



City of Phoenix

# Agenda

## General Information Packet

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**Thursday, February 1, 2024**

**phoenix.gov**

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**For Transmittal, Minutes of the Policy Session on Jan. 9, 2024**

**Summary**

This item transmits the Minutes of the Policy Session on Jan. 9, 2024.

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

**Responsible Department**

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



Attachment A  
**City of Phoenix**  
**Minutes**

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

**City Council Policy Session**

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**Tuesday, January 9, 2024**

**2:30 PM**

**phoenix.gov**

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**CALL TO ORDER**

The Phoenix City Council convened in Policy Session on Tuesday, Jan. 9, 2024, at 2:35 p.m. in the Council Chambers.

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

**COUNCIL INFORMATION AND FOLLOW-UP REQUESTS**

Councilwoman O'Brien discussed Phoenix's Community Court for homeless individuals with minor offenses and promoted affordable housing legislation. She encouraged following her newsletter for updates.

Councilwoman Ansari discussed a Department of Justice (DOJ)-related community meeting and police reforms. She thanked Chief Assistant City Attorney TJ Martin and Assistant Chief Bryan Chapman for their informative DOJ presentation. She noted the Orpheum Theater's 95th anniversary and outlined District 7's agenda, including neighborhood cleanups, celebrating Phoenix's Sister City relationship with Suwon, South Korea, and Martin Luther King Jr. (MLK) Day events.

Councilwoman Guardado reviewed major 2023 events in her district, including El Grito and the Very Merry Maryvale Celebration, acknowledging community efforts and focusing on 2024's district engagements.

Councilwoman Pastor announced District 4's expansion, welcoming approximately 10,000 new residents. She highlighted an upcoming coffee chat on tree and shade grants and solid waste initiatives and the opening of the first literacy garden at Carl

Hayden High School. She mentioned hosting the United States (U.S.) Health Secretary, Xavier Becerra, at Bioscience High School. She highlighted that the Wall Street Journal recognized Phoenix Sky Harbor Airport as the best airport in the U.S. She also organized neighborhood cleanup for MLK Day, introduced a breast cancer detection initiative for African American women, and highlighted the Light Rail's Northwest Extension Phase 2.

Roll Call and City Clerk Reads 24-Hour Paragraph

### **CONSENT ACTION**

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

### **CALL FOR AN EXECUTIVE SESSION**

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

### **REPORTS AND BUDGET UPDATES BY THE CITY MANAGER**

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

### **ORDINANCES, RESOLUTIONS, AND FORMAL ACTION (ITEM 1)**

\*1 Prevailing Wage (Ordinance G-7217)

#### **Discussion**

The City Clerk read the title of the ordinance for this item.

Mayor Gallego introduced Prevailing Wage Ordinance G-7217, recognizing the stakeholder process led by City Manager Jeffrey Barton.

Councilman Waring joined the meeting at 2:47 p.m.

Mr. Barton reviewed the ordinance, highlighting its development and stakeholder engagement. He emphasized its expected effectiveness and connection to the 2023 GO Bond Program. He also recommended to exclude the 2023 Bond Program from the ordinance.

City Engineer Eric Froberg briefed the Council on the history of the ordinance, rooted in the 1931 Davis-Bacon Act principles. He mentioned local prevailing

wage acts and their reliance on federal government wage determinations. He spoke on construction cost implications and compliance logistics, detailing the ordinance's scope.

Budget and Research Director Amber Williamson projected a \$1.4 million annual expense for additional staffing and a \$100,000 one-time cost. She anticipated a yearly \$17 million impact on the Capital Improvement Program (CIP), acknowledging uncertainties in potential future legal expenditure.

Prior to her motion, Councilwoman Guardado voiced support for the ordinance, correlating it with economic growth and community well-being. She emphasized the importance of paying employees a living wage and having a comprehensive approach to ending homelessness. She made the motion to approve the ordinance.

Councilwoman Pastor reflected on the development process of the policy since June 2020, noting the various times the prevailing wage ordinance failed to pass. She expressed her appreciation of staff and stakeholders' collective efforts, and expressed hope for the ordinance's passage.

Councilwoman Ansari praised the ordinance for its role in ensuring fair pay in construction, whether or not represented by a labor union. She highlighted the need for regulatory progress and collaborative efforts.

Councilman Waring asked about the impact of the ordinance on utilities like Southwest Gas and Arizona Public Service Company (APS).

Mr. Barton responded the ordinance applies only to City-led projects, not affecting utility companies.

Councilman Waring noted utility companies employ their own construction workers, implying the ordinance would not impact their wages.

Mr. Barton confirmed Councilman Waring's statement.

Councilman Waring raised concerns about rising costs and potential revenue loss due to recent legislative changes affecting the City's budget.

Mr. Barton estimated an annual impact of approximately \$17 million from the ordinance. He discussed potential cost mitigation strategies, including scaling back Capital Improvement Plan (CIP) lumpsum projects and reallocating staff costs.

Ms. Williamson elaborated the ordinance would not directly affect the General Fund budget, which was affected by state decisions. She specified ongoing operating costs for new positions would be charged to the CIP, impacting capital projects.

Councilman Waring posed reducing \$17 million from five projects could mean either compromised quality or initial cost overestimations. He proposed cost reductions where feasible, even if it resulted in fewer or scaled-back projects.

Mr. Barton acknowledged the estimates were assumption-based, noting actual impacts might differ. He stressed the need for unbiased analysis and cited potential benefits of increased wages like enhanced work quality and reduced injuries. He advocated for consideration of the ordinance's impact, emphasizing thorough evaluation of CIP projects.

Councilman Waring expressed his concerns about indirect costs, acknowledging their effect on CIP projects. He discussed the potential for increased affordable housing costs due to inflation. He anticipated the ordinance's passage, emphasizing the importance of utilities understanding its financial implications.

Councilwoman O'Brien inquired about existing contract terms prohibiting labor broker practices and their enforcement.

Mr. Froberg responded current contracts forbade using labor brokers, noting a lack of enforcement. He stated the new ordinance would reinforce compliance.

Councilwoman O'Brien asked about the penalties for not following the ordinance if it were passed.

Mr. Froberg responded the new ordinance would reinforce compliance. He outlined sanctions in Section 3455, including restitution, liquidated damages, and contract cancellation for repeat offenses, among others.

Councilwoman O'Brien voiced frustration over delayed enforcement of beneficial contract terms. She expressed legal concerns regarding the ordinance, referencing state laws and potential lawsuits. She differentiated prevailing wage from minimum wage and declared her intention to vote against the ordinance to prevent possible legal repercussions.

Vice Mayor Stark appreciated staff's efforts but raised concerns about potential legal expenses from the Arizona General Contractors' possible litigation. She expressed opposition to the ordinance, hoping for future minimum wage discussions in contracts.

Councilwoman Hodge Washington, mentioned her initial opposition to the prevailing wage ordinance due to procedural and substantive issues. She acknowledged procedural resolutions and clarity from the Attorney General's opinion. She stressed the need for continuous, data-driven evaluation of the ordinance's impact.

Mr. Barton suggested a periodic review of the ordinance every 12 to 18 months to assess its effectiveness, mentioning its phased implementation and the possibility of adjusting based on learned experiences.

