



City of Phoenix

## General Information Packet

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Thursday, March 23, 2023

phoenix.gov

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1	Department of Justice Investigation Update	Page 3
2	Emergency Rental Assistance Program Weekly Update	Page 6
3	Weekly Community Spread Benchmark Report	Page 8
4	2023 State Legislative Report	Page 11





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## Department of Justice Investigation Update

This report provides information regarding the United States Department of Justice (DOJ) Investigation into the Phoenix Police Department (PPD).

### Summary

Since the DOJ announced its investigation into the Phoenix Police Department on Aug. 5, 2021, staff have continued to pledge their support and participation. Staff have provided over 80,000 documents and coordinated nearly 150 interviews and ride-alongs.

The investigation focuses on five areas:

- Excessive force in violation of the Fourth Amendment
- Discriminatory policing that violates the Constitution and Federal law
- Retaliation against those engaged in First Amendment-protected activities
- Violations of the Americans with Disabilities Act (ADA) related to behavioral health disabilities
- Violations of the rights of individuals experiencing homelessness with regards to the disposal of property

### Updates

#### Use of Force Policy

1. Staff publicly distributed a draft Use of Force policy to solicit feedback. The policy was available online during the month of January and the City received over 800 comments. A working group, comprised of sworn and professional staff, was created to evaluate the draft Use of Force policy and incorporate revisions. Later this year, the Phoenix Police Department will train sworn personnel on the revised Use of Force policy. The City has not received any input from the DOJ regarding use of force.
2. The current Use of Force policy meets the Constitutional minimum requirements under *Graham v. Connor*, 490 U.S. 386 (1989), but does not specify when levels of force are appropriate. Generally accepted police best practices establish a higher standard than the Constitutional minimum, including a Use of Force policy that describes reasonable, proportional and necessary use of force.
3. The United States Supreme Court's ruling in *Tennessee v. Garner*, 471 U.S. 1

(1985), and other constitutional cases, makes clear the need to limit deadly force to situations in which officers or civilians face a serious or deadly threat from a suspect.

4. Although these Supreme Court cases do not explicitly require that use of force be proportional and necessary, it is the dominant view held by leaders in the policing profession. There are recommendations of best policing practices toward proportionality that demand different responses in different law enforcement situations, depending on the public interests at stake and the risks of harm and indignity.
5. The City's draft Use of Force policy incorporates guidelines for different levels of force, from less lethal to deadly force, and specifies the instances when each tool or technique is appropriate or prohibited. The draft policy considers the factors spelled out by the *Graham* opinion, which include the severity of the crime, whether the suspect presents an immediate safety threat to the officer or others, and whether the suspect was actively resisting or avoiding arrest.
6. Citing *Graham*, the "reasonableness" of a particular use of force must be judged from the perspective of a reasonable officer on the scene, and its calculus must embody an allowance for the fact that police officers are often forced to make split-second decisions about the amount of force necessary in a particular situation.

#### Review of the Austin Police Department

- On May 31, 2007, the DOJ opened an investigation of the Austin Police Department (APD) following complaints of systemic police misconduct.
- The complaint alleged that between 1999 and 2003, 11 people died from encounters with Austin police. Of these 11 individuals, one was Caucasian. The rest were Hispanic or African American.
- At the onset of the investigation, the DOJ agreed to provide APD with assistance throughout the investigation.
- In 2008, after 16 months, in lieu of consent decree findings, the DOJ issued a letter with 160 recommendations to improve APD's policies and procedures, the majority focused on the use of force.
- The DOJ outlined recommendations regarding a continuum of force to enable officers to use force appropriately. The continuum, or matrix, for the use of force provides officers with a progression and de-escalation of the use of force.
- The use of force continuum, popular in the late 1990s and early 2000s, was later replaced by other ways to illustrate different levels of force.
- Incorporating the recommendations from the DOJ, APD implemented revised policies and procedures.
- Following a two-year compliance period, the DOJ officially ended its inquiry into APD on May 11, 2011. The DOJ issued a letter to APD that, due to the substantial

changes implemented by APD during the compliance period, the DOJ concluded that they did not find reasonable cause to believe that APD had engaged in a pattern or practice that violated the Constitution or laws of the United States. The basis of the conclusion was the fact that APD had implemented the DOJ's 2008 recommendations.

- In the 2011 letter, the DOJ stated that there were significant concerns at the start of the investigation. However, APD's commitment to reform the department during the investigation period led the DOJ to conclude no constitutional violations.
- APD updated the use of force policy, how officers report use of force, the department's reporting, forms, descriptions, intake, classification, and the handling of citizen complaints about officers.

### What's Next

- Three addendums to the Use of Force policy are currently being developed by staff members within the Phoenix Police Department. Those addendums, Force Options, Report and Review, and Duty to Intervene, will have a draft available for review around the end of March.
- Additional information on DOJ consent decree cities.
- Costs of a DOJ investigation and consent decree, consisting of a survey was sent to seven cities and the Maricopa County Sheriff's Office (MCSO), that are currently under a DOJ consent decree.
- Site visits from the DOJ to resume in April.
- The City will continue to request technical assistance from the DOJ, however, the DOJ has not agreed to provide any technical assistance, or to make recommendations to the Phoenix Police Department.

### **Responsible Department**

This item is submitted by City Manager Jeffrey Barton and the Law Department.



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## Emergency Rental Assistance Program Weekly Update

This report provides information on the current status of the Emergency Rental Assistance Program.

### Summary

The attached memo (**Attachment A**) provides current updates of the Emergency Rental Assistance Program.

### Responsible Department

This item is submitted by Deputy City Manager Gina Montes and the Human Services Department.

# ATTACHMENT A



## City of Phoenix

**To:** Jeff Barton  
City Manager

**Date:** March 23, 2023

**Through:** Gina Montes  
Deputy City Manager

**From:** Marchelle F. Franklin  
Human Services Director

**Subject: WEEKLY EMERGENCY RENTAL ASSISTANCE PROGRAM REPORT**

This memo outlines current updates of the Emergency Rental Assistance (ERA) Program. The chart below reflects allocated amounts and expenditures for all ERA fund sources. Cumulative direct services expenditures of \$128,779,237 to date include \$46,040,352 in ERA 1.0 funds, \$32,941,747 in ERA 1.0 Reallocated funds, and \$49,797,138 in ERA 2.0 funds.

ERA Fund Source	Total Allocation	Admin Costs Expended (or Allowable <sup>1</sup> )	Direct Services Expended	Available Direct Services
ERA 1.0	\$51,145,125	\$5,104,773	\$46,040,352	\$0
ERA 1.0 Reallocated	\$35,000,000	\$2,058,253	\$32,941,747	\$0
ERA 2.0	\$55,349,895	\$3,583,014	\$49,797,138	\$1,969,743
ERA 2.0 Reallocated	\$7,000,000	\$1,050,000 <sup>1</sup>	\$0	\$5,950,000
<b>Total</b>	<b>\$148,495,020</b>	<b>\$11,796,040</b>	<b>\$128,779,237</b>	<b>\$7,919,743</b>

NOTE: ERA 1.0 funding closeout functions continue to be worked out and may result in some adjustments to final expenditure balances.

The expenditures below represent ERA 2.0 funds disbursed to eligible Phoenix households. The Human Services Department expended \$617,762.65 over the previous week to 89 households.

### ERA Program Data

Time Period	Households Served	Residents Served	Ineligible Applications	Total Expenditures
Jan. 2 – Feb. 25	721	1,960	0	\$5,249,563.39
Feb. 27 – March 4	66	203	0	\$540,590.80
March 5 – March 11	87	219	0	\$601,986.76
March 12 – March 18	89	235	0	\$617,762.65
<b>Total</b>	<b>963</b>	<b>2,617</b>	<b>0</b>	<b>\$7,009,903.60</b>



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## Weekly Community Spread Benchmark Report

This report provides City Council with an update regarding the status of the current community spread benchmark indicators tracked by the City of Phoenix related to COVID-19 as requested at the Dec. 2, 2020 Formal Meeting. This information represents the latest data released by the Centers for Disease Control and Prevention (CDC) on March 16, 2023.

### Summary

The Maricopa County Department of Public Health has transitioned from Community Transmission Risk indicators to the new CDC Community Level reporting, which reports at the County level and are rated as Low, Medium or High. The weekly report now follows the CDC Community Level reporting.

The CDC Community Level is determined by the higher of the inpatient beds and new admissions indicators, based on the current level of new cases per 100,000 in the past seven days. Please note that, in the event New Cases per 100,000 exceeds 200, the community level can be no lower than Medium, regardless of the inpatient bed use or hospital admissions per 100,000.

The attached memo (**Attachment A**) provides an indicator dashboard of the CDC Community Level for Maricopa County. The current CDC Community Level for Maricopa County is **Low**.

### Responsible Department

This item is submitted by Assistant City Manager Lori Bays.



## City of Phoenix

**To:** Jeffrey Barton  
City Manager

Date: March 23, 2023

**From:** Lori Bays  
Assistant City Manager

**Subject: WEEKLY COMMUNITY SPREAD BENCHMARK REPORT**

This memo communicates the community spread benchmarks within the City of Phoenix.

The Maricopa County Department of Public Health has transitioned from Community Transmission Risk indicators to the new CDC Community Level reporting, which reports at the County level.

The CDC Community Level is determined by the higher of the inpatient beds and new admissions indicators, based on the current level of new cases per 100,000 in the past 7 days. Please note that, in the event New Cases per 100,000 exceeds 200, the community level can be no lower than Medium, regardless of the inpatient bed use or hospital admissions per 100,000. For more information about the COVID-19 Community Levels go to the [CDC COVID-19 Community Levels](#) site.

Current CDC COVID-19 Community Level:  
**Maricopa County**

**Low**

Reporting Week		Percentage of In-Patient Bed Usage	New Hospital Admissions per 100,000	New COVID Cases per 100,000
Most Current Week Reporting	March 16, 2023	2.2%	5.7	58.88
Previous Week Reporting	March 9, 2023	2.2%	5.6	29.27

COVID-19 Community Levels – Use the Highest Level that Applies to Your Community				
New COVID-19 Cases Per 100,000 people in the past 7 days	Indicators	Low	Medium	High
Fewer than 200	New COVID-19 admissions per 100,000 population (7-day total)	<10.0	10.0-19.9	≥20.0
	Percent of staffed inpatient beds occupied by COVID-19 patients (7-day average)	<10.0%	10.0-14.9%	≥15.0%
200 or more	New COVID-19 admissions per 100,000 population (7-day total)	NA	<10.0	≥10.0
	Percent of staffed inpatient beds occupied by COVID-19 patients (7-day average)	NA	<10.0%	≥10.0%



## 2023 State Legislative Report

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

### Summary

March 24, 2023 is the 75th day of the Second Regular Session of the 56th Arizona State Legislature. **Attachment A** provides current status of legislation as of March 23, 2023. To date, 1,625 bills have been introduced and staff continues to review these measures to identify potential impacts.

