

## TRIADVOCATES LLC

54th Legislature - 2nd Regular Session, 2020

Monday, Jan 27 2020 1:06 PM

Bill summaries and histories copyright 2020 Arizona Capitol Reports, L.L.C.

### LAND TITLE ASSOCIATION OF ARIZONA

#### Posted Calendars and Committee Hearings

- H2099: PROPERTY TAX; MOBILE HOMES; DELINQUENCY  
*Hearing:* House Ways & Means (Wednesday 01/29/20 at 9:00 AM, House Rm. 1)
- H2184: OCCUPATIONAL AND PROFESSIONAL LICENSURE; NOTICE  
*Hearing:* House Regulatory Affairs (Monday 01/27/20 at 2:00 PM, House Rm. 5)
- H2233: COURT RULES; SIGNATURES; COURT DOCUMENTS  
*Hearing:* House Judiciary (Wednesday 01/29/20 at 9:00 AM, House Rm. 4)
- H2281: ELECTRONIC CERTIFICATES OF TITLE  
*Hearing:* House Transportation (Wednesday 01/29/20 at 2:00 PM, House Rm. 3)
- H2312: FINANCIAL INSTITUTIONS; INSURANCE; LICENSES  
*Hearing:* House Regulatory Affairs (Monday 01/27/20 at 2:00 PM, House Rm. 5)
- H2352: CENTRALLY ASSESSED PROPERTY; VALUATION; PIPELINES  
*Hearing:* House Ways & Means (Wednesday 01/29/20 at 9:00 AM, House Rm. 1)
- H2398: INSURANCE PRODUCER LICENSING; EXCEPTIONS  
*Hearing:* House Regulatory Affairs (Monday 01/27/20 at 2:00 PM, House Rm. 5)
- H2644: LIABILITY INSURANCE RESTATEMENT; PROHIBITION  
*Hearing:* House Commerce (Tuesday 01/28/20 at 2:00 PM, House Rm. 3)
- H2645: INSURERS; INSOLVENCY; ADMINISTRATION  
*Hearing:* House Commerce (Tuesday 01/28/20 at 2:00 PM, House Rm. 3)
- S1021: DEPARTMENT OF REVENUE; ELECTRONIC SIGNATURES  
*Calendar:* 1/23 Senate Consent
- S1096: PROPERTY MANAGEMENT RECORDS; RESIDENTIAL RECORDS  
*Hearing:* Senate Rules (Monday 01/27/20 at 1:00 PM, Senate Caucus Rm. 1)
- S1099: TAX DEED LAND SALES; PROCEEDS  
*Calendar:* 1/23 Senate Consent
- S1113: MORTGAGED PROPERTY; TAX STATEMENTS; INFORMATION  
*Hearing:* Senate Rules (Monday 01/27/20 at 1:00 PM, Senate Caucus Rm. 1)
- S1114: LIMITED LIABILITY COMPANIES  
*Hearing:* Senate Rules (Monday 01/27/20 at 1:00 PM, Senate Caucus Rm. 1)

#### INDUSTRY BILLS

##### Bill Summaries

##### **S1226: REVISED UNIFORM LAW; NOTARIAL ACT**

Various changes to statutes relating to notarization. A "notarial officer" (defined) is authorized to perform a "notarial act" (defined) as authorized by state law, and to certify that a tangible copy of an electronic record is an accurate copy of the electronic record. A notarial officer who takes an acknowledgment of a record or a verification of a statement on oath or affirmation is required to determine, from personal knowledge or satisfactory evidence of the identity of the individual, that the individual appearing before the officer and making the acknowledgment has the identity claimed and that the signature on the record is the signature of the individual, and requirements for verification of identity are specified. If a notarial act relates to a statement made in or a signature executed on a record, the individual making the statement or executing the signature is required to appear personally before the notarial officer. A remotely located individual may use communication technology to appear before a notary public, and requirements for notarial acts performed using communication technology are specified. A notarial act may be performed by a notary public, a judge or clerk of a court, or an individual who is licensed to practice law. Establishes requirements for a notarial act performed in another state, under the authority of a federally recognized Indian tribe, under federal authority, and under authority of a foreign state or international governmental organization. A notarial act is required to be evidenced by a certificate, and certificate requirements are listed, including standard short form certificates for specified purposes. A notary public is responsible for the security of the notary public's stamping device and cannot allow another individual to use the device to perform a notarial act. Establishes grounds to deny, refuse to renew, revoke, suspend or condition the commission of a notary public. Establishes a list of prohibited acts for a notary public. Much more. Due to voter protection, one section of this legislation requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage.

First sponsor: Sen. Brophy McGee (R - Dist 28)

Others: Sen. Gray (R - Dist 21), Rep. Kavanagh (R - Dist 23), Sen. Leach (R - Dist 11), Sen. Pratt (R - Dist 8)

S1226 Daily History

Date Action

REVISED UNIFORM LAW; NOTARIAL ACT 1/23 referred to Senate com.

## OPPOSE/AMEND

### Bill Summaries

#### H2065: RECORDER; RECORDING FEES; LIEN FEES

Establishes a fee of \$9 for the county recorder to record liens.

