

LAND TITLE ASSOCIATION OF ARIZONA

JANUARY 24, 2017

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Posted Calendars and Committee Hearings

H2067: REAL ESTATE LICENSING; EXCEPTION; ASSISTANTS

Hearing: House Commerce (Tuesday 01/24/17 at 2:00 PM, House Rm. 1)

H2069: INSURANCE TAXES; INSTALLMENTS; ELECTRONIC FILING

Hearing: House Banking & Insurance (Monday 01/23/17 at 2:00 PM, House Rm. 5)

H2158: TAX LIEN FORECLOSURES; SUBDIVISIONS; EXEMPTION

Hearing: House Commerce (Tuesday 01/24/17 at 2:00 PM, House Rm. 1)

H2220: ELECTRONIC FILES; ACCESS; OFFICIAL RECORD

Hearing: House Judiciary & Public Safety (Wednesday 01/25/17 at 2:00 PM, House Rm. 4)

S1058: REPEAL; REGIONAL ATTRACTION DISTRICTS

Hearing: Senate Rules (Monday 01/23/17 at 1:00 PM, Senate Caucus Rm. 1)

S1060: HOAS; DISPUTE PROCESS

Hearing: Senate Rules (Monday 01/23/17 at 1:00 PM, Senate Caucus Rm. 1)

S1113: HOAS; ARTIFICIAL GRASS BAN PROHIBITED

Hearing: Senate Government (Wednesday 01/25/17 at 2:00 PM, Senate Rm. 109)

LTAA-SPONSORED BILLS

Bill Summaries

H2146: HOAS; DISCLOSURE DOCUMENTS; AGENT

Homeowner's associations and condo associations are required to deliver copies of the bylaws, rules, declaration and other specified documents to a purchaser and the purchaser's authorized agent, if any. Previously the association was required to deliver the documents to the purchaser or the agent.

First sponsor: Rep. Weninger

H2146 Daily History	Date Action
HOAS; DISCLOSURE DOCUMENTS; AGENT	1/12 referred to House com.

NEW BILLS TO REVIEW

Bill Summaries

H2013: NEWSPAPERS; PUBLIC NOTICES; PUBLICATION

For the purpose of publication of public notices, a "newspaper" is no longer required to be admitted under federal law as second-class matter in the United States mails for at least one year.

First sponsor: Rep. Finchem

H2013 Daily History	Date Action
NEWSPAPERS; PUBLIC NOTICES; PUBLICATION	1/18 House local-intl held.
NEWSPAPERS; PUBLIC NOTICES; PUBLICATION	1/10 referred to House local-intl.

H2014: LEGAL TENDER EXCHANGE; TAX EFFECT

The lists of subtractions from Arizona gross income for individual and corporate income tax purposes are expanded to include the amount of any net capital gain included in Arizona adjusted gross income for the tax year that is derived from the exchange of one kind of legal tender for another kind of legal tender. The list of additions to Arizona gross income for individual and corporate income tax purposes is expanded to include the amount of any net capital loss included in

Arizona adjusted gross income for the tax year that is derived from the exchange of one kind of legal tender for another kind of legal tender. For these purposes, "legal tender" is defined as a medium of exchange, including "specie" (defined as coins having precious metal content), that is authorized by the U.S. Constitution or Congress for the payment of debts, public charges, taxes and dues. Effective for tax years beginning with 2018.

First sponsor: Rep. Finchem

H2014 Daily History	Date Action
LEGAL TENDER EXCHANGE; TAX EFFECT 1/9 referred to House ways-means.	

H2015: GOLD BONDS; STUDY COMMITTEE

Establishes the 11-member Joint Study Committee on Gold Bonds to study the use of gold bonds as hard asset-backed instruments to reduce state debt and protect public pension obligations of the state. The Committee is required to submit a report of its recommendations to the Legislature by December 31, 2017 and self-repeals October 1, 2018.

First sponsor: Rep. Finchem

H2015 Daily History	Date Action
GOLD BONDS; STUDY COMMITTEE 1/17 referred to House rules only.	

