



**Government Relations
End-of-Session Legislative Report
51st Arizona Legislature
2014 Second Regular Session**



Maricopa County



Maricopa County

County Manager's Office

May 12, 2014

To: Supervisor Denny Barney, District 1
Chairman, Maricopa County Board of Supervisors
Supervisor Steve Chucri, District 2
Supervisor Andy Kunasek, District 3
Supervisor Clint Hickman, District 4
Supervisor Mary Rose Wilcox, District 5
Tom Manos, County Manager
Sandi Wilson, Deputy County Manager
Joy Rich, Deputy County Manager

From: Richard W. Bohan, Jr.
Director, Maricopa County Government Relations

Re: 2014 Legislative Session Report

The 51st legislature's second regular session adjourned sine die on Thursday, April 24, 2014 at 1:46 a.m., on the 101st day of session.

There were a total of 1,205 bills introduced this session. Of those, 278 bills were signed into law and 25 were vetoed. A list of relevant vetoed bills and the corresponding veto messages are included in this report. During the session, Maricopa County Government Relations tracked and participated in discussions on over 190 bills.

In terms of the state budget, Maricopa County made incremental gains again this year. We were successful in increasing Highway User Revenue Fund monies available to local governments, which includes an anticipated \$4.1 million dollars for Maricopa County. We were also successful in keeping the state's shift to Maricopa County for funding the sexually violent persons housed in the Arizona State Hospital at the FY 2014 level, rather than the increase initially proposed in the Governor's FY 2015 budget.

We are also very happy to report that some important pieces of policy legislation necessary to improve county government operations were passed this session. We were successful in removing a statutorily mandated \$5 million in an annual purchase of services from the Maricopa Integrated Health System and in protecting county medical examiners from lawsuits when performing their statutorily mandated duties.

The following report summarizes county impact found in the state budget, the results of the 2014 Maricopa County Legislative Package and other bills of county interest. I would like to thank all of those who assisted us during this legislative session. There were many bills that impacted county departments and we relied heavily on the expertise of county staff to protect county interests as legislative proposals moved through the process. If you would like more information on any issue contained in this report, please contact our office at (602) 506-2798.

I would like to especially thank my staff, Michelle Hindman, Amanda Nash and Melody Henderson for all of the work they put in during the 2014 session.

State Budget Recap

The following section is a summary of the state's FY 2015 budget and impacts to the counties. Governor Brewer signed the \$9.23 billion dollar budget on April 11, 2014.

HB 2703 2014-2015; general appropriations

- **County Attorney Immigration Enforcement:** Maintains \$1,213,200 for county attorney immigration enforcement, specifying \$200,000 for the Maricopa County Attorney and \$500,000 for the Maricopa County Sheriff [Sec. 4, pg. 1].
- **State Aid to Indigent Defense Fund to AG for Capital Post-Conviction Prosecution:** Appropriates \$800,000 from the State Aid to Indigent Defense Fund to the Attorney General for capital post-conviction prosecution. This represents a \$300,000 increase over the current year's budget [Sec. 11, pg. 8].
- **County Attorneys Fund:** Continues to provide \$973,600 of Arizona Criminal Justice Commission grant monies to counties [Sec. 22, pg. 14].
- **County Participation; Child Support Enforcement:** Appropriates \$6,740,200, a (\$1,860,000) decrease, to the Department of Economic Security (DES) for county participation in child support enforcement. The decrease reflects Pinal County reverting control of their program back to DES [Sec. 26, pg. 15].
- **County Tuberculosis Provider Care and Control:** Maintains a \$590,700 appropriation for county tuberculosis programs [Sec. 43, pg. 30].
- **County Judicial Reimbursements:** Continues to provide \$187,900 to the Supreme Court to reimburse counties for state grand juries and capital post-conviction relief (PCR). State grand jury relief is limited to \$97,900 and PCR relief is limited to \$90,000 [Sec. 51, pg. 35].
- **Highway User Revenue Fund to Department of Public Safety:** Transfers \$89,247,100 million from the Highway User Revenue Fund to the Department of Public Safety (DPS) and not-withstands the existing statutory cap [Sec. 78, pg. 45].
- **State Aid to Indigent Defense Fund to Department of Public Safety:** Appropriates \$700,000 from the State Aid to Indigent Defense Fund to DPS for operations [Sec.78, pg. 45].
- **Law Enforcement Boating Safety Fund:** Appropriates \$2,183,800 to be allocated to county law enforcement agencies in counties which had a law enforcement and boating safety program in existence prior to July 1, 1990 (Apache, Coconino, Gila, La Paz, Maricopa, Mohave, Navajo, Yuma) [Sec. 93, pg. 51].
- **Drug Treatment & Family Drug Court Programming:** Appropriates \$500,000 to the Administrative Office of the Courts to distribute \$250,000 to a county with more than 500,000, but less than 1 million persons (Pima County) to be used in a drug treatment alternative to prison program. The other \$250,000 is distributed to a county with more than 3 million persons (Maricopa County) to contract with a provider offering integrated delivery of drug related services from testing to treatment. The contractor must use evidence-based treatment standards and provide an option for an online case management system to report progress to the court [Sec. 131, pg. 69].

SB 1487 revenue; budget reconciliation; 2014-2015

• **Partial Highway User Revenue Fund (HURF) Restoration:** As session law, requires that prior to any other distributions, \$30 million in FY 2015, \$30 million in FY 2016, and \$60 million in FY 2017 in HURF monies be distributed as follows:

- 33.231% to counties: \$9,969,300 in FY 2015
- 48.097% to cities: \$14,429,100 in FY 2015
- 5.247% to cities over 300,000 persons: \$1,574,100 in FY 2015
- 13.425% for counties over 800,000 persons for controlled access: \$4,027,500 in FY 2015

Further stipulates that the allocation to each county will be made in accordance with current statute (A.R.S. § 28-6538) governing the distributions of HURF monies [Sec. 11, pg. 10].

