of Agriculture, and Radiation Regulatory Agency in specified amounts and for specified purposes. Emergency clause. **First Sponsor:** Sen. Kavanagh **Other Sponsors:** Sen. Lesko, Rep. Shooter, **ARS Titles Affected:** 26

S 1092 UNIFORM COMMON TRUST ACT; REPEAL
Repeals the article of statute in Title 6 (Financial Institutions) constituting the Uniform Common Trust Fund Act. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 6

S 1093 TELECOMMUNICATIONS SERVICE ASSISTANCE PROGRAM
The Department of Economic Security is permitted, instead of required, to administer a telecommunications service assistance program. **First Sponsor:** Sen. Griffin **Other Sponsors:** Sen. Contreras, Sen. Brophy McGee, **ARS Titles Affected:** 46

S 1094 UNIFORM FIDUCIARIES ACT; REPEAL
Repeals an article of statute in Title 14 (Trusts, Estates and Protective Proceeding) constituting the Uniform Fiduciaries Act. **First Sponsor:** Sen. Griffin **Other Sponsors:** Sen. Brophy McGee, **ARS Titles Affected:** 14

S 1095 UNIFORM SINGLE PUBLICATION ACT; REPEAL
Repeals the Uniform Single Publication Act. **First Sponsor:** Sen. Griffin **Other Sponsors:** Sen. Brophy McGee, **ARS Titles Affected:** 12

S 1096 UNIFORM CONTRIBUTION; TORTFEASORS ACT; REPEAL
Repeals a chapter of statute in Title 12 (Courts and Civil Proceedings) constituting the Uniform Contribution Among Tortfeasors Act. **First Sponsor:** Sen. Griffin **Other Sponsors:** Sen. Brophy McGee, **ARS Titles Affected:** 10 12

S 1097 STATE LOTTERY DISTRIBUTIONS; FAMILY HOMELESSNESS
Of the monies remaining in the State Lottery Fund each fiscal year after appropriations and deposits authorized by statute, \$5 million, increased from \$1 million, or the remaining balance in the Fund, is appropriated to the Department of Economic Security for grants to nonprofit organizations for homeless emergency and transitional shelters and related support services, and requires those services to focus on ending family homelessness. **First Sponsor:** Sen. S. Allen **Other Sponsors:** Sen. Farley, Sen. Barto, Sen. Worsley, Rep. Cook, **ARS Titles Affected:** 5

S 1098 SCHOOLS; STATEWIDE ASSESSMENT
The State Board of Education is required to adopt and implement a statewide assessment to measure student achievement, which replaces the Arizona Instrument to Measure Standards (AIMS) test. **First Sponsor:** Sen. S. Allen **ARS Titles Affected:** 8 15

S 1099 SCHOOL SAFETY PROGRAM
Repeals the School Safety Program Oversight Committee and transfers responsibility for the School Safety Program to the Department of Education. The Dept is required to develop guidelines for the Program and to prioritize grants to school districts and charter schools that have a high number of incidents in which law enforcement officials were summoned. The Program terminates on July 1, 2025. **First Sponsor:** Sen. Yee **Other Sponsors:** Sen. S. Allen, Sen. Bradley, Rep. Coleman, Rep. Alston, **ARS Titles Affected:** 15 41

S 1100 GIITEM SUBACCOUNT; USES; SPECIALIZED EQUIPMENT
Local entities that use Gang and Immigration Intelligence Team Enforcement Mission (GIITEM) Fund Border Security and Law Enforcement Subaccount monies for safety equipment are required to use those monies for specialized safety equipment and are prohibited from supplanting local monies that are used for safety equipment. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 41

S 1101 SPAY AND NEUTER; TAX CHECKOFF
The Department of Revenue is required to provide a space on the individual income tax return form in which a taxpayer may designate an amount of the taxpayer's refund as a voluntary contribution to the Spaying and Neutering of Animals Fund. Also modifies the membership of the Companion Animal Spay and Neuter Committee and provides for retention of current members. Retroactive to tax years beginning January 1, 2017. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 28

S 1102 APPROPRIATIONS; DES; DEVELOPMENTAL DISABILITIES
Makes a supplemental appropriation of an unspecified amount (blank in original) from the general fund in FY2017-18 and of an unspecified amount (blank in original) from the Long-Term Care System Fund in FY2017-18 to the Department of Economic Security for capitation rate adjustments related to Arizona Long-Terms Care System developmental disability services. The Dept is authorized to increase the home and community based service provider reimbursement rates for services contracted with the Division of Developmental Disabilities to more than 100 percent of the benchmark rates published in the 2014 rate rebase study. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 41

S 1103 APPROPRIATION; NONMEDICAL SERVICES; AGING
Makes a supplemental appropriation of an unspecified amount (blank in original) from the general fund in FY2017-18 to the Department of Economic Security for nonmedical home and community based services provided through area agencies on aging. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 41

S 1104 APPROPRIATIONS; ALTCS; ELDERLY; PHYSICAL DISABILITIES
Makes a supplemental appropriation of an unspecified amount (blank in original) from the general fund in FY2017-18 and an unspecified amount (blank in original) from expenditure authority in FY2017-18 to the Arizona Health Care Cost Containment System for fee-for-service and capitation rate adjustments related to Arizona Long-Term Care System elderly services and services for persons with physical disabilities. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 41

S 1105 GIFTED PUPILS; FUNDING
Priority for the local use of additional assistance for gifted programs in school districts must be given to identifying and serving "economically disadvantaged pupil" (defined) and minority pupil populations. Appropriates \$3.5 million from the general fund in FY2017-18 to the Department of Education for additional assistance for gifted programs. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 15

S 1106 SCHOOLS; PRIOR-YEAR FUNDING
After the first 100 days or 200 days in session of the current school year, a school district is permitted to determine whether it is eligible to increase its revenue control limit and district support level for the current year due to growth in the student population, and whether it is eligible to increase its revenue control limit for the current year due to growth in the number of student in certain group B funding categories, by following a specified formula. If a school district meets the specified criteria, the school district governing board, after notice and a public hearing, may revise its budget at any time before May 15 to include the increase in its revenue control limit and district support level using the appropriate formula. The governing board is required to submit the revised budget to the Superintendent of Public Instruction by May 18, and will then receive state aid based on the adjusted revenue control limit or district support level. Appropriates \$31 million from the general fund in FY2017-18 to the Department of Education for distribution to school districts and charter schools on a per student basis for the costs associated with prior-year funding. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 15

S 1107 PERMANENT GUARDIANSHIP
The list of circumstances that must apply for the court to establish a permanent guardianship is modified to allow the court, if the child has not been adjudicated dependent and any party objects to a motion for permanent guardianship, to schedule a settlement conference or mediation or to strike the motion and proceed with the dependency petition. Before the court may appoint a person unrelated to a child as guardian, the court must require the prospective guardian to furnish either a valid fingerprint clearance card or a full set of fingerprints to enable the court to determine the applicant's suitability as guardian. Also establishes circumstances under which the court is permitted to revoke an order granting permanent guardianship of a child who has not been adjudicated a dependent child. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 8

S 1108 CASH ASSISTANCE; CHILDREN
For the purpose of Temporary Assistance for Needy Families cash assistance, eligibility requirements are modified to allow cash assistance for an otherwise eligible dependent child who is placed in unlicensed kinship foster care with an unrelated adult, and the definition of "child only case" is expanded to include a case in which the eligible dependent child is in the legal custody of a tribal court or a tribal child welfare agency located in Arizona. **First Sponsor:** Sen. Brophy McGee **Other Sponsors:** Rep. Weninger, **ARS Titles Affected:** 46

S 1109 FINGERPRINTING; CHILD PLACEMENT; IT CONTRACTORS
The Department of Child Safety (DCS) is prohibited from placing a child with a relative or a person with a significant relationship with a child unless each adult member of the person's household consent to a preliminary state and federal name-based background check, and within 15 days submits a full set of fingerprints for the purpose of obtaining a state and federal criminal records check. Also, information technology employees of contractors who have access to DCS information are required to have a valid fingerprint clearance card. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 8

S 1110 TAX SUBTRACTION; UNIFORMED SERVICES PAY
Effective January 1, 2018, the subtraction from Arizona gross income for income tax purposes for certain military compensation applies to compensation received for active service as a member of the "uniformed services" of the U.S. instead of the "armed forces" of the U.S. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 43

S 1111 VEHICLE LIABILITY INSURANCE; MINIMUM LIMITS
For motor vehicle liability insurance policies that are issued or renewed beginning on June 1, 2018, the minimum amounts of coverage required are increased to \$25,000 for bodily injury to or death of one person in any one accident, from \$15,000, to \$50,000 for bodily injury to or death of two or more persons in any one accident, from \$30,000, and to \$25,000 because of injury to or destruction of property of others in any one accident, from \$10,000. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 28

S 1112 LAETRILE; PROHIBITION
The nutritional supplement amygdalin or laetrile is no longer exempt from the prohibition on manufacturing, selling or giving away any new drug unless it fully complies with federal laws and regulations. Statutes regulating the distribution and sale of amygdalin or laetrile are repealed. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 32 36

S 1113 HOAS; ARTIFICIAL GRASS BAN PROHIBITED
In any planned community that allows grass on a member's property, a homeowner's association cannot prohibit the installation or use of artificial grass on any member's property. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 33

S 1114 OUTDOOR ADVERTISING
Modifies the specified latitude and longitude borders within which electronic outdoor advertising is authorized. **First Sponsor:** Sen. Borrelli **Other Sponsors:** Sen. Smith, **ARS Titles Affected:** 28

S 1115 PSPRS; RETIREMENT BENEFIT CALCULATION
For the purpose of the Public Safety Personnel Retirement System, the definition of "normal retirement" is modified to allow employees who become a member of the system on or after January 1, 2012 and before July 1, 2017 to retire after completing 15 years of credited service if the employee is at least 52 1/2 years of age. If a member retires under this provision and has less than 25 years of service, the monthly pension amount is the member's average monthly benefit compensation multiplied by the number of whole and fractional years of credited service multiplied by the appropriate percentage based on the years of credited service as provided in statute. Also, the amount payable as a normal pension is no longer prohibited from exceeding 80 percent of the average monthly benefit compensation. **First Sponsor:** Sen. Lesko **ARS Titles Affected:** 38

S 1116 CONTRACTOR LICENSURE; REQUIREMENTS; CONFIDENTIAL INFORMATION
Repeals statutes regulating residential in-ground swimming pool or spa contracts and statute requiring a contractor's license to be suspended if the Registrar of Contractor finds that the contractor fails to secure workers' compensation coverage. The Registrar of Contractors is prohibited from releasing the personal identifying information of a licensee or license applicant except in specified circumstances. **First Sponsor:** Sen. Smith **Other Sponsors:** Sen. Borrelli, Sen. Montenegro, Sen. D. Farnsworth, **ARS Titles Affected:** 32

S 1117 FALLEN CORRECTIONAL EMPLOYEES MEMORIAL; EXTENSION
The repeal date for session law authorizing the placement of a memorial dedicated to fallen Department of Corrections employees is extended two years, to September 30, 2020, from September 30, 2018. **First Sponsor:** Sen. Borrelli **ARS Titles Affected:** 41

S 1118 MILITARY JUSTICE; NONJUDICIAL PUNISHMENT PROCEDURES
The list of punishments that a commanding officer may impose for minor offenses without the intervention of a court-martial is modified to include forfeiture in an amount of up to 28 drill periods, increased from 14 drill periods, and to remove detention of up to 1/2 of one month's pay per month for 3 months. **First Sponsor:** Sen. Smith **Other Sponsors:** Sen. Borrelli, **ARS Titles Affected:** 26

S 1119 JUVENILE CORRECTIONS; JUSTICE; STUDY COMMITTEE
Establishes a 9-member Juvenile Corrections and Justice Reform Study Committee to research and report on various issues and policies related to juvenile corrections and justice reform.

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

nile justice and juvenile corrections. The Committee is required to submit a report of its findings and recommendations to the Governor and the Legislature by December 31, 2017, and self-repeals July 1, 2018. **First Sponsor:** Sen. Farley **Other Sponsors:** Sen. Fann, Sen. Pratt, Sen. Bowie, Rep. Clodfelter, **ARS Titles Affected:** 41

S 1120 RATIFICATION; CONSTITUTIONAL CONVENTION; TRANSMISSION

If a constitutional convention agrees to ratification of a proposed amendment, the Secretary of State is required to transmit the certificate for publication as provided in federal law, instead of being required to transmit the certificate to the U.S. Secretary of State. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 16

S 1121 CERTIFIED QUALIFIED APPLICATORS; FINGERPRINTING REQUIREMENT

A person who applies for certification as a pest management qualified applicator is required to submit to the Department of Agriculture Division of Pest Management a full set of fingerprints and fees for submission to the Department of Public Safety to obtain a state and federal criminal records check. **First Sponsor:** Sen. Griffin **Other Sponsors:** Sen. Pratt, **ARS Titles Affected:** 3

S 1122 PERSONAL PROPERTY TRANSFER; LIMITATIONS PROHIBITED

The state, counties and municipalities are prohibited from requiring as a condition of a private sale, gift, donation or other transfer of personal property that the property owner search or facilitate the search of any federal or state databases or that a third party be involved. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 44

S 1123 STATE CONTRACT LOBBYISTS; PROHIBITION

A state agency, office, department, board or commission and any person acting on behalf of those entities is prohibited from entering into a contract or other agreement with a person or entity for lobbying services, and from spending monies for any person or entity to lobby on behalf of that entity unless that person is a state employee. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 41

S 1124 ARIZONA WATER PROTECTION FUND; APPROPRIATION

Appropriates \$1 million from the general fund in FY2017-18 to the Arizona Water Protection Fund. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 41

S 1125 INCORPORATION; URBANIZED AREAS

The county board of supervisors is required to proceed with incorporation of an area as a municipality without a resolution approving the incorporation from the nearby municipalities if the area has a population of 15,000 or more persons and that population is more than the population of any adjacent municipality that opposes the proposed incorporation. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 9

S 1126 SCHOOLS; PROHIBITED COURSES; REPEAL

Repeals statute prohibiting school districts or charter schools from offering classes that promote the overthrow of the U.S. government, promote resentment toward a race or class of people, are designed primarily for students of a particular ethnic group or advocate ethnic solidarity. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Miranda, Rep. Gabaldon, Rep. Fernandez, Rep. Friese, Rep. Engel, Rep. Epstein, Rep. Butler, **ARS Titles Affected:** 15

S 1127 HIRING PRACTICES; LIMITATION; CRIMINAL HISTORY

Employers are prohibited from inquiring, considering or requiring disclosure of the criminal conviction record of an applicant for employment during the hiring process unless it has a direct relationship to the employment position, is only for the period of the five most recent consecutive years, and takes place after the applicant has received a conditional offer of employment. Does not apply to positions that require a valid fingerprint clearance card. **First Sponsor:** Sen. Quezada **ARS Titles Affected:** 41

S 1128 HOSPITAL SURVEY; EXCLUSION; FETAL DEATH

The Department of Health Services is required to prescribe by rule an exclusion for “fetal demise” (defined as a fetal death that occurs or is confirmed in a licensed hospital and does not include abortion)

cases from the standardized survey known as “the hospital consumer assessment of healthcare providers and systems.” **First Sponsor:** Sen. Lesko **ARS Titles Affected:** 36

S 1129 ELECTRIC NONPROFIT COOPERATIVES; PATRONAGE CAPITAL

Any “patronage capital” (defined as amounts received by a cooperative from sales of electric power, energy distribution services or other services) or fee payment from a cooperative to its member or former member is an unclaimed capital credit or fee if it remains unclaimed for two years or a period of time specified in the cooperative’s bylaws. Establishes a list of allowable uses for an unclaimed capital credit or fee. **First Sponsor:** Sen. Griffin **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. S. Allen, Sen. Pratt, Sen. Bowie, Sen. Lesko, Sen. Hobbs, Sen. Brophy McGee, Rep. Cobb, Rep. Mosley, Rep. Thorpe, Rep. Shope, Rep. Leach, Rep. John, Rep. Nutt, Rep. Cardenas, Rep. Payne, Rep. Lawrence, **ARS Titles Affected:** 10

S 1130 HAIRSTYLIST LICENSES; COSMETOLOGY

Establishes a hairstylist license as a separate license from a cosmetologist license. Previously, the acts that constitute “hairstyling” (defined) were contained in the definition of “cosmetology.” Establishes requirements for a hairstyling license and adds hairstylist to various Board of Cosmetology statutes. Also modifies the required number of hours of instructor training for a cosmetologist instructor and an aesthetics instructor. Effective January 1, 2017. **First Sponsor:** Sen. Griffin **Other Sponsors:** Sen. Farley, Sen. Brophy McGee, Rep. Thorpe, Rep. Shope, Rep. Clodfelter, Rep. Grantham, Rep. John, Rep. Nutt, Rep. J. Allen, **ARS Titles Affected:** 32

S 1131 SCHOOLS; K-3 READING PROGRAM

Various changes related to the K-3 reading program in schools. The Department of Education is required to develop program implementation guidance for school districts and charter schools to assist schools in administering an effective K-3 reading program plan. The deadline for school districts and charter schools to annually submit an updated K-3 reading program plan to the Department of Education is moved to July 1, from October 1. The Board of Education is required to require in the contract for the statewide assessment that scores and assessment data from the test be received by local education agencies by May 15 of each academic year. The Dept is required to submit an annual report on the K-3 reading program to the Governor and the Legislature by November 15, and information that must be included in the report is specified. **First Sponsor:** Sen. S. Allen **Other Sponsors:** Rep. Boyer, **ARS Titles Affected:** 15

S 1132 AMATEUR RADIO OPERATOR SPECIAL PLATES

Of the \$25 annual fee for special amateur radio operator special plates (which the Department of Transportation was previously authorized to issue), \$8 is an administrative fee and \$17 is a donation to the newly established Arizona Amateur Radio Education and Community Involvement Fund, to be allocated to a nonprofit organization that is comprised of amateur radio clubs throughout Arizona and meets other specified requirements. **First Sponsor:** Sen. Barto **Other Sponsors:** Rep. J. Allen, **ARS Titles Affected:** 28

S 1133 CERTIFIED NURSE MIDWIVES; NURSE PRACTITIONERS

The Board of Nursing is authorized to adopt rules establishing those acts that may be performed by a “certified nurse midwife,” defined as a registered nurse who has completed a nurse midwife education program approved or recognized by the Board and who meets other specified requirements. **First Sponsor:** Sen. Barto **ARS Titles Affected:** 32

S 1134 PHARMACY BOARD; REQUIRED PERMITTING; VIOLATION

A person that sells, delivers or disposes of a narcotic or other controlled substance, a prescription-only drug or device, a nonprescription drug, a precursor chemical, a restricted chemical or durable medication equipment within or into the state of Arizona is required to hold a valid Board of Pharmacy-issued permit. Violations are subject to disciplinary action by the Board. **First Sponsor:** Sen. Barto **Other Sponsors:** Rep. J. Allen, **ARS Titles Affected:** 32

S 1135 HANDHELD COMMUNICATIONS DEVICES; DRIVING; PROHIBITION

It is an unspecified class of misdemeanor (blank in original) to manually type or enter written or visual messages into a cellular telephone or other handheld

wireless communications device or to send or read data using a device to access or search the internet or engage in nonvoice communications with another person, or to use a device to engage in voice communications with another person unless the device is used with a hands-free accessory, while operating a motor vehicle on a highway. Some exceptions. Violations are subject to a civil penalty of \$100 for a first violation, \$300 for a second violation, or \$500 for a third or subsequent violation. **First Sponsor:** Sen. Farley **Other Sponsors:** Rep. Powers Hannley, **ARS Titles Affected:** 28

S 1136 SCHOOLS; COMPUTER CODING INSTRUCTION

Each school district and charter school must require all students in grades 4 through 12 to participate in at least one hour of interactive computer instruction designed to expose students to reading, understanding and writing computer code that is offered by a nationally recognized nonprofit organization devoted to expanding access to computer science. A school district or charter school may exempt a child with a disability in specified circumstances. A school district or charter school may apply to the Superintendent of Public Instruction for a full or partial waiver of this requirement if computer infrastructure is insufficient to comply. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 15

S 1137 VENDOR; PAYMENT BY WARRANT; FEE

The Department of Administration is authorized to establish by rule and collect a fee for each warrant issued to a vendor that provides materials, services or construction to the state. The fee is deposited in the general fund. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 35

S 1138 ENCUMBRANCE DOCUMENTS; EXCEPTIONS

The list of budget unit expenditures that are not required to have an encumbrance document is expanded to include employee reimbursements for travel and other expenses, and the maximum amount of expenditures that may be exempt from the encumbrance document requirement is increased to \$5,000, from \$1,000. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 35

S 1139 COLLECTOR CAR AUCTION; SPECIAL PLATES

The Department of Transportation is required to issue collector car auction special license plates if a person pays \$32,000 in start-up costs by December 31, 2017. Of the \$25 annual fee, \$8 is an administrative fee and \$17 is a donation to the newly established Collector Car Auction Special Plate Fund, to be allocated to a charitable organization that is affiliated with a collector car auction company that meets a list of specified requirements. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 28

S 1140 PEACE OFFICER TRAINING BOARD; MEMBERSHIP

Increases the membership of the Arizona Peace Officer Standards and Training Board to 14, from 13, by adding one member of a state-recognized law enforcement labor association that has at least 2,000 active duty members. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 41

S 1141 ANIMAL ABUSER REGISTRATION; REGISTRY

An adult who has been convicted of cruelty to animals or other related offenses must register with the Secretary of State within 5 days after the conviction or after entering and remaining in the state. Beginning January 1, 2018, the Secretary of State’s office is required to maintain a central animal abuser registry with the names and registration information of every person required to register. Beginning January 1, 2018, any person that sells, gives or adopts out three or more animals in one year is authorized to conduct a central animal abuser registry check for the name and address of every person who is requesting or who is provided with an animal, and is prohibited from selling, giving or adopting out an animal to a person whose name is listed in the registry. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 13

S 1142 RIOT; PLANNING; PARTICIPATION; RACKETEERING

The definition of “riot,” a class 5 (second-lowest) felony is modified to include three or more persons acting together and using force or violence that results in damage to the property of another person, instead of only which disturbs the public peace. For the pur-

pose of the criminal code, the definition of “racketeering” is expanded to include rioting. The list of acts constituting conspiracy is expanded to include agreeing with one or more persons to commit riot. **First Sponsor:** Sen. Borrelli **Other Sponsors:** Sen. Smith, Sen. Montenegro, **ARS Titles Affected:** 13

S 1143 TRAFFIC SURVIVAL SCHOOL; ONLINE

The Department of Transportation is required to allow a traffic survival school to be completed online and to allow any qualified provider of traffic survival school to operate the school online. **First Sponsor:** Sen. Borrelli **Other Sponsors:** Sen. Pratt, **ARS Titles Affected:** 28

S 1144 TPT EXEMPTIONS & DEDUCTIONS; SUNSET

Any new transaction privilege or use “tax expenditure” (defined as any deduction, subtraction, exclusion, exemption, allowance or credit) established by the Legislature is required to include a specific repeal date of from and after December 31 of the eighth full calendar year following the date the tax expenditure is enacted. Establishes a repeal or termination date of January 1, 2028 for various existing TPT deductions and credits. The Joint Legislative Income Tax Credit Review Committee is required to review each TPT and use tax expenditure to determine whether it should be amended, retained or allowed to expire as prescribed by law, and to report its recommendations to the Legislature and the Governor by December 15 of the year the tax expenditure is reviewed. Due to a potential increase in state revenue, this bill requires the affirmative vote of at least 2/3 of each house of the Legislature for passage. **First Sponsor:** Sen. Farley **Other Sponsors:** Sen. D. Farnsworth, **ARS Titles Affected:** 42

S 1145 TECH CORRECTION; VEHICLE ACCIDENT REPORT

Minor change in Title 28 (Transportation) related to vehicle accident report forms. Apparent striker bus. **First Sponsor:** Sen. Worsley **Other Sponsors:** Sen. Fann, **ARS Titles Affected:** 28

S 1146 TECH CORRECTION; DISABLED PARKING; RECIPROCITY

Minor change in Title 28 (Transportation) related to disabled parking. Apparent striker bus. **First Sponsor:** Sen. Worsley **Other Sponsors:** Sen. Fann, **ARS Titles Affected:** 28

S 1147 TECH CORRECTION; OVERTAKING BICYCLES

Minor change in Title 28 (Transportation) related to overtaking bicycles. Apparent striker bus. **First Sponsor:** Sen. Worsley **Other Sponsors:** Sen. Fann, **ARS Titles Affected:** 28

S 1148 TECH CORRECTION; INFORMATION CHANGE; NOTICE

Minor change in Title 28 (Transportation) related to notice of address or name change. Apparent striker bus. **First Sponsor:** Sen. Worsley **Other Sponsors:** Sen. Fann, **ARS Titles Affected:** 28

S 1149 TECH CORRECTION; DUI; BLOOD TEST

Minor change in Title 28 (Transportation) related to analysis of blood for alcohol concentration. Apparent striker bus. **First Sponsor:** Sen. Worsley **Other Sponsors:** Sen. Fann, **ARS Titles Affected:** 28

S 1150 IGNITION INTERLOCK DEVICE; REGULATION; INSTALLERS

Ignition interlock “installers” are deleted and replaced with “ignition interlock service providers.” Ignition interlock service providers must apply for a contract with the Department of Transportation, and provider requirements and information that must be included with the application are established. The Motor Vehicle Division of the Dept is required to establish standards and qualifications for “technicians” (defined as a person certified and properly trained by an ignition interlock service provider to install, inspect, repair and remove certified ignition interlock devices) and to adopt rules prescribing the requirements for decertification of an ignition interlock device. Ignition interlock service providers are required to collect a fee for each certified ignition interlock device installed in an amount determined by the Dept, and to remit the fees to the Dept on a monthly basis. The Dept is required to deposit the fees in the newly established Ignition Interlock Device Fund, to be used by the Dept to administer these requirements. Effective July 1, 2018. **First Sponsor:** Sen. Worsley **Other Sponsors:** Sen. Fann, Sen. Burges, Sen. Miranda, Sen. Brophy McGee, **ARS Titles Affected:** 28

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

S 1151 WRONG-WAY DRIVERS; ALERTS; DPS

The Department of Public Safety is required to establish the buddy alert notification system as a quick response system designed to issue and coordinate alerts following the report of a motor vehicle that is traveling against the direction of traffic on a divided highway. Conditions under which the Dept must issue a buddy alert are specified. **First Sponsor:** Sen. Worsley **Other Sponsors:** Sen. Fann, Sen. Bowie, Sen. Burges, Sen. Miranda, Sen. Brophy McGee, **ARS Titles Affected:** 41

S 1152 RETAIL TPT; BAD DEBT DEDUCTION

Effective October 1, 2017, retailers are authorized to deduct bad debts from gross proceeds of sales or gross income derived from sales if a list of specified circumstances apply, including that all or part of the debt is “worthless” (defined). Establishes a computation for the bad debt deduction. Any recovery of the bad debt by the retailer or a private label lender after the deduction must be reported as taxable gross receipts when the recovery is received. Municipalities that levy a transaction privilege tax on retail sales are required to allow a deduction of bad debts from gross proceeds of sales or gross income derived from sales, with the same specifications as the state deduction. **First Sponsor:** Sen. Lesko **ARS Titles Affected:** 42

S 1153 MUNICIPAL IMPROVEMENT DISTRICTS; SALE CERTIFICATE

For the purpose of executing a certificate of sale of delinquent property in a municipal improvement district, the description of the property may include the parcel number or the street address, if any. **First Sponsor:** Sen. Borrelli **ARS Titles Affected:** 48

S 1154 G&F OMNIBUS

Various changes relating to game and fish regulations. The Game and Fish Commission is authorized to bring a civil action to enforce the civil penalties for unlawfully taking, wounding or killing wildlife. Any person against whom the Commission imposes a civil penalty for the unlawful taking or possession of wildlife may be denied the right to obtain a license to take wildlife until the person has made full payment of the penalty. Monies in the Wildlife Theft Prevention Fund may be used for investigations of fraud related to licenses, permits, tags or stamps. **First Sponsor:** Sen. Griffin **Other Sponsors:** Sen. Fann, Sen. Dalessandro, Sen. Borrelli, Sen. Pratt, Sen. Contreras, Sen. Burges, Sen. Kavanagh, Rep. Cobb, Rep. Barton, Rep. Leach, Rep. Bowers, **ARS Titles Affected:** 5 17

S 1155 CORRECTIONAL FACILITIES; COMMUNITY NOTIFICATION

Before incurring any obligation for the establishment of any “correctional facility” or any “change of use” (both defined) of a correctional facility, or for the establishment of any private incarceration facility or community correctional center, the Department of Corrections is required to give at least 60 days’ written notice to a list of specified persons, including property owners and government officials. Information that must be included in the notice is specified. The Dept is required to post a sign that is at least four feet by eight feet in a conspicuous location on the proposed site for 15 calendar days before a required public hearing, and the sign must give notice of the date, time and location of the hearing. **First Sponsor:** Sen. Barto **Other Sponsors:** Rep. J. Allen, Rep. Carter, **ARS Titles Affected:** 41

S 1156 HIGH SCHOOL STUDENTS; COURSE TIME

High school courses are no longer required to meet for at least 180 hours during a 180-day school year. **First Sponsor:** Sen. Borrelli **ARS Titles Affected:** 15

