

Law Offices of

John K. Mangum, P.C.

318 West Roosevelt Street
Phoenix, Arizona 85003
Telephone (602) 252-5222
Facsimile (602) 252-2508

ARIZONA BUSINESS BILLS

Legislative Update

February 10, 2013

NOTE: The following bill summaries were not prepared by our office and do not constitute an official record of the Arizona Legislature. They are provided for the purpose of advising you as to the general content of the legislation and should not be relied upon as an accurate interpretation of the meaning or purpose of the bill or its applicability to you or your interests. To insure you obtain a correct interpretation of the legislation, it is important to read the bill in its entirety.

Posted Calendars and Committee Hearings

- H2185:ALARM BUSINESSES; ALARM AGENTS
*Hearing:*House Commerce (Wednesday 02/13/13 at 10:00 AM, House Rm. 5)
- H2275:INSURANCE PREMIUM TAX; REDUCTION
*Hearing:*House Insurance & Retirement (Tuesday 02/12/13 at 2:00 PM, House Rm. 3)
- H2277:UNIFORM COMMERCIAL CODE; FUNDS TRANSFERS
*Hearing:*House Rules (Monday 02/11/13 at 1:00 PM, House Rm. 4)
- H2324:MUNICIPAL TAX CODE; LEASES
*Calendar:*2/11 House Third Reading
- H2387:RECOVERY OF ATTORNEY FEES
*Hearing:*House Rules (Monday 02/11/13 at 1:00 PM, House Rm. 4)
- H2393:STATE AGENCIES; LICENSURE; TIME FRAMES
*Calendar:*2/11 House Third Reading
- H2406:MEDICAL BOARD; LICENSURE REQUIREMENTS
*Hearing:*House Rules (Monday 02/11/13 at 1:00 PM, House Rm. 4)
- H2439:INCOME TAX BRACKETS; INFLATION INDEX
*Hearing:*House Rules (Monday 02/11/13 at 1:00 PM, House Rm. 4)
- H2440:PRIVATE INVESTIGATORS; SECURITY GUARDS; REGULATION
*Hearing:*House Rules (Monday 02/11/13 at 1:00 PM, House Rm. 4)
- H2456:REVENUE ALLOCATION DISTRICTS
*Hearing:*House Ways & Means (Monday 02/11/13 at 2:00 PM, House Rm. 1)
- H2469:PERSONAL INFORMATION; ENCRYPTED DATA
*Hearing:*House Technology & Infrastructure (Thursday 02/14/13 at 9:00 AM, House Rm. 5)
- H2485:HEALTH & SAFETY AUDIT PRIVILEGE
*Hearing:*House Rules (Monday 02/11/13 at 1:00 PM, House Rm. 4)
- H2531:INCOME TAX; INSTANT DEPRECIATION
*Hearing:*House Ways & Means (Monday 02/11/13 at 2:00 PM, House Rm. 1)
- H2550:HEALTH INSURANCE; POLICIES; RATING AREAS
*Hearing:*House Insurance & Retirement (Tuesday 02/12/13 at 2:00 PM, House Rm. 3)
- S1028:MUNICIPAL TPT EXEMPTION; LEASES; LLC
*Hearing:*Senate Rules (Monday 02/11/13 at 1:00 PM, Senate Caucus Rm.)
- S1168:INTERNAL REVENUE CODE CONFORMITY
*Hearing:*Senate Rules (Monday 02/11/13 at 1:00 PM, Senate Caucus Rm.)
- S1182:PAYCHECK DEDUCTIONS; PUBLIC EMPLOYERS.
*Hearing:*Senate Rules (Monday 02/11/13 at 1:00 PM, Senate Caucus Rm.)
- S1230:UCC; SECURED TRANSACTIONS; FILINGS

- Hearing:*Senate Rules (Monday 02/11/13 at 1:00 PM, Senate Caucus Rm.)
 S1233: LIMITED LIABILITY COMPANIES; OWNERSHIP INTERESTS
*Hearing:*Senate Judiciary (Monday 02/11/13, Senate Rm. 109)
 S1238: UNEMPLOYMENT INSURANCE; ERRONEOUS BENEFIT PAYMENTS
*Hearing:*Senate Rules (Monday 02/11/13 at 1:00 PM, Senate Caucus Rm.)
 S1310: SPECIAL FUND; WORKERS' COMP
*Hearing:*Senate Finance (Wednesday 02/13/13 at 2:00 PM, Senate Rm. 3)
 S1313: TAX CORRECTIONS
*Hearing:*Senate Rules (Monday 02/11/13 at 1:00 PM, Senate Caucus Rm.)
 S1368: MINIMUM WAGE; EMPLOYEE; DEFINITION
*Hearing:*Senate Commerce, Energy & Military (Wednesday 02/13/13 at 9:00 AM, Senate Rm. 1)
 S1369: UNEMPLOYMENT INSURANCE; REIMBURSABLE EMPLOYERS
*Hearing:*Senate Commerce, Energy & Military (Wednesday 02/13/13 at 9:00 AM, Senate Rm. 1)
 S1408: FINGERPRINT CLEARANCE CARDHOLDERS; BACKGROUND CHECKS
*Hearing:*Senate Public Safety (Wednesday 02/13/13 at 2:00 PM, Senate Rm. 109)
 S1411: SOCIAL MEDIA PASSWORDS; PROHIBITION
*Hearing:*Senate Public Safety (Wednesday 02/13/13 at 2:00 PM, Senate Rm. 109)
*Hearing:*Senate Commerce, Energy & Military (Wednesday 02/13/13 at 9:00 AM, Senate Rm. 1)

Bill Summaries

H2048: TECH CORRECTION; TAXES; WITHHOLDING DUTY

Minor change in Title 43 (Taxation of Income) related to tax withholding.
Apparent striker bus.
First sponsor: Rep. Lesko

H2048 Daily History	Date	Action
No actions posted for this bill to date.		

H2049: TECH CORRECTION; UNEMPLOYMENT COMPENSATION WITHHOLDING

Minor change in Title 43 (Taxation of Income) related to unemployment compensation withholding. Apparent striker bus.
First sponsor: Rep. Lesko

H2049 Daily History	Date	Action
No actions posted for this bill to date.		

H2147: UNEMPLOYMENT BENEFITS; PROOF; ELIGIBILITY

An individual claiming unemployment benefits is required to provide all information and documents on which the claim is based at the time of filing. The individual filing a claim has the burden of proving that he/she is eligible for benefits.
First sponsor: Rep. Petersen

H2147 Daily History	Date	Action
UNEMPLOYMENT BENEFITS; PROOF; ELIGIBILITY 2/7		retained on House COW calendar.
UNEMPLOYMENT BENEFITS; PROOF; ELIGIBILITY 2/5		From House rules okay.
UNEMPLOYMENT BENEFITS; PROOF; ELIGIBILITY 1/30		from House com with amend #4016.
UNEMPLOYMENT BENEFITS; PROOF; ELIGIBILITY 1/22		referred to House com.

H2166: LIMITED LIABILITY COMPANIES; SERIES

The articles of organization or operating agreement of a limited liability company may create one or more "series of members" (defined). A series may have different voting rights, separate powers or duties, and may have a separate

business purpose. The debts and expenses of one series are enforceable against the assets of that series only if specified conditions are met, and the debts and expenses of the LLC generally are not enforceable against the assets of the series.

First sponsor: Rep. Dial

H2166 Daily History	Date Action
LIMITED LIABILITY COMPANIES; SERIES 1/22 referred to House com.	

H2173: UNEMPLOYMENT INSURANCE; OMNIBUS

Various changes relating to unemployment insurance. For unemployment insurance taxes, a domestic or foreign limited liability company shall be taxed as if it is either a partnership or a corporation or is disregarded as an entity as determined pursuant to the Internal Revenue Code. A base-period employer's account cannot be relieved of charges related to benefits paid to an individual if the payment was made because of failure to respond timely to a request and the employer has a pattern of failing to respond timely or adequately to these requests. If a person received benefits to which he/she is not entitled by reason of fraud, the Department of Economic Security must assess a penalty on the person equal to 15 percent of the amount of the erroneous payment.

