



County Supervisors

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Legislative Summary

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





2015 LEGISLATIVE SUMMARY
Review of County-Related Laws Enacted by the 2015 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 52nd Legislature.

The effective date for most new laws is July 3, 2015, which is 90 days after adjournment *sine die*. However, some bills contain alternate effective dates and those are noted in the bill summary.

During the course of the session, there were 1163 bills introduced, and 344 of those bills were sent to Governor Ducey for consideration. He signed 324 of the bills into law, and vetoed 20.

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

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

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



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2015 CSA POLICY GUIDELINES

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

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

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

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

The LPC and CSA follow several policy guidelines:

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



2015 LEGISLATIVE POLICY COMMITTEE

Barry Weller	Apache County
Ann English	Cochise County
Mandy Metzger	Coconino County
Tommie Martin	Gila County
James Palmer	Graham County
David Gomez	Greenlee County
D.L. Wilson	La Paz County
Clint Hickman	Maricopa County
Gary Watson	Mohave County
David Tenney / Jason Whiting	Navajo County
Ray Carroll	Pima County
Pete Rios	Pinal County
Manuel Ruiz	Santa Cruz County
Tom Thurman	Yavapai County
Russell McCloud	Yuma County

CSA Professional Staff

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

CSA LEGISLATIVE AGENDA

HB 2349 flood control district; administrative enforcement (*Fann*) Permits flood control districts in counties with a population less than 175,000 to adopt a procedure in which the hearing officer issues a written finding, final decision and order. The measure states that the hearing officer's final decision and order may be in any form as adopted by the board of directors, and may include:

- A determination of violation,
- An order directing the measures to be taken to abate any harm or damage arising from the violation,
- The imposition of a civil penalty.

On recommendation of the chief engineer, with the agreement of the board of directors and the person in violation, a nonmonetary penalty that serves the purpose of the district may be ordered. [Chapter 283, Laws 2015](#)

SB 1145 restoration to competency; state costs (*Griffin*) Would have required a county or city to reimburse Arizona Department of Health Services (ADHS) for the total cost of a defendant's inpatient, in custody competency restoration treatment for FY2016, if the state paid for the initial costs of the defendant's treatment, but would have exempted them from the reimbursement requirements for the treatment of a post-conviction defendant who is not competent to be sentenced. In his [veto letter](#) Governor Ducey indicated that the issue addressed in SB 1145 had been resolved by the courts and the Arizona Department of Health Services administratively.

COURTS

HB 2013 courts; days; transaction of business (*Coleman*) Allows municipal courts, upon approval of the presiding judge, to transact business on Columbus Day, if the city or town is open for the transaction of business on that day. [Chapter 28, Laws 2015](#)

HB 2088 NOW: magistrates; municipal courts (*Borrelli*) Updates archaic terminology by removing statutory references to police magistrates and police courts and replaces the terms with current terminology, and changes the judiciary line item appropriation to provide the courts with flexibility regarding the revenue reductions contained in the FY2016 budget reconciliation bill. [Chapter 276, Laws 2015](#)

HB 2089 NOW: aggravated assault; judicial officers (*Borrelli*) Specifies that a person has committed an aggravated assault (class 6 felony) if the person commits the assault knowing, or having reason to know, that the victim is a judicial officer while engaged in the execution of any official duties or if the assault results from the execution of the judicial officer's official duties. [Chapter 95, Laws 2015](#)

HB 2105 inmate medical services; rate structure (*Borrelli*) Requires all counties, instead of only Maricopa County, to reimburse for county jail inmate medical services at an amount not to exceed Arizona Health Care Cost Containment System rates. [Chapter 70, Laws 2015](#)

HB 2164 release; bailable offenses; evidence (*Borrelli*) Specifies that prior to setting bail, the court is required to take into account whether the accused has prior arrests or convictions for a serious offense or a violent or aggravated felony, or there is other evidence that the accused poses a danger to others in the community. [Chapter 100, Laws 2015](#)



[HB 2203 postconviction release hearings; recordings; free](#) (*Boyer*) Requires any recordings made during a post-conviction or post-adjudication release hearing be provided, free of charge, to the victim upon request. [Chapter 237, Laws 2015](#)

[HB 2204 criminal restitution order; courts](#) (*Boyer*) The statute authorizing a court to issue a criminal restitution order is expanded to include all courts, instead of only the superior court. A court may now issue a restitution order for a victim of a traffic accident that involves a failure to stop or remain at the scene, and only resulted in damage to a vehicle. [Chapter 238, Laws 2015](#)

[HB 2307 court-ordered treatment; hearings](#) (*Farnsworth, E*) Requires the evaluation agency to disclose to the court all drugs, medications and treatments an inpatient has received during the 72 hours immediately prior to a court-ordered mental health hearing, and allows the hearing to proceed if a patient cannot be present for psychiatric reasons or is unable to appear by other reasonably feasible means. [Chapter 75, Laws 2015](#)

[HB 2378 peace officers; unlawful sexual conduct](#) (*Borrelli*) Stipulates that a peace officer commits unlawful sexual conduct by knowingly engaging in sexual contact, oral sexual contact or sexual intercourse with a person who is in the officer's custody or a person who the officer knows or has reason to know is the subject of an investigation. [Chapter 214, Laws 2015](#)

[SB 1064 service of process; regulation](#) (*Kavanagh*) Transfers section of law relating to private process servers from Arizona Revised Statutes Title 11 to Title 12. Requires alternative or substitute service of process of a photo enforcement notice of violation to be sent by certified and regular mail and posted on the front door of the business or residence of the person to be served and on a residence's garage door if present and accessible. Following that, the service of the complaint is complete upon filing the mailing receipt and proof of posting with the court that has jurisdiction of the violation. [Chapter 138, Laws 2015](#)

[SB 1073 public records; redaction; former judges](#) (*Smith*) Allows former judges and United States Immigration Court judges to request their personal information be kept confidential by removal from public records. [Chapter 79, Laws 2015](#)

[SB 1116 fines; fees; costs; community restitution](#) (*Ward*) Allows the court to order a defendant to perform community restitution if the court finds that the defendant has willfully failed to pay a fine, fee, restitution or incarceration costs, or is otherwise unable to pay the fine, fee, restitution or incarceration costs. [Chapter 269, Laws 2015](#)

ELECTIONS

[HB 2214 NOW: majority vote calculation; municipal elections](#) (*Petersen*) Stipulates that the majority of votes cast, for the purposes of municipal, nonpartisan elections, is determined by the following procedure:

1. Calculate the total number of votes cast for all candidates for an office,
2. Divide the number from step 1 by the number of seats to be filled for the office, and
3. Divide the number from step 2 by two and round to the nearest whole number.

If more candidates receive a majority of votes cast using the formula than there are seats to be filled, the candidates who receive the highest number of votes shall be declared elected. If no candidates, or not enough candidates, receive the majority of votes cast using the formula, the number of candidates who advance to the general or runoff election must be twice as many as the number of seats needing to be filled.

