ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - Second Regular Session

COMMITTEE ON REGULATORY AFFAIRS

Report of Regular Meeting
Wednesday, January 31, 2024
House Hearing Room 5 (11 -- 64) -- 2:00 P.M.

Convened 2:15 P.M.
Recessed 3:20pm
Reconvened 3:24pm
Adjourned 3:56 P.M.

MINUTES RECEIVED
CHIEF CLERK'S OFFICE
2/2/24

Members Present
Representative Crews
Representative Hernandez
Representative Payne
Representative Peña
Representative McGarr, Vice-Chairman
Representative Hendrix, Chairman

Members Absent

Agenda
Original Agenda – Attachment 1

Request to Speak
Report – Attachment 2

Committee Attendance
Report – Attachment 3

Committee Action

Bill	Action	Vote	Attachments
HB2308	DPA	6-0-0-0	4, 5, 6
HB2328	DPA	5-0-0-1	7, 8, 9
HB2068	DP	5-1-0-0	10, 11
HB2470	DP	4-2-0-0	12, 13
HB2471	DP ON RECON	4-2-0-0	14, 15, 16
HB2119	DPA/SE	5-1-0-0	17, 18, 19
HB2141	DP	6-0-0-0	20, 21
HB2317	FAILED	3-3-0-0	22, 23, 24
HB2509	DP	6-0-0-0	25, 26
HB2084	HELD		27, 28

Julie Ryberg, Committee Secretary
February 2, 2024

(Original attachments on file in the Office of the Chief Clerk; video archives available at http://www.azleg.gov)

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ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - Second Regular Session

REGULAR MEETING AGENDA

COMMITTEE ON REGULATORY AFFAIRS

DATE Wednesday, January 31, 2024 ROOM HHR 5 TIME 2:00 P.M.

Members of the public may access a livestream of the meeting here:
https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2024011143

Members:

Representative Crews	Representative Payne	Representative McGarr, Vice-Chairman
Representative Hernandez A	Representative Peña	Representative Hendrix, Chairman

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	Bills		Short Title	Strike Everything Title
3	HB2068	DP	behavior analysts; regulatory board	
			(Bliss)	
		5-1-0-0	RA, HHS, RULES	
	HB2084	Held	homeowners' associations; annual meeting	
			(Hendrix)	
			RA, RULES	
6	*HB2119	DPA 5/E	homeowner's associations; fees; related parties	S/E: real property
			(Hendrix)	
		5-1-0-0	RA held 0-0-0-0-0, RULES	
7	*HB2141	DP	condominiums; interior improvements; approvals	
			(Hendrix)	
		6-0-0-0	RA held 0-0-0-0-0, RULES	
1	HB2308	DPA	occupational licenses; criminal offense; prohibition	
			(Grantham: Bliss, Carbone, et al)	
		6-0-0-0	RA, RULES	

Attachment 1

	Bills		Short Title	Strike Everything Title
8	HB2317	Failed	continuing care; automated external defibrillators (Gress)	
		3-3-0-0	RA, RULES	
2	HB2328	DPA	mobile food vendors; operation; rules (Payne)	
		5-0-0-1	RA, RULES	
4	HB2470	DP	planned communities; authority; public roadways (McGarr: Diaz, Jones, et al)	
		4-2-0-0	RA, RULES	
5	HB2471	DP	rulemaking; legislative approval (McGarr: Chaplik, Hendrix, et al)	* HB2471 on Reconsideration 4-2-0-0
		5-1-0-0	RA, RULES	
9	HB2509	DP	behavioral health; temporary licensure; graduates (Gress: Biasiucci, Blattman, et al)	
		6-0-0-0	RA, RULES	

* On previous agenda

ORDER OF BILLS TO BE SET BY THE CHAIRMAN

~~RA~~
VC
01/25/2024

People with disabilities may request reasonable accommodations such as interpreters, alternative formats, or assistance with physical accessibility. If you require accommodations, please contact the Chief Clerk's Office at (602) 926-3032 or through Arizona Relay Service 7-1-1.

Information Registered on the Request to Speak System

House Regulatory Affairs (1/31/2024)

HB2068, behavior analysts; regulatory board

Testified in support:

Stuart Goodman, ARIZONA ASSOCIATION FOR BEHAVIOR ANALYSIS; Heidi Herbst Paakkonen, Arizona Board Of Psychologist Examiners; Jessica Belokas, representing self

Support:

Brandy Petrone, Arizona Psychological Association; Daniel Openden, Ph.D., BCBA-D, representing self; denise bro, representing self; Marianne Mulligan, representing self; Amy Kenzer, representing self; Ashlee Jensen, representing self; Jamie Smallwood, representing self; Kayla Rosenberger, representing self; Sarah Duarte, representing self; Liz Carr, representing self; Christina Corieri, ACTION BEHAVIOR CENTERS, LLC; Kelsey Webb, representing self; Joseph Gentry, representing self; Mary Stevenson, representing self; Hanna Roen, representing self; Kyle Lininger, representing self; Jane D'Souza, representing self; Justin James, representing self; Rebecca Hartzell, representing self; Ashley Sanchez, representing self; Reilly Rowland Padia, representing self

All Comments:

Daniel Openden, Ph.D., BCBA-D, Self: Please support HB2068 for increased regulatory efficiency for the profession of Behavior Analysts; denise bro, Self: Please support HB2068 for increased regulatory efficiency for the profession of Behavior Analysts.; Marianne Mulligan, Self: Please support HB2068 for increased regulatory efficiency for the profession of Behavior Analysts; Jamie Smallwood, Self: Please support HB2068; Kayla Rosenberger, Self: Please support HB2068 for increased regulatory efficiency for the profession of Behavior Analysts; Sarah Duarte, Self: Please support HB2068 for increased regulatory efficiency for the profession of Behavior Analysts; Liz Carr, Self: Please support HB2068 for increased regulatory efficiency for the profession of Behavior Analysts.; Kelsey Webb, Self: Please support HB2068 for increased regulatory efficiency for the profession of Behavior Analysts.; Joseph Gentry, Self: Please support HB2068 for increased regulatory efficiency for the profession of Behavior Analysts.; Mary Stevenson, Self: Please support HB2068 for increased regulatory efficiency for the profession of Behavior Analysts.; Hanna Roen, Self: Please support HB2068 for increased regulatory efficiency for the profession of Behavior Analysts.; Kyle Lininger, Self: Please support HB2068 for increased regulatory efficiency for the profession of Behavior Analysts.; Heidi Herbst Paakkonen, Arizona Board Of Psychologist Examiners: On behalf of the Board of Psychologist Examiners, I am available to address questions.; Ashley Sanchez, Self: Please support HB2068 for increased regulatory efficiency for the profession of Behavior Analysts

HB2084, homeowners' associations; annual meeting

Support:

Mary Jo Edel, representing self; Kayte Comes, representing self; Paige Livingston, representing self; Michael Shupe, representing self; Doris Siefker, representing self; Chad Gallacher, representing self; Eric Kadel, representing self

Attachment 2

Oppose:

Bryan Hawk, representing self; Dennis J Legere, ARIZONA HOMEOWNERS COALITION; Kathryn Kendall, representing self; Rhonda Wakai, representing self; Kenneth Michael Halal, representing self; Lynne Weaver, representing self; Raymond Wasson, representing self; Kathleen Harden-Wasson, representing self; CYNTHIA BLACK, representing self; Joy LaCombe, representing self; Sean Baguley, representing self; Ron Meyerink, representing self; Darryl Jacobson-Barnes, representing self; Sid Leach, representing self; Kathleen Garing, representing self; Kathy Riazi, representing self; Pamela Maddern, representing self; Debra Lynn Corey, representing self; Douglas Kupel, representing self; Linda Ross, representing self; Teresa Pinter, representing self; Catherine McGurk, representing self; Karen Cwiak, representing self; John Krahn, representing self; Candra Adams, representing self; Carla Vala, representing self; Clinton Friday, representing self; Samuel Paparazzo, representing self; Michele Morrison, representing self; Louise Candelaria, representing self; Michael Peters, representing self; Angela Abeler, representing self; Stanley Ambis, representing self; brenda simon, representing self; Douglas Simon, representing self; Roseanne and Steve Elson, representing self; Barbara Kunkel, representing self; Wayne Dwight, representing self; Richard Hosterman, representing self; Teresa Hosterman, representing self; Pierre Desombre, representing self; David Hill, representing self; Lisa Marx, representing self; Kurt Gronlund, representing self; Rod Lippert, representing self; Carolyn Wefsenmoe, representing self; Julia Abston, representing self; Larry Springer, representing self; Ann Friday, representing self; Joyce Monsanto, representing self; Tamara Jackson, representing self

All Comments:

Paige Livingston, Self: Permitting the Annual Meeting notices to be sent via email is a good thing. Quorum of 10% is also fine. Most governing documents use 10% anyway.; Doris Siefker, Self: Please add husband and wife (or two household members) cannot be on the board, only members can be on the board.; Bryan Hawk, Self: Do not move forward with this; Dennis J Legere, ARIZONA HOMEOWNERS COALITION: The language for this bill is totally inappropriate and will allow association to totally prevent in person meetings of the members. And will allow unlimited use of voting process that are currently prohibited from use in these communities by law.; Kenneth Michael Halal, Self: This is bill is too limiting to homeowners and tends to favor the HOA. In essence, giving the HOA ultimate authority on whether the homeowners reason for the records request is valid or not.; Lynne Weaver, Self: Precinct Captain, State Committeeman. Please oppose this bill.; Ron Meyerink, Self: I agree with the Arizona Homeowners Coalition position ... the actual homeowners (not just developers and managers) need a voice in all legislation affecting their property & rights.; Darryl Jacobson-Barnes, Self: This bill is not fair to homeowners. It was my understanding that it wouldn' t be heard without the compromises discussed w/ AZHOC.Please withdraw this from the agenda,unless & until a compromise is reached that is fair to both sides. Pres. & member; Sid Leach, Self: This legislation is NOT in the best interests of homeowners and citizens of the State of Arizona; Kathleen Garing, Self: This bill walks all over homeowners.; Linda Ross, Self: I am strongly against this bill. It does not support the rights of homeowners. Homeowners are voters. I plan to attend on Jan. 31.; Teresa Pinter, Self: This bill is not in the best interests of homeowners.; Catherine McGurk, Self: Please reject HB2084 because it is an attack on homeowners' rights; Karen Cwiak, Self: I am opposed to HB2084.; Candra Adams, Self: This bill is against all homeowners. As a homeowner, I request to speak my opposition to this bill .; Michele Morrison, Self: This bill will preclude homeowners from the ability to discuss their ballot measure with regard to annual board member elections. This is an attack on fundamental homeowner rights. Property management companies are already abusing such loopholes.; Louise Candelaria, Self: Why is the HOA management industry continually attempting to usurp the rights of property owners? As a military veteran, I am absolutely offended by their authoritarian overreach.; Angela Abeler, Self: attack on homeowners' ability to vote in person at a meeting of the members, denying homeowners the ability and right to address, provide feedback and to hold their board accountable for their actions in managing these communities at least once a yr.; Stanley Ambis, Self: Bill needs compromise to all

parties; brenda simon, Self: As a Board Member of a Self-Governing HOA. Please don't compromise.; Douglas Simon, Self: Please honor your commitment to not hear HOA related bills where reasonable compromise has not been achieved.; Barbara Kunkel, Self: This bill is harmful to AZ homeowners. Please don't take our rights away.; Richard Hosterman, Self: We cannot allow AACM to dictate state policy on HOA/Condo elections. Free and fair elections and ballot measures are needed. Isn't America about Free elections?; Teresa Hosterman, Self: AACM should not be allowed to dictate policy on HOA/Condo elections. Free and fair elections and ballots are needed.; David Hill, Self: It does not appear that a reasonable compromise has yet been achieved between AACM and homeowners. I believe strongly that AACM should NOT dictate state policy on HOA/Condo elections and ballot measures.; Lisa Marx, Self: this bill as an attack on homeowners' ability to vote in person at a meeting of the members, denying homeowners the ability and right to address, provide feedback and to hold their board accountable for their actions in managing these communities at; Rod Lippert, Self: This bill is against homeowners, as a homeowner i am against this legislation