First sponsor: Rep. Kavanagh (R - Dist 23)

H2065 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

## BILLS TO REVIEW

### Bill Summaries

#### H2058: DELINQUENT PROPERTY TAX; INTEREST; WAIVER

The county treasurer is authorized to waive the interest that accrues on delinquent property taxes, and any other penalties, for a delinquency that occurs during the one-year period after a mortgage or deed of trust is satisfied or otherwise released on the property. A taxpayer may receive this waiver only once per property.

First sponsor: Rep. Kavanagh (R - Dist 23)

H2058 Daily History	Date	Action
DELINQUENT PROPERTY TAX; INTEREST; WAIVER 1/22 from House ways-means do pass.		
DELINQUENT PROPERTY TAX; INTEREST; WAIVER 1/22 House ways-means do pass; report awaited.		
DELINQUENT PROPERTY TAX; INTEREST; WAIVER 1/13 referred to ways-means.		

#### H2059: HOMEOWNERS' ASSOCIATIONS; BILLING STATEMENTS; WAIVER

If there is no amount due or if a unit owner or member provides written notice to a condo association or homeowners' association (HOA) that the unit owner or member waives the right to receive account statements, the HOA is not required to provide statements. A unit owner or member may reinstate the right to receive statements by providing written notice to the HOA.

First sponsor: Rep. Kavanagh (R - Dist 23)

H2059 Daily History	Date	Action
HOMEOWNERS' ASSOCIATIONS; BILLING STATEMENTS; WAIVER 1/22 referred to House gov.		

#### H2085: WRITS OF GARNISHMENT; ATTORNEY FEES

Accrued attorney fees, including fees for garnishment, if allowed by a judgment or contract, are added to the amount that may be included in a writ of garnishment.

First sponsor: Rep. J. Allen (R - Dist 15)  
Others: Rep. Blackman (R - Dist 6)

H2085 Daily History	Date	Action
WRITS OF GARNISHMENT; ATTORNEY FEES 1/22 referred to House jud.		

#### H2092: FEDERAL GOVERNMENT; LAND ACQUISITION; CONSENT

The consent of the state of Arizona to the acquisition, sale, gift or grant or any other transfer of an ownership interest in any privately owned real property within Arizona that is not in possession of any federal agency as of the effective date of this legislation, and that would remove the real property from state, county and municipal property tax rolls is prohibited from being given without the express, affirmative consent of the Legislature and the Governor through the signing of a joint resolution. Contains legislative findings.

First sponsor: Rep. Finchem (R - Dist 11)  
Others: Rep. J. Allen (R - Dist 15), Rep. Biasiucci (R - Dist 5), Rep. Blackman (R - Dist 6), Sen. Borrelli (R - Dist 5), Rep. Carroll (R - Dist 22), Rep. Cobb (R - Dist 5), Rep. Cook (R - Dist 8), Rep. Nutt (R - Dist 14), Rep. Roberts (R - Dist 11)

H2092 Daily History	Date	Action
FEDERAL GOVERNMENT; LAND ACQUISITION; CONSENT 1/23 from House fed-rel with amend #4009.		
FEDERAL GOVERNMENT; LAND ACQUISITION; CONSENT 1/22 House fed-rel amended; report awaited.		
FEDERAL GOVERNMENT; LAND ACQUISITION; CONSENT 1/21 referred to House fed-rel.		

#### H2099: PROPERTY TAX; MOBILE HOMES; DELINQUENCY

For a mobile home for which an affidavit of affixture has not been recorded, that is not placed on the real property roll and that is used as the owner's primary residence, the county treasurer is required to secure payment of unpaid delinquent taxes by complying with the provisions of specified statutes governing the sale of tax lien for delinquent taxes, redemption of tax liens, and judicial foreclosure of right of redemption. An insubstantial failure to comply with those statutes does not affect the validity of the assessment and levy of taxes or the sale of a tax lien or the foreclosure of the right to redeem by which the tax collection is enforced.

First sponsor: Rep. Griffin (R - Dist 14)

H2099 Daily History	Date	Action
PROPERTY TAX; MOBILE HOMES; DELINQUENCY 1/22		House ways-means held.
PROPERTY TAX; MOBILE HOMES; DELINQUENCY 1/13		referred to ways-means.

### **H2100: TRADE NAMES; TRADEMARKS; REGISTRATION; APPLICATION**

The information required on an application for trademark registration is expanded to include a statement that the applicant has conducted a search and found that the trademark does not consist of or comprise a mark that so resembles a mark registered in Arizona or previously used in Arizona and not abandoned and that when applied to the goods or services of the applicant is likely to cause confusion or mistake or to deceive, and a statement whether the applicant previously sought to register the trademark with the U.S. patent and trademark office and if the registration was denied, the reasons for the denial. The information required on an application for a trade name registration is expanded to include a statement that the applicant had conducted a search and found that the trade name is distinguishable on the record from any other name previously filed or an existing or reserved corporate name.

First sponsor: Rep. Griffin (R - Dist 14)

H2100 Daily History	Date	Action
TRADE NAMES; TRADEMARKS; REGISTRATION; APPLICATION 1/13		referred to House com.