### Responsible Department

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

**Attachment A  
City Council Information  
March 24, 2023**



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

This Legislative Report provides information about bills that could impact the City. March 24, 2023 is the 75th day of the Second Regular Session of the 56th Legislature. The information provided in this report regarding status of legislation is current as of March 23, 2023. To date, 1,625 bills have been introduced and staff continues to review these measures to identify potential impacts.

Please note the highlighted sections represent bills newly added to this report.

**Bills that staff has identified as negatively impacting the City**

**HB2003 - Corporate income tax; rates**

**Sponsor**

Rep. David Livingston (R)

**Summary**

Decreases the corporate income tax rate to 4.0 percent of net income in tax year 2023, 3.5 percent of net income in tax year 2024, 3.0 percent of net income in tax year 2025, and 2.5 percent of net income in tax years beginning with 2026, from 4.9 percent of net income. Retroactive to tax years beginning with 2023. AS PASSED HOUSE

**Last Action**

03/21/2023 S - DP - Senate Appropriations

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**HB2019 - Licensing; permitting; criteria; clarity**

**Sponsor**

Rep. Travis Grantham (R)

**Summary**

If a county or municipality requires a license or permit for any constitutionally protected activity or any activity that changes the use, appearance, or density of a structure or land, the county or municipality is required to state in clear and unambiguous language the criteria for granting the license or permit. Counties and municipalities are required to grant or deny an application for such a license or permit within 60 days. Some exceptions. AS PASSED HOUSE

**Last Action**

03/21/2023 S - Senate Majority Caucus – Y

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**HB2059 - Riot; unlawful assembly; classification; liability****Sponsor**

Rep. Lupe Diaz (R)

**Summary**

Establishes the crime of aggravated riot, a class 3 (upper mid-level) felony, if a person, in the course of committing a riot, participates with 25 or more other persons, causes serious physical injury to another person who is not participating in the riot, causes property damage in excess of \$5,000, displays, uses, threatens to use, or attempts to use a deadly weapon, or, by force or by the threat of force, endangers the safe movement of a motor vehicle traveling on a public street. Establishes the crime of mob intimidation, a class 1 (highest) misdemeanor, if a person, assembled with two or more other persons and acting with common intent, uses force or threatens to use imminent force to compel or attempt to compel another person to do or refrain from doing any act or to assume, abandon or maintain a particular viewpoint against the person's will. The list of circumstances under which assault is classified as aggravated assault, a class 6 (lowest) felony, is expanded to include if the person commits the assault on a peace officer in the furtherance of a riot or unlawful assembly. A person convicted of aggravated assault on a peace officer in these circumstances must be sentenced to serve no less than the minimum sentence and is not eligible for probation or suspension of execution of sentence until the entire sentence is served. Burglary committed during a riot where the perpetration of the burglary is facilitated by "conditions arising from the riot" (defined) is classified as burglary in the first degree. The criminal classification of abuse of venerated objects by desecrating any public monument, memorial, or property of a public park is increased to a class 6 (lowest) felony, from a class 2 (mid-level) misdemeanor. A person who is convicted of any offense that is committed in furtherance of a riot or an unlawful assembly must be sentenced to the next higher class of offense than that for which the person is convicted. A municipality has a duty to allow a municipality law enforcement agency to respond appropriately to protect persons and property during a riot or unlawful assembly based on the availability of adequate equipment to its city and town law enforcement officers and relevant state and federal laws. If a municipal governing body or a person who is authorized by the municipal governing body breaches that duty, the municipality is liable in a civil action for any damages, including damages arising from personal injury, wrongful death or property damages proximately caused by the breach of duty.

**Last Action**

02/15/2023 H - DISC/HELD - House Judiciary

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**HB2061 - Food; municipal tax; exemption.****Sponsor**

Rep. Leo Biasiucci (R)

**Summary**

Municipalities and other taxing jurisdictions are prohibited from levying a transaction privilege, sales, or use tax or fee on the sale of food items intended for human consumption or home consumption (as defined elsewhere in statute and by rule). Applies to tax periods on or after the first day of the month following the general effective date.

**Last Action**

03/21/2023 H - Hearing Scheduled - 03/22/2023 - Third Reading, Floor

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**HB2067 - Residential leases; municipal tax exemption****Sponsor**

Rep. Neal Carter (R)

**Summary**

Beginning January 1, 2024, municipalities and other taxing jurisdictions are prohibited from levying a transaction privilege, sales, use or other similar tax or fee on the business of renting or leasing real property for residential purposes. Does not apply to health care facilities, long-term care facilities, hotels, motels, or other transient lodging businesses. By January 1, 2024, the owner of real property that is rented or leased for residential purposes and that is located in a municipality or other taxing jurisdiction that levies such a tax is required to reduce the amount of rent due by an amount equal to the difference caused by the elimination of the tax as provided in this legislation. Contains a legislative intent section. Applies to tax periods beginning January 1, 2024.

**Last Action**

02/14/2023 - House Majority Caucus – Y

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**HB2144 - Open meetings; capacity; posting; violation****Sponsor**

Rep. Timothy M. Dunn (R)

**Summary**

All public bodies are required to provide for an amount of seating sufficient to accommodate the reasonably anticipated attendance of all persons desiring to attend the deliberations and proceedings, when feasible. The agenda for a public meeting is required to include notice of the time that the public will have physical access to the meeting place. A head of a public body that violates this requirement is liable for a civil penalty as provided in statute for open meeting law violations.

**Last Action**

03/16/2023 S - Referred to Committee - Senate Government

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**HB2195 - Criminal justice data collection; system****Sponsor**

Rep. Quang H. Nguyen (R)

**Summary**

The Arizona Criminal Justice Commission is required to implement the state, county and municipal open data system. The Commission is required to publish the data system Commission's website in an electronic format that is accessible to the public. Beginning on January 1, 2024, and unless prohibited by any other law, criminal justice agencies in Arizona are required to submit specified data into the system. The Commission is required to establish policies to protect confidential information. Appropriates \$4.7 million in FY2023-24, \$4.8 million in FY2024-25, and \$4.8 million in FY2025-26 from the general fund to the Commission to implement the data system.

**Last Action**

02/02/2023 - Hearing Scheduled - 02/15/2023, 9:00 AM - House JUD, HHR 4

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**HB2206 - Software licensure**

**Sponsor**

Rep. Justin Wilmeth (R)

**Summary**

A contract entered into by a "public agency" (defined) for the licensing of software applications designed to run on generally available desktop or server hardware cannot limit the public agency's ability to install or run the software on the hardware of the public agency's choosing. Applies to any contract or addendum entered into from and after the effective date of this legislation.

**Last Action**

03/13/2023 S - Transmit to Senate

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**HB2213 - TPT; exemption; utilities; residential customers**

**Sponsor**

Rep. Gail Griffin (R)

**Summary**

The list of deductions from the tax base for the utilities classification of transaction privilege taxes is expanded to include gross proceeds of sales or gross income derived from sales to residential natural or artificial gas and electricity retail customers. Applies to tax periods beginning on or after the first day of the month following the general effective date.

**Last Action**

03/17/2023 H - Hearing Scheduled - 03/23/2023, 9:00 AM - Senate JUD, SHR 1

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**HB2215 - Hazardous waste manifest resubmittals; fees**

**Sponsor**

Rep. Gail Griffin (R)

**Summary**

Repeals statute allowing the Arizona Department of Environmental Quality to return an improperly completed manifest for a shipment of hazardous waste to the person who prepared the manifest and require the person to complete and resubmit the manifest and eliminates the fee of \$20 for resubmittal of the manifest.

**Last Action**

03/14/2023 S - Senate Majority Caucus – Y

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**HB2242 - Unclaimed property; notice; distribution (Unclaimed property; locator registration)**

**Sponsor**

Rep. David Livingston (R)

**Summary**

Of monies received from the sale of unclaimed or abandoned property, the Arizona Department of Revenue (ADOR) is no longer required to deposit the first \$2 million each fiscal year in the Seriously Mentally Ill Housing Trust Fund, and the second \$2.5 million in the Housing Trust Fund. ADOR is no longer required to deposit monies from unclaimed shares and dividends of any corporation in the Permanent State School Fund, and is no longer required to deposit monies from unclaimed victim restitution payments in the Victim Compensation and Assistance Fund. All these monies are instead deposited in the general fund. AS PASSED HOUSE

**Last Action**

03/20/2023 S - DP - Senate Finance

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**HB2284 - Homelessness; housing; facilities**

**Sponsor**

Rep. David Livingston (R)

**Summary**

The Arizona Department of Housing (ADOH) is required to accept and allocate monies appropriated by the Legislature for services for individuals experiencing homelessness. Monies must be used for parking areas that have access to potable water, electric outlets, and bathrooms; camping facilities and individual shelters that meet specified requirements; and shelters that house at least four individuals and that provide programs to improve the employment and income of individuals leaving the shelter. ADOH is required to prioritize spending for all of these purposes before spending monies on permanent housing for individuals experiencing homelessness. ADOH is authorized to use monies appropriated to assist individuals experiencing homelessness with substance abuse treatment, mental health treatment, and other services. A person is prohibited from using state or local government owned lands for unauthorized sleeping, camping, or long-term shelter, and from allowing such land to be used for these purposes. Political subdivisions are prohibited from adopting or enforcing policies that discourage or prohibit the enforcement of any order or ordinance that prohibits public camping or sleeping or obstructing a public right-of-way. The Attorney General is authorized to bring a civil action against a political subdivision in violation. Severability clause. Effective January 1, 2024.

**Last Action**

03/09/2023 H - DPA - House Committee of the Whole

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**HB2304 - Voting locations; precinct-based**

**Sponsor**

Rep. Cory McGarr (R)

**Summary**

In all elections administered by a county, all voting is required to be conducted at precinct-based polling places. A county may not use any voting location that provides for countywide access to ballots for registered voters from any location in the county.

**Last Action**

02/14/2023 - House Majority Caucus - Y

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**HB2307 - Elections; hand counting; machines; prohibition**

**Sponsor**

Rep. Cory McGarr (R)

**Summary**

For all county and municipal elections, all votes are required to be tabulated by hand. Counties and municipalities are prohibited from using a tabulating machine to count votes.

**Last Action**

02/21/2023 H - House Majority Caucus - Y

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**HB2446 - Smart and safe fund; distribution**

**Sponsor**

Rep. Teresa Martinez (R)

**Summary**

Modifies the distributions from the Smart and Safe Fund by adding joint powers authorities to the list of entities that receive 31.4 percent of Fund monies in proportion to the number of enrolled members in the Public Safety Personnel Retirement System. Retroactive to January 1, 2021. 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. AS PASSED HOUSE

**Last Action**

03/14/2023 S - Senate Majority Caucus – Y

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**HB2536 - relating to housing; infrastructure Administrative review; approvals; developments.**

**Sponsor**

Rep. Ben Toma (R)

**Summary**

Establishes residential zoning district regulations and limitations of residential housing design standards. Modifies current municipal zoning and licensing time frame requirements. The bill preempts cities and towns of 25,000 or more in housing supply and housing affordability matters. HB2536 requires administrative approval of all applications for any rezoning to residential use, including any application to rezone, such as: Single-family to multi-family, Commercial to multi-family, Multi-family to single-family, and Industrial to multi-family.

