

Legislative Committee
Chair: Holly Eslinger

Status of Bills Reviewed by the Legislative Committee
As of June 30, 2013

2013 Master Bill Digest

HB2027: HOME INSPECTORS

Any financial assurance mechanism with a value of at least \$25,000 approved by the Board of Technical Registration is removed from the list of financial assurances, one of which a home inspector is required to file within 60 days after certification. Home inspectors must file the financial assurance prior to performing any home inspection for compensation.

First sponsor: Rep. Seel

General Comments (all lists): Monitor to Support

HB2027: HOME INSPECTORS 2/20 House Commerce held.

HB2031: FEDERAL PATENT EASEMENTS; COUNTIES; ABANDONMENT

Counties are authorized to abandon a federal patent easement established by the Small Tract Act of 1938 at the request of a property owner if the easement is not being used by the public or is no longer necessary and all affected utilities give consent. Some exceptions. The county board of supervisors is required to notify the owners of the land abutting the easement at least 60 days before the consideration of an abandonment resolution, and a majority of those landowners must not object to the proposed abandonment. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Dial

General Comments (all lists): Monitor

HB2031: FEDERAL PATENT EASEMENTS; COUNTIES; ABANDONMENT 4/5 signed by governor. Chapter. 49, Laws 2013.

HB2033: FORECLOSURES; DEEDS OF TRUST; AFFIDAVITS

If a beneficiary of a foreclosed deed of trust receives payment based on private mortgage insurance that is in addition to the proceeds of the sale, the beneficiary is required to submit to the county recorder a declaration of additional funds received containing specified information. The declaration must be submitted within four months after the date of the trustee's sale. Within seven business days after receipt of payment by the trustee, the trustee is required to execute and submit the trustee's deed to the county recorder for recording and to provide an unrecorded copy to the purchaser upon request. On completion of the sale and conveyance of the trustee's deed to the purchaser, the trustee is required to notify the beneficiary of the beneficiary's obligations. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Ugenti

General Comments (all lists): Monitor to Support

HB2033: FORECLOSURES; DEEDS OF TRUST; AFFIDAVITS 4/5 signed by governor.
Chapter. 50, Laws 2013.

HB2038: TECH CORRECTION; TECHNICAL REGISTRATION BOARD

Minor change in Title 32 (Professions and Occupations) related to the Board of Technical Registration. Apparent striker bus.

First sponsor: Rep. Carter

General Comments (all lists): Monitor

No Action

HB2076: MILITARY APPLICANTS; LICENSE REQUIREMENTS (SEPARATING SERVICE MEMBERS; LICENSURE)

The Department of Transportation is authorized to waive the driving test requirement for an applicant for a class A, B or C license if the applicant is on active duty in the U.S. armed forces or has separated from the U.S. armed forces under honorable conditions in the last 90 days, the applicant certifies that during the preceding two years the applicant has not had any driver license suspended or revoked and has not been found responsible for or guilty of specified traffic violations, and the applicant certifies and provides evidence that the applicant is or was employed in a military position requiring operation of a commercial motor vehicle. Effective January 1, 2014, the Board of Nursing is required to issue a license to practice as a practical nurse to an applicant who has not graduated from a Board-approved program if the applicant meets other licensure requirements, has completed a military program of medical training that is substantially equivalent to the academic requirements, and engaged in the active practice of practical nursing for at least two of the five preceding years. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Borrelli

General Comments (all lists): Monitor

HB2076: MILITARY APPLICANTS; LICENSE REQUIREMENTS 4/11 signed by governor.
Chapter. 85, Laws 2013.

HB2078: TECH CORRECTION; ESTATES

Minor change in Title 14 (Trusts, Estates and Protective Proceedings) related to venue for probate and administration. Apparent striker bus.

First sponsor: Rep. Smith

General Comments (all lists): Monitor

No Action

HB2092: HOAS; RESALE DISCLOSURE FEES

Beginning with the fee in effect on January 1, 2013, homeowner's associations and condo associations cannot increase the fee charged for resale disclosure documents and statements by more than three percent per year.

First sponsor: Rep. Brophy McGee

General Comments (all lists): Monitor to Oppose

HB2092: HOAS; RESALE DISCLOSURE FEES 1/17 referred to House Government.

HB2098: TECH CORRECTION; CONDO ASSOCIATIONS

Minor change in Title 33 (Property) related to condo associations. Apparent striker bus.

First sponsor: Rep. Gowan

General Comments (all lists): Monitor

No Action

HB2118: FLOOD PROTECTION DISTRICTS; PROPERTY EXCLUSION

Repeals statute allowing flood protection districts in counties with four or more districts to exclude lands from their jurisdiction in certain circumstances. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Pratt

General Comments (all lists): Monitor

HB2118: FLOOD PROTECTION DISTRICTS; PROPERTY EXCLUSION 4/4 signed by governor. Chapter. 38, Laws 2013.

HB2135: PLANNED COMMUNITIES; DECLARANT; BDS; VOTING

After the period of declarant control, the declarant cannot hold more than one seat on the board of directors of a homeowner's association or condo association. Homeowner's associations and condo associations are required, instead of permitted, to provide for voting by use of electronic mail and facsimile delivery.

First sponsor: Rep. Lovas

General Comments (all lists): Support

HB2135: PLANNED COMMUNITIES; DECLARANT; BDS; VOTING 1/22 referred to House Government.

HB2138: MUNICIPALITIES; RIGHT-OF-WAY; TRANSFER

As an alternative to municipal annexation, a county right-of-way or roadway may be transferred to an adjacent city or town by mutual consent of the governing bodies. Previously, a county right-of-way or roadway could be annexed to an adjacent city or town by mutual consent of the governing bodies. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Pratt

General Comments (all lists): Monitor

HB2138: MUNICIPALITIES; RIGHT-OF-WAY; TRANSFER 4/29 signed by governor.
Chapter. 127, Laws 2013.

HB2143: JOINT TENANCY SEVERANCE

In the case of real property owned as joint tenants with right of survivorship, the right of survivorship is extinguished in cases of divorce or annulment or on recording with the county recorder an affidavit executed by any joint tenant under oath that states the intent to terminate the survivorship right, a description of the instrument by which the right of survivorship was created, and the legal description of the affected property. For a deceased joint tenant, the termination by death of that tenant's joint tenancy with right of survivorship may be evidenced by a surviving joint tenant recording an affidavit reciting the name, date of death and cause of death of the deceased tenant, a description of the instrument by which the right of survivorship was created, the legal description of the affected property, and an attached death certificate. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Brophy McGee

General Comments (all lists): Monitor

HB2143: JOINT TENANCY SEVERANCE 4/11 signed by governor. Chapter. 87, Laws 2013.

HB2145: HOAS; AGENCY AUTHORITY

For HOA and condo associations that contract with a management company, the management company and its officers and employees may lawfully act on behalf of the association and its board of directors on all matters within the scope of the agency agreement executed between the company and the board.

First sponsor: Rep. Brophy McGee

General Comments (all lists): Monitor

HB2145: HOAS; AGENCY AUTHORITY 1/22 referred to House Government.

HB2153: CORPORATION COMMISSION; ENERGY EFFICIENCY STANDARDS

The Corporation Commission is prohibited from requiring a public service corporation to implement any energy efficiency standard unless the standard is "cost-effective" (defined) to the ratepayers.

First sponsor: Rep. Seel

General Comments (all lists): Monitor

HB2153: CORPORATION COMMISSION; ENERGY EFFICIENCY STANDARDS 1/22 referred to House Energy and Environment.

**HB2154: SUPPLEMENTAL APPROP; MORTGAGE SETTLEMENT MONIES
(CONDOS; PLANNED COMMUNITIES; ADMIN HEARINGS)**

In addition to any other monies appropriated to the Department of Law in FY2012-13 and excluding the \$50 million to be deposited in the general fund as part of the FY2012-13 budget, the remainder of the funds received from the consent judgments in the National Mortgage Settlement is appropriated to the Dept in FY2012-13 for distribution according to applicable court orders. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Kavanagh

General Comments (all lists): Monitor to Oppose

HB2154: SUPPLEMENTAL APPROP; MORTGAGE SETTLEMENT MONIES 4/17 signed by governor. Chapter. 118, Laws 2013.

HB2155: HOAS; RESERVE FUND DISCLOSURE

Homeowner's associations are required to include in annual corporate filing an addendum entitled "disclosure regarding reserve fund study" in substantially a specified form. The Corporation Commission is required to make the addendums filed available to the public on its website.

First sponsor: Rep. Kavanagh

General Comments (all lists): Monitor

HB2155: HOAS; RESERVE FUND DISCLOSURE 1/22 referred to House Government.

HB2166: LIMITED LIABILITY COMPANIES; SERIES

The articles of organization or operating agreement of a limited liability company may create one or more "series of members" (defined). A series may have different voting rights, separate powers or duties, and a separate business purpose or investment objective. The debts and expenses of one series are enforceable against the assets of that series only and not against the assets of the LLC if specified conditions are met, and the debts and expenses of the LLC generally are not enforceable against the assets of the series. Effective January 1, 2015. AS PASSED HOUSE.

First sponsor: Rep. Dial

General Comments (all lists): Support

HB2166: LIMITED LIABILITY COMPANIES; SERIES 3/13 Senate Commerce, Energy and Military Affairs held.

HB2173: UNEMPLOYMENT INSURANCE; OMNIBUS

Various changes relating to unemployment insurance. The Department of Economic Security is authorized to issue unemployment insurance (UI) tax anticipation notes during FY2013-14 in an amount not to exceed the lesser of \$200 million or the amount sufficient to repay the outstanding

balance borrowed from the federal government to pay UI benefits, provide for payment of UI benefits during FY2013-14 until UI tax receipts are sufficient, and pay note related expenses. The Director of the Dept is required to prescribe the form of the notes, interest rates and denominations of the notes, dates of maturity within 12 months, and the terms of redemption of the notes. Notes may be sold at public or private sale. The Dept is required to establish a Note Debt Service Fund to be used to pay amounts payable on notes and note related expenses, and monies in the Fund may be invested and reinvested in any investments authorized for public investments. To secure the principal and interest on notes, the Dept is authorized to perform various actions, including segregating the Fund into one or more accounts, establishing priorities among note holders, prescribing the procedure by which the terms of a contract with note holders may be amended or abrogated, and taking any other action that may affect the security and protection of the notes or interest on the notes. Notes and income from notes are at all times free from taxation in Arizona. Also establishes the Unemployment Special Assessment Proceeds Fund to pay interest charges incurred on a loan to pay UI benefits and then to retire the loan principal. Any monies remaining in the Unemployment Special Assessment Fund established in 2011 are transferred to the Unemployment Special Assessment Proceeds Fund. The authorization for the notes and related regulations self-repeal January 1, 2016. The Industrial Commission is prohibited from relieving an employer's account of charges related to an erroneous UI benefit payment if the payment was made because the employer failed to timely or adequately respond to a request for information relating to a claim for unemployment compensation and the employer has established a pattern of failing to timely or adequately respond to requests. If a person received UI benefits to which he/she is not entitled by reason of fraud committed by the person, the Dept is required to assess a penalty on the person equal to 15 percent of the amount of the erroneous payment. For UI taxes, a domestic or foreign limited liability company shall be taxed as if it is either a partnership or a corporation or is disregarded as an entity as determined pursuant to the Internal Revenue Code. The requirements for a shared work unemployment compensation plan to be approved by the Dept are expanded to include a certification from the employer that health and retirement benefits under a defined benefit plan will continue to be provided to an employee participating in the shared work plan under the same terms and conditions as though the work week had not been reduced, an estimate of the number of layoffs that would have occurred without an approved plan, and a description of the employer's plan for notifying an employee whose work week is to be reduced. Individuals participating in a shared work plan are permitted to participate in Dept-approved training to enhance job skills. Emergency clause. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Fann

General Comments (all lists): Monitor

HB2173: UNEMPLOYMENT INSURANCE; OMNIBUS 6/19 signed by governor. Chapter. 204, Laws 2013.

