

Arizona Legislative Update

February 4, 2022

I. Session Update

Session Overview. The 2022 legislative session has entered its second month and over 1,600 bills, resolutions and memorials have been introduced. Most lawmakers have adjusted to participating either in person or virtually from their offices, and hundreds of bills are moving through the House and Senate. Most of the bills moving quickly have bipartisan agreement - including proposals to authorize local governments to [ban the use of fireworks overnight](#), except on New Year's Eve and the Fourth of July, and expand AHCCCS coverage to include [diabetes management services](#), [chiropractic care](#), and [postpartum doctor visits](#). Republicans and Democrats agreed to broaden the study of [missing and murdered indigenous people](#), exempt some [tax credit income](#) from debt collectors, outlaw [hazing](#), and increase oversight of [massage therapists](#).

The Senate Transportation & Technology Committee unanimously supported a measure that would allow Maricopa County voters to decide whether to continue the existing half-cent sales tax for [transportation priorities](#). However, that same measure was held in the House Transportation Committee pending additional stakeholder discussions.

There were also plenty of controversial measures that sparked division and debate this week. In Senate committees, Republicans voted to [penalize schools](#) that do not display the U.S. flag and say the Pledge of Allegiance, [ban abortions](#) after 15 weeks, and use \$150 million to build a [border fence](#). In the House, party-line votes advanced new requirements for [Corporation Commissioner experience](#), permission for cars on school grounds to carry [loaded weapons](#), compensation for employees fired because they refused to get a [COVID-19 vaccine](#), and a mandatory school policy for [parents who want to visit](#).

Committees passed more changes to the state's [election laws](#) – including [ID requirements](#) for some early ballots – and expanded requirements for getting a [citizen initiative](#) on the ballot.

During contentious floor debates, the Senate Republicans narrowly approved a bill to limit [a Governor's authority](#) during a state of emergency and approved new rules about [biological sex for school athletes](#). House Republicans narrowly passed standards for [teaching controversial subjects](#) and what [sexually explicit material](#) schools can't show students.

Next Week. This past Monday was the Senate's deadline for introducing new bills this session, and next Monday is the deadline for bill introductions in the House. With over 1,600 proposals already filed, we are on pace for a record-setting number depending on how many more measures House members introduce. Most policy committees have only two more weeks of hearings before bills move to the second half of the legislative process (with the exception of the respective Appropriations Committees that have one additional week). With time winding down quickly for bills to be heard in committees, legislators are focusing their attention on the priorities they really want to advance this year.

Affordable Housing Discussions. Two legislators reached across the aisle this week to jump-start a discussion about Arizona's rising housing costs and how state and local officials should find new options for affordable housing. Representatives Cesar Chávez (D-Phoenix) and Steve Kaiser (R-Phoenix) released [their proposal](#) on Wednesday, describing it as "a statewide response to this crisis." The bill establishes statewide zoning policies for housing construction and development standards and directs \$89 million to the Housing Trust Fund for affordable housing initiatives.

Homebuilders and property owner associations praised the measure, describing it as a step forward in the effort to increase Arizona's housing supply. But it's that "statewide response" that concerns opponents of the proposal. City governments object to the bill's assertion of state control over local zoning decisions, and housing advocates fear that the proposal removes local governments' ability to encourage affordable housing options.

Everyone agrees that there is a [shortage of affordable housing](#) in Arizona – especially in urban areas. The debate about how to best address it will begin in a committee hearing on [HB 2674](#) next week and will continue throughout the legislative session.

Legislation Targeting COVID-19 Mandates. Legislators may have [eliminated COVID-19 mitigations](#) in the House and Senate, but masks and vaccines are still very much on their minds. More than 25 Republican-sponsored bills this year seek to prohibit – and punish – public health mandates. The proposals take different approaches, including:

- **Employer liability and limits**

Several bills focus on penalties for private employers that implement COVID-19 mandates for their employees. The bill sponsors say these changes are important to protect the rights of employees in their workplace; Democrats and business coalitions say it is an infringement into private entities' rights to make their own decisions.

- **Ban on government mandates**

The debate about government's role in public health mandates is somewhat divided along political party lines so far this session, and Republicans have supported a variety of similar measures that ban government requirements for face masks and/or COVID-19 vaccines.

- **Ban on school mandates**

The legislature banned mask mandates in schools last year, but the statute did not become law because of [how the legislature enacted it](#). Numerous legislative proposals would enact that ban again; others would prevent school COVID-19 immunization requirements.

- **Ban on public and private requirements**

Several bills do not distinguish between public and private entities and seek to limit any mandate – from schools, governments, or businesses – related to vaccines.

- **Exemption from requirements**

Two bills require any vaccine requirements to include an exemption for individuals who have or have had COVID-19.

- **Anti-discrimination standards**

Two bills amend state anti-discrimination laws to prevent bias against individuals who have not received the COVID-19 vaccine.

- **Health Care Practices**

Several bills would require the Arizona Department of Health Services to post information on COVID-19 vaccine injuries and ban medical professionals from performing treatments – including vaccines – without a patient's permission.