### **H2116: BEREAVEMENT LEAVE; DEATH OF CHILD**

Employers are required to grant up to 2 weeks of unpaid bereavement leave during any 12-month period for an "eligible employee" (defined) to attend the funeral or burial service of the employee's "child" (defined), make any arrangements resulting from the death of the employee's child, and/or grieve the death of the employee's child. If more than one child of an eligible employee dies within a 12-month period, the total amount of leave employers must grant is increased to 6 work weeks. Requirements for taking unpaid bereavement leave are specified. Employers are prohibited from taking any adverse employment action against an eligible employee who uses bereavement leave. The Industrial Commission is authorized to impose a civil penalty of up to \$500 for a first violation and up to \$1,000 for each subsequent violation.

First sponsor: Rep. Lawrence (R - Dist 23)

H2116 Daily History	Date	Action
BEREAVEMENT LEAVE; DEATH OF CHILD 1/13		referred to House com.

### **H2126: MOBILE HOMES; PROPERTY TAX; COLLECTION**

Taxes due on mobile homes must be collected pursuant to mobile home property tax statutes instead of by seizure and sale in the same manner as taxes due on personal property.

First sponsor: Rep. Thorpe (R - Dist 6)

H2126 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

### **H2138: COMMON LAW MARRIAGE CONFIRMATION; CAREGIVERS**

If two persons live together in partnership for at least two consecutive years at the time of the death of one of the persons, the surviving person is permitted to apply to the clerk of the superior court in any county to receive a marriage license confirming a common law marriage. Evidence that the surviving person is required to provide is listed, including that the two persons are the parents of one or more children together, and that the surviving person acted as a caregiver to the deceased person. If the clerk finds that the surviving person has provided the evidence, the clerk is required to issue a marriage license confirming a common law marriage to the surviving person, dated on the date the persons began living together in partnership. Retroactive to September 1, 2017.

First sponsor: Rep. Lawrence (R - Dist 23)

H2138 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

### **H2147: PERSONAL PROPERTY TAX; ABATEMENT; PROCEDURE**

If a county treasurer determines that any of the circumstances for abating personal property taxes exist, the county treasurer is required to grant appropriate relief, and the relief is no longer subject to the approval of the county board of supervisors. A certificate of removal and abatement of tax is final and effective on the date the board of supervisors receives notice from the county treasurer.

First sponsor: Rep. Thorpe (R - Dist 6)

H2147 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

## H2149: FORFEITURE; CRIMINAL CONVICTION; PROPERTY RIGHTS

Numerous changes to statutes related to forfeiture. The definition of "racketeering" is modified to limit the offenses to criminal acts that result in a conviction, instead of acts that are chargeable or indictable. Following a person's conviction for a criminal offense that provides for forfeiture, the court is authorized to order the person to forfeit property acquired through the commission of the offense, property that is directly traceable to property acquired through the commission of the offense, and any instrumentality the person used in the commission of the offense. The property exempt from forfeiture is expanded to include homesteaded real property, vehicles with a value of less than \$2,500, and U.S. currency totaling \$500 or less. Does not prevent property from being forfeited by plea agreement. Forfeiture proceedings are added to the list of proceedings and circumstances under which a public defender is required to defend any person who is entitled to counsel and who is not financially able to employ counsel. A peace officer, sheriff or other law enforcement officer is prohibited from requesting, requiring or inducing in any manner a person to execute a document that purports to waive the right to contest a forfeiture. Statute governing uncontested forfeiture is repealed. If property is seized, the defendant or any other person with an ownership interest in the property is authorized to request a pretrial hearing to determine the validity of the seizure and whether the court should grant a writ of replevin or another remedy. A claimant may petition the court to determine whether a forfeiture is excessive, and factors the court may consider is determining whether the forfeiture is disproportional to the seriousness of the offense are listed. More.

First sponsor: Rep. Thorpe (R - Dist 6)

H2149 Daily History	Date	Action
FORFEITURE; CRIMINAL CONVICTION; PROPERTY RIGHTS	1/21	referred to House jud.

## H2151: MOBILE HOMES; TAXATION; DELINQUENCY

For a mobile home for which an affidavit of affixture has not been recorded and that is not placed on the real property roll, a process is established for the county treasurer to issue a tax bill warrant giving the county sheriff authority to seize the property, which the county treasurer must sell at public auction. The owner of the mobile home is permitted to redeem the property at any time before the actual sale by paying to the county treasurer the taxes, interest and costs or by making a partial payment and entering into a payment plan with the county treasurer. The right to redeem terminates after the property is sold, unless the mobile home was wrongfully seized or sold. If the county treasurer issues a tax bill warrant for a mobile home that is in the possession of a person other than the person listed on the tax bill warrant and who presents evidence of having purchased the mobile home from the person listed on the tax bill warrant after the taxes became delinquent, the sheriff is prohibited from seizing the property to collect the previous owner's delinquent taxes on the mobile home. The county treasurer may continue to collect the delinquent taxes on the mobile home from the previous owner as provided by law.

