MARCH 28, 2025 (LEGISLATIVE POLICY COMMITTEE)

2 bills considered; 1 bill OPPOSE SUPPORT, 1 bill NO CHANGE.

- **HB 2706:** mental health; intensive treatment orders (*Hernandez, C.*) (Text)
 - Summary: Creates a construct whereby a court that finds, by "clear and convincing evidence," that a patient is "seriously mentally ill" or "chronically resistant to treatment" may enter an order for "intensive treatment services." Specifies that this order must include a "written intensive treatment services plan" prepared by staff familiar with the patient's case history and must be inclusive of (a) an "intensive case manager," whose role involves in-person contact with the individual at a regular frequency and includes regular firsthand assessments to assess adherence to the treatment plan, (b) residential placement, (c) medically necessary nonemergency transportation, and (d) other treatment services. Permits the court to order periodic compliance hearings and permits the court to return the individual to inpatient treatment in cases of noncompliance. Contains statute that defines how an individual can be "chronically resistant to treatment."
 - Amendment? Recently <u>amended</u> in the Senate Committee on Health and Human Services to specify that "THE ORDER FOR INTENSIVE TREATMENT SERVICES SHALL INCLUDE ONLY TREATMENT SERVICES FOR WHICH THERE IS AN IDENTIFIED FUNDING SOURCE."
 - o Prior Context (March 14, 2025 LPC): Responses from respondent counties varied, but tended towards concern. Specifically, two counties noted that this structure could result in additional costs to counties via (a) the need for an "intensive case manager" (and the frequent contact between individual and case manager required), (b) the need for additional evaluators (and (i) the additional training that may be required for these individuals, and (ii) the need for more comprehensive evaluations), and (c) the potential need for residential placement and other unspecified services. The two counties also noted that this could place additional demands on the courts via the necessary compliance hearings (and related staff). One county that responded noted that they weren't sure what this would change, as the court may already have the authority to do much of this.
 - Recent Context (*March 28, 2025 LPC*): Recently (*Friday, March 20th*) CSA staff held a small stakeholder meeting with respondent counties to discuss and better understand the implications of **HB 2706**. That discussion led to the conclusion that many of the services detailed in the "order for intensive treatment services" (the intensive case manager, the residential placement and transportation, and the other unspecified services), would fall on the state as a part of the court-ordered treatment (COT) process via AHCCCS and not the counties. At the same time, some county professional staff shared that they believed the courts already had the ability to enact much of what the legislation contemplated and that this proposal seemed targeted at the treatment providers rather than the counties. Some staff on the call shared that they believed there would still be
 - Discussion: One Supervisor questioned whether the implementation of this construct in rural counties would result in individuals being transferred to larger counties with additional resources at higher costs. Staff noted that, while they couldn't speak to the possibility of transfers, the cost for this treatment would fall on the state. The Supervisor asked whether if a bill of this nature, that increases costs to AHCCCS, would transitively increase costs to counties via

higher AHCCCS contributions. Staff responded that county payments to AHCCCS are relatively fixed, and have not changed significantly in decades. One Supervisor noted that, while the treatment would be a state cost, there would still be significant costs with respect to increased court throughput and for the providers. The Supervisor asked if a noncompliant individual would be arrested, which would perpetuate a vicious cycle and lead to the detention center being a de facto treatment center. Staff noted that, as written, the bill would result in a noncompliant individual being sent back to inpatient treatment. One Supervisor noted that they appreciated the intent of this bill, and believed it represented a start in addressing an important issue.

o Disposition: The LPC took NO ACTION on HB 2706.