**Last Action**

3/16/2023 H - Hearing Scheduled - 03/22/2023, 9:00 AM - Senate COM, SHR 1

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**HB2547 - Zoning ordinances; property rights; costs**

**Sponsor**

Rep. Ben Toma (R)

**Summary**

Before adopting any zoning ordinance or zoning ordinance text amendment of general applicability, the legislative body of a municipality is required to consider and adopt an individual property rights cost of housing impact statement regarding the impact of the zoning ordinance, which must include a list of specified information.

**Last Action**

03/22/2023 S - DP - Senate Government

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**HB2633 - Maricopa county transportation excise tax****Sponsor**

Rep. David Livingston (R)

**Summary**

If approved by the voters at a countywide election, a county with a population of 3 million or more persons (Maricopa) is required to levy a tax of up to ten percent of the transaction privilege tax rate as of January 1, 1990. The tax levied will be in effect for 20 years. Specifies the distribution of net revenues from the tax levy, with 45 percent of revenues distributed to the Regional Area Road Fund for freeways and other routes in the state highway system, 35 percent of revenues distributed to the Regional Area Road Fund for major arterial streets, and 20 percent of revenues to the Public Transportation Fund for capital costs, maintenance and operation of public transportation mode classifications and capital costs and utility relocation costs associated with the light rail system. Beginning January 1, 2026, a regional public transportation authority is established in a county with a population of 3 million or more persons that approves a county transportation excise tax. Much more. Severability clause.

**Last Action**

02/16/2023 H - Hearing Scheduled - 02/20/2023, 9:30 AM - House APPROP, HHR 1

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**HB2669 - Prohibition; biosolids; land application (Solid waste; sludge; water quality)****Sponsor**

Rep. Timothy M. Dunn (R)

**Summary**

Prohibits applying biosolids within 3 miles of an area with over 128 people per square mile and within one mile of a residential area or crops for human consumption. Require any application of a substance containing biosolids, sewage or septage to comply with Arizona Department of Environmental Quality (ADEQ) rules regulating biosolid disposal. Additionally requires biosolids combined with solid waste to be regulated as solid waste

**Last Action**

03/14/2023 H - Hearing Scheduled - 03/14/2023 - Second Reading, Floor

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**HB2756 - Law enforcement; defunding; prohibition****Sponsor**

Rep. David Marshall, Sr. (R)

**Summary**

Municipalities are prohibited from reducing the annual operating budget for the municipal police department by any amount below the previous year's budget. If a municipality reduces the annual operating budget of the municipal police department, the municipality is required to notify the State Treasurer of the reduction, and the State Treasurer is required to withhold state shared revenues from the municipality in an amount equal to the reduction until notification that the reduction in the municipal police department's budget has been restored. Does not apply if the municipality does not have the monies required to continue the annual operating budget of the municipal police department at the same amount as the previous year.

**Last Action**

03/01/2023 H - RET ON CAL - House Committee of the Whole

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**HB2808 - Public records; time frame**

**Sponsor**

Rep. Michael Carbone (R)

**Summary**

A custodian of public records is required to furnish copies, printouts, or photographs within five business days after receiving a request for the records. Allows an entity to extend the time for a response for specified reasons. A public body in violation of public records request laws is subject to a civil penalty of \$500 for each day the request is unfulfilled, for up to a total of \$5,000.

**Last Action**

03/20/2023 S - Referred to Committee - Government - Senate Government

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**HCR2033 - Primary elections; eligible candidates**

**Sponsor**

Rep. Austin Smith (R)

**Summary**

The 2024 general election ballot is to carry the question of whether to amend the state Constitution to require the direct primary election for partisan offices to be conducted in a manner so that each political party that has qualified for representation on the ballot must be permitted to nominate for each office a number of candidates equal to the number of positions to be filled for that office in the ensuing general election, and all otherwise eligible candidates who are so nominated must be placed on the ballot in the next ensuing general election. The direct primary election law enacted by the Legislature supersedes any contrary or inconsistent provision of any charter, law, ordinance, rules, resolution, or policy of any city. AS PASSED HOUSE

**Last Action**

03/20/2023 S - DP - Senate Elections

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**HCR2043 - Compensation; state preemption; limitation**

**Sponsor**

Rep. Matt Gress (R)

**Summary**

The 2024 general election ballot is to carry the question of whether to amend the state Constitution to declare that the regulation of employee benefits is of statewide concern and not subject to further regulation by a municipality or other political subdivision. Does not affect the authority of a county or municipality to set wages or benefits for county or municipal employees or limit a county's or municipality's authority to enter into contracts for personal services.

**Last Action**

03/07/2023 H - RET ON CAL - House Committee of the Whole

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**SB1058 - Law enforcement; polygraph examinations; prohibition**

**Sponsor**

Sen. John Kavanagh (R)

**Summary**

Employers are prohibited from administering a polygraph examination to an applicant for the position of law enforcement officer or to a law enforcement agency volunteer. The requirement for data and reports from a polygraph examination of a law enforcement officer to be destroyed three years after the date of appointment or employment is moved to session law and self-repeals January 1, 2027.

**Last Action**

03/03/2023 H - Hearing Scheduled - 03/06/2023 - Committee of the Whole

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**SB1098 - Truck routes; signage**

**Sponsor**

Sen. Frank Carroll (R)

**Summary**

If the Arizona Department of Transportation (ADOT) or a local authority prohibits the operation of trucks or other commercial vehicles or imposes limitations as to the weight of vehicles on designated highways, the signs that ADOT or the local authority is required to place on the highway must be placed near every ingress and egress along designated highways, must inform the public of the restrictions, and must direct the public to the fastest route to leave a restricted route. The restrictions are unenforceable on restricted routes from and after the effective date of this legislation if ADOT or the local authority fails to erect or maintain the signs according to these requirements. AS PASSED SENATE

**Last Action**

03/16/2023 H - Hearing Scheduled - 03/22/2023, 2:00 PM - House TI, HHR 3

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**SB1108 - Income tax; credit; labor costs**

**Sponsor**

Sen. Wendy Rogers (R)

**Summary**

For tax years beginning with 2024, establishes an individual and corporate income tax credit for a portion of a taxpayer's increased hourly labor costs that results from paying a local minimum wage that is more than the state minimum wage. The amount of the credit is ten percent of the difference between the amount of hourly labor costs the employer actually paid to employees and the product of the total number of hours

worked by all employees during the taxable year multiplied by the state minimum wage. Requirements to qualify for the credit are specified. If the allowable credit exceeds taxes due, the unused amount may be carried forward for up to five consecutive tax years. Each month the State Treasurer is required to withhold from a municipality an amount equal to 1/12 of the total amount of credits claimed for the prior taxable year by taxpayer's located in that municipality from the municipality's distribution of state shared revenues. Some exceptions. AS PASSED SENATE

**Last Action**

02/27/2023 H - Referred to Committee - Ways & Means

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**SB1117 Now: Housing; infrastructure**

**Sponsor**

Sen. Steve Kaiser (R)

**Summary**

Preempts cities and towns in all housing matters. Mandates administrative approval of certain multifamily projects ("by right"). Preempts specific zoning regulations in all zones that permit residential uses. The bill requires administrative approval of all residential uses that are consistent with a general plan "in accordance with" 9-462.01(G)\* and all multifamily projects. Preempts a city's design review authority.

**Last Action**

03/14/2023 S - PASSED - Senate Motion to Reconsider Third

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**SB1122 - Transportation tax; election; Maricopa county**

**Sponsor**

Sen. David C. Farnsworth (R)

**Summary**

If approved by the voters at a countywide election, a county with a population of 3 million or more persons (Maricopa) is required to levy a tax of up to ten percent of the transaction privilege tax rate as of January 1, 1990. The tax levied will be in effect for 15 years. Specifies the distribution of net revenues from the tax levy, with 80 percent of revenues distributed to the Regional Area Road Fund for freeways and other routes in the state highway system, and 20 percent of revenues distributed to the Regional Area Road Fund for major arterial streets. Beginning January 1, 2026, a regional public transportation authority is established in a county with a population of 3 million or more persons that approves a county transportation excise tax.

**Last Action**

02/13/2023 S - FAILED - Senate Transportation and Technology

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**SB1131 – NOW: zoning ordinances; property rights; costs**

**Sponsor**

Sen. Warren Petersen (R)

**Summary**

Before adopting any zoning ordinance or zoning ordinance text amendment of general applicability, the legislative body of a municipality is required to consider and adopt an individual property rights cost of housing impact statement regarding the impact of the zoning ordinance, which must include a list of specified information.

**Last Action**

03/22/2023 H - HELD - House Government

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**SB1162 - Home-based businesses; restrictions; prohibition****Sponsor**

Sen. Steve Kaiser (R)

**Summary**

A home-based business must be allowed as a use by right if the home-based business does not supersede any deed restriction, covenant or agreement restricting the use of land, a master deed or any other document applicable to a common interest ownership community. Counties and municipalities cannot prohibit a "no-impact home-based business" (defined) or require a person to apply for, register, or obtain a permit, license, variance or other type of prior municipal approval to operate a no-impact home-based business. Counties and municipalities are authorized to establish reasonable regulations on a home-based business if the regulations are narrowly tailored for specified purposes, including protecting public health and safety and ensuring that the business activity is compatible with residential use of the property. AS PASSED

SENATE

**Last Action**

03/21/2023 H - House Majority Caucus – Y

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**SB1184 - Municipal tax exemption; residential leases****Sponsor**

Sen. Steve Kaiser (R)

**Summary**

Beginning January 1, 2024, municipalities and other taxing jurisdictions would have been prohibited from levying a transaction privilege, use, or other similar tax or fee on the business of renting or leasing residential property. Some exceptions. By January 1, 2024, the landlord of real property that is rented or leased for residential purposes and that is located in a municipality or other taxing jurisdiction that levies a transaction privilege tax on the business of renting or leasing residential property would have been required to reduce the amount of rent due by an amount equal to the difference caused by the elimination of the transaction privilege tax on the business of renting or leasing residential property. The Arizona Department of Revenue would have been required to electronically notify each residential rental transaction privilege tax licensee of these provisions. From January 1, 2024 through June 30, 2025, the State Treasurer would have been required to distribute proportionately for each month \$14,945,600 from the portion of the revenues derived from transaction privilege taxes that is not designated as the distribution base to the municipalities that levied a transaction privilege tax on renting or leasing real property for residential purposes during FY2021-22, based on the average amount that the municipality collected from that tax during FY2021-22. Also, municipalities would have been required to use monies paid from revenues collected from a remote seller in the retail transaction privilege tax classification and paid to the municipality as state shared revenue for public safety before any other municipal purpose. Would have applied to tax periods beginning January 1, 2024 and after. AS VETOED BY GOVERNOR. In her veto message, the Governor stated that lowering

housing costs is a priority, but that this bill lacks any enforceable mechanism to ensure relief will be provided to renters and includes an appropriation outside of a comprehensive budget agreement.

