



DOUGLAS A. DUCEY
GOVERNOR

STATE OF ARIZONA
OFFICE OF THE GOVERNOR

EXECUTIVE OFFICE

May 16, 2018

The Honorable Michele Reagan
Secretary of State
1700 W. Washington, 7th Floor
Phoenix, AZ 85007

Dear Secretary Reagan:

I am transmitting to you the following bills from the Fifty-third Legislature, 2nd Regular Session, which I signed on May 16, 2018:

- HB 2088 pupils; concussions; parental notification (Carter)
- HB 2197 health professionals; workforce data (Carter)
- HB 2209 internet protocol; corporation commission (Grantham)
- HB 2212 firearm possession; peace officers; definition (Thorpe)
- HB 2235 dental therapy; regulation; licensure (Thorpe)
- HB 2253 schools; exchange teachers; employment duration (Carter)
- HB 2307 scrap vehicles; sales (Campbell)
- HB 2310 underground storage tanks; reimbursement claims (Bowers)
- HB 2324 community health workers; voluntary certification (Carter)
- HB 2356 juvenile court; jurisdiction; age (Bowers)
- HB 2383 HOV lanes; emergency vehicles (Clodfelter)
- HB 2384 unlawful flight; vehicle impoundment (Clodfelter)
- HB 2414 state employee health plan; incentives (Kern)
- HB 2416 appropriation; study; prime contracting classification (Cobb)
- HB 2422 personal delivery devices (Townsend)
- HB 2455 commercial vehicles definition; driver licenses (Cook)
- HB 2510 auto dealers; task force; fund (John)

HB 2520 schools; reading requirement (Coleman)
HB 2522 traffic violations; penalties (Syms)
HB 2526 career technical education districts (Clodfelter)
HB 2527 ticket surcharge; public safety equipment (Clodfelter)
HB 2529 assisted living; referrals; disclosure (Campbell)
HB 2532 occupational regulation; municipalities; counties; hearings (Payne)
HB 2534 teachers; certification requirements (Carter)
HB 2538 U.S. House vacancy; special election (Coleman)
HB 2564 court fees; EORP; state contribution (Livingston)
HB 2589 department of gaming omnibus (Cook)
HB 2596 property taxes; procedures; abatement (Toma)
HB 2648 ballot measures; paid circulator definition (Leach)
HB 2649 public meetings; recordings; posting; definition (Grantham)
HB 2650 commercial license; defensive driving school (Toma)
HB 2651 landlord tenant; security deposits (Toma)
HB 2652 electric bicycles; definition; use (Allen, J.)
HB 2653 expenditure limitation; waiver of penalties (Cobb)
HB 2654 illegal substances education; partnership (Thorpe)
HB 2655 real estate licenses; online classes (Mosley)
HB 2656 electronic wills and trusts (Leach)
HB 2657 interscholastic activities; health dangers; information (Carter)
SB 1039 appropriation; Arizona water protection fund (Griffin)
SB 1140 certificates of authority; video service (Griffin)
SB 1167 merit council; law enforcement qualifications (Griffin)
SB 1181 corporation commission; railway safety inspectors (Griffin)
SB 1245 appropriation; SNAP; benefit match; produce (Brophy McGee)
SB 1254 school district consolidation (Allen, S.)
SB 1271 construction liability; apportionment; study (Fann)
SB 1273 administrative proceedings; rules; contested cases (Petersen)
SB 1293 department of revenue; administrative efficiency (Farnsworth, D.)
SB 1296 government communications; emergency response interpreters (Bowie)
SB 1398 unemployment; return-to-work program; suitable work (Smith)
SB 1409 TPT; prime contracting; alteration; replacement (Fann)
SB 1476 county sheriff; reentry planning; appropriation (Gray)
SB 1478 employer contributions; EORP (Fann)
SB 1496 prisoners; drug sentences; out-of-custody treatment (Smith)
SB 1498 AZPOST; membership; training; AMBER alert (Smith)

SB 1504 developmental disability rates; appropriation (Smith)

Sincerely,

A handwritten signature in black ink that reads "Douglas A. Ducey". The signature is written in a cursive, flowing style.

Douglas A. Ducey
Governor
State of Arizona

cc: Senate Secretary
Chief Clerk of the House of Representatives
Arizona News Service

Conference Engrossed

FILED

MICHELE REAGAN

SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

CHAPTER 313

HOUSE BILL 2529

AN ACT

AMENDING TITLE 36, CHAPTER 4, ARTICLE 6, ARIZONA REVISED STATUTES; BY
ADDING SECTION 36-446.14; RELATING TO ASSISTED LIVING FACILITIES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 36, chapter 4, article 6, Arizona Revised
3 Statutes, is amended by adding section 36-446.14, to read:

4 36-446.14. Referral agencies; requirements; civil penalty;
5 definitions

6 A. A REFERRAL AGENCY SHALL DISCLOSE TO ANY PROSPECTIVE RESIDENT OR
7 REPRESENTATIVE OF A PROSPECTIVE RESIDENT AT THE TIME OR BEFORE ANY
8 REFERRAL IS MADE FOR CARE AT AN ASSISTED LIVING FACILITY BOTH OF THE
9 FOLLOWING:

10 1. THE EXISTENCE OF ANY CURRENT BUSINESS RELATIONSHIP BETWEEN THE
11 REFERRAL AGENCY AND THE ASSISTED LIVING FACILITY, INCLUDING ANY COMMON
12 OWNERSHIP OR CONTROL AND ANY OTHER FINANCIAL, BUSINESS, MANAGEMENT OR
13 FAMILIAL RELATIONSHIP THAT EXISTS BETWEEN THE REFERRAL AGENCY AND THE
14 ASSISTED LIVING FACILITY.

