



Weekly Legislative Update

For the week ending Friday, May 13, 2022

This weekly publication is available during the legislative session; for general legislative inquiries please visit azwater.gov

■ News/Notes

Today marks the 124th day of the 55th Legislature, 2nd Regular Session.

- No news of note

■ Posted Committee Hearings

None

■ Bill Summaries

*The following bills are being reviewed internally for impacts to the Department and the State's water resources. If the Department has taken a position on a bill it will be noted. Bills that have not received an initial hearing and are **most likely dead have been removed** from the list below. (The following list of bills is not a comprehensive list of bills ADWR Legislative Affairs is tracking.)*

House of Representatives

HB 2037: expenditures; authority; water; wastewater

Summary: County boards of supervisors are authorized to appropriate and spend public monies for and in connection with participating in water reuse and recycling programs or regional water recharge projects, and purchasing water rights to demonstrate an assured water supply. County flood control district boards of directors are authorized to cooperate and join with private water and wastewater utilities that engage in underground water storage and recovery projects.

First sponsor: Rep. Cook (R - Dist 8)

Disposition: **4/22 signed by governor.** Chap. 164, Laws 2022.

HB 2054: water quality appeals board; continuation

Summary: The statutory life of the Water Quality Appeals Board is extended eight years to July 1, 2030. Retroactive to July 1, 2022.

First sponsor: Rep. Griffin (R - Dist 14)

Disposition: **4/13 signed by governor.** Chap. 121, Laws 2022.

HB 2055: Harquahala non-expansion area; groundwater transportation

Summary: A public service corporation that is regulated by the Corporation Commission, that holds a certificate of convenience and necessity for water service in an initial active management area, and that owns land eligible to be irrigated in the Harquahala irrigation non-expansion area, as well as this state and a political subdivision of this state, are eligible to transport groundwater away from the Harquahala irrigation non-expansion area for transportation to an initial active management area for its own use or use by the Arizona Water Banking Authority if a list of specified conditions are met.

First sponsor: Rep. Griffin (R - Dist 14)

Disposition: 3/22 passed Senate rules

ADWR Position: Neutral

HB 2057: water supply development fund; revisions

Summary: Monies in the Water Supply Development Revolving Fund may be used for providing technical assistance to water providers for water supply development projects. Increases the maximum amount of a single Water Infrastructure Finance Authority grant to water providers for water supply development projects to \$250,000, from \$100,000.

First sponsor: Rep. Griffin (R - Dist 14)

Disposition: 3/25 signed by Governor Chap. 63, Laws 2022.

HB 2095: posting of notices; municipal websites (~~strike-everything~~ title: groundwater)

Summary: Allows specified entities to transport, to La Paz County, water from the Butler Valley Groundwater Basin (Butler Basin), McMullen Valley Groundwater Basin (McMullen Basin) and Harquahala Irrigation Non-expansion Area (Harquahala INA) and outlines transportation requirements.

First sponsor: Rep. Griffin (R - Dist 14)

Disposition: 3/22 passed Senate rules

ADWR Position: Neutral

HB 2129: ADEQ direct potable reuse; rules

Summary: Establishes, by December 31, 2024, a Direct Potable Reuse of Treated Wastewater Program (Program) and appropriates \$1,500,000 from the state General Fund (state GF) in FYs 2023 and 2024 to operate the Program's permitting process.

First sponsor: Rep. Griffin (R - Dist 14)

Disposition: 5/3 retained on Senate COW calendar.

HB 2131: HOA's; artificial grass ban prohibited

Summary: In any planned community that allows grass on a member's property, a homeowner's association (HOA) cannot prohibit installing or using artificial grass on any member's property. An HOA is allowed to adopt reasonable rules regarding the installation and appearance of artificial grass if those rules do not prevent installing or using the artificial grass. The court is required to award reasonable attorney fees and costs to any party that prevails in an action against the HOA for a violation of this legislation.

First sponsor: Rep. Kavanagh (R - Dist 23)

Disposition: 3/30 signed by Governor. Chap. 101, Laws 2022.

HB 2231: universities; water rights adjudications

Summary: A university under the jurisdiction of the Arizona Board of Regents is authorized to offer pro bono assistance to claimants who are small landowners in the general stream adjudication of water rights who are not represented by counsel. Any university that offers such assistance is required to cooperate and coordinate with the faculty of a cooperative extension in Arizona that has a program to support the economic vitality of rural communities and the use of natural resources in those communities. By November 15 of each year, a university that offers such assistance is required to submit a written report of assistance activities to the Governor and the Legislature.

First sponsor: Rep. Griffin (R - Dist 14)

Disposition: 4/18 signed by governor. Chap. 152, Laws 2022.

ADWR Position: Neutral

HB 2389: rulemaking review; time frame (~~strike everything~~ title: river water transfers)

Summary: Limits the transference or conveyance of a claim to use fourth priority Colorado River water to specified uses in Arizona counties adjacent to the western border of Arizona.