HB2119, homeowner's associations; fees; related parties

Support:

Dennis J Legere, ARIZONA HOMEOWNERS COALITION; Kurt Gronlund, representing self; Catherine McGurk, representing self; Debra Lynn Corey, representing self; Doris Siefker, representing self; Pierre Desombre, representing self; Sid Leach, representing self; Eric Kadel, representing self; Edie Lefevre, ARIZONA ASSOCIATION OF COMMUNITY MANAGERS (AACM); Teresa Pinter, representing self; Angela Abeler, representing self; Jeff Sandquist, ARIZONA ASSOCIATION OF COMMUNITY MANAGERS (AACM)

Oppose:

Paige Livingston, representing self

All Comments:

Dennis J Legere, ARIZONA HOMEOWNERS COALITION: We support the strike everything with the exception of the "Service Fee" provision. The undefined, unlimited and unrelated fee to this section of statute must be corrected in a future amendment to this bill. Our support is predicated on this amendmen; Jeff Sandquist, ARIZONA ASSOCIATION OF COMMUNITY MANAGERS (AACM): We support the S/E amendment to the bill.; Paige Livingston, Self: If work is performed, the fee should be paid regardless of what type of transaction it is or for whom. To remove the ability of a privately owned company to charge a fee for services rendered is government overreach.

HB2141, condominiums; interior improvements; approvals

Support:

Dennis J Legere, ARIZONA HOMEOWNERS COALITION; Spencer Kamps, HOME BUILDERS ASSOCIATION OF CENTRAL AZ; Kurt Gronlund, representing self; Marilyn Rodriguez, Rural Arizona Action (RAZA); Catherine McGurk, representing self; Debra Lynn Corey, representing self; Pierre Desombre, representing self; Sid Leach, representing self; Teresa Pinter, representing self; Angela Abeler, representing self

Oppose:

Mary Jo Edel, representing self; Kayte Comes, representing self; Paige Livingston, representing self; Michael Shupe, representing self; Doris Siefker, representing self; Chad Gallacher, representing self

All Comments:

Dennis J Legere, ARIZONA HOMEOWNERS COALITION: This is a rational and reasonable application of modern technology that is simple common sense.; Paige Livingston, Self: The HOA is finically responsible for certain elements of condo structures. They should have the authority to impose restrictions to prevent damage. HOAs don't inspect the interior of a unit until the owner has reported interior damage. Hard NO.

HB2308, occupational licenses; criminal offense; prohibition

Testified in support:

Jenna Bentley, BARRY GOLDWATER INSTITUTE FOR PUBLIC POLICY RESEARCH; Shaun Rieve, JUSTICE ACTION NETWORK

Support:

Russell Smoldon, Action For Safety And Justice; Dianne Post, AZ NATIONAL ORGANIZATION FOR WOMEN (NOW), Self, STATE CONFERENCE NAACP; Paul Avelar, INSTITUTE FOR JUSTICE AZ CHAPTER, Self; Kurt Altman, Right On Crime; Samuel Richard, INSTITUTE FOR JUSTICE; Marilyn Rodriguez, Rural Arizona Action (RAZA); Rivko Knox, representing self

Oppose:

Christine Whitley, representing self

All Comments:

Dianne Post, AZ NATIONAL ORGANIZATION FOR WOMEN (NOW), Self, STATE CONFERENCE NAACP: We are really silly to prohibit licenses so released convicts can work. They must work. It reduces recidivism and saves money and lives and communities.; Rivko Knox, Self: Allowing people who have had criminal convictions to petition to obtain certain occupational licenses, will assist them to earn a living, integrate into society and prevent recidivism.

HB2317, continuing care; automated external defibrillators

Testified in support:

Brendon Blake, AARP

Testified as neutral:

Marie Isaacson, ARIZONA LEADINGAGE

Support:

James Steven, representing self; Tory Roberg, ALZHEIMER'S ASSN DESERT SOUTHWEST CHAPTER; Tom Doescher , representing self

Neutral:

Don Isaacson, LEADINGAGE ARIZONA

All Comments:

Don Isaacson, LEADINGAGE ARIZONA: Working with the sponsor; Marie Isaacson, ARIZONA LEADINGAGE: AZLA has concerns but would like the opportunity to continue working with the sponsor to reach common ground.

HB2328, mobile food vendors; operation; rules

Support:

Paul Avelar, INSTITUTE FOR JUSTICE AZ CHAPTER, Self; Charles McCain, representing self; Marilyn Rodriguez, Rural Arizona Action (RAZA); Pam Ingermanson, representing self; Marc Monterey, representing self; Barb Hinderland, representing self; George Momper, representing self; Don Hayles, representing self

Neutral:

Nancy Pemberton, representing self

Oppose:

Mary Ann Graffagnino, representing self; Margaret Tinsley, representing self; Patricia Brunner, representing self; kathleen mayer, representing self; Dave Long, representing self; Janie Hydrick, representing self; Steve Ramos, representing self; Judith Simons, representing self; Denise Link, PhD, WHNP, representing self; Janet Larkin, representing self; Steven Linder, representing self; Rebecca Smith Gross, representing self; Dianne Post, representing self; Kevin Brown, representing self; Kerry Jackson, representing self; Kathleen Pettycrew, representing self; Maria Salvucci, representing self; Wes Oswald, representing self; Kimberlee McClure, representing self; Kathy Fraser, representing self; Brent Gibbs, representing self; Elizabeth Schauer, representing self; Alexei Sheydayl, representing self; Katherine Doman Sheydayi, representing self; Lawrence Peters, representing self; Robin LaVoie, representing self; Darrell Boomgaarden, representing self; Christine Whitley, representing self; Carol Maas, representing self; Barbara Oliver, representing self; Sallie Kladnik, representing self; Cynthia Couture, representing self; Alice Stambaugh, representing self; Kathryn Kaczmarek, representing self; Susan Morris, representing self; Charlie Silver, representing self; Julie Golding, representing self; marilyn duerbeck, representing self; Jeanne Casteen, representing self; Jeri Dow, representing self; Amy Arnold, representing self; Christine Keitges, representing self; Karen Syversen, representing self; Donita Ramos, representing self; Sandra Weir, representing self; Angela J. Miller, representing self; Melinda Sims, representing self; Mary Grove, representing self; Judith Robbins, representing self; Gail Kamaras, representing self; Louise Good, representing self; Eve Shapiro, representing self; janice sandoz, representing self; Martha O'Connor, representing self; David Patchen, representing self; Edna Weigel, representing self; Jennifer Dawson, representing self; Robert Larson, representing self; Barbara Larson, representing self; Robert Fisher, representing self; Margaret Bruns, representing self; Laurie Munn, representing self; Kathy Boelte, representing self; Annarose Lilly, representing self; Linda Block, representing self; Joseph Alexander, representing self; Valerie Policastro Edie, representing self; GARY LEW OLIVER, representing self; Nelson Morgan, representing self; Lucy Marshall, representing self; Linda Guarino, representing self; Carol Garnett, representing self; Matthew Nelson, representing self; Thea Chalow, representing self; Nancy Santori, representing self; Mary Nelson, representing self; Jennifer Jones, representing self; Jo Ann Caruthers, representing self; Penny Boone, representing self; Kathleen Dubbs, representing self; William S. James, representing self; Patricia Edelen, representing self; Carol Waymire, representing self; Kathleen Schanus-Gohl, representing self; ALICE BUCK, representing self; Cynthia Wagner, representing self; Rebecca Haynes, representing self; Mariette Francis, representing self; leadawn anderton, representing self; Rebecca Scotney, representing self; Mary Martiniak, representing self; Marilyn Coyle, representing self; Stephen Coyle, representing self; Kathy Pyner, representing self; Steve Gorman-Hackstadt, representing self; Janet Senf, representing self; Emily Norton,

