



Weekly Legislative Update

For the week ending Friday, May 12, 2023

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

Info

Today is the 124th day of the 56th Legislature 1st Regular Session

- A [bi-partisan budget](#) was passed and there are various water components included in the measures:
 - Reduce FY 24 WIFA Deposit from \$333m to 189m with \$143m going toward targeted water projects across the State including:
 - \$27.8m Gilbert Wells Project
 - \$25m DWR - Groundwater Delivery Infrastructure (Santa Rosa Canal Alternative)
 - \$20m Treasurer - Local Distribution - Little Colorado River Levee (Winslow)
 - \$15m UA On-Farm Irrigation Efficiency Grants
 - \$11m DWR - Brackish Groundwater Pilot
 - \$10m Peoria Wells Project
 - \$9.5m DEQ - Water Quality Fee Fund Deposit
 - \$7m Commerce - Water Infrastructure Grant Funding
 - \$5m DWR - Statewide Water Resources Planning Program
 - \$5m DEQ - PFAS (Forever Chemicals) Mitigation
 - \$3.4m Mohave Wash Recharge Basin
 - \$3M Rural Water Legal Assistance
 - \$810k Glendale Irrigation System and Xeriscaping
 - \$610k Canyon Water Improvement District Infrastructure
 - \$100k DWR - Brackish Water Study
 - Relevant Budget bills included:
 - [SB 1720](#) *general appropriations act; 2023-2024* (passed 25-5)
 - [SB 1725](#) *environment; 2023-2024* (passed 22-8)
- The Legislature will **reconvene Monday** for work on outstanding legislation.

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. (The following list of bills is not a comprehensive list of bills ADWR Legislative Affairs is tracking.) Bills that have not been heard by legislative deadlines have been removed.

House of Representatives

[HB 2022](#) - *water resources; annual report*

Sponsor: Rep. Timothy M. Dunn (R)

Summary: The deadline for the Arizona Department of Water Resources (ADWR) to provide the Governor and the Legislature with an annual operations report is moved to August 15 of each year, from July 1. The report must be made available to the public on the ADWR website.

Position: Neutral

Last Action: 04/10/2023 Passed Senate Rules

[HB 2026](#) - *Appropriation; on-farm efficiency fund*

Sponsor: Rep. Timothy M. Dunn (R)

Summary: Appropriates \$30 million from the general fund in FY2023-24 to the On-Farm Irrigation Efficiency Fund.

Position: No position

Last Action: 03/21/2023 passed Senate Appropriations (included in the budget)

[HB 2056](#) - *Dry washes; permit program exemption*

Sponsor: Rep. Lupe Diaz (R)

Summary: Declares that a dry wash, arroyo or other similar physical feature on private property that does not contain water is not a "water of Arizona," is exempt from the Dredge and Fill Permit Program, and is not a "water of the United States" under the federal Clean Water Act.

Position: No position selected.

Last Action: 04/03/2023 Vetoed ([Letter](#))

[HB 2217](#) - *appropriation; brackish groundwater; studies; review*

Sponsor: Rep. Gail Griffin

Summary: Appropriates \$50,000 for a study by the ADWR on brackish water within the state.

Position: Neutral

Last Action: 03/9/23 Passed Senate NREW Committee with amendment (included in the budget)

[HB 2286](#) - *appropriation; Little Colorado River levee*

Sponsor: Rep. David L. Cook (R)

Summary: Appropriates \$20 million from the general fund in FY2023-24 to the Arizona Department of Transportation to distribute to Navajo County to reconstruct the Little Colorado River levee at the City of Winslow.

Position: No position

Last Action: 03/21/2023 Passed Senate Appropriations (included in the budget)

[HB 2438](#) - *Board of supervisors; powers; water*

Sponsor: Rep. Gail Griffin (R)

Summary: County boards of supervisors are authorized to participate in water reuse and recycling programs and regional wastewater recharge projects and related infrastructure.

Position: No position

Last Action: 04/18/23 Signed By Governor

[HB 2442](#) - *Temporary non-expansion area*

Sponsor: Rep. Gail Griffin (R)

Summary: Establishes a process for irrigation users or registered voters to petition the Arizona Department of Water Resources (ADWR) for the designation of a temporary non-expansion area in any location not included in an active management area or an irrigation non-expansion area. The question of whether to designate a temporary non-expansion area must be approved by a majority of the voters who reside inside the boundaries of the proposed area. If a temporary non-expansion area is established, only acres of land that were irrigated at any time during the preceding five years may be irrigated with groundwater, and ADWR is prohibited from authorizing the drilling of a well in the area.