**Last Action**

02/23/2023 G - Vetoed

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**SB1243 - STOs; individual income tax credits**

**Sponsor**

Sen. J.D. Mesnard (R)

**Summary**

Beginning with tax year 2024, increases the maximum amount of the individual income tax credit for voluntary cash contributions by the taxpayer during the taxable year to a school tuition organization (STO) to \$1,456, from \$500, for a single individual or a head of household, and to \$2,902, from \$1,000, for a married couple filing jointly. Repeals the secondary individual income tax credit for voluntary cash contributions to STOs that exceed the amount of the first credit. Effective January 1, 2024. Contains a saving clause for the repealed credit.

**Last Action**

03/15/2023 H - DP - House Ways & Means

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**SB1245 - VLT; cities and towns; counties**

**Sponsor**

Sen. David C. Farnsworth (R)

**Summary**

Counties and municipalities are required to use vehicle license tax monies for purposes related to transportation.

**Last Action**

02/13/2023 S - FAILED - Senate Transportation and Technology

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**SB1246- Electronic certificates of title**

**Sponsor**

Sen. David C. Farnsworth (R)

**Summary**

If approved by the voters at a countywide election, a county with a population of 3 million or more persons (Maricopa) is required to levy a tax of up to ten percent of the transaction privilege tax rate as of January 1, 1990. The tax levied will be in effect for 20 years. Specifies the distribution of net revenues from the tax levy, with 52 percent of revenues distributed to the Regional Area Road Fund for freeways and other routes in the state highway system, 22 percent of revenues distributed to the Regional Area Road Fund for major arterial streets, and 26 percent of revenues to the Public Transportation Fund for capital costs, maintenance and operation of public transportation mode classifications and capital costs and utility relocation costs associated with the light rail system. Beginning January 1, 2026, a regional public transportation authority is established in a county with a population of 3 million or more persons that approves a county transportation excise tax. Much more. Severability clause.

**Last Action**

**SB1258 - Public officers; announcements; report**

**Sponsor**

Sen. J.D. Mesnard (R)

**Summary**

For any publication, resource or public service announcement that is issued by a public officer, that contains the public officer's name or likeness, and that is distributed free of charge or through the use of taxpayer resources, the public officer is required to publish a quarterly report describing the amount of money that was spent on the publication, resource, or public service announcement.

**Last Action**

02/14/2023 - Senate Majority Caucus - Y

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**SB1270 - Open meetings; capacity**

**Sponsor**

Sen. John Kavanagh (R)

**Summary**

Schools, school boards, executive boards, and municipalities are required to provide for an amount of seating sufficient to accommodate the reasonably anticipated attendance of all persons desiring to attend the deliberations and proceedings, when feasible. Does not require a public body to relocate a meeting outside of the largest regular meeting room. Except for a meeting through technological devices, the agenda for a public meeting is required to include notice of the time that the public will have physical access to the meeting place. AS PASSED SENATE

**Last Action**

03/21/2023 H - House Majority Caucus – Y

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**SB1275 - Elected officials; office; reporting**

**Sponsor**

Sen. J.D. Mesnard (R)

**Summary**

A state elected official other than the Governor is required to publicly post a quarterly report on the official's website listing the number of days the official was physically present in the office each month.

**Last Action**

02/16/2023 S - HELD - Senate Government

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**SB1276 - Assessed valuation; class one property**

**Sponsor**

Sen. J.D. Mesnard (R)

**Summary**

Reduces the assessed valuation of class one property to 16 percent of the full cash value or limited valuation for 2024 and 15 percent of the full cash value or limited valuation beginning January 1, 2025, instead of 16.5 percent for 2024, 16 percent for

2025, 15.5 percent for 2026, and 15 percent beginning January 1, 2027. Establishes a new table of depreciated values for personal property initially classified before tax year 2022 as certain types of class one, two, or six property. Applies to tax years beginning with 2024.

**Last Action**

03/08/2023 H - DP - House Ways & Means

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**SB1301 - Law enforcement investigations; applicability**

**Sponsor**

Sen. John Kavanagh (R)

**Summary**

If an employer received notice of an allegation of employee misconduct by a person authorized by the employer to initiate an investigation of the misconduct before September 24, 2022, the employer is required to complete the investigation within one year after the effective date of this legislation or the investigation is dismissed. Some exceptions, including for investigations that are suspended during a criminal investigation or prosecution in connection with an allegation of law enforcement officer misconduct. Self-repeals January 1, 2025. AS PASSED SENATE

**Last Action**

03/20/2023 H - DP - House Military Affairs & Public Safety

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**SB1313 - General plan; transportation; independent study**

**Sponsor**

Sen. Jake Hoffman (R)

**Summary**

Municipal general plans are prohibited from including transportation or land use policies or projects that reduce overall system capacity of motor vehicle traffic. If a general plan includes a reduction in the level of service of any arterial street, the municipality is required to conduct an independent study on the impact on emergency vehicle response times. Municipal general plans for municipalities with a population of 50,000 persons or more are no longer required to include a bicycling element consisting of proposed bicycle facilities. AS PASSED SENATE

**Last Action**

03/16/2023 H - DP - House Transportation & Infrastructure

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**SB1369 - Certified peace officers; hiring reimbursement**

**Sponsor**

Sen. David Gowan (R)

**Summary**

A law enforcement agency in Arizona or a county, municipality, or political subdivision that employs a peace officer and that pays the costs of the peace officer's certification and training is authorized to seek reimbursement for the costs of the law enforcement officer's training and certification from a "hiring law enforcement agency" (defined). The hiring law enforcement agency is required to reimburse 100 percent of the costs related

to the peace officer's certification and training, including travel, housing and salary during the training, if the certified peace officer leaves the original law enforcement agency within 12 months after employment, and to reimburse 75 percent of all costs if the officer leaves after 12 months and no more than 24 months after employment, and to reimburse 50 percent of all costs if the officer leaves after 24 months and no more than 36 months after employment. The hiring law enforcement agency cannot require a certified peace officer to assume responsibility for repaying the peace officer's certification costs. AS PASSED SENATE

**Last Action**

03/20/2023 H - DP - House Military Affairs & Public Safety

---

**SB1378 – NOW: law enforcement; right to attorney**

**Sponsor**

Sen. David Gowan (R)

**Summary**

Allows a law enforcement officer's representative (representative) that is present during an administrative investigation interview to be an attorney.

**Last Action**

02/15/2023 S - DISC/HELD - Senate Military Affairs, Public Safety and Border Security

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**SB1428 - Political subdivisions; gun shows; preemption**

**Sponsor**

Sen. Justine Wadsack (R)

**Summary**

Political subdivisions cannot prohibit a gun show from occurring in the political subdivision or enact or enforce any ordinance, rule or policy that primarily affects gun shows and effectively prohibits a gun show from occurring in the political subdivision.

**Last Action**

03/21/2023 H - House Majority Caucus – Y

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**SB1508 - Environmental permitting; burdened communities; requirements**

**Sponsor**

Sen. Juan Mendez (D)

**Summary**

By 120 days after the effective date of this legislation, the Arizona Department of Environmental Quality (ADEQ) is required to adopt a list of "burdened communities" (defined as a census tract that is ranked in the bottom 33 percent of census tracts in Arizona for median annual household income). By 60 days after a burdened community is designated, the governing body of the municipality in which the community is located is required to designate a representative of the burdened community. Beginning 180 days after the effective date of this legislation, ADEQ is prohibited from granting a "permit" (defined) for a new "facility" (defined as an electric generating facility, sewage treatment plant, solid waste facility, landfill, or other similar facilities) or for the

expansion of an existing facility that is located in whole or in part in a burdened community unless the permit applicant first prepares an environmental impact report and holds a public hearing on the report. ADEQ cannot issue a decision on the permit application until at least 60 days after the public hearing.

**Last Action**

02-09-2023 H - Hearing Scheduled - 02/09/2023 - Second Reading, Floor 02/09/2023  
- Second Reading, Floor

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**SB1577 - Income tax rate; reduction; surplus**

**Sponsor**

Sen. J.D. Mesnard (R)

**Summary**

For each tax year beginning with 2024, the Department of Revenue is required to reduce the individual income tax rate for the current tax year so that the amount of the rate reduction is equal to that tax year's "Arizona taxpayer return," defined as 50 percent of the "structural surplus" (defined) for the immediately following fiscal year.

**Last Action**

03/08/2023 H - DP - House Ways & Means

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**SB1611 - Public entities; contracts; prohibition**

**Sponsor**

Sen. Anthony Kern (R)

**Summary**

A public entity is prohibited from requiring a company to implement an "environmental, social or governance standards policy" (defined) as a condition of entering into or renewing a contract with a company to acquire services, supplies, information technology, goods or construction services. AS PASSED SENATE

**Last Action**

03/20/2023 H - Referred to Committee - House Government

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**SB1658 - Critical infrastructure; prohibited agreements**

**Sponsor**

Sen. Wendy Rogers (R)

**Summary**

A business or governmental entity in Arizona is prohibited from entering into an agreement involving "critical infrastructure" (defined elsewhere in statute) in Arizona with a company if the company would be able to access or control critical infrastructure in Arizona, except for access that is specifically allowed for product warranty and support purposes, and if the company is owned by or controlled by citizens of China, Iran, North Korea or Russia, or by a company or other entity that is owned or controlled by citizens of or is directly controlled by the government of China, Iran, North Korea or Russia, or that is headquartered in China, Iran, North Korea or Russia. The Governor is authorized to designate a country as a threat to critical infrastructure in Arizona.

**Last Action**

**SB1694 - Public monies; ideology training; prohibition**

**Sponsor**

Sen. Jake Hoffman (R)

**Summary**

"Public entities" (defined) are prohibited from requiring an employee to engage in a "diversity, equity, and inclusion program" (defined), spending public monies on a diversity, equity, and inclusion program, and advancing or adopting any policy or procedure designed to influence the composition of its workforce on the basis of race, sex, or color. An employee of a public entity who is required to participate in a diversity, equity, and inclusion program is authorized to bring an action against the public entity.

**Last Action**

03/21/2023 H - Referred to Committee - House Government

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**SB1697 - Highways; bicycle paths; walkways; prohibition**

**Sponsor**

Sen. Jake Hoffman (R)

**Summary**

The Arizona Department of Transportation (ADOT) is prohibited from accepting federal monies to pay for the construction, maintenance or expansion of a highway or state route if the acceptance of the federal monies is conditioned on the design and construction of a bicycle path or pedestrian walkway as a component of the highway or state route. ADOT cannot plan, design or construct bicycle paths or pedestrian walkways that are parallel to and separate from a highway or state route. Applies to a highway or state route that exists before, on or after the effective date of this legislation.

