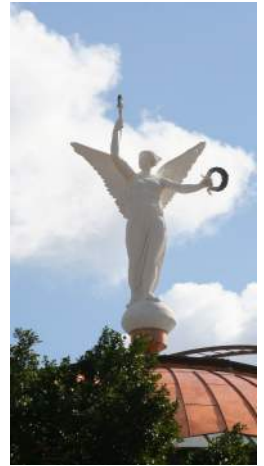




# 2014 Legislative Summary

A Review of Laws Affecting Arizona Counties  
Enacted by the 51st Legislature, Second Regular Session



2014



County Supervisors  
ASSOCIATION  
of arizona



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**2014 LEGISLATIVE SUMMARY**  
**Review of County-Related Laws Enacted by the 2014 Legislature**

This publication contains brief summaries, arranged by subject, of new laws impacting county government that were enacted during the Second Regular Session of Arizona's 51<sup>st</sup> Legislature.

The effective date for most new laws is July 24, 2014, which is 90 days after adjournment *sine die*. However, some bills contain alternate effective dates and those are noted in the bill summary.

During the course of the session, there were 1205 bills introduced, and 303 of those bills were sent to Governor Brewer for consideration. She signed 278 of the bills into law, and vetoed 25. She also line item vetoed 8 provisions in the budget package.

These brief summaries are provided to help guide county officials to the full text of these new laws. Every attempt is made to ensure the accuracy of the summaries; however, we recommend a review of the measure in its entirety before enforcement or implementation. A table of contents organizes the bill summaries into subject area categories. Also, there is an index that is organized by bill number.

Copies of the new laws are available at the Arizona Legislative Information Service (ALIS) website: <http://www.azleg.gov>. You may also contact CSA to obtain a copy.

If you have any questions about a bill, please contact us at (602) 252-5521.

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**2014 CSA POLICY GUIDELINES**

Arizona’s county supervisors provide regional leadership over critical policy areas, including policies necessary to ensure safe communities, protect public health, promote economic development, and plan and manage land use for sustainable development. Supervisors also provide important oversight of county operations, including overseeing strategies to promote sound fiscal management and to develop a high-quality county government workforce.

For more than 30 years, the CSA has served as a non-partisan forum for county officials to address important issues facing local constituents, providing a mechanism to share information and to develop a proactive state and federal policy agenda.

CSA membership includes the 61 elected supervisors from Arizona’s 15 counties. The association’s efforts are strengthened by the participation of top-level county professional staff, who provide technical expertise necessary to inform policy decisions.

All supervisors serve on the CSA Board of Directors and provide input into organizational strategy and the evaluation of operational performance. The board annually elects six members to serve in CSA leadership positions. Each county appoints a representative to the Legislative Policy Committee (LPC). The LPC meets as often as necessary to evaluate legislative measures and make policy recommendations to the full board.

The LPC and CSA follow several policy guidelines:

- Empower county boards of supervisors with sufficient authority to deal effectively with evolving and expanding local public needs and conditions.
- Establish appropriate means to compensate counties for the cost of complying with state laws.
- Provide sufficient fiscal capacity for counties to cope with cost increases, population growth and escalating service demands.
- Enable the counties to provide public services in a more responsive, efficient and cost-effective manner.
- Define appropriate fiscal and administrative responsibilities within various state/county and municipal/county partnership programs.

**2014 LEGISLATIVE POLICY COMMITTEE**

Barry Weller	Apache County
Ann English	Cochise County
Mandy Metzger	Coconino County
Tommie Martin	Gila County
James Palmer	Graham County
David Gomez	Greenlee County
Holly Irwin/D.L. Wilson	La Paz County
Mary Rose Wilcox	Maricopa County
Gary Watson	Mohave County
David Tenney	Navajo County
Sharon Bronson	Pima County
Pete Rios	Pinal County
Manuel Ruiz	Santa Cruz County
Tom Thurman	Yavapai County
Lenore Stuart	Yuma County

**CSA Professional Staff**

Craig A. Sullivan	Executive Director
Penny Adams	Director of Finance & County Services
Todd Madeksza	Director of Legislative Affairs
Kristin Cipolla	Legislative Liaison
Dan Bogert	Research Analyst
Yvonne M. Ortega	Administrative & Special Projects

**CSA LEGISLATIVE AGENDA**

**HB 2149 state parks; SLIF fund distribution** (*Borrelli*) Requires monies in the State Lake Improvement Fund (SLIF) be distributed through a competitive grant process and states that grant distributions must be made annually to county boards of supervisors, municipal governing bodies, and/or the Arizona Game and Fish Commission. The measure was held in the House Appropriation Committee.

**HB 2218 fire district reorganization elections** (*Fann*) Clarifies that any person seeking election to a fire district board during a reorganization election must comply with statutory nominating requirements, such as filing nominating papers and that the reorganization election ballots must provide the names of the candidates for any district board seats created by the election. The measure exempts noncontiguous county island fire districts and makes technical changes related to elected fire chiefs. [Chapter 260, Laws 2014](#)

**HB 2224 sale of fireworks; counties** (*Fann*) Authorizes counties to regulate the sale and use of permissible consumer fireworks in unincorporated areas of the county when a federal or state agency implements stage one fire restrictions in any portion of the county. The measure failed to pass the House Public Safety, Military and Regulatory Affairs committee.

**HB 2240 developmental disabilities; client income; retention** (*Brophy McGee*) Reduces the amount paid to the Arizona Department of Economic Security for housing by residents with developmental disabilities who live in group homes, from 88 percent to 70 percent of their benefits. Public fiduciaries, as county employees, are responsible for certain wards of courts and their finances. In 2010, the legislature asked individuals with developmental disabilities to contribute more of their benefits to their housing to help alleviate state budget shortfalls. The measure restores the original percentages devoted for housing. [Chapter 167, Laws 2014](#)

**HB 2320 county seals; approval of use** (*Pierce*) Restricts the ability of a person to use, display or otherwise employ a copy or other resemblance of a county seal until after obtaining approval from the county board of supervisors. The board of supervisors may grant approval to any person showing good cause for the use of the county seal for a proper purpose, and may adopt rules for the use of the county seal. Failure to comply with a cease and desist order from the county is a class 3 misdemeanor. [Chapter 57, Laws 2014](#)

**HB 2531 courtordered evaluation services; payment** (*Brophy McGee*) Enables counties to seek federal insurance payments to cover costs associated with court ordered evaluations. When a person is a danger to themselves or to others, a judge orders an evaluation of the person's mental health to determine if treatment is required. Currently, counties are the payer of only resort. The measure was held on Third Read at the request of the sponsor in order to seek an administrative solution.

**SB 1271 county liens; abatements** (*Ward*) Prevents the extinguishing of a county lien for nuisance abatement, dangerous building abatement, or abatement or injunction of rubbish, debris or dilapidated buildings when there is a sale or foreclosure on a real property tax lien at the county. The measure failed to get a hearing in the Senate Government and Environment Committee.