Mayor Gallego commended Phoenix's commitment to fair wages, referencing the city's \$15 minimum wage and family leave benefits. She thanked everyone involved in the ordinance's development, highlighting its role in securing federal funds and addressed the concerns for litigation, mentioning Attorney General Kris Maye's supportive stance.

Mayor Gallego opened the floor to public comment.

Luke Douglas expressed support for the ordinance, expressing gratitude to the Mayor, Council, City staff, the mediator, and laborers for their work on the ordinance.

Mike Gardner expressed opposition for the ordinance, citing high construction wages, lack of clarity, and legality concerns, favoring a minimum wage approach.

Ironworkers Local 75 Financial Secretary Jason Sangster expressed support for

the ordinance for fair construction wages, tackling homelessness, and boosting the economy.

Josh Umar, executive director of the American Subcontractors Association (ASA) of Arizona, also representing Arizonans for Fair Contracting, expressed opposition to the ordinance due to potential adverse effects on small, minority-owned contractors.

Mark Carter, representing Sheet Metal Works Local #359 and Boilermakers Local 627, expressed support for the ordinance, appreciating the Council and City staff's efforts and its role in creating equitable contractor opportunities and worker benefits.

Ricardo Carlo expressed opposition for the ordinance, focusing on administrative cost concerns for small businesses and potential wage reductions.

Andres Soto, representing IBEW Local 640, expressed support for the ordinance for its benefits to workers, the local economy, safety and contributing to an affordable, thriving city.

Mike Huckins, with Greater Phoenix Chamber, expressed opposition for the ordinance, citing its impact on business bids and increased administrative burdens, especially for small businesses.

Raquel Teran expressed support for the ordinance, highlighting its significance for workers, the City, and underserved communities, and the role of labor unions and community groups in advocating for fair wages.

Aaron Behnke expressed support for the ordinance, emphasizing its importance in recognizing construction workers' unique skills and abilities.

Ricardo Villafan expressed support for the ordinance, highlighting its benefits for the local economy, businesses, tradespeople, and apprentices, and shared his personal experience in the electrical trade.

Theron Conner expressed support for the ordinance for fair construction pay and leveling the playing field, suggesting a \$4 million threshold for greater impact.

Councilwoman Guardado thanked the workers and apprenticeship students for supporting the ordinance, highlighting their courage in speaking out.

Councilwoman Hodge Washington asked about the ordinance's administrative burden and its impact on small and minority businesses.

Mr. Barton explained the \$4 million threshold was intended to alleviate some of the challenges for small and minority-owned businesses.

Prior to her vote, Councilwoman Pastor advocated for the prevailing wage, citing its positive effects at Phoenix Union and expressed her endorsement of the ordinance.

Prior to his vote, Councilman Robinson acknowledged the mixed opinions on prevailing wage, likened it to a fair negotiation with compromise, and conveyed his support for the ordinance.

Mayor Gallego stated Phoenix would be the first City to pass a prevailing wage ordinance in Arizona.

**A motion was made by Councilwoman Guardado, seconded by Councilwoman Pastor, that City Council approve staff's recommended plan. The following vote carried the motion:**

- Yes:** 6 - Councilwoman Guardado, Councilwoman Hodge Washington, Councilwoman Pastor, Councilman Robinson, Councilwoman Ansari and Mayor Gallego
- No:** 3 - Councilwoman O'Brien, Vice Mayor Stark and Councilman Waring

## **ADJOURN**

There being no further business to come before the Council, Mayor Gallego declared the meeting adjourned at 3:58 p.m.



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## Department of Justice Investigation Update

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

### Summary

Since the Department of Justice announced its investigation into the Phoenix Police Department on Aug. 5, 2021, City staff have supported and participated in the investigation. The City has provided regular reports to update the community on the investigation. See prior updates on June 30, 2022, Jan. 19, March 23, April 27, May 25, June 29, Sept. 28, Oct. 26, 2023, Nov. 30, and Dec. 28, 2023.

### Phoenix Police "Road to Reform"

On Jan. 11, 2023, outside counsel for the City of Phoenix, Steptoe LLP, sent a letter and report to the Department of Justice which outlines many years of reform efforts, and formally requested the negotiation of a Technical Assistance Letter or other similar resolution. A Technical Assistance Letter would allow DOJ to recommend reforms and best practices for achieving desired outcomes without the presence of a judge or independent monitor. The City of Phoenix has indicated a willingness to discuss and commit to methods of accountability moving forward.

### Community Outreach Presentation Update

City staff continued providing in-person and virtual presentations to outline the status of the DOJ investigation and discuss relevant PPD reforms. The purpose of these presentations is to provide general information about the DOJ investigation, to share the numerous steps the City has taken to modernize and improve the Police Department, and to answer residents' questions. The following topics are covered:

- Overview of DOJ's Patterns or Practice Investigations
- Information on the areas of the investigation into Phoenix
- Summary of the Phoenix investigation to date
- Details on the City's continuous improvements efforts for the Police Department
- Discussion of next steps and questions from the community

The presentation is available in English and Spanish on the City of Phoenix website at

Phoenix.gov/DOJ.

The City has presented at the request of community organizations. In addition to the organization meetings, the City also hosted seven community meetings in Police precinct areas.

### **Document and Video Sharing Update**

The DOJ made four formal requests for production of documents containing 234 specific requests. In response, the City has provided:

- More than 179,258 documents;
- Approximately 20TB of data from multiple systems
- Approximately 22,458 Body Worn Camera (BWC) videos
- Approximately
- Interviews of over 130 City employees
- 200 hours of ride alongs with PPD

### **Expenses Related to the DOJ Investigation**

Since the DOJ opened its investigation in August 2021, the City has spent a little over \$7.5 million on costs associated with the investigation as of Dec. 31, 2023. A summary of these expenses include:

- City of Phoenix Personnel: \$6 million
- Contracts, Commodities, Misc.: \$300,000
- Outside Counsel and Consultants: \$1.2 million

More information about the DOJ investigation, including previous information reports, can be found on the City of Phoenix website at Phoenix.gov/DOJ.

### **Responsible Department**

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



## 2024 State Legislative Report

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

### Summary

Jan. 31, 2024 is the 24th day of the Second Regular Session of the 56th Arizona State Legislature. **Attachment A** provides current status of legislation. To date, 1,565 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  
January 31, 2024**



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

This Legislative Report provides the most current information about bills that could impact the City. Jan. 31, 2024 is the 24<sup>th</sup> day of the Second Regular Session of the 56th Arizona State Legislature. To date, 1,565 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.

**HB2005 - Arizona power authority; DWR cooperation**

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

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

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

**COP Position:** Neutral

**HB2006 - Real estate; acting in concert**

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

**Summary:** A well share agreement, road maintenance agreement, or use of the same licensed contractor or registered technical professional alone are not sufficient to constitute unlawful acting in concert for the purpose of avoiding land division regulations.

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

**COP Position:** Neutral

### **HB2007 - Subdivided lands; civil penalties**

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

**Summary:** The civil penalty for a subdivider or real estate agent who violates regulations on subdivided land is up to \$2,000 for each lot where a violation occurs, instead of up to \$2,000 for "each infraction," where a single infraction could concern more than one lot in a subdivision.