representing self; Marie Helt, representing self; Nadine Smith, representing self; Anne Leota Hart, representing self; Mary Santy, representing self; Marie Thearle, representing self; Loretta O'Connor, representing self; Linda Bentley, representing self; Carly Mahlmeister, representing self; Sandra Adler, representing self; Bonnie Oakes, representing self; Mary Fortney, representing self; Jeffrey Fortney, representing self; Kathy Boltz, representing self; Ruth Shea, representing self; John Propster, representing self; Diane Klock, representing self; Peggy Yeargain-Williams, representing self; Amy Pedotto, representing self; Claire Bickel, representing self; Norman Fuchs, representing self; Kathleen Martin, representing self; Nancy Hancock, representing self; Margaret Lacey, representing self; Mary Lisa, representing self; Mary Keerins, representing self; Gail Block, representing self; Gail Prestera, representing self; Catherine Hurla, representing self; Suzanne Waltman, representing self; Paisley Rossetti, representing self; Roxanna Kearns, representing self; Mary-Jeanne Fincher, representing self; Michael Pyska, representing self; Gary Rulapaugh, representing self; Alice Patricia Price, representing self; Dale Wiebusch, "SCOTTSDALE, CITY OF "; Lori Taniguchi, representing self; Terri Farneti, representing self; David Myers, representing self; Monica Bills, representing self; Lisa Maczura, representing self; Eric Kadel, representing self; Regina Pennington, representing self; Melissa Galarza, representing self; Jacqueline deSa, representing self; Kathleen Woessner, representing self; Aaron Torrance, representing self; Linda Paul, representing self; Michael Levine, representing self; Libby Stortz, representing self; Connie Cockrell, representing self; Carol Campbell, representing self; Marilyn Murov, representing self; Donna Johnson, representing self; Dan Roskey, representing self; Devon Sloan, representing self; George Ehrlich, representing self; Katharine Donahue, representing self; Jerrold Borchardt, representing self; Kathleen Butler, representing self; Sharon Ehrlich, representing self; LINDA GANTVERG, representing self; Pamela Chittenden, representing self; Cathy Noga, representing self; Sharon Arnst, representing self; Nancee K Wood, representing self; Karolyn Switzer, representing self; Kathleen Sauer, representing self; Christopher Cerrato, representing self; Aaron Essif, representing self; Marcia Tingley, representing self; Richard Gohl, representing self; Janie Smieszek, representing self; Russell Tucker, representing self; Leslie Hirsch, representing self; Julian Donahue, representing self; J Nicholas Prestera, representing self; Sarah Bihms LD29, representing self; Nora Welsh, representing self; Joseph Bihms LD29, representing self; Dawn Norton LD29, representing self; Elissa Karn, representing self; Dieter Knecht, representing self; Leslie Eaton, representing self; Lois Hansen, representing self; Jill Anderson, representing self; Alicia Vaughan, representing self; Stevan Mrdalj, representing self; Nevena Mrdalj, representing self; Nancy Lecrone Nonini, representing self; Evan Deaubl, representing self; Beth Ballmann, representing self; William Bowlus-Root, representing self; Leigh Emrick, representing self; Denise Hudson, representing self; Lisa Koenig, representing self; Valarie Bryant, representing self; Barbara Jones, representing self; Claudia Miller, representing self; JOHN FIENE, representing self; Douglas Cain, representing self; Julie Bufkin, representing self; Rivko Knox, representing self; Laura Henry, representing self; Mike Kunnecke, representing self; Gary Townsend, representing self; Alicia Messing, representing self; marcia stewart, representing self; Leslie Stallcop, representing self; Srinivas Manne, representing self; Lora Lida Walradt, representing self; Susan Collopy, representing self; Sharon Regen, representing self

All Comments:

Don Hayles, Self: Yes!. There is a definite need for this. It will stimulate business. Thank you.; Mary Ann Graffagnino, Self: If anything, food trucks need more regulations.; Margaret Tinsley, Self: This is a bad idea, and should not pass. Please vote no.; kathleen mayer, Self: what a very bad idea unless you own a food truck; Denise Link, PhD, WHNP, Self: Food safety regs protect the public and the industry. Leave them in place; Kerry Jackson, Self: Rep. Payne who owns a food truck says that if ten people benefit from it, there's no conflict. I don't trust Payne or the majority party legislature with this bill.; Wes Oswald, Self: The bill could lead to nuisances such as noise, along with gray water, trash and grease, being dumped in neighborhoods.; Lawrence Peters, Self: Bill is blatant conflict of interest. Legislature has ridiculous conflict of interest rule. R lawmakers should fix their $1 billion budget deficit caused by massive ESA overspend & revenue busting tax cuts.; Barbara Oliver, Self: The sponsor of

this bill owns a food truck!; Kathryn Kaczmarek, Self: I do not want to reduce or "relax" regulation of food trucks. They should meet high standards so we all can feel assured of sanitary and cleanliness standards. Does the sponsor of this bill own food trucks? Shame on you, if you proposed this.; Charlie Silver, Self: Conflict of interest here!; Karen Syversen, Self: Food truck regulations should NOT be relaxed!; Angela J. Miller, Self: With more lax regulations, food trucks could become noisy, messy nuisances in our neighborhoods.; Judith Robbins, Self: Stop self-dealing at the legislature. My Rep. should recuse himself from this vote and not be able to legislate for his own business practices. Vote NO.; Gail Kamaras, Self: Can you say self-serving legislation? He is his own sole constituent.; Louise Good, Self: Sponsored by Rep. Payne, who owns a food truck. He's going for self-enrichment at the community's expense. The bill could lead to nuisances such as noise, along with gray water, trash and grease, being dumped in neighborhoods.; Martha O'Connor, Self: Conflict of interest here between sponsor and self serving bill. Also leads to noise, along with gray water, trash and grease, being dumped in neighborhoods.; Jennifer Dawson, Self: VETOED last year. The bill could lead to nuisances such as noise, along with gray water, trash and grease, being dumped in neighborhoods. What says the Public Health Dept.?; Valerie Policastro Edie, Self: self-serving; Nelson Morgan, Self: I understand that the conflict of interest rules permit bills that benefit a sponsor if >10 people benefit; but still, it is unsavory that Rep. Payne's food truck business would benefit from this. He should recuse, not sponsor.; Carol Garnett, Self: Sponsors should not be allowed to sponsor bills which would be a financial benefit to the sponsor. Food truck regulations should not be relaxed since they protect the public.; Mary Nelson, Self: Conflict of interest; Penny Boone, Self: No. This would make food truck regulations too lax and unsafe.; Kathleen Dubbs, Self: this is a clear conflict of interest; Cynthia Wagner, Self: The bill could lead to nuisances such as noise, along with gray water, trash and grease, being dumped in neighborhoods. Isn't this a conflict of interest for Rep Payne who owns food trucks; Rebecca Haynes, Self: Do something to improve citizens' lives, rather than lining your own pocket. We need regulations on food trucks to ensure food safety and prevent noise and garbage being dumped in neighborhoods.; Marie Helt, Self: Food trucks are "guests" in the communities where they park. They should continue to be regulated to a high standard in order to protect those communities as well as the public who eat their products. It's counterintuitive to relax those standards.; Kathleen Martin, Self: Seems self-serving since you own a food truck!; Mary Keerins, Self: Do not allow this conflict of interest bill to move forward.; Roxanna Kearns, Self: Do not relax regulations on food trucks! Kevin Payne owns a food truck and this bill is an obvious, shameful attempt to enact legislation to help himself.; Lisa Maczura, Self: Every business needs to behave responsibly, no matter how small.; Michael Levine, Self: This is a conflict of interest.; Connie Cockrell, Self: No to a self-serving legislator. It also imperils food safety, noise regulations, and waste management.; Katharine Donahue, Self: Food safety regulations like immunizations are there for the safety of the public.; LINDA GANTVERG, Self: Not sure what 'regulations' Rep Payne is trying to relax. Seems food truck regulations are in place due to circumstances that led to need for regulations; Pamela Chittenden, Self: This is a serious conflict of interest.; Sharon Arnst, Self: Forget about it: what kind of food truck do you have Kevin!; Karolyn Switzer, Self: Why in the world are legislators who are also in business allowed to propose laws that distinctly benefit their business? It may not be illegal, but is definitely immoral. The potential ill effects of this bill are numerous.; Janie Smieszek, Self: Kevin Payne has too much personal interest; Julian Donahue, Self: This blatant conflict of interest should die a quick death.; Sarah Bihms LD29, Self: Oppose. Deregulating food trucks can lead to health and sanitation issues, affecting community well-being and safety.; Joseph Bihms LD29, Self: Oppose. Relaxed regulations on food trucks could lead to public health and safety issues, with potential for environmental concerns in residential areas.; Dawn Norton LD29, Self: Oppose. Loosening food truck regulations risks public health and safety, potentially leading to sanitation issues in neighborhoods.; Lois Hansen, Self: this bill is self serving to the sponsor and potentially destructive to the neighborhoods that they are conducting business in. no one wants food truck waste in their neighborhood; Beth Ballmann, Self: This bill is bad for our neighborhoods and the legislature sponsoring it stands to gain financially from it. Not very professional. Plus it was already veto'd once. Why are you wasting our time?; Lisa Koenig, Self: Self-dealing is a bad look. Regulations are there to protect

our neighborhoods, property owners, and the environment. Vote NO.; JOHN FIENE, Self: Personal pork! The sponsor owns a food truck. I love food trucks operating in the right place, at the right time...not like this bill. LD1 voter; Rivko Knox, Self: Aside from a conflict of interest (by common definition vs. law) by the sponsor this could create problems in neighborhoods re noise, trash, etc.; Gary Townsend, Self: Payne owns a food truck! The bill could lead to nuisances such as noise, along with gray water, trash and grease, being dumped in neighborhoods.; marcia stewart, Self: THis bill is to address a personal interest of a minority of people on this group and in the public. Neighborhoods should be protected and rules should apply to the F&B business in the streets.; Nancy Pemberton, Self: this bill needs clarification. The terminology was confusing to me and I may have supported this bill if I could understand what regulations they are asking to have removed; Lora Lida Walradt, Self: Self serving bill sponsored by owner of food trucks who would personally benefit without regard to impact on the public with noise, refuse dumping etc. LD 8

HB2470, planned communities; authority; public roadways

Support:

Dennis J Legere, ARIZONA HOMEOWNERS COALITION; Paige Livingston, representing self; Sid Leach, representing self; Kevin Cotugno, representing self; Eric Kadel, representing self; Angela Abeler, representing self; Spencer Kamps, HOME BUILDERS ASSOCIATION OF CENTRAL AZ; Aaron Flannery, representing self; Tamara Jackson, representing self

Oppose:

Adam Babica, LEAGUE OF ARIZONA CITIES & TOWNS; Rob Bohr, GILBERT, TOWN OF; Mary Jo Edel, representing self; Kayte Comes, representing self; Michael Shupe, representing self; Ginna Carico, GOODYEAR, CITY OF; Doris Siefker, representing self; Chad Gallacher, representing self

All Comments:

Dennis J Legere, ARIZONA HOMEOWNERS COALITION: Once a Declarant donates community streets to a municipality and the municipality accepts responsibility and ownership of those streets, only the municipality has the right to regulate those streets.; Paige Livingston, Self: I support having the governmental entity regulate the public streets in communities where the entity has accepted the streets. A private entity should not have authority to regulate public streets.; Kevin Cotugno, Self: It should be made clear that an HOA has no power over a public road way. it creates a hassle for the owner since he has to deal with the HOA for anyone parking in front of his home. Cities need to take responsibility for managing their own property.; Aaron Flannery, Self: HOA's should not be allowed to dictate who can or cannot park on publicly owned streets.; Rob Bohr, GILBERT, TOWN OF: .; Doris Siefker, Self: what is with the obession in regulating roadways. many are too narrow which is a safety concern. Allow HOA's to regulate their own community as they see fit.

