

2016 Legislative Summary



County Supervisors
A S S O C I A T I O N
of arizona

A Review of Laws Affecting Arizona Counties
Enacted by the 52nd Legislature
Second Regular Session



2016 LEGISLATIVE SUMMARY
Review of County-Related Laws Enacted by the 2016 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 52nd Legislature.

The effective date for most new laws is August 6, 2016, 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 1247 bills introduced, and 388 of those bills were sent to Governor Ducey for consideration. He signed 374 of the bills into law, and vetoed 14.

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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2016 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.

2016 LEGISLATIVE POLICY COMMITTEE

Joe Shirley, Jr.	Apache County
Ann English	Cochise County
Mandy Metzger	Coconino County
Tommie Martin	Gila County
James Palmer	Graham County
David Gomez	Greenlee County
D. L. Wilson	La Paz County
Clint Hickman	Maricopa County
Gary Watson	Mohave County
Jason Whiting	Navajo County
Ray Carroll	Pima County
Cheryl Chase	Pinal County
Rudy Molera	Santa Cruz County
Tom Thurman	Yavapai County
Russell McCloud	Yuma County

CSA PROFESSIONAL STAFF

Craig A. Sullivan	Executive Director
Penny Adams	Director of Finance & County Services
Kristin Cipolla	Sr. Legislative Liaison
Daniel Romm	Sr. Legislative Liaison
Dan Bogert	Policy Analyst
Yvonne M. Ortega	Administrative & Special Projects

CSA LEGISLATIVE AGENDA

CSA LEGISLATIVE AGENDA

HB 2021 codes; adoption by reference; copies (*Stevens*) Replaces the requirement that three paper copies of a county's building codes be kept in the clerk of the board's office for inspection with the stipulation that a county keep either three paper copies, or one paper copy and make available an electronic copy of its codes. [Chapter 81, Laws 2016](#)

HB 2146 municipalities; property sale threshold; election (*Leach*) Eliminates Title 9, Chapter 2, Article 2, Arizona Revised Statutes, which provides for the disincorporation and reincorporation of a municipality. Provisions of this section have been found unconstitutional and could negatively impact Arizonans. Additionally, the bill increases the value threshold for municipal property whose sale is subject to voter approval from \$500,000 to \$1.5 million. [Chapter 62, Laws 2016](#)

HB 2373 regional transportation authority; membership; election (*Shope*) Amends statute to clarify that membership of a Regional Transportation Authority (RTA) consists of only members and a director from areas and municipalities located within the county establishing the RTA. [Chapter 295, Laws 2016](#)

HB 2430 NOW: counties; free library system (*Stevens*) Allows counties, without an established library district, to expend general fund monies on library services. [Chapter 255, Laws 2016](#)

HB 2541 NOW: primitive campgrounds; exemption; definition (*Finchem*) Allows counties the option of operating campgrounds and parks in primitive and remote areas of the state without providing the currently required infrastructure, including running water, sewage systems, and trash. [Chapter 200, Laws 2016](#)

HB 2561 sanitary district refunding bonds (*Campbell*) Allows sanitary districts to issue bonds for the purpose of refunding bonds previously issued if doing so will result in a net savings from lower interest rates. [Chapter 264, Laws 2016](#)

SB 1198 public library operation; thirdparty contracts (*Griffin*) Permits counties, without an established library district, to enter into various intergovernmental agreements (IGAs) or contracts to provide library services without the requirement that those IGAs and contracts be with an incorporated city or town. The bill gives counties the flexibility to contract with incorporated and unincorporated cities and towns, along with community colleges and school districts, for library services. [Chapter 337, Laws 2016](#)

SB 1308 juvenile charged as adult; detention (*Griffin*) Clarifies that judges have the option to detain pre-trial youth, charged with a non-dangerous offense, to be transferred to adult court in juvenile detention centers instead of held in county jails. [Chapter 314, Laws 2016](#)

COURTS AND CRIMINAL JUSTICE

HB 2001 unlawful distribution of private images (*Mesnard*) Makes changes to current law regarding the unlawful distribution of private images. The bill makes it unlawful for a person to intentionally disclose an image of another person who is identifiable from the image or information displayed in connection with the image if certain conditions apply. An emergency measure that became effective March 11, 2016. [Chapter 6E, Laws 2016](#)

HB 2023 delivery; early ballots; limitation (*Ugenti-Rita*) Makes it a Class 6 felony to knowingly collect early ballots from another individual. The bill does not apply to a family member, a household member, or a caregiver of the voter. [Chapter 5, Laws 2016](#)

HB 2144 genetic testing; informed consent (*Coleman*) Permits a person who is authorized to consent for a genetic test to release the results of said test. [Chapter 37, Laws 2016](#)

HB 2154 failure to appear; arrest; fingerprinting (*Borrelli*) Outlines specific criminal justice agencies responsible for taking a person's fingerprints and submitting the fingerprints to the Central State Repository for criminal history records. In the case of an indictment or complaint, the county sheriff is responsible for taking the fingerprints. Additionally, it requires the sheriff to obtain a process control number and provide proof of fingerprinting, including notice that the document must be presented in court. [Chapter 95, Laws 2016](#)

HB 2183 inmate body scans; contraband (*Shope*) Allows the Arizona Department of Corrections and county jails to perform low-dose, ionizing radiation body scans, in compliance with generally accepted health and safety standards, on inmates without an order from a licensed medical practitioner to prevent contraband from entering into a correctional facility. [Chapter 39, Laws 2016](#)

HB 2374 child prostitution; offense (*Farnsworth, E.*) Expands the offense of child prostitution to include knowingly providing a means for a minor to engage in prostitution and designates that violation as a Class 2 felony. [Chapter 7, Laws 2016](#)

HB 2376 victim restitution; stipulated amount; hearing (*Farnsworth, E.*) Stipulates that a victim has the right to present evidence or information and to make an argument to the court, personally or through counsel, at any proceeding to determine the amount of restitution. Includes a legislative intent clause that states, "It is the intent of the legislature to protect the rights of crime victims, including the right to receive prompt restitution from the person who is convicted of the criminal conduct that caused the victim's loss or injury." [Chapter 8, Laws 2016](#)

HB 2377 criminal sentencing; restoration of rights (*Farnsworth, E.*) Removes the penalty for aggravated assault for the taking of or attempting to gain control over a peace officer's firearm if the victim is under the age of 15, and standardizes language to align with current statute involving repetitive offender sentencing. [Chapter 43, Laws 2016](#)

HB 2383 NOW: public records; law enforcement (*Farnsworth, E.*) Stipulates that a petitioner must establish the public's interest in disclosure outweighs the witness's or victim's right to privacy in a special action brought under public records law, for the release of any record created or received by or in possession of a law enforcement or prosecution agency, that relates to a criminal investigation or prosecution, and that visually depicts the image of a witness under 18 years of age or a crime victim. A victim whose image is depicted in a record has the right to be present at and to be heard in any action brought for the release of the record. This requirement does not apply to any records transmitted between law enforcement and prosecution agencies, a court, a clerk of the court, or any provision of law that governs the discovery process of the conduct of trials. [Chapter 194, Laws 2016](#)

COURTS AND CRIMINAL JUSTICE

HB 2446 NOW: prohibited weapon; exclusions; definition (*Livingston*) Excludes specific firearms or devices that are possessed, manufactured or transferred in compliance with federal law from the definition of a prohibited weapon. [Chapter 297, Laws 2016](#)

HB 2451 release of prisoners; detainees; repeal (*Mitchell*) Repeals the law allowing the director of the Arizona Department of Corrections to release prisoners to the United States Immigration and Customs Enforcement custody after they have served 50 percent of their sentence. [Chapter 89, Laws 2016](#)

HB 2468 internet crimes against children; appropriation (*Boyer*) Appropriates \$1.8 million from the Internet Crimes Against Children (ICAC) Enforcement Fund to the Attorney General in FY 2016 for the purpose of entering into one or more intergovernmental agreements to continue the operation of the federally recognized ICAC Task Force. An emergency measure that became effective February 10, 2016. [Chapter 1E, Laws 2016](#)

HB 2539 sex offender registration; petition; termination (*Bowers*) Allows a sex offender who was convicted of sexual conduct with a minor ([A.R.S. § 13-1405](#)) to petition the court to terminate his or her duty to register if the offender was under 21 years, the victim was 15 years or older, and the act was consensual. This applies if the offender has completed a term of probation. [Chapter 105, Laws 2016](#)

SB 1018 aid; execution of process; injury (*Kavanagh*) Allows a person to refuse to assist a sheriff or other public officer in the execution of process if the person would be exposed to injury. [Chapter 139, Laws 2016](#)

SB 1047 county attorney; powers and duties (*Kavanagh*) Permits the county attorney to provide civil legal services to another county, other political subdivision, an officer, an employee, or agency of a political subdivision, at the request of that county's or political subdivision's elected or appointed general counsel. [Chapter 16, Laws 2016](#)

SB 1210 resource center fund; purposes (*Kavanagh*) Allows monies in the Arizona Criminal Justice Commission (ACJC) Fund to fund the Arizona Statistical Analysis Center. The ACJC created the Arizona Statistical Analysis Center to collect, analyze and report on the state of criminal justice issues in Arizona. The Arizona Statistical Analysis Center evaluates programs and policies of local, state and federal criminal justice agencies. The Arizona Statistical Analysis Center also shares information and data in regards to the criminal and juvenile justice systems in Arizona to policymakers, practitioners and the general public. [Chapter 24, Laws 2016](#)

SB 1211 victim compensation fund; allocations (*Kavanagh*) Removes the cap of 50 percent on the amount of victim assistance monies that can be distributed statewide to governmental agencies or public officers who are members of the Arizona Criminal Justice Commission. [Chapter 307, Laws 2016](#)

SB 1214 criminal trials; location (*Smith*) Provides that the trial for a criminal offense committed in transit may occur in any county through which the transit occurred. [Chapter 25, Laws 2016](#)

SB 1247 prisoners; community reentry; work program (*Smith*) Allows the Arizona Department of Corrections to establish a community reentry work program for prisoners who meet certain eligibility requirements. [Chapter 311, Laws 2016](#)

SB 1293 mediation; confidential communications; exception (*Driggs*) Permits court-appointed mediators to disclose specific information if they reasonably believe that a minor or vulnerable adult is the victim of abuse, physical injury, neglect, exploitation, or a reportable offense. [Chapter 338, Laws 2016](#)

[SB 1296 guardianship; proceedings; ward's relationships](#) (*Driggs*) Requires a guardian of a ward to permit contact between the ward and persons who have a significant relationship with the ward, unless there is reason to believe the contact would be detrimental to the ward. Establishes criteria for persons to petition to modify or suspend a contact order. [Chapter 270, Laws 2016](#)

[SB 1297 paternity; preliminary injunction](#) (*Driggs*) Requires the clerk of the court, in an action to establish legal decision-making and parenting time for a child born out of wedlock, to issue a preliminary injunction when a petitioner has filed specified documents. [Chapter 271, Laws 2016](#)

[SB 1298 probation; juvenile; adult](#) (*Driggs*) Modifies requirements for persons placed on probation, including expanding the conditions a juvenile placed on intensive probation may be subject to. Additionally, requires an adult offender on intensive probation to maintain employment or full-time student status, or a combination of both. Also, requires the court to provide a juvenile's ten-print fingerprints to the Department of Public Safety Arizona Automated Fingerprint Identification System if the juvenile is adjudicated for certain offenses. [Chapter 158, Laws 2016](#)

[SB 1308 juvenile charged as adult; detention](#) (*Griffin*) Clarifies that judges have the option to detain pre-trial youth, charged with a non-dangerous offense, to be transferred to adult court in juvenile detention centers instead of held in county jails. [Chapter 314, Laws 2016](#)

[SB 1323 vexatious litigants; workers' compensation](#) (*Yee*) States that vexatious litigants are prohibited from filing a new request for hearing, pleading or motion without prior leave of the administrative law judge. The bill allows an administrative law judge in a workers' compensation case to designate a pro se litigant (a vexatious litigant). This bill is designed to decrease burdensome court dockets. [Chapter 26, Laws 2016](#)

