



# County Supervisors

A S S O C I A T I O N  
o f a r i z o n a

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## COUNTY SUPERVISORS ASSOCIATION LEGISLATIVE POLICY COMMITTEE

### AGENDA

March 13, 2015

Teleconference 1-866-228-9900

Access Code 326208#

[Web Link](#)

County Supervisors Association  
1905 W. Washington St.  
Phoenix, AZ

9:00 a.m. Call to Order ~ *President Clint Hickman*

- 1) Approval of the Minutes of the March 6, 2015, Legislative Policy Committee Meeting
- 2) State Budget FY15-16
- 3) Legislative Bill Updates
  - A. [HB 2131 tax adjudications; attorney fees](#) (*Mitchell*)
  - B. [HB 2212 licensing; accountability; enforcement; exceeding regulation](#) (*Petersen*)
  - C. [HB 2320 firearms; permit holders; public places](#) (*Barton*)
  - D. [HB 2438 post-traumatic stress disorders: public safety](#) (*Livingston*) / [SB 1443 occupational disease; post-traumatic stress disorder](#) (*Smith*)
  - E. [SB 1071 tax lien deeds; aggregate fees](#) (*Smith*)
  - F. [SB 1298 rules; counties; flood control districts](#) (*Griffin*)
- 4) CSA Legislative Agenda
  - A. [HB 2349 flood control districts; administrative enforcement](#) (*Fann*)
  - B. [HB 2363 county contributions; hospitalization; medical; repeal](#) (*Thorpe*)
  - C. [HB 2490 sexually violent persons; reimbursement; repeal](#) (*Carter*)
  - D. [SB 1145 restoration to competency; state costs](#) (*Griffin*)
  - E. [SCM 1010 PILT program; SRS; full funding](#) (*Griffin*)
- 5) Next Meeting Date and Time (*Thursday, March 19, at 10:00 a.m.; then Friday, March 27, at 9:00 a.m.*) **PLEASE NOTE THE NEXT LPC WILL BE HELD IN CONJUNCTION WITH THE CSA BOARD OF DIRECTORS MEETING**
- 6) Other Business
- 7) Adjourn

## Fiscal Year 2016 Continuing and New Impacts to Counties

	Continuing Impacts								New Impacts in FY2016 Budget					Total Continuing and New Impacts to Counties
	HURF Shifts to DPS <sup>1</sup>	SVP Costs at ASH <sup>2</sup>	100% of RTC Costs at ASH <sup>3</sup>	Increased County Share of JP Salaries <sup>4</sup>	Maricopa Superior Court Judge Salaries <sup>5</sup>	ACJC Indigent Defense <sup>6</sup>	Elimination of County Lottery Revenues <sup>7</sup>	Elimination of Prop. 204 Funding <sup>8</sup>	25% of Costs for Juveniles Housed at DJC <sup>9</sup>	1% Property Tax Cap Liability Shift <sup>10</sup>	DOR Appropriation Shift <sup>11</sup>	Additional loss of Lottery Revenue <sup>12</sup>	Total New Impacts to Counties	
Apache	\$ 337,685			\$ 58,616	\$ -	\$ 5,744		\$ -	\$ 134,264		\$ 110,515		\$ 244,779	\$ 646,824
Cochise	\$ 400,446	\$ 57,932		\$ 107,463	\$ -	\$ 11,776		\$ -	\$ 246,581		\$ 202,966		\$ 449,547	\$ 1,027,164
Coconino	\$ 464,308	\$ 38,272	\$ 246,984	\$ 65,594	\$ -	\$ 13,362		\$ -	\$ 252,354		\$ 207,717		\$ 460,071	\$ 1,288,592
Gila	\$ 187,331			\$ 37,682	\$ -	\$ 7,287		\$ -	\$ 100,620		\$ 82,822		\$ 183,442	\$ 415,742
Graham	\$ 125,306			\$ 33,495	\$ -	\$ 4,979		\$ 234,200	\$ 69,875		\$ 57,515		\$ 127,390	\$ 525,370
Greenlee	\$ 47,235			\$ 22,330	\$ -	\$ 1,003		\$ 234,400	\$ 15,839		\$ 13,037		\$ 28,877	\$ 333,845
La Paz	\$ 197,655			\$ 54,429	\$ -	\$ 3,067		\$ 159,700	\$ 38,465		\$ 31,661		\$ 70,126	\$ 484,977
Maricopa	\$ 5,095,023	\$ 2,106,649		\$ -	\$ 9,012,159	\$ 447,723	\$ 249,772	\$ -	\$ 7,166,033		\$ 5,898,491		\$ 13,064,524	\$ 29,975,850
Mohave	\$ 609,804	\$ 121,539	\$ 287,224	\$ 96,298	\$ -	\$ 20,671		\$ -	\$ 375,818		\$ 309,342	\$ 550,000	\$ 1,235,160	\$ 2,370,695
Navajo	\$ 402,498	\$ 57,539		\$ 99,089	\$ -	\$ 13,131		\$ -	\$ 201,718		\$ 166,038		\$ 367,757	\$ 940,014
Pima	\$ 2,162,508	\$ 509,850		\$ 243,897	\$ -	\$ 88,346	\$ 249,772	\$ 3,817,800	\$ 1,840,289	\$ 7,200,000	\$ 1,514,775		\$ 10,555,063	\$ 17,627,236
Pinal	\$ 946,390	\$ 190,803	\$ 760,984	\$ 138,167	\$ -	\$ 29,269		\$ -	\$ 705,449	\$ 1,911,155	\$ 580,668	\$ 550,000	\$ 3,747,271	\$ 5,812,885
Santa Cruz	\$ 160,355	\$ 38,272	\$ 244,010	\$ 30,704	\$ -	\$ 4,210		\$ 214,800	\$ 89,024		\$ 73,277		\$ 162,300	\$ 854,652
Yavapai	\$ 573,546	\$ 235,084		\$ 92,111	\$ -	\$ 28,955		\$ 164,700	\$ 396,181		\$ 326,104	\$ 550,000	\$ 1,272,285	\$ 2,366,680
Yuma	\$ 514,946		\$ 33,300	\$ 52,986	\$ -	\$ 20,777		\$ -	\$ 367,492		\$ 302,489		\$ 669,980	\$ 1,291,990
<b>Total</b>	<b>\$ 12,225,037</b>	<b>\$ 3,355,940</b>	<b>\$ 1,572,502</b>	<b>\$ 1,132,861</b>	<b>\$ 9,012,159</b>	<b>\$ 700,300</b>	<b>\$ 499,544</b>	<b>\$ 4,825,600</b>	<b>\$ 12,000,000</b>	<b>\$ 9,111,155</b>	<b>\$ 9,877,417</b>	<b>\$ 1,650,000</b>	<b>\$ 32,638,571</b>	<b>\$ 65,962,515</b>