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

**COP Position:** Neutral

### **HB2008 - Commercial; industrial; conservation requirements; rules**

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

**Summary:** By January 1, 2025, for each initial and subsequent Active Management Area, the Department of Water Resources is required to adopt rules for commercial and industrial water users within and outside the service area of a designated service provider that provide for greater water efficiency, conservation, and recycling.

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

**COP Position:** Oppose

### **HB2009 - Subdivisions; acting in concert**

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

**Summary:** It is unlawful for a person or group of persons acting in concert to attempt to avoid subdivision laws by acting in concert to divide a parcel of land into six or more lots by using a series of owners or conveyances within a 10-year period, instead of over any time period.

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

**COP Position:** Neutral

### **HB2011 - Lottery; water infrastructure finance authority**

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

**Summary:** Of the monies remaining in the State Lottery Fund each fiscal year after all existing statutory appropriations and deposits, \$50 million is appropriated to the Water Infrastructure Finance Authority of Arizona.

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

**COP Position:** Support

### **HB2013 - Water improvements program; nonprofit corporations**

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

**Summary:** Nonprofit corporations are authorized to establish a water improvements program where persons may make donations for the purpose of providing financial assistance to owners of residential real property to make improvements to an existing drinking water well or to provide a water delivery system for the residence.

**Last Action:** 01/30/2024 H - House Caucus - Y

**COP Position:** Neutral

**HB2014 - Wells; intention to drill; appropriation**

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

**Summary:** The Arizona Department of Water Resources (ADWR) is required to conduct an audit of all notices of intention to drill to determine if each notice resulted in the person drilling a new well or deepening an existing well. ADWR is required to submit a report of its findings to the Governor and the Legislature by January 1, 2026. Appropriates an unspecified amount (blank in original) from the general fund in FY2024-25 to ADWR for the audit.

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

**COP Position:** Oppose

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

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

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

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

**COP Position:** Neutral

**HB2017 - Assured water supply; commingling**

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

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

**Last Action:** 01/29/2024 S - Transmit to Senate

**COP Position:** Neutral

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

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

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

**Last Action:** 01/29/2024 S - Transmit to Senate

**COP Position:** Oppose

**HB2023 - Land divisions; disclosure affidavit; recording**

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

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

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

**COP Position:** Neutral

### **HB2028 - Groundwater model; unpledged storage credits**

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

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

**Last Action:** 01/16/2024 HELD - House Natural Resources, Energy & Water

**COP Position:** Oppose

### **HB2029 - Groundwater model; unpledged effluent**

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

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

**Last Action:** 01/16/2024 HELD - House Natural Resources, Energy & Water

**COP Position:** Oppose

### **HB2043 - Statute of limitations; criminal offenses**

**Sponsor:** Rep. Travis Grantham (R)

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

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

**COP Position:** Oppose

**HB2044 - Restitution; child survivors; DUI.****Sponsor:** Rep. Selina Bliss (R)**Summary:** Requires a defendant involved in a car accident while intoxicated that resulted in the death of another party is required to pay child support for the minor child of the victim until the child reaches 18 years of age or graduates from high school, whichever is later. The court will decide the manner and amount of the restitution based off a series of outlined factors. If the defendant is imprisoned, they are required to begin payment of the child support no later than the first anniversary of the date of their release.**Last Action:** 01/23/2024 H - House Caucus - Y**COP Position:** Neutral**HB2045 - Dangerous drugs; definition; xylazine****Sponsor:** Rep. Selina Bliss (R)**Summary:** Modifies the list of "dangerous drugs" (defined) within the criminal code to include xylazine.**Last Action:** 01/11/2024 H - Hearing Scheduled - 01/17/2024, 9:00 AM - House JUD, HHR 4**COP Position:** Neutral**HB2046 - Juror information; master jury list****Sponsor:** Rep. Selina Bliss (R)**Summary:** Requires that dates of birth and, when available, telephone numbers and email addresses be included in the master jury list.**Last Action:** 01/25/2024 S - Transmit to Senate**COP Position:** Neutral**HB2054 - SNAP eligibility; probation compliance****Sponsor:** Rep. Timothy M. Dunn (R)**Summary:** Makes compliance with the terms of probation, including any applicable drug testing requirements, the only criteria for eligibility for Supplemental Nutrition Assistance Program (SNAP) benefits for people convicted of a felony related to the use or possession of a controlled substance.**Last Action:** 01/29/2024 H - DISC/HELD - House Health & Human Services - House Health & Human Services**COP Position:** Neutral**HB2056 - Appropriation; on-farm efficiency fund****Sponsor:** Rep. Timothy M. Dunn (R)**Summary:** Appropriates \$30,000,000 from the general fund in FY2024-25 to the on-farm irrigation efficiency fund.**Last Action:** 01/16/2024 H - DP - House Natural Resources, Energy & Water**COP Position:** Neutral**HB2057 - Appropriation; long-term water augmentation fund**

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

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

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

**COP Position:** Support

### **HB2059 - Contiguous real estate; definition**

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

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

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

**COP Position:** Neutral

### **HB2062 - Assured water supply; certificate; model**

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

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

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

**COP Position:** Oppose

### **HB2064 - School safety zone; offenses; sentencing**

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

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

**Last Action:** 01/25/2024 H - Hearing Scheduled - 01/31/2024, 9:00 AM - House JUD, HHR 4

**COP Position:** Neutral

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

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

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

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

**COP Position:** Neutral

#### **HB2080 - Elections; municipal vacancies; primary**

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

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

**Last Action:** 01/30/2024 H - House Caucus – Y

**COP Position:** Neutral

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

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

**Summary:** Prohibits an individual, corporation, partnership, association or other organization contributes to an entity promoting the issuance of a bond or passage of a budget override, said entity is prohibited from bidding on a contract that is funded as a result of that bond or budget override.

**Last Action:** 01/30/2024 H - House Caucus - Y

**COP Position:** Oppose

#### **HB2093 - Emergency services; prudent layperson; definition**

**Sponsor:** Rep. Barbara Parker (R)

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

**Last Action:** 01/29/2024 H - DP - House Health & Human Services - House Health & Human Services

**COP Position:** Neutral

#### **HB2096 - Tiny homes; construction; requirements; exemptions**

Stipulates that zoning requirements may not extend beyond existing provisions governing the use of gray water and the users of gray water, provided each is in compliance with existing law. Prohibits any ordinance that prevents, restricts or regulates the use or occupation of land, including improvements, related to gray water that is in compliance with existing gray water rules, regulations and statutes. Amends permitting exclusions to include gray water system development, repairs and improvements not exceeding \$500 in cost. Permits the use and discharge of gray water

(defined) at a private residence provided total gray water is 400 gallons per day or less, originates from the residence it is used and contained within the property boundary for gardening, landscape and composting, avoids human contact, the surface application does not touch food plants, or contain hazardous chemicals or water used to wash diapers, is managed to minimize standing surface water and utilizes best practices to improve soil and filtration conditions, possesses a shutdown mechanism in the event of malfunction, restricts access to gray water holding tanks, is not situated in a floodway, maintains a vertical separation of at least five feet from the point of application and the groundwater table, has clearly indicated piping and only uses graywater on the surface via flood or drip distribution mechanisms. Prohibits a county, city, town or political subdivision to require a permit or notice if a private landowner uses or discharges gray water in compliance with those stipulations and from requiring a private residence to connect to an on-site wastewater facility (defined) or outside sewage system if graywater use meets those requirements and all toilets at the residence are composting toilets (defined) and kitchen sinks do not have an active garbage disposal. Prohibits a county, city, town or political subdivision from prohibiting a person from installing a composting toilet provided the property is located on an unincorporated area that allows for residential construction, the property is two acres or larger and is not directly adjacent to a city or town.

