



# 2007 LEGISLATIVE SUMMARY

A Review of Laws Affecting Arizona Counties



48th Legislature  
First Regular Session



County Supervisors  
ASSOCIATION

**2007 LEGISLATIVE SUMMARY**  
**Review of County-Related Laws Enacted by the 2007 Legislature**

This publication contains brief summaries, arranged by subject, of new laws impacting county government that were enacted during the First Regular Session of Arizona's 48<sup>th</sup> Legislature.

The effective date for most new laws is September 19, 2007 (90 days after adjournment *sine die*). However, some bills contain an alternate effective date that is noted in the bill summary.

During the course of the session, there were 1,434 bills introduced, and 318 of those bills were sent to Governor Napolitano for consideration. She signed 296 of the bills into law, allowed two to become law without her signature, and vetoed 22.

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.

At the end of each summary, you will find the initials of the CSA staff person who is the primary contact for that measure. Staff initials are (CS) for Craig Sullivan, (TM) for Todd Madeksza, (BL) for Beth Lewallen, and (EHB) for Elizabeth Hegedus-Berthold. If you have any questions about a bill, please contact us at (602) 252-5521.

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## 2007 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 25 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 55 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. Annually, the Board 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:

- Preserve the authority of county boards of supervisors to exercise local control in order to enhance or maintain local public needs and conditions.
- Enable county boards of supervisors to finance critical public service programs, many of which are state and federally mandated, without fiscal restrictions or impositions.
- Enhance county boards of supervisors' authority to solve local problems based on implied powers unless explicitly prohibited.
- Oppose efforts that reduce state-shared revenues resulting in a negative fiscal impact to counties.



**2007 LEGISLATIVE POLICY COMMITTEE**

<b>David Brown</b>	<i>Apache County</i>
<b>Richard Searle</b>	<i>Cochise County</i>
<b>Matt Ryan</b>	<i>Coconino County</i>
<b>Shirley Dawson</b>	<i>Gila County</i>
<b>James Palmer</b>	<i>Graham County</i>
<b>Richard Lunt</b>	<i>Greenlee County</i>
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<b>Pete Byers</b>	<i>Mohave County</i>
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<b>Manny Ruiz</b>	<i>Santa Cruz County</i>
<b>Carol Springer</b>	<i>Yavapai County</i>
<b>Lenore Stuart</b>	<i>Yuma County</i>



**CSA PROFESSIONAL STAFF**



**Craig Sullivan**  
Executive Director



**Penny Adams**  
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Director of Legislative Affairs



**Beth Lewallen**  
Legislative Liaison



**Elizabeth Hegedus-Berthold**  
Research Analyst



**Yvonne M. Ortega**  
Administrative Assistant

## CSA LEGISLATIVE PACKAGE

### **FERAL HONEYBEES; PUBLIC NUISANCE (H 2306, Chapter 16, Laws 2007)**

A feral colony of honeybees that is not maintained by a beekeeper is added to the statutory list of public nuisances dangerous to the public health, expanding the authority of county health departments to require the removal of dangerous bee colonies. Effective September 19, 2007. (BL) *Also listed under Health and Human Services.*

Sponsor: J. Burns

### **COUNTY GRAFFITI ABATEMENT (H 2328, Chapter 273, Laws 2007)**

A county board of supervisors is permitted to adopt and enforce ordinances for the prevention, abatement and removal of graffiti. The measure restricts the retail display of graffiti tools in a place that is in the line of sight of a cashier or in the line of sight from a workstation during business hours, in a manner that makes the product accessible to a patron of the business establishment only with the assistance of an employee or is in an area that is electronically monitored during business hours. Effective September 19, 2007. (TM) *Also listed under General Government.*

Sponsor: J. Burns

### **SANITARY DISTRICT; CONVERSION; REORGANIZATION (H 2482, Chapter 80, Laws 2007)**

Clarifies that the process of changing the governing body of a sanitary district from the county board of supervisors to a locally elected board is called a *conversion* rather than a *reorganization* and establishes the procedure for a sanitary district to reorganize an existing, locally-elected board from three members to five members. Requires election results for sanitary districts be finalized within 20 days rather than 14 days after an election and clarifies posting and reimbursement policies regarding a sanitary conversion or reorganization. Effective September 19, 2007. (TM) *Also listed under Special Districts.*

Sponsor: Mason

### **COUNTY ROADS DISTRICT; ALTERNATE GOVERNMENT (H 2486, Chapter 254, Laws 2007)**

The conversion or establishment of a County Improvement District (CID) to a Road Improvement and Maintenance District is permitted for the purpose of road improvements that are not built to county standard, will not be part of the county road system, and require ongoing maintenance. The establishment or conversion may be by either a resolution of the county board of supervisors (BOS) following a public hearing held at least 20 days after a meeting notice has been mailed to all the property owners in the CID or a resolution of the BOS upon the receipt and consideration of a petition signed by the owners of at least 50 percent of the land in the CID. The petition must contain a statement that acknowledges the roads may not be built to county standards, will not be maintained by the county, and may be more expensive to maintain than roads that are built to county standards. Effective September 19, 2007. (TM) *Also listed under Special Districts.*

Sponsor: Mason

### **SPECIAL DISTRICTS AMENDMENTS (H 2489, Chapter 216, Laws 2007)**

Makes conforming changes to special taxing districts, including domestic water and wastewater districts, pest abatement districts and special improvement districts, and changes membership requirements for theme park and vehicle support facility districts. Effective September 19, 2007. (TM) *Also listed under Special Districts.*

Sponsor: Mason

### **COUNTY PLANNING AND ZONING COMMISSIONS (S 1082, Chapter 30, Laws 2007)**

Modifies eligibility requirements of a county's planning and zoning commission members to require that members solely be residents of the district from which they are appointed and allows

the appointing supervisor in a county with 179,000 people or less to appoint an alternate member from any supervisory district to serve in the absence of a regularly appointed member. The measure requires an alternate member to conclude his or her action on the agenda item under consideration and then relinquish his or her seat to the regularly appointed member for any remaining items when the regularly appointed member becomes available. Effective September 19, 2007. (TM) *Also listed under Land Use and Planning.*

Sponsor: Flake

**WASTE TIRE DISPOSAL (S 1083, Chapter 31, Laws 2007)**

Extends the Waste Tire Program and the fees and fund associated with the Program from December 31, 2007 to December 31, 2017. Effective September 19, 2007. (TM) *Also listed under General Government.*

Sponsor: Flake

**TAX FORECLOSURE SALES; NOTICE (S 1195, Chapter 193, Laws 2007)**

Statute governing the board of supervisor's advertisement, notice and sales requirements for the county auction of foreclosed tax properties is aligned to the statutes governing the county treasurer's similar auction and permits the auction to occur on the Internet. Effective September 19, 2007. (TM) *Also listed under General Government.*

Sponsor: O'Halleran

**COUNTY POWERS; OPEN FIRES (S 1198, Chapter 52, Laws 2007)**

Allows a county board of supervisors to prohibit open fires and campfires on private property islands that are within the boundaries of a national forest or land owned by the U.S. Bureau of Land Management or the State of Arizona, if the federal or state government has prohibited open fires and campfires in the area. Effective September 19, 2007. (BL) *Also listed under General Government.*

Sponsor: O'Halleran

## COMMUNITY COLLEGES

**PROVISIONAL COMMUNITY COLLEGE DISTRICTS; CONTINUATION (H 2193, Chapter 13, Laws 2007)**

The statutory ending date of July 1, 2009 for provisional community college districts is removed, allowing such districts to continue to form and operate. Provisional community college districts are not required to meet the minimum assessed valuation and population requirements prescribed in statute necessary to form a community college district. Effective September 19, 2007. (BL)

Sponsor: Konopnicki

## COURTS AND CRIMINAL JUSTICE

**DEFENSIVE DRIVING SCHOOLS (H 2001, Chapter 182, Laws 2007)**

A court is required to allow an eligible individual to attend any certified defensive driving school (DDS) after January 1, 2009, if the court had a contract with a primary provider that expired or was renewed after July 1, 2007. Allows the court, subject to the approval of the Defensive Driving Board, to require a DDS to transfer funds and electronically report course completions. Counties receive a portion of the fees collected from individuals who attend a DDS. Effective December 31, 2008. (BL)

Sponsor: J. Weiers



**CRITICAL INFRASTRUCTURE; INFORMATION; PENALTY (H 2067, Chapter 223, Laws 2007)**

Assigns a class 5 felony, in addition to any federal penalty, for knowingly publishing, divulging, disclosing or making known any critical infrastructure information (CII) known to be protected from disclosure to any state or local governmental employee and any entity that submits or receives CII. Defines CII as information that is not customarily in the public domain, that is related to the security of critical infrastructure or protected systems, and that is related to any attack, either physical or computer based. Any entity, except for state and local government-owned critical infrastructure facilities, may voluntarily participate in the statewide system at its own cost. Political subdivisions are required to participate as federal monies are available. Effective September 19, 2007. (BL) *Also under Land Use and Planning and Law Enforcement and Emergency Services.*

Sponsor: Nelson

**WRIT OF RESTITUTION; CRIMINAL TRESPASS (H 2077, Chapter 111, Laws 2007)**

A classification of criminal trespass in the third degree is established for a person who has been served a writ of restitution and returns to or remains in the dwelling unit, mobile home space or recreational vehicle space without the permission of the property owner. Requires the person preparing the judgment to ensure that it does not contain a social security number. Writs of restitution are issued by clerks of the superior court or justice courts and are executed by sheriffs or constables. Effective September 19, 2007. (BL)

Sponsor: Nelson

**TRAFFIC TICKETS; COLLECTIONS; CIVIL PENALTIES (H 2226, Chapter 87, Laws 2007)**

Prohibits the court from initiating collection procedures resulting from non-payment of a civil traffic penalty if the court has taken no action to collect the penalty or suspend the individual's driver license or registration within 36 months of the final disposition of the civil violation. In addition, if an individual offers reasonable evidence to the court that the penalty and any other fees have been paid the court shall cease collection activities and rescind any suspension actions related to the paid civil penalty. Effective September 19, 2007. (BL)

Sponsor: McClure

**DRIVER LICENSE INFORMATION; RETAILER USE (H 2291, Chapter 208, Laws 2007)**

Allows a county attorney to obtain injunctive relief and recover costs, attorney fees and prescribed penalties for any retailer that illegally uses information from a customer's driver's license. Outlines provisions that constitute illegal use of the information. Effective September 19, 2007. (BL)

Sponsor: Konopnicki

**UNLAWFUL SEXUAL CONDUCT INVOLVING PRISONERS (H 2342, Chapter 248, Laws 2007)**

An emergency measure which makes numerous changes to law regarding sexual conduct involving prisoners, child prostitution, dangerous crimes against children, and luring a minor for sexual exploitation. Changes the definition of unlawful sexual conduct involving prisoners to prohibit any sexual act between offenders and employees, contractors, official visitors, volunteers or agency representatives of Department of Corrections facilities, private correctional facilities, or city or county jails.

The bill stipulates that if an offender is convicted of engaging in prostitution with a minor between the ages of 15 and 17, the offender must serve a 30-day county jail sentence as an initial term of probation. Retroactively effective June 13, 2007. (BL)

Sponsor: J. Burns

**JUSTICES OF THE PEACE; JURISDICTION (H 2750, Chapter 131, Laws 2007)**

Expands the civil jurisdiction of justice of the peace (JP) courts and specifies authorities and restrictions for Maricopa County JPs. Effective September 19, 2007. (BL)

Sponsor: Pearce

**VEHICLE IMPOUNDMENT AND IMMOBILIZATION (H 2753, Chapter 278, Laws 2007)**

Changes existing statutes related to the impoundment and immobilization of motor vehicles operated by persons who do not have a valid driving privilege. Current law authorizes law enforcement officers to remove and impound a vehicle for 30 days if an individual is driving on a revoked or suspended license, and if the suspension is due to a driving under the influence conviction, a previous conviction for driving on a suspended license, or the accumulation of too many points as a result of convictions for moving violations. The bill clarifies that the peace officer shall impound the vehicle if the offender cannot produce evidence of ever having a valid license or permit issued by another jurisdiction, expands the list of driver's license suspensions and revocations requiring vehicle impoundment or immobilization to include any driver's license suspension or revocation, and expands additional criteria to be considered by a law enforcement officer.

Requires storage charges for impounded vehicles to be subject to a contractual agreement between the political subdivision and a towing entity, but not to exceed a maximum of \$15 per day, and specifies that county impounding agencies shall deposit administrative charges with the county treasurer.

Increases the time an impounding agency has to notify persons with an ownership interest in the vehicle of the impoundment from two working days to three business days and excludes weekends and holidays, and changes the time an impounding agency is given to conduct a post storage hearing after receiving a hearing request from five working days to five business days, excluding weekends and holidays. Specifies that a person is entitled to one post storage hearing with the impounding agency or a justice court. Effective September 19, 2007. (BL) *Also listed under Law Enforcement and Emergency Services.*

Sponsor: Pearce

**VICTIMS' RIGHTS; FREE POLICE REPORTS (H 2756, Chapter 204, Laws 2007)**

Requires law enforcement agencies to provide notice to victims of their right to a free copy of the police report and requires an employer to allow an employee who is a victim of a crime to leave work to obtain protection-related court orders. Effective September 19, 2007. (BL) *Also listed under Law Enforcement and Emergency Services.*

Sponsor: M. Garcia

**JUSTICES OF THE PEACE; FUNDING (H 2758, Chapter 237, Laws 2007)**

Requires Maricopa County to pay 100 percent of costs for county justices of the peace (JPs), rather than the 60 percent required of other counties, and reduces Maricopa County's mandated contributions to the Arizona Health Care Cost Containment System (AHCCCS) by the amount they would have received from the state for JP costs (40 percent of total JP costs). Specifies the reduction will occur first in AHCCCS administration costs, then in AHCCCS acute care costs. Requires the Economic Estimates Commission to increase Maricopa County's expenditure limit to reflect increased costs for JPs. Effective July 1, 2007. (BL) *Also listed under Finance and Taxation.*

Sponsor: Adams

**FAIR AND LEGAL EMPLOYMENT ACT (H 2779, Chapter 279, Laws 2007)**

Prohibits an employer from intentionally or knowingly employing an unauthorized alien, and establishes prosecutions for those who are employed illegally and for those who knowingly or intentionally employ an illegal alien. Beginning January 1, 2008, requires every employer, after



hiring an employee, to verify the employment eligibility of the employee through the federal Basic Pilot Program.

Requires the Attorney General (AG) or county attorney, upon receiving a complaint that an employer allegedly intentionally or knowingly employs an unauthorized alien, to investigate the alleged violation, and requires the AG or county attorney to work with the federal government to verify the work authorization of the alleged alien. (Federal law requires the Immigration and Naturalization Service to respond to an inquiry by a federal, state or local government agency, seeking to verify or ascertain the citizenship or immigration status of any individual within the jurisdiction of the agency for any purpose authorized by law, by providing the requested verification or status information.) Prohibits a state, county or local official from attempting to independently make a final determination on whether an alien is authorized to work in the U.S., and requires the official to verify an alien's immigration or work status with the federal government.

Establishes a class 3 misdemeanor for knowingly filing a false complaint against an employer. Requires the AG or county attorney, upon determining that a complaint is not frivolous, to notify the Bureau of Immigration and Customs Enforcement and local law enforcement. Requires the AG to notify the appropriate county attorney.

Requires an action for a violation to be brought against the employer by the county attorney in the county where the unauthorized alien is employed, but prohibits the county attorney from bringing an action against an employer for a violation that occurs prior to January 1, 2008. Requires the superior court to expedite any action relating to the employment of an unauthorized alien, including assigning the hearing at the earliest practicable date, and specifies actions the court must take against employers found to have committed a violation. Clarifies that the court can consider only the federal government's determination of whether an employee is an unauthorized alien.

Requires the court to send a copy of the court order for a first violation to the AG, who is required to maintain copies of court orders, to make the court orders available on the AG's website, and to maintain a database of the employers who have a first violation.