S 1157 COMPETENCY HEARINGS; JURISDICTION; REFERRAL

The presiding judge of the superior court in each county, with the agreement of the justice of the peace or municipal court judge, is permitted to authorize a justice court or municipal court to exercise jurisdiction over a competency hearing in a misdemeanor case that arises out of the justice court or municipal court. A justice of the peace or municipal court judge, with the approval of the presiding judge of the superior court and the justice or judge of the receiving court, is permitted to refer a competency hearing to another justice court or municipal court that is located in the county. **First Sponsor:** Sen. Borrelli **Other Sponsors:** Sen. Peshlakai, Sen. Bradley, Sen. Quezada, Rep. Stringer, Rep. Barton, **ARS Titles Affected:** 13

S 1158 SENTENCING; COURT DEBTS; FINE MITIGATION

Authorization for judges to waive all or part of a civil penalty, fine, forfeiture or surcharge in certain circumstances is deleted. Judges are authorized to mitigate a civil penalty or fine if the payment would work a hardship on the person or on the person’s immediate family. Judges are authorized to waive or mitigate mandatory community restitution due to a defendant’s medical condition. If the court imposes a sentence to perform community restitution for a misdemeanor conviction, the court is required to determine and fix the sentence for a definite period of time. The superior court, a justice of the peace, or a municipal court is authorized to order that all or part of a debt that is due to the court be removed from the court’s accounting system if 20 or more years have elapsed from the date of the initial fine or other monetary obligation in a criminal case that resulted in the debt and the court takes specified steps, including notifying various parties and making reasonable attempts to collect the debt. Effective January 1, 2018. **First Sponsor:** Sen. Borrelli **Other Sponsors:** Sen. Peshlakai, Sen. Bradley, Sen. Worsley, Sen. Quezada, Rep. Stringer, Rep. Barton, **ARS Titles Affected:** 12 13 22 28 41

S 1159 CIVIL LIABILITY; DAMAGES; WEAPONS

A person or entity is not liable in any civil action for damages that result from another person’s use of a weapon in an area that is not a “gun-free zone” (defined, unless the person or entity intends to cause injury or acts with gross negligence. **First Sponsor:** Sen. Borrelli **Other Sponsors:** Rep. Stringer, **ARS Titles Affected:** 12

S 1160 DRIVING VIOLATIONS; RESTRICTED LICENSES; PENALTIES

A restriction on a person’s driver license or permit to drive as a result of a conviction for a violation of Title 28 (Transportation) may limit the person’s privilege to drive to and from specified locations during specified periods of time. The sentencing options for various transportation-related violations are expanded to include that the court may order that the person’s driving privilege be restricted. Effective January 1, 2018. **First Sponsor:** Sen. Borrelli **Other Sponsors:** Sen. Peshlakai, Sen. Bradley, Sen. Worsley, Sen. Quezada, Rep. Barton, **ARS Titles Affected:** 22 28

S 1161 COURTHOUSE SECURITY; FUND

The distribution of all monies received from the superior court is modified to reduce the percentage distributed to all recipients and require the 2.0 percent remaining after those reductions to be deposited in the newly established Statewide Court Security Fund. The distribution of all monies received from justice of the peace courts is modified to reduce the percentage distributed to all recipients and require the 2.0 percent remaining after those reductions to be deposited in the Fund. Monies in the Fund must be used to provide assistance, training and grants to courts to meet minimum standards of courthouse security that are adopted by the Supreme Court. Effective January 1, 2018. **First Sponsor:** Sen. Borrelli **Other Sponsors:** Rep. Barton, **ARS Titles Affected:** 12 22

S 1162 SEX OFFENDERS; ELECTRONIC DEVICE MONITORING

A person who is required to register as a sex offender is required, within 10 days after conviction or release from incarceration, to register each “electronic device” (defined) the person possesses or uses with the Department of Public Safety, and install “electronic device monitoring software” (defined) that is approved by the Dept on each registered device. A “licensed electronic device monitoring company” (defined) is required to continuously monitor each registered device for as long as the person is required to register as a sex offender. **First Sponsor:** Sen. Borrelli **Other Sponsors:** Rep. Barton, **ARS Titles Affected:** 13

S 1163 RELEASE PROCEDURES; HEARINGS; BONDS

A person charged with a nonbailable offense is permitted to waive the right to a hearing on the matter of bail. The schedules of violations that justices of the peace and presiding magistrates are required to adopt for bail are required to list a specific bond, instead of bail, for each violation, and the violations that must be included in the schedules are modified. **First Sponsor:** Sen. Borrelli **Other Sponsors:** Sen. Peshlakai, Sen. Bradley, Sen. Quezada, Rep. Stringer, Rep. Barton, **ARS Titles Affected:** 13 22

S 1164 ARIZONA PROCUREMENT CODE; AMENDMENTS

The specifications for the procurement of selected energy consumptive material that Department of Administration is required to establish must be based on national standards for considerations of energy conservation. Bid security for procurement contracts are no longer allowed to be in the form of a cashier’s check. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 41

S 1165 EXEMPT WELLS; CAPITAL COSTS

The owner of land on which an exempt well is prohibited and who is applying to the Department of Water Resources for an exemption is required to provide to the Dept at least three estimates of the total capital cost and fees for drilling and fully equipping the exempt well. **First Sponsor:** Sen. Fann **Other Sponsors:** Rep. Campbell, **ARS Titles Affected:** 45

S 1166 EMPLOYMENT SECURITY; TIME FRAMES; INTEREST

Various changes relating to unemployment insurance. Interest on all benefit overpayment debts accrues at 10 percent a year. The Department of Economic Security is authorized to waive a portion of any accrued interest for good cause shown. If the Dept makes an unemployment insurance liability determination, the determination becomes final with respect to the employing unit 30 days, reduced from 60 days, after written notice is served. If an employer makes voluntary unemployment contribution payments, they must be included in the employer’s account as of the employer’s most recent computation date if they are made on or before the following February 28th, instead of January 31st. The deadline for employers to file for reassessment of any delinquency assessment is 30 days after written notice of the assessment, increased from 15 days. **First Sponsor:** Sen. Fann **ARS Titles Affected:** 23

S 1167 ARCHAEOLOGY ADVISORY COMMISSION; CONTINUATION

The statutory life of the Archaeology Advisory Commission is extended three years to July 1, 2020. Retroactive to July 1, 2017. **First Sponsor:** Sen. Fann **Other Sponsors:** Rep. Campbell, **ARS Titles Affected:** 41

S 1168 ARIZONA OUTDOOR RECREATION COMMISSION; CONTINUATION

The statutory life of the Arizona Outdoor Recreation Coordinating Commission is extended three years to July 1, 2020. Retroactive to July 1, 2017. **First Sponsor:** Sen. Fann **Other Sponsors:** Rep. Campbell, **ARS Titles Affected:** 41

S 1169 INSURANCE; AUTO GLASS COVERAGE

Automobile insurance coverage for the repair or replacement of the glass used in the windshield, doors and windows and the glass, plastic or other material used in the lights of a motor vehicle may be subject to a deductible offered by the insurer and selected by the insured. Effective January 1, 2019. **First Sponsor:** Sen. Fann **Other Sponsors:** Rep. Campbell, **ARS Titles Affected:** 20

S 1170 ABANDONED VEHICLES; TOWING REIMBURSEMENT

If the Department of Transportation collected a fee for an abandoned vehicle, the towing company that towed the vehicle is entitled to receive 20 percent of the fee collected, instead of \$100. Contains a legislative intent section. **First Sponsor:** Sen. Fann **Other Sponsors:** Rep. Campbell, **ARS Titles Affected:** 28

S 1171 EARNED RELEASE CREDITS; SENTENCE

For prisoners who are in the eligible earned release credit class, the earned release credit is increased to one day for every two days served, from one day for every six days served, for prisoners sentenced to a term of imprisonment for a class 4, 5 or 6 felony that was not a sexual offense and the court did not designate the prisoner as a dangerous or repetitive offender. **First Sponsor:** Sen. S. Allen **ARS Titles Affected:** 41

S 1172 DEPENDENCY; HOUSEHOLDS; FELONY REPORTS

The Department of Child Safety is required to adopt rules regarding the return of a child after a determination of dependency that include a requirement that DCS conduct a criminal background check of any member of the household to which the child will be returned and any person who has access to the home and unsupervised access to the child on a regular basis

and of a biological parent of the child whose parental rights have not been terminated, if DCS has credible information or a reasonable suspicion that the member, person or parent has been arrested for, charged with or convicted of a felony offense that involved conduct that poses an imminent threat of danger to the child. If any criminal background check indicates that a person has been arrested for, charged with or convicted of a felony offense that involved conduct that poses an imminent threat of danger to the child, the child cannot be returned if there is significant evidence that the alleged or convicted perpetrator’s imminent threat to children cannot be reasonably mitigated by planning and action taken by DCS in partnership with the nonoffending parent, familial resources or providers. Factors that must be considered when determining the existence of an imminent threat of danger are specified. While a case remains open, the child’s parent, guardian or custodian who is seeking the return of the child or to whom a child has been returned is required to notify DCS of any changes in the members of the household or in persons who have access to the home and unsupervised access to the child on a regular basis. A knowing violation of this requirement is a petty offense. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 8

S 1173 MILITARY FAMILY RELIEF FUND; CONTINUATION

The statutory termination date of the Military Family Relief Fund and the individual income tax credit for cash contributions to the Fund are extended four years to December 31, 2022, from December 31, 2018. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 41

S 1174 SCHOOLS; DESEGREGATION EXPENSES; SPECIAL OVERRIDE

Beginning in FY2019-20, an additional budget increase may be requested and authorized by a special override election for a school district that was previously authorized to budget for expenses that were exempt from the revenue control limit related to compliance with a previous court order of desegregation or administrative agreement with the U.S. Department of Education Office for Civil Rights. The school district governing board is required to order the election in the same manner as a budget override election and the informational report is required to contain the same information, plus additional information on the court order or administrative agreement. Specifies required ballot language for the special override election. The maximum period of an override is seven years. **First Sponsor:** Sen. Lesko **ARS Titles Affected:** 15

S 1175 REAL ESTATE TRANSFER FEES; DEFINITION

For the purpose of statute prohibiting certain real estate transfer fees, the definition of “association” is expanded to include a nonprofit organization qualified under section 501(c)(3) or 501(c)(4) of the Internal Revenue Code. Contains a legislative intent section. Retroactive to July 29, 2010. **First Sponsor:** Sen. Lesko **ARS Titles Affected:** 33

S 1176 FIRE DISTRICTS; ELECTRONIC FUNDS TRANSFERS

Fire districts are authorized to use substitute checks or electronic funds transfers for money required to operate the district in accordance with the budget. **First Sponsor:** Sen. Burges **ARS Titles Affected:** 11 48

S 1177 COMMERCE AUTHORITY; CONCRETE MASONRY EDUCATION

Establishes the Arizona Concrete Masonry Education Council as a nonprofit corporation, which is governed by a 7-member board of directors, to operate under a written contract with the Arizona Commerce Authority to plan, implement and conduct educational programs to train individuals in the field of concrete masonry and to support research and education programs related to the masonry industry. Powers and duties of the Council are specified. The Council is required to submit a report to the Governor and the Legislature by January 15 of each year. **First Sponsor:** Sen. Lesko **ARS Titles Affected:** 41

S 1178 ASRS; NONPARTICIPATING EMPLOYERS; LIABILITY

The list of Arizona State Retirement System (ASRS) nonparticipating employers is expanded to include an employer that is no longer enrolling new employees

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

in ASRS and no longer contributing to ASRS on behalf of current employees due to legislative action. For any nonparticipating employer, ASRS is required to allocate an actuarial accrued liability and a designated asset amount to the nonparticipating employer’s separate fund as of the nonparticipating date, and a calculation for the amount is specified. The nonparticipating employer and its employees who are enrolled in ASRS are required to continue to have contribution requirements to the separate fund, and a calculation for the contributions is specified. The ASRS actuary is required to determine the actuarial assumptions used to determine the contribution requirements for the nonparticipating employer. **First Sponsor:** Sen. Lesko **ARS Titles Affected:** 38

S 1179 APPROPRIATIONS; NAMED CLAIMANTS
Appropriates \$19,551.85 to named claimants, retroactive to June 1, 2017. An annual exercise. **First Sponsor:** Sen. Lesko **ARS Titles Affected:** 41

S 1180 BINGO ESTABLISHMENTS; ADA COMPLIANCE
To comply with the federal Americans with Disabilities Act (ADA), the operator of a bingo game is required to offer assistance to players with disabilities. The operator of a bingo games may offer players card-minding devices or other technological aids, which must be offered to players with disabilities without a fee or a minimum purchase requirement. The operator of a bingo game is required to allow players to use a form of visual or audio signal to notify the operator of a winning pattern or bingo. A person with a disability who is covered by the ADA and is employed by a bingo operator is permitted to use technological aids to properly carry out the person’s job functions. **First Sponsor:** Sen. Borrelli **Other Sponsors:** Sen. S. Allen, Rep. Finchem, Rep. Lawrence, **ARS Titles Affected:** 5

S 1181 NATIVE AMERICAN VETERANS; TAX SETTLEMENT
Unexpended and unencumbered monies remaining in the Veterans’ Income Tax Settlement Fund (which was established as part of the FY2016-17 budget) revert to the general fund on June 30, 2021, instead of June 30, 2019. The Department of Veterans’ Services is permitted to accept claims for settlement payment from the Fund through December 31, 2019, instead of December 31, 2017. The dates during which a veteran had state income tax withheld from active duty military pay as part of the qualifying circumstances for settlement payment from the Fund are modified to begin on July 1, 1977, instead of September 1, 1993. **First Sponsor:** Sen. Borrelli **Other Sponsors:** Sen. S. Allen, Rep. Finchem, Rep. Lawrence, **ARS Titles Affected:** 41

S 1182 G&F; PROTECTED SPECIES; TAKING PROHIBITION
It is unlawful for a person to knowingly take a “protected felid” (defined as any bobcat, canada lynx, jaguar, mountain lion or ocelot). Some exceptions, including for a livestock operator who has had livestock attacked or killed by the protected felid if the livestock operator takes a list of specified steps prior to the taking. The Game and Fish Commission is authorized to issue a permit to take a protected felid for specified purposes. The civil penalty for unlawfully taking a protected felid is \$8,000. **First Sponsor:** Sen. Farley **ARS Titles Affected:** 3 17

S 1183 DEPARTMENT OF ENVIRONMENTAL QUALITY; OMNIBUS
Various rules the Department of Environmental Quality is required to adopt are eliminated, and several rules are permitted, instead of required, to be adopted. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 49

S 1184 APPROPRIATION; ARIZONA GEOLOGICAL SURVEY
Appropriates \$941,000 from the general fund in FY2017-18 to the Arizona Geological Survey. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 41

S 1185 PRECINCT COMMITTEEMEN; TERM OF OFFICE
The term of office of a precinct committeeman begins on the day after the county board of supervisors issues the official canvass for the primary election at which the precinct committeeman was a candidate and continues until the canvass is issued for the following primary election at which a precinct committeeman is elected. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 16

S 1186 ALARM INDUSTRY; FINGERPRINT REQUIREMENTS
Alarm agent certificate holders are required to have a valid fingerprint clearance card, and the Board of Technical Registration is required to verify the status of the card every three years. Each controlling person of an alarm business is required to obtain a certificate from the Board, and each controlling person is required to have a valid fingerprint clearance card. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:**

S 1187 SENTENCING; AGGRAVATING FACTOR; POLITICAL AFFILIATION
For the purpose of determining the sentence for a felony offense, the list of aggravating circumstances is expanded to include evidence that the defendant committed the crime out of malice toward a victim because of the victim’s political affiliation, beliefs or opinions or because of the defendant’s perception of those things. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 13

S 1188 PROCUREMENT PROCESS; PROFESSIONAL; CONSTRUCTION SERVICES
For any procurement of professional services or construction services contracts that are fully funded with state monies, the purchasing agency is required to notify the highest ranking person or firm on the final list that it is the highest ranking person or firm and to send notice of the highest ranking persons or firms to each other person or firm that is not on the final list. For any procurement of professional services or construction services contracts that are fully funded with state monies, the procurement officer is permitted to enter into simultaneous negotiations with the highest ranking qualified persons or firms on the final list until an agreement is reached on compensation and other contract terms or a determination is made to reject all persons or firms on the final list. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 41

S 1189 STATE BUDGET; ESTIMATES; NOTICE
Beginning in 2018, on or before February 20 of each year, the Directors of the Governor’s Office of Strategic Planning and Budgeting and the Joint Legislative Budget Committee are required to jointly calculate and transmit to the Governor, the Speaker of the House of Representatives, the President of the Senate, and the chairpersons of specified legislative committees a truth in spending estimate for the following fiscal year that calculates the amount of general fund appropriations for the current FY adjusted by the sum of the estimated percentage change in the population for the FY and the percentage change in the “GDP implicit price deflator” (defined) for the preceding calendar year. Beginning in FY2018-19, if the Legislature transmits to the Governor an appropriations bill that exceeds the truth in spending estimate, each house of the Legislature is required to post a notice of spending increase in a specified form on its official website within 24 hours after the vote. **First Sponsor:** Sen. Kavanagh **Other Sponsors:** Sen. Borrelli, Sen. S. Allen, Sen. Smith, Sen. Petersen, Sen. Montenegro, Sen. Griffin, Sen. Barto, Sen. D. Farnsworth, Sen. Lesko, Sen. Burges, Rep. Thorpe, Rep. Finchem, Rep. Leach, Rep. Boyer, Rep. Lawrence, **ARS Titles Affected:** 41

S 1190 PUBLIC SAFETY; SUPPLEMENTAL BENEFITS; CONTINUATION
The repeal date for the public safety officer supplemental benefits plan is extended eight years to October 1, 2015, from October 1, 2017. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 41

S 1191 POLITICAL PARTIES; NOTICE; MEETINGS
The notice of meetings that the chairmen of the county and state committees of political parties are required to give to precinct or state committeemen may be given by email. **First Sponsor:** Sen. Petersen **ARS Titles Affected:** 16

S 1192 TECH CORRECTION; PROPERTY TAX
Minor change in Title 42 (Taxation) related to property tax exemptions. Apparent striker bus. **First Sponsor:** Sen. Petersen **ARS Titles Affected:** 42

S 1193 ELECTION & ETHICS; COMMISSION; DUTIES
Establishes the Arizona Election and Ethics Commission consisting of six members who are appointed by the Governor and other specified elected officials and who meet specified requirements. Beginning in 2018, the Commission succeeds to the duties of the Secretary of State with respect to acting as the investigatory, compliance and enforcement officer for political committees supporting or

opposing candidates for state offices and members of the Legislature and statewide initiative or referendum measures appearing on a state general election ballot. Powers and duties of the Commission are established, including receiving any ethics complaint filed against candidates or elected officials of state government. The Commission terminates on July 1, 2027. **First Sponsor:** Sen. Quezada **ARS Titles Affected:** 16 41

S 1194 DCS; FOSTER PARENT; MEDICAL CONSENT
If the Department of Child Safety (DCS) has temporary or legal custody of a child, DCS is authorized to consent to evaluation and treatment for emergency conditions that are not life threatening, routine medical and dental treatment and procedures, surgery, blood transfusions, general anesthesia, and testing for the presence of the human immunodeficiency virus (HIV). To the extent possible, DCS is required to consult with each biological parent of the child whose parental rights have not been terminated when making health care decisions for the child. Additionally, foster parents are authorized, instead of prohibited, to consent to testing for the presence of HIV. **First Sponsor:** Sen. Barto **ARS Titles Affected:** 8

S 1195 DOMESTIC VIOLENCE OFFENDERS; FIREARMS; SEIZURE
The court is required to order a person placed on probation for a domestic violence offense to transfer, for the duration of the probation, any firearms the person owns or possesses to the appropriate law enforcement agency within 24 hours after sentencing, or to provide the agency with an affidavit certifying that the person does not own or possess a firearm. The court must provide a copy of the order to the appropriate law enforcement agency, and if the agency has not received an affidavit or any firearms from the person within 24 hours, the agency must notify the court and request a search warrant for the person’s home and vehicle, if appropriate. If a court orders a defendant who is subject to an order of protection to transfer a firearm to the appropriate law enforcement agency and the firearm is not transferred to the agency within 24 hours, the agency must notify the court and request a search warrant for the person’s home and vehicle, if appropriate, to retrieve the firearm. **First Sponsor:** Sen. Bradley **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Farley, Sen. Contreras, Sen. Hobbs, Sen. Quezada, **ARS Titles Affected:** 13

S 1196 DEPT OF HOUSING; CONTINUATION
The statutory life of the Arizona Department of Housing is extended eight years to July 1, 2025. Retroactive to July 1, 2017. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 41

S 1197 REAL ESTATE APPRAISAL
Eliminates the State Board of Appraisal and the Executive Director of the Board and transfers their duties to the Superintendent of Financial Institutions. Repeals the Board of Appraisal Fund and transfers any unexpended and unencumbered monies in the Fund to the general fund on the effective date of this legislation. The Superintendent is authorized to charge a one-year national registry fee for appraisal management companies, to be deposited in the newly established Appraisal Subcommittee Fund and administered by the Department of Financial Institutions. Modifies definitions. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 6 32 41

S 1198 PUBLIC ACCOMMODATION; SERVICES; CIVIL ACTIONS
Before filing a civil action for discrimination by public accommodations or commercial facilities, a person or the person’s attorney is required to provide written notice to the covered person or entity that includes sufficient detail to allow the covered person or entity to identify the prohibited act or practice or to comply with the law. If the covered person or entity does not cure the prohibited act or practice or comply with the law within 60 days after receiving the notice if the cost to cure the violation is less than \$10,000, or within 90 days after receiving the notice if the cost to cure the violation is \$10,000 or more or if the covered person or entity is a small business with fewer than 15 employees, the person may file the civil action. When filing a civil action a person is required to file an affidavit with specified information, including that the person is not receiving anything of value from an attorney in exchange for filing the civil action. A person or the person’s attorney is prohibited from demanding a specific amount of money from the covered person or entity before a civil action is commenced. Effective January 1, 2018. **First Sponsor:** Sen. Kavanagh **Other Sponsors:** Sen. Yee, **ARS Titles Affected:** 41

S 1199 CRIMINAL HISTORY INVESTIGATION; NAME CHANGE
Before the court considers an application to change a person’s name, the court must require the applicant to furnish a full set of fingerprints and pay a fee to enable the Department of Public Safety to conduct a criminal history records check. Does not apply to an application filed on behalf of a minor or if the name change is requested in a divorce proceeding. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 12 41

S 1200 ELECTIONS; CANDIDATES; REQUIREMENTS
A candidate for partisan public office is required to be continuously registered with the political party of which the person desires to be a candidate beginning no later than the date of the first petition signature on the candidate’s petition through the date of the election. If a vacancy occurs in a candidate race for partisan nomination in which at least one candidate of the vacating candidate’s political party remains on the ballot for that office, or at least one candidate of that political party remains for each of the multiple seats for that office, the vacancy will not be filled. A person is not eligible to be a candidate for nomination or election to more than one federal office, except that a person may be a candidate for the office of president or vice president and one other federal office. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 16 38

S 1201 MEDICAL EXAMINER; COMMUNICABLE DISEASES; DISCLOSURE
The county medical examiner or alternate medical examiner, on a determination that the circumstance of a death provide jurisdiction, is required to provide a blood sample from a deceased person for the purpose of communicable disease testing or disclose communicable disease-related information to a first responder or good Samaritan who has had a significant exposure risk and who submits a written request for the information. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 11

S 1202 FORESTRY & FIRE MANAGEMENT; CONFORMITY
Numerous changes to statutes in order to conform to Laws 2016, Chapter 145, which established the Arizona Department of Forestry and Fire Management. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 3 4 9 11 15 20 34 36 37 41 48 49

S 1203 ARIZONA WATER BANKING AUTHORITY; REPORT
The deadline for the annual report that the Arizona Water Banking Authority Commission is required to submit to the Governor and the Legislature is moved to December 31, from July 1. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 45

S 1204 HIGH SCHOOL TEXTBOOKS; REVIEW PERIOD
Before approving any basic textbook for high schools, the school district governing board is required to notify parents or guardians of the basic textbooks that are proposed for approval and provide an opportunity for public comment for at least 60 days. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 15

S 1205 SCHOOL TAX CREDIT; CLASSROOM SUPPLIES
Cash contributions to a public school for the purpose of an income tax credit may be used for providing “classroom supplies” (defined) for use by students of the public school. Effective for tax years beginning with 2018. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 43

S 1206 TEACHERS; SHORT-TERM CERTIFICATES; DISMISSALS
School district governing boards are permitted to dismiss a teacher who holds a teaching intern certificate, an emergency teaching certificate or another type of nonstandard certificate that is valid for one year or less without complying with specified statutory requirements. Notice of this authority must be included in each teacher’s contract. **First Sponsor:** Sen. S. Allen **ARS Titles Affected:** 15

S 1207 ADVANCED CERTIFICATION; ASSESSOR PERSONNEL; COMPENSATION
A person who is employed by the Department of Revenue or a county and who successfully completes the advanced certification for assessors and appraisers provided by the Dept may be approved to receive additional compensation. **First Sponsor:** Sen. S. Allen **ARS Titles Affected:** 42

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

S 1208 WATER RESOURCES; DEPT ANNUAL REPORT

The Department of Water Resources is required to provide to the chairmen of the legislative committees related to natural resources a copy of the annual operations report that the Dept is required to provide to the Governor and the Legislature. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 45

S 1209 TECH CORRECTION; HEALTH SERVICES; FEES

Minor change in Title 36 (Public Health and Safety) related to Department of Health Services fees. Apparent striker bus. **First Sponsor:** Sen. Smith **ARS Titles Affected:** 36

S 1210 STATE LAW; VIOLATIONS; POLITICAL SUBDIVISIONS

Statute requiring the Attorney General to investigate any official action taken by the governing body of a county or municipality at the request of a member of the Legislature who alleges that the action violates state law or the state Constitution is expanded to include all “political subdivisions” (defined). **First Sponsor:** Sen. Smith **ARS Titles Affected:** 41

S 1211 ADOT OMNIBUS

The Director of the Arizona Department of Transportation (ADOT) is authorized to establish alternative methods and use contracted private persons for the administration or delivery of programs or functions under Title 28 (Transportation), subject to the Administrative Procedures Act and the Procurement Code. ADOT is authorized to assume the responsibility of the U.S. Department of Transportation with respect to highway projects with the state under specified federal laws. Repeals statute requiring counties with a population of more than 400,000 (Maricopa and Pima) and municipalities with a population of more than 30,000 that is located in those counties to budget and spend local revenues for street and highway purposes according to a specified formula. **First Sponsor:** Sen. Fann **ARS Titles Affected:** 28 41

S 1212 TAX CREDIT CAP; ANGEL INVESTOR

From July 1, 2017 through June 30, 2021, the Arizona Commerce Authority may certify tax credits for qualified investments made in a qualified small business for up to \$10 million, reduced from \$20 million. **First Sponsor:** Sen. Fann **Other Sponsors:** Sen. D. Farnsworth, Sen. Contreras, Sen. Yee, Sen. Kavanagh, Sen. Hobbs, Sen. Worsley, Sen. Brophy McGee, **ARS Titles Affected:** 41

S 1213 UNEMPLOYMENT INSURANCE; DISCLOSURE; STATE AGENCIES

The Department of Economic Security is authorized to disclose unemployment insurance information to the Industrial Commission, Department of Insurance or Attorney General for use by those agencies in the investigation and prosecution of workers’ compensation fraud. **First Sponsor:** Sen. Fann **ARS Titles Affected:** 23

S 1214 LOCAL GOVERNMENTS; SMALLCELL EQUIPMENT PERMITTING

Statutes prohibiting municipalities from charging certain fees for microcell equipment and requiring political subdivisions to allow certain entities to install, operate and maintain microcell equipment in public highways are expanded to include “smallcell equipment” (defined) and to include the “affiliates” (defined) of those entities. Establishes a list of limitations that apply to smallcell equipment. Contains legislative findings. Applies to all telecommunications or cable television licenses or other authorizations issued before the effective date of this legislation, with some exceptions. **First Sponsor:** Sen. Fann **ARS Titles Affected:** 9

S 1215 INSURANCE; DEFINITION; FIRE PROTECTION SERVICES

Property insurance policy provisions or endorsements that provide for wildfire protection services, including wildfire mitigation and wildfire suppression, conducted by a private entity are exempt from statute declaring that private fire protection service contracts are not insurance and that insurance regulations do not apply to those contracts. **First Sponsor:** Sen. Fann **ARS Titles Affected:** 20

S 1216 TOWING FIRMS; ASSETS; DEFINITION

Statute prohibiting the owner of a towing firm that has a common ownership interest in the assets of another towing firm from participating in any other applica-

tion for a towing contract within the same geographic towing area applies if the owner has shared use of the assets of another towing firm. For the purpose of these prohibitions, the term “asset” is defined. The Department of Public Safety or a county or municipality is required to determine that each towing firm is in compliance with the prohibition, and to investigate any suspected violations and any complaints that allege a violation. **First Sponsor:** Sen. Fann **Other Sponsors:** Sen. Borrelli, **ARS Titles Affected:** 41

S 1217 CORPORATION COMM; TELECOMMUNICATIONS; RATES

A state regulation of telecommunications providers that is subject to the jurisdiction of the Corporation Commission is required to be competitively neutral. Maximum rates, terms of service or standards of service for retail telecommunications services classified as competitive may be established or changes on 10 calendar days’ notice to affected customers and to the Commission. The Commission cannot suspend, approve, deny or modify the filing until after a hearing and determination that the action does not burden or disadvantage the entity in a manner that is not competitively neutral. **First Sponsor:** Sen. Fann **ARS Titles Affected:** 40

S 1218 HOUSING DEPT; CONFORMING CHANGES

Various changes to statutes relating to the Department of Housing in order to conform to Laws 2016, Chapter 128, which transferred some functions of the repealed Department of Fire, Building and Life Safety and various housing-related funds to the Department of Housing. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 28 33 36 41 42