**Sponsor:** Rep. Barbara Parker (R)

**Last Action:** 01/30/2024 H - House Caucus - Y

**COP Position:** Neutral

### **HB2097 - Gray water; definition; residential standards**

**Sponsor:** Rep. Barbara Parker (R)

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

**Last Action:** 01/30/2024 H - House Caucus - Y

**COP Position:** Neutral

### **HB2100 - Administrative completeness review; licensing**

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

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

**Last Action:** 01/23/2024 H - House Caucus - Y

**COP Position:** Neutral

#### **HB2101 - Land division; applicant submissions; review**

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

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

**Bill History:** 01/29/2024 H - DPA - House Land, Agriculture & Rural Affairs - House Land, Agriculture & Rural Affairs

**COP Position:** Neutral

#### **HB2104 - Misconduct investigations; time limit; applicability**

**Sponsor:** Rep. Kevin Payne (R)

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

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

**COP Position:** Pending

#### **HB2116 - Fatality review; information; access**

**Sponsor:** Rep. Julie Willoughby (R)

**Summary:** Requires within five days upon request of the Chairperson of the Child Fatality Review Team, excluding weekends and holidays the provision of information and records pertaining to a child whose death is being reviewed by the team. Permits law enforcement to withhold information or reports if releasing them interferes with an ongoing criminal investigation or prosecution. Requires law enforcement provide unredacted reports to a Local Child Fatality Review Team or a Maternal Mortality Review Program upon request, provided compliance does not fall under the exclusion of

the permissible withholding of information. Permits a member of a state or local Child Fatality Review Team or Maternal Mortality Review Program to contact, interview or obtain information from a close contact or family member of the deceased child or mother upon approval by the teams in question. Repeals the ability of a state or local Child Fatality Review Team who is also a public officer or employee to contact, interview and obtain information from a family member related to the Review Team as part of the officer's or employee's official duties. Adds recognition of the Maternal Mortality Review Program where appropriate.

**Last Action:** 01/29/2024 H - DPA - House Health & Human Services

**COP Position:** Neutral

### **HB2117 - Workers' compensation; occupational disease; presumption**

**Sponsor:** Rep. Kevin Payne (R)

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

**Last Action:**

01/29/2024 H - DPA - House Military Affairs & Public Safety

**COP Position:** Pending

### **HB2120 - Law enforcement; defunding; prohibition**

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

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

**Last Action:** 01/23/2024 H - Hearing Scheduled - 01/29/2024, 2:00 PM - House MAPS, HHR 1

**COP Position:** Oppose

### **HB2123 - Wells; water measuring devices; prohibition**

**Sponsor:** Rep. Austin Smith (R)

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

**Last Action:** 01/30/2024 H - House Caucus - Y

**COP Position:** Oppose

**HB2124 - Agricultural operations; water; protection; definition**

**Sponsor:** Rep. Austin Smith (R)

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

**Last Action:** 01/30/2024 H - House Caucus - Y

**COP Position:** Oppose

**HB2125 - Annexation; notice; approval**

**Sponsor:** Rep. Austin Smith (R)

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

**Last Action:** 01/25/2024 H - Hearing Scheduled - 01/31/2024, 9:00 AM - House GOV, HHR 3

**COP Position:** Pending

**HB2129 - Improved lot or parcel; definition**

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

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

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

**COP Position:** Neutral

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

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

**Summary:** Places restrictions on a town or city selling property worth more than \$1,500,000 and less than \$15,000,000, including mandating at least one public hearing after publishing an invitation for bids at least 30 days before scheduled approval of a purchase agreement. Requires the Notice of the public hearing to include a description of the property proposed for sale and the reasons for the sale, and information on how to submit written and verbal public comment. Requires a vote by members of the governing body and the adoption of a resolution approving the sale and the terms of the sale to be published on the town or city website upon completion of the sale. Mandates that any real property sold under this provision must be sold at the appraised value of

the property or higher. Allows the sale or disposal of an airport following Arizona law governing the sale of public property. Does not apply to charter cities.

**Last Action:** 01/25/2024 S - Transmit to Senate

**COP Position:** Neutral

#### **HB2134 - Aggravated unlawful flight; law enforcement.**

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

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

**Last Action:** 01/23/2024 H - House Caucus – Y

**COP Position:** Neutral

#### **HB2142 - Move over law study committee**

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

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

**Last Action:** 01/30/2024 H - House Caucus - Y

**COP Position:** Neutral

#### **HB2143 - Driver license fees; homeless exemption**

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

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

**Last Action:** 01/24/2024 H - DPA - House Transportation & Infrastructure

**COP Position:** Support

#### **HB2146 - Mobile homes; cooling; prohibition**

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

**Summary:** Prohibits a person that owns or operates a mobile home park from preventing a tenant from installing necessary cooling methods to reduce energy costs and prevent heat related illness and death, including temporary window mounted

ventilation or air conditioners, wall mounted air conditioners, window coverings, awnings, skirting or other cooling methods.

**Last Action:** 01/30/2024 H - House Caucus – Y

**COP Position:** Neutral

### **HB2148 - Fire protection systems; inspections**

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

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

**Last Action:** 01/30/2024 H - House Caucus – Y

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

### **HB2157 - Probation; termination; deportation**

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

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

**Last Action:** 01/30/2024 H - House Caucus – Y

**COP Position:** Neutral

### **HB2158 - Prohibited possessor; consecutive sentence**

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

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

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

**COP Position:** Neutral

### **HB2161 - Industrial development bonds; preapproval; threshold**

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

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

**Last Action:** 01/23/2024 H - House Minority Caucus - Y

**COP Position:** Neutral

### **HB2162 - Municipal general plan; adoption**

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

**Summary:** Requires a new general plan for municipalities that have have more than 2,500 but less than 10,000 people, whose population growth exceeded an average of 2% per year for the ten year period prior to the most recent United States decennial

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

**Last Action:** 01/30/2024 H - House Caucus – Y

**COP Position:** Neutral

### **HB2175 - Marijuana monies; university police**

**Sponsor:** Rep. Kevin Payne (R)

**Summary:** Adds university police departments under the Arizona Board of Regents as a recipient of excess funds in the Smart and Safe Arizona fund. Due to voter protection, this legislation requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage.

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

**COP Position:** Oppose

### **HB2184 - Brackish groundwater pilot program**

**Sponsor:** Rep. Austin Smith (R)

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

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

**COP Position:** Neutral

### **HB2185 - Liquor; policies; procedures**

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

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

licenses to consolidate the application and apply for both at the same time. Repeals the requirement that samples must be restricted to a sampling area.

