



Bill Number: S.B. 1555

Fann Floor Amendment

Reference to: printed bill

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

1. Specifies that the head of each budget unit shall provide in its budget estimate, the cost to the budget unit in the next fiscal year attributable to a county's, city's or town's establishment of a minimum wage if that minimum wage exceeds the minimum wage established by the state.
2. Requires the Arizona Department of Administration (ADOA) to assess the amounts not later than July 31 of each year. These amounts are payable immediately on assessment.
3. Requires that the paid assessments shall be credited to the funds in the amounts prescribed in the estimates.
4. Modifies definitions relating to the Office of Manufactured Housing.
5. Establishes the Public Safety Interoperability Fund (Fund) consisting of monies appropriated to the Fund by the legislature. The Department of Public Safety shall administer the Fund. Monies in the Fund may be used only for interoperable communication systems.
6. Requires the Arizona Department of Revenue (ADOR) to report to the Joint Legislative Budget Committee (JLBC) and the Office of Strategic Planning and Budgeting (OSPB) on the estimated amount of capital gains tax paid by nonresidents of this state on real estate transactions from the most recent year before tax year 2019 based on available data from the U.S. Internal Revenue Service, on or before June 30, 2020.
7. On or before June 30 of each year, requires ADOR to estimate and report to JLBC and OSPB the amount of revenue collected from the sale of real estate by nonresidents that is attributed to the information return in the prior tax year.
8. Clarifies the definition of *multistate service provider*.

Amendment explanation prepared by Carolyn Speroni

5/24/19

FANN FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1555
(Reference to printed bill)

1 Page 1, strike lines 2 through 44

2 Page 2, strike lines 1 through 22, insert:

3 "Section 1. Section 28-1095, Arizona Revised Statutes, is amended to
4 read:

5 28-1095. Vehicle length; exceptions; permits; rules;
6 definitions

7 A. A vehicle, including any load on the vehicle, shall not exceed a
8 length of forty feet extreme overall dimension, including front and rear
9 bumpers. This subsection does not apply to any of the following:

10 1. A semitrailer when used in combination with a truck or a truck
11 tractor.

12 2. A truck that is equipped with a conveyor bed, that is used solely
13 as a fiber and forage module mover and that does not exceed forty-eight
14 feet in length.

15 3. An articulated bus or articulated trolley coach that does not
16 exceed a length of sixty feet.

17 4. A bus that is not articulated and that does not exceed a length
18 of forty-five feet.

19 5. A recreational vehicle, a power unit, a farm vehicle, a horse
20 trailer or wheeled equipment as defined in section 28-2153 if used in
21 combination with two units and if the combination does not exceed
22 sixty-five feet in length.

23 6. A recreational vehicle as defined in section 41-4001, paragraph
24 ~~30~~ 33, subdivision (b) that does not exceed a length of forty-five feet.

25 B. A vehicle transporter may draw only one semitrailer. A
26 combination of vehicles, excluding a vehicle transporter and the

1 semitrailer it draws, that is coupled together shall not consist of more
2 than two units, except that a truck or a truck tractor and semitrailer may
3 draw either one trailer or a forklift.

4 C. The following restrictions apply:

5 1. The length of a semitrailer operating in a truck
6 tractor-semitrailer combination or a truck tractor-semitrailer-forklift
7 combination shall not exceed fifty-seven feet six inches.

8 2. The length of a semitrailer or trailer operating in a truck
9 tractor-semitrailer-trailer combination shall not exceed twenty-eight feet
10 six inches.

11 3. The length of a trailer operating in a truck-trailer combination
12 shall not exceed twenty-eight feet six inches.

13 4. If the length of a semitrailer is more than fifty-three feet, the
14 overall length of a truck tractor-semitrailer combination shall not exceed
15 sixty-five feet on all highways, except for the national intercity truck
16 route network designated by the United States secretary of transportation
17 as required by the surface transportation assistance act of 1982 or on a
18 system of highways that is designated by a local authority. In designating
19 the streets, the local authority shall consider any reasonable restriction
20 including such safety restrictions as structural hazards and street width
21 and any other safety factors identified by the local authority as a hazard
22 to the motoring public.