H2067: REAL ESTATE LICENSING; EXCEPTION; ASSISTANTS

Real estate licensing regulations do not apply to an individual who is hired by a real estate licensee as an assistant, transaction coordinator or other administrator if the individual is not engaging in any activity for which a license is required.

First sponsor: Rep. Shope

H2067 Daily History	Date Action
REAL ESTATE LICENSING; EXCEPTION; ASSISTANTS 1/17 House com held.	
REAL ESTATE LICENSING; EXCEPTION; ASSISTANTS 1/10 referred to House com.	

H2069: INSURANCE TAXES; INSTALLMENTS; ELECTRONIC FILING

An insurer is required to file monthly insurance premium tax reports and payments from March through August if that insurer paid or is required to pay a tax of \$50,000 or more during the preceding calendar year, increased from \$2,000 or more. Beginning January 1, 2018, the Department of Insurance is permitted to require insurance premium tax reports and payments to be submitted electronically. Effective January 1, 2018.

First sponsor: Rep. Livingston

H2069 Daily History	Date Action
INSURANCE TAXES; INSTALLMENTS; ELECTRONIC FILING 1/11 referred to House bank-ins.	

H2072: MANUFACTURED HOMES; REAL ESTATE TRANSACTIONS

The list of transactions where licensed real estate brokers and licensed real estate salesmen are exempt from the requirements of specified housing regulations is expanded to include transactions with respect to manufactured homes and mobile homes that are located in mobile home parks.

First sponsor: Rep. Weninger

H2072 Daily History	Date Action
MANUFACTURED HOMES; REAL ESTATE TRANSACTIONS 1/11 referred to House com.	

H2095: STATE LANDS; PERPETUAL RIGHTS-OF-WAY

The State Land Department is required to grant a perpetual right-of-way, after conducting an appraisal, at public auction to the highest and best bidder if the grant is for the purpose of providing legal access to private property to which

access across state land is the historic access or is necessary because state or federal land surrounds the private property.

First sponsor: Rep. Bowers

H2095 Daily History	Date Action
STATE LANDS; PERPETUAL RIGHTS-OF-WAY 1/17 referred to House land-agri-rural.	

H2146: HOAS; DISCLOSURE DOCUMENTS; AGENT

Homeowner's associations and condo associations are required to deliver copies of the bylaws, rules, declaration and other specified documents to a purchaser and the purchaser's authorized agent, if any. Previously the association was required to deliver the documents to the purchaser or the agent.

First sponsor: Rep. Weninger

H2146 Daily History	Date Action
HOAS; DISCLOSURE DOCUMENTS; AGENT 1/12 referred to House com.	

H2158: TAX LIEN FORECLOSURES; SUBDIVISIONS; EXEMPTION

Lots, parcels or fractional interests that are the result of a foreclosure of the right to redeem are added to the list of lands that are exempt from statutes regulating the sale of subdivided lands. Does not apply to a tax lien purchaser if the deed described in the judgment is not recorded in the office of the county recorder and does not exempt a tax lien purchase who actually subdivides or intends to subdivide land or create a subdivision.

First sponsor: Rep. Shope

H2158 Daily History	Date Action
TAX LIEN FORECLOSURES; SUBDIVISIONS; EXEMPTION 1/17 referred to House com.	

H2165: AUTHORIZED THIRD PARTIES; ELECTRONIC TITLE

If the Department of Transportation establishes a system to require recording of certificate of title information through electronic media, the Dept must implement the system no sooner than January 1, 2018 and no later than January 1, 2023. The Dept is required to notify authorized third party electronic service providers and partners of the system's establishment and implementation. The Dept is prohibited from authorizing a government entity to be a third party electronic service provider or partner.

First sponsor: Rep. Campbell
Others: Sen. Fann, Sen. Otondo, Rep. Stringer

H2165 Daily History	Date Action
AUTHORIZED THIRD PARTIES; ELECTRONIC TITLE 1/17 referred to House trans-inf.	