HB2471, rulemaking; legislative approval

Support:

Barb Hinderland, representing self; Charles McCain, representing self; Rachel Bauer, representing self; Pam Ingermanson, representing self; Stephen Shadegg, Americans For Prosperity Arizona; Allen Skillicorn - Personal Position , representing self; Jason Giangiuli, representing self; Lori Huff, representing self; Jamie Alford, representing self; Phyllis Lester, representing self; Carol Stines, representing self; Kevin Cotugno, representing self;

David Morris, AMERICANS FOR PROSPERITY AZ; theresa breithaupt, representing self; George Momper, representing self; Don Hayles, representing self; James Judd, representing self; Elizabeth Gatley, representing self; Marc Monterey, representing self

Oppose:

Mary Ann Graffagnino, representing self; Pinny Sheoran, LEAGUE OF WOMEN VOTERS OF ARIZONA; Dianne Post, representing self; Kenneth Bierman, representing self; Kevin Brown, representing self; Sandy Bahr, Sierra Club - Grand Canyon Chapter; Kathleen Pettycrew, representing self; Harry Lumley, representing self; Eve Shapiro, representing self; Maria Salvucci, representing self; Wes Oswald, representing self; Dave Long, representing self; Rebecca Smith Gross, representing self; Carol Maas, representing self; Denise Link, PhD, WHNP, representing self; Sallie Kladnik, representing self; Cynthia Couture, representing self; Alice Stambaugh, representing self; Joan Murphy, representing self; Steven Linder, representing self; Mayor Robyn Prud'homme-Bauer, representing self; Mary Pradelt, representing self; Cyndi Tuell, representing self; marilyn duerbeck, representing self; Jeanne Casteen, representing self; Amy Arnold, representing self; Janie Hydrick, representing self; Karen Syversen, representing self; Sandra Weir, representing self; Steve Ramos, representing self; Dale Domzalski, representing self; Michael Fiflis, representing self; Patricia Ewanski, representing self; Christina Mollica, representing self; Judith Robbins, representing self; Judith K. Moll, representing self; Judy Moor, representing self; Peggie Jo Vincent, representing self; Alisa McMahon, representing self; Rosalind Switzer, representing self; kathleen mayer, representing self; Vivian Harte, representing self; Jim Moran, representing self; Liana Moran, representing self; janice sandoz, representing self; Martha O'Connor, representing self; David Patchen, representing self; Kerry Jackson, representing self; Edna Weigel, representing self; Nancy Santori, representing self; Kimberlee McClure, representing self; Kathy Fraser, representing self; Valerie Policastro Edie, representing self; GARY LEW OLIVER, representing self; Brent Gibbs, representing self; Elizabeth Schauer, representing self; Lucy Marshall, representing self; Matthew Nelson, representing self; Thea Chalow, representing self; Mary Nelson, representing self; Alexei Sheydayl, representing self; Katherine Doman Sheydayi, representing self; Jennifer Jones, representing self; Jo Ann Caruthers, representing self; Becky Sayler, representing self; Penny Boone, representing self; Kathryn Pensinger, representing self; Bryna Koch, representing self; Robin LaVoie, representing self; Lawrence Peters, representing self; Darrell Boomgaarden, representing self; Karen Cusano, representing self; Christine Whitley, representing self; Kathleen Dubbs, representing self; William S. James, representing self; Rebecca Haynes, representing self; Mariette Francis, representing self; Rebecca Scotney, representing self; Mary Martiniak, representing self; Marilyn Coyle, representing self; Barbara Oliver, representing self; Stephen Coyle, representing self; Kathy Pyner, representing self; Steve Gorman-Hackstadt, representing self; Janet Senf, representing self; Emily Norton, representing self; Anne Leota Hart, representing self; Mary Santy, representing self; Marie Thearle, representing self; Linda Bentley, representing self; Carly Mahlmeister, representing self; Kathryn Kaczmarek, representing self; Bonnie Oakes, representing self; Susan Morris, representing self; Jeffrey Fortney, representing self; Mary Fortney, representing self; Ruth Shea, representing self; John Propster, representing self; Cynthia Hans, representing self; Peggy Yeargain-Williams, representing self; Charlie Silver, representing self; Julie Golding, representing self; Norman Fuchs, representing self; Kathleen Martin, representing self; Jeri Dow, representing self; Christine Keitges, representing self; Gail Block, representing self; Gail Prestera, representing self; Daniella Smith, Arizona Coalition For Working Families; Donita Ramos, representing self; Suzanne Waltman, representing self; Paisley Rossetti, representing self; Melinda Sims, representing self; Angela J. Miller, representing self; Mary-Jeanne Fincher, representing self; Daniel Stormont, representing self; Jana Segal, representing self; Michael Pyska, representing self; Mary Grove, representing self; Gary Rulapaugh, representing self; Gail Kamaras, representing self; Nicole Fordey, representing self; Theresa Paszkiewicz, representing self; Ron Brinkman, representing self; Terri Farneti, representing self; Jennifer Dawson, representing self; David Myers, representing self; Monica Bills, representing self; Lisa Maczura, representing self; Robert Fisher, representing self; Margaret Bruns, representing self; Laurie

Munn, representing self; Eric Kadel, representing self; Regina Pennington, representing self; Melissa Galarza, representing self; Jacqueline deSa, representing self; Kathleen Woessner, representing self; Aaron Torrance, representing self; Annarose Lilly, representing self; Linda Block, representing self; Kathy Boelte, representing self; Linda Paul, representing self; Michael Levine, representing self; Libby Stortz, representing self; Connie Cockrell, representing self; Nelson Morgan, representing self; Carol Campbell, representing self; Linda Guarino, representing self; Marilyn Murov, representing self; Carol Garnett, representing self; Donna Johnson, representing self; Dan Roskey, representing self; Devon Sloan, representing self; George Ehrlich, representing self; Jerrold Borchardt, representing self; Kathleen Butler, representing self; Sharon Ehrlich, representing self; Katharine Donahue, representing self; LINDA GANTVERG, representing self; Patricia Edelen, representing self; Carol Waymire, representing self; Lynn DeMuth, representing self; Cathy Noga, representing self; Pamela Chittenden, representing self; Kathleen Schanus-Gohl, representing self; ALICE BUCK, representing self; Sharon Arnst, representing self; Cynthia Wagner, representing self; Nancee K Wood, representing self; Karolyn Switzer, representing self; Kathleen Sauer, representing self; leadawn anderton, representing self; Margaret Tinsley, representing self; Carol Rohe, representing self; Aaron Essif, representing self; Christopher Cerrato, representing self; Marcia Tingley, representing self; Richard Gohl, representing self; Theresa Prichard, representing self; Janie Smieszek, representing self; Russell Tucker, representing self; Nadine Smith, representing self; Leslie Hirsch, representing self; Julian Donahue, representing self; J Nicholas Prestera, representing self; Sarah Bihms LD29, representing self; Nora Welsh, representing self; Joseph Bihms LD29, representing self; Dawn Norton LD29, representing self; Elissa Karn, representing self; Leslie Eaton, representing self; Loretta O'Connor, representing self; Lois Hansen, representing self; Sandra Adler, representing self; Kathy Boltz, representing self; Jacqueline Giles, representing self; Mark Giles, representing self; Diane Klock, representing self; Jill Anderson, representing self; Alicia Vaughan, representing self; Stevan Mrdalj, representing self; Nevena Mrdalj, representing self; Amy Pedotto, representing self; Nancy Lecrone Nonini, representing self; Evan Deaubl, representing self; Claire Bickel, representing self; Sharon Regen, representing self; Beth Ballmann, representing self; William Bowlus-Root, representing self; Leigh Emrick, representing self; Nancy Hancock, representing self; Denise Hudson, representing self; Lisa Koenig, representing self; Margaret Lacey, representing self; Peggy Church, representing self; Valarie Bryant, representing self; Mary Lisa, representing self; Barbara Jones, representing self; Claudia Miller, representing self; Mary Keerins, representing self; Douglas Cain, representing self; Julie Bufkin, representing self; Corinne Shaw, representing self; Rivko Knox, representing self; Chris Allen, representing self; Joshua DeSpain, representing self; Laura Henry, representing self; Lyla Yango, representing self; Mike Kunnecke, representing self; Alison Danis, representing self; Susan Heck, representing self; Gary Townsend, representing self; Mary Beth Tripp, representing self; Alicia Messing, representing self; marcia stewart, representing self; JOHN FIENE, representing self; Garrett Sawyer, representing self; joan hall, representing self; Leslie Stallcop, representing self; Srinivas Manne, representing self; Debi Ploeger, representing self; Susan Collopy, representing self; Margaret Cordovano, representing self; Alice Patricia Price, representing self; Barbara Reuter, representing self

All Comments:

Barb Hinderland, Self: Any the legislative branch has the authority to MAKE new laws!; Allen Skillicorn - Personal Position , Self: Elected legislatures are far more accountable to the people than unelected bureaucrats.; Kevin Cotugno, Self: I support this. Unelected bureaucrats should not be writing laws.; George Momper, Self: It seems all levels of government have allowed unelected bureaucrats to make rules that effectively neutralize the elected officials. That is certainly not democracy!; Don Hayles, Self: We totally agree with this bill. Unelected officials are running everything. This is no way to run our country. The power needs to be with the elected reps. Elected by the people of our land.; James Judd, Self: Having a regulatory un-elected official results in a larger bureaucracy reducing the freedoms of Arizonians. Additionally, tend to have life-time terms which is unacceptable as a taxpayer.; Elizabeth Gatley, Self: Please keep state agencies from making laws as they are not elected. Rule making