HB2175: WATER IMPROVEMENT, SANITARY DISTRICTS; LIENS

Domestic water improvement districts are authorized to charge an availability fee of up to 50 percent of the user fee on all property in the district that is not connected to the existing water system. Water improvement districts and sanitary districts are authorized to file a lien on property for the nonpayment of availability fees.

First sponsor: Rep. Fann

General Comments (all lists): Monitor to Oppose

HB2175: WATER IMPROVEMENT, SANITARY DISTRICTS; LIENS 2/27 referred to Senate Government and Environment, Appropriations.

HB2178: FLOOD CONTROL DISTRICTS; ADMINISTRATIVE ACTIONS

For various violations relating to county flood control districts, the district board or chief engineer is authorized to order a nonmonetary penalty that serves the purposes of the district, by agreement with the person in violation. Specifies a process for the board of hearing review to review decisions and orders of the chief engineer. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Fann

General Comments (all lists): Monitor

HB2178: FLOOD CONTROL DISTRICTS; ADMINISTRATIVE ACTIONS 5/2 signed by governor. Chapter. 170, Laws 2013.

HB2184: VEHICLE GROSS WEIGHT FEES; EXCEPTIONS (TECH CORRECTION; PUBLIC ROADWAYS)

A vehicle or combination of vehicles with a gross vehicle weight rating of more than 10,000 pounds but less than 26,001 pounds and that is used by an owner or employee of a farm or ranch on an incidental basis for the purpose of transporting agricultural commodities, livestock or machinery within 150 miles of the farm or ranch is exempt from gross weight fees. AS PASSED HOUSE.

First sponsor: Rep. Fann

General Comments (all lists): Monitor

HB2184: VEHICLE GROSS WEIGHT FEES; EXCEPTIONS 3/6 referred to Senate Transportation.

HB2193: FORECLOSED PROPERTIES; HOAS; MAINTENANCE

Homeowners' associations are allowed to remove trash or repair hazardous structures on foreclosed properties. The association is allowed to place a lien on the property for the costs, and the property owner is liable.

First sponsor: Rep. Miranda

General Comments (all lists): Monitor to Oppose

HB2193: FORECLOSED PROPERTIES; HOAS; MAINTENANCE 1/22 referred to House Government, Financial Institution.

HB2200: COUNTY FIRE DEPARTMENT; AUTHORIZATION

County boards of supervisors are authorized to establish a county fire department by resolution. If a fire district within that county dissolves, the board may assume all the powers and duties of the fire district. The board may direct the county to provide emergency fire services, enter into an intergovernmental agreement with a municipality to provide services, or enter into an agreement with a private fire company to provide services.

First sponsor: Rep. Borrelli

General Comments (all lists): Monitor look at closer

HB2200: COUNTY FIRE DEPARTMENT; AUTHORIZATION 2/19 House Government held.

HB2208: LOAN ORIGINATOR EXAMINATION COMMITTEE; REPEAL

The Loan Originator Examination Committee is repealed.

First sponsor: Rep. Brophy McGee

General Comments (all lists): Monitor

HB2208: LOAN ORIGINATOR EXAMINATION COMMITTEE; REPEAL 3/27 from Senate appropriations with amendment #4898.

HB2210: BANK LOANS; CALCULATIONS

For the purpose of statutory limits on the amount a bank may lend to a single borrower, the calculation of the total amount of all loans to a person must include any credit exposure arising from a "derivative transaction" (defined), repurchase agreement, reverse repurchase agreement, securities lending transaction or securities borrowing transaction between the bank and the person.

First sponsor: Rep. Brophy McGee

General Comments (all lists): Monitor

HB2210: BANK LOANS; CALCULATIONS 3/19 from Senate rules okay.

HB2211: LOAN ORIGINATORS

The requirements for a loan originator's license are modified to require 20 hours of continuing education during the preceding three years instead of two years, and to require the applicant to retake the loan originator's examination only if the person failed to maintain a valid license for a period of five years or longer.

First sponsor: Rep. Brophy McGee

General Comments (all lists): Monitor

HB2211: LOAN ORIGINATORS 3/19 from Senate rules okay.

HB2226: TECH CORRECTION; MINERALS; LAND INVENTORY

Minor change in Title 27 (Minerals, Oil and Gas) related to mineral products on state trust land. Apparent striker bus.

First sponsor: Rep. Stevens

General Comments (all lists): Monitor

No Action

HB2231: EXONERATION; APPEARANCE BONDS (STATE FEES; PAYMENT; ALTERNATIVE METHODS)

A surety is required to be relieved from liability on the appearance bond on which the defendant is released if the surety surrenders the defendant to the county sheriff on or before the day and time the defendant must appear in court, the defendant is in the county sheriff's custody on or before the day and time the defendant must appear in court and the surety provides an affidavit of surrender of the appearance bond to the sheriff, or the defendant is released or transferred to the custody of another government agency and the surety establishes that the surety did not know of the release or transfer and the defendant's failure to appear was a direct result of the release or transfer. If a surety is relieved of liability due to a release or transfer, the surety is required to return the premium and all collateral to the guarantors of the bond. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Stevens

General Comments (all lists): Monitor

HB2231: EXONERATION; APPEARANCE BONDS 4/29 signed by governor. Chapter. 133, Laws 2013.

HB2253: TECH CORRECTION; CONSERVATIVE EASEMENTS; APPLICABILITY

Minor change in Title 33 (Property) related to conservation easements. Apparent striker bus.

First sponsor: Rep. Stevens

General Comments (all lists): Monitor

No Action

HB2258: MOBILE HOME PARKS; LANDSCAPE MAINTENANCE

Unless specifically provided in a written lease agreement executed before January 1, 2013, a mobile home park landlord is responsible for maintenance of all landscaping that was in place on the mobile home space before the tenant took possession. For lease agreements executed beginning January 1, 2013, lease agreements must specifically disclose any requirements that the tenant maintain existing landscaping.

First sponsor: Rep. Forese

General Comments (all lists): Monitor to Oppose

HB2258: MOBILE HOME PARKS; LANDSCAPE MAINTENANCE 2/14 retained on House COW calendar.

HB2264: TAX INCENTIVES; MANUFACTURERS; SELF EMPLOYMENT (TECH CORRECTION; MOBILE HOME PARKS)

Beginning July 1, 2014 through June 30, 2019, an “export oriented manufacturer” (defined) may be certified by the Arizona Commerce Authority to have personal property and improvements newly constructed or that undergo a major renovation between January 1, 2014 through June 30, 2019 qualify for classification as class 6 property. The business must be a manufacturing operation, corporate or regional headquarters, administrative office or research and development operation of the manufacturer, must invest specified amounts and create a minimum number of “qualified employment positions” (defined), and must pay at least 51 percent of new employees at least a specified wage depending on the county. To be annually recertified, a business must continue to meet all eligibility requirements and must annually report specified information to the Authority. To receive classification as class 6 property, by December 10 of each year the certified business must submit specified information to the county assessor. The Authority and the Department of Revenue are required to report information on certified businesses and the fiscal impact of property tax incentives to the Governor and the Legislature by September 30 of each year. Additionally, the list of subtractions from Arizona gross income for income tax purposes is expanded to include the following percentage of compensation and net income from self-employment, up to \$113,700: 0.5 percent for tax year 2013, 1 percent for tax year 2014, 1.5 percent for tax year 2015, and 2 percent beginning tax year 2016. AS PASSED HOUSE.
First sponsor: Rep. Forese

General Comments (all lists): Monitor

HB2264: TAX INCENTIVES; MANUFACTURERS; SELF EMPLOYMENT 3/7 referred to Senate Finance, Government-Energy.

HB2274: HOAS; REGISTRY

Beginning January 1, 2015, HOAs are required to register with the Secretary of State instead of record information with the county recorder. Beginning March 1, 2015, the Secretary of State is required to post this information online in a form that makes it available to the public. The Secretary of State is required to provide for the establishment of a registry for HOAs by soliciting proposals from nonprofit corporations to provide the registry service. The contract provider may charge a fee for the registry service.
First sponsor: Rep. Forese

General Comments (all lists): Support w/ Lobbying

HB2274: HOAS; REGISTRY 1/22 referred to House Government.

HB2281: FORECLOSURE; TENANT NOTIFICATION

If a property owner receives a notice of trustee's sale or other notice of foreclosure on the property after a tenant has entered into a rental agreement, the owner is required to provide the tenant with a written notice containing specified information within five business days after receipt of the notice of trustee's sale. This requirement applies only to the first notice of trustee's sale or the first notice of foreclosure received by the owner after the tenant has entered into the rental agreement. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Smith

General Comments (all lists): Monitor to Support

HB2281: FORECLOSURE; TENANT NOTIFICATION 6/19 signed by governor. Chapter. 224, Laws 2013.

HB2302: WORKERS' COMPENSATION PREMIUMS; PAYMENT

An employer may choose to pay workers' compensation insurance premiums on a semiannual, quarterly or monthly basis if the insurer makes the payment plan available. Any "deposit premium" (defined) required by a workers' compensation insurer is payable at the inception of the policy term, and cannot be less than the minimum premium stated in the policy.

First sponsor: Rep. Fann

General Comments (all lists): Monitor

HB2302: WORKERS' COMPENSATION PREMIUMS; PAYMENT 3/6 referred to Senate Commerce-Energy-Military Affairs.

HB2310: COURTS; EVALUATION; MENTAL HEALTH; REPORT (ESCHEATED PROPERTY; PROCEEDS; CLAIM)

The Administrative Office of the Courts (AOC) is required to evaluate the mental health courts currently operating in Arizona and to develop standards for the design, training in, and procedures to establish and implement efficient, effective and accountable mental health courts. The AOC is required to report its findings and recommendations to the Governor and the Legislature by December 31, 2014. The AOC is authorized to contract with or employ consultants and specialists to conduct the evaluation and develop the standards. Conditionally enacted on the AOC receiving an appropriation for implementation of the evaluation. AS SIGNED BY GOVERNOR.

First sponsor: Rep. E. Farnsworth

General Comments (all lists): Monitor Strike Everything no longer applies to realtor issues.

HB2310: COURTS; EVALUATION; MENTAL HEALTH; REPORT 4/29 signed by governor. Chapter. 140, Laws 2013.