- SB 1257: impaired person; court-ordered stabilization (*Leach*) (Text)
 - o Summary: Creates a construct whereby an admitting officer of an evaluation agency may petition the court that an "impaired person" be committed to the agency for "court-ordered stabilization" not to exceed five calendar days. Defines an "impaired person" as "an individual who, as a result of intoxication, withdrawal, or substance-induced symptoms, has impaired judgment causing the individual to be incapable of making or communicating rational decisions with regard to the individual's safety, health, or basic personal needs, such as food, clothing, shelter, or medical care." Provides the criteria that an individual must fulfill, and the admitting officer must detail, to be eligible. Requires that the "impaired person" be appointed counsel, who must meet with the individual within twenty-four hours, and that the "impaired person" be given an opportunity for a hearing to determine whether they should be involuntarily detained at the court's "earliest opportunity." Requires the "impaired person" to be offered treatment that may be administered with their consent, except that for their safety or the safety of others – mechanical or pharmacological restraints may be employed. Requires their reassessment daily to determine if they are still impaired, and requires their release if they are found to not be impaired. Subject to the individual's right to refuse, requires them to be given physical care and treatment. Requires the evaluation agency to prepare a plan for the individual's release. Includes civil liability for the Chief Medical Officer of the agency if the individual is released, and requires the County Attorney to represent the person who filed the petition for court-ordered stabilization. Charges all costs to AHCCCS.
 - Amendment? The proponents will be bringing forth a floor amendment to (a) limit the applicability of the legislation to counties with a population of between 1 million and 1.5 million, (b) sunsetting this policy at the end of 2027, and (c) requiring reporting.
 - o Prior Context (March 20, 2025 BOD): A Supervisor from a county supportive of this proposal noted that they had a longstanding working group on the topic, and noted that their Board's support of this proposal was unanimous. Further, they noted that some of their staff specifically with individuals dealing with substance abuse felt that they did not have enough time under the current structure to effect change. The Supervisor noted the various criteria that the staff member of an evaluation agency must find that the individual meets for the construct to be effective, and noted that proponents have been very responsive. One Supervisor noted that they appreciated the proponent county having taken on such a large task, but noted that despite this being an evident problem in many communities they were unsure whether this

structure would drive the necessary results and thought that this could result in substantial expense for counties suffering from capacity issues. This Supervisor also questioned whether the state would be willing to find AHCCCS to the extent necessary to complete this program. Another Supervisor noted concern regarding the civil liberty implications of the bill, and shared concerns regarding a lack of capacity in rural areas and the likelihood of state payment. They noted support for the concept, as well as the need for additional days. A third Supervisor shared their support for additional substance abuse treatment, such as the additional five days, but shared the dilemma inherent with individuals without AHCCCS coverage but also without coverage by private insurance. A proponent Supervisor noted the relation of the bill's five days with the time necessary to clear methamphetamines from their system, as well as other Title 36 processes. They specified that it is not the intent of proponents to lead to additional involuntary transfers, as these individuals will already have been taken to an evaluation agency on an emergency basis. Another Supervisor noted concern that the construct was not permissive.

- Recent Context (March 28, 2025 LPC): Staff noted that the bill's proponents planned for an amendment on the House Floor that would limit the applicability of the structure to the interested county via language that directly implicated counties with populations between 1 million and 1.5 million and limited the usage of the construct through the end of 2027. Staff noted that this addressed the concerns of permissibility.
- Discussion: One Supervisor noted that the bill seemed reasonable. Staff on the call noted that there would be a report, which would help counties see what does and doesn't work. Another Supervisor noted interest in the pilot program to see if it has wider applicability.
- o Disposition: The LPC SUPPORTED SB 1275.

MARCH 20, 2025 (BOARD OF DIRECTORS)

3 bills considered: 1 bill SUPPORTED, 1 bill OPPOSED, 1 bill NEUTRAL.