Expands the definition of aggravated identify theft to include knowingly taking or using any personal identifying information of another person, including a real or fictitious person, with the intent to obtain employment, and reduces, from five to three, the number of identifications a person must knowingly take or use in order for the person to commit aggravated identity theft.

Establishes an Employer Sanctions Legislative Study Committee to examine the laws and regulations pertaining to employer sanctions in Arizona, as well as the effects of these laws and whether they are being properly implemented.

Appropriates \$2.43 million in FY08 to be distributed to the county attorneys in the state for enforcing any immigration-related matters and any provisions relating to intentionally or knowingly employing unauthorized aliens. Maricopa County receives \$1.43 million, Pima County receives \$500,000, and the remaining counties divide the remainder as equally as possible. Effective January 1, 2008. (BL) *Also listed under Immigration Reform and Law Enforcement and Emergency Services.*

Sponsor: Pearce



**BUDGET RECONCILIATION; CRIMINAL JUSTICE (H 2787, Chapter 261, Laws 2007)**

Makes necessary changes relating to criminal justice systems to implement the FY08 budget.

Requires arresting authorities to secure a DNA sample upon arrest from everyone suspected of committing any felony offense or another serious crime (defines applicable crimes), and requires any person who is arrested for a serious crime or misdemeanor and who is subsequently released on their own recognizance or bail to submit a DNA sample within five days. Samples must be transmitted to the Department of Public Safety (DPS). Increases court fees for criminal and some civil penalties in order to generate revenue for DPS costs associated with DNA samples.

Requires counties to pay 61.5 percent of compensation and employee-related expenses for justices of the peace (JPs), and all costs of the state retirement system or county health plan. The state covers 38.5 percent of compensation for JPs. Effective September 19, 2007. (BL)

*For more information, see the State Budget section.*

Sponsor: McComish

**DUI; 0.20 CONCENTRATION ENHANCEMENT (S 1029, Chapter 219, Laws 2007)**

Mandates sentencing for individuals convicted of driving with a blood alcohol content (BAC) of at least 0.20, requiring at least 45 days in jail and a \$500 fine for the first offense and 180 days in jail and a fine of \$1,000 for a second offense that occurs within 84 months of the first offense. Requires a certified ignition interlock device to be installed in the vehicle of each individual convicted of driving with a BAC of at least 0.20; the device must remain for 18 months for a first offense and 24 months for a second offense within 84 months of the first. Requires everyone convicted of driving with a BAC of 0.08 or more to use a certified ignition interlock device for at least one year. Effective September 19, 2007. (BL)

Sponsor: Waring

**ARIZONA CRIMINAL JUSTICE COMMISSION; CONTINUATION (S 1039, Chapter 21, Laws 2007)**

The Arizona Criminal Justice Commission is extended until July 1, 2017. Effective September 19, 2007. (BL)

Sponsor: C. Gray

**NOTIFICATION; BREACH OF SECURITY SYSTEM (S 1042, Chapter 23, Laws 2007)**

The statutory definition of "law enforcement agency" is amended to allow federal law enforcement agencies the same authority as other law enforcement entities to delay notification of a business' compromised security, if the notification will impede a criminal investigation. Continues current requirements that a county sheriff's office create and maintain an information security policy that includes notification procedures for a breach of its security system. Effective September 19, 2007. (BL)

Sponsor: C. Gray

**ARBITRATION; CLAIMS; COMPENSATION (S 1054, Chapter 142, Laws 2007)**

Increases the number of superior court cases that may be sent to arbitration by allowing civil suits with a disputed amount of less than \$65,000, up from \$50,000, to be eligible. Increases the daily pay rate for arbitrators from \$75 to \$140. Effective September 19, 2007. (BL)

Sponsor: Huppenthal

**MARRIAGE LICENSES; LOCAL COURT CLERKS (S 1056, Chapter 26, Laws 2007)**

A clerk of the superior court of a jurisdiction is to allow the court clerk of a city or town to issue marriage licenses and to process the conversion of existing marriages to covenant marriages, in instances where the municipality is located more than four miles from the county seat. Effective September 19, 2007. (BL)

Sponsor: Tibshraeny

**CRIMINAL CASE INFORMATION; DISCLOSURE (S 1167, Chapter 192, Laws 2007)**

Maricopa County Clerk of the Court is required to compile and publish online records of all superior court criminal case minute entries, except as prohibited by law, effective January 1, 2008. All clerks of the court in counties outside of Maricopa County are required to compile and publish online records of all superior court criminal case minute entries, except as prohibited by law, effective January 1, 2010. Specifies that the online minute entries be searchable by case name, number and the name of the judge or commissioner. Effective September 19, 2007, except for delayed effective dates as defined above. (BL)

Sponsor: C. Gray

**CRIMINAL STREET GANGS; MEMBERSHIP; SENTENCING (S 1222, Chapter 287, Laws 2007)**

Creates sentencing enhancements and increased penalties for persons who commit specific offenses to further, promote or assist a criminal street gang. Requires proof of gang membership to be considered evidence that an individual poses danger to the community and should not be released on bail. Appropriates \$2 million in FY08 to the Department of Public Safety, and requires county attorneys to receive \$1 million of the funding for prosecuting gang-related offenses. Establishes a Joint Legislative Study Committee on Security Threat Groups and Criminal Street Gangs; counties will be represented by two county attorneys and two county sheriffs. Effective September 19, 2007. (BL) *Also listed under Law Enforcement and Emergency Services.*

Sponsor: B. Burns

**AGGRAVATED DUI; PROBATION; INCARCERATION (S 1229, Chapter 159, Laws 2007)**

Allows the time spent incarcerated and the time a probationer is on absconder status to be excluded when determining a seven-year time period for the purpose of an aggravated DUI criminal conviction. Under current statute, to be convicted of an aggravated DUI an individual must meet certain criteria such as a repeated DUI within a seven-year period. Effective September 19, 2007. (BL)

Sponsor: Waring

**GLOBAL POSITION SYSTEM MONITORING; COMMITTEE (S 1231, Chapter 54, Laws 2007)**

Continues the Global Position System (GPS) Monitoring Committee until October 1, 2009. Requires the committee to submit a written report and recommendations by December 31, 2008. The Committee was created in 2006 to examine and implement the use of GPS technology in criminal justice, and committee membership includes a city police chief or a county sheriff. Effective September 19, 2007. (BL)

Sponsor: Waring

**EXTREME DUI; SENTENCE (S 1252, Chapter 195, Laws 2007)**

Prohibits a judge from suspending any portion of an extreme DUI sentence, thereby requiring offenders to serve a 30-day jail term for a first conviction or 90 days for a second conviction. Allows a judge to require an extreme DUI offender not to consume alcohol (and to submit to continuous alcohol monitoring or frequent testing) for 30 days for a first conviction or 90 days for a second conviction. Effective September 19, 2007. (BL)

Sponsor: Waring



**BAILABLE OFFENSES; ILLEGAL IMMIGRANTS (S 1265, Chapter 289, Laws 2007)**

Establishes a probable cause standard of proof for determining if a person has entered or remained in the U.S. illegally and therefore ineligible for bail if charged with a serious offense. The bill creates additional procedures for determining legal status and requires that the court determine if an offender is bailable at the initial appearance. Intended to clarify procedures related to previously-enacted ballot initiatives. Effective September 19, 2007. (BL) *Also listed under Immigration Reform.*

Sponsor: L. Gray

**VICTIMS' RIGHTS OMNIBUS (S 1286, Chapter 290, Laws 2007)**

Requires adult probation officers to monitor the payment of restitution, and requires the clerk of the court to notify monthly the prosecutor, sentencing court and any person entitled to restitution if the defendant has defaulted in the payment of restitution or any installment. Increases the amount of time the court may extend a person's probation from three years to five years for a felony, and from one year to two years for a misdemeanor if the person fails to satisfy restitution requirements.

Modifies language on orders of protection, beginning in January 2008, to state that a person who disobeys will be subject to arrest and prosecution. Requires the custodial agency to make reasonable efforts to contact the victim and other designated persons immediately upon releasing a person who has been arrested for violating an order of protection.

Requires the court to provide a victim with a free copy of the minute entry order or portion of the record of any proceeding if it is reasonably necessary for pursuing a claimed victims' right. Requires law enforcement agencies to redact specific contact and identifying information in publicly accessible records.

Requires the prosecutor's office to give notice to a victim in a timely manner of all continuances and make reasonable efforts to notify a victim of any request for a continuance. Outlines requirements for the court to ensure a speedy trial and requires the court, beginning on January 1, 2008, to give notice to a victim of any memorandum, decision or opinion issued by the court concurrently with the decision or opinion being issued to the parties, if the decision is requested by the victim. Effective September 19, 2007. (BL)

Sponsor: C. Gray

**CRIMINAL JUSTICE COMMISSION; POWERS; DUTIES (S 1331, Chapter 163, Laws 2007)**

Transfers rulemaking and policy setting authorities for the Criminal Justice Information System (CJIS) from the Arizona Criminal Justice Commission (ACJC) to the Arizona Department of Public Safety (DPS). The CJIS is a computerized network available to local, state and federal criminal justice agencies; though DPS maintains CJIS, previously the ACJC was responsible for setting CJIS rules and policies. Effective September 19, 2007. (BL)

Sponsor: C. Gray

**JURIES; COMMISSIONER DUTIES; JUROR SELECTION (S 1434, Chapter 199, Laws 2007)**

Allows a superior court which operates in multiple locations to adopt alternative methods for summoning jurors (approved by the Supreme Court) that minimize travel by dividing the county into jury districts. The bill also makes numerous changes to modernize jury selection procedures, including the following:

- Requires the court to grant a request for a jury trial from either the plaintiff or defendant.
- Requires a presiding judge or designee to review the request of a person whose request for excuse from jury duty is denied.
- Requires the Supreme Court to adopt rules that govern the selection of grand jurors and trial jurors in superior court.

- Allows a court to summon jurors using a countywide summoning method or an alternative method that is approved by the Supreme Court, in compliance with the Constitution, and provides for a fair cross section of the community in jury selection.
- Specifies that only jurors in the city or town limits may be eligible for service in a municipal court.
- Further specifies that in counties with over two million residents, only jurors who reside within the justice court precinct are eligible for jury service in a justice court.
- Prohibits the release of juror information unless ordered by the court, and specifies that records containing juror information are confidential.
- Allows the use of a jury management automation system and requires random selection to be used in selecting and assigning jurors.
- Requires the use of a questionnaire to determine juror qualifications and allows the use of law enforcement to investigate information on the questionnaire.
- Allows any person on the master jury list to be subpoenaed and required to testify regarding their jury qualifications or excuse from jury service.

Effective September 19, 2007. (BL)

Sponsor: C. Gray

**ORGANIZED RETAIL THEFT TASK FORCE (S 1547, Chapter 233, Laws 2007)**

Establishes the Organized Retail Theft Task Force to study the problem of organized retail theft, analyze possible solutions and statutory changes, and increase coordination with federal agencies. The task force includes the Director of the Department of Public Safety and representatives from the retail industry. Counties and municipalities are represented on the task force by:

- Two police chiefs, appointed by the Arizona Chief's of Police Association (one from a city with 1 million residents or more, and one from a city of 1 million residents or less)
- Two county attorneys, appointed by the Executive Director of the Arizona Prosecuting Attorney's Advisory Council (one from a county with 1 million residents or more and one from a county with 1 million residents or less)
- Two sheriffs, appointed by the Arizona Sheriff's Association (one from a county with 500,000 residents or more and one from a county with 500,000 residents or less)

The task force is required to report by December 1, 2008 and is repealed on October 1, 2009.

Effective September 19, 2007. (BL)

Sponsor: L. Gray

**PUBLIC SAFETY RADIO COMMUNICATIONS; LIABILITY (S 1549, Chapter 172, Laws 2007)**

Participants in a public safety radio communications network or similar network are exempt from liability for civil damages that result from an act or omission in connection with developing, operating, implementing, maintaining or participating in a radio emergency system or similar network. Effective September 19, 2007. (BL)

Sponsor: O'Halleran

**YOUTHFUL SEX OFFENDERS; TREATMENT (S 1628, Chapter 176, Laws 2007)**

Requires the court, at the request of a probationer, to conduct a probation hearing at least once a year for a juvenile probationer who was convicted of a sex offense requiring registration. Also, requires certain individuals to be notified of the hearing, and requires the probation department to prepare a probation report prior to the hearing. Effective September 19, 2007. (BL)

Sponsor: Johnson



## ELECTIONS

### **BALLOTS; PERMANENT EARLY VOTING (H 2106, Chapter 183, Laws 2007)**

Amends current election law to create a permanent early voting list to be maintained by the county recorder as a part of the voter registration roll, specifies procedures for implementing the early voting list, and requires each person that requests to be on the early voting list to receive election notices and early ballots prior to an election.

Alters deadlines and requirements for early voting, and allows an officer in charge of an election to perform several election functions previously performed by the county recorder. Requires a candidate to file nomination papers not less than 50 (previously 40) days prior to a presidential preference election, and alters requirements for write-in candidates running in a special district election. Effective September 19, 2007. (BL)

Sponsor: Konopnicki

### **BUDGET RECONCILIATION; BUDGET PROCEDURES (H 2785, Chapter 259, Laws 2007)**

Requires county elections officers to provide a live video recording of ballot counting for any statewide, county or city election. The live video recording must be connected to the Secretary of State's website and the county elections officer must keep the recording as public record. Appropriates \$5,000 to each county (a total of \$75,000) in FY08 for implementation. (Video recording mandate also outlined in S 1623, Chapter 295, Laws 2007.)

Effective September 19, 2007. (BL)

Sponsor: Boone

### **ELECTIONS; PRIMARY DATE; EARLY VOTING (S 1430, Chapter 168, Laws 2007)**

The date of a primary election or special election at which candidates are elected is moved from the eighth Tuesday before the general election to the ninth Tuesday before the general election. Requires early voting to begin 26 days (previously 15 days) before a presidential preference election (PPE), requires candidate nomination papers to be filed at least 50 days (up from 40 days) before a PPE, and requires an early ballot to be mailed within 48 hours if the request is made within 23 days before the Saturday preceding an election. Effective September 19, 2007. (BL)

Sponsor: Johnson

### **ELECTIONS; MANUAL AUDIT REVISIONS (S 1623, Chapter 295, Laws 2007)**

Prohibits early ballots from being counted any earlier than seven days prior to an election day, and requires anyone involved in ballot tabulation to be a qualified elector. Establishes a class 6 felony for anyone that releases vote tally information unlawfully.

Requires a county elections officer to provide a live video recording of ballot tabulation, which must be linked to the Secretary of State's website and kept as a public record at least until the end of the challenge period for the general election. Specifies that the county elections official is not liable if the live video feed is disrupted, but requires an attempt to reinstate video coverage as soon as possible and allows ballot tabulation to continue while the video coverage is being repaired. Clarifies that the video recording requirement becomes effective only upon legislative appropriation. (The legislature appropriated \$75,000 in FY08 for this purpose in H 2785, Chapter 259, Laws 2007.)

Requires random selection of precincts in the county for hand counts and outlines detailed procedures for conducting hand counts for up to five specific races in each precinct. If there are no contested races, no hand count is required in that precinct. Mandates a hand count of randomly-selected 2 percent of the ballots in a presidential preference election.



Alters statutory requirements for hand counts, allowing two board workers rather than three and specifying that any qualified elector may serve, regardless of party designation. Prohibits board worker compensation from including travel, meal or lodging expenses. Deletes statute which allowed a hand count to be cancelled if board workers fail to appear, and outlines a new process for certifying hand counts in a precinct that does not have the adequate number of workers. Allows a county party's chairman or their designee to perform hand count responsibilities previously assigned to a county elections official.

Makes the deliberate altering of election results a class 3 felony, from a class 4 felony. A person convicted cannot automatically receive restoration of the right to vote.