First sponsor: Rep. Griffin (R - Dist 14)

Disposition: 4/4 passed Senate rules

ADWR Position: Neutral

HB 2409: multi-county water districts; storage tax

Summary: The maximum tax levy for water storage of \$0.04 per \$100 of assessed valuation in a multi-county water conservation district is extended through December 31, 2029, after which the maximum tax levy is reduced to \$0.03 per \$100 of assess valuation. The delayed repeal of statute authorizing the tax levy is extended five years to January 2, 2035.

First sponsor: Rep. Griffin (R - Dist 14)

Disposition: 4/18 signed by governor. Chap. 154, Laws 2022.

HB 2411: coal combustion residuals; program

Summary: Adds a new article to Title 49 (The Environment) allowing the Director of the Department of Environmental Quality to adopt rules to establish and operate a Coal Combustion Residuals (CCR) Program equivalent to or at least as protective as the federal CCR Program for the purpose of obtaining approval to operate the federal CCR Program. Federal CCR regulations may be adopted by reference. The rules are required to provide requirements for issuing, denying, suspending, or modifying individual CCR permits, and must include a list of specified provisions.

First sponsor: Rep. Griffin (R - Dist 14)

Disposition: 4/25 signed by governor. Chap. 178, Laws 2022.

ADWR Position: Support

HB 2538: water protection fund; appropriation

Summary: Appropriates \$1 million from the general fund in FY2022-23 to the Arizona Water Protection Fund.

First sponsor: Rep. Griffin (R - Dist 14)

Disposition: 3/15 Passed Senate Appropriations

ADWR Position: Neutral

HB 2539: nonnative species eradication; projects; appropriation

Summary: Appropriates \$15,000,000 for nonnative vegetation invasive species eradication projects along a specified part of the Gila River

First sponsor: Rep. John (R - Dist 4)

Disposition: 3//30 from Senate appro do pass.

HB 2556: *water infrastructure finance; sunset repeal*

Summary: Repeals the statutory termination date of July 1, 2022 for the Water Infrastructure Finance Authority. Retroactive to July 1, 2022.

First sponsor: Rep. Griffin (R - Dist 14)

Disposition: 3/25 signed by Governor Chap. 68, Laws 2022

HB 2619: *post vaccine injuries; COVID-19; posting (strike everything title: rainwater harvesting prgm)*

Summary: Establishes the Rainwater Harvesting Grant Program (Program) and outlines Program requirements. Appropriates \$1,000,000 from the state General Fund (state GF) to the Arizona Department of Water Resources (ADWR) to administer the Program

First sponsor: Rep. Kaiser (R - Dist 15)

Disposition: 3/22 Passed Senate NREW w/ strike everything amendment

Senate

SB 1067: *water infrastructure finance authority; cities*

Summary: Municipalities with a population of more than 150,000 persons and less than 300,000 persons are no longer required to get voter approval before entering into a financial assistance loan repayment agreement with the Water Infrastructure Finance Authority (WIFA). WIFA is prohibited from providing funds to a municipality to condemn or acquire through eminent domain any assets of a public service corporation regulated by the Corporation Commission. During FY2022-23 through FY2026-27, all counties and municipalities regardless of population, and a sanitary district with a population of fewer than 50,000 persons, are authorized to enter into a financial assistance loan repayment agreement with WIFA without voter approval. Emergency clause.

First sponsor: Sen. Shope (R - Dist 8)

Disposition: 4/13 signed by governor. Chap. 133, Laws 2022.

SB 1171: *unlawful feeding; wildlife; exceptions (strike-everything title: treated processed water)*

Summary: Allows a food or beverage manufacturer to accrue long-term storage credits for storing treated process water. Limits who can use this stored water and be assigned the resulting credits. Outlines how the Arizona Department of Water Resources will account for treated process water when evaluating compliance with a management plan's conservation requirements.

First sponsor: Sen. Gowan (R - Dist 14)

Disposition: 5/5 retained on House COW calendar.

SB 1197: *WIFA projects; irrigation districts*

Summary: Redefines service area for an irrigation district and allows these districts and water conservation districts to receive financial assistance from the Water Infrastructure Finance Authority (WIFA) to design, rehabilitate or improve water or wastewater infrastructure.

First sponsor: Sen. Shope (R - Dist 8)

Disposition: 5/2 signed by governor. Chap. 213, Laws 2022

SB 1564: *on farm efficiency pilot program (striker)*

Summary: Establishes the On-farm Irrigation Efficiency Pilot Program (Program) and Fund (Fund) to provide grants and collect data for on-farm irrigation efficiency systems and projects. Appropriates

\$30,000,000 from the state General Fund (GF) to the Fund in FY 2022.

First sponsor: Sen. Shope (R - Dist 8)

Disposition: 5/2 from House rules okay.

Summaries are provided via [AZCapitolReports](#)

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