- SB 1073: NOW: cities; towns; counties; public notice (*Petersen*) (Text)
 - Summary: As struck in the Senate Committee on Government, repeals statute requiring a county Board of Supervisors to contract for "advertising, publication, and printing" and substitutes language stating that a county shall satisfy any statutory requirement for advertising, publication, or printing via publication on the county's official website.
 - Amendment? The proponents planned to bring forth an amendment that made publication on the county's website optional – or publication via a newspaper – optional. In essence, it becomes the county's choice.
 - Context: This bill comes as the Senate Government Chairman's response to the Association's priority SB 1217, which would have made more moderate reforms to public notice statute and was not sufficiently impactful to garner a hearing in the Senate.
 - Discussion: One Supervisor noted that they believed this bill should be supported. Another Supervisor noted that this was the opportunity to achieve a priority that the counties have pursued for years, and appreciated the permissive nature of the proposed amendment.
 - Disposition: The LPC voted to SUPPORT the strike-everything amendment to SB 1073.

- **SB 1257:** impaired person; court-ordered stabilization (*Leach*) (<u>Text</u>)
 - o Summary: Creates a construct whereby an admitting officer of an evaluation agency may petition the court that an "impaired person" be committed to the agency for "court-ordered stabilization" not to exceed five calendar days. Defines an "impaired person" as "an individual who, as a result of intoxication. withdrawal, or substance-induced symptoms, has impaired judgment causing the individual to be incapable of making or communicating rational decisions with regard to the individual's safety, health, or basic personal needs, such as food, clothing, shelter, or medical care." Provides the criteria that an individual must fulfill, and the admitting officer must detail, to be eligible. Requires that the "impaired person" be appointed counsel, who must meet with the individual within twenty-four hours, and that the "impaired person" be given an opportunity for a hearing to determine whether they should be involuntarily detained at the court's "earliest opportunity." Requires the "impaired person" to be offered treatment that may be administered with their consent, except that for their safety or the safety of others – mechanical or pharmacological restraints may be employed. Requires their reassessment daily to determine if they are still impaired, and requires their release if they are found to not be impaired. Subject to the individual's right to refuse, requires them to be given physical care and treatment. Requires the evaluation agency to prepare a plan for the individual's release. Includes civil liability for the Chief Medical Officer of the agency if the individual is released, and requires the County Attorney to represent the person who filed the petition for court-ordered stabilization. Charges all costs to AHCCCS.
 - Context: Staff had received a number of concerns from respondent counties, spanning areas of *due process*, staff and evaluation agency capacity, cost, and the necessity of accompanying long-term treatment.
 - o Discussion: A Supervisor from a county supportive of this proposal noted that they had a longstanding working group on the topic, and noted that their Board's support of this proposal was unanimous. Further, they noted that some of their staff – specifically with individuals dealing with substance abuse – felt that they did not have enough time under the current structure to effect change. The Supervisor noted the various criteria that the staff member of an evaluation agency must find that the individual meets for the construct to be effective, and noted that proponents have been very responsive. One Supervisor noted that they appreciated the proponent county having taken on such a large task, but noted that – despite this being an evident problem in many communities – they were unsure whether this structure would drive the necessary results and thought that this could result in substantial expense for counties suffering from capacity issues. This Supervisor also questioned whether the state would be willing to find AHCCCS to the extent necessary to complete this program. Another Supervisor noted concern regarding the civil liberty implications of the bill, and shared concerns regarding a lack of capacity in rural areas and the likelihood of state payment. They noted support for the concept, as well as the need for additional days. A third Supervisor shared their support for additional substance abuse treatment, such as the additional five days, but shared the dilemma inherent with individuals without AHCCCS coverage but also without coverage by private insurance. A proponent Supervisor noted the relation of the bill's five days with the time necessary to clear methamphetamines from their system, as well as other Title 36 processes. They specified that it is not the intent of proponents to lead to

additional involuntary transfers, as these individuals will already have been taken to an evaluation agency on an emergency basis. Another Supervisor noted concern that the construct was not permissive.