Effective September 19, 2007. (BL)

Sponsor: Johnson

## FINANCE AND TAXATION

### **COUNTY TREASURERS; PROPERTY TAX COLLECTION (H 2207, Chapter 117, Laws 2007)**

Outlines the process for allocating the taxes due on a property that was split or consolidated after the tax roll was submitted to the county treasurer and eliminates a mobile homeowner's ability to extend the due date for delinquent taxes acquired by a previous owner for a second year without incurring penalties. Effective September 19, 2007. (BL)

Sponsor: Konopnicki

### **GOVERNMENT PROPERTY TAX EXEMPTION; RETROACTIVITY (H 2476, Chapter 106, Laws 2007)**

Taxes on improvements owned by and leased from an agricultural improvement district are repealed retroactively to September 18, 2003, keeping the tax from ever being legal. Retroactively effective April 20, 2007. (BL)

Sponsor: J. Weiers

### **PRIME CONTRACTING; PROPERTY OWNERS (H 2627, Chapter 188, Laws 2007)**

Establishes a process for determining when a new property owner is responsible for paying transaction privilege taxes under the prime contracting classification when the tax was incurred by former property owners who made improvements that are not included in the original sales contract. Retroactive effective to January 8, 1991. (BL)

Sponsor: Yarbrough

### **PROPERTY TAX; ELECTRIC GENERATION VALUATION (H 2657, Chapter 203, Laws 2007)**

Revises the method for valuing the land used by an electric generation facility, stipulating that the value of land used by an electric generation facility is the cost to the current owner and that "electric generation facility" includes all land, buildings and personal property that is used for the generation of electric power. Retroactive to the valuation year that begins on January 1, 2007. (BL)

Sponsor: Yarbrough

### **WATER SUPPLY DEVELOPMENT REVOLVING FUND (H 2692, Chapter 226, Laws 2007)**

Authorizes the Water Infrastructure Finance Authority (WIFA) to provide financial assistance for water supply development projects, including establishing the Water Supply Development Revolving Fund (Fund) and the Water Supply Development Fund Committee (Committee). Outlines Committee membership and authorizes the 13-member Committee to distribute Fund resources for water supply development projects.

Outlines potential sources of revenues for the Fund, but does not appropriate specific dollars to the Fund, and specifies the purposes for which the Fund may be used. Requires a county board



of supervisors in an area outside of an Active Management Area to adopt water adequacy standards outlined in S 1575 (Chapter 240, Laws 2007) before a water provider in that county can receive assistance from the Fund. (The legislature appropriated \$250,000 in FY08 for the Fund in H 2781, Chapter 255, Laws 2007.)

Requires loans from the Fund to be repaid within 30 years, and outlines procedures for interest rates and payments. Specifies that a grant from the Fund may not exceed \$100,000.

Includes a statement that the legislature finds many water providers in the state, particularly in rural areas, lack access to sufficient water supplies to meet their long-term water demands, and the intent of the legislature is for the Fund to be used to provide financial assistance to these water providers. Effective September 19, 2007. (BL) *Also listed under Water.*

Sponsor: Mason

**JUSTICES OF THE PEACE; FUNDING (H 2758, Chapter 237, Laws 2007)**

Maricopa County is required to pay 100 percent of costs for county justices of the peace (JPs), rather than the 60 percent required of other counties, and reduces Maricopa County's mandated contributions to the Arizona Health Care Cost Containment System (AHCCCS) by the amount they would have received from the state for JP costs (40 percent of total JP costs.) Specifies the reduction will occur first in AHCCCS administration costs, then in AHCCCS acute care costs. Requires the Economic Estimates Commission to increase Maricopa County's expenditure limit to reflect increased costs for JPs. Effective July 1, 2007. (BL) *Also listed under Courts and Criminal Justice.*

Sponsor: Adams

**TAX LIABILITIES; SUSPENSION (S 1036, Chapter 132, Laws 2007)**

Requires the Arizona Department of Revenue to extend any due date and suspend the associated penalties and interest for up to one year for a taxpayer affected by a Presidentially-declared disaster, military or terrorist action or state of emergency as declared by the Governor. Applies to "affected taxpayers," including an individual or business located in a covered area, a government-sanctioned relief worker who is assisting in a covered area or an individual or business whose necessary records are maintained in a covered area. Effective September 19, 2007. (BL)

Sponsor: Pearce

**NAMED CLAIMANTS; APPROPRIATION (S 1186, Chapter 285, Laws 2007)**

Reimburses various agencies from the state general fund for costs incurred in previous fiscal years. Includes appropriations to Gila County and the Maricopa County Superior Court. Effective June 21, 2007. (BL)

Sponsor: B. Burns

**RECORDED LIENS; INVALID DOCUMENTS (S 1328, Chapter 220, Laws 2007)**

Prohibits a county recorder from recording a lien that is not consensual or not accompanied by the notarized signature of the debtor acknowledging the lien. If a non-consensual lien is presented, requires the recorder to file a notice of invalid lien signed by the Attorney General or county attorney and send a copy of the notice to both the debtor and the lien holder. Effective September 19, 2007. (BL)

Sponsor: Leff

**DRUG AND GANG ENFORCEMENT ACCOUNT (S 1344, Chapter 135, Laws 2007)**

Alters the distribution of funds in the Drug and Gang Enforcement Account, allowing specified portions of the revenues to enhance investigation and prevention of drugs and gang criminal activities. Maintains the current 30 percent distribution to county sheriffs for enhanced jail operations and facilities related to drug offenders and criminal street gang members but allows



the Arizona Department of Corrections to receive a portion of that funding. Effective September 19, 2007. (BL) *Also listed under Law Enforcement and Emergency Services.*  
 Sponsor: C. Gray

**CONTRACTORS; VIOLATIONS; SALES TAX (S 1592, Chapter 174, Laws 2007)**

Requires that a person convicted of a contract license violation to pay all state and local TPT and use taxes associated with the act or omission that constituted the violation, and authorizes the Department of Revenue to release confidential tax information to the prosecutor for purposes of sentencing the contractor license violations. Effective September 19, 2007. (BL)  
 Sponsor: Gould

**GENERAL GOVERNMENT**

**CONSTRUCTION CONTRACT BIDS; CIVIL PENALTY (H 2065, Chapter 40, Laws 2007)**

Increases the penalty for a county or city that knowingly violates statutes related to bidding out contracts, and imposes a tiered system based on the frequency of the violations until July 1, 2009. Outlines in session law a process for representatives from a statewide association of contractors, a statewide association of cities and towns and a statewide association of county supervisors to document city and county compliance with state laws related to bidding for construction contracts, and provides for two annual review dates of July 1, 2008 and July 1, 2009. Effective September 19, 2007. (TM)  
 Sponsor: Nelson

**PROPERTY TAX COMMISSION; SUNSET CONTINUATION (H 2078, Chapter 41, Laws 2007)**

Extends the Property Tax Oversight Commission for 10 years to July 1, 2017. Effective July 1, 2007. (TM)  
 Sponsor: Yarborough

**COUNTY OMNIBUS (H 2102, Chapter 268, Laws 2007)**

Counties are permitted to fix the amount of license fees to be paid by any person, firm, corporation or association for carrying on any game or amusement business in unincorporated areas of the county, but are prohibited from levying an occupational license or fee on any activity when the general law of Arizona precludes levying such a license or fee.

Salaries of county officers are increased beginning January 1, 2009, as follows (current salary in parentheses):

<u>County with a population of 500,000 or more:</u>			<u>County with a population of less than 500,000:</u>		
Attorney	\$123,678	(\$109,450)	Attorney	\$123,678	(\$109,450)
Assessor	\$76,600	(\$67,800)	Assessor	\$63,800	(\$56,500)
Recorder	\$76,600	(\$67,800)	Recorder	\$63,800	(\$56,500)
Sheriff	\$100,824	(\$89,225)	Sheriff	\$100,824	(\$89,225)
Superintendent	\$76,600	(\$67,800)	Superintendent	\$63,800	(\$56,500)
Supervisor	\$76,600	(\$67,800)	Supervisor	\$63,800	(\$56,500)
Treasurer	\$76,600	(\$67,800)	Treasurer	\$63,800	(\$56,500)

Effective Date: September 19, 2007. (TM)  
 Sponsor: Konopnicki

**COUNTY MEDICAL EXAMINERS (H 2125, Chapter 213, Laws 2007)**

The measure requires a Medical Examiner (ME) to be a pathologist who has completed a forensic fellowship or has extensive experience performing official autopsies, rather than a

pathologist skilled in forensic pathology. Permits boards of supervisors to designate one or more alternate MEs if appointing an ME is not practicable and conforms all procedural requirements to reflect the establishment of the alternate ME. The measure requires autopsies be performed by a forensic pathologist and allows the board of supervisors to pay for cost of cases referred to a forensic pathologist. The authority for the county attorney or Attorney General to require the individual performing the functions of an ME, when an ME has not been appointed, be certified in pathology and skilled in forensic pathology is eliminated. The measure contains multiple provisions governing the qualifications and responsibilities of the alternate MEs as they pertain to professional ethics, any board of supervisor policies regarding conflicts of interest and disclosure of non-county employment, and the fees the individuals may charge for the examinations and autopsies.

The measure expands the ME's authority regarding the decisions of when to require (or permit) an examination or autopsy when death has occurred from various causes, like disease, or on unidentifiable bodies. Authority to authorize the removal of organs and tissues for education and research, in addition to transplants, treatment and therapy, is continued, and the authority to limit the removal of organs or tissues to instances based on the review of available medical and investigative information, rather than based only on physical examination of the body, is broadened. In these instances, the statute governing the ME's contact with an organ procurement organization is amended to grant the ME more time to provide the organization with a written explanation.

The measure contains multiple provisions governing the conduct of funeral directors garnering custody of a body from the ME, the prohibition of a cause of action against an ME, and the purpose for which an ME or forensic pathologist may take tissue samples in sudden and unexplained infant death cases from research to diagnostic. Effective September 19, 2007 (TM)  
Sponsor: Stump

**SPECIAL EDUCATION; SCHOOL YEAR (H 2251, Chapter 201, Laws 2007)**

Requires a person who reaches the age of 22 years during the school year and who is receiving special education services by a school district or the county school superintendent to continue to receive the services until the end of the school year. Arizona statute requires a county school superintendent to provide services to eligible disabled children from age 3 to 22 years. Effective September 19, 2007. (BL)  
Sponsor: Hershberger

**STATE PLUMBING CODE (H 2252, Chapter 15, Laws 2007)**

The measure eliminates the definition and strikes statutory references to the state plumbing code and repeals the statute that prohibits a municipality from adopting a plumbing code other than the state plumbing code. The state plumbing code is repealed. Effective September 19, 2007. (TM)  
Sponsor: McComish

**SCRAP METAL DEALERS; RECORDS (H 2314, Chapter 186, Laws 2007)**

Expands the offense of aggravated criminal damage to include intentionally or recklessly, without the express permission of the owner, defacing, damaging or tampering with any utility or agricultural infrastructure or property, construction site or existing structure for the purpose of obtaining nonferrous metals. Prescribes the following penalties for aggravated criminal damage to utility or agricultural infrastructure or property, construction sites or existing structures:

- A class 3 felony if the damage results in a cost of more than \$10,000;
- A class 4 felony if the damage results in a cost between \$1, 500 and \$10,000;
- A class 5 felony for all other damages.



Costs will include the cost of lost crops and livestock in the determination of the amount of damage to property.

Prescribes multiple record keeping requirements for transactions involving scrap metal and requires that the dealers validate the recorded information by using the seller's driver license, non operating identification license, or photo identification card issued by a tribal government or the U.S. Military. Dealers are prohibited from providing any payment for scrap metal at the time of the transaction, within certain restrictions regarding the gauge of wire and amount being scrapped.

Certain limited transactions are exempt, including those involving used aluminum beverage containers. The measure includes an emergency clause making the Aggravated Criminal Damage effective upon signature of the Governor on May 8, 2007. The sections of the bill relating to scrap metal dealers and the DPS reporting requirements are effective on September 19, 2007. (TM)

Sponsor: JP Weiers

**COUNTY GRAFFITI ABATEMENT (H 2328, Chapter 273, Laws 2007)**

A county board of supervisors is permitted to adopt and enforce ordinances for the prevention, abatement and removal of graffiti. The measure restricts the retail display of graffiti tools in a place that is in the line of sight of a cashier or in the line of sight from a workstation during business hours, in a manner that makes the product accessible to a patron of the business establishment only with the assistance of an employee or is in an area that is electronically monitored during business hours. Effective September 19, 2007. (TM)

Sponsor: J. Burns

**COUNTY TREASURER; PROCEDURES (H 2387, Chapter 215, Laws 2007)**

A current or former employee of a county treasurer is prohibited from releasing confidential information, such as checks, signatures and bank account numbers, except under specific circumstances, and specifies new warrant procedures the Maricopa County Treasurer must follow. Effective September 19, 2007. (BL)

Sponsor: Konopnicki

**AGGREGATE MINING OPERATIONS RECOMMENDATION COMMITTEES (H 2626, Chapter 83, Laws 2007)**

Allows a county board of supervisors to appoint private citizens to an aggregate mining operations recommendation committee if the property owner lives within three miles of an aggregate mining operation, and allows the board of supervisors to appoint up to five alternate members who represent operators and up to five alternate members who are private citizens. Alternate members are to take the place of primary members if a primary member cannot attend a meeting. Effective September 19, 2007. (BL)

Sponsor: Burges

**COMMUNICATION SERVICE RECORDS; UNAUTHORIZED USE (H 2726, Chapter 210, Laws 2007)**

The procurement and sale of public utility records and communication service records through unauthorized, fraudulent or deceptive means is prohibited. The unauthorized use of personal information from a telephone record, public utility record or communication service record in a judicial, administrative, legislative or other proceeding is prohibited, unless the information is offered as proof in an action or prosecution for the unauthorized procurement or sale of the records, or is otherwise authorized by law. Effective: June 20, 2007. (TM)

Sponsor: Barnes



**NONCONTIGUOUS COUNTY ISLAND FIRE DISTRICTS (S 2780, Chapter 242, Laws 2007)**

Authorizes the formation of a noncontiguous county island fire district (District) consisting of noncontiguous county islands, and allows a District to contract for fire and emergency medical services or require a surrounding municipality to provide the services under certain conditions.

The measure defines how residents request the formation of a District, including the administrative procedures of the county and the mechanism for the District’s board to secure fire and emergency medical services for the District. The mechanism establishes the IGA option with a municipal provider, the RFP option for non-municipal private providers, and the instances when a municipality must provide fire and emergency services following a review of relevant information by the county attorney certifying that the negotiations and proposal were based on commercially reasonable assumptions. Municipal annexation may not be undertaken during the term of any contract between a District and private provider except as outlined.

Provisions regarding reports and inspections to identify hazardous materials, the constraints of establishing a District, the establishment of a secondary tax rate, and the collection of the tax are spelled out.

The measure failed to garner the required votes to enact the proposed emergency measure and was transmitted by the Governor to the Secretary of State without her signature. Effective September 19, 2007. (TM) *Also listed under Special Districts.*  
Sponsor: McComish

**BUDGET RECONCILIATION; ENVIRONMENT (H 2788, Chapter 262, Laws 2007)**

Establishes a Community Protection Initiative Program (Program) until July 1, 2017 to provide cost-share funding to local governments and private landholders for reducing hazardous fuels on nonfederal forested lands, and creates a Community Protection Initiative Fund (Fund), administered by the State Forester, to fulfill the purpose of the Program.

Requires the State Forester to maintain a list of communities at risk of wildfire and to issue grants for the completion of community wildfire protection plans. Grant applications are to be prioritized by a community’s current resources and only when the community meets specified criteria.