[SB 1487 state law; local violations; penalties](#) (*Biggs*) Allows the State Treasurer to withhold and redistribute state shared revenue from counties and cities that are found by the Attorney General (AG) to have violated state law. Any member of the legislature may file a complaint with the AG. If the AG concludes there may be a violation, the AG is required to file a special action in the Arizona Supreme Court to resolve the issue, and the court is required to give the action precedence over all other cases. The court must require the county or municipality to post a bond equal to the amount of state shared revenue paid to the county or municipality in the preceding six months. [Chapter 35, Laws 2016](#)

EDUCATION

[HB 2088 schools; assessments; surveys; informed consent](#) (*Finchem*) Requires written informed consent from a parent prior to the administration of surveys that investigate the attitudes, behaviors, beliefs, experiences, opinions or thoughts of a pupil or group of pupils. Originally, the bill would have impacted the ability of the Arizona Criminal Justice Commission to collect data for the Arizona Youth Survey, which is used by counties to apply for federal grants, but that component was removed late in the process. [Chapter 330, Laws 2016](#)

[HB 2234 schools; audits; county school superintendent](#) (*Boyer*) Requires a copy of statutorily mandated school district audits to be submitted to the county school superintendent of the county in which the school district is located. [Chapter 235, Laws 2016](#)

EDUCATION ELECTIONS

[HB 2288 constables; duties; training; discipline](#) (*Bowers*) Permits the Constables Ethics, Standards, and Training Board (CESTB) to place a constable on probation for up to 180 days, in 30-day increments. If a constable continues to be in non-compliance, the CESTB can recommend to a county board of supervisors (BOS) that the constable should be suspended, without pay, for up to the remainder of the constable's term. A BOS may accept or modify the recommendation from CESTB to suspend a constable without pay. Constables in counties with four or more constables are required to select a Presiding and Associate Presiding Constable by majority vote; however, counties are not required to pay any costs to support the Presiding or Associate Presiding Constable in the performance of their duties. [Chapter 252, Laws 2016](#)

[HB 2481 schools; primary property tax rates](#) (*Olson*) Restricts school district tax rates to the lesser of the Qualifying Tax Rate or a rate equal to the school district support level after standard subtractions. The 4 percent cap on the school district budget balance carryforward is eliminated. The county school superintendent is required to annually validate any additional primary school district tax levy requests. [Chapter 364, Laws 2016](#)

[HB 2518 NOW: regulatory exemption; school garden produce](#) (*Boyer*) Requires the Arizona Department of Health Services (DHS) to adopt rules to exempt from food safety regulations fruits and vegetables grown in a public school garden that are cut on-site for immediate consumption. Until DHS adopts this exemption rule, these fruits and vegetables are exempt from regulation. [Chapter 243, Laws 2016](#)

ELECTIONS

[HB 2015 publicity pamphlets; counties; municipalities](#) (*Stevens*) Stipulates that contracts for a publicity pamphlet, publication or mailing contain a penalty of one cent for each household with a registered voter for each day the mailing is late. The penalty is to be paid by the contractor to the office in charge of the election. [Chapter 60, Laws 2016](#)

[HB 2023 delivery; early ballots; limitation](#) (*Ugenti-Rita*) Makes it a Class 6 felony to knowingly collect early ballots from another individual. The bill does not apply to a family member, a household member, or a caregiver of the voter. [Chapter 5, Laws 2016](#)

[HB 2049 municipal; precinct office; online signatures](#) (*Stevens*) Requires the Arizona Secretary of State to develop a system for submitting nomination petition signatures online for county and municipal offices. [Chapter 82, Laws 2016](#)

[HB 2084 voter registration records; death records](#) (*Stevens*) Requires the Arizona Department of Health Services to annually provide the records of all deaths to the Secretary of State, regardless of age, for comparison against the Statewide Voter Registration Database. [Chapter 50, Laws 2016](#)

[HB 2297 political advertisements; contributors; disclosure](#) (*Mesnard*) Alters the disclosure requirement a political committee must make on campaign literature and advertisements. Additionally, the bill modifies [Chapter 79, Laws 2016](#), including establishing guidelines for the Arizona Secretary of State to charge fees for jurisdictions that opt into its filing system. There will be no fees charged to counties through December 2018. [Chapter 347, Laws 2016](#)

SB 1516 campaign finance amendments (*Driggs*) Rewrites, repeals, and modifies Arizona's campaign finance statutes. The legislation also requires county election departments to provide the option for electronic filing and to make all statements and reports publicly available on the internet. Counties that choose not to create their own online platform may opt into the Arizona Secretary of State's electronic filing system and pay a fee. That fee is determined by the Arizona Secretary of State. Contains a delayed effective date of January 1, 2017. [Chapter 79, Laws 2016](#)

GENERAL GOVERNMENT

HB 2013 information technology; transfer; title 18 (*Stevens*) Transfers and renumbers all of the information technology related statutes in Title 18 of the Arizona Revised Statutes. [Chapter 80, Laws 2016](#)

HB 2021 codes; adoption by reference; copies (*Stevens*) Replaces the requirement that three paper copies of a county's building codes be kept in the clerk of the board's office for inspection with the stipulation that a county keep either three paper copies, or one paper copy and make available an electronic copy of its codes. [Chapter 81, Laws 2016](#)

HB 2076 annexation; single property owner; exception (*Weninger*) Allows for annexations to take place when a property owner and a municipality both agree to the annexation. Additionally, the bill alters the length and width requirements for an annexation. [Chapter 93, Laws 2016](#)

HB 2088 schools; assessments; surveys; informed consent (*Finchem*) Requires written informed consent from a parent prior to the administration of surveys that investigate the attitudes, behaviors, beliefs, experiences, opinions or thoughts of a pupil or group of pupils. Originally, the bill would have impacted the ability of Arizona Criminal Justice Commission to collect data for the Arizona Youth Survey, which is used by counties to apply for federal grants, but that component was removed late in the process. [Chapter 330, Laws 2016](#)

HB 2125 district boundary modifications; parcel lines (*Shope*) Allows county assessors to modify certain special taxing district boundaries for a parcel, when two or more special taxing districts of the same type split a parcel, so that the entire parcel sits within just one special taxing jurisdiction. [Chapter 179, Laws 2016](#)

HB 2130 municipalities; counties; energy use; reporting (*Petersen*) Prohibits counties and municipalities from requiring businesses to report their energy usage. A similar bill was passed last year that included additional provisions restricting counties and municipalities from prohibiting businesses from using auxiliary containers such as plastic bags; however, the bill was reintroduced this year to resolve a lawsuit pertaining to Arizona's single subject rule. [Chapter 27, Laws 2016](#)

HB 2131 municipalities; counties; auxiliary containers; prohibitions (*Petersen*) Prevents counties and municipalities from prohibiting businesses from using auxiliary containers such as plastic shopping bags. A similar bill was passed last year which included additional provisions that prohibited counties and municipalities from requiring businesses to report their energy usage. This bill was introduced in its current form to resolve a lawsuit pertaining to Arizona's single subject rule. [Chapter 28, Laws 2016](#)

GENERAL GOVERNMENT

[HB 2146 municipalities; property sale threshold; election](#) (*Leach*) Eliminates Title 9, Chapter 2, Article 2, Arizona Revised Statutes, which provides for the disincorporation and reincorporation of a municipality. Provisions of this section have been found unconstitutional and could negatively impact Arizonans. Additionally, the bill increases the value threshold for municipal property whose sale is subject to voter approval from \$500,000 to \$1.5 million. [Chapter 62, Laws 2016](#)

[HB 2165 peace officer memorial board; members](#) (*Borrelli*) Allows various members of the Arizona Peace Officers Memorial Board to utilize a designee, including the county sheriff. [Chapter 64, Laws 2016](#)

[HB 2191 NOW: employee scheduling; preemption](#) (*Finchem*) Restricts counties and municipalities from adopting regulations of any kind that require an adjustment to an employee's schedule. The bill states that the regulation of employee scheduling is a matter of statewide concern and not subject to further regulation by any county or municipality. This legislation does not affect a county's or municipality's ability to alter its own employee schedules. [Chapter 233, Laws 2016](#)

[HB 2197 fire districts; merger; consolidation](#) (*Coleman*) Modifies the cap on the amount of Fire District Assistance Tax (FDAT) a fire district may receive to allow for consolidation or merging of fire districts to continue to receive the sum of the average FDAT monies received by each of the consolidating or merging districts in the immediately preceding five fiscal years, instead of the current \$400,000 cap. [Chapter 183, Laws 2016](#)

[HB 2198 NOW: vacancies; fire districts; board operations](#) (*Coleman*) Requires a quorum of the original board size in order to fill a vacancy on a fire district board. If a quorum does not exist to make an appointment, the county board of supervisors must either appoint interim board members to fill the vacancies or appoint an administrator to oversee the district until the next election. [Chapter 97, Laws 2016](#)

[HB 2224 private firearm transactions; prohibited encumbrances](#) (*Lawrence*) Prohibits the state or any political subdivision, including counties, from charging a fee, tax, assessment, lien, or other encumbrance on the transfer of a firearm between two private parties who are not prohibited possessors under state or federal law. [Chapter 84, Laws 2016](#)

[HB 2234 schools; audits; county school superintendent](#) (*Boyer*) Requires a copy of statutorily mandated school district audits to be submitted to the county school superintendent of the county in which the school district is located. [Chapter 235, Laws 2016](#)

[HB 2240 workers' compensation; modifications](#) (*Fann*) Prescribes the rate of interest on the payment of workers' compensation benefits. Any interested party in a workers' compensation hearing is entitled to a change of an administrative law judge as a matter of right. [Chapter 186, Laws 2016](#)

[HB 2247 county merit system; terms; hearings](#) (*Gray*) Permits a county board of supervisors to appoint a member of the County Employee Merit System Commission to a five-year term, provided the member is also serving on the County Merit System Council for Law Enforcement Officers. [Chapter 41, Laws 2016](#)

[HB 2251 commercial motor vehicles](#) (*Gray*) Changes the single axel load limit for an over-the-road bus and modifies the disqualification standards for commercial driver license holders. An over-the-road bus is exempt from the 20,000 pound single axel load limit, provided the vehicle does not exceed 24,000 pounds. [Chapter 52, Laws 2016](#)

[HB 2255 service animals; licensing; fee waiver](#) (*Brophy McGee*) Prohibits counties and municipalities from charging individuals who train service animals a license fee for the animal. [Chapter 99, Laws 2016](#)

[HB 2268 construction contracts; bonds; notice requirements](#) (*Fann*) Clarifies the preliminary 20-day notice to the prime contractor by the subcontractors and material suppliers may be sent by first class mail with certificate of mailing. Allows a 90-day notice to be given by any means that provides written verification of delivery. [Chapter 237, Laws 2016](#)

[HB 2308 special health care districts; treasurer](#) (*Cobb*) Repeals the authority of a special health care district to appoint their own treasurer and transfers those responsibilities back to the county treasurer. [Chapter 88, Laws 2016](#)

[HB 2373 regional transportation authority; membership; election](#) (*Shope*) Amends statute to clarify that membership of a Regional Transportation Authority (RTA) consists of only members and a director from areas and municipalities located within the county establishing the RTA. [Chapter 295, Laws 2016](#)

[HB 2383 NOW: public records; law enforcement](#) (*Farnsworth, E.*) Stipulates that a petitioner must establish the public's interest in disclosure outweighs the witness's or victim's right to privacy in a special action brought under public records law, for the release of any record created or received by or in possession of a law enforcement or prosecution agency, that relates to a criminal investigation or prosecution, and that visually depicts the image of a witness under 18 years of age or a crime victim. A victim whose image is depicted in a record has the right to be present at and to be heard in any action brought for the release of the record. This requirement does not apply to any records transmitted between law enforcement and prosecution agencies, a court, a clerk of the court, or any provision of law that governs the discovery process of the conduct of trials. [Chapter 194, Laws 2016](#)