HB2316: LICENSING BOARDS; COMPOSITION; PROFESSIONS; OCCUPATIONS

Board members whose profession or occupation is regulated by a professional licensing board cannot constitute a majority of the board membership. All board members are appointed by the Governor and must meet specified requirements, including residing in Arizona for at least three years and agreeing to administer the board in a way that presents the least possible cost to regulated professionals. Board members who are not regulated by the board cannot be employed by a licensed professional or an association of licensed professionals for three years before and three years after the member's service on the board. Session law provides that all persons serving as members of professional licensing boards may continue to serve until the expiration of their normal terms.

First sponsor: Rep. E. Farnsworth

General Comments (all lists): Monitor

HB2316: LICENSING BOARDS; COMPOSITION; PROFESSIONS; OCCUPATIONS 1/22 referred to House Federalism-Fiscal Responsibility.

HB2317: FINGERPRINT CLEARANCE CARD; EXPIRED USE

An expired fingerprint clearance card may be used to satisfy the fingerprint requirements of various school personnel if the person signs an affidavit stating that the person submitted a completed application for a new card within 90 days before the expiration date of the expired card, and that the person is not awaiting trial on and has not been convicted of a criminal offense that would make the person ineligible. Does not apply to a card that has been denied, suspended or revoked or to a person who has requested a good cause exception hearing. Emergency clause. AS SIGNED BY GOVERNOR.

First sponsor: Rep. E. Farnsworth

General Comments (all lists): Monitor

HB2317: FINGERPRINT CLEARANCE CARD; EXPIRED USE 3/21 signed by governor. Chapter. 7, Laws 2013.

HB2319: JUST COMPENSATION; PAYMENT; TAX CREDIT

If the existing rights to use, divide, sell or possess private real property are reduced by the enactment or applicability of any land use law enacted after the date the property is transferred to the owner and that action reduces the fair market value of the property, the owner may waive the right to just compensation and instead claim an income tax credit in the same amount. The State Treasurer must withhold from the distribution of state shared revenue or other distributions to the county, municipality or other political subdivision that enacted the land use law the aggregate amount of credits claimed for that law. Monies withheld are credited to the general fund. Does not apply to a list of specified land use laws. Due to voter protection, this bill requires the affirmative vote of at least 3/4 of each house of the Legislature for passage.

First sponsor: Rep. E. Farnsworth

General Comments (all lists): Support

HB2319: JUST COMPENSATION; PAYMENT; TAX CREDIT 1/22 referred to House Ways-Means.

HB2320: RULES; STATUTORY REVIEW; STATE AGENCIES

At least once every five years, each state agency is required to review all of its rules and statutory authority that regulates any occupation, professions, activity, use of property, or condition and determine whether any of the rules or statutes are obsolete, counterproductive or redundant. Criteria that must be used in the determination is specified. Each agency must report its findings to the Governor and the Legislature.

First sponsor: Rep. E. Farnsworth

General Comments (all lists): Monitor

HB2320: RULES; STATUTORY REVIEW; STATE AGENCIES 2/19 House Government held.

HB2324: TPT EXEMPTION; LEASES; AFFILIATED COMPANIES (MUNICIPAL TAX CODE; LEASES)

The commercial lease classification for transaction privilege tax does not include leasing real property between "affiliated companies, businesses or persons," defined as the lessor owning at least 80 percent interest in the lessee, the lessee owning at least 80 percent interest in the lessor, or an affiliated entity or unrelated person owning at least 80 percent interest in both, or leasing real property by a "reciprocal insurer" (defined elsewhere in statute). Municipalities and special taxing districts are prohibited from levying a transaction privilege or use tax on gross income derived from leasing real property between affiliated companies, businesses or persons, or by a reciprocal insurer. AS SIGNED BY GOVERNOR.

First sponsor: Rep. E. Farnsworth

General Comments (all lists): Monitor to Support

HB2324: TPT EXEMPTION; LEASES; AFFILIATED COMPANIES 4/3 signed by governor. Chapter. 27, Laws 2013.

HB2334: POOL PUMP ENERGY STANDARDS; REPEAL

Eliminates energy efficiency standards for portable electric spas, residential pool pumps and residential pool pump motors, which became effective January 1, 2012. Emergency clause.

First sponsor: Rep. Montenegro

General Comments (all lists): Support

HB2334: POOL PUMP ENERGY STANDARDS; REPEAL 4/9 stricken from House consent calendar by Campbell.

HB2335: MOBILE HOMES; RECREATIONAL VEHICLES; PARKS

Mobile home and recreational vehicle parks cannot prohibit tenants or a tenant association from meeting in a tenant's mobile home or recreational vehicle or assembling at "common facilities" (defined) or areas in the park. The meetings must be allowed in common facilities during normal operating hours when the facility is not otherwise in use. The tenant or tenant association must be allowed to post notice of a meeting on a bulletin board and to include notice of a meeting in a park newsletter. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Montenegro

General Comments (all lists): Monitor

HB2335: MOBILE HOMES; RECREATIONAL VEHICLES; PARKS 3/21 signed by governor. Chapter. 8, Laws 2013.

HB2337: HOAS; CONDOS; RENTAL PROPERTIES

Homeowners and condo association members are permitted to use the member's property as a rental property unless prohibited in the declaration, and to designate a third party to act as agent with respect to HOA matters on the property. The HOA is prohibited from requiring a copy of rental applications or contracts or requiring a tenant to limit or waive rights of due process as a condition of occupancy. The HOA is permitted to charge an administrative fee of up to \$25 for each new tenancy.

First sponsor: Rep. Petersen

General Comments (all lists): Support with Lobbying

HB2337: HOAS; CONDOS; RENTAL PROPERTIES 1/22 referred to House Government.

HB2338: REGIONAL WATER AUGMENTATION AUTHORITIES

Adds a new chapter to article 45 (Waters) regulating regional water augmentation authorities. Two or more specified entities, one of which must be a public agency, may form a regional water augmentation authority. Establishes the processes for formation and dissolution of the authority. Powers and duties of a board of directors are specified, including to lawfully acquire or sell property, easements and rights-of-way for water supplies and projects, acquire or assign water rights, acquire and sell water, treat water, charge fees for services and water sales, issue revenue bonds, and exercise the power of eminent domain in specified circumstances. Authority boards are also authorized to apply for and receive financial assistance from the water supply development revolving trust fund. Establishes regulations for revenue bonds issued by an authority, including bond authorization, obligation for the bonds, issuance and sale of the bonds, authorized investments of bond proceeds, and payment of bonds. Appropriates \$30 million from the general fund in FY2013-14 to the water supply development revolving trust fund for the purposes of this legislation.

First sponsor: Rep. Tobin

General Comments (all lists): Support with Lobbying

HB2338: REGIONAL WATER AUGMENTATION AUTHORITIES 2/19 House Agriculture-Water held.

HB2344: PROPERTY TAX PENALTY WAIVER

A county treasurer, in consultation with the board of supervisors, is authorized to waive a penalty required for failure to respond to a request for information about classification of residential property for good cause. Retroactive to July 1, 2012. Self-repeals July 1, 2014. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Lesko

General Comments (all lists): Monitor

HB2344: PROPERTY TAX PENALTY WAIVER 3/21 signed by governor. Chapter. 9, Laws 2013.

HB2362: AFFORDABLE HOUSING PROJECTS; TAX ASSESSMENT

A parcel of "affordable housing" (defined) property must be valued not at market value but at a value that reflects legal restrictions on its use, transferability and below-market sales price and limited profit margin under the applicable municipal affordable housing program. The Department of Revenue is required to prescribe uniform rules, procedures and formulas for determining and fixing valuation for affordable housing.

First sponsor: Rep. Mendez

General Comments (all lists): Monitor

HB2362: AFFORDABLE HOUSING PROJECTS; TAX ASSESSMENT 1/22 referred to House Ways-Means.

HB2363: HOAS; HOME GARDENING

HOAs cannot prohibit a member from using any portion of the member's property as a vegetable garden or for the cultivation of other edible plants.

First sponsor: Rep. Mendez

General Comments (all lists): Monitor

HB2363: HOAS; HOME GARDENING 1/22 referred to House Government.

HB2371: HOAS; OMNIBUS (TECH CORRECTION; MATERIALS; RESIDENT PREFERENCE)

Various changes relating to homeowners' associations. For an HOA that is contracted with a management company, the company and its employees are authorized to act on behalf of the HOA and the HOA Board by recording a lien or notice of claim of lien of the HOA or appearing on behalf of the HOA in a small claims court action when specified conditions are met.

Homeowners and condo association members are permitted to use the member's property as a rental property unless prohibited in the declaration, and to designate a third party to act as agent with respect to HOA matters on the property. The HOA is prohibited from requiring a copy of rental applications or contracts or requiring a tenant to limit or waive rights of due process as a condition of occupancy. The HOA is permitted to charge an administrative fee of up to \$25 for each new tenancy. The planning agency of a municipality or county is prohibited from requiring a developer to establish a planned community, unless the planned community is specifically limited to the maintenance of community owned private improvements that are proposed as part of a preliminary plat, final plat or specific plan. Does not limit the establishment or authority of any planned community established pursuant to statute. AS PASSED HOUSE.

First sponsor: Rep. Ugenti

General Comments (all lists): Support with Lobbying

HB2371: HOAS; OMNIBUS 3/28 from Senate rules okay. Stricken from Senate consent calendar by Crandell.

HB2390: REAL ESTATE; PUBLIC REPORT; EXEMPTION

The sale or lease of lots or parcels located in a single platted subdivision by a subdivider that meet a list of specified conditions is exempt from statutes regulating the sale of subdivided lands, including requiring public notice of intention to subdivide lands and other various disclosure requirements.

First sponsor: Rep. J. Pierce

General Comments (all lists): Monitor (Close)

HB2390: REAL ESTATE; PUBLIC REPORT; EXEMPTION 1/22 referred to House Government.

HB2393: STATE AGENCIES; LICENSURE; TIME FRAMES

A person who is or could be required to obtain a license may petition the Governor's Regulatory Review Council to require an agency to consider including a recommendation for reducing a licensing time frame in its five-year report. AS SIGNED BY GOVERNOR.

First sponsor: Rep. J. Pierce

General Comments (all lists): Monitor

HB2393: STATE AGENCIES; LICENSURE; TIME FRAMES 4/5 signed by governor. Chapter. 58, Laws 2013.

HB2404: BUILDING CODES; RESIDENTIAL ENERGY EFFICIENCY (PROPERTY MGRS; RECORDS; STORAGE)

Affordable housing and the regulation of residential energy consumption and energy efficiency is of statewide concern and not subject to further regulation by a political subdivision. A residential building that achieves a specified home energy rating system index score based on the "climate zone" (defined by county) where the building is located is deemed to comply with any building code, ordinance or other legal requirement relating to energy conservation or energy efficiency adopted or enforced by a county or municipality. The 2015 or subsequent editions of a building energy code adopted or enforced by a county or municipality are required to include a performance-based path to compliance for residential buildings using a home energy rating system index score with no limitations, restrictions or mandates as to how the necessary score is achieved. AS PASSED SENATE.