<sup>1</sup>Shifts \$96,812,300 from the Highway User Revenue Fund (HURF) to the Department of Public Safety (DPS). This does include the effects of the \$30 million local government HURF.  
<sup>2</sup>Continues a session law provision that requires counties to pay 31 percent of the cost of treatment and confinement for Sexually Violent Persons (SVP) at the Arizona State Hospital (ASH).  
Based on actual FY2014 billings.

<sup>3</sup>Continues session law requiring counties to pay for 100 percent of the cost of Restoration To Competence (RTC) treatments at ASH. Based on actual FY2014 billings.

<sup>4</sup>Starting in FY11, the state share of Justice of Peace salaries is permanently lowered from 38.5 percent to 19.25 percent.

<sup>5</sup>Maricopa County is required to pay for 100 percent of Superior Court Judge Salaries.

<sup>6</sup>No state appropriation for ACJC State Aid to Indigent Defense is included. These monies are instead used to fund Attorney General and DPS operations.

<sup>7</sup>The statutory distribution of lottery revenue to the counties was originally eliminated in FY11. In FY 2014, a direct appropriation to counties was included to replace this distribution.

<sup>8</sup>Does not restore Prop. 204 Hold Harmless payments.

<sup>9</sup>As permanent law, requires the director of the Arizona Department of Juvenile Corrections (ADJC) to assess a "committed youth confinement cost sharing fee" to each county. Session law requires the amount raised from the fees to equal \$12,000,000 and directs the director of ADJC to proportionally bill each county based on county population.

<sup>10</sup>Uses JLBC 1% Cap liability estimates for all counties except for Pima County which conducted their own analysis.

<sup>11</sup>As Permeant law, requires the Arizona Department of Revenue (ADOR) to assess a fee to every county, city, and town. Session law requires the amount raised from the fees to equal \$20,755,835, of which \$9,877,417 is the aggregate county share, and proportionally allocates each county's share based on county population.

<sup>12</sup>The Budget removes the county lottery appropriation for Mohave, Pinal, and Yavapai counties.

**Note: Additional ongoing impacts not quantified include:**

- Reduction in county reimbursement for Presidential Preference Elections from 100 percent of the cost incurred, to no more than an amount equal to \$1.25 per active registered voter
- Elimination of Post-Conviction Public Defender's Office
- Elimination of Department of Health Services' grants to counties (Prenatal, Tuberculosis, influenza, food borne illness)
- Suspension of State Lake Improvement Fund (SLIF) grant program
- Reduction of Federal Resources (Secure Rural Schools, Payment In Lieu of Tax, Criminal Justice, Public Health, among others)

## FY 2015-2016 Legislative Budget

(As Passed by the Legislature on March 7, 2015)

### Summary

Arizona legislative leadership passed out a set of amended budget bills early in the morning on Saturday, March 7, 2015. The budget proposes \$9.1 billion in spending for FY 2016, \$9.3 billion in FY 2017, and \$9.5 billion in FY 2018.