First sponsor: Rep. Fann

H2173 Daily History	Date Action
UNEMPLOYMENT INSURANCE; OMNIBUS 1/22 referred to House ins-ret.	

H2185: ALARM BUSINESSES; ALARM AGENTS

Various changes relating to the regulation of alarm businesses and alarm agents, including exempting a person whose work with an alarm business does not include visiting the location where the alarm system will be installed from certification as an alarm agent, prohibiting various government entities from requiring alarm businesses to provide any password or keypad code without first obtaining a court order, and requiring any person who owns part of an alarm business to submit fingerprints to the Board of Technical Registration for a background check.

First sponsor: Rep. Fann

H2185 Daily History	Date Action
ALARM BUSINESSES; ALARM AGENTS 1/22 referred to House com.	

H2239: COLLATERAL SOURCE EVIDENCE; ADMISSIBILITY

In an action to recover damages for personal injury, wrongful death, or damage to or destruction of property, the defendant may introduce evidence to establish that costs or losses of the plaintiff are subject to reimbursement of indemnification from a collateral source. If the defendant does so, the plaintiff may introduce specified evidence. Does not impair or affect a healthcare provider or collateral source benefits provider's ability to pursue any lien or right of reimbursement under state or federal law or contract. Effective January 1, 2014.

First sponsor: Rep. Stevens

H2239 Daily History	Date Action
COLLATERAL SOURCE EVIDENCE; ADMISSIBILITY 2/7 from House jud do pass.	
COLLATERAL SOURCE EVIDENCE; ADMISSIBILITY 1/23 referred to House jud.	

H2255: COMMERCE AUTHORITY; OVERSIGHT

The Arizona Commerce Authority Board of Directors is required to award any grant, loan, reimbursement, tax incentive or other economic development

incentive by a formal vote at a public meeting and to post the awards within five business days after the vote. Some exceptions. By November 1 of each year, the Authority must submit a report of awards to the Legislature, including specified information. Additionally, the Auditor General must submit a report of the annual audit of the Authority to the Governor and the Legislature. Beginning in 2014 and at least every three years after, the Auditor General is required to conduct a performance audit of the Authority.

First sponsor: Rep. Campbell

H2255 Daily History	Date Action
COMMERCE AUTHORITY; OVERSIGHT 1/22 referred to House com.	

H2261: SCRAP METAL; THEFT

Establishes the crime of metal theft for knowingly controlling or obtaining ferrous metal or nonferrous metal that is the property of another. Proof of possession of scrap metal that was recently stolen or proof of the sale of stolen scrap metal at a price substantially below fair market value may give rise to an inference the person was aware of the risk it had been stolen. Metal theft is a class 2 (second highest) felony. A person convicted of certain types of metal theft involving metal with a value of \$100,000 or more are not eligible for suspension of sentence, probation, pardon or release. A means of transportation used in the commission of metal theft is subject to mandatory vehicle immobilization or impoundment.

First sponsor: Rep. Forese

H2261 Daily History	Date Action
SCRAP METAL; THEFT 1/23 referred to House jud.	

H2275: INSURANCE PREMIUM TAX; REDUCTION

The insurance premium tax rate is decreased from 2 percent to 1.9 percent in 2014, 1.8 percent in 2015, and 1.7 percent in 2016 and after.

First sponsor: Rep. Forese

H2275 Daily History	Date Action
INSURANCE PREMIUM TAX; REDUCTION 1/22 referred to House ins-ret, appro.	

H2276: BENEFIT CORPORATIONS

Adds a new chapter to Title 10 (Corporations) regulating "benefit corporations," defined as having a purpose of creating general public benefit. An existing business corporation may become a benefit corporation or terminate its status as a benefit corporation by amending its articles of incorporation. The regulations provide standards of conduct for boards of directors and other officers, allow the designation of a benefit director with specified powers and duties, and require benefit corporations to prepare an annual benefit report including specified information. Effective January 1, 2015.

First sponsor: Rep. Forese

H2276 Daily History	Date Action
BENEFIT CORPORATIONS 1/30 from House com do pass.	
BENEFIT CORPORATIONS 1/22 referred to House com.	

H2277: UNIFORM COMMERCIAL CODE; FUNDS TRANSFERS

The uniform commercial code applies to a funds transfer that is a remittance transfer as defined in federal law, unless the remittance transfer is an electronic fund transfer.

First sponsor: Rep. Forese

H2277 Daily History	Date	Action
UNIFORM COMMERCIAL CODE; FUNDS TRANSFERS 2/5		from House fin-inst do pass.
UNIFORM COMMERCIAL CODE; FUNDS TRANSFERS 2/4		House fin-inst do pass; report awaited.
UNIFORM COMMERCIAL CODE; FUNDS TRANSFERS 1/22		referred to House fin-inst.

H2280: EMPLOYEE BENEFITS; STATE PREEMPTION

The regulation of employee benefits is of statewide concern and not subject to further regulation by counties, municipalities or other political subdivisions.

First sponsor: Rep. Forese

H2280 Daily History	Date	Action
EMPLOYEE BENEFITS; STATE PREEMPTION 2/6		from House com with amend #4067.
EMPLOYEE BENEFITS; STATE PREEMPTION 1/30		House com held.
EMPLOYEE BENEFITS; STATE PREEMPTION 1/22		referred to House com.

H2295: INSURANCE TAX CREDIT; HIGH-TECH INVESTMENTS

Establishes an insurance premium tax credit for 20 percent of the amount invested by the insurer in a high technology business. If the amount of the credit exceeds tax liability, the amount not used to offset the tax is refunded. The credits must be approved by the Arizona Commerce Authority, and the maximum amount of credits the Authority may approve are specified.

First sponsor: Rep. Tobin

H2295 Daily History	Date	Action
No actions posted for this bill to date.		

H2302: WORKERS' COMPENSATION PREMIUMS; PAYMENT

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

First sponsor: Rep. Fann

H2302 Daily History	Date	Action
WORKERS' COMPENSATION PREMIUMS; PAYMENT 1/22		referred to House ins-ret.

H2312: SOLICITATION; TEXT MESSAGE; PROHIBITION

It is a class-2 misdemeanor to use an automated system to send a text message for the purpose of soliciting persons to purchase goods or services.

First sponsor: Rep. Farnsworth

H2312 Daily History	Date	Action
SOLICITATION; TEXT MESSAGE; PROHIBITION 2/7		from House tech-inf do pass.
SOLICITATION; TEXT MESSAGE; PROHIBITION 1/22		referred to House tech-inf, jud.

H2315: LOCAL GOVERNMENTS; REGULATION; REQUIREMENTS

Municipalities and counties are prohibited from regulating an occupation or profession without specific legislative authorization. The municipality or county must conduct a study that results in specified findings, including that the regulation is a true public necessity. The study must be reviewed by the Auditor General. The municipality or county must report on intended regulations to the Joint Legislative Audit Committee, and JLAC must assign the report to the appropriate legislative committee of reference to consider legislation authorizing the municipality or county to regulate the specific occupation or profession.

First sponsor: Rep. Farnsworth

H2315 Daily History	Date Action
LOCAL GOVERNMENTS; REGULATION; REQUIREMENTS 1/22 referred to House gov.	

H2319: JUST COMPENSATION; PAYMENT; TAX CREDIT

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

First sponsor: Rep. Farnsworth

H2319 Daily History	Date Action
JUST COMPENSATION; PAYMENT; TAX CREDIT 1/22 referred to House ways-means.	

H2320: RULES; STATUTORY REVIEW; STATE AGENCIES

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

First sponsor: Rep. Farnsworth

H2320 Daily History	Date Action
RULES; STATUTORY REVIEW; STATE AGENCIES 1/22 referred to House gov.	

H2321: REGULATION; CRITERIA; REAUTHORIZATION

Any new regulatory requirement established by the Legislature is required to include in its enabling legislation a specific expiration date that is not more than five years after the effective date. Municipalities, counties and state agencies may regulate an occupation, profession, use of property or condition only under specified conditions, including that the primary purpose or predominant effect of the regulation will not restrain competent adults and that the targeted activity or condition is an actual threat to public health, safety or general welfare that is verifiable and substantial.

First sponsor: Rep. Farnsworth

H2321 Daily History	Date Action
REGULATION; CRITERIA; REAUTHORIZATION 1/23 referred to House gov.	