[HB 2430 NOW: counties; free library system](#) (*Stevens*) Allows counties, without an established library district, to expend general fund monies on library services. [Chapter 255, Laws 2016](#)

[HB 2450 expedited rulemaking; outdated rules](#) (*Mitchell*) Allows a state agency to conduct expedited rulemaking to amend or repeal rules that are outdated, redundant or otherwise no longer necessary for the operation of state government. [Chapter 198, Laws 2016](#)

[HB 2481 schools; primary property tax rates](#) (*Olson*) Restricts school district tax rates to the lesser of the Qualifying Tax Rate or a rate equal to the school district support level after standard subtractions. The 4 percent cap on the school district budget balance carryforward is eliminated. The county school superintendent is required to annually validate any additional primary school district tax levy requests. [Chapter 364, Laws 2016](#)

[HB 2483 municipal population estimates; use](#) (*Olson*) Allows counties and municipalities to update their population figures annually, using U.S. Census Bureau's estimates instead of having to conduct a mid-decade census or wait for their decennial census number. [Chapter 258, Laws 2016](#)

[HB 2497 NOW: equipment; permits; local government](#) (*Mitchell*) Requires counties and municipalities to allow telecommunications providers to install permitted microcell equipment on existing infrastructure. Counties, along with cities and towns, are prohibited from charging a recurring fee for microcell equipment. [Chapter 260, Laws 2016](#)

[HB 2541 NOW: primitive campgrounds; exemption; definition](#) (*Finchem*) Allows counties the option of operating campgrounds and parks in primitive and remote areas of the state without providing the currently required infrastructure, including running water, sewage systems, and trash. [Chapter 200, Laws 2016](#)

GENERAL GOVERNMENT

[HB 2561 sanitary district refunding bonds](#) (*Campbell*) Allows sanitary districts to issue bonds for the purpose of refunding bonds previously issued if doing so will result in a net savings from lower interest rates. [Chapter 264, Laws 2016](#)

[HB 2579 nonwage compensation; minimum wage](#) (*Mesnard*) Prohibits counties and municipalities from regulating nonwage compensation. [Chapter 203, Laws 2016](#)

[HB 2617 Israel; boycotts; contracts; investments](#) (*Gowan*) Prohibits a public entity (including counties) from entering into a contract with a company unless the contract includes a written certification that the company is not currently boycotting Israel and agrees to not boycott Israel for the duration of the contract. A public entity is also prohibited from adopting a procurement, investment or other policy that induces or requires a person or any company to boycott Israel. The State Treasurer and retirement systems are required to prepare a list of companies that boycott Israel and provide a copy of the list on request. The State Treasurer and each retirement system are required to sell, redeem, divest or withdraw all direct holdings of any company that is on that list within three months after preparing the list. [Chapter 46, Laws 2016](#)

[HB 2666 governor's economic opportunity office; consolidation](#) (*Fann*) Establishes the Governor's Economic Opportunity Office (GEOO) with the stated purpose to monitor the state's tax competitiveness, support the implementation of the Workforce Innovation and Opportunity Act (WIOA), monitor and evaluate state incentive programs, develop data-informed policy and regulatory reform recommendations, and provide support to the ACA, AZ-Mexico Commission, and Office of Tourism. The measure further outlines the responsibilities of GEOO and the consolidation of functions under GEOO, to include:

- GEOO will serve as the state's workforce planning coordinator.
- GEOO will absorb:
 - The preparation of economic, small business and consumer impact statements to be considered by the Governor's Regulatory Review Commission (GRRC), currently performed by the Governor's Office of Strategic Planning and Budget (OSPB).
 - The office of employment and population statistics.
- The Workforce Data Task Force is established to share vital workforce data among several agencies, including: GEOO, the Arizona Department of Economic Security (DES), the Arizona Department of Education (ADE), the Arizona Board of Regents (ABOR), and community colleges.
- Requires 25 percent of Arizona Competes appropriations be used for grants to businesses not located in Maricopa County with preference given to counties along the Mexico border or with a military base.
- Requires 30 percent of Arizona Competes appropriations be used for supporting rural business, small business and business developments.
- Establishes the Arizona Finance Authority (AFA):
 - Consolidates the Water Infrastructure Finance Authority (WIFA) and the Greater Arizona Development Authority (GADA) under the AFA.
 - Transfers from the ACA the responsibility to allocate private activity bonding.
 - Changes the statutory percentage of private activity bonding designated for various projects.
 - Requires the AFA to establish the WIFA advisory board.
- Establishes the Arizona Industrial Authority under the AFA.
 - Transfers the Arizona health facilities authority and the Arizona housing financing authority to the Arizona International Development Authority.

[Chapter 372, Laws 2016](#)

HCR 2048 death resolution; Honorable Jack Brown (*McCune Davis*) Honors the legacy of an incredible statesman, former state legislator Jack Brown. A lifelong resident of St. Johns, he served in both chambers of the legislature for more than 40 years, beginning in the 1960s and retiring in 2009. Outside the legislature, he was a realtor, rancher, farmer, and devoted family man. ([Transmitted to the Secretary of State](#))

SB 1047 county attorney; powers and duties (*Kavanagh*) Permits the county attorney to provide civil legal services to another county, other political subdivision, an officer, an employee, or agency of a political subdivision, at the request of that county's or political subdivision's elected or appointed general counsel. [Chapter 16, Laws 2016](#)

SB 1089 county property; wireless communication facilities (*Kavanagh*) Allows a county to purchase, own, lease, or hold real property outside of its boundaries for the purposes of developing, operating, and maintaining wireless communication facilities. [Chapter 18, Laws 2016](#)

SB 1157 small property tax balance delinquency (*Burges*) Changes the delinquency date for property taxes from November 1 to December 1 if the total amount of taxes due is \$100 or less. [Chapter 144, Laws 2016](#)

SB 1189 department of forestry (*Griffin*) Establishes the Arizona Department of Forestry and Fire Management to provide resources for land management and the prevention and suppression of wildfires on state land and private property outside of Arizona's municipalities. The State Forester is responsible for the direction, operation and control of the agency. The agency has a sunset date of July 1, 2024. [Chapter 145, Laws 2016](#)

SB 1198 public library operation; thirdparty contracts (*Griffin*) Permits counties, without an established library district, to enter into various intergovernmental agreements (IGAs) or contracts to provide library services without the requirement that those IGAs and contracts be with an incorporated city or town. The bill gives counties the flexibility to contract with incorporated and unincorporated cities and towns, along with community colleges and school districts, for library services. [Chapter 337, Laws 2016](#)

SB 1235 consideration of property rights; zoning (*Farnsworth, D.*) Requires counties and cities to consider individual property rights and personal liberties (in accordance with Article II, Section 1 and 2, of the Arizona Constitution) of the residents within the jurisdiction before adopting any zoning ordinances. [Chapter 111, Laws 2016](#)

SB 1241 photo radar prohibition; state highways (*Lesko*) Prohibits the state or local authority from using a photo enforcement system on a state highway. [Chapter 55, Laws 2016](#)

SB 1243 Mexican wolf; G&F approval; reporting (*Griffin*) Requires the Arizona Game and Fish Commission to enter into a memorandum of understanding with the U.S. Fish and Wildlife Service regarding Mexican gray wolves, and specifies the release, translocation or cross-fostering of wolves may not occur within three miles of state trust or private land or without a DNA profile on each wolf. [Chapter 152, Laws 2016](#)

SB 1244 fire districts; wildland fires; budgets (*Allen, S.*) Authorizes a maximum of \$10 million annually from the "rainy day fund" to be used to reimburse fire districts and departments that have a valid claim for federal reimbursement for fire services. Once the federal government issues a reimbursement, the monies shall be paid back to the "rainy day fund." Fire districts may ask their voters for a five-year, temporary budget override in November of 2016 or 2017. If approved, the district(s) may annually levy an amount that exceeds the \$3.25 rate cap, provided the new rate is not more than \$3.50. This measure also includes the same provisions as HB 2197 related to Fire District Assistance Tax (FDAT) monies for consolidated or merged fire districts. [Chapter 219, Laws 2016](#)

GENERAL GOVERNMENT

SB 1248 NOW: pet store operators; dealers; regulations (*Shooter*) Requires pet shops to disclose and provide the identity of each animal's breeder to prospective buyers; animals must come from licensed breeders in good standing with federal regulators, using United States Department of Agriculture standards. The bill establishes penalties for pet store owners that sell animals from unregulated "puppy mills." Additionally, counties and municipalities are prohibited from regulating puppy mills. The bill establishes a nine-member dog and cat breeder study committee. [Chapter 351, Laws 2016](#)

SB 1255 vehicle emissions inspection program; continuation (*Pierce*) Continues the Vehicle Emissions Inspection Program for six years until July 1, 2022. [Chapter 34, Laws 2016](#)

SB 1266 firearms; state preemption; penalties (*Smith*) Declares invalid any rule, ordinance, tax or regulation enacted by a political subdivision, including counties, in violation of the firearms preemption statute and establishes penalties for violations. Allows any individual or group to sue local officials if they believe a violation is occurring. [Chapter 132, Laws 2016](#)

SB 1322 community colleges; expenditure limitation (*Allen, S.*) Excludes various revenues from community college expenditure limits and allows the community college district board of directors, by a two-thirds vote, to refer to the voters a change in the base limit used to determine the district's expenditure limit. Additionally, the bill prescribes a formula for calculating Full Time Student Equivalents (FTSE) for expenditure limit purposes and allows community colleges to submit one of three FTSE estimate calculations to the Economic Estimates Commission. [Chapter 58, Laws 2016](#)

SB 1348 county treasurer; warrants; electronic transfers (*Burges*) Adds electronic funds transfer as a definition of a warrant for payments from the county treasury. Allows a county treasurer to invest in a warrant, substitute check, or electronic funds transfer if there are insufficient funds in the issuer's account. [Chapter 340, Laws 2016](#)

SB 1350 NOW: online lodging; administration; definitions (*Lesko*) Requires online firms, instead of homeowners, who specialize in renting out rooms or homes, to collect local taxes and then forward them to the Arizona Department of Revenue which will then send them to the affected jurisdictions. The legislation stipulates that counties, cities, and towns cannot prohibit or restrict short term rentals simply because the property is not classified as a hotel. The bill includes some protections to allow counties and municipalities the ability to protect public health and safety (regulate sex offenders, the sale of illegal drugs, adult oriented businesses, etc.). [Chapter 208, Laws 2016](#)

SB 1398 fuel taxes; streets and highways (*Griffin*) Requires counties to publish a financial report by December 31 of each year, outlining the budgeted and actual expenditures of motor vehicle fuel and use fuel taxes. [Chapter 163, Laws 2016](#)

SB 1432 NOW: conservation easements; tax classification; registry (*Griffin*) Establishes Class 2 (C) as a new subclassification under Class 2 property, consisting of property burdened by a conservation easement, and sets the assessment ratio for Class 2 (C) at 15 percent. The county assessor is required to maintain a digital registry of each parcel of Class 2 (C) property and must periodically verify the status of those properties. These provisions do not become effective until January 1, 2017. [Chapter 168, Laws 2016](#)

SB 1449 NOW: prohibited operations; unmanned aircraft (*Kavanagh*) Prohibits county or city governments from regulating drones. [Chapter 170, Laws 2016](#)

[SB 1459 water improvements program; grants; county](#) (*Griffin*) Allows a county board of supervisors to establish a program that offers financial assistance to low- and fixed income homeowners for making improvements to an existing drinking water well or providing a water delivery system for the residence. [Chapter 227, Laws 2016](#)

