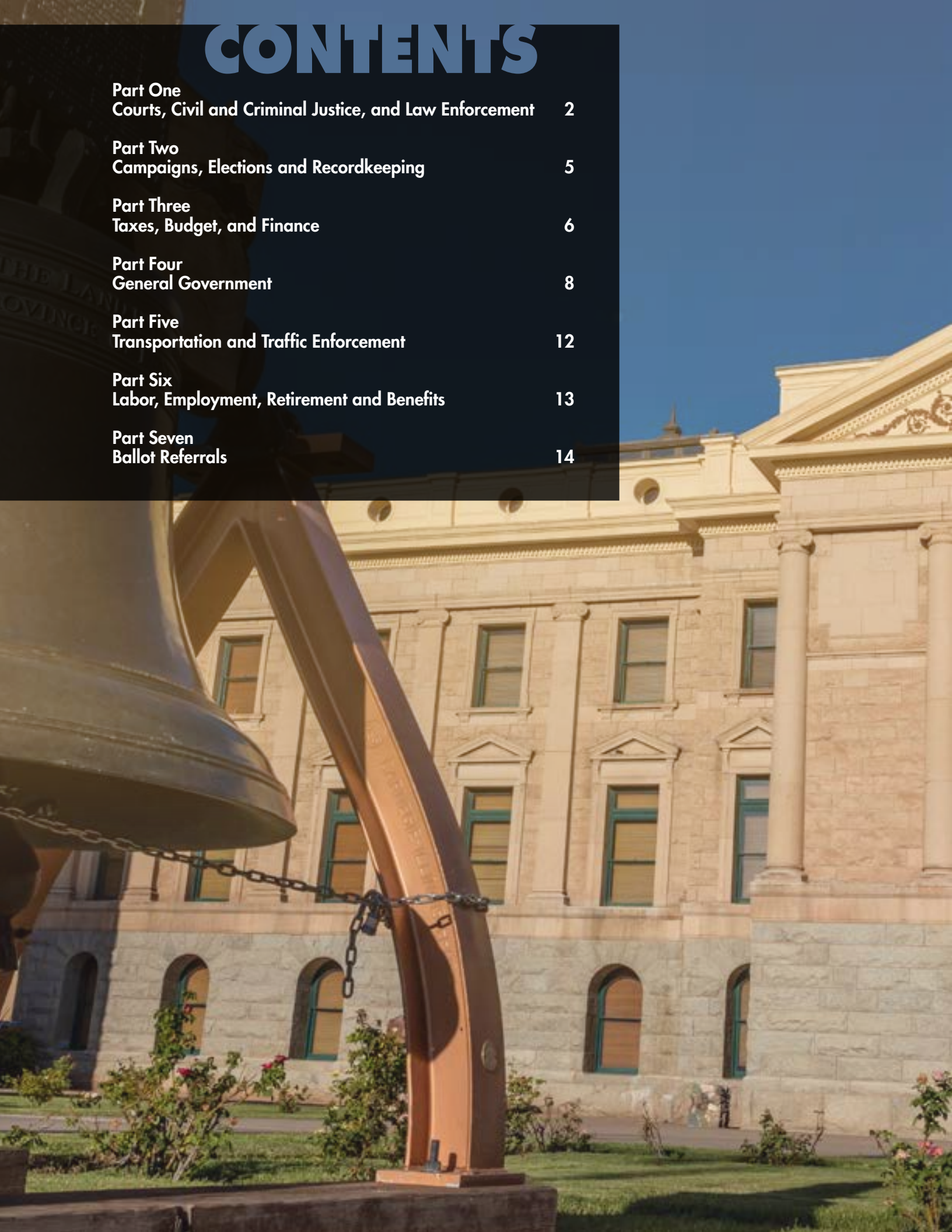


# 2024 New Laws Report



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## **INTRODUCTION**

The 2024 New Laws Report of the League of Arizona Cities and Towns is designed to guide those enactments of the second regular session of the 56th Arizona Legislature that have demonstrable impacts on municipalities. During the last regular session, 1,801 bills, memorials and resolutions were introduced in the House and Senate. Of these, more than a hundred enactments affect cities and towns and are summarized in the Report.

### **Scope and Use**

This Report is intended only to identify and briefly summarize those new laws with significant impacts on Arizona municipalities. It does not describe every new provision or law in detail, but it provides a hyperlink to the information and the chaptered version of the law. For a fuller understanding of new laws, readers are encouraged to review the exact language of the new laws and their relevant legislative histories.

### **Effective Dates**

Unless otherwise noted in this Report, the effective date of the new laws described in the Report is September 14, 2024. This date – 90 days after the legislative session’s conclusion – is the general effective date for all enactments that are passed without an emergency clause or alternative effective date. This Report identifies effective dates that vary from this general effective date. Where appropriate, it also includes other statutory dates, such as repeal dates, implementation dates, and deadlines.

### **Disclaimers**

This Report, published as a service to League members, does not necessarily identify every law impacting municipalities. It is neither designed nor intended to provide legal advice or counsel. It should be relied upon only as a reference tool and not as a comprehensive guidance document. While this Report may highlight action items that cities and towns should consider, it does not substitute the independent judgments of your city or town manager, council, or attorney.

# Part One: Courts, Civil and Criminal Justice, and Law Enforcement

## HB2045 dangerous drugs; definition; xylazine

[\(Chapter 85\)](#)

Includes xylazine in the statutory list of *dangerous drugs* within the criminal code. Exempts licensed veterinarians who lawfully acquire and administer any dangerous drug during their professional practice from the provisions of A.R.S. §13-3407.

## HB2064 school safety zone; offenses; sentencing

[\(Chapter 86\)](#)

Allows the imposition of an additional five years to the minimum, maximum, or presumptive sentence of anyone in a position of trust that is convicted of a designated sex crime committed in a school safety zone.

## HB2116 fatality review; information; access

[\(Chapter 130\)](#)

Deems confidential all information and records obtained by a Maternal Mortality Review Program. Allows such programs and Child Fatality Review Teams to interview or obtain information from a close contact or family member of a child or woman who has died in the program or team's jurisdiction. Requires the program or team to establish a process for approving any contact with a close contact or family member of the deceased and to adopt policies requiring trauma informed interview techniques and education of available support services.

## HB2191 property; criminal damage

[\(Chapter 29\)](#)

Replaces *parking any vehicle* with *physically obstructing a passageway* for the purpose of assigning a criminal damage charge for blocking a passageway in such a way as to deprive livestock of access to the only reasonably available water.