First sponsor: Rep. Thorpe (R - Dist 6)

H2151 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

## H2184: OCCUPATIONAL AND PROFESSIONAL LICENSURE; NOTICE

A regulating entity under Title 32 (Professions and Occupations) is required to prominently print a specified notice regarding reciprocity on all license and certificate applications, regulating entity websites and other communications, including communications with any person seeking licensing or certification.

First sponsor: Rep. Petersen (R - Dist 12)

H2184 Daily History	Date	Action
OCCUPATIONAL AND PROFESSIONAL LICENSURE; NOTICE	1/21	referred to House reg affairs.

## H2215: TECH CORRECTION; INDUSTRIAL DEVELOPMENT; INSURANCE

Minor change in Title 35 (Public Finances) related to industrial development financing. Apparent striker bus.

First sponsor: Rep. Finchem (R - Dist 11)

H2215 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

## H2233: COURT RULES; SIGNATURES; COURT DOCUMENTS

The Supreme Court is authorized to adopt rules that govern signatures on court documents, including implementing electronic signatures, that require a sworn written declaration, verification, certificate, statement, oath or affidavit.

First sponsor: Rep. J. Allen (R - Dist 15)

H2233 Daily History	Date	Action
---------------------	------	--------

**H2237: ACTIONS FOR DEBT; SPOUSES**

In an action on a debt or obligation contracted by one spouse, a person is permitted, instead of required, to sue the spouses jointly. If only the spouse who contracted the debt or obligation is sued, a judgment entered on the debt or obligation must be satisfied from the community property that would have been that spouse's separate property if single and that spouse's separate property.

First sponsor: Rep. J. Allen (R - Dist 15)

H2237 Daily History	Date	Action
ACTIONS FOR DEBT; SPOUSES 1/23 referred to House jud.		

**H2281: ELECTRONIC CERTIFICATES OF TITLE**

The Director of the Department of Transportation is authorized to contract with an association of new motor vehicle dealers to manage a lien recording system on behalf of the Dept at no cost to the state.

First sponsor: Rep. Campbell (R - Dist 1)

H2281 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

**H2312: FINANCIAL INSTITUTIONS; INSURANCE; LICENSES**

Various changes to statutes relating to the Department of Insurance and Financial Institutions. Deletes various requirements for licensees to return the license to the Dept after termination or revocation of the license, and requirements for licensees to prominently display or conspicuously post the license in the office or place of business. The Dept is no longer required to approve changes in address on licenses. The Dept is authorized to make the information contained on a license, permit, registration, certification or other similar authorization available electronically.

First sponsor: Rep. Grantham (R - Dist 12)

H2312 Daily History	Date	Action
FINANCIAL INSTITUTIONS; INSURANCE; LICENSES 1/21 referred to House reg affairs.		

**H2352: CENTRALLY ASSESSED PROPERTY; VALUATION; PIPELINES**

The "base value" (defined), which is part of the calculation for determining property taxes on pipeline property, is required to be adjusted to more accurately reflect the market value in all future tax years, if one of a list of specified circumstances applies, including a final ruling by a court of competent jurisdiction that the full cash value of a pipeline is more than the market value using standard appraisal methods, and specified agreements between a pipeline company and the Department of Revenue to adjust the base value based on a material change or to correct a material error or omission. Contains legislative findings. Retroactive to tax years beginning with 2016.

First sponsor: Rep. Toma (R - Dist 22)  
 Others: Rep. Bolick (R - Dist 20), Rep. Cobb (R - Dist 5), Rep. Dunn (R - Dist 13), Rep. Finchem (R - Dist 11), Rep. Kern (R - Dist 20), Sen. Mesnard (R - Dist 17), Rep. Udall (R - Dist 25)

H2352 Daily History	Date	Action
CENTRALLY ASSESSED PROPERTY; VALUATION; PIPELINES 1/21 referred to House ways-means.		

**H2398: INSURANCE PRODUCER LICENSING; EXCEPTIONS**

The list of persons exempt from licensure as an insurance producer is expanded to include a person whose activities in Arizona are limited to providing a website or other electronic platform for insurers or insurance producers to sell insurance, and a person that processes payments or charges for insurance premiums if the person does not sell, solicit or negotiate insurance.

First sponsor: Rep. Weninger (R - Dist 17)

H2398 Daily History	Date	Action
INSURANCE PRODUCER LICENSING; EXCEPTIONS 1/22 referred to House reg affairs.		

**H2445: RIGHT TO REDEEM; LIEN; SALE**

A real property tax lien cannot be redeemed after the entry of a judgment of foreclosing the right to redeem. When the court enters judgment foreclosing the right to redeem, the court must direct the county treasurer to sell the property and deliver the deed to the purchaser after the purchaser pays, instead of to deliver the deed to the party in whose favor the judgment was entered. The foreclosure of the right to redeem does not extinguish the property owner's or another lienholder's interest in the surplus proceeds from the sale of the property. The treasurer is required to sell the property at public auction. An auction must be held within 6 months after the entry of a judgment foreclosing the right to redeem. Requirements for notice of the auction and conducting the auction are established, including requiring the county treasurer to set the

minimum bid at the property's limited cash value. After deducting and distributing interest, penalties, fees and costs charged against the parcel, the county treasurer is required to post a public list of the remaining monies that any party that had a legal interest in the property before the judgment foreclosing the right to redeem or the issuance of the tax deed to this state may claim. The county treasurer is required to continuously post a list of properties sold in the past five years in the treasurer's office and on the treasurer's official website. After receiving full payment for the property, the county treasurer is required to notify by mail the former property owner and any person with a recorded interest in the property, and information that must be included in the notice is listed. Any portion of the surplus monies that remains unclaimed after five years must be treated as unclaimed property. More. Emergency clause.

