

# Community Associations Institute

Fifty-Sixth Legislature, First Regular Session

Legislative Report

**DAY #16 OF SESSION I - 783 BILLS, 53 RESOLUTIONS AND MEMORIALS INTRODUCED**

## **NEXT DEADLINES:**

**January 30 – Senate Bill Introduction Deadline**

**February 3 – House Bill Request Deadline**

**February 6 – House Bill Introduction Deadline**

01/24/23

**\*\*All Request to Speak Votes are updated as of Tuesday, 1/24/2023 to meet Wednesday afternoon deadline\*\***

**Disclaimer: Since the legislature acts daily, each bill's status listed herein could change daily. This tracking document is merely meant to advise our members of a general overview of some of the bills that have been introduced and the status of the bill as of the date listed below. The bill summaries listed herein may or may not include all aspects of the proposed legislation and subsequent amendments and do not necessarily reflect an interpretation of the bills or the merits of the same.**

## Senate Bills

### **SB1023: RESIDENTIAL PICKETING; OFFENSE**

A person commits residential picketing, a class 3 (lowest) misdemeanor, if the person intentionally engages in picketing or otherwise demonstrates near the residence of an individual if the actions are such that a reasonable person would find the acts harassing, annoying, or alarming, or if the person intends the picketing or demonstrating to harass, annoy, or alarm another person.

**Position:** -

**Sponsor:** Sen. Kavanagh (R – SD-3)

**Status:** 1/23 – Rules Committee Hearing (\*\*CANCELED\*\*)

[Request to Speak:](#) (Click link to see Supporters/Opposers)

**Support** — Only individuals signed in;

**Oppose** — ACLU & AZ Attorneys for Criminal Justice, Arizona Coalition for Working Families

[Introduced Version of Bill](#) (Click link to access PDF of Bill)

**Daily History**

01-19-23, Passed Judiciary Committee (5-2-0)

01-11-23, Senate Second Read

01-10-23, Senate First Read; Assigned to Judiciary Committee

01-05-23, Introduced

### **SB1034: HOMEOWNERS' ASSOCIATIONS; FLAG BAN; PROHIBITION**

Condominium associations and homeowners' associations cannot prohibit the outdoor display of any flag unless the flag is obscene, defamatory, or likely to incite violence.

**Position:** -

**Sponsor:** Sen. Kavanagh (R – SD-3)

**Status:** 1/17 – Senate Second Read

[Request to Speak:](#) (Click link to see Supporters/Opposers)

**Support** — Arizona Homeowners Coalition

**Oppose** — Only individuals signed in

[Introduced Version of Bill](#) (Click link to see PDF of Bill)

**Daily History**

01-11-23, Senate First Read; Assigned to Government Committee

01-10-23, Introduced

## **SB1049: HOMEOWNERS' ASSOCIATIONS; BETSY ROSS FLAG**

Homeowners' associations and condo associations cannot prohibit the outdoor display of any historic version of the American flag, including the "Betsy Ross flag" (defined), without regard to how the stars and stripes are arranged on the flag.

**Position:** -

**Sponsor:** Sen. Kavanagh (R – SD-3)

**Status:** 1/25 – **Scheduled Government Committee Hearing (\*NOT MEETING\*)**

[Request to Speak:](#) (Click link to see Supporters/Opposers)

**Support** — Only individuals signed in

**Oppose** — Arizona Homeowners Coalition

[Introduced Version of Bill](#) (Click link to see PDF of Bill)

### Daily History

01-18-23, Senate Second Read

01-17-23, Senate First Read, Assigned to Government Committee

01-12-23, Introduced

## **SB1193: ONLINE HOME SHARING; REPEAL**

Repeals statutes prohibiting municipalities and counties from prohibiting vacation rentals or short-term rentals and limiting the restrictions that municipalities and counties may place on those rentals to a list of specified purposes. Repeals the online lodging marketplace transaction privilege tax classification, and the requirement for online lodging marketplaces to register with the Department of Revenue for payment of transaction privilege taxes on online lodging transactions. Repeals the requirement for online lodging operators to have a current transaction privilege tax license and related civil penalties for noncompliance. Repeals the Joint Legislative Study Committee on Transient Lodging.

**Position:** -

**Sponsor:** Sen. Marsh (D – SD-4)

**Status:** 1/23 – **Introduced**

[Request to Speak:](#) (Click link to see Supporters/Opposers)

[Introduced Version of Bill](#) (Click link to see PDF of Bill)

## House Bills

### **HB2047: VACATION RENTALS; SHORT-TERM RENTALS; RESTRICTIONS**

A municipality with a population of less than 17,000 persons is allowed to limit the number of vacation rentals and short-term rentals based on a percentage of total residentially zoned buildings or structures in that municipality, and is allowed to regulate vacation rentals or short-term rentals in the same manner as transient lodging activities.