- o Disposition: The LPC OPPOSED SB 1275.
- **HB 2389:** business personal property; exemption (*Carter*) (Text)
 - Summaries: Eliminates all locally-assessed business personal property from taxation starting in TY 2032.
 - o Context: Does not affect centrally-assessed business personal property, such as mines and telecommunications. Further, is mitigated by a policy passed several years ago that effectively eliminated business personal property tax for property purchased after TY 2022. Staff found, taking that prior policy into account, that there would be a *de minimis* amount of taxable personal property remaining in TY 2032 (*when the bill would become effective*). Supplies onhand would not depreciate, and so would be affected, but do not constitute a significant amount of the property tax base. The effect would be the elimination of between 0.2% and 0.4% of total tax collections in TY 2032. The bill was amended in the House to solve an issue, specific to Graham County, where one classification of business personal property makes up a significant amount of that property's tax base.
 - Discussion: One Supervisor noted that this was reminiscent of "death by 1,000 cuts" by reducing the tax base in small increments over time.
 - o Disposition: The LPC took a position of NEUTRALITY on HB 2389.

Status of bills processed by the Legislative Policy Committee:

GOVERNOR'S ACTION

- SIGNED
 - **SB 1286:** counties; board; administrative review; approval (*Gowan*) (**SUPPORTED** at **January 31**st **LPC**)
- VETOED
 - SB 1011: early voting; ballot deadlines; certificates (*Petersen*) (FOR INFORMATION at January 16th BOD)
- AWAITING TRANSMISSION
 - SB 1231: training; newly elected constables (*Payne*) (OPPOSED at February 7th LPC)

TO BE HEARD: SECOND CHAMBER FLOOR

- SB 1036: public resources; influencing elections; penalties (Kavanagh)
 (OPPOSED at February 7th LPC)
- HB 2017: voting centers ban; precinct size (*Keshel*) (OPPOSED at January 24th LPC)
- **HB 2368:** auditor general; records; financial institutions (*Gress*) (**SUPPORTED** at **January 24**th **LPC**)
- HB 2651: voting equipment; requirements; origin (*Montenegro*) (OPPOSED at February 20th BOD)
- HB 2722: public resources; expenditures; prohibition (*Carter*) (**OPPOSED** at **March** 7th LPC)
- HB 2774: small modular reactors; co-location (Carbone) (OPPOSED at February 20th BOD)

TO BE HEARD: SECOND CHAMBER CAUCUS/RULES

- **SB 1048:** counties; cremation; indigent deceased persons (*Kavanagh*) (Substantially similar bill, **HB 2065, SUPPORTED** at **January 16th BOD**)
- SB 1053: wildlife; firearms discharge; structures; distance (*Rogers*) (FOR INFORMATION at February 7th LPC)
- SB 1097: elections; voting centers; polling places (*Hoffman*) (OPPOSED at February 20th BOD)
- SB 1144: jail facilities excise tax; extension (*Payne*) (SUPPORTED at January 16th BOD)
- SB 1145: special districts; construction; payments (*Carroll*) (**OPPOSED** at **January** 31st LPC; NEUTRAL by staff after amendment)
- SB 1150: wind farms; construction; policies; procedures (*Gowan*) (Substantially similar bill, SB 2223, OPPOSED at February 7th LPC)
- SB 1241: animal bites; owner contact information (*Kavanagh*) (SUPPORTED at January 31st LPC)
- SB 1257: impaired person; court-ordered stabilization (*Leach*) (OPPOSED at March 20th BOD, SUPPORTED at March 28th LPC)
- SB 1308: sober living homes (Carroll) (FOR INFORMATION at February 7th LPC)
- **SB 1706:** state contracts; federal government; applicability (*Gowan*) (Substantially similar bill, **HB 2763, SUPPORTED** at **February 14**th **LPC**)
- SCR 1008: municipalities; counties; fee increases; vote (*Petersen*) (Substantially similar bill, SB 1013, OPPOSED at January 16th BOD)
- HB 2104: emissions; voluntary vehicle repair; timeline (*Griffin*) (Substantially similar bill, HB 2105, SUPPORTED at February 20th BOD)
- HB 2222: settlement agreements; report; approval (*Marshall*) (OPPOSED at January 24th LPC)
- HB 2389: business personal property; exemption (Carter) (NEUTRAL at March 20th BOD)
- HB 2433: county treasurers; continuing education (*Gress*) (FOR INFORMATION at January 24th LPC; OPPOSED on February 7th LPC; SUPPORTED by staff after amendment)
- HB 2389: business personal property; exemption (Carter) (FOR INFORMATION at February 20th BOD; NEUTRAL at March 20th BOD)
- HB 2606: appropriation; local border support (*Nguyen*) (**NEUTRAL** at **January** 24th LPC (w/ direction to **SUPPORT** w/ amendment relating to other costs))
- HB 2689: cancer insurance; public safety; retirees (*Livingston*) (NEUTRAL (w/ amendment) at *February 20th BOD*)
- HB 2722: public resources; expenditures; prohibition (*Carter*) (**OPPOSED** at **March 7th** LPC)
- HB 2927: public meetings; records; requirements; penalties (*Carbone*) (OPPOSED at February 14th LPC; NEUTRAL by staff after amendment)
- HB 2928: accessory dwelling units; requirements (OPPOSED at February 14th LPC; NEUTRAL by staff after amendment)
- HCR 2002: voting centers; precinct size (*Keshel*) (OPPOSED at January 24th LPC)

