



# County Supervisors

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

1905 W. Washington St., Ste. 100, Phoenix, AZ 85009  
(602) 252-5521 fax: (602) 253-3227

## COUNTY SUPERVISORS ASSOCIATION LEGISLATIVE POLICY COMMITTEE AGENDA

February 7, 2025

(Conducted Via Teleconference and [Webinar](#))

Teleconference 1-669-900-9128 OR 1-253-215-8782

Meeting ID: 860 7993 4689 Password: 983008

County Supervisors Association

1905 W. Washington St.

Phoenix, AZ

8:30 a.m. Call to Order ~ *CSA President Lynne Pancrazi*

- A. Minutes for Consideration and Approval
  - 1) Consideration and Approval of the Minutes of the January 31, 2025, CSA Legislative Policy Committee Meeting (*previously distributed*)
- B. CSA Legislative Agenda
  - 1) Adopted Budget Priorities
  - 2) Adopted Policy Priorities
- C. Staff Presentation: Bright Futures AZ Executive Initiative
- D. Legislative Bills for Discussion and Possible Action
  - 1) Bills for POSSIBLE ACTION
    - a) [SB 1036](#): public resources; influencing elections; penalties (*Kavanagh*)
    - b) [SB 1053](#): wildlife; firearms discharge; structures; distance (*Rogers*)
    - c) [SB 1231](#): newly elected constables; training (*Payne*)
    - d) [SB 1243](#): open meetings; call to the public (*Kavanagh*)
    - e) [SB 1308](#): sober living homes (*Carroll*)
    - f) [SB 1365](#): PSPRS; member contributions (*Kavanagh*)
    - g) [SB 1442](#): appropriation; secure behavioral health facilities (*Werner*)
    - h) [SB 1712](#): retirement; judges; elected officials (*Gowan*)
    - i) [HB 2191](#): religious institutions; development; allowed use (*Livingston*)
    - j) [HB 2223](#): wind farm; construction; policies; procedures (*Marshall*)
    - k) [HB 2416](#): unlawful act; government official; challenge (*Kolodin*)
    - l) [HB 2433](#): county treasurers; continuing education (*Gress*)
    - m) [HB 2599](#): condominiums; construction defects; action (*Blackman*)
    - n) [HB 2713](#): homeowners' association dwelling actions (*Blackman*)
  - 2) Bills for UPDATES
    - a) [SCR 1004](#): prohibit tax; monitoring; vehicle mileage (*Hoffman*)
    - b) [SB 1145](#): community facilities districts; prompt pay (*Carroll*)
    - c) [SB 1148](#): CORP; defined contribution; membership election (*Payne*)
- E. Other Legislative Issues
- F. Next Meeting Date and Time (*Friday, February 14, at 8:30 a.m.*)
- G. Other Business
- H. Adjourn



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- 1) Adopted Budget Priorities
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C. Staff Presentation: Bright Futures AZ Executive Initiative

D. Legislative Bills for Discussion and Possible Action

1) Bills for POSSIBLE ACTION

- a) [SB 1036](#): public resources; influencing elections; penalties (*Kavanagh*)

**Summary:**

- SB 1036 amends law to permit residents to bring suit over alleged violations. Further, SB 1036 specifies that any resulting civil penalties (*not including the misused monies*) are to be distributed to the entity or individual that brings the suit in the following ways: **a)** if the action was brought by the Attorney General, civil penalties go to the AG to defray enforcement costs, **b)** if the action was brought by a County Attorney, civil penalties go to the county's general fund, and **c)** if the action was brought by a resident, civil penalties go to the resident.

- b) [SB 1053](#): wildlife; firearms discharge; structures; distance (*Rogers*)

**Summary:**

- In § 13-3107, which describes "*unlawful discharge of a firearm*," removes counties from the following sentence:
  - C. This section does not apply if the firearm is discharged ...
    3. To lawfully take wildlife during an open season established by the Arizona Game and Fish Commission and subject to the limitations prescribed by Title 17 and Arizona Game and Fish Commission rules and orders. This paragraph does not prevent a city, ~~OR~~ town ~~or county~~ from adopting an ordinance or rule restricting the discharge of a firearm within one-fourth mile of an occupied structure without the consent of the owner or occupant of the structure.
- Elsewhere, in Title 17: Game & Fish – General Regulations, changes statute from **(a)** "*prohibiting the discharge of a firearm while taking wildlife within*