H2322: RULE MAKING; RESTRICTIONS

State agencies are prohibited from adopting a new rule or an amendment to an existing rule that would restrain or burden the free exercise of vested rights. Any person subject to a civil or criminal proceeding arising from the enforcement of a rule in violation shall have a defense to the enforcement action.

First sponsor: Rep. Farnsworth

H2322 Daily History	Date Action
RULE MAKING; RESTRICTIONS 1/22 referred to House gov.	

H2324: MUNICIPAL TAX CODE; LEASES

The list of exemptions from municipal transaction privilege taxes is modified to include gross income derived from a commercial lease in which a business leases real property to another business that has at least 80 percent common ownership with the lessor. Previously, the exemption applied to commercial leases in which a corporation leased real property to another corporation of which 80 percent of the voting shares of each corporation were owned by the same shareholders.

First sponsor: Rep. Farnsworth

H2324 Daily History	Date Action
MUNICIPAL TAX CODE; LEASES 2/4	to House consent calendar. From House rules okay.
MUNICIPAL TAX CODE; LEASES 1/29	from House ways-means do pass.
MUNICIPAL TAX CODE; LEASES 1/28	House ways-means do pass; report awaited.
MUNICIPAL TAX CODE; LEASES 1/22	referred to House ways-means.

H2328: COMPACT; CONVENTION; BALANCED BUDGET

Enacts a compact declaring the state's intent to originate a balanced budget amendment to the U.S. Constitution. The compact becomes binding when at least one other state has adopted substantively identical legislation. Contains a model of the proposed balanced budget amendment, which prohibits total outlays of the government of the U.S. from exceeding total receipts at any point in time unless the excess is financed by debt that is first approved by the legislatures of the several states. The amendment also requires any bill that provides for a new or increased general revenue tax to be approved by a 2/3 roll call vote of the whole number of each house of Congress, with the exception of either a new end user sales tax that would completely replace every existing income tax or the reduction or elimination of an exemption, deduction or credit. Once at least 3/4 of the states adopt the compact, the legislatures of member states apply to Congress for a convention for proposing the balanced budget amendment. Provides for the appointment of convention delegates and specifies convention rules. Upon referral of the amendment to the states, each member state hereby adopts and ratifies the amendment. Contains provisions for construction, enforcement, venue and severability of the compact.

First sponsor: Rep. Kwasman

H2328 Daily History	Date Action
COMPACT; CONVENTION; BALANCED BUDGET 1/29	from House fed-fiscal do pass.
COMPACT; CONVENTION; BALANCED BUDGET 1/22	referred to House fed-fiscal.

H2331: BONDING; TAXATION; EXPENDITURES; DISTRICT LIMITATIONS

New special taxing districts cannot be formed within the jurisdiction of a political subdivision if the sum of that political subdivision's property taxes and the aggregate amount of property taxes being levied by all other special taxing districts located in any portion of that political subdivision exceeds the constitutional limit on local ad valorem tax levies. Special taxing districts are prohibited from levying a new or increased property tax if the sum of property taxes of any political subdivision in which any portion of the district is located and the aggregate amount of property taxes being levied by all other special taxing districts located in any portion of that political subdivision exceeds the constitutional limit on local ad valorem tax levies. New industrial development authorities cannot be formed within the jurisdiction of a political subdivision if the sum of that political subdivision's expenditures and the aggregate expenditures by all other industrial development authorities located in any portion of that political subdivision exceeds the constitutional local government expenditure limit. An industrial development authority is prohibited from making a new or increased expenditure if the sum of the expenditures of any political subdivision in which any portion of the authority is located and the aggregate expenditures by all other

industrial development authorities located in any portion of that political subdivision exceeds the constitutional local government expenditure limit. Additionally, public bonds cannot be issued by any entity that is not governed by an elected governing body. Session law declares the bonding limitations and aggregate taxation and expenditure limitations in this legislation are of statewide concern and preempt any local government ordinance, charter, policy or rule to the contrary. Severability clause.

First sponsor: Rep. Montenegro

H2331 Daily History	Date Action
BONDING; TAXATION; EXPENDITURES; DISTRICT LIMITATIONS 2/7	from House ref-hu ser with amend #4076.
BONDING; TAXATION; EXPENDITURES; DISTRICT LIMITATIONS 1/23	referred to House ref-hu ser, ways-means.

H2342: INCREASED RESEARCH; TAX CREDIT REFUND

The maximum amount of income tax refunds for increased research activities that the Arizona Commerce Authority may approve is increased to \$10 million in 2014 and \$15 million in 2015 and after, from \$5 million. During the first six months of a calendar year, the Authority cannot approve refunds exceeding 50 percent of the limit. During the second six months, the remaining balance of the limit may be approved.

First sponsor: Rep. Tobin

H2342 Daily History	Date Action
INCREASED RESEARCH; TAX CREDIT REFUND 2/6	from House com with amend #4068.
INCREASED RESEARCH; TAX CREDIT REFUND 1/30	House com held.
INCREASED RESEARCH; TAX CREDIT REFUND 1/22	referred to House com.

H2351: AHCCCS; NONEMERGENCY TRANSPORTATION; REIMBURSEMENT

AHCCCS is required to limit reimbursement for nonemergency transportation to the cost of bus transportation in regions where a scheduled bus system is available.

First sponsor: Rep. Seel

H2351 Daily History	Date Action
AHCCCS; NONEMERGENCY TRANSPORTATION; REIMBURSEMENT 1/22	referred to House hel.

H2352: AHCCCS; EXPANSION; PROHIBITION

Any statutory or administrative expansion of AHCCCS eligibility is prohibited from taking effect until the Joint Legislative Budget Committee certifies to the Governor, the President of the Senate, and the Speaker of the House of Representatives that expansion will be budget neutral for the next 20 fiscal years.

First sponsor: Rep. Seel

H2352 Daily History	Date Action
AHCCCS; EXPANSION; PROHIBITION 1/22	referred to House hel.

H2354: AHCCCS; CHILDLESS ADULTS; SERVICES; PROHIBITION

The AHCCCS Administration is prohibited from using any AHCCCS monies to fund services to childless adults. Due to voter protection, this bill requires the affirmative vote of at least 3/4 of each house of the Legislature for passage.

First sponsor: Rep. Seel

H2354 Daily History	Date Action
AHCCCS; CHILDLESS ADULTS; SERVICES; PROHIBITION 1/22	referred to House hel.

H2382: STO TAX CREDITS; REPEAL

Repeals the individual and corporate income tax credits and the insurance premium tax credit for contributions to school tuition organizations. Due to a potential increase in state revenue, this bill requires the affirmative vote of at least 2/3 of each house of the Legislature for passage.

First sponsor: Rep. Campbell

H2382 Daily History	Date Action
STO TAX CREDITS; REPEAL	1/23 referred to House ways-means, educ.

H2384: SALES TAX HOLIDAYS

Establishes sales tax holiday dates for retail sales and transient lodging on August 31, September 1 and 2, 2013, and July 4, 5 and 6, 2014.

First sponsor: Rep. J. Pierce

H2384 Daily History	Date Action
SALES TAX HOLIDAYS	1/22 referred to House ways-means.

H2387: RECOVERY OF ATTORNEY FEES

In a contested action arising out of a contract, if a written settlement offer is rejected and the verdict plus reasonable attorney fees incurred up to the date of the offer is equal to or more favorable to the offeror than the offer made in writing, the offerer is deemed to be the successful party and the court may award reasonable attorney fees. Formerly, the attorney fees incurred up to the date of the offer were not included in the determination.

First sponsor: Rep. J. Pierce

H2387 Daily History	Date Action
RECOVERY OF ATTORNEY FEES	1/31 from House jud do pass.
RECOVERY OF ATTORNEY FEES	1/23 referred to House jud.

H2393: STATE AGENCIES; LICENSURE; TIME FRAMES

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

First sponsor: Rep. J. Pierce

H2393 Daily History	Date Action
STATE AGENCIES; LICENSURE; TIME FRAMES	2/4 to House consent calendar. From House rules okay.
STATE AGENCIES; LICENSURE; TIME FRAMES	1/30 from House pub-mil-reg do pass.
STATE AGENCIES; LICENSURE; TIME FRAMES	1/22 referred to House pub-mil-reg.

