

# AACM

Status of Legislation as of 4/10/09  
49th Legislature - 1st Regular Session

BILL	DESCRIPTION	SPONSOR	LEG COMMITTEE REVIEWING	COMMENTS
<b>HOUSE BILLS</b>			<b>SUPPORT</b>	
<a href="#">H2540</a> : TAX ASSESSMENT OF RETENTION BASINS	A charge will be assessed of \$500 per parcel on a retention basin owned by a nonprofit association or owners of commercial and industrial property.	Rep. Andy Biggs	Monitor <b>SUPPORT</b>	3/2 House Ways and Means Committee do pass.  No further action.
			<b>NEUTRAL</b>	
<a href="#">H2034</a> : S/E Planned communities; authority over roadways	Addresses property rights and who has authority of regulating roadways in a planned community.	Rep. Nancy Barto	Monitor <b>NEUTRAL</b>	3/3 S/E as amended from House Government do pass, report awaited. 3/17 House Rules and Caucus okay.
<a href="#">H2141</a> : HOMEOWNERS' ASSOCIATIONS; SUN SCREENS	This bill would allow planned communities or condo associations to adopt "reasonable" rules regarding placement of solar screens or shade structures intended to act as energy saving devices, but the rules may not impair the functioning of the device/s nor restrict its use. Associations may not prohibit the use of any such devices. Includes awnings.	Rep. Chad Campbell	Monitor <b>NEUTRAL</b>	2/18 passed House Government.  No further movement.

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<a href="#">H2220</a> : PRIVATE PROPERTY TRESPASS TOWERS	<del>This legislation would prohibit towing of a vehicle from private property unless the tower gets permission from the private property owner or another authorizing agent. Other provisions apply.</del> S/E furthers initial bill to define private property towers or PPTT's, prescribes rates and fees, and provides a sunset date.	Rep. Edward Ableser	Monitor  <b><u>NEUTRAL</u></b>	2/12 S/E passed House Transportation, with amendment #4043. Next Caucus/COW.  No further movement.
<a href="#">H2434</a> : HOMEOWNERS' ASSOCIATIONS; DOCUMENT AMENDMENTS	<del>Changes procedures used by planned communities and condo associations to amend the documents which they file as legal entities and by which they are governed.</del> SE narrows original bill to apply only to sub-association documents, amendment supplies clarifying language.	Rep. Michele Reagan	Monitor  <b><u>NEUTRAL</u></b>	2/18 SE as Amended Same Subject, passed House Commerce with report # 4603. 3/3 House Rules and Caucus okay. <b>4/9: On the House COW agenda.</b>
<a href="#">H2434</a> : HOMEOWNERS' ASSOCIATIONS; DOCUMENT AMENDMENTS	<del>Changes procedures used by planned communities and condo associations to amend the documents which they file as legal entities and by which they are governed.</del> SE narrows original bill to apply only to sub-association documents, amendment supplies clarifying language.	Rep. Michele Reagan	Monitor  <b><u>NEUTRAL</u></b>	2/18 SE as Amended Same Subject, passed House Commerce with report # 4603. 3/3 House Rules and Caucus okay.  No further movement.
<a href="#">H2514</a> : AMATEUR RADIO; STRUCTURES;	County and municipality must make reasonable height and	Rep. Nancy McLain	Monitor	3/11 passed House Military Affairs and Public Safety Committee, report

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ACCOMODATION	dimension provisions of amateur radio station emergency service and communications antenna and related structures. <u>Includes planned communities, if not otherwise specified in community documents.</u>		<b><u>NEUTRAL</u></b>	awaited. 3/26: stricken from House consent calendar by Crump
			<b>NO POSITION</b>	
<a href="#">H2073</a> : STATE EQUALIZATION PROPERTY TAX REPEAL	Per statute the state equalization assistance property tax is scheduled to return after a three year suspension. This bill prevents the return and will save taxpayers \$250 million per year.	Rep. Andy Biggs	Monitor <b><u>NO POSITION</u></b>	2/24 from House Ways-Means with do pass. 2/26 withdrawn from House Appropriations. 3/3 House Caucus, from Rules okay.  <b><u>Bills to watch</u></b>
<a href="#">H2269</a> : LANDLORDS; TENANTS; FORECLOSURES	If a rented residential property is being foreclosed, substantial notification must be given to tenants and specific rights are established.	Rep. Sam Crump	Monitor <b><u>NO POSITION</u></b>	3/26: House COW approved with floor amendment #4205.
<a href="#">H2365</a> : COUNTY BOARD OF EQUALIZATION; PETITIONS	Counties with fewer than 500,000 persons (all but Maricopa and Pima) are authorized to contract with the state Board of Equalization not only to review appeals of property tax bills (as currently) but also to hold hearings and make decisions.	Rep. Rick Murphy	Monitor <b><u>NO POSITION</u></b>	2/2 Passed House Ways-Means Committee. 3/18 House COW approved w/floor Amendment #4191.
<a href="#">H2366</a> : PROPERTY TAX LIENS; REDEMPTION; FORECLOSURE	The list of situations under which the person who redeems a tax lien (usually the owner or	Rep. Rick Murphy	Monitor <b><u>NO POSITION</u></b>	2/2 Passed House Ways-Means Committee. Placed on House Consent Calendar. <b>3/24 Passed</b>