should be done by the legislature.; Mary Ann Graffagnino, Self: A ridiculous and unnecessary hoop for state agencies to jump through.; Denise Link, PhD, WHNP, Self: Undermines local decision making; Alice Stambaugh, Self: This is the legislature wanting to play god again. I thought GOP didn't like gov. over-reach.; Joan Murphy, Self: This legislature hasn't even done a good job for it's constituents so why should you try to micro-manage agencies???; Karen Syversen, Self: This bill would prevents state agencies from effectively doing their jobs.; Michael Fiflis, Self: This bill would unreasonably tie the hands of agencies to regulate and should be rejected.; Patricia Ewanski, Self: This bill raises concerns about a potential violation of the separation of powers.; Judith Robbins, Self: This violates my private ballot and allow any elector access to it. Another way to undermine our safe and secure system with chain of custody. Vote "hell no" to this bill.; Alisa McMahon, Self: Perhaps the legislature could work on fixing the election calendar instead of inserting itself into the executive branch's business. We have three branches of government for a reason.; kathleen mayer, Self: more legislative overreach - micromanaging the executive branch. violation of separation of powers anyone?; Martha O'Connor, Self: Overreach would prevent our state agencies from effectively doing their jobs.; Kerry Jackson, Self: ...this will undermine state anancies from doing their jobs... overreach by the majority party legislators...; Mary Nelson, Self: Absurd overreach; Jennifer Jones, Self: This is overreach and would prevent agencies from doing their jobs.; Penny Boone, Self: No.This is overreach which would prevent our state agencies from effectively doing their jobs; Lawrence Peters, Self: R lawmakers chafe at US govt regs & yet want this overreach. State agencies do not need micromanagement by surplus-busting lawmakers who should spend their time fixing their $1 billion deficit caused by ESA overspend & revenue shattering tax cuts; Christine Whitley, Self: State agencies' purpose is to provide needed public services to all Arizonans. This bill does not benefit Arizonans and another example of government overreach. It is a harmful bill.; Kathleen Dubbs, Self: Legislative overreach; William S. James, Self: Would prevent agencies from doing their job; Rebecca Haynes, Self: This is a major overreach which would prevent our state agencies from effectively doing their jobs.; Barbara Oliver, Self: This bill is an absurd overreach and would prevent State agencies from doin their jobs.; Carly Mahlmeister, Self: Government overreach; Kathryn Kaczmarek, Self: This bill would attempt to interfere and possibly overrule the workings of our state agencies.; Charlie Silver, Self: Keep the legislators out of the rule making process. Legislators have already told the agencies what they want through the legislation passed.; Kathleen Martin, Self: Overreach!!!!!; Gail Prestera, Self: Government overreach. Not necessary.; Melinda Sims, Self: Unnecessary and far afield from your job descriptions.; Angela J. Miller, Self: Overreach into state agencies. Let them do their jobs.; Daniel Stormont, Self: Does someone still think they're in city government? Who the heck is the Council in this bill? Besides that issue, this bill would ensure state agencies could never make a rule again.; Jana Segal, Self: Requires all rules to be approved by a majority of each House of the Arizona Legislatures or they are invalid. They are taking the power away from the experts in the state agencies.; Gail Kamaras, Self: Our MAGA rep doesn't seem to understand the difference between legislation and regulation. Leave rulemaking to the experts. That's why we pay them.; Terri Farneti, Self: This bill raises concerns about a potential violation of the separation of powers. State agencies, as part of the executive branch, should not be subject to legislative involvement in administration and rule-making processes.; Jennifer Dawson, Self: Major legislative overreach - would prevent our state agencies from effectively doing their jobs.; Lisa Maczura, Self: OVERREACH, RED TAPE; Linda Paul, Self: This is unnecessary and would reduce the efficiency of government agencies; Michael Levine, Self: State agencies should be autonomous from legislative approval.; Connie Cockrell, Self: Another governmental overreach that would keep agencies from doing their jobs.; Nelson Morgan, Self: Please let agencies do their jobs.; Linda Guarino, Self: I trust agencies more than the legislature.; Carol Garnett, Self: Restrictions on agency rulemaking based on politics of party in the majority? The parties should not want that. Agencies are the ones who have the expertise for what is needed.; Katharine Donahue, Self: Messing around with the opinions of experts is just another way to stalmate . Let the agencies do their jobs and you do yours - if you know what it is.; LINDA GANTVERG, Self: The legislature needs to step back and let agencies run their agencies. Government overreach here; Pamela Chittenden, Self: We do not need to hamstring hardworking agency workers.; Sharon Arnst, Self:

Overreach!; Cynthia Wagner, Self: This absurd overreach would prevent our state agencies from effectively doing their jobs; Karolyn Switzer, Self: Leave the state agencies alone to do their jobs. The legislature's nose doesn't need to be in everything.; Margaret Tinsley, Self: This would undercut the ability of agencies to operate, and waste legislative time. Please vote no.; Theresa Prichard, Self: This is overreach by the legislature into the rule making process, and would not improve the role of government. In fact it would slow it to a crawl, slower than it already is.; Sarah Bihms LD29, Self: Oppose. Allowing legislature to veto agency rules hinders effective governance and gives too much power to the legislative branch.; Joseph Bihms LD29, Self: Oppose. This bill's requirement for legislative approval of agency rules is bureaucratic overreach that can paralyze essential regulatory functions.; Dawn Norton LD29, Self: Oppose. Involving the legislature in agency rulemaking oversteps boundaries and hinders efficient government operations.; Lois Hansen, Self: this would hamstring our agencies and prevent them from the work of the people. this is the definition of governement overreach; Jacqueline Giles, Self: This bill raises concerns about a potential violation of the separation of powers; Beth Ballmann, Self: Inappropriate over-reach on the part of our AZ legislature.; William Bowlus-Root, Self: Let the agencies make their own rules. That's what we entrust them to do. If the legislature can't trust them to do that then perhaps the legislature should just get rid of the agency and conduct all of its business instead. You've got time, right?; Mary Keerins, Self: Absurd overreach; Corinne Shaw, Self: I am a registered voter in Yavapai County.; Rivko Knox, Self: The Legislature's job is to pass broad laws; administrative agencies that adopt rules, after public comment. This would create major bottlenecks in how our state operates!!; Lyla Yango, Self: This bill is another measure to tie the hands of agencies and would affect important rules regarding air, water, wildlife, and more. There also may be a separation of powers issue with this.; Mike Kunnecke, Self: I guess you can ask, but the Answer is NO!; Susan Heck, Self: You represent ME.; Gary Townsend, Self: This absurd overreach would prevent our state agencies from effectively doing their jobs.; marcia stewart, Self: Local government overreach. Agencies are specialists in their fields, not a group of politicians. THey are chosen, elected, trained in the specialities.; JOHN FIENE, Self: Giving the legislature final approval for agency rules is contrary to good leadership, making agencies much less effective. LD1 voter; Srinivas Manne, Self: State regulatory agencies should be given relatively free rein to implement rules for better service and efficiency. It's ridiculous for the legislature to try to micromanage day-to-day operations of these agencies.; Margaret Cordovano, Self: An agency is given authority to write rules consistent with legislation that the legislature passes. The agency has expertise to understand the implications of a rule better than the legislature. This would keep an agency from doing its job..

HB2509, behavioral health; temporary licensure; graduates

Support:

Marilyn Rodriguez, NASW-AZ; Jennifer Carusetta, PHOENIX CHILDREN'S HOSPITAL

ARIZONA STATE LEGISLATURE

Fifty-sixth Legislature - Second Regular Session

COMMITTEE ATTENDANCE RECORD

COMMITTEE ON **REGULATORY AFFAIRS**

CHAIRMAN: Laurin Hendrix VICE-CHAIRMAN: Cory McGarr

	DATE	01/31/24	/24	/24	/24	/24
	CONVENED	2:15 pm	m	m	m	m
	RECESSED	3:20 pm				
	RECONVENED	3:24 pm				
	ADJOURNED	3:56 pm				
MEMBERS						
Crews		✓				
Hernandez A		✓				
Payne		✓				
Peña		✓				
McGarr, Vice-Chairman		✓				
Hendrix, Chairman		✓				

√ Present --- Absent exc Excused

Attachment 3

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

HB 2308: occupational licenses; criminal offense; prohibition
Sponsor: Representative Grantham, LD 14
Committee on Regulatory Affairs

Overview

Regulates the basis by which an occupational or professional licensing board or health profession regulatory board may deny, suspend or revoke a license, registration or certificate for a prior criminal offense. Grants a person the right to petition to the Governor's Regulatory Review Council (Council) if a board denies that person a license based on a prior criminal offense that is unrelated to the profession.

History

Before filing a rule with the Secretary of State, a state agency must obtain approval from the Council (A.R.S. § 41-1052). The Council reviews Arizona regulations to ensure that they are necessary and to avoid duplication and adverse impact on the public. If an Arizona regulation does not meet the Council's criteria, the Council can return it to the agency for further consideration (Governor's Regulatory Review Council).

Statute requires state agencies to limit occupational regulations to those that are demonstrated to be necessary to specifically fulfill a concern for public health, safety or welfare. State law also prohibits agencies from denying a regular or provisional occupational license to someone who is otherwise qualified but who has been convicted of a drug offense. Occupational licenses include permits, certificates, approvals, registrations, charters or any similar form of permission that allows an individual to use an occupational title or perform work in a lawful occupation (A.R.S. §§ 41-1093.01, 41-1093.06).

Provisions

1. Allows a person to file a petition with the Council to request a review of an occupational or professional licensing board's or health profession regulatory board's denial, suspension or revocation of a license, registration or certificate for a prior criminal offense. (Sec. 1, 4)
2. Specifies that the petition submitted to the Council cannot exceed five double-spaced pages. (Sec. 1)
3. Instructs the Council, on receipt of a properly submitted petition, to review the denial, suspension or revocation and independently determine whether the offense meets specified criteria. (Sec. 1)
4. Specifies that an occupational or professional licensing board or a health profession regulatory board is prohibited from denying, suspending or revoking a license, registration or certificate for an applicant's, licensee's, registrant's or certificate holder's prior criminal offense unless:
   a) the offense is substantially related to the occupation; or

b) approving or not imposing disciplinary action against the license, registration or certificate would pose a reasonable threat to public health and safety. (Sec. 1-4)

5. Defines *health profession regulatory board, reasonable threat* and *substantially related.* (Sec. 1, 4)
6. Makes technical and conforming changes. (Sec. 1-3)

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note

Fifty-sixth Legislature
Second Regular Session

Regulatory Affairs
H.B. 2308

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2308

(Reference to printed bill)

Page 7, strike lines 1 through 31

Renumber to conform

Page 8, between lines 8 and 9, insert:

"C. THIS SECTION DOES NOT IMPACT A PERSON'S RIGHT TO PETITION AN AGENCY FOR A CRIMINAL RECORD REVIEW PURSUANT TO SECTION 41-1093.04 OR AN AGENCY'S REQUIREMENT TO DETERMINE WHETHER THE PERSON'S CRIMINAL RECORD DISQUALIFIES THE PERSON FROM OBTAINING A LICENSE, PERMIT, CERTIFICATE OR OTHER STATE RECOGNITION."

Reletter to conform

Amend title to conform

LAURIN HENDRIX

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C: AH

Adopted ✓ # of Verbals ____
Failed ____ Withdrawn ____
Not Offered ____ Analysts Initials ____

Attachment 5

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. HB 2308

DATE January 31, 2024 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Crews		✓			
Hernandez A		✓			
Payne		✓			
Peña		✓			
McGarr, Vice-Chairman		✓			
Hendrix, Chairman		✓			
		6	0	0	1

APPROVED:

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

COMMITTEE SECRETARY

ATTACHMENT 6

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

HB 2328: mobile food vendors; operation; rules
Sponsor: Representative Payne, LD 27
Committee on Regulatory Affairs

Overview

Authorizes *mobile food vendors* to operate on private property in a residential area with restrictions and details regulatory requirements by cities, towns and counties.

History

Statute allows a city or town, by resolution or ordinance, to restrict *mobile food vendors* from operating at public airports, public transit facilities, areas zoned for residential use or within 250 feet of properties zoned for residential use. A city or town may enact and enforce regulations and zoning codes on mobile food units and mobile food vendors if not prohibited by law.