HB 2705 health; welfare; budget reconciliation; 2014-2015

• **Arizona Long Term Care System:** FY 2015 county contributions total \$245,196,200 for all 15 counties into the Long Term Care System Fund. This amount is unchanged from the Joint Legislative Budget Committee (JLBC) Baseline. Although the General Appropriations bill reflects several changes to the Arizona Healthcare Cost Containment System (AHCCCS), including a 2% increase in skilled nursing facility rates and coverage for insulin pumps, the impact from these changes is only reflected in the state general fund and agency share [Sec. 9, pg. 20].

• **Sexually Violent Persons (SVP) Payments:** Decreases the requirement that counties reimburse the Arizona Department of Health Services (DHS) for the cost associated with housing an SVP at the Arizona State Hospital (ASH), from 50% to no greater than the percentage paid in FY 2014 (estimated to be 34%). Includes *flexibility language* allowing counties to pay for this program with any source of county revenue [Sec. 10, pg. 21].

• **Restoration to Competency Payments:** Continues to require counties to reimburse DHS for 100% of the cost associated with competency restoration treatment at ASH. Includes *flexibility language* allowing counties to pay for this program with any source of county revenue [Sec. 11, pg. 22].

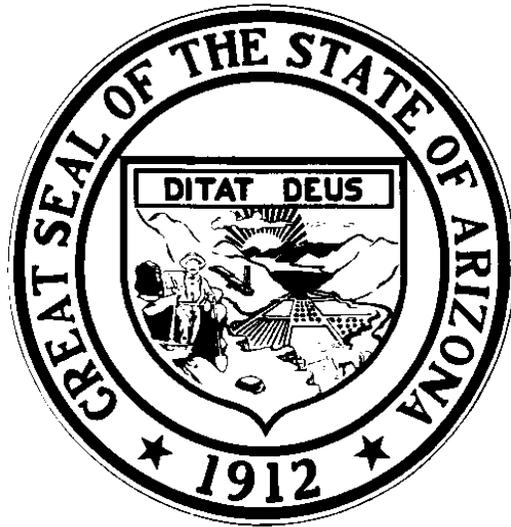
• **AHCCCS Transfer:** AHCCCS must transfer any excess monies back to the counties by December 31, 2015, if the counties' proportion of state match exceeds the proportion allowed to comply with the federal Affordable Care Act [Sec. 13, pg. 23].

• **Acute Care Contributions:** Sets county Acute Care contributions at \$47,553,700 for all 15 counties. This amount is unchanged from the JLBC Baseline and includes an inflation indexing of the Maricopa County contribution (Laws 2005, Ch. 328) [Sec. 14, pg. 24].

• **Disproportionate Uncompensated Care Pool (DUC Pool):** Requires the collection of \$2,646,200 in DUC Pool contributions from counties other than Maricopa [Sec. 15, pg. 25].

HB 2706 criminal justice; budget reconciliation; 2014-2015

- **Suspension of County Non-Supplanting Funding Requirements:** Continues the suspension of county non-supplanting requirements associated with funding of probation services, criminal case processing, and alternative dispute resolution programs [Sec. 9, (pg. 8).
- **County Grand Jury Expenses & Indigent Defense:** The criminal justice budget reconciliation bill (BRB) usually contains session law language that continues to suspend the requirement of the 50% reimbursement to counties for grand jury expenses and for state funded representation of indigent defendants in first time, capital post-conviction relief proceedings. Counties are reimbursed using the amount provided in the general appropriations act (\$187,900). However, this language is absent from the BRB and the implications of this are unknown as the general appropriations bill contains language limiting the reimbursement to appropriated amounts.
- **Diversion of State Aid to Indigent Defense Fund to the AG's Office and DPS:** Allows the Attorney General to use State Aid to Indigent Defense Fund monies for capital post-conviction prosecution and the Department of Public Safety to use State Aid to Indigent Defense Fund monies for operations [Sec. 11, pg. 9].



Fifty-First Legislature

SECOND REGULAR SESSION

Session Convened: January 13, 2014

Adjourned Sine Die: April 24, 2014

General Effective Date: July 24, 2014

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SECTION I

SUMMARY OF LEGISLATION: MARICOPA COUNTY 2014 LEGISLATIVE AGENDA

MARICOPA COUNTY

2014 LEGISLATIVE AGENDA



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- [E] Emergency Clause
- [P 105] Proposition 105 Clause
- [P 108] Proposition 108 Clause
- [LIV] Line Item Veto

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HB 2027 – Chapter 23 – golf carts; NEVs; passing; driving (Lesko)

Allows a person to drive a golf cart or neighborhood electric vehicle (NEV) on a paved shoulder that is adjacent to a roadway in an age restricted community in Maricopa County. Specifies that a vehicle may overtake and pass a golf cart or NEV, even if the driver's vehicle shares a lane with the golf cart or NEV when the overtaking and passing occurs. Requires a person driving a golf cart or NEV to yield the right-of-way to a vehicle travelling in the same direction that is intending to turn to the right.

HB 2148 – Chapter 134 – municipalities; counties; transfer; right-of-way (Borrelli)

Clarifies that the transfer of a county right-of-way or roadway between governing bodies of a county and a municipality must be treated as though it were newly annexed territory. Specifies procedures for a county street light improvement district (SLID) to be converted to a municipal SLID.