First sponsor: Rep. Carter

General Comments (all lists): Monitor to Support

HB2404: BUILDING CODES; RESIDENTIAL ENERGY EFFICIENCY 4/30 passed Senate 16-12; ready for House action on Senate amendments.

HB2444: TECH CORRECTION; POWER AUTHORITY; WATER

Minor change in Title 30 (Power) related to water rights of the Arizona Power Authority. Apparent striker bus.

First sponsor: Rep. Olson

General Comments (all lists): Monitor

HB2444: TECH CORRECTION; POWER AUTHORITY; WATER 2/19 House Federalism-Fiscal Responsibility held.

HB2460: HOAS; MASTER ASSN DUES

Members of an age-restricted planned community may be required to make payments to a master association under specified circumstances.

First sponsor: Rep. Gowan

General Comments (all lists): Monitor

HB2460: HOAS; MASTER ASSN DUES 1/23 referred to House Government.

HB2474: PLANNED COMMUNITIES; ZONING; LIMITATIONS; DISTRICTS

The planning agency of a municipality or county is prohibited from requiring a developer to establish a planned community unless the planned community association owns or is liable for certain special features such as a golf course, lake or clubhouse.

First sponsor: Rep. Townsend

General Comments (all lists): Monitor

HB2474: PLANNED COMMUNITIES; ZONING; LIMITATIONS; DISTRICTS 1/23 referred to House Government.

HB2479: PERSONAL PROPERTY DEPRECIATION

Beginning with tax year 2014, depreciation of taxable personal property prescribed by the Department of Revenue must be based on the personal property having a three-year useful life.

First sponsor: Rep. Orr

General Comments (all lists): Monitor

HB2479: PERSONAL PROPERTY DEPRECIATION 1/22 referred to House Ways-Means.

HB2487: HOUSING DEV AREA; DECLARATION; REPEAL

Municipal governing bodies are no longer required to adopt a resolution finding that a shortage of housing exists in a certain area, declaring that area to be a housing development area, and declaring that assisting in the development of housing in that area is in the interests of public health, safety and welfare before the municipality may exercise statutory powers for housing development areas.

First sponsor: Rep. Coleman

General Comments (all lists): Monitor

HB2487: HOUSING DEV AREA; DECLARATION; REPEAL 1/29 referred to House Government.

HB2492: MUNICIPALITIES; WASTEWATER UTILITY; ACQUISITION; REPEAL

Repeals statute permitting a municipality authorized to operate a wastewater utility by the voters to acquire all or any portion of a sewage system located within or serving the municipality and owned or operated by a county. Also repeals session law passed in 2012 requiring the Department of Environmental Quality to immediately transfer all permits relating to the ownership and operations of a wastewater utility to the municipality that has acquired the facility. Conditionally enacted on Pima County and the Town of Marana reaching a wastewater settlement on or before July 1, 2014. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Kwasman

General Comments (all lists): Monitor- need to look at closer

HB2492: MUNICIPALITIES; WASTEWATER UTILITY; ACQUISITION; REPEAL 3/28 signed by governor. Chapter. 22, Laws 2013.

HB2498: PROPERTY TAX LEVY; COMMUNITY COLLEGES

A community college district with a primary property tax levy approved by the voters may resubmit a proposed amount to be raised by primary property taxes for voter approval at least 20 but not more than 35 years after the date of initial approval of the levy, if the proposed amount is not more than two times the otherwise authorized levy amount for the same year.

First sponsor: Rep. Thorpe

General Comments (all lists): Monitor

HB2498: PROPERTY TAX LEVY; COMMUNITY COLLEGES 2/6 from House higher Education-Work Development do pass.

HB2508: TECH CORRECTION; PUBLIC ROADWAYS

Minor change in Title 28 (Transportation) related to the disposition of public roadways. Apparent striker bus.

First sponsor: Rep. Steele

General Comments (all lists): Monitor

No Action

HB2518: MUNICIPAL ELECTIONS; HOA REVISIONS (CITIES & TOWNS; APPROVAL VOTING)

Establishes a 6-member City and Town Approval Voting Study Committee to study a system of approval voting in municipal primary elections, where the voter is permitted to vote for as many candidates for a single office as the voter chooses to approve and the two candidates receiving the highest number of votes advance to the general or runoff election. In order to comply with legislation passed in 2012 providing for consolidated election dates, for any municipality whose alternate expenditure limit expires in the spring of 2014, the statutory penalties do not apply in FY2015 provided the municipality seeks voter approval of an alternative expenditure limit in the

fall of 2014. Municipal planning agencies and county planning and zoning commissions are prohibited from requiring a subdivider or developer to construct or establish a planned community as part of a subdivision regulation or zoning ordinance. Subdividers or developers cannot be penalized because of a lack of a planned community as part of the preliminary plat or specific plan. Municipalities and counties are permitted to require a subdivider or developer to construct or enact a planned community to maintain of community-owned property. For an HOA that is contracted with a management company, the company and its employees are authorized to act on behalf of the HOA and the HOA Board by recording a lien or notice of claim of lien of the HOA or appearing on behalf of the HOA in a small claims court action when specified conditions are met. Homeowners and condo association members are permitted to use the member's property as a rental property unless prohibited in the declaration, and to designate a third party to act as agent with respect to HOA matters on the property. The HOA is prohibited from requiring a copy of rental applications or contracts or requiring a tenant to limit or waive rights of due process as a condition of occupancy. The HOA is permitted to charge an administrative fee of up to \$25 for each new tenancy. AS PASSED SENATE.

First sponsor: Rep. Olson

General Comments (all lists): Monitor

HB2518: MUNICIPAL ELECTIONS; HOA REVISIONS 6/5 Senate COW approved with floor amendment #5126. Senate voted to exclude amend 4808. NOTE SHORT TITLE CHANGE. Passed Senate 23-0; ready for House action on Senate amendments.

HB2519: ASSIGNMENT OF TAX LIEN

The county treasurer is required to assign a tax lien against real property to a third party if he/she receives a written authorization from the property owner to assign the lien to the third party and payment in the amount of the taxes, interest and penalties due on the property. The property owner and the third party are permitted to enter into an agreement for payment of all amounts secured by the lien. The assignment and payment agreement must be filed with the county recorder and are prima facie evidence of the valid assignment of the lien. If the property owner defaults on the payment agreement, the assignee of the tax lien may foreclose.

First sponsor: Rep. Olson

General Comments (all lists): Monitor

HB2519: ASSIGNMENT OF TAX LIEN 3/18 from House rules okay.

HB2520: STATE AGENCIES; BUDGET SUBMISSION

By September 1 of each year, each budget unit is required to submit to the Legislature a summary of all monies that were spent by or passed through the budget unit during the preceding fiscal year and an estimate of the monies projected to be spent or passed through for the current FY. The Legislature must reduce the appropriation of each budget unit who fails to submit the summary by at least ten percent of the preceding FY appropriation.

First sponsor: Rep. Olson

General Comments (all lists): Monitor

HB2520: STATE AGENCIES; BUDGET SUBMISSION 2/12 from House Federalism-Fiscal Responsibility do pass.

HB2525: REAL ESTATE LICENSES; EXEMPT SALES (REAL ESTATE LICENSES; CANCELLATION)

The Department of Real Estate is permitted to cancel an inactive license on request if specified conditions are met. Also, the sale or lease of lots or parcels in a single platted subdivision by a subdivider is exempt from regulations on the sale of subdivided lands if a public report on the subdivision lots or parcels has been issued within the past five years, increased from two years. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Petersen

General Comments (all lists): Support with Lobbying

HB2525: REAL ESTATE LICENSES; EXEMPT SALES 4/5 signed by governor. Chapter. 61, Laws 2013.

HB2526: STREET LIGHTING IMPROVEMENT DISTRICTS

The purposes for which an improvement district may be formed are expanded to include maintaining, repairing and replacing a district's street lighting facilities. Applies to any municipal street lighting improvement districts formed by a municipality before or after the effective date of this legislation.

First sponsor: Rep. Ugenti

General Comments (all lists): Monitor

HB2526: STREET LIGHTING IMPROVEMENT DISTRICTS 2/21 retained on House COW calendar.

HB2535: INDEPENDENT FUNCTIONAL UTILITY

When computing the transaction privilege tax base for the prime contracting classification, the deduction from gross income for the installation, assembly, repair or maintenance of machinery, equipment or other tangible personal property that does not become a permanent attachment to a building or other structure is changed to exclude property that has an "independent functional utility" (defined as able to independently perform its function without attachment to real property other than specified forms of attachment) instead of property that does not become a permanent attachment. The list of items that municipalities and special taxing districts are prohibited from levying a transaction privilege or use tax on is expanded to include the gross proceeds of sales or gross income derived from a contract for the installation, assembly, repair or maintenance of machinery, equipment or other tangible personal property that has independent functional utility. Retroactive to taxable periods beginning July 1, 1997. Any claim for refund of tax based on the retroactive application is considered timely filed if filed with the Department of Revenue or the appropriate municipality by December 31, 2013. The aggregate amount of refunds based on the retroactive application is capped at \$10,000. Contains a legislative intent section. Savings clause. AS SIGNED BY GOVERNOR.

First sponsor: Rep. Olson

General Comments (all lists): Monitor

HB2535: INDEPENDENT FUNCTIONAL UTILITY 4/29 signed by governor. Chapter. 153, Laws 2013.

HB2544: AZ POWER AUTHORITY; FINANCING (CITY PARCEL TAX; PROHIBITION)

The Arizona Power Authority is authorized to finance or refinance the state's proportionate share of the costs incurred by the U.S. for the Hoover visitor facilities and the state's proportionate share of the costs incurred by the federal Bureau of Reclamation for the air slot treasury loan for the construction of air slots at Hoover Dam. The Arizona Power Authority is authorized to pledge its contracts, rights and interests in or to power and energy from the Hoover power plant as security for bonds and notes for the Hoover visitor facilities or the air slots at Hoover Dam.

AS SIGNED BY GOVERNOR.

First sponsor: Rep. Olson

General Comments (all lists): Support with Lobbying

HB2544: AZ POWER AUTHORITY; FINANCING 6/19 signed by governor. Chapter. 230, Laws 2013.

HB2556: IRRIGATION DIST; QUALIFIED ELECTORS; DEFINITIONS

For an irrigation and water conservation district established in a county with a population of more than 200,000 that has the Colorado River as a boundary (Mohave County), "land" or "real property" in irrigation and water conservation district statutes means all real property regardless of its use or designation and is not limited to agricultural land. These definitions apply to any instance in which holding ownership of land or real property is a requirement for voting in or holding office in a district or signing a related petition.

First sponsor: Rep. Borrelli

General Comments (all lists): Monitor

HB2556: IRRIGATION DIST; QUALIFIED ELECTORS; DEFINITIONS 2/11 referred to House Agriculture-Water.