[Chapter 105, Laws 2015](#)

[HB 2613 political activity; public resources; limitation](#) (*Petersen*) Modifies the prohibition on the use of public resources for influencing an election by stating that promotional expenditures made after a bond, budget override and other tax-related election is prohibited through election day. [Chapter 296, Laws 2015](#)

[SB 1169 fire code requirements; fire watch](#) (*Allen, S*) Allows an employee who works at the building to serve in the role as fire watch if a fire code requires a fire watch when a building's fire protection system is temporarily nonoperational or absent. Any person designated as a fire watch must have the means to contact the fire department and their only duties must be to patrol the premises for fire safety. If the county board of supervisors requires the use of a fire watch, the county must provide the fire watch with printed instructions from the fire marshal and may provide a training session before the person is used as a fire watch. [Chapter 152, Laws 2015](#)

[SB 1287 ballot contents disclosure; prohibition](#) (*Yee*) Modifies unlawful acts related to voting to make it a class 2 misdemeanor to show another voter's ballot or the machine on which another voter has voted to another person. The provision stipulates that a voter who makes an image of their own ballot available by posting it online has consented to re-transmittal of that image. The measure also prohibits anyone from taking pictures or video while within 75 feet of a polling location. [Chapter 187, Laws 2015](#)

FEDERALISM

[HB 2175 public rights-of-way; claims](#) (*Finchem*) Asserts and claims rights-of-way across public lands for the state and allows rights-of-ways to be acquired in the following ways:

- The use by the state or political subdivision with the intention of establishing a public highway over public lands
- The construction or maintenance of a public highway over public lands
- The inclusion of the right-of-way in a state, county, or municipal road system, description, or map of public roads
- The expenditure of public funds on the highway
- The execution of a memorandum of understanding or other agreement with any United States government agency, that recognizes the right or obligation of this state, or a county, city or town to construct or maintain a highway or a portion of one
- Any other affirmative act by the state or subdivision, consistent with federal, territorial or state law, indicating acceptance of a right-of-way.

[Chapter 277, Laws 2015](#)



HB 2365 off-highway vehicles; enforcement (*Thorpe*) Allows state, county, and municipal peace officers and duly authorized state employees to enforce rules and regulations relating to off-highway vehicle use on closed federal lands. [Chapter 305, Laws 2015](#)

HB 2643 sovereign authority; affordable care act (*Olson*) Prohibits this state and all political subdivisions from using any personnel or financial resources to enforce, administer, or cooperate with the Affordable Care Act (ACA), either through funding or implementing a state-based health care exchange or marketplace, or by limiting the availability of self-funded health insurance programs or other products traditionally used with self-funded health insurance programs. There are exceptions, including those necessary to maintain the program integrity of the Arizona Health Care Cost Containment System (AHCCCS), and exceptions for regulatory activities that:

- Are associated with state regulation of health insurance,
- Are administered under the Hospital Assessment Program and Fund,
- Involve AHCCCS,
- Associated with health insurance navigators and certified application counselors,
- Associated with the requirement that health insurers act consistently with the ACA, or
- Associated with initiatives, grants or other funding related to public health treatment, preparedness, and education or prevention programs authorized by the ACA, which do not impose unrelated requirements on the state or its political subdivisions.

Allows the state and its political subdivisions to use personnel and financial resources to provide employee health insurance benefits and specifies such benefits may be in compliance with provisions of the ACA.

[Chapter 321, Laws 2015](#)

HB 2658 federal lands; transfer; study committee (*Barton*) Establishes the Transfer of Federal Lands Study Committee to examine processes to transfer, manage and dispose of federal lands within Arizona and requires the Committee to conduct hearings to collect, evaluate and analyze information relating to federal lands in Arizona to identify significant concerns, risks, solutions and goals associated with different environmental, economic and political factors. The committee will survey counties that contain at least 15 percent land area under the management of federal agencies, develop management priorities, identify measures that will ensure public lands in this state are managed responsibly and prudently, and develop processes for Arizona to receive title to public lands from the federal government. A report regarding the committee's activities, findings and recommendations must be sent to the governor, the legislature and the secretary of the state prior to January 1, 2020.

[Chapter 248, Laws 2015](#)

GENERAL GOVERNMENT

HB 2008 NOW: fireworks (*Shope*) Prohibits further regulation of the use of permissible consumer fireworks by a governing body, except that cities, towns or unincorporated areas may:

- Regulate the sale of permissible consumer fireworks within its corporate limits in a manner consistent with National Fire Protection Association (NFPA) 1124 standards.
- Prohibit the sale of permissible consumer fireworks on January 4 through May 19 and July 7 through December 9 each year.
- Prohibit the use of permissible consumer fireworks on January 4 through June 23 and July 7 through December 23.
- Prohibit, on any day, the use of permissible consumer fireworks on public property.

- Prohibit, on any day, the use of permissible consumer fireworks within a one mile radius of the border of preservation lands owned by a city or town that has purchased more than 15,000 acres of preservation land.
- Allows a city, town or unincorporated area within a county with a population of less than 500,000 people to prohibit the use or sale of permissible consumer fireworks on any day in which a federal or state agency implements a stage one or higher fire restriction.

The measure prohibits a governing body from requiring additional signage for the use or sale of permissible consumer fireworks, except for specified signage. A governing body is allowed to regulate fireworks that are not permissible consumer fireworks by ordinance. [Chapter 274, Laws 2015](#)

[HB 2095 NOW: performance bond waiver; eligibility](#) (*Coleman*) Allows Maricopa and Pima counties to waive a job-order-contracting (JOC) performance bond for facilities projects if the construction amount does not exceed \$500,000, until January 1, 2021. [Chapter 203, Laws 2015](#)

[HB 2186 county school superintendents; schools; libraries](#) (*Boyer*) Expands the powers and duties of the county school superintendent to allow them to assist county and municipal libraries with the use of student data, staff development, curriculum alignment, and technology to improve student performance. Additionally, a school district board may enter into an intergovernmental agreement with a county or municipal library to provide library services. [Chapter 103, Laws 2015](#)

[HB 2212 licensing; accountability; enforcement; exceeding regulation](#) (*Petersen*) Allows a private civil action to be brought, and relief granted, to enforce statute prohibiting the state, counties, municipalities, and special taxing districts from basing licensing decisions on requirements or conditions not specifically authorized. A court may award attorney fees, damages, and all fees associated with the license application to a party that prevails in an action against the governmental entity. The provisions of statute relating to licensing decision must be printed on all license applications. [Chapter 104, Laws 2015](#)

[HB 2213 inspections; audits; notice; rights](#) (*Petersen*) Requires any inspector, auditor, or regulator who enters any premises of a regulated person for the purpose of conducting an inspection or audit to inform each person who is interviewed that participation in the interview is voluntary (unless legally compelled), that the person is allowed 24 hours to review and revise any written statement, and that they have a right to an attorney, or any other expert, be present during the interview. [Chapter 192, Laws 2015](#)