**Position:** -

**Sponsor:** Rep. Bliss (R – HD-1)

**Status:** 1/11 – Introduced

[Request to Speak:](#) (Click link to see Supporters/Opposers)

[Introduced Version of Bill](#) (Click link to see PDF of Bill)

### **HB2241: ELECTRIC VEHICLES; CHARGING; PILOT PROGRAM**

Counties and municipalities are prohibited from issuing a residential structure building permit for a single-family structure if the structure does not have a specified electrical circuit with a dedicated outlet to charge an electric vehicle in the garage or within 10 feet of a parking space on the outside of the structure. Some exceptions. The Arizona Department of Administration (ADOA) is required to conduct a two-year electric vehicle-ready homes pilot program. ADOA is required to reimburse the owner of a single-family or multifamily residential structure for the cost of installing a high voltage electrical outlet for the purpose of charging an electric vehicle, up to \$1,000, until the monies are exhausted. By December 31, 2025, ADOA is required to submit a report to the Governor and the Legislature with specified information relating to the pilot program. The pilot program self-repeals October 1, 2026.

**Position:** -

**Sponsor:** Rep. Aguilar (D – HD-26)

**Status:** 1/19 – House Second Read

[Request to Speak:](#) (Click link to see Supporters/Opposers)

[Introduced Version of Bill](#) (Click link to see PDF of Bill)

#### Daily History

01-18-23, Assigned to Transportation and Infrastructure Committee, House First Read

01-12-23, Introduced

## **HB 2251: CONDOMINIUMS; INSURANCE COVERAGE; CLAIMS**

Condominium associations are required to maintain property insurance on the units. Each unit owner has the right to report a loss under the association's property insurance policy. If the cause of damage to or destruction of any portion of a condominium originates from the common elements or an event outside of the units and common elements, the insurance deductible is a common expense for the association. If the cause originates from a unit, the owner of the unit is responsible for the deductible of up to \$10,000.

**Position:** -

**Sponsor:** Rep. Wilmeth (R – HD-2)

**Status:** 1/19 – House Second Read

[Request to Speak:](#) (Click link to see Supporters/Opposers)

**Support:** Arizona Homeowners Coalition

**Oppose:** -

[Introduced Version of Bill](#) (Click link to see PDF of Bill)

### Daily History

01-18-23, Assigned to Commerce Committee; House First Read

01-12-23, Introduced

## **HB2259: PARKING REQUIREMENTS; AFFORDABLE HOUSING; PROHIBITION**

Counties and municipalities are prohibited from adopting a land use regulation or general or specific plan provision, and from imposing as a condition for approving a building or use permit, any regulation that requires a specific number of parking spaces per residential dwelling unit if the unit is designated as "affordable housing" (defined).

**Position:** -

**Sponsor:** Rep. Cano (D – HD-20)

**Status:** 1/24 – House Second Read

[Request to Speak:](#) (Click link to see Supporters/Opposers)

[Introduced Version of Bill](#) (Click link to see PDF of Bill)

### Daily History

01-23-23, House First Read; Assigned to Commerce Committee

01-12-23, Introduced

## **HB2298: PLANNED COMMUNITY AUTHORITY; PUBLIC ROADWAYS**

If a planned community regulates any public roadway, the planned community is required, by June 30, 2025, to hold a vote of the membership on the question of whether to continue to regulate public roadways. If a majority of a quorum of the membership of the community votes to continue regulating public roadways in the planned community, the planned community retains its authority to regulate those public roadways. If the vote fails or if the planned community does not hold a vote, the planned community no longer has authority to regulate the public roadways in the planned community and any existing regulations expire.

**Position:** -

**Sponsor:** Rep. Carter (R – HD-15)

**Status:** 1/19 – House Second Read

**[Request to Speak:](#)** (Click link to see Supporters/Opposers)

**[Support:](#)** Arizona Homeowners Coalition

**[Oppose:](#)** Only individuals signed in

**[Introduced Version of Bill](#)** (Click link to see PDF of Bill)

Daily History

01-18-23, Assigned to Government Committee, House First Read

01-12-23, Introduced

## **HB2301 HOMEOWNERS' ASSOCIATIONS; POLITICAL ACTIVITY**

Condominium associations and planned community associations cannot restrict a unit owner from conducting door-to-door political activity, and cannot prohibit a unit owner from circulating political petitions.

**Position:** -

**Sponsor:** Rep. Carter (R – HD-15)

**Status:** 1/23 – House Second Read

**[Request to Speak:](#)** Click link to see Supporters/Opposers)

**[Support:](#)** Arizona Homeowners Coalition

**[Oppose:](#)** -

**[Introduced Version of Bill](#)** (Click link to see PDF of Bill)

Daily History

01-19-23, House First Read; Assigned to Regulatory Affairs Committee

01-12-23, Introduced

## House Concurrent Resolutions

### **HCR2011: VACATION RENTALS; SHORT-TERM RENTALS**

The 2024 general election ballot is to carry the question of whether to repeal statutes prohibiting municipalities and counties from prohibiting vacation rentals or short-term rentals and restricting the types of regulations that municipalities and counties may impose on vacation rentals or short-term rentals. Statute entitling a property owner to just compensation from the state or a political subdivision that enacts a land use law that reduces the existing rights to use private real property does not apply to land use laws that regulate a vacation rental or short-term rental.

**Position:** -

**Sponsor:** Rep. Schwiebert (D – HD-2)

**Status:** 1/12 – Introduced

[Request to Speak:](#) (Click link to see Supporters/Opposers)

[Introduced Version of Bill:](#) (Click link to see PDF of Bill)