23 5. A vehicle transporter and the semitrailer it draws shall not
24 exceed a length of eighty feet with a front overhang of not more than four
25 feet and a rear overhang of not more than six feet.

26 6. A truck-semitrailer combination shall not exceed an overall
27 length of sixty-five feet.

28 D. Subsection B and subsection C, paragraphs 1 through 6 of this
29 section do not apply to damaged, disabled or abandoned vehicles or

1 combinations of vehicles while being towed by a tow truck in compliance
2 with section 28-1108.

3 E. Notwithstanding subsections B and C of this section, extensions
4 of not more than three feet beyond the foremost part and six feet beyond
5 the rear bed or body of a vehicle or combination of vehicles used to
6 transport manufactured vehicles or fiber and forage shall not be included
7 in measuring the length of the vehicle or combination of vehicles when
8 loaded.

9 F. Pursuant to a permit issued pursuant to section 28-1103, a truck
10 or a truck tractor-semitrailer may draw not more than two additional
11 trailers or semitrailers. The department shall adopt rules governing the
12 movement and safety of a combination of vehicles under this subsection and
13 authorizing the issuance in advance of prepaid permits. The rules shall
14 include the adoption of minimum speeds on grades, lighting, signing,
15 identification and braking requirements and any other rules the department
16 deems necessary. The permit issued pursuant to this subsection is limited
17 to the following highways:

18 1. An interstate highway that connects with two states if both
19 states allow such combinations of trailers or semitrailers and if the
20 interstate highway does not exceed forty miles between the connecting
21 states.

22 2. A state route or highway that is located within four miles of and
23 extends to the border of this state and an adjacent state that allows such
24 combinations of trailers or semitrailers.

25 3. A state route or highway that extends at least ten miles through
26 an Indian reservation, that does not cross the Colorado river and that is
27 located within twenty miles of and extends to the border of this state and
28 an adjacent state that allows such combinations of trailers or
29 semitrailers.

1 G. Notwithstanding subsections B and C of this section:

2 1. A motor vehicle may draw one ~~single axle~~ SINGLE-AXLE tow dolly on
3 which a motor vehicle may be transported. A person shall secure the raised
4 end of any motor vehicle being transported pursuant to this paragraph to
5 the tow dolly by two separate chains, cables or equivalent devices adequate
6 to prevent shifting or separation of the drawn vehicle and the tow dolly.

7 2. A truck or a truck tractor may draw a trailer or semitrailer that
8 does not exceed a length of fifty-seven feet only on an interstate highway
9 or on a highway that is within ten miles of an interstate highway if the
10 trailer or semitrailer is manufactured in this state and is traveling with
11 or without a load from its place of manufacture to be delivered for use
12 outside this state.

13 3. A recreational vehicle may pull two units if all of the following
14 conditions are met:

15 (a) The middle unit is equipped with a fifth wheel and brakes. The
16 middle unit may be a farm vehicle or a horse trailer and shall have a
17 weight equal to or greater than the rear unit.

18 (b) If the rear unit has a gross weight of three thousand pounds or
19 more, it is equipped with brakes.

20 (c) The total combined gross weight of the towed units does not
21 exceed the manufacturer's stated gross vehicle weight of the towing unit.

22 4. A vehicle transporter may transport cargo or general freight on a
23 backhaul in compliance with section 28-1100.

24 H. For the purposes of this section:

25 1. "Backhaul" means the return trip of a vehicle transporter
26 carrying cargo or general freight over all or part of the same route.

27 2. "Farm vehicle" has the same meaning prescribed in section
28 28-2514.

1 3. "Recreational vehicle" means a motor vehicle that is designed and
2 customarily used for private pleasure, including vehicles commonly called
3 motor homes, pickup trucks with campers and pickup trucks with a fifth
4 wheel trailing device.