TO BE HEARD: SECOND CHAMBER STANDING COMMITTEE

- HB 2704: tax; distribution; county stadium district (*Weninger*) (OPPOSED at February 14th LPC)
- HB 2706: mental health; intensive treatment orders (*Hernandez, C.*) (OPPOSED at March 14th LPC; NO ACTION at March 28th LPC)
- HB 2918: tax rates; reduction (Olson) (OPPOSED at February 14th LPC)

WILL NOT MOVE FORWARD

- **SB 1013:** municipalities; counties; fee increases; vote (*Petersen*)
 - (OPPOSED at January 16th BOD)
 - STRUCK with a completely different subject.
- SB 1065: appropriation; reduction; courts (*Finchem*) (OPPOSED at February 14th LPC) • Never passed its first chamber.
- SB 1073: cities; towns; counties; public notices (*Petersen*) (SUPPORTED at March 20th BOD)
 - o Was never heard in second chamber standing committee.
- SB 1100: Maricopa County; division; new counties (*Hoffman*) (OPPOSED at January 24th LPC)
 - Never passed its first chamber.
- SB 1101: Maricopa County; new counties; division (*Hoffman*) (**OPPOSED** at **January** 24th LPC)
 - Never passed its first chamber.
- SB 1148: CORP; defined contribution (*Payne*) (**OPPOSED** at **January 24**th **LPC**) • *Never passed its first chamber.*
- SB 1199: jury; termination of parental rights (*Payne*) (OPPOSED at January 24th LPC) (JURY TRIAL)
 - Never passed its first chamber.
- SB 1223: ACJC; continuation (*Kavanagh*) (SUPPORTED at January 31st LPC) • Was never heard in first chamber standing committee.
- SB 1243: open meetings; call to the public (*Kavanagh*) (OPPOSED at February 7th LPC)
 - o Was never heard in second chamber standing committee.
- SB 1273: deputy sheriff; detention officer; salary (*Payne*) (**OPPOSED** at **January** 31st LPC)
 - Was never heard in first chamber standing committee.
- SB 1284: fireworks; aerials; licensure; penalties (*Gowan*) (OPPOSED at January 31st LPC)
 - o Was never heard in first chamber standing committee.
- SB 1288: police vehicles; inspection; requirements (*Gowan*) (OPPOSED at January 31st LPC)
 - Was never heard in both first chamber standing committees to which it was assigned.
- SB 1352: rezoning; administrative act; referral prohibited (*Gowan*) (FOR INFORMATION at February 14th LPC)
 - Never passed its first chamber.
- **SB 1365:** PSPRS; member contributions (*Kavanagh*) (**OPPOSED** at **February 7**th **LPC**) • *Never passed its first chamber.*
- SB 1407: property tax assessment; greenhouses (*Dunn*) (OPPOSED at February 20th BOD)
 - o Proponents would not be able to draft satisfactory amendment in time, will continue with conversations in interim.
- SB 1434: attorney discipline; jury trial (*Finchem*) (**OPPOSED** at **January 24**th **LPC**) (**JURY TRIAL**)
 - Never passed its first chamber.
- **SB 1442:** appropriation; secure behavioral health residential facilities (*Werner*) (**SUPPORTED** at **February 7**th **LPC**)
 - Was never heard in second chamber standing committee (however, as a "money bill," will be negotiated as part of the budget).

```
• SB 1455: election officials; oversight; candidates (Farnsworth) (OPPOSED at February 20<sup>th</sup> BOD)
```