First sponsor: Rep. Kern (R - Dist 20)

H2445 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

#### **H2477: PURCHASER DWELLING ACTIONS**

If a purchaser fails to comply with statutory requirements before bringing a dwelling action, the action must be stayed pending compliance, instead of dismissed. Modifies the factors the court may consider in determining whether attorney fees incurred are reasonable for the purpose of awarding attorney fees in a dwelling action.

First sponsor: Rep. Payne (R - Dist 21)

H2477 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

#### **H2481: PROPERTY TAX OMNIBUS**

Various changes to statutes relating to property taxes. If a county treasurer determines that any of the circumstances for abating personal property taxes exist, the county treasurer is required to grant appropriate relief, and the relief is no longer subject to the approval of the county board of supervisors. A certificate of removal and abatement of tax is final and effective on the date the board of supervisors receives notice from the county treasurer. Taxes due on mobile homes must be collected pursuant to mobile home property tax statutes instead of by seizure and sale in the same manner as taxes due on personal property. For a mobile home for which an affidavit of affixture has not been recorded and that is not placed on the real property roll, a process is established for the county treasurer to issue a tax bill warrant giving the county sheriff authority to seize the property, which the county treasurer must sell at public auction. The owner of the mobile home is permitted to redeem the property at any time before the actual sale by paying to the county treasurer the taxes, interest and costs or by making a partial payment and entering into a payment plan with the county treasurer. The right to redeem terminates after the property is sold, unless the mobile home was wrongfully seized or sold. If the county treasurer issues a tax bill warrant for a mobile home that is in the possession of a person other than the person listed on the tax bill warrant and who presents evidence of having purchased the mobile home from the person listed on the tax bill warrant after the taxes became delinquent, the sheriff is prohibited from seizing the property to collect the previous owner's delinquent taxes on the mobile home. The county treasurer may continue to collect the delinquent taxes on the mobile home from the previous owner as provided by law.

First sponsor: Rep. Thorpe (R - Dist 6)

H2481 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

#### **H2483: HOAS; MEETING TECHNOLOGY; VOTING RIGHTS**

Various changes to statutes regulating meetings of the board of directors of a condo association or homeowners' association (HOA). A quorum of the HOA board of directors is permitted to meet by means of electronic or digital means if an electronic or digital device is available in the meeting room that allows board members and HOA members to hear all parties who are speaking during the meeting. Absentee ballots for HOA elections may be delivered and returned by electronic or digital means. If an online voting system is used, it must include specified capabilities, including authentication of the unit owner's identity and storage of electronic votes for recount, inspection and review. An HOA may suspend a member's voting rights or eligibility for membership on the board of directors only if the member has failed to pay one or more assessments.

First sponsor: Rep. Biasiucci (R - Dist 5)  
Others: Rep. Cobb (R - Dist 5)

H2483 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

#### **H2495: STATE JUDGMENTS; LIENS; HOMESTEAD; ENFORCEMENT**

A civil judgment in favor of the state becomes a lien on the real property of the judgment debtor, including the judgment debtor's homestead property, that is located in the county in which the judgment is recorded, whether the property is then owned by the judgment debtor or is later acquired, from the time of recording until satisfied or lifted. Applies retroactively to all judgments in favor of the state without regard to when the judgment was recorded. Civil judgments obtained by the state that are entered on or after September 13, 2013, or that were entered before September 13, 2013 and that were current and collectible under the laws applicable on that date are exempt from statute allowing a writ of execution or other process to be issued to enforce a judgment. Previously, all civil judgments obtained by the state were exempt.

First sponsor: Rep. Toma (R - Dist 22)

H2495 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

#### **H2496: AGRICULTURAL PROPERTY CLASSIFICATION; GUEST RANCHES**

The list of property classified as agricultural real property for property tax purposes is expanded to include land and improvements devoted to use as a "guest ranch" (defined). As a condition for agricultural valuation, the owner of a guest ranch is required to record a deed restriction with the county recorder that restricts the property to use as a guest ranch for at least ten years. The valuation of a guest ranch as agricultural property constitutes a covenant between the county assessor and the owner of the guest ranch that the use of the property will remain unchanged for the duration of the deed restriction. If the property is converted to a different use in violation of the covenant, the county assessor is required to add to the tax levied against the property on the next tax roll a penalty equal to the difference between the total amount of property taxes that would have been levied on the property for the preceding ten years or the period of time the property was valued as agricultural property, whichever period is shorter, if the property had not been valued as agricultural property and the property taxes that were actually paid for the same period. The penalty must be paid before completion of the next property tax roll and is enforceable and subject to the same penalties and interest as if the penalty were a tax levied against the property. Retroactive to tax years beginning with 2020.