5 Sec. 2. Section 35-113, Arizona Revised Statutes, is amended to
6 read:

7 35-113. Submission of budget estimates

8 The administrative head of each budget unit, not later than September
9 1 of each year or at a later date not to exceed thirty days after September
10 1 if approved by the director of the governor's office of strategic
11 planning and budgeting, shall submit to the governor, with five copies,
12 estimates of the financial requirements and of receipts, including
13 appropriated and nonappropriated monies in no less detail than the state
14 general fund, of the budget unit for the next fiscal year. **THE ESTIMATES**
15 **SHALL INCLUDE A DETAILED ESTIMATE OF THE COST TO THE BUDGET UNIT IN THE**
16 **NEXT FISCAL YEAR ATTRIBUTABLE TO A COUNTY'S, CITY'S OR TOWN'S ESTABLISHMENT**
17 **OF A MINIMUM WAGE IF THAT MINIMUM WAGE EXCEEDS THE MINIMUM WAGE ESTABLISHED**
18 **BY THIS STATE PURSUANT TO SECTION 23-363.** The estimates shall be on the
19 forms and in the manner prescribed by the governor with explanatory data
20 that may be required, together with additional information the head of the
21 budget unit desires to submit. The estimates submitted shall bear the
22 approval of the administrative head of the budget unit."

23 Renumber to conform

24 Page 2, line 27, before "AFTER" insert "A."; strike "REPORT" insert "ESTIMATES"

25 Line 28, strike "35-115, PARAGRAPH 3" insert "35-113"

26 Line 29, after "SHALL" insert "ASSESS AND"

1 Page 2, line 33, after the period insert:

2 "B. THE DEPARTMENT SHALL ASSESS THE AMOUNTS UNDER THIS SECTION NOT
3 LATER THAN JULY 31 OF EACH YEAR. THE AMOUNTS ARE PAYABLE IMMEDIATELY ON
4 ASSESSMENT."

5 After line 45, insert:

6 "C. UNLESS OTHERWISE REQUIRED BY LAW, THE MONIES PAID TO THE
7 DEPARTMENT OR WITHHELD BY THE STATE TREASURER FOR THE AMOUNTS ASSESSED
8 PURSUANT TO SUBSECTION A OF THIS SECTION SHALL BE CREDITED TO THE FUNDS IN
9 THE AMOUNTS PRESCRIBED IN THE ESTIMATES REQUIRED PURSUANT TO SECTION
10 35-113.

11 Sec. 4. Section 41-4001, Arizona Revised Statutes, is amended to
12 read:

13 41-4001. Definitions

14 In this chapter, unless the context otherwise requires:

15 1. "Accessory structure" means the installation, assembly,
16 connection or construction of any one-story habitable room, storage room,
17 patio, porch, garage, carport, awning, skirting, retaining wall,
18 evaporative cooler, refrigeration air conditioning system, solar system or
19 wood decking attached to a new or used manufactured home, mobile home or
20 residential single family factory-built building.

21 2. "Act" means the national manufactured housing construction and
22 safety standards act of 1974 and title VI of the housing and community
23 development act of 1974 (P.L. 93-383, as amended by P.L. 95-128, 95-557,
24 96-153 and 96-339).

25 3. "Alteration" means the replacement, addition, modification or
26 removal of any equipment or installation after the sale by a manufacturer
27 to a dealer or distributor but before the sale by a dealer to a purchaser,
28 which may affect compliance with the standards, construction, fire safety,
29 occupancy, plumbing or heat-producing or electrical system. Alteration

1 does not mean the repair or replacement of a component or appliance
2 requiring plug-in to an electrical receptacle if the replaced item is of
3 the same configuration and rating as the component or appliance being
4 repaired or replaced. Alteration also does not mean the addition of an
5 appliance requiring plug-in to an electrical receptacle if such appliance
6 is not provided with the unit by the manufacturer and the rating of the
7 appliance does not exceed the rating of the receptacle to which such
8 appliance is connected.

9 4. "Board" means the board of manufactured housing.