[SB 1487 state law; local violations; penalties](#) (*Biggs*) Allows the State Treasurer to withhold and redistribute state shared revenue from counties and cities that are found by the Attorney General (AG) to have violated state law. Any member of the legislature may file a complaint with the AG. If the AG concludes there may be a violation, the AG is required to file a special action in the Arizona Supreme Court to resolve the issue, and the court is required to give the action precedence over all other cases. The court must require the county or municipality to post a bond equal to the amount of state shared revenue paid to the county or municipality in the preceding six months. [Chapter 35, Laws 2016](#)

[SB 1521 NOW: officers; employees; payroll deductions; appeals](#) (*Smith*) Permits state law enforcement officers to authorize payroll salary deductions to be made from their salaries or wages for the payment of dues in a recognized association. The legislation also requires a law enforcement officer to be awarded retroactive compensation after prevailing in a termination appeal. [Chapter 318, Laws 2016](#)

[SB 1523 truth in taxation; levy increases](#) (*Smith*) Requires a unanimous roll call vote of the governing body for a political subdivision to increase their primary property tax levy 15 percent or more over the previous year's levy, excluding new construction. [Chapter 173, Laws 2016](#)

[SB 1524 regulatory actions; limitation](#) (*Smith*) Unless specifically authorized by federal, state, or local law, a county, municipality, or state agency is prohibited from taking any action that increases the regulatory burden on a business unless there is a threat to health, safety or welfare of the public that has not been addressed by legislation or industry regulation within the proposed regulated field. Additionally, a county or municipality is prohibited from applying any regulation to a qualified marketplace platform if the purpose of that regulation is to regulate a business that provides goods or services directly to the customer. [Chapter 209, Laws 2016](#)

HEALTH AND HUMAN SERVICES

[HB 2059 DCS information; governor access](#) (*Townsend*) Authorizes the Arizona Department of Child Safety to share information with the Governor if it is necessary to perform official duties, and prohibits the Governor from disclosing information with certain exceptions. [Chapter 61, Laws 2016](#)

[HB 2107 NOW: structured sober living homes](#) (*Campbell*) Permits counties, along with cities and towns, to adopt an ordinance establishing health and safety standards and enforcement mechanisms for structured sober living homes. A structured sober living home may be excluded from the adopted standards if the home is already subject to oversight by another governmental entity or contractor. [Chapter 287, Laws 2016](#)

[HB 2144 genetic testing; informed consent](#) (*Coleman*) Permits a person who is authorized to consent for a genetic test to release the results of said test. [Chapter 37, Laws 2016](#)

[HB 2191 NOW: employee scheduling; preemption](#) (*Finchem*) Restricts counties and municipalities from adopting regulations of any kind that require an adjustment to an employee's schedule. The bill states that the regulation of employee scheduling is a matter of statewide concern and not subject to further regulation by any county or municipality. This legislation does not affect a county's or municipality's ability to alter its own employee schedules. [Chapter 233, Laws 2016](#)

HEALTH AND HUMAN SERVICES

[HB 2255 service animals; licensing; fee waiver](#) (*Brophy McGee*) Prohibits counties and municipalities from charging individuals who train service animals a license fee for the animal. [Chapter 99, Laws 2016](#)

[HB 2270 NOW: backlog cases; private contractors; DCS](#) (*Allen, J.*) Requires the Arizona Department of Child Safety (DCS) to enter into one or more contracts with one or more private contractors to work cooperatively with DCS to administer backlog cases. [Chapter 291, Laws 2016](#)

[HB 2308 special health care districts; treasurer](#) (*Cobb*) Repeals the authority of a special health care district to appoint their own treasurer and transfers those responsibilities back to the county treasurer. [Chapter 88, Laws 2016](#)

[HB 2341 potlucks; regulation exemption](#) (*Townsend*) Exempts all potlucks from inspections and licensing through the Arizona Department of Health Services. Under current law, only office potlucks are exempt from the health requirements. [Chapter 54, Laws 2016](#)

[HB 2350 NOW: traumatic events counseling](#) (*Finchem*) Requires the state and political subdivisions, including counties, to establish a program to provide up to 12 visits of counseling treatment for public safety employees who experience a traumatic event, including:

- witnessing the death or maiming of a human being or the immediate aftermath of such an event;
- responding to or being directly involved in a criminal investigation of certain dangerous crimes against children who are under 15 years of age;
- requiring rescue in the line of duty where one's life was endangered;
- in the case of a police officer, the use of deadly force or subjection to deadly force in the line of duty, regardless of whether any injuries were sustained; or
- in the case of a firefighter, witnessing the death of another firefighter in the line of duty.

Treatment must be provided by a licensed psychologist, or a therapist, with training and expertise in treating trauma. Services can be provided through telemedicine. Payment for treatment under the act does not create a presumption of compensability for a mental illness, injury or condition under the workers' compensation program. [Chapter 240, Laws 2016](#)

[HB 2427 child removal; uniform criteria](#) (*Townsend*) Requires the Arizona Department of Child Safety to apply its rules, policies, safety and risk assessment tools uniformly across Arizona. [Chapter 103, Laws 2016](#)

[HB 2442 behavioral health; urgent need; children](#) (*Farnsworth, E.*) Establishes deadlines for a Regional Behavioral Health Authority to provide behavioral health services to foster and adoptive children, and outlines remedies for failure to meet those deadlines. The bill adds additional protections for foster parents from charges or child removal related to the child's behavioral health needs. An emergency measure that became effective March 24, 2016. [Chapter 71E, Laws 2016](#)

[HB 2518 NOW: regulatory exemption; school garden produce](#) (*Boyer*) Requires the Arizona Department of Health Services (DHS) to adopt rules to exempt from food safety regulations fruits and vegetables grown in a public school garden that are cut on-site for immediate consumption. Until DHS adopts this exemption rule, these fruits and vegetables are exempt from regulation. [Chapter 243, Laws 2016](#)

SB 1104 medical examiner; jurisdiction; death reporting (*Barto*) Revises the conditions in which the death of a person is required to be reported to a peace officer as follows:

- If the death occurs in any custodial agency, rather than a prison.
- If there is an unexpected or unexplained death of a child.
- If the death arises from an accident allegedly related to the person's job.
- If the death is suspected to be caused by an unreported or undiagnosed disease that is considered to be a threat to public safety.

Also, specifies that the county medical examiner or alternative medical examiner can claim jurisdiction of a body, assess the circumstances, and determine if an autopsy is required. [Chapter 19, Laws 2016](#)

SB 1163 underground facility; damage; notice (*Kavanagh*) Requires a person who is responsible for excavation operations to notify the underground facility operator and 911, or the local emergency response agency, in the event of an incident resulting in damage that causes the release of natural gas, liquefied petroleum gas, liquefied natural gas, petroleum products, or other hazardous gases or liquids. [Chapter 23, Laws 2016](#)

SB 1169 mental health power of attorney (*Barto*) Makes various changes to the provisions related to a mental health care power of attorney. Provisions include clarification that a health care directive may not be revoked when the principal has been found to be incapable. [Chapter 268, Laws 2016](#)

SB 1248 NOW: pet store operators; dealers; regulations (*Shooter*) Requires pet shops to disclose and provide the identity of each animal's breeder to prospective buyers; animals must come from licensed breeders in good standing with federal regulators, using United States Department of Agriculture standards. The bill establishes penalties for pet store owners that sell animals from unregulated "puppy mills." Additionally, counties and municipalities are prohibited from regulating puppy mills. The bill establishes a nine-member dog and cat breeder study committee. [Chapter 351, Laws 2016](#)

SB 1255 vehicle emissions inspection program; continuation (*Pierce*) Continues the Vehicle Emissions Inspection Program for six years until July 1, 2022. [Chapter 34, Laws 2016](#)

SB 1293 mediation; confidential communications; exception (*Driggs*) Permits court-appointed mediators to disclose specific information if they reasonably believe that a minor or vulnerable adult is the victim of abuse, physical injury, neglect, exploitation, or a reportable offense. [Chapter 338, Laws 2016](#)

SB 1296 guardianship; proceedings; ward's relationships (*Driggs*) Requires a guardian of a ward to permit contact between the ward and persons who have a significant relationship with the ward, unless there is reason to believe the contact would be detrimental to the ward. Establishes criteria for persons to petition to modify or suspend a contact order. [Chapter 270, Laws 2016](#)

SB 1350 NOW: online lodging; administration; definitions (*Lesko*) Requires online firms, instead of homeowners, who specialize in renting out rooms or homes, to collect local taxes and then forward them to the Arizona Department of Revenue which will then send them to the affected jurisdictions. The legislation stipulates that counties, cities, and towns cannot prohibit or restrict short term rentals simply because the property is not classified as a hotel. The bill includes some protections to allow counties and municipalities the ability to protect public health and safety (regulate sex offenders, the sale of illegal drugs, adult oriented businesses, etc.). [Chapter 208, Laws 2016](#)

SB 1382 NOW: service animals; regulation; rights; definitions (*Burges*) Modifies statutes relating to service animals in a public place, including stipulating that it is not discriminatory to exclude a service animal from a public place if the animal is out of control or not housebroken. Also, requires a service animal to be under the control of the service animal's handler and permits the public accommodation to ask an individual what work or task the service animal has been trained to perform. [Chapter 162, Laws 2016](#)

SB 1459 water improvements program; grants; county (*Griffin*) Allows a county board of supervisors to establish a program that offers financial assistance to low- and fixed income homeowners for making improvements to an existing drinking water well or providing a water delivery system for the residence. [Chapter 227, Laws 2016](#)

SB 1524 regulatory actions; limitation (*Smith*) Unless specifically authorized by federal, state, or local law, a county, municipality, or state agency is prohibited from taking any action that increases the regulatory burden on a business unless there is a threat to health, safety or welfare of the public that has not been addressed by legislation or industry regulation within the proposed regulated field. Additionally, a county or municipality is prohibited from applying any regulation to a qualified marketplace platform if the purpose of that regulation is to regulate a business that provides goods or services directly to the customer. [Chapter 209, Laws 2016](#)

PLANNING & ZONING AND LAND USE

HB 2032 speed limits; local authority (*Borrelli*) Permits a local authority to adjust the maximum speed limit on streets adjacent to or surrounding school grounds or public parks. [Chapter 175, Laws 2016](#)

HB 2076 annexation; single property owner; exception (*Weninger*) Allows for annexations to take place when a property owner and a municipality both agree to the annexation. Additionally, the bill alters the length and width requirements for an annexation. [Chapter 93, Laws 2016](#)

HB 2125 district boundary modifications; parcel lines (*Shope*) Allows county assessors to modify certain special taxing district boundaries for a parcel, when two or more special taxing districts of the same type split a parcel, so that the entire parcel sits within just one special taxing jurisdiction. [Chapter 179, Laws 2016](#)

HB 2130 municipalities; counties; energy use; reporting (*Petersen*) Prohibits counties and municipalities from requiring businesses to report their energy usage. A similar bill was passed last year that included additional provisions restricting counties and municipalities from prohibiting businesses from using auxiliary containers such as plastic bags; however, the bill was reintroduced this year to resolve a lawsuit pertaining to Arizona's single subject rule. [Chapter 27, Laws 2016](#)

HB 2474 NOW: mobile homes; county floodplain regulations (*Ackerley*) Seeks to reduce the county flood control district board regulations for mobile homes, specifically those installed to replace older mobile homes located in a floodplain since August 3, 1984, in a town with fewer than 5,000 persons, and located in a county with a population of fewer than 50,000 persons. This will only apply to towns that have their own flood control district and opt into the lower regulations. This is similar to legislation introduced last year, but this version is limited to towns with fewer than 5,000 persons, located in a county with a population of fewer than 50,000 persons. Last year, concerns were raised about impacting access to flood insurance. [Chapter 257, Laws 2016](#)

HB 2497 NOW: equipment; permits; local government (*Mitchell*) Requires counties and municipalities to allow telecommunications providers to install permitted microcell equipment on existing infrastructure. Counties along with cities and towns, are prohibited from charging a recurring fee for microcell equipment. [Chapter 260, Laws 2016](#)