S 1219 AUTOMATIC VOTER REGISTRATION; DATABASE; PUBLIC AGENCIES

Beginning January 1, 2018, every person who is applying for a driver license or renewal and who is otherwise qualified to register to vote must be registered to vote automatically on completion of the license application unless the applicant clearly expresses a decision not to register. The Secretary of State is required to establish, publish and enforce a security, privacy and technology policy that establishes levels of authorized access to voter information with appropriate safeguards for each level and meets other specified requirements. By January 1, 2019, the Secretary of State is required to identify state agencies that may be collecting information relevant for voter registration purposes and that are not offering persons the opportunity to register to vote, and to establish procedures for those agencies to provide automatic voter registration. **First Sponsor:** Sen. Quezada **ARS Titles Affected:** 16 41

S 1220 VOTER REGISTRATION; SAME DAY

A person who is otherwise qualified to register to vote may register during the 28 days immediately preceding an election and is eligible to vote in that election if the person has been a resident of the county and the precinct in which the person resides for at least 29 days immediately preceding the election. A person who is otherwise qualified to register to vote may register on Election Day at the polling place for the precinct in which that person maintains residence. A person who registers to vote under these provisions may vote only with a provisional ballot and does not qualify a person to vote in a partisan primary election. **First Sponsor:** Sen. Quezada **ARS Titles Affected:** 16

S 1221 VOTER REGISTRATION DEADLINES; REGISTRATION METHOD

The deadline to register to vote in order to be eligible to vote in an election is modified so that the voter registration may be dated 29 days or more before the election and received by first class mail within 5 days after the last day to register to vote, completed in person at a county recorder’s office before midnight on the 14th day before the election, electronically generated and transmitted to the Department of Transportation before midnight on the 14th day before the election, or submitted by other means and dated 29 days or more before the election, if the registration is received by the county recorder by 7:00 PM on the day of the election. Previously, the registration had to be received by the county recorder by midnight of the 29th day before the election. **First Sponsor:** Sen. Quezada **ARS Titles Affected:** 16

S 1222 VOTER IDENTIFICATION; PROOF OF CITIZENSHIP

Deletes the requirement for applications for voter registration to be accompanied by satisfactory evidence of U.S. citizenship. Deletes the requirement for

a voter to present specified identification at a polling place. Due to voter protection, this bill requires the affirmative vote of at least 3/4 of each house of the Legislature for passage. **First Sponsor:** Sen. Quezada **ARS Titles Affected:** 16

S 1223 VOTER IDENTIFICATION; VA; STUDENT IDENTIFICATION

The list of valid forms of identification that voters may present in order to obtain a ballot is expanded to include a valid veterans administration health identification card and a valid identification card issued by an accredited postsecondary educational institution in Arizona. Due to voter protection, this bill requires the affirmative vote of at least 3/4 of each house of the Legislature for passage. **First Sponsor:** Sen. Quezada **ARS Titles Affected:** 16

S 1224 SCHOOLS; GOVERNING BOARDS; IMMEDIATE FAMILY

Persons related as immediate family who have the same household of residence within four years prior are no longer prohibited from serving simultaneously on a 5-member school board for the same district. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Dalessandro, Sen. Peshlakai, Sen. Bowie, **ARS Titles Affected:** 15

S 1225 SCHOOL INSTRUCTION; AIDS; HOMOSEXUALITY

School districts are no longer prohibiting from including any instruction which promotes a homosexual lifestyle, portrays homosexuality as a positive alternative lifestyle, or suggests that some methods of sex are safe methods of homosexual sex as part of that district’s instruction on AIDS. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Dalessandro, Sen. Mendez, Rep. Gabaldon, Rep. Powers Hannley, **ARS Titles Affected:** 15

S 1226 SCHOOLS; TRANSFER STUDENTS; COMPETENCY REQUIREMENTS

If a student transfers into a school district or charter school and subsequently does not meet the competency requirements for the promotion of students from the 3rd or 8th grade or for graduation from high school, the school, school district or charter school into which the student transferred is not required to report or count that student’s failure to be promoted unless the student continues to not meet the competency requirements for one year after the original failure. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Dalessandro, Rep. Powers Hannley, **ARS Titles Affected:** 15

S 1227 CHARTER SCHOOLS; PROHIBITED LOCATIONS

A charter school that is established after the effective date of this legislation is prohibited from being located within a three-mile radius miles of a school district school that has been assigned a letter grade of A or B. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Dalessandro, Sen. Peshlakai, Sen. Mendez, Sen. Miranda, Rep. Powers Hannley, **ARS Titles Affected:** 15

S 1228 CHARTER SCHOOL PUPILS; TRANSFER; ADM

If a student withdraws or transfers from a charter school during the school year, the charter school is required to report the withdrawal or transfer to the Department of Education within two weeks. The Dept is required to adjust the average daily membership of the charter school to account for the withdrawal or transfer at the next scheduled distribution of state aid to that charter school. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Dalessandro, Sen. Peshlakai, Sen. Mendez, Sen. Miranda, Rep. Powers Hannley, **ARS Titles Affected:** 15

S 1229 CHARTER SCHOOLS; TEACHERS; ADMINISTRATORS; CERTIFICATION

The charter of a charter school is required to ensure that all persons who are employed as teachers or administrators at the charter school are subject to the same requirements prescribed by statute for teachers and administrators who are employed by school districts, including the same certification and fingerprinting requirements. A person who is employed as a teacher or administrator at a charter school on the effective date of this legislation is required to obtain the relevant certification from the Department of Education no later than three years after the effective date. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Dalessandro, Sen. Peshlakai, Sen. Mendez, Sen. Miranda, Rep. Powers Hannley, **ARS Titles Affected:** 15

S 1230 CHARTER SCHOOLS; WEBSITE POSTING REQUIREMENTS

If a charter school maintains a website, the charter school governing body is required to post a list of specified information about the charter school on the website. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Dalessandro, Sen. Peshlakai, Sen. Mendez, Sen. Miranda, Rep. Powers Hannley, **ARS Titles Affected:** 15

S 1231 ADE; CHARTER SCHOOLS; ASSESSMENTS

The Department of Education is required to prepare and publish on its website an annual assessment of the impact of charter schools on school districts. Information that must be included in the assessment is specified. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Dalessandro, Sen. Peshlakai, Sen. Mendez, Sen. Miranda, Rep. Powers Hannley, **ARS Titles Affected:** 15

S 1232 CHARTER SCHOOLS; PUBLIC MEETINGS; RECORDS

Charter schools, governing bodies of charter schools, charter school sponsors, charter holders, charter school operators, corporate boards of directors of charter school operators and management organizations that contract with charter schools are subject to open meeting law and public records law. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Dalessandro, Sen. Peshlakai, Sen. Mendez, Sen. Miranda, Rep. Powers Hannley, **ARS Titles Affected:** 15

S 1233 CHARTER SCHOOLS; AUDIT REQUIREMENTS

The Auditor General is required to conduct a comprehensive annual audit of each charter school in Arizona. Every audit conducted for a charter school that includes a review of compliance with the uniform system of financial records must include examinations of classroom spending, the diversity of the charter school students and staff and special education programs. The school-wide audit team in the office of the Auditor General is required to conduct performance audits and monitor charter schools in the same manner it audits and monitors school districts. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Dalessandro, Sen. Peshlakai, Sen. Mendez, Sen. Miranda, Rep. Powers Hannley, Rep. Epstein, Rep. Butler, **ARS Titles Affected:** 15 41

S 1234 CHARTER SCHOOLS; PROCUREMENT REQUIREMENTS

Any quote solicited for the provision of materials, services or construction for charter school that exceeds \$50,000 is required to be in writing. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Dalessandro, Sen. Peshlakai, Sen. Mendez, Sen. Miranda, Rep. Powers Hannley, **ARS Titles Affected:** 15

S 1235 PODIATRY; AMPUTATION

Licensed podiatrists are authorized to amputate toes or portions of a foot. **First Sponsor:** Sen. Barto **Other Sponsors:** Sen. Bradley, Rep. Carter, **ARS Titles Affected:** 32

S 1236 PSYCHOTROPIC DRUGS; FOSTER CHILDREN; REPORT

By August 31 of every odd numbered year, the Department of Health Services, the Department of Child Safety and the AHCCCS Administration are required to prepare a report that compares the prescription rate of “psychotropic medications” (defined) prescribed to foster children who receive services from AHCCCS with the prescription rate of psychotropic medications prescribed to nonfoster children who receive AHCCCS services. Information that must be included in the report is specified. The report must be submitted to the chairpersons of the House Children and Family Affairs Committee and the Senate Health and Human Services Committee, or their successor committees. **First Sponsor:** Sen. Lesko **ARS Titles Affected:** 8

S 1237 EARLY VOTING; BALLOTS; PROCESSING

The early ballot is required to have the name and address of the polling place for the voter’s precinct. The instructions included with the early ballot must state that the ballot and affidavit must be postmarked by ___ days before the election and that they may not be deposited or delivered at any polling place other than the correct polling place on election day. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 16

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

S 1238 EARLY BALLOT ENVELOPES

Early ballot return envelopes are required to be of a type that does not reveal the voter’s selections. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 16

S 1239 PARKING VIOLATION; DISABILITIES; ACCESS AISLES

It is unlawful to stop, stand or park a motor vehicle, including a vehicle displaying an international symbol of access special plate or placard, in the “access aisle” (defined) of a parking space for persons with physical disabilities. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 28

S 1240 HOAS; STREETS; AUTHORITY

Statute declaring that a homeowners’ association has no authority over and cannot regulate any roadway for which the ownership has been dedicated to or is otherwise held by a governmental entity applies to all planned communities without regard to whether the declaration is recorded before or after the effective date of this legislation. Previously, these provisions applied only to planned communities for which the declaration was recorded after December 31, 2014. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 33

S 1241 TPT EXEMPTION; CHARITY GOLF TOURNAMENT

The list of deductions from the tax base for the amusement classification of transaction privilege taxes is expanded to include the gross proceeds or gross income derived from charity golf tournaments sponsored by a nonprofit 501(c)(3) organization if no part of the organization’s net earnings inures to the benefit of any private shareholder or individual. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 42

S 1242 TAX INFO; DISCLOSURE; MUNICIPAL AUDITORS

Confidential information relating to transaction privilege taxes and any other tax collected by the Department of Revenue on behalf of any jurisdiction may be disclosed to an auditor who is under contract with a county or municipality for audit purposes. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 42

S 1243 MISCONDUCT INVOLVING WEAPONS; PUBLIC PLACES

A person who possesses a valid concealed weapons permit is exempt from the prohibition on carrying a concealed weapon in a public establishment or at a public event. Some exceptions, including for public establishments or events that are a “secured facility” (defined), that are the licensed premises of a liquor licensee, that are an educational institution, and that are a vehicle or craft. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 13

S 1244 COMMITTEE OF REFERENCE; STANDING COMMITTEE

Each standing committee of both legislative houses constitutes a committee of reference in the committee’s subject matter area and the committee’s respective house, instead of a committee of reference being a joint subcommittee composed of members of the appropriate standing committees of the House and Senate. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 32 41

S 1245 STATE LANDS; PERPETUAL RIGHTS-OF-WAY

The State Land Department is required to grant a perpetual right-of-way, after conducting an appraisal, at public auction to the highest and best bidder if the grant is for the purpose of providing legal access to private property to which access across state land is the historic access or is necessary because state or federal land surrounds the private property. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 37

S 1246 CONTRACTORS; OWNERS; DOCUMENTS

Specifies that various information that a contractor must provide to an owner is required to be provided in the contract. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 32

S 1247 CONSERVATION EASEMENT; IN LIEU PAYMENTS

A governmental entity that is the holder of a conservation easement is required to make an annual payment of monies in lieu of property taxes to the county treasurer of the county in which the property is located in the amount that would have been assessed and collectable against the easement holder if the easement holder was not a governmental entity. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 33

S 1248 BUILDING CODE MORATORIUM; REPEAL

Repeals the moratorium on new or modified residential or commercial building codes that was in effect from June 30, 2009 to June 30, 2011. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 9

S 1249 PROPERTY TAX EXEMPTIONS; STATUTORY CONFORMITY

Makes various changes to property tax statutes in order to conform to proposed changes to property tax exemptions contained in the state Constitution. Conditionally enacted on the state Constitution being amended by a vote of the people at the next general election to consolidate and reorganize provisions relating to exemptions from property taxation. **First Sponsor:** Sen. Burges **ARS Titles Affected:** 15 42

S 1250 COUNTY MOTOR FUEL TAXES

Counties are authorized to levy by ordinance a tax on wholesale motor vehicle fuel and wholesale use fuel sold in the county of up to 3 percent of the total sale of motor vehicle fuel or use fuel. By June 15 of each fiscal year, the Department of Transportation is required to transfer monies deposited in the Highway User Revenue Fund as a result of county-imposed fuel tax to the county in which the tax was collected. **First Sponsor:** Sen. Farley **Other Sponsors:** Sen. Dalessandro, Sen. Peshlakai, Sen. Bradley, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Rep. Powers Hannley, Rep. Clodfelter, **ARS Titles Affected:** 28

S 1251 JTEDS; NINTH GRADERS; FUNDING

Students in 9th grade who are enrolled in courses offered by a Joint Technical Education District (JTED) or career and technical education courses may be included in a joint district’s student count and average daily membership, and may be funded in whole or in part with monies provided by a JTED. **First Sponsor:** Sen. Farley **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Bradley, Sen. Bowie, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Rep. Powers Hannley, Rep. Clodfelter, **ARS Titles Affected:** 15

S 1252 AZ ARTS ENDOWMENT FUND; APPROP

Appropriates \$20 million from the general fund in FY2017-18 to the Arizona Arts Endowment Fund. **First Sponsor:** Sen. Farley **Other Sponsors:** Sen. Dalessandro, Sen. Otondo, Sen. Peshlakai, Sen. Bradley, Sen. Bowie, Sen. Contreras, Sen. Hobbs, Rep. Powers Hannley, **ARS Titles Affected:** 99

S 1253 PEACE OFFICERS; INVESTIGATIVE INTERVIEWS; RECORDINGS

A statement made by a law enforcement officer in an investigative interview in regard to a use of force incident or an accident involving the officer that resulted in physical injury and that was video recorded by the officer is prohibited from being the sole factual basis to impose discipline against the officer unless the officer reviewed the video recording before making the statement. **First Sponsor:** Sen. Borrelli **ARS Titles Affected:** 38

S 1254 SCHOOLS; ADMISSIONS; DESEGREGATION

Repeals statute establishing desegregation-related admissions requirements for school districts and charter schools. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 15

S 1255 GUEST REMOVAL; SPECIAL DETAINER ACTION

Landlords are permitted to file a special detainer action for the expedited removal of a guest of a tenant. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 33

S 1256 ARIZONA POWER AUTHORITY; REPORT

The Arizona Power Authority Commission is required to provide to the Legislature a copy of the annual transactions report that the Commission is required to provide to the Governor. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 30

S 1257 APPROPRIATION; DISTRICT ADDITIONAL ASSISTANCE

Makes a supplemental appropriation of \$35 million from the general fund in FY2017-18 to the Superintendent of Public Instruction for a one-time increase in district additional assistance to be used for specified classroom materials and aides. **First Sponsor:** Sen. Bradley **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Bowie, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Sen. Miranda, Sen. Quezada, **ARS Titles Affected:** 41

S 1258 DCS REPORTS; RULED OUT CLASSIFICATION

If the Department of Child Safety (DCS) determines that a report of child abuse or neglect is unsubstantiated and there is no reasonable evidence to support the report, DCS is required to classify the report as ruled out. **First Sponsor:** Sen. Lesko **ARS Titles Affected:** 8

S 1259 INCOME TAX; COLLEGE TUITION DEDUCTION

Beginning with tax year 2017, in computing taxable income a “qualifying taxpayer” (defined as a taxpayer whose Arizona adjusted gross income does not exceed \$80,000 for a single individual or head of household, or \$160,000 for a married couple filing jointly) may deduct expenses of up to \$2,500 paid by the taxpayer during the tax year for tuition to a state university or public community college in this state. **First Sponsor:** Sen. Bradley **ARS Titles Affected:** 43

S 1260 SCHOOLS; TECHNOLOGY; POLICIES; INTERNET SAFETY

By December 1, 2017, the Superintendent of Public Instruction is required to convene and consult with and advisory committee to develop best practices and recommendations for instruction in “digital citizenship” (defined), internet safety and media literacy. The Superintendent of Public Instruction is required to submit a report to the Governor and the Legislature with strategies to implement the best practices and recommendations statewide. Beginning in the 2018-19 school year, school districts and charter schools are required to annually review their policies and procedures on electronic resources and internet safety. **First Sponsor:** Sen. Bradley **ARS Titles Affected:** 15

S 1261 AZ COMMUNITY SCHOOLS PILOT PROGRAM

Establishes a three-year Arizona Community Schools Pilot Program in the Governor’s office to assist public middle schools and junior high schools in developing “community school” (defined) plans. From monies donated for this purpose, the Governor’s office is required to award three-year grants to eligible schools, which cannot exceed specified amounts for specified purposes. Eligibility requirements for schools to participate in the Program are specified. Each participating school is required to hire or designate an employee as the community school coordinator, and the coordinator’s duties are listed. For tax years 2017, 2018 and 2019, establishes an income tax credit of up to \$50,000 per tax year for voluntary cash contributions to the Governor’s office for the Program. Unused credit amounts may be carried forward for up to five consecutive tax years. **First Sponsor:** Sen. Bradley **ARS Titles Affected:** 41

S 1262 CLAIM; NOTICE; PUBLIC ENTITY; EXCEPTION

Statute regulating claims against a public entity or public employee does not apply to any claim alleging medical malpractice that resulted in the death of a person who was being treated for a mental health illness. **First Sponsor:** Sen. Cajero Bedford **Other Sponsors:** Sen. Dalessandro, Sen. Peshlakai, Sen. Farley, Sen. Bradley, Sen. Contreras, Sen. Hobbs, **ARS Titles Affected:** 12

S 1263 HOUSING TRUST FUND; FUNDING SOURCES

In the case of any conveyance of an Arizona real property interest, the title insurance company, title insurance agent or any financial institution or attorney that provides closing and settlement services is required to withhold an amount equal to two percent of the sales price of the Arizona real property interest conveyed or the net proceeds resulting from the conveyance, whichever is less, if the transferor is a foreign corporation that does not qualify by law to transact business in Arizona or another specified entity. Some exceptions. The monies are deposited as follows: 70 percent in the Housing Trust Fund and 30 percent in the Arizona Finance Authority Operations Fund. **First Sponsor:** Sen. Farley **ARS Titles Affected:** 41 43

S 1264 STATE LOTTERY; COUNTY ASSISTANCE FUND

Establishes the County Assistance Fund and requires \$7.65 million of monies remaining in the State Lottery Fund after appropriations and deposits authorized by statute to be deposited in the County Assistance Fund. The State Treasurer is required to distribute monies in the Fund equally among counties with a population of 500,000 or fewer persons. When each county

that is entitled to monies from the Fund has received \$550,000, the State Treasurer is required to transfer any remaining monies deposited in the Fund during that FY to the general fund. **First Sponsor:** Sen. Dalessandro **Other Sponsors:** Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Bradley, Sen. Bowie, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Sen. Miranda, Sen. Quezada, **ARS Titles Affected:** 5 41

S 1265 STATE-OWNED BANK TASK FORCE

Establishes a 10-member State-Owned Bank Task Force within the Arizona Commerce Authority to evaluate the feasibility of establishing a state-owned bank and submit a report to the Governor and the Legislature by December 1, 2017. Self-repeals October 1, 2018. **First Sponsor:** Sen. Dalessandro **Other Sponsors:** Sen. Cajero Bedford, Sen. Peshlakai, Sen. Farley, Sen. Contreras, Sen. Hobbs, Sen. Mendez, **ARS Titles Affected:** 41

S 1266 AUDITOR GENERAL; CHARTER SCHOOLS

The school-wide audit team in the office of the Auditor General is required to conduct performance audits and monitor charter schools in the same manner it audits and monitors school districts. **First Sponsor:** Sen. Dalessandro **Other Sponsors:** Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Rep. Gabaldon, **ARS Titles Affected:** 15 41

S 1267 STRUCTURED ENGLISH IMMERSION EXEMPTION; PILOT

The Department of Education is required to conduct a five-year structured English immersion exemption pilot program and select up to 10 high schools to participate in the program. Requirements for participating schools are specified. Students classified as English language learners in participating schools are exempt from statutory structured English immersion requirements during the program. The Dept is required to submit a report on the program to the Governor and the Legislature by September 15, 2023. Self-repeals January 1, 2025. **First Sponsor:** Sen. Dalessandro **Other Sponsors:** Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Contreras, Sen. Hobbs, Sen. Quezada, Rep. Gabaldon, **ARS Titles Affected:** 41

S 1268 FOSTER PARENTS; IMMUNIZATIONS; LICENSURE

The Department of Economic Security is no longer prohibited from requiring foster parents to immunize their natural or adoptive children as a condition of foster home licensure. **First Sponsor:** Sen. Dalessandro **Other Sponsors:** Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Contreras, Sen. Hobbs, **ARS Titles Affected:** 8

S 1269 PHARMACISTS; SCOPE OF PRACTICE

A licensed pharmacist is authorized to dispense a one-time emergency refill of a noncontrolled medication used to treat an ongoing medical condition if a list of specified conditions is met. The pharmacy is required to maintain a record of any emergency refill dispensed for at least one year, which must contain specified information. A licensed pharmacist who has completed a course of training is authorized to prescribe and administer oral fluoride varnish or tobacco cessation drug therapies pursuant to rules adopted by the Board of Pharmacy. **First Sponsor:** Sen. Barto **ARS Titles Affected:** 32

S 1270 AUTHORIZED THIRD PARTIES; ELECTRONIC TITLE

If the Department of Transportation establishes a system to require recording of certificate of title information through electronic media, the Dept must implement the system no sooner than January 1, 2018 and no later than January 1, 2023. The Dept is required to notify authorized third party electronic service providers and partners of the system’s establishment and implementation. The Dept is prohibited from authorizing a government entity to be a third party electronic service provider or partner. **First Sponsor:** Sen. Worsley **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. Bowie, Sen. Burges, Sen. Kavanagh, Sen. Brophy McGee, **ARS Titles Affected:** 28

S 1271 COUNTYWIDE ELECTIONS; VOTE BY MAIL

On approval of the county board of supervisors, a county is authorized to conduct a mail ballot election for all elections administered by that county, including

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

elections for federal and state offices and measures, and elections for county, municipal, school district and special districts. Counties that conduct mail ballot elections are required to report specified information about the election to the Legislature by January 1 of each year following a mail ballot election. **First Sponsor:** Sen. Worsley **Other Sponsors:** Sen. Fann, Sen. Barto, Sen. Bowie, Sen. Brophy McGee, **ARS Titles Affected:** 16

S 1272 BUSINESS ENTITIES; OMNIBUS
Numerous changes to statutes relating to Corporation Commission regulations of business entities. Various businesses filings and notices are authorized to be sent or filed by “electronic transmission” (defined). Any person that authorizes or signs a report, certificate, notice or other document with respect to a corporation that is delivered for filing with the Corporation Commission and that has knowledge at the time of delivery that the information contained in that document is materially false or misleading is liable to the corporation and its creditors for all damages resulting from the act. If an annual report becomes due on or after the first date on which the articles of dissolution are delivered to the Corporation Commission for filing, the annual report requirement and penalty accrual are suspended for six months. The list of conditions under which the Corporation Commission is authorized to commence a proceeding to revoke the authority of a foreign corporation to transact business in Arizona is expanded to include if the corporation has failed to pay fees, penalties and costs required by statute or failed to comply with specified requirements for withdrawal of a foreign corporation. A notice under the Limited Liability Company act is required to be in writing unless oral notice is reasonable under the circumstances. Establishes standards for when a written notice is effective. **First Sponsor:** Sen. Worsley **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. Smith, Sen. Burges, Sen. Brophy McGee, **ARS Titles Affected:** 10 29

S 1273 ELECTRIC BICYCLES
An operator of an “electric bicycle” (defined) is granted all the rights and privileges and is subject to all of the duties of a person riding a bicycle. An electric bicycle is not subject to motor vehicle title, registration, vehicle license tax, driver licenses or vehicle insurance requirements. Beginning January 1, 2018, manufacturers and distributors of electric bicycles are required to apply a permanently affixed label to each electric bicycle that contains specified information. Establishes operating requirements for different classes of electric bicycles. **First Sponsor:** Sen. Worsley **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. Burges, Sen. Brophy McGee, **ARS Titles Affected:** 28

S 1274 POVERTY; DATA TRACKING; COMMISSION
The Department of Economic Security is required to establish and maintain a system to track “inter-generational poverty” (defined), and requirements for the tracking system are specified. Establishes a 7-member Arizona Intergenerational Welfare Reform Commission to analyze data and information regarding intergenerational poverty and implement data-driven policies and programs addressing poverty, public assistance, education and other areas to reduce the incidence of children in Arizona who remain in the cycle of poverty and welfare dependency. Commission powers and duties are specified. The Commission is required to annually report to the Governor and the Legislature by February 1, and information that must be contained in the report is listed. The Commission and tracking system end on July 1, 2027. **First Sponsor:** Sen. Worsley **Other Sponsors:** Sen. Bowie, Sen. Brophy McGee, **ARS Titles Affected:** 46

S 1275 SCHOOLS; INTERGENERATIONAL POVERTY; GRANTS
Establishes the Intergenerational Poverty Interventions Grant Program within the State Board of Education to provide grants to participating school districts and charter schools to fund additional educational opportunities for “eligible pupils” (defined) outside of the regular school day. The Board is required to solicit proposals from school districts and charter schools to receive Grant Program monies, and to award grants based on a list of specified criteria. The Board is required to submit an annual report on the Grant Program to the Governor and the Legislature by November 30, and information that must be included in the report is listed. Establishes the Intergenerational

Poverty Interventions Grant Program Fund and appropriates \$1 million from the general fund in FY2017-18 to the Fund for the Grant Program. **First Sponsor:** Sen. Worsley **Other Sponsors:** Sen. Brophy McGee, **ARS Titles Affected:** 15

S 1276 CHARTER SCHOOLS; SPECIAL EDUCATION SERVICES
The State Board for Charter Schools is required to annually review special education admission practices of charter schools to ensure that the practices are fair and nondiscriminatory. If the Board finds that a charter school’s enrollment of special education students is more than two percent lower than that of the statewide average for school districts, that charter school is required to develop a plan specifying measures it will take to eliminate the under enrollment of special education students and public that plan on its website. **First Sponsor:** Sen. Contreras **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Bradley, Sen. Hobbs, Sen. Mendez, Rep. Gabaldon, Rep. Cardenas, Rep. Espinoza, **ARS Titles Affected:** 15

S 1277 CHARTER SCHOOLS; CAPACITY; PUBLICATION
Charter schools are required to post on the school’s website the available capacity of each grade level for which instruction is provided at the school, update the information monthly and provide copies of the information to the public on request. **First Sponsor:** Sen. Contreras **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Bradley, Sen. Hobbs, Sen. Mendez, Sen. Quezada, Rep. Gabaldon, Rep. Cardenas, Rep. Espinoza, **ARS Titles Affected:** 15

S 1278 FELONY PRETRIAL INTERVENTION PROGRAM; APPROP
Appropriates \$2.75 million from the general fund in FY2017-18 to the Administrative Office of the Courts, to be proportionally distributed to county attorney offices in counties with a population of more than 200,000 persons for administering felony pretrial intervention programs that meet specified requirements. **First Sponsor:** Sen. Smith **Other Sponsors:** Sen. S. Allen, Sen. Barto, Sen. Worsley, Rep. J. Allen, **ARS Titles Affected:** 41

S 1279 SPECIAL SENTENCING PROVISIONS; UNLAWFUL PRESENCE
If a person is convicted of any felony offense and the trier of fact determines that the person is unlawfully present in the U.S., the court is required to sentence the person to imprisonment for not less than the presumptive sentence and the person is not eligible for probation, suspension of sentence, community supervision, commutation or release on any basis. **First Sponsor:** Sen. Smith **Other Sponsors:** Sen. Borrelli, Sen. S. Allen, Sen. Petersen, Sen. Barto, Sen. D. Farnsworth, Sen. Lesko, Sen. Burges, Sen. Kavanagh, Rep. Finchem, Rep. Leach, Rep. J. Allen, Rep. Townsend, Rep. Lawrence, Rep. Bowers, **ARS Titles Affected:** 13

S 1280 GROUNDWATER; EXTINGUISHMENT CREDITS; PINAL AMA
The Department of Water Resources is prohibited from adopting or implementing any administrative rule in the Pinal Active Management Area that reduces the amount or quantity of credits for the extinguishment of irrigation grandfathered rights. Applies to any rule adopted before or after the effective date of this legislation. **First Sponsor:** Sen. Smith **Other Sponsors:** Rep. Cook, Rep. Shope, Rep. Finchem, Rep. Leach, **ARS Titles Affected:** 45