[HB 2236 ATV and motorcycle passengers](#) (*Shope*) Prohibits a passenger from riding on a motorcycle unless the motorcycle is designed to carry more than one person. Statute governing ATV passengers is modified to prohibit a passenger from riding on an ATV unless the ATV is equipped (instead of designed) to carry more than one person. [Chapter 173, Laws 2015](#)

[HB 2527 prohibited laws, rules, ordinances; firearms](#) (*Kern*) Prohibits the state, state agencies, and political subdivisions, with the exception of the legislature, from enacting or implementing any law, rule, or ordinance relating to the transfer of firearms. [Chapter 126, Laws 2015](#)

[HB 2557 codes; adoption by reference; copies](#) (*Pratt*) Gives municipalities the option to file one paper copy and one electronic copy of their codes and public records with the city or town clerk in lieu of filing three paper copies. [Chapter 193, Laws 2015](#)



SB 1218 county recorder; recording fees (*Allen, S*) Adds several fees to the list county recorders are required to charge and requires any person recording a deed of trust or mortgage for a residential property designed for one to four families to include “residential 1-4” in the caption heading on the first page for each document. The new fees include:

- \$15 for each deed that transfers, conveys or affects an interest in real property,
- \$25 for each deed of trust, or mortgage, and
- \$10 for each release of a deed of trust or mortgage.

[Chapter 67, Laws 2015](#)

SB 1241 auxiliary containers; regulatory prohibition; reporting (*Barto*) Prohibits counties and municipalities from:

- Requiring an owner, operator, or tenant of a business, commercial building, or multi-family housing property to measure and report energy usage and consumption,
- Imposing a tax, fee, assessment, charge, or return deposit on a consumer or an owner, operator, or tenant of a business, commercial building, or multi-family housing property for an auxiliary container, such as plastic bags, styrofoam cups, or any other similar containers used for transporting merchandise or food, and
- Regulate the sale, use or disposition of auxiliary containers by an owner, operator, or tenant of a business, commercial building, or multi-family housing property.

[Chapter 271, Laws 2015](#)

SB 1298 rules; counties; flood control districts (*Griffin*) Requires county boards of supervisors (BOS) and flood control district boards of directors (BOD) to adopt procedures for the adoption, amendment, repeal, and enforcement of rules. At a minimum, the procedures must contain the following:

- Hold a public meeting at which the public is able to provide feedback on the proposed rule,
- Provide at least a two week notice of the public meeting and include a copy of the proposed rule with the notice,
- Hold a public meeting for adopting the final text of the rule,
- Provide at least a two week notice of the public meeting and include a copy of the final text with the notice,
- At least one week prior to the adoption of the final rule, provide written responses to public comments, and
- If after reviewing the public comments and the written responses, the BOS or BOD determines that substantial changes are needed, the BOS or BOD must issue a supplemental notice containing the changes and allow for additional public comment.

The BOS or BOD may use alternative rulemaking procedures in the case of an emergency, to comply with state or federal law, or if the expedited rulemaking does not increase the cost of compliance or reduce the rights of the regulated parties. If the BOS or BOD adopts an emergency rule, they must review that rule within a reasonable amount of time to determine if the rule should be maintained. Counties and flood control districts must publish, on their website, a directory summarizing the subject matter of all rules and they must make those rules open to the public for inspection at either their offices or on their website. [Chapter 86, Laws 2015](#)

SB 1345 NOW: private land acquisition; study committee (*Griffin*) Establishes the Study Committee on Private Land Acquisition to conduct hearings and gather information on acquisition of privately owned property by government entities, examine the impact of government owned property on the economy, and identify a process for a government entity to acquire property without reducing the tax base. The committee must submit their report by December 31, 2017. The study committee will consist of:

- Three members of the Arizona State Senate (two republicans and one democrat) appointed by the president of the senate,
- Three members of the Arizona State House of Representatives (two republicans and one democrat) appointed by the speaker of the house, and
- A county assessor appointed by the president of the senate.

[Chapter 188, Laws 2015](#)

SB 1393 delayed birth certificates; Native Americans (*Begay*) Requires the state registrar to establish documentation requirements for Native Americans born before 1970 who are requesting a delayed birth certificate. If the documentation presented by a requesting party does not meet the requirements, the director of the Arizona Department of Health Services (ADHS) must review the documentation and determine whether or not to issue a delayed birth certificate. [Chapter 197, Laws 2015](#)

SB 1466 livestock loss board; compensation fund (*Allen, S*) Makes it a Class 6 felony to knowingly, and without lawful authority under state or federal law, import and release a species within Arizona that is listed as threatened, endangered, or candidate species under the Endangered Species Act. A person is guilty of a Class 4 felony if their intent in importing and releasing a species is to disrupt or interfere with the development or use of public natural resources. The measure also establishes the Livestock Loss Board (board) and the Livestock Compensation Fund (fund) to address the depredation of wolves on livestock operations. The board will consist of the following nine members:

- The Director of the Arizona Department of Agriculture, or their designee,
- The Director of the Arizona Game and Fish Department, or their designee,
- Three members of the livestock industry appointed by the governor,
- Two members from the wildlife conservation and management community appointed by the governor,
- A livestock auction market owner appointed by the Speaker of the Arizona State House of Representatives, and
- A University faculty member appointed by the President of the Arizona State Senate.

[Chapter 172, Laws 2015](#)

HEALTH AND HUMAN SERVICES

HB 2098 department of child safety (*Brophy McGee*) Makes multiple and substantive changes to the Department of Child Safety including disclosure provisions related to adoption agency information, provisions for electronic communication, provisions related to audits and the auditor general's interactions with the agency, provisions related to foster care licensing and review, and procedural rights of those accused of abuse or neglect. [Chapter 79, Laws 2015](#)



[SB 1194 loan repayment; medically underserved areas](#) (*Griffin*) Adds pharmacists, physician assistants, nurse practitioners, and behavioral health providers to the list of medical practitioners eligible for the Primary Care Provider Loan Repayment Program (PLRP) and the Rural Private Care Provider Loan Repayment Program (RLRP). Participants are required to work for at least two years in rural areas, high-need health professional shortage areas, or medically underserved areas. [Chapter 3, Laws 2015](#)

[SB 1257 behavioral health; transfer; AHCCCS](#) (*Ward*) Transfers behavioral health services from the Arizona Department of Health Services (ADHS) to the Arizona Health Care Cost Containment System (AHCCCS). Currently, counties coordinate with the ADHS regarding health services related to screening and evaluation within court ordered evaluations. The measure was amended during the process to ensure that counties will only have to coordinate with the new agency, but do not have to change their processes. [Chapter 195, Laws 2015](#)

PLANNING & ZONING AND LAND USE

[HB 2003 NOW: fire sprinklers; permits; regulation](#) (*Petersen*) Requires the language pertaining to fire sprinkler specifications be printed on the fire sprinkler application forms utilized by municipalities and counties, and allows municipalities to adopt fire codes or ordinances to have sufficient fire access and fire routes to ensure the public health and safety. [Chapter 191, Laws 2015](#)