HB 2541 NOW: primitive campgrounds; exemption; definition (*Finchem*) Allows counties the option of operating campgrounds and parks in primitive and remote areas of the state without providing the currently required infrastructure, including running water, sewage systems, and trash. [Chapter 200, Laws 2016](#)

HB 2613 regulatory boards; licensing revisions (*Petersen*) Removes several occupational license requirements and makes numerous changes to licensing rules, including requirements for state geologists. [Chapter 371, Laws 2016](#)

HB 2622 water; improvement districts; tax limit (*Barton*) Stipulates that the governing body of a domestic water or wastewater improvement district that levies taxes based on square footage of property is permitted to adopt a resolution to limit the taxes collected from any single parcel of real property. [Chapter 244, Laws 2016](#)

SB 1089 county property; wireless communication facilities (*Kavanagh*) Allows a county to purchase, own, lease, or hold real property outside of its boundaries for the purposes of developing, operating, and maintaining wireless communication facilities. [Chapter 18, Laws 2016](#)

SB 1163 underground facility; damage; notice (*Kavanagh*) Requires a person who is responsible for excavation operations to notify the underground facility operator and 911, or the local emergency response agency, in the event of an incident resulting in damage that causes the release of natural gas, liquefied petroleum gas, liquefied natural gas, petroleum products, or other hazardous gases or liquids. [Chapter 23, Laws 2016](#)

SB 1235 consideration of property rights; zoning (*Farnsworth, D.*) Requires counties and cities to consider individual property rights and personal liberties (in accordance with Article II, Section 1 and 2, of the Arizona Constitution) of the residents within the jurisdiction before adopting any zoning ordinances. [Chapter 111, Laws 2016](#)

SB 1306 county development fees (*Griffin*) Modifies the development fees counties can charge to offset capital costs. The legislation creates uniformity between counties and cities with regards to these fees. Includes a five-year grace period allowing counties that collect development fees to use their current fee structure. Only three counties in Arizona have impact fees (Pima, Pinal, and Yavapai). [Chapter 326, Laws 2016](#)

SB 1350 NOW: online lodging; administration; definitions (*Lesko*) Requires online firms, instead of homeowners, who specialize in renting out rooms or homes, to collect local taxes and then forward them to the Arizona Department of Revenue which will then send them to the affected jurisdictions. The legislation stipulates that counties, cities, and towns cannot prohibit or restrict short term rentals simply because the property is not classified as a hotel. The bill includes some protections to allow counties and municipalities the ability to protect public health and safety (regulate sex offenders, the sale of illegal drugs, adult oriented businesses, etc.). [Chapter 208, Laws 2016](#)

SB 1432 NOW: conservation easements; tax classification; registry (*Griffin*) Establishes Class 2 (C) as a new subclassification under Class 2 property, consisting of property burdened by a conservation easement and sets the assessment ratio for Class 2 (C) at 15 percent. The county assessor is required to maintain a digital registry of each parcel of Class 2 (C) property and must periodically verify the status of those properties. These provisions do not become effective until January 1, 2017. [Chapter 168, Laws 2016](#)

[SB 1459 water improvements program; grants; county](#) (*Griffin*) Allows a county board of supervisors to establish a program that offers financial assistance to low- and fixed income homeowners for making improvements to an existing drinking water well or providing a water delivery system for the residence. [Chapter 227, Laws 2016](#)

[SB 1504 drop box; private property; consent](#) (*Kavanagh*) Stipulates that donation bin operators must receive signed and notarized permission from the property owner or their designated agent before placing a bin for operation. All donation bins must clearly and conspicuously display the name and contact information for its owner. If the donation bin is placed without proper authorization, the property owner or manager may have it removed and they are not liable for any losses associated with the disposal of its contents. [Chapter 59, Laws 2016](#)

[SB 1524 regulatory actions; limitation](#) (*Smith*) Unless specifically authorized by federal, state, or local law, a county, municipality, or state agency is prohibited from taking any action that increases the regulatory burden on a business unless there is a threat to health, safety or welfare of the public that has not been addressed by legislation or industry regulation within the proposed regulated field. Additionally, a county or municipality is prohibited from applying any regulation to a qualified marketplace platform if the purpose of that regulation is to regulate a business that provides goods or services directly to the customer. [Chapter 209, Laws 2016](#)

PUBLIC PERSONNEL AND RETIREMENT

[HB 2019 credited service; military service purchase](#) (*Stevens*) Allows employees, public officials, and public safety workers to apply their years of military service toward their retirement benefits, if they served at least five years, instead of the current law of at least 10 years. [Chapter 90, Laws 2016](#)

[HB 2074 public safety employees; omnibus](#) (*Borrelli*) Provides qualified immunity for an injured peace officer, provided the injury transpires while administering emergency care at the scene of an emergency incident. [Chapter 178, Laws 2016](#)

[HB 2104 ASRS; retention of credited service](#) (*Lovas*) Allows an employee who was in a position previously exempt from Arizona State Retirement System (ASRS) membership to retain credited service for the period of employment the employer remitted ASRS contributions on the employees' behalf. [Chapter 320, Laws 2016](#)

[HB 2160 ASRS; eligible rollovers](#) (*Thorpe*) Allows the Arizona State Retirement System (ASRS) Board to accept a direct transfer from a member's Individual Retirement Account (IRA) or Individual Retirement Annuity (Annuity). Also, it removes the board's ability to accept a member's rollover contribution of a distribution from an IRA or Annuity. [Chapter 96, Laws 2016](#)

[HB 2240 workers' compensation; modifications](#) (*Fann*) Prescribes the rate of interest on the payment of workers' compensation benefits. Any interested party in a workers' compensation hearing is entitled to a change of an administrative law judge as a matter of right. [Chapter 186, Laws 2016](#)

[HB 2247 county merit system; terms; hearings](#) (*Gray*) Permits a county board of supervisors to appoint a member of the County Employee Merit System Commission to a five-year term, provided the member is also serving on the County Merit System Council for Law Enforcement Officers. [Chapter 41, Laws 2016](#)

HB 2350 NOW: traumatic events counseling (*Finchem*) Requires the state and political subdivisions, including counties, to establish a program to provide up to 12 visits of counseling treatment for public safety employees who experience a traumatic event, including:

- witnessing the death or maiming of a human being or the immediate aftermath of such an event;
- responding to or being directly involved in a criminal investigation of certain dangerous crimes against children who are under 15 years of age;
- requiring rescue in the line of duty where one's life was endangered;
- in the case of a police officer, the use of deadly force or subjection to deadly force in the line of duty, regardless of whether any injuries were sustained; or
- in the case of a firefighter, witnessing the death of another firefighter in the line of duty.

Treatment must be provided by a licensed psychologist, or a therapist, with training and expertise in treating trauma. Services can be provided through telemedicine. Payment for treatment under the act does not create a presumption of compensability for a mental illness, injury or condition under the workers' compensation program. [Chapter 240, Laws 2016](#)

HB 2617 Israel; boycotts; contracts; investments (*Gowan*) Prohibits a public entity (including counties) from entering into a contract with a company unless the contract includes a written certification that the company is not currently boycotting Israel and agrees to not boycott Israel for the duration of the contract. A public entity is also prohibited from adopting a procurement, investment or other policy that induces or requires a person or any company to boycott Israel. The State Treasurer and retirement systems are required to prepare a list of companies that boycott Israel and provide a copy of the list on request. The State Treasurer and each retirement system are required to sell, redeem, divest or withdraw all direct holdings of any company that is on that list within three months after preparing the list. [Chapter 46, Laws 2016](#)

SB 1428 PSPRS modifications (*Lesko*) Subject to the passage of Proposition 124, the measure provides for a series of reforms for the Public Safety Personnel Retirement System (PSPRS). These changes include:

- The establishment of employee tiers based on hiring date:
 - Tier 1: Hired before January 1, 2012.
 - Tier 2a: Members with less than 20 years of credited service before January 1, 2012.
 - Tier 2b: Hired between January 1, 2012 and June 30, 2017.
 - Tier 3: Hired on or after July 1, 2017.
- Changes the Permanent Benefit Increase (PBI) to a Cost of Living Adjustment (COLA) for tiers 1 & 2 employees – the COLA will be based on the Phoenix-Mesa Consumer Price Index (CPI) annual change.
- Institutes a COLA mechanism for tier 3 employees based on the Phoenix-Mesa CPI, but restricts the COLA based on the funded status of the plan for tier 3 members:
 - If the funded ratio is at least 90 percent, tier 3 can receive up to a 2 percent COLA.
 - If the funded ratio is between 80 and 90 percent, tier 3 is limited to a 1.5 percent COLA.
 - If the funded ratio is between 70 and 80 percent, tier 3 is limited to a 1 percent COLA.
 - If the funded ratio is below 70 percent, tier 3 will not receive a COLA.
- Allows tier 3 employees to choose between a Defined Benefit (DB) plan and a Defined Contribution (DC) plan.
- Establishes a new 50/50 contribution rate for tier 3 employees and employers.

PUBLIC PERSONNEL AND RETIREMENT
PUBLIC SAFETY

- Increases the PSPRS Board of Trustees to nine members and requires the new board makeup to be as follows:
 - Two members representing law enforcement – The Governor and Senate President each appoint one member.
 - Two members representing firefighters – the Governor and Speaker of the House each appoint one member.
 - Three members representing cities and towns – the Governor, Senate President, and Speaker of the House each appoint one member.
 - One member representing counties appointed by the Governor.
 - One additional member recommended by an advisor council and other PSPRS board members, and appointed by the Governor.

[Chapter 2, Laws 2016](#)

[SCR 1019 public retirement system benefits](#) (*Lesko*) A constitutional amendment proposition (Proposition 124) allowing the provisions of SB 1428 to take effect. The voters approved this proposition at the May 17, 2016 special election. ([Transmitted to the Secretary of State](#))

PUBLIC SAFETY

[HB 2032 speed limits; local authority](#) (*Borrelli*) Permits a local authority to adjust the maximum speed limit on streets adjacent to or surrounding school grounds or public parks. [Chapter 175, Laws 2016](#)

[HB 2074 public safety employees; omnibus](#) (*Borrelli*) Provides qualified immunity for an injured peace officer, provided the injury transpires while administering emergency care at the scene of an emergency incident. [Chapter 178, Laws 2016](#)

[HB 2107 NOW: structured sober living homes](#) (*Campbell*) Permits counties, along with cities and towns, to adopt an ordinance establishing health and safety standards and enforcement mechanisms for structured sober living homes. A structured sober living home may be excluded from the adopted standards if the home is already subject to oversight by another governmental entity or contractor. [Chapter 287, Laws 2016](#)

[HB 2165 peace officer memorial board; members](#) (*Borrelli*) Allows various members of the Arizona Peace Officers Memorial Board to utilize a designee, including the county sheriff. [Chapter 64, Laws 2016](#)

[HB 2183 inmate body scans; contraband](#) (*Shope*) Allows the Arizona Department of Corrections and county jails to perform low-dose, ionizing radiation body scans, in compliance with generally accepted health and safety standards, on inmates without an order from a licensed medical practitioner to prevent contraband from entering into a correctional facility. [Chapter 39, Laws 2016](#)

[HB 2197 fire districts; merger; consolidation](#) (*Coleman*) Modifies the cap on the amount of Fire District Assistance Tax (FDAT) a fire district may receive to allow consolidation or merging of fire districts to continue to receive the sum of the average FDAT monies received by each of the consolidating or merging districts in the immediately preceding five fiscal years, instead of the current \$400,000 cap. [Chapter 183, Laws 2016](#)

HB 2198 NOW: vacancies; fire districts; board operations (*Coleman*) Requires a quorum of the original board size in order to fill a vacancy on a fire district board. If a quorum does not exist to make an appointment, the county board of supervisors must either appoint interim board members to fill the vacancies or appoint an administrator to oversee the district until the next election. [Chapter 97, Laws 2016](#)

HB 2224 private firearm transactions; prohibited encumbrances (*Lawrence*) Prohibits the state or any political subdivision, including counties, from charging a fee, tax, assessment, lien, or other encumbrance on the transfer of a firearm between two private parties who are not prohibited possessors under state or federal law. [Chapter 84, Laws 2016](#)

HB 2233 public buildings; applicable fire codes (*Boyer*) Allows for counties and cities to conduct their own fire safety inspections and comply with local fire codes rather than state fire codes. [Chapter 234, Laws 2016](#)

HB 2288 constables; duties; training; discipline (*Bowers*) Permits the Constables Ethics, Standards, and Training Board (CESTB) to place a constable on probation for up to 180 days, in 30-day increments. If a constable continues to be in non-compliance, the CESTB can recommend to a county board of supervisors (BOS) that the constable should be suspended, without pay, up to the remainder of the constable's term. A BOS may accept or modify the recommendation from CESTB to suspend a constable without pay. Constables in counties with four or more constables are required to select a Presiding and Associate Presiding Constable by majority vote; however, counties are not required to pay any costs to support the Presiding or Associate Presiding Constable in the performance of their duties. [Chapter 252, Laws 2016](#)

HB 2350 NOW: traumatic events counseling (*Finchem*) Requires the state and political subdivisions, including counties, to establish a program to provide up to 12 visits of counseling treatment for public safety employees who experience a traumatic event, including:

- witnessing the death or maiming of a human being or the immediate aftermath of such an event;
- responding to or being directly involved in a criminal investigation of certain dangerous crimes against children who are under 15 years of age;
- requiring rescue in the line of duty where one's life was endangered;
- in the case of a police officer, the use of deadly force or subjection to deadly force in the line of duty, regardless of whether any injuries were sustained; or
- in the case of a firefighter, witnessing the death of another firefighter in the line of duty.