S 1281 EMPOWERMENT SCHOLARSHIP ACCOUNTS; REVISIONS
Various changes relating to empowerment scholarship accounts (ESAs). The definition of “qualified student” is modified to include an Arizona resident who resides within the attendance boundary of a school district, instead of only a school, that has been assigned a letter grade of D or F. The list of authorized uses of ESA money is modified to include contributions to a 529 education savings account, and to limit those contributions or contributions to a Coverdell education savings account to \$2,000 per year. The State Treasurer and the Department of Education are required, instead of permitted, to contract with private financial management firms to manage ESAs. The Dept is required to issue an award letter within 30 days, decreased from 45 days, after receipt of a completed application, and is prohibited from delaying the deposit of ESA monies

until a subsequent quarter. The Dept is required to develop and publish an ESA policy handbook by July 1 of each year. Session law requires the Dept is enter into one or more contracts with private contractors to substantially assist in the administration of ESAs by December 15, 2017. Also establishes an 8-member ESA Review Council to review and approve the contracts and the policy handbook. The Council is required to annually report its activities and recommendations to the Governor and the Legislature by December 15, and self-repeals January 1, 2021. **First Sponsor:** Sen. Smith **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. S. Allen, Sen. Petersen, Sen. Barto, Sen. D. Farnsworth, Sen. Lesko, Sen. Burges, Sen. Kavanagh, Rep. Stringer, Rep. Cook, Rep. Finchem, Rep. Leach, Rep. Nutt, Rep. J. Allen, Rep. Townsend, Rep. Boyer, Rep. Payne, Rep. Livingston, Rep. Lawrence, Rep. Bowers, **ARS Titles Affected:** 15

S 1282 TEACHERS; PERFORMANCE PAY; EVALUATIONS
Various changes to statutes relating to teacher performance evaluations and performance pay. The teacher evaluation policies that school district governing boards are required to adopt must include increased compensation based on performance. Beginning in school year 2018-19, individual teacher performance as measured by the teacher’s performance classification is required to account for at least 50 percent of a school district’s or charter school’s portion of the 40 percent allocation for teacher compensation based on performance. Also repeals the Arizona Performance Based Compensation System Task Force. **First Sponsor:** Sen. Smith **Other Sponsors:** Sen. Barto, Rep. Finchem, Rep. J. Allen, Rep. Boyer, Rep. Lawrence, Rep. Bowers, **ARS Titles Affected:** 15

S 1283 TECH CORRECTION; ILLEGALLY TAKING WILDLIFE
Minor change in Title 17 (Game and Fish) related to illegally taking wildlife. Apparent striker bus. **First Sponsor:** Sen. Pratt **ARS Titles Affected:** 17

S 1284 TECH CORRECTION; EARLY VOTING
Minor change in Title 15 (Education) related to school elections. Apparent striker bus. **First Sponsor:** Sen. Pratt **ARS Titles Affected:** 15

S 1285 TECH CORRECTION; GAME; FISH; FACILITIES
Minor change in Title 17 (Game and Fish) related to game and fish facilities. Apparent striker bus. **First Sponsor:** Sen. Pratt **ARS Titles Affected:** 17

S 1286 PERFORMANCE BONDS; CONTRACTOR RETENTION
If a construction contract between and owner and a contractor specifies that the contractor must purchase a performance bond against the value of the work to be completed, the contract cannot allow for retention by the owner. Does not apply if the bond is required by the state or a political subdivision as a condition of permit approval. **First Sponsor:** Sen. Pratt **ARS Titles Affected:** 32

S 1287 SECURITIES; REGISTRATION EXEMPTIONS
The list of exempt transactions for the purposes of securities registration is modified to declare that a sale is not considered to be made in the course of repeated or successive transactions if at least six months, reduced from nine months, have passed after the date of the last sale of the security by the issuer to an Arizona resident. The list of qualifications that must be met for an offer or sale of a security by the issuer to be exempt from specified securities regulations is expanded to include that the issuer is an Arizona resident. **First Sponsor:** Sen. D. Farnsworth **Other Sponsors:** Sen. S. Allen, Sen. Farley, Sen. Smith, Sen. Montenegro, Sen. Burges, Sen. Worsley, **ARS Titles Affected:** 44

S 1288 HOAS; BOARD CONFLICTS
Expands the list of reasons a condo or HOA board member is required to declare a conflict of interest to include any contract, decision or other action for compensation taken by the board that would benefit any employer or employee of that member. For all circumstances where a condo or HOA board member declares a conflict of interest, the board member is prohibited from playing a part directly or indirectly in the board’s deliberations or vote on that issue, instead of being permitted to vote after the declaration. **First Sponsor:** Sen. D. Farnsworth **Other Sponsors:** Sen. S. Allen, Sen. Bradley, Sen. Mendez, Sen. Miranda, Sen. Meza, Rep. Engel, **ARS Titles Affected:** 33

S 1289 HOAS; HEARINGS; ATTORNEY FEES
An administrative law judge is prohibited from awarding attorney fees to the association in a dispute between an owner and a condo association or homeowners’ association. **First Sponsor:** Sen. D. Farnsworth **Other Sponsors:** Sen. S. Allen, Sen. Smith, Sen. Burges, Sen. Miranda, Sen. Meza, Rep. Clodfelter, **ARS Titles Affected:** 12 32

S 1290 INTERNAL REVENUE CODE CONFORMITY
Makes changes to the state’s income tax laws so that they conform to the IRS Code in effect as of January 1, 2017. An annual exercise. **First Sponsor:** Sen. D. Farnsworth **ARS Titles Affected:** 42 43

S 1291 TAX CORRECTION ACT OF 2017
Corrections to the tax code as recommended by the Department of Revenue and Legislative Council. Changes are for clarification or to blend conflicting statutes and are not intended to be substantive. 58 pages. An annual exercise **First Sponsor:** Sen. D. Farnsworth **ARS Titles Affected:** 41 42 43

S 1292 AZ COMPETES FUND; MICROENTERPRISES
The list of authorized purposes for grants from the Arizona Competes Fund is modified to include supporting and advancing programs and projects for “microenterprises” (defined as a business located or principally based in Arizona that employs five or fewer employees). At least \$1 million from the Fund in each fiscal year must be used for grants to facilitate microenterprise development in Arizona. **First Sponsor:** Sen. D. Farnsworth **Other Sponsors:** Sen. S. Allen, Sen. Farley, Sen. Montenegro, Sen. Bowie, Sen. Burges, Sen. Worsley, **ARS Titles Affected:** 41

S 1293 PRIVATE VOCATIONAL PROGRAM LICENSE; EXEMPTION
The list of exemptions from private vocation program licensing requirements is expanded to include a private instructional program or course that is less than 24 hours in length and that charges a fee of less than \$1,000. **First Sponsor:** Sen. D. Farnsworth **Other Sponsors:** Sen. S. Allen, Sen. Farley, Sen. Burges, **ARS Titles Affected:** 32

S 1294 OUTDOOR ADVERTISING PROHIBITIONS
Outdoor advertising that promotes unlawful goods or activities to the public or that may be interpreted as contributing to the delinquency of a minor is prohibited from being placed or maintained adjacent to the interstate, secondary or primary systems. **First Sponsor:** Sen. D. Farnsworth **ARS Titles Affected:** 28

S 1295 FUNERAL DIRECTORS; EMBALMERS; BOARD MEMBERSHIPS
The membership of the State Board of Funeral Directors is modified to decrease the number of practicing funeral directors or embalmers to three, from four, and to increase the number of public members to four, from three. Session law allows current Board members to continue to serve until the expiration of their normal terms. **First Sponsor:** Sen. D. Farnsworth **Other Sponsors:** Sen. Fann, Sen. S. Allen, Sen. Farley, Sen. Montenegro, Sen. Burges, Sen. Worsley, Rep. Coleman, Rep. Boyer, Rep. Bowers, **ARS Titles Affected:** 32

S 1296 FUNERAL DIRECTOR LICENSURE
The requirements for licensure as a funeral director are modified to eliminate the requirement that the applicant has held an active license as an embalmer for at least one year. **First Sponsor:** Sen. D. Farnsworth **Other Sponsors:** Sen. Fann, Sen. S. Allen, Sen. Farley, Sen. Montenegro, Sen. Burges, Sen. Worsley, Rep. Boyer, **ARS Titles Affected:** 32

S 1297 ADOPTION; MARRIED COUPLE; PREFERENCE
Adoption placement preference is no longer required to be given to a married man and woman when all other relevant factors are equal. Statute allowing a husband and wife to jointly adopt is changed to allow married couples to jointly adopt. **First Sponsor:** Sen. Farley **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Bradley, Sen. Bowie, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Sen. Miranda, Sen. Quezada, Rep. Powers Hannley, **ARS Titles Affected:** 8

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

S 1298 ELECTRONIC DOCUMENTS; SIGNATURES; WILLS; TRUSTS

For the purpose of statutes governing wills and trusts, “executed” or “signed” includes the use of an “electronic signature” (defined elsewhere in statute). Establishes requirements for electronic wills and electronic trust instruments, including authentication method requirements. A video recording or other electronic record is admissible as evidence of the proper execution of a will or trust, subject to court rule. The signature or acknowledgement on a will may be witnessed in person or by means of a two-way audio and video conference. **First Sponsor:** Sen. Worsley **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. Burges, Sen. Brophy McGee, Rep. Shope, **ARS Titles Affected:** 14 44

S 1299 CHILD; FAMILY ADVOCACY CENTER; APPROP

Establishes the Child and Family Advocacy Center Fund to be administered by the Attorney General and distributed to child and family advocacy centers that apply for funding. Establishes requirements for a family advocacy center to be considered for funding from the Fund. Appropriates \$2 million from the general fund in FY2018-19 to the Fund for these purposes. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 8 41

S 1300 TECH CORRECTION; ALTCS INSURANCE; EXEMPTION

Minor change in Title 36 (Public Health and Safety) related to the Arizona Long-Term Care System. Apparent striker bus. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 36

S 1301 FAMILY CAREGIVER INCOME TAX CREDIT

For tax years beginning with 2018, an individual income tax credit is established for taxpayers who incur “qualifying expenses” (defined) for the care and support of “qualifying family members” (defined) in the taxpayer’s home. The amount of the credit is equal to 50 percent of the qualifying expenses incurred, up to \$1,000. To qualify for the credit, the taxpayer’s Arizona gross income in the tax year cannot exceed \$75,000 for a single person or a married person filing separately, or \$150,000 for a married couple filing jointly. If the allowable amount of the credit exceeds taxes due, the unused amount of the credit is waived and cannot be refunded or carried forward. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 43

S 1302 TECH CORRECTION; COMMUNICATION SERVICE INFO

Minor change in Title 13 (Criminal Code) related to communication service information. Apparent striker bus. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 13

S 1303 TECH CORRECTION; HEALTH PROFESSIONALS

Minor change in Title 32 (Professions and Occupations) related to dentistry permits. Apparent striker bus. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 32

S 1304 JTEDS; ENTREPRENEURSHIP PROGRAMS; REVIEW EXEMPTION

Joint Technical Education District programs and courses that are primarily devoted to teaching entrepreneurship methods and skills are not subject to first-year reviews by the Department of Education. **First Sponsor:** Sen. Farley **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Bradley, Sen. Bowie, Sen. Contreras, Sen. Hobbs, Sen. Mendez, **ARS Titles Affected:** 15

S 1305 ELECTION EQUIPMENT CERTIFICATION; PROCEDURES MANUAL

Machines or devices used at any election for federal, state or county offices may only be certified for use in Arizona and may only be used in Arizona if they comply with state law and the instructions and procedures manual adopted by the Secretary of State. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 16

S 1306 ELECTION RESULTS; STATEWIDE ELECTRONIC FORMAT

The Secretary of State is authorized to prescribe a uniform format for county officers in charge of elections for electronic transmittal of unofficial election results. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 16

S 1307 VOTER REGISTRATION; PRESIDENTIAL ELECTOR DEADLINES

If the 29th day preceding Election Day falls on a Saturday, Sunday or other legal holiday, voter registrations that are received on the next business day immediately following are deemed to have been timely received for purposes of voting in that election. The deadline for the chairmen of the state committee of a political party to file information on candidates appointed to be presidential electors with the Secretary of State is moved to an unspecified number of days after the primary election (blank in original), from at least 90 days but no more than 120 days before the primary election. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 16

S 1308 FLOOD CONTROL DISTRICTS; EASEMENTS, LEASES

Statute allowing a municipality to sell and convey all or any part of its real or personal property does not apply to the grant of an easement on or a lease of county flood control district property. A county flood control district is permitted to authorize the grant of an easement on or a lease of the district real property without public auction if a list of specified conditions is met. **First Sponsor:** Sen. Griffin **Other Sponsors:** Rep. Bowers, **ARS Titles Affected:** 48

S 1309 RENEWABLE ENERGY; ENVIRONMENTAL IMPACT; COMMITTEE

Establishes an 11-member Renewable Energy Technology Environmental Impact Study Committee to collect and study information on the environmental impact of solar energy panels and other renewable energy technology. The Committee is required to submit a report of its findings and recommendations to the Governor and the Legislature by December 31, 2017 and self-repeals October 1, 2018. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 41

S 1310 AZ CRIMINAL JUSTICE COMMISSION; MEMBERSHIP

Increases the number of members of the Arizona Criminal Justice Commission to 19 members by adding an attorney who practices primarily in the area of criminal defense and a representative of a Native American Tribe or Nation who has experience in the criminal justice or indigent defense field, both of whom are appointed by the Governor. Session law provides for the initial terms of the new members. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Dalessandro, Sen. Peshlakai, Sen. Mendez, Rep. Gabaldon, Rep. Powers Hannley, **ARS Titles Affected:** 41

S 1311 PAROLE REFORM; STUDY COMMITTEE

Establishes a 15-member Parole Reform Study Committee to research and report on all matters related to parole. The Committee is required to reports its findings and recommendations to the Governor and the Legislature by June 30, 2018 and self-repeals January 1, 2019. **First Sponsor:** Sen. Quezada **ARS Titles Affected:** 41

S 1312 ELECTRONIC BINGO

Various changes to statutes regulating games of bingo. Class A bingo licenses may be issued to the holder of a bar license, a beer and wine bar license or a club license, requirements for those license holders are established, and the Department of Gaming is authorized to adopt rules to establish and implement additional standards applicable to bingo conducted by those licensees. The bingo tax collected from those licensees is required to be deposited in the general fund, and the Legislature is required to annually appropriate 75 percent of the monies collected from that portion of the bingo tax to provide funding for full-day kindergarten instruction in public schools and the other 25 percent to the Department of Public Safety. Establishes minimum technical hardware and software standards applicable to bingo gaming systems and technological aid components and minimum technical standards for financial instrument and credit handling of bingo gaming systems. The Department of Gaming is required to submit technological aid software that affects the play of a bingo game to a testing laboratory within 120 days after the effective date of this legislation, and the testing laboratory is required to test the submissions to the statutory standards and provide a formal written report to the Dept. The Dept is authorized to approve any hardware or software modification to a bingo gaming system that the Dept determines will maintain or advance the bingo gaming system’s compliance with statute and standards adopted by the Dept, and Dept approval is required before such modifications

are implemented. More. **First Sponsor:** Sen. Borrelli **Other Sponsors:** Sen. Fann, Sen. Montenegro, Sen. Burges, Sen. Worsley, Rep. Cobb, Rep. Barton, Rep. Finchem, Rep. Bowers, **ARS Titles Affected:** 5

S 1313 APPROPRIATION; TEACHER RECRUITMENT; RETENTION

Makes a supplemental appropriation of \$28 million from the general fund in FY2017-18 to the Superintendent of Public Instruction for a one-time increase in the base level to be used for teacher recruitment, retention and professional development. **First Sponsor:** Sen. Bradley **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Bowie, Sen. Contreras, Sen. Hobbs, Sen. Mendez, **ARS Titles Affected:** 41

S 1314 SCHOOLS; STUDENT DATA PRIVACY

An “operator” (defined as the of an internet website, online service or application or mobile application with actual knowledge that the site, service or application is used primarily for school purposes and was designed and marketed for school purposes) is prohibited from using information obtained because of the use of that site, service or application for school purposes to knowingly engaging in a list of actions, including “targeted advertising” (defined), selling or renting a student’s information, and disclosing “covered information” (defined) for purposes other than a list of specifically authorized purposes. An operator is required to implement reasonable security procedures and practices appropriate to the nature of the covered information, and to delete a student’s covered information if the public school requests deletion. Violations are an unlawful practice and the Attorney General is authorized to investigate violations and take appropriate action. **First Sponsor:** Sen. S. Allen **ARS Titles Affected:** 15

S 1315 LEGAL DECISION-MAKING; PARENTING TIME

The factors the court is required to consider when determining legal decision-making and parenting time are modified to include which parent is more likely to allow the child “substantial” (defined as “essentially equal” parenting time and legal decision-making) contact with the other parent. For the purpose of statute requiring the court to adopt a parenting plan that maximizes both parents’ parenting time, “maximize” is defined as “to make substantial, frequent, meaningful and continuing.” **First Sponsor:** Sen. S. Allen **ARS Titles Affected:** 25

S 1316 JAIL DISTRICTS; MAINTENANCE OF EFFORT

For any county with a negative net new assessed valuation in any one year that occurs after 2015 and that is within the three-year period immediately preceding the imposition of a community corrections tax, that county is exempt from the statutory county jail district maintenance of effort requirements for the duration of the tax, and is instead subject to newly established county jail alternative maintenance of effort requirements. The Auditor General is required to determine the amount expended by the county for maintenance and operation of correctional facilities and programs in the immediately preceding fiscal year and an unspecified percent of that amount is the base expenditure (blank in original). The Auditor General is required to use the base expenditure to calculate the maintenance of effort requirements based on a specified formula. **First Sponsor:** Sen. S. Allen **ARS Titles Affected:** 48

S 1317 SCHOOLS; SPECIALLY DESIGNED INSTRUCTION

For the purpose of special education statutes, the definition of “specially designed instruction” is expanded to include instruction that is delivered by any person who is certificated by the Board of Education and who is determined by a student’s individualized education program team to be an appropriate provider based on the student’s individualized needs. **First Sponsor:** Sen. S. Allen **ARS Titles Affected:** 15

S 1318 TECH CORRECTION; CREDIT UNIONS; LOANS

Minor change in Title 6 (Banks and Financial Institutions) related to credit unions. Apparent striker bus. **First Sponsor:** Sen. Montenegro **ARS Titles Affected:** 6

S 1319 TELEMEDICINE; AUDIO VISUAL REQUIREMENTS

Deletes the requirement that telemedicine audio and visual capability meets the elements required by the federal Centers for Medicare and Medicaid Services. **First Sponsor:** Sen. Montenegro **ARS Titles Affected:** 32

S 1320 EMPLOYMENT; HOUSING; PUBLIC ACCOMMODATIONS; ANTIDISCRIMINATION

The list of attributes for which a person cannot be discriminated against in employment practices, various housing related statutes, and in places of public accommodation is expanded to include “sexual orientation,” “gender identity,” and “veteran status” (all defined). **First Sponsor:** Sen. Hobbs **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Bradley, Sen. Contreras, Sen. Mendez, Sen. Miranda, Sen. Quezada, Sen. Meza, **ARS Titles Affected:** 41

S 1321 DOI; REPORT; SURPRISE BILLING

The Department of Insurance is required to produce a report on “surprise billing” (defined) by January 1, 2018 and submit the report to the Governor and the Legislature. Information that must be included in the report is specified. **First Sponsor:** Sen. Bowie **Other Sponsors:** Sen. Lesko, **ARS Titles Affected:** 41

S 1322 CRIMINAL JUSTICE COMMISSION; LEGISLATIVE RECOMMENDATIONS

The Arizona Criminal Justice Commission is required to review and make recommendations to the Legislature on changing the calculation of earned release credits to allow nonviolent offenders to obtain earned release credits at a rate of one day for every three days served, reducing mandatory minimum sentence requirements and removing the ability of a judge or the Board of Executive Clemency to order a person’s reincarceration for violation only a technical term of the person’s release conditions. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Bradley, Sen. Bowie, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Sen. Miranda, Sen. Meza, **ARS Titles Affected:** 41

S 1323 JOINT SELECT COMMITTEE ON CORRECTIONS

Establishes a 9-member Joint Select Committee on Corrections to receive testimony on the construction schedule of prison beds previously authorized by the Legislature, on the growth or decline in the Department of Corrections’ inmate population and the conditions of confinement of the inmate population, and make recommendations to the Legislature regarding future prisons and capital investments to improve the conditions of confinement and working conditions for Dept staff. The Committee is required to submit a report to the Governor and the Legislature by October 15 of each year. The Committee terminates on July 1, 2025. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Bradley, Sen. Bowie, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Sen. Miranda, Sen. Meza, **ARS Titles Affected:** 41

S 1324 TECH CORRECTION; LUXURY TAX; EXEMPTION

Minor change in Title 42 (Taxation) related to luxury tax exemptions. Apparent striker bus. **First Sponsor:** Sen. Yee **ARS Titles Affected:** 42

S 1325 NURSING FACILITIES; ASSISTED LIVING; ADVERTISING

The results of a Department of Health Services state compliance survey of a nursing care institution, assisted living center or assisted living home or of a federal certification survey of a skilled nursing facility are prohibited from being used in an advertisement unless the advertisement includes a list of specified information about the survey. **First Sponsor:** Sen. Barto **Other Sponsors:** Rep. Carter, **ARS Titles Affected:** 36

S 1326 TELECOMMUNICATIONS; BROADBAND; ACCELERATED DEPRECIATION

Establishes an accelerated depreciation schedule for property tax purposes for “qualifying broadband infrastructure” (defined) for the first five tax years of assessment. Retroactive to January 1, 2017. **First Sponsor:** Sen. Lesko **Other Sponsors:** Sen. Fann, Sen. Cajero Bedford, Sen. Smith, Sen. Montenegro, Rep. Leach, **ARS Titles Affected:** 42

S 1327 GOLD STAR MEMORIAL

The Department of Administration is authorized to provide for the placement in Wesley Bolin Plaza of a Gold Star memorial. Public monies are not authorized for the costs of the memorial. Self-repeals October 1, 2021. **First Sponsor:** Sen. Lesko **Other Sponsors:** Sen. Borrelli, Sen. Peshlakai, Rep. Thorpe, Rep. Cook, Rep. Payne, Rep. Lawrence, Rep. Butler, **ARS Titles Affected:** 41

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

S 1328 ELECTION PROCLAMATION; BOARD CLERK

The Governor is required to transmit a copy of the election proclamation to the clerk of each county board of supervisors, and the clerk is required to publish a copy of the proclamation. Previously, the officer in charge of elections was required to notify the board of supervisors and the board was required to publish. **First Sponsor:** Sen. S. Allen **Other Sponsors:** Rep. Barton, Rep. Thorpe, **ARS Titles Affected:** 16

S 1329 FIRE FLOW REQUIREMENTS; RURAL APPLICABILITY

In a county with a population of less than 500,000 persons (all but Maricopa and Pima), any requirements to provide water and/or fire flow for fire protection under a fire code do not apply to single-family residential properties or single-family residential subdivisions with individual lot dimensions equal to or greater than 1/2 acre in size if the current “adjacent public water distribution system” (defined) does not meet the requirements to provide water and/or fire flow for fire protection. **First Sponsor:** Sen. S. Allen **ARS Titles Affected:** 37

S 1330 FIRE DISTRICTS; PENSION FUND; TRANSFER

If a fire district that has at least five full-time firefighters elects to provide coverage to its full-time firefighters under the Public Safety Personnel Retirement System (PSPRS), the amount of monies accumulated in the local Fire Fighters’ Relief and Pension Fund in excess of the amount necessary to provide benefits for voluntary firefighters may be transferred to the PSPRS Fund for the purposes of paying any service costs of the district attributable to the full-time firefighters who are included in PSPRS. **First Sponsor:** Sen. S. Allen **ARS Titles Affected:** 9

S 1331 WORKERS’ COMPENSATION; TIERED RATE FILINGS

An workers’ compensation insurer is authorized to file with the Department of Insurance a rate filing for workers’ compensation insurance that provides for a plan with more than one rate tier if the filing complies with a list of specified requirements. **First Sponsor:** Sen. Fann **ARS Titles Affected:** 20

S 1332 WORKERS’ COMPENSATION; WORK SEARCH REQUIREMENTS

At a hearing to determine loss of earning capacity for the purpose of workers’ compensation for partial disability, the injured employee has the burden of proof by a preponderance of the evidence that the injured employee made a good faith effort to obtain suitable work. **First Sponsor:** Sen. Fann **ARS Titles Affected:** 23

S 1333 WORKERS’ COMPENSATION; CLAIM SETTLEMENT

The interested parties to a claim are authorized to settle and release all or any part of the claim, and to negotiate a “full and final settlement” (defined). Some exceptions. Requirements for a full and final settlement are established. **First Sponsor:** Sen. Fann **ARS Titles Affected:** 23

S 1334 CONTRACTOR TPT; SOLAR ENERGY EXEMPTION

The deduction from the the tax base of the prime contracting classification of transaction privilege taxes for the gross proceeds of sales or gross income derived from a contract to provide and install a solar energy device is made permanent. Previously, the deduction applied to tax periods ending before January 1, 2017. **First Sponsor:** Sen. Borrelli **ARS Titles Affected:** 42

S 1335 BEHAVIOR ANALYSTS; COMMITTEE; LICENSURE; REGULATION

Establishes a 5-member Committee on Behavior Analysts within the State Board of Psychologist Examiners, and establishes Committee powers and duties. Increases the membership of the Board to ten, from nine, by adding one member who is a behavior analyst in professional practice. The Board is required to delegate all investigations of behavior analysts to the Committee, and statutory responsibility for investigations and disciplinary action of behavior analysts are transferred to the Committee. Board decisions for educational and training standards for behavior analyst licensure and license issuance must be made on the Committee’s recommendation. Session law provides for initial terms of Committee members. **First Sponsor:** Sen. Barto **ARS Titles Affected:** 32

S 1336 NURSE ANESTHETISTS; PRESCRIBING AUTHORITY; LIMITATION

Certified registered nurse anesthetists are authorized to issue a medication order for controlled substances, including the ability to write or issue a prescription for medications to be filled or dispensed for a patient for use outside of a health care institution. **First Sponsor:** Sen. Barto **ARS Titles Affected:** 32

S 1337 INDUSTRIAL HEMP; LICENSING

Adds a new article to Title 3 (Agriculture) regulating industrial hemp production, processing, manufacturing, distribution and commerce under the authority of the Department of Agriculture. The Dept is required to adopt rules to oversee the licensing, production and management of industrial hemp, including fees for licensing, testing and production supervision, and is prohibited from adopting a rule that prohibits a person from growing industrial hemp based on the legal status of industrial hemp under federal law. Industrial hemp growers and processors are required to obtain a license from the Dept, and licensing requirements are established. Licensing fees are deposited in the newly established Industrial Hemp Trust Fund, to be used by the Dept for administering and enforcing these regulations. Establishes requirements for recordkeeping, inspection, transportation and distribution of industrial hemp, and penalties for violations. **First Sponsor:** Sen. Borrelli **Other Sponsors:** Sen. Fann, Sen. Dalessandro, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Bradley, Sen. Montenegro, Sen. Bowie, Sen. Contreras, Sen. Hobbs, Sen. Miranda, Sen. Brophy McGee, Sen. Quezada, Sen. Meza, Rep. Campbell, Rep. Fernandez, Rep. Cobb, Rep. Barton, Rep. Thorpe, Rep. Cook, Rep. Friese, Rep. Finchem, Rep. Mitchell, Rep. Shooter, Rep. Weninger, Rep. Cardenas, Rep. Lawrence, Rep. Rios, **ARS Titles Affected:** 3 13 41

S 1338 CONSTRUCTION CONTRACTS; INDEMNIFICATION; LIABILITY PROVISIONS

A contracting agent is authorized to require a construction or architect-engineer professional service contract or subcontract to require the contractor, subcontractor or architect or engineer professional to indemnify and hold harmless the agent from liabilities, damages, losses and costs only to the extent caused by the negligence, recklessness or intentional wrongful conduct of that person or persons employed by that person in the performance of the contract or subcontract. Applies to all construction and architect-engineer professional service contracts and subcontracts entered into between private parties, which some exceptions. Applies only to contracts and subcontracts entered into or amended on or after the effective date of this legislation. Contains a legislative findings and intent section. **First Sponsor:** Sen. Fann **ARS Titles Affected:** 32

S 1339 CHILD CARE ASSISTANCE; APPROPRIATION

Appropriates \$4 million from the general fund in FY2017-18 to the Department of Economic Security for child care assistance costs. **First Sponsor:** Sen. Hobbs **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Bradley, Sen. Bowie, Sen. Contreras, Sen. Mendez, Sen. Miranda, Sen. Quezada, Sen. Meza, Rep. Powers Hannley, **ARS Titles Affected:** 41

S 1340 TANF ASSISTANCE; LIFETIME LIMIT

A needy family is ineligible for Temporary Assistance for Needy Families cash assistance, except in case of hardship, if the needy family includes a head of household or spouse who has received cash assistance for himself or on behalf of a dependent child for a total of 36 months, increased from 12 months. Cash assistance will terminate on September 1, 2017 for any family that has received 36 or more months of cash assistance as of that date. **First Sponsor:** Sen. Hobbs **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Bradley, Sen. Bowie, Sen. Contreras, Sen. Mendez, Sen. Miranda, Sen. Quezada, Sen. Meza, Rep. Powers Hannley, **ARS Titles Affected:** 46

S 1341 FOSTER CHILDREN; MOTOR VEHICLE INSURANCE

A minor who is at least 16 years of age and who is a foster child or a youth participating in the independent living program and who has completed a driver education program is authorized to contract for motor vehicle liability insurance that covers the minor. **First Sponsor:** Sen. Bradley **Other Sponsors:** Sen. Fann, Sen. Brophy McGee, **ARS Titles Affected:** 20

S 1342 SEARCH WARRANTS; TRACKING; SIMULATOR DEVICES

A “tracking device” (defined) search warrant or “cell site simulator device” (defined) search warrant is prohibited from being issued except on probably cause, supported by affidavit or oath, naming or particularly describing the person or property to be tracked or identified. Establishes a list of grounds on which a tracking device or cell site simulator device search warrant may be issued. The warrant is required to specify a reasonable length of time up to 60 days that the tracking device or cell site simulator device may be used, which may be extended for good cause. **First Sponsor:** Sen. Worsley **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. Pratt, Sen. Burges, **ARS Titles Affected:** 13