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	agent of the owner to prevent a property from being sold to a person who purchased a tax lien) is liable for the lien purchaser's costs is expanded to include redemption after notice is recorded of a pending action.			Committee of the Whole (COW).  No further movement
<a href="#">H2391</a> : HOMEOWNERS' ASSOCIATIONS; DECLARANT FAILURE	If a builder or developer of a planned community ceases to operate, the members of the planned community will have 90 days to adopt bylaws and complete other matters legally required for the association to operate.	Rep. Andy Biggs	Monitor  <b><u>NO POSITION</u></b>	3/3 from House Government Committee do pass. 3/10 from House Rules okay, 3/12 pulled from House Consent by sponsor. <b>4/9: On the House COW agenda.</b>
<a href="#">H2430</a> : HOMEOWNERS' ASSOCIATIONS; REGISTRATION; DISCLOSURE	Condo associations and planned communities must forward specific information to the Secretary of State beginning Jan 1, 2010.	Rep. Chad Campbell	Monitor  <b><u>NO POSITION</u></b>	2/25 passed House Government Committee.  No further movement.
<a href="#">H2503</a> : CONTRACTORS' RECOVERY FUND; PERSON INJURED	Changes the statutes of a claimant under the Residential Contractors' Recovery Fund to include owners of condos, townhouses, or other residences in a planned community. It also excludes owners of residential property being leased even if it is currently classified as owner occupied.	Rep. John McComish	Monitor  <b><u>NO POSITION</u></b>	2/18 passed House Commerce Committee with amendment # 4064. Next Caucus/COW. 3/17 House Rules and Caucus okay. <b>3/24 Passed Committee of the Whole (COW).</b>

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			<b>DEAD BILLS</b>	
<a href="#">H2359</a> : CORPORATE INCOME TAX RATE REDUCTION	Reduces the income tax rates for corporations to an unknown amount.	Rep. Rick Murphy	Monitor  <b><u>SUPPORT</u></b>	Referred to House Ways-Means Committee.  No further movement.  DEAD
<a href="#">H2522</a> : FORECLOSURE RESCUE	This bill makes it unlawful for anyone who is not licensed to purchase a home that is subject to a trustee sale or foreclosure. Other provisions apply including a date requirement. If passed this act will be called the "Arizona Home Equity Theft Prevention Act."	Rep. Rae Waters	Monitor  <b><u>NO POSITION</u></b>	Referred to House Commerce and Judiciary Committee.  No further movement.  DEAD
<a href="#">H2625</a> : HOMEOWNERS' ASSOCIATION; VOLUNTARY PARTICIPATION	This bill would allow any resident in a planned community to opt out of any mandatory membership by placing a record of intent with the County Recorder's Office. Defines definitions. Record does not convey once ownership changes.	Rep. David Gowan	Monitor  <b><u>OPPOSE</u></b>	No Action  DEAD
<a href="#">H2005</a> : STREETS; OBSTRUCTIONS PROHIBITED	A street may not be blocked by any obstacle or barrier that would limit traffic flow. A ditch,	Rep. Bill Konopnicki	Monitor  <b><u>NEUTRAL</u></b>	Referred to House Transportation and Infrastructure Committee. No further movement.

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	rut, speed bump or gate is prohibited.			DEAD
<a href="#">H2454</a> : HOA'S; INITIATIVES	Establishes a post-declarant control initiative process to change community documents for condos or planned communities. Lists a number of items that cannot be changed through the initiative process.	Rep. Cloves Campbell	Monitor  <b><u>NEUTRAL</u></b>	Referred to House Government Committee.  No further movement.  DEAD
<a href="#">H2518</a> : HOMEOWNERS' ASSOCIATIONS; RAINWATER SYSTEMS	This bill states that planned communities and condo associations shall not prohibit water saving devices such as catchments or cistern systems to water common areas.	Rep. Nancy Young Wright	Monitor  <b><u>NEUTRAL</u></b>	Referred to House Government Committee.  No further movement.  DEAD
<a href="#">H2092</a> : COMPREHENSIVE TRANSACTION PRIVILEGE TAX	Beginning Jan 1, 2010, the state's transaction privilege tax (TPT, also called sales tax) is reduced to 3.5% from 5%. The list of taxable events is expanded to include certain services and leases. Expands tax base to services.	Rep. David Bradley	Monitor  <b><u>NO POSITION</u></b>	Referred to House Ways-Means and Appropriations.  No further movement.  DEAD
<a href="#">H2184</a> : CONDOMINIUMS; RESTRICTED USE	Currently under condominium statutes an amendment to governing documents cannot create or increase the uses to which a unit is restricted. This bill would eliminate this	Rep. Bill Konopnicki	Monitor  <b><u>NO POSITION</u></b>	Referred to House Government Committee.  No further movement.  DEAD