### Major County Issues

- **25 Percent of the Cost of The Arizona Department of Juvenile Corrections (ADJC):** As permanent law, requires the director of the ADJC to assess a “committed youth confinement cost sharing fee” to each county. The provision exempts the fee from the county expenditure limitation and includes flexibility language to allow a county to use any source of county revenue to meet the fiscal obligation. As session law, sets the amount to be raised from the fee at \$12 million and stipulates that a county’s share of the \$12 million shall be determined by county population (original proposal charged counties based on juvenile inmate population). [SB 1478 Sec. 4 \(pg. 2\) & Sec. 13 \(pg.5\)](#) - (\$12 million impact to counties)
- **Arizona Department of Revenue (ADOR) Cost Shift:** As permanent law, requires ADOR to charge every city, town, and county a fee for service for the revenue that is collected on behalf of the jurisdiction. The provision exempts the fee from the county expenditure limitation and includes flexibility language to allow a county to use any source of county revenue for the fiscal obligations. As session law, sets the amount to be raised from the fee at \$20.8 million and lays out a framework for calculating each jurisdiction’s share.

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

- 1) Calculate the aggregate amount distributed to counties from:
  - a) Any excise tax under Title 42, Chapter 6, Article 3 (includes regional transportation taxes), and
  - b) The county share of the distribution base for state shared revenue
- 2) Calculate the aggregate amount distributed to counties, cities and towns from:
  - a) Any excise tax under Title 42, Chapter 6, Article 3
  - b) From the distribution base for state shared revenue
  - c) City excise taxes
  - d) Urban revenue sharing
- 3) Calculate what percentage the aggregate amount calculated under step 1 is of the aggregate amount calculated under step 2 and apply this percentage to the \$20.8 million

Under this proposal the county share of the \$20.8 million will be approximately \$9.9 million. The session law further stipulates that the aggregate county share shall be proportionally collected from each county based on population. --- **NOTE:** there is a problem in the language

related to how the cities' portion is determined and will likely need follow-up legislation to fix (otherwise the state will not be able to fully collect the \$20.8 million) which may give us an opportunity to improve our current position. [SB 1471 Sec. 7 \(pg. 11\) & Sec. 20 \(pg. 19\)](#) - (\$9.9 million estimated impact to counties)

- **1-Percent Constitutional Property Tax Cap Liability Shift:** As permanent law, shifts a liability under the 1-percent constitutional cap, which exceeds \$1 million per county, to the local primary property taxing jurisdictions (counties, community college districts, cities & towns, and school districts). The provisions state that the Property Tax Oversight Commission (PTOC) is responsible for determining how the remaining liability is split between the relevant jurisdictions based on an undefined peer comparison. [SB 1476 Sec. 7\(K\) \(pg. 30\)](#) - (\$9.1 million impact to counties)
- **Loss of Lottery Revenue:** As session law, excludes Mohave, Pinal, and Yavapai for the purposes of receiving a \$550,000 appropriation in place of the county share of lottery revenue. [SB 1469 Sec. 125 \(pg. 65\)](#) - (\$1.7 million impact to counties)
- **Restricted Flexibility Language:** As session law, excludes Maricopa, Mohave, Pinal, Pima, or Yavapai from the county flexibility language, which allows a county to use any source of county revenue to meet any county fiscal obligation, and requires those counties still included to report to the Joint Legislative Budget Committee (JLBC) by October 1, 2015, whether the county used the flexibility language and if so, the specific amount and source of revenue used. [SB 1471 Sec. 18 \(pg. 16\)](#)
- **Reduction in Reimbursement of Presidential Preference Election (PPE) Costs:** As permanent law, lowers the amount required to be reimbursed to a county for PPE costs from 100 percent of the costs incurred to an amount equal to \$1.25 per active registered voter. [SB 1473 Sec. 1 \(pg. 1\)](#) - (Impact to counties is currently unknown)

#### **County Issues by Budget Bill**

##### **SB 1469 general appropriations; 2015-2016**

- **County Attorney Immigration Enforcement:** Eliminates \$1,213,200 for county attorney immigration enforcement. *Eliminated*
- **State Aid to Indigent Defense to AG for Capital Post-Conviction Prosecution:** Appropriates \$800,100 from the State Aid to Indigent Defense Fund to the Attorney General for capital post-conviction prosecution. This provision is unchanged from last year. *Sec. 16 (pg. 10)*
- **Out of County Tuition:** Appropriates \$1,273,800 for rural county reimbursement; Apache County will receive \$699,300 and Greenlee County \$574,500. *Sec. 23 (pg. 15)*
- **County Attorneys Fund:** Continues to provide \$973,600 of Arizona Criminal Justice Commission (ACJC) grant monies to counties. *Sec. 28 (pg. 18)*
- **County Participation; Child Support Enforcement:** Appropriates \$6,740,200 to the Department of Economic Security (DES) for county participation in child support enforcement. *Sec. 32 (pg. 20)*