A city or town is prohibited from all of the following as it relates to mobile food vendors and mobile food units:

1) requiring mobile food vendors to apply for a special permit that is not required for other temporary or mobile vending businesses in the same zoning district;
2) requiring mobile food vendors to operate a specific distance from commercial establishments or restaurants, unless building, fire, street and sidewalk codes are applicable;
3) prohibiting mobile food vendors from using a legal parking space, including metered parking, except to restrict the number of spaces, vehicle size, parking duration and occupying sites with insufficient parking capacity as set by local zoning ordinances or federal law; and
4) requiring mobile food units to be inspected by the fire department before operation if the unit passed another fire inspection in another city or town within the past 12 months. (A.R.S. § 9-485.01)

A mobile food unit's individual state license is designated into one of three classifications or categories, depending on the food dispensed and the way it is handled. The classifications and categories are:

1) Type 1 mobile food units, which dispense commercially processed food, individually packaged foods and frozen foods that require time and temperature control for safety;
2) Type 2 mobile food units, which dispense food that requires limited handling and preparation; and
3) Type 3 mobile food units, which prepare, cook, hold and serve food. (A.A.C. R9-8-110).

A similar bill was introduced in the 56th Legislature, 1st Regular Session and was vetoed by the Governor (HB 2094 now: mobile food vendor; operation; rules).

Provisions

1. Permits a *mobile food vendor* to operate on private residential property of the property owner, the tenant with a minimum one-year lease or a trustee of a living trust, if the vendor receives written permission and:
   a) the property owner remains on-site while the vendor operates;
   b) the vendor does not serve the general public;
   c) the vendor is not the property owner, the spouse or trustee of the property owner. (Sec. 1)
2. Prohibits a vendor from operating between the hours of 10:00 p.m. and 6:00 a.m. (Sec. 1)
3. Directs the vendor to remove trash and other items from the residential property. (Sec. 1)
4. Limits the fees a city or town may charge a vendor at:
   a) not more than $150 annually to operate at a fixed location if the city or town issues a location-based license or permit to the vendor;
   b) not more than $150 annually for each mobile food unit if the vendor does not operate the mobile food unit at a fixed location. (Sec. 1)
5. Permits a city or town to additionally charge fees related to municipal zoning. (Sec. 1)
6. Prohibits a county board of supervisors or the state Department of Health Services (DHS) from requiring generators to be permanently affixed to the mobile food unit. (Sec. 2, 3)
7. Instructs the director of DHS to adopt rules for licensing standards that allow a mobile food unit to request an exemption from the commissary or other servicing area requirements if the mobile food unit is already sufficiently equipped to meet the health and safety standards without a commissary or other servicing area. (Sec. 3)
8. Allows DHS to designate licensing inspections for a mobile food unit without a commissary or servicing area agreement to the county health department where the vendor resides. (Sec. 3)
9. Clarifies that a city, town or county is not precluded from requiring licensure for a mobile food vendor if the licensing system requires a fingerprint clearance card issued by the Arizona Department of Public Safety. (Sec. 3)
10. Makes technical and conforming changes. (Sec. 1, 3)

☐ Prop 105 (45 votes) ☐ Prop 108 (40 votes) ☐ Emergency (40 votes) ☐ Fiscal Note

Fifty-sixth Legislature
Second Regular Session

Regulatory Affairs
H.B. 2328

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2328

(Reference to printed bill)

Page 1, between lines 28 and 29, insert:

"(g) THE MOBILE FOOD VENDOR MUST BE PARKED ON THE PROPERTY AT THE PRIVATE RESIDENTIAL PROPERTY UNLESS OTHERWISE ALLOWED BY LOCAL ZONING ORDINANCE."

Amend title to conform

KEVIN PAYNE

2328PAYNE.docx
01/30/2024
01:04 PM
H: DC/ls

Adopted ✓ # of Verbals _____
Failed _____ Withdrawn _____
Not Offered ____ Analysts Initials ___

Attachment 8

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. HB 2328

DATE January 31, 2024 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Crews					✓
Hernandez A		✓			
Payne		✓			
Peña		✓			
McGarr, Vice-Chairman		✓			
Hendrix, Chairman		✓			
		5	0	0	1

Julie Ryle
COMMITTEE SECRETARY

APPROVED:

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

ATTACHMENT 9

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

HB 2068: behavior analysts; regulatory board
Sponsor: Representative Bliss, LD 1
Committee on Regulatory Affairs

Overview

Creates a *State Board of Behavior Analysts* (Board) independent of the Arizona Board of Psychologist Examiners.

History

The Arizona Board of Psychologist Examiners states its mission is "*to protect the health, safety, and welfare of Arizona citizens by licensing and regulating the professions of Psychology and Behavior Analysis.*" This 90/10 state agency licenses and regulates psychologists and behavior analysts. The 5-member *Committee on Behavior Analysts* (Committee) makes recommendations to the Board of Psychologist Examiners regarding licensing and regulation of its profession. This Committee may make recommendations for regulatory changes after obtaining public input and from other behavior analyst licensees (A.R.S. § 32-2091.15).

During the Forty-eighth Legislature, Second Regular Session (2008), HB 2470 (*Now: board of behavior analysts*), passed both houses of the Legislature, but was vetoed by the Governor. The bill established the regulatory framework to license and regulate the behavior analyst profession, which consisted of approximately 32 applicants. In 2024, there are close to 1,000 active licensees. Applicants for an initial license or renewal may apply online by paying the nonrefundable license fee and submitting the application and supporting documents. The website permits license look-up and provides information pertaining to expired, inactive, closed, surrendered or probationary status.

Provisions

1. Establishes an independent stand-alone *State Board of Behavior Analysts* (Board) and transitions regulatory authority from the *State Board of Psychologist Examiners.* (Sec. 1)
2. Transfers the 5-member *Committee on Behavior Analysts (Committee)* within the *Board of Psychologist Examiners* to the newly established Board and adds two public members who are not eligible for licensure. (Sec. 4)
3. Outlines the powers and duties of the 7-member Board whose members are appointed by the Governor and confirmed by the Senate. (Sec. 4, 5)
4. Stipulates that each member of the Board must be a United States citizen and Arizona resident at the time of appointment. (Sec. 4)
5. Prescribes the process to fill a vacancy on the Board. (Sec. 4)

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note

6. Provides personal immunity from suits for Board members, employees and consultants when actions are in good faith and to further the purpose of the Board's duties. (Sec. 4)

7. States the powers and duties of the new Board, which are substantially the same as those while the Board was under the regulatory authority of the Board of Psychologist Examiners as follows:
   a) administer and enforce Board rules;
   b) regulate discipline of licensees;
   c) prescribe application content and deadlines for initial and renewal licenses;
   d) record and maintain licensee information, including receipt and disbursement of monies and all board actions;
   e) adopt an official seal;
   f) investigate violations of statute and board rules;
   g) employ an executive director who serves at the pleasure of the board;
   h) elect leadership annually from its membership to serve on behalf of the Board;
   i) adopt pertinent rules for code of ethics, telehealth and exceptions to a license denial based on criminal history;
   j) authorizes the board to hire employees necessary to carry out the terms of these provisions of law;
   k) permits the board to accept, expend and account for gifts, grants, and various contributions from public and private sources, which the board must deposit into special funds for the specified purposes and states these monies are exempt from statutory lapsing of appropriations;
   l) stipulates that an executive director will serve both the Board of Psychologist Examiners and the newly established Board;
   m) directs the two boards to jointly choose the executive director;
   n) states the executive director will hire staff and be paid pursuant to statute. (Sec. 5)

8. Directs the Board to hold quarterly meetings and special meetings as needed. (Sec. 5)

9. Authorizes the Board chairperson to establish committees to act as consultants to the board and to carry out its duties. (Sec. 5)

10. Permits members of the consultant committees to be reimbursed for expenses. (Sec. 5)

11. States that a majority of the Board constitutes a quorum, and a majority vote of a quorum present is necessary for the Board to act. (Sec. 5)

12. Creates a stand-alone Board fund, which currently exists as the Committee's account, which is separate from the Board of Psychologist Examiners fund account. (Sec. 5)

13. Stipulates the Board is an Arizona 90/10 Board. (Sec. 5)

14. Specifies the Board will establish fees for initial and renewal licenses, but there will not be a temporary license. (Sec. 6)

15. Deletes the reference to the number of required hours for supervised experience. (Sec. 9)

16. Consistent with the Board of Psychologist Examiners, outlines the complaints the Board may not consider when the complaints relate to a licensee's or employee's performance of board duties and further specifies actions the Board may take during the investigative or disciplinary processes. (Sec. 14)

17. Decreases, from 10 to 8, the Board of Psychologist Examiners. (Sec. 20)

18. Places the Board into the Sunset Review statutory schedule of state agencies that terminate on July 1, 2033, unless continued, revised or consolidated with another state agency. (Sec. 33)
19. Specifies the purpose of the Board is to regulate the practice of Behavior Analysts for the public health, safety and welfare. (Sec, 34)
20. Outlines the transition of the Committee to the new Board. (Sec. 35)
21. Strikes archaic and obsolete language. (Sec. 3, 4, 6, 8, 9, 11-14, 18, 19, 26, 28,)
22. Makes technical and conforming changes. (Sec. 3, 6-22, 24-32)

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. HB 2068

DATE January 31, 2024 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Crews		✓			
Hernandez A		✓			
Payne		✓			
Peña		✓			
McGarr, Vice-Chairman			✓		
Hendrix, Chairman		✓			
		5	1	0	0

COMMITTEE SECRETARY

APPROVED:

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

ATTACHMENT 11

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

HB 2470: planned communities; authority; public roadways
Sponsor: Representative McGarr, LD 17
Committee on Regulatory Affairs

Overview

Prescribes that a homeowners' association has no authority over a roadway after it transfers ownership of community roadways from the declarant to a governmental entity.

History

After the period of declarant control for any planned community that has a declaration recorded after December 31, 2014, an association does not have authority over and may not regulate any roadway for which the ownership has been dedicated to or otherwise held by a governmental authority (A.R.S. § 33-1818).

Laws 2023, Chapter 84 expands upon statute relating to community authority over public roadways and stipulates that existing regulations continue in effect until either:

1) the planned community calls a member meeting on the question of whether to continue to regulate public roadways and it is approved; or
2) if the vote fails or if the planned community does not hold a vote of the membership, the planned community no longer has authority to regulate public roadways in the planned community.

Provisions

1. Applies statute relating to community authority over public roadways to all planned communities. (Sec. 1)
2. States that an association has no authority over any roadway after a governmental entity accepts the transfer of ownership of community roadways from the declarant. (Sec. 1)
3. Makes technical and conforming changes. (Sec. 1)

☐ Prop 105 (45 votes) ☐ Prop 108 (40 votes) ☐ Emergency (40 votes) ☐ Fiscal Note

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. HB 2470

DATE January 31, 2024 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Crews			✓		
Hernandez A			✓		
Payne		✓			
Peña		✓			
McGarr, Vice-Chairman		✓			
Hendrix, Chairman		✓			
		4	2	0	0

APPROVED:

Julie Ryan
COMMITTEE SECRETARY

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

ATTACHMENT 13

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

HB 2471: rulemaking; legislative approval
Sponsor: Representative McGarr, LD 17
Committee on Regulatory Affairs

Overview

Requires the approval process for any new rulemaking to be by a majority vote of the Legislature after being approved by the Governor's Regulatory Review Council (Council).