*For more information, see the State Budget section.*  
Effective September 19, 2007. (BL)  
Sponsor: McComish

**SCHOOL GOVERNING BOARD; CANDIDATE STATEMENT (S 1046, Chapter 190, Laws 2007)**

County school superintendents must publish a statement of each certified candidate for membership on a school district governing board on their website, as well as a list of the school districts and their respective candidates listed alphabetically by school district and candidate with an attached link to the photograph and statement of each candidate. If no statement is submitted by the candidate, the website must state “no response submitted” for the candidate. The documents must be the same size and format for each candidate, and the statements must be posted on the website no later than 14 days prior the general election ballots may be mailed. Effective September 19, 2007. (BL)  
Sponsor: L. Gray

**UNORGANIZED TERRITORIES; JOINING SCHOOL DISTRICTS (S 1067, Chapter 133, Laws 2007)**

Requires a school district to reestablish its boundaries to include an unorganized territory without an election if the county school superintendent identifies only one adjacent school district that meets current statutory requirements, requires the county school superintendent to prepare and

distribute a pamphlet and ballot question if more than one adjacent school district is identified that meets current statutory requirements. Effective September 19, 2007. (BL)  
Sponsor: L. Gray

**WASTE TIRE DISPOSAL (S 1083, Chapter 31, Laws 2007)**

Extends the Waste Tire Program and the fees and fund associated with the Program from December 31, 2007 to December 31, 2017. Effective September 19, 2007. (TM) *Also listed under CSA Legislative Package.*  
Sponsor: Flake

**UNIFORM ANATOMICAL GIFT ACT (S 1099, Chapter 281, Laws 2007)**

Repeals existing laws related to anatomical gifts, and reenacts new procedures for: a) making, amending and revoking an anatomical gift; b) who may receive the gift; and c) the rights and duties of various organizations as they relate to anatomical gifts.

Provisions that impact county personnel include a requirement that a county health officer follow the same procedures as a county medical examiner (ME) when releasing a body and permitting the removal of parts. The ME is allowed to release for transplantation, therapy, research or education an entire body that is the subject of an anatomical gift, subject to the same procedural requirements that apply to the release of a body part for those purposes. Removes the responsibility of the ME to locate a deceased person's medical records and to contact persons to make the decision to make an anatomical gift.

The county ME is allowed to release the name, contact information, and medical and social history of a decedent to a procurement organization which can occur under procedures adopted by the ME rather than upon request of a procurement organization. Effective September 19, 2007. (TM)  
Sponsor: Allen

**UNORGANIZED TERRITORY; SCHOOL DISTRICT ANNEXATION (S 1122, Chapter 191, Laws 2007)**

Allows a unified school district governing board to authorize a boundary change to include a noncontiguous unorganized territory if specified criteria are met. Requires the county school superintendent, to conform the boundaries of the new unified school district if no petition opposing the annexation from a majority of the electors in the school district is received within 15 days of receiving the petition for annexation, and to notify the county board of supervisors and the county assessor of the boundary change. Effective September 19, 2007. (BL)  
Sponsor: Allen

**HEALTH CARE DISTRICT MONIES (S 1123, Chapter 144, Laws 2007)**

Allows the Maricopa County Special Health Care District (District) to appoint a treasurer other than the county treasurer to handle all district monies, other than special payments, and prohibits the District from private investments of its monies unless it appoints a treasurer other than the county treasurer. Requires the county treasurer to pay all district monies, other than special payments, over to the treasurer selected by the district, and discharges the county treasurer from any further liability if that option is chosen. Retroactively effective April 27, 2007. (BL) *Also listed under Health and Human Services.*  
Sponsor: Allen

**COUNTY RECORDERS; SOCIAL SECURITY NUMBERS (S 1169, Chapter 284, Laws 2007)**

County recorders in counties with a population of at least 800,000 are required to redact social security numbers from all online documents by January 1, 2009. County recorders in all other counties are required to redact social security numbers from online documents when requested to do so by the holder of the social security number. The county recorder must remove social



security numbers from all documents that are not currently available online before making them accessible on the Internet. Specifies that funds from the Document Storage and Retrieval Conversion and Maintenance Fund may be used to fulfill the redaction requirements. Specifies the county recorder is exempt from liability for any errors or cases of stolen identity resulting from redacting the specified records. Effective September 19, 2007. (BL)

Sponsor: Leff

**TAX FORECLOSURE SALES; NOTICE (S 1195, Chapter 193, Laws 2007)**

Statute governing the board of supervisors advertisement, notice and sales requirements for the county auction of foreclosed tax properties is aligned to the statutes governing the county treasurer's similar auction and permits the auction to occur on the Internet. Effective September 19, 2007. (TM) *Also listed under CSA Legislative Package.*

Sponsor: O'Halleran

**COUNTY POWERS; OPEN FIRES (S 1198, Chapter 52, Laws 2007)**

The county board of supervisors is granted authority to prohibit open fires and campfires on private property islands that are within the boundaries of a national forest or land owned by the U.S. Bureau of Land Management or the State of Arizona, if the federal or state government has prohibited open fires and campfires in the area. Effective September 19, 2007. (BL) *Also listed under CSA Legislative Package.*

Sponsor: O'Halleran

**CERTIFICATES OF DEPOSIT; GOVERNMENT INVESTMENTS (S 1216, Chapter 53, Laws 2007)**

Allows political subdivisions to invest in federally insured certificates of deposit, and specifies requirements for making the investments. Effective September 19, 2007. (BL)

Sponsor: Gorman

**EMERGENCY; CONFISCATION OF WEAPONS; PROHIBITION (S 1258, Chapter 101, Laws 2007)**

Prohibits the Governor or any official from commandeering firearms or ammunition during a time of emergency, and clarifies that this prohibition does not apply in times when it is reasonably necessary to order the movement of ammunition away from dangerous conditions. Effective September 19, 2007. (BL) *Also listed under Law Enforcement and Emergency Services.*

Sponsor: Tibshraeny

**UNDERGROUND STORAGE TANKS (S 1310, Chapter 103, Laws 2007)**

The portion of costs of corrective actions that an owner or operator of an underground storage tank (UST) may be reimbursed from the UST Assurance Account is reduced from 100 percent to 90 percent, if the owner or operator elects to perform the corrective actions that exceed the allocated share of liability. The measure limits the number of applications for coverage of costs for a single UST facility to one application per calendar month. Effective September 19, 2007. (TM)

Sponsor: Flake

**ARIZONA CENTENNIAL 2012; COMMISSION RESPONSIBILITIES (S 1433, Chapter 169, Laws 2007)**

Expands the membership of the Arizona Centennial Commission, outlines new responsibilities and allows the Commission to propose legislation. Effective September 19, 2007. (BL)

Sponsor: Johnson

**AMUSEMENT RIDES; SAFETY (S 1483, Chapter 232, Laws 2007)**

Amusement ride inspection and insurance requirements are established and counties are allowed to create a fee structure for administration and implantation of inspection and enforcement



requirements. Municipalities and counties are allowed to administer and enforce the amusement ride safety requirements of this act and to establish the necessary fees to administer and enforce the amusement ride safety requirements, however, those fees cannot exceed fees charged for business licenses or temporary use permits for similar temporary businesses. The county is also permitted to conduct appropriate investigations, including reviewing the insurance of the proprietor and inspection of the machine. Effective September 19, 2007. (TM)  
Sponsor: O'Halleran

**AIR QUALITY PROGRAM (S 1552, Chapter 292, Laws 2007)**

Changes statutes related to air quality control including leaf blower restrictions, covered load restrictions, and no burn restrictions. Effective September 19, 2007. (TM)  
Sponsor: Allen

**COUNTY ASSESSORS; PROCEDURES (S 1553, Chapter 104, Laws 2007)**

Property owners are permitted to appeal directly to the court the county assessor's decision regarding the approval or disapproval of an agricultural classification. The assessor is required to notify a property owner of the disapproval of an agricultural classification within 120 days of the application. The measure also specifies that the limited property value of a parcel that is split, subdivided or consolidated as the result of the actions of a government entity, shall not change for the valuation year if the change will result in an increase in value.

Effective September 19, 2007. (TM)

Sponsor: Tibshraeny

**BOARD OF EQUALIZATION; HEARING OFFICERS (S 1554, Chapter 37, Laws 2007)**

Raises the maximum per diem compensation, from \$150 to \$300, for hearing officers employed by the State Board of Equalization. Effective September 19, 2007. (TM)

Sponsor: Tibshraeny

**STATE FORESTER (S 1607, Chapter 175, Laws 2007)**

The amount of unobligated money that is permitted to remain in the Fire Suppression Fund at the end of a calendar year is increased from \$600,000 a year to \$2 million. Effective September 19, 2007. (TM)

Sponsor: Flake

**HEALTH AND HUMAN SERVICES**

**CONTROLLED SUBSTANCES; MONITORING (H 2136, Chapter 269, Laws 2007)**

Establishes the Controlled Substances Monitoring Program administered by the Board of Pharmacy, including an electronic database to track the prescriptions of controlled substances. State registration for individuals who prescribe controlled substances is required, as is the reporting of specified controlled substances information. The information may be released to a local, state or federal law enforcement or criminal justice agency only if the agency states in writing that the information is necessary for an open investigation or complaint, or for suspected illegal contact as reported by the Board. Effective September 19, 2007. (BL)

Sponsor: Stump



**PRESCRIPTIONS; EMERGENCIES (H 2155, Chapter 207, Laws 2007)**

Requires the Arizona State Board of Pharmacy to cooperate with the state and its political subdivisions to ensure the provision of drugs, devices, and professional services to the public if an emergency has been declared by the Governor or a political subdivision pursuant to its authority due to a natural disaster or terrorist attack, and it results in individuals being unable to refill existing prescriptions. Effective September 19, 2007. (BL) *Also listed under Law Enforcement and Emergency Services.*

Sponsor: Stump

**FERAL HONEYBEES; PUBLIC NUISANCE (H 2306, Chapter 16, Laws 2007)**

A feral colony of honeybees that is not maintained by a beekeeper is added to the statutory list of public nuisances dangerous to the public health, expanding the authority of county health departments to require the removal of dangerous bee colonies. Effective September 19, 2007. (BL)

Sponsor: J. Burns

**RURAL GENERAL HOSPITAL; INTENSIVE CARE (H 2454, Chapter 128, Laws 2007)**

Allows a hospital licensed as a rural general hospital to provide intensive care services. Effective September 19, 2007. (BL)

Sponsor: Konopnicki

**BUDGET RECONCILIATION; HEALTH AND WELFARE (H 2789, Chapter 267, Laws 2007)**

Beginning July 1, 2007, local, county and tribal governments are allowed to donate funds for graduate medical education in order to qualify for additional matching federal dollars for programs or positions in a specific locality or at a specific institution.

Alters the distribution of federal disproportionate share payments, and allows counties to exclude specific contributions to the Arizona Health Care Cost Containment System from the county expenditure limit.

Specifies that immunization against HPV is not required for school attendance.

Effective September 19, 2007. (BL) *For more information, see the State Budget section.*

Sponsor: Boone

**HEALTH CARE DISTRICT MONIES (S 1123, Chapter 144, Laws 2007)**

Allows the Maricopa County Special Health Care District (District) to appoint a treasurer other than the county treasurer to handle all district monies, other than special payments, and prohibits the District from private investments of its monies unless it appoints a treasurer other than the county treasurer. Requires the county treasurer to pay all district monies, other than special payments, over to the treasurer selected by the district, and discharges the county treasurer from any further liability if that option is chosen. Retroactively effective April 27, 2007. (BL) *Also listed under General Government.*

Sponsor: Allen

**WORKERS' COMPENSATION; INFECTIOUS DISEASE; EXPOSURE (S 1127, Chapter 230, Laws 2007)**

Allows firefighters, law enforcement officers, corrections officers, probation officers, emergency medical technicians, and paramedics not employed by a health care institution to file a workers' compensation claim for the treatment of methicillin-resistant staphylococcus aureus, spinal meningitis, and tuberculosis if they can demonstrate significant exposure to the disease. Effective September 19, 2007. (BL)

Sponsor: Verschoor



**BOND ISSUES; HEALTH FACILITIES AUTHORITY (S 1351, Chapter 198, Laws 2007)**

Allows the Arizona Health Facilities Authority to issue bonds for facilities with headquarters outside of the state if issuance of the bond will benefit Arizona. Effective September 19, 2007.

(BL)

Sponsor: O'Halleran

**IMMIGRATION REFORM****MATERIAL WITNESS; RELEASE; DETENTION; DEPOSITION (H 2016, Chapter 178, Laws 2007)**

Allows the temporary detainment in county jails of a person and treatment of the person according to bailable release provisions if it appears from an affidavit filed by a party that the testimony of the person is material in a criminal proceeding involving human smuggling and it may become impracticable to secure the presence of the person by subpoena due to the immigration status of the person.

Prohibits the detention of a material witness if the testimony of the witness can be secured adequately by deposition and if further detention of the witness is not necessary to prevent a failure of justice. Establishes time limits for the delaying of the material witness' release and stipulates that the law enforcement agency, other than the courts, may detain the witness, however, requires the filing of an affidavit with the court within 24 hours. Provides for segregating the witness based on age and lack of criminal conviction and contains multiple provisions to protect the witness' right to release within a specified time frame, and requires immediate release upon signing of the accuracy of the deposition under oath. Allows the deposition to be admitted as evidence at the trial or any pretrial proceeding provided the defendant had the right and opportunity to cross-examine the witness. Effective September 19, 2007. (BL) *Also listed under Law Enforcement and Emergency Services.*

Sponsor: McClure

**FAIR AND LEGAL EMPLOYMENT ACT (H 2779, Chapter 279, Laws 2007)**

Prohibits an employer from intentionally or knowingly employing an unauthorized alien, and establishes prosecutions for those who are employed illegally and for those who knowingly or intentionally employ an illegal alien. Beginning January 1, 2008, requires every employer, after hiring an employee, to verify the employment eligibility of the employee through the federal Basic Pilot Program.

Requires the Attorney General (AG) or county attorney, upon receiving a complaint that an employer allegedly intentionally or knowingly employs an unauthorized alien, to investigate the alleged violation, and requires the AG or county attorney to work with the federal government to verify the work authorization of the alleged alien. (Federal law requires the Immigration and Naturalization Service to respond to an inquiry by a federal, state or local government agency, seeking to verify or ascertain the citizenship or immigration status of any individual within the jurisdiction of the agency for any purpose authorized by law, by providing the requested verification or status information.) Prohibits a state, county or local official from attempting to independently make a final determination on whether an alien is authorized to work in the U.S., and requires the official to verify an alien's immigration or work status with the federal government.

Establishes a class 3 misdemeanor for knowingly filing a false complaint against an employer. Requires the AG or county attorney, upon determining that a complaint is not frivolous, to notify the Bureau of Immigration and Customs Enforcement and local law enforcement. Requires the AG to notify the appropriate county attorney.



Requires an action for a violation to be brought against the employer by the county attorney in the county where the unauthorized alien is employed, but prohibits the county attorney from bringing an action against an employer for a violation that occurs prior to January 1, 2008. Requires the superior court to expedite any action relating to the employment of an unauthorized alien, including assigning the hearing at the earliest practicable date, and specifies actions the court must take against employers found to have committed a violation. Clarifies that the court can consider only the federal government's determination of whether an employee is an unauthorized alien.

Requires the court to send a copy of the court order for a first violation to the AG, who is required to maintain copies of court orders, to make the court orders available on the AG's website, and to maintain a database of the employers who have a first violation.

Expands the definition of aggravated identify theft to include knowingly taking or using any personal identifying information of another person, including a real or fictitious person, with the intent to obtain employment, and reduces, from five to three, the number of identifications a person must knowingly take or use in order for the person to commit aggravated identity theft.

Establishes an Employer Sanctions Legislative Study Committee to examine the laws and regulations pertaining to employer sanctions in Arizona, as well as the effects of these laws and whether they are being properly implemented.