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	restriction.			
<a href="#">H2464</a> : TENANT NOTICE; FORECLOSURES	Establishes statutes that obligate a landlord to provide written notice to tenants if the property is being foreclosed. After being notified 60 days prior, tenants are not obligated to pay rent or utility or others after the foreclosure. A form of notice is prescribed.	Rep. Barbara McGuire	Monitor  <b><u>NO POSITION</u></b>	Referred to House Commerce and Judiciary Committee.  No further movement.  DEAD
<a href="#">HCR2012</a> : PERSONAL PROPERTY; TAX EXEMPTION	The 2010 general election ballot is to carry the question of whether to amend the state Constitution to require the Legislature to annually increase the amount of business personal property exempt from taxation. By 2014 all business personal property must be completely exempt from taxation.	Rep. Rick Murphy	Monitor  <b><u>NO POSITION</u></b>	No Action
<a href="#">HCR2013</a> : PERSONAL PROPERTY; TAX EXEMPTION AMOUNT	The 2010 general election ballot is to carry the question of whether to amend the state Constitution to raise the value of business personal property that is exempt from personal property tax to \$10 million from \$50,000.	Rep. Rick Murphy	Monitor  <b><u>NO POSITION</u></b>	No Action

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<b>SENATE BILLS</b>				
<a href="#">S1007</a> : EQUALIZATION PROPERTY TAX REPEAL	Per statute the state equalization assistance property tax is scheduled to return after a three year suspension. This bill prevents the return and will save taxpayers \$250 million per year.	Sen. Jack Harper	Monitor  <b><u>NO POSITION</u></b>	No Action
<a href="#">S1107</a> : EQUALIZATION PROPERTY TAX REPEAL	Per statute the state equalization assistance property tax is scheduled to return after a three year suspension. This bill prevents the return and will save taxpayers 250 million per year.	Sen. James Waring	Monitor  <b><u>NO POSITION</u></b>	No Action
<a href="#">S1108</a> : LANDLORDS; FORECLOSURES; TENANT NOTICE	Landlords must provide tenants with notice of any foreclosure action against the property. The landlord must also provide 30-day's notice before the date of any scheduled foreclosure sale.	Sen. Landrum Taylor	Monitor  <b><u>NO POSITION</u></b>	No Action
<a href="#">S1140</a> : JUSTICE COURTS; FEES	The bill would remove the ability of the Supreme Court to increase fees in the Justice Court System.	Sen. Jonathan Paton	Monitor  <b><u>NO POSITION</u></b>	No Action
<a href="#">S1148</a> : DEED RESTRICTIONS; FOR SALE SIGNS	The right of a property owner to display a for sale sign on that property may not be infringed as long as the size of the sign conforms to industry standards. A similar restriction	Sen. Sylvia Allen	Monitor  <b><u>NO POSITION</u></b>	No Action

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	was adopted by the Legislature 2 years ago. This bill extends the provision to non planned communities and condominium properties.			
<a href="#">S1363</a> : HOAS; FORECLOSURES; VOTING RIGHTS	Senator Ron Gould introduced the bill for constituents in Lake Havasu that are unhappy with a party that bought a number of lots in an HOA that the previous declarant owned, thus obtaining declarant control. The bill would prevent the party from controlling the majority of seats on the HOA board.	Sen. Ronald Gould	Monitor  <b><u>NO POSITION</u></b>	No Action
<a href="#">S1412</a> : REAL ESTATE TRANSFERS; DISCLOSURES	Institutes consumer fraud statutes to knowingly failing to file completed transfer documents and correct affidavit of transfer of title or any contract related to the sale of real property. Action may be voidable by the AG's office.	Sen. Debbie McCune Davis	Monitor  <b><u>NO POSITION</u></b>	No Action
<a href="#">S1413</a> : FORECLOSURE SALES; NOTICE TO TENANTS	If a rented residential property is being foreclosed, substantial notification must be given to tenants and specific rights are established. Similar to HB2269.	Sen. Debbie McCune Davis	Monitor  <b><u>NO POSITION</u></b>	No Action

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<a href="#">S1432</a> : HOMESTEAD EXEMPTION; AMOUNT	Homesteads exemption extends from \$150,000 to \$750,000.	Sen. Al Melvin	Monitor  <b><u>NO POSITION</u></b>	No Action