10 5. "Broker" means any person who acts as an agent for the sale or
11 exchange of a used manufactured home or mobile home except as exempted in
12 section 41-4028.

13 6. "Certificate" means a numbered or serialized label or seal that
14 is issued by the director as certification of compliance with this chapter.

15 7. "CLOSED CONSTRUCTION" MEANS ANY BUILDING, BUILDING COMPONENT,
16 ASSEMBLY OR SYSTEM MANUFACTURED IN SUCH A MANNER THAT CONCEALED PARTS OR
17 PROCESSES OF MANUFACTURE CANNOT BE INSPECTED BEFORE INSTALLATION AT THE
18 BUILDING SITE WITHOUT DISASSEMBLY, DAMAGE OR DESTRUCTION.

19 8. "COMMERCIAL" MEANS A BUILDING WITH A USE-OCCUPANCY CLASSIFICATION
20 OTHER THAN SINGLE-FAMILY DWELLING.

21 ~~7.~~ 9. "Component" means any part, material or appliance that is
22 built-in as an integral part of the unit during the manufacturing process.

23 ~~8.~~ 10. "Consumer" means either a purchaser or seller of a unit
24 regulated by this chapter who utilizes the services of a person licensed by
25 the department.

26 ~~9.~~ 11. "Consummation of sale" means that a purchaser has received
27 all goods and services that the dealer or broker agreed to provide at the
28 time the contract was entered into, the transfer of title or the filing of

1 an affidavit of affixture, if applicable, to the sale. Consummation of
2 sale does not include warranties.

3 ~~10.~~ 12. "Dealer" means any person who sells, exchanges, buys,
4 offers or attempts to negotiate or acts as an agent for the sale or
5 exchange of factory-built buildings, manufactured homes or mobile homes
6 except as exempted in section 41-4028. A lease or rental agreement by
7 which the user acquired ownership of the unit with or without additional
8 remuneration is considered a sale under this chapter.

9 ~~11.~~ 13. "Defect" means any defect in the performance, construction,
10 components or material of a unit that renders the unit or any part of the
11 unit unfit for the ordinary use for which it was intended.

12 ~~12.~~ 14. "Department" means the Arizona department of housing.

13 ~~13.~~ 15. "Director" means the director of the department.

14 ~~14.~~ 16. "Earnest monies" means all monies given by a purchaser or a
15 financial institution to a dealer or broker before consummation of the
16 sale.

17 ~~15.~~ 17. "Factory-built building":

18 (a) Means a residential or commercial building that is:

19 (i) Either wholly or in substantial part manufactured USING CLOSED
20 CONSTRUCTION at an off-site location and transported for installation or
21 completion, or both, on-site.

22 (ii) Constructed in compliance with adopted codes, standards and
23 procedures.

24 (iii) Installed temporarily or permanently.

25 (b) Does not include a manufactured home, recreational vehicle,
26 panelized COMMERCIAL building USING OPEN CONSTRUCTION, PANELIZED
27 RESIDENTIAL BUILDING USING OPEN OR CLOSED CONSTRUCTION or domestic or light
28 commercial storage building.

1 ~~16.~~ 18. "HUD" means the United States department of housing and
2 urban development.

3 ~~17.~~ 19. "Imminent safety hazard" means an imminent and unreasonable
4 risk of death or severe personal injury.

5 ~~18.~~ 20. "Installation" means:

6 (a) Connecting new or used mobile homes, manufactured homes or
7 factory-built buildings to on-site utility terminals or repairing these
8 utility connections.

9 (b) Placing new or used mobile homes, manufactured homes, accessory
10 structures or factory-built buildings on foundation systems or repairing
11 these foundation systems.

12 (c) Providing ground anchoring for new or used mobile homes or
13 manufactured homes or repairing the ground anchoring.

14 ~~19.~~ 21. "Installer" means any person who engages in the business of
15 performing installations of manufactured homes, mobile homes or residential
16 single family factory-built buildings.