Appropriates \$2.43 million in FY08 to be distributed to the county attorneys in the state for enforcing any immigration-related matters and any provisions relating to intentionally or knowingly employing unauthorized aliens. Maricopa County receives \$1.43 million, Pima County receives \$500,000, and the remaining counties divide the remainder as equally as possible. Effective January 1, 2008. (BL) *Also listed under Courts and Criminal Justice and Law Enforcement and Emergency Services.*  
Sponsor: Pearce

**BAILABLE OFFENSES; ILLEGAL IMMIGRANTS (S 1265, Chapter 289, Laws 2007)**

Establishes a probable cause standard of proof for determining if a person has entered or remained in the U.S. illegally and therefore ineligible for bail if charged with a serious offense. The bill creates additional procedures for determining legal status and requires that the court determine if an offender is bailable at the initial appearance. Intended to clarify procedures related to previously enacted ballot initiatives. Effective September 19, 2007. (BL) *Also listed under Courts and Criminal Justice.*  
Sponsor: L. Gray

**LAND USE AND PLANNING**

**CRITICAL INFRASTRUCTURE; INFORMATION; PENALTY (H 2067, Chapter 223, Laws 2007)**

Assigns a class 5 felony, in addition to any federal penalty, for knowingly publishing, divulging, disclosing or making known any critical infrastructure information (CII) known to be protected from disclosure to any state or local governmental employee and any entity that submits or receives CII. Defines CII as information that is not customarily in the public domain, that is related to the security of critical infrastructure or protected systems, and that is related to any attack, either physical or computer based. Any entity, except for state and local government-owned critical infrastructure facilities, may voluntarily participate in the statewide system at its own cost. Political subdivisions are required to participate as federal monies are available. Effective September 19, 2007. (BL) *Also listed under Courts and Criminal Justice and Law Enforcement and Emergency Services.*  
Sponsor: Nelson



**LOCAL ENERGY PLANS (H 2638, Chapter 236, Laws 2007)**

Counties with a population greater than 125,000 persons and cities with a population greater than 50,000 persons must include an energy element in their long-range planning document. The components of the plan are outlined and requirements that include a component that identifies policies to encourage and provide incentives for efficient use of energy and that assesses and identifies methods for greater use of renewable energy sources are included. Effective September 19, 2007. (TM)

Sponsor: Cajero-Bedford

**COUNTY PLANNING AND ZONING COMMISSIONS (S 1082, Chapter 30, Laws 2007)**

Modifies eligibility requirements of a county's planning and zoning commission members to require that members solely be residents of the district from which they are appointed and allows the appointing supervisor in a county with 179,000 people or less to appoint an alternate member from any supervisory district to serve in the absence of a regularly appointed member. The measure requires an alternate member to conclude his or her action on the agenda item under consideration and then relinquish his or her seat to the regularly appointed member for any remaining items when the regularly appointed member becomes available. Effective September 19, 2007. (TM) *Also listed under CSA Legislative Package.*

Sponsor: Flake

**LAW ENFORCEMENT AND EMERGENCY SERVICES**

**MATERIAL WITNESS; RELEASE; DETENTION; DEPOSITION (H 2016, Chapter 178, Laws 2007)**

Allows the temporary detainment in county jails of a person and treatment of the person according to bailable release provisions if it appears from an affidavit filed by a party that the testimony of the person is material in a criminal proceeding involving human smuggling and it may become impracticable to secure the presence of the person by subpoena due to the immigration status of the person.

Prohibits the detention of a material witness if the testimony of the witness can be secured adequately by deposition and if further detention of the witness is not necessary to prevent a failure of justice. Establishes time limits for the delaying of the material witness' release and stipulates that the law enforcement agency, other than the courts, may detain the witness, however, requires the filing of an affidavit with the court within 24 hours. Provides for segregating the witness based on age and lack of criminal conviction and contains multiple provisions to protect the witness' right to release within a specified time frame, and requires immediate release upon signing of the accuracy of the deposition under oath. Allows the deposition to be admitted as evidence at the trial or any pretrial proceeding provided the defendant had the right and opportunity to cross-examine the witness. Effective September 19, 2007. (BL) *Also listed under Immigration Reform.*

Sponsor: McClure

**TEENAGE DRIVER SAFETY ACT (H 2033, Chapter 206, Laws 2007)**

Outlines provisions and restrictions of the Teenage Driver Safety Act, and prohibits a peace officer from stopping a vehicle operated by a Class G licensee (between 16 and 18 years of age) allegedly in violation of the restrictions unless the peace officer has reasonable grounds to believe the driver committed another alleged violation or a motor vehicle law. Effective July 1, 2008. (BL)

Sponsor: McComish



**CRITICAL INFRASTRUCTURE; INFORMATION; PENALTY (H 2067, Chapter 223, Laws 2007)**

Assigns a class 5 felony, in addition to any federal penalty, for knowingly publishing, divulging, disclosing or making known any critical infrastructure information (CII) known to be protected from disclosure to any state or local governmental employee and any entity that submits or receives CII. Defines CII as information that is not customarily in the public domain, that is related to the security of critical infrastructure or protected systems, and that is related to any attack, either physical or computer based. Any entity, except for state and local government owned critical infrastructure facilities, may voluntarily participate in the statewide system at its own cost. Political subdivisions are required to participate as federal monies are available. Effective September 19, 2007. (BL) *Also listed under Courts and Criminal Justice and Land Use and Planning.*

Sponsor: Nelson

**PRESCRIPTIONS; EMERGENCIES (H 2155, Chapter 207, Laws 2007)**

Requires the Arizona State Board of Pharmacy to cooperate with the state and its political subdivisions to ensure the provision of drugs, devices, and professional services to the public if an emergency has been declared by the Governor or a political subdivision pursuant to its authority due to a natural disaster or terrorist attack, and if the event results in individuals being unable to refill existing prescriptions. Effective September 19, 2007. (BL) *Also listed under Health and Human Services.*

Sponsor: Stump

**LAW ENFORCEMENT OFFICERS; MISCONDUCT INTERVIEWS (H 2209, Chapter 118, Laws 2007)**

Requires an employer of a law enforcement or probation officer to supply that officer with a written notice before commencing an interview that could result in dismissal, demotion or suspension. The notice must contain the specific nature of the investigation, and an employer cannot be required to stop an interview to issue another notice for allegations obtained during the interview or to disclose any facts to the employee that would impede the investigation. Effective September 19, 2007. (BL)

Sponsor: Adams

**CANCER INSURANCE; FIREFIGHTERS; POLICE OFFICERS (H 2268, Chapter 147, Laws 2007)**

County sheriffs and constables are allowed to receive benefits from the Fire Fighter Cancer Insurance Policy Program, which is renamed the Fire Fighter and Peace Officer Cancer Insurance Policy Program. Effective September 19, 2007. Retroactively effective July 1, 2007. (BL)

Sponsor: McClure

**PEACE OFFICERS' TRAINING FUND (H 2339, Chapter 123, Laws 2007)**

Expands the list of individuals that are eligible for funding provided by the Peace Officers' Training Fund (Fund) to include peace officers appointed by the Arizona Department of Corrections (DOC) and the Arizona Department of Juvenile Corrections. Counties obtain grants from the Fund to cover the costs of training police officers. Effective September 19, 2007. (BL)

Sponsor: J. Burns

**FIREARMS; PEACE OFFICERS (H 2457, Chapter 79, Laws 2007)**

Prohibits a political subdivision from barring a peace officer from carrying a firearm. Statute defines "peace officers" to include, among others, county sheriffs, constables, marshals, policemen of cities and towns and members of the Department of Public Safety. Effective September 19, 2007. (BL)

Sponsor: Pearce



**SEX OFFENDERS; REGISTRATION; ELECTRONIC IDENTITY (H 2734, Chapter 84, Laws 2007)**

Requires registered sex offenders to report to a county sheriff any required online identifier (defined as an e-mail address or Internet communication name), and requires a county sheriff to report any changes to a sex offender's required online identifier to the Department of Public Service (DPS) within three days. Requires DPS to establish a sex offender database and website. Effective December 31, 2007. (BL)

Sponsor: Robson

**VEHICLE IMPOUNDMENT AND IMMOBILIZATION (H 2753, Chapter 278, Laws 2007)**

Changes existing statutes related to the impoundment and immobilization of motor vehicles operated by persons who do not have a valid driving privilege. Current law authorizes law enforcement officers to remove and impound a vehicle for 30 days if an individual is driving on a revoked or suspended license, and if the suspension is due to a driving under the influence conviction, a previous conviction for driving on a suspended license, or the accumulation of too many points as a result of convictions for moving violations. The bill clarifies that the peace officer shall impound the vehicle if the offender cannot produce evidence of ever having a valid license or permit issued by another jurisdiction, expands the list of driver's license suspensions and revocations requiring vehicle impoundment or immobilization to include any driver's license suspension or revocation, and expands additional criteria to be considered by a law enforcement officer.

Requires storage charges for impounded vehicles to be subject to a contractual agreement between the political subdivision and a the towing entity, but not to exceed a maximum of \$15 per day, and specifies that county impounding agencies shall deposit administrative charges with the county treasurer.

Increases the time an impounding agency has to notify persons with an ownership interest in the vehicle of the impoundment from two working days to three business days and excludes weekends and holidays, and changes the time an impounding agency is given to conduct a post storage hearing after receiving a hearing request from five working days to five business days, excluding weekends and holidays. Specifies that a person is entitled to one post storage hearing with the impounding agency or a justice court. Effective September 19, 2007. (BL) *Also listed under Courts and Criminal Justice.*

Sponsor: Pearce

**VICTIMS' RIGHTS; FREE POLICE REPORTS (H 2756, Chapter 204, Laws 2007)**

Law enforcement agencies are required to provide notice to victims of their right to a free copy of the police report and requires an employer to allow an employee who is a victim of a crime to leave work to obtain protection-related court orders. Effective September 19, 2007. (BL) *Also listed under Courts and Criminal Justice.*

Sponsor: M. Garcia

**FAIR AND LEGAL EMPLOYMENT ACT (H 2779, Chapter 279, Laws 2007)**

Prohibits an employer from intentionally or knowingly employing an unauthorized alien, and establishes prosecutions for those who are employed illegally and for those who knowingly or intentionally employ an illegal alien. Beginning January 1, 2008, requires every employer, after hiring an employee, to verify the employment eligibility of the employee through the federal Basic Pilot Program.

Requires the Attorney General (AG) or county attorney, upon receiving a complaint that an employer allegedly intentionally or knowingly employs an unauthorized alien, to investigate the alleged violation, and requires the AG or county attorney to work with the federal government to



verify the work authorization of the alleged alien. (Federal law requires the Immigration and Naturalization Service to respond to an inquiry by a federal, state or local government agency, seeking to verify or ascertain the citizenship or immigration status of any individual within the jurisdiction of the agency for any purpose authorized by law, by providing the requested verification or status information.) Prohibits a state, county or local official from attempting to independently make a final determination on whether an alien is authorized to work in the U.S., and requires the official to verify an alien's immigration or work status with the federal government.

Establishes a class 3 misdemeanor for knowingly filing a false complaint against an employer. Requires the AG or county attorney, upon determining that a complaint is not frivolous, to notify the Bureau of Immigration and Customs Enforcement and local law enforcement. Requires the AG to notify the appropriate county attorney.

Requires an action for a violation to be brought against the employer by the county attorney in the county where the unauthorized alien is employed, but prohibits the county attorney from bringing an action against an employer for a violation that occurs prior to January 1, 2008. Requires the superior court to expedite any action relating to the employment of an unauthorized alien, including assigning the hearing at the earliest practicable date, and specifies actions the court must take against employers found to have committed a violation. Clarifies that the court can consider only the federal government's determination of whether an employee is an unauthorized alien.

Requires the court to send a copy of the court order for a first violation to the AG, who is required to maintain copies of court orders, to make the court orders available on the AG's website, and to maintain a database of the employers who have a first violation.

Expands the definition of aggravated identify theft to include knowingly taking or using any personal identifying information of another person, including a real or fictitious person, with the intent to obtain employment, and reduces, from five to three, the number of identifications a person must knowingly take or use in order for the person to commit aggravated identity theft.

Establishes an Employer Sanctions Legislative Study Committee to examine the laws and regulations pertaining to employer sanctions in Arizona, as well as the effects of these laws and whether they are being properly implemented.

Appropriates \$2.43 million in FY08 to be distributed to the county attorneys in the state for enforcing any immigration-related matters and any provisions relating to intentionally or knowingly employing unauthorized aliens. Maricopa County receives \$1.43 million, Pima County receives \$500,000, and the remaining counties divide the remainder as equally as possible. Effective January 1, 2008. (BL) *Also listed under Courts and Criminal Justice and Immigration Reform.*

Sponsor: Pearce

**BUDGET RECONCILIATION; CRIMINAL JUSTICE (H 2787, Chapter 261, Laws 2007)**

Makes necessary changes relating to criminal justice systems to implement the FY08 budget.

Requires arresting authorities to secure a DNA sample upon arrest from everyone suspected of committing any felony offense or another serious crime (defines applicable crimes), and requires any person who is arrested for a serious crime or misdemeanor and who is subsequently released on their own recognizance or bail to submit a DNA sample within five days. Samples must be transmitted to DPS. Increases court fees for criminal and some civil penalties in order to generate revenue for DPS costs associated with DNA samples.

Suspends statute to require counties to pay 61.5 percent of compensation and employee related expenses for justices of the peace (JPs), and all costs of the state retirement system or county health plan. The state covers 38.5 percent of compensation for JPs.

Effective September 19, 2007. *Also listed under Courts and Criminal Justice and State Budget.*  
Sponsor: McComish

**PUBLIC RECORDS; CONFIDENTIALITY (S 1006, Chapter 141, Laws 2007)**

Allows a victim of domestic violence, someone who is protected by a restraint order, a corrections or detention officer, or law enforcement or court support staff member to request the general public be prohibited from accessing personal information contained in voter registration documentation or records maintained by the county recorder, county assessor, county treasurer, the Department of Transportation, any law enforcement agency or employing state or local governmental entity. Requires the eligible person to present to the county recorder a certified copy of the court order or the recording number of the court order to include in any subsequent voter registrations. Effective September 19, 2007. (BL)  
Sponsor: Waring

**VEHICLE LICENSE TAX; MILITARY EXEMPTION (S 1007, Chapter 239, Laws 2007)**

An Arizona resident who is deployed in a U.S. military operation is exempt one time for one year from paying vehicle license tax and registration. The exemption is available to all deployed military members, including Arizona National Guard and reserves or their spouse or representative. Effective September 19, 2007. (BL)  
Sponsor: Waring

**LAW ENFORCEMENT; EMERGENCY DEPARTMENT COOPERATION (S 1015, Chapter 19, Laws 2007)**

Permits a law enforcement officer to request a report of a person's blood alcohol content from emergency department personnel when the law enforcement officer has reason to believe the person's alcohol content was higher than the legal limit. The emergency department personnel are required to provide the report, but specifies the report may be delayed if the patient will be harmed should emergency personnel take time away from their patient to issue the report. Specifies emergency department personnel will not incur civil liabilities unless they act with gross negligence. Effective September 19, 2007. (BL)  
Sponsor: Waring

**NUCLEAR EMERGENCY MANAGEMENT FUND; ASSESSMENTS (S 1053, Chapter 25, Laws 2007)**

Appropriates \$333,615 in FY08 and \$354,558 in FY09 from the state's general fund to pay Maricopa County for costs incurred while meeting its assigned responsibilities under the off-site nuclear emergency response plan. Effective April 10, 2007. (BL)  
Sponsor: Arzberger

**CONSTABLE ETHICS STANDARDS AND TRAINING (S 1085, Chapter 143, Laws 2007)**

Establishes the Constable Ethics Standards and Training Board (Board) in place of the Constable Ethics Committee, and requires the Board to investigate and hear complaints regarding a constable's ethical conduct. Alters the formula for computing certified mileage calculations for constables in Maricopa County. Effective September 19, 2007. (BL)  
Sponsor: Verschoor

**PUBLIC SAFETY EMPLOYEES; DISEASE TESTING (S 1170, Chapter 33, Laws 2007)**

Allows public safety employees or volunteers to ask the court to authorize testing for HIV or other communicable diseases if there are reasonable grounds to believe the public safety personnel

was exposed to the disease. An employee or volunteer of a local law enforcement agency is included in the definition of "public safety employee." Effective September 19, 2007. (BL)  
Sponsor: Tibshraeny

**CRIMINAL STREET GANGS; MEMBERSHIP; SENTENCING (S 1222, Chapter 287, Laws 2007)**

Creates sentencing enhancements and increased penalties for persons who commit specific offenses to further, promote or assist a criminal street gang, and requires proof of gang membership to be considered evidence that an individual poses danger to the community and should not be released on bail. Appropriates \$2 million in FY08 to the Department of Public Safety, and requires county attorneys to receive \$1 million of the funding for prosecuting gang-related offenses. Establishes a Joint Legislative Study Committee on Security Threat Groups and Criminal Street Gangs; counties will be represented by two county attorneys and two county sheriffs. Effective September 19, 2007. (BL)  
Sponsor: B. Burns