HB2578: LICENSING; ACCOUNTABILITY; PENALTIES; EXCEEDING REGULATION

State, county, municipal and special taxing district employees who knowingly base a licensing decision in whole or in part on a requirement or condition that is not specifically authorized by statute, rule, ordinance or code would have been subject to a civil penalty of \$500 for a first violation, \$1,000 for the second violation, and \$2,000 for the third violation. A person affected by a licensing decision made in violation would have been permitted to file an action for declaratory relief in superior court. An action would have had to be commenced within four years after the licensing decision. AS VETOED BY GOVERNOR. The Governor's veto message stated that this legislation is punitive and unnecessary, since state law prohibits improper

licensing decisions and well-established administrative and judicial processes exist to remedy those decisions.

First sponsor: Rep. Petersen

General Comments (all lists): Support

HB2578: LICENSING; ACCOUNTABILITY; PENALTIES; EXCEEDING REGULATION 4/5
VETOED message

HB2580: REGULATORY REVIEW; PERIODIC APPROVAL

The maximum amount of time after a new program is established that the program must expire is decreased to 5 years, from 10 years. At least every 5 years, every county department, municipal department, and county flood control district is required to review all of its regulations to determine whether any regulation should be amended or repealed. The department or district must prepare a report that includes specified information for each regulation and must obtain the approval of the governing body for the report. If the governing board determines that a regulation is materially flawed, the board may require the department or district to propose an amendment or repeal of the regulation by a date at least 6 months later.

First sponsor: Rep. Kwasman

General Comments (all lists): Monitor

HB2580: REGULATORY REVIEW; PERIODIC APPROVAL 2/11 referred to House
Government.

HB2584: RENEWABLE ENERGY AND CONSERVATION DISTRICTS

Adds a new article to Title 48 (Special Taxing Districts) regulating the establishment of renewable energy and conservation improvement districts. Municipal governing bodies may form a district after a public hearing, as a special purpose district and a tax levying public improvement district. Districts are authorized to levy and collect assessments against real property in the district with voluntary written consent of the property owner.

First sponsor: Rep. Sherwood

General Comments (all lists): Monitor to Oppose

HB2584: RENEWABLE ENERGY AND CONSERVATION DISTRICTS 2/18 House Energy-
Environment held.

HB2590: COMPREHENSIVE TPT; INCOME TAX REPEAL

Effective January 1, 2017, individual and corporate income taxes are repealed. Transaction privilege tax (TPT) rates are increased to 6.3 percent for transient lodging, 6 percent for commercial leases and mining, and 5.7 percent for all other business classifications. Numerous exemptions from the retail TPT classification are deleted. The services classification is established, defined and added to the list of exemptions from retail TPT. The TPT exemption for sales of food is repealed. Eliminates TPT-related state shared revenue formulas and instead requires the Department of Revenue to pay \$978 million of TPT revenues beginning in FY2017-

18 to incorporated cities and towns and counties in equal monthly installments, to be increased by an unspecified percent (blank in original) each fiscal year. Instead of 15 percent of state income taxes, \$424.4 million is appropriated in FY2018-19 from the general fund to the Urban Revenue Sharing Fund, and each FY after the amount will be increased by an unspecified percent (blank in original). Establishes the Transaction Privilege Tax Rate Task Force to recommend a final TPT rate, consisting of the members of the Economic Estimates Commission and two additional members appointed by the President of the Senate and Speaker of the House of Representatives. The Task Force is required to recommend a revenue neutral TPT rate based on broadening the TPT base and repealing the income tax and report to the Governor and the Legislature by December 31, 2015. By December 31, 2016, the Joint Legislative Budget Committee is required to consider the task force's recommended rate and approve the final TPT rate.

First sponsor: Rep. Kwasman

General Comments (all lists): Monitor

HB2590: COMPREHENSIVE TPT; INCOME TAX REPEAL 2/12 referred to House Federalism-Fiscal Responsibility, Appropriations.

HB2607: TECH CORRECTION; SELLER; DISCLOSURE

Minor change in Title 33 (Property) related to seller disclosures. Apparent striker bus.

First sponsor: Rep. Mendez

General Comments (all lists): Monitor

No Action

HB2622: REAL ESTATE DEPARTMENT; CIVIL PENALTIES

If the Real Estate Commissioner issues a cease and desist order against a person in violation of real estate regulations, the Commissioner is authorized to order the person to pay a civil penalty of \$1,000 for a first violation and up to \$2,000 for a subsequent violation.

First sponsor: Rep. Hernandez

General Comments (all lists): Oppose

HB2622: REAL ESTATE DEPARTMENT; CIVIL PENALTIES 2/13 referred to House Commerce, Government.

HB2624: FORECLOSURE MEDIATION PROGRAM

A mandatory foreclosure mediation program is established in the Administrative Office of the Courts to address all issues of foreclosure, including modification and restructuring of the debt. For owner-occupied residences, no trust property may be sold until the mediation process has been satisfactorily completed.

First sponsor: Rep. Hernandez

General Comments (all lists): Monitor

HB2624: FORECLOSURE MEDIATION PROGRAM 2/13 referred to House Commerce, Judiciary.

HB2626: HOMEOWNERS' ASSOCIATIONS; DISCLOSURE; DECLARATION REVISIONS

If the seller provides HOA disclosure documents or if the buyer waives receipt of those documents, the HOA cannot charge more than \$100 for a transfer fee for the property. The purchase of HOA disclosure documents is prohibited from being a condition of transferring title to a property. Beginning January 1, 2014, for any HOA that revises or amends the declaration or any architectural or design guidelines, the member proposing the change is required to circulate the proposed revisions and obtain the signature of at least one property owner from each lot in the community and provide those signatures to the HOA Board. Some exceptions.

First sponsor: Rep. Petersen

General Comments (all lists): Monitor (This bill has some problems- must speak with sponsor)

HB2626: HOMEOWNERS' ASSOCIATIONS; DISCLOSURE; DECLARATION REVISIONS 2/12 referred to House Government.

HB2634: RESIDENTIAL FORECLOSURE PREVENTION ASSISTANCE

A mandatory foreclosure prevention program is established, including required notice of loan modification programs. For a first lien against owner-occupied residences, no trust property may be sold before compliance with the program.

First sponsor: Rep. McCune Davis

General Comments (all lists): Monitor

HB2634: RESIDENTIAL FORECLOSURE PREVENTION ASSISTANCE 2/13 referred to House Financial-Institutions, Commerce.

HB2636: HOMEOWNERS' ASSOCIATIONS; ENFORCEMENT; BOARD INDEMNIFICATION

If a homeowners association member or condo association unit owner incurs attorney fees and is successful in compelling the board to comply with any provision of the community documents or state law, the individual board members are jointly and severally liable for the attorney fees and the HOA or condo association cannot indemnify the board members unless indemnification is approved by a vote of 2/3 or more of the membership. Also, HOA and condo board members with a conflict of interest may not vote on that issue.

First sponsor: Rep. Alston

General Comments (all lists): Monitor

HB2636: HOMEOWNERS' ASSOCIATIONS; ENFORCEMENT; BOARD INDEMNIFICATION 2/13 referred to House Government, Judiciary.

HB2643: HOAS; LIMITATIONS; TERMINATION; PENALTIES

Beginning in 2014, municipal planning agencies are required to ensure that no more than 1/2 of the number of new residential properties constructed in the municipality is located within an HOA. Beginning in 2014, the HOA board is required to conduct an election of the membership at least once every eight years on the question of whether to terminate the HOA. HOAs are prohibited from imposing a penalty on a member more often than twice each calendar quarter, and penalties cannot exceed the monthly dollar amount of the regular HOA assessments on that property. The list of items subtracted from Arizona gross income for income tax purposes is expanded to include the amount of HOA dues and assessments paid.

First sponsor: Rep. Montenegro

General Comments (all lists): Support

HB2643: HOAS; LIMITATIONS; TERMINATION; PENALTIES 2/12 referred to House Government, Ways-Means.

HB2647: SPECIAL TAXING DISTRICTS; COUNTY ISLAND FIRE DISTRICTS

Noncontiguous county island fire districts may no longer be formed in one or more noncontiguous county islands that are not contained in a municipal planning area where the area is served by a private fire protection service and fire protection services are not funded by a county fire district assistance tax. The organizing board of a noncontiguous county island fire district is not longer permitted to enter into agreements with third parties to provide services related to the formation of the district. Petition signatures to form a special taxing district or change the boundaries of a district may be submitted at any time during the one-year period for submittal and any additional submission must also be made within the same one-year period. Session law provides that for any petition approved for circulation by the county board of supervisors before the effective date of this legislation, an organizing board is permitted to reimburse third parties for agreed-upon services relating to the formation of the district, including reimbursement of expenses not to exceed \$15 per parcel. AS PASSED HOUSE.

First sponsor: Rep. Ugenti

General Comments (all lists): Monitor

HB2647: SPECIAL TAXING DISTRICTS; COUNTY ISLAND FIRE DISTRICTS 3/25 from Senate Government-Energy with amendment #4870.

HB2657: TRANSACTION PRIVILEGE TAX CHANGES

Numerous changes related to transaction privilege taxes (TPT) and affiliated excise taxes. Requirements for the sourcing of transactions are established, effective January 1, 2014. Retail sales of tangible personal property must be sourced to the seller's business location if the seller receives the order at a business location in Arizona or to the purchaser's location in Arizona if the seller receives the order at a business location outside of Arizona. For the purposes of municipal excise taxes, the jurisdiction with the right to tax a sale of tangible personal property is the municipality where the order is received (defined), or where the stock is located from which the property is taken, or where the transfer of title or possession of the property occurred. The

gross receipts from leasing or renting tangible personal property must be sourced to the lessor's business location in Arizona or to the lessee's address if the lessor does not have a business location in Arizona. The list of exemptions from the retail TPT classification is modified to remove sales to nonresidents for use outside the state if the vendor ships or delivers the property out of the state, and sales of property that is shipped or delivered directly to a destination outside the U.S. for use in a foreign country. Effective January 1, 2015, the prime contracting and owner builder sales transaction privilege tax classifications are eliminated and replaced with a manufactured building dealer classification. The sale of tangible personal property to a "contractor" (defined), regardless of whether it will be incorporated into a building or structure, is considered to be a retail sale and is subject to retail TPT unless otherwise exempt. Prime contracting TPT distributions to political subdivisions are deleted. Tangible personal property sold to a manufactured building dealer is only exempt from the retail TPT classification only if the property is to be incorporated or fabricated into a manufactured building. Numerous items are removed from the list of deductions from the tax base for the manufactured building dealer classification (formerly prime contracting). Once the distribution of revenues for municipal or county infrastructure improvements related to manufacturing facilities has reached the maximum amount, 40 percent of the remaining TPT revenues from the retail classification are designated as the distribution base for state shared revenues, increased from 20 percent. The Department of Revenue is required, rather than permitted, to collect and administer TPT and use taxes imposed by municipalities and to enter into intergovernmental agreements with municipalities to provide a uniform method of administration, collection, audit and licensing of TPT and affiliated excise taxes. Municipalities are prohibited from employing auditors and entering into contracts with a party other than the state for the collection, administration and processing of TPT or affiliated taxes. Municipalities are prohibited from levying a TPT or use tax on construction contracting, owner builder sales or speculative building. Municipalities are no longer prohibited from levying a TPT or use tax on sales of motor vehicles to nonresidents for use outside the state or on any amount attributable to development fees incurred in relation to construction. Effective January 1, 2014, if a county or special taxing district levies one or more excise taxes on the effective date of this legislation, and if approved by the voters at a county-wide or district-wide election, a county or district is authorized to levy an excise tax on the storage, use or consumption in the county of tangible personal property purchased from a retailer, as a percentage of the sales price. The tax must be at a rate equal to the sum of the rates of all the excise taxes levied on the effective date. The Department of Revenue is required to collect the tax. Session law provides that this legislation does not apply to or affect the tax liability of contracts entered into before January 1, 2015 by a person engaged in business under the prime contracting classification or the construction contracting, owner builder or speculative builder classification of the model city tax code, or to the sale of tangible personal property to a contractor for incorporation into a project that was subject to a tax deduction.