17 ~~20.~~ 22. "Installer of accessory structures" means any person who
18 engages in the business of installing accessory structures.

19 ~~21.~~ 23. "Listing agreement" means a document that contains the name
20 and address of the seller, the year, manufacturer and serial number of the
21 listed unit, the beginning and ending dates of the time period that the
22 agreement is in force, the name of the lender and lien amount, if
23 applicable, the price the seller is requesting for the unit, the commission
24 to be paid to the licensee and the signatures of the sellers and the
25 licensee who obtains the listing.

26 ~~22.~~ 24. "Local enforcement agency" means a zoning or building
27 department of a city, town or county or its agents.

28 ~~23.~~ 25. "Manufactured home" means a structure built in accordance
29 with the act.

1 ~~24.~~ 26. "Manufacturer" means any person engaged in manufacturing,
2 assembling or reconstructing any unit regulated by this chapter.

3 ~~25.~~ 27. "Mobile home" means a structure built before June 15, 1976,
4 on a permanent chassis, capable of being transported in one or more
5 sections and designed to be used with or without a permanent foundation as
6 a dwelling when connected to on-site utilities. Mobile home does not
7 include recreational vehicles and factory-built buildings.

8 ~~26.~~ 28. "Office" means the office of manufactured housing within
9 the department.

10 29. "OPEN CONSTRUCTION" MEANS ANY BUILDING, BUILDING COMPONENT,
11 ASSEMBLY OR SYSTEM MANUFACTURED IN SUCH A MANNER THAT ALL PORTIONS CAN BE
12 READILY INSPECTED AT THE BUILDING SITE WITHOUT DISASSEMBLY, DAMAGE OR
13 DESTRUCTION.

14 ~~27.~~ 30. "Purchaser" means a person purchasing a unit in good faith
15 from a licensed dealer or broker for purposes other than resale.

16 ~~28.~~ 31. "Qualifying party" means a person who is an owner,
17 employee, corporate officer or partner of the licensed business and who has
18 active and direct supervision of and responsibility for all operations of
19 that licensed business.

20 ~~29.~~ 32. "Reconstruction" means construction work performed for the
21 purpose of restoration or modification of a unit by changing or adding
22 structural components or electrical, plumbing or heat or air producing
23 systems.

24 ~~30.~~ 33. "Recreational vehicle" means a vehicular type unit that is:
25 (a) A portable camping trailer mounted on wheels and constructed
26 with collapsible partial sidewalls that fold for towing by another vehicle
27 and unfold for camping.

28 (b) A motor home designed to provide temporary living quarters for
29 recreational, camping or travel use and built on or permanently attached to

1 a self-propelled motor vehicle chassis or on a chassis cab or van that is
2 an integral part of the completed vehicle.

3 (c) A park trailer built on a single chassis, mounted on wheels and
4 designed to be connected to utilities necessary for operation of installed
5 fixtures and appliances and has a gross trailer area of not less than three
6 hundred twenty square feet and not more than four hundred square feet when
7 it is set up, except that it does not include fifth wheel trailers.

8 (d) A travel trailer mounted on wheels, designed to provide
9 temporary living quarters for recreational, camping or travel use, of a
10 size or weight that may or may not require special highway movement permits
11 when towed by a motorized vehicle and has a trailer area of less than three
12 hundred twenty square feet. This subdivision includes fifth wheel
13 trailers. If a unit requires a size or weight permit, it shall be
14 manufactured to the standards for park trailers in a 119.5 of the American
15 national standards institute code.

16 (e) A portable truck camper constructed to provide temporary living
17 quarters for recreational, travel or camping use and consisting of a roof,
18 floor and sides designed to be loaded onto and unloaded from the bed of a
19 pickup truck.

20 34. "RESIDENTIAL" MEANS A BUILDING WITH A USE-OCCUPANCY
21 CLASSIFICATION OF A SINGLE-FAMILY DWELLING OR AS GOVERNED BY THE
22 INTERNATIONAL RESIDENTIAL CODE.