**SCM 1006 urging Congress; PILT program; funding** (*Griffin*) The Arizona Legislature urges the U.S. Congress to provide full, sustainable funding for the Payment in Lieu of Taxes (PILT) program for fiscal year 2015 and into the future. The Legislature urges Congress to work with the State of Arizona and county governments to identify and implement policies to promote economic development on federal public lands. (Transmitted to the Secretary of State)

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**COURTS**

**[HB 2021 S/E litigants designation; vexatious](#)** (*Kavanagh*) Allows the presiding judge of the superior court or a designee, to designate a pro se litigant a vexatious litigant in a noncriminal case, which then prohibits the pro se litigant from filing any new pleading, motion or document without prior leave of the court. An example of vexatious conduct is repeatedly filing court actions for the purpose of harassment. [Chapter 41, Laws 2014](#)

**[HB 2105 court-ordered evaluations; peace officers](#)** (*Kavanagh*) An emergency measure that authorizes peace officers to take into custody any individual the officer has probable cause to believe is a danger to self or others as a result of a mental disorder, instead of only those individual's actions witnessed by the officer. With an emergency clause, the measure became effective on the signature of the Governor. [Chapter 197E, Laws 2014](#)

**[HB 2307 S/E deferred prosecution fund](#)** (*Pierce*) Allows county attorneys to establish a deferred prosecution fund. Requires the statistical records maintained by the county attorney of any county that has established a deferred prosecution program to include specified information, and requires the annual evaluation of the program to be submitted to the Joint Legislative Budget Committee. On request of a county attorney, the Arizona Prosecuting Attorney's Advisory Council is required to provide technical assistance to develop or refine the county's deferred prosecution program. [Chapter 206, Laws 2014](#)

**[HB 2310 criminal justice information; court reporting](#)** (*Pierce*) Permits the director of the Arizona Department of Public Safety to authorize the exchange of criminal justice information with superior courts for the purposes of determining an individual's eligibility for problem solving courts and court programs, and rounds criminal surcharges to the nearest whole dollar. Currently, surcharges are rounded to the nearest quarter. [Chapter 142, Laws 2014](#)

**[HB 2312 tampering with a witness](#)** (*Pierce*) Expands the definition of tampering with a witness, a class 6 felony, to include knowingly communicating with a witness to evade a summons or subpoena. A defendant or his/her attorney or agent are prohibited from interviewing a minor child who has agreed to the interview unless the prosecutor is actually notified at least five days in advance and the minor is informed that the prosecutor may be present at the interview. [Chapter 144, Laws 2014](#)

**[HB 2457 mental health; veterans courts; establishment](#)** (*Farnsworth*) Permits the presiding judge of a superior court to establish a veterans court and create eligibility criteria for referral to the veterans court and allows a justice of the peace or municipal court judge to refer a case to the veterans court. Authorizes any judicial officer in the county where the offense occurred to adjudicate a case referred to veterans court. [Chapter 37, Laws 2014](#)

**[HB 2461 probation officers; authority](#)** (*Farnsworth*) Expands authority for probation officers to serve warrants, make arrests and bring persons before the court to apply in all counties, instead of only Maricopa County. This is an expansion of a pilot program established in 2010. [Chapter 152, Laws 2014](#)

**[HB 2562 probation; peace officers; rights; investigations](#)** (*Pierce*) Establishes a peace officers' bill of rights, including requiring employers to make a good faith effort to complete any investigation of misconduct within 180 calendar days, instead of 120 business days. Makes various other changes relating to law enforcement officers and probation officers and to the statutes governing discipline of law enforcement officers and probation officers, including time limitations, internal investigations, polygraph examinations and appeals, and the statutes governing law enforcement or probation officers as witnesses are repealed and replaced. The measure has a delayed effective date of January 1, 2015. [Chapter 240, Laws 2014](#)



**[HB 2571 criminal damage; economic costs](#)** (*Escamilla*) Stipulates that reasonable labor costs of any kind, reasonable material costs of any kind, and any reasonable costs that are attributed to equipment used to abate or repair criminal damages to property by recklessly drawing or inscribing a message, slogan, sign or symbol on a building or surface other than the ground, are included in determining the aggravated criminal damage amount by the courts. [Chapter 176, Laws 2014](#)

**[HB 2593 death; postconviction; appellate proceedings; dismissal](#)** (*Allen*) Requires the court to dismiss any appeals or postconviction proceedings upon the death of a convicted defendant and further stipulates that a person sentenced to life in prison for an offense committed before 18 years of age is eligible for parole upon completion of the minimum sentence. [Chapter 156, Laws 2014](#)

**[SB 1248 jury service; lengthy trial fund](#)** (*Driggs*) An emergency measure that extends the repeal date of the Arizona Lengthy Trial Fund from June 30, 2014 to July 1, 2024, and reinstates the filing fee that terminates at the end of 2013 with a repeal date of January 1, 2024. The court is required to impose an additional fee for each filing, appearance, and answer or response fee charged by a clerk of superior court and the Supreme Court is directed to deposit the funds into the Arizona Lengthy Trial Fund. Allows the court to defer or waive the fee. With an emergency clause, the measure became effective on the signature of the Governor. [Chapter 77E, Laws 2014](#)

**[SB 1266 misconduct involving weapons; judicial offers](#)** (*Pierce*) Expands the list of persons exempt from the prohibition of carrying a deadly weapon in specified circumstances to include an elected or appointed judicial officer in a court facility where the officer works, except that the officer is still required to comply with any rule or policy set by the presiding judge. The judicial officer must demonstrate competence with a firearm as defined for concealed carry permits. [Chapter 189, Laws 2014](#)

**[SB 1309 court-ordered services; dependent children](#)** (*Barto*) Permits the court to provide supplemental social services to those provided by the Arizona Department of Economic Security if the services have no cost and allows the presiding judge of superior court to enter into an agreement for the use of juvenile shelters or treatment facilities. [Chapter 246, Laws 2014](#)



**ELECTIONS**

**[HB 2107 elections; candidate, ballot measure signatures](#)** (*Kavanagh*) Makes changes to election laws relating to candidate and ballot measure signatures, including:

- Changes the date of the presidential preference election to the Tuesday immediately following March 15, from the fourth Tuesday in February, of each year in which the President of the United States. is elected;
- Requires paid petition circulators to register with the Arizona Secretary of State before collecting signatures; applies for statewide ballot measures only; and
- Allows any person to challenge the lawful registration of circulators in the superior court within five days after the date on which the petitions are filed with the Secretary of State.

[Chapter 45, Laws 2014](#)

**[HB 2196 election law amendments; repeal](#)** (*Farnsworth*) Repeals [Laws 2013, Chapter 209](#) which made numerous changes to various election laws, including:

- Modifying requirements for initiative, referendum and recall petitions, petition circulators, and signature sheets;
- Modifying the number of signatures required to qualify for the ballot for various elected offices;
- Requiring voters on the permanent early voting list who did not vote an early ballot in both the primary and general election for the two most recent general elections for federal office to confirm with the county in order to remain on the Permanent Early Voting List; and
- Allowing voters to designate any person to return an early ballot.

[Chapter 5, Laws 2014](#)

**GENERAL GOVERNMENT**

**[HB 2005 community colleges; nonresidents; reimbursement](#)** (*Gowan*) Eliminates the requirement that a county school superintendent verify the county residency of a community college student attending school in another county, and expands the information that must be included in each community college district's annual report to the Governor and the Legislature to include the number of nonresident students, by county of residence, for those residing in Arizona and the number of nonresident students, by state of residence, for those residing in another state. [Chapter 21, Laws 2014](#)

**[HB 2027 golf carts; NEVs; passing; driving](#)** (*Lesko*) Permits individuals to drive a golf cart or Neighborhood Electric Vehicle as close as practicable to the right-hand edge of a roadway in age-restricted communities, in Maricopa County. [Chapter 23, Laws 2014](#)

**[HB 2103 concealed carry permit; qualifications](#)** (*Townsend*) Lowers the age requirement for a concealed weapons permit to 19 years of age, instead of 21, if the applicant provides evidence of current military service or proof of honorable discharge from the U.S. armed forces, reserves or a state national guard. [Chapter 85, Laws 2014](#)

**[HB 2135 Military affairs commission; continuation](#)** (*Mitchell*) Continues the Military Affairs Commission to July 1, 2022. The Commission is staffed by the Arizona Department of Emergency and Military Affairs and meets at least annually to address and make recommendations on issues regarding military installations, training routes and restricted airspace. Members are charged with coordinating efforts to protect our current military missions; managing installation issues such as property encroachment; handling quality of life issues for servicemen and women; and recommending modifications and responses to the state's military missions. [Chapter 30, Laws 2014](#)