*one-fourth mile of an occupied farmhouse or other residence ...*, to (b) prohibiting the discharge of a rifle or shotgun loaded with buckshot or slug shell within one-fourth mile of an occupied farmhouse or other residence. At the same time, creates a new category of unlawful conduct involving discharge of a shotgun loaded with bird or game shot, or a device that fires an arrow, while taking small game wildlife within one-eighth mile of an occupied farmhouse or other residence

- c) [SB 1231](#): newly elected constables; training (*Payne*)

**Summary:**

- States that: “a constable may execute, serve, and return processes and notices ... within any precinct in another county if ... **2. THE CONSTABLE HAS COMPLETED THE TRAINING PRESCRIBED IN SECTION 22-137 AND IS ACCOMPANYING A NEWLY-ELECTED CONSTABLE WHO HAS NOT YET COMPLETED THE MANDATORY BASIC TRAINING COURSE PRESCRIBED IN SECTION 22-137.**”

- d) [SB 1243](#): open meetings; call to the public (*Kavanagh*)

**Summary:**

- Specifies that **IF** a public body makes an open call to the public, a call **MUST** be made at the beginning of the meeting. Does not prohibit additional calls to the public throughout the meeting. Stipulates that if the initial call to the public exceeds 30 minutes, the public body may then choose to continue the remainder at a later time. Prohibits a public body that requires submission of a request to speak from halting acceptance of requests before the call to the public’s conclusion. Prohibits a public body from skirting this statute by scheduling one meeting without a call to the public and then scheduling another, subsequent meeting with only a call to the public.

- e) [SB 1308](#): sober living homes (*Carroll*)

**Summary:**

- Requires a sober living home to maintain evidence of compliance with local ordinance. Permits the Department of Health Services, or a third-party contractor, to conduct an inspection of a sober living home before licensure issuance or on the Director’s determination that the sober living home is not complying with licensure requirements. Raises the civil penalty for violation of sober living home licensure requirements and stipulates what counts as separate violations. Expands the actions the Director may take with respect to violations. Permits the Director to take legal action against a sober living home even if the home is in the process of being closed. Requires sober living home employees to acquire a fingerprint clearance card.

- f) [SB 1365](#): PSPRS; member contributions (*Kavanagh*)

**Summary:**

- Caps the employee contribution rate for tier 3 PSPRS members at 9.5%, instead of cost sharing the contribution rate 50% employee, 50% employer.
- [CSA Background and Pension Framework Analysis – Updated Memo](#)

- g) [SB 1442](#): appropriation; secure behavioral health facilities (*Werner*)

**Summary:**

- Appropriates \$25 million from the state general fund in FY 2026 to the Arizona Health Care Cost Containment System (AHCCCS) for the construction of five secure behavioral health residential facilities (SBHRF) - one in the north, one in the south, and three in central Arizona - to provide secure on-site supportive treatment to individuals committed pursuant to

court orders under § 13-4521 or § 13-36-550.09. Requires AHCCCS to prioritize

- h) [SB 1712](#): retirement; judges; elected officials (*Gowan*)

**Summary:**

- Defaults all new elected officials and judicial officers, without prior membership in the elected officials retirement or defined contribution plans, into the Arizona State Retirement System (ASRS). Allows members to opt into the current Elected Official Defined Contribution Retirement System (EODCRS) within 90 days of employment. [CSA Background and Pension Framework Analysis – Updated Memo](#)

- i) [HB 2191](#): religious institutions; development; allowed use (*Livingston*)