- **Environmental County Grants:** Appropriates \$250,000 to the State Forester for county environmental projects in Eastern Arizona, a \$25,000 decrease from last year. *Sec. 43 (pg.30)*
- **County Tuberculosis Provider Care and Control:** Maintains a \$590,700 appropriation for county tuberculosis programs. *Sec. 50 (pg. 32)*
- **County Judicial Reimbursements:** Continues to provide \$187,900 to the Supreme Court to reimburse counties for state grand juries and capital post-conviction relief (PCR). The state grand jury reimbursement is limited to \$97,900 and the PCR reimbursement is limited to \$90,000. *Sec. 59 (pg. 36)*
- **HURF to DPS:** Transfers \$96,812,300 million from the Highway User Revenue Fund (HURF) to the Department of Public Safety (DPS) and not-withstands the statutory cap. This represents a \$7.6 million increase from the current year budget. *Sec. 86 (pg. 47)*
- **State Aid to Indigent Defense, to DPS:** Appropriates \$700,000 from the State Aid to Indigent Defense Fund to DPS for operations. *Sec.86 (pg. 47)*
- **County Fairs, Livestock, and Agricultural Promotion:** Appropriates \$1,779,500 to the County Fairs, Livestock, and Agricultural Promotion Fund, which is administered by the Office of the Governor. *Sec. 87 (pg. 49)*
- **Justice of the Peace Salaries:** Appropriates \$1,205,100 to the State Treasurer to cover the state's share of JP salaries. This amount is unchanged from last year. *Sec. 101 (pg. 54)*
- **Law Enforcement Boating Safety Fund (LEBSF):** Appropriates \$2,183,800 to be allocated to county law enforcement agencies in counties which had a law enforcement and boating safety program in existence prior to July 1, 1990 (Apache, Coconino, Gila, La Paz, Maricopa, Mohave, Navajo, Yuma). *Sec. 101 (pg. 54)*
- **Direct Appropriations to Counties (Lottery Revenue):** Appropriates, from the state general fund, \$5,500,000 to the Arizona Department of Administration to be equally distributed to all ten counties under 200,000 persons (Apache, Cochise, Coconino, Gila, Graham, Greenlee, La Paz, Navajo, Santa Cruz, and Yuma). Each qualifying county receives \$550,050. This represents a decrease of \$1,650,000 that reflects the elimination of the appropriation to Mohave, Pinal, and Yavapai counties. *Sec. 125 (pg. 65)*
- **Graham County Assistance:** Appropriates \$500,000 to the Department of Administration to be allocated to Graham County for maintenance of essential county services. *Sec. 125 (pg. 65)*
- **Court Fund Transfers:** Transfers \$100,000 from the State Aid to Courts Fund, \$650,000 from the Criminal Justice Enhancement Fund (CJEF), \$500,000 from the Judicial Collection Enhancement Fund (JCEF), \$3,000,000 from the juvenile probation services funds, and \$1,750,000 from other various court funds to the state general fund in FY 2016. *Sec. 134 (pg. 69)*

## SB 1471 revenue; budget reconciliation; 2015-2016

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

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

- 4) Calculate the aggregate amount distributed to counties from:
    - a) Any excise tax under Title 42, Chapter 6, Article 3 (includes regional transportation taxes), and
    - b) The county share of the distribution base for state shared revenue
  - 5) Calculate the aggregate amount distributed to counties, cities and towns from:
    - a) Any excise tax under Title 42, Chapter 6, Article 3
    - b) From the distribution base for state shared revenue
    - c) City excise taxes
    - d) Urban revenue sharing
  - 6) Calculate what percentage the aggregate amount calculated under step 1 is of the aggregate amount calculated under step 2 and apply this percentage to the \$20.8 million
- Under this proposal the county share of the \$20.8 million will be approximately \$9.9 million. The session law further stipulates that the aggregate county share shall be proportionally collected from each county based on population. --- **NOTE:** there is a problem in the language related to how the cities' portion is determined and will likely need follow-up legislation to fix (otherwise the state will not be able to fully collect the \$20.8 million) which may give us an opportunity to improve our current position. *Sec. 7 (pg. 11) & Sec. 20 (pg. 19)*
  - **Partial HURF Restoration:** As session law, requires that prior to any other distributions, \$30 million in FY 2016 and \$30 million in FY 2017 in HURF monies be distributed as follows:
    - 33.231% to counties: \$9,969,300 in FY 2016
    - 48.097% to cities: \$14,429,100 in FY 2016
    - 5.247% to cities over 300,000 persons: \$1,574,100 in FY 2016
    - 13.425% for counties over 800,000 persons for controlled access: \$4,027,500 in FY 2016

The FY 2017 amount eliminates the planned increase to \$60 million. The measure further stipulates that the allocation to each county will be made according to current statute (A.R.S. § 28-6538) governing the distributions of HURF monies. *Sec. 12 (pg. 15)*

- **County Flexibility Language:** As session law, allows counties with fewer than 200,000 persons (Apache, Cochise, Coconino, Gila, Graham, Greenlee, La Paz, Navajo, Santa Cruz, and Yuma) to use any source of county revenue, including countywide special districts controlled by the board of supervisors, to meet a county fiscal obligation for FY2015. Additionally, counties are

required to report to the director of JLBC whether the county used the provision and, if so, the intended amount and sources of funds, by October 1, 2015. *Sec. 18 (pg. 16)*