**[HB 2141 S/E county assessor; common area consolidation](#)** (*Petersen*) Requires the county assessor to automatically consolidate parcel combinations within the same taxing district, provided improvements have been made to the common area, and permits the county assessor to revoke any statutory valuation made with regard to a parcel that fails to meet the definition of common area. [Chapter 133, Laws 2014](#)

**[HB 2161 state board of equalization; continuation](#)** (*Lesko*) Retroactively continues the Arizona State Board of Equalization for 10 years, to July 1, 2024. [Chapter 201, Laws 2014](#)

**[HB 2179 S/E trampoline court safety](#)** (*Coleman*) Directs the Arizona Department of Fire Building and Life Safety to administer and enforce state regulations on trampoline courts, including the statutory insurance, inspection and record keeping requirements. The measure specifies that "trampoline court" does not include: any school or local government-operated playground, inflatable rides, inflatable bounce houses, ball crawls, equipment used exclusively for exercise, physical rehabilitation facilities, or gymnastics training facilities. Stipulates that the regulation of trampoline courts is not subject to further regulation by a county, city, town or other political subdivision of the state. [Chapter 259, Laws 2014](#)

**[HB 2268 scrap metal dealers](#)** (*Forese*) Modifies statute regulating certain types of scrap metal transactions and expands the list of metal that scrap metal dealers are prohibited from knowingly purchasing to include metal municipal storm grates that are used to allow for water drainage from municipal streets or alleys. [Chapter 90, Laws 2014](#)

**[HB 2283 TPT; postmark; filing by mail](#)** (*Lesko*) Amends statute to consider property tax mailings without an official United States Post Office postmark, excluding petitions or notices of appeal, to be timely if they are received within five days of the deadline. [Chapter 139, Laws 2014](#)

**[HB 2287 county treasurer; lien; sale](#)** (*Lesko*) Allows a county sheriff to auction certain property to the highest bidder, requires the county treasurer to be a named party in property litigation, and suspends a civil penalty for misclassification of property when ownership has changed between the time of notice and penalty. Previously, the county sheriff was required to sell the property to the county, and the county board of supervisors was required to sell the property for the best price obtainable. [Chapter 205, Laws 2014](#)

**[HB 2321 procurement code omnibus](#)** (*Pierce*) Makes various and significant changes to the Arizona Procurement Code, with the intention of enhancing process transparency and limiting any single individual's influence on the process. [Chapter 145, Laws 2014](#)

**[HB 2403 S/E property; valuation; renewable energy; equipment](#)** (*Stevens*) Provides the method for determining the depreciated cost of leased renewable energy equipment and defines "depreciation", "original cost" and "taxable original cost" for accounting purposes of this property. [Chapter 264, Laws 2014](#)

**[HB 2408 S/E public officer; financial disclosure; filing](#)** (*Stevens*) Allows the Arizona Secretary of State to authorize verified annual financial disclosure statements, that public officers are required to file, to be submitted in an electronic format, beginning January 1, 2017. [Chapter 149, Laws 2014](#)

**[HB 2420 membership; county supervisors; population threshold](#)** (*Stevens*) Requires that a county having a population of at least 150,000 and having a county board of supervisors that consists of three persons submit to the electors of the county, at the next general election, the question of whether the county will elect five members to the board. If a majority of the voters approve, the board of supervisors is required to redistrict the county pursuant to statute, and at the following general election, the county must elect five members to the board.

If the next general election, to elect the expanded board, is held in a year that is the last year of the term of the three members currently holding office, the five persons elected will hold office for a term of four years beginning on January 1 immediately following their election.

If the next general election, to elect the expanded board, is held in a year that is not the last year of the term of the three members currently holding office, the two additional persons elected will hold office for a term of four years beginning on January 1 immediately following their election and the three members currently holding office will continue to serve their terms without regard to whether they are residents of the newly redrawn supervisorial districts for the remainder of that term. Thereafter, board members must be residents of their supervisorial districts and the term of office for members of that board will be staggered four-year terms. [Chapter 265, Laws 2014](#)

**[HB 2508 insurance; navigator; application counselor; licensure](#)** (*Lovas*) Establishes requirements for licensure and authorizes the Arizona Department of Insurance to examine and investigate the business affairs and records of any navigator or certified application counselor beginning October 1, 2014, with a conditional repeal, if federal law relating to health benefit exchanges is declared unconstitutional by the U.S. Supreme Court, or is repealed by the U.S. Congress by January 1, 2024. [Chapter 153, Laws 2014](#)

**[HB 2523 projects; water supply development](#)** (*Barton*) Expands the definition of “water provider” to include a county that enters into an intergovernmental agreement with a municipality or other water provider for a water supply development project. For the purposes of funding from the Water Supply Development Revolving Fund (WSDRF), WSDRF monies may be used for a water provider outside an active management area, if the Arizona Department of Water Resources (ADWR) designates the water provider as having an adequate water supply, or if the water provider will use the monies for a water supply development projects and ADWR has determined that there is an adequate water supply for all subdivided land being served by the project. States the maximum length for repayment of WSDRF loans to be 40 years, increased from 30 years. As a separate provision, repeals the statute prohibiting a facility owned by the state or political subdivision of the state from accepting special waste generated outside Arizona. [Chapter 212, Laws 2014](#)

**[HB 2654 government reporting; financial information](#)** (*Stevens*) Requires that the total taxes per capita of a local government, and the total value of all outstanding debt obligations on a per capita basis for the population within each local government's jurisdiction, be included in the information that is on the comprehensive internet web portal of local governments maintained by the Department of Administration. [Chapter 178, Laws 2014](#)

**[HB 2667 persons with disabilities](#)** (*Mach*) Requires the state to use the term "persons with disabilities" in all laws, rules, publications, orders, actions, programs, policies and signage. Counties must revise these items to use the term "persons with disabilities" only when updates are otherwise necessary. Statutory terminology is changed to "a person with a disability" or a "person with a developmental disability" instead of "disabled" or "developmentally disabled," and the term "disability" replaces the term "handicap." [Chapter 215, Laws 2014](#)

**[HB 2694 theme park districts; formation; bonds](#)** (*Tobin*) Permits any combination of a county with a population between 125,000 and 150,000 persons (Cochise and Coconino) and a city with a population between 3,000 and 5,000 persons (Willcox and Williams) to form a theme park district, and allows the district to add additional theme park sites after establishment and to revise district boundaries. [Chapter 275, Laws 2014](#)

**[SB 1158 fireworks; permissible use](#)** (*Crandell*) An emergency measure that permits a county and an incorporated city or town to regulate the sale and use of permissible consumer fireworks, during stage one fire restrictions, if the county has less than 500,000 persons. In a county with more than 500,000 people, use is permitted as a matter of statute during two weeks in the summer (June 24 – July 6) and two weeks in the winter (December 24 – January 3), and sales are allowed for approximately six weeks in the summer (May 20 – July 6) and six weeks in the winter (December 10 – January 3). The measure also amends shipping processes and penalties for illegal shipments and uses of fireworks. With an emergency clause, the measure became effective on the signature of the Governor. [Chapter 108E, Laws 2014](#)

**[SB 1179 constables; prohibited acts](#)** (*Burges*) Prohibits a constable from engaging in any business as a private process server outside of the constable's elected or appointed duties. Further, prohibits a constable from owning an interest in any entity that operates a private process serving business. [Chapter 242, Laws 2014](#)

**[SB 1217 precinct officers; salaries](#)** (*McComish*) Increases the maximum permissible salaries of constables by approximately 10 percent. The board of supervisors retained the authority to set constable salaries. [Chapter 113, Laws 2014](#)