S 1343 COUNTY TRANSPORTATION EXCISE TAX; REAUTHORIZATION

At least 6, but not more than 12, months before the expiration of a county transportation excise tax, the county board of supervisors is authorized to call and conduct a countywide election for the renewal and extension of the tax for a term of at least 120 but no more than 240 months. The election must be conducted as nearly as practicable in the manner prescribed in statute for general elections. **First Sponsor:** Sen. Worsley **Other Sponsors:** Sen. Fann, Sen. Pratt, Sen. Burges, **ARS Titles Affected:** 42

S 1344 FIREARMS; STATE PREEMPTION; INDEPENDENT CONTRACTORS

Statute establishing state preemption over local jurisdiction firearms regulations no longer specifically allows a political subdivision to enact or enforce an ordinance or rule regulating independent contractors of the political subdivision who are acting within the course and scope of their employment or contract. **First Sponsor:** Sen. Kavanagh **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. S. Allen, Sen. Smith, Sen. Petersen, Sen. Montenegro, Sen. Griffin, Sen. Barto, Sen. D. Farnsworth, Sen. Lesko, Sen. Burges, Rep. Clodfelter, Rep. Finchem, Rep. Rivero, Rep. Lawrence, **ARS Titles Affected:** 13

S 1345 ADULT INCARCERATION CONTRACTS; COST COMPARISON

The Department of Corrections is required to conduct a biennial comparison of private prison contractors to the state in operating similar facilities, based on professional correctional standards specified by the Dept’s director. The comparison is used to determine if the contractor is providing at least the same quality of services at a lower cost or superior quality services at the same cost. Factors that must be considered in the comparison are listed. The director is required to provide the comparison to the Joint Legislative Budget Committee for contractors who contract exclusively with the Dept. **First Sponsor:** Sen. Farley **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Bradley, Sen. Bowie, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Sen. Quezada, Rep. Powers Hannley, **ARS Titles Affected:** 41

S 1346 APPROPRIATION; SCHOOL SOLUTIONS TEAMS

Appropriates \$3 million from the general fund in FY2017-18 to the Assistance for Education Fund to fund solutions teams assigned to schools that received a letter grade of D or below. **First Sponsor:** Sen. Farley **Other Sponsors:** Sen. Dalessandro, Sen. Peshlakai, Sen. Bradley, Sen. Bowie, Sen. Contreras, Sen. Hobbs, Rep. Powers Hannley, **ARS Titles Affected:** 41

S 1347 FINANCIAL DISCLOSURE; MODEL LEGISLATION; LOBBYING

The information that must be disclosed in public officer financial disclosure statements is expanded to include a description of any benefit received by the public officer or any member of his/her household or any of his/her relatives if the benefit is in the form of travel, lodging or registration fees related to a conference or other event. The Secretary of State is required to post information from financial disclosure statements on the website. For the purpose of lobbyist registration and regulations, the definition of “lobbying” includes communicating with or assisting a legislator with respect to or promoting the passage of draft, proposed or model legislation, whether at a conference or other event occurring at a location other than the Legislature or while at the Legislature. The descriptions of persons exempt from lobbyist regulations are modified. The information that must be contained in

lobbyist expenditure reports is expanded to include registration fees paid for a conference or other event. **First Sponsor:** Sen. Farley **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Contreras, Sen. Hobbs, **ARS Titles Affected:** 18 41

S 1348 STO CREDIT; AGGREGATE CAP; FREEZE

Beginning in FY2017-18, the aggregate dollar amount of the cap on the tax credit for contributions to school tuition organizations must remain unchanged from the previous FY. 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. **First Sponsor:** Sen. Farley **Other Sponsors:** Sen. Dalessandro, Sen. Otondo, Sen. Peshlakai, Sen. Bradley, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Sen. Quezada, Rep. Powers Hannley, **ARS Titles Affected:** 43

S 1349 TAX CREDITS; SUNSET

Any new transaction privilege or use tax credit established by the Legislature is required to include in its enabling legislation a specific repeal date of from and after December 31 of the 10th full calendar year following the date the credit is enacted. Establishes a repeal or termination date of January 1, 2028 for various existing TPT credits. Any new individual or corporate income tax credit established by the Legislature is required to include a specific repeal date of from and after December 31 of the 10th full calendar year following the date the credit is enacted. The Joint Legislative Income Tax Credit Review Committee is renamed the Joint Legislative Income Tax Credit Sunset Review Committee, and if the Committee recommends that a credit be retained, the credit must be assigned a subsequent repeal date. Numerous existing tax credits are repealed each tax year beginning in 2019 through tax year 2028. Due to a potential increase in state revenue, this bill requires the affirmative vote of at least 2/3 of each house of the Legislature for passage. **First Sponsor:** Sen. Farley **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Sen. Miranda, Sen. Quezada, **ARS Titles Affected:** 42 43

S 1350 TERRORIST THREATS; FALSE REPORTS; TERRORISM

The list of acts constituting terrorism, a class 2 (second-highest) felony, is modified to include to knowingly provide advice, assistance or direction in the conduct, financing or management of a terrorist organization. Minimum, presumptive and maximum sentences are established for the crime of terrorism. It is a class 3 (mid-level) felony to threaten to commit an act of terrorism and communicate the threat to any other person, and to knowingly make a false report of an act of terrorism and communicate the false report to any other person. Specified acts relating to infectious biological substances or radiological agents are removed from the list of acts constituting terrorism and are established as a separate class 2 felony. For the purpose of specified portions of the criminal code, the definition of “terrorism” is expanded to include any felony that involves the use of a deadly weapon or the intentional or knowing infliction of serious physical injury with the intent to intimidate or coerce a civilian population and further the goals, desires, aims, public pronouncements, manifestos or political objectives of any “terrorist organization” (defined). **First Sponsor:** Sen. Petersen **Other Sponsors:** Sen. Borrelli, Sen. Burges, Rep. E. Farnsworth, Rep. Grantham, **ARS Titles Affected:** 13

S 1351 SPOUSES; MARRIED COUPLES; TERMINOLOGY

All statutory references to husband and wife are deleted and replaced with “married couple” or “spouses.” Contains a legislative intent section. **First Sponsor:** Sen. Hobbs **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Bradley, Sen. Contreras, Sen. Quezada, Rep. Powers Hannley, Rep. Andrade, **ARS Titles Affected:** 7 8 10 11 12 13 14 23 25 32 33 36 42 43 46

S 1352 ABORTION; RELIGIOUS EMPLOYERS; CONTRACEPTION; REPEAL

Numerous changes related to the regulation of abortion. Abortions are no longer prohibited after 12 weeks gestation. A person performing an abortion is no longer required to obtain voluntary and informed consent and perform an ultrasound at least 24 hours

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

before performing the abortion. Various penalties for violations of abortion regulations and reporting requirements related to abortions are deleted. Statute prohibiting sex-selection or race-selection abortions is repealed. Repeals statute prohibiting the state or political subdivisions from entering into a contract with or making a grant to any person that performs nonfederally qualified abortions or operates a facility where nonfederally qualified abortions are performed, and regulating the expenditure or grant of public monies for family planning services. The Department of Health Services is no longer authorized to perform inspections of abortion clinics if there is reasonable cause to believe the clinic is not adhering to licensing requirements or any other law or rule concerning abortion. Health professionals that provide care to a female of reproductive age who states that she is the victim of rape must provide the patient with medical information about emergency contraception (defined as a drug or device that prevents pregnancy after sexual intercourse) and provide or prescribe emergency contraception at the patient’s request. Health professionals may refer the patient to another provider for forensic medical care and emergency contraception. Licensed pharmacies are required to properly fill valid prescription orders presented to the pharmacy by or for a customer. Pharmacy employees must notify the pharmacy in writing of all categories or types of prescription drugs and devices that the employee would decline to fill because of sincerely held religious beliefs, and the pharmacy must attempt to accommodate the employee if the accommodation can be made without causing undue hardship to the pharmacy or its customers. Also requires the Department of Health Services to administer a program to reduce the risks of unintended pregnancy by improving awareness of emergency contraception. “Religious employers” (defined) whose religious tenets prohibit the use of prescribed contraceptive methods are permitted to require a health or disability insurer to provide a contract without coverage for all contraceptive methods by submitting a written affidavit. Religious employers are prohibited from discriminating against an employee who independently chooses to obtain insurance coverage or prescriptions for contraceptives from another source. Religious employers are no longer permitted to require a health or disability insurer to provide a contract without coverage for specific items or services required by statute because providing or paying for coverage of those items or services is contrary to the religious beliefs of the religious employer offering the plan. The definition of “religious employer” is modified. More. **First Sponsor:** Sen. Hobbs **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Contreras, Sen. Mendez, Sen. Quezada, Rep. Powers Hannley, Rep. Andrade, **ARS Titles Affected:** 13 20 32 35 36 38

S 1353 EMPLOYMENT & LABOR OMNIBUS Various changes related to employment regulations. Employers are prohibited from taking adverse employment action against an employee because the employee discloses his/her wages, and from requiring an employee to sign a waiver or other document that prohibits such disclosure. Statute prohibiting employers from paying any employee at wage rates less than the rates paid to employees of the opposite sex are modified to require equal wage rates for substantially similar work when viewed as a composite of skill, effort and responsibility and performed under similar working conditions, unless the employer demonstrates that the wage differential is based on specified factors. In addition to the wages the employee is deprived by reason of a violation, an employer in violation is liable to the employee affected for interest on the wages, and an amount equal to the wages as liquidated damages. An employer is prohibited from discharging or discriminating or retaliating against an employee who takes action to invoke or assist in the enforcement of these regulations. The Industrial Commission is required to issue an equal pay certificate to a business that meets specified qualifications, including that the average compensation for female employees is no consistently below the average compensation for male employees within each job category. Beginning January 1, 2018, a business that has at least 40 full-time employees in Arizona or in the state where the business’s primary place of business is located is required to have an equal pay certificate or a waiver in order to be eligible to contract with any purchasing agency in Arizona for a procurement of more than \$500,000. Employers are

no longer permitted to pay employees who customarily and regularly receive tips a wage up to \$3 per hour less than the minimum wage if specified conditions are met. Employees are authorized to request a change in the terms and conditions of employment related to a list of specified factors, and the employer is required to engage in a timely, good-faith interactive process with the employee to discuss potential changes to meet the employee’s needs. Establishes requirements for pay and schedule notice for retail, food service or cleaning employees. Due to voter protection, the minimum wage provisions of this bill require the affirmative vote of at least 3/4 of each house of the Legislature for passage. **First Sponsor:** Sen. Hobbs **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Contreras, Sen. Quezada, Rep. Powers Hannley, Rep. Andrade, **ARS Titles Affected:** 23 41

S 1354 SCHOOLS; BULLYING POLICY; DEFINITION Defines “bullying” as any written, verbal or physical act or any electronic communication that is intended to harm a student. Charter schools are required to prescribe and enforce policies and procedures to prohibit students from harassing, intimidating and bullying other students. The policies and procedures must include specified elements. Also modifies the required elements of school district anti-bullying policies. **First Sponsor:** Sen. Hobbs **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Bradley, Sen. Contreras, Sen. Mendez, Sen. Quezada, Rep. Powers Hannley, Rep. Andrade, **ARS Titles Affected:** 15

S 1355 SEXUAL ASSAULT; SURVIVOR RIGHTS Establishes a list of rights that a survivor of a sexual assault has, including the right not to be prevented from or charged for a medical forensic examination and various rights relating to a sexual assault evidence collection kit. **First Sponsor:** Sen. Hobbs **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Bradley, Sen. Contreras, Sen. Mendez, Sen. Quezada, Rep. Powers Hannley, Rep. Andrade, **ARS Titles Affected:** 8 13

S 1356 SCHOOLS; CORPORAL PUNISHMENT If a school district or charter school allows “corporal punishment” (defined), the governing body of the school district or charter school is required to review the corporal punishment policy at a public meeting within one year after the effective date of this legislation and vote to either retain, revoke or modify the policy. Does not prevent a list of specified actions. **First Sponsor:** Sen. Hobbs **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Bradley, Sen. Bowie, Sen. Contreras, Sen. Quezada, Rep. Powers Hannley, Rep. Andrade, **ARS Titles Affected:** 15

S 1357 MINORS; CONSENT; HOUSING; SHELTER SERVICES A “homeless minor” (defined) is authorized to consent to receive housing or be admitted to a shelter and receive shelter services, and the consent of the homeless minor’s parent or legal guardian is not necessary. A shelter, housing or other service provider acting in reliance on a minor’s consent is not subject to criminal and civil liability and professional disciplinary action for failing to obtain the consent of the minor’s parent or legal guardian. **First Sponsor:** Sen. Hobbs **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Peshlakai, Sen. Farley, Sen. Bradley, Sen. Contreras, Sen. Mendez, Sen. Miranda, Sen. Brophy McGee, Sen. Quezada, Rep. Powers Hannley, Rep. Andrade, **ARS Titles Affected:** 44

S 1358 MUNICIPALITIES; COUNTIES; RENT CONTROL; SENIORS Municipalities and counties are authorized to adopt a rent control ordinance for residential dwelling units and mobile home spaces that are rented to an individual who is 62 years of age or older. **First Sponsor:** Sen. Hobbs **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Peshlakai, Sen. Farley, Sen. Contreras, Sen. Quezada, Rep. Powers Hannley, Rep. Andrade, **ARS Titles Affected:** 9 11

S 1359 DES; DCS; DIRECTOR; QUALIFICATIONS The minimum qualifications for the Director of the Department of Child Safety and the Director of the Department of Economic Security are modified to require each Director to have a master’s or doctoral degree in social work, public health, human services, public administration or other related fields, at least

12 years of experience in the provision and supervision of child welfare or social services programs, and at least 2 years of demonstrated successful experience in the management of a large health or human services system. **First Sponsor:** Sen. Hobbs **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Bowie, Sen. Contreras, Sen. Quezada, Rep. Powers Hannley, **ARS Titles Affected:** 8 41

S 1360 PERMANENT GUARDIANSHIP; DEPENDENCY PROCEEDINGS; REUNIFICATION If a dependency petition is filed on a permanent guardian, the court is required to order reunification services in the pending dependency proceeding for the parent whose child was previously adjudicated dependent resulting in the appointment of the permanent guardian if that parent meets a list of specified conditions. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 8

S 1361 DCS REPORT CONSOLIDATION The Department of Child Safety (DCS) is required to make available program and outcomes data on its website in a format that can be downloaded and is conducive to analysis. On a quarterly basis, DCS is required to make available information on case-loads for child safety workers, the number of new cases, cases that remain open and cases that have been closed. On an annual basis, DCS is required to make available the number of investigations that resulted in a substantiated or unsubstantiated report, specified information on criminal conduct allegations, and various other information on foster care. Various DCS reporting requirements are eliminated. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 8

S 1362 DENTAL BOARD; DENTISTS; DENTAL HYGIENISTS Various changes to statutes relating to the Board of Dental Examiners. The list of procedures that dental hygienists are authorized to perform is repealed and replaced. The requirements for a dental hygienist to be eligible to enter into an affiliated practice relationship with a dentist and the requirements that a dental assistant must meet in order to perform expanded functions are modified. Session law requires the Board to provide a one-time waiver from license or certificate renewal fees for dentists, denturists and dental hygienists who are licensed in Arizona before July 1, 2017. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 32 36

S 1363 LIQUOR LICENSES; NONUSE; DISCRETIONARY CANCELLATION The Department of Liquor Licenses and Control is permitted to cancel a liquor license after 36 months of continuous nonuse if the Dept provides notice to the licensee before cancellation. Previously, a liquor license automatically reverted to the state after being held in continuous nonuse in excess of 36 months. **First Sponsor:** Sen. Otondo **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Peshlakai, Sen. Farley, Sen. Bowie, Sen. Contreras, Sen. Hobbs, Sen. Miranda, Sen. Quezada, **ARS Titles Affected:** 4

S 1364 ELDER ABUSE INVESTIGATIONS; STUDY COMMITTEE Establishes a 19-member Elder Abuse Investigation Study Committee to study the state’s system of protecting, preventing, investigating and prosecuting elder abuse cases. The Committee is required to report its findings and recommendations to the Governor and the Legislature by December 15, 2017 and self-repeals January 1, 2021. **First Sponsor:** Sen. Otondo **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Peshlakai, Sen. Farley, Sen. Bradley, Sen. Bowie, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Sen. Miranda, Sen. Quezada, **ARS Titles Affected:** 41

S 1365 WILDFIRE SUPPRESSION; JOINT STUDY COMMITTEE Establishes a 13-member Joint Wildfire Suppression Study Committee to study the costs of wildfire suppression and catastrophic wildfires and research potential economic development that could accompany forest management. The Committee is required to report its findings and recommendations to the Governor and the Legislature by December 31, 2017 and self-repeals October 1, 2018. **First Sponsor:** Sen. Otondo **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Peshlakai, Sen. Farley, Sen. Bradley, Sen. Bowie, Sen. Contreras, Sen. Hobbs, Sen. Miranda, Sen. Quezada, **ARS Titles Affected:** 41

S 1366 PEACE OFFICER; VICTIM; AGGRAVATING FACTOR The list of aggravating circumstances for the purpose of felony sentencing is expanded to include evidence that the defendant committed the crime out of malice toward a victim because of the victim’s employment as a peace officer or because of the defendant’s perception of the victim’s employment as a peace officer. **First Sponsor:** Sen. Smith **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. S. Allen, Sen. Pratt, Sen. Petersen, Sen. Montenegro, Sen. Griffin, Sen. Barto, Sen. D. Farnsworth, Sen. Burges, Sen. Kavanagh, Sen. Worsley, Rep. Thorpe, Rep. Finchem, Rep. Leach, Rep. J. Allen, Rep. Weninger, Rep. Livingston, Rep. Lawrence, **ARS Titles Affected:** 13

S 1367 ABORTION; LIVE DELIVERY; REPORT; DEFINITION If a human fetus or embryo is “delivered alive” (defined), the physician performing the abortion is required to document and report to the Department of Health Services the measures the physician performed to maintain the life of the fetus or embryo. An action to enforce this requirement must be brought in the name of the state by the Attorney General or the county attorney in the superior court in the county in which the violation occurred. Contains legislative findings. Does not create or recognize a right to abortion. Severability clause. **First Sponsor:** Sen. Smith **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. S. Allen, Sen. Pratt, Sen. Petersen, Sen. Montenegro, Sen. Griffin, Sen. Barto, Sen. D. Farnsworth, Sen. Yee, Sen. Lesko, Sen. Burges, Sen. Kavanagh, Sen. Worsley, Sen. Miranda, Rep. Cobb, Rep. Mosley, Rep. Barton, Rep. Shope, Rep. Finchem, Rep. Leach, Rep. E. Farnsworth, Rep. Grantham, Rep. Mitchell, Rep. John, Rep. Nutt, Rep. J. Allen, Rep. Townsend, Rep. Mesnard, Rep. Norgaard, Rep. Boyer, Rep. Payne, Rep. Livingston, Rep. Lawrence, Rep. Bowers, **ARS Titles Affected:** 36

S 1368 NEWBORN SCREENING; FEES The maximum fee the Department of Health Services for the first specimen and hearing test in the newborn screening program is increased to \$36, from \$30. Due to a potential increase in state revenue, this legislation requires the affirmative vote of at least 2/3 of the members of each house of the Legislature for passage. **First Sponsor:** Sen. S. Allen **ARS Titles Affected:** 36

S 1369 TECH CORRECTION; PUBLIC ROADWAYS Minor change in Title 28 (Transportation) related to public roadways. Apparent striker bus. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 28

S 1370 ELECTIONS; UNLAWFUL VOTING; RESIDENCE It is a class 5 (second-lowest) felony to knowingly vote in two or more jurisdictions in Arizona for which residency is required for lawful voting and the person is not a resident of all jurisdictions in which the person voted. Specifies that a person has only one residence for the purpose of voting. It is a class 5 felony to knowingly vote in Arizona in an election in which a federal office appears on the ballot and vote in another state in an election in which a federal office appears on the ballot and the election day for both states is the same. Contains a legislative intent section. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 16

S 1371 DELINQUENT PROPERTY TAXES; COMMON AREAS A tax that is levied against a residential common area that is valued as a common area is the corporate liability of the homeowners’ association, in addition to being a lien against the property. If a tax lien on a residential common area is sold to a purchaser, the tax lien is satisfied on payment by the purchaser of the amount of delinquent taxes, interest and penalties, but the redemption and foreclosure provisions of statute do not apply and the purchaser’s recourse is through judicial action against the homeowners’ association. **First Sponsor:** Sen. Petersen **ARS Titles Affected:** 42

S 1372 LEGISLATIVE REVIEW OF RULES Any standing committee of the Legislature is authorized to review any proposed, final, expedited or emergency rule. If the standing committee determines that the rule violates the legislative intent of the statute under which the rule was adopted, a concurrent resolution may be adopted approving or rejecting the rule, and the rule is rendered void and unenforceable. **First Sponsor:** Sen. Montenegro **Other Sponsors:** Sen. Smith, Sen. Petersen, Sen. D. Farnsworth, Sen. Lesko, Sen. Burges, **ARS Titles Affected:** 41

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

S 1373 SCHOOLS; PRIVACY; BIOMETRICS

Schools and school service providers are prohibited from collecting or possessing “biometric information” (defined) of elementary or secondary school students unless the school or service provider first meets a list of specified requirements, including mandating the permanent destruction of the information after it no longer benefits the student’s education, and obtaining a written release to collect the information. Schools and school service providers are prohibited from sharing, selling, leasing, trading or otherwise profiting from a student’s biometric information. Any person aggrieved by a violation of these requirements has a right of action in a court of competent jurisdiction. **First Sponsor:** Sen. Montenegro **ARS Titles Affected:** 1 15

S 1374 SCHOOLS; DATA PRIVACY

“School service providers” (defined) are required to provide information about the types of “student personal information” (defined) collected, obtain consent before using student personal information in a manner inconsistent with the privacy policy in effect at the time of collection, maintain a comprehensive information security program for student personal information, and deleted student personal information within a reasonable period of time unless consent is obtained from the student’s parent or guardian to retain the information. School service providers are permitted to collect, use and share student personal information only for the purposes authorized by the school district, charter school or teacher, or with the consent of the student’s parent or guardian. Establishes a list of prohibited acts by school service providers to take with student personal information. Violations are an unlawful practice and subject to investigation and enforcement by the Attorney General. **First Sponsor:** Sen. Montenegro **ARS Titles Affected:** 15

S 1375 SCHOOLS; BONDS; OVERRIDES; FUNDING SOURCES

The information that must be contained in the report on proposed school district budget increases or school bonds (which is mailed to the households in which qualified electors reside within the school district) is expanded to include a statement with the total dollar amount per pupil in revenues that the district received from all funding sources (federal, state and local) for all capital and noncapital expenditures for the most recent available fiscal year. **First Sponsor:** Sen. Montenegro **Other Sponsors:** Sen. Smith, Sen. Petersen, Sen. Barto, Sen. D. Farnsworth, Sen. Burges, Rep. Mitchell, **ARS Titles Affected:** 15

S 1376 COMPACT; PROSPERITY DISTRICTS

Enacts and adopts a prosperity states compact to establish prosperity districts to advance each enacting state’s mutual sovereign interest in promoting prosperity by creating a “stable public policy environment consisting of optimal regulatory and fiscal policy.” Establishes a framework for prosperity district governance structure and legal capacity, including a district managing board, and specifies that every prosperity district has exclusive governing jurisdiction within its boundaries. Provides for concurrent law enforcement jurisdiction. Establishes a process for prosperity district formation, expansion and withdrawal. When at least two member states are contractually bound to the compact, a Prosperity States Compact Commission is established, and powers and duties of the Commission and Commissioners are specified. More. **First Sponsor:** Sen. Montenegro **Other Sponsors:** Sen. Borrelli, Sen. S. Allen, Sen. Smith, Sen. Petersen, Sen. Barto, Rep. Campbell, Rep. Finchem, Rep. Mitchell, Rep. Kern, Rep. Livingston, **ARS Titles Affected:** 11

S 1377 CONTROLLED SUBSTANCES; APPROVED MEDICATIONS

Any cannabinoid, mixture or preparation that contains cannabidiol and that is approved by the U.S. Food and Drug Administration and rescheduled by the U.S. Druge Enforcement Administration is a controlled substance for the purposes of the Uniform Controlled Substances Act and may be prescribed in Arizona. Contains a legislative intent section. Conditionally enacted on a cannabidiol investigational product being approved as a prescription medication under a federal interim final rule by January 1, 2021. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 36

S 1378 SCHOOLS; TECHNOLOGY; INTERNET SAFETY; POLICIES

By November 15, 2017, the Department of Education is required to convene and consult with an advisory committee to identify and develop best practices and recommendations for instruction in digital citizenship

and media literacy. The Dept is required to submit a report to the Governor and the Legislature on strategies to implement the best practices and recommendations statewide. Beginning in the 2017-18 school year, school districts and charter schools are required to annually review their policies and procedures on digital citizenship, internet safety, and media literacy. Contains a legislative intent section. **First Sponsor:** Sen. Montenegro **ARS Titles Affected:** 15

S 1379 MISUSED TRANSPORTATION EXCISE TAX; REPAYMENT

If a jurisdiction did not use revenues from the county transportation excise tax in the manner required by statute, the Department of Revenue must require that jurisdiction to directly repay the full amount of mis-used monies to the county’s Regional Area Road Fund over a period of up to ten fiscal years. **First Sponsor:** Sen. Lesko **Other Sponsors:** Sen. Farley, **ARS Titles Affected:** 28

S 1380 DCS; BACKGROUND CHECKS; CENTRAL REGISTRY

Various changes to statutes related to the Department of Child Safety (DCS). DCS is required to conduct central registry background checks as a factor to determine qualifications for individuals who are employed or applying for employment with a child welfare agency in positions that provide direct service to children or vulnerable adults. A denial, suspension or revocation of a foster home license due to failure to obtain or maintain a level I fingerprint clearance card is not an appealable agency action. **First Sponsor:** Sen. Barto **ARS Titles Affected:** 8

S 1381 DCS; REVISIONS; CONFIDENTIALITY; APPEALS

Department of Child Safety (DCS) decisions and orders are appealable agency actions subject to the uniform administrative hearing procedures of the Administrative Procedures Act, instead of being appealable as adjudicative proceedings. **First Sponsor:** Sen. Barto **ARS Titles Affected:** 8 41

S 1382 EMPLOYMENT DISCRIMINATION; PROHIBITION

The list of attributes for which a person cannot be discriminated against in employment practices is expanded to include gender, gender identity or expression or sexual orientation. A religious organization is allowed to take certain employment actions on the basis of gender, gender identity or expression or sexual orientation if the employee’s position is directly related to the religious functions of the organization or directly involved in providing education to students of an educational institution substantially controlled or supported by the religious organization. **First Sponsor:** Sen. Bowie **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Bradley, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Sen. Miranda, Sen. Quezada, Sen. Meza, Rep. Engel, Rep. Epstein, Rep. Cardenas, Rep. Alston, Rep. Blanc, Rep. Salman, Rep. Butler, **ARS Titles Affected:** 41

S 1383 STATE FINANCE REVIEW; TASK FORCE

Establishes a 22-member Citizens Finance Review Task Force to perform an analysis of the source of general fund and nongeneral fund revenues and expenditures as compared to other states, and make recommendations regarding the responsible retirement of existing state debt. The Task Force is required to submit a report to the Governor and the Legislature by September 30, 2018, and to present the report to a joint meeting of the legislative appropriations committees by January 31, 2019. Self-repeals October 1, 2020. **First Sponsor:** Sen. Bowie **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Bradley, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Sen. Quezada, Rep. Epstein, Rep. Blanc, Rep. Salman, Rep. Butler, **ARS Titles Affected:** 41

S 1384 SCHOOL-SPONSORED MEDIA; STUDENT JOURNALISTS

A “student journalist” (defined) is permitted to exercise freedom of speech and freedom of the press in “school-sponsored media” (defined), and cannot be disciplined for acting accordingly. Each school district governing board, charter school governing body, community college district governing board and the Arizona Board of Regents is required to adopt a written policy consistent with these provisions. **First Sponsor:** Sen. Yee **ARS Titles Affected:** 15

S 1385 VOTER REGISTRATION; SOCIAL SECURITY NUMBER

The list of items that constitute satisfactory evidence of U.S. citizenship for voter registration is expanded to include verification of the last four digits of the applicant’s social security number. Due to voter protection, this bill requires the affirmative vote of at least 3/4 of each house of the Legislature for passage. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Mendez, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 16

S 1386 STATEWIDE VOTER REGISTRATION PORTABILITY

If a voter has moved from the address at which the voter is registered to a different county and has failed to reregister at the new address before the date of an election, the voter must be permitted to correct the statewide voter registration records for the purpose of voting in future elections and must be permitted to vote a provisional ballot. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Mendez, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 16

S 1387 EARLY VOTING LOCATIONS; EXTENDED HOURS

On-site early voting locations are required to be open until 7:00 PM each business day during the early voting period through the Monday preceding election day (instead of until 5:00 PM through the Friday preceding election day), and must also be open on Saturdays and Sundays until 7:00 PM during the two weekends immediately preceding election day. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Mendez, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 16

S 1388 EARLY BALLOT; ELECTION DAY POSTMARK

An early ballot and affidavit that is postmarked by U.S. mail by the election day is valid and must be counted. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Mendez, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 16

S 1389 VOTING CENTERS; ON-CAMPUS VOTING

In consultation with the Arizona Board of Regents and community college district boards, the board of supervisors of each county is required to designate certain on-campus locations as voting centers for each university and community college campus during the early voting period and on election day. The campus voting centers must allow any voter in the county to receive and lawfully cast the appropriate ballot. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Mendez, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 16