H2220: ELECTRONIC FILES; ACCESS; OFFICIAL RECORD

The Supreme Court any any justice or judge in Arizona is prohibited from designating a paper transcript of a hearing or other proceeding as the only official record if the hearing or other proceeding is electronically recorded and the recording is audible. If the presiding judge of the superior court provides electronic file access or filing privileges to attorneys, the privileges must also be provided to clients and pro se litigants.

First sponsor: Rep. Bowers

H2220 Daily History	Date Action
ELECTRONIC FILES; ACCESS; OFFICIAL RECORD 1/17 referred to House jud-pub safety.	

H2233: REGISTRATION EXEMPTIONS; SECURITIES

The list of exempt transactions for the purposes of securities registration is modified to declare that a sale is not considered to be made in the course of repeated or successive transactions if at least six months, reduced from nine

months, have passed after the date of the last sale of the security by the issuer to an Arizona resident. The list of qualifications that must be met for an offer or sale of a security by the issuer to be exempt from specified securities regulations is expanded to include that the issuer is an Arizona resident.

First sponsor: Rep. Weninger

H2233 Daily History	Date	Action
REGISTRATION EXEMPTIONS; SECURITIES 1/12 referred to House bank-ins.		

H2321: HOAS; CUMULATIVE VOTING; PROHIBITION

Condominium associations and HOAs are prohibited from using cumulative voting.

First sponsor: Rep. Clark
Others: Rep. Finchem

H2321 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

S1013: TECH CORRECTION; DEFRAUDING SECURED CREDITORS

Minor change in Title 13 (Criminal Code) related to defrauding secured creditors. Apparent striker bus.

First sponsor: Sen. Burges

S1013 Daily History	Date	Action
TECH CORRECTION; DEFRAUDING SECURED CREDITORS 1/9 referred to Senate rules only.		

S1019: PUBLIC RECORDS; UNDULY BURDENSOME REQUESTS

It is a defense to any action under public records law that the request for access to public records is unduly burdensome or harassing.

First sponsor: Sen. Kavanagh

S1019 Daily History	Date	Action
PUBLIC RECORDS; UNDULY BURDENSOME REQUESTS 1/9 referred to Senate gov.		

S1058: REPEAL; REGIONAL ATTRACTION DISTRICTS

Repeals Chapter 38 of Title 48 (Special Taxing Districts), which establishes and governs regional attraction districts.

First sponsor: Sen. Griffin

S1058 Daily History	Date	Action
REPEAL; REGIONAL ATTRACTION DISTRICTS 1/19 from Senate gov do pass.		
REPEAL; REGIONAL ATTRACTION DISTRICTS 1/11 referred to Senate gov.		

S1060: HOAS; DISPUTE PROCESS

Jurisdiction over administrative hearings for disputes between condo or homeowners' associations and unit owners or members is moved to the State Real Estate Department, from the Department of Fire, Building and Life Safety.

First sponsor: Sen. Griffin
Others: Sen. D. Farnsworth, Sen. Kavanagh

S1060 Daily History	Date	Action
HOAS; DISPUTE PROCESS 1/19 from Senate gov do pass.		
HOAS; DISPUTE PROCESS 1/11 referred to Senate gov.		

S1081: MUTUAL HOLDING COMPANY REORGANIZATION

Adds an article of statute to Title 20 (Insurance) regulating mutual holding company reorganization. Requires the Director of the Department of Insurance to approve reorganization plans. Establishes requirements for the contents of

reorganization plans and a process for plan review and approval, including a hearing.

First sponsor: Sen. Fann
Others: Rep. Livingston

S1081 Daily History	Date Action
MUTUAL HOLDING COMPANY REORGANIZATION 1/17 referred to Senate fin.	

S1113: HOAS; ARTIFICIAL GRASS BAN PROHIBITED

In any planned community that allows grass on a member's property, a homeowner's association cannot prohibit the installation or use of artificial grass on any member's property.

First sponsor: Sen. Kavanagh

S1113 Daily History	Date Action
HOAS; ARTIFICIAL GRASS BAN PROHIBITED 1/18 referred to Senate gov.	