**SB 1306 governmental entities; credit card payments** (*Griffin*) Allows a governmental entity to require a vendor to accept a particular method of payment exclusively for any goods or services provided by the vendor to the entity. If the governmental entity pays a vendor by credit card, then the entity is required to disclose in its annual financial report the amount of any reward, discount, incentive or other financial consideration received by the entity resulting from the credit card payment. [Chapter 118, Laws 2014](#)

**SB 1352 property tax roll; corrections** (*Worsley*) Makes various changes to property tax roll correction laws, including requiring all owners to be notified of a property tax roll correction and allowing any owner to appeal any valuation or classification issue that arises from the correction. The corrections are limited to real property that has not been issued a certificate of purchase. [Chapter 249, Laws 2014](#)

**PLANNING & ZONING/LAND USE**

**[HB 2126 S/E municipal annexation; size; exception](#)** (*Pratt*) Modifies a portion of the definition of “contiguous” for the purposes of municipal annexation and contains session law that reformulates the manner of determining the majority of votes cast in a city council or mayoral election in 2014-15 and establishes guidelines for these candidates to be elected at the primary or to advance to the general or runoff election. [Chapter 256, Laws 2014](#)

**[HB 2148 municipalities; counties; transfer; right-of-way](#)** (*Borrelli*) Clarifies that a transfer of property between governing bodies of a county and a municipality must be treated as newly annexed territory and outlines the procedure for a county street light improvement district (SLID) to be converted to a municipal SLID. The measure applies to any county or municipal improvement district for lighting public streets and parks that is formed before or after the effective date of this bill. [Chapter 134, Laws 2014](#)

**[HB 2330 municipal; deannexation; public right-of-way](#)** (*Livingston*) Prescribes a process, including the county board of supervisors holding a public hearing, by which a city and county may agree to “deannex” a right-of-way and revert it back to county ownership. [Chapter 146, Laws 2014](#)

**[HB 2483 firearms; private land; lawful discharge](#)** (*Kavanagh*) Prohibits counties from enacting ordinances that prevent, restrict, or otherwise regulate the lawful discharge of a firearm or air gun or use of archery equipment on a private lot or parcel of land that is not open to the public on a commercial or membership basis. The otherwise lawful discharge of a firearm or air gun or use of archery equipment cannot be enjoined by the court except under specified circumstances shown by clear and convincing evidence. [Chapter 62, Laws 2014](#)

**[SB 1183 fire access roads; limitation; sprinklers](#)** (*Farnsworth*) Restricts counties from adopting any fire code, ordinance or other legal requirement for an approved fire apparatus access road or an approved route that would result in a one or two family residence, utility or miscellaneous accessory building or structure having to install fire sprinklers. [Chapter 73, Laws 2014](#)

**[SB 1184 planned communities; definition; property easements](#)** (*Pierce*) Adds the real estate, on which there is an easement or a covenant to maintain roadways, held by a nonprofit corporation or an unincorporated association of owners, to the definition of planned communities. [Chapter 112, Laws 2014](#)

**[SB 1215 S/E unsubdivided land; definition](#)** (*Griffin*) Expands the definition of “unsubdivided lands” to include any land that is sold that would otherwise constitute the sixth lot, parcel or fractional interest if the sale occurs 10 or more years after the earliest of the previous five sales and if all of the sales consist of property that was originally contained within the same parcel that is 36 acres or more and less than 160 acres. [Chapter 187, Laws 2014](#)

**[SB 1292 Arizona resource advisory council](#)** (*Griffin*) Establishes a 15-member Arizona Resource Advisory Council to act as an advisory body regarding the planning and management of federal land resources in Arizona. The Council is required to submit an annual report to the Governor and the Legislature by December 31 of each year. [Chapter 117, Laws 2014](#)

**[SB 1305 semipublic swimming pool barrier gates](#)** (*Griffin*) Requires any locking devices for pool barrier gates to meet the basic statutory requirements (outlined in statute), and any new construction or major renovation of a semipublic swimming pool, beginning January 1, 2015, must meet the requirements of any code or ordinance that is adopted by a municipality or a county. [Chapter 78, Laws 2014](#)

**SB 1482 homeowners' associations amendments; omnibus** (*Griffin*) Prohibits a local government from requiring a developer construct or enact a planned community as part of a subdivision approval or zoning ordinance, except to maintain private improvements that were approved and installed as part of a the preliminary plat, final plat or specific plan. A management company may act on behalf of a contracted Home Owners Association (HOA) by recording a lien or notice of claim of lien, and may appear on behalf of the HOA in court. Makes other various changes related to the authorities of HOAs. [Chapter 83, Laws 2014](#)



**PUBLIC HEALTH AND ENVIRONMENT**

**[HB 2125 air quality forecasting; nonattainment areas](#)** (*Pratt*) Requires the Arizona Department of Environmental Quality to develop and disseminate air quality dust forecasts for particulate matter in nonattainment or maintenance areas designated in Arizona since January 1, 2012 (Pinal County). [Chapter 86, Laws 2014](#)

**[HB 2225 county medical examiner; autopsies; images](#)** (*Fann*) Prohibits the public disclosure of visual images obtained during death investigations, without a court order, and clarifies immunity provisions for the county medical examiner and alternate medical examiner. [Chapter 88, Laws 2014](#)

**[HB 2226 vehicle emissions inspection program](#)** (*Fann*) Makes various changes to the Vehicle Emissions Inspection Program, including removing the authority of the director of Arizona Department of Environmental Quality to enter into agreements with the Arizona Department of Transportation and county assessors to use testing facilities for conducting vehicle registrations. [Chapter 89, Laws 2014](#)

**[HB 2332 unclaimed remains; veterans; burial](#)** (*Orr*) Modifies the process by which a county may address the unclaimed cremated remains of a veteran and may release verification information to the United States Department of Veterans Affairs, or a veteran's service organization to verify whether the remains are of a veteran or veteran's eligible dependent, if:

- The person has possessed the remains for a year;
- A person has not claimed the remains as outlined in statute; and
- The person made a reasonable effort to locate a relative of the decedent to claim the remains.

[Chapter 92, Laws 2014](#)

**[HB 2343 S/E wildfire prevention; state trust land](#)** (*Barton*) Requires the Arizona State Land Commissioner (in coordination with the Arizona State Forester) to establish a program for the removal of vegetative natural products for the purpose of fire suppression and forest management on state lands by January 1, 2016. The Commissioner and State Forester are required to identify and prioritize the state lands that would benefit the most from implementation of the program. The Commissioner and State Forester are authorized to coordinate and contract with public and private entities, and enter into intergovernmental agreements with political subdivisions to facilitate program implementation. The program terminates on July 1, 2024. [Chapter 207, Laws 2014](#)

**[HB 2436 food handler training; courses; certification](#)** (*Shope*) Establishes accreditation standards for food handler certificate training courses, if a county requires food handler training and certificates for employees in the food service industry. County programs are grandfathered as valid and legal, regardless of their accreditation. [Chapter 210, Laws 2014](#)

**[HB 2580 alternative fuel vehicles; registration; inspection](#)** (*Pratt*) Requires alternative fuel vehicles to be emissions tested beginning in the sixth registration year, instead of the fourth registration year, and removes the requirement for owners of alternative fuel vehicles to either have the vehicle emissions tested or pay a fee for the first three registration years. [Chapter 99, Laws 2014](#)

**[HCR 2005 investigational drugs; biological products; devices](#)** (*Lovas*) Seeks to amend state statute to enact a Terminal Patients' Right to Try Act allowing drug manufacturers to make investigational drugs, biological products or devices available to "eligible patients" with a terminal illness. (Referred to the 2014 November Ballot)