It is not yet clear whether any of these bills will have the necessary support from every Republican legislator to pass. Several have advanced through committee hearings; others have not even received a committee assignment. Whether or not they reach the finish line, they will continue to influence the discussion about public health at the Capitol this year.

Election Updates. The Arizona Senate [has questions](#) for the Maricopa County [Special Master](#). The Arizona Supreme Court paused a court order for the Senate to turn over [documents related to its ballot count](#) while it considers the Senate's appeal of the decision.

Court Updates. The Arizona Supreme Court ruled that [politicians' right to free speech](#) allows them to say

a lot of things on the campaign trail. One U.S. District Court is considering whether Arizona's prisons can fix the [inmate health care system](#), and another said the Biden administration cannot require Arizona companies with federal contracts to mandate the [COVID-19 vaccine](#) for their employees. The Chair of the Arizona Republican Party asked a court to block Congress from accessing her [cell phone records](#).

News Updates. Arizona has a [Statewide Broadband Middle-Mile Strategic Plan](#). Governor Ducey is not in a hurry for the legislature to act on [school expenditure limits](#). The U.S. Bureau of Reclamation is still monitoring [Colorado River runoff](#). [This water analyst](#) says Arizona has improved its water conservation policies since the 1950s. House Speaker Rusty Bowers (R-Mesa) blocked a controversial [rewrite of Arizona's election laws](#).

II. Legislative Session Timeline

FEBRUARY

- 4** 5:00 PM: Last day for House members to submit bill requests to Legislative Council.
- 7** 5:00 PM: Last day for House bills to be introduced without special permission.
- 18** Last day for House consideration of House bills and Senate consideration of Senate bills.

MARCH

- 25** Last day for House consideration of Senate bills and Senate consideration of House bills.

APRIL

- 15** Last day for conference committees.
- 19** 100th day of session.
- 23** Saturday of the week of the 100th day of session. This is the date required by rule for sine die adjournment unless leaders extend the deadline. Leadership can extend it no more than 7 days; thereafter any extension requires a majority vote in each house.
- 30** Session cannot extend beyond this date without majority vote in both houses

III. Hearings for Bills of Relevance to MWCUA

Wednesday

HB 2389 (rulemaking review; time frame). House Government & Elections (Wednesday February 9th at 9:00 am, House RM 1).

HB 2601 (kratom products; definitions). House Government & Elections (Wednesday February 9th at 9:00 am, House RM 1).

SB 1052 (medical procedures; prohibitions). Senate Health & Human Services (Wednesday February 9th at 8:30 am, Senate RM 1).

SB 1204 (mortgage brokers; bankers; qualifications). Senate Finance (Wednesday February 9th at 9:00 am, Senate RM 109).

SB 1262 (government lending programs; auditor general). Senate Finance (Wednesday February 9th at 9:00 am, Senate RM 109).

SB 1375 (retirement savings program; state treasurer). Senate Finance (Wednesday February 9th at 9:00 am, Senate RM 109).

SB 1580 (money transmission; money transmitter licensure). Senate Finance (Wednesday February 9th at 9:00 am, Senate RM 109).

SB 1582 (homestead exemptions; amount). Senate Finance (Wednesday February 9th at 9:00 am, Senate RM 109).

IV. Bills of Potential Relevance to MWCUA

HB 2656 (certain affiliations; banks; prohibition).

Sponsor: Rep. Hoffman

SB 1580 (money transmission; money transmitter licensure).

Sponsor: Sen. Livingston

SB 1582 (homestead exemptions; amount).

Sponsor: Sen. Livingston

SB 1614 (financial institution; depositories).

Sponsor: Sen. Rogers

SB 1685 (microbusiness loans; commerce authority).

Sponsor: Sen. Gonzales

V. Recent Action

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| H2043 : | EMPLOYER LIABILITY; COVID-19 VACCINE REQUIREMENT | 1/2 6 | from House jud do pass. |
| H2047 : | STUDENT LOAN SERVICES; LICENSURE | 1/1 2 | referred to House com , ways -means , educ . |
| H2048 : | STUDENT LOAN SERVICERS; LICENSURE | 1/1 2 | referred to House mil-pub safety , jud , nat res-energy-water . |
| H2104 : | COMMUNITY PROPERTY AWARD; CONVICTED SPOUSE | 2/3 | passed House 59-0 ; ready for Senate. |
| H2107 : | EMERGENCY POWERS; BUSINESS CLOSURE; REPEAL. | 2/1 | from House mil-pub safety do |