H2406: MEDICAL BOARD; LICENSURE REQUIREMENTS

A doctor of medicine licensed in another jurisdiction who engages in the practice of medicine that is limited to patients who reside outside the state are exempt from licensure by the Arizona Medical Board when both the doctor and the patient are physically in the state for no more than six consecutive months.

First sponsor: Rep. Carter

H2406 Daily History	Date Action
MEDICAL BOARD; LICENSURE REQUIREMENTS	2/6 from House hel with amend #4060.
MEDICAL BOARD; LICENSURE REQUIREMENTS	1/30 House hel held.
MEDICAL BOARD; LICENSURE REQUIREMENTS	1/22 referred to House hel.

H2413: LABOR ORGS; NONUNION EMPLOYEES; REPRESENTATION

If an employee works at an entity where there is a union but is not a member of the union, the contract may make the employee liable for the costs of union representation at any grievance process initiated by the employee. The amount of liability cannot exceed the amount that would have been paid in dues to the union during the period of the most recent contract.

First sponsor: Rep. Quezada

H2413 Daily History	Date Action
LABOR ORGS; NONUNION EMPLOYEES; REPRESENTATION 1/22 referred to House gov.	

H2417: LABOR REPRESENTATIVE; EMPLOYEE PRIVILEGE

In a civil action, labor representatives cannot be examined about communication made by an employee to the representative or advice the representative gave to the employee in the course of representation in a grievance process.

First sponsor: Rep. Quezada

H2417 Daily History	Date Action
LABOR REPRESENTATIVE; EMPLOYEE PRIVILEGE 1/22 referred to House pub-mil-reg.	

H2422: HEALTH INSURANCE EXCHANGE

Establishes the Arizona Health Insurance Exchange to facilitate the purchase and sale of qualified health plans and make plans available to qualified individuals and employers by January 1, 2015. Duties of the Exchange are specified. The Department of Insurance is responsible for regulating the Exchange, and may certify a health benefit plan as a qualified health plan if specified requirements are met. Establishes a 9-member Health Insurance Exchange Board as the governing body of the Exchange and specifies the powers and duties of the Board.

First sponsor: Rep. Meyer

H2422 Daily History	DateAction
HEALTH INSURANCE EXCHANGE 2/5 referred to House hel, ins-ret, appro.	

H2423: MEDICAL EXPENSE DEDUCTION PROGRAM; REINSTATEMENT

The AHCCCS Administration is required to implement a streamlined medical expense deduction eligibility process by October 1, 2013, and statute requiring the Administration to adopt rules for a streamlined process is deleted. The AHCCCS Administration is exempt from the rulemaking requirements of the AZ Administrative Procedures Act for one year for this purpose.

First sponsor: Rep. Meyer

H2423 Daily History	Date Action
MEDICAL EXPENSE DEDUCTION PROGRAM; REINSTATEMENT 1/23 referred to House hel, appro.	

H2439: INCOME TAX BRACKETS; INFLATION INDEX

Beginning with tax year 2014, the Department of Revenue is required to adjust the income dollar amounts for each individual income tax rate bracket by the average annual change in the metropolitan Phoenix consumer price index. Income dollar amounts cannot be revised below the amounts prescribed in the prior tax year.

First sponsor: Rep. Olson

H2439 Daily History	Date Action
INCOME TAX BRACKETS; INFLATION INDEX 1/29 from House ways-means do pass.	
INCOME TAX BRACKETS; INFLATION INDEX 1/28 House ways-means do pass; report awaited.	
INCOME TAX BRACKETS; INFLATION INDEX 1/22 referred to House ways-means.	

H2440: PRIVATE INVESTIGATORS; SECURITY GUARDS; REGULATION

The grounds for disciplinary action for licensed private investigators is expanded to include being arrested for any offense that would disqualify the licensee from obtaining a license, and on completion of an investigation the license of a person arrested for such an offense must be suspended. A private investigator must notify the employer agency within 48 hours after being arrested, and the agency must notify the Department of Public Safety within 24 hours after receiving notice. Security guard agencies are required to maintain liability insurance.

First sponsor: Rep. Olson

H2440 Daily History	Date	Action
PRIVATE INVESTIGATORS; SECURITY GUARDS; REGULATION	1/30	from House pub-mil-reg do pass.
PRIVATE INVESTIGATORS; SECURITY GUARDS; REGULATION	1/23	referred to House pub-mil-reg.

H2443: CITIES; COUNTIES; REGULATORY REVIEW

When establishing licensing time frames, municipalities and counties are required to consider whether the time frames do not include the time required for an applicant to obtain other licenses or to participate in required meetings. Municipalities and counties are required to make two comprehensive written or electronic requests for revisions to license applications. If an applicant fails to resolve an issue identified in a request for revisions, the municipality or county may make supplemental requests limited to issues previously identified in the request. If an applicant requests changes or amendments to an application, a municipality or county may make one additional comprehensive request for revisions. More.

First sponsor: Rep. Olson

H2443 Daily History	Date	Action
CITIES; COUNTIES; REGULATORY REVIEW	2/6	from House gov with amend #4053.
CITIES; COUNTIES; REGULATORY REVIEW	1/23	referred to House gov.

H2446: TECH CORRECTION; LIMITED PARTNERSHIP

Minor change in Title 29 (Partnership) related to limited partnerships. Apparent striker bus.

First sponsor: Rep. Olson

H2446 Daily History	Date	Action
No actions posted for this bill to date.		

H2450: TECH CORRECTION; WORKERS' COMPENSATION; INVESTIGATION

Minor change in Title 23 (Labor) related to workers' compensation investigations. Apparent striker bus.

First sponsor: Rep. Olson

H2450 Daily History	Date	Action
No actions posted for this bill to date.		

H2456: REVENUE ALLOCATION DISTRICTS

Municipalities are authorized, on presentation of a petition signed by the owners of at least 51 percent of the relevant land, to form revenue allocation districts to undertake projects for economic development, reduce the loss of commerce or employment or increase employment. Regulations are established for revenue allocation districts, including district formation and dissolution, district powers, sources of revenue, and authority to issue bonds and levy taxes. Elections are required to approve bond issuance and regulations on the terms of bonds are

established.

First sponsor: Rep. Lovas

H2456 Daily History	Date Action
REVENUE ALLOCATION DISTRICTS 1/23 referred to House ways-means.	

H2457: CHARITABLE ORGANIZATION FILINGS

Repeals several sections of statute requiring charitable organizations to register with the Secretary of State and report on various activities such as solicitation and fiscal records.

First sponsor: Rep. Boyer

H2457 Daily History	Date Action
CHARITABLE ORGANIZATION FILINGS 1/23 referred to House com.	

H2469: PERSONAL INFORMATION; ENCRYPTED DATA

Any person in the United States who owns or licenses computerized data that includes personal information of another person who is a resident of Arizona must encrypt the data in accordance with US military standards. Effective October 1, 2014. Conditionally repealed one year after the effective date of the federal Personal Data Privacy and Security Act.

First sponsor: Rep. Thorpe

H2469 Daily History	Date Action
PERSONAL INFORMATION; ENCRYPTED DATA 1/22 referred to House tech-inf.	

H2485: HEALTH & SAFETY AUDIT PRIVILEGE

An audit report for an audit to evaluate compliance with a health or safety law or an industry standard with respect to safety is required to include each document and communication that is created for the audit. Types of documents and information that may be included in an audit are specified. Any part of an audit report is privileged and is not admissible as evidence or subject to discovery in a legal or civil action or an administrative proceeding. Some exceptions. A witness cannot be compelled to testify or produce a document related to an audit in specified circumstances.

First sponsor: Rep. Carter

H2485 Daily History	Date Action
HEALTH & SAFETY AUDIT PRIVILEGE 2/6 from House pub-mil-reg do pass.	
HEALTH & SAFETY AUDIT PRIVILEGE 1/24 referred to House pub-mil-reg.	

H2490: UTILIZATION REVIEW; REQUIREMENTS.