First sponsor: Rep. Dunn (R - Dist 13)

Others: Rep. Biasiucci (R - Dist 5), Rep. Bolick (R - Dist 20), Rep. Griffin (R - Dist 14), Sen. Kerr (R - Dist 13), Rep. Pierce (R - Dist 1)

H2496 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

#### **H2499: EMINENT DOMAIN; EXISTING CONTRACTS**

If a municipality exercises the right of eminent domain, the municipality is required to assume all existing assets and contractual liabilities associated with the transfer.

First sponsor: Rep. Weninger (R - Dist 17)

H2499 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

#### **H2547: WAGE DISCLOSURE; EMPLOYEE RIGHTS**

Employers are prohibited from taking adverse employment action against an employee because the employee discloses his/her wage information, and from requiring an employee to sign a waiver or other document that prohibits such disclosure. Establishes penalties for violations.

First sponsor: Rep. Longdon (D - Dist 24)

Others: Sen. Alston (D - Dist 24), Rep. Bolding (D - Dist 27), Rep. Cano (D - Dist 3), Rep. Fernandez (D - Dist 4), Rep. Friese (D - Dist 9), Rep. D. Hernandez (D - Dist 2), Rep. Jermaine (D - Dist 18), Rep. Salman (D - Dist 26), Sen. Steele (D - Dist 9), Rep. Teller (D - Dist 7), Rep. Terán (D - Dist 30)

H2547 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

#### **H2583: HOUSING TRUST FUND; UNCLAIMED PROPERTY**

The amount of proceeds from the sale of abandoned property that are deposited in the Housing Trust Fund each fiscal year is changed to 55 percent of the proceeds, instead of \$2.5 million.

First sponsor: Rep. Powers Hannley (D - Dist 9)

Others: Rep. Andrade (D - Dist 29), Rep. Blanc (D - Dist 26), Rep. Cano (D - Dist 3), Rep. DeGrazia (D - Dist 10), Rep. Epstein (D - Dist 18), Rep. Fernandez (D - Dist 4), Rep. Friese (D - Dist 9), Rep. Gabaldon (D - Dist 2), Rep. Lieberman (D - Dist 28), Rep. Pawlik (D - Dist 17), Rep. Peten (D - Dist 4), Rep. Rodriguez (D - Dist 27), Rep. Salman (D - Dist 26), Rep. Shah (D - Dist 24), Rep. Tsosie (D - Dist 7)

H2583 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

#### **H2589: LAND DIVISIONS; COUNTY REGULATION; SURVEYS**

Counties are prohibited from requiring an applicant for a land division to conduct a survey as a condition of approving the land division or conveyance or the land or issuance of a building permit.

First sponsor: Rep. Griffin (R - Dist 14)  
Others: Rep. Dunn (R - Dist 13), Sen. Gowan (R - Dist 14), Rep. Nutt (R - Dist 14)

H2589 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

### **H2633: LONG-TERM RV ACT; MANAGER EDUCATION**

Within six months after employment as a "park manager" in a "park model park" (both defined) subject to the recreational vehicle long-term rental space act, a park manager is required to complete at least six hours of educational programs. A park manager is also required to complete at least six additional hours of educational programs every two years. A tenant is authorized to file a complaint with the Arizona Department of Housing if, on request from the tenant, the tenant's park manager cannot produce proof of completion of these requirements. Establishes civil penalties for noncompliance.

First sponsor: Rep. Blackman (R - Dist 6)

H2633 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

### **H2635: MOBILE HOME PARKS; CAREGIVERS**

The requirements for a mobile home park resident to have a caregiver occupy the mobile home on a temporary basis to provide live-in health care to the resident are modified to require the caregiver to qualify as a live-in aide as prescribed by specified federal code as in effect on January 1, 2019. Previously, the resident was required to provide a written treatment plan from the resident's physician every six months for a caregiver to be authorized to do so.

First sponsor: Rep. Blackman (R - Dist 6)  
Others: Rep. Bolick (R - Dist 20)

H2635 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

### **H2644: LIABILITY INSURANCE RESTATEMENT; PROHIBITION**

A statement of the law in the American Law Institute's Restatement of the Law, Liability Insurance is not the law or public policy of this state if the statement of the law is inconsistent or in conflict with or otherwise not addressed by the U.S. Constitution, the state constitution, state statute, Arizona case law precedent, or other common law adopted by this state. The American Law Institute's Restatement of the Law, Liability Insurance is not a source of Arizona law and is not recognized as an authoritative reference of this state's liability insurance law.

First sponsor: Rep. Weninger (R - Dist 17)  
Others: Rep. J. Allen (R - Dist 15), Sen. Livingston (R - Dist 22), Sen. Mesnard (R - Dist 17)

H2644 Daily History	Date	Action
LIABILITY INSURANCE RESTATEMENT; PROHIBITION 1/23 referred to House com.		