HB 2225 – Chapter 88 – county medical examiner; autopsies; images (Fann)

Stipulates that the visual images of human remains created by a county medical examiner during a death investigation can only be disclosed by order of the superior court after an in camera inspection of relevant materials and interests. Provides certain exceptions allowing for the disclosure of these images to specific parties and directs county medical examiners to prescribe procedures for the issuance of these materials to authorized individuals, including copying fees. Clarifies immunity provisions for actions of a county medical examiner and staff when conducting statutorily required duties related to death investigations, including the lawful release of visual images.

SB 1035 – Chapter 65 – *special health care districts; reimbursement (Melvin)

Eliminates the statutory requirement that Maricopa County purchase services from the Maricopa Integrated Health System (MIHS) in an amount of at least \$5,000,000 and instead requires the county to reimburse MIHS for any services provided.



SECTION II

**SUMMARY OF LEGISLATION:
OTHER BILLS OF COUNTY INTEREST**

AIR QUALITY AND ENVIRONMENT



* Strike-Everything Amendment
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 [P 108] Proposition 108 Clause
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[HB 2125 – Chapter 86 – air quality forecasting; nonattainment areas \(Pratt\)](#)

Requires the Arizona Department of Environmental Quality to develop and distribute air quality dust forecasts for the Maricopa County PM-10 nonattainment or maintenance area and for any other nonattainment or maintenance areas designated from and after December 31, 2011.

[HB 2128 – Chapter 132 \[E\] – weights; measures; vapor recovery systems \(Pratt\)](#)

Prescribes procedures for the phase-out and removal of stage II vapor recovery systems at gasoline dispensing facilities.

[HB 2226 – Chapter 89 – vehicle emissions inspection program \(Fann\)](#)

Makes multiple changes to the vehicle emissions inspection program (VEIP) administered by the Arizona Department of Environmental Quality and contains a conditional enactment specifying that these proposed modifications to the testing protocols of the VEIP are not effective unless on or before July 1, 2017, the Environmental Protection Agency approves the modifications as part of the state implementation plan.

[HB 2436 – Chapter 210 – food handler training; courses; certification \(Shope\)](#)

States that if a county requires food handler and certificates for employees in the food service industry, the food handler certificate training course must meet American Society for Testing and Materials Standards E2659-09. Outlines requirements for the course and specifies that a food handler certificate training course may be offered by any means available, including an online course. Requires a food handler certificate training course to be completed within required county timeframes and directs the county to issue a certificate or identification card to any person who demonstrates successful completion of the course. States that a county-issued food handler certificate or identification card is valid in any county that requires a food handler certificate or identification card and prohibits a county from limiting the amount of times a person may attempt to complete a food handler certificate training course. Specifies that if a county government that provides food service has an in-house food service training program, a certificate by that county training program is valid for food service provided for their facilities or operations. States that food handler certificate training courses that are created by the county, approved by the county, or both, before July 24, 2014 are considered to be accredited, even if they do not meet the American Society for Testing and Materials Standards E2659-09.

[HB 2442 – Chapter 267 – air quality; begin actual construction \(Gowan\)](#)

Modifies the definition of *begin actual construction* to include the initiation of a change in the method of operation of an emissions unit and repeals the conditional enactment in Laws 2010, Chapter 315, Section 4 which states that revisions are contingent upon the approval of the Environmental Protection Agency.

[HB 2580 – Chapter 99 – alternative fuel vehicles; registration; inspection \(Pratt\)](#)

Modifies the provisions of alternative fuel vehicle (AFV) emissions tests, including requiring AFVs to undergo an emissions test in the sixth registration year, rather than the fourth registration year and removes the fee in lieu of testing option for AFVs before the fourth registration year of a new or leased vehicle.

SB 1158 – Chapter 108 [E] – *fireworks; permissible use (Crandell)

Creates records requirements for sellers of fireworks that are shipped out-of-state or sold to farmers and ranchers and modifies the penalty for fireworks article violations. Amends the ability of counties and municipalities to regulate the sale and use of permissible consumer fireworks as follows:

- In a county with less than 500,000 persons, allows incorporated cities and towns and counties in unincorporated county islands to regulate the use and sale of permissible consumer fireworks when a federal or state agency implements stage one fire restrictions in any portion of the county.
- In a county with more than 500,000 persons, allows incorporated cities and towns and counties in unincorporated county islands to regulate the use and sale of permissible consumer fireworks, and:
 - The sale of permissible consumer fireworks shall be allowed from May 20 – July 6 and December 10 – January 3 each year.
 - The use of permissible consumer fireworks shall be allowed from June 24 – July 6 and December 24 – January 3 each year.

SB 1305 – Chapter 78 – semipublic swimming pool barrier gates (Griffin)

Specifies that from and after December 31, 2014 a code or ordinance, or part of a uniform code or ordinance that is adopted by the governing body of a county or municipality applies to locking devices for pool barrier gates used for means of ingress and egress for semipublic swimming pools. Stipulates that any new construction or major renovation of a semipublic pool from and after December 31, 2014 must meet the provisions of the code or ordinance adopted by the governing body of a county or municipality. Exempts a locking device for a pool barrier gate used for means of ingress and egress for a semipublic swimming pool that was installed before January 1, 2015, if the locking device meets other statutory requirements.

COURTS, CRIMINAL JUSTICE AND PUBLIC SAFETY



* Strike-Everything Amendment
 [E] Emergency Clause
 [P 105] Proposition 105 Clause
 [P 108] Proposition 108 Clause
 [LIV] Line Item Veto

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HB 2002 – Chapter 40 – correctional officers; arrest; unlawful imprisonment (Borrelli)

Grants detention officers the power to arrest a person on an arrest warrant if the person is already in custody of the jail facility at which the detention officer is employed or the person surrenders to the jail facility at which the detention officer is employed. Extends a defense to the crime of unlawful imprisonment to detention officers acting in their official capacity and defines *detention officer*.