23 ~~31-~~ 35. "Salesperson" means any person who, for a salary,
24 commission or compensation of any kind, is employed by or acts on behalf of
25 any dealer or broker of manufactured homes, mobile homes or factory-built
26 buildings to sell, exchange, buy, offer or attempt to negotiate or act as
27 an agent for the sale or exchange of an interest in a manufactured home,
28 mobile home or factory-built building.

1 ~~32.~~ 36. "Seller" means a natural person who enters into a listing
2 agreement with a licensed dealer or broker for the purpose of resale.

3 ~~33.~~ 37. "Site development" means the development of an area for the
4 installation of the unit's or units' locations, parking, surface drainage,
5 driveways, on-site utility terminals and property lines at a proposed
6 construction site or area.

7 ~~34.~~ 38. "Statutory agent" means a person who is on file with the
8 corporation commission as the statutory agent.

9 ~~35.~~ 39. "Title transfer" means a true copy of the application for
10 title transfer that is stamped or validated by the appropriate government
11 agency.

12 ~~36.~~ 40. "Unit" means a manufactured home, mobile home,
13 factory-built building or accessory structures.

14 ~~37.~~ 41. "Used unit" means any unit that is regulated by this
15 chapter and that has been sold, bargained, exchanged or given away from a
16 purchaser who first acquired the unit that was titled in the name of such
17 purchaser.

18 ~~38.~~ 42. "Workmanship" means a minimum standard of construction or
19 installation reflecting a journeyman quality of the work of the various
20 trades.

21 Sec. 5. Title 41, chapter 12, article 2, Arizona Revised Statutes,
22 is amended by adding section 41-1733, to read:

23 41-1733. Public safety interoperability fund

24 THE PUBLIC SAFETY INTEROPERABILITY FUND IS ESTABLISHED CONSISTING OF
25 MONIES APPROPRIATED TO THE FUND BY THE LEGISLATURE. THE DEPARTMENT SHALL
26 ADMINISTER THE FUND. THE FUND IS SUBJECT TO LEGISLATIVE APPROPRIATION.
27 MONIES IN THE FUND MAY BE USED ONLY FOR INTEROPERABLE COMMUNICATION
28 SYSTEMS."

29 Renumber to conform

1 Page 3, line 4, after "agents" insert "; reports"

2 Line 5, before "A" insert "A."

3 Line 10, strike "SECTION" insert "SUBSECTION"

4 Between lines 16 and 17, insert:

5 "B. ON OR BEFORE JUNE 30, 2020, THE DEPARTMENT SHALL REPORT TO THE
6 JOINT LEGISLATIVE BUDGET COMMITTEE AND THE GOVERNOR'S OFFICE OF STRATEGIC
7 PLANNING AND BUDGETING ON THE ESTIMATED AMOUNT OF CAPITAL GAINS TAX PAID BY
8 NONRESIDENTS OF THIS STATE ON REAL ESTATE TRANSACTIONS IN THIS STATE FROM
9 THE MOST RECENT YEAR BEFORE TAX YEAR 2019 BASED ON AVAILABLE DATA FROM THE
10 INTERNAL REVENUE SERVICE. ON OR BEFORE JUNE 30 OF EACH YEAR, THE
11 DEPARTMENT SHALL ESTIMATE AND REPORT TO THE JOINT LEGISLATIVE BUDGET
12 COMMITTEE AND THE GOVERNOR'S OFFICE OF STRATEGIC PLANNING AND BUDGETING ON
13 THE AMOUNT OF REVENUE COLLECTED FROM THE SALE OF REAL ESTATE BY
14 NONRESIDENTS THAT IS ATTRIBUTED TO THE INFORMATION RETURN PRESCRIBED BY
15 THIS SECTION IN THE PRIOR TAX YEAR."

16 Page 4, line 33, after "SALES" insert "FOR EDUCATIONAL SERVICES"

17 Page 7, line 2, after "SALES" insert "FOR EDUCATIONAL SERVICES"

18 Amend title to conform

KAREN FANN

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