**SB 1150 sewer connection; county islands; prohibition** (*Farnsworth*) Prohibits municipalities from requiring a property located within a Municipal Planning Area to be connected to the municipality's sewer system, if the property is located in a county island. This provision does not apply if the Arizona Department of Environmental Quality (ADEQ) determines that the connection is necessary for environmental reasons. [Chapter 72, Laws 2014](#)

**SB 1276 HIV related testing; consent; confidentiality; exceptions** (*Yee*) Allows health care providers to forgo informed consent before an HIV-related test, if testing is requested by a health care provider or a first responder who has had an "occupational significant exposure risk" to blood or bodily fluid, and makes a request, in writing, that includes documentation of the occurrence and information regarding the nature of the exposure risk. Health care providers and first responders who have had an "occupational significant exposure risk" are added to the list of persons authorized to receive confidential communicable disease-related information. [Chapter 222, Laws 2014](#)

**SCR 1006 Mexican wolf; population rule** (*Griffin*) Declares that the members of the Arizona Legislature support the protection of Arizona and New Mexico landowners' rights to take Mexican wolves that are threatening or harassing humans, pets or livestock; shifting responsibility for the administration of the Mexican wolf introduction program to the Arizona Game and Fish Department and support the future Mexican wolf introduction efforts to remote areas of the northern Sierra Madre Occidental mountain range. (Transmitted to the Secretary of State)

**PUBLIC PERSONNEL AND RETIREMENT**

**[HB 2094 S/E workers' compensation; claim assignment](#)** (*Brophy McGee*) Establishes that an employee who is entitled to workers' compensation must initiate action against a third party within one year or the claim will be assigned to the insurance carrier. [Chapter 26, Laws 2014](#)

**[HB 2100 address confidentiality program](#)** (*Brophy McGee*) Expands eligibility of participants in the Address Confidentiality Program, in which they file an affidavit requesting confidentiality in documents maintained by the county recorder, county assessor and county treasurer. [Chapter 130, Laws 2014](#)

**[HB 2166 PSPRS contributions; county employers](#)** (*Orr*) Allows a county employer participating in the Public Safety Personnel Retirement System plan who elected to pay a higher percentage level contribution rate to eliminate that higher percentage level contribution rate amount for members hired on or after January 1, 2015. Makes certain sections of law retroactive, in order to allow health subsidies to be excluded from retirees' income for income tax purposes. [Chapter 202, Laws 2014](#)

**[HB 2221 workers' compensation; controlled substances](#)** (*Fann*) Amends billings for workers' compensation benefits and establishes physician reporting requirements for workers' compensation claims that require the usage of opium-based narcotics in medical treatment, including requiring the medication to demonstrate "clinically meaningful improvement in function," and stipulates that a workers' compensation insurance carrier, self-insured employer or claims processing representative is not responsible for payment of any workers' compensation benefits unless the billings are received and any court action for the payment of the billings is commenced within 24 months from the date the service was rendered. [Chapter 52, Laws 2014](#)

**[HB 2394 S/E self-insured employers; deviation; continuation](#)** (*Lesko*) Sets the deviation rate at 10 percent, through 2020, for the purpose of calculating any workers' compensation tax or assessment to be paid by an authorized self-insured employer, including a workers' compensation pool. [Chapter 35, Laws 2014](#)

**[HB 2693 PSPRS; employer liability; death benefits](#)** (*Tobin*) Requires that the actuarial present value of the amount computed on benefits for a surviving spouse and eligible child of a deceased member of PSPRS who is killed in the line of duty, must be deposited directly into the employer account and charged against the investment earnings of the PSPRS fund before those earnings are distributed to each employer. [Chapter 274, Laws 2014](#)

**[SB 1040 S/E auxiliary members; leave of absence](#)** (*Barto*) Mandates that state and political subdivision officers and employees must be granted leaves of absence from their duties while they are under orders with any auxiliary of the Armed Forces of the United States for up to 30 days in any two year period. The employer may grant the leave of absence without loss of time, pay, or efficiency rating. [Chapter 66, Laws 2014](#)

**[SB 1082 ASRS; employee background checks](#)** (*Yarbrough*) Allows the director of the Arizona State Retirement System (ASRS) to conduct criminal records checks for any current or prospective employees of ASRS. The director may also conduct credit checks for any position related to accounting, investment or other finance-related positions. [Chapter 218, Laws 2014](#)

**PUBLIC SAFETY**

**HB 2002 correctional officers; arrest; unlawful imprisonment** (*Borrelli*) Authorizes a "detention officer" acting in his/her official capacity at a jail facility, and pursuant to a warrant, to arrest a person who is already incarcerated in that jail facility or who surrenders himself to that jail facility. It is a defense against prosecution for unlawful imprisonment that the restraint was accomplished by a detention officer acting in good faith in the lawful performance of his duty. [Chapter 40, Laws 2014](#)

**HB 2003 watercraft; civil and criminal penalties** (*Borrelli*) Establishes civil penalties for a person who operates a motorized watercraft and refuses to submit to a test for alcohol concentration or drug content, to be deposited in the Prison Construction and Operations Fund and the Law Enforcement and Boating Safety Fund (LEBSF). In addition, this legislation moves the deposit of monies from civil and criminal penalties for operating a motorized watercraft while under the influence into the LEBSF instead of the Public Safety Equipment Fund. [Chapter 127, Laws 2014](#)

**HB 2004 first informer broadcasters** (*Borrelli*) Allows the Arizona Division of Emergency Management (ADEM) to coordinate with broadcasting and/or a television telecommunication association in Arizona to develop plans for preparing for, and responding to, an emergency or disaster. ADEM may designate specific organizations to train and certify broadcast technical personnel who are critical to station operations as "first informer broadcasters." State and local governments and agencies must, to the extent possible, allow first informer broadcasters access to an area affected by an emergency or disaster to restore, repair or resupply any facility or equipment critical to the ability of a broadcaster to acquire, produce and transmit essential emergency or disaster related information. [Chapter 20, Laws 2014](#)

**HB 2145 identifying information; peace officer spouses** (*Borelli*) Extends the ability to keep from public record, the position the spouse of a peace officer currently holds as well as a description of the person's duties. [Chapter 164E, Laws 2014](#)

**HB 2322 national instant criminal background checks** (*Pierce*) Expands the definition of prohibited possessor to include those individuals who have been found incompetent and have not subsequently been found competent, and those found guilty except insane, and modifies requirements for obtaining a security guard agency license. [Chapter 261, Laws 2014](#)

**HB 2336 firearms; law enforcement officers** (*Barton*) Specifies that a warden, detention officer, special investigator or correctional officer of the Arizona Department of Corrections or Arizona Department of Juvenile Corrections is only exempt from certain aspects of misconduct involving weapons while in the performance of official duties. [Chapter 147, Laws 2014](#)

**HB 2453 synthetic drugs; reporting** (*Farnsworth*) Is an emergency measure that expands the definitions of "dangerous drug" and "narcotic drugs" to include specified substances. An entity that sells or otherwise furnishes any precursor chemical or regulated chemical to any person in Arizona, and is required to report those transactions to a federal agency, is no longer required to submit a report of the transactions to the Arizona Department of Public Safety. With an emergency clause, the measure became effective on the signature of the Governor. [Chapter 36E, Laws 2014](#)

**[HB 2454 human trafficking; prostitution](#)** (*Farnsworth*) Adds human trafficking related crimes to the definition of “racketeering” and makes multiple changes to the crime of “child prostitution,” including specifying that if a minor is 15, 16 or 17 years of age, under certain circumstances, child prostitution is a class 2 felony and prescribes increased punishment. Such a person is not eligible for suspension of sentence, probation, pardon or release from confinement on any basis, except as specifically authorized by statute, until the sentence imposed by the court has been served or commuted. [Chapter 151, Laws 2014](#)