[HB 2010 NOW: counties; protected development rights; extensions](#) (*Shope*) Allows a county, by vote of the board of supervisors, to extend a protected development right plan for 30 years, if it is a phased development plan that has a gross acreage of more than 1,600 acres. [Chapter 92, Laws 2015](#)

[HB 2383 NOW: invalid annexation; boundaries; procedures](#) (*Olson*) Stipulates when annexation of a territory by a municipality is void, the territory must be severed from the municipality and returned to the county in which the land is located, if the territory is located within Maricopa County, and after a public hearing, the board of supervisors determines the requirements of this act have been met. [Chapter 284, Laws 2015](#)

[HB 2525 board of adjustment; appeals](#) (*Coleman*) Clarifies that taxpayers who own or lease property within 300 feet from the boundary of the immediately adjacent property affected by a decision of a board or local governing body may appeal the decision. [Chapter 125, Laws 2015](#)

[SB 1069 ordinances; businesses; prohibited security requirements](#) (*Smith*) Prohibits municipalities and counties from adopting ordinances or resolutions that require retail businesses to comply with specific security requirements, including the installation of security cameras or lights, size or type of business, or the number of calls made by the business to law enforcement. The definition of retail business, for the purposes of this act, does not include a bar, hotel, restaurant, or a business that has live entertainment, dispenses or cultivates medical marijuana, or that requires age verification for admission. [Chapter 139, Laws 2015](#)

[SB 1072 local planning; residential housing; prohibitions](#) (*Smith*) Prohibits a municipality or county from adopting land use regulations, general or specific plan provisions, or imposing as a condition for approving a building or use permit a requirement or fee that establishes the sales or lease price for a residential housing unit, residential dwelling lot or parcel. Requires a residential housing unit or residential dwelling lot or parcel be designated for sale or lease to any particular class or group of residents. The measure does not limit the authority of a municipality or county to adopt a land use regulation, general or specific plan provision or condition of approval

that creates an incentive, density bonus or other voluntary provision or condition designed to increase the supply of moderate or lower cost housing. [Chapter 140, Laws 2015](#)

[SB 1079 solid waste collection; multi-family housing](#) (*Griffin*) Prohibits municipalities from preventing a private enterprise from delivering recycling or solid waste services to multi-family residential properties beginning July 1, 2016. [Chapter 142, Laws 2015](#)

[SB 1241 auxiliary containers; regulatory prohibition; reporting](#) (*Barto*) Prohibits counties and municipalities from:

- Requiring an owner, operator, or tenant of a business, commercial building, or multi-family housing property to measure and report energy usage and consumption,
- Imposing a tax, fee, assessment, charge, or return deposit on a consumer or an owner, operator, or tenant of a business, commercial building, or multi-family housing property for an auxiliary container, such as plastic bags, styrofoam cups, or any other similar containers used for transporting merchandise or food, and
- Regulate the sale, use or disposition of auxiliary containers by an owner, operator, or tenant of a business, commercial building, or multi-family housing property.

[Chapter 271, Laws 2015](#)

[SB 1335 fire access roads; limitation; enforcement](#) (*Farnsworth, D*) Modifies statute prohibiting a county or municipality from adopting fire codes for an existing fire apparatus access road, or their extensions, that would require the installation of fire sprinklers to allow for enforcement through private civil action. [Chapter 88, Laws 2015](#)

PUBLIC PERSONNEL AND RETIREMENT

[HB 2063 NOW: limited county employee merit system](#) (*Coleman*) Expands the ability of a county board of supervisors to manage the county's employee merit system. [Chapter 275, Laws 2015](#)

[HB 2551 state, county employees; precinct committeemen](#) (*Weninger*) Allows state and county employees to serve as precinct committeemen. [Chapter 287, Laws 2015](#)

[SB 1119 NOW: ASRS; purchase of credited service](#) (*Lesko*) Establishes a two-tiered system for Arizona State Retirement System (ASRS) members who wish to purchase prior years of service. ASRS members, whose date of membership is on or after July 20, 2011, are limited to purchasing no more than five years of prior service, and ASRS members whose date of membership is prior to July 20, 2011, are not limited in the number of years of prior service that may be purchased. [Chapter 142, Laws 2015](#)

PUBLIC SAFETY

[HB 2162 NOW: rural fire district study committee](#) (*Coleman*) Establishes the Joint Legislative Study Committee on Rural Area Fire District Funding and Taxation to consider the level of fire safety services provided to rural areas by fire districts and departments, and to review taxation levels in various counties. [Chapter 236, Laws 2015](#)



HB 2205 NOW: emergency service providers; civil liability (*Boyer*) Exempts a person, provider or public entity or its employees from liability in a civil action for injuries, death or loss to a person or property that was incurred by the decisions made and actions or omissions taken that were based on good faith implementation, except in cases of wanton or willful misconduct, of 911 services. This liability exemption applies regardless of the technology platform being used. [Chapter 239, Laws 2015](#)

HB 2378 peace officers; unlawful sexual conduct (*Borrelli*) Stipulates that a peace officer commits unlawful sexual conduct by knowingly engaging in sexual contact, oral sexual contact or sexual intercourse with a person who is in the officer's custody or a person who the officer knows or has reason to know is the subject of an investigation. [Chapter 214, Laws 2015](#)

HB 2438 post-traumatic stress disorders: public safety (*Livingston*) Establishes the Post-Traumatic Stress Disorder (PTSD) in Public Safety Study Committee and directs the committee to research and report on the effects of PTSD on state and local law enforcement officers. [Chapter 308, Laws 2015](#)

HB 2550 constables; training courses; deadline (*Rivero*) Allows the Constable Ethics, Standards, and Training Board to approve training coursework for constables. [Chapter 129, Laws 2015](#)

SB 1187 services outside municipal boundaries; requirements (*Griffin*) Requires a municipality to make in-lieu contributions to all taxing jurisdictions for any land and equipment dedicated to providing landfill, recycling, or processing services outside of the municipal boundary. This provision does not apply to a municipality that has entered into a contract with another entity until the contract expires or until January 1, 2020, whichever is first. Municipalities with less than 5,000 persons and only provide one of the services listed above are exempt. [Chapter 153, Laws 2015](#)

SB 1197 VLT exemption; fallen emergency personnel (*Kavanagh*) Exempts one vehicle owned by a surviving spouse or dependent of a law enforcement officer, firefighter, or emergency responder who was killed in the line of duty from paying vehicle license tax and registration fees. [Chapter 186, Laws 2015](#)

SB 1300 law enforcement officers; body cameras; committee (*Kavanagh*) Establishes the Law Enforcement Officer Body Camera Study Committee to make recommendations on policies and laws for the use of body cameras and body camera recordings by December 31, 2015. The committee will consist of:

- A member of the Arizona State Senate (co-chair) appointed by the president of the senate,
- A member of the Arizona State House of Representatives (co-chair) appointed by the speaker of the house,
- The director of the Arizona Department of Public Safety (or designee),
- A police chief appointed by the governor,
- A county sheriff appointed by the governor,
- A faculty member of a university criminal justice program appointed by the governor,
- A representative of a news organization appointed by the governor,
- A criminal prosecutor appointed by the Arizona Prosecuting Attorneys' Advisory Council,
- Three members of a police association appointed by the governor,
- Two attorneys appointed by the governor (at least one must represent a civil liberties group), and
- Two members of the public appointed by the governor (at least one must be associated with a civil rights association).