## HB2243 fingerprinting; criminal history; records checks

[\(Chapter 188\) Emergency – 5/17/24](#)

Limits the review of an individual's criminal history by the Board of Fingerprinting to their review of an application for a good cause exception. Repeals the requirement of the Board to report any criminal history to state agencies listed in the fingerprint clearance card application. Under certain conditions, criminal justice agencies can submit biometric data to the Central State Repository. Permits both the Arizona Department of Public Safety (DPS) and Federal Bureau of Investigation (FBI) to search fingerprints maintained in the repository. Allows an authorized person to receive temporary work authorization if their fingerprint

clearance is pending and they provide documentation proving they are not awaiting trial or have a sex offender registration. The temporary authorization provisions are repealed upon FBI notification that DPS is approved to conduct federal criminal records checks.

## HB2245 narcotic drugs; fentanyl; sentencing

[\(Chapter 66\)](#)

Mandates enhanced prison terms for the sale or transportation of 200 grams or more of fentanyl. Prescribes a minimum sentence of five years in prison, with a maximum of 15 years. Repeat offenders will face a minimum of 10 years, with a maximum of 20 years and a presumptive sentence of 15 years. Outlines mitigating and aggravating factors.

## HB2310 child enticement; classification; definition

[\(Chapter 189\)](#)

Defines *child enticement* as the act of luring or enticing a minor into distributing sexual material or otherwise facilitating the sexual abuse of a minor. Classifies the offense as a class 5 felony or a class 4 felony if the defendant is in a trust position. Applies the *Romeo & Juliet* statute as a defense (A.R.S. §13-1407, subsection E).

## HB2322 peace officers; discipline; modification

[\(Chapter 69\)](#)

Allows the Law Enforcement Merit System Council to modify a disciplinary action if a state agency head proves the employing agency had just cause to discipline the employee, but further evidence or other legal basis supports the modification.

## HB2479 missing; abducted; runaway children

[\(Chapter 146\)](#)

Allows the Arizona Department of Child Safety (DCS) to contact school officials, friends, and household members for information after receipt of a report of a missing, abducted or runaway child. Requires law enforcement agencies to document their response to DCS regarding amber alert or silver alert criteria. The law enforcement agency must also update social media platforms with information and create an age-appropriate progressive image of the child if missing for more than two years. Requires DCS to contact law enforcement on a weekly basis rather than "frequently" until the child reaches the age of majority.

## HB2508 public alarm; false reporting; classification

[\(Chapter 97\)](#)

Broadens the definition of *false reporting* to include the false reporting of a serious offense at an educational institution or place of worship with the intent to cause an emergency response. Classifies the offense as a class 6 felony.

### **HB2623 vacate conviction; sex trafficking; victims**

[\(Chapter 195\)](#)

Removes the requirement that a prostitution conviction occur prior to July 24, 2014, for the individual to be eligible to vacate the conviction if it was a direct result of sex trafficking.

### **HB2665 child sex trafficking; facilitating prostitution**

[\(Chapter 255\)](#)

Amends existing child sex trafficking offenses to include conduct relating to the facilitation of prostitution with certain minors and requires a court to impose certain conditions on a person who is released on their own recognizance or bail in child sex trafficking cases. Adds additional offenses to statute barring certain evidence of a victim's past sexual conduct from being introduced in certain prosecutions and to statute requiring a mandatory assessment to cover the cost of investigations for certain sexual offenses.

### **HB2742 aggravated assault; transit; airport; rail**

[\(Chapter 257\)](#)

Stipulates that a person commits aggravated assault if the individual commits the assault knowing or having reason to know that the victim is a public transit employee.

### **HB2751 interstate compact; fire management; aid**

[\(Chapter 190\) Emergency – May 17, 2024](#)

Allows the Governor to enter the Great Plains Interstate Fire Compact (Compact). The State Forester or equivalent can act as the Compact administrator in each state. If a member state's forest fire control agency requests aid from another, the state must render all possible aid while maintaining protection at home. Exempts member states and their officers from liability for outside aid. The Compact remains binding in each state ratifying it until the state's legislature or governor withdraws.

### **HB2767 emergency management assistance; reimbursement**

[\(Chapter 191\)](#)

The *Emergency Management Assistance Compact and Arizona Mutual Aid Compact Revolving Fund* is renamed and modified to cover costs incurred by Arizona in assisting other states with emergencies or natural disasters, or to reimburse supporting partners of Arizona agencies.

### **SB1025 DUI threshold; drivers**

[\(Chapter 101\)](#)

Makes it unlawful to operate a vehicle for hire or provide transportation network services with a blood alcohol concentration of 0.04 or more.

### **SB1030 body scanners; correctional facilities**

[\(Chapter 45\)](#)

Adds a city or town correctional facility to the list of entities that can request x-rays be done on an inmate or can perform a body scan using low-dose ionizing radiation on an inmate.

### **SB1071 peer support teams; information; disclosure**

[\(Chapter 171\)](#)

States that a peer support team member shall not be compelled to disclose confidential information acquired during a response to a critical incident from a *designated person* in any legal proceeding, trial or investigation. Expands the definition of *designated person* to include civilian employees. Expands the definitions of *emergency medical provider* and *firefighter* to include those working for a fire district or joint powers authority.

### **SB1185 catalytic converter; unlawful use; classification**

[\(Chapter 231\)](#)

Designates the unlawful possession of ten or more used catalytic converters as a class 6 felony.

### **SB1196 vehicle lighting; law enforcement; exceptions**

[\(Chapter 173\)](#)

Exempts an authorized emergency vehicle from having only amber or white lights illuminating from the front of the vehicle provided the vehicle is operated by law enforcement personnel for traffic control while employed in an off-duty capacity for an entity other than a law enforcement agency.

### **SB1232 sexual conduct; minor; punishment**

[\(Chapter 233\)](#)

Classifies sexual conduct with a minor as a class 1 felony punishable by natural life imprisonment if the minor is 12 years old or younger and suffers serious physical injury.

### **SB1236 internet sex offender website; offenses**

[\(Chapter 158\)](#)

Requires the Arizona Department of Public Safety (DPS) to include offenders on the internet sex offender website if the offender was 18 or older at the time of the offense whether it was completed or preparatory. Further requires the inclusion of offenders aged 21 or older at the time of the offense for various sex crimes against minors.