#### [SB 1473 government; budget reconciliation; 2015-2016](#)

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

#### [SB 1475; health; budget reconciliation; 2015-2016](#)

- **Arizona Long Term Care System (ALTCS):** FY 2016 county contributions total \$249,234,600 for all 15 counties into the Long Term Care System Fund. This amount is (\$935,500) below the JLBC Baseline to account for a reduction in provider rates. *Sec. 7 (pg. 18)*
- **Sexually Violent Persons (SVP) Payments:** Decreases the requirement that counties reimburse the Department of Health Services (DHS) for the cost associated with housing an SVP at the Arizona State Hospital (ASH), from 34 percent to 31 percent. Includes “flexibility language” allowing counties to pay for this program with any source of county revenue and excludes any payments from the county expenditure limitation. *Sec. 8 (pg. 19)*
- **Restoration to Competency (RTC) Payments:** Continues to require counties to reimburse DHS for 100 percent of the cost associated with competency restoration treatment at the ASH. Includes “flexibility language” allowing counties to pay for this program with any source of county revenue and excludes any payments from the county expenditure limitation. *Sec. 9 (pg. 20)*
- **AHCCCS Transfer:** The Arizona Healthcare Cost Containment System (AHCCCS) must transfer any excess monies back to the counties by December 31, 2016, if the counties’ proportion of state match exceeds the proportion allowed to comply with the federal Affordable Care Act. *Sec. 11 (pg. 22)*
- **Acute Care Contributions:** Sets county Acute Care contributions at \$47,233,500 for all 15 counties. This amount is unchanged from the JLBC Baseline and includes an inflation indexing of the Maricopa County contribution (Laws 2005, Ch. 328). *Sec. 12 (pg. 22)*
- **Disproportionate Uncompensated Care Pool (DUC Pool):** Requires the collection of \$2,646,200 in DUC Pool contributions from counties other than Maricopa. *Sec. 13 (pg. 24)*

#### [SB 1476 K-12 education; budget reconciliation; 2015-2016](#)

**1-Percent Constitutional Property Tax Cap Liability Shift:** As permanent law, shifts a liability under the 1-percent constitutional cap, which exceeds \$1 million per county, to the local primary property taxing jurisdictions (counties, community college districts, cities & towns, and school districts). The provisions state that the Property Tax Oversight Commission (PTOC) is responsible for determining how the remaining liability is split between the relevant jurisdictions based on an undefined peer comparison. *Sec. 7(K) (pg. 30)*

**SB 1478 criminal justice; budget reconciliation; 2015-2016**

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

DRAFT

## Legislative Policy Committee

52nd Legislature - 1st Regular Session, 2015

Tuesday, Mar 10 2015 5:12 PM

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### March 13 LPC

#### Bill Summaries

#### H2131: TAX ADJUDICATIONS; ATTORNEY FEES

The court is required, instead of permitted, to award fees and other expenses to any party other than the state or a county or municipality that prevails by an adjudication on the merits in an action brought by that party against the state or a county or municipality challenging the assessment or collection of taxes, or the denial of a tax refund. The definition of "fees and other expenses" is expanded to include contingent fees.

First sponsor: Rep. Mitchell

H2131 Daily History	Date Action
TAX ADJUDICATIONS; ATTORNEY FEES	3/4 referred to Senate fin.
TAX ADJUDICATIONS; ATTORNEY FEES	3/4 passed House <u>38-22</u> ; ready for Senate.
TAX ADJUDICATIONS; ATTORNEY FEES	2/26 House COW approved.
TAX ADJUDICATIONS; ATTORNEY FEES	2/23 retained on House COW calendar.
TAX ADJUDICATIONS; ATTORNEY FEES	2/16 from House rules okay.
TAX ADJUDICATIONS; ATTORNEY FEES	2/11 from House jud do pass.
TAX ADJUDICATIONS; ATTORNEY FEES	1/27 referred to House jud.

#### H2212: LICENSING; ACCOUNTABILITY; ENFORCEMENT; EXCEEDING REGULATION

Statute prohibiting municipalities, counties, special taxing districts and state agencies from basing licensing decisions on requirements or conditions that are not specifically authorized by statute, rule, ordinance or code may be enforced in a private civil action and relief may be awarded against a municipality, county, special taxing district or the state. The court is required to award reasonable attorney fees, costs, damages and license application fees to a party that prevails in an action against the municipality, county, special taxing district or state. A municipal, county, special taxing district or state employee is prohibited from participating in violations of the statute. The language of these statutes must be prominently printed on all license applications. AS PASSED HOUSE.