**[HB 2535 certification of firearm transfers](#)** (*Kavanagh*) Requires a chief law enforcement officer (CLEO) to provide the certification of eligibility for the transfer of a firearm within 60 days if the applicant is not prohibited by law from receiving a transferred firearm or is not the subject of a proceeding that could result in the applicant being prohibited from receiving the firearm. [Chapter 173, Laws 2014](#)

**[HB 2591 joint powers public safety committee](#)** (*Kavanagh*) Codifies that the CLEO from two or more municipalities, Indian tribes or counties are permitted to establish a joint powers public safety committee for the purpose of facilitating the sharing of criminal justice information between law enforcement agencies. [Chapter 271, Laws 2014](#)

**[SB 1097 silver alert notification system](#)** (*Griffin*) Establishes the silver alert notification system designed to issue and coordinate alerts following the report of a missing person over the age of 65. [Chapter 232, Laws 2014](#)

**[SB 1118 hunting on private land; trespassing](#)** (*Pierce*) Constitutes as criminal trespassing when a person remains unlawfully on private property after being requested to leave by a law enforcement officer acting at the request of the property owner. [Chapter 182, Laws 2014](#)

**[SB 1284 public safety officers; omnibus](#)** (*Crandell*) Makes several changes to public safety officer statutes, including:

**Firefighter, Peace Officer, and Corrections Officer Cancer Insurance**

- Allows the Arizona Department of Corrections (ADC), the Arizona Department of Juvenile Corrections (ADJC), or a county to establish a voluntary cancer insurance policy program for corrections or detention officers, and requires the participants to collect program payments and submit the monies to the Public Safety Personnel Retirement System (PSPRS) Board on behalf of employees who enroll in the program.
- Expands the Firefighter, Peace Officer, and Corrections Officer Cancer Insurance Policy Program requirements to include an individual who is a member of Correctional Officers Retirement System (CORP) and a corrections officer employed by the ADC, the ADJC, or a county, city, or town that voluntarily established the program.
- Clarifies that an active member of PSPRS who has at least five years of service may elect to redeem up to five years of prior service within PSPRS or as a full-time paid corrections officer engaged in law enforcement duties within a federal agency, a state, or a local government.
- States that the local board of a county, city, or town that operates a detention facility may specify a designated position within the facility as a nondesignated position if the position is filled by an employee who has at least five years of Arizona State Retirement System service.

**Public Access to Court Records**

- Allows a peace officer who believes that the life or safety of the officer or another person is in danger to request that public access be restricted to court records maintained by the clerk of the superior court which contain personal identifying information. States that a peace officer may request that superior court records containing personal identifying information be redacted by filing an affidavit containing certain information with the superior court of a county.

**Public Safety Officers Supplemental Benefits Plan**

- Declares that appeals for denials of supplemental benefits for public safety officers who are injured while on duty are exempt from uniform administrative appeals laws.
- Allows the Arizona Department of Administration (ADOA) to establish an alternative appeal hearing process, including the requirement that parties agree to have arbitration be heard by the Industrial Commission of Arizona (ICA) pursuant to ICA regulations, or alternative procedures established by ADOA.
- Permits ADOA to contract with another government agency or a third party to conduct hearings or appeals for denials of supplemental benefits for public safety officers who are injured while on duty.

[Chapter 190, Laws 2014](#)

**[SB 1387 S/E special districts](#)** (*Crandell*) Makes numerous changes to fire district statutes, including requiring a three-member board that levies more than \$500,000 to expand to a five-member board, and prohibits a district from reorganizing to a three-member board regardless of the amount levied. All terms of office for members of a five-member board are four years. A district that receives:

- Annual revenue of \$500,000 or more is required to perform an annual audit;
- Annual revenue under \$500,000, but above \$100,000, are required to perform a financial review annually; and
- Annual revenue between \$50,000 and \$100,000 are required to perform a financial review biennial.

The county attorney is authorized to investigate any claimed failure to comply with special taxing district audit and financial review requirements. Makes other various changes related to district governance and board candidates. With an emergency clause, the measure became effective on the signature of the Governor.

[Chapter 252E, Laws 2014](#)

**[SB 1476 electromagnetic pulse preparedness; recommendations](#)** (*Farnsworth*) Requires the Division of Emergency Management to develop preparedness recommendations for the public regarding the type and quantity of supplies each person should possess in preparation for an "electromagnetic pulse" that might occur over the United States. [Chapter 236, Laws 2014](#)

**TAXES AND PUBLIC FINANCE**

**[HB 2046 disaster recovery; businesses; tax; regulation](#)** (*Lesko*) Exempts out-of-state businesses, corporations and employees that are performing temporary disaster recovery operations in Arizona during 60 calendar days after the declared disaster from paying state or local registration, licensing or certification requirements and are not required to file, withhold or pay state or local income, use or property taxes. Employers are prohibited from withholding tax on the wages of nonresident employees who are in Arizona to perform disaster recovery from a declared disaster on a temporary basis during the period within 60 calendar days after the declared disaster. Such income received while a nonresident is not considered income from sources within Arizona for tax purposes. Effective January 1, 2015. [Chapter 43, Laws 2014](#)

**[HB 2285 S/E TPT; refined coal transfer; tax exemption](#)** (*Lesko*) Exempts the transfer of coal from an owner or operator of a power plant to a coal refining business from sales tax if the transfer is for the purpose of refining the coal and the coal is transferred back to the power plant after completion of the refining process. The bill includes clarification that transactions under this act are exempt from the mining classification tax base and are exempt from municipal sales tax. [Chapter 54, Laws 2014](#)

**[HB 2395 property tax calculations; school districts](#)** (*Lesko*) Requires the county school superintendent to file the amount required to be levied for each school district, for primary property taxes, with the county board of supervisors and the Property Tax Oversight Commission by the third Monday in August of each year. [Chapter 209, Laws 2014](#)

**[SB 1035 S/E: special health care districts; reimbursement](#)** (*Melvin*) Removes the requirement that Maricopa County purchase at least \$5 million in services per year from the Maricopa County Special Health Care District, and instead requires the county to reimburse the Special Health Care District for any services provided. [Chapter 65, Laws 2014](#)

**[SB 1413 taxes; manufacturers' electricity sales; exemption](#)** (*Yarbrough*) Exempts the sales of electricity and natural gas from the tax base for sales tax purposes if the business is "principally engaged" in "manufacturing" or "smelting" operations and uses at least 51 percent of the electricity or natural gas in the manufacturing or smelting operations. Allows municipalities to decide if these activities are tax exempt or not. [Chapter 7, Laws 2014](#)



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**STATE BUDGET ADJUSTMENTS**

**[HB 2703 2014-2015; general appropriations](#)** (*Kavanagh*) Makes appropriations from the state general fund and other funds for the operation of state government in FY2014-2015. County related provisions are summarized below:

- **County Attorney Immigration Enforcement:** Maintains \$1,213,200 for county attorney immigration enforcement, specifying amounts for the Maricopa County Attorney, \$200,000, and the Maricopa County Sheriff, \$500,000. *Sec. 4 (pg. 1)*
- **State Aid to Indigent Defense to AG for Capital Post-Conviction Prosecution:** Appropriates \$800,000 from the State Aid to Indigent Defense Fund to the Attorney General (AG) for capital post-conviction prosecution. This represents a \$300,000 increase over the current year's budget. *Sec. 11 (pg. 8)*
- **Out of County Tuition:** Appropriates \$1,273,800 for rural county reimbursement, an increase of \$425,800 over the current year's budget. Of the \$1,273,800, Apache County will receive \$699,300 and Greenlee County \$574,500. *Sec. 17 (pg. 11)*
- **County Attorneys Fund:** Continues to provide \$973,600 of Arizona Criminal Justice Commission (ACJC) grant monies to counties. *Sec. 22 (pg. 14)*
- **County Participation; Child Support Enforcement:** Appropriates \$6,740,200, a (\$1,860,000) decrease, to the Arizona Department of Economic Security (ADES) for county participation in child support enforcement. The decrease reflects Pinal County reverting control of their program back to ADES. *Sec. 26 (pg. 15)*
- **Environmental County Grants:** Appropriates \$275,000 to the State Forester for county environmental projects in Eastern Arizona. *Sec. 36 (pg. 28)*
- **County Tuberculosis Provider Care and Control:** Maintains a \$590,700 appropriation for county tuberculosis programs. *Sec. 43 (pg. 30)*
- **County Judicial Reimbursements:** Continues to provide \$187,900 to the Supreme Court to reimburse counties for state grand juries and capital post-conviction relief (PCR). State grand jury is limited to \$97,900 and PCR is limited to \$90,000. *Sec. 51 (pg. 35)*
- **HURF to DPS:** Transfers \$89,247,100 million from the Highway User Revenue Fund (HURF) to the Arizona Department of Public Safety (ADPS) and not-withstands the statutory cap. This represents a (\$30.7 million) reduction from the current year budget. *Sec. 78 (pg. 45)*
- **State Aid to Indigent Defense to DPS:** Appropriates \$700,000 from the State Aid to Indigent Defense Fund to DPS for operations. *Sec. 78 (pg. 45)*
- **County Fairs, Livestock, and Agricultural Promotion:** Appropriates \$1,779,500 to the County Fairs, Livestock, and Agricultural Promotion Fund, which is administered by the Office of the Governor. *Sec. 79 (pg. 46)*
- **Justice of the Peace (JP) Salaries:** Appropriates \$1,205,100 to the State Treasurer to cover the state's share of JP salaries. This amount is unchanged from last year. *Sec. 93 (pg. 51)*
- **Law Enforcement Boating Safety Fund (LEBSF):** Appropriates \$2,183,800 to be allocated to county law enforcement agencies in counties which had a law enforcement and boating safety program in existence prior to July 1, 1990 (Apache, Coconino, Gila, La Paz, Maricopa, Mohave, Navajo, Yuma). *Sec. 93 (pg. 51)*
- **Direct Appropriations to Counties (Lottery Revenue):** Appropriates, from the state general fund, \$7,150,500 to the Arizona Department of Administration (ADOA) to be equally distributed to all (13) counties under 900,000 persons (Apache, Cochise, Coconino, Gila, Graham, Greenlee, La Paz, Mohave, Navajo, Pinal, Santa Cruz, Yavapai, and Yuma). Each qualifying county receives \$550,000. *Sec. 121 (pg. 63)*

- **Graham County Assistance:** Appropriates \$500,000 to ADOA to be allocated to Graham County for maintenance of essential county services. *Sec. 121 (pg. 63)*
- ~~**TPT Electricity Exemption County Backfill:** Appropriates \$1,300,000 to ADOA for distribution to counties negatively impacted by the lost revenue resulting from the TPT exemption on electricity for manufacturers and smelters. ADOA will determine the distribution plan, subject to review by the Joint Legislative Budget Committee (JLBC). *Sec. 122 (pg. 63) – Line Item Vetoed*~~
- **Drug Treatment & Family Drug Court Programming:** Appropriates \$500,000 to the Administrative Office of the Courts (AOC) to distribute \$250,000 to a county with more than 500,000, but less than 1 million persons (Pima County) to be used in a drug treatment alternative to prison program. The other \$250,000 is distributed to a county with more than 3 million persons (Maricopa County) to contract with a provider offering integrated delivery of drug-related services from testing to treatment. The contractor must use evidence-based treatment standards and provide an option for an online case management system to report progress to the court. *Sec. 131 (pg. 69)*

[Chapter 18, Laws 2014](#)

**[HB 2705 health; welfare; budget reconciliation; 2014-2015](#)** (*Kavanagh*) Includes provisions related to health and welfare necessary to implement the budget. The affected agencies are the Arizona Department of Administration (DOA), the Arizona Department of Economic Security (DES), the Arizona Health Care Cost Containment System (AHCCCS), and the Arizona Department of Health Services (DHS). In addition, HB 2010 also includes the Governor's Medicaid expansion. County related provisions are summarized below:

- **Local Government; Disproportionate Share Hospitals (DSH):** As permanent law, permits local governments, tribal governments, and universities to contribute state match monies for disproportionate share hospital payments. *Sec. 2 (pg. 12)*
- **Arizona Long Term Care System (ALTCS):** FY2015 county contributions total \$245,196,200 for all 15 counties into the Long Term Care System Fund. This amount is unchanged from the JLBC Baseline. Although the general appropriations bill reflects several changes to the Arizona Healthcare Cost Containment System (AHCCCS), including a two percent increase in skilled nursing facility rates and coverage for insulin pumps, the impact from these changes is only reflected in the state general fund and agency share. *Sec. 9 (pg. 20)*
- **Sexually Violent Persons (SVP) Payments:** Decreases the requirement that counties reimburse the Arizona Department of Health Services (ADHS) for the cost associated with housing an SVP at the Arizona State Hospital (ASH), from 50 percent to no greater than the percentage paid in FY2014 (estimated to be 34 percent). The FY2014 numbers were reduced by \$1.8 million. Includes "flexibility language" allowing counties to pay for this program with any source of county revenue. *Sec. 10 (pg. 21)*
- **Restoration to Competency (RTC) Payments:** Continues to require counties to reimburse DHS for 100 percent of the cost associated with competency restoration treatment at the ASH. Includes "flexibility language" allowing counties to pay for this program with any source of county revenue. *Sec. 11 (pg. 22)*
- **AHCCCS Transfer:** AHCCCS must transfer any excess monies back to the counties by December 31, 2015, if the counties' proportion of state match exceeds the proportion allowed to comply with the federal Affordable Care Act. *Sec. 13 (pg. 23)*
- **Acute Care Contributions:** Sets county acute care contributions at \$47,553,700 for all 15 counties. This amount is unchanged from the JLBC Baseline and includes an inflation indexing of the Maricopa County contribution ([Laws 2005, Ch. 328](#)). *Sec. 14 (pg. 24)*
- **Disproportionate Uncompensated Care Pool (DUC Pool):** Requires the collection of \$2,646,200 in DUC Pool contributions from counties other than Maricopa. *Sec. 15 (pg. 25)*

[Chapter 11, Laws 2014](#)

[HB 2706 criminal justice; budget reconciliation; 2014-2015](#) (*Kavanagh*) Makes policy changes pertaining to criminal justice programs that affect the budget. County-related provisions are summarized below:

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

[Chapter 12, Laws 2014](#)

[HB 2707 environment; budget reconciliation; 2014-2015](#) (*Kavanagh*) Makes temporary and permanent changes related to the environment in order to implement the budget. No county-related provisions are included.