### **SB1371 police reports; time; cost requirements**

[\(Chapter 56\)](#)

Requires a free copy of a police report and video recordings for victims of domestic violence or sexual offenses, as well as a minute entry or portion of the record of any proceeding involving the victim's case at no cost to the victim. Requires law enforcement agencies to prioritize processing these requests.

### **SB1404 sex offender registration; school notification**

[\(Chapter 57\)](#)

Requires fingerprinting documentation for registering sex offenders to include all aliases, online identifiers, and the name of any website or internet communication service. Documentation must also include information related to a vehicle they own or a child in their custody. Defines community notification requirements for level one offenders who have been convicted of a dangerous crime against children and

requires notifications to go to their child's school if the offender has legal custody. Requires local law enforcement agencies to maintain information on level one offenders who have been convicted of a dangerous crime against children.

### **SB1411 organized retail theft task force**

[\(Chapter 167\)](#)

The Arizona Attorney General is mandated to establish the Organized Retail Theft Task Force to combat crimes related to stealing, embezzling, or obtaining retail merchandise through fraud or false pretenses. The task force's membership criteria and duties are defined, and the Attorney General is required to invite federal, state, and local law enforcement to participate. A report on the task force's activities, conclusions, findings, and recommendations is required by July 1, 2025, and annually thereafter.

### **SB1436 offenses; lifetime injunctions**

[\(Chapter 5\)](#)

Adds the felony-level offenses of aggravated assault, voyeurism or stalking to the roster of crimes for which a victim or prosecutor may request a court injunction prohibiting the defendant from contacting the victim.

### **SB1453 DUI; license suspension; records**

[\(Chapter 109\)](#)

Mandates law enforcement officers to file a certified report within 30 days if a person under arrest refuses to submit to a drug or alcohol test or if the results are unavailable or indicate drug use. If no report is made, an order of suspension is prohibited unless there was death or serious injury involved. The officer must serve an order of suspension on the person or inform them that a certified report will be submitted. The time for forwarding the person's license, report, notice of suspension, or temporary permit to the Arizona Department of Public Safety (DPS) is extended to 30 days. The order of suspension is effective 30 days after the order was served.

### **SB1594 aggravated assault; developmental disability; exception**

[\(Chapter 113\)](#)

Individuals with developmental or cognitive disabilities who cannot form a culpable mental state for assault are included in exceptions for aggravated assault against a healthcare professional.

### **SB1639 subsequent felony; sealing case records**

[\(Chapter 244\)](#)

Changes the requirements to file a petition to seal case records related to a criminal offense and removes requirement that the person must not have been subsequently convicted of other offenses. Extends from 30 calendar days to 60 calendar days the timeframe during which the court may not grant a petition to seal case records. Modifies instances when a person whose records are sealed may state that the person has never been arrested, charged or convicted of the crime. Requires the Arizona

Board of Fingerprinting to consider sealed case records as a mitigating circumstance in determining whether to grant a good cause exception when evaluating an application for a fingerprint clearance card.

### **SB1675 prior felony conviction; aggravated DUI**

[\(Chapter 60\)](#)

Permits a historical prior felony conviction for an aggravated DUI offense committed within five years of the current offense, even if the current offense is not also an aggravated DUI offense.

### **SB1680 minors; motorcycle helmets; citations**

[\(Chapter 246\)](#)

Permits law enforcement to issue a citation for a violation of the helmet requirement for minors riding a motorcycle, all-terrain vehicle, or motor-driven cycle if the violator is 16 or 17 years of age and has been issued a driver's license or permit.

### **SB1683 peace officers; mutual aid agreements**

[\(Chapter 185\)](#)

Requires the sheriff of each county to develop a policy on the cross certification of peace officers from adjacent states, outlining when, how, and whether to allow cross certification. A peace officer from an adjacent state who has completed the basic training curriculum can exercise all law enforcement powers for one year, and the state or political subdivision of the state is relieved of liability for any act or failure by a peace officer from an adjacent state. The Arizona Peace Officer Standards and Training Board must maintain records of certified peace officers from adjacent states. However, a peace officer from an adjacent state is not subject to state law requirements if an emergency requires their aid or a sheriff requests it.

## Part Two: Campaigns, Elections, and Recordkeeping

### HB2080 elections; municipal vacancies; primary

[\(Chapter 114\)](#)

Specifies that a candidate in a primary election for the office of mayor or council that receives a majority of votes at the primary election shall be declared elected to that office upon canvass and certification of results and on taking the oath of office. Allows a candidate who wins a new term of office to serve out the remainder of the existing term if the incumbent holds office by virtue of appointment. Sets criteria for candidates running for a new term of office and seating procedures for candidates.

### HB2394 digital impersonation; injunctive relief; requirements

[\(Chapter 193\) Emergency – May 21, 2024](#)

Allows a candidate or citizen to bring an action for digital impersonation within two years of knowing that a digital impersonation of that person was published. The plaintiff must prove that the impersonation was published without the person's consent, and that the publisher did not take reasonable steps to disclose the impersonation. A cause of action for declaratory judgment can be brought against the person or entity that originated, ordered, placed, or paid for the impersonation if it was used in advertising. The person bringing the action can obtain a preliminary judicial declaration within two judicial days after seeking relief, provided they can prove they are a candidate for public office and the impersonation depicts certain actions that would damage their reputation.

### HB2474 new party recognition; signatures; circulators

[\(Chapter 145\) Emergency – April 10, 2024](#)

Disqualifies signature sheets of new party petitions if they contain one or more signatures collected 24 months or later prior to the primary election and prevents the filing officer from accepting them.

### HB2482 voter registration changes; text notice

[\(Chapter 73\)](#)

Requires the County Recorder to notify an elector of any changes made to their registration record via a text message or email alert within 24 hours of making the change and if the elector has not subscribed to the Voter Registration Alert System, the Recorder shall notify the elector in writing within ten days of the record change. Requires the notice to include how an elector may check their registration status, revise their registration information, and notify the Recorder if no change was requested by the elector.

### HB2785 primary; identification; canvass; recounts; ballots

[\(Chapter 1\) Emergency – February 9, 2024](#)

Removes the deadline for establishing election precincts and the requirement of adjusting redistricted precincts. Starting in 2026, the Arizona Department of Administration must coordinate with state agencies and counties to provide available and appropriate facilities for polling. Early voting hours will be changed from 5:00 p.m. to 7:00 p.m. on the Friday before the election. Decreases, from ten to five calendar days after a primary, general or special election, and from five to three business days after any other election, the time to research and verify provisional ballots. Specifies procedures for processing, tabulating and recording ballots. Specifies automatic recount provisions after county canvass results are tallied. Requires the Secretary of State to conduct logic and accuracy testing on recount machines and defines that process. Designates July 30, 2024, as the 2024 primary election date. Sets the signature cure period for the 2024, 2025, and 2026 elections.