First sponsor: Rep. Lesko

General Comments (all lists): Monitor

HB2657: TRANSACTION PRIVILEGE TAX CHANGES 2/19 from House Ways-Means with amendment #4199.

HCR2003: MEDICAL MARIJUANA; REPEAL

The 2014 general election ballot is to carry the question of whether to repeal the Arizona Medical Marijuana Act passed by the voters in 2010.

First sponsor: Rep. Kavanagh

General Comments (all lists): Monitor to Support

HCR2003: MEDICAL MARIJUANA; REPEAL 2/12 referred to House Health, Judiciary.

HCR2004: TAXES; FEES; PURPOSE; TRANSFER; PROHIBITION

The 2014 general election ballot is to carry the question of whether to amend the state Constitution to prohibit any taxes or fees collected by a "state regulatory entity" (defined) from being spent or appropriated for any purpose other than the purpose for which the fee is collected. No more than 10 percent of monies collected by a state regulatory entity may be transferred annually to the general fund. AS PASSED HOUSE.

First sponsor: Rep. Montenegro

General Comments (all lists): Monitor

HCR2004: TAXES; FEES; PURPOSE; TRANSFER; PROHIBITION 3/20 from Senate Appropriations do pass.

HCR2006: PROPERTY VALUATION FREEZE; DISABLED PERSON

The 2014 general election ballot is to carry the question of whether to amend the state Constitution to allow totally and permanently disabled residents to apply to the county assessor for a property valuation protection option on the person's primary residence. If the assessor approves the option, the value of the residence remains fixed at the valuation in effect during the year of the application for as long as the owner remains eligible.

First sponsor: Rep. Campbell

General Comments (all lists): Monitor

No Action

HCR2011: PERSONAL PROPERTY TAX EXEMPTION AMOUNT

The 2014 general election ballot is to carry the question of whether to amend the state Constitution to increase the amount of personal property exempt from personal property tax beginning in tax year 2015. For personal property initially acquired during or after tax year 2015, the Legislature is permitted to exempt an amount equal to the annual earnings 50 workers in the state according to a designated national measure of earnings per employee adjusted annually. Language permitting the Legislature to exempt \$50,000 (plus inflation) from business personal property tax applies to the personal property of a taxpayer that is initially acquired before tax year 2015.

First sponsor: Rep. Kwasman

General Comments (all lists): Monitor

HCR2011: PERSONAL PROPERTY TAX EXEMPTION AMOUNT 3/12 referred to Senate Finance.

SB1007: HOME SALES; WATER SUPPLY DISCLOSURE

Beginning January 1, 2014, a subdivider selling lots outside an active management area must record with the county recorder a document containing a statement of water adequacy or inadequacy for that subdivision.

First sponsor: Sen. Ableser

General Comments (all lists): Support with Lobbying

SB1007: HOME SALES; WATER SUPPLY DISCLOSURE 1/14 referred to Senate Government-Energy.

SB1012: RESIDENTIAL MORTGAGES; MORTGAGE BROKER DUTIES

Prescribes prohibited acts for mortgage brokers, including making a residential mortgage loan without verifying the borrower's reasonable ability to pay or with the intent that the loan will not be repaid, engaging in "churning" (defined), and influencing an appraiser.

First sponsor: Sen. Ableser

General Comments (all lists): Monitor

SB1012: RESIDENTIAL MORTGAGES; MORTGAGE BROKER DUTIES 1/14 referred to Senate Finance.

SB1014: DISCRIMINATION; ENFORCEMENT; DAMAGES

Increases the statute of limitations on filing employment discrimination charges to 2 years from 1 year. Allows the recovering party in unlawful employment practice cases to recover punitive or compensatory damages if specified conditions are met.

First sponsor: Sen. Ableser

General Comments (all lists): Monitor

SB1014: DISCRIMINATION; ENFORCEMENT; DAMAGES 1/14 referred to Senate Judiciary.

SB1028: TPT EXEMPTION; LEASES; AFFILIATED COMPANIES (MUNICIPAL TPT EXEMPTION; LEASES; LLC)

The commercial lease classification for transaction privilege tax does not include leasing real property by a reciprocal insurer, company, business or person to an "affiliated reciprocal insurer, company, business or person," defined as the lessor owning at least 80 percent interest in the lessee, the lessee owning at least 80 percent interest in the lessor, or a third party owning at least 80 percent interest in both. Municipalities and special taxing districts are prohibited from levying a transaction privilege or use tax on gross income derived from a commercial lease in which a

reciprocal insurer, company, business or person leases real property to an affiliated company, business or person. AS PASSED SENATE.

First sponsor: Sen. Reagan

General Comments (all lists): Monitor

SB1028: TPT EXEMPTION; LEASES; AFFILIATED COMPANIES 2/26 referred to House Ways-Means, Government.

SB1030: TECH CORRECTION; DISINCORPORATION

Minor change in Title 9 (Cities and Towns) related to municipal disincorporation. Apparent striker bus.

First sponsor: Sen. Burges

General Comments (all lists): Monitor

SB1030: TECH CORRECTION; DISINCORPORATION 1/14 referred to Senate rules only.

SB1047: MORTGAGE INSURANCE; REPEAL COVERAGE LIMITATION

Repeals the requirement for mortgage guaranty insurance companies to limit the coverage net of reinsurance to a maximum of 25 percent of the entire indebtedness to the insured. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Reagan

General Comments (all lists): Monitor

SB1047: MORTGAGE INSURANCE; REPEAL COVERAGE LIMITATION 4/3 signed by governor. Chapter. 30, Laws 2013.

SB1052: SPECIAL DETAINER ACTIONS; SUMMONS; TIME

The summons to a special detainer action for noncompliance with a rental agreement by a tenant must be posted on the entrance to the tenant's residence within one "court day" of issuance of the summons, instead of one day. The trial date and return date must be set no later than the third "court day" following the filing of the complaint, instead of the third day. AS PASSED SENATE.

First sponsor: Sen. Murphy

General Comments (all lists): Support

SB1052: SPECIAL DETAINER ACTIONS; SUMMONS; TIME 4/2 from House rules okay.

SB1058: WATER BANKING AUTHORITY; REPORT

The deadline for the annual report that the Arizona Water Banking Authority Commission submits to the Governor and the Legislature is moved to April 1, from July 1.

First sponsor: Sen. Shooter

General Comments (all lists): Monitor

SB1058: WATER BANKING AUTHORITY; REPORT 1/16 referred to Senate rules only.

SB1129: TECH CORRECTION; CORP COMM; POWERS

Minor change in Title 10 (Corporations) related to the powers of the Corporation Commission.
Apparent striker bus.

First sponsor: Sen. Melvin

General Comments (all lists): Monitor

SB1129: TECH CORRECTION; CORP COMM; POWERS 2/12 further referred to Senate Government-Energy.

SB1138: BUILDING CODE MORATORIUM; REPEAL

Repeals the moratorium on new or modified residential or commercial building codes that was in effect from June 30, 2009 to June 30, 2011.

First sponsor: Sen. Griffin

General Comments (all lists): Monitor

SB1138: BUILDING CODE MORATORIUM; REPEAL 2/27 passed Senate 29-0; ready for House.

SB1141: TRUST PROPERTY; SHORT SALE (TECH CORRECTION; NOTARIES PUBLIC; CONDUCT)

Minor change in Title 41 (State Government) related to prohibited conduct of notaries public.
Apparent striker bus.

First sponsor: Sen. Griffin

General Comments (all lists): Monitor

SB1141: TRUST PROPERTY; SHORT SALE 2/28 Senate COW approved with amendment #4346 and floor amend #4415. NOTE SHORT TITLE CHANGE.

SB1162: SALES TAX; REDUCED REPORTING REQUIREMENTS

Taxpayers with annual transaction privilege tax liability between \$2,000 and \$8,000 are required to pay TPT on a quarterly basis (instead of a monthly basis), and taxpayers with annual TPT liability of less than \$2,000 are required to pay on an annual basis. (Formerly, taxpayers with less than \$500 annual TPT liability were permitted to pay annually, and taxpayers with between \$500 and \$1,250 annual TPT liability were permitted to pay quarterly).

First sponsor: Sen. Farley

General Comments (all lists): Monitor

SB1162: SALES TAX; REDUCED REPORTING REQUIREMENTS 4/4 House COW approved with amendment #4784.

SB1163: EMPLOYMENT DISCRIMINATION; PROHIBITION

The list of attributes for which a person cannot be discriminated against in employment practices is expanded to include gender, gender identity or expression or sexual orientation. A religious institution is allowed to take certain actions on the basis of gender, gender identity or expression or sexual orientation if the employee's position is directly related to the religious functions of the organization.

First sponsor: Sen. Gallardo

General Comments (all lists): Monitor

SB1163: EMPLOYMENT DISCRIMINATION; PROHIBITION 1/24 referred to Senate Commerce-Energy-Military Affairs.

SB1211: PROPERTY TAX DELINQUENCY; INTEREST RATE

Property taxes bear interest from the time of delinquency at the rate of 10 percent per year simple, decreased from 16 percent.

First sponsor: Sen. Burges

General Comments (all lists): Monitor

SB1211: PROPERTY TAX DELINQUENCY; INTEREST RATE 2/20 Senate Finance FAILED 1-5.

SB1217: EVENTS; PROHIBITION; TENT; APPROP

The Legislative Council is prohibited from allowing an "event" (defined) to be conducted on grounds under its control, which include the grounds adjacent to the state capitol complex. The Department of Administration is required to make available, for a fee, a tent for events approved by the Dept and conducted in Wesley Bolin Memorial Plaza. Appropriates \$300,000 from the general fund in FY2013-14 to the Dept for purchasing a tent.

First sponsor: Sen. S. Pierce

General Comments (all lists): Monitor

SB1217: EVENTS; PROHIBITION; TENT; APPROP 2/12 Senate from Senate Government-Energy do pass.

SB1218: TEXT MESSAGING WHILE DRIVING; PROHIBITION

It is a nonmoving civil traffic violation to use a wireless communication device to send or receive a written message while operating a motor vehicle. Some exceptions. Violations are subject to a civil penalty of \$100 for a first violation and \$300 for a second or subsequent violation, or \$300 if the person is involved in a motor vehicle accident. Emergency clause.