For determinations of medical necessity for a health care insurer's denial of prior authorization of a chiropractic service requested by a chiropractor, a health care insurer is required, instead of permitted, to use a licensed chiropractor to review the denial. A utilization review agent certificate holder must have a chiropractor available to supervise utilization review activities.

First sponsor: Rep. Allen

H2490 Daily History	Date Action
UTILIZATION REVIEW; REQUIREMENTS. 1/29 referred to House hel.	

H2498: PROPERTY TAX LEVY; COMMUNITY COLLEGES

A community college district with a primary property tax levy approved by the voters may resubmit a proposed amount to be raised by primary property taxes for voter approval at least 20 but not more than 35 years after the date of initial

approval of the levy, if the proposed amount is not more than two times the otherwise authorized levy amount for the same year.

First sponsor: Rep. Thorpe

H2498 Daily History	Date Action
PROPERTY TAX LEVY; COMMUNITY COLLEGES 2/6	from House higher ed-work dev do pass.
PROPERTY TAX LEVY; COMMUNITY COLLEGES 1/29	referred to House higher ed-work dev, ways-means.

H2514: ECONOMIC RECAPTURE DISTRICTS

Adds a new chapter to Title 48 (Special Taxing Districts) authorizing municipalities and counties to establish Economic Recapture Districts beginning October 1, 2013 through June 30, 2020, on a finding by the governing body that the public convenience, necessity or welfare will benefit. Districts must be formed to make qualified expenditures for facilities directly related to the project and used for tourism, sporting, cultural, civic meetings, trade show or convention events or public facilities. Actual construction of the project must begin within 60 days after the District is established. Specifies the process for District formation and the powers and requirements of the governing board. Authorizes a District to issue negotiable bonds. Districts must terminate by June 30, 2054. If District exists and after the delivery of a resolution of the governing board requesting payment, the State Treasurer is required to pay the District each month from the transaction privilege tax distribution base the amount determined by a specified formula. The payments continue until the obligations for debt service on financial instruments executed by the District are satisfied.

First sponsor: Rep. Coleman

H2514 Daily History	Date Action
ECONOMIC RECAPTURE DISTRICTS 2/4	referred to House ways-means.

H2531: INCOME TAX; INSTANT DEPRECIATION

In computing Arizona adjusted gross income for tax purposes, the amount in excess of \$25,000 for property for which an expense deduction was taken under the internal revenue code for certain depreciable business deductions is only required to be added to Arizona gross income for property that was purchased and placed in service before January 1, 2013.

First sponsor: Rep. Mesnard

H2531 Daily History	Date Action
INCOME TAX; INSTANT DEPRECIATION 2/5	referred to House ways-means.

H2550: HEALTH INSURANCE; POLICIES; RATING AREAS

The Director of the Department of Insurance is required to ensure that the state retains its full authority to regulate health insurance policies and contracts. Health insurers subject to the federal Patient Protection and Affordable Care Act (PPACA) are prohibited from issuing a contract or policy or otherwise transacting insurance inconsistent with the applicable provisions of PPACA. Establishes "rating areas" (defined as an area within which a health insurer cannot vary rates based on geography) for the issuance of individual and small group health insurance policies and contracts. For health benefit plans issued on or after January 1, 2014, if an accountable health plan is subject to and in compliance with the federal Public Health Service Act (PHSA), the plan is deemed to comply with state statutory requirements for premium rates and rating practices that are consistent with PHSA. Conditionally repealed as of the date a specified section of the PPACA is declared unconstitutional by the U.S. Supreme Court or is repealed by the U.S. Congress.

First sponsor: Rep. Carter

H2550 Daily History	Date	Action
HEALTH INSURANCE; POLICIES; RATING AREAS 2/6 referred to House ins-ret, hel.		

HCR2014: HEALTH CARE EXCHANGE; PROHIBITION

The 2014 general election ballot is to carry the question of whether to amend state statute to prohibit the state from establishing or administering a state-based health care exchange.

First sponsor: Rep. Seel

HCR2014 Daily History	Date	Action
No actions posted for this bill to date.		

HCR2015: AHCCCS; EXPANSION; PROHIBITION

The 2014 general election ballot is to carry the question of whether to amend state statute to prohibit the any statutory or administrative expansion of AHCCCS eligibility from taking effect until the Joint Legislative Budget Committee certifies to the Governor, the President of the Senate, and the Speaker of the House of Representatives that expansion will be budget neutral for the next 20 fiscal years.

First sponsor: Rep. Seel

HCR2015 Daily History	Date	Action
AHCCCS; EXPANSION; PROHIBITION 1/22 referred to House hel.		

HCR2016: AHCCCS; CHILDLESS ADULTS; PROHIBITION

The 2014 general election ballot is to carry the question of whether to amend state statute to prohibit the AHCCCS Administration from using any AHCCCS monies to fund services to childless adults.

First sponsor: Rep. Seel

HCR2016 Daily History	Date	Action
AHCCCS; CHILDLESS ADULTS; PROHIBITION 1/22 referred to House hel.		

S1004: UNLAWFUL TERMINATION; FAMILY EMERGENCY

It is unlawful for an employer to terminate or threaten to terminate an employee for being notified by a school or law enforcement officer of an emergency regarding the employee's child or for leaving work to attend to the child's emergency, except in cases of excessive abuse of this protection.

First sponsor: Sen. Ableser

S1004 Daily History	Date	Action
UNLAWFUL TERMINATION; FAMILY EMERGENCY 1/14 referred to Seante com-energy-mil.		

S1005: GREEN TECHNOLOGY & MANUFACTURING INCENTIVES

Establishes individual and corporate income tax credits for net increases in qualified employment positions by a green manufacturing business. The amount of the credit is a percentage of the wages paid to qualified employees who are Arizona residents. Requirements that a business must meet in order to qualify for the credit are specified. Also classifies property and improvements comprising a certified green manufacturing business as class 6 property for property tax purposes. Effective January 1, 2014.

First sponsor: Sen. Ableser

S1005 Daily History	Date	Action
GREEN TECHNOLOGY & MANUFACTURING INCENTIVES 1/14 referred to Senate fin.		

S1014: DISCRIMINATION; ENFORCEMENT; DAMAGES

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

First sponsor: Sen. Ableser

S1014 Daily History	Date Action
DISCRIMINATION; ENFORCEMENT; DAMAGES 1/14 referred to Senate jud.	

S1028: MUNICIPAL TPT EXEMPTION; LEASES; LLC

The list of items that municipalities are prohibited from charging transaction privilege tax on is expanded to include the gross proceeds or income from a commercial lease in which a limited liability company (LLC) leases property to another LLC and the two LLCs have the same members or managers.

First sponsor: Sen. Reagan

S1028 Daily History	Date Action
MUNICIPAL TPT EXEMPTION; LEASES; LLC 2/7 from Senate fin with amend #4075.	
MUNICIPAL TPT EXEMPTION; LEASES; LLC 1/23 Senate fin held.	
MUNICIPAL TPT EXEMPTION; LEASES; LLC 1/14 referred to Senate fin.	

S1080: TECH CORRECTION; BUDGET ESTIMATES

Minor change in Title 35 (Public Finances) related to submission of budget estimates. Apparent striker bus.

First sponsor: Sen. Shooter

S1080 Daily History	Date Action
TECH CORRECTION; BUDGET ESTIMATES 1/17 referred to Senate rules only.	

S1081: TECH CORRECTION; BUDGET REPORT

Minor change in Title 35 (Public Finances) related to transmission of the Governor's budget report. Apparent striker bus.

First sponsor: Sen. Shooter

S1081 Daily History	Date Action
TECH CORRECTION; BUDGET REPORT 1/17 referred to Senate rules only.	

S1082: TECH CORRECTION; TAX ANTICIPATION BONDS

Minor change in Title 35 (Public Finances) related to tax anticipation bonds. Apparent striker bus.

First sponsor: Sen. Shooter

S1082 Daily History	Date Action
TECH CORRECTION; TAX ANTICIPATION BONDS 1/17 referred to Senate rules only.	