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| | | | pass. |
| H2216: | AUTO TITLE LOANS; TITLE; INTEREST | 1/1 9 | referred to House com , gov-elect . |
| H2356: | EMPLOYERS; BUSINESSES; COVID-19 VACCINE RECORD | 1/2 0 | referred to House com . |
| H2389: | RULEMAKING REVIEW; TIME FRAME | 1/2 4 | referred to House gov-elect . |
| H2472: | BUSINESSES; FIREARMS; UNLAWFUL ACTS | 1/2 4 | referred to House jud . |
| H2475: | EMPLOYERS; COVID-19 VACCINE MANDATE; PROHIBITION | 1/2 4 | referred to House jud . |
| H2479: | MOTOR VEHICLES; REGISTRATIONS; TITLES; DEALERS | 1/2 4 | referred to House trans . |
| H2480: | VEHICLE SERIAL NUMBERS; REMOVAL; RESTORATION | 2/3 | from House trans do pass. |
| H2599: | ADMINISTRATIVE HEARINGS; GRRC | 1/3 1 | referred to House com . |
| H2601: | KRATOM PRODUCTS; DEFINITIONS | 1/2 7 | referred to House gov-elect . |
| H2656: | CERTAIN AFFILIATIONS; BANKS; PROHIBITION | 2/3 | referred to House com . |
| S1048: | EMERGENCY POWERS; BUSINESS CLOSURE; REPEAL | 2/1 | from Senate gov do pass. |
| S1052: | MEDICAL PROCEDURES; PROHIBITIONS | 1/1 0 | referred to Senate hel-hu ser . |
| S1053: | RELIGIOUS EXEMPTION; VACCINE; VIOLATION; CLASSIFICATION | 1/1 0 | referred to Senate com . |
| S1072: | TECH CORRECTION; BANK DEPOSITS | 1/1 0 | referred to Senate rules only. |
| S1092: | PRODUCT LIABILITY; CIVIL ACTION; LIMITATION | 2/2 | passed Senate 17-12 ; ready for House. |
| S1156: | BLOCKCHAIN TECHNOLOGY; TAX; FEE; PROHIBITION | 1/1 2 | referred to Senate fin . |
| S1182: | TECH CORRECTION; SAVINGS AND LOAN | 1/1 3 | referred to Senate rules only. |
| S1204: | MORTGAGE BROKERS; BANKERS; QUALIFICATIONS | 1/1 8 | referred to Senate fin . |
| S1207: | QUALIFIED SPENDTHRIFT TRUSTS | 1/1 | referred to |

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| | | 8 | Senate jud. | |
| S1222: | EXEMPT PROPERTY; TAX CREDIT; PROCEEDS | 2/2 | from Senate fin with amend #4051 . | |
| S1236: | CONSUMER LOAN FINANCE CHARGES | 2/1 | from Senate rules okay . | |
| S1253: | VEHICLE ACCIDENTS; FINANCIAL RESPONSIBILITY | 2/1 | from Senate trans-tech do pass. | |
| S1254: | MEDICAL PRODUCT; PROCEDURE; MANDATES; LIABILITY | 1/2 0 | referred to Senate jud, com. | |
| S1262: | GOVERNMENT LENDING PROGRAMS; AUDITOR GENERAL | 1/2 4 | referred to Senate fin. | |
| S1265: | PROPERTY TAX LIENS; FORECLOSURE; NOTICE | 2/2 | from Senate fin with amend #4049 . | |
| S1341: | LEGAL TENDER; SPECIE; BITCOIN | 1/2 5 | referred to Senate fin. | |
| S1375: | RETIREMENT SAVINGS PROGRAM; STATE TREASURER | 1/2 5 | referred to Senate fin. | |
| S1383: | DISSOLUTION OF MARRIAGE; ANNULMENT | 2/3 | from Senate jud do pass. | |
| S1394: | DIFI; BUSINESS NAME; TRADE NAME | 2/2 | from Senate fin do pass. | |
| S1422: | EMPLOYMENT PRACTICES; CONSUMER REPORTS; LIMITATION | 1/2 6 | referred to Senate com. | |
| S1461: | INCOME TAX; SUBTRACTION; FDIC PREMIUMS | 2/2 | from Senate fin do pass. | |
| S1493: | PUBLIC EMPLOYEES; SALARIES; VIRTUAL CURRENCY | 1/2 7 | referred to Senate fin. | |
| S1580: | MONEY TRANSMISSION; MONEY TRANSMITTER LICENSURE | 2/1 | referred to Senate fin. | |
| S1582: | HOMESTEAD EXEMPTIONS; AMOUNT | 2/1 | referred to Senate fin. | |
| S1614: | FINANCIAL INSTITUTION; DEPOSITORIES | 2/1 | referred to Senate fin. | |
| S1685: | MICROBUSINESS LOANS; COMMERCE AUTHORITY | 2/2 | referred to Senate com. | |

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| SCM1001 DONALD J. TRUMP HIGHWAY : | 1/1 1 | referred Senate trans- tech. | to |
| SCR1013 : MEDIUM OF EXCHANGE; CURRENCY; USE | 1/1 1 | referred Senate fin. | to |
| SCR1014 : PROPERTY TAX EXEMPTION; VIRTUAL CURRENCY | 1/1 1 | referred Senate fin. | to |
| SM1001 : FINANCIAL INSTITUTIONS; BURDENSOME REPORTING REQUIREMENTS | 2/1 | from Senate rules okay . | |