### SB1063 political signs; removal; elections

[\(Chapter 170\)](#)

Extends the period it is a misdemeanor to remove, alter, deface or cover a political sign from 45 days to 71 days before an election rather than the primary election and for 15 days after. If a candidate advances to the general election, the period continues until 15 days after the general election. Specifies that for non-candidate, issue-based political signs, an election means the election in which the ballot measure, question or issue will appear on the ballot.

### SB1285 local candidates; petitions; electronic signatures

[\(Chapter 2\) Emergency – March 6, 2024](#)

Beginning in 2025, candidates for municipal, county and precinct committeeman offices may collect up to 110% of the minimum number of signatures required using Arizona's online signature collection system. Requires city and town clerk's offices who have an agreement with a county to be used as locations where voters may submit proof of identification to remain open from 8:00 am to 5:00 pm during the Friday and weekend before and after a primary, general or special election which includes a federal office.

### SB1359 election communications; deepfakes; prohibition

[\(Chapter 199\)](#)

Prohibits the creation and distribution of a synthetic media message purported to portray a candidate for elected office 90 days prior to their election if the creator knows it is a deceptive and fraudulent deepfake. Provides an exemption if the message clearly and conspicuously discloses the use of artificial intelligence. Establishes civil penalties for violators.

## Part Three: Taxes, Budget, and Finance

### HB2274 theme park districts; formation

[\(Chapter 252\)](#)

Allows cities with a population of 500,000 or more to establish a theme park district within a County or on its own.

### HB2379 internal revenue code; conformity

[\(Chapter 7\)](#)

For the purpose of Title 42 (Taxation), the definition of *Internal Revenue Code* is updated to mean the U.S. Internal Revenue Code in effect as of January 1, 2024. For the purpose of Title 43 (Taxation of Income), the definition of *Internal Revenue Code* for tax year 2024 means the U.S. Internal Revenue Code in effect on January 1, 2024.

### HB2380 TPT; municipalities; audits; guidelines

[\(Chapter 33\)](#)

Permits the Arizona Department of Revenue (DOR) to deny a request by a city or town to audit a taxpayer if that taxpayer is engaged in business in more than one city or town. Stipulates that any intergovernmental contract or agreement to provide a uniform method of administration, collection, audit and licensing of transaction privilege and affiliated excise taxes must include the criteria under which DOR can deny an audit. Prohibits a city or town from auditing a taxpayer that is engaged in business in more than one city or town if DOR denies an audit request either has made. Requires DOR to establish and publish uniform audit guidelines.

### HB2382 TPT; sourcing; validation

[\(Chapter 142\)](#)

Requires the Arizona Department of Revenue (DOR) to establish a certification process for third-party providers that offer sourcing services to taxpayers for transactions involving tangible personal property. Lists guidelines and requirements for DOR and the applicant. Allows a taxpayer to use a certified third-party service provider to assist in sourcing transactions involving tangible personal property and is not liable for failing to pay the correct tax due unless the error was other than an error in sourcing the transaction. Provides that the certified third-party service provider is liable for the tax the taxpayer failed to pay if the failure was due to an error in sourcing the transaction, unless the error was due to incorrect information provided by DOR.

### HB2408 property tax assessment; destroyed property

[\(Chapter 34\)](#)

Upon notice by the property owner of a property destroyed after the County Assessor closes the rolls, the County Assessor may issue a Notice of Proposed Correction. For the purposes of classifying property in accordance with state law, the County Assessor may maintain the property classification in place on the date of destruction for a period of five years or

until a verifiable change in use occurs, whichever is sooner. Requires the Property Assessor to notify the property owner of the status of the property assessment and classification.

### HB2634 department of revenue; reuse zone

[\(Chapter 43\)](#)

Transfers the designation of military reuse zones from the CEO of the Arizona Commerce Authority to the Department of Revenue.

### HB2875 tax payments; electronic funds transfer

[\(Chapter 44\)](#)

Provides that a taxpayer's electronic payment is deemed made at the date and time that the taxpayer authorizes the electronic funds transfer from their financial institution as evidenced by a confirmation issued by the Arizona Department of Revenue (DOR), the taxpayer's financial institution, or a vendor certified by DOR. Allows DOR, through December 31, 2024, to abate any late payment penalties to a taxpayer who provides reasonable evidence from their financial institution or DOR of the successful and timely authorization of the taxpayer's electronic funds transfer under the amended changes.

### HB2897 general appropriations act; 2024-2025

[\(Chapter 209\)](#)

Appropriations include:

- \$12.2M to the Department of Public Safety for local border support.
- \$217,700 to the Seriously Mentally Ill Housing Trust Fund.
- \$371,100 from the Housing Trust Fund.
- \$84,700 to the Industrial Commission of Arizona for the administration of the municipal firefighter cancer reimbursement fund.
- \$1.4M to the Department of Financial Institutions for local grants to combat automobile theft.
- \$2.0M to the Department of Revenue for 25 new full-time equivalent positions for additional audit and collections staff.
- \$100,000 to the Arizona Trail Fund.
- \$2.0M to the Arizona Arts Trust Fund.
- \$15M deposit to the Housing Trust Fund.

Additional provisions include:

- Repeals the \$333M appropriated to the Water Infrastructure Finance Authority for FY25.
- Rescinds \$23.6M in FY24 for rural broadband matching funds.
- Requires distribution of appropriations made in FY24 for law enforcement recruitment and retention to specific law enforcement agencies.
- Exempts from lapsing the FY23 \$10M appropriation to the Homeless Services Grant Pilot program.

## **HB2899 capital outlay; appropriations; 2024-2025**

[\(Chapter 211\)](#)

- Appropriates \$25.5M from the State Aviation Fund for state, county, city or town airport construction and improvements.
- Delays until FY28 a combined \$49M appropriation originally made in FY21 and FY23 for the SR347/Riggs Road overpass.
- Delays a combined \$108M appropriation originally made in FY23 and FY24 for I-10 lane expansion between SR85 and Citrus Road. Instead, allocates \$30M in FY27 and \$78M in FY28.
- Diverts \$29.3M appropriation made in FY23 from the State Highway Fund for road rehabilitation to the state General Fund.
- Cuts \$10M in FY24 to the Department of Transportation for improvements to SR97.
- Cuts \$41M in FY24 to the Department of Transportation for pavement rehabilitation.
- Sweeps \$38.2M from State Parks Revenue Fund to the state General Fund in FY24.
- Sections 15 and 17-21 reduce transportation funding to specified projects authorized in FY21 and FY23.
- Sections 16 and 22-29 provide supplemental appropriations to specified projects in FY24.
- Sweeps \$9M from State Highway Fund to the state General Fund in FY24.
- Requires distribution of \$59.8M to the Town of Queen Creek originally appropriated to the Department of Transportation in FY24 by the end of FY24.