**Last Action**

03/01/2023 S - FAILED - Senate Third Reading

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**SCR1011 - Homelessness; facilities; housing**

**Sponsor**

Sen. Steve Kaiser (R)

**Summary**

The 2024 general election ballot is to carry the question of whether to amend state statute to allow monies in the Housing Trust Fund to be used for services for individuals experiencing homelessness. The Arizona Department of Housing (ADOH) is required to accept and allocate monies appropriated by the Legislature for services for individuals experiencing homelessness. Monies must be used for parking areas that have access to potable water, electric outlets, and bathrooms; camping facilities and individual shelters that meet specified requirements; and shelters that house at least four individuals and that provide programs to improve the employment and income of individuals leaving the shelter. ADOH is required to prioritize spending for all of these purposes before spending monies on permanent housing for individuals experiencing homelessness. ADOH is authorized to use monies appropriated to assist individuals experiencing homelessness with substance abuse treatment, mental health treatment,

and other services. A person is prohibited from using state or local government owned lands for unauthorized sleeping, camping, or long-term shelter, and from allowing such land to be used for these purposes. Political subdivisions are prohibited from adopting or enforcing policies that discourage or prohibit the enforcement of any order or ordinance that prohibits public camping or sleeping or obstructing a public right-of-way. The Attorney General is authorized to bring a civil action against a political subdivision in violation. Severability clause.

**Last Action**

02/23/2023 S - HELD - Senate Appropriations

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**SCR1023 - Charter cities; repeal**

**Sponsor**

Sen. Justine Wadsack (R)

**Summary**

The 2024 general election ballot is to carry the question of whether to amend the state Constitution to repeal charter cities in Arizona.

**Last Action**

03/16/2023 H - Hearing Scheduled - 03/22/2023, 10:00 AM - House GOV, HHR 3

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**SCR1035 - Surplus; income tax rate; reduction**

**Sponsor**

Sen. J.D. Mesnard (R)

**Summary**

The 2024 general election ballot is to carry the question of whether to amend state statute to require the Department of Revenue, for each tax year beginning with 2026, to reduce the individual income tax rate for the current tax year so that the amount of the rate reduction is equal to that tax year's "Arizona taxpayer return," defined as 50 percent of the "structural surplus" (defined) for the immediately following fiscal year.

**Last Action**

03/08/2023 H - DP - House Ways & Means

## **Bills that staff has identified as beneficial to the City**

### **HB2047 - Vacation rentals; short-term rentals; restrictions**

#### **Sponsor**

Rep. Selina Bliss (R)

#### **Summary**

A municipality with a population of less than 17,000 persons is allowed to limit the number of vacation rentals and short-term rentals based on a percentage of total residentially zoned buildings or structures in that municipality, and is allowed to regulate vacation rentals or short-term rentals in the same manner as transient lodging activities.

#### **Last Action**

02/09/2023 H - Hearing Scheduled - 02/15/2023, 9:00 AM - House GOV, HHR 3

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### **HB2191 - State law; local violation; repeal.**

#### **Sponsor**

Rep. Jennifer L. Longdon (D)

#### **Summary**

Repeals statute requiring the Attorney General to investigate any official action taken by the governing body of a county or municipality that a member of the Legislature alleges violates state law or the state Constitution, and withholding state shared monies from the county or municipality if the Attorney General concludes that there is a violation and if the county or municipality fails to resolve the violation within 30 days.

#### **Last Action**

01/17/2023 H - Referred to Committee – Government and Judiciary

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### **HB2226 - Appropriation; fentanyl prosecution; testing; fund**

#### **Sponsor**

Rep. Matt Gress (R)

#### **Summary**

Appropriates \$5 million from the general fund in FY2023-24 to the newly established Fentanyl Prosecution and Testing Fund, to be allocated on a first-come, first-served basis to county attorneys, county sheriffs, and courts to reimburse costs related to fentanyl prosecutions, and to law enforcement agencies to reimburse costs related to fentanyl testing.

#### **Last Action**

03/17/2023 H - Hearing Scheduled - 03/23/2023, 9:00 AM - Senate JUD, SHR 1

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### **HB2329 - First-generation home buyers assistance; appropriation**

#### **Sponsor**

Rep. Marcelino Quiñonez (D)

#### **Summary**

Establishes the First Generation Home Buyers Down Payment Assistance Grant Fund, to be administered by the Arizona Department of Housing (ADOH). ADOH is required to distribute monies from the Fund to entities that administer down payment assistance for the purposes of providing down payment assistance to "eligible first-generation home buyers" (defined as a first-time home buyer whose parent does not or did not own a

home and whose income is at or below 100 percent of the area median income at the time of purchase). Establishes requirements for the down payment assistance, which must be provided in the form of a five-year loan. Appropriates \$12 million from the general fund in FY2023-24 to the Fund.

**Last Action**

02/20/2023 H - DPA - House Appropriations

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**HB2373 - Permits; automated permitting platform**

**Sponsor**

Rep. Leo Biasiucci (R)

**Summary**

Counties and municipalities are authorized to use a "qualified online automated permitting platform" to verify code compliance for the purpose of issuing permits for the use of certain solar energy devices.

**Last Action**

03/14/2023 S - Senate Majority Caucus – Y

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**HB2484 - Failure to return vehicle; repeal.**

**Sponsor**

Rep. Kevin Payne (R)

**Summary**

Repeals the crime of unlawful failure to return a motor vehicle subject to a security interest, a class 6 (lowest) felony.

**Last Action**

03/21/2023 S - Senate Majority Caucus – Y

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**HB2485 - Aggravated assault; ambush; police; classification**

**Sponsor**

Rep. Kevin Payne (R)

**Summary**

A person who is convicted of aggravated assault on a peace officer and who was lying in wait for or ambushed the peace officer must be sentenced to imprisonment for no less than the presumptive sentence for the offense and is not eligible for suspension of sentence, commutation, or release on any basis until the sentence imposed is served. Specified acts that constitute aggravated assault are classified as a class 2 (second highest) felony if the person was lying in wait for or ambushed the peace officer.

**Last Action**

03/17/2023 H - Hearing Scheduled - 03/23/2023, 9:00 AM - Senate JUD, SHR 1

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**HB2569 - Appropriation; Happy Valley Road**

**Sponsor**

Rep. David Livingston (R)

**Summary**

Appropriates \$12.5 million from the general fund in FY2023-24 to the Arizona Department of Transportation to distribute to the City of Phoenix for improvements on Happy Valley Road between 35th Avenue and 67th Avenue.

**Last Action**

03/21/2023 H - Hearing Scheduled - 03/27/2023, 2:00 PM - Senate TAT, SHR 2

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**HB2587 - Governor's declaration; fiscal impact analysis**

**Sponsor**

Rep. Kevin Payne (R)

**Summary**

In any year in which the Governor has initially declared a state of war emergency or state of emergency for a public health emergency, the State Treasurer is prohibited from withholding any amount from the Arizona Convention Center Development Fund from an eligible city for that year. In conducting the analysis or estimate of the economic impact of any project eligible for monies from the Fund in subsequent years following the emergency declaration, the Auditor General is required to assume that the eligible city satisfied the minimum required attendance in the year of the emergency declaration and the year following that declaration, and that the incremental revenues to the general fund in any year of the initial emergency declaration and the year following that declaration at least equaled the amount of distributions by the state. Retroactive to January 1, 2020.

**Last Action**

03/08/2023 S - Transmit to Senate

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**HB2809 - Public infrastructure improvements; reimbursement**

**Sponsor**

Rep. Michael Carbone (R)

**Summary**

Deletes the \$100 million aggregate maximum amount on payments to all counties and municipalities to reimburse the cost of public infrastructure improvements for the benefit of a manufacturing facility.

**Last Action**

03/22/2023 S - DP - Senate Commerce

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**SB1006 - Municipal notices and ordinances; posting**

**Sponsor**

Sen. John Kavanagh (R)

**Summary**

Notices of election, invitations for bids, notices of letting contracts, laws and ordinances, and other public notice issued by a municipal governing body are allowed to be posted on the municipality's website in lieu of being published in a newspaper. A municipality that posts notices on the website is required to provide a link to a listing of all current notices and ordinances on the website's home page.

**Last Action**

**SB1079 - Water infrastructure finance authority; cities**

**Sponsor**

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

**Summary**

Municipalities are no longer required to obtain voter approval to enter into a financial assistance loan repayment agreement with the Water Infrastructure Finance Authority to finance wastewater treatment and drinking water treatment facilities.

**Last Action**

01/19/2023 S - Referred to Committee - Government

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**SB1084 - Appropriation; health innovation trust fund**

**Sponsor**

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

**Summary**

Appropriates \$200 million from the general fund in FY2023-24 to the Arizona Health Innovation Trust Fund.

**Last Action**

3/20/2023 H - Referred to Committee - House Appropriations

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**SB1148 - Law enforcement; video recordings; fee**

**Sponsor**

Sen. John Kavanagh (R)

**Summary**

Municipalities are authorized to establish a fee that is charged to a person who submits a public records request to a local law enforcement agency for a copy of a video recording.

**Last Action**

03/20/2023 H - DP - House Military Affairs & Public Safety

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**SB1155 - Catalytic converters; crime; classification**

**Sponsor**

Sen. Anthony Kern (R)

**Summary**

The criminal classification of the unlawful purchase or sale of a used catalytic converter is increased to a class 6 (lowest) felony, from a class 1 (highest) misdemeanor.

**Last Action**

03/22/2023 H - HELD - House Judiciary

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**SB1188 (Striker) – Permissible consumer fireworks**

**Sponsor**

Sen. J.D. Mesnard (R)

**Summary**

Reduces the time period during which permissible consumer fireworks may be used to between December 26 through January 3.

**Last Action**

03/21/2023 H - DP - House Commerce

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**SB1193 - Online home sharing; repeal****Sponsor**

Sen. Christine Marsh (D)

**Summary**

Repeals statutes prohibiting municipalities and counties from prohibiting vacation rentals or short-term rentals and limiting the restrictions that municipalities and counties may place on those rentals to a list of specified purposes. Repeals the online lodging marketplace transaction privilege tax classification, and the requirement for online lodging marketplaces to register with the Department of Revenue for payment of transaction privilege taxes on online lodging transactions. Repeals the requirement for online lodging operators to have a current transaction privilege tax license and related civil penalties for noncompliance. Repeals the Joint Legislative Study Committee on Transient Lodging.

**Last Action**

01/30/2023 S - Referred to Committee - Government

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**SB1462 - Appropriation; coordinated homeless services****Sponsor**

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

**Summary**

Appropriates \$25 million from the general fund in FY2023-24 to the Arizona Department of Economic Security for coordinated homeless services.

**Last Action**

02/14/ 03/21/2023 H - Transmit to House

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**SB1499 - Appropriation; Happy Valley Road.****Sponsor**

Sen. Frank Carroll (R)

**Summary**

Appropriates \$12.5 million from the general fund in FY2023-24 to the Arizona Department of Transportation (ADOT) to distribute to the City of Phoenix for improvements on Happy Valley Road between 35th Avenue and 67th Avenue. The Legislature intends that ADOT use any federal monies available for the project and that the City of Phoenix contribute \$14.8 million to the project.