Treatment must be provided by a licensed psychologist, or a therapist, with training and expertise in treating trauma. Services can be provided through telemedicine. Payment for treatment under the act does not create a presumption of compensability for a mental illness, injury or condition under the workers' compensation program. [Chapter 240, Laws 2016](#)

HB 2446 NOW: prohibited weapon; exclusions; definition (*Livingston*) Excludes specific firearms or devices that are possessed, manufactured or transferred in compliance with federal law from the definition of a prohibited weapon. [Chapter 297, Laws 2016](#)

HB 2451 release of prisoners; detainers; repeal (*Mitchell*) Repeals the law allowing the director of the Arizona Department of Corrections to release prisoners to the United States Immigration and Customs Enforcement custody after they have served 50 percent of their sentence. [Chapter 89, Laws 2016](#)

PUBLIC SAFETY

HB 2468 internet crimes against children; appropriation (*Boyer*) Appropriates \$1.8 million from the Internet Crimes Against Children (ICAC) Enforcement Fund to the Attorney General in FY 2016 for the purpose of entering into one or more intergovernmental agreements to continue the operation of the federally recognized ICAC Task Force. An emergency measure that became effective February 10, 2016. [Chapter 1E, Laws 2016](#)

HB 2539 sex offender registration; petition; termination (*Bowers*) Allows a sex offender who was convicted of sexual conduct with a minor ([A.R.S. § 13-1405](#)) to petition the court to terminate his or her duty to register if the offender was under 21 years, the victim was 15 years or older, and the act was consensual. This applies if the offender has completed a term of probation. [Chapter 105, Laws 2016](#)

SB 1018 aid; execution of process; injury (*Kavanagh*) Allows a person to refuse to assist a sheriff or other public officer in the execution of process if the person would be exposed to injury. [Chapter 139, Laws 2016](#)

SB 1104 medical examiner; jurisdiction; death reporting (*Barto*) Revises the conditions in which the death of a person is required to be reported to a peace officer, as follows:

- If the death occurs in any custodial agency, rather than a prison.
- If there is an unexpected or unexplained death of a child.
- If the death arises from an accident allegedly related to the person's job.
- If the death is suspected to be caused by an unreported or undiagnosed disease that is considered to be a threat to public safety.

Also, specifies that the county medical examiner or alternative medical examiner can claim jurisdiction of a body, assess the circumstances, and determine if an autopsy is required. [Chapter 19, Laws 2016](#)

SB 1163 underground facility; damage; notice (*Kavanagh*) Requires a person who is responsible for excavation operations to notify the underground facility operator and 911, or the local emergency response agency, in the event of an incident resulting in damage that causes the release of natural gas, liquefied petroleum gas, liquefied natural gas, petroleum products, or other hazardous gases or liquids. [Chapter 23, Laws 2016](#)

SB 1169 mental health power of attorney (*Barto*) Makes various changes to the provisions related to a mental health care power of attorney. Provisions include clarification that a health care directive may not be revoked when the principal has been found to be incapable. [Chapter 268, Laws 2016](#)

SB 1212 national guard; peace officers; appointment (*Smith*) Allows the Adjutant General to appoint members of the Arizona National Guard to peace officer status if they have served as a law enforcement officer in any branch of the U.S. Armed Forces or as a special agent of a military criminal investigative organization. Previously, to qualify for peace officer status the individual had to be currently rated as a military police officer. [Chapter 147, Laws 2016](#)

SB 1214 criminal trials; location (*Smith*) Provides that the trial for a criminal offense committed in transit may occur in any county through which the transit occurred. [Chapter 25, Laws 2016](#)

SB 1240 NOW: peace officers; appointment; training (*Kavanagh*) Allows a private postsecondary institution to appoint peace officers to aid and supplement law enforcement agencies of this state in the protection of private postsecondary institution property, employees, students, and faculty. Stipulates that while on property and engaged in conduct of their employment, a designated peace officer possesses and is required to exercise all of the powers of a peace officer in this state, but their authority to enforce the law is limited to property that is under the control of the private postsecondary institution. [Chapter 310, Laws 2016](#)

[SB 1241 photo radar prohibition; state highways](#) (*Lesko*) Prohibits the state or local authority from using a photo enforcement system on a state highway. [Chapter 55, Laws 2016](#)

[SB 1243 Mexican wolf; G&F approval; reporting](#) (*Griffin*) Requires the Arizona Game and Fish Commission to enter into a memorandum of understanding with the U.S. Fish and Wildlife Service regarding Mexican gray wolves, and specifies the release, translocation or cross-fostering of wolves may not occur within three miles of state trust or private land or without a DNA profile on each wolf. [Chapter 152, Laws 2016](#)

[SB 1247 prisoners; community reentry; work program](#) (*Smith*) Allows the Arizona Department of Corrections to establish a community reentry work program for prisoners who meet certain eligibility requirements. [Chapter 311, Laws 2016](#)

[SB 1298 probation; juvenile; adult](#) (*Driggs*) Modifies requirements for persons placed on probation, including expanding the conditions a juvenile placed on intensive probation may be subject to. Additionally, requires an adult offender on intensive probation to maintain employment or full-time student status, or a combination of both. Also, requires the court to provide a juvenile's ten-print fingerprints to the Department of Public Safety Arizona Automated Fingerprint Identification System if the juvenile is adjudicated for certain offenses. [Chapter 158, Laws 2016](#)

[SB 1382 NOW: service animals; regulation; rights; definitions](#) (*Burges*) Modifies statutes relating to service animals in a public place, including stipulating that it is not discriminatory to exclude a service animal from a public place if the animal is out of control or not housebroken. Also, requires a service animal to be under the control of the service animal's handler and permits the public accommodation to ask an individual what work or task the service animal has been trained to perform. [Chapter 162, Laws 2016](#)

[SB 1521 NOW: officers; employees; payroll deductions; appeals](#) (*Smith*) Permits state law enforcement officers to authorize payroll salary deductions to be made from their salaries or wages for the payment of dues in a recognized association. The legislation also requires a law enforcement officer to be awarded retroactive compensation after prevailing in a termination appeal. [Chapter 318, Laws 2016](#)

TAXATION AND PUBLIC FINANCE

[HB 2002 insurance premium tax reduction](#) (*Livingston*) Modifies the phased reduction in the insurance premium tax rate. Beginning in CY 2016, the rate is reduced from 1.99 percent to 1.95 percent and by 0.05 percent each year after until the rate reaches 1.70 percent in CY 2021. The original phased reduction had the rate reaching 1.86 percent in ` 2021. [Chapter 358, Laws 2016](#)

[HB 2025 utilities TPT; sales of propane](#) (*Mitchell*) Exempts the sale of propane from taxation if the propane is sold to a business principally engaged in manufacturing or smelting operations. [Chapter 359, Laws 2016](#)

[HB 2054 debt limitations; net assessed value](#) (*Mitchell*) Clarifies that the net assessed value (NAV) of the full cash value is the basis for calculating debt limits for local governments and school districts. This is in response to Proposition 117, which was passed by voters in 2012, that requires primary and secondary property taxes use the same base. The debt limit statutes previously referred to the NAV for secondary tax purposes. [Chapter 177, Laws 2016](#)

TAXATION AND PUBLIC FINANCE

[HB 2133 TPT; exemption; aerial applicators](#) (*Shope*) Exempts the sale of agricultural aircraft built for the aerial application of pesticides, fertilizers, or aerial seeding from sales tax. The Arizona Department of Revenue is required to review all applications for refunds submitted prior to December 31, 2016. The aggregate amount for all refunds is capped at \$10,000. This exemption is applied retroactively from April 18, 1985. [Chapter 181, Laws 2016](#)

[HB 2197 fire districts; merger; consolidation](#) (*Coleman*) Modifies the cap on the amount of Fire District Assistance Tax (FDAT) a fire district may receive to allow for consolidation or merging of fire districts to continue to receive the sum of the average FDAT monies received by each of the consolidating or merging districts in the immediately preceding five fiscal years, instead of the current \$400,000 cap. [Chapter 183, Laws 2016](#)

[HB 2234 schools; audits; county school superintendent](#) (*Boyer*) Requires a copy of statutorily mandated school district audits to be submitted to the county school superintendent of the county in which the school district is located. [Chapter 235, Laws 2016](#)

[HB 2301 bonding; sale; premiums; refunding; refinance](#) (*Weninger*) Expands the list of permissible methods for selling municipal or county bonds to include negotiated sales. The amount of net premium associated with a bond issue may be used only for a list of specified purposes. Statute governing refunding municipal improvement district bonds is repealed and replaced. [Chapter 189, Laws 2016](#)

[HB 2430 NOW: counties; free library system](#) (*Stevens*) Allows counties, without an established library district, to expend general fund monies on library services. [Chapter 255, Laws 2016](#)

[HB 2481 schools; primary property tax rates](#) (*Olson*) Restricts school district tax rates to the lesser of the Qualifying Tax Rate or a rate equal to the school district support level after standard subtractions. The 4 percent cap on the school district budget balance carryforward is eliminated. The county school superintendent is required to annually validate any additional primary school district tax levy requests. [Chapter 364, Laws 2016](#)

[HB 2483 municipal population estimates; use](#) (*Olson*) Allows counties and municipalities to update their population figures annually, using U.S. Census Bureau's estimates instead of having to conduct a mid-decade census or wait for their decennial census number. [Chapter 258, Laws 2016](#)

[HB 2533 charter aircraft; tax exemption](#) (*Shope*) Exempts from sales tax the sale of an aircraft, or communication and navigational equipment to a charter aircraft provider. [Chapter 367, Laws 2016](#)

[HB 2536 fine art; TPT exemption](#) (*Ugenti-Rita*) Exempts from sales tax, the sale of fine art at an auction or gallery to a nonresident, and for use outside the state. [Chapter 368, Laws 2016](#)

[HB 2561 sanitary district refunding bonds](#) (*Campbell*) Allows sanitary districts to issue bonds for the purpose of refunding bonds previously issued if doing so will result in a net savings from lower interest rates. [Chapter 264, Laws 2016](#)

[HB 2622 water; improvement districts; tax limit](#) (*Barton*) Stipulates that the governing body of a domestic water or wastewater improvement district which levies taxes based on square footage of property is permitted to adopt a resolution to limit the taxes collected from any single parcel of real property. [Chapter 244, Laws 2016](#)