[Chapter 161, Laws 2015](#)

SPECIAL DISTRICTS

HB 2109 ballot; form; secondary property taxes (*Mitchell*) Requires the ballot for bond elections to contain the words “bond approval, yes” and “bond approval, no” if the bonds are to be repaid with secondary property taxes and prescribes additional language for the ballot explaining what a vote of “yes” and what a vote of “no” would signify. [Chapter 48, Laws 2015](#)

HB 2110 taxing district boundaries; deadline extensions (*Mitchell*) Alters various dates regarding notice of the establishment or change in taxing boundaries for taxing jurisdictions. [Chapter 98, Laws 2015](#)

HB 2131 tax adjudications; attorney fees (*Mitchell*) Permits the court to award fees to prevailing parties challenging a tax action, including a refund or denial of a refund and raises the cap on both:

- The award to a prevailing party of attorney fees from \$175 per hour to \$350 per hour, and
- The award of fees against the state, a city, town or county from \$30,000 to \$75,000, in aggregate.

The measure includes an inflator (CPI) beginning January 1, 2016, and provides that any change is not permitted to be revised below the amounts prescribed in a prior calendar year. [Chapter 234, Law 2015](#)

HB 2142 water infrastructure finance authority; prepayment (*Borrelli*) Prohibits the Water Infrastructure Finance Authority (WIFA) from unilaterally amending financial assistance agreements, loans or bonds after its execution, or imposing a redemption premium as a condition of refinancing, or receiving prepayment if the financial assistance agreement, loan or bond did not contain one. [Chapter 260, Laws 2015](#)

HB 2414 community college tuition financing districts (*Stevens*) Changes the name of *provisional community college districts* to *community college tuition financing districts* and for any districts established after January 1, 2015, designates the county board of supervisors as the governing body. The measure also establishes a 15-member Study Committee on Community College Finance and Expenditure Limits. [Chapter 306, Laws 2015](#)

HB 2538 special districts; truth in taxation (*Mitchell*) Requires county flood control, county free library, county jail, and public health service districts that wish to increase tax levies to provide notice and hold a Truth in Taxation hearing where the governing body must utilize a roll call vote to approve the tax levy. [Chapter 128, Laws 2015](#)

TAXES AND PUBLIC FINANCE

HB 2108 property tax; class nine; conventions (*Mitchell*) Provides that improvements and property used exclusively for convention activities are classified as Class 9 property. [Chapter 233, Laws 2015](#)

HB 2109 ballot; form; secondary property taxes (*Mitchell*) Requires the ballot for bond elections to contain the words “bond approval, yes” and “bond approval, no” if the bonds are to be repaid with secondary property taxes and prescribes additional language for the ballot explaining what a vote of “yes” and what a vote of “no” would signify. [Chapter 48, Laws 2015](#)



HB 2128 leased religious property; class nine (*Mitchell*) Classifies property, buildings and fixtures leased to a religious institution as class 9 property, with certain limitations. The measure specifies that if only a portion of a property is leased to a religious institution, then only that portion qualifies as Class 9 property and exempts property, buildings and fixtures leased to an educational or religious institution from taxation. Also, the measure contains notification requirements to the county assessor. [Chapter 49, Laws 2015](#)

HB 2131 tax adjudications; attorney fees (*Mitchell*) Permits the court to award fees to prevailing parties challenging a tax action, including a refund or denial of a refund and raises the cap on both:

- The award to a prevailing party of attorney fees from \$175 per hour to \$350 per hour, and
- The award of fees against the state, a city, town or county from \$30,000 to \$75,000, in aggregate.

The measure includes an inflator (CPI) beginning January 1, 2016, and provides that any change is not permitted to be revised below the amounts prescribed in a prior calendar year. [Chapter 234, Law 2015](#)

HB 2653 tax liens; delinquency; partial payments (*Olson*) Currently, an Elderly Assistance Fund (EAF) must be established by the board of supervisors in counties with populations exceeding two million people (Maricopa County). EAF's are used to reduce the primary school district tax rates for elderly persons who qualify for the property valuation protection option under Article IX, Section 18, of the Arizona Constitution.

Tax lien purchasers are awarded a certificate of purchase (CP), and the CP bears interest at the bid rate beginning the first day of the month following the lien's sale. In order to redeem a property tax lien, the person owing back taxes must pay the county treasurer all fees, including taxes, interest and charges accrued on the property within three years of a CP being issued. If the county in which the lien is being redeemed has an EAF, the county treasurer must deposit an amount equal to the difference between the CP interest rate and 16 percent.

The measure eliminates the requirement for a person to pay CP holder fees in order to redeem a tax lien, and removes language that requires Maricopa County to deposit a portion of the funds received from delinquent tax payments into the EAF. [Chapter 324, Laws 2015](#)

SB 1066 political subdivisions; financial audit reports (*Pierce*) Requires municipalities, counties, and community college districts to post their financial statements in a prominent location on the entity's official website no later than seven business days after the date of filing with the Office of Auditor General (OAG) and directs the entity's governing body to include a form, prescribed by the OAG in the published budget in the subsequent fiscal year, if the entity's financial statements are not completed and filed on or before the adoption of the budget.

[Chapter 268, Laws 2015](#)

SB 1135 tax liens; delinquency; partial payments (*Smith*) Requires the Maricopa County treasurer to accept partial payments for delinquent taxes and to issue subsequent year certificates of purchase (CP) for unpaid delinquent taxes. [Chapter 322, Laws 2015](#)

SB 1345 NOW: private land acquisition; study committee (*Griffin*) Establishes the Study Committee on Private Land Acquisition to conduct hearings and gather information on acquisition of privately owned property by government entities, examine the impact of government owned property on the economy, and identify a process for a government entity to acquire property without reducing the tax base. The committee must submit their report by December 31, 2017. The study committee will consist of:

- Three members of the Arizona State Senate (two republicans and one democrat) appointed by the president of the senate,

- Three members of the Arizona State House of Representatives (two republicans and one democrat) appointed by the speaker of the house, and
- A county assessor appointed by the president of the senate.