S 1390 ELECTION PROCEDURES; WORKERS; PRECINCT; PROVISIONALS

Various changes relating to election procedures. County boards of supervisors are required to designate at least 1/2 of the total number of the county’s precincts for the use of electronic media poll lists, registers and signature rosters, and are required, instead of permitted, to authorize the use of voting centers in place of or in addition to specifically designated polling places. Each polling place is required to provide a separate line for voters who are voting by provisional ballot. Before the appointment of election workers, the county officer in charge of elections is required to determine whether each precinct is likely to comply with a 30 minute maximum allowable wait time and consider implementing a plan to comply that incorporates bilingual board workers and revisions to precinct lines and locations of polling places. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Mendez, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 16

S 1391 ELECTIONS; POLLING PLACES; STANDARDS

The Secretary of State, county recorders and other officers in charge of elections are required to meet at least annually to consider and develop standards and procedures to ensure that voters do not wait more than one hour to vote at a polling place or voting center, determine the appropriate number of polling places for an election and jurisdiction, and other polling place-related issues. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Mendez, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 16

S 1392 EARLY BALLOTS; PRECINCT BALLOT BOX

Any qualified elector who is listed as having applied for an early ballot and who appears at the polling place with the early ballot must be allowed to vote that early ballot at the polling place as a reg-

ular ballot, and a provisional ballot is not required. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Mendez, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 16

S 1393 PRESIDENTIAL PREFERENCE ELECTION; INDEPENDENT VOTERS

Voters registered without a political party designation may vote in the presidential preference election and may select the ballot of any political party at that election. **First Sponsor:** Sen. Quezada **Other Sponsors:** Rep. Andrade, **ARS Titles Affected:** 16

S 1394 PROVISIONAL BALLOTS; RESIDENCE; PARTIAL TABULATION

If a precinct election board verifies that a voter’s residence address is not within the precinct, the voter must be directed to the correct precinct. If the voter refuses to go to the correct precinct, the election board is required to provide a provisional ballot to that elector with a warning that a portion of the ballot will not be counted if the voter votes in the wrong precinct. The Secretary of State is required to design a provisional ballot envelope template that includes signature lines for the voter and the election board official to affirm that the recorded precinct and the warning were communicated. If the voter cast a provisional ballot in the correct county but the incorrect precinct, the votes on the ballot that the voter would have been eligible to cast must be counted. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Mendez, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 16

S 1395 PROVISIONAL BALLOTS; VERIFICATION; TALLY

For any prospective voter who appears at an incorrect polling place, the board worker at that polling place is required to complete a form in duplicate that contains the name of the precinct where the voter appeared and the name and location of the voter’s correct precinct and polling place, keep a copy of the form and provide a copy to the voter. The voter must present the form at the polling place where s/he was directed to appear and vote a provisional ballot. On completion of the verification process for that voter’s provisional ballot, if the voter was directed to the incorrect precinct, the ballot is counted only for those candidates that are not precinct specific. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Mendez, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 16

S 1396 PROVISIONAL BALLOTS; INCORRECT PRECINCT; TALLY

For a voter who casts a provisional ballot in an incorrect precinct, the county recorder is required to count that person’s votes for candidates and ballot measures for which the person was entitled to vote but cannot count the votes for which that person was not entitled to vote, as determined by that person’s residence. The officer in charge of elections is required to prepare a true duplicate ballot containing only those votes cast by that person in those races in which that person was entitled to vote, which must be made in the presence of witnesses and substituted for the original ballot. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Mendez, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 16

S 1397 EARLY BALLOTS; VERIFICATION; CURE

The county recorder or officer in charge of elections is required to provide for a method of notifying an early ballot voter if there is a defect in the voter’s ballot materials that will result in the rejection of the voter’s ballot and allow the voter to attempt to cure the defect within the 10 days immediately following election day. The county recorder or officer in charge of elections is required to tabulate the ballot as otherwise provided by law and to further notify the voter whether the ballot was verified and counted. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Mendez, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 16

S 1398 TELEMEDICINE; UROLOGY; INSURANCE COVERAGE

Beginning on January 1, 2019, expands the list of health care services that health and disability insurance policies or contracts executed or renewed on or after January 1, 2018 are required to provide coverage for to include urology, if those services are provided through “telemedicine” (defined as the use of interactive audio, video or other electronic media for diagnosis, consultation or treatment) and if the service

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

would be covered were it provided through in-person consultation. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 20

S 1399 ARIZONA POWER AUTHORITY; CONFLICTS; MEETINGS
Conflict of interest statutes apply to all members of the Arizona Power Authority Commission. Specifies that the Commission is not prevented from holding executive sessions. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 30

S 1400 HOAS; ASSESSMENT LIENS; FORECLOSURE
Condominium association and homeowners’ associations are required to offer a reasonable payment plan for assessments, for charges for late payment of assessments, for reasonable collection fees and for reasonable attorney fees and costs incurred with respect to assessments, and are required to make and document that offer before attempting to foreclose on the lien or otherwise collect those monies. Such liens can be foreclosed only if the owner has been delinquent for two years, increased from one year, or in the amount of \$2,500 or more, increased from \$1,200, whichever occurs first. **First Sponsor:** Sen. D. Farnsworth **Other Sponsors:** Sen. S. Allen, Sen. Miranda, Sen. Quezada, Sen. Meza, **ARS Titles Affected:** 33

S 1401 HOAS; MANAGERS; DUTIES; GRATUITIES
A condominium association or homeowners’ association’s employees and independent contractors, including “community managers” (defined) are prohibited from soliciting, receiving or accepting any undisclosed fee, compensation, commission or gratuity from any third party that provides or solicits to provide goods or services to the HOA. A community manager is required to act in good faith and in compliance with HOA documents and applicable law, and is prohibited from requiring the HOA to indemnify or otherwise defend the community manager from claims or complaints arising from his/her actions. **First Sponsor:** Sen. D. Farnsworth **Other Sponsors:** Sen. Otondo, Sen. Bowie, Sen. Miranda, **ARS Titles Affected:** 33

S 1402 HOAS; IMPROVEMENT DISTRICTS; ZONING
Counties and municipalities are no longer prohibited from requiring as part of a subdivision approval or regulation or a zoning ordinance that a subdivider or developer establish a homeowner’s association, and are instead required to provide for the establishment of single-family residential property developments that do not include property held in common ownership and that are required to be included in an improvement district for the limited purpose of owning, operating and maintaining any detention and retention basins, landscaping, open spaces, parks, entryways, street rights-of-way, recreational facilities and other improvements for the benefit of the private property owners within the development and the improvement district. Does not prohibit a subdivider or developer from obtaining approval for a residential property development that does not include property held in common ownership without an improvement district. **First Sponsor:** Sen. D. Farnsworth **Other Sponsors:** Sen. Miranda, Sen. Meza, **ARS Titles Affected:** 9 11 48

S 1403 MUNICIPALITIES; COUNTIES; TINY HOMES; CODES
Municipalities and counties are required to adopt residential building code requirements for “tiny home” (defined as a single-family dwelling that is not more than 400 square feet) construction. **First Sponsor:** Sen. D. Farnsworth **ARS Titles Affected:** 9 11

S 1404 COMMUNITY FACILITIES DISTRICTS; AMENDMENTS
Various changes to statutes related to community facilities districts. On presentation of a petition signed by the owners of at least 25 percent of the land area proposed to be included in the district and a completed application for district formation, the municipal governing body is required to hold a public hearing to consider the application within 60 days. After the hearing, the governing body is authorized to adopt a resolution declaring its intention to form a district that includes contiguous or noncontiguous property that is wholly within the municipal boundaries. If the application for district formation includes noncontiguous property, each discrete property is required to be located within 1/2 mile of another discrete property the is proposed to be included in the district. Information that must be included in a completed

application for district formation is listed. An objection to district formation must be filed within 30 days after adoption of the resolution of intent to form a district. The fees and other charges assessed by a municipality or county in connection with district formation are capped at \$15,000, and municipalities and counties are required to use any fees or other charges paid by the applicant before district formation that exceed the actual costs of district formation solely to support the formation or administration of the district. Establishes requirements for an applicant to request financing from general obligation bonds or revenue bonds. By January 1, 2018, municipal governing bodies are required to adopt ordinances or policies that include specified information about district formation. Severability clause. **First Sponsor:** Sen. Lesko **ARS Titles Affected:** 48

S 1405 SCHOOLS; ELECTIONS; BALLOT ARGUMENTS; EXCLUSION
The ballot argument for a proposed school district budget increase or change, which is contained in the informational report mailed to the households in which qualified electors reside within the school district, must be signed as “the governing board of the school district” without listing any member’s individual name for the argument. **First Sponsor:** Sen. Lesko **ARS Titles Affected:** 15

S 1406 CONTRIBUTIONS; COMMITTED YOUTH; REPEAL; COMMITTEE
Repeals statute requiring the Department of Juvenile Corrections to annually assess a committed youth confinement cost sharing fee to each county. Repeals the Department of Juvenile Corrections Local Cost Sharing Fund, transfers all unexpended and unencumbered monies remaining in the Fund on the effective date of this legislation to the general fund, and appropriates that amount from the general fund in FY2017-18 to the Department of Administration for distribution to each county in a proportional share based on population. Establishes a 14-member Juvenile Corrections and Justice Reform Study Committee to assess the current state of juvenile justice in Arizona and the feasibility of and cost savings associated with eliminating the Department of Juvenile Corrections and reimbursing each county for the cost of incarcerating the county’s juvenile offenders. The Committee is required to report its findings and recommendations to the Governor and the Legislature by December 31, 2017 and self-repeals July 1, 2018. **First Sponsor:** Sen. Fann **ARS Titles Affected:** 41

S 1407 WORKERS’ COMPENSATION; EMPLOYEE DEFINITION; NOTICE
For the purpose of workers’ compensation statutes, the definition of “employee” is expanded to include a working member of a limited liability company (LLC) who owns less than 25 percent of the membership interest in the LLC and who is deemed an employee entitled to workers’ compensation benefits on written acceptance of an application for coverage by the working member at the discretion of the insurance carrier for the LLC. The basis for computing wages for premium payments and compensation benefits for the working member is an assumed average monthly wage of \$600 or more, up to the normal statutory maximums, and is subject to the discretionary approval of the insurance carrier. **First Sponsor:** Sen. Fann **ARS Titles Affected:** 23

S 1408 COUNTIES; MUNICIPALITIES; EUTHANIZING ANIMALS
Animals impounded in a county or municipal pound may no longer be euthanized by the use of T-61 euthanasia solution or its generic equivalent. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 3 11

S 1409 EMPOWERMENT SCHOLARSHIPS; NEUROLOGICAL CONDITIONS
For the purpose of empowerment scholarship accounts (ESA), the definition of “qualified student” is expanded to include a child with any neurological or genetic disorder or disease that interferes with the brain’s ability to process information. A child who qualifies under this requirement is permitted to accept a scholarship from a school tuition organization concurrently with an ESA, and is prohibited from using ESA monies for tuition or fees at a qualified school. **First Sponsor:** Sen. Montenegro **Other Sponsors:** Rep. Shope, Rep. Finchem, **ARS Titles Affected:** 15

S 1410 OXYGENATED FUEL STANDARDS; FORMULA
The list of substances that cannot exceed a total of more

than 0.10 percent oxygen by weight collectively in gasoline that is supplied or sold by any person and that is intended as a final product for fueling motor vehicles in Arizona is modified to remove iso-butanol. **First Sponsor:** Sen. Montenegro **ARS Titles Affected:** 3

S 1411 COUNTY STADIUM DISTRICTS; REVENUE; SCHOOL DISTRICTS
For any county stadium district formed after the effective date of this legislation, the district board of directors is required to transfer to school districts located in the district an amount equal to 10 percent of revenues received in that calendar quarter, to be allocated to each school district based on the school district’s percentage of assessed valuation in relation to the total assessed valuation in the county. **First Sponsor:** Sen. Bowie **Other Sponsors:** Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Contreras, Sen. Mendez, Sen. Quezada, **ARS Titles Affected:** 48

S 1412 SURFACE WATER; ADJUDICATION
For the purpose of adjudication of water rights, a sequential order of claims is established: first, claims based on federal law; second, claims that are not based on federal law and that do not make “small water use claims” (defined); and third, small water use claims. Repeals statute establishing a process for Summary adjudication of de minimis water uses. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 45

S 1413 MUNICIPALITIES; ANNEXATION; ROADWAY MAINTENANCE
The description of an area proposed to be annexed that a municipality is required to file in the office of the county recorder is required to identify the entity, if any, that will be responsible for maintaining the existing rights-of-way and roadways that are within or contiguous to the exterior boundaries of the area of the proposed annexation. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 9

S 1414 ROAD SIGNAGE; COUNTIES
Counties are permitted to place a sign on a road that the county does not maintain that states “Enter or proceed with caution. Use at your own Risk. This surface is not maintained by the County.” **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 11

S 1415 MINING & MINERAL MUSEUM; TRANSFER
Control of the Mining, Mineral and Natural Resources Educational Museum is transferred to the University of Arizona (UofA), from the Arizona Geological Survey. Powers and duties of the Survey and the State Geologist in connection with the Museum are under the authority of the UofA. Also blends multiple enactments of various statutes relating to the Museum. **First Sponsor:** Sen. Griffin **Other Sponsors:** Sen. Burges, Rep. Barton, Rep. Bowers, **ARS Titles Affected:** 27 28 32 33 41

S 1416 REVITALIZATION DISTRICTS; COUNTY PARTICIPATION
Counties and combinations of one or more municipalities and a county are authorized to form a revitalization district. **First Sponsor:** Sen. Pratt **ARS Titles Affected:** 48

S 1417 LAW ENFORCEMENT; WORKERS’ COMPENSATION; EXPOSURE
A law enforcement officer that sustains a “significant exposure” (defined) is required to receive workers’ compensation from the date on which the significant exposure occurred. If an exposure is a Level I, II, III or IV (all defined), in addition to coverage for any eventual contraction of specified diseases after a significant exposure, a law enforcement officer will be covered for both medical and compensation benefits and any time lost as a result of medication taken as a result of the exposure. For the purpose of workers’ compensation statutes, the definition of “personal injury by accident arising out of and in the course of employment” is expanded to include a significant exposure if the employee is a law enforcement officer and the significant exposure occurs in the line of duty, in the course of an arrest or as a result of an assault on the officer. **First Sponsor:** Sen. Quezada **ARS Titles Affected:** 23

S 1418 WOMEN-OWNED AND MINORITY-OWNED BUSINESSES; GRANTS
At least 20 percent of the monies appropriated to the Arizona Competes Fund each year are reserved to support “women-owned and minority-owned businesses” (defined). **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Mendez, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 41

S 1419 SCHOOLS; PUPILS; REMOVAL; REASSIGNMENT
A teacher is permitted to request that a student who was removed from the teacher’s classroom be reassigned to another classroom by submitting a written request to the placement review committee, which is required to consider the request within three school days. Deletes statute prohibiting a principal from returning a student to a classroom from which the student was removed without the teacher’s consent unless a placement review committee determines that the student’s return is the best or only practicable alternative. **First Sponsor:** Sen. Quezada **ARS Titles Affected:** 15

S 1420 VOTING RIGHTS; RESTORATION; FELONIES
For a person who has been convicted of two or more felonies, the person’s right to vote is automatically restored on completion of probation or absolute discharge from imprisonment. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Dalessandro, Sen. Peshlakai, Sen. Mendez, Sen. Miranda, Rep. Gabaldon, Rep. Powers Hannley, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 13

S 1421 NOTARIES; UNLAWFUL PRACTICES; IMMIGRATION
A notary public who commits a violation of the Immigration and Law Practice Act is subject to a fine of up to \$1,000 and the notary public’s commission must be permanently revoked. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Mendez, Rep. Salman, **ARS Titles Affected:** 41

S 1422 VACATING CONVICTION; TRAFFICKING; LOCAL OFFENSES
Statute allowing a person convicted of prostitution that was committed prior to July 24, 2014 to apply to the court that pronounced sentence to vacate the person’s conviction applies to municipal ordinances that have the same or substantially similar elements of the state crime of prostitution. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Mendez, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 13

S 1423 IMMIGRATION; LAW ENFORCEMENT; REPEAL
Repeals the following statutes established by Laws 2010, Chapter 113 (\$1070): the prohibition on state and local government agencies or governing bodies restricting the enforcement of federal immigration law; the requirement for law enforcement officials to determine the immigration status of a person at any lawful stop or arrest where reasonable suspicion exists that the person is unlawfully present in the U.S.; provisions allowing law enforcement to arrest without warrant any person the officer has probable cause to believe has committed a public offense that makes the person removable from the U.S.; the defense of entrapment for employers found to be employing unauthorized aliens; the establishment of willful failure to complete or carry an alien registration document, unlawful stopping to hire and pick up passengers for work, and unlawful application for employment or employment by an unauthorized alien as class 1 misdemeanors; the requirement that a vehicle driven in furtherance of the illegal presence of an alien in the U.S. and in violation of a criminal offense be immobilized or impounded; and the establishment of the Gang and Immigration Intelligence Team Enforcement Mission (GIITEM) Fund. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Mendez, Rep. Blanc, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 11 12 13 23 28 41

S 1424 LENGTH OF PAROLE; JUVENILE OFFENDERS
The Board of Executive Clemency is required to determine the length of parole for a juvenile offender who is sentenced to life imprisonment with the possibility of release and who is granted parole. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Mendez, Rep. Andrade, **ARS Titles Affected:** 13

S 1425 CRIMINAL CASES; ARRESTS; RECORDS; ERASURE
In any criminal case commenced beginning October 2, 1969 or after, if the accused is found not guilty by a final judgment or the charge is dismissed, all law enforcement, prosecuting agency and court records that pertain to the charge must be erased when the time to file a notice of appeal expires. Some exceptions. In any criminal case commenced before October 1, 1969, if the accused is found not guilty by a final

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

judgment or the charge is dismissed, all law enforcement, prosecuting agency and court records that pertain to the charge must be erased by operation of law. Some exceptions. If a person is arrested or charged with violating a criminal law and the prosecutor dismisses or does not file a criminal charge against the person for at least 13 months after the arrest or dismissal, all law enforcement, grand jury, prosecuting agency and court records that pertain to the arrest or charge must be erased. Some exceptions. If a judgment of guilt is set aside, the person may request that the court seal the person’s arrest and conviction records. The court or a law enforcement agency is prohibited from publicly disclosing an arrest and conviction record that is sealed. A person whose arrest record is sealed is authorized to deny under all circumstances that the arrest and conviction ever occurred. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Mendez, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 13

S 1426 CRIMINAL CHARGES; UNLAWFUL ORDERS; REIMBURSEMENT
If a person is charged with a crime and it is determined that the factual basis for the crime involved violating an “unlawful order” (defined as an order that violates a person’s constitutional or statutory rights), the court is required to dismiss those charges and order the prosecuting agency that filed the charges to reimburse the defendant for any attorney fees and costs. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Mendez, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 13

S 1427 STO OPERATIONAL REQUIREMENTS
The tax credit for contributions to school tuition organizations is not allowed if the taxpayer requests or recommends the contribution for the benefit of any student, instead of if the taxpayer designates the contribution for the direct benefit of any dependent of the taxpayer. School tuition organizations are required to allocate at least 95 percent, increased from 90 percent, of its annual revenue from contributions for the purpose of tax credits for educational scholarships or tuition grants. School tuition organizations are required to allocate at least 90 percent of annual revenue from specified tax credit contributions for educational scholarships or tuition grants for students whose family income does not exceed 185 percent of the economic eligibility requirements for free or reduced price lunches. All school tuition organizations, instead of only those that received \$1 million or more in total donations, are required to provide for an annual audit of the organization. **First Sponsor:** Sen. Bowie **Other Sponsors:** Sen. Dalessandro, Sen. Farley, Sen. Hobbs, Sen. Mendez, Sen. Quezada, Rep. Epstein, **ARS Titles Affected:** 43

S 1428 COMMUNITY HEALTH WORKERS; VOLUNTARY CERTIFICATION
The Department of Health Services is required to adopt rules relating to the establishment and administration of a voluntary process for the certification of “community health workers” (defined) that includes a list of criteria. **First Sponsor:** Sen. Bradley **Other Sponsors:** Sen. Hobbs, **ARS Titles Affected:** 36

S 1429 HOMEOWNERS’ ASSOCIATIONS; ELECTRONIC RECORDS; FEES
Condominium associations and homeowners’ associations are prohibited from charging a fee for electronic records consisting of nine or less megabytes of electronic data, and may charge of fee of up to \$5 for each additional nine megabytes of electronic data. **First Sponsor:** Sen. D. Farnsworth **Other Sponsors:** Sen. S. Allen, **ARS Titles Affected:** 33

S 1430 NONRESIDENT TAX CREDIT; TAXABLE YEAR
A taxpayer is required to apply the income tax credit for net income taxes imposed by and paid to the state or country of resident only against taxes imposed for the same taxable year in which the income is subject to tax in the other state. **First Sponsor:** Sen. D. Farnsworth **ARS Titles Affected:** 43

S 1431 EMPOWERMENT SCHOLARSHIPS; EXPANSION; PHASE-IN
Beginning in the 2017-18 school year, any child who attends a public school in kindergarten or grades 1, 6 or 9 is eligible for an Arizona empowerment scholarship account. Beginning in the 2018-19 school year, any child who attends a public school in kindergarten or grades 1, 2, 6, 7, 9 or 10 is eligible for an Arizona empowerment scholarship account. Beginning in the 2019-20 school year, any

child who attends a public school in kindergarten or grades 1 through 3 and grades 6 through 11 is eligible for an Arizona empowerment scholarship account. Beginning in the 2020-21 school year, any child who attends a public school in kindergarten through grade 12 is eligible for an Arizona empowerment scholarship account. **First Sponsor:** Sen. Lesko **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. S. Allen, Sen. Smith, Sen. Montenegro, Sen. Griffin, Sen. Barto, Sen. D. Farnsworth, Sen. Burges, Sen. Kavanagh, Rep. Campbell, Rep. Stringer, Rep. Mosley, Rep. Thorpe, Rep. Cook, Rep. Finchem, Rep. Leach, Rep. John, Rep. Nutt, Rep. J. Allen, Rep. Townsend, Rep. Mesnard, Rep. Payne, Rep. Livingston, Rep. Lawrence, **ARS Titles Affected:** 15

S 1432 ANNUITIES; WITHDRAWALS; RESTORATION
If a holder of an annuity makes any withdrawals from the annuity before its commencement date, the withdrawals may be restored to the annuity, in whole or in part, at once or in stages, at any time before the annuity commencement date is reached. **First Sponsor:** Sen. Meza **ARS Titles Affected:** 20

S 1433 SUGAR-SWEETENED BEVERAGES; TAX
Beginning January 1, 2018, a tax is imposed on the supply, acquisition, delivery or transport of any “sugar-sweetened beverage” to a “dealer” (both defined) at a rate of 1.5 cents per fluid ounce. A dealer is prohibited from selling any sugar-sweetened beverage unless it was acquired from a “distributor” (defined) who is registered with the Department of Revenue. The registered distributor is required to pay the sugar-sweetened beverage tax. 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. **First Sponsor:** Sen. Meza **ARS Titles Affected:** 42

S 1434 ART THERAPY SERVICES; CONTRACTING REQUIREMENTS
The Department of Health Services and the Arizona Health Care Cost Containment Services Administration are authorized to contract for art therapy services from art therapists holding an active national board certification in art therapy from the Art Therapy Credentials Board. **First Sponsor:** Sen. Barto **ARS Titles Affected:** 36

S 1435 OSTEOPATHS; FINGERPRINTING
Beginning September 1, 2017, an applicant for licensure by the Board of Osteopathic Examiners is required to submit a full set of fingerprints to the Board for the purpose of obtaining a state and federal criminal records check. **First Sponsor:** Sen. Barto **ARS Titles Affected:** 32 41

S 1436 PRESCRIPTION DRUGS; DELIVERY; PRICING; APPEALS
Pharmacy benefits managers and other entities that administer prescription drug benefits cannot prohibit a contracted pharmacy from mailing or delivering prescriptions to patients. Pharmacy benefits managers and other entities that administer prescription drug benefits are required to establish a process to update the prescription drug prices used to reimburse a network pharmacy at least every seven days. Pharmacy benefits managers and other entities that administer prescription drug benefits are required to establish and make available a written appeals process that includes a process to appeal, investigate and resolve disputes regarding prescription drug pricing. **First Sponsor:** Sen. Barto **ARS Titles Affected:** 20

S 1437 AGENCIES; REVIEW; GRRC; OCCUPATIONAL REGULATION
Agencies are required to limit all “occupational regulations” to regulations demonstrated to be necessary to specifically fulfill a public health, safety or welfare concern. Any person harmed by an occupational regulation is authorized to petition an agency to repeal or modify any occupational regulation within the agency’s jurisdiction, and the agency is required to take action within 90 days after the petition is filed. Any person is authorized to file an action in a court of general jurisdiction to challenge any occupational regulation. Contains a legislation findings section. Severability clause. **First Sponsor:** Sen. Barto **ARS Titles Affected:** 41

S 1438 DCS; PROCUREMENT CODE EXCEPTION
The Arizona Procurement Code does not apply to contracts entered into by the Department of Child Safety for “direct client referral services” (defined). **First Sponsor:** Sen. Barto **ARS Titles Affected:** 41

S 1439 END-OF-LIFE; DISCRIMINATION; PROHIBITION
A person is prohibited from discriminating against a health care entity on the basis that the entity does not provide, assist in providing or facilitate in providing any health care item or service for the purpose of causing or assisting in causing the death of any individual, such as by assisted suicide, euthanasia or mercy killing, and health care entities are not liable in any civil, criminal or administrative action for declining to provide those items or services. **First Sponsor:** Sen. Barto **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. S. Allen, Sen. Pratt, Sen. Smith, Sen. Petersen, Sen. Montenegro, Sen. Griffin, Sen. D. Farnsworth, Sen. Yee, Sen. Lesko, Sen. Burges, Sen. Kavanagh, Sen. Worsley, Rep. Campbell, Rep. Stringer, Rep. Mosley, Rep. Barton, Rep. Thorpe, Rep. Cook, Rep. Shope, Rep. Finchem, Rep. Leach, Rep. Grantham, Rep. Mitchell, Rep. Shooter, Rep. John, Rep. Nutt, Rep. J. Allen, Rep. Coleman, Rep. Townsend, Rep. Mesnard, Rep. Norgaard, Rep. Boyer, Rep. Payne, Rep. Livingston, Rep. Lawrence, Rep. Bowers, **ARS Titles Affected:** 36

S 1440 AHCCCS; CLINICAL OVERSIGHT COMMITTEE
The Arizona Health Care Cost Containment System (AHCCCS) Director is required to establish an internal clinical oversight review committee to review clinical data specific to agency initiatives and populations. Committee responsibilities are specified. The AHCCCS Administration is required to report to the Governor and the Legislature on a summary of topics reviewed by the Committee by February 1, 2018 and February 1 of each year thereafter. **First Sponsor:** Sen. Barto **Other Sponsors:** Sen. S. Allen, **ARS Titles Affected:** 36

S 1441 INSURERS; HEALTH PROVIDERS; CLAIMS; MEDIATION
A health insurance enrollee is permitted to request mediation of a settlement of an out-of-network health benefit claim if a list of specified circumstances apply, including that the amount for which the enrollee is responsible is greater than \$1,000. If the enrollee requests mediation, the health care provider or the provider’s representative and the insurer are required to participate. One mediator is required to conduct the mediation, and mediator qualifications are established. Establishes provisions for mediation, including for mediation agreements and matters on which there is no agreement. Effective January 1, 2018. **First Sponsor:** Sen. Lesko **Other Sponsors:** Sen. Fann, Sen. S. Allen, Sen. Bowie, Sen. Yee, Sen. Worsley, **ARS Titles Affected:** 20

S 1442 CORRECTIONS OFFICER RETIREMENT PLAN; MODIFICATIONS
Various changes to statutes governing the Corrections Officer Retirement Plan (CORP). CORP members who are employees hired on or after July 1, 2018 and who were not an active, inactive or retired CORP member on June 30, 2018 are required to participate in the Public Safety Personnel Retirement System (PSPRS) defined contribution plan. For these CORP members, the employee and employer contribution rates are five percent, “compensation” means “salary” as already defined in CORP statutes, and a reduced monthly disability pension calculation is established. The calculation for employer contributions for CORP members hired before July 1, 2018 is modified. Statutes establishing and regulating CORP benefit increases are repealed, and a new cost-of-living adjustment calculation for CORP benefits is established for members hired on or before June 30, 2018. Conditionally enacted on the state Constitution being amended as prescribed in an unspecified Senate concurrent resolution (blank in original), by vote of the people at the 2018 general election. **First Sponsor:** Sen. Lesko **Other Sponsors:** Sen. Fann, Sen. S. Allen, Sen. Pratt, Sen. Worsley, **ARS Titles Affected:** 38

S 1443 VETERANS’ DONATIONS FUND; TAX CREDIT
For tax years 2018 through 2025, private donations to the Veterans’ Donations Fund qualify for an income tax credit of up to \$200 for a single individual or head of household or up to \$400 for a married couple filing jointly, subject to a combined total limit of \$1 million in any calendar year on a first-come, first-served basis. The income tax credit for private donations to the Military Family Relief Fund terminates after tax year 2017, instead of after tax year 2018, and the statutory termination date of the Military Family Relief Fund is extended seven years to December 31, 2025, from December

31, 2018. Effective January 1, 2018. **First Sponsor:** Sen. Griffin **Other Sponsors:** Sen. Otondo, Sen. Borrelli, Sen. S. Allen, Sen. Pratt, Sen. Bradley, Sen. Montenegro, Sen. Burges, Sen. Meza, Rep. Campbell, Rep. Barton, Rep. Clodfelter, Rep. John, Rep. Nutt, Rep. Bowers, Rep. Andrade, **ARS Titles Affected:** 41 43