First sponsor: Sen. Farley

General Comments (all lists): Monitor to oppose

SB1218: TEXT MESSAGING WHILE DRIVING; PROHIBITION 1/29 referred to Senate Transportation, Government-Energy, Public Safety.

SB1221: SALES TAX EXEMPTIONS; REPEAL; DATES

Any new transaction privilege or use tax deduction or exemption established by the Legislature must include a specific repeal date of from and after December 31 of the 7th full calendar year following the enactment. Deductions and exemptions currently in statute cannot be deducted or exempted beginning tax year 2021. Due to an increase in state revenue, this legislation requires the affirmative vote of at least 2/3 of each house of the Legislature for passage.

First sponsor: Sen. Farley

General Comments (all lists): Monitor

SB1221: SALES TAX EXEMPTIONS; REPEAL; DATES 1/29 referred to Senate Finance, Appropriations.

SB1233: LIMITED LIABILITY COMPANIES; OWNERSHIP INTERESTS

An interest in a limited liability company (LLC) may be held by two or more people as joint tenants with right of survivorship or by a married couple as community property with right of survivorship, except as prohibited or restricted in an operating agreement. All co-owners of an interest in an LLC held as joint tenants or as community property must own an equal undivided interest in the interest, and have only the rights of an assignee with respect to the interest. After the death of a co-owner of the interest, the surviving co-owner succeeds to the ownership with the rights of an assignee unless and until the surviving co-owner is admitted as a member. Specifies circumstances under which the right of survivorship is extinguished. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Driggs

General Comments (all lists): Monitor

SB1233: LIMITED LIABILITY COMPANIES; OWNERSHIP INTERESTS 5/7 signed by governor. Chapter. 198, Laws 2013.

SB1277: AMATEUR RADIO; STRUCTURES; ACCOMMODATION

Municipal and county zoning ordinances and HOA regulations must provide for reasonable heights and dimensions for accommodation of amateur radio station emergency service communications antennae and structures.

First sponsor: Sen. Shooter

General Comments (all lists): Monitor

SB1277: AMATEUR RADIO; STRUCTURES; ACCOMMODATION 1/30 referred to Senate Government-Energy.

SB1278: HOMEOWNERS' ASSOCIATIONS; PUBLIC ROADWAYS

After the period of declarant control, an HOA has no authority over and is prohibited from regulating any roadway owned or held by a governmental entity. Applies only to planned communities for which the declaration is recorded after December 31, 2014. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Barto

General Comments (all lists): Monitor

SB1278: HOMEOWNERS' ASSOCIATIONS; PUBLIC ROADWAYS 4/11 signed by governor. Chapter. 103, Laws 2013.

SB1282: COUNTYWIDE FIRE DISTRICTS; STUDY COMMITTEE (COUNTYWIDE FIRE DISTRICTS)

Establishes a 7-member Study Committee on Countywide Fire Districts to research various information on fire districts and fire and emergency services. The Committee is required to submit a report on its findings and recommendations to the Governor and the Legislature by December 31, 2013. Self-repeals October 1, 2014. Emergency clause. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Crandell

General Comments (all lists): Monitor (closely)

SB1282: COUNTYWIDE FIRE DISTRICTS; STUDY COMMITTEE 4/11 signed by governor. Chapter. 104, Laws 2013.

SB1284: COUNTY GENERAL EXCISE TAX RATE

The county general excise tax that counties with a population of less than 1.5 million (all but Maricopa County) may levy may be levied by a majority of the voters voting at a countywide election, in addition to by a unanimous vote of the board of supervisors. In counties with a population of 150,000 or fewer where the primary property tax rate for the county is less than 85 cents per \$100 of assessed value, if the voters approve the tax at an election held within 10 years after the effective date of this legislation, the percentage of the state transaction privilege tax and use tax rates used as the excise tax rate may be set at greater than 10 percent but cannot exceed 20 percent for a period of 5 years and one renewal period of 5 years. AS PASSED SENATE.

First sponsor: Sen. Crandell

General Comments (all lists): Monitor

SB1284: COUNTY GENERAL EXCISE TAX RATE 3/19 House Agriculture-Water No Action.

SB1288: ARIZONA WATER PROTECTION FUND; COMMISSION (ARIZONA WATER PROTECTION FUND; PROJECTS)

Membership of the Arizona Water Protection Fund Commission is modified by reducing the number of appointed members to 9 from 15, and adding two Legislators as nonvoting advisory

members. Qualifications for appointed members are also modified. Current Commission members continue to serve until their terms expire. Also, a federal agency is no longer eligible for funding from the Arizona Water Protection Fund. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Griffin

General Comments (all lists): Monitor

SB1288: ARIZONA WATER PROTECTION FUND; COMMISSION 6/20 signed by governor. Chapter. 247, Laws 2013.

SB1289: ROAD IMPROVEMENT AND MAINTENANCE DISTRICTS

Petitioners for the formation of a road improvement and maintenance district are permitted to request in the petition that the district allocate its assessments on a per-parcel basis, with each separate assessor's parcel assessed an equal amount without regard to the assessed value of the parcel. A petition with this request must contain signature from the owners of 100 percent of the total number of assessor's parcels contained in the district. AS PASSED SENATE.

First sponsor: Sen. Griffin

General Comments (all lists): Monitor

SB1289: ROAD IMPROVEMENT AND MAINTENANCE DISTRICTS 3/19 referred to House Government.

SB1290: OFFICE OF PEST MANAGEMENT

Numerous changes to statutes regulating structural pest management. The powers and duties of the acting director of the Office of Pest Management are transferred to the Director of the Department of Agriculture. The Dept is required to provide management and administrative services to the Office through an interagency agreement and the Office must reimburse the Dept in an agreed on amount. Session law provides for continuing fee authority for the Office. The Director is required to establish by rule a Pest Management Advisory Committee and appoint five members to the Committee, including one public member. The Director is required to adopt rules for licensure and registration, including application, registration and renewal fees, training requirements, and financial security standards. The Director is authorized to enter into consent agreements and provide for certain exemptions from licensure or registration. Establishes provisions for disciplinary action and civil penalties. The regulation of pest management is of statewide concern and not subject to further regulation by political subdivisions. The list of persons exempt from structural pest management licensure and registration is modified. Political subdivisions and their employees that use pesticides on property owned, leased or managed by the political subdivision are not required to be licensed. Various pest management-related regulations and reports are repealed. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Griffin

General Comments (all lists): Monitor

SB1290: OFFICE OF PEST MANAGEMENT 4/17 signed by governor. Chapter. 125, Laws 2013.

SB1302: PLANNED COMMUNITIES; DESIGN REVIEW PROCESS

Clarifies that in order to be subject to statutory guidelines for new construction in a planned community, the construction must be in a planned community that has enacted design or architectural guidelines and the association must be permitted to charge members a security deposit. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Burges

General Comments (all lists): Monitor

SB1302: PLANNED COMMUNITIES; DESIGN REVIEW PROCESS 4/30 signed by governor. Chapter. 166, Laws 2013.

SB1315: PROPERTY TAX ROLL; CORRECTIONS

Property owners must be notified of a property tax roll correction, and the property owner may appeal the correction. If an error is discovered after the roll has been extended, additional tax, interest or penalties cannot be imposed, with some exceptions. A notice of proposed correction for certain errors is limited to the tax year for which the annual notice of value was mailed and must be mailed by June 30 of the valuation year. On the consent of the taxpayer to the roll correction or on the decision of the board of equalization, the county treasurer must mail a corrected billing to the taxpayer, and taxes are delinquent if they are not paid within 90 days after the corrected billing is mailed. If taxes have been overpaid, they must be refunded with interest within 90 days after the roll is corrected. AS PASSED SENATE.

First sponsor: Sen. Yarbrough

General Comments (all lists): Monitor

SB1315: PROPERTY TAX ROLL; CORRECTIONS 4/25 retained on House COW calendar.

SB1321: RESIDENTIAL ENERGY EFFICIENCY; BUILDING CODES

Affordable housing and the regulation of residential energy consumption and energy efficiency is of statewide concern and not subject to further regulation by a political subdivision. A residential building that achieves a specified home energy rating system index score based on the "climate zone" (defined by county) where the building is located is deemed to comply with any building code, ordinance or other legal requirement relating to energy conservation or energy efficiency adopted or enforced by a county or municipality. AS PASSED SENATE.

First sponsor: Sen. Griffin

General Comments (all lists): Monitor to Support

SB1321: RESIDENTIAL ENERGY EFFICIENCY; BUILDING CODES 3/18 House Energy-Environment FAILED 4-4.

SB1322: ASSURED WATER SUPPLY REQS; EXEMPTION

The repeal date for session law exempting land destroyed by fire and meeting other conditions from the requirement to have a certificate of assured water supply for the land to be offered for sale or lease is extended 10 years to September 1, 2024. [Capitol Reports note: Legislative

research staff indicated in 2007 that this session law applies specifically to land at Summerhaven in the Catalina Mountains near Tucson.] AS SIGNED BY GOVERNOR.

First sponsor: Sen. Griffin

General Comments (all lists): Monitor to Support

SB1322: ASSURED WATER SUPPLY REQS; EXEMPTION 6/20 signed by governor.
Chapter. 248, Laws 2013.

SB1333: HOMEOWNERS' ASSOCIATIONS; ELECTIONS; MEETINGS

Statutes governing annual and regular meetings of corporations do not apply to HOAs. HOAs are prohibited from taking any action by written ballot or written consent instead of in-person and absentee voting. HOA elections must use secret ballots, provide for independent observers to witness the tallying of ballots, and save voted ballots for one year. HOA boards are prohibited from including endorsements for any candidates for election in any official materials circulated, posted or provided by the board.

First sponsor: Sen. Bradley

General Comments (all lists): Monitor

SB1333: HOMEOWNERS' ASSOCIATIONS; ELECTIONS; MEETINGS 2/4 referred to Senate Government-Energy.

SB1340: MUNICIPAL FIRE DISTRICTS

Municipal councils may refer a resolution to form a municipal fire district to be placed on the ballot at the next election of one or more members of the council. Information that must be contained in any resolution referring the question of creating a municipal fire district is specified. On approval of the majority of the voters, a municipal fire district must be formed with the municipal governing body sitting as the fire district board governing the district. Fire district board powers and duties are established.

First sponsor: Sen. Driggs

General Comments (all lists): Monitor (close)

SB1340: MUNICIPAL FIRE DISTRICTS 2/4 referred to Senate Finance, Public Safety.

SB1365: PLANNED COMMUNITIES; ZONING; PROHIBITIONS

Municipal planning agencies and county planning and zoning commissions are prohibited from requiring a subdivider or developer to construct or establish a planned community as part of a subdivision regulation or zoning ordinance. Subdividers or developers cannot be penalized because of a lack of a planned community as part of the preliminary plat or specific plan. Counties are permitted to require a subdivider or developer to construct or enact a planned community that is specifically limited to the maintenance of community-owned property. Contains a legislative intent section. AS PASSED SENATE.

First sponsor: Sen. Murphy

General Comments (all lists): Support

SB1365: PLANNED COMMUNITIES; ZONING; PROHIBITIONS 3/11 House Government FAILED 1-3.