History

Statute prohibits state agencies from conducting rulemaking without prior written approval of the Governor. State agencies may not adopt any new rule that would increase existing regulatory burdens on the free exercise of property rights or the freedom to engage in lawful business or occupation unless: 1) the rule reduces regulatory restraints or burdens; or 2) is necessary to implement statutes or is required by a final court order or decision (A.R.S. §§ 41-1038, 41039).

Prior to submitting rulemaking to the Council, state agencies must hold a public comment period and receive final written approval from the Governor. The Council cannot consider rules submitted by state agencies without receiving the Governor's initial and final approval of the rulemaking. Additionally, state agencies must also recommend three rules for the Governor to eliminate for every additional rule requested. Rules that are necessary to secure or maintain assumption of federal regulatory programs, comply with an auditor general recommendation or address a new statutory requirement are exempt from consideration. State agencies additionally may not publicize any directives, policy statements, documents or forms on its website unless authorized by statute or rule (A.R.S. § 41-1039).

The Council is comprised of seven members appointed by the Governor. Their primary responsibilities are reviewing new rules or amendments proposed by state agencies and reviewing existing agency rules every five years on a rotating basis to determine if they are still necessary and effective.

Provisions

1. Requires the Council to submit any regular, expedited, informal, formal, emergency or exempt rulemaking to the Legislature for final approval. (Sec. 1)
2. States that the rule becomes effective upon receiving a majority vote in each chamber, and if the rule fails to receive a majority vote in both chambers, the rule does not become effective. (Sec. 1)
3. Makes technical changes. (Sec. 1)

☐ Prop 105 (45 votes) ☐ Prop 108 (40 votes) ☐ Emergency (40 votes) ☐ Fiscal Note

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. HB 2471

DATE January 31, 2024 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Crews			✓		
Hernandez A		✓			
Payne		✓			
Peña		✓			
McGarr, Vice-Chairman		✓			
Hendrix, Chairman		✓			
		5	1	0	0

APPROVED:

COMMITTEE SECRETARY

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

ATTACHMENT 15

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. 2471

DATE January 31, 2024 MOTION: DP on Recon

	PASS	AYE	NAY	PRESENT	ABSENT
Crews			✓		
Hernandez A			✓		
Payne		✓			
Peña		✓			
McGarr, Vice-Chairman		✓			
Hendrix, Chairman		✓			
		4	2	0	0

APPROVED:

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

COMMITTEE SECRETARY

ATTACHMENT 16

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

HB 2119: homeowner's associations; fees; related parties
S/E: real property
Sponsor: Representative Hendrix, LD 14
Committee on Regulatory Affairs

Summary of the Strike-Everything Amendment to HB 2119

Overview

Prohibits an association from charging a fee related to transferring property between specified parties.

History

Current statute stipulates that a provision in a covenant, declaration or any other document relating to real property in this state is not binding or enforceable against the real property or any subsequent owner, purchaser or lienholder if it claims to:

1) bind successors in title to the specified real property; and
2) obligate the transferor or transferee of all or part of the property to pay a fee or other charge to a declarant or third person upon transfer of an interest in the property (A.R.S. § 33-442).

An *association* is defined as a nonprofit organization qualified under federal code or a nonprofit mandatory membership organization created pursuant to applicable laws, covenants or declarations and is composed of the owners of condominiums, cooperatives, homes or manufactured homes or other interest in real property (A.R.S. § 33-442).

Provisions

1. Prohibits an association from charging a fee related to statutory fees on real property between parties when the transfer of title has nominal or no consideration as outlined in statute except service fees authorized in any document to manage real property within the association. (Sec.1)
2. Makes a conforming change. (Sec. 1)

☐ Prop 105 (45 votes) ☐ Prop 108 (40 votes) ☐ Emergency (40 votes) ☐ Fiscal Note

Attachment 17

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2119

(Reference to printed bill)

Strike everything after the enacting clause and insert:

"Section 1. Section 33-442, Arizona Revised Statutes, is amended to read:

33-442. Prohibition on transfer fees; exceptions; definitions

A. A provision in a declaration, a covenant or any other document relating to real property in this state is not binding or enforceable against the real property or against any subsequent owner, purchaser, lienholder or other claimant on the property if it purports to do both of the following:

1. Bind successors in title to the specified real property.

2. Obligate the transferee or transferor of all or part of the property to pay a fee or other charge to a declarant or a third person on transfer of an interest in the property or in consideration for permitting such a transfer. Regularly scheduled fees or charges shall not be considered payable on transfer of an interest if the fees or charges will be payable by the owner of the property regardless of whether or not the property is transferred, even if the obligation to pay does not commence until the trustee, declarant, builder or developer first conveys the property to a retail purchaser.

B. A transfer fee provision prescribed by subsection A of this section is unenforceable whether or not recorded and does not create a lien right and any lien purportedly arising out of an unenforceable provision prescribed by subsection A of this section is invalid and unenforceable.

Adopted ✓ # of Verbals _____
Failed _____ Withdrawn _____
Not Offered ____ Analysts Initials ___

Attachment 18

C. This section does not apply to any of the following:

1. Any provision of a purchase contract, option, mortgage, security agreement, real property listing agreement or other agreement that obligates one party to the agreement to pay the other party as full or partial consideration for the agreement or for a waiver of rights under the agreement if the amount to be paid is:

(a) A loan assumption fee or similar fee charged by a lender that holds a lien on the property.

(b) A fee or commission paid to a licensed real estate broker for brokerage services rendered in connection with the transfer of the property for which the fee or commission is paid.

2. Any provision in a deed, memorandum or other document recorded for the purpose of providing record notice of an agreement prescribed in paragraph 1, subdivision (a) of this subsection.

3. Any provision of a document that requires payment of a fee or charge to an association to be used exclusively for the purpose authorized in the document if both of the following apply:

(a) The fee being charged touches and concerns the land.

(b) No portion of the charge or fee is required to be passed through to a third party or declarant designated or identifiable by description in the document or in another document that is referenced in the document unless the third party is authorized in the document to manage real property within the association or was part of an approved development plan.

4. Any rent, reimbursement, charge, fee or other amount payable by a lessee to a lessor under a lease, including any fee payable to the lessor for consenting to an assignment, sublease, encumbrance or transfer of the lease.

5. Any consideration payable to the holder of an option to purchase an interest in the real property or to the holder of a right of first refusal or first offer to purchase an interest in real property and paid

for waiving, releasing or not exercising the option or right on transfer of the property to another person.

6. Any fee, charge, assessment, dues, contribution or other amount relating to the purchase or transfer of a club membership related to the real property owner by the transferor.

7. Any fee or charge that is imposed by a document and that is payable to a nonprofit corporation for the sole purpose of supporting recreational activities within the association.

8. Any fee, tax, assessment or other charge imposed by a governmental authority pursuant to applicable laws, ordinances or regulations.

9. Any consideration payable by the transferee to the transferor for the interest in real property being transferred including any subsequent additional consideration for the property payable by the transferee based on any subsequent appreciation, development or sale of the property.

D. Notwithstanding any provision in the document or purported lien, a transfer fee covenant or other document prescribed by subsection A of this section or a lien purporting to secure payment under a transfer fee covenant or document prescribed by subsection A of this section that is executed after July 29, 2010 is not binding or enforceable. This section shall not be construed to imply that a transfer fee covenant or other document prescribed by subsection A of this section that is executed before July 29, 2010 is enforceable or valid.

E. AN ASSOCIATION SHALL NOT CHARGE A FEE AUTHORIZED UNDER SUBSECTION C OF THIS SECTION FOR ANY CONVEYANCE BETWEEN PARTIES PRESCRIBED BY SECTION 11-1134, SUBSECTION B, PARAGRAPHS 3 OR 7, EXCEPT FOR SERVICE FEES AUTHORIZED IN ANY DOCUMENT TO MANAGE REAL PROPERTY WITHIN THE ASSOCIATION.

~~E.~~ F. For the purposes of this section:

1. "Association" means a nonprofit organization that is qualified under section 501(c)(3) or section 501(c)(4) of the United States internal revenue code or a nonprofit mandatory membership organization that is created pursuant to a declaration, covenant or other applicable law and

that is composed of the owners of homes, condominiums, cooperatives or manufactured homes or any other interest in real property.

2. "Transfer" means the sale, gift, conveyance, assignment, inheritance or other transfer of an interest in real property located in this state."

Amend title to conform

LAURIN HENDRIX

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ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. HB 2119

DATE January 31, 2024 MOTION: DPA/SE

	PASS	AYE	NAY	PRESENT	ABSENT
Crews			✓		
Hernandez A		✓			
Payne		✓			
Peña		✓			
McGarr, Vice-Chairman		✓			
Hendrix, Chairman		✓			
		5	1	0	0

Julie Ryle
COMMITTEE SECRETARY

APPROVED:

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

ATTACHMENT 19

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

HB 2141: condominiums; interior improvements; approvals
Sponsor: Representative Hendrix, LD 14
Committee on Regulatory Affairs

Overview

Declares that a condominium association (Association) may not prohibit a unit owner from interior decorations including improvements that may disturb adjacent unit occupants.

History

A *condominium* is real estate where portions are designated for separate ownership and the remainder is designated for common ownership solely by the owners of the separate portions (A.R.S. § 33-1202).

Current statute allows the owner of a condominium unit to make any improvements or alterations to the unit that do not impair the mechanical systems or structural integrity or lessen the support of any part of the condominium. The unit owner is prohibited from making any changes to the appearance of the common elements or the exterior appearance of the unit without written permission of the Association (A.R.S. § 33-1221).

Provisions

1. Stipulates that an Association may not prohibit a unit owner from:
   a) altering or improving the interior of the unit in a manner that may disturb adjacent unit occupants if the unit owner purchases and installs any reasonably necessary materials, accessories or other adjustments that eliminate or minimize the potential disturbance; and
   b) using any type of decoration on the interior of the unit. (Sec. 1)
2. Makes technical changes. (Sec. 1)

☐ Prop 105 (45 votes) ☐ Prop 108 (40 votes) ☐ Emergency (40 votes) ☐ Fiscal Note

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. HB 2141

DATE January 31, 2024 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Crews		✓			
Hernandez A		✓			
Payne		✓			
Peña		✓			
McGarr, Vice-Chairman		✓			
Hendrix, Chairman		✓			
		6	0	0	0

Julie Ryan
COMMITTEE SECRETARY

APPROVED:

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

ATTACHMENT 31

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

HB 2317: continuing care; automated external defibrillators
Sponsor: Representative Gress, LD 4
Committee on Regulatory Affairs

Overview

Directs continuing care retirement communities (CCRCs) with at least 17 beds to always have an automated external defibrillator (AED) on the premises. Protects CCRC staff from any liability from withholding or withdrawing CPR or the use of an AED on a resident if they are following the resident's advanced directives.