S 1444 INCOME TAX SUBTRACTION; MILITARY RETIREMENT
The list of subtractions from Arizona gross income for the purposes of individual income taxes is expanded to include benefits, annuities and pensions received by the taxpayer during the tax year as retired or retainer pay of the uniformed services of the U.S., subject to the following maximums: \$12,500 for tax year 2019; \$25,000 for tax year 2020; \$25,000 or 75 percent of the amount received, whichever is greater, for tax year 2021; and the full amount received during the tax year for tax years 2022 and beyond. Effective January 1, 2019. **First Sponsor:** Sen. Griffin **Other Sponsors:** Sen. Otondo, Sen. Borrelli, Sen. S. Allen, Sen. Pratt, Sen. Bradley, Sen. Smith, Sen. Montenegro, Sen. Burges, Sen. Meza, Rep. Campbell, Rep. Barton, Rep. Clodfelter, Rep. Nutt, Rep. Bowers, Rep. Andrade, **ARS Titles Affected:** 43

S 1445 VLT; REGISTRATION FEES; GAS TAX
Establishes a semiannual motor vehicle liability insurance policy fee that insurers are required to pay to the Department of Public Safety (DPS) for every vehicle insured under a motor vehicle liability insurance policy. The fee is in an amount determined by the Director of DPS using a specified calculation in order to cover the required expenses of the DPS Highway Patrol for the next fiscal year, and must be deposited in the Arizona Highway Patrol Fund (AHP Fund). Imposes a fee on any vehicle that does not rely exclusively for propulsion on a source of fuel subject to a motor fuel tax, in an amount that the Arizona Department of Transportation (ADOT) estimates is the average amount of motor fuel taxes paid by an average vehicle during the current fiscal year. Establishes a tax on natural gas in any form that is used in the propulsion of vehicles on public streets, roads and highways, in an amount determined by ADOT using a specified calculation so that the amount of the tax paid is as nearly as equivalent as possible to the tax that would be paid if the vehicle used motor fuel or use fuel. Adds a vehicle license tax rate of an unspecified amount (blank in original) for the first 12 months of the life of a vehicle, and an unspecified amount (blank in original) for each succeeding 12-month period, both for the AHP 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. **First Sponsor:** Sen. Worsley **Other Sponsors:** Sen. Fann, Sen. Hobbs, Sen. Mendez, Sen. Brophy McGee, **ARS Titles Affected:** 20 28 41

S 1446 MOTOR FUEL TAXES; COUNTY ELECTION
Counties and regional transportation authorities are authorized to levy a county motor fuel tax of up to an unspecified amount (blank in original) per gallon, if approved by the qualified electors voting at a county-wide election. The net revenues collected from the tax must be deposited in the Regional Transportation Fund and used exclusively for highway and street purposes. The tax must be levied beginning January 1 or July 1, whichever date occurs first after voter approval, and may be in effect for up to 20 years. **First Sponsor:** Sen. Worsley **Other Sponsors:** Sen. Fann, Sen. Hobbs, Sen. Mendez, Sen. Brophy McGee, **ARS Titles Affected:** 28 42 48

S 1447 STATE PERSONNEL SYSTEM; COVERED EMPLOYEES
Statutes governing the state personnel system are repealed and replaced. Impossible to determine new provisions without a line by line comparison. **First Sponsor:** Sen. Hobbs **Other Sponsors:** Sen. Farley, Sen. Bradley, Sen. Mendez, Sen. Quezada, **ARS Titles Affected:** 15 18 38 41

S 1448 STATE TREASURER; PUBLIC MONIES; PROCEDURES
State agencies that contract with an authorized agent for the electronic processing of transactions are permitted to allow the agent to impose a “service fee or surcharge” in addition to or instead of the convenience fee previously allowed, after approval by the State Treasurer. The list of authorized investments for trust and treasury monies is modified. **First Sponsor:** Sen. Yee **ARS Titles Affected:** 35

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

S 1449 CHILD; FAMILY ADVOCACY CENTER; APPROP

Establishes the Child and Family Advocacy Center Fund to be administered by the Attorney General and distributed to child and family advocacy centers that apply for funding. Establishes requirements for a family advocacy center to be considered for funding from the Fund. Appropriates \$2 million from the general fund in FY2018-19 to the Fund for these purposes. **First Sponsor:** Sen. Brophy McGee **Other Sponsors:** Sen. Otondo, Sen. Bradley, Rep. Weninger, Rep. Boyer, **ARS Titles Affected:** 8 41

S 1450 RETURN TO OUT-OF-HOME CARE; PLACEMENT

If a child has been returned to a parent and is subsequently returned to out-of-home care, the preferred placement for the child is in a foster family home where the child was previously placed if a list of specified conditions is met. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 8

S 1451 ORTHOTICS; PROSTHETICS; STANDARDS

Beginning January 1, 2018, a “custom orthotic or custom prosthetic device” (defined) furnished to an individual by a health care provider is required to be provided by an accredited fabricator or supplier, be provided by a qualified practitioner or licensed health care provider, and have a valid prescription. A health care provider that does not receive insurance reimbursement for a custom orthotic or custom prosthetic device because it does not meet these requirements is prohibited from attempt to collect payment or reimbursement for the device from the patient. **First Sponsor:** Sen. Brophy McGee **ARS Titles Affected:** 36

S 1452 HEALTH PROFESSION REGULATORY BOARDS

A member of a health profession regulatory board is ineligible for reappointment to that board once the person has been appointed for two full terms. A person may be reappointed to a board once the person has not been on the board for a time period of at least one full term. Health profession regulatory boards are required to digitally record all open meetings of the board and to maintain the records for three years. Each health profession regulatory board is authorized to establish a nondisciplinary confidential program for the monitoring of licensees who may have been chemically dependent or may have had a medical, psychiatric, psychological or behavioral health disorder that may impact the licensee’s ability to safely practice or perform health care tasks. Effective January 1, 2018. **First Sponsor:** Sen. Barto **ARS Titles Affected:** 32

S 1453 ROAD IMPROVEMENT DISTRICTS; FINANCING

Rural road improvement districts are authorized to issue improvement bonds in the manner prescribed for county improvement districts that are payable over up to 10 years. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 48

S 1454 COUNTY IMPROVEMENT DISTRICTS; ASSESSMENT; CONTRIBUTION

County improvement districts may be financed from proceeds received from the sale of district bonds, county monies contributed to the district, state or federal grants, private contributions, and any other monies available to the district by law. The payment of preliminary incidental costs for which a district has become liable may be assessed and levied on a per parcel basis or based on the assessed valuation of the property. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 48

S 1455 AHCCCS; PHARMACY SERVICES; CONTRACTS

The Arizona Health Care Cost Containment System (AHCCCS) Administration is required to contract separately for pharmacy services from any other health and medical service. **First Sponsor:** Sen. Bradley **ARS Titles Affected:** 36

S 1456 LAND SUBDIVISION; EXCEPTIONS; CHILDREN; GRANDCHILDREN

For the purpose of real estate regulations, a person selling, leasing or gifting the person’s land to the person’s child or grandchild is exempt from the definition of “subdivider,” and the sale, lease or gift of a person’s land to the person’s child or grandchild is exempt from the definition of “subdivision” or “subdivided lands.” **First Sponsor:** Sen. S. Allen **ARS Titles Affected:** 32

S 1457 TRIBAL NATIONS; VETERANS’ SERVICES; APPROPRIATION

Appropriates \$2.2 million and 20 FTE positions from the general fund in FY2017-18 to the Department of Veterans’ Services for the purpose of hiring veteran service officers to provide services in rural tribal nations in Arizona that have communities that are located 100 miles or more from the nearest U.S. Department of Veterans Affairs service center. **First Sponsor:** Sen. Peshlakai **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Farley, Sen. Bradley, Sen. Bowie, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Sen. Miranda, Sen. Quezada, **ARS Titles Affected:** 41

S 1458 HEALTH CAREERS; MILITARY VETERANS; COMMITTEE

Establishes a 13-member Military Veterans Health Careers Study Committee to focus on creating career pathways for military veterans who have military health care experience. The Committee is required to submit a report of its findings and recommendations to the Governor and the Legislature by December 1, 2018, and self-repeals January 1, 2019. **First Sponsor:** Sen. Peshlakai **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Farley, Sen. Bradley, Sen. Bowie, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Sen. Miranda, **ARS Titles Affected:** 41

S 1459 STATE HOLIDAY; NATIVE AMERICAN DAY

Adds the fourth Friday in November, “Native American Day” to the list of legal holidays in Arizona. **First Sponsor:** Sen. Peshlakai **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Farley, Sen. Bradley, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Sen. Miranda, **ARS Titles Affected:** 1

S 1460 OFFICE OF INDIAN EDUCATION; ASSISTANCE

If sufficient resources and funding are available, the technical assistance provided by the Department of Education Office of Indian Education is required to include professional development, data literacy, teacher recruitment and retention, native language development, fiscal management, family engagement, and the incorporation of Native American culture into the curricula. **First Sponsor:** Sen. Peshlakai **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Farley, Sen. Bradley, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Sen. Quezada, Rep. Martinez, **ARS Titles Affected:** 15

S 1461 STUDY; TRIBAL COLLEGES; DUAL ENROLLMENT

Establishes an 11-member Joint Study Committee on Dual Enrollment for Tribal Colleges to study and develop policies to expand funding options for dual enrollment programs offered by tribal colleges. The Committee is required to submit a report of its findings and recommendations to the Governor and the Legislature by December 15, 2018, and self-repeals January 1, 2019. **First Sponsor:** Sen. Peshlakai **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Farley, Sen. Bradley, Sen. Bowie, Sen. Contreras, Sen. Hobbs, Sen. Mendez, **ARS Titles Affected:** 41

S 1462 DUAL ENROLLMENT; TRIBAL COLLEGES

Statute allowing community college district governing boards and school district governing boards to enter into an agreement or contract to establish dual enrollment courses is expanded to include tribal colleges. **First Sponsor:** Sen. Peshlakai **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Farley, Sen. Bradley, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Sen. Miranda, **ARS Titles Affected:** 15

S 1463 VEHICLE TITLE LOANS; FINANCE CHARGE

The maximum “finance charge” (defined) on a secondary motor vehicle finance transaction is 36 percent a year, instead of between 10 and 17 percent per month based on the amount of the principal. **First Sponsor:** Sen. Peshlakai **Other Sponsors:** Sen. Dalessandro, Sen. Farley, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Sen. Miranda, **ARS Titles Affected:** 44

S 1464 ENVIRONMENTAL QUALITY; WATER; APPROPRIATION

Appropriates \$240,000 from the general fund in FY2017-18 to the Department of Environmental Quality for distribution to the Navajo Tribal Utilities Authority for the cost of connecting, filtering and

delivering water to the former Arizona Windsong Water Company System and customers. **First Sponsor:** Sen. Peshlakai **Other Sponsors:** Sen. Dalessandro, Sen. Mendez, Rep. Martinez, **ARS Titles Affected:** 41

S 1465 LIQUOR LICENSES; TRIBAL COUNCILS; APPROVAL

A person desiring a liquor license for a premises located within three miles of the border of an Indian Reservation is required to submit the application to the tribal council of that reservation or the tribal governing body of that Indian Tribe and obtain that entity’s approval before the Department of Liquor Licenses and Control may issue the license. A tribal council or governing body of an Indian Tribe is authorized to protest any liquor license application or transfer application if a list of specified circumstances applies, including that the premises proposed to be licensed is located within three miles of tribal land. **First Sponsor:** Sen. Peshlakai **Other Sponsors:** Sen. Dalessandro, Sen. Mendez, **ARS Titles Affected:** 4

S 1466 TPT CREDIT; TRIBAL TAXES

Establishes a transaction privilege tax credit for the amount of taxes levied by an Indian Tribe on the same tax base and paid by the taxpayer during the same taxable period. The amount of the credit cannot exceed the amount of taxes due. **First Sponsor:** Sen. Peshlakai **Other Sponsors:** Sen. Dalessandro, Sen. Mendez, Rep. Martinez, **ARS Titles Affected:** 42

S 1467 TPT; INDIAN TRIBES; ECONOMIC DEVELOPMENT

Each Indian Tribe in the state is to receive an unspecified percent (blank in original) of transaction privilege tax collections from all sources located on its reservation. Funds are to be used for supporting “economic development” and “infrastructure development” (both defined) on the reservation. **First Sponsor:** Sen. Peshlakai **Other Sponsors:** Sen. Dalessandro, Sen. Mendez, Rep. Martinez, **ARS Titles Affected:** 42

S 1468 REFUGEE RESETTLEMENT PROGRAM; WITHDRAWAL

The state and political subdivisions are prohibited from using any personnel or financial resources to enforce, administer or cooperate with the federal Refugee Resettlement Program. The state of Arizona suspends its participation in the Program. During the suspension, each charity or other entity that participates in the Program is required to immediately cease all refugee resettlement activities into or affecting Arizona. Violations are subject to a civil penalty of \$1,000 per day per refugee, and the charity or other entity is required to reimburse the state or political subdivisions for any costs of a refugee placed in Arizona in violation of this prohibition who commits a crime. By October 27, 2017, the Auditor General is required to submit a report to the Legislature containing a list of specified information related to refugees. **First Sponsor:** Sen. Burges **Other Sponsors:** Sen. Borrelli, Rep. Finchem, Rep. Leach, Rep. Shooter, Rep. Kern, **ARS Titles Affected:** 1

S 1469 LOTTERY GAME; SCHOOLS; CAPITAL ASSISTANCE

The State Lottery Commission is required to establish a special instant game to provide capital assistance for schools. The Commission is required to distribute the total annual revenues from ticket sales of the game in the Building Renewal Grant Fund. **First Sponsor:** Sen. Miranda **Other Sponsors:** Sen. Dalessandro, Sen. Otondo, Sen. Peshlakai, Sen. Bradley, Sen. Contreras, Sen. Hobbs, Sen. Meza, Rep. Descheenie, Rep. Chavez, Rep. Navarrete, **ARS Titles Affected:** 5 15

S 1470 LOTTERY GAME; VETERANS ASSISTANCE

The State Lottery Commission is required to establish a special instant game to provide assistance to veterans. The Commission is required to distribute the total annual revenues from ticket sales of the game in the Veterans’ Donations Fund. **First Sponsor:** Sen. Miranda **Other Sponsors:** Sen. Fann, Sen. Dalessandro, Sen. Borrelli, Sen. Peshlakai, Sen. Farley, Sen. Bradley, Sen. Griffin, Sen. Bowie, Sen. Contreras, Sen. Kavanagh, Sen. Hobbs, Sen. Meza, Rep. Andrade, Rep. Chavez, Rep. Martinez, **ARS Titles Affected:** 5 41

S 1471 INCORRECT ARREST; RECORD CLEARANCE

If a law enforcement agency determines that a person was incorrectly arrested and is factually innocent of the offense that was the basis of the arrest either because of identity theft or a “mistaken

identification” (defined), the court is required to order the person’s criminal record to be cleared and notify the person of the clearing. A person whose arrest record is cleared is authorized to deny under all circumstances that the arrest ever occurred. **First Sponsor:** Sen. Miranda **Other Sponsors:** Sen. Peshlakai, Sen. Bowie, Sen. Contreras, Sen. Meza, Rep. Shope, Rep. Cardenas, Rep. Chavez, **ARS Titles Affected:** 13

S 1472 MEMORIAL; VETERAN DIVERSITY

The Department of Administration is authorized to provide for the placement in Wesley Bolin Plaza of a memorial dedicated to the commemoration of Arizona veteran diversity. Public monies are not authorized for the costs of the memorial. Self-repeals October 1, 2021. **First Sponsor:** Sen. Miranda **Other Sponsors:** Sen. Dalessandro, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Bradley, Sen. D. Farnsworth, Sen. Bowie, Sen. Contreras, Sen. Kavanagh, Sen. Hobbs, Sen. Meza, Rep. Gabaldon, Rep. Descheenie, Rep. Shope, Rep. Espinoza, Rep. Chavez, Rep. Martinez, Rep. Navarrete, **ARS Titles Affected:** 41

S 1473 CONSULAR IDENTIFICATION CARDS; PROHIBITION; REPEAL

The state and its political subdivisions are no longer prohibited from accepting a consular identification card issued by a foreign government as a valid form of identification. **First Sponsor:** Sen. Miranda **Other Sponsors:** Sen. Dalessandro, Sen. Peshlakai, Sen. Farley, Sen. Bradley, Sen. Contreras, Sen. Mendez, Sen. Meza, Rep. Martinez, Rep. Navarrete, **ARS Titles Affected:** 41

S 1474 COMMUNITY ENGAGEMENT DISTRICT

The governing body of a city in which a university athletic facilities district has been established is authorized to also establish a community engagement district in that city, and procedures for district formation are established. Community engagement districts are governed by a 9-member board, and the powers and duties of the board are specified. The board is required to provide for the construction, operation and maintenance of a public facility that meets a list of specified conditions. The district is authorized to enter into one or more development agreements with the city and any other party that may include debt financing for the facility’s construction. Establishes provisions governing district finances and provides for regular financial and performance audits of the district. The board is authorized to levy an excise tax on business activity in the district at a rate of no more than 2 percent of the gross proceeds of sales or gross income derived from the business, including admission and user fees. Community engagement district boards are authorized to exercise, by adoption of a resolution, an option to receive 50 percent of the state transaction privilege tax revenues received from all persons conducting business under any business classification within the district, subject to specified maximums. Before the payments may begin, the municipality in which the district is located must enter into a development agreement among all participants that includes all district-owned structures, facilities, infrastructure, equipment and other personal property, and the district board of directors must have received a financial commitment from the municipality or any lawful nongovernmental source in an aggregate amount equal to or greater than the amount to be distributed. The distributions continue until July 1, 2055 or until the date the financial commitments are completed, whichever is earlier. **First Sponsor:** Sen. Worsley **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. Pratt, Sen. Brophy McGee, Rep. Thorpe, Rep. Shope, Rep. Coleman, **ARS Titles Affected:** 42 48

S 1475 CLAIMANTS; RESIDENTIAL CONTRACTORS’ RECOVERY FUND

For the purpose of the Residential Contractors’ Recovery Fund, the definition of “person injured” is expanded to include owners of noncommercial historic property. Retroactive to January 1, 2016. **First Sponsor:** Sen. Miranda **Other Sponsors:** Sen. Brophy McGee, **ARS Titles Affected:** 32

S 1476 TECHNICAL CORRECTION; CEASE; DESIST ORDER

Minor change in Title 23 (Labor) related to youth employment. Apparent striker bus. **First Sponsor:** Sen. Smith **ARS Titles Affected:** 23

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

S 1477 TECH CORRECTION; MANDATORY VEHICLE INSURANCE

Minor change in Title 28 (Trnasportation) related to mandatory motor vehicle insurance. Apparent striker bus. **First Sponsor:** Sen. Smith **ARS Titles Affected:** 28

S 1478 OCCUPATIONAL SAFETY & HEALTH OMNIBUS

Various changes to statutes related to occupational safety and health. The Industrial Commission Division of Occupational Safety and Health is authorized to require the attendance and testimony of witnesses and the production of evidence under oath in making inspections and investigations. The Division is required to adopt regulations necessary for the operation of a voluntary protection and other model system implementation program, and program requirements are specified. The program terminates on July 1, 2027. Statutes regulating safety conditions for boilers and line hot water heaters are expanded to include “pressure vessels” (defined). **First Sponsor:** Sen. Smith **ARS Titles Affected:** 23

S 1479 MENTAL HEALTH TREATMENT; PATIENT TRANSPORT

If a peace officer is directed to take a mental health patient into protective custody or to apprehend the patient and transport the patient to an agency for inpatient treatment, a mental health provider is required to accompany the peace officer. **First Sponsor:** Sen. Smith **ARS Titles Affected:** 36

S 1480 REVISIONS; COMMUNITY FACILITIES DISTRICTS

Various changes to statutes related to community facilities districts. Beginning with districts formed after the effective date of this legislation, if the land proposed to be included in the district is more than 600 acres, on presentation of a petition signed by the owners of all the land area proposed to be included in the district, the county or municipal governing body is required to adopt a resolution within 90 days declaring its intention to form a district that includes contiguous or noncontiguous property that is wholly within the county or municipal boundaries. Noncontiguous property may only be included in a district if it is under common ownership or control and would be served by common infrastructure. Establishes planning and zoning requirements for property to be included in a district formed by a county. The fees and other charges assessed by a municipality or county in connection with district formation are capped at \$15,000. Beginning with districts formed after the effective date of this legislation, appointed district boards must consist of five members, and requirements for those members are specified. More. **First Sponsor:** Sen. Smith **ARS Titles Affected:** 48

S 1481 APPROPRIATIONS; MEDICAL MARIJUANA FUND

Appropriates the following amounts from the Medical Marijuana Fund in FY2017-18 to the Department of Health Services for distribution to the following entities: \$2 million to the Arizona Peace Officer Standards and Training Board to train peace officers regarding policing marijuana laws; \$2 million to Arizona State University to research the impact of marijuana and drug policy on Arizona residents; \$2 million to the University of Arizona for scientific research on the impact of marijuana as medicine; and \$2.5 million to county school superintendents for programs to educate residents about substance abuse prevention in relation to marijuana. 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. **First Sponsor:** Sen. Mendez **Other Sponsors:** Sen. Miranda, Rep. Powers Hannley, Rep. Blanc, Rep. Salman, Rep. Martinez, **ARS Titles Affected:** 41

S 1482 WATER INFRASTRUCTURE FINANCE AUTHORITY; APPROP

Appropriates \$30 million from the general fund in FY2017-18 to the Water Infrastructure Finance Authority. **First Sponsor:** Sen. Mendez **Other Sponsors:** Sen. Peshlakai, Sen. Bradley, Sen. Miranda, Rep. Engel, Rep. Blanc, Rep. Salman, Rep. Andrade, Rep. Martinez, **ARS Titles Affected:** 41

S 1483 SUPPLEMENTAL APPROPRIATION; FOSTER CARE PLACEMENT

Makes a supplemental appropriation of \$3.2 million from the general fund in FY2016-17 to the Department of Child Safety to increase foster care placement rates. **First Sponsor:** Sen. Mendez **Other Sponsors:** Sen. Peshlakai, Sen. Bradley, Sen. Bowie,

Sen. Miranda, Rep. Powers Hannley, Rep. Engel, Rep. Blanc, Rep. Salman, Rep. Andrade, Rep. Martinez, **ARS Titles Affected:** 41

S 1484 CHILD CARE WAITING LIST; APPROPRIATION

Deletes the waiting lists for child care assistance through the Department of Economic Security. Appropriates \$80.95 million from the general fund in FY2017-18 to the Dept for child care assistance costs to eliminate the current waiting list and provide child care assistance to eligible families with family incomes up to 165 percent of the federal poverty level. **First Sponsor:** Sen. Mendez **Other Sponsors:** Sen. Peshlakai, Sen. Bradley, Sen. Miranda, Rep. Powers Hannley, Rep. Engel, Rep. Blanc, Rep. Salman, Rep. Andrade, Rep. Martinez, **ARS Titles Affected:** 46

S 1485 APPROPRIATION; COMMUNITY INFO & REFERRAL

Appropriates \$1.25 million from the general fund in FY2017-18 to the Department of Health Services for an information and referral service for health, community, human and governmental services. **First Sponsor:** Sen. Mendez **Other Sponsors:** Sen. Peshlakai, Sen. Bradley, Sen. Bowie, Sen. Miranda, Rep. Powers Hannley, Rep. Engel, Rep. Salman, Rep. Andrade, Rep. Martinez, **ARS Titles Affected:** 41

S 1486 NURSING BOARD; RULES; ABORTION

The Board of Nursing is no longer prohibited from deciding scope of practice relating to abortion. **First Sponsor:** Sen. Mendez **Other Sponsors:** Rep. Powers Hannley, Rep. Blanc, Rep. Salman, **ARS Titles Affected:** 32

S 1487 G&F; APPOINTMENT RECOMMENDATION BOARD; REPEAL

The Arizona Game and Fish Commission Appointment Recommendation Board is repealed. **First Sponsor:** Sen. Mendez **Other Sponsors:** Rep. Andrade, **ARS Titles Affected:** 17

S 1488 HYDRAULIC FRACTURING; PROHIBITION

A person is prohibited from engaging in “hydraulic fracturing” (defined) in Arizona and may not collect, store or treat water in Arizona if that water is used in, generated by or resulting from the process of hydraulic fracturing. **First Sponsor:** Sen. Mendez **Other Sponsors:** Sen. Peshlakai, Rep. Powers Hannley, Rep. Blanc, Rep. Salman, Rep. Andrade, Rep. Martinez, **ARS Titles Affected:** 49

S 1489 ENERGY MEASURING; CONTAINERS; PROHIBITION; REPEAL

Repeals statutes prohibiting counties and municipalities from requiring an owner, operator or tenant of a business, commercial building or multifamily housing property to measure and report energy usage and consumption, from imposing a tax, fee, assessment, charge or return deposit on a consumer or an owner, operator or tenant of a business, commercial building or multifamily housing property for “auxiliary containers” (defined as reusable bags, disposable bags, boxes, beverage cans, bottles, cups and containers that are made from specified materials and that are used for transporting merchandise), and from regulating the sale, use or disposition of auxiliary containers by an owner, operator or tenant of a business, commercial building or multifamily housing property. **First Sponsor:** Sen. Mendez **Other Sponsors:** Sen. Peshlakai, Sen. Bowie, Rep. Powers Hannley, Rep. Blanc, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 9 11

S 1490 LARGE ELECTRONICS; RECYCLING

A recycling program for “covered electronic devices” (defined as computers, computer monitors and televisions) is established within the Department of Environmental Quality. The program terminates July 1, 2027. **First Sponsor:** Sen. Mendez **Other Sponsors:** Sen. Peshlakai, Sen. Bradley, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 49

S 1491 SEX EDUCATION CURRICULA; REQUIREMENTS

School districts are required to provide sex education in kindergarten and grades 1 through 12 that is “medically accurate” and “age-appropriate” (both defined). Requirements for sex education instruction are established. School districts must adopt procedures to allow a school district to provide sex education unless the student’s parent provides written permission for the child to not participate. **First Sponsor:** Sen. Mendez **Other Sponsors:** Rep. Powers Hannley, Rep. Blanc, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 15

S 1492 ABORTION; PARENTAL CONSENT; EXCEPTION

Parental consent or judicial authorization for a minor to receive an abortion is not required if the attending physician receives informed consent from the minor and determines that the minor is mentally and physically competent to give consent. **First Sponsor:** Sen. Mendez **Other Sponsors:** Rep. Powers Hannley, Rep. Salman, **ARS Titles Affected:** 36

S 1493 CORPORATE TAX FREEZE; EDUCATIONAL OUTCOMES

In lieu of the statutory income tax rates for corporations, a tax is levied on the entire Arizona taxable income of every corporation, unless specifically exempt by law, in an amount of six percent of net income or \$50, whichever is greater, unless the Superintendent of Public Instruction determines that the statewide high school graduation rate for the preceding school year was at least 95 percent. Effective January 1, 2018. **First Sponsor:** Sen. Mendez **Other Sponsors:** Sen. Peshlakai, Rep. Powers Hannley, Rep. Blanc, Rep. Salman, Rep. Andrade, Rep. Martinez, **ARS Titles Affected:** 43

S 1494 SCHOOLS; COMPULSORY ATTENDANCE AGE; INCREASE

School attendance is mandatory for children if they are between 6 and 18 years of age (formerly, between 6 and 16) unless the child has obtain a high school diploma or G.E.D. or has graduated from a home school program. **First Sponsor:** Sen. Mendez **Other Sponsors:** Sen. Peshlakai, Sen. Quezada, Rep. Powers Hannley, Rep. Blanc, Rep. Salman, Rep. Andrade, Rep. Martinez, **ARS Titles Affected:** 15

S 1495 POSTSECONDARY INSTITUTIONS; SEXUAL CONSENT POLICIES

Each public and private college, university and community college in Arizona is required to adopt policies to define consent to sexual activity that contain specified provisions. **First Sponsor:** Sen. Mendez **Other Sponsors:** Rep. Powers Hannley, Rep. Blanc, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 15

S 1496 ABORTION; PARENTAL CONSENT; COUNSELING EXCEPTION

Parental consent or judicial authorization for a minor to receive an abortion is not required if a physician provides specified information and counseling or refers the minor to a counselor who will provide the information and counseling, and the person providing the information and counseling has the minor sign and date a form stating that the minor received the information and stating the reasons for not involving the minor’s parent or guardian. **First Sponsor:** Sen. Mendez **Other Sponsors:** Rep. Powers Hannley, Rep. Salman, **ARS Titles Affected:** 36

SCM 1001 CRITICAL HABITAT; EXPANSION; URGING REPEAL

The Legislature urges the U.S. President and U.S. Congress to repeal the final rules expanding the definition of “critical habitat” for purposes of the federal Endangered Species Act. The Secretary of State is directed to transmit copies of this memorial to the President of the U.S., the President of the U.S. Senate, the Speaker of the U.S. House and each member of Congress from Arizona. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 99

SCM 1002 DIVISION; NINTH CIRCUIT; URGING CONGRESS

The Legislature urges the U.S. Congress to take action to divide the Ninth Circuit into two circuits by enacting HR 250 or other similar legislation. The Secretary of State is directed to transmit copies of this memorial to the President of the U.S. Senate, the Speaker of the U.S. House and each member of Congress from Arizona. **First Sponsor:** Sen. Griffin **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. S. Allen, Sen. Pratt, Sen. Smith, Sen. Petersen, Sen. Montenegro, Sen. Barto, Sen. D. Farnsworth, Sen. Yee, Sen. Lesko, Sen. Burges, Sen. Kavanagh, Sen. Worsley, **ARS Titles Affected:** 99