SB1378: PROFESSIONAL LICENSURE; RECIPROCITY; MILITARY SPOUSES

Deletes several requirements for reciprocal licensure for spouses of an active duty member of the U.S. armed forces who accompany the member to an official permanent change of station to a military installation in Arizona. Requires a reciprocal license or certificate for a military spouse to be issued within 72 hours of application if no criminal background check is required, or within 120 hours if a criminal background check is required.

First sponsor: Sen. Melvin

General Comments (all lists): Monitor

SB1378: PROFESSIONAL LICENSURE; RECIPROCITY; MILITARY SPOUSES 2/19 stricken from Senate consent calendar by McComish.

SB1383: PROPERTY TAX LIMITS; LOCAL DISTRICTS

Beginning in tax year 2014, the maximum amount of the annual property tax levy by any special taxing district cannot exceed an amount two percent greater than the amount levied in the preceding tax year. The limit is increased each year to the maximum permissible, whether or not the district actually levies taxes to that amount. Does not apply to property taxes levied to pay bonded indebtedness or other long-term obligations incurred prior to 2014. District voters may allow property taxation in excess of the limit for a single tax year by a 2/3 vote.

First sponsor: Sen. Melvin

General Comments (all lists): Monitor

SB1383: PROPERTY TAX LIMITS; LOCAL DISTRICTS 2/20 Senate Finance held.

SB1393: TEXTING WHILE DRIVING; MASS TRANSIT

A person is prohibited from using a handheld wireless communication device to make or receive a telephone call, engage in a telephone conversation or manually write, send or read a written message while operating mass transit.

First sponsor: Sen. McGuire

General Comments (all lists): Oppose

SB1393: TEXTING WHILE DRIVING; MASS TRANSIT 2/20 from Senate Transportation do pass.

SB1400: FORECLOSURE MEDIATION PROGRAM

A mandatory foreclosure mediation program is established in the Administrative Office of the Courts to address all issues of foreclosure, including modification and restructuring of the debt.

For owner-occupied residences, no trust property may be sold until the mediation process has been satisfactorily completed.

First sponsor: Sen. Tovar

General Comments (all lists): Monitor

SB1400: FORECLOSURE MEDIATION PROGRAM 2/5 referred to Senate Finance.

SB1401: FORECLOSURES; RIGHT TO RENT

A borrower who is in default on a mortgage has the right to continue to occupy the property as a renter if the borrower notifies the lender of intent to rent, makes timely monthly rental payments in an amount determined by the justice of the peace court (using a licensed residential real estate appraiser), and continues to use the property as the borrower's primary residence. A lender cannot foreclose on a property for at least one year after the borrower notifies the lender of intent to occupy the property as a renter and meets other specified requirements.

First sponsor: Sen. Tovar

General Comments (all lists): Monitor

SB1401: FORECLOSURES; RIGHT TO RENT 2/5 referred to Senate Finance.

SB1408: ADOPTION STUDY; FINGERPRINT CLEARANCE CARDS (FINGERPRINT CLEARANCE CARDHOLDERS; BACKGROUND CHECKS)

For the purpose of an adoption social study, a valid fingerprint clearance card satisfies the requirement for a state and federal criminal records check of the prospective adoptive parent. The court is authorized to order an additional state and federal criminal records check for good cause. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Murphy

General Comments (all lists): Monitor

SB1408: ADOPTION STUDY; FINGERPRINT CLEARANCE CARDS 4/16 signed by governor. Chapter. 115, Laws 2013.

SB1428: REAL ESTATE; FINGERPRINT CLEARANCE CARDS

If a real estate licensee discloses a conviction for a felony, misdemeanor or undesignated offense to the Real Estate Department or if the Dept has evidence of a criminal record not previously disclosed, the licensee is required to submit a valid fingerprint clearance card to the Dept before or at the time the licensee applies for a license renewal.

First sponsor: Sen. Melvin

General Comments (all lists): Oppose with Lobbying

SB1428: REAL ESTATE; FINGERPRINT CLEARANCE CARDS 2/5 referred to Senate Commerce-Energy-Military Affairs.

SB1454: ELECTIONS; CAMPAIGN FINANCE; HOAS (CAMPAIGN FINANCE; IN-KIND CONTRIBUTIONS; DISCLOSURE)

The use by a candidate's campaign committee of a distinctive trade name, trademark or trade dress item, including a logo, that is owned by a business or other entity owned by the candidate or in which the candidate has a controlling interest is deemed to be an in-kind contribution and must be reported as required by law. Clean elections participating candidates are prohibited from using clean elections monies to purchase goods or services that bear a distinctive trade name, trademark or trade dress item, including a logo, that is owned by a business or other entity owned by the candidate or in which the candidate has a controlling interest. The use of these goods or services is deemed to be an unlawful in-kind contribution to the participating candidate. For the purpose of required disclosures for campaign literature and advertisements, the disclosures must include the words "paid for by" followed by the name of the entity making the expenditure, must be written and spoken at the end of the communication, and must be printed in letters displayed in a height of at least four percent of the vertical picture height. Some exceptions. Signs paid for by a candidate with campaign monies or by a candidate's campaign committee are no longer exempt from the requirement for campaign literature or signs to include the words "paid for by" followed by the name of the committee. Political signs may contain the name and website address of the candidate or campaign committee contact person, instead of the name and telephone number. For the purpose of determining whether an expenditure is an independent expenditure, serving on a host committee for a fundraising event does not presumptively demonstrate coordination between a candidate and the person making the expenditure. In order to be certified as a political committee that is permitted to make campaign contributions at higher limits, the committee must receive \$10 or more from 500 or more individuals in the preceding two years, increased from one. A certification is valid for four years, increased from two. When determining the three largest contributors to a political committee making an independent expenditure for the purpose of required disclosure, only contributions made during the calendar year in which the independent expenditure is made are considered. A person may rely on the federal Election Commission's rules and other guidance adopted as of January 1, 2013 in interpreting statute listing permitted political contributions. Counties are required to designate a polling place as an emergency polling place and thus prohibit electioneering if either an act of God renders a previously set polling place as unusable, or a county recorder or other officer has exhausted all options and there are no suitable facilities in a precinct that are willing to be a polling place unless a facility can be given an emergency designation. Counties that designate emergency polling places are required to post on their website the number of attempts that were made to find a polling place before granting an emergency designation. In order to comply with legislation passed in 2012 providing for consolidated election dates, municipalities are permitted to lengthen the term of office for municipal elected officials. For any municipality whose alternate expenditure limit expires in the spring of 2014, the statutory penalties do not apply in FY2015 provided the municipality seeks voter approval of an alternative expenditure limit in the fall of 2014. For a limit that expires in 2015 or 2016, the statutory penalties do not apply in FY2015, 2016 or 2017 and the amount of the expenditure limitation remains at the level established prior to the expiration if the municipality seeks voter approval of an alternative expenditure limitation at the next eligible regular election in 2014, 2015, or 2016. Establishes a 6-member City and Town Approval Voting Study Committee to study a system of approval voting in municipal primary elections, where the voter is permitted to vote for as many

candidates for a single office as the voter chooses to approve and the two candidates receiving the highest number of votes advance to the general or runoff election. The Committee is repealed January 1, 2014. Municipal planning agencies and county planning and zoning commissions are prohibited from requiring a subdivider or developer to establish a homeowner's association as part of a subdivision regulation or zoning ordinance. Subdividers or developers cannot be penalized because a subdivision or development does not constitute or include a planned community. Municipalities and counties are permitted to require a subdivider or developer to establish an association to maintain private, common or community owned improvements. For an HOA that is contracted with a management company, the company and its employees are authorized to act on behalf of the HOA and the HOA Board by recording a lien or notice of claim of lien of the HOA or appearing on behalf of the HOA in a small claims court action when specified conditions are met. Homeowners and condo association members are permitted to use the member's property as a rental property unless prohibited in the declaration, and to designate a third party to act as agent with respect to HOA matters on the property. The HOA is prohibited from requiring a copy of rental applications or contracts or requiring a tenant to limit or waive rights of due process as a condition of occupancy. The HOA is permitted to charge an administrative fee of up to \$25 for each new tenancy. Condominium associations cannot prohibit the indoor or outdoor display of a "political sign" (defined) by a unit owner on the owner's property, except earlier than 71 days before election day and later than 3 days after election day. Severability clause. Due to voter protection, the clean elections related changes required the affirmative vote of 3/4 of each house of the Legislature for passage. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Yee

General Comments (all lists): Support with lobbying

SB 1454: ELECTIONS; CAMPAIGN FINANCE; HOAS 6/20 signed by governor. Chapter. 254, Laws 2013.

SB1463: COUNTIES; FLOOD CONTROL DISTRICTS; RULES

County boards of supervisors and county flood control district boards are required to adopt procedures for the adoption, amendment, repeal and enforcement of rules that contain at least specified provisions, including public notice at various stages and a public meeting at which the public is able to provide comments on the proposed rule. Some exceptions. Except for rules approved before the effective date of this legislation, a county or district rule cannot be enforced without substantial compliance with this legislation. Effective January 1, 2014 for a county with a population of 375,000 or more, and January 1, 2015 for a county with a population of less than 375,000. AS PASSED SENATE.

First sponsor: Sen. Griffin

General Comments (all lists): Monitor

SB 1463: COUNTIES; FLOOD CONTROL DISTRICTS; RULES 3/5 referred to House Government.

SB1466: CITIES; TOWNS; DILAPIDATED BUILDINGS

Municipal ordinances requiring the property owner or occupant to remove dilapidated "structures" (the definition is deleted) is modified to instead provide for removal of "dilapidated buildings," defined as any real property structure that is likely to burn or collapse and its condition endangers the life, health, safety or property of the public. AS SIGNED BY GOVERNOR.

First sponsor: Sen. Griffin

General Comments (all lists): Monitor

SB1466: CITIES; TOWNS; DILAPIDATED BUILDINGS 4/10 signed by governor. Chapter. 82, Laws 2013.

SB1470: MUNICIPALITIES; PROHIBITED TAX; DEDICATED PROPERTY TAX (TOWNS; DEDICATED PROPERTY TAX)

Municipalities are prohibited from levying or assessing a municipality-wide tax or fee against property owners based on the size or value of the owner's real property for any public service provided by the municipality, except as authorized in statute. With voter approval, a municipality that has not enacted a property tax is authorized to levy property taxes dedicated to the costs of providing police, fire and emergency medical services to the municipality. The tax is a primary property tax and is subject to statutory property tax limitations. Monies collected from the tax must be used exclusively for the payment of costs described in the publicity pamphlet published at the time of the election. A person liable for the tax may seek an injunction against the municipality for the use of monies collected for purposes other than those in the pamphlet. If a municipality has assessed such a property tax after January 1, 2010, the municipality is required to submit a ballot measure to authorize the levy of the tax within four years after the effective date of this legislation. Retroactive to January 1, 2013. AS PASSED HOUSE.

First sponsor: Sen. Driggs

General Comments (all lists): Monitor

SB1470: MUNICIPALITIES; PROHIBITED TAX; DEDICATED PROPERTY TAX 5/2 passed House 44-14; ready for Senate action on House amendments.