**Last Action**

2023-02-13 S - HELD - Senate Transportation and Technology - Senate Transportation and Technology

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**SB1504 - Appropriation; state aviation fund****Sponsor**

Sen. Frank Carroll (R)

**Summary**

Appropriates \$20 million from the general fund in FY2023-24 to the State Aviation Fund.

**Last Action**

02/13/2023 S - HELD - Senate Transportation and Technology - Senate Transportation and Technology

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**SB1541 - Housing trust fund; unclaimed property.**

**Sponsor**

Sen. Lela Alston (D)

**Summary**

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.

**Last Action**

03/20/2023 H - Transmit to House

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**SB1569 - Study committee; eviction prevention**

**Sponsor**

Sen. Raquel Terán (D)

**Summary**

Establishes a 19-member Study Committee on Statewide Eviction Prevention and Housing Affordability to conduct a comprehensive study on reducing eviction filings, review related policies and statutes, conduct research on housing affordability issues, and propose legislation to address these issues. The Committee is required to submit a report of its activities and recommendations to the Governor and the Legislature by December 1, 2023, and self-repeals November 1, 2024.

**Last Action**

03/20/2023 S - RETAINED - Senate Committee of the Whole

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**SCR1006 - Death benefit; assault; first responders.**

**Sponsor**

Sen. David Gowan (R)

**Summary**

The 2024 general election ballot is to carry the question of whether to amend state statute to levy a surcharge of two percent on every fine, penalty and forfeiture imposed and collected by the courts for criminal offenses and on traffic-related civil penalties through December 31, 2032, and to deposit the monies from the surcharge in the newly established State Supplemental Benefit Fund. Beginning January 1, 2024, the state is required to pay \$250,000 to the surviving spouse of a "first responder" (defined) who is "killed in the line of duty" (defined), using monies from the Fund. Contains legislative findings. Severability clause.

**Last Action**

03/09/2023 G - Transmit to Secretary of State

## **Bills staff is monitoring**

### **HB2015 - Retirement plans; plan election; rehire**

#### **Sponsor**

Rep. David Livingston (R)

#### **Summary**

For the Public Safety Personnel Retirement System and Corrections Officer Retirement Plan, if an eligible employee who was already a member of the plan is subsequently rehired after a bona fide termination of employment of at least six months with no prearranged reemployment agreement or hired by a new employer, the employee is allowed to make a new election to participate in either the regular plan or the defined contribution plan before the 90th day after the date of hire. If the employee does not make a new election in that time, the employee's previous election continues. Previously, once an employee made an election, that election was irrevocable for the remainder of the employee's employment with any employer under the system, regardless of whether the employment was continuous. AS PASSED HOUSE

#### **Last Action**

03/21/2023 S - Senate Majority Caucus – Y

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### **HB2028 - PSPRS; contribution rates**

#### **Sponsor**

Rep. David Livingston (R)

#### **Summary**

Beginning with FY2023-24, the contribution rate for members of the Public Safety Personnel Retirement System is reduced to 7.65 percent of the member's compensation, from 11.654 percent. Beginning July 1, 2023, the amount of the member's contribution that exceeds 7.65 percent and that was accumulated between July 1, 2011 through June 30, 2023 may be used in calculating the employers contributions. Retroactive to July 1, 2023.

#### **Last Action**

03/21/2023 S - Senate Majority Caucus – Y

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### **HB2040 - Industrial development bonds; preapproval; repeal**

#### **Sponsor**

Rep. Selina Bliss (R)

#### **Summary**

Corporations are no longer required to obtain approval from the Arizona Department of Housing in order to issue bonds to finance a multifamily residential rental project, clinic, rest home, nursing home, skilled nursing facility, or life care facility.

#### **Last Action**

03/21/2023 H - DPA - House Committee of the Whole

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### **HB2056 - Dry washes; permit program exemption**

#### **Sponsor**

Rep. Lupe Diaz (R)

**Summary**

Declares that a dry wash, arroyo or other similar physical feature on private property that does not contain water is not a "water of Arizona," is exempt from the Dredge and Fill Permit Program, and is not a "water of the United States" under the federal Clean Water Act.

**Last Action**

03/21/2023 S - Senate Majority Caucus – Y

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**HB2058 - Flight from law enforcement; classification****Sponsor**

Rep. Lupe Diaz (R)

**Summary**

Increases the criminal classification of unlawful flight from a pursuing law enforcement vehicle to a class 2 (second highest) felony, from a class 5 (second lowest) felony.

**Last Action**

02-02-2023 H - Hearing Scheduled - 02/08/2023, 9:00 AM - House JUD, HHR 4

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**HB2094 – NOW: Mobile food vendor; operation; rules****Sponsor**

Rep. Kevin Payne (R)

**Summary**

Enables mobile food vendors to operate on private property in a residential area with restrictions and details regulatory and licensing requirements for cities, towns and counties addressing mobile food units. Caps licensing at \$150 per unit per zoning request. Allows vendors to chose between submitting for the City's fingerprint clearance process or DPS.

**Last Action**

03/22/2023 S - DPA - Senate Government

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**HB2108 - Unemployment benefits; requirements; disqualifications****Sponsor**

Rep. David Livingston (R)

**Summary**

In determining the validity of claims for unemployment insurance benefits, the Arizona Department of Economic Security (ADES) is prohibited from paying benefits for an initial or ongoing claim until the initial claim is cross-checked, or an ongoing claim is cross-checked on a weekly basis, against a list of data sets, including new hire reporting systems and death records databases. If a cross-check results in information indicating that a claim is ineligible or fraudulent, that claim cannot be paid, and the claimant must be disqualified from receiving benefits and referred for prosecution. To qualify for benefits, an individual is required to conduct at least five work search actions each week and to provide a weekly report to ADES that details the work search actions. Employers are required to report to ADES when an individual who was previously employed with that employer refuses to return to work or accept an offer of suitable work, fails to

appear for a scheduled interview, or fails to respond to an offer of employment. AS  
PASSED HOUSE

**Last Action**

03/16/2023 H - Hearing Scheduled - 03/22/2023, 9:00 AM - Senate COM, SHR 1

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**HB2185 - TPT; exemption; firearm storage devices**

**Sponsor**

Rep. Jennifer L. Longdon (D)

**Summary**

The list of exemptions from transaction privilege taxes is expanded to include sales of "safe firearm storage devices" (defined). Applies to taxable periods beginning on or after the first day of the month following the general effective date.

**Last Action**

02/09/2023 H - Hearing Scheduled - 02/15/2023, 9:00 AM - House JUD, HHR 4

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**HB2200 – NOW: Appropriation; infrastructure grant program**

**Sponsor**

Rep. Justin Wilmeth (R)

**Summary**

Appropriates \$10,000,000 to the Arizona Commerce Authority (ACA) to administer an Arizona Infrastructure Grant Program.

**Last Action**

02/20/2023 H - HELD - House Appropriations

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**HB2210 - Library trustees; annual report**

**Sponsor**

Rep. Justin Wilmeth (R)

**Summary**

The deadline for the trustees of a public library to make an annual report to the appropriate municipal governing body is moved to the second Monday of July each year, from the first Monday of July.

**Last Action**

02/28/2023 S - Referred to Committee - Government

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**HB2223 - Liquor; licensing; processes; procedures**

**Sponsor**

Rep. Matt Gress (R)

**Summary**

Various changes to statutes relating to liquor licenses. The Department of Liquor Licenses and Control (DLLC) is authorized to issue on a temporary basis a microbrewery festival liquor license that authorizes the sampling of the microbrewery products on the festival premises and the sale of products for consumption on the festival premises. A microbrewery festival location must be approved by the county board of supervisors or municipal governing body, as applicable. Increases the maximum value of promotional items furnished by a liquor wholesaler to a retailer in a

calendar year to \$700, from \$500. Beginning with tax periods that begin January 1, 2024 and after, allows specified liquor licensees to pay luxury privilege taxes on an annual basis instead of a monthly basis. A liquor licensee that has off-sale privileges and that delivers spirituous liquor is required to complete a written record of each delivery at the time of delivery. Information that must be included in the written record is listed. The licensee is required to obtain the name, date of birth, and signature of the individual who accepts the delivery of spirituous liquor. AS PASSED HOUSE

**Last Action**

03/14/2023 S - Senate Majority Caucus – Y

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**HB2288 - Roundabouts; right-of-way; large vehicles**

**Sponsor**

Rep. David L. Cook (R)

**Summary**

The operator of a vehicle or combination of vehicles with a total length of at least 40 feet or a total width of at least 10 feet may deviate from the lane in which the operator is driving to the extent necessary to approach and drive through a roundabout. Other vehicles are required to yield the right of way to these vehicles driving through a roundabout. The Arizona Department of Transportation (ADOT) or local jurisdiction is required to post at least one of either a yield sign before a roundabout entrance or a regulatory sign designed by ADOT that conveys that large trucks have the right-of-way of that vehicles should yield to large trucks in a roundabout. AS PASSED HOUSE

**Last Action**

03/21/2023 S - Senate Majority Caucus – Y

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**HB2302 - Misdemeanor expungement; requirements; procedure**

**Sponsor**

Rep. Neal Carter (R)

**Summary**

A person who is convicted of a misdemeanor is allowed to petition the convicting court for an expungement of the record of conviction. Some exceptions. After a hearing on the petition, if the judge believes that justice will be served, the judge is required to order that all records of the person's conviction that are in the custody of the court be sealed with accompanying justification and must deliver a copy of the order to all law enforcement agencies and courts. The order must require that all law enforcement agencies and courts not release copies of the records to any person except on order of the court. Unless otherwise provided by law, a person who receives an expungement for a conviction is allowed to respond to any inquiry as though the conviction did not exist.

**Last Action**

03/20/2023 S - Referred to Committee - Judiciary - Senate Judiciary

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**HB2309 - Sovereign authority; law enforcement**

**Sponsor**

Rep. Rachel Jones (R)

**Summary**

This state and all political subdivisions are prohibited from using any personnel or financial resources to enforce, administer or cooperate with any act, law, treaty, order, rule or regulation of the U.S. government that is inconsistent with any law of Arizona regarding the authority of state and local law enforcement agencies.

**Last Action**

03/21/2023 S - Senate Majority Caucus – Y

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**HB2379 - Hotel; motel; vouchers; homeless; prohibition****Sponsor**

Rep. Matt Gress (R)

**Summary**

The Arizona Department of Housing, counties, and municipalities are prohibited from requiring a hotel or motel to participate in any program that houses "homeless individuals or families" (defined) in an unoccupied hotel or motel guest room through the use of a housing voucher. AS PASSED HOUSE

**Last Action**

02/28/2023 S - Referred to Committee - Government

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**HB2401 - TPT; diapers; feminine hygiene; exemption****Sponsor**

Rep. Alma Hernandez (D)

**Summary**

The list of exemptions from the retail classification of transaction privilege and use taxes is expanded to include disposable diapers, other similar disposable items commonly used for incontinence, and a list of feminine hygiene products. Applies to taxable periods beginning on or after the first day of the month following the general effective date.