[Chapter 188, Laws 2015](#)

[SB 1446 TPT reform; contractors](#) (*Lesko*) Revises methods for determining tax liability of a prime contractor, or subcontractor, who purchases tax-exempt equipment and incorporates or uses that equipment in a project not classified as prime-contracting. Under this situation, the liability is calculated and reported based on the project location and the tax is equivalent to the tax the contractor would have otherwise paid under the retail classification for the equipment. The state, counties and municipalities are prohibited from requiring a Transaction Privilege Tax (TPT) license number in order to issue a building permit. Due to changes in how equipment is taxed in certain situations, the measure contains an alternative procedure for determining the tax liability of a person who canceled their TPT license on or before September 30, 2015 (last day of the first month that starts at least 60 days after the effective date). [Chapter 4, Laws 2015](#)

[SB 1449 public monies; investment; pooled collateral](#) (*Farnsworth, D*) Removes registered warrants of the state, counties and political subdivisions, and first mortgages and trust deeds on improved, unencumbered real estate from the forms of acceptable collateral for the purposes of an eligible deposit under the Statewide Pooled Collateral Program. If a political subdivision's aggregate monies for deposit are less than the maximum coverage amount of the Federal Deposit Insurance Corporation, the subdivision must award the deposit of funds to an eligible depository in accordance with the subdivision's ordinance or resolution, and the deposited funds are not subject to the collateral requirements. [Chapter 89, Laws 2015](#)



STATE BUDGET ADJUSTMENTS

SB 1469 general appropriations; 2015-2016 (*Biggs*) Makes appropriations from the state general fund and other funds for the operation of state government in FY2015-2016. County-related provisions are summarized below.

- **County Attorney Immigration Enforcement:** Eliminates \$1,213,200 for county attorney immigration enforcement. *Eliminated*
- **State Aid to Indigent Defense Monies for Capital Post-Conviction Prosecution:** Appropriates \$800,100 from the State Aid to Indigent Defense Fund to the attorney general for capital post-conviction prosecution. This provision is unchanged from last year. *Sec. 16 (pg. 10)*
- **Out of County Tuition:** Appropriates \$1,273,800 for rural county reimbursement; Apache County will receive \$699,300 and Greenlee County will receive \$574,500. *Sec. 23 (pg. 15)*
- **County Attorneys Fund:** Continues to provide \$973,600 in Arizona Criminal Justice Commission (ACJC) grant monies to counties. *Sec. 28 (pg. 18)*
- **County Participation; Child Support Enforcement:** Appropriates \$6,740,200 to the Department of Economic Security (DES) for county participation in child support enforcement. *Sec. 32 (pg. 20)*
- **Environmental County Grants:** Appropriates \$250,000 to the state forester for county environmental projects in eastern Arizona, a \$(25,000) decrease from last year. *Sec. 43 (pg.30)*
- **County Tuberculosis Provider Care and Control:** Maintains a \$590,700 appropriation for county tuberculosis programs. *Sec. 50 (pg. 32)*
- **County Judicial Reimbursements:** Continues to provide \$187,900 to the supreme court to reimburse counties for state grand juries and capital post-conviction relief (PCR). The state grand jury reimbursement is limited to \$97,900 and the PCR reimbursement is limited to \$90,000. *Sec. 59 (pg. 36)*
- **Highway User Revenue Fund (HURF) Sweep to the Department of Public Safety (DPS):** Transfers \$96,812,300 from HURF to DPS and “not-withstands” the statutory cap. This represents a \$7.6 million increase from the current year budget. *Sec. 86 (pg. 47)*
- **State Aid to Indigent Defense Sweep to DPS:** Appropriates \$700,000 from the State Aid to Indigent Defense Fund to DPS for operations. *Sec.86 (pg. 47)*
- **County Fairs, Livestock, and Agricultural Promotion:** Appropriates \$1,779,500 to the County Fairs, Livestock, and Agricultural Promotion Fund, which is administered by the office of the governor. *Sec. 87 (pg. 49)*
- **Justice of the Peace (JP) Salaries:** Appropriates \$1,205,100 to the state treasurer to cover the state’s share of JP salaries. This amount is unchanged from last year. *Sec. 101 (pg. 54)*
- **Law Enforcement Boating Safety Fund (LEBSF):** Appropriates \$2,183,800 to be allocated to county law enforcement agencies in counties which had a law enforcement and boating safety program in existence prior to July 1, 1990 (Apache, Coconino, Gila, La Paz, Maricopa, Mohave, Navajo, Yuma counties). *Sec. 101 (pg. 54)*
- **Direct Appropriations to Counties (Lottery Revenue):** Appropriates, from the state general fund, \$5,500,500 to the Arizona Department of Administration to be equally distributed to all ten counties under 200,000 persons (Apache, Cochise, Coconino, Gila, Graham, Greenlee, La Paz, Navajo, Santa Cruz, and Yuma counties). Each qualifying county receives \$550,050. This represents a decrease of \$1,650,000 that reflects the elimination of the appropriation to Mohave, Pinal, and Yavapai counties. *Sec. 125 (pg. 65)*
- **Graham County Assistance:** Appropriates \$500,000 to the Department of Administration to be allocated to Graham County for maintenance of essential county services. *Sec. 125 (pg. 65)*

[Chapter 8, Laws 2015](#)

SB 1470 capital outlay; 2015-2016 (*Biggs*) Appropriates funds for FY2015-2016 to applicable agencies for the maintenance, repair, building renewal and preventative maintenance of state buildings. No county-related provisions are included. [Chapter 9, Laws 2015](#)

SB 1471 revenue; budget reconciliation; 2015-2016 (*Biggs*) *AS AMENDED BY HB 2617 NOW: counties; municipalities; budgets* (*Mesnard*) Makes statutory and session law changes related to state revenues in order to implement the budget. County-related provisions are summarized below.

- **Arizona Department of Revenue (ADOR) Cost Shift:** As permanent law, requires ADOR to charge every city, town, county, the Maricopa Association of Governments (MAG) and the Pima Association of Governments (PAG) a fee for service for the revenue that is collected on behalf of the jurisdiction. The provision exempts the fee from the county expenditure limitation and includes flexibility language to allow a county to use any source of county revenue for the fiscal obligations. As session law, sets the amount to be raised from the fee is set at \$20.8 million and lays out a framework for calculating each jurisdiction's share.