## **HB2900 commerce; 2024-2025**

[\(Chapter 212\)](#)

Repeals the Rural Broadband Accelerated Match Fund.

## **HB2905 human services; 2024-2025**

[\(Chapter 217\)](#)

Repeals the Homeless Shelter and Services Fund on June 30, 2025, and transfers unexpended monies to the state General Fund.

## **HB2909 taxation; 2024-2025**

[\(Chapter 221\)](#)

- Delays the implementation of [HB2382](#) (TPT; sourcing; validation) until 2028, pushing back the requirement for the DOR to create a process for third party service providers to identify TPT sourcing by two years.
- Extends the TPT and use tax exemptions for qualifying equipment related to healthy forest projects through December 31, 2026.
- Addresses the Qasimyar refund issue for cities, towns, and counties. If a taxing jurisdiction estimates the judgment will result in an increase of 4% or more from its 2023 property tax rate, it may:

- Issue tax anticipation notes that mature on or before July 31 of the fourth fiscal year after their issuance.
- Request that state loan commissioners issue state bonds to redeem or refund tax anticipation notes, which the taxing jurisdiction shall be responsible for reimbursing to the state treasury. This is intended to allow local jurisdictions the opportunity to spread out the cost of Qasimyar refunds coming due during FY25.
- Addresses the FY25 assessment for the DOR's new tax system. The local jurisdiction assessment is approximately \$6.6M.
- The bill did not receive the required 2/3 vote to enact the emergency clause.

## **SB1059 judgements; interest rates**

[\(Chapter 3\)](#)

Directs that any change in interest rates on any judgment other than medical debt that is dependent on the prime rate as published by the United States Federal Reserve, takes effect on the first business day following publication.

## **SB1095 property tax; golf courses; valuation**

[\(Chapter 8\)](#)

Adds that deed restrictions require a property designated as a golf course be used as a golf course for a ten-year minimum. Requires that if any part of the property is converted to a different use status, the owner notify the County Assessor personally, electronically or by certified mail within 30 days after the property is "converted to a different use". Requires a County Assessor notified by the owner, or who discovers a property converted for a different use, reassess the tax burden on that property.

## **SB1358 income tax withholding; retirement distributions**

[\(Chapter 55\)](#)

Clarifies *pension*, *annuity*, and *retirement account* payments from which an individual may request the payor to withhold Arizona income tax. Specifies that distributions from a retirement account are eligible for Arizona income tax withholding to the extent that the distributed amount is includable in the individual's Arizona gross income. Requires a distribution from a retirement account to be treated as a payment of wages for income tax purposes if a request that the retirement account be subject to withholding is in effect at the time of payment.

## **SB1370 youth businesses; licenses; tax; exemption**

[\(Chapter 237\)](#)

Prohibits a county or municipality from requiring any type of license or permit for a business that is operated by a person under the age of 19 and operates only occasionally. Exempts a person who is under 19 and is engaging in or continuing with a business in the state from obtaining a Transaction Privilege Tax license or remitting the tax if the gross proceeds or income derived from the business is not more than \$10,000 for the calendar year.

## Part Four: General Government

### HB2004 utilities; electronic filings; corporation commission

[\(Chapter 17\)](#)

Authorizes utilities to apply for a certificate of environmental compatibility to the Arizona Corporation Commission in an electronic format.

### HB2033 ambulance attendants; services

[\(Chapter 128\)](#)

Modifies the definition of *emergency medical responder program* to include a requirement for submission for review by the Arizona Department of Health Services. Stipulates that an ambulance attendant be the exclusive driver of the ambulance in which they are in attendance. Adds criteria for charging a basic life support rate.

### HB2040 event online ticket sales

[\(Chapter 129\)](#)

Bans bots from purchasing more tickets than allowed per person to concerts, theatrical performances, sporting events, or similar ticketed events; imitating more than one person to purchase more tickets than allowed per person; circumventing sale volume limits; or circumventing anti-fraud security measures. Allows the Arizona Attorney General to investigate and act under the consumer fraud statute. Specifies each ticket acquired as a separate violation.

### HB2042 food preparation; sale; cottage food

[\(Chapter 18\)](#)

Requires the labeling of cottage food products which clearly states the name and registration number of the food preparer; lists all ingredients in the product as well as its date of production; and contains certain disclosures. Those selling online must also provide notification of the label requirements. Requires food preparers to complete a food handler training course and maintain certification from an accredited program and registration with the Arizona Department of Health Services. Outlines further requirements related to the delivery, transportation, and storage of cottage food items.

### HB2051 joint training; surveyors; providers

[\(Chapter 20\)](#)

The Arizona Department of Health Services is required to operate joint training sessions for supervisors, compliance officers, and investigators, as well as the skilled nursing providers and assisted living providers whom the officers regulate. These sessions will provide updates on the survey process and changes to how compliance is determined. The sessions may be conducted in-person or remotely.

### HB2087 self-storage facilities; valuation; vehicles; towing

[\(Chapter 23\)](#)

Establishes rental unit requirements on the part of the owner of the unit regarding interaction with a customer, including establishing a limit on the value of property stored by the occupant on the premises. Allows for removal of a vehicle, watercraft or trailer from the property if the occupant is in default for more than 30 days, provided the owner sends notice to the occupant, including the name of the towing company used for removal. Stipulates that if the occupant does not resolve the issue in a notice-prescribed timeframe, the owner of the unit is not liable to the occupant for property loss or to any other person that claims an interest in the removed property.

### HB2091 agency continuations; technical registration; contractors

[\(Chapter 204\)](#)

Continues the Arizona Board of Technical Registration (BTR) until July 1, 2030. Repeals the Home Inspector Rules and Standards Committee. Limits BTR's response to complaints to those specified by the complainant. Continues the Arizona Registrar of Contractors (ROC) until July 1, 2032. Requires ROC to study commercial contractors to determine its future statutory oversight of the profession.