### **H2645: INSURERS; INSOLVENCY; ADMINISTRATION**

A "federal home loan bank" (defined) cannot be stayed, enjoined or prohibited from exercising or enforcing any right or cause of action against collateral pledged by an "insurer member" (defined) under any federal home loan bank security agreement or any pledge, security, collateral or guarantee agreement or other similar arrangement or credit enhancement relating to a security agreement to which that federal home loan bank is a party. A receiver, rehabilitator, liquidator or conservator cannot void any transfer of, or any obligation to transfer, money or other property arising under or in connection with any federal home loan bank security agreement with an insurer member, or any pledge, security, collateral or guarantee agreement or any other similar arrangement or credit enhancement relating to a federal home loan bank security agreement with an insurer member unless the transfer was made with actual intent to hinder, delay or defraud either existing or future creditors.

First sponsor: Rep. Weninger (R - Dist 17)  
Others: Sen. Alston (D - Dist 24), Sen. Bowie (D - Dist 18), Rep. Meza (D - Dist 30)

H2645 Daily History	Date	Action
INSURERS; INSOLVENCY; ADMINISTRATION 1/23 referred to House com.		

### **H2681: DOR; ADMINISTRATIVE RULINGS; PROCEDURES**

The Department of Revenue (DOR) is authorized to issue draft rulings, procedures and other administrative announcements that apply to and substantively interpret tax laws and regulations either generally or for a specific set of facts. DOR is required to establish and maintain a publicly accessible record of all draft and final rulings, procedures and administrative announcements on the DOR website and is required to prominently announce

additions, modifications and other changes to this record on the website's home page. Establishes requirements for draft rulings, procedures and other administrative announcements to become final, including a required period for public comment. Does not apply to private taxpayer rulings, tax forms and instructions, routine notices that remind taxpayers of normal filing obligations and other routine DOR communications that do not substantively apply to and interpret tax laws and regulations.

First sponsor: Rep. Toma (R - Dist 22)

H2681 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

### **HCR2009: VETERANS; DISABILITY; PROPERTY VALUATION PROTECTION**

The 2020 general election ballot is to carry the question of whether to amend the state Constitution to allow an Arizona resident who is a "veteran" (defined) with a service-connected disability of 50 percent or greater or who qualifies for individual employability by the U.S. Department of Veterans Affairs to apply to the county assessor for a veteran property valuation protection option on the person's primary residence, beginning with tax year 2021. Other qualification requirements, including maximum income amounts, and application procedures for the protection are specified.

First sponsor: Rep. Biasiucci (R - Dist 5)

HCR2009 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

### **S1001: HOMEOWNERS' ASSOCIATIONS; PAYMENT COUPON BOOKS**

Homeowners' associations and condominium associations with at least 50 lots that do not contract with a third party to perform management services are allowed, instead of required, to provide a statement of account in lieu of a periodic payment book to association members. Emergency clause.

First sponsor: Sen. D. Farnsworth (R - Dist 16)

S1001 Daily History	Date	Action
HOMEOWNERS' ASSOCIATIONS; PAYMENT COUPON BOOKS 1/13 referred to Senate gov.		

### **S1021: DEPARTMENT OF REVENUE; ELECTRONIC SIGNATURES**

An "electronic signature" (defined elsewhere in statute) is permitted to be used to sign a writing on a document that is submitted to the Department of Revenue, and has the same force and effect as a written signature.

First sponsor: Sen. Ugenti-Rita (R - Dist 23)

S1021 Daily History	Date	Action
DEPARTMENT OF REVENUE; ELECTRONIC SIGNATURES 1/21 from Senate rules okay.		
DEPARTMENT OF REVENUE; ELECTRONIC SIGNATURES 1/16 from Senate fin do pass.		
DEPARTMENT OF REVENUE; ELECTRONIC SIGNATURES 1/15 Senate fin do pass; report awaited.		
DEPARTMENT OF REVENUE; ELECTRONIC SIGNATURES 1/13 referred to Senate fin.		

### **S1046: FEDERAL GOVERNMENT; LAND ACQUISITION; CONSENT**

The consent of the state of Arizona to the acquisition, sale, gift or grant or any other transfer of an ownership interest in any privately owned real property within Arizona that is not in possession of any federal agency as of the effective date of this legislation, and that would remove the real property from state, county and municipal property tax rolls is prohibited from being given without the express, affirmative consent of the Legislature and the Governor through the signing of a joint resolution. Contains legislative findings.

First sponsor: Sen. Borrelli (R - Dist 5)

S1046 Daily History	Date	Action
FEDERAL GOVERNMENT; LAND ACQUISITION; CONSENT 1/13 referred to Senate nat res-energy.		

### **S1070: TECH CORRECTION; EMINENT DOMAIN**

Minor change in Title 12 (Courts & Civil Proceedings) related to eminent domain for public works. Apparent striker bus.

First sponsor: Sen. Fann (R - Dist 1)

S1070 Daily History	Date	Action
TECH CORRECTION; EMINENT DOMAIN 1/13 referred to Senate rules.		

### **S1096: PROPERTY MANAGEMENT RECORDS; RESIDENTIAL RECORDS**

For the purpose of statute requiring property management firms to keep residential rental agreements and related documents for one year from the expiration of the rental agreement or until the rental agreement and related documents are given to the owner at the termination of any property management agreement, "related documents" is defined to include copies of identification documents that are obtained from tenants, rental applications,

property inventories, leases, pet permits, default notices and lease amendments or addenda.