S1101: PROCUREMENT CODE; FRAUD; ATTORNEY GENERAL

If the Attorney General has reasonable cause to believe that a person has information or a document or object relevant to an investigation for procurement code violations, the Attorney General is authorized to serve on the person a written demand to appear and be examined under oath, to answer written questions under oath and to produce the document or object for inspection. If the person fails to comply with the demand, the Attorney General may file an action in superior court for an order to enforce the demand. If the person fails to comply with the court order, the court may adjudge the person in contempt of court,

grant injunctive relief, or grant other relief it deems proper.

First sponsor: Sen. Yee

S1101 Daily History	Date Action
PROCUREMENT CODE; FRAUD; ATTORNEY GENERAL 1/22 referred to Senate gov-env.	

S1115: DIRECT PAY PRICES; HEALTH CARE

Health care providers and facilities are required to make available to the public in a single document the direct pay price for at least the 25 most common services, which must be updated at least annually. Self-repeals January 1, 2021.

First sponsor: Sen. Barto

S1115 Daily History	Date Action
DIRECT PAY PRICES; HEALTH CARE 2/6 Senate hel-hu ser held.	
DIRECT PAY PRICES; HEALTH CARE 1/23 referred to Senate hel-hu ser.	

S1119: AHCCCS; ELIGIBILITY

The maximum income a person may have to be eligible for AHCCCS is increased to 133 percent of the federal poverty level, from 100 percent.

First sponsor: Sen. Gallardo

S1119 Daily History	Date Action
AHCCCS; ELIGIBILITY 1/24 referred to Senate hel-hu ser, appro.	

S1125: LABOR ORGS; NONUNION EMPLOYEES; REPRESENTATION

If an employee works at an entity where there is a union but is not a member of the union, the contract may make the employee liable for the costs of union representation at any grievance process initiated by the employee. The amount of liability cannot exceed the amount that would have been paid in dues to the union during the period of the most recent contract.

First sponsor: Sen. Gallardo

S1125 Daily History	Date Action
LABOR ORGS; NONUNION EMPLOYEES; REPRESENTATION 1/24 referred to Senate gov-env.	

S1126: LABOR REPRESENTATIVE; EMPLOYEE; PRIVILEGE

In a civil action, labor representatives cannot be examined about communication made by an employee to the representative or advice the representative gave to the employee in the course of representation in a grievance process.

First sponsor: Sen. Gallardo

S1126 Daily History	Date Action
LABOR REPRESENTATIVE; EMPLOYEE; PRIVILEGE 1/24 referred to Senate gov-env.	

S1137: TECH CORRECTION; WAGE RATES

Minor change in Title 23 (Labor) related to wage rates. Apparent striker bus.

First sponsor: Sen. Melvin

S1137 Daily History	Date Action
TECH CORRECTION; WAGE RATES 1/24 referred to Senate rules only.	

S1138: BUILDING CODE MORATORIUM; REPEAL

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

First sponsor: Sen. Griffin

S1138 Daily History	Date Action
BUILDING CODE MORATORIUM; REPEAL 1/24 referred to Senate rules only.	

S1142: PAYCHECK DEDUCTIONS; EMPLOYEE AUTHORIZATION

Beginning October 1, 2013, a "public employer" (defined) is prohibited from deducting any third party payment from an employee's paycheck unless the employee annually provides advance express written or electronic authorization. Some exceptions. Severability clause. Emergency clause.

First sponsor: Sen. S. Pierce

S1142 Daily History	Date Action
PAYCHECK DEDUCTIONS; EMPLOYEE AUTHORIZATION 1/24 referred to Senate gov-env.	

S1148: WORKERS' COMP; RECIPROCITY

A worker from another state and that worker's employer in that other state are exempt from workers' compensation regulations while that worker is temporarily in Arizona if the employer has workers' compensation insurance coverage in another state that cover the employee and other specified conditions are met. If a worker has a claim under the workers' compensation law of another state or nation for the same injury or disease as a claim filed in Arizona, the amount of compensation paid under the other law is credited against the compensation due under Arizona law. Claims made after the effective date of this legislation are subject to these provisions regardless of the date of injury.

First sponsor: Sen. McComish

S1148 Daily History	Date Action
WORKERS' COMP; RECIPROCITY 2/5 from Senate rules with a technical amendment.	
WORKERS' COMP; RECIPROCITY 1/30 from Senate com-energy-mil do pass.	
WORKERS' COMP; RECIPROCITY 1/24 referred to Seante com-energy-mil.	

S1151: TECH CORRECTION; TAX COURT; DECISIONS

Minor change in Title 12 (Courts) related to tax court decisions. Apparent striker bus.

First sponsor: Sen. McComish

S1151 Daily History	Date Action
TECH CORRECTION; TAX COURT; DECISIONS 1/24 referred to Senate rules only.	

S1162: SALES TAX; REDUCED REPORTING REQUIREMENTS

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

First sponsor: Sen. Farley

S1162 Daily History	Date Action
SALES TAX; REDUCED REPORTING REQUIREMENTS 1/24 referred to Senate fin.	

S1163: EMPLOYMENT DISCRIMINATION; PROHIBITION

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

if the employee's position is directly related to the religious functions of the organization.

First sponsor: Sen. Gallardo

S1163 Daily History	Date Action
EMPLOYMENT DISCRIMINATION; PROHIBITION 1/24 referred to Seante com-energy-mil.	

S1168: INTERNAL REVENUE CODE CONFORMITY

Makes changes to the state's income tax laws so that they conform to the IRS Code.

First sponsor: Sen. Yarbrough

S1168 Daily History	Date Action
INTERNAL REVENUE CODE CONFORMITY 2/7 from Senate fin with amend #4069.	
INTERNAL REVENUE CODE CONFORMITY 2/6 Senate fin amended; report awaited.	
INTERNAL REVENUE CODE CONFORMITY 1/24 referred to Senate fin.	

S1172: QUALIFYING CHARITABLE CREDIT; ITEMIZING DEDUCTIONS

A taxpayer is no longer required to itemize deductions in order to claim the individual income tax credit for voluntary cash contributions to a qualifying charitable organization.

First sponsor: Sen. Yarbrough

S1172 Daily History	Date Action
QUALIFYING CHARITABLE CREDIT; ITEMIZING DEDUCTIONS 2/6 passed Senate 28-0; ready for House.	
QUALIFYING CHARITABLE CREDIT; ITEMIZING DEDUCTIONS 2/4 to Senate consent calendar. From Senate rules okay.	
QUALIFYING CHARITABLE CREDIT; ITEMIZING DEDUCTIONS 1/31 from Senate fin do pass.	
QUALIFYING CHARITABLE CREDIT; ITEMIZING DEDUCTIONS 1/30 Senate fin do pass; report awaited.	
QUALIFYING CHARITABLE CREDIT; ITEMIZING DEDUCTIONS 1/24 referred to Senate fin.	

S1177: INSURANCE; ACCREDITATION; RECEIVERSHIP LIQUIDATION FUND

Establishes a list of standards that the Department of Insurance may consider in determining whether the continued operation of an insurer may be deemed to be hazardous to its policyholders or creditors or the general public. If the Dept determines that the continued operation of the insurer may be hazardous, the Dept may issue an order requiring the insurer to reduce liability for policy benefits, reduce or limit the volume of business being accepted or renewed, reduce expenses and increase capital, or take other specified actions. Eliminates the license for managing general agent of an insurer and instead requires a person acting in that capacity to be licensed as an insurance producer. Establishes other requirements for a managing general agent, including obtaining a surety bond and having an independent audited annual financial statement or report on file.

First sponsor: Sen. Yarbrough

S1177 Daily History	Date Action
INSURANCE; ACCREDITATION; RECEIVERSHIP LIQUIDATION FUND 1/30 Senate fin held.	
INSURANCE; ACCREDITATION; RECEIVERSHIP LIQUIDATION FUND 1/24 referred to Senate fin.	

S1182: PAYCHECK DEDUCTIONS; PUBLIC EMPLOYERS.

Beginning October 1, 2013, a "public employer" (defined) is prohibited from deducting any third party payment from an employee's paycheck unless the employee annually provides advance express written or electronic authorization. Some exceptions. Severability clause. Emergency clause.

First sponsor: Sen. Griffin

S1182 Daily History	Date Action
PAYCHECK DEDUCTIONS; PUBLIC EMPLOYERS.	2/6 from Senate gov-env with amend #4044.
PAYCHECK DEDUCTIONS; PUBLIC EMPLOYERS.	2/4 Senate gov-env amended; report awaited.
PAYCHECK DEDUCTIONS; PUBLIC EMPLOYERS.	1/24 referred to Senate gov-env.