**Summary:**

- Notwithstanding county zoning ordinance, specifies that single-family and multifamily residential housing development on **eligible sites** are considered *allowed use developments* if they meet the **(a)** distance, **(b)** height, **(c)** setback, and **(d)** lot coverage requirements. A county may not impose any other restrictions on allowed use other than those outlined in the bill. Allows a county to **(a)** require additional permits, and **(b)** require site improvements or impact fees. Requires the religious institution to record a deed restriction requiring the property to allocate at least 40% of the units to low-income households for a period of fifty-five years. The religious institution must notify the County Assessor when the property is no longer used for purposes that qualify for exemption from taxation.
  - **Cannot** be within 75 feet of a neighboring site.
  - **Must** meet all county regulations for water/sewer access.
  - **Must** have at least one parking space for unit.
  - **Must** be on land that has been owned by the religious institution for at least three years.
  - **Cannot** be located within ½ mile of heavy industrial, an airport, or a military base.
  - **Height Requirements** (*must meet one* of the following requirements). Height can be:
    - **Not more** than 38 feet tall and three full floors.
    - **The maximum height allowable by current zoning regulations** for retail, office, residential, or mixed-use.
    - **Not more** than the height of a previously existing structure on the **eligible site**.
    - **Not more** than the height of any existing building within ¼ mile of the site (*exempts buildings approved via this section*).
  - **Setback Requirements** (*must meet one* of the following requirements). Setbacks can be:
    - **At least** eight feet on the front, side, and rear of the site.
    - **The setbacks allowable under current county zoning regulations** for retail office, residential, or mixed-use.
    - **At least** the setbacks of a previously existing structure on the eligible site.
    - **Not more** than the setbacks existing on any neighboring or facing site.
  - **Lot Coverage Requirements** (*must meet one* of the following requirements). Setbacks can be:

- **Not more** than 80% of the **eligible site**.
- **The coverage allowable under current county zoning regulations** for retail office, residential, or mixed-use.
- **Not more** than the impervious lot coverage on the eligible site at the time of the development application's submission.
- **Not more** than the coverage existing on any neighboring or facing site.
- **Other provisions relating to counties:**
  - A county **may not impose any other restrictions** on allowed use other than those discussed above.
  - A county **may require additional permits** if the same permits are required for a comparable project.
  - A county **may require site improvements or impact fees** if the same improvements or impact fees are required for a comparable project.
  - The religious institution that allows the aforementioned development must record a deed restriction **requiring the property to allocate at least 40% of the units to low-income households for a period of fifty-five years.**
  - The religious institution **must notify the County Assessor when the property is no longer used for purposes that qualify for exemption from taxation.**
- j) [HB 2223](#): wind farm; construction; policies; procedures (*Marshall*)  
**Summary:**
  - *Diminution of value; county liability.*
    - Specifies that if a wind farm reduces the right to use, divide, sell or possess real property, or if it reduces the fair market value of the real property, **the property owner is entitled to just compensation from the county.** Specifies, if a county believes that its decision is exempt under § 12-1134, they must demonstrate the basis for that. The claim for compensation shall be based on a determination issued by a licensed appraiser.
  - *County permitting requirements.*
    - Requires a county to adopt the following wind farm permitting requirements:
      - An **indemnity bond** from the wind farm owner – *and that binds all successors* - that indemnifies the county, its elected officials, and employees from all claims and damages resulting from **(a)** wind farm operation, **(b)** hazardous substances attributable to the wind farm
      - **Financial surety** from the wind farm owner that must be sufficient to cover the costs of “*cleanup and mitigation in a casualty event, plus a ten percent contingency*” which shall be based on “*a maximum worst-case scenario.*”
      - Prescribes **decommissioning procedures**, which includes **(a)** removal of all materials, **(b)** prohibiting the disposal of said materials in the site or anywhere within the county, **(c)** contributing financial surety in the amount necessary to decommission the site (*adjusted annually for inflation, plus a*

10% contingency), and **(d)** requiring the wind farm, every three years and for the life of the project, to hire an engineer to re-estimate the total cost of decommissioning.