First sponsor: Rep. Petersen

H2212 Daily History	Date Action
LICENSING; ACCOUNTABILITY; ENFORCEMENT; EXCEEDING REGULATION	3/4 from Senate rules with a technical amendment.
LICENSING; ACCOUNTABILITY; ENFORCEMENT; EXCEEDING REGULATION	2/26 from Senate gov do pass.
LICENSING; ACCOUNTABILITY; ENFORCEMENT; EXCEEDING REGULATION	2/18 referred to Senate gov.
LICENSING; ACCOUNTABILITY; ENFORCEMENT; EXCEEDING REGULATION	2/17 passed House <u>42-16</u> ; ready for Senate.
LICENSING; ACCOUNTABILITY; ENFORCEMENT; EXCEEDING REGULATION	2/12 House COW approved with floor amend <u>#4178</u> and <u>#4179</u> and the rules tech amendment.
LICENSING; ACCOUNTABILITY; ENFORCEMENT; EXCEEDING REGULATION	2/9 from House rules with a technical amendment.
LICENSING; ACCOUNTABILITY; ENFORCEMENT; EXCEEDING REGULATION	1/29 withdrawn from House gov-higher ed.
LICENSING; ACCOUNTABILITY; ENFORCEMENT; EXCEEDING REGULATION	1/28 from House jud do pass.
LICENSING; ACCOUNTABILITY; ENFORCEMENT; EXCEEDING REGULATION	1/21 additionally referred to House gov-higher ed.
LICENSING; ACCOUNTABILITY; ENFORCEMENT; EXCEEDING REGULATION	1/20 referred to House jud.

#### H2320: FIREARMS; PERMIT HOLDERS; PUBLIC PLACES

It is not considered misconduct involving weapons to carry a deadly weapon at a public establishment or event if the person possesses a valid concealed weapons permit. Does not apply to public establishments or events that have security personnel and electronic weapons screening devices and that require each person carrying a deadly weapon to leave it in possession of the security personnel while the person is in the establishment or event.

First sponsor: Rep. Barton

Others: Rep. Borrelli, Rep. Bowers, Sen. Burges, Rep. Finchem, Rep. Lawrence, Rep. Shope, Sen. Smith, Rep. Thorpe

H2320 Daily History	Date Action
FIREARMS; PERMIT HOLDERS; PUBLIC PLACES	3/2 House COW approved with amend <a href="#">#4169</a> .
FIREARMS; PERMIT HOLDERS; PUBLIC PLACES	2/16 from House rules okay.
FIREARMS; PERMIT HOLDERS; PUBLIC PLACES	2/12 from House mil-pub with amend <a href="#">#4169</a> .
FIREARMS; PERMIT HOLDERS; PUBLIC PLACES	2/5 House mil-pub held.
FIREARMS; PERMIT HOLDERS; PUBLIC PLACES	1/27 referred to House mil-pub.

### **H2349: FLOOD CONTROL DISTRICT; ADMIN ENFORCEMENT**

In a county with a population of less than 175,000 persons, a flood control district is permitted to adopt a procedure in which the hearing officer issues a written finding of a violation and a final decision and order relating to the violation rather than submitting the officer's recommendation to the chief engineer. Modifies various requirements for flood control district violations, including removing the option for a person to appear in person, by attorney or by another designated representative to admit or deny the allegations in a violation notice. AS PASSED HOUSE.

First sponsor: Rep. Fann

H2349 Daily History	Date Action
FLOOD CONTROL DISTRICT; ADMIN ENFORCEMENT	3/10 from Senate water-energy with amend <a href="#">#4783</a> .
FLOOD CONTROL DISTRICT; ADMIN ENFORCEMENT	3/9 Senate water-energy amended; report awaited.
FLOOD CONTROL DISTRICT; ADMIN ENFORCEMENT	2/18 referred to Senate water-energy.
FLOOD CONTROL DISTRICT; ADMIN ENFORCEMENT	2/17 passed House <a href="#">58-0</a> ; ready for Senate.
FLOOD CONTROL DISTRICT; ADMIN ENFORCEMENT	2/16 House COW approved with floor amend <a href="#">#4208</a> .
FLOOD CONTROL DISTRICT; ADMIN ENFORCEMENT	2/11 retained on House COW calendar.
FLOOD CONTROL DISTRICT; ADMIN ENFORCEMENT	2/9 from House rules okay.
FLOOD CONTROL DISTRICT; ADMIN ENFORCEMENT	2/3 from House rural-econ do pass.
FLOOD CONTROL DISTRICT; ADMIN ENFORCEMENT	2/3 House rural-econ do pass; report awaited.
FLOOD CONTROL DISTRICT; ADMIN ENFORCEMENT	1/28 referred to House rural-econ.

### **H2363: COUNTY CONTRIBUTIONS; HOSPITALIZATION; MEDICAL; REPEAL**

Repeals the county contributions for AHCCCS hospitalization and medical care for FY2014-15 contained in the FY2014-15 budget. The state has no obligation to refund monies paid.

First sponsor: Rep. Thorpe

H2363 Daily History	Date Action
COUNTY CONTRIBUTIONS; HOSPITALIZATION; MEDICAL; REPEAL	2/3 from House county-muni do pass.
COUNTY CONTRIBUTIONS; HOSPITALIZATION; MEDICAL; REPEAL	2/2 House county-muni do pass; report awaited.
COUNTY CONTRIBUTIONS; HOSPITALIZATION; MEDICAL; REPEAL	1/28 referred to House county-muni, appro.