S1187: STATE EMPLOYEES; MEET & CONFER

State agencies and departments are recognized as the sole and exclusive authority with respect to determining the manner in which that entity's activities are conducted and administered. Department employees cannot engage in a sickout, work slowdown or strike. The recognized employee organization and any state department shall meet and confer on a regular basis, at least once every 2 years, to discuss employment conditions. If an agreement is reached, it must be submitted to the governor for consideration, and the final decision by the governor is binding.

First sponsor: Sen. Gallardo

S1187 Daily History	Date Action
STATE EMPLOYEES; MEET & CONFER	1/28 referred to Senate gov-env.

S1190: ALARM CONTRACTOR REGULATION

Removes the regulation of alarm businesses and alarm agents from the State Board of Technical Registration, which would have begun May 1, 2013, and transfers the regulatory authority to the Registrar of Contractors. Alarm businesses and agents are required to be licensed contractors and are subject to the same regulations as all other licensed contractors.

First sponsor: Sen. Reagan

S1190 Daily History	Date Action
ALARM CONTRACTOR REGULATION	2/6 Senate com-energy-mil FAILED 2-5.
ALARM CONTRACTOR REGULATION	1/28 referred to Seante com-energy-mil.

S1197: VEHICLE MILEAGE TAX; ELECTRIC VEHICLES

A vehicle mileage tax of one cent per mile driven is imposed on electric vehicles that are driven on highways in Arizona. The Department of Transportation is required to collect the tax and adopt rules necessary for implementation. The Dept is also required to increase the tax rate for the following tax year based on the average annual percentage increase, if any, in the GDP price deflator for the two most recent state fiscal years. Due to a potential increase in state revenue, this bill requires the affirmative vote of at least 2/3 of each house of the Legislature for passage.

First sponsor: Sen. Farley

S1197 Daily History	Date Action
VEHICLE MILEAGE TAX; ELECTRIC VEHICLES	1/28 referred to Senate fin, trans.

S1199: AHCCCS; SERVICE; PROVIDERS

AHCCCS is required to have at least two subcontractors for each type of service provided. When awarding contracts, AHCCCS must give preference to subcontractors with a home office located in Arizona.

First sponsor: Sen. Farley

S1199 Daily History	Date Action
AHCCCS; SERVICE; PROVIDERS	1/28 referred to Senate hel-hu ser, appro.

S1211: PROPERTY TAX DELINQUENCY; INTEREST RATE

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

First sponsor: Sen. Burges

S1211 Daily History	Date Action
PROPERTY TAX DELINQUENCY; INTEREST RATE 1/28 referred to Senate fin.	

S1218: TEXT MESSAGING WHILE DRIVING; PROHIBITION

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

First sponsor: Sen. Farley

S1218 Daily History	Date Action
TEXT MESSAGING WHILE DRIVING; PROHIBITION 1/29 referred to Senate trans, gov-env, pub safety.	

S1220: TPT EXEMPTION; FOUR-INCH PIPE; REPEAL

Pipes or valves at least four inches in diameter used to transport oil, natural gas, water or coal slurry are removed from the list of items exempt from transaction privilege taxes. The State Treasurer is required to pay the amount received from transaction privilege taxes on these pipes and valves to the Department of Education for adult education and adult literacy programs.

First sponsor: Sen. Farley

S1220 Daily History	Date Action
TPT EXEMPTION; FOUR-INCH PIPE; REPEAL 1/29 referred to Senate fin.	

S1221: SALES TAX EXEMPTIONS; REPEAL; DATES

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

First sponsor: Sen. Farley

S1221 Daily History	Date Action
SALES TAX EXEMPTIONS; REPEAL; DATES 1/29 referred to Senate fin, appro.	

S1222: INCOME TAX CREDITS; REPEAL; DATES

New income tax credits enacted by the Legislature are required to include a specific repeal date of from and after December 31 of the 7th full calendar year following the date the credit is enacted. Establishes a repeal date of January 1, 2021 for various existing income tax credits. Due to a potential increase in state revenue, this legislation requires the affirmative vote of at least 2/3 of each house of the Legislature for passage.

First sponsor: Sen. Farley

S1222 Daily History	Date Action
INCOME TAX CREDITS; REPEAL; DATES 1/29 referred to Senate fin.	

S1230: UCC; SECURED TRANSACTIONS; FILINGS

For secured transaction filings, an initial financing statement or amendment that provides the name of a debtor is no longer required to provide additional information on debtor organizations.

First sponsor: Sen. Reagan

S1230 Daily History	Date Action
UCC; SECURED TRANSACTIONS; FILINGS 2/6	from Senate com-energy-mil do pass.
UCC; SECURED TRANSACTIONS; FILINGS 1/30	referred to Senate com-energy-mil.

S1233: LIMITED LIABILITY COMPANIES; OWNERSHIP INTERESTS

An interest in a limited liability company (LLC) may be held by two or more people as joint tenants with right of survivorship or by a married couple as community property with right of survivorship, except as prohibited or restricted in an operating agreement. All co-owners of an interest in an LLC held as joint tenants or as community property must own an equal undivided interest in the interest, and have only the rights of an assignee with respect to the interest. After the death of a co-owner of the interest, the surviving co-owner succeeds to the ownership without further action by the LLC or the other members.

First sponsor: Sen. Driggs

S1233 Daily History	Date Action
LIMITED LIABILITY COMPANIES; OWNERSHIP INTERESTS 1/30	referred to Senate jud.

S1238: UNEMPLOYMENT INSURANCE; ERRONEOUS BENEFIT PAYMENTS

The Industrial Commission is prohibited from relieving an employer's account of charges related to an "erroneous benefit payment" (defined) if the payment was made because of failure to respond timely to a request and the employer has a "pattern of failing" (defined) to respond timely or adequately to these requests. Applies to erroneous benefit payment established beginning October 22, 2013.

First sponsor: Sen. Melvin

S1238 Daily History	Date Action
UNEMPLOYMENT INSURANCE; ERRONEOUS BENEFIT PAYMENTS 2/6	from Senate com-energy-mil do pass.
UNEMPLOYMENT INSURANCE; ERRONEOUS BENEFIT PAYMENTS 1/30	referred to Senate com-energy-mil.

S1310: SPECIAL FUND; WORKERS' COMP

By January 1, 2014, the Industrial Commission is required to report the amount of cash and assets held by the Special Fund that are attributable or allocated to the payment of claims of insolvent insurers as of December 31, 2013. The report must be prepared by an independent actuary and must include specified information. Legislative Council staff is directed to prepare legislation transferring all rights and obligations of the Special Fund in regard to the administration and funding of insolvent insurer claims to the Arizona Property and Casualty Insurance Guaranty Fund for consideration in the 52nd Legislature, first regular session.

First sponsor: Sen. Yarbrough

S1310 Daily History	Date Action
SPECIAL FUND; WORKERS' COMP 1/31	referred to Senate fin.

S1313: TAX CORRECTIONS

Corrections to the tax code as recommended by the Department of Revenue and Legislative Council. Changes are for clarification or to blend conflicting statutes and are not intended to be substantive. An annual exercise.

First sponsor: Sen. Yarbrough

S1313 Daily History	Date Action
---------------------	-------------

TAX CORRECTIONS 2/7 from Senate fin do pass.
TAX CORRECTIONS 2/6 Senate fin do pass; report awaited.
TAX CORRECTIONS 1/31 referred to Senate fin.

S1315: PROPERTY TAX ROLL; CORRECTIONS

Property owners must be notified of a property tax roll correction, and the property owner may appeal the correction. A notice of proposed correction for certain errors is limited to the tax year for which the annual notice of value was mailed and must be mailed by June 30 of the valuation year. If an error is discovered after the roll has been extended, additional tax, interest or penalties cannot be imposed, with some exceptions. On the consent of the taxpayer to the roll correction or a decision of the board of equalization, the county treasurer must mail a corrected billing to the taxpayer, and taxes are delinquent if they are not paid within 60 days after the corrected billing is mailed. If taxes have been overpaid, they must be refunded with interest within 90 days after the roll is corrected.