15 2. THAT THE ASSISTED LIVING FACILITY PAYS A FEE TO THE REFERRAL
16 AGENCY IN CONNECTION WITH THE REFERRAL.

17 B. THE REFERRAL AGENCY SHALL DISCLOSE TO A NEW RESIDENT OR THE
18 RESIDENT'S REPRESENTATIVE EITHER BEFORE OR AT THE TIME OF THE RESIDENT'S
19 ADMISSION DATE THE AMOUNT OF THE FEE OR A GOOD FAITH ESTIMATE OF THE FEE
20 TO BE PAID BY THE ASSISTED LIVING FACILITY TO THE REFERRAL AGENCY.

21 C. BOTH THE REFERRAL AGENCY AND THE PROSPECTIVE RESIDENT OR THE
22 PROSPECTIVE RESIDENT'S REPRESENTATIVE SHALL SIGN AND DATE OR
23 ELECTRONICALLY ACKNOWLEDGE AND DATE THE DISCLOSURES REQUIRED BY
24 SUBSECTIONS A AND B OF THIS SECTION. THE REFERRAL AGENCY SHALL PROVIDE
25 THE PROSPECTIVE RESIDENT OR THE PROSPECTIVE RESIDENT'S REPRESENTATIVE A
26 COPY OF THE DISCLOSURES EITHER ELECTRONICALLY OR IN A HARD COPY. THE
27 REFERRAL AGENCY SHALL PROVIDE THE ASSISTED LIVING FACILITY A COPY OF THE
28 SIGNED AND DATED OR ELECTRONICALLY ACKNOWLEDGED AND DATED DISCLOSURES AT
29 THE SAME TIME THE RESIDENT RECEIVES THE DISCLOSURES, AND THE ASSISTED
30 LIVING FACILITY SHALL MAINTAIN A COPY OF THE DISCLOSURES ON FILE AT THE
31 FACILITY.

32 D. THE ASSISTED LIVING FACILITY MAY NOT PAY ANY REFERRAL FEE
33 ASSOCIATED WITH A RESIDENT UNTIL THE ASSISTED LIVING FACILITY RECEIVES THE
34 DISCLOSURES REQUIRED BY SUBSECTIONS A AND B OF THIS SECTION.

35 E. A REFERRAL AGENCY THAT VIOLATES THIS SECTION IS SUBJECT TO A
36 CIVIL PENALTY OF UP TO ONE THOUSAND DOLLARS FOR EACH VIOLATION. THE
37 ATTORNEY GENERAL OR A COUNTY ATTORNEY MAY INSTITUTE A PROCEEDING IN
38 SUPERIOR COURT TO RECOVER THE CIVIL PENALTY UNDER THIS SUBSECTION AND TO
39 RESTRAIN AND ENJOIN A VIOLATION OF THIS SECTION. ANY CIVIL PENALTY
40 RECOVERED PURSUANT TO THIS SUBSECTION SHALL BE DEPOSITED IN THE GENERAL
41 FUND OF THE JURISDICTION THAT PROSECUTED THE VIOLATION.

1 F. FOR THE PURPOSES OF THIS SECTION:

2 1. "ELECTRONICALLY" INCLUDES AN AUDIO RECORDING THAT CONFORMS WITH
3 THE ARIZONA RULES OF EVIDENCE, THAT IS MAINTAINED BY THE REFERRAL AGENCY
4 AND THAT IS TRANSMITTED TO THE ASSISTED LIVING FACILITY AND THE RESIDENT
5 OR THE RESIDENT'S REPRESENTATIVE IN A FORMAT THAT CAN BE DOWNLOADED.

6 2. "REFERRAL AGENCY":

7 (a) MEANS A PERSON OR ENTITY THAT PROVIDES REFERRALS FOR A FEE THAT
8 IS COLLECTED FROM EITHER THE PATIENT OR THE ASSISTED LIVING FACILITY.

9 (b) DOES NOT INCLUDE EITHER:

10 (i) AN ASSISTED LIVING FACILITY OR ITS EMPLOYEES.

11 (ii) A RESIDENT, A RESIDENT'S FAMILY MEMBER OR A PATRON OF AN
12 ASSISTED LIVING FACILITY WHO REFERS A PROSPECTIVE RESIDENT TO AN ASSISTED
13 LIVING FACILITY AND RECEIVES A DISCOUNT OR OTHER REMUNERATION FROM THE
14 ASSISTED LIVING FACILITY.

APPROVED BY THE GOVERNOR MAY 16, 2018

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 16, 2018

Passed the House February 22, 20 18

Passed the Senate March 29, 20 18

by the following vote: 55 Ayes,

by the following vote: 30 Ayes,

0 Nays, 5 Not Voting

0 Nays, 0 Not Voting

[Signature]
Speaker of the House
 Pro Tempore

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

_____ day of _____, 20____

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

at _____ o'clock _____ M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this _____ day of _____, 20____

at _____ o'clock _____ M.

Secretary of State

H.B. 2529

HOUSE FINAL PASSAGE
as per Joint Conference

Passed the House April 30, 20 18

by the following vote: 54 Ayes,

3 Nays, 3 Not Voting

[Signature]

Speaker of the House

Pro Tempore

Jim Drake
Chief Clerk of the House

SENATE FINAL PASSAGE
as per Joint Conference

Passed the Senate May 2, 20 18

by the following vote: 28 Ayes,

2 Nays, 0 Not Voting

[Signature]

President of the Senate

[Signature]
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

3rd day of May, 20 18

at 5:54 o'clock A. M.

[Signature]
Secretary to the Governor

Approved this 16th day of

May 2018

at 9:18 o'clock A. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 16 day of May, 20 18

at 4:29 o'clock P. M.

[Signature]
Secretary of State