### **H2438: PTSD; PUBLIC SAFETY**

Establishes a 13-member Post-Traumatic Stress Disorder (PTSD) in Public Safety Committee to research and report on the effects of PTSD on state and local law enforcement officers. The Committee is required to report its findings and recommendations to the Governor and the Legislature by December 31, 2015 and self-repeals October 1, 2016.

First sponsor: Rep. Livingston

H2438 Daily History	Date Action
PTSD; PUBLIC SAFETY 2/25	Senate pub-mil-tech held.
PTSD; PUBLIC SAFETY 2/17	referred to Senate pub-mil-tech.
PTSD; PUBLIC SAFETY 2/12	passed House <u>58-0</u> ; ready for Senate.
PTSD; PUBLIC SAFETY 2/11	House COW approved.
PTSD; PUBLIC SAFETY 2/9	from House rules okay.
PTSD; PUBLIC SAFETY 2/5	from House mil-pub do pass.
PTSD; PUBLIC SAFETY 1/29	referred to House mil-pub.

### **H2490: SEXUALLY VIOLENT PERSONS; REIMBURSEMENT; REPEAL**

The requirement contained in the FY2014-15 budget for counties to reimburse the Department of Health Services for the costs of a commitment of an individual who is determined by the court to be sexually violent for FY2014-15 is repealed.

First sponsor: Rep. Carter

Others: Sen. S. Allen, Rep. Barton, Sen. Begay, Rep. Borrelli, Rep. Brophy McGee, Sen. Burges, Rep. Cobb, Rep. Coleman, Rep. Fann, Rep. Meyer, Rep. Pratt, Rep. Rios, Rep. Shope, Rep. Thorpe

H2490 Daily History	Date Action
SEXUALLY VIOLENT PERSONS; REIMBURSEMENT; REPEAL 2/10	from House county-muni do pass.
SEXUALLY VIOLENT PERSONS; REIMBURSEMENT; REPEAL 1/29	referred to House county-muni, appro.

### **S1071: TAX LIEN DEEDS; AGGREGATE FEES**

The maximum aggregate fee the county treasurer may require to execute and deliver a deed for any judgment foreclosing the right to redeem ten or more individual parcels is \$500. Applies to any judgment entered before the effective date of this legislation for which a treasurer's deed has not been applied or issued.

First sponsor: Sen. Smith

Others: Sen. D. Farnsworth, Sen. Griffin, Sen. McGuire, Rep. Olson, Sen. Pierce, Rep. Pratt, Rep. Shope, Rep. Stevens

S1071 Daily History	Date Action
TAX LIEN DEEDS; AGGREGATE FEES 3/9	from House rules okay.
TAX LIEN DEEDS; AGGREGATE FEES 3/5	from House gov-higher ed do pass.
TAX LIEN DEEDS; AGGREGATE FEES 3/5	House gov-higher ed do pass; report awaited.
TAX LIEN DEEDS; AGGREGATE FEES 2/24	referred to House gov-higher ed.
TAX LIEN DEEDS; AGGREGATE FEES 2/9	passed Senate <u>25-4</u> ; ready for House.
TAX LIEN DEEDS; AGGREGATE FEES 2/5	Senate COW approved.
TAX LIEN DEEDS; AGGREGATE FEES 2/3	stricken from Senate consent calendar by Quezada, Pancrazi.
TAX LIEN DEEDS; AGGREGATE FEES 2/3	from Senate rules okay. To Senate consent calendar.
TAX LIEN DEEDS; AGGREGATE FEES 1/29	from Senate gov do pass.
TAX LIEN DEEDS; AGGREGATE FEES 1/28	Senate gov do pass; report awaited.
TAX LIEN DEEDS; AGGREGATE FEES 1/20	referred to Senate gov.

### **S1145: RESTORATION TO COMPETENCY; STATE COSTS**

If the state pays the costs of a defendant's inpatient, in custody competency restoration treatment, the municipality or county is required to reimburse the Department of Health Services for 100 percent of these costs for FY2015-16. Reimbursements must be deposited in the Arizona State Hospital Fund. County contributions made for reimbursements are excluded from the county expenditure limitations.

First sponsor: Sen. Griffin

S1145 Daily History	Date Action
RESTORATION TO COMPETENCY; STATE COSTS 2/26	referred to House jud.

RESTORATION TO COMPETENCY; STATE COSTS 2/19 passed Senate 29-0; ready for House.  
 RESTORATION TO COMPETENCY; STATE COSTS 2/17 from Senate rules okay.  
 RESTORATION TO COMPETENCY; STATE COSTS 2/16 to Senate consent calendar.  
 RESTORATION TO COMPETENCY; STATE COSTS 2/11 from Senate appro do pass.  
 RESTORATION TO COMPETENCY; STATE COSTS 2/10 Senate appro do pass; report awaited.  
 RESTORATION TO COMPETENCY; STATE COSTS 2/5 from Senate gov do pass.  
 RESTORATION TO COMPETENCY; STATE COSTS 1/27 referred to Senate gov, appro.