First sponsor: Sen. Yarbrough

S1315 Daily History	Date Action
PROPERTY TAX ROLL; CORRECTIONS 1/31 referred to Senate fin.	

S1327: TASK FORCE; GAS TAX REPLACEMENT

Establishes a 20-member Highway User Fee Replacement Task Force to develop a design for revenue collection for the state's transportation system that will replace the motor fuel tax and use fuel tax. The Task Force is required to report to the Legislature by October 1, 2014. By October 1, 2015, the Department of Transportation is required to develop and implement pilot programs to test alternatives to motor vehicle fuel taxes and use fuel taxes to pay for highway use. The Dept is authorized to use monies in the State Highway Fund to implement and support the Task Force and pilot programs. Effective September 1, 2013. Self-repeals October 1, 2023.

First sponsor: Sen. Farley

S1327 Daily History	DateAction
TASK FORCE; GAS TAX REPLACEMENT 2/6 from Senate trans do pass.	
TASK FORCE; GAS TAX REPLACEMENT 2/4 referred to Senate trans, appro, fin.	

S1349: PAYCHECK DEDUCTIONS; EMPLOYEE AUTHORIZATION

Beginning October 1, 2013, a "public employer" (defined) is prohibited from deducting any third party payment from an employee's paycheck unless the employee annually provides advance express written or electronic authorization. Some exceptions. Severability clause. Emergency clause.

First sponsor: Sen. Murphy

S1349 Daily History	DateAction
PAYCHECK DEDUCTIONS; EMPLOYEE AUTHORIZATION 2/4 referred to Senate gov-env. Senate gov-env.held.	

S1351: DESTINATION MGMT COMPANY; EXEMPTION; REFUND

A qualified destination management company is not liable for any transaction privilege taxes on the gross proceeds of sale or gross income derived from a "qualified contract" (defined) for "destination management services" (defined). Applies retroactively to tax years beginning January 1, 2002. Any claim for a refund based on the retroactive application must be submitted to the Department of Revenue by December 31, 2013. The total amount of refunds issued is limited to \$10,000.

First sponsor: Sen. Reagan

S1351 Daily History	DateAction
DESTINATION MGMT COMPANY; EXEMPTION; REFUND 2/4 referred to Senate fin.	

S1364: DOR AUDITS; THREE-YEAR LIMIT

The Department of Revenue is required to mail a notice for additional tax due within three years, decreased from four years, after the report or return is filed or required to be filed, whichever is later. Effective beginning tax year 2014.

First sponsor: Sen. Murphy

S1364 Daily History	DateAction
DOR AUDITS; THREE-YEAR LIMIT 2/4 referred to Senate fin.	

S1368: MINIMUM WAGE; EMPLOYEE; DEFINITION

For the purpose of wage payment regulations, the definition of "employee" is modified to apply only to any person who is or was employed by an employer for "wages" (defined). Repeals statute prohibiting political subdivisions from establishing a minimum wage that exceeds the federal minimum wage. Due to voter protection, this bill requires the affirmative vote of at least 3/4 of each house of the Legislature for passage.

First sponsor: Sen. Griffin

S1368 Daily History	DateAction
MINIMUM WAGE; EMPLOYEE; DEFINITION 2/4 referred to Senate com-energy-mil.	

S1369: UNEMPLOYMENT INSURANCE; REIMBURSABLE EMPLOYERS

For the purpose of special unemployment insurance regulations for nonprofit organizations and state and local governments, statute requiring the Industrial Commission to maintain a separate account for each employer and certain regulations relating to the separate accounts are removed from the list of regulations that do not apply to benefits paid that were based on wages paid during the nonprofit or government employer's period of election to make payments in lieu of contributions.

First sponsor: Sen. Griffin

S1369 Daily History	DateAction
UNEMPLOYMENT INSURANCE; REIMBURSABLE EMPLOYERS 2/4 referred to Senate com-energy-mil.	

S1371: MUNICIPAL ELECTIONS; BALLOT; DISCLOSURE

For any municipal election to approve a bond, sales tax, property tax or franchise agreement measure, the ballot format must include specified estimates of the relevant tax or utility rates, amounts or fees.

First sponsor: Sen. Griffin

S1371 Daily History	DateAction
MUNICIPAL ELECTIONS; BALLOT; DISCLOSURE 2/4 referred to Senate elect.	

S1383: PROPERTY TAX LIMITS; LOCAL DISTRICTS

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

First sponsor: Sen. Melvin

S1383 Daily History	DateAction
PROPERTY TAX LIMITS; LOCAL DISTRICTS 2/4 referred to Senate fin.	

S1394: EMPLOYEE CREDIT HISTORY CHECK; LIMITATIONS

Employers are prohibited from failing or refusing to hire, discharging or otherwise discriminating against an individual with respect to compensation or terms of employment because of the individual's credit report or credit history, and from inquiring about an applicant's or employee's credit report or credit history. Some exceptions. An employer in violation is liable to the injured individual for actual damages suffered and reasonable attorney fees.

First sponsor: Sen. McGuire

S1394 Daily History	DateAction
EMPLOYEE CREDIT HISTORY CHECK; LIMITATIONS 2/5 referred to Senate com-energy-mil, gov-env.	

S1408: FINGERPRINT CLEARANCE CARDHOLDERS; BACKGROUND CHECKS

A person who holds a valid fingerprint clearance card is not required to submit a full set of fingerprints for the purpose of obtaining a subsequent criminal history records check for any other reason. This must be printed on fingerprint clearance cards.

First sponsor: Sen. Murphy

S1408 Daily History	DateAction
FINGERPRINT CLEARANCE CARDHOLDERS; BACKGROUND CHECKS 2/5 referred to Senate pub safety.	

S1411: SOCIAL MEDIA PASSWORDS; PROHIBITION

Employers are prohibited from requesting or requiring that an employee or applicant disclose any user name, password or other means of accessing a personal account or service through an electronic communications device. Employers are prohibited from discharging or disciplining an employee, and from failing or refusing to hire an applicant for refusal to disclose this information. Does not prevent an employer from investigating certain violations, prescribing workplace policies governing the use of the employer's electronic equipment or monitoring the use of the employer's electronic equipment and electronic mail.

First sponsor: Sen. Murphy

S1411 Daily History	DateAction
SOCIAL MEDIA PASSWORDS; PROHIBITION 2/5 referred to Senate com-energy-mil, pub safety.	

S1435: TPT EXEMPTIONS; MODULAR DATA CENTER

The lists of items deducted from the retail transaction privilege tax base and exempt from use taxes are expanded to include gross income from the sale of modular data center units that were sold or transferred to an entity "affiliated" (defined) with the seller or transferor. Applies to tax periods beginning January 1, 2014.

First sponsor: Sen. Worsley

S1435 Daily History	DateAction
TPT EXEMPTIONS; MODULAR DATA CENTER 2/6 referred to Senate fin.	

S1452: CLASS ACTION LAWSUITS

One or more members of a class of persons who are Arizona resident may sue as representative parties on behalf of all members of the class if specified conditions are met. Conditions under which an action may be maintained as a class action are also specified, and the proponents must offer clear and convincing evidence

that the action complies with these requirements for the court to certify an action as a class action. In any class action, the court is required to direct the best notice practicable to the members of the class, and the notice must include specified information. Establishes a list of orders that the court is permitted to make in the conduct of class actions. Class actions cannot be dismissed or compromised without court approval.

First sponsor: Sen. Yee

S1452 Daily History	DateAction
CLASS ACTION LAWSUITS 2/7 referred to Senate jud.	

S1463: COUNTIES; FLOOD CONTROL DISTRICTS; RULES

County boards of supervisors and county flood control district boards are required to adopt procedures for the adoption, amendment, repeal and enforcement of rules that contain at least specified provisions, including public notice at various stages. Some exceptions. Effective January 1, 2014 for a county with a population of 375,000 or more, and January 1, 2015 for a county with a population of less than 375,000.

First sponsor: Sen. Griffin

S1463 Daily History	DateAction
COUNTIES; FLOOD CONTROL DISTRICTS; RULES 2/6 referred to Senate gov-env.	