**EMERGENCY; CONFISCATION OF WEAPONS; PROHIBITION (S 1258, Chapter 101, Laws 2007)**

Prohibits the Governor or any official from commandeering firearms or ammunition during a time of emergency, and clarifies that this prohibition does not apply in times when it is reasonably necessary to order the movement of ammunition away from dangerous conditions. Effective September 19, 2007. (BL) *Also listed under General Government.*  
Sponsor: Tibshraeny

**CPS; CONFIDENTIAL INFORMATION (S 1306, Chapter 56, Laws 2007)**

Requires law enforcement agencies to take reasonable and necessary precautions to protect the identity and safety of a person who has either reported child abuse or neglect, or who might be endangered by the disclosure, before releasing records received in a Child Protective Services investigation. Clarifies that law enforcement is not required to disclose information if the disclosure would compromise an investigation. Effective September 19, 2007. (BL)  
Sponsor: R. Rios

**DRUG AND GANG ENFORCEMENT ACCOUNT (S 1344, Chapter 135, Laws 2007)**

Alters the distribution of funds in the Drug and Gang Enforcement Account, allowing specified portions of the revenues to enhance investigation and prevention of drugs and gang criminal activities. Maintains the current 30 percent distribution to county sheriffs for enhanced jail operations and facilities related to drug offenders and criminal street gang members, but allows the Arizona Department of Corrections to receive a portion of that funding. Effective September 19, 2007. (BL) *Also listed under Finance and Taxation.*  
Sponsor: C. Gray

**RETIREMENT AND PERSONNEL**

**RETIREE HEALTH INSURANCE; RURAL SUBSIDY (H 2311, Chapter 253, Laws 2007)**

The health care premium benefit supplement for retired members of Arizona State Retirement System (ASRS), Correction Officers Retirement Program (CORP), Public Safety Personnel Retirement System (PSPRS) and Elected Officials Retirement Plan EORP who are Medicare eligible is continued from July 1, 2007 until June 30, 2009. Effective June 20, 2007. (TM)  
Sponsor: Barnes



**WORKERS' COMPENSATION; PREMIUM REDUCTION (H 2405, Chapter 148, Laws 2007)**

Allows an insurance carrier to reduce the premium amount paid by an employer if the employer has a written drug and alcohol policy and chooses to drug test prospective employees, drug tests an employee after injury, and allows the insurance carrier access to the results. Effective September 19, 2007. (BL)

Sponsor: Reagan

**PUBLIC SUPPLEMENTAL DEFINED CONTRIBUTION PLANS (S 1200, Chapter 98, Laws 2007)**

The one percent minimum employee contribution rate to a supplemental Defined Contribution (DC) plan is removed and specifies that employee elections to a supplemental DC plan be a specific, prescribed, irrevocable amount. The employee is allowed to choose the retirement plan into which employer matching funds are paid. The specific statutory authority that allows contributions to be contributed to the employee's plan is removed. Effective September 19, 2007. (TM)

Sponsor: Gorman

**SPECIAL DISTRICTS****PARCEL SPLITS; TAXING DISTRICTS (H 2091, Chapter 8, Laws 2007)**

Requires all special taxing district formations must include proposed boundaries containing only entire parcels after November 1, 2007, (TM)

Sponsor: Nelson

**WATER DISTRICT; UPPER SAN PEDRO (H 2300, Chapter 252, Laws 2007)**

Describes the dependence of the residents of the Upper San Pedro Groundwater Basin and Fort Huachuca on the groundwater in the basin and recognizes the contribution of the Fort toward national defense and public safety of the residents of Arizona.

Allows the Upper San Pedro Water District (District) to be established if approved by voters of the District, which is made up of the portion of the Upper San Pedro Groundwater Basin that includes Fort Huachuca, Sierra Vista, Tombstone, Huachuca City and the portion of Bisbee located within the Groundwater Basin. Outlines the powers, duties, responsibilities and limitations of the District and its Board of Directors (Board). Creates an Organizing Board to prepare organizational, financial, comprehensive and election plans for the District.

Requires the Cochise County Board of Supervisors to appoint a member to assume the powers and duties of the office, as if elected, if there is a vacancy on the Board, and states that the Cochise County Attorney may advise or represent the Board if it is appropriate. Effective September 19, 2007. (BL) *Also listed under Water.*

Sponsor: J. Burns

**SANITARY DISTRICT; CONVERSION; REORGANIZATION (H 2482, Chapter 80, Laws 2007)**

Clarifies that the process of changing the governing body of a sanitary district from the county board of supervisors to a locally elected board is called a *conversion* rather than a *reorganization* and establishes the procedure for a sanitary district to reorganize an existing, locally-elected board from three members to five members. Requires election results for sanitary districts be finalized within 20 days rather than 14 days after an election and clarifies posting and reimbursement policies regarding a sanitary conversion or reorganization. Effective September 19, 2007. (TM) *Also listed under CSA Legislative Package.*

Sponsor: Mason



**COUNTY ROADS DISTRICT; ALTERNATE GOVERNMENT (H 2486, Chapter 254, Laws 2007)**

The conversion or establishment of a County Improvement District (CID) to a Road Improvement and Maintenance District is permitted for the purpose of road improvements that are not built to county standard, will not be part of the county road system, and require ongoing maintenance. The establishment or conversion may be by either a resolution of the county board of supervisors (BOS) following a public hearing held at least 20 days after a meeting notice has been mailed to all the property owners in the CID or a resolution of the BOS upon the receipt and consideration of a petition signed by the owners of at least 50 percent of the land in the CID. The petition must contain a statement that acknowledges the roads may not be built to county standards, will not be maintained by the county, and may be more expensive to maintain than roads that are built to county standards. Effective September 19, 2007. (TM) *Also listed under CSA Legislative Package.*

Sponsor: Mason

**SPECIAL DISTRICTS AMENDMENTS (H 2489, Chapter 216, Laws 2007)**

Makes conforming changes to special taxing districts, including domestic water and wastewater, pest abatement districts and special improvement districts, and changes membership requirements for theme park and vehicle support facility districts. Effective September 19, 2007. (TM) *Also listed under CSA Legislative Package.*

Sponsor: Mason

**ELECTRICAL DISTRICTS; ELECTIONS AND ELECTORS (H 2604, Chapter 108, Laws 2007)**

Qualified electors and voters in a proposed electrical district must be either a property taxpayer of the district who owns real property that is or may be beneficially served by the district or the representative of the property taxpayer. Bona fide owners of real property in a district are permitted to petition the county board of supervisors to adopt an acreage system of voting. Those petitions must be dated and signed by the petitioners and filed with the secretary of the board of directors. If it is determined that the petitioners own a majority of the total acreage in the district, the board may adopt a resolution changing the manner of voting in the district to an acreage system of voting. The measure spells out various requirements for acreage voting, proportional acreage and multiple owners of the properties. Effective September 19, 2007. (TM)

Sponsor: Driggs

**IMPROVEMENT DISTRICTS; SURPLUS FUNDS (H 2636, Chapter 130, Laws 2007)**

A county treasurer is allowed to request that any remaining funds from an inactive, dissolved improvement district be transferred to the county general fund. Requires funds that are transferred from a dissolved improvement district to be used for the purposes for which it was collected, if required, or for the health, safety and welfare of the general public. Effective September 19, 2007. (BL)

Sponsor: Kavanagh

**NONCONTIGUOUS COUNTY ISLAND FIRE DISTRICTS (S 2780, Chapter 242, Laws 2007)**

Authorizes the formation of a noncontiguous county island fire district (District) consisting of noncontiguous county islands, and allows a District to contract for fire and emergency medical services or require a surrounding municipality to provide the services under certain conditions.

The measure proscribes how residents request the formation of a District, including the administrative procedures of the county and the mechanism for the District's board to secure fire and emergency medical services for the District. The mechanism establishes the IGA option with a municipal provider, the RFP option for non-municipal private providers, and the instances when a municipality must provide fire and emergency services following a review of relevant information by the county attorney certifying that the negotiations and proposal were based on commercially reasonable assumptions. Municipal annexation may not be undertaken during the term of any contract between a District and private provider except as outlined.



Provisions regarding reports and inspections to identify hazardous materials, the constraints of establishing a District, the establishment of a secondary tax rate, and the collection of the tax are spelled out.

The measure failed to garner the required votes to enact the proposed emergency measure and was transmitted by the Governor to the Secretary of State without her signature. Effective September 19, 2007. (TM) *Also listed under General Government.*

Sponsor: McComish

## TRANSPORTATION AND PUBLIC WORKS

### **BUDGET RECONCILIATION; TRANSPORTATION (H 2793, Chapter 267, Laws 2007)**

Extends the term of State Highway Fund (SHF) bonds from 20 years to 30 years, creating approximately \$500 million in increased revenue for the SHF. Establishes two sub-accounts in the Statewide Transportation Accelerated Needs (STAN) account to distribute \$10 million for reimbursement of interest costs related to acceleration of transportation projects and \$10 million to transportation projects in counties or municipalities whose growth rate exceeds the state average growth rate by at least 50 percent in the last five years. (\$62 million is shifted from the SHF to the STAN account in H 2781, Chapter 255, Laws 2007.)

Prohibits the STAN account from being funded with monies from consent agreements or negotiated settlements by any state or local agency or by donations made in place of a consent agreement or settlement.

*For more information, see the State Budget section.*

Effective September 19, 2007. (BL)

Sponsor: Boone

### **FOREIGN MOTOR CARRIERS (S 1640, Chapter 296, Laws 2007)**

Establishes the Blue Ribbon Transportation Committee (Committee), made up of 10 legislators, to review statewide transportation resources and recommend which transportation issues should be addressed in the 2008 legislative session. Repeals the Committee on September 30, 2008. Provides clarification regarding the reimbursement of the regional area road fund or highway user revenue funds for property that is used for administrative purposes by Arizona Department of Transportation. Effective September 19, 2007. (BL)

Sponsor: Verschoor

## WATER

### **WATER DISTRICT; UPPER SAN PEDRO (H 2300, Chapter 252, Laws 2007)**

Describes the dependence of the residents of the Upper San Pedro Groundwater Basin and Fort Huachuca on the groundwater in the basin and recognizes the contribution of the Fort toward national defense and public safety of the residents of Arizona.

Allows the Upper San Pedro Water District (District) to be established if approved by voters of the District, which is made up of the portion of the Upper San Pedro Groundwater Basin that includes Fort Huachuca, Sierra Vista, Tombstone, Huachuca City and the portion of Bisbee located within the Groundwater Basin. Outlines the powers, duties, responsibilities and limitations of the District and its Board of Directors (Board). Creates an Organizing Board to prepare organizational, financial, comprehensive and election plans for the District.



Requires the Cochise County Board of Supervisors to appoint a member to assume the powers and duties of the office, as if elected, if there is a vacancy on the Board, and states that the Cochise County Attorney may advise or represent the Board if it is appropriate. Effective September 19, 2007. (BL) *Also listed under Special Districts.*  
Sponsor: J. Burns

**ADEQUATE WATER SUPPLY; CITY DESIGNATION (H 2321, Chapter 75, Laws 2007)**

Expands the circumstances under which the Director of the Department of Water Resources can issue a determination of assured water supply, allowing the consideration of Colorado River water when evaluating the water sources for a new development. Effective September 19, 2007. (BL)  
Sponsor: McLain

**CONTAMINATION; WELL IMPACTS (H 2484, Chapter 209, Laws 2007)**

Prohibits the Director of the Arizona Department of Water Resources from approving the drilling of a new well that is likely to cause contaminated groundwater to move from one polluted site to another well. Effective September 19, 2007. (BL)  
Sponsor: Mason

**WELL WATER; COLORADO RIVER WATER (H 2485, Chapter 91, Laws 2007)**

Rewrites and renumbers an existing section of law which requires a person who drills a well that will pump Colorado River water to prove the existence of a legal right to the river water. The statute was originally enacted in 1992 and does not take effect until final federal regulations regarding use of Colorado River water are published in the Federal Register. (BL)  
Sponsor: Mason

**DROUGHT EMERGENCY GROUNDWATER TRANSFERS (H 2488, Chapter 149, Laws 2007)**

Temporarily allows water outside of an Active Management Area to be transferred away from a groundwater basin during a time of emergency. In order for the transfer to occur, the Arizona Department of Water Resources must approve the transfer and must consider a county's consent to the transfer, if applicable. Effective September 19, 2007 and applies from May 1, 2007 to May 1, 2008. (BL)  
Sponsor: Mason

**WATER SUPPLY DEVELOPMENT REVOLVING FUND (H 2692, Chapter 226, Laws 2007)**

Authorizes the Water Infrastructure Finance Authority (WIFA) to provide financial assistance for water supply development projects, including establishing the Water Supply Development Revolving Fund (Fund) and the Water Supply Development Fund Committee (Committee). Outlines Committee membership and authorizes the 13-member Committee to distribute Fund resources for water supply development projects.

Outlines potential sources of revenues for the Fund, but does not appropriate specific dollars to the Fund, and specifies the purposes for which the Fund may be used. Requires a county board of supervisors in an area outside of an Active Management Area to adopt water adequacy standards outlined in S 1575 (Chapter 240, Laws 2007) before a water provider in that county can receive assistance from the Fund. (The legislature appropriated \$250,000 in FY08 for the Fund in H 2781, Chapter 255, Laws 2007.)

Requires loans from the Fund to be repaid within 30 years, and outlines procedures for interest rates and payments. Specifies that a grant from the Fund may not exceed \$100,000.

Includes a statement that the legislature finds many water providers in the state, particularly in rural areas, lack access to sufficient water supplies to meet their long-term water demands, and

the intent of the legislature is for the Fund to be used to provide financial assistance to these water providers. Effective September 19, 2007. (BL) *Also listed under Finance and Taxation.*  
Sponsor: Mason

**WATER ADEQUACY AMENDMENTS (HJR 2001, Chapter 240, Laws 2007)**

Authorizes the Director of the Department of Water Resources to enter into agreements to forbear Arizona's entitlements to intentionally created surplus (ICS) water in the Colorado River. The "Lower Colorado River Basin Intentionally Created Surplus Forbearance Agreement" is an agreement among Colorado River water contractors in California, Nevada and Arizona to forbear, or decline to exercise, the right to claim ICS water created by another state. The forbearance agreement outlines specific conditions related to creation, release and accounting of ICS. Retroactively effective March 10, 2007, subject to actions by the U.S. Secretary of the Interior. (BL)

Sponsor: J. Weiers

**SUMMERHAVEN FIRE; ASSURED WATER SUPPLY (S 1182, Chapter 51, Laws 2007)**

Allows the Arizona Department of Water Resources to provide the Summerhaven area in the Tucson Active Management Area with an exemption from assured water supply requirements, as long as certain criteria are met. Retroactively effective April 16, 2007. (BL)

Sponsor: Bee

**ARIZONA WATER SETTLEMENTS (S 1218, Chapter 286, Laws 2007)**

Repeals and rewrites a section of law related to the Arizona Water Settlements Act in order to correct an omission in the title of SB 1570. (BL)

Sponsor: Arzberger

**WATER STORAGE PERMITS; NOTICE REQUIREMENTS (S 1312, Chapter 161, Laws 2007)**

Requires the Department of Water Resources (DWR) to post notice on its website within 15 days of receipt of an application for an underground storage facility permit, and requires the notice to remain posted until the Director of DWR issues a decision on the permit. Effective September 19, 2007. (BL)

Sponsor: Flake

**WATER; MUNICIPAL CONSERVATION REQUIREMENTS (S 1557, Chapter 139, Laws 2007)**

Modifies the Non-per-Capita Conservation Program for municipal water providers in Active Management Areas. Effective September 19, 2007. (BL)

Sponsor: Flake

**ARIZONA WATER SETTLEMENTS ACT (S 1570, Chapter 249, Laws 2007)**

Amends the conditional enactment criteria related to the Arizona Water Settlements Act adopted by the Arizona Legislature in 2005 to allow the Gila River Indian Water Settlement and the Tohono O'odham Water Settlement to become effective independently of each other. Effective December 31, 2010, if Congress takes action on related federal legislation. (BL)

Sponsor: Arzberger

**WATER ADEQUACY AMENDMENTS (S 1575, Chapter 240, Laws 2007)**

New Authority

Authorizes a county board of supervisors (BOS), by unanimous vote, to adopt an ordinance that requires a proposed subdivision located outside of an Active Management Area (AMA) to demonstrate an adequate water supply before the final plat can be approved. Requires all municipalities located within a county that has adopted a water adequacy ordinance to comply with and enforce the provisions of the county's ordinance, and authorizes municipalities to adopt a water adequacy ordinance for proposed subdivisions if the county in which they are located has not done so.