HB 2003 – Chapter 127 – watercraft; civil and criminal penalties (Borrelli)

Modifies the statutes relating to operating a motorized watercraft while under the influence of intoxicating liquor or drugs and prescribes related civil and criminal penalties.

HB 2021 – Chapter 41 – *litigants designation; vexatious (Kavanagh)

Allows the Presiding Judge of the Superior Court or their designee to designate a pro se litigant a vexatious litigant in a noncriminal case and prohibits the pro se litigant from filing any new pleading, motion or document without prior leave of the court. Defines *vexatious conduct* and *without substantial justification*. Provides an effective date of from and after December 31, 2014.

HB 2105 – Chapter 197 [E] – court-ordered evaluations; peace officers (Kavanagh)

Permits a peace officer to detain a person believed to be a danger based on probable cause, rather than observed behavior.

HB 2145 – Chapter 164 [E] – identifying information; peace officer spouses (Borrelli)

Allows the spouse of a peace officer to request that certain records containing personal information be restricted from public access.

HB 2307 – Chapter 206 – *deferred prosecution fund (Pierce, J)

Authorizes each county to establish a County Attorney Deferred Prosecution Fund (Fund), specifies where money in the Fund may originate from and stipulates that Fund monies shall be distributed at the discretion of the County Attorney. Directs the Arizona Prosecuting Attorney's Advisory Council (Council) to conform as necessary to any changes that are made to statute that authorizes a deferred prosecution program and outlines what statistical information must be included in the records pertaining to the deferred prosecution program. Permits the Council to provide technical assistance to the County Attorney to develop or refine the County Attorney's deferred prosecution program.

HB 2310 – Chapter 142 – criminal justice information; court reporting (Pierce, J)

Requires the Director of the Department of Public Safety to authorize the exchange of criminal justice information between the Central State Repository or through the Arizona Criminal Justice Information System, and the Superior Court for the purpose of determining an individual's eligibility for substance abuse and treatment courts in a family or juvenile case.

HB 2322 – Chapter 261 – national instant criminal background checks (Pierce, J)

Establishes procedures for certain court case information to be transmitted to the National Instant Criminal Background Check System. Expands the definition of *prohibited possessor* and modifies requirements for obtaining a security guard agency license. Provides an effective date of from and after December 31, 2014.

HB 2323 – Chapter 34 – blue alert notification system (Pierce, J)

Creates the blue alert notification system as a quick response system designed to issue and coordinate alerts following an attack on a law enforcement officer if certain conditions have been met. States that if the Department of Public Safety issues a blue alert pursuant to statute, they must give the information to any other entity that provides similar notifications in this state.

HB 2336 – Chapter 147 – firearms; law enforcement officers (Barton)

Prohibits a peace officer or retired peace officer from carrying a firearm while consuming alcohol at any licensed liquor establishment, rather than only an establishment operated by this state or a political subdivision of this state, unless otherwise authorized by the peace officer's employing agency.

HB 2457 – Chapter 37 – mental health; veterans courts; establishment (Farnsworth, E)

Permits the establishment of county veterans courts or mental health courts with similar regulations as county homeless courts.

HB 2461 – Chapter 152 – probation officers; authority (Farnsworth, E)

Authorizes probation officers in all 15 counties to enforce pretrial release conditions, rather than granting this authority specifically to probation officers in Maricopa County.

HB 2483 – Chapter 62 – firearms; private land; lawful discharge (Kavanagh)

Prohibits a local government from enacting an ordinance or rule that would prevent, restrict or otherwise regulate the lawful discharge of a firearm, air gun or the use of archery equipment on a private lot or parcel of land that is not open to the public on a commercial or membership basis. Stipulates that the otherwise lawful discharge of a gun may be enjoined only under certain circumstances and states that if a claim is filed concerning damages or public nuisance, the person filing must have clear and convincing evidence if they were not lawfully present at the private property at the time that the alleged discharge occurred. Permits a local government to enact an ordinance or rule restricting the lawful discharge of a firearm within one-fourth mile of an occupied structure without the consent of the owner or occupant of the structure in regards to the taking of wildlife and defines *occupied structure*.

HB 2562 – Chapter 240 – probation; peace officers; rights; investigations (Pierce, J)

Reorganizes and modifies sections of statute governing the rights of law enforcement officers and probation officers, creating a new section dedicated to probation officers only.

HB 2593 – Chapter 156 – death; postconviction; appellate proceedings; dismissal (Allen)

Directs the court to dismiss appellate and postconviction proceedings upon the death of a convicted defendant and states that a defendant's criminal conviction, imprisonment, restitution, fine or assessment is not abated upon their death. Specifies that a person sentenced to life in prison with the possibility of release for an offense committed before 18 years of age is eligible for parole upon completion of the minimum sentence, regardless of whether the offense was committed on or after January 1, 1994.

SB 1097 – Chapter 232 – silver alert notification system (Griffin)

Creates the silver alert notification system designed as a quick response designed to issue and coordinate alerts following the report of a missing person over the age of 65 if certain conditions have been met. States that if the Department of Public Safety issues a silver alert pursuant to statute, they must give the information to any other entity that provides similar notifications in this state.

SB 1179 – Chapter 242 – constable; prohibited acts (Borges)

Prohibits a constable from engaging in any act as a private process server outside of their elected or appointed duties or from owning an interest in any private process serving business. Contains an applicability clause.

SB 1217 – Chapter 113 – precinct officers; salaries (McComish)

Raises statutory salary limits for constables.