**Bill History:** 01/30/2024 H - DPA - House Commerce

**COP Position:** Neutral

### **HB2199 - Restaurants; small alcohol ratio exemption**

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

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

**Last Action:** 01/30/2024 H - DPA - House Commerce

**COP Position:** Neutral

### **HB2200 - Groundwater transportation; Harquahala non-expansion area**

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

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

**Last Action:** 01/24/2024 H - Removed from Hearing Agenda - 01/30/2024, 2:00 PM - House NREW, HHR 1

**COP Position:** Neutral

### **HB2201 - Harquahala non-expansion area; groundwater transportation**

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

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

Authority, or any location in La Paz County to withdrawal and transport water from the Harquahala Irrigation Non-Expansion Are. Exempts the DWP from rule making requirements for one year after the effective date.

**Last Action:** 01/24/2024 H - Removed from Hearing Agenda - 01/30/2024, 2:00 PM - House NREW, HHR 1

**COP Position:** Neutral

### **HB2202 - EORP; appropriations; repayment**

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

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

**Last Action:** 01/25/2024 H - Hearing Scheduled - 01/31/2024, 2:00 PM - House APPROP, HHR 1

**COP Position:** Neutral

### **HB2203 - Public retirement plans; liabilities; administration**

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

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

**Last Action:** 01/24/2024 H - Hearing Scheduled - 01/31/2024, 9:00 AM - House WM, HHR 1

**COP Position:** Neutral

**HB2242 - Sexual conduct; minor; classification; sentence****Sponsor:** Rep. Julie Willoughby (R)**Summary:** Requires that anyone convicted of sexual conduct with a minor who is at least 15 years of age is guilty of a Class 4 (down from Class 6) felony and if that person is placed on probation, they must be sentenced to serve one year in jail.**Last Action:** 01/18/2024 H - Removed from Hearing Agenda - 01/24/2024, 9:00 AM - House JUD, HHR 4**COP Position:** Neutral**HB2245 - Narcotic drugs; fentanyl; sentencing****Sponsor:** Rep. Quang H. Nguyen (R)**Summary:** Requires that anyone convicted of possession of a narcotic drug for sale or convicted of transporting of narcotics for sale, importing narcotics into Arizona, offering to transport or import narcotics for sale or convicted of selling, transferring or offering to sell or transfer a narcotic drug and the violation includes selling another person fentanyl in the amount of \$1,000 or more, the person shall be sentenced to a minimum of five calendar years in prison, with the maximum potential sentence being 15 calendar years in prison and the presumptive sentence being 10 calendar years in prison for a first offense. Repeat offenders will be sentenced to a minimum of 10 calendar years in prison, with the maximum potential sentence being 20 calendar years in prison and the presumptive sentence being 15 calendar years in prison. Allows for the presumptive term to be upgraded to mitigated or aggravated based on state law.**Last Action:** 01/30/2024 H - House Caucus - Y**COP Position:** Oppose**HB2269 - Towing companies; private towing; requirements****Sponsor:** Rep. David L. Cook (R)**Summary:** Requires the minimum rate for towing, transporting or impounding a motor vehicle from private property not fall below the state agencies' towing services agreement for towing and storage rates. Requires that a private property parking area owner must post signs on the property that are conspicuously visible to drivers, be made of weather resistant materials, a minimum of 12 inches wide and 18 inches in height, located at each point of entrance for the area, permanently mounted, contain the language "Unauthorized vehicles will be towed at owner's expense," and display a phone number that is monitored 24 hours a day where the owner or operator of a towed vehicle may locate the vehicle. Requires the owner of the area, an owner's agent or the towing carrier take photos of the vehicle being towed before the vehicle is loaded onto the towing vehicle that are available to the owner of the vehicle or agent of the owner within 24 hours after the either requests them. Directs the towing carrier to release a towed vehicle to the owner of record or the agent of the owner upon presentation of a valid, government issued photo identification and one of the following: Vehicle title, current registration, repossession affidavit, hold harmless liability release, proof of lien, insurance company request for release pursuant to state law, or proof of financial or security interest in the vehicle at the time of the tow. Requires of the towing carrier reimbursement of a towing fee that is in excess than the fee posted at the area the vehicle was towed, registration with the Department of Public Safety (DPS,)

maintenance of appropriate insurance, and to provide proof of insurance requires to the DPS. It removes the class 2 misdemeanor designation if a private towing carrier tows or transports a vehicle from private property without the owner or operator's permission unless it receives a request from a law enforcement agency or the express written permission from the owner or the agent of the owner of the property.

**Last Action:** 01/30/2024 H - House Caucus - Y

**COP Position:** Neutral

### **HB2272 - PSPRS board; continuation.**

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

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

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

**COP Position:** Support

### **HB2275 - Settlement agreements; report; approval**

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

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

**Last Action:** 01/17/2024 H - Referred to Committee - Government - House Government

**COP Position:** Oppose

### **HB2309 - GPLET; agreement posting; abatement period**

**Sponsor:** Rep. Travis Grantham (R)

**Summary:** Requires a government lessor to include a lease or an abstract of a lease in its public database or post its development agreements on the website of the county, city, or town where the government improvement property is located, and include all development agreements that are subject to excise tax. Reduces the time a city or town may abate this tax from 8 to 4 years. Stipulates that these requirements apply to agreements entered into after January 1, 2024.

**Last Action:** 01/30/2024 H - House Caucus - Y

**COP Position:** Oppose

**HB2310 - Grooming; classification****Sponsor:** Rep. Travis Grantham (R)

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

**Last Action:** 01/30/2024 H - House Caucus - Y**COP Position:** Neutral**HB2326 - Peace officer nonlethal device fund****Sponsor:** Rep. Kevin Payne (R)

**Summary:** Establishes the Peace Officer Non-Lethal Device Fund, and requires the fund be funded by monies deposited pursuant to this law, the State Treasurer shall administer the fund, and monies in the fund be used only for the purchase and maintenance of non-lethal devices that do not cause harm or injury when used during the apprehension of suspected offenders. Requires a \$2.00 penalty assessment to be levied on every fine, penalty, and forfeiture imposed and collected by the courts for criminal offenses, on every civil penalty imposed and collected for civil traffic violations, and on every fine, penalty, or forfeiture for a violation of the motor vehicle statutes, or for any local ordinance related to the stopping, standing, or operation of a vehicle. Requires County Courts transmit the penalty assessment collected and a remittance report of the fines, civil penalties, and forfeitures collected, to the County Treasurer, except that municipal courts shall transmit the penalties and the remittance report to the city or town treasurer. Requires the county, city, or town treasurer to transmit all monies collected under this law to the State Treasurer and requires the State Treasurer to deposit all monies collected under this law into the Peace Officer Nonlethal Device Fund. Permits the court to mitigate all or part of the penalty assessment per state law. Requires the State Treasurer to invest and divest monies in the fund per state law, and stipulates that monies earned from investment shall be credited to the fund. Exempts monies in the fund from all provisions pertaining to lapsing of appropriations, but stipulates that said monies are subject to legislative appropriation.