HB 2666 governor's economic opportunity office; consolidation (*Fann*) Establishes the Governor's Economic Opportunity Office (GEOO) with the stated purpose to monitor the state's tax competitiveness, support the implementation of the Workforce Innovation and Opportunity Act (WIOA), monitor and evaluate state incentive programs, develop data-informed policy and regulatory reform recommendations, and provide support to the ACA, AZ-Mexico Commission, and Office of Tourism. The measure further outlines the responsibilities of GEOO and the consolidation of functions under GEOO, to include:

- GEOO will serve as the state's workforce planning coordinator.
- GEOO will absorb:
 - The preparation of economic, small business and consumer impact statements to be considered by the Governor's Regulatory Review Commission (GRRRC), currently performed by the Governor's Office of Strategic Planning and Budget (OSPB).
 - The office of employment and population statistics.
- The Workforce Data Task Force is established to share vital workforce data among several agencies, including: GEOO, the Arizona Department of Economic Security (DES), the Arizona Department of Education (ADE), the Arizona Board of Regents (ABOR), and community colleges.
- Requires 25 percent of Arizona Competes appropriations be used for grants to businesses not located in Maricopa County with preference given to counties along the Mexico border or with a military base.
- Requires 30 percent of Arizona Competes appropriations be used for supporting rural business, small business, and business developments.
- Establishes the Arizona Finance Authority (AFA):
 - Consolidates the Water Infrastructure Finance Authority (WIFA) and the Greater Arizona Development Authority (GADA) under the AFA.
 - Transfers from the ACA the responsibility to allocate private activity bonding.
 - Changes the statutory percentage of private activity bonding designated for various projects.
 - Requires the AFA to establish the WIFA advisory board.
- Establishes the Arizona Industrial Authority under the AFA.
 - Transfers the Arizona health facilities authority and the Arizona housing financing authority to the Arizona International Development Authority.

Chapter 372, Laws 2016

HB 2674 TPT exemption; amateur races (*Rivero*) Exempts the gross proceeds from any run, walk, swim, or bicycle event from sales tax until March 1, 2017. The gross proceeds from an event operated by 501(c)(3) nonprofit organizations are exempt from sales taxes under the amusement classification. **Chapter 373, Laws 2016**

HB 2676 NOW: utilities; manufacturing; smelting; TPT (*Rivero*) Expands the definition of "qualified manufacturing or smelting business" for the purposes of exempting electricity and natural gas from sales tax. **Chapter 374, Laws 2016**

SB 1157 small property tax balance delinquency (*Burges*) Changes the delinquency date for property taxes from November 1 to December 1 if the total amount of taxes due is \$100 or less. **Chapter 144, Laws 2016**

SB 1198 public library operation; thirdparty contracts (*Griffin*) Permits counties, without an established library district, to enter into various intergovernmental agreements (IGAs) or contracts to provide library services without the requirement that those IGAs and contracts be with an incorporated city or town. The bill gives counties the flexibility to contract with incorporated and unincorporated cities and towns, along with community colleges and school districts, for library services. **Chapter 337, Laws 2016**

TAXATION AND PUBLIC FINANCE

[SB 1244 fire districts; wildland fires; budgets](#) (*Allen, S.*) Authorizes a maximum of \$10 million annually from the “rainy day fund” to be used to reimburse fire districts and departments that have a valid claim for federal reimbursement for fire services. Once the federal government issues a reimbursement, the monies shall be paid back to the “rainy day fund.” Fire districts may ask their voters for a five-year, temporary budget override in November of 2016 or 2017. If approved, the district(s) may annually levy an amount that exceeds the \$3.25 rate cap, provided the new rate is not more than \$3.50. This measure also includes the same provisions as HB 2197 related to Fire District Assistance Tax (FDAT) monies for consolidated or merged fire districts. [Chapter 219, Laws 2016](#)

[SB 1306 county development fees](#) (*Griffin*) Modifies the development fees counties can charge to offset capital costs. The legislation creates uniformity between counties and cities with regards to these fees. Includes a five-year grace period allowing counties that collect development fees to use their current fee structure. Only three counties in Arizona have impact fees (Pima, Pinal, and Yavapai). [Chapter 326, Laws 2016](#)

[SB 1310 TPT exemption; billboard rentals](#) (*Griffin*) Exempts the leasing and renting of billboards from the personal property rental classification for sales tax purposes. This codifies a previous court decision. [Chapter 223, Laws 2016](#)

[SB 1322 community colleges; expenditure limitation](#) (*Allen, S.*) Excludes various revenues from community college expenditure limits and allows the community college district board of directors, by a two-thirds vote, to refer to the voters a change in the base limit used to determine the district’s expenditure limit. Additionally, the bill prescribes a formula for calculating Full Time Student Equivalents (FTSE) for expenditure limit purposes and allows community colleges to submit one of three FTSE estimate calculations to the Economic Estimates Commission. [Chapter 58, Laws 2016](#)

[SB 1348 county treasurer; warrants; electronic transfers](#) (*Burges*) Adds electronic funds transfer as a definition of a warrant for payments from the county treasury. Allows a county treasurer to invest in a warrant, substitute check, or electronic funds transfer if there are insufficient funds in the issuer’s account. [Chapter 340, Laws 2016](#)

[SB 1398 fuel taxes; streets and highways](#) (*Griffin*) Requires counties to publish a financial report by December 31 of each year, outlining the budgeted and actual expenditures of motor vehicle fuel and use fuel taxes. [Chapter 163, Laws 2016](#)

[SB 1432 NOW: conservation easements; tax classification; registry](#) (*Griffin*) Establishes Class 2 (C) as a new subclassification under Class 2 property, consisting of property burdened by a conservation easement, and sets the assessment ratio for Class 2 (C) at 15 percent. The county assessor is required to maintain a digital registry of each parcel of Class 2 (C) property and must periodically verify the status of those properties. These provisions do not become effective until January 1, 2017. [Chapter 168, Laws 2016](#)

[SB 1487 state law; local violations; penalties](#) (*Biggs*) Allows the State Treasurer to withhold and redistribute state shared revenue from counties and cities that are found by the Attorney General (AG) to have violated state law. Any member of the legislature may file a complaint with the AG. If the AG concludes there may be a violation, the AG is required to file a special action in the Arizona Supreme Court to resolve the issue, and the court is required to give the action precedence over all other cases. The court must require the county or municipality to post a bond equal to the amount of state shared revenue paid to the county or municipality in the preceding six months. [Chapter 35, Laws 2016](#)

SB 1505 NOW: tax exemption; natural gas delivery (*Worsley*) Exempts gas transportation services used by a business principally engaged in manufacturing or smelting operations from sales tax. [Chapter 357, Laws 2016](#)

SB 1516 campaign finance amendments (*Driggs*) Rewrites, repeals, and modifies Arizona's campaign finance statutes. The legislation also requires county election departments to provide the option for electronic filing and to make all statements and reports publicly available on the internet. Counties that choose not to create their own online platform may opt into the Arizona Secretary of State's electronic filing system and pay a fee. That fee is determined by the Arizona Secretary of State. Contains a delayed effective date of January 1, 2017. [Chapter 79, Laws 2016](#)

SB 1521 NOW: officers; employees; payroll deductions; appeals (*Smith*) Permits state law enforcement officers to authorize payroll salary deductions to be made from their salaries or wages for the payment of dues in a recognized association. The legislation also requires a law enforcement officer to be awarded retroactive compensation after prevailing in a termination appeal. [Chapter 318, Laws 2016](#)

SB 1523 truth in taxation; levy increases (*Smith*) Requires a unanimous roll call vote of the governing body for a political subdivision to increase their primary property tax levy 15 percent or more over the previous year's levy, excluding new construction. [Chapter 173, Laws 2016](#)

STATE BUDGET ADJUSTMENTS

STATE BUDGET ADJUSTMENTS

[HB 2695 general appropriations; 2016-2017](#) (*Montenegro*) Makes appropriations from the state general fund and other funds for the operation of state government in FY 2016-2017. County-related provisions are summarized below.

- **Eliminates Sweep of State Aid to Indigent Defense to the Attorney General (AG):** Eliminates an \$800,100 appropriation from the State Aid to Indigent Defense Fund to the AG for capital post-conviction prosecution. *Eliminated*
- **Out of County Tuition:** Appropriates \$1,273,800 from the State General Fund for rural county reimbursement subsidies for community colleges. Apache County receives \$699,300 and Greenlee County receives \$574,500. This is unchanged from last year. *Sec. 26 (pg. 21)*
- **County Attorneys Fund:** Continues to provide \$973,600 of Arizona Criminal Justice Commission (ACJC) grant monies to counties. *Sec. 31 (pg. 24)*
- **County Participation; Child Support Enforcement:** Appropriates \$8,740,200 for county participation of child support enforcement in the Department of Economic Security (DES). This amount is unchanged from last year. *Sec. 35 (pg. 26)*
- **State Forester; Environmental County Grants:** Continues to appropriate \$250,000 to the State Forester for county environmental projects. *Sec. 45 (pg. 36)*
- **County Tuberculosis Provider Care and Control:** Maintains a \$590,700 appropriation for county tuberculosis programs. *Sec. 51 (pg. 38)*
- **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). The state grand jury reimbursement is limited to \$97,900 and the PCR reimbursement is limited to \$90,000. *Sec. 60 (pg. 42)*
- **Increased Adult Probation Funding:** Increases Adult Standard Probation funding by \$1.8 million and Adult Intensive Probation funding by \$456,900. This increased appropriation is in response to the courts indicating probation was currently underfunded. It is still unclear exactly how this money will be allocated amongst the counties. *Sec. 60 (pg. 43)*
- **Increased Superior Court Salaries:** Provides for a two-year phase-in of a 3 percent pay raise for judges. Beginning in January 2017, the first phase will provide superior court judges with a 1.5 percent pay raise. Maricopa County pays for 100 percent of superior court judges' salaries and all other counties pay for 50 percent plus ERE. *Sec. 60 (pg. 45 lines 36-39)*
- **Highway User Revenue Fund (HURF) to Department of Public Safety (DPS):** Transfers \$96,409,200 from HURF to DPS. This amount is \$403,100 less than last year. *Sec. 87 (pg. 55)* **NOTE:** Counties received a HURF restoration in the revenue budget reconciliation bill.
- **State Aid to Indigent Defense to DPS:** Appropriates \$700,000 from the State Aid to Indigent Defense Fund to DPS for operations. *Sec. 87 (pg. 55)*
- **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. 100 (pg. 63)*
- **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, and Yuma). *Sec. 100 (pg. 63)*

- **Supplemental Appropriation for the Presidential Preference Election (PPE):** As session law, appropriates, in FY 2016, \$6.13 million to the Office of the Arizona Secretary of State to reimburse counties for costs associated with the PPE. This appropriation is in addition to the current funding appropriated in the FY 2016 budget. The language restricts per county reimbursement to the lesser of the actual costs or the following amounts:
 - For counties with an official active voter registration total of 400,000 persons or more, \$2.50 per active registered voter.
 - For counties with an official active voter registration total between 35,000 and 400,000 persons, \$3.00 per active registered voter.
 - For counties with an official active voter registration total fewer than 35,000 persons, \$3.50 per active registered voter.
 - This language further prohibits reimbursement of regular pay and associated employer-related expenses for permanent employees, maintenance of infrastructure and equipment, and any expenditure that is not reimbursable as prescribed by the [State of Arizona Accounting Manual, Sec. 125 \(pg. 75\)](#)
- **Lottery Revenue:** As session law, appropriates \$5.5 million to the Arizona Department of Administration to distribute to the 10 counties under 200,000 persons in lieu of county lottery revenue. This language does not include Maricopa, Mohave, Pima, Pinal, or Yavapai counties. *Sec. 128 (pg. 77) subsection A*
- **Graham County Assistance:** Appropriates \$500,000 from the state general fund to ADOA for distribution to Graham County for maintenance of essential county services. *Sec. 128 (pg. 77) subsection B*
- **Arizona Department of Juvenile Corrections (ADJC) Cost Reduction:** Appropriates \$8,000,000 from the state general fund to ADOA for a one-time distribution to counties to partially reimburse for ADJC costs. The amounts each county is to receive is detailed as follows:

Apache	\$89,500	Mohave	\$250,500
Cochise	\$164,400	Navajo	\$1,226,900
Coconino	\$168,300	Pima	\$1,226,900
Gila	\$67,100	Pinal	\$59,300
Graham	\$46,600	Santa Cruz	\$59,300
Greenlee	\$10,500	Yavapai	\$264,100
La Paz	\$25,700	Yuma	\$245,000
Maricopa	\$4,777,300		

Sec. 128 (pg. 77) subsection C.