SB 1248 – Chapter 77 [E] – jury service; lengthy trial fund (Driggs)

Reauthorizes the Supreme Court to establish an additional filing, appearance and answer or response fee, charged by the Clerk of the Superior Court, and states that the money collected must be deposited in the Arizona Lengthy Trial Juror Fund (Fund) by the County Treasurer. Repeals the Fund from and after June 30, 2019 and repeals the authority to collect the fee from and after December 31, 2018. Allows a licensed physician assistant to provide the court or jury commissioner with a medical statement that explains an existing mental or physical condition that renders the person unfit for jury service and directs the Arizona Regulatory Board of Physician Assistants and the Arizona Board of Osteopathic Examiners to make an applicable form available on their website to comply with these provisions.

SB 1266 – Chapter 189 – misconduct involving weapons; judicial officers (Pierce, S)

Allows an elected or appointed judicial officer, with the exception of hearing officers and part-time judicial officer pro tempore, to carry a deadly weapon in the court facility where they work under certain conditions.

SB 1284 – Chapter 190 – public safety officers; omnibus (Crandell)

Expands the Firefighter and Peace Officer Cancer Insurance Program to include corrections officers. Allows a peace officer to request that Superior Court records which contain personal identifying information be redacted by filing an affidavit and allows the Supreme Court to establish rules to implement the redaction process. Permits the Arizona Department of Administration to establish an alternative appeal hearing process for the denial of public safety officer supplemental benefits for officers injured while on duty.

SB 1309 – Chapter 246 – court ordered services; dependent children (Barto)

Permits the court to provide supplemental services to those provided by the Arizona Department of Economic Security if the services have no cost. Allows the Presiding Judge of the Superior Court to enter into an agreement for the use of juvenile shelters or treatment facilities. .

HUMAN RESOURCES AND RETIREMENT



* Strike-Everything Amendment
 [E] Emergency Clause
 [P 105] Proposition 105 Clause
 [P 108] Proposition 108 Clause
 [LIV] Line Item Veto

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HB 2166 – Chapter 202 – PSPRS contributions; county employers (Orr)

Allows a county employer under the Public Safety Personnel Retirement System that elected to pay a higher level percentage contribution rate to eliminate that rate amount for members hired on or after January 15, 2015. Provides several retroactive effective dates in order to allow health subsidies to be excluded from retirees' income for income tax purposes.

HB 2394 – Chapter 35 – *self-insured employers; deviation; continuation (Lesko)

Maintains the current 10% deviation rate for the purposes of calculating taxes or assessments paid by a self-insured employer through calendar year 2020.

SB 1040 – Chapter 66 – *auxiliary members; leave of absence

Grants public officers and employees who serve as auxiliary members of the United States military leaves of absence from their duties while under military orders, not to exceed 30 days in any two consecutive years. Allows a public employer to grant a leave of absence without loss of time, pay or efficiency rating. Prohibits a public employer from charging a public officer or employee who is under orders military leave for days the individual was not scheduled to work and contains a legislative intent clause.

GENERAL GOVERNMENT



* Strike-Everything Amendment
 [E] Emergency Clause
 [P 105] Proposition 105 Clause
 [P 108] Proposition 108 Clause
 [LIV] Line Item Veto

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HB 2004 – Chapter 20 – first informer broadcasters (Borrelli)

Authorizes the Arizona Division of Emergency Management (ADEM) to coordinate with an Arizona broadcasting association or cable television telecommunication association, or both, to develop plans for preparing for and responding appropriately to an emergency or disaster. Permits ADEM to designate and authorize certain organizations to train and certify broadcast engineers and technical personnel that are critical to station operations as first informer broadcasters and provides definitions for *broadcaster* and *first informer broadcaster*. Directs state and local government agencies to allow first informer broadcasters access to an area affected by an emergency or disaster to the extent practicable.

HB 2100 – Chapter 130 – address confidentiality program (Brophy McGee)

Allows an eligible participant in the address confidentiality program (ACP) to attach a copy of their current and valid ACP card and a statement of certification from the Secretary of State (SOS) to their affidavit request for confidentiality in documents maintained by the County Recorder, County Assessor and County Treasurer. Specifies that public schools, rather than school districts, must accept a substitute address as the address of record and verify enrollment eligibility through the SOS. Directs the County Recorder to seal the voter registration record of any eligible participant in the ACP and their families upon request. Increases the time participants are certified in the ACP from four years to five years and modifies the definition of *eligible person* and *state or local government entity*.

HB 2135 – Chapter 30 – military affairs commission; continuation (Mitchell)

Continues the Military Affairs Commission until July 1, 2022.

HB 2196 – Chapter 5 – election law amendments repeal (Farnsworth, E)

Repeals Laws 2013, Chapter 209 which required a political committee that files petitions with the Secretary of State's Office to organize and group the signature sheets pursuant to statute and placed sole responsibility for compliance on the petition proponent. Laws 2013, Chapter 209 afforded a heightened evidentiary standard for any challenger to the petition circulators if the political committee conducts an arm's length background check on its circulators, attempted to remove permanent early voting list registrants if they had not voted an early ballot in the previous two elections and amended the number of signatures required for nomination petitions to elected office.

HB 2225 – Chapter 88 – county medical examiner; autopsies; images

Stipulates that the visual images of human remains created by a county medical examiner during a death investigation can only be disclosed by order of the superior court after an in camera inspection of relevant materials and interests. Provides certain exceptions allowing for the disclosure of these images to specific parties and directs county medical examiners to prescribe procedures for the issuance of these materials to authorized individuals, including copying fees. Clarifies immunity provisions for actions of a county medical examiner and staff when conducting statutorily required duties related to death investigations, including the lawful release of visual images.