**Last Action:** 01/30/2024 H - Hearing Scheduled - 02/05/2024, 2:00 PM - House MAPS, HHR 1**COP Position:** Neutral**HB2328 - Mobile food vendors; operation; rules****Sponsor:** Rep. Kevin Payne (R)

**Summary:** Permits a mobile food vendor to operate on a private, residential property in a residential area if the property is the primary resident of the property owner, a tenant with a lease or a trustee of a living trust that owns the property, the vendor has secured written permission to operate on the property, does not serve members of the public, is

not the spouse trustee of the property, does not serve food between the hours of 10 p.m. and 6 a.m., and removes all food waste, cooking grease and other trash from the property in compliance with all applicable laws. Prohibits a city or town to charge more than \$150 annually for a location based license or permit, and requires that all fees imposed adhere to state law governing mobile food vendors. Prohibits counties from requiring generators be attached to mobile food units. Permits the mobile food unit to request an exemption from serving area requirements is the unit can meet health and safety standards on its own.

**Last Action:** 01/25/2024 H - Hearing Scheduled - 01/31/2024, 2:00 PM - House RA, HHR 5

**COP Position:** Neutral

### **HB2332 - Traffic; vehicle laws; cities; prohibition**

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

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

**Last Action:** 01/25/2024 H - Hearing Scheduled - 01/31/2024, 2:00 PM - House TI, HHR 3

**COP Position:** Oppose

### **HB2366 - Physical availability; review; designated providers**

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

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

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

**COP Position:** Oppose

### **HB2368 - Transportation; groundwater; Douglas AMA**

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

**Summary:** Permits a private water company to annually withdrawal groundwater from the Upper San Pedro Groundwater Basin for transportation to the Douglas Active Management Area if the groundwater is transported for municipal purposes, the private water company or the private water compan's predecessor withdrew groundwater for a municipal purposes up to September 30, 1992, and the private water company as of the effective date of this bill has a Certificate of Convenience and Necessity issued by the Arizona Corporate Commission to provide water service for a municipal purposes within the Douglas Active Management Area. Requires that the total amount of groundwater a private water company can transport from the upper San Pedro Groundwater Basin to the Douglas Active Management Area may not exceed the annual amount of ground order that the private water company transported before December 1, 2022.

**Last Action:** 01/30/2024 H - DP - House Natural Resources, Energy & Water  
**COP Position:** Neutral

**HB2370 - Oxygenated fuel; federal approval; extension**

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

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

**Last Action:** 01/30/2024 H - DP - House Natural Resources, Energy & Water  
**COP Position:** Neutral

**HB2378 - Continuation; PSPRS**

**Sponsor:** Rep. Neal Carter (R)

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

**Last Action:** 01/24/2024 H - Hearing Scheduled - 01/31/2024, 9:00 AM - House WM, HHR 1

**COP Position:** Support

**HB2379 - Internal revenue code; conformity.**

**Sponsor:** Rep. Neal Carter (R)

**Summary:** For the purpose of Title 42 (Taxation), the definition of "Internal Revenue Code" is updated to mean the U.S. Internal Revenue Code in effect as of January 1, 2024. For the purpose of Title 43 (Taxation of Income), the definition of "Internal Revenue Code" for tax year 2024 means the U.S. Internal Revenue Code in effect on January 1, 2024.

**Last Action:** 01/23/2024 H - House Caucus - Y  
**COP Position:** Neutral

**HB2380 - TPT; municipalities; audits; guidelines**

**Sponsor:** Rep. Neal Carter (R)

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

**Last Action:** 01/23/2024 H - House Caucus - Y  
**COP Position:** Neutral

**HB2381 - Non-contiguous county island fire districts**

**Sponsor:** Rep. Neal Carter (R)

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

**Last Action:** 01/24/2024 H - Hearing Scheduled - 01/31/2024, 9:00 AM - House WM, HHR 1

**COP Position:** Neutral

### **HB2382 - TPT; sourcing; validation**

**Sponsor:** Rep. Neal Carter (R)

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

**Last Action:** 01/24/2024 H - DPA - House Ways & Means

**COP Position:** Neutral

### **HB2393 - Presidential preference; parties; voting methods**

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

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

**Last Action:** 01/30/2024 H - House Caucus - Y

**COP Position:** Neutral

### **HB2408 - Property tax assessment; destroyed property**

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

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

**Last Action:** 01/30/2024 H - House Caucus - Y

**COP Position:** Neutral

### **HB2435 - Repetitive offenders; organized retail theft**

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

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

**Last Action:** 01/25/2024 H - Hearing Scheduled - 01/31/2024, 9:00 AM - House JUD, HHR 4

**COP Position:** Neutral

### **HB2470 - Planned communities; authority; public roadways**

**Sponsor:** Rep. Cory McGarr (R)

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

**Last Action:** 01/25/2024 H - Hearing Scheduled - 01/31/2024, 2:00 PM - House RA, HHR 5

**COP Position:** Neutral

### **HB2472 - Election contests; procedures**

**Sponsor:** Rep. Cory McGarr (R)

**Summary:** Permits challenging an election based on counting votes where the chain of custody is broken and early votes present inconsistent signatures or personal information. Requires an appeal of a final judgment from a court to be filed and heard by the Arizona Supreme Court within 10 days of the issuance of the final judgment, a response filed within 5 days of the appeal filing and a reply filed within 3 days after the date on which the response is filed. Requires the state supreme court to schedule a hearing to be held within five days after the filing date of the reply and to render a decision within five days after the hearing. Considers an organization a person for the purposes of inspecting a ballot and may rotate staff to inspect ballots on behalf of the organization or entity. Permits involved parties to inspect physical ballots, ballot images, early ballot envelopes and registration records. Permits discovery on any matter that could pertain to an election and directs the court to liberally consider discovery requests

and not limit discovery where possible. Permits each participating party to depose up to 10 persons.

**Last Action:** 01/25/2024 H - Hearing Scheduled - 01/31/2024, 2:00 PM - House MOE, HHR 4

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

### **HB2508 - False reporting; public alarm; classification**

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

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

**Last Action:** 01/25/2024 H - Hearing Scheduled - 01/31/2024, 9:00 AM - House JUD, HHR 4

**COP Position:** Neutral

### **HB2510 - Landlord tenant; legal aid notice**

**Sponsor:** Rep. Teresa Martinez (R)

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

**Bill History:** 01/24/2024 H - Removed from Hearing Agenda - 01/30/2024, 2:00 PM - House COM, HHR 3

**COP Position:** Neutral

### **HB2548 - Military installations; general plan amendments**

**Sponsor:** Rep. Kevin Payne (R)

**Summary:** Pending

**Bill History:** 01/29/2024 H - DP - House Military Affairs & Public Safety

**COP Position:** Neutral

### **HB2552 - Housing grants; military; veteran; homeless**

**Sponsor:** Rep. Kevin Payne (R)

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

**Last Action:** 01/29/2024 H - DPA - House Military Affairs & Public Safety

**COP Position:** Support

**HB2570 - Planning; home design; restrictions; prohibition**

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

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

**Last Action:** 01/30/2024 H - DP - House Commerce - House Commerce

**COP Position:** Oppose

**HB2580 - Election officer certification training; yearly**

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

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

**Last Action:** 01/30/2024 H - House Caucus - Y

**COP Position:** Neutral

**HB2584 - Residential building materials; requirements; prohibition**

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

**Summary:** Prohibits a municipality from adopting or enforcing any code, ordinance, standard, stipulation or other legal requirement that prohibits or limits, directly or indirectly, using or installing a building product or material in the construction, renovation, maintenance or other alteration of a residential building if the building product or material is approved for use by a national construction model code; or subjects a "prefabricated residential building" (defined), material or component to additional or different requirements from other residential buildings except as required by federal law.