Water Adequacy

Requires the Arizona Department of Water Resources (DWR) to amend rules relating to adequate water supply to include criteria for making a determination and criteria for demonstrating a physical, available one 100 year water supply, and to include the estimated water demand of any projected use in the same groundwater basin in the calculation of the projected one 100-year depth-to-static water level when determining if an adequate water supply exists. Defines “adequate water supply” as sufficient water supply to satisfy the water needs of the proposed use for at least one 100 years, or the financial capability to demonstrate to construct the water facilities necessary to make the supply of water available to the proposed use.

Requires DWR to evaluate the proposed source of water for every subdivision to determine whether there is an adequate water supply and report to the State Real Estate Commissioner and the county or municipality responsible for platting the subdivision, and outlines notification requirements DWR must follow when an application for a water report or an adequate water supply designation is received.

To receive approval, a subdivision must obtain a report from DWR certifying the subdivision has an adequate water supply unless:

- The subdivider submitted the report to a county or municipality before approval of the plat, which has been noted on the plat;
- The subdivider has a written commitment of water service from a provider with an adequate water supply designation; or
- The plat was approved pursuant to an exemption, which must be noted on all promotional material and contracts for the sale of lots.

Requires the Commissioner to deny issuance of a public report for any subdivision or timeshare property located in a county or municipality that has adopted an ordinance requiring an adequate water supply, unless DWR has reported that the subdivision has an adequate water supply, the subdivider has written commitment for a water supply from a water provider with a designation of adequacy, or the subdivision was approved pursuant to an exception.

Exemptions

DWR must provide an exemption from an adequate water supply ordinance if all of the following apply:

- The subdivider has made substantial capital investment toward the construction of the proposed project before the date the provision was adopted by the board, which includes construction costs, site preparation costs, construction of off-site improvements and conversion or remodeling costs for existing structures, as well as planning and design costs, but does not include the costs of purchasing the property;
- The subdivider has demonstrated that the subdivider was not aware of the adequate water supply requirement at the time that the capital investment was made; and
- The proposed project complied in all other respects with existing law.

This exemption expires after five years unless a parcel is sold, but DWR may extend the exemption for up to two additional five-year periods if sales have been delayed for reasons outside of the control of the subdivider. If an extension expires, the subdivider must reapply in order to subdivide lands.

DWR may provide an exemption from a water adequacy requirement for a subdivision if both of the following apply:



- The subdivision has demonstrated financial capability, but the water supply project will not be capable of delivering water either because the water supply system is not finished, but will be within 20 years, or because the subdivision will be served from Colorado River water by a water provider that does not currently have the legal right to serve the water to the subdivision, but the water provider has an existing contract for the Colorado River water and will have the legal right to serve water within 20 years; and
- The subdivision will have an adequate water supply with the construction of the physical works is completed or the water supply is legally available, whichever applies, and the interim supply will not be available for 100 years.

The BOS may provide an exemption for a subdivision that DWR has determined will have an inadequate water supply if the water supply will be transported to the subdivision by motor vehicle or train. In order to qualify for a water hauling exemption, there cannot be any other feasible alternative water supply, the municipal water provider providing the water must consent to the water withdrawal, the transported groundwater must comply with all applicable laws, and the transportation of water to the subdivision must meet statutory requirements.

#### Notification

Requires the BOS or municipal governing body to note on the face of the subdivision plat that DWR has determined the subdivision has an adequate water supply or a commitment of water service from a water provider with a designation of adequate water supply, and to record a statement at the county recorder's office if the board of supervisors subsequently finds the subdivision is being served by a water provider with a designation of an adequate water supply. Requires a municipality or county, if the subdivision was approved through an exemption, to note on the face of the plat that DWR has determined the water supply to be inadequate and a statement describing the exemption under which the plat was approved.

Requires a BOS to provide written notification to DWR, the Director of the Department of Environmental Quality and the State Real Estate Commissioner when they adopt a water adequacy ordinance.

Requires a subdivider to record with the plat a document that contains a statement that the subdivision is served by a water supply that has been determined as inadequate and that water must be hauled to the subdivision.

Effective September 19, 2007. (BL)

Sponsor: Arzberger

## STATE BUDGET AND TAX REDUCTION PACKAGE

### **GENERAL APPROPRIATIONS; 2007-2008; 2008-2009 (H 2781, Chapter 255, Laws 2007)**

Makes appropriations from the state general fund and other funds for the operation of state government in FY08 and FY09. Unless otherwise noted, effective July 1, 2007. County-related provisions are outlined below.

- Air Quality
  - Appropriates \$1.7 million in FY08 and FY09 for Maricopa, Pima and Pinal county travel reduction plans.
  - Appropriates \$165,000 in FY08 and FY09 to help counties attain air quality standards, and requires Pima County to receive at least \$50,000 of the funding for carbon monoxide monitoring.



- Community Colleges
  - Appropriates \$1.2 million in FY08 to Apache, Greenlee and Santa Cruz counties—the three counties without community college districts. This funding will provide some relief from disproportionate costs associated with out of county reimbursement obligations pursuant to A.R.S. § 15-1469.
  
- Courts and Criminal Justice
  - Includes \$868,600 for county jail beds at the Navajo County Jail, which are used as overflow for state-operated beds.
  - Continues \$157,700 for rural state aid to county attorneys in FY08 and FY09. Funding is distributed to county attorneys in counties with a population of 500,000 or less, and is intended to improve the processing of criminal cases.
  - Increases state aid to county attorneys to \$1,052,500 in FY08 and FY09. This is distributed to all county attorneys for improvements in the processing of criminal cases. The Arizona Criminal Justice Commission allocates funding based on a composite index formula that uses superior court felony filings and county populations.
  - Continues \$150,100 in FY08 and FY09 for rural state aid to indigent defense. Distributed to counties with populations of less than 500,000 to be used for public defenders, legal defenders and/or contract indigent defense counsel who process criminal cases.
  - Increases state aid to indigent defense to \$999,200 in FY08 and FY09. Funding is distributed to public defenders, legal defenders and/or contract indigent defense counsel in each county for processing criminal cases.
  - Continues \$246,000 for reimbursement to counties for grand jury expenses and for state-funded representation of indigent defendants in first-time capital post conviction relief proceedings.
  - Continues \$418,500 for rural state aid for projects designed to improve the processing of criminal cases in the superior and justice courts in counties with a population of less than 500,000.
  - Continues \$1.5 million for the replacement of legacy systems in Maricopa and Pima county superior and limited jurisdiction courts, as well as the aging case and financial management system that is provided to over 145 of the 180 courts at the state, county and municipal level throughout the state.
  - Continues to require counties to maintain FY04 expenditure levels for each probation program in order to receive state probation funds.
  - Requires the Administrative Office of the Courts to report to the Joint Legislative Budget Committee on county probation positions and probation funding for FY07, FY08 and FY09.
  - Allocates all Judicial Collection Enhancement Fund receipts in excess of \$2.7 million to be appropriated to the superior court.
  
- Environment and Forest Health
  - Continues \$250,000 in FY08 and FY09 for Apache, Gila, Graham, Greenlee and Navajo counties for environmental projects that impact economic development in their regions.
  - Includes \$2.6 million in FY08 and \$2.5 million in FY09 to the State Land Department for fire suppression operating expenses.

- Gangs and Immigration
  - Designates \$10 million of Gang and Immigration Intelligence Team Enforcement Mission dollars for partnerships with counties or municipalities that enter into an agreement with the Department of Public Safety (DPS) and who verify the immigration status of suspected gang members they have reason to believe are in the country illegally. Specifies that the county must pay at least 15% of service costs in such an agreement with DPS.
  
- Health Care
  - Appropriates \$4.8 million from the state general fund to AHCCCS in FY08 to continue payments to six counties that are eligible for the hold harmless payments implemented with Proposition 204. (Graham: \$234,200; Greenlee: \$234,400; La Paz: \$159,700; Pima: \$3,817,800; Santa Cruz: \$214,800; Yavapai: \$164,700.)
  - Includes \$12.2 million for rural hospital reimbursement in FY08.
  - Alters the formula for distributing Disproportionate Share federal funding, and allocates \$4.2 million to the Maricopa County Healthcare District in FY08.
  - Increases funding for community health centers to \$15 million in FY08. These dollars are distributed to expand primary care services to Arizona's uninsured population. Specifies that at least \$564,000 must be given to Yavapai County for county primary care programs.
  - Continues \$200,000 appropriation to county public health for reimbursements to local health departments as outlined in A.R.S. § 36-189. (Coconino: \$36,220; Gila: \$5,440; Mohave: \$30,780; Yavapai: \$25,820; Yuma: \$101,740.)
  - Appropriates \$1.4 million for county tuberculosis provider care and control, which reimburses hospitals and physicians for the care of hospitalized tuberculosis patients and assists all county health departments with local tuberculosis control programs.
  - Continues \$460,300 in direct grants for counties with populations of less than 500,000. The grants are for local health work and for a portion of the cost of employing one public health nurse and one sanitarian in each county.
  - Continues \$67,900 in matching funds for local health work in counties with populations of less than 500,000.
  - Continues \$330,300 for county nutritional services in rural counties that participate in the Nutritional Assessment Program. Funding goes to all rural counties except La Paz, and goes directly to county health departments except for Santa Cruz, where the state contracts with the Mariposa Community Health Center in Nogales.
  - Continues \$1.2 million for the County Prenatal Services Grant, \$583,000 of which is to be given to counties for programs that focus on increasing prenatal care among women at high risk of not seeking or receiving prenatal care. Funding is distributed on a pass-through basis with consideration to population, need and amount received in prior years.
  - Continues \$226,600 to Health Start, which provides monies to county health departments and community organizations to create neighborhood outreach programs that assist high risk pregnant women in obtaining prenatal care services. Funds are distributed on a competitive basis to communities with a high incidence of inadequate prenatal healthcare.
  - Appropriates \$37,323,600 to the *Arnold v. Sarn* case for the population covered by the *Arnold v. Sarn* lawsuit in Maricopa County, and for seriously mentally ill persons that meet the same criteria as those covered by that lawsuit in counties with populations of less than two million persons.
  - Continues \$500,000 for the youth methamphetamine prevention program operated by the Boys' and Girls' Club.

- HURF Shifts
  - Shifts \$10 million in Highway User Revenue Funds to the Department of Public Safety, which removes \$1.9 million in county HURF capacity.
  - Shifts \$607,400 HURF dollars in FY08 for ADOT Motor Vehicle operations, and another \$607,400 in FY08 to ADOT Aeronautics operations.
- Summer Youth Employment Programs
  - Increases summer youth employment program funding through the Department of Economic Security, allotting a total of \$1.25 million for such programs.
- Transportation
  - Shifts \$62 million from the State Highway Fund to the Statewide Transportation Accelerated Needs (STAN) Account in FY08.
- Water
  - Appropriates \$250,000 to the Water Supply Development Revolving Fund for distribution to water supply development projects in counties that have adopted water adequacy requirements for subdivisions. (See HB 2962 and SB 1575.)
  - Appropriates \$2 million in FY08 and FY09 to the Arizona Department of Water Resources (DWR) for rural water studies that assess local water use needs and develop plans for sustainable future water supplies in areas outside Active Management Areas.
  - Grants \$250,000 to the DWR for technical assistance to the proposed Upper San Pedro Water District (see HB 2300).

Unless otherwise noted, effective July 1, 2007. (BL)  
Sponsor: Boone

**APPROPRIATIONS; CAPITAL OUTLAY (H 2783, Chapter 257, Laws 2007)**

Appropriates from the state general fund and other funds for various capital projects in FY08. Includes \$172,000 in FY08 for facilities improvements and a wildlife bridge at Becker Lake in Apache County, and \$228,000 in FY08 for a levee at Robbins Butte in Maricopa County.

Shifts \$5.2 million in FY08 from HURF for ADOT Motor Vehicle Division Service Centers in Payson and Surprise, and \$1.5 million from HURF to build a multiuse facility in the far southeast valley.

Appropriates \$142,500 for the design of an assisted living center for the Hopi tribe.

Appropriates \$1 million in FY08 and FY09 for a Navajo Nation multipurpose center.  
Effective September 19, 2007. (BL)  
Sponsor: McComish

**2007 TAX REDUCTION PACKAGE (H 2784, Chapter 258, Laws 2007)**

Accelerates the class one assessment ratio reduction (from 25 percent to 20 percent by 2011), and establishes a new accelerated depreciation for business personal property purchased in 2008 or later:

Year of Assessment	Current percent of scheduled depreciated value	Proposed percent of scheduled depreciated value
First Year	35%	30%
Second Year	51%	46%
Third Year	67%	62%
Fourth Year	83%	78%
Fifth Year	DOR depreciation schedule	94%
Sixth Year	DOR depreciation schedule	DOR depreciation schedule

Establishes an individual income tax subtraction for contributions to a qualified college savings plan, and establishes a tax credit for donations to the newly-established Military Family Relief Fund. Also provides a transaction privilege tax (TPT) exemption until December 31, 2009 for admission sales to the 2009 NBA All-Star game and other related events, if the City of Phoenix provides a municipal TPT exemption for the same events.

Effective September 19, 2007. (BL)

Sponsor: Boone

#### **BUDGET RECONCILIATION; CRIMINAL JUSTICE (H 2787, Chapter 261, Laws 2007)**

Makes necessary changes relating to criminal justice systems to implement the FY08 budget.

Requires arresting authorities to secure a DNA sample upon arrest from everyone suspected of committing any felony offense or another serious crime (defines applicable crimes), and requires any person who is arrested for a serious crime or misdemeanor and who is subsequently released on their own recognizance or bail to submit a DNA sample within five days. Samples must be transmitted to DPS. Increases court fees for criminal and some civil penalties in order to generate revenue for DPS costs associated with DNA samples.

Requires counties to pay 61.5 percent of compensation and employee related expenses for justices of the peace (JPs), and all costs of the state retirement system or county health plan. The state covers 38.5 percent of compensation for JPs.

Effective September 19, 2007.

Sponsor: McComish

#### **BUDGET RECONCILIATION; ENVIRONMENT (H 2788, Chapter 262, Laws 2007)**

Establishes a Community Protection Initiative Program (Program) until July 1, 2017, to provide cost-share funding to local governments and private landholders for reducing hazardous fuels on nonfederal forested lands, and creates a Community Protection Initiative Fund (Fund), administered by the State Forester, to fulfill the purpose of the Program. Appropriates \$1 million to the Fund in FY08, from which is allocated \$50,000 for administrative costs and \$100,000 for an Arizona Fire Map Project.

Requires the State Forester to maintain a list of communities at risk of wildfire and to issue grants for the completion of community wildfire protection plans. Grant applications are to be prioritized by a community's current resources and only when the community:

- Has expertise in hazardous fuels reduction;
- Has entered into a legally binding financial participation agreement to provide at least 25 percent of the total costs of fuel treatment;
- Agrees to provide treatment information for the Arizona Fire Map Project, financial reports and progress reports for each calendar quarter;
- Has a project that meets standards for hazardous fuel reduction established by the State Forester;
- Is in a geographic area that is identified in a community wildfire protection plan; and



- Will be completed within 36 months after the date of the grant. After 36 months, all excess grant monies revert back to the Fund. The State Forester may extend the term of the grant if forest closures or weather conditions delay progress and are beyond the control of the grantee.