HB 2320 – Chapter 57 – county seals; approval of use (Pierce, J)

Directs a county Board of Supervisors (Board) to provide approval before a person may use, display or otherwise employ any resemblance of the county seal. Prohibits anyone except county departments from using the county seal for advertising or promotion. Allows a Board to adopt rules for the use of the county seal, including rules for use of official county business. Requires counties that maintain websites to display the adopted seal and the text of this Act on its website. Directs a Board to issue a cease and desist order to any person violating the provisions of this Act and asserts that if that person fails to comply with the order, then they are guilty of a class 3 misdemeanor (30 days jail time/\$500 fine).

HB 2321 – Chapter 145 – procurement code omnibus (Pierce, J)

Modifies the provisions of the Arizona Procurement Code.

HB 2332 – Chapter 92 – unclaimed remains; veterans; burial (Orr)

Specifies procedures related to the verification and burial of the unclaimed cremated remains of a veteran or veteran's eligible dependent.

HB 2408 – Chapter 149 – *public officer; financial disclosure; filing (Stevens)

Allows public officers, beginning January 1, 2017, to file financial disclosure statements in a form prescribed by the Secretary of State's Office that includes authorization for future filings to be submitted in an electronic format.

HB 2420 – Chapter 265 – *membership; county supervisors; population threshold (Stevens)

Modifies the population threshold requirement for counties to call an election to change the number of members on the county Board of Supervisors.

HB 2654 – Chapter 178 – government reporting; financial information (Stevens)

Requires local governments to include the following information on their website via the Arizona Department of Administration's (ADOA) web portal, in addition to existing statutory reporting requirements:

- The total taxes per capita of the local government for the population within its jurisdiction along with a statewide average of all similar local governments as calculated by ADOA.
- The total value of all outstanding debt obligations and the equivalent amount on a per capita basis for the population within the local government's jurisdiction.

SB 1276 – Chapter 222 – HIV-related testing; consent; confidentiality; exceptions (Yee)

Allows HIV-related testing to be performed, when requested by a health care provider or first responder under general consent to receive treatment, except in an emergency when consent can be implied. Maintains that a patient may not be forced to provide a blood sample and asserts that when an HIV-related test is ordered, a health care provider must provide the patient with the test results and information explaining HIV infection and the meaning of a positive or negative test result. Permits a medical examiner or alternative medical examiner to provide a blood sample from a deceased person for the purpose of HIV-related testing and states that the medical examiner or alternative medical examiner is not required to perform an HIV-related test for an occupational significant exposure risk. Defines *first responder* and *occupational significant exposure risk*.

SB 1306 – Chapter 118 – governmental entities; credit card payments (Griffin)

Permits a governmental entity to require a vendor to accept a specific method of payment exclusively for any goods or services provided by the vendor to the governmental entity. States that if a specific method of payment is required, the governmental entity must disclose the method during the bid process or amend the contract under mutual agreement with the vendor. Directs governmental entities, if they pay vendors by credit card, to annually disclose the amount of any reward, discount, incentive or other financial consideration received as a result of paying by credit card in their financial reports. Defines *credit card* and *governmental entity*.

SCM 1006 urging Congress; PILT program; funding (Griffin)

Urges the United State Congress to:

- Provide full, sustainable funding to the Payment in Lieu of Taxes Program for FY 2015 and beyond to help create financial stability within Arizona's 15 counties, and;
- Work with Arizona and county governments to identify and implement policies to promote economic development on, or associated with, public lands.

PLANNING AND ZONING, LAND USE



* Strike-Everything Amendment
 [E] Emergency Clause
 [P 105] Proposition 105 Clause
 [P 108] Proposition 108 Clause
 [LIV] Line Item Veto

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HB 2179	259	*trampoline court safety	18
HB 2523	212	projects; water supply development	18
SB 1150	72	sewer connection; county islands; prohibition	18
SB 1183	73	fire access roads; limitation; sprinklers.....	18
SB 1184	112	planned communities; definition; property easements.....	18
SB 1215	187	*unsubdivided land; definition	18
SB 1482	83	homeowners' associations amendments; omnibus	19

HB 2179 – Chapter 259 – *trampoline court safety (Coleman)

Establishes regulations for trampoline courts and directs the Department of Fire Building and Life Safety (Department) to administer and enforce the provisions of this Act, including the adoption of any necessary rules. Creates the Trampoline Court Safety Fund (Fund) consisting of monies received pursuant to statute and requires the Department to deposit all received fees, administer the Fund and use the monies in the Fund to implement the provisions of this Act. Prescribes requirements for trampoline court owners and operators, enforcement provisions and defines *trampoline court*.

HB 2523 – Chapter 212 – projects; water supply development (Barton)

Expands the definition of *water provider* for the purposes of funding from the Water Supply Development Revolving Fund, which includes a county that enters into an agreement with a city, town or other water provider regarding a water supply development project and modifies the definition of *water supply development*. Creates the Rural Water Supply Development and Contamination Prevention Study Committee (Committee). Prescribes Committee membership and duties, directing a report on Committee findings and recommendations to be made to the Speaker of the House of Representatives and the President of the Senate by November 1, 2014.

SB 1150 – Chapter 72 – sewer connection; county islands; prohibition (Farnsworth, D)

Prohibits a municipality from requiring a property owner in the municipality's planning area to connect to a sewer system if the property is located on a county island, unless the Arizona Department of Environmental Quality has determined that a sewer connection is necessary to abate an environmental nuisance or to eliminate a threat to a water quality standard. Asserts that the provisions of this Act preempt all local laws, ordinances and charter provisions to the contrary.

SB 1183 – Chapter 73 – fire access roads; limitation; sprinklers. (Farnsworth, D)

Prohibits municipalities and counties from requiring a fire apparatus access road or approved route that would result in the mandatory installation of fire sprinklers. Allows a fire code official to increase or extend an approved fire apparatus access road or extension or an approved route or extension to comply with the provisions of this Act and states that municipality or county compliance with this Act may not be grounds to deny or suspend a license or permit. Defines *fire code* and *miscellaneous accessory building or structure*.