**Last Action:** 01/25/2024 H - Hearing Scheduled - 01/31/2024, 9:00 AM - House GOV, HHR 3

**COP Position:** Oppose

**HB2585 - Military poll workers; party representatives**

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

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

Bill History:

**01/25/2024 H - Hearing Scheduled - 01/31/2024, 2:00 PM - House MOE, HHR 4**

**COP Position:** Neutral

### **HB2589 - Assured water supply; analysis; availability**

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

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

**Last Action:** 01/30/2024 H - DPA - House Natural Resources, Energy & Water - \

**COP Position:** Oppose

### **HB2630 - Sealing case records; subsequent felony**

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

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

**Last Action:** 01/25/2024 H - Hearing Scheduled - 01/31/2024, 9:00 AM - House JUD, HHR 4

**COP Position:** Neutral

### **HCR2032 - Voting centers; precinct voting**

Summary pending.

**Sponsor:** Rep. Rachel Jones (R)

**Last Action:** 01/24/2024 H - DP - House Municipal Oversight & Elections - House Municipal Oversight & Elections

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

**SB1003 - Prohibition; photo radar**

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

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

**Last Action:** 01/25/2024 S - DP - Senate Committee of the Whole - Senate Committee of the Whole

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

**SB1005 - Public monies; ideology training; prohibition**

**Sponsor:** Sen. Jake Hoffman (R)

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

**Last Action:** 01/30/2024 S - Senate Caucus - Y

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

**SB1010 - Vehicle mileage; tracking; tax; prohibitions**

**Sponsor:** Sen. Jake Hoffman (R)

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

**Last Action:** 01/30/2024 S - Senate Caucus - Y

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

**SB1011 - General plan; transportation; independent study**

**Sponsor:** Sen. Jake Hoffman (R)

**Summary:** Eliminates the requirement of routes, parking and street crossing areas for bicycles in municipal plans. Requires municipal plans not include policies or projects that reduce motor vehicle traffic system capacity and that any plan components that affect the level of service on an arterial street be subject to an independent, emergency vehicle impact study.

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

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

**SB1012 - Transportation system performance; ADOT**

**Sponsor:** Sen. Jake Hoffman (R)

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

**Last Action:** 01/30/2024 S - Senate Caucus - Y

**COP Position:** Neutral

### **SB1013 - Government investments; products; fiduciaries; plans**

**Sponsor:** Sen. Jake Hoffman (R)

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

**Last Action:** 01/30/2024 S - Senate Caucus - Y

**COP Position:** Neutral

### **SB1019 - Appropriation; health innovation trust fund**

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

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

**Last Action:** 01/30/2024 S - DP - Senate Appropriations - Senate Appropriations

**COP Position:** Neutral

### **SB1025 - DUI; transportation network drivers**

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

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

**Bill History:** 01/26/2024 S - Hearing Scheduled - 02/01/2024, 9:00 AM - Senate JUD, SHR 1

**COP Position:** Pending

**SB1030 - Correctional facilities; body scanners**

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

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

**Last Action:** 01/30/2024 S - Senate Minority Caucus - Y

**COP Position:** Support

**SB1051 - Location tracking applications; disabling prohibited**

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

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

**Last Action:** 01/26/2024 S - Hearing Scheduled - 02/01/2024, 9:00 AM - Senate JUD, SHR 1

**COP Position:** Neutral

**SB1056 - Municipalities; counties; fee increases; vote**

**Sponsor:** Sen. Warren Petersen (R)

**Summary:** Prohibits a common council of a municipality from levying or imposing an increase in any assessment, tax or fee without approval by two-thirds vote of the common council of the municipality. Prohibits the Board of Supervisors of a County from levying or imposing an increase in any assessment, tax or fee without approval by two-thirds vote of the Board of Supervisors of the county.

**Last Action:** 01/30/2024 S - Senate Caucus - Y

**COP Position:** Oppose

**SB1057 - Internal revenue code; conformity**

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

**Summary:** For the purpose of Title 42 (Taxation) for the purposes of computing income tax for taxable years starting January 1, 2024, the "Internal Revenue Code" means the US Internal Revenue Code of 1986, as amended, including 2023 provisions with specific adoption of retroactive effective dates, but including no changes after January 1, 2024 and provisions that are retroactively effective during 2023.

**Last Action:** 01/30/2024 S - Senate Caucus - Y

**COP Position:** Neutral

**SB1063 - Political signs; removal; elections**

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

**Summary:** Removes reference to a specific primary election and adds a reference to a first election and extends the period it is a misdemeanor to remove, alter, deface or

cover a political sign of a winner of a primary or first election until 15 days after the general or runoff election. Adds signs that support or oppose a “question or issue” to the prohibition of cities, towns and counties removing, altering, defacing or covering a political sign and stipulates that the prohibition only applies to 45 days before any election and 15 days after an election, except for candidates that advance to a general or runoff election, provided there are no more than 45 days between those elections and a general election. Adds that the prohibition of removing, altering, defacing or covering a political sign applies to any election held by a city, state, county, school district, special taxing district or other governing entity including the state of Arizona.

**Last Action:** 01/30/2024 S - Hearing Scheduled - 02/05/2024, 2:00 PM - Senate ELEC, SHR 1

**COP Position:** Neutral

### **SB1064 - Gasoline formulations; air quality.**

**Sponsor:** Sen. Justine Wadsack (R)

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

**Last Action:** 01/26/2024 S - Hearing Scheduled - 02/01/2024, 9:00 AM - Senate NREW, SHR 2

**COP Position:** Oppose

### **SB1071 - Peer support teams; information; disclosure**

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

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

**Last Action:** 01/30/2024 S - Senate Caucus - Y

**COP Position:** Oppose

### **SB1073 - Obstruction highway; large event; classification**

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

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

**Last Action:** 01/30/2024 S - Senate Caucus - Y

**COP Position:** Neutral

### **SB1076 - Marijuana funds; uses; enforcement.**

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

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

**Last Action:** 01/24/2024 S - Hearing Scheduled - 01/30/2024, 1:30 PM - Senate HHS, SHR 1

**COP Position:** Neutral

### **SB1078 - Fraudulent voice recordings**

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

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

**Last Action:** 01/26/2024 S - Hearing Scheduled - 02/01/2024, 9:00 AM - Senate JUD, SHR 1

**COP Position:** Neutral

### **SB1081 - Exemption area; assured water supply**

Requires the Arizona Department of Water Resources (ADWR), if requested to designate a portion of a city or town that is located both in the area delineated for exemption and in the Phoenix Active Management Area (AMA) as having an assured water supply if the portion of the city or town seeking the water supply designation is located entirely within an irrigation and water conservation district; and if the city or town has contracted with the irrigation and water conservation district for a term of 100 years or more, under which the city or town will receive water that the landowners in the district have the right to use on their lands and will treat and deliver the water for exclusive use on irrigation and conservation district lands for municipal use; and if the city or town is not using new groundwater as the basis for the assured water supply

within any portion of the its service area located inside the irrigation and water conservation district. An irrigation and conservation district is allowed to permit the city or town to withdraw of up to 10,000 acre feet per year of groundwater from the irrigation and water conservation district wells for municipal use on lands within the boundaries of an irrigation and water conservation district. The ADWR may deem groundwater withdrawn to be physically available and sufficient groundwater, and consistent with the management goals of the Phoenix AMA if the average groundwater level in the irrigation and water conservation district, as measured by 10 index wells, is less than 150 feet below surface level over a three year period. If the ADWR determines average groundwater levels in the irrigation and water conservation district, as measured by 10 index wells, is more than 150 feet below surface level over a three year period, all future groundwater withdrawals from wells in the irrigation and water conservation district for municipal use shall be deemed to be groundwater subject to replenishment and any portion of the city or town with a contract for groundwater with an irrigation and water conversation district shall either be or apply for and become a member service area.