First sponsor: Sen. Pace (R - Dist 25)

S1096 Daily History	Date Action
PROPERTY MANAGEMENT RECORDS; RESIDENTIAL RECORDS	1/23 from Senate com with amend #4014.
PROPERTY MANAGEMENT RECORDS; RESIDENTIAL RECORDS	1/23 Senate com amended; report awaited.
PROPERTY MANAGEMENT RECORDS; RESIDENTIAL RECORDS	1/13 referred to Senate com.

#### **S1099: TAX DEED LAND SALES; PROCEEDS**

When land held by the state under tax deed is sold, any balance of monies remaining with the county treasurer after payment of taxes, interest, penalties, fees and costs must be paid to the owner of the property who was dispossessed by the sale.

First sponsor: Sen. Mesnard (R - Dist 17)

S1099 Daily History	Date Action
TAX DEED LAND SALES; PROCEEDS	1/21 from Senate rules okay.
TAX DEED LAND SALES; PROCEEDS	1/16 from Senate fin do pass.
TAX DEED LAND SALES; PROCEEDS	1/15 Senate fin do pass; report awaited.
TAX DEED LAND SALES; PROCEEDS	1/13 referred to Senate fin.

#### **S1113: MORTGAGED PROPERTY; TAX STATEMENTS; INFORMATION**

The statement of taxes due that the county treasurer is required to mail to the mortgagor must separately list the amount of primary taxes and secondary taxes applicable to the property that is due to each taxing jurisdiction for the current and previous tax years. The county treasurer is required to mail the statement before November 1.

First sponsor: Sen. Leach (R - Dist 11)

S1113 Daily History	Date Action
MORTGAGED PROPERTY; TAX STATEMENTS; INFORMATION	1/23 from Senate fin do pass.
MORTGAGED PROPERTY; TAX STATEMENTS; INFORMATION	1/22 Senate fin do pass; report awaited.
MORTGAGED PROPERTY; TAX STATEMENTS; INFORMATION	1/13 referred to Senate fin.

#### **S1114: LIMITED LIABILITY COMPANIES**

Updates various references to statutes to reflect the repeal of the previous Limited Liability Company Act, which occurs on September 1, 2020, and the enactment of a new Limited Liability Company Act, which became effective on September 1, 2019. Effective September 1, 2020.

First sponsor: Sen. Pace (R - Dist 25)

S1114 Daily History	Date Action
LIMITED LIABILITY COMPANIES	1/23 from Senate com do pass.
LIMITED LIABILITY COMPANIES	1/23 Senate com do pass; report awaited.
LIMITED LIABILITY COMPANIES	1/13 referred to Senate com.

#### **S1118: TECH CORRECTION; ESTATES**

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

First sponsor: Sen. Borrelli (R - Dist 5)

S1118 Daily History	Date Action
TECH CORRECTION; ESTATES	1/13 referred to Senate rules.

#### **S1211: ADMINISTRATIVE RULES; EXPIRATION; LEGISLATIVE EXTENSION**

All "rules" (defined as a rule published in the Administrative Code) that were adopted before the effective date of this legislation expire on July 1, 2022. If an agency wishes to extend a rule that was adopted before the effective date of this legislation before the expiration of that rule, the agency is required to comply with the rulemaking procedures of the Administrative Procedures Act. Beginning July 1, 2023, the Administrative Code expires on July 1 of each year unless the Code is approved by the Legislature for a period of up to one year.

First sponsor: Sen. Leach (R - Dist 11)

S1211 Daily History	Date Action
ADMINISTRATIVE RULES; EXPIRATION; LEGISLATIVE EXTENSION	1/22 referred to Senate gov.

#### **S1212: BOARD LICENSURE; CERTIFICATION; RESIDENTS**

Modifies the requirements for a person who is married to an active duty member of the U.S. armed forces who is accompanying the member to an official permanent change of station to a military installation in Arizona to be granted a reciprocal license to state that the person's licensure or certification by another state is proof that the person met the applicable requirements in that state, and to require the person to be a "resident" (defined) of Arizona instead of to "establish residence in Arizona." The requirement to be a resident

applies without a minimum time required that the person must be present in Arizona, and applies even if the person is a resident before August 27, 2019. Retroactive to August 27, 2019.

First sponsor: Sen. Fann (R - Dist 1)

S1212 Daily History	Date	Action
BOARD LICENSURE; CERTIFICATION; RESIDENTS 1/23 referred to Senate hel-hu ser.		

**S1238: RECORDER'S FEES; MILITARY DISCHARGE DOCUMENTS**

The list of discharge papers that county recorders are required to record without fee is expanded to include discharge papers of officers and enlisted personnel of the National Guard.

First sponsor: Sen. Gowan (R - Dist 14)  
Others: Sen. Borrelli (R - Dist 5)

S1238 Daily History	Date	Action
RECORDER'S FEES; MILITARY DISCHARGE DOCUMENTS 1/23 referred to Senate gov.		