Requires the Arizona Department of Environmental Quality (ADEQ) and the Water Infrastructure Finance Authority (WIFA) to assist municipalities that are mediating discharged untreated or improperly treated wastewater into the groundwater which may have an actual or potential impact on the Colorado River and that are converting from septic or other wastewater treatment systems to an approved sewer system. Allows the replacement of existing 20-year loans and allows 30-year loans to be obtained under the Clean Water Program. Effective September 19, 2007. (BL) *Also listed under General Government.*

Sponsor: McComish

**BUDGET RECONCILIATION; HEALTH AND WELFARE (H 2789, Chapter 267, Laws 2007)**

Makes statutory and session law changes related to health and welfare issues necessary to implement the FY08 budget.

Beginning July 1, 2007, allows local, county and tribal governments to donate funds for graduate medical education in order to qualify for additional matching federal dollars for programs or positions in a specific locality or at a specific institution.

Department of Health Services

Requires Maricopa and Pima counties to cover 86 percent of costs associated with the state restoration to competency program at the Arizona State Hospital. Contains no restoration to competency liability for rural counties.

Specifies that immunization against HPV is not required for school attendance.

Arizona Health Care Cost Containment System (AHCCCS)

Sets county AHCCCS acute care contributions for FY08 at a total of \$51.1 million, and county ALTCS contributions for FY08 at a total of \$242.7 million. Requires counties to contribute a total of \$2.6 million in FY08 for the AHCCCS Disproportionate Uncompensated Care (DUC) Pool.

Specifies FY08, county contributions to AHCCCS for Proposition 204 administrative costs and the DUC Pool may be excluded from the county expenditure limit.

Restructures the payment mechanism for federal disproportionate share (DSH) payments, requiring the Maricopa Special Health Care District (District) to provide a certified public expense (CPE) form for the amount of qualifying DSH expenditures for FY08 to AHCCCS. The District will receive \$4.2 million as long as the CPE is correct, and the remaining DSH funds will be deposited in the state general fund. Effective September 19, 2007. (BL) *Also listed under Health and Human Services.*

Sponsor: Boone

**BUDGET RECONCILIATION; K-12 EDUCATION (H 2790, Chapter 264, Laws 2007)**

Institutes a new identity verified fingerprint card process that applies to an applicant for a new or renewal teaching certificate in a school district or charter school, new or continued teaching position at a charter school, or non-certificated personnel employed in a school district or charter school.

Directs DPS to provide instructions to law enforcement agencies or public schools regarding the submission of identity verified fingerprints, and prescribes the procedures for a law enforcement agency, school district, charter school or other entity to process an identity verified fingerprint



card. Allows a law enforcement agency, school district, charter school or other entity to charge a reasonable fee for taking the applicant's fingerprints. Effective January 1, 2008. (BL)  
Sponsor: Boone

**BUDGET RECONCILIATION; TRANSPORTATION (H 2793, Chapter 267, Laws 2007)**

Extends the term of State Highway Fund bonds from 20 years to 30 years, creating approximately \$500 million additional revenues for the State Highway Fund.

Statewide Transportation Accelerated Needs (STAN) Account

Prohibits the STAN account from being funded with monies from consent agreements or negotiated settlements by any state or local agency or by donations made in place of a consent agreement or settlement.

Transportation Acceleration Interest Reimbursement (TAIR) Account

Establishes the TAIR Account as a sub-account of the STAN account, and appropriates \$10 million from STAN to TAIR in FY08. Allows the Transportation Board to reimburse interest costs from TAIR for the acceleration of a transportation project if the agreements between a county, Arizona Department of Transportation (ADOT) and the respective regional planning agency are entered into after January 1, 2007, the accelerated project is part of a regional transportation plan, and the interest costs result from bonds, loans or advances.

Requires the regional planning agency of a county designated as a transportation management area to develop a process for reviewing and approving the reimbursement of interest costs from the STAN account, and specifies that approved interest cost reimbursements may be considered for STAN funding along with other eligible acceleration projects. Requires ADOT to develop a process for reviewing and approving reimbursement of interest costs from the STAN account for counties not designated as a transportation management area.

Roads of Regional Significance Congestion Mitigation Account

Establishes the Roads of Regional Significance Congestion Mitigation Account (RRSCM) as a sub-account of the STAN account until July 1, 2012, and appropriates \$10 million from STAN to the RRSCM in FY08 to fund transportation projects in counties and municipalities whose average growth rate exceeds the respective average growth rate in Arizona by at least 50% in the last five years. Specifies expenditures are eligible for funding only if the construction, design or planning of roads or bridges are contained, but not funded, in the transportation plan of a city; the project must also be part of a regional planning agency's transportation improvement plan. Requires each governmental entity involved to enter into a memorandum of understanding which outlines each entity's fiscal responsibility for the project.

Highway Expansion and Extension Loan Program (HELP) Fund

Authorizes ADOT to use up to \$10 million from the HELP Fund (established in 1998) for Native American tribes and political subdivisions with a population of 50,000 or less to purchase land, buildings or motor vehicles that are included in both a regional transportation plan and the Federal Transit Administration's Rural Public Transportation Program. Exempts federal monies in the HELP Fund from being used for the eligible transit capital projects.  
Effective September 19, 2007. (BL)  
Sponsor: Boone

## COUNTY-RELATED VETOED LEGISLATION

### **RAILROADS SITING AUTHORITY; EMINENT DOMAIN (H 2020, VETOED)**

Allows the Arizona Corporation Commission to conduct a review of any proposal by a railroad to acquire land or materials through eminent domain. If the commission conducts a review, at least one public hearing is required, and the review should determine that any negative impacts resulting from the proposal have been minimized and that alternative locations have been considered. (TM)

Sponsor: McClure

### **HOMELAND SECURITY ADVISORY COUNCILS; MEMBERSHIP (H 2122, VETOED)**

Adds two public members, appointed by the President of the Senate and Speaker of the House, to the Arizona Department of Homeland Security Coordinating Council. Public members of the council serve three year terms. Permits a police chief, county sheriff, mayor, or county supervisor to appoint a designee to serve on the council. (BL)

Sponsor: JP. Weiers

### **MUNICIPAL AND JUSTICE COURTS; JURISDICTION (H 2150, VETOED)**

Expands the jurisdiction of municipal and justice courts to include misdemeanor criminal violations in additional chapters of Title 28 (relating to transportation), including overweight trucking, motor carrier, and abandoned vehicle violations. (BL)

Sponsor: Biggs

### **ELECTION LAW REVISIONS (H 2403, VETOED)**

Changes Arizona election law with regard to voter registration, presidential preference ballot tabulation, computer election program filing, early ballots and political committee amendments.

Reduces to 29 days the number of days which an elector must complete and return a new registration form to the county recorder to prevent removal from the general register and transfer to the inactive voter list. Presidential preference election ballots are to be tabulated by counties, rather than congressional districts. The Secretary of State (SOS) is no longer required to return each computer election program tape or disc or any other material to the county, city or town within six months after an election.

County recorders or other officer in charge of elections are required to make a reasonable attempt to notify the early ballot voter as soon as practicable that: a) the early ballot affidavit is insufficient, and b) the voter may demonstrate the sufficiency of the affidavit by means acceptable to the county recorder or other officer in charge of elections by 5:00 P.M. on the fifth day following both a primary and general election. That notification may be by telephone, electronic mail or other similar method, but may not be solely by posting on a county website. The county recorder or other officer in charge of elections are exempt from liability once a reasonable attempt to notify a voter of an insufficient early ballot affidavit has been made, and the voter does not receive the notification in time to demonstrate the sufficiency of the voter's early ballot affidavit.

The measure includes multiple restrictions and requirements regarding political action committees and their registration with the SOS. (BL)

Sponsor: Yarborough

### **RESIDENTIAL PROPERTY TAX; HOMESITE AREA (H 2434, VETOED)**

Establishes a maximum of 10 acres of a single parcel to be designated as a homesite under class 3 property, provided it is not used for any other purpose, and allows a homesite designation to exceed 10 acres if the parcel cannot be divided and the parcel is not used for any other purpose, or the property owner files an affidavit with the county assessor indicating the property will not be

divided or sold. Requires a property owner to notify the county assessor within 60 days if the property's use is changed or the property is sold or divided, and subjects property disqualified from the homesite designation to tax, interest and penalties from the date of the disqualification. (BL)

Sponsor: Barto

**WATER; OVERLAPPING SERVICE AREA PROVIDERS (S 1119, VETOED)**

Prohibits a city or town from enacting or adopting any ordinance, regulation or provision that would limit a landowner's right to use water that is delivered by an irrigation district with an overlapping service area, and subjects a landowner's right to use water delivered by an irrigation district to all conservation requirements imposed by the Department of Water Resources (DWR), including conservation requirements established in the management plans. (BL)

Sponsor: C. Gray

**SEX OFFENDERS; MONITORING; PROBATION (S 1228, VETOED)**

Requires the use an electronic GPS system to monitor a sex offender during an imposed term of probation if the offender has been convicted of a dangerous crime against children and is a registered level 3 sex offender, unless the offender is being held in a detention facility or residential treatment center. (BL)

Sponsor: Waring

**CONSULAR CARDS; VALID IDENTIFICATION; PROHIBITION (S 1236, VETOED)**

Prohibits Arizona, or any of its political subdivisions, from accepting a consular identification card issued by a foreign government as a valid form of identification. (CS)

Sponsor: C. Gray

**DEADLY WEAPONS; STORAGE (S 1251, VETOED)**

Adds requirements for public establishments and events that provide secure temporary weapon storage if persons will be asked to remove a deadly weapon. Requires the storage facility to be located within close proximity to the entrance of the building and the owner of the weapon to retain a key to the storage facility. Prohibits establishments from collecting the serial numbers of weapons or permanently collecting information about the owner, and further prohibits a public establishment or event from requiring that a person remove a weapon if storage is unavailable. Limits the fee for a new or renewal concealed weapons permit to \$65. (E-HB)

Sponsor: C. Gray

**SALES TAX EXEMPTION; COMMERCIAL PHOTOGRAPHY (S 1320, VETOED)**

Provides a new exemption from transaction privilege and use tax for commercial photography, retroactive to August 1, 1993. (BL)

Sponsor: Leff

**VEHICLE EMISSIONS INSPECTION; SUNSET EXTENSION (S 1531, VETOED)**

Extends the Arizona Vehicle Emissions Inspection (VEI) Program until January 1, 2017, and updates several requirements of the VEI Program. Requires all diesel-powered motor vehicles applying for registration or re-registration in Area A (Phoenix) to take and pass an annual emissions test, and clarifies that, with a few exceptions, fleet operators in Area B (Tucson) must comply with emissions inspection requirements. (BL)

Sponsor: Leff

**FY08 Enacted Budget  
County Costs**

	<b>County Impacts from HURF Shifts <sup>/1</sup></b>	<b>Acute Care</b>	<b>Prop. 204 Administration <sup>/2</sup></b>	<b>ALTCS <sup>/3</sup></b>	<b>DUC Pool <sup>/4</sup></b>
<b>Apache</b>	\$ (108,941)	\$ (268,800)	\$ (88,600)	\$ (594,500)	\$ (87,300)
<b>Cochise</b>	\$ (126,663)	\$ (2,214,800)	\$ (165,200)	\$ (5,444,200)	\$ (162,700)
<b>Coconino</b>	\$ (150,056)	\$ (742,900)	\$ (162,900)	\$ (1,783,800)	\$ (160,500)
<b>Gila</b>	\$ (58,004)	\$ (1,413,200)	\$ (66,900)	\$ (2,288,100)	\$ (65,900)
<b>Graham</b>	\$ (36,518)	\$ (536,200)	\$ (47,600)	\$ (1,042,800)	\$ (46,800)
<b>Greenlee</b>	\$ (12,724)	\$ (190,700)	\$ (12,200)	\$ (132,300)	\$ (12,000)
<b>La Paz</b>	\$ (56,586)	\$ (212,100)	\$ (25,300)	\$ (856,200)	\$ (24,900)
<b>Maricopa</b>	\$(1,365,692)	\$ (22,175,500)	\$ -	\$ (52,779,700)	\$ -
<b>Mohave</b>	\$ (175,716)	\$ (1,237,700)	\$ (190,200)	\$ (7,988,900)	\$ (187,400)
<b>Navajo</b>	\$ (128,499)	\$ (310,800)	\$ (124,700)	\$ (2,459,300)	\$ (122,800)
<b>Pima</b>	\$ (624,013)	\$ (14,951,800)	\$ (1,133,000)	\$ (39,528,700)	\$ (1,115,900)
<b>Pinal</b>	\$ (186,562)	\$ (2,715,600)	\$ (221,700)	\$ (10,974,800)	\$ (218,300)
<b>Santa Cruz</b>	\$ (48,378)	\$ (482,800)	\$ (52,400)	\$ (1,822,600)	\$ (51,600)
<b>Yavapai</b>	\$ (165,398)	\$ (1,427,800)	\$ (209,400)	\$ (8,591,700)	\$ (206,200)
<b>Yuma</b>	\$ (159,605)	\$ (1,325,100)	\$ (186,700)	\$ (6,456,900)	\$ (183,900)
<b>Total</b>	<b>\$(3,403,356)</b>	<b>\$ (50,205,800)</b>	<b>\$ (2,686,800)</b>	<b>\$(242,744,500)</b>	<b>\$ (2,646,200)</b>

**County Benefits**

	<b>Air Quality Funding <sup>/5</sup></b>	<b>Out-of-County Tuition Assistance</b>	<b>Prop. 204 Hold Harmless <sup>/7</sup></b>	<b>Summer Youth Employment <sup>/8</sup></b>
<b>Apache</b>		\$ 559,200		\$ 13,629
<b>Cochise</b>				\$ 24,115
<b>Coconino</b>				\$ 24,383
<b>Gila</b>				\$ 10,306
<b>Graham</b>			\$ 234,200	\$ 6,624
<b>Greenlee</b>		\$ 459,300	\$ 234,400	\$ 1,673
<b>La Paz</b>			\$ 159,700	\$ 3,959
<b>Maricopa</b>	\$ 948,600			\$ 218,750
<b>Mohave</b>				\$ 32,363
<b>Navajo</b>				\$ 19,755
<b>Pima</b>	\$ 268,300		\$ 3,817,800	\$ 343,750
<b>Pinal</b>	\$ 87,000			\$ 37,404
<b>Santa Cruz</b>		\$ 181,500	\$ 214,800	\$ 7,745
<b>Yavapai</b>			\$ 164,700	\$ 35,044
<b>Yuma</b>				\$ 33,003
<b>Total</b>	<b>\$ 1,303,900</b>	<b>\$ 1,200,000</b>	<b>\$ 4,825,600</b>	<b>\$ 812,500</b>

FOOTNOTES

- 1 THESE NUMBERS REPRESENT THE COUNTY PORTION OF HIGHWAY USER REVENUE FUND (HURF) DOLLARS SHIFTED FROM HURF FOR THE FOLLOWING PURPOSES:
  - \$10 MILLION TO THE DEPARTMENT OF PUBLIC SAFETY
  - \$607,400 TO THE ARIZONA DEPARTMENT OF TRANSPORTATION (ADOT) MOTOR VEHICLE DIVISION
  - \$607,400 TO THE ADOT AERONAUTICS DIVISION
  - \$1.2 MILLION TO ADOT FOR A PAYSON MOTOR VEHICLE DIVISION SERVICE CENTER
  - \$4 MILLION TO ADOT FOR A SURPRISE MOTOR VEHICLE DIVISION SERVICE CENTER
  - \$1.5 MILLION TO ADOT FOR A FAR SOUTHEAST VALLEY MULTIUSE CENTER (HB 2781, HB 2783)
- 2 FY08 BUDGET STATES THAT COUNTY CONTRIBUTIONS TO PROP. 204 ADMINISTRATION COSTS AND THE DUC POOL ARE EXCLUDABLE FROM THE COUNTY EXPENDITURE LIMIT. (HB 2789)
- 3 INCLUDES COUNTY CONTRIBUTIONS OF \$791,400 FOR A NEW ALTCS DENTAL COVERAGE PROGRAM. (HB 2789)
- 4 IN ADDITION, THE PIMA ASSOCIATION OF GOVERNMENTS RECEIVES \$373,000. (HB 2781)
- 5 ESTIMATED REVENUES BASED ON A 25 PERCENT INCREASE OVER FY07 DISTRIBUTIONS. (HB 2781)

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