SCM 1003 TECH CORRECTION; DEPT OF AGRICULTURE

The Legislature urges the U.S. Department of Agriculture to take unspecified action (blank in original). Apparent striker bus. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 99

SCM 1004 TECH CORRECTION; URGING CONGRESS

The Legislature urges the U.S. Congress to take unspecified action (blank in original). Apparent striker bus. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 99

SCM 1005 TECH CORRECTION; URGING THE PRESIDENT

The Legislature urges the President of the U.S. to take unspecified action (blank in original). Apparent striker bus. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 99

SCM 1006 URGING CONGRESS; RIVER DESIGNATIONS

The Legislature urges the U.S. Congress to amend the Wild and Scenic Rivers Act to require congressional approval plus state, county and local approval before a river may be designated as wild, scenic or recreational. The Secretary of State is directed to transmit copies of this memorial to the President of the U.S. Senate, the Speaker of the U.S. House and each member of Congress from Arizona. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 99

SCM 1007 AMERICAN-ISLAMIC COUNCIL; SUSPENDING CONTACT

The Legislature urges law enforcement and governmental agencies in Arizona to avoid and suspend all contacts and outreach activities with the Council on American-Islamic Relations. The Secretary of State is directed to transmit a copy of this memorial to the Director of the Department of Public Safety. **First Sponsor:** Sen. Borrelli **Other Sponsors:** Sen. Fann, Sen. Smith, Sen. Montenegro, Sen. D. Farnsworth, Sen. Burges, Rep. Barton, Rep. Shope, Rep. Fincham, Rep. Grantham, Rep. J. Allen, Rep. Lawrence, Rep. Bowers, **ARS Titles Affected:** 99

SCM 1008 OZONE CONCENTRATION STANDARD; REINSTATEMENT

The Legislature urges the U.S. President and the U.S. Congress to take action to prompt the U.S. Environmental Protection Agency (EPA) to reinstate the previous ozone concentration standard of 75 perts per billion. The Secretary of State is directed to transmit copies of this memorial to the Administrator of the EPA, the President of the U.S., the President of the U.S. Senate, the Speaker of the U.S. House and each member of Congress from Arizona. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 99

SCM 1009 URGING DELISTING OF GRAY WOLF

The Legislature urges the U.S. Fish and Wildlife Service to delist the gray wolf from the Endangered Species Act. The Secretary of State is directed to transmit copies of this memorial to the Director of the U.S. Fish and Wildlife Service, the President of the U.S., and each member of Congress from Arizona. **First Sponsor:** Sen. Griffin **Other Sponsors:** Rep. Barton, Rep. Bowers, **ARS Titles Affected:** 99

SCM 1010 URGING BLM; TRAVEL MANAGEMENT PLANS

The Legislature urges the U.S. Bureau of Land Management (BLM) to coordinate and consult with all affected stakeholders in affected areas in the development of Travel Management Plans affecting Arizona. The Secretary of State is directed to transmit copies of this memorial to the President of the U.S., the Director of the BLM, the State Director of the BLM Arizona State Office, and each member of Congress from Arizona. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 99

SCM 1011 ANTIQUITIES ACT; MONUMENTS; URGING CONGRESS

The Legislature urges the U.S. Congress to protect local economies and preserve local customs and cultures by repealing or amending the Antiquities Act to require congressional, state, county and local approval in order to designate a national monument. The Secretary of State is directed to transmit copies of this memorial to the President of the U.S., the President of the U.S. Senate, the Speaker of the U.S. House and each member of Congress from Arizona. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 98

SCM 1012 INDIAN HEALTH CARE; URGING CONGRESS

The Legislature urges the U.S. Congress to support the retention of the Indian Health Care Improvement Act in any efforts to repeal or replace the Patient Protection and Affordable Care Act. The Secretary of State is directed to transmit copies of this memorial to the President of the U.S. Senate, the Speaker of the U.S. House and each member of Congress from Arizona. **First Sponsor:** Sen. Peshlakai **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Farley, Sen. Bradley, Sen. Bowie, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Sen. Miranda, Sen. Quezada, **ARS Titles Affected:** 99

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

SCM 1013 URGING CONGRESS; AFFORDABLE CARE ACT

The Legislature urges the U.S. Congress to consider a repeal of the Affordable Care Act only if the repeal is accompanied by an adequate replacement plan, and to consider only a replacement plan that retains specified market reforms and the individual mandates and subsidies. The Secretary of State is directed to transmit copies of this memorial to the President of the U.S., the President of the U.S. Senate, the Speaker of the U.S. House and each member of Congress from Arizona. **First Sponsor:** Sen. Mendez **Other Sponsors:** Sen. Dalessandro, Sen. Peshlakai, Sen. Bradley, Sen. Quezada, Rep. Fernandez, Rep. Friese, Rep. Blanc, Rep. Salman, Rep. Andrade, Rep. Martinez, **ARS Titles Affected:** 99

SCM 1014 URGING CONGRESS; GLASS-STEAGALL ACT

The Legislature urges the U.S. Congress to adopt legislation similar to the Return to Prudent Banking Act of 2015 and the 21st Century Glass-Steagall Act of 2015. The Secretary of State is directed to transmit copies of this memorial to the President of the U.S., the President of the U.S. Senate, the Speaker of the U.S. House, each member of Congress from Arizona and six other specified members of U.S. Congress. **First Sponsor:** Sen. Mendez **Other Sponsors:** Sen. Dalessandro, Sen. Peshlakai, Sen. Quezada, Rep. Blanc, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 99

SCR 1001 STATE EDUCATION BOARD; MEMBERSHIP; SUPERINTENDENTS

The 2018 general election ballot is to carry the question of whether to amend the state Constitution to change the membership of the Board of Education to the Superintendent of Public Instruction and each county school superintendent. All other Board members are removed, but may continue to serve until the expiration of their normal terms. **First Sponsor:** Sen. Borrelli **Other Sponsors:** Rep. Finchem, **ARS Titles Affected:** 98

SCR 1002 APPLICATION; ARTICLE V CONVENTION

Pursuant to Article V of the U.S. Constitution, the Arizona State Legislature formally applies to the U.S. Congress to call a convention for the purpose of proposing an amendment to the U.S. Constitution that will impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government and limit the terms of office for federal government officials and members of Congress. The Secretary of State is directed to transmit copies of this resolution to the President and Secretary of the U.S. Senate, the Speaker and Clerk of the U.S. House, each member of Congress from Arizona, and the presiding officers of each house of the several state legislatures, requesting their cooperation. **First Sponsor:** Sen. Kavanagh **Other Sponsors:** Sen. Fann, Sen. Borrelli, Sen. S. Allen, Sen. Smith, Sen. Lesko, Sen. Montenegro, Sen. Barto, Sen. Burges, Sen. Worsley, Rep. Cook, Rep. Shooter, Rep. J. Allen, **ARS Titles Affected:** 99

SCR 1003 RATIFICATION; EQUAL RIGHTS AMENDMENT

Ratifies the Equal Rights Amendment to the U.S. Constitution. The Secretary of State is directed to transmit copies of this resolution to the President of the U.S. Senate and the Speaker of the U.S. House. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Bowie, Rep. Gabaldon, Rep. Engel, **ARS Titles Affected:** 99

SCR 1004 DEATH RESOLUTION; GUS ARZBERGER

The members of the Legislature sincerely regret the passing of the Honorable Gus Arzberger, former member of the Arizona Legislature, and extend their sympathies and condolences to his family and many friends. **First Sponsor:** Sen. Griffin **Other Sponsors:** Sen. Fann, Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Borrelli, Sen. S. Allen, Sen. Peshlakai, Sen. Pratt, Sen. Farley, Sen. Bradley, Sen. Smith, Sen. Petersen, Sen. Montenegro, Sen. Barto, Sen. D. Farnsworth, Sen. Yarbrough, Sen. Bowie, Sen. Contreras, Sen. Yee, Sen. Lesko, Sen. Burges, Sen. Kavanagh, Sen. Hobbs, Sen. Worsley, Sen. Mendez, Sen. Miranda, Sen. Brophy McGee, Sen. Quezada, Sen. Meza, Rep. Fernandez, Rep. Cobb, Rep. Barton, Rep. Benally, Rep. Cook, Rep. Finchem, Rep. Mitchell, Rep. Shooter, Rep. John, Rep. Nutt, Rep. Rios, Rep. Syms, **ARS Titles Affected:** 99

SCR 1005 DEATH RESOLUTION; GEORGE LEMEN

The members of the Legislature express sincere regret at the passing of the Honorable George William Lemen, former Mayor of Pima, Arizona, and extend

their deepest sympathies to his family and many friends. **First Sponsor:** Sen. Griffin **Other Sponsors:** Sen. Fann, Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Borrelli, Sen. S. Allen, Sen. Peshlakai, Sen. Pratt, Sen. Farley, Sen. Bradley, Sen. Smith, Sen. Petersen, Sen. Montenegro, Sen. Barto, Sen. D. Farnsworth, Sen. Yarbrough, Sen. Bowie, Sen. Contreras, Sen. Yee, Sen. Lesko, Sen. Burges, Sen. Kavanagh, Sen. Hobbs, Sen. Worsley, Sen. Mendez, Sen. Miranda, Sen. Brophy McGee, Sen. Quezada, Sen. Meza, Rep. Fernandez, Rep. Cobb, Rep. Barton, Rep. Benally, Rep. Cook, Rep. Finchem, Rep. Mitchell, Rep. Shooter, Rep. John, Rep. Nutt, Rep. Rios, Rep. Syms, **ARS Titles Affected:** 99

SCR 1006 DEATH RESOLUTION; M. LEE ALLISON

The members of the Legislature express regret at the passing of M. Lee Allison, State Geologist of Arizona and the Director of the Arizona Geological Survey, and extend their sympathies and condolences to his family and many friends. **First Sponsor:** Sen. Griffin **Other Sponsors:** Sen. Fann, Sen. Dalessandro, Sen. Otondo, Sen. Borrelli, Sen. S. Allen, Sen. Peshlakai, Sen. Pratt, Sen. Farley, Sen. Bradley, Sen. Smith, Sen. Petersen, Sen. Montenegro, Sen. Barto, Sen. D. Farnsworth, Sen. Yarbrough, Sen. Bowie, Sen. Contreras, Sen. Yee, Sen. Lesko, Sen. Burges, Sen. Kavanagh, Sen. Hobbs, Sen. Worsley, Sen. Mendez, Sen. Miranda, Sen. Brophy McGee, Sen. Quezada, Sen. Meza, Rep. Campbell, Rep. Stringer, Rep. Gabaldon, Rep. Hernandez, Rep. Fernandez, Rep. Rubalcava, Rep. Cobb, Rep. Mosley, Rep. Barton, Rep. Benally, Rep. Descheenie, Rep. Cook, Rep. Shope, Rep. Friese, Rep. Engel, Rep. Finchem, Rep. Leach, Rep. Grantham, Rep. Mitchell, Rep. Shooter, Rep. John, Rep. Nutt, Rep. J. Allen, Rep. Coleman, Rep. Townsend, Rep. Mesnard, Rep. Weninger, Rep. Epstein, Rep. Norgaard, Rep. Cardenas, Rep. Boyer, Rep. Kern, Rep. Payne, Rep. Rivero, Rep. Livingston, Rep. Lawrence, Rep. Ugenti-Rita, Rep. Clark, Rep. Bowers, Rep. Udall, Rep. Salman, Rep. Rios, Rep. Butler, Rep. Syms, Rep. Andrade, Rep. Chavez, Rep. Navarrete, **ARS Titles Affected:** 99

SCR 1007 DEATH RESOLUTION; JOHN HAYS

The members of the Legislature sincerely regret the passing of the Honorable John Upton Hays, former Arizona Legislator, Director of the Department of Weights and Measures and Chairman of the State Parks Board, and extend their sympathies and condolences to his family and many friends. **First Sponsor:** Sen. Griffin **Other Sponsors:** Sen. Fann, Sen. Dalessandro, Sen. Otondo, Sen. Borrelli, Sen. S. Allen, Sen. Peshlakai, Sen. Pratt, Sen. Farley, Sen. Bradley, Sen. Smith, Sen. Petersen, Sen. Montenegro, Sen. Barto, Sen. D. Farnsworth, Sen. Yarbrough, Sen. Bowie, Sen. Contreras, Sen. Yee, Sen. Lesko, Sen. Burges, Sen. Kavanagh, Sen. Hobbs, Sen. Worsley, Sen. Mendez, Sen. Miranda, Sen. Brophy McGee, Sen. Quezada, Sen. Meza, Rep. Campbell, Rep. Stringer, Rep. Gabaldon, Rep. Hernandez, Rep. Saldate, Rep. Fernandez, Rep. Rubalcava, Rep. Cobb, Rep. Mosley, Rep. Barton, Rep. Benally, Rep. Descheenie, Rep. Cook, Rep. Shope, Rep. Friese, Rep. Engel, Rep. Finchem, Rep. Leach, Rep. Grantham, Rep. Mitchell, Rep. Shooter, Rep. John, Rep. Nutt, Rep. J. Allen, Rep. Coleman, Rep. Townsend, Rep. Mesnard, Rep. Weninger, Rep. Norgaard, Rep. Cardenas, Rep. Boyer, Rep. Kern, Rep. Payne, Rep. Rivero, Rep. Livingston, Rep. Lawrence, Rep. Ugenti-Rita, Rep. Clark, Rep. Bowers, Rep. Udall, Rep. Salman, Rep. Rios, Rep. Butler, Rep. Syms, Rep. Andrade, Rep. Chavez, Rep. Navarrete, **ARS Titles Affected:** 99

SCR 1008 DEATH RESOLUTION; RICK LAVIS

The members of the Legislature express sincere regret at the passing of Rick Lavis, Executive Director of the Arizona Cotton Growers Association, and extend their sympathies and condolences to his family and many friends. **First Sponsor:** Sen. Griffin **Other Sponsors:** Sen. Fann, Sen. Dalessandro, Sen. Otondo, Sen. Borrelli, Sen. S. Allen, Sen. Peshlakai, Sen. Pratt, Sen. Farley, Sen. Bradley, Sen. Smith, Sen. Petersen, Sen. Montenegro, Sen. Barto, Sen. D. Farnsworth, Sen. Yarbrough, Sen. Bowie, Sen. Contreras, Sen. Yee, Sen. Lesko, Sen. Burges, Sen. Kavanagh, Sen. Hobbs, Sen. Worsley, Sen. Mendez, Sen. Miranda, Sen. Brophy McGee, Sen. Quezada, Sen. Meza, Rep. Campbell, Rep. Stringer, Rep. Gabaldon, Rep. Hernandez, Rep. Saldate, Rep. Fernandez, Rep. Rubalcava, Rep. Cobb, Rep. Mosley, Rep. Barton, Rep. Benally, Rep. Descheenie, Rep. Cook, Rep. Shope, Rep. Friese, Rep. Engel, Rep. Finchem, Rep.

Leach, Rep. Grantham, Rep. Mitchell, Rep. Shooter, Rep. John, Rep. Nutt, Rep. J. Allen, Rep. Coleman, Rep. Townsend, Rep. Mesnard, Rep. Weninger, Rep. Norgaard, Rep. Cardenas, Rep. Boyer, Rep. Kern, Rep. Payne, Rep. Rivero, Rep. Livingston, Rep. Lawrence, Rep. Ugenti-Rita, Rep. Clark, Rep. Bowers, Rep. Udall, Rep. Salman, Rep. Rios, Rep. Butler, Rep. Syms, Rep. Andrade, Rep. Chavez, Rep. Navarrete, **ARS Titles Affected:** 99

SCR 1009 SCHOOLS; ENGLISH LANGUAGE REQUIREMENT; REPEAL

The 2018 general election ballot is to carry the question of whether to amend state statute to repeal the requirements for English language education for children in public schools. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Dalessandro, Sen. Peshlakai, Sen. Mendez, Sen. Miranda, Rep. Gabaldon, Rep. Saldate, Rep. Rubalcava, Rep. Powers Hannley, **ARS Titles Affected:** 97

SCR 1010 NUCLEAR ENERGY; SUPPORT

The members of the Legislature support the use of nuclear energy as a safe and efficient means of energy production and express their commitment to the continuing and safe use of nuclear energy to supply the energy consumption needs of the people of Arizona. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 99

SCR 1011 CONSTITUTIONAL PROPERTY TAX EXEMPTIONS

The 2018 general election ballot is to carry the question of whether to amend the state Constitution to consolidate and reorganize provisions relating to exemptions from property taxation. Sections of the state Constitution relating to property tax exemptions are repealed and replaced. Impossible to determine new provisions without a line by line comparison. **First Sponsor:** Sen. Burges **ARS Titles Affected:** 98

SCR 1012 ASIAN-AMERICANS; DIVERSITY; DATA COLLECTION

The members of the Legislature recognize the diversity within the Asian-American and Pacific Islander populations and support improved data collection and analysis to reflect that diversity. **First Sponsor:** Sen. Yee **ARS Titles Affected:** 99

SCR 1013 INITIATIVE; REFERENDUM; SIGNATURES; LEGISLATIVE DISTRICTS

The 2018 general election ballot is to carry the question of whether to amend the state Constitution to require statewide initiative measures that amend statute to collect signatures from 10 percent of the qualified electors from each legislative district, statewide initiative measures that amend the state Constitution to collect signatures from 15 percent of the qualified electors from each legislative district, and statewide referendum measures to collect signatures from 5 percent of the qualified electors from each legislative district, instead of from those percentages of the qualified electors statewide. **First Sponsor:** Sen. Kavanagh **ARS Titles Affected:** 98

SCR 1014 TECH CORRECTION; RACING COMMISSION; PROHIBITION

Proposes a minor change in Title 5 (Amusements and Sports) related to horse and dog racing. Apparent striker bus for a proposition to be referred to the ballot at the next general election. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 97

SCR 1015 SELF-CARE MONTH

The members of the Legislature proclaim February 2017 as Self-care Month in Arizona. **First Sponsor:** Sen. Montenegro **ARS Titles Affected:** 99

SCR 1016 METASTATIC BREAST CANCER AWARENESS DAY

The members of the Legislature proclaim October 13, 2017 as Metastatic Breast Cancer Awareness Day in Arizona and express their commitment to the advancement of critical research and treatments for metastatic breast cancer. **First Sponsor:** Sen. Montenegro **Other Sponsors:** Sen. Barto, **ARS Titles Affected:** 99

SCR 1017 TAIWAN; U.S.; TRADE; SUPPORT

The members of the Legislature support the negotiation of a U.S.-Taiwan bilateral investment agreement and Taiwan's participation in international organizations, and applaud Taiwan's deepening democratization. The Secretary of State is directed to transmit copies of this resolution to the President of the U.S., each member of Congress from Arizona, the U.S. Secretary of State and

the U.S. Trade Representative. **First Sponsor:** Sen. Lesko **Other Sponsors:** Sen. Fann, Sen. Smith, Sen. Bowie, Sen. Hobbs, **ARS Titles Affected:** 99

SCR 1018 SPEECH & DEBATE EDUCATION DAY

The members of the Legislature recognize March 3, 2017 as National Speech and Debate Education Day in Arizona. **First Sponsor:** Sen. Bowie **Other Sponsors:** Sen. Fann, Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Montenegro, Sen. Contreras, Sen. Mendez, Sen. Brophy McGee, Sen. Quezada, Rep. Engel, Rep. Epstein, Rep. Cardenas, Rep. Alston, Rep. Salman, **ARS Titles Affected:** 99

SCR 1019 BLM PLANNING 2.0 RULE; OPPOSITION

The members of the Legislature oppose the Bureau of Land Management's Planning 2.0 rule. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 99

SCR 1020 DEATH RESOLUTION; MARIAN LUPU

The members of the Legislature sincerely regret the passing of Marian Lupu, a pioneer in the field of gerontology and the founding executive director of the Pima Council on Aging, and extend their deepest sympathies to her family and many friends. **First Sponsor:** Sen. Farley **Other Sponsors:** Sen. Fann, Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Borrelli, Sen. S. Allen, Sen. Peshlakai, Sen. Pratt, Sen. Bradley, Sen. Smith, Sen. Petersen, Sen. Montenegro, Sen. Griffin, Sen. Barto, Sen. D. Farnsworth, Sen. Yarbrough, Sen. Bowie, Sen. Contreras, Sen. Yee, Sen. Lesko, Sen. Burges, Sen. Kavanagh, Sen. Hobbs, Sen. Worsley, Sen. Mendez, Sen. Miranda, Sen. Brophy McGee, Sen. Quezada, Sen. Meza, **ARS Titles Affected:** 99

SCR 1021 EDUCATION FINANCE TPT; RATES

The 2018 general election ballot is to carry the question of whether to amend state statute to increase the additional transaction privilege tax rate to 1 percent of the tax base, from 0.6 percent of the tax base, effective beginning January 1, 2019, and to eliminate the repeal date of July 1, 2021 for the additional tax rate. Makes various appropriations in specified fiscal years to the Department of Education for specified purposes. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Peshlakai, Sen. Farley, Sen. Bradley, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Sen. Miranda, Sen. Meza, **ARS Titles Affected:** 97

SCR 1022 LIONS CLUBS; CENTENNIAL ANNIVERSARY; RECOGNITION

The members of the Legislature honor the Lions Clubs on their centennial anniversary and extend recognition to their dedicated members, past and present, for their record of community service. **First Sponsor:** Sen. Otondo **Other Sponsors:** Sen. Montenegro, Rep. Fernandez, Rep. Rubalcava, Rep. Mitchell, Rep. Shooter, **ARS Titles Affected:** 99

SCR 1023 CORRECTIONS OFFICER RETIREMENT PLAN

The 2018 general election ballot is to carry the question of whether to amend the state Constitution to provide that the Constitutional provision prohibiting public retirement system benefits from being diminished or impaired does not prohibit certain adjustments to the Corrections Officer Retirement Plan as provided in an unspecified Senate Bill (blank in original). **First Sponsor:** Sen. Lesko **ARS Titles Affected:** 98

SCR 1024 APPLICATION; ARTICLE V CONVENTION; APPROPRIATION

Pursuant to Article V of the U.S. Constitution, the Arizona State Legislature formally applies to the U.S. Congress to call a convention for the purpose of proposing an amendment to the U.S. Constitution that will impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government and limit the terms of office for federal government officials and members of Congress. The Legislature appropriates \$30,000 in FY2017-18 to the Department of Administration to pay the costs of attendance of delegates at the convention called for these purposes. The Secretary of State is directed to transmit copies of this resolution to the President and Secretary of the U.S. Senate, the Speaker and Clerk of the U.S. House, each member of Congress from Arizona, and the presiding officers of each house of the several state legislatures, requesting their cooperation. **First Sponsor:** Sen. Kavanagh **Other Sponsors:** Rep. Shooter, **ARS Titles Affected:** 99

Legislative Bill Summaries

As of February 2

COPYRIGHT BY ARIZONA CAPITOL REPORTS, LLC

SCR 1025 LATINA-OWNED BUSINESSES; SUPPORT

The members of the Legislature support the continued development and success of Arizona’s Latina business leaders and the organizations that support them. **First Sponsor:** Sen. Quezada **Other Sponsors:** Sen. Cajero Bedford, Sen. Contreras, Sen. Mendez, Sen. Miranda, Sen. Meza, Rep. Gabaldon, Rep. Gonzales, Rep. Saldate, Rep. Fernandez, Rep. Blanc, Rep. Salman, Rep. Rios, Rep. Andrade, **ARS Titles Affected:** 99

SCR 1026 CIVICS EDUCATION; ARIZONA SCHOOLS

The members of the Legislature express a continuing commitment to the promotion of civics education in Arizona schools. **First Sponsor:** Sen. Yee **Other Sponsors:** Sen. Cajero Bedford, Sen. S. Allen, Sen. Kavanagh, Sen. Hobbs, **ARS Titles Affected:** 99

SCR 1027 STATE SENATORS; FOUR-YEAR TERMS

The 2018 general election ballot is to carry the question of whether to amend the state Constitution to change the terms of office for state senators to four-year terms and limit the number of terms a legislator may serve to two, beginning with the 56th Legislature in 2023. Specifies application of the new term limits for current legislators. **First Sponsor:** Sen. Yarbrough **Other Sponsors:** Sen. Cajero Bedford, Sen. Griffin, Sen. Yee, Sen. Hobbs, Rep. Shope, Rep. Shooter, Rep. J. Allen, Rep. Mesnard, **ARS Titles Affected:** 98

SCR 1028 VETERANS’ SERVICES; NAVAJO NATION; COOPERATION

The members of the Legislature express their commitment to ensuring the cooperation of Arizona’s Department of Veterans’ Services and the Navajo Nation for the benefit of the veterans of the Navajo

Nation. **First Sponsor:** Sen. Peshlakai **Other Sponsors:** Sen. Dalessandro, Sen. Cajero Bedford, Sen. Otondo, Sen. Farley, Sen. Bradley, Sen. Bowie, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Sen. Miranda, Sen. Quezada, **ARS Titles Affected:** 99

SCR 1029 OSCAR DE LOS SANTOS; RECOGNITION

The members of the Legislature recognize Oscar de los Santos, the only Latino recipient of the 2017 Rhodes Scholarship, for his outstanding academic achievements and thank him for demonstrating the exceptional potential of Latino students in Arizona. **First Sponsor:** Sen. Miranda **Other Sponsors:** Sen. Fann, Sen. Dalessandro, Sen. Otondo, Sen. Borrelli, Sen. Peshlakai, Sen. Farley, Sen. Bradley, Sen. Smith, Sen. Petersen, Sen. Griffin, Sen. D. Farnsworth, Sen. Bowie, Sen. Contreras, Sen. Hobbs, Sen. Mendez, Sen. Brophy McGee, Sen. Quezada, Sen. Meza, Rep. Descheenie, Rep. Shope, Rep. Espinoza, Rep. Chavez, Rep. Martinez, Rep. Navarrete, **ARS Titles Affected:** 99

SCR 1030 RIGHT TO WORK; REPEAL

The 2018 general election ballot is to carry the question of whether to amend the state Constitution to repeal the right to work or employment without membership in labor organizations. **First Sponsor:** Sen. Mendez **Other Sponsors:** Sen. Peshlakai, Sen. Quezada, Rep. Fernandez, Rep. Powers Hannley, Rep. Blanc, Rep. Salman, Rep. Andrade, Rep. Martinez, **ARS Titles Affected:** 98

SCR 1031 CHICANO HISTORY WEEK

The members of the Legislature proclaim February 2 through February 8, 2017 as Chicano History Week in Arizona to commemorate the

signing of the Treaty of Guadalupe Hidalgo on February 2, 1848. **First Sponsor:** Sen. Mendez **Other Sponsors:** Sen. Dalessandro, Sen. Peshlakai, Sen. Bradley, Sen. Bowie, Sen. Miranda, Sen. Quezada, Rep. Fernandez, Rep. Blanc, Rep. Salman, Rep. Andrade, Rep. Martinez, **ARS Titles Affected:** 99

SCR 1032 PREVENTION OF VIOLENCE; SUPPORT

The members of the Legislature commit to working together with Arizona families, schools, businesses and other community organizations to empower all Arizonans, especially Arizona youth, to prevent violence before it begins. **First Sponsor:** Sen. Mendez **Other Sponsors:** Sen. Dalessandro, Sen. Peshlakai, Sen. Bradley, Sen. Bowie, Sen. Miranda, Rep. Fernandez, Rep. Blanc, Rep. Salman, Rep. Andrade, **ARS Titles Affected:** 99

SCR 1033 VOTING AGE; SIXTEEN YEARS

The 2018 general election ballot is to carry the question of whether to amend the state Constitution to decrease the minimum voting age to 16 years of age, from 18. **First Sponsor:** Sen. Mendez **Other Sponsors:** Sen. Peshlakai, Rep. Blanc, Rep. Salman, Rep. Martinez, **ARS Titles Affected:** 98

SJR 1001 COLORADO RIVER ALLOCATION; MANAGEMENT

The members of the Legislature and the Governor recognize that it is of critical importance for Arizona to protect its Colorado River allocation and to continue to work cooperatively with those that share the Colorado River to manage this vital resource. **First Sponsor:** Sen. Griffin **ARS Titles Affected:** 99

SJR 1002 PHOENIX-GOODYEAR AIRPORT; REUSE ZONE

The members of the 53rd Legislature and the Governor renew as a Military Reuse Zone the Phoenix-Goodyear Airport premises and specified surrounding property and set the termination date for this Military Reuse Zone as ten years from December 3, 2017. The Secretary of State is directed to transmit copies of this resolution to the City of Phoenix and the City of Goodyear. **First Sponsor:** Sen. Montenegro **ARS Titles Affected:** 99

SJR 1003 LOWER COLORADO BASIN; FORBEARANCE AUTHORITY

Arizona is authorized to forbear its rights to the use of certain quantities of intentionally created surplus from the Colorado river if Mexico agrees to reduce its deliveries of Colorado river water in the same years that deliveries to Arizona are reduced due to shortage and which allows Colorado river entitlement holders in Arizona, California and Nevada to form partnerships with Mexico for the purpose of supplementing the lower Colorado river mainstream to create intentionally created surplus. The Department of Water Resources (DWR) is authorized to enter into an agreement in substantially the same form as the 2017 lower Colorado river basin forbearance agreement for binational intentionally created surplus to forbear the Arizona’s rights to certain quantities of intentionally created surplus from the Colorado river that would otherwise be available for use in Arizona. The authority granted to DWR for this agreement expires on December 31, 2017. **First Sponsor:** Sen. Griffin **Other Sponsors:** Rep. Barton, Rep. Bowers, **ARS Titles Affected:** 99