• FAILED in H-FMAE.

- SB 1593: municipal; county; measures; standing (*Rogers*) (OPPOSED at March 14th LPC)
 - o Was never heard in second chamber standing committee.
- SB 1712: retirement; judges; elected officials (*Gowan*) (OPPOSED at February 7th LPC)
 - Was never assigned to committee.
- SCR 1004: prohibit tax; monitoring; vehicle mileage (*Hoffman*) (OPPOSED at January 24th LPC; NEUTRAL by staff after amendment; SUPPORT at February 14th LPC)

 Was never first read in the second chamber.
- HB 2043: harassment; intent; defense (Kolodin) (OPPOSED at January 24th LPC, NEUTRAL by staff after amendment)
 - Was never heard in second chamber standing committee.
- HB 2049: administrative decisions; security proceedings; hearings (Kolodin) (OPPOSED at January 24th LPC) (JURY TRIAL)
 - o Was never heard in second chamber standing committee.
- HB 2061: administrative proceedings; jury trials (Fink) (OPPOSED at January 24th LPC) (JURY TRIAL)
 - o Was never heard in first chamber standing committee.
- HB 2065: counties; indigent deceased persons; cremation

(Gress) (SUPPORTED at January 16th BOD)

- Was never heard in second chamber standing committee; struck onto SB 1048 (which continues to move).
- HB 2105: violation; open burning; enforcement (*Griffin*) (SUPPORTED at February 20th BOD)
 - Was never heard in second chamber standing committee; struck onto HB 2104 (which continues to move).
- HB 2152: right to jury; domestic relations (*Keshel*) (OPPOSED at January 24th LPC) (JURY TRIAL)
 - Was never heard in second chamber standing committee.
- **HB 2191:** religious institutions; development; allowed use (*Livingston*)

(OPPOSED at February 7th LPC)

• FAILED on HOUSE THIRD.

• **HB 2223:** wind farms; construction; policies; procedures (*Marshall*)

(OPPOSED at February 7th LPC)

- o Never passed its first chamber; struck onto SB 1150 (which continues to move).
- HB 2416: unlawful act; government official; challenge (*Kolodin*) (OPPOSED at February 7th LPC)
 - o Was never heard in first chamber standing committee.
- HB 2599: condominiums; construction defects; action (Blackman) (FOR

INFORMATION at **February 7**th **LPC**)

- o Was never heard in first chamber standing committee.
- HB 2660: affordable housing tax credits; extension (Wilmeth) (SUPPORTED at January 24th LPC)
 - o Was never heard in first chamber standing committee.
- HB 2708: trial by jury; regulatory proceedings (*Kolodin*) (OPPOSED at January 24th LPC) (JURY TRIAL)
 - o Was never heard in first chamber standing committee.

- HB 2713: homeowners' association dwelling actions (Blackman) (FOR INFORMATION at February 7th LPC)
 - o Was never heard in first chamber standing committee.
- **HB 2763:** state government; federal contracts; applicability

(Volk) (SUPPORTED at February 14th LPC)

- o Never passed its first chamber; struck onto **SB 1706** (which continues to move).
- **HB 2926:** TPT; reimbursement; residential development (*Carbone*)

(OPPOSED at February 14th LPC)

STRUCK to completely different subject