The aggregate county share of the fee is determined through the following procedure:

- 1) Calculate the aggregate amount distributed to counties from:
 - a) A.R.S. § 42-5029 (TPT distribution base)
 - b) A.R.S. § 42-6103 (county general fund excise tax)
 - c) A.R.S. § 42-6107 (county transportation excise tax for roads)
 - d) A.R.S. § 42-6108 & 42-6108.01 (tax on hotels – Pima only)
 - e) A.R.S. § 42-6109 & 42-6109.01 (jail facility excise tax – Maricopa only)
 - f) A.R.S. § 42-6110 (use tax on electricity)
 - g) A.R.S. § 42-6111 (county capital projects)
 - h) A.R.S. § 42-6112 (county excise tax for county judgment bonds – La Paz only)
- 2) Calculate the aggregate amount distributed to counties, cities and towns, MAG, and PAG from:
 - a) All taxes listed under step one
 - b) A.R.S. § 42-6001 (city excise taxes)
 - c) A.R.S. § 43-206 (urban revenue sharing)
 - d) A.R.S. § 42-6105 (MAG transportation tax)
 - e) A.R.S. § 42-6106 (PAG transportation tax)
- 3) Calculate what percentage the aggregate amount calculated under step one is of the aggregate amount calculated under step two and apply this percentage to the \$20.8 million

As amended by HB 2617, the county share of the \$20.8 million will be approximately \$6.7 million. The session law further stipulates that the aggregate county share shall be proportionally collected from each county based on population. *SB 1471 Sec. 7 (pg. 11) & Sec. 20 (pg. 19) & 2617 Sec. 5 (pg. 7) & Sec. 8 (pg. 9)*

- **Partial HURF Restoration:** As session law, requires that prior to any other distributions, \$30 million in FY2016 and \$30 million in FY2017 in HURF monies be distributed as follows:
 - 33.231 percent to counties: \$9,969,300
 - 48.097 percent to cities: \$14,429,100
 - 5.247 percent to cities over 300,000 persons: \$1,574,100
 - 13.425 percent to counties over 800,000 persons for controlled access: \$4,027,500

Further stipulates that the allocation to each county will be made according to current statute (A.R.S. § 28-6538) governing the distributions of HURF monies. *Sec. 12 (pg. 15)*



- **County Flexibility Language:**

- As session law, allows counties with fewer than 200,000 persons (Apache, Cochise, Coconino, Gila, Graham, Greenlee, La Paz, Navajo, Santa Cruz, and Yuma counties) to use any source of county revenue, including countywide special districts controlled by the board of supervisors, to meet any county fiscal obligation for FY2016. Additionally, counties are required to report to the director of the Joint Legislative Budget Committee (JLBC) whether the county used the provision and, if so, the intended amount and sources of funds, by October 1, 2015. *SB 1471 Sec. 8 (pg. 10)*
- As session law, allows counties with between 200,000 and 900,000 persons (Mohave, Pinal, and Yavapai counties) to use up to \$1 million from any source of county revenue, including countywide special districts controlled by the board of supervisors, to meet any county fiscal obligation for FY2016. Additionally, counties are required to report to the director of JLBC whether the county used the provision and, if so, the intended amount and sources of funds, by October 1, 2015. *HB 2617 Sec. 18 (pg. 9)*

[Chapter 10, Laws 2015](#) & [Chapter 323, Laws 2015](#)

[SB 1472 budget procedures; 2015-2016](#) (*Biggs*) Makes statutory and session law changes related to the budget procedures in order to implement the budget. No county-related provisions are included. [Chapter 11, Laws 2015](#)

[SB 1473 government; budget reconciliation; 2015-2016](#) (*Biggs*) Makes statutory and session law changes related to general government procedures in order to implement the budget. County-related provisions are summarized below.

- **Reduction in Presidential Preference Election (PPE) Costs:** As permanent law, lowers the amount required to be reimbursed to a county for PPE costs from 100 percent of the costs incurred to an amount equal to \$1.25 per active registered voter. The estimated impact to counties is \$3.4 million. *Sec. 1(pg. 1)*

[Chapter 12, Laws 2015](#)

[SB 1474 environment; budget reconciliation; 2015-2016](#) (*Biggs*) Makes temporary and permanent changes related to the environment in order to implement the budget. No county-related provisions are included. [Chapter 13, Laws 2015](#)

[SB 1475 health; budget reconciliation; 2015-2016](#) (*Biggs*) Includes provisions related to health and welfare necessary to implement the budget. The affected agencies are the Arizona Department of Economic Security (DES), the Arizona Health Care Cost Containment System (AHCCCS), and the Arizona Department of Health Services (DHS). County related provisions are summarized below.

- **Arizona Long Term Care System (ALTCS):** FY2016 county contributions total \$249,234,600 for all 15 counties into the Long Term Care System Fund. This amount is (\$935,500) below the JLBC Baseline to account for a reduction in provider rates. *Sec. 7 (pg. 18)*
- **Sexually Violent Persons (SVP) Payments:** Decreases the requirement that counties reimburse the Department of Health Services (DHS) for the cost associated with housing an SVP at the Arizona State Hospital (ASH), from 34 percent to 31 percent. Includes “flexibility language” allowing counties to pay for this program with any source of county revenue and excludes any payments from the county expenditure limitation. *Sec. 8 (pg. 19)*
- **Restoration to Competency (RTC) Payments:** Continues to require counties to reimburse DHS for 100 percent of the cost associated with competency restoration treatment at the ASH. Includes “flexibility language” allowing counties to pay for this program with any source of county revenue and excludes any payments from the county expenditure limitation. *Sec. 9 (pg. 20)*

- **AHCCCS Transfer:** The AHCCCS must transfer any excess monies back to the counties by December 31, 2016, if the counties' proportion of state match exceeds the proportion allowed to comply with the federal Affordable Care Act. *Sec. 11 (pg. 22)*
- **Acute Care Contributions:** Sets county Acute Care contributions at \$47,233,500 for all 15 counties. This amount is unchanged from the JLBC Baseline and includes an inflation indexing of the Maricopa County contribution (Laws 2005, Ch. 328). *Sec. 12 (pg. 22)*
- **Disproportionate Uncompensated Care Pool (DUC Pool):** Requires the collection of \$2,646,200 in DUC Pool contributions from counties other than Maricopa County. *Sec. 13 (pg. 24)*

[Chapter 14, Laws 2015](#)

[SB 1476 K-12 education; budget reconciliation; 2015-2016](#) (*Biggs*) Makes statutory and session law changes related to elementary through high school (K-12) education and the implementation of the budget. County related provisions are summarized below.

- **1 Percent Constitutional Property Tax Cap Liability Shift:** As permanent law, shifts a liability under the 1 percent constitutional cap, which exceeds \$1 million per county, to the local primary property taxing jurisdictions (counties, community college districts, cities and towns, and school districts). The provisions state that the Property Tax Oversight Commission (PTOC) is responsible for determining how the remaining liability is split between the relevant jurisdictions based on an undefined peer comparison. At the March 10, 2015, PTOC meeting, the commission indicated they will likely interpret this section to mean that a jurisdiction must pay a pro rata share of any 1 percent cap liability if their current tax rate is above the average tax rate for all other similar jurisdictions in the state (*i.e.* if the county tax rate is higher than the average county tax rate). This is a large departure from how the proposal was described in the governor's proposal. Under PTOC's interpretation, several jurisdictions will not pay at all, thereby shifting the liability to the remaining jurisdictions. *Sec. 7(K) (pg. 30)*

[Chapter 15, Laws 2015](#)

[SB 1477 higher education; budget reconciliation; 2015-2016](#) (*Biggs*) Makes statutory and session law changes related to postsecondary education and the implementation of the budget. No county-related provisions are included. [Chapter 16, Laws 2015](#)

[SB 1478 criminal justice; budget reconciliation; 2015-2016](#) (*Biggs*) Makes policy changes pertaining to criminal justice programs that affect the budget. County-related provisions are summarized below.