- **County public hearing requirements.**
    - Requires a county P&Z commission to hold a public hearing on a wind farm permit (either *construction* or *conditional use*) within 90 days of deeming the application complete.
    - Requires notification to occur in all of the following ways: **(a)** newspaper publication at least 30 days in advance, **(b)** via certified mail, postmarked 30 days before the hearing, “to all adjoining landowners within 6 miles of the boundary of the proposed wind farm,” **(c)** posting the notice around the perimeter of the wind farm at 1.5 mile intervals, and **(d)** via first class mail, postmarked 30 days before the hearing, to all interested persons who have requested notice. Specifies that the wind farm owner is required to fund the provision of notice.
  - **Referendum.**
    - Permits a person or organization to file a referendum petition against the wind farm’s permit issuance.
  - **Ownership transfer; board approval.**
    - Requires the Board to approve any conveyance, transfer, assignment, or otherwise of a wind farm.
  - **Location restrictions.**
    - Prohibits a wind farm from being located within **six miles** of a property owned by another person (*without consent*), or **twelve miles** of a property zoned for residential use.
  - **NOTICE:**
    - **Pre-permitting:** Within ten days of **(a)** a permit being granted, or **(b)** a landowner permitting access to a wind power company.
- k) [HB 2416](#): unlawful act; government official; challenge (*Kolodin*)  
**Summary:**
- **STATES THAT: ALL CITIZENS OF THIS STATE SHALL HAVE A RIGHT OF ACTION AND STANDING TO CHALLENGE ANY UNLAWFUL ACT BY ANY GOVERNMENT OFFICIAL.**
- l) [HB 2433](#): county treasurers; continuing education (*Gress*)  
**Summary:**
- Within the first year of their term or appointment, requires a County Treasurer and Chief Deputy County Treasurer to complete at least ten hours of continuing education annually. One of these hours must be devoted to the subject of waste, fraud, and abuse. Specifies that the provider of the continuing education must be approved by the County Board of Supervisors and can include governmental entities, financial institutions, or coursework from an accredited college or university. Requires the Board to cover all fees and costs associated with the education. Specifies that the continuing education must cover topics related to a Treasurer’s powers and duties, including: **(a)** investment strategies, **(b)** waste, fraud, and abuse detection and prevention, **(c)** cash management, **(d)** cybersecurity, **(e)** internal auditing and compliance, and **(f)** generally accepted accounting principles. Requires the County Treasurers and their Chief Deputies to submit evidence of

compliance to the Clerk of the Board of Supervisors by December 31 of each year. States that failure to comply may result in a civil penalty of \$50/hour of continuing education not completed, levied by the Board.

- m) [HB 2599](#): condominiums; construction defects; action (*Blackman*)

**Summary:**

- Restricts counties ability to “institute or maintain an action or arbitration against a person who develops or develops and sells real property or performs or furnishes the design, specifications, surveying, planning, supervision, testing, constructing or observation of construction of an improvement to real property that is dedicated to the municipality or county” to within four years after acceptance (was previously eight). Additionally, places additional stipulations on a condominium association’s ability to enter into a construction defect action.

- n) [HB 2713](#): homeowners’ association dwelling actions (*Blackman*)

**Summary:**

- A subsequent iteration of **HB 2599** that does not include portions relating to locality ability to institute or maintain arbitration.

2) Bills for UPDATES

- a) [SCR 1004](#): prohibit tax; monitoring; vehicle mileage (*Hoffman*)

**Summary:**

- Via a voter referral that amends Arizona’s Constitution, prohibits a political subdivision from **(a)** imposing a tax or fee on any person based on their miles traveled in a motor vehicle, or **(b)** enact any rule or law to monitor or limit the vehicle miles traveled by a person. Exempts fleet management.

- b) [SB 1145](#): community facilities districts; prompt pay (*Carroll*)

**Summary:**

- States that a county or municipality that authorized a Community Facilities District (CFD) is liable for unpaid payments owed by the District for the construction of its public infrastructure. Requires the county to monitor progress and payments made under the District’s construction contracts. Permits the county to periodically audit the District’s construction contract payments. Permits the county to require the district to pay for the county’s monitoring and auditing, and to pay penalties to the county for failing to make legally required payments under a construction contract. Requires CFDs to include prompt pay provisions in contracts for construction of public infrastructure.

- c) [SB 1148](#): CORP; defined contribution; membership election (*Payne*)

**Summary:**

- Open CORP Tier 3 defined benefit (DB) plan to detention and corrections officers hired after July 1, 2018.
  - For existing employees - one-time opt-in to DB plan.
  - For employees hired after July 1, 2026 - make election between DB and existing defined contribution (DC) within 90 days of hire; defaults to DB.
  - All elections are irrevocable and generally cannot be changed.
- [SB 1148 Analysis & Background Memo](#)

E. Other Legislative Issues

F. Next Meeting Date and Time (*Friday, February 14, at 8:30 a.m.*)

G. Other Business

H. Adjourn