[Chapter 13, Laws 2014](#)

[HB 2708 budget procedures; 2014-2015](#) (*Kavanagh*) Makes statutory and session law changes related to the budget procedures in order to implement the budget. No county related provisions are included. [Chapter 14, Laws 2014](#)

[HB 2709 capital outlay; 2014-2015](#) (*Kavanagh*) Appropriates funds for FY2014-2015 to applicable agencies for the maintenance, repair, building renewal and preventative maintenance of state buildings. No county-related provisions are included. [Chapter 15, Laws 2014](#)

[HB 2711 higher education; budget reconciliation; 2014-2015](#) (*Kavanagh*) Makes statutory and session law changes related to postsecondary education and the implementation of the budget. No county-related provisions are included. [Chapter 16, Laws 2014](#)

[SB 1487 revenue; budget reconciliation; 2014-2015](#) (*Biggs*) Makes temporary and permanent changes in law related to state revenues in order to implement the budget. County related provisions are summarized below:

- **County Flexibility Language:** As session law, allows counties with fewer than 200,000 persons (Apache, Cochise, Coconino, Gila, Graham, Greenlee, La Paz, Navajo, Santa Cruz, and Yuma) to use any source of county revenue, including countywide special districts controlled by the board of supervisors, to meet a county fiscal obligation for FY2015. Additionally, counties are required to report to the director of JLBC whether the county used the provision and, if so, the intended amount and sources of funds, by October 1, 2014. *Sec. 8 (pg. 10)*
- **Partial HURF Restoration:** As session law, requires that prior to any other distributions, \$30 million in FY2015, \$30 million in FY2016, and \$60 million in FY2017 in HURF monies be distributed as follows:
  - 33.231% to counties: \$9,969,300 in FY2015
  - 48.097% to cities: \$14,429,100 in FY2015
  - 5.247% to cities over 300,000 persons: \$1,574,100 in FY2015
  - 13.425% for counties over 800,000 persons for controlled access: \$4,027,500 in FY2015

Further stipulates that the allocation to each county will be made according to current statute ([A.R.S. § 28-6538](#)) governing the distributions of HURF monies. *Sec. 11 (pg. 10)* [Chapter 9, Laws 2014](#)

**[SB 1488 K-12 education; budget reconciliation; 2014-2015](#)** (*Biggs*) Makes statutory and session law changes related to elementary through high school (K-12) education and the implementation of the budget. No county-related provisions are included. [Chapter 17, Laws 2014](#)

**COUNTY-RELATED VETOED LEGISLATION**

**HB 2281 leased religious property; class nine** (*Lesko*) Would have expanded property tax class 9 classification to include any property, building or fixtures that are leased to a nonprofit religious group or institution, and that are used primarily for religious worship under that class 9 classification for property tax purposes. Additionally, any property, buildings, or fixtures owned by an education, religious, or charitable organization and leased to a nonprofit religious institution or group would have been exempted from taxation. In her [veto letter](#), Governor Brewer lamented the convoluted nature of the tax classification system in Arizona and called on a rational approach to reform it.

**HB 2313 capital sentencing; aggravators; serious offenses** (*Pierce*) Would have expanded the list of aggravating factors in determining the imposition of a sentence of death to include a substantial likelihood that the defendant will commit criminal acts of violence that constitute a continued threat to society. The definition of “serious offense” for the purposes of aggravating and mitigating factors in capital sentencing was expanded to include smuggling and participating in or assisting a human smuggling organization. In her [veto letter](#), Governor Brewer questions whether the broadening of death penalty eligible crimes had the potential to make Arizona’s death penalty unconstitutional.

**HB 2338 aggravated assault; firearm** (*Barton*) Would have specified that a person is guilty of aggravated assault if a person knowingly takes, or attempts to exercise control over a person’s lawfully owned firearm, with intent to cause harm with that firearm. This change did not apply to a peace officer engaged in the execution of official duties or a person who is acting in justifiable self-defense. Violators would have been guilty of a class 4 felony. In her [veto letter](#), Governor Brewer indicated the law was unneeded as current statute already addresses the behavior in the bill.

**HB 2339 firearms; permit holders; public places** (*Barton*) Would have required all public buildings and public events to have metal detection and security personnel in order to regulate concealed weapon permit holders entrance into a building or an event with their weapon. The bill further specified that it is not considered “misconduct involving weapons” by carrying a deadly weapon at a public establishment or event as long as the person possesses a valid concealed weapons permit. In her [veto letter](#), Governor Brewer indicated the costs to local communities as a primary reason for her opposition.

**HB 2367 AHCCCS; annual waiver submittals** (*Tobin*) Would have required the director of the Arizona Health Care Cost Containment System (AHCCCS) to apply the Centers for Medicare and Medicaid Services by March 30 of each year for waivers or amendments to the current Section 1115 Waiver, including a restriction of benefits for able-bodied adults to a lifetime-limit of five years and a requirement that the person is actively looking for employment, unless the person meets certain restrictions. In her [veto letter](#), Governor Brewer questioned the human toll of the measure by forcing so many Arizona citizens off AHCCCS and a corresponding impact on uncompensated care for hospitals.

**HB 2517 firearms; state preemption; penalties** (*Smith*) Would have prohibited a political subdivision from establishing more restrictive regulations than exist at the state level and would have established procedures and penalties for those that violate the law, including:

- Requiring a court to declare the improper act invalid and issue a permanent injunction against the political subdivision from continuing the act
- Assessing a civil penalty of up to \$5,000 against the elected or appointed government official or administrative agency head under whose jurisdiction the violation occurred; and

- Requiring the court to award the prevailing plaintiff in any civil action reasonable attorney fees and the actual damages incurred, up to \$100,000.

In her [veto letter](#), Governor Brewer raised concerns with the imposition of a civil liability by an elected or administrative officer when they are carrying out their functions, and listed other vague and punitive language in the measure.

[HB 2541 federal land; emergency access](#) (*Townsend*) State, county, and local governments would have been “granted” access to federal lands during a state or local emergency in order to address the emergency. In her [veto letter](#), Governor Brewer indicated there were constitutional issues, and suggested using an approach such as Memorandums of Understandings, to accomplish the goals of the measure.

[HB 2611 rescue operation personnel; limited liability](#) (*Thorpe*) Would have indemnified a member of a search and rescue team, unit or organization involved in a search and rescue operation from being liable for any injury to, or the death of, a person who is the subject of the search and rescue operation. This provision did not apply to gross negligence. In her [veto letter](#), Governor Brewer described the measure as overly broad and indicated a lack of clarity with some of the language.

[HB 2699 endangered species programs; rescission; reimbursement](#) (*Thorpe*) Would have allowed the taking by ranchers of wolves in the defense of their own lives or the lives of other humans and instructed the attorney general to reimburse individuals who sustain any losses from actions by wolves. Additionally the measure would have ordered the State of Arizona to not participate in the Mexican Gray Wolf Recovery Program and removed, all Mexican Gray Wolves from state and private land, if the federal government did not enter into an agreement to compensate the state and private landowners for the use and devaluation of their lands as a result of the program. In her [veto letter](#), Governor Brewer, among her concerns, listed the inability of the state to compel a federal agency for compensation, and the constitutionality of the duties outlined for the Arizona State Land Department.

[SB 1211 Mexican wolf; taking; reporting](#) (*Griffin*) Would have allowed the Arizona Department of Agriculture and livestock operators to take wolves if the wolf was engaged in the act of killing, wounding or biting livestock; if livestock guarding dogs take a wolf, when the dogs are used in the traditional manner to protect livestock; or the take was in self-defense or the defense of the lives of others, if the taking was reported within 24 hours to the United States Department of Agriculture. Required the Arizona Game and Fish Department to request full DNA profiles on wolves reintroduced in Arizona and produce a quarterly report of all incidences in which a wolf had harmed, killed or harassed livestock. Required notification to private landowners and permittees or lessees of federal lands located within the allotments where wolves are released or headed for release, at the time of the placement of the wolves in the area. In her [veto letter](#), Governor Brewer indicated she felt the issue was unnecessary and that it conflicted with federal law.

[SB 1483 county supervisors; population threshold; membership](#) (*Griffin*) Would have required a county with a three-member board of supervisors and a population between 150,000 and 175,000 persons to submit, at the next general election, a question of whether to expand the board of supervisors to five-members. If approved, the boards of supervisors would have been required to redistrict the county to five districts. At the next general election following the approval, the county would have elect five board members. The election would have been required to take place regardless if it was a normal election cycle for the county board. In her [veto letter](#), Governor Brewer indicated the measure was substantively identical to [HB 2420 membership; county supervisors; population threshold](#) (*Stevens*) which she had signed earlier, and so this measure was vetoed as being redundant.



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