### HB2093 emergency services; prudent layperson; definition

[\(Chapter 24\)](#)

Broadens the definition of *emergency services* that allows a prudent layperson with standard medical knowledge to attest to the medical condition and symptoms of a person suffering from a medical condition warranting emergency intervention.

### HB2129 improved lot or parcel; definition

[\(Chapter 63\)](#)

Modifies the definition of *improved lot or parcel* to include a condominium that is completely constructed within four years of the subdivider entering a contract for sale.

### HB2146 mobile homes; cooling; prohibition

[\(Chapter 64\) Emergency – April 2, 2024](#)

Prohibits a person that owns or operates a mobile home park from preventing a tenant from installing reasonably necessary cooling methods on the tenant's mobile home.

### HB2160 domestic water improvement districts; reviews

[\(Chapter 118\)](#)

Excludes a Domestic Water Improvement District that serves a population of less than 10,000 residents from annual budget reporting and auditing requirement exemptions.

## **HB2185 liquor; policies; procedures**

[\(Chapter 202\)](#)

Limits permits for the temporary extension of premises to six months. Requires permit applicants to specify dates and times of use and include a security plan and diagram in their application and notify the local governing body of any modifications. Permits the Arizona Department of Liquor Licenses & Control to issue special event licenses with the approval of the President of a University under the jurisdiction of the Arizona Board of Regents for events held on university property. Allows an applicant for a liquor license and bar licenses to consolidate the application and apply for both at the same time. Repeals the requirement that samples must be restricted to a sampling area.

## **HB2194 ticket resales; restrictions**

[\(Chapter 136\)](#)

Prohibits the resale of more than one copy of the same ticket for an event, reselling a ticket without first informing the purchaser of the location of the seat, or reselling or advertising a ticket for resale unless the reseller has possession of the ticket.

## **HB2195 on-site wastewater treatment facilities; permitting**

[\(Chapter 137\)](#)

Allows an on-site wastewater treatment facility to discharge under a general permit if the operation complies with existing permit rules, is operated by a service provider certified by the technology manufacturer and has a design flow of between 3,000 and 75,000 gallons per day.

## **HB2209 industrial commission of Arizona; continuations**

[\(Chapter 205\)](#)

Specifies who may accompany a compliance safety and health officer while conducting inspections for the Industrial Commission of Arizona, including individuals whom the employer employs or consents to be present or individuals otherwise required by law to be present. Outlines conditions an employer may request of a third-party accompanying a compliance officer during an inspection, including allowing no more than one individual, requiring adherence to safety standards, and maintaining confidentiality. Continues the Industrial Commission of Arizona until July 1, 2028. Continues the Occupational Safety & Health Advisory Committee as well as the Occupational Safety & Health Review Board until July 1, 2032.

## **HB2210 state agencies; continuations; duties**

[\(Chapter 206\)](#)

Continues numerous state agencies, including: the Arizona Commerce Authority (ACA), Arizona Department of Administration, Governor's Office on Tribal Relations, Arizona Historical Society, Prescott Historical Society, State Personnel Board, and the Occupational Safety and Health Advisory Committee. Establishes the Municipality Time Frames Advisory Committee (MTFAC) and outlines its

membership, term lengths, and purpose. Requires cities, towns and counties to submit annual reports on or before September 30th of each year which includes the previous fiscal year's statistical data on the average time between the submission of initial building permit applications to a certificate of occupancy; the submission of a zoning application to zoning approval; the submission of a final plat to recordation; and any other statistics as determined by MTFAC.

## **HB2250 state board of equalization; continuation**

[\(Chapter 31\)](#)

The statutory life of the Arizona Board of Equalization is extended to July 1, 2032. Retroactive to July 1, 2024.

## **HB2297 commercial buildings; adaptive reuse**

[\(Chapter 141\)](#)

Requires by January 1, 2025, municipalities with 150,000 or more persons to allow multifamily residential development or adaptive reuse development of any commercial, office or mixed-use building on not more than 10% of existing commercial, office or mixed-use buildings without requiring a conditional use permit, a planned unit development application, a rezoning application or other discretionary municipal review. Allows a municipality to designate areas excluded from this requirement and limits modification of these designations to once every 10 years. Prohibits parking space requirements that exceed standard multifamily residential or adaptive reuse requirements. Prohibits withholding of a demolition permit under listed circumstances and exempts certain land areas.

## **HB2316 mobile home; relocation; building codes**

[\(Chapter 92\) Emergency – April 8, 2024](#)

Removes the requirement that a mobile home be moved within 45 days of the effective date of a rent increase or change in age-restricted community use for a tenant to be eligible for a payment from the Mobile Home Relocation Fund. Increases the amount a tenant is eligible to receive for relocation expenses due to a rent increase or change in age-restricted community use to \$12,500 (from \$7,500) for a single-section mobile home and \$20,000 (from \$12,500) for a multisection mobile home. Increases the amount a tenant is eligible to receive if the tenant chooses to abandon the home to 40% (from 25%) of the maximum allowable relocation expense.

## **HB2325 backyard fowl; regulation; prohibition**

[\(Chapter 192\)](#)

Prohibits counties and municipalities from adopting any regulation prohibiting a resident of a single-family detached residence on a lot that is one-half acre or less in size from keeping up to six fowl in the backyard of the property. Allows limited regulations governing the size of an enclosure and the prohibition of roosters. Requires enactment of an ordinance ensuring enclosures are below the property's fence line.

### **HB2369 dredge; fill; permits; clean up**

[\(Chapter 93\)](#)

Removes references to previously repealed state statute relating to the Arizona Department of Environmental Quality's former Dredge and Fill Permit Program.

### **HB2378 continuation; PSPRS**

[\(Chapter 207\)](#)

Extends the Public Safety Personnel Retirement System Board of Trustees to July 1, 2030. Retroactive to July 1, 2024.

### **HB2381 non-contiguous county island fire districts**

[\(Chapter 71\)](#)

Permits a fire district to include unincorporated parcels within a city's or town's municipal planning area if the parcel is contiguous with the city's or town's boundaries or contiguous with the existing district formed.

### **HB2548 military installations; general plans; land**

[\(Chapter 41\)](#)

Outlines requirements for land use in a general plan for a county, city, or town, requiring a land use element that outlines the influence area and operations of a military installation, range, or Arizona National Guard site. Requires a local government to notify the military installation, range or site of any land use changes once deemed complete. Outlines responsibilities of the State Land Department and Department of Real Estate.