SB 1184 – Chapter 112 – planned communities; definition; property easements (Pierce, S)

Modifies the definition of *planned community* to include real estate on which an easement or covenant to maintain roadways is held by a nonprofit corporation or unincorporated association of owners.

SB 1215 – Chapter 187 – *unsubdivided land; definition (Griffin)

Expands the definition of *unsubdivided lands* to include any land sold that would otherwise constitute a sixth lot, parcel or fractional interest if the sale occurs 10 or more years after the earliest of the previous five sales and if all of the sales consist of property that was originally contained within the same parcel that is 36 acres or more and less than 160 acres.

SB 1482 – Chapter 83 – homeowners’ associations amendments; omnibus (Griffin)

Prohibits the planning or zoning entity of a local government from requiring that a developer construct or enact a planned community as part of a subdivision approval or zoning ordinance. Asserts that a developer cannot be penalized as a result of not having a planned community as part of their preliminary plat or specific plan. Allows a local government to require a developer to construct or enact a planned community to maintain private improvements that are approved and installed as part of a preliminary plat, final plat or specific plan. Specifies that planned communities required under these provisions apply only to those established in plats recorded after July 24, 2014 and must be limited in scope to the maintenance of community owned property. Makes various other modifications to the statutes governing homeowners’ associations.

PUBLIC WORKS



* Strike-Everything Amendment
 [E] Emergency Clause
 [P 105] Proposition 105 Clause
 [P 108] Proposition 108 Clause
 [LIV] Line Item Veto

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HB 2430	60	combination vehicles; size; weight; load.....	21

[HB 2027 – Chapter 23 – golf carts; NEVs; passing; driving \(Lesko\)](#)

Allows a person to drive a golf cart or neighborhood electric vehicle (NEV) on a paved shoulder that is adjacent to a roadway in an age restricted community in Maricopa County. Specifies that a vehicle may overtake and pass a golf cart or NEV, even if the driver's vehicle shares a lane with the golf cart or NEV when the overtaking and passing occurs. Requires a person driving a golf cart or NEV to yield the right-of-way to a vehicle travelling in the same direction that is intending to turn to the right.

[HB 2114 – Chapter 28 – ADOT; land acquisition; conveyances; relocation \(Fann\)](#)

Updates the Arizona Department of Transportation's standards to conform to federal standards of payment and relocation assistance in accordance with Moving Ahead for Progress in the 21st Century, the newest federal transportation reauthorization spending bill that increases payment and relocation assistance benefits for eligible persons displaced by transportation projects. Provides a retroactive effective date.

[HB 2126 – Chapter 256 – municipal annexation; size; exception \(Pratt\)](#)

Modifies the definition of *contiguous*, stating that a territory satisfies the width requirement if at least 95% of that territory is at least 200 feet in width, excluding rights-of-way and roadways, effective January 1, 2015. Provides session law that reformulates the manner of determining the majority of votes cast in a city council or mayoral election in 2014-15 and establishes guidelines for these candidates to be elected at a primary or to advance to the general or runoff election.

[HB 2148 – Chapter 134 – municipalities; counties; transfer; right-of-way \(Borrelli\)](#)

Clarifies that the transfer of a county right-of-way or roadway between governing bodies of a county and a municipality must be treated as though it were newly annexed territory. Specifies procedures for a county street light improvement district (SLID) to be converted to a municipal SLID.

[HB 2330 – Chapter 146 – municipalities; deannexation; public right-of-way \(Livingston\)](#)

Allows a public right-of-way that is partially located in a municipality and partially located in an unincorporated area of a county to be deannexed from the municipality and returned to the county. Prescribes corresponding deannexation procedures.

[HB 2430 – Chapter 60 – combination vehicles; size; weight; load \(Fann\)](#)

Modifies the conditions and allowances for an excess size and weight special permit.

SPECIAL DISTRICTS



* Strike-Everything Amendment
 [E] Emergency Clause
 [P 105] Proposition 105 Clause
 [P 108] Proposition 108 Clause
 [LIV] Line Item Veto

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HB 2218	260	fire district reorganization elections	23
SB 1035	65	*special health care districts; reimbursement	23
SB 1387	252 [E]	*special districts	23

HB 2218 – Chapter 260 – fire district reorganization elections (Fann)

Requires candidates in a fire district reorganization election to follow statutory nomination procedures, modifies time frames for canvassing election returns and removes the ability to reorganize a fire district board to be administered by an elected chief. Exempts noncontiguous county island fire districts from the provisions of this Act.

SB 1035 – Chapter 65 – *special health care districts; reimbursement (Melvin)

Eliminates the statutory requirement that Maricopa County purchase services from the Maricopa Integrated Health System (MIHS) in an amount of at least \$5,000,000 and instead requires the county to reimburse MIHS for any services provided.

SB 1387 – Chapter 252 [E] – *special districts (Crandell)

Enacts various recommendations of the 2013 Countywide Fire District Study Committee, including:

- Expands fire district boards (board) from three members to five members if they levy more than \$500,000 in taxes in a fiscal year.
- Outlines financial reporting requirements for fire districts based on their total annual revenue.
- Requires board vacancies to be filled within 90 days and gives the county Board of Supervisors the authority to appoint an interim member in 60 days after failure of the board to do so.
- Mandates a minimum of six hours of professional development training for board members and the fire chief within their first year of office.
- Prohibits nepotism between fire district employees and their relatives.