STATE BUDGET ADJUSTMENTS

- **Court Fund Transfers:** As session law, requires the following amounts to be transferred to the state general fund:
 - In FY 2017:
 - \$300,000 from the Alternative Dispute Resolution Fund
 - \$300,000 from the Lengthy Trial Fund
 - \$500,000 from the Court Appointed Special Advocate Fund
 - \$250,000 from the Drug Treatment and Education Fund
 - \$3,650,000 from the Juvenile Probation Services Fund
 - In FY 2018:
 - \$300,000 from the Alternative Dispute Resolution Fund
 - \$200,000 from the Lengthy Trial Fund
 - \$400,000 from the Court Appointed Special Advocate Fund
 - \$250,000 from the Drug Treatment and Education Fund
 - \$1,850,000 from the Juvenile Probation Services Fund
- Sec. 156 (pg. 87-88)*

[Chapter 117, Laws 2016](#)

[HB 2701 criminal justice; budget reconciliation; 2016-2017](#) (*Montenegro*) Makes policy changes pertaining to criminal justice programs that impact the budget. County-related provisions are summarized below.

- **State Department of Corrections; Conditional Incarceration Contracts:** As session law, if a prisoner population trigger is hit, the Arizona Department of Corrections (ADC) is authorized to award a contract for 1,000 additional medium security beds. Before issuing any contracts to private third parties, ADC must first offer a contract to a county or group of counties, with a population under 200,000, for at least 250 beds, provided the county or counties meet the requirements of the request for proposals and the per diem rate is equal to or less than other competitive bidders. *Sec. 12 (pg. 14) subsection C*
- **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. 18 (pg. 16)*
- **Arizona Department of Juvenile Corrections (ADJC) County Contributions:** As session law, requires counties to transfer \$11,260,000 to ADJC. This amount reflects \$740,000 of permanent cost savings within the agency. *Sec. 21 (pg. 16) NOTE: A one-time reduction in this amount is included in the General Appropriations Act.*

[Chapter 119, Laws 2016](#)

[HB 2704; budget reconciliation; health; 2016-2017](#) (*Montenegro*) Includes provisions related to health and welfare necessary to implement the budget. Affected agencies include the Arizona Department of Economic Security (DES), the Arizona Health Care Cost Containment System (AHCCCS), and the Arizona Department of Health Services (DHS). County-related provisions are summarized below.

- **Arizona Long Term Care System (ALTCS):** FY 2017 contributions total \$249,980,000 for all 15 counties into the Long Term Care System Fund. This is an increase of \$1,117,100 over the JLBC Baseline and is due to the restoration of ALTCS dental care. *Sec. 15 (pg. 14)*
- **Sexually Violent Persons (SVP) Payments:** Continues to require counties to reimburse the Department of Health Services (DHS) for 31 percent of the cost associated with housing SVPs at the Arizona State Hospital (ASH) for FY 2017. Includes flexibility language allowing counties to pay for this program with any source of county revenue and excludes any payments from the county expenditure limitation. *Sec. 16 (pg. 15)*

- **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 and excludes any payments from the county expenditure limitation. *Sec. 17 (pg. 16)*
- **Acute Care Contributions:** Sets county Acute Care contributions at \$47,233,500 for all 15 counties. This amount is unchanged from the JLBC Baseline and includes a deflator for the Maricopa County contribution. *Sec. 20 (pg. 18)*
- **Disproportionate Uncompensated Care Pool (DUC Pool):** Requires the collection of \$2,646,200 in DUC Pool contributions from counties other than Maricopa County. This amount is unchanged from last year. *Sec. 21 (pg. 19)*

[Chapter 122, Laws 2016](#)

[HB 2708 revenue; budget reconciliation; 2016-2017](#) (*Montenegro*) Makes statutory and session law changes related to state revenues in order to implement the budget. County-related provisions are summarized below.

- **Elderly Assistance Fund (EAF) Restrictions:** As permanent law, requires the board of supervisors to spend any monies remaining in the EAF from and after December 31, 2015, solely on the elderly assistance program. *Sec. 4 (pg. 3)*
- **Highway User Revenue Fund (HURF):** As session law, requires that prior to any other distributions, \$30 million in FY 2017 and \$30 million in FY 2018 in HURF monies be distributed as follows:
 - 33.231 percent to counties: \$9,969,300
 - 48.097 percent to cities: \$14,429,100
 - 5.247 percent to cities over 300,000 persons: \$1,574,100
 - 13.425 percent for counties over 800,000 persons for controlled access: \$4,027,500

The FY 2017 amount is in addition to \$30 million authorized in the FY 2016 budget, bringing the total to \$60 million in FY 2017, of which \$19.9 million will be allocated to counties. The measure 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. 8 (pg. 4) & Sec. 9 (pg. 4)*

- **County Flexibility:** As session law, allows counties under 250,000 persons to use any source of county revenue to meet any county fiscal obligation up to \$1.25 million. Counties are still required to report to the Joint Legislative Budget Committee (JLBC) by October 1, 2016, whether the county used the flexibility language, and if so, the specific amount and source of revenue used. *Sec. 14 (pg. 6)*
- **La Paz Expenditure Limitation Waiver:** As session law, waives the penalty for exceeding the county expenditure limit for Fiscal Years 2014, 2015, and 2016 for any amount related to the contract with Los Angeles County to import and dispose of incinerator ash. *Sec. 16 (pg. 6)*
- **Arizona Department of Revenue (ADOR) Cost Shift:** As session law, sets the amount the Arizona Department of Revenue is to collect from local government at \$20,755,835 and lays out a framework for calculating each jurisdiction’s share. The aggregate county share of the fee is determined through the following procedure:
 - 1) Calculate the aggregate amount distributed to counties from:
 - a) A.R.S. § 42-5029 (TPT distribution base)
 - b) A.R.S. § 42-6103 (county general fund excise tax)
 - c) A.R.S. § 42-6107 (county transportation excise tax for roads)
 - d) A.R.S. § 42-6108 & 42-6108.01 (tax on hotels – Pima only)
 - e) A.R.S. § 42-6109 & 42-6109.01 (jail facility excise tax – Maricopa only)
 - f) A.R.S. § 42-6110 (use tax on electricity)

STATE BUDGET ADJUSTMENTS

- g) A.R.S. § 42-6111 (county capital projects)
- h) A.R.S. § 42-6112 (county excise tax for county judgment bonds – La Paz only)
- 2) Calculate the aggregate amount distributed to counties, cities and towns, MAG, and PAG from:
 - a) All taxes listed under step one
 - b) A.R.S. § 42-6001 (city excise taxes)
 - c) A.R.S. § 43-206 (urban revenue sharing)
 - d) A.R.S. § 42-6105 (MAG transportation tax)
 - e) A.R.S. § 42-6106 (PAG transportation tax)
- 3) Calculate what percentage the aggregate amount calculated under step 1 is of the aggregate amount calculated under step 2 and apply this percentage to the \$20.8 million.

The county share of the \$20.8 million will be approximately \$6.7 million. The session law further stipulates that the aggregate county share shall be proportionally collected from each county, based on population. *Sec. 18 (pg. 10)*

[Chapter 125, Laws 2016](#)

[SB 1527 appropriations; capital outlay; 2016-2017](#) (*Biggs*) Appropriates funds for FY 2016-2017 to applicable agencies for the acquisition, construction, maintenance, repair, building renewal, and preventative maintenance of state buildings and infrastructure. County-related provisions are detailed below.

- **Flagstaff Veterans' Home:** Appropriates \$10 million to the Arizona Department of Veterans Services for the construction of a Veteran's Home in Flagstaff. *Sec. 6 (pg. 3)*
- **Interstate 10 (I-10) Widening Projects:** Appropriates \$30 million to the Arizona Department of Transportation (ADOT) to be combined with federal funds to widen I-10 from Early Road to Interstate 8 and the I-10 interchange with State Route 87. *Sec. 8 (pg. 4)*
- **State Route 189 (SR-189):** Appropriates \$25 million to ADOT to accelerate the completion of the SR-189 construction project from the Mariposa port of entry to Interstate 19. *Sec. 9 (pg. 4)*
- **Route H60:** Appropriates \$1.5 million to ADOT for distribution to the Navajo Nation for the route H60 construction project. *Sec. 10 (pg. 4)*

[Chapter 126, Laws 2016](#)

COUNTY-RELATED VETOED LEGISLATION

HB 2524 uniform firearms transfer compact (*Thorpe*) The state of Arizona would have adopted and agreed to be bound by a uniform firearms transfer compact, which prohibits member states from enacting or enforcing any law, regulation or policy that would “impose any fee, tax, penalty, mandate or regulation governing, punishing, restricting, conditioning or otherwise burdening in any respect or at any time the transfer of firearms by any person” in addition to then-existing federal law. In his [veto letter](#), Governor Ducey indicated that this legislation would tie Arizona to other states’ decisions and he believes Arizona should retain its sovereignty on public policy decisions relating to the transfer of firearms.

HB 2568 community facilities districts; formation; governance (*Gowan*) Would have required a municipality or a county to adopt a resolution declaring its intention to form a community facility district (CFD) upon receipt of a petition from all owners of land in a district that exceeds 600 acres. The board of directors of a CFD formed under this provision would be formed by two members chosen by the governing body of the municipality or county, two members selected by landowners, and a fifth member chosen by the governing body from a list provided by the landowners. Various other taxation procedures and indemnification requirements were included. In his [veto letter](#), Governor Ducey expressed concerns that this bill does not provide the needed protections for taxpayers.

SB 1141 legal tender; taxation; regulation (*Farnsworth, D.*) Would have defined both “legal tender” and “specie” as money and states that they are not subject to taxation or regulation as property. No person, state, or political subdivision would have been required to accept specie legal tender as payment unless provided by contract. The measure contained various definitions and exemptions. In his [veto letter](#), Governor Ducey stated that the broad definition of “legal tender” could lead to unintended consequences.

SB 1268 adequate water supply requirements; municipalities (*Griffin*) Would have permitted cities to opt out of county ordinances that require developers to show a 100-year supply of water supply, provided they meet other qualifications. Those other qualifications included: having a water-recharge program, adopting a water conservation program, putting only low-water-use plants on rights-of-way, and funding programs to replace high water-use plumbing fixtures. In his [veto letter](#), Governor Ducey expressed concern that this bill threatens Arizona’s water future.

SB 1400 NOW: county water supply provision; renewal (*Griffin*) Would have required the county board of supervisors (BOS) to review their water adequacy ordinance every five years. A decision to terminate the ordinance required a unanimous vote of the BOS. In his [veto letter](#), Governor Ducey expressed concern that this bill threatens Arizona’s water future.

SB 1510 NOW: incompetent persons; mental health evaluations (*Driggs*) Would have provide notice to the court and prosecutor for persons subject to civil commitment and court-ordered treatment as the result of a finding that the person is incompetent to stand trial, and provided an option to screen persons who are believed to be sexually violent persons (SVP) during the competency process. As with all SVPs housed at the Arizona State Hospital, counties would have been financially responsible for 31 percent of the cost. In his [veto letter](#), Governor Ducey noted the complexity of the issue and that it is best addressed through the study committee established in the FY 2017 budget.

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County Supervisors

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