### **HB2628 department of environmental quality; omnibus**

[\(Chapter 150\)](#)

Makes various changes to statutes relating to the Arizona Department of Environmental Quality, including the disposal of waste tires, the monitoring assistance program, and the emissions inspections program. Allows the disposal of waste tires in a landfill if the practice is part of the solid waste facility plan and allows the disposal of whole tires under specified conditions. Authorizes the establishment of criteria for a public water system to opt out of the monitoring assistance program. Requires specified emissions testing for vehicles based on model year and vehicle weight. Allows for the inclusion of federal monies in the small drinking water systems fund and the monitoring assistance fund. Modifies various statutory definitions.

### **HB2637 state lake improvement fund; drones**

[\(Chapter 179\)](#)

Requires the State Lake Improvement Fund be used to fund the purchase of drones to clean plastic, algae, biomass and other floating trash from lakes and waterways that are equipped with time stamped GPS locating data sensors and collision avoidance and to aid law enforcement and fire service agencies for search, rescue and recovery operations, and training in the use and operation of drones. Adds fire

districts to the list of entities who may complete projects using the fund. Stipulates that fund monies may be used on projects if matching funds are made available.

### **HB2698 declarant control; planned communities**

[\(Chapter 124\)](#)

Requires a declaration that provides for a period of declarant control of an association to provide a date of or method of calculating the date of the termination of the declarant control. For planned communities the declarant control termination date shall be no later than the date on which the second to last lot in the planned community is conveyed. Requires an association to provide the same level maintenance of common areas as the declarant provided upon termination of the period of declarant control and while the declarant owns one or more lots in a planned community and to not impede the declarant's ability to sell its lots or impede access to and use of common areas.

### **HB2720 accessory dwelling units; requirements**

[\(Chapter 196\)](#)

Requires municipalities with a population of 75,000 or more to adopt regulations allowing accessory dwellings units (ADUs) on any lot or parcel where a single-family dwelling is allowed. Outlines minimum allowances and prohibits municipalities from establishing various restrictions. If a municipality fails to adopt these development regulations by January 1, 2025, ADUs will be allowed on all lots or parcels zoned for residential use without limits. Permits a municipality to regulate vacation or short-term rentals by requiring the property owner to reside on the property if an ADU is constructed on the property after the effective date of the legislation.

### **HB2721 municipal zoning; middle housing**

[\(Chapter 197\)](#)

Requires municipalities with a population of 75,000 or more to authorize and incorporate the development of multi-plex homes and townhomes as a permitted use on single-family residential lots within a mile of their central business district and on at least 20% of any new development of ten acres or more. Prohibits municipalities from establishing various restrictions. If a municipality fails to adopt these regulations by January 1, 2026, middle housing shall be allowed without limitations on all lots zoned for single-family residential use.

### **HB2846 hoopouses; polyhouses; regulation; compliance**

[\(Chapter 186\)](#)

Exempts the construction of a *hoopouse* or *polyhouse* from county and municipal building requirements if certain criteria are met. Lists situations in which a municipality can require a permit, code and zoning adherence, or documentation for a planned hoopouse or polyhouse.

### **SB1079 state land auctions; electronic means**

[\(Chapter 228\)](#)

Allows the Arizona State Land Department to accept bids offered through electronic means during a public auction of state lands.

### **SB1162 residential zoning; housing; assessment; hearings**

[\(Chapter 172\)](#)

Requires municipalities on or before January 1, 2025, to adopt a zoning amendment requiring the determination of administrative completeness of a zoning application occur within 30 days of receipt. Requires the municipality to determine if a resubmitted application is administratively complete within 15 days. Requires approval or denial of an administratively complete zoning application within 180 days but permits a one-time 30-day extension for extenuating circumstances. Exempts historic district property from this requirement. Requires as of January 1, 2025, municipalities to publish a Housing Needs Assessment and an Annual Report that shall be submitted to the Arizona Department of Housing, and defines the required contents, including timelines for new assessments, and distribution requirements, for both reports. Exempts municipalities on tribal land and those with a population below 30,000 from the reporting requirements.

### **SB1301 electricity producers; safeguards; electromagnetic pulse**

[\(Chapter 12\)](#)

Requires electricity producers to consider dangers associated with an *electromagnetic pulse* and take steps to secure a continuous supply of electricity to the residents of Arizona.

### **SB1335 public notice; municipal land sales**

[\(Chapter 198\)](#)

Requires a municipality to hold at least one public hearing and adopt a resolution of approval prior to selling municipal property valued at more than \$1.5M but less than \$15M. Terms of any sale that meets these criteria must be posted on the municipality's website upon completion of the sale. Property worth more than \$15M may not be sold without voter approval. Property that meets the criteria of this law may not be sold for less than its appraised value. Applies provisions to airport property.

### **SB1432 unlawful restrictive covenants; uniform act**

[\(Chapter 58\)](#)

The Uniform Unlawful Restrictions in Land Records Act allows property owners to submit amendments to remove unlawful restrictions. Allows the governing body of an association of owners to remove an unlawful restriction without a vote by its members. Members can request an amendment in a record identifying an unlawful restriction, and the association must act within 90 days. The amendment must identify the owner, property affected, and the document containing the restriction. Defines the wording and format of the amendment request, requires it to conform to the Lands Record office,

and requires the Recorder to add the amendment to the index.

### **SB1441 land and buildings transfers; Yuma**

[\(Chapter 14\)](#)

Requires the Arizona Historical Society to transfer ownership and management of the Sanguinetti House Museum and Gardens, Jack Mellon House and the Molina Block to the City of Yuma. Requires the President of the Arizona Historical Society to deliver a properly signed and recorded deed or patent to the City of Yuma within 15 days after the effective date. Requires that the transferred land and buildings may only be used for public purposes, in perpetuity, and may not be sold, exchanged, or bartered.

# Part Five: Transportation and Traffic Enforcement

## **HB2318 state match fund; rural transportation**

[\(Chapter 120\)](#)

Mandates applicants awarded funding from the State Match Advantage for Rural Transportation (SMART) Fund for design and engineering services to apply for a federal grant within two years or the award lapses. The applicant must submit repayment within 30 days after receiving an invoice from the Arizona Department of Transportation (ADOT). The Transportation Board can give preference to applicants based on factors deemed appropriate for the applicable federal grant. The requirement to notify ADOT within 15 days of not securing the grant is removed. Starting January 1 and July 1 of each year, the Board can redistribute unawarded funds to each category based on state law percentages. ADOT must post the available amount on their website within 30 days after approval. The Board can direct ADOT to close applications and return unawarded applications. If an applicant receives funding from another source for the same project and purpose, the Board can rescind the award and require repayment within one year after the rescission resolution is approved.