**Last Action**

03/03/2023 H - Hearing Scheduled - 03/06/2023 - Third Reading, Floor

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**HB2411 - Grazing operations; energy projects; compensation (Water supply; elimination; reduction; damages)****Sponsor**

Rep. David L. Cook (R)

**Summary**

If a city provides water to customers outside of the city's service area before January 1, 2023 and reduces or terminates that service on or after January 1, 2023, the city is required to make the same reduction in or termination of the water supply to the Mayor and members of the City Council. If a city terminates water service in these circumstances, the city is liable, with respect to the persons whose water was terminated, for fire damage to personal property, health problems incurred by children as the result of the termination, and attorney fees.

**Last Action**

03/07/2023 H - PASSED - House Motion to Reconsider Third - House Motion to Reconsider Third

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**HB2418 – NOW: Police response time; study committee**

**Sponsor**

Rep. Matt Gress (R)

**Summary**

Establishes a 13-member Police Response Time Study Committee to solicit ideas on recommendations to maintain or improve emergency call response times and critical law enforcement staffing shortages in Arizona. The Committee is required to submit a report of its findings and recommendations to the Governor and the Legislature by December 21, 2023, and self-repeals July 1, 2024. Emergency clause. AS PASSED HOUSE

**Last Action**

03/14/2023 S - Senate Majority Caucus – Y

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**HB2420 - Law enforcement; families; tuition scholarships**

**Sponsor**

Rep. Matt Gress (R)

**Summary**

Establishes the Spouses and Dependents of Law Enforcement Officers Tuition Scholarship Fund, to be administered by the Arizona Board of Regents (ABOR) to award tuition scholarships to any person who is the spouse or a dependent of a "law enforcement officer" (defined) in Arizona and who enrolls in a university under the jurisdiction of ABOR, a community college, a career technical education district, or a private postsecondary educational institution in Arizona. Establishes requirements to apply for scholarships and prescribes scholarship amounts. The scholarship is limited to four academic years or eight semesters. Appropriates \$10 million from the general fund in FY2023-24 to the Fund.

**Last Action**

03/16/2023 H - Hearing Scheduled - 03/22/2023, 2:00 PM - Senate MAPS, SHR 2

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**HB2430 - EORP; appropriations; repayment**

**Sponsor**

Rep. David Livingston (R)

**Summary**

For FY2023-24 and each fiscal year after, monies collected from contributions of members of the Elected Officials' Retirement Plan (EORP) must be distributed directly to the qualified governmental excess benefit arrangement in an amount as determined by the Board of Trustees. After that transfer, the Board is required to transfer any remaining monies collected to the general fund. Beginning July 1, 2023 through June 30, 2033, a specified list of counties and municipalities are required to annually repay the state specified amounts for the amounts paid in FY2022-23 on the local governments' behalf to EORP for unfunded accrued liability. Counties and municipalities may pay the annual repayment amount from any source of revenue. Makes a supplemental appropriation of \$609 million from the general fund in FY2022-23 to EORP to pay the unfunded accrued liability for EORP. Numerous appropriations made

from the general fund in FY2023-24 for required employer contributions to EORP are reduced. Emergency clause. AS PASSED HOUSE

**Last Action**

03/21/2023 S - FAILED - Senate Appropriations

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**HB2431 NOW: Workers' compensation; firefighters; rate deviation**

**Sponsor**

Rep. David Livingston (R)

**Summary**

Contains session law provisions that limit certain workers' compensation insurers to collect additional premiums only if the public employer can receive reimbursement under the federal American Rescue Plan Act of 2021.

**Last Action**

03/21/2023

H - Hearing Scheduled - 03/27/2023, 2:00 PM - Senate FIN, SHR 109

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**HB2447 - TPT; exemption; motor vehicle manufacturers**

**Sponsor**

Rep. Teresa Martinez (R)

**Summary**

A vehicle manufacturer or new vehicle dealer that is owned, operated or controlled by the manufacturer or one of its affiliates or subsidiaries is authorized to issue a special ten day nonresident registration permit in order to deliver a vehicle to a nonresident purchaser. The maximum number of these permits that a manufacturer or new dealer may issue in FY2023-24 is 500, and the maximum number will increase by 10 percent each fiscal year after. The list of exemptions from transaction privilege taxes is modified to include sales of motor vehicles to nonresidents if the motor vehicle is sold to a nonresident purchaser who has obtained a special ten-day nonresident registration permit. Applies to taxable periods beginning on or after the first day of the month following the effective date of this legislation.

**Last Action**

02/17/2023 H - HELD - House Transportation & Infrastructure

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**HB2471 - Government investments; plans; fiduciaries; products**

**Sponsor**

Rep. Steve Montenegro (R)

**Summary**

A "fiduciary" (defined) is required to discharge his/her duties with respect to a "plan" (defined as any plan, fund, or program established or maintained by the state or a political subdivision to provide retirement income or benefits to employees, defer income, or invest taxpayer monies for any purpose) solely in the interest of the participants and beneficiaries of the plan, and is required to take into account only pecuniary factors when evaluating an investment. Only the governmental entity that establishes or maintains a plan may vote the shares held by the plan, and the shares

held by a plan must be voted only in the pecuniary interest of the plan. A fiduciary is prohibited from adopting a practice of following the recommendations of a proxy advisory firm unless the firm's guidelines are consistent with these requirements. The State Treasurer is required to post a current list of state investments by name and a current list of investment managers on the State Treasurer's publicly accessible website. All state investments are required to be made in the sole interest of the beneficiary taxpayer.

**Last Action**

03/13/2023 S - Referred to Committee - Government - Senate Government

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**HB2483 - Backyard fowl; regulation; prohibition**

**Sponsor**

Rep. Kevin Payne (R)

**Summary**

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

**Last Action**

03/06/2023 S - Referred to Committee - Government - Senate Government

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**HB2630 - Tobacco; alternative nicotine; vapor products**

**Sponsor**

Rep. Kevin Payne (R)

**Summary**

Retail tobacco vendors are prohibited from selling "alternative nicotine products," "tobacco products," or "vapor products" (all defined) to persons under 21 years of age. If a person reasonably appears to be under 30 years of age, a retail tobacco vendor is prohibited from not selling tobacco products, alternative nicotine products or vapor products to the person without first examining the person's government-issued photo identification to establish that the person is at least 21 years of age. Every retailer that sells or offers to sell tobacco products, alternative nicotine products or vapor products to consumers in Arizona is required to register each retail location with the Arizona Department of Revenue (ADOR) on a form and in a manner prescribed by ADOR. The registration shall be accompanied by an annual fee in an amount to be determined by the ADOR Director. Beginning January 1, 2024, a retailer is prohibited from selling tobacco products, alternative nicotine products or vapor products in Arizona unless the retailer has registered with ADOR, has paid all applicable fees, and is in compliance with all rules adopted by ADOR. Establishes penalties for violations. Severability clause. Effective January 1, 2024.

**Last Action**

02/15/2023 H - FAILED - House Regulatory Affairs

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**HB2643 - State aviation fund; appropriation**

**Sponsor**

Rep. David L. Cook (R)

**Summary**

Appropriates \$26 million from the general fund in FY2023-24 to the State Aviation Fund. From this amount, \$6 million is required to be distributed to the Phoenix-Mesa Gateway Airport.

**Last Action**

3/21/2023 S - DP - Senate Appropriations

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**SB1003 - Traffic violations; identification**

**Sponsor**

Sen. John Kavanagh (R)

**Summary**

A person other than the driver of a motor vehicle is required to provide their full name, date of birth, and residence address to a peace officer on request, if the officer has reasonable cause to believe the person has committed a traffic violation. Previously, a person other than the driver was required to provide "evidence of the person's identity" to a peace officer on request.

**Last Action**

02-01-2023H - Hearing Scheduled - 02/01/2023 - Second Reading, Floor

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**SB1004 - Court security officers; duties; jurisdiction**

**Sponsor**

Sen. John Kavanagh (R)

**Summary**

Court security officers are authorized to respond to threats to and emergencies involving a court participant, including a juror, witness, or victim.

**Last Action**

01-11-2023 S - Hearing Scheduled - 01/11/2023 - Second Reading, Floor

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**SB1008 - Court fees; costs; deferral; waiver**

**Sponsor**

Sen. John Kavanagh (R)

**Summary**

The court is required to grant an application for deferral of court fees and costs if an applicant establishes that the applicant has a gross monthly income that is 225 percent or less of the current federal poverty level, increased from 150 percent or less, or if an applicant establishes that the applicant is receiving benefits from the Arizona Health Care Cost Containment System (in addition to other programs previously listed). The court is authorized to waive court fees and costs entirely or in part.

**Last Action**

01-18-2023 H - Hearing Scheduled - 01/18/2023 - Second Reading, Floor

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**SB1011 - Municipalities; partisan elections****Sponsor**

Sen. John Kavanagh (R)

**Summary**

Municipal elections may be held with the candidate's political party registration indicated on the ballot. Applies to municipal elections held on or after January 1, 2024.

**Last Action**

03/14/2023 H - House Majority Caucus – Y

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**SB1012 - Inspections; sober living homes****Sponsor**

Sen. John Kavanagh (R)

**Summary**

Counties and municipalities are authorized to conduct inspections at sober living homes to ensure compliance with county or municipal fire codes and zoning ordinances.

**Last Action**

01-25-2023 S - DP - Senate Commerce

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**SB1022 - Pedestrians; selling goods; begging; medians****Sponsor**

Sen. John Kavanagh (R)

**Summary**

Pedestrians are prohibited from selling goods, soliciting donations, or begging on a painted or raised traffic island or median. The penalty for a first violation is a warning, the second violation is a civil traffic violation, and the third or subsequent violation is a class 1 (highest) misdemeanor.

**Last Action**

02/08/2023 S - DPA/SE - Senate Military Affairs, Public Safety and Border Security

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**SB1023 - Residential picketing; offense****Sponsor**

Sen. John Kavanagh (R)

**Summary**

A person commits residential picketing, a class 3 (lowest) misdemeanor, if the person intentionally engages in picketing or otherwise demonstrates near the residence of an individual if the actions are such that a reasonable person would find the acts harassing, annoying, or alarming, or if the person intends the picketing or demonstrating to harass, annoy, or alarm another person.

**Last Action**

03/20/2023

H - Hearing Scheduled - 03/20/2023 - Consent COW, Floor

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**SB1024 - Public rights-of-way; unlawful acts****Sponsor**

Sen. John Kavanagh (R)

**Summary**

It is a class 1 (highest) misdemeanor to use a public street, highway, alley, sidewalk, or other right-of-way for lying, sleeping, or otherwise remaining in a sitting position unless the person is experiencing a physical emergency, the violation occurs in the course of administering medical assistance, or the right-of-way is subject to a permit to conduct a festival, fair, parade, concert, fireworks display, or other similar event.