History

An AED is a medical device heart monitor and defibrillator that: 1) can recognize the presence or absence of ventricular fibrillation or rapid ventricular tachycardia; 2) can determine if defibrillation should be performed without operator intervention; and 3) automatically charges and delivers an electrical impulse to a person's heart once it determines that a defibrillation should be performed. An AED must be approved for premarket modification by the U.S. Food and Drug Administration (FDA). A *trained user* is an individual that has completed a state approved course in cardiopulmonary resuscitation (CPR) and AED training and is expected to properly use the AED (A.R.S. § 36-2261).

Statute does not require senior living facilities to have an AED, but any person or entity that acquires an AED is subject to regulation. Any person or entity acquiring an AED must: 1) contract with a physician to provide medical oversight and oversee all aspects of public access to defibrillation; 2) require each trained user that uses an AED on a person experiencing cardiac arrest to contact 911; 3) submit a written report to the Arizona Department of Health Services' (AZDHS) bureau of emergency medical services and trauma systems within five work days after use; and 4) ensure that the AED is properly maintained and in good working order and is properly tested. Exemptions to the regulations for obtaining an AED include: 1) a person who is prescribed an AED by a physician for home use; 2) a person employed as a firefighter, emergency medical care technician or ambulance attendant by a fire district; and a person employed as a firefighter, emergency medical care technician or ambulance attendant by public or private fire department or ambulance service (A.R.S. §§ 36-2262, 36-2264).

Provisions

1. Requires a CCRC with at least 17 beds to have a functioning AED on the premises at all times. (Sec. 1)
2. Permits CCRC staff to withhold or withdraw cardiopulmonary resuscitation or the use of an AED on a resident in accordance with the resident's advance directives. (Sec. 1)
3. Specifies that a CCRC or staff that withholds or withdraws CPR or the use of an AED in

☐ Prop 105 (45 votes) ☐ Prop 108 (40 votes) ☐ Emergency (40 votes) ☐ Fiscal Note

accordance with a resident's advance directive is not liable for any civil damages incurred as the result of any act or omission by the person withholding or withdrawing such care. (Sec. 1)

4. Applies the liability extension only if the CPR or the use of the AED is withheld in good faith and in accordance with the resident's advanced directives. (Sec. 1)
5. Clarifies that the liability exclusion does not apply to a person acting with gross negligence while rendering care. (Sec. 1)
6. Allows AZDHS to adopt rules for the implementation of AED devices in continuing care facilities. (Sec. 1)
7. Defines *continuing care retirement community* and *independent living residence.*

Fifty-sixth Legislature
Second Regular Session

Regulatory Affairs
H.B. 2317

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2317

(Reference to printed bill)

Page 1, strike lines 10 through 13

Reletter to conform

Line 14, after "A" insert "RESIDENT, STAFF MEMBER, VISITOR OR OTHER PERSON ON THE CAMPUS OF A"; strike "OR STAFF"; after "THAT" insert "USES OR"

Line 15, strike "OR WITHDRAWS CARDIOPULMONARY RESUSCITATION OR"

Line 16, after "DEFIBRILLATOR" strike remainder of line

Line 17, strike "IS" insert "FOR A PERSON WHO APPEARS TO BE IN CARDIAC DISTRESS AND THE CONTINUING CARE RETIREMENT COMMUNITY ARE"

Line 18, strike "BY THE PERSON" insert "IN USING OR"; strike "OR WITHDRAWING SUCH CARE" insert "THE USE OF THE AUTOMATED EXTERNAL DEFIBRILLATOR"

Line 19, strike "THE CARDIOPULMONARY RESUSCITATION OR"

Line 20, after "IS" insert "USED OR"; strike "OR WITHDRAWN" insert "FROM USE"

Line 21, strike "AND IN ACCORDANCE WITH THE RESIDENT'S ADVANCE DIRECTIVES"

Line 23, after the period insert "ANY CLAIM AGAINST A CONTINUING CARE RETIREMENT COMMUNITY FOR USING OR NOT USING AN AUTOMATED EXTERNAL DEFIBRILLATOR AS PROVIDED IN THIS SECTION SHALL BE PROVEN BY CLEAR AND CONVINCING EVIDENCE."

Line 34, after "CARE" insert a period strike remainder of line

Strike lines 35 through 37

Amend title to conform

LAURIN HENDRIX

2317HENDRIX.docx
01/30/2024
10:57 AM
H: DC/ls

Adopted ✓ # of Verbals _____
Failed _____ Withdrawn _____
Not Offered ____ Analysts Initials ___

Attachment 23

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. HB 2317

DATE January 31, 2024 MOTION: Failed

	PASS	AYE	NAY	PRESENT	ABSENT
Crews			✓		
Hernandez A			✓		
Payne		✓			
Peña		✓			
McGarr, Vice-Chairman			✓		
Hendrix, Chairman		✓			
		3	3	0	0

Julia Ryder
COMMITTEE SECRETARY

APPROVED:

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

ATTACHMENT 24

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

HB 2509: behavioral health; temporary licensure; graduates
Sponsor: Representative Gress, LD 4
Committee on Regulatory Affairs

Overview

Instructs the State Board of Behavioral Health Examiners (Board) to issue a temporary license to a person who has met specified criteria. States that the temporary license will allow the person to perform activities related to behavioral health under qualified supervision.

History

An applicant for licensure by the Board must meet the following requirements:

1) submit an application as prescribed by the Board;
2) be at least 21 years of age;
3) pay all applicable fees prescribed by the Board;
4) have the physical and mental capability to engage in the practice of behavioral health safely and competently;
5) not have committed any act or engaged in any conduct that would constitute grounds for disciplinary action against a licensee;
6) not have had a professional license or certificate refused, revoked, suspended or restricted for reasons that relate to unprofessional conduct;
7) not have voluntarily surrendered a professional license or certificate while under investigation for reasons that relates to unprofessional conduct; and
8) not have a complaint, allegation or investigation pending that relates to unprofessional conduct (A.R.S. § 32-3275).

Provisions

1. Directs the Board to issue a temporary license to a person who:
   a) has graduated;
   b) has completed a course of study from a regionally accredited institution of higher education in social work, counseling, marriage and family therapy or substance abuse counseling; and
   c) is in the process of applying for an associate level license. (Sec. 1)
2. Requires the person's activities to be performed under the qualified supervision of a person who provided direct supervision during the course of study or internship. (Sec. 1)
3. Specifies that the temporary licensure is valid for 90 days after the person's date of graduation. (Sec. 1)
4. States that the person can apply any direct client contact work experience obtained during the temporary licensure time frame toward the person's direct client contact work experience licensure requirements. (Sec. 1)

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. HB 2509

DATE January 31, 2024 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Crews		✓			
Hernandez A		✓			
Payne		✓			
Peña		✓			
McGarr, Vice-Chairman		✓			
Hendrix, Chairman		✓			
		6	0	0	0

APPROVED:

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

COMMITTEE SECRETARY

ATTACHMENT 26

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
Second Regular Session

HB 2084: homeowners' associations; annual meeting
Sponsor: Representative Hendrix, LD 14
Committee on Regulatory Affairs

Overview

Specifies various requirements related to annual meetings of condominium and homeowners' associations (Associations).

History

An Association is required to hold a member meeting at least once each year. No fewer than 10 or more than 50 days in advance of the member meeting, the secretary must cause notice to be hand-delivered or sent prepaid by United States mail to the mailing address for each lot or unit or to any other mailing address designated in writing by a member (A.R.S. §§ 33-1248, 33-1804).

After the period of declarant control has terminated, any votes allocated to a unit or lot are not authorized to be cast pursuant to a proxy. An Association must provide for votes to be cast in person and by absentee ballot and may also provide for voting by some other form of delivery, including the use of email and fax delivery. All actions taken at an annual, regular or special member meeting must comply with statutory requirements if absentee ballots or some other form of delivery are used (A.R.S. §§ 33-1250, 33-1812).

Provisions

1. Specifies that *written* notice of any member meeting must be delivered to each unit owner and member by at least one of the following:
   a) in person;
   b) by mail to the physical address of the unit or lot or the alternate mailing address designated in writing by the owner; or
   c) by email to the email address designated in writing by the owner. (Sec. 1, 3)
2. States that the following apply to all directors' elections for Associations:
   a) cumulative voting is prohibited;
   b) nominations from the floor are prohibited;
   c) the names of all eligible candidates nominated for the board of directors must appear on the ballot and the ballot may include write-in lines equal to the number of directors to be elected; and
   d) for a meeting where the election of directors occurs, the quorum requirement is one-tenth of the total number of votes entitled to be cast unless the condominium or community documents specify a lesser amount. (Sec. 1, 3)
3. Modifies statute relating to ballot requirements for an Association. (Sec. 2, 4)
4. Declares that votes must be cast in person and by absentee ballot if voting will occur at a member meeting or by written ballot without a member meeting. (Sec. 4)

5. Includes the following in the requirements for the form of absentee or written ballots:
   a) exempts the case of an election of directors from the requirement of the ballot providing an opportunity to vote for or against an item;
   b) must state the required quorum for each proposed action;
   c) must state the percentage of approval necessary for each proposed action other than an election of directors;
   d) specifies that the absentee or written ballot, as applicable, is valid for only one specified election or meeting; and
   e) specifies that the completed ballot must contain the actual or electronic signature of the person voting and must be included on the envelope or as part of the electronic means of submission if on a secret ballot. (Sec. 4)
6. Requires the Association to deliver an absentee or written ballot to every eligible member no later than 10 days before the completed ballot must be returned. (Sec. 4)
7. Specifies that delivery of an absentee or written ballot to a member may be accomplished by mail, in person or some form of electronic delivery. (Sec. 4)
8. Authorizes the following methods of delivery of absentee or written ballots to the Association:
   a) mail or in-person delivery;
   b) email;
   c) fax;
   d) online voting system; or
   e) some form of electronic delivery. (Sec. 4)
9. Establishes that absentee or written ballots timely delivered to the Association count toward the required quorum for the meeting or election. (Sec. 4)
10. Adds the *meeting* related materials to statute that requires documents be retained for inspection for at least one year after completion. (Sec. 4)
11. Declares that the quorum requirement for the annual meeting is one-tenth of the total number of votes entitled to be cast unless the condominium or community documents provide a lesser amount. (Sec. 2, 4)
12. Specifies that the ballot requirements do not prohibit the use of written consent as outlined in statute. (Sec. 2, 4)
13. Makes technical and conforming changes. (Sec. 1-4)

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. HB 2084

DATE January 31, 2024 MOTION: Held

	PASS	AYE	NAY	PRESENT	ABSENT
Crews					
Hernandez A					
Payne					
Peña					
McGarr, Vice-Chairman					
Hendrix, Chairman					

APPROVED:

COMMITTEE SECRETARY

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

ATTACHMENT 28