- **25 Percent of the Cost of the Arizona Department of Juvenile Corrections (ADJC):** As permanent law, requires the director of the ADJC to assess a "committed youth confinement cost sharing fee" to each county. The provision exempts the fee from the county expenditure limitation and includes flexibility language to allow a county to use any source of county revenue to meet the fiscal obligation. As session law, sets the amount to be raised from the fee at \$12 million and stipulates that a county's share of the \$12 million shall be determined by county population (original proposal charged counties based on juvenile inmate population). *Sec. 4 (pg. 2) & Sec. 13 (pg. 5)*
- **Suspension of County Non-supplanting Funding Requirements:** Continues the suspension of county non-supplanting requirements associated with funding of probation services, criminal case processing, and alternative dispute resolution programs. *Sec. 9 (pg. 8)*

[Chapter 17, Laws 2015](#)



SB 1479 human services; budget reconciliation; 2015-2016 (*Biggs*) Makes statutory and session law changes related to human services as part of the budget implementation. Agencies affected include the Department of Economic Security and the Department of Child Safety. No county-related provisions are included. [Chapter 18, Laws 2015](#)

SB 1480 agency consolidation; budget reconciliation; 2015-2016 (*Biggs*) Makes statutory and session law changes to complete a series of agency consolidations as part of the budget implementation. Agencies consolidated include merging the Department of Racing into the Department of Gaming, moving the State Board of Appraisal under the Department of Financial Institutions, and transferring Behavioral Health Services from the Department of Health Services to the Arizona Health Care Cost Containment System. No county-related provisions are included. [Chapter 19, Laws 2015](#)

COUNTY-RELATED VETOED LEGISLATION

[HB 2173 escrow agents; legal tender](#) (*Finchem*) Would have recognized coin or bullion which contains silver and gold as legal tender and provided that any tax or public charge due as a result of a transaction involving specie legal tender, would have been required to be paid in the same specie legal tender or in an equivalent amount of non-specie legal tender valued pursuant to the most recent daily exchange rate for the date of the transaction. In his [veto letter](#), Governor Ducey described the policy as inappropriate at this time.

[HB 2176 NOW: federal land relinquishment; payments](#) (*Thorpe*) Would have required the attorney general (AG) to annually request the United States to relinquish all constitutionally non-enumerated federal land within Arizona by January 1, 2022, and allowed, beginning January 1, 2022, and subject to legislative appropriation, the AG to initiate proceedings against the United States of America in order to force the relinquishment of all remaining constitutionally non-enumerated federal land. In his [veto letter](#), Governor Ducey expressed a desire to allow the study committee established in [HB 2658 federal lands; transfer; study committee](#) (Barton) to make recommendations upon completion of their work.

[HB 2296 adoption petition; county attorney](#) (*Farnsworth, E*) Would have modified statute related to county attorney services for adoptions to allow, instead of require, the county attorney to prepare an adoption petition and act as attorney without expense to the prospective parents. The county attorney currently is required to inform the public about where to obtain legal assistance in preparing an adoption petition. In his [veto letter](#), Governor Ducey expressed concern that the measure would reduce the number of adoptions in the state and encouraged the counties to find other cost-savings and efficiencies.

[HB 2318 transfer of public lands compact](#) (*Barton*) Would have adopted the Compact language and established the commission to consider mechanisms for securing the transfer of federal lands to the member states and would have defined the goals of securing sovereignty and jurisdiction over western states' public lands and drafting model uniform legislation to send to Congress for the transfer of federally controlled public lands to the respective states. Provisions included commission financing issues and withdrawal requirements. In his [veto letter](#), Governor Ducey expressed a desire to allow the study committee established in [HB 2658 federal lands; transfer; study committee](#) (Barton) to make recommendations upon completion of their work.

[HB 2358 TPT; exemption; crop dusters](#) (*Shope*) Would have exempted new agricultural aircraft from retail Transaction Privilege Tax (TPT) and use tax and applied exemptions for agricultural aircraft retroactively to April 17, 1985, and non-agricultural aircraft back to June 1, 1998. The measure would have set an aggregate cap of \$10,000 for refunds pertaining to agricultural aircraft exemptions. In his [veto letter](#), Governor Ducey acknowledged his support of providing tax relief for agricultural aircraft purchases, but he expressed concern over the unknown financial impact of making the policy for non-agricultural aircraft retroactive to 1998.

[HB 2410 municipalities; traffic citation quota; prohibition](#) (*Stevens*) Would have prohibited municipalities, counties and the state from establishing traffic complaint quotas and ranking their officers based on this quota. In his [veto letter](#), Governor Ducey worried about the ability for police departments to objectively measure the performance of their officers as a reason for his veto.



SB 1145 restoration to competency; state costs (*Griffin*) Would have required a county or city to reimburse Arizona Department of Health Services (ADHS) for the total cost of a defendant's inpatient, in custody competency restoration treatment for FY2016, if the state paid for the initial costs of the defendant's treatment, but would have exempted them from the reimbursement requirements for the treatment of a post-conviction defendant who is not competent to be sentenced. In his [veto letter](#), Governor Ducey indicated that the issue addressed in SB 1145 had been resolved by the courts and the Arizona Department of Health Services administratively.

SB 1200 mining and mineral museum; transfer (*Griffin*) Would have renamed the Centennial and Mining, and Mineral Museum to the Arizona Mining, Mineral and Natural Resources Educational Museum and transferred the museum from the Arizona Historical Society (AHS) to the Arizona Geological Survey (AGS). The membership of the museum's advisory council would have been modified by removing the director of AHS as a member, decreasing the number of members from various industries, and adding in one member from both the Arizona House of Representatives and the Arizona Senate. In his [veto letter](#), Governor Ducey expressed his concern with the lack of a plan or organization structure to ensure a successful transition of the museum.

SB 1445 public records; peace officer's name (*Smith*) Would have prohibited a law enforcement agency or local government from releasing the name of a peace officer for at least 60 days if that officer was involved in an incident that resulted in the death or serious injury due to the use of deadly force. A set of circumstances were outlined in the bill that would have exempted the law enforcement agency or local government from the 60-day waiting period. In his [veto letter](#), Governor Ducey expressed his support for protecting law enforcement officers and their families, but he did not believe the bill accomplished that goal, and would instead result in unforeseen problems. Governor Ducey cited his concern over limiting police chiefs' ability to best manage these releases of information situation by situation.

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SB 1474	environment; budget reconciliation; 2015-2016	19
SB 1475	health; budget reconciliation; 2015-2016	19
SB 1476	K-12 education; budget reconciliation; 2015-2016	20
SB 1477	higher education; budget reconciliation; 2015-2016	20
SB 1478	criminal justice; budget reconciliation; 2015-2016	20
SB 1479	human services; budget reconciliation; 2015-2016	21
SB 1480	agency consolidation; budget reconciliation; 2015-2016	21



County Supervisors

A S S O C I A T I O N
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