## **HB2438 ADOT; continuation; administration; licensing; planning**

[\(Chapter 208\)](#)

Continues the Arizona Department of Transportation (ADOT) until July 1, 2032. Retroactive to July 1, 2024. Prohibits actions against a person's driving privileges or registration if a judicial officer reports a conviction or finding of responsibility more than five years after the action. Limits the validity of a driver's license to five years if issued to someone 60 or older. Requires ADOT to check the Federal Motor Carrier Safety Administration's Drug and Alcohol Clearinghouse for all commercial applicants. If the Clearinghouse indicates a prohibition from having a commercial license, the application is denied, and their status is downgraded within 60 days. If the Clearinghouse indicates an error and the applicant has no restrictions, the application is restored. ADOT is also required to publish a schedule of public hearings on highway projects and allow public input.

## **SB1054 state construction project delivery methods**

[\(Chapter 46\)](#)

Extends commencement dates for rules governing transportation-related construction projects to December 31, 2030.

## **SB1055 off-highway vehicle study committee; extension**

[\(Chapter 76\)](#)

Extends the committee an additional year to June 1, 2025.

## **SB1376 vehicle loads; restrictions**

[\(Chapter 183\)](#)

Applies vehicle road restrictions to streets and roadways in addition to highways. Exempts vehicles used for agricultural purposes on a farm.

## **SB1410 marijuana; licensing; delivery**

[\(Chapter 238\)](#)

Prohibits the Arizona Department of Health Services from passing rules that limit the distance between the delivery location and the originating designated retail location, or the number of vehicles a marijuana dispensary may use for delivery.

## **Part Six: Labor, Employment, Retirement and Benefits**

### **HB2203 public retirement plans; liabilities; administration**

[\(Chapter 116\)](#)

Transfers the total amount of assets to cover the accrued liability from a previous employer under the Public Safety Personnel Retirement System (PSPRS) to the subsequent employer under the same retirement plan leaving any unfunded or overfunded amounts with the employer in which it was incurred. Exempts all trust funds administered by the board from becoming abandoned or unclaimed property and allows participants in the defined contribution plan to take loans on accumulated assets in their annuity account.

### **HB2204 workers' compensation; premiums**

[\(Chapter 139\)](#)

Allows an insurance carrier to reduce the amount of premiums paid by an employer by up to 5% if the employer is part of a membership organization if the insurance carrier has a program agreement with the membership organization that is comprised of persons that are in a similar or related line of commerce, organized to promote and improve business conditions in that line of commerce, and not engaged in a regular business of a kind that is ordinarily carried on for profit and whose net earnings do not inure to the benefit of any member.

### **HB2206 ASRS; contingent annuitants; account information**

[\(Chapter 117\)](#)

Allows the Arizona State Retirement System (ASRS) Board to provide the value of a member's benefit to a member's current or former spouse on receipt of proof of service of a petition for annulment, dissolution of marriage or legal separation. Changes *beneficiary or beneficiaries* to *contingent annuitant*. Requires one contingent annuitant to be named by the ASRS Board for payment of the optional premium benefit payment.

### **HB2208 continuation; ASRS**

[\(Chapter 30\)](#)

Continues the Arizona State Retirement System (ASRS) until July 1, 2032. Retroactive to July 1, 2024.

### **SB1677 firefighters; peace officers; PTSD; therapy**

[\(Chapter 203\)](#)

Requires employers to provide workers' compensation coverage to firefighters and certified peace officers who have been diagnosed with Post Traumatic Stress Disorder (PTSD) and have an accepted workers' compensation claim for PTSD. Allows one course of a treatment protocol using midomafetamine if deemed reasonably necessary

by an independent medical examination and if it follows the treatment guidelines established by the Industrial Commission of Arizona. Stipulates that the legislation is not effective unless the United States Food and Drug Administration approves the use of midomafetamine to treat PTSD by December 31, 2025.

# Part Seven: Ballot Referrals

## **HCR2023 property tax; refund; nuisance enforcement**

[\(Transmitted to the Secretary of State, 03/04/2024\)](#)

Before January 1, 2036, allows property owners to apply for a primary property tax refund for taxes paid to a city, town, or county if the entity fails to enforce laws prohibiting illegal camping, obstructing public thoroughfares, loitering, panhandling, public urination or defecation, public consumption of alcoholic beverages or possession of illegal substances. The refund will be based on the reasonable expenses incurred by the property owner to mitigate the issue. Requires the State Treasurer to withhold payments of state shared revenues until the refund is collected. If challenged, the city, town, or county must prove their actions are lawful or the refund amount is unreasonable.

## **HCR2060 border; benefits; fentanyl; illegal entry**

[\(Transmitted to the Secretary of State, 06/04/2024\)](#)

Prohibits any unlawful entrant to the USA from applying for federal, state or local benefits with a false document and makes that action a class 6 felony. Requires a municipality or county that receives state monies for a public welfare program to use the federal Systematic Alien Verification for Entitlements (SAVE) Program administered by the United States Citizenship and Immigration Services or any associated program to verify the validity of any documents presented by the applicant. Designates the sale of fentanyl as a class 2 felony and defines what qualifies as a sale of fentanyl. Defines what constitutes an illegal entry to Arizona, requires that any entrant to the state do so from a lawful port of entry, designates violation of this law is an affirmative defense if certain criteria are met and defines the process needed to address illegal entrants to the state. Defines the criteria for enforcement of this article, immunity for public officials engaged in enforcing this article, rules for incarceration and unlawful entrant processing, and the legal rights of the legislature to defend this article in court. Contains a severability clause.

## **SCR1041 ballot measures; challenges**

[\(Transmitted to the Secretary of State, 06/13/2024\)](#)

Allows a person to bring an action in superior court to contest the constitutionality of an initiative measure or amendment that violates the U.S. Constitution or Arizona Constitution at least 100 days before the election that the measure or amendment is scheduled to appear on the ballot. Prohibits the Arizona Secretary of State or other officer from certifying or printing the measure or amendment on the ballot if a court of competent jurisdiction enters a judgement, within 100 days before the election, that the measure or amendment violates the U.S. or Arizona Constitution. Allows any party to appeal to the Arizona Supreme Court within five calendar days of judgement entered by the superior court. Requires the Secretary of State to submit the proposition to the voters at the next general election. Contains a legislative finding.



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