### **S1298: RULES; COUNTIES; FLOOD CONTROL DISTRICTS**

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, 2016 for counties with a population of 375,000 or more, and January 1, 2017 for counties with a population of less than 375,000.

First sponsor: Sen. Griffin

Others: Sen. S. Allen, Sen. Barto, Sen. Begay, Sen. Biggs, Rep. Bowers, Sen. Burges, Rep. Cardenas, Rep. Carter, Sen. Contreras, Sen. Dial, Sen. Driggs, Rep. Fann, Sen. D. Farnsworth, Rep. E. Farnsworth, Rep. Gray, Sen. Hobbs, Sen. Kavanagh, Rep. Leach, Sen. Lesko, Sen. McGuire, Sen. Miranda, Rep. Montenegro, Rep. Norgaard, Rep. Olson, Rep. Petersen, Rep. Pratt, Sen. Quezada, Rep. Rios, Rep. Robson, Sen. Shooter, Rep. Shope, Sen. Smith, Rep. Stevens, Rep. Thorpe, Rep. Townsend, Sen. Ward, Sen. Yee

S1298 Daily History	Date Action
RULES; COUNTIES; FLOOD CONTROL DISTRICTS 3/2	withdrawn from House com and referred to gov-higher ed.
RULES; COUNTIES; FLOOD CONTROL DISTRICTS 3/2	referred to House com.
RULES; COUNTIES; FLOOD CONTROL DISTRICTS 2/19	passed Senate <u>16-13</u> ; ready for House.
RULES; COUNTIES; FLOOD CONTROL DISTRICTS 2/17	from Senate rules okay.
RULES; COUNTIES; FLOOD CONTROL DISTRICTS 2/16	to Senate consent calendar.
RULES; COUNTIES; FLOOD CONTROL DISTRICTS 2/10	from Senate water-energy do pass.
RULES; COUNTIES; FLOOD CONTROL DISTRICTS 2/9	Senate water-energy do pass; report awaited.
RULES; COUNTIES; FLOOD CONTROL DISTRICTS 2/2	referred to Senate water-energy.

### **S1443: OCCUPATIONAL DISEASE; PTSD**

For the purposes of workers' compensation regulations, the definition of "personal injury by accident arising out of and in the course of employment" is expanded to include "post-traumatic stress disorder" (defined) that is due to causes and conditions characteristic of and peculiar to a particular trade, occupation, process or employment.

First sponsor: Sen. Smith

Others: Sen. Begay, Sen. Contreras, Sen. Miranda, Rep. Robson, Sen. Shooter, Rep. Thorpe

S1443 Daily History	Date Action
OCCUPATIONAL DISEASE; PTSD 3/10	from Senate rules okay.
OCCUPATIONAL DISEASE; PTSD 2/19	from Senate pub-mil-tech with amend <u>#4326</u> .
OCCUPATIONAL DISEASE; PTSD 2/18	Senate pub-mil-tech amended; report awaited.
OCCUPATIONAL DISEASE; PTSD 2/9	referred to Senate pub-mil-tech.

### **SCM1010: PILT PROGRAM; SRS; FULL FINDING**

The Legislature urges the U.S. Congress to provide full long-term funding for the Payment in Lieu of Taxes (PILT) program, to immediately reauthorize funding for the Secure Rural Schools and Community Self-Determination Act (SRS) in fiscal years 2014 and 2015, and to work with the State of Arizona and county governments to identify and implement policies to promote economic development on or associated with federally managed lands. The Secretary of State is directed to transmit copies of this memorial to the President of the U.S.,

the President of the U.S. Senate, the Speaker of the U.S. House and each member of Congress from Arizona. AS PASSED SENATE.

First sponsor: Sen. Griffin

Others: Sen. S. Allen

SCM1010 Daily History	Date	Action
PILT PROGRAM; SRS; FULL FINDING	3/9	from House rules okay.
PILT PROGRAM; SRS; FULL FINDING	3/5	from House agri-water-land do pass.
PILT PROGRAM; SRS; FULL FINDING	3/5	House agri-water-land do pass; report awaited.
PILT PROGRAM; SRS; FULL FINDING	2/24	referred to House agri-water-land.
PILT PROGRAM; SRS; FULL FINDING	2/16	passed Senate <u>29-0</u> ; ready for House.
PILT PROGRAM; SRS; FULL FINDING	2/12	Senate COW approved with amend <u>#4043</u> .
PILT PROGRAM; SRS; FULL FINDING	2/10	from Senate rules okay.
PILT PROGRAM; SRS; FULL FINDING	2/3	from Senate fed-man-fiscal with amend <u>#4043</u> .
PILT PROGRAM; SRS; FULL FINDING	1/26	referred to Senate fed-man-fiscal.