**Last Action**

03/21/2023 H - Hearing Scheduled - 03/22/2023 - Committee of the Whole, Floor

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**SB1025 - Political signs; tourism zones**

**Sponsor**

Sen. John Kavanagh (R)

**Summary**

The area of each commercial tourism political sign free zone designated by a municipality is limited to 10 percent of the total area of the municipality, and each zone is required to have a "relock score" (calculation specified) of 0.20 or more. Municipalities are allowed to establish one or more areas within its zones in which political signs are allowed but are required to include those areas in calculating the area of the zone to determine compliance with these requirements.

**Last Action**

03/14/2023 H - House Majority Caucus – Y

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**SB1031 - Public employees; employment; termination**

**Sponsor**

Sen. Anthony Kern (R)

**Summary**

State agencies and political subdivisions are prohibited from terminating an employee based on the employee's vaccination status or political affiliation. A violation is subject to a civil penalty of 10 percent of the state agency's or political subdivision's budget from the prior fiscal year.

**Last Action**

01-11-2023 S - Hearing Scheduled - 01/11/2023 - Second Reading, Floor

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**SB1033 - TPT; diapers; feminine hygiene; exemption.**

**Sponsor**

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

**Summary**

The list of exemptions from the retail classification of transaction privilege and use taxes is expanded to include disposable diapers, other similar disposable items commonly used for incontinence, and a list of feminine hygiene products. Applies to tax periods beginning on or after the first day of the month following the general effective date.

**Last Action**

01-09-2023 S - Introduced

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**SB1055 - Full-service crime labs; funding**

**Sponsor**

Sen. David Gowan (R)

**Summary**

The Department of Public Safety (DPS) is required to allocate and distribute the monies in the DPS Forensics Fund to each "full-service crime laboratory," defined as a crime lab operated by a criminal justice agency of the state or a political subdivision that is accredited, that provides at least six forensic disciplines, and that meets other specified requirements, based on the percentage of the state population served by each full-service crime laboratory. Previously, DPS was authorized to use 55 percent of the monies in the Fund and was required to distribute the remainder to specified municipal police departments.

**Last Action**

03/21/2023 H - Transmit to House

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**SB1063 - Food; municipal tax; exemption...****Sponsor**

Sen. Sonny Borrelli (R)

**Summary**

Municipalities and other taxing jurisdictions are prohibited from levying a transaction privilege, sales, or use tax or fee on the sale of food items intended for human consumption or home consumption (as defined elsewhere in statute and by rule). Applies to tax periods on or after the first day of the month following the general effective date.

**Last Action**

02/27/2023 H - Transmit to House

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**SB1064 - Sentencing enhancements; drug-free zones****Sponsor**

Sen. John Kavanagh (R)

**Summary**

It is unlawful for a person to knowingly be present in a "drug-free neighborhood zone" (defined) to sell or transfer marijuana, peyote, prescription-only drugs, dangerous drugs or narcotic drugs. A person in violation is guilty of the same class of felony that the person would otherwise be guilty of had the violation not occurred within a drug-free neighborhood zone, except that the presumptive, minimum and maximum sentence must be increased by one year, and the court is required to order the person to pay a fine of at least \$2,000 or three times the value of the drugs involved, whichever is greater.

**Last Action**

02/28/2023 S - Senate Majority Caucus - Y

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**SB1096 - Firearms; contracts; prohibited practices****Sponsor**

Sen. Frank Carroll (R)

**Summary**

A "public entity" (defined) is prohibited from entering into a contract with a value of \$100,000 or more with a company to acquire or dispose of services, supplies, information technology, or construction unless the contract includes a written

certification that the company does not currently, and agrees for the duration of the contract that it will not, discriminate against a "firearm entity" or "firearm trade association" (both defined).

**Last Action**

03/21/2023 H - Hearing Scheduled - 03/22/2023 - Committee of the Whole, Floor

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**SB1097 - Truck routes; designation**

**Sponsor**

Sen. Frank Carroll (R)

**Summary**

For ordinances or resolutions enacted on and after January 1, 2020, the Arizona Department of Transportation (ADOT) or a local authority may only restrict or prohibit a "vehicle of legal size" (defined) from operating on a highway that is a "major arterial street" (defined) and that connects two or more local jurisdictions if ADOT or the local authority conducts a test drive or applies a vehicle template on the highway that shows that a vehicle of a legal size may not safely operate on the highway. A highway that does not have a "truck restriction" (defined) before being annexed by a local authority cannot be incorporated into an existing truck restriction that is passed on or after January 1, 2020 unless the highway meets the criteria in this legislation. A local authority that passed an ordinance on or after January 1, 2020 that is inconsistent with these provisions is required to repeal or amend the ordinance to comply with this act within 90 days after the effective date or the ordinance is invalid. AS PASSED SENATE

**Last Action**

3/16/2023 H - DP - House Transportation & Infrastructure

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**SB1103 - Administrative review; approvals; developments**

**Sponsor**

Sen. Warren Petersen (R)

**Summary**

The legislative body of a county or municipality is allowed by ordinance to: authorize administrative personnel to review and approve site plans, development plans, land divisions, preliminary plats, final plats, and plat amendments without a public hearing; authorize administrative personnel to review and approve design review plans based on "objective" (defined) standards without a public hearing; adopt a self-certification program allowing registered architects and professional engineers to certify and be responsible for compliance with all applicable ordinances and construction standards for certain projects; allow at-risk submittals for certain on-site preliminary grading or drainage work; and allow applicants with a history of compliance with building codes and regulations to be eligible for expedited permit review. AS PASSED HOUSE

**Last Action**

03/03/2023 G – Signed

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**SB1116 - Political signs; public roadways; prohibition**

**Sponsor**

Sen. Steve Kaiser (R)

**Summary**

A person is prohibited from placing a political sign in or on the right-of-way of a public road.

**Last Action**

02-01-2023 H - Hearing Scheduled - 02/01/2023 - Second Reading, Floor

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**SB1166 - Public employers; postsecondary degree requirements**

**Sponsor**

Sen. Steve Kaiser (R)

**Summary**

Public employers are prohibited from rejecting an applicant solely for not having a postsecondary degree. Public employers are allowed to include a postsecondary degree as a baseline requirement only as an alternative to a particular number of years of direct experience. Some exceptions. Contains legislative findings. Effective January 1, 2024.

**Last Action**

03/21/2023 H - House Majority Caucus – Y

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**SB1189 – NOW: Municipal tax code commission; continuation**

**Sponsor**

Sen. J.D. Mesnard (R)

**Summary**

The statutory life of the Municipal Tax Code Commission is extended four years to July 1, 2027. Retroactive to July 1, 2023. AS PASSED SENATE

**Last Action**

03/14/2023 H - House Majority Caucus – Y

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**SB1223 - Water infrastructure; commerce grant fund**

**Sponsor**

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

**Summary**

Modifies eligibility for grants from the Water Infrastructure and Commerce Grant Fund to apply to projects that begin after January 1, 2023, instead of 2022, and to require the grants to be allocated and distributed by December 31, 2025, instead of 2024.

Appropriates \$8 million from the general fund in FY2023-24 to the Fund.

**Last Action**

03/22/2023 H - Hearing Scheduled - 03/28/2023, 2:00 PM - House NREW, HHR 1

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**SB1234 - Prohibition; photo radar**

**Sponsor**

Sen. Wendy Rogers (R)

**Summary**

State agencies and local authorities are prohibited from using a photo enforcement system to identify violators of traffic control devices and speed regulations. Statutes authorizing and regulating photo enforcement systems are repealed. Contains a legislative intent section.

**Last Action**

03/14/2023 H - House Majority Caucus – Y

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**SB1274 - Computer data centers; TPT; refund****Sponsor**

Sen. J.D. Mesnard (R)

**Summary**

Any claim for a refund of transaction privilege taxes (TPT) or use taxes for the TPT deduction for qualifying equipment purchased between July 1, 2004 through June 30, 2024 by a qualified business for harvesting or processing qualifying forest products removed from qualifying projects, or for the use tax deduction for machinery, equipment, materials and other tangible personal property used directly and predominantly to construct a qualified environmental technology manufacturing, producing or processing facility that is filed from and after December 31, 2021 must be submitted using the regular refund process and are not subject to session law from 2021 establishing requirements for claims for a refund based on the retroactive application of specified refunds. Retroactive to January 1, 2022. AS PASSED SENATE

**Last Action**

03/21/2023 H - House Majority Caucus – Y

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**SB1340 - Toll roads; conversion; prohibition****Sponsor**

Sen. Juan Mendez (D)

**Summary**

A county board of supervisors is prohibited from granting an application for a toll road that will be converted from a publicly funded or maintained street or highway. The Arizona Department of Transportation is prohibited from entering into an agreement that allows the conversion of an existing publicly funded or maintained street or highway to a toll road.

**Last Action**

03/21/2023 H - Transmit to House

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**SB1473 - Tax corrections act of 2023****Sponsor**

Sen. J.D. Mesnard (R)

**Summary**

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. 33 pages. An annual exercise.

**Last Action**

03/21/2023 S - Transmit to Senate

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**SB1500 - Government investments; fiduciaries; pecuniary benefit****Sponsor**

Sen. Frank Carroll (R)

**Summary**

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

**Last Action**

03/22/2023 H - DP - House Government

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**SB1651 - Water; energy; financing program.****Sponsor**

Sen. Sonny Borrelli (R)

**Summary**

Counties and municipalities are authorized to provide for or allow the construction, installation or modification of critical capital expenditure improvements, energy efficiency improvements, renewable energy improvements or resiliency improvements on qualifying property by establishing a "C-PACE Program" (defined). Establishes a new chapter in Title 49 (Environment) establishing and regulating the Commercial Property Assessed Capital Expenditure Financing Program (C-PACE Program). To establish a C-PACE Program, a governing body is required to adopt a resolution or ordinance to do so, after a public hearing to consider establishing the Program. Local program authorities are authorized to enter into special assessment agreements with property owners to secure special assessment financing for C-PACE Program projects. Provides for the imposition and collection of special assessments. More.

**Last Action**

02/15/2023 S - HELD - Senate Government

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**SB1711 - Ambulances; emergency medical services****Sponsor**

Sen. David Gowan (R)

**Summary**

Ambulance services providing interfacility transportation in any certificate of necessity area are required to have at least one ambulance attendant that is an emergency medical technician (EMT) or a licensed physician or professional nurse, and one

ambulance attendant that is an EMT or an emergency medical responder staffing an ambulance while transporting a patient. Effective January 1, 2024.

**Last Action**

03/21/2023 H - Transmit to House

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**SCR1002 - Constitutional amendments; sixty percent approval**

**Sponsor**

Sen. Anthony Kern (R)

**Summary**

The 2024 general election ballot is to carry the question of whether to amend the state Constitution to require approval by 60 percent of the votes cast on the measure for an initiative or referendum measure that amends the state Constitution to become law, instead of a majority of the votes cast.

**Last Action**

3/15/2023 H - Referred to Committee - Municipal Oversight & Elections