TAXES AND FINANCE



* Strike-Everything Amendment
 [E] Emergency Clause
 [P 105] Proposition 105 Clause
 [P 108] Proposition 108 Clause
 [LIV] Line Item Veto

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HB 2395	209	property tax calculations; school districts	25
SB 1352	249	property tax roll; corrections.....	25
SB 1413	7	taxes; manufacturers'; electricity sales; exemption	25

HB 2046 – Chapter 43 – disaster recovery; businesses; tax; regulation (Lesko)

Exempts any out-of-state business or employee temporarily working in Arizona solely to perform disaster recovery during a declared disaster from having to file, remit, withhold, or pay state or local income, use or property tax, provided that the entity existed before the declared disaster. Requires any out-of-state business to notify the Division of Emergency Management, upon request, that they or any of their affiliates are in the state performing disaster recovery. Provides an effective date of from and after December 31, 2014.

HB 2141 – Chapter 133 – *county assessor; common area consolidation (Petersen)

Requires the County Assessor to automatically consolidate parcel combinations within the same taxing district if and only if improvements have been made to the common area. Allows the County Assessor to revoke any statutory valuation made with regard to a parcel should that parcel fail to meet the statutory definition of a common area.

HB 2239 – Chapter 135 – state board of appraisal (Brophy McGee)

Makes various changes to the powers, duties and regulations of the Arizona Board of Appraisal.

HB 2283 – Chapter 139 – TPT; postmark; filing by mail (Lesko)

Considers property tax mailings without an official United States Post Office postmark to be timely if they are received within five days of the deadline, excluding petitions or notices of appeal. Provides an effective date of from and after December 31, 2014.

HB 2287 – Chapter 205 – county treasurer; lien; sale (Lesko)

Eliminates the statutory requirement that a County Sheriff sell a foreclosed property to the county in which the property is assessed if there is no bid sufficient to repay all back taxes, interest and costs of sale, effectively allowing the Sheriff to auction certain property to the highest bidder. Requires the County Treasurer to be a named party in property litigation and suspends a civil penalty for the misclassification of property when ownership has changed between the time of notice and penalty.

HB 2395 – Chapter 209 – property tax calculations; school districts (Lesko)

Requires a County School Superintendent to report primary property tax calculations to the Property Tax Oversight Commission (Commission) and requires the Commission to review such estimates, which are then reported by the County School Superintendent to the county Board of Supervisors.

SB 1352 – Chapter 249 – property tax roll; corrections (Worsley)

Makes various corrections and changes to statutes related to tax roll collection corrections.

SB 1413 – Chapter 7 – taxes; manufacturers' electricity sales; exemption (Yarbrough)

Exempts gross proceeds of sales of electricity and natural gas to manufacturing and smelting facilities from transaction privilege tax and use tax. Specifies that this tax exemption does not apply to *gas transportation services*. Defines *transportation services, manufacturing, principally engaged, and smelting*.

VETOED BILLS



- * Strike-Everything Amendment
- [E] Emergency Clause
- [P 105] Proposition 105 Clause
- [P 108] Proposition 108 Clause
- [LIV] Line Item Veto

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[HB 2281 – VETOED – religious property; class nine \(Lesko\)](#)

Reclassified property leased to a religious assembly or institution as Class 9 and exempted such property from taxation if owned by an educational, religious, or charitable organization.

HB 2281 → [Governor's Veto Message](#)

[HB 2339 – VETOED – firearms; permit holders; public places \(Barton\)](#)

Allowed any person with a valid concealed carry permit from having to forfeit their weapon upon entering a public establishment or public event, even if requested to do so. Exempted the following:

- A public establishment or event that provides security personnel, metal detectors and safe storage for weapons.
- A community college district or a university under the jurisdiction of the Arizona Board of Regents.
- A public establishment or event licensed by the Department of Liquor Licenses and Control.
- A university, college, community college, high school or common school.

Asserted that the provisions of this Act did not relieve or limit an operator of a public establishment or event from the requirement to provide weapon storage pursuant to statute.

HB 2339 → [Governor's Veto Message](#)

[HB 2517 – VETOED – firearms; state preemption; penalties \(Smith\)](#)

Made statutory changes relating to state preemption and penalties in regard to firearms, including:

- Required a court to declare invalid any improper act, ordinance, regulation, tax or rule that violated state law concerning firearms regulated by the state.
- Required a court to issue an injunction against the political subdivision from continuing the act or enforcing the ordinance, regulation, tax or rule that was declared invalid.
- Established a civil penalty of up to \$5,000 for any government official or political subdivision who knowingly or willfully committed a violation.
- Asserted that public monies may not be used to defend or reimburse a person who knowingly or willfully committed a violation.
- Specified that any person who committed a violation while performing their official duties would be subject to termination

[HB 2541 – VETOED – federal land; emergency access \(Townsend\)](#)

Granted a state, county, city or town to access federal land located within this state during an emergency situation with the appropriate equipment necessary to address the situation.

HB 2541 → [Governor's Veto Message](#)

[HB 2611 – VETOED – rescue operation personnel; limited liability \(Thorpe\)](#)

Specified that a person who is a member of an organized search and rescue team, unit or organization and who was involved in a search and rescue operation would not be liable for an injury or the death of a person who is the subject of the search and rescue operation, unless the person acted with gross negligence.

HB 2611 → [Governor's Veto Message](#)

[HB 2703 – LIV – 2014-2015; general appropriations \(Kavanagh\)](#)

Governor Brewer exercised her authority to line-item veto the general appropriations bill and struck a provision that would have appropriated \$1.3 million from the state general fund to the counties to backfill revenue loss resulting from the enactment of SB 1413 (taxes; manufacturers' electricity sales).

HB 2703 → [Governor's Veto Message](#)

[SB 1483 – VETOED – county supervisors; population threshold; membership \(Griffin\)](#)

Modified the population threshold requirement for counties to change the number of members on the board of supervisors.

SB 1483 → [Governor's Veto Message](#)



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