**Sponsor: Sen. Sine Kerr (R)**

**Last Action:** 01/19/2024 S - Hearing Scheduled - 01/25/2024, 9:00 AM - Senate NREW, SHR 2

**COP Position:** Oppose

#### **SB1092 - Income tax; currency transactions; effect**

**Sponsor:** Sen. Warren Petersen (R)

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

**Last Action:** 01/29/2024 S - DP - Senate Finance and Commerce - Senate Finance and Commerce

**COP Position:** Pending

#### **SB1144 - False reporting; public alarm; classification.**

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

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

**Last Action:** 01/26/2024 S - Hearing Scheduled - 02/01/2024, 9:00 AM - Senate JUD, SHR 1

**COP Position:** Support

#### **SB1148 - Income tax; rebate; seniors**

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

**Summary:** Requires the Arizona Department of Revenue (ADR) to issue a one-time individual income tax, general welfare rebate to Arizona taxpayers that filed a full-year resident tax return for the taxable year of 2022, were 55 years old or older, and who had a “tax liability” (defined) of at least \$1 on the filed, full-year resident tax return for the

taxable year of 2022, if they did not meet the tax liability requirement for 2022, filed a full-year tax return for the taxable year of 2021 under identical filing status used on the taxpayer's 2022 tax return and had a tax liability of at least \$1, or if they did not meet the requirements for 2022 or 2021, filed a full-year resident tax return for the taxable year 2020 under the identical filing status and had a tax liability of at least \$1. Requires the ADR to conclude a taxpayer is not eligible for the rebate if they do not meet the criteria for one of those three years. Requires the taxpayer identification number as reported on the 2022 tax return to be used to identify those eligible for a rebate. Requires the ADR to issue to a qualifying taxpayer a rebate total to be determined later, and for a married couple filing jointly, where only one spouse qualifies for the return, to issue only a rebate for the qualifying spouse, and if the qualifying spouse is deceased the taxpayer's surviving spouse, personal representative or executor of their estate is to receive the rebate. Requires the ADR to pay all rebates by November 15, 2024, but not earlier than October 15, 2024, and to attempt to pay the rebate via an electronic funds transfer, followed by a check in the mail to the home address provided by the taxpayer. Permits a taxpayer that does not receive a rebate by November 15, 2025, to file a claim application online and in the manner stated by the ADR. Requires that in computing Arizona adjusted gross income, the rebate be subtracted from the taxpayer's Arizona gross income. Defines an appeal process and requires the ADR to develop and file a summary report for the Joint Legislative Budget Committee detailing the total amount of rebates issued, administrative costs associated with administering the program, and the total number of rebates issued.

**Last Action:** 01/29/2024 S - DP - Senate Finance and Commerce - Senate Finance and Commerce

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

### **SB1172 - Physical availability credits; water supply**

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

**Summary:** Permits a person with a grandfathered right to legally irrigate land in an Active Management Area to permanently retire the land from irrigation in anticipation of a future non-irrigation status and retain a physical availability credit. Permits a physical availability credit to be used to withdraw or receive for land subject to irrigation the amount of water calculated for a non-irrigation use if the land has been actively farmed in the last seven calendar years, the new non-irrigation use remains connected to the original irrigation acres defined in the grandfathered right, and the water is delivered by a "municipal provider" (defined) within in Active Management Area as part of a contract to maintain water delivery levels under the grandfathered agreement. Defines the calculation that must be used to determine the amount of groundwater that may be withdrawn or received. Requires the physical availability credit to be used in the original irrigation acreage and if the amount needed is less than the credit, the credit may be used elsewhere as defined by law. Defines the process of determining whether to issue a Certificate of Assured Water Supply to designate or redesignate a municipal provider as having an assured water supply, and the criteria the Arizona Department of Water Resources (ADWR) may use to make such a determination. Delineates the parts of the ARS that govern administrative proceedings, re-hearings, reviews and judicial reviews of final decisions per the ADWR. Removes the date deadline for the rules providing for

a reduction in water demand for an application for a designation of assured water supply or a certificate for the same. Requires the ADWR to find that for an assured water supply designation, the amount of groundwater calculated is physically present and that the projected use of groundwater determined to be available is consistent with any applicable management goals set forth in the ADWR rules or state law.

**Last Action:** 01/26/2024 S - Hearing Scheduled - 02/01/2024, 9:00 AM - Senate NREW, SHR 2

**COP Position:** Pending

### **SB1176 - Appropriation; Arizona trail fund**

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

**Summary:** Pending.

**Bill History:** 01/26/2024 S - Hearing Scheduled - 02/01/2024, 9:00 AM - Senate NREW, SHR 2

**COP Position:** Neutral

### **SB1181 - Groundwater replenishment; member lands; areas**

**Sponsor:** Sen. Warren Petersen (R)

**Summary:** Pending

**Bill History:** 01/26/2024 S - Hearing Scheduled - 02/01/2024, 9:00 AM - Senate NREW, SHR 2

**COP Position:** Neutral

### **SB1183 - Voting locations; peace officers**

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

**Summary:** Pending

**Bill History:** 01/26/2024 S - Hearing Scheduled - 02/01/2024, 9:00 AM - Senate JUD, SHR 1

**COP Position:** Neutral

### **SCR1001 - Photo radar prohibition**

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

**Summary:** Bans local authorities and state agencies from using automated photo enforcement systems to identify excessive speed violations or failures to obey traffic control devices.

**Last Action:** 01/30/2024 S - Hearing Scheduled - 02/05/2024, 2:00 PM - Senate TTMC, SHR 2

**COP Position:** Oppose

### **SCR1002 - Prohibit tax; monitoring; vehicle mileage**

**Sponsor:** Sen. Jake Hoffman (R)

**Summary:** The 2024 general election ballot is to carry the question of whether to amend the state constitution to prohibit the imposition of a tax or fee based on vehicle miles traveled and prohibit the creation of any rule or law to monitor or limit the miles traveled in a motor vehicle.

**Last Action:** 01/30/2024 S - Senate Caucus - Y

**COP Position:** Oppose

**SCR1006 - Property tax; refund; nuisance enforcement**

**Sponsor:** Sen. Warren Petersen (R)

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

**Last Action:** 01/29/2024 S - HELD - Senate Rules - Senate Rules

**COP Position:** Oppose