Position: Neutral

Last Action: 04/11/2023 Vetoed ([Veto Letter](#))

[HB 2443](#) - *Navigable stream adjudication commission; extension*

Sponsor: Rep. Gail Griffin (R)

Summary: The statutory life of the Arizona Navigable Stream Adjudication Commission is extended four years to July 1, 2028.

Position: No position

Last Action: 04/18/23 Signed By Governor

[HB 2444](#) - *Natural resource conservation districts; revisions*

Sponsor: Rep. Gail Griffin (R)

Summary: Various changes to statutes related to natural resource conservation districts. Establishes a Natural Resource Conservation District Fund and a 9-member Natural Resource Conservation District Fund Commission. Specifies Commission powers and duties, including awarding grant monies from the Fund to natural resource conservation districts to finance conservation programs in Arizona. Natural resource conservation districts are authorized to apply for, receive, and spend monies from the Water Infrastructure Finance Authority of Arizona.

Position: No position

Last Action: 05/10/2023 Passed Senate sent to Governor

[HB 2445](#)- *subdivided lands; exemption; leases; emergency*

Sponsor: Rep. Gail Griffin (R)

Summary: Repeals the exemption for leasehold offerings of one year or less from the definition of subdivided lands and clarifies that these lands include six or more detached single residential homes on lands that have been divided into six or more lots, parcels or fractional interests.

Position: Neutral

Last Action: 04/10/23 Passed Rules Committee (Senate)

[HB 2448](#) - *Appropriation; groundwater; Santa Rosa canal*

Sponsor: Rep. Teresa Martinez (R)

Summary: Appropriates \$25 million from the general fund in FY 2023-24 to the Arizona Department of Water Resources to distribute equally between the irrigation districts that are constructing infrastructure to

support the settlement between the Maricopa-Stanfield Irrigation and Drainage District, the Central Arizona Irrigation and Drainage District, and the Ak-chin Indian Community with respect to the delivery of groundwater by the districts by means other than the Santa Rosa Canal.

Position: No position

Last Action: 03/21/2023 passed Senate Appropriations (included in the budget)

HB 2535 - *private property; wells; regulation; prohibition*

Sponsor: Rep. Austin Smith (R)

Summary: A well drilled on private property in an unincorporated area is not subject to municipal regulation if the unincorporated area where the well is located is annexed by a municipality after the well has been drilled. Any buildings or structures that require water from a well drilled on private property in an unincorporated area are not subject to municipal regulation if the unincorporated area where the well is located is annexed by a municipality after the well has been drilled.

Position: No position

Last Action: 04/05/2023 Vetoed ([Letter](#))

HB 2561 - *City water provider; requirements; service*

Sponsor: Rep. Alex Kolodin (R)

Summary: A municipality that provides water service is required to provide water service through a standpipe for water hauling to persons residing outside the municipality's water service area who do not have access to sufficient water if a list of specified conditions apply, including that the municipality previously provided water service to those persons and there is no other source of water for those persons within 10 miles of their households. Self-repeals January 1, 2026. Emergency clause.

Position: No position

Last Action: 05/10/2023 Passed the House 46-13

HB 2763 - *appropriation; Mohave wash recharge basin*

Sponsor: Rep. John Gillette (R)

Summary: Appropriates \$4.37 million from the general fund in FY2023-24 to the Arizona Department of Transportation to distribute to Mohave County to design and construct the Mohave Wash recharge basin.

Position: No position

Last Action: 04/4/2023 Passed Senate Appropriations (included in the budget)

HCM 2006 - *Urging eradication; salt cedars; waterways*

Sponsor: Rep. Gail Griffin (R)

Summary: The Legislature urges the U.S. Congress to appropriate monies to the State of Arizona to eradicate salt cedars from Arizona waterways. The Legislature urges the U.S. Department of the Interior and the U.S. Department of Agriculture to develop innovative solutions to control the proliferation of salt cedars. The Secretary of State is directed to transmit copies of this memorial to the President of the U.S., the President of the U.S. Senate, the Speaker of the U.S. House, the Secretary of the U.S. Department of the Interior, the Secretary of the U.S. Department of Agriculture, and each member of Congress from Arizona.

Position: No position

Last Action: 05/10/2023 - Transmit to Secretary of State

[HCR 2012](#) - *water management policies; support*

Sponsor: Rep. Gail Griffin (R)

Summary: The members of the Legislature continue the tradition of leadership and support for appropriate water management practices and policies that protect property and water rights and that provide for the continued safety and prosperity of the State of Arizona.

Position: No position

Last Action: 05/10/2023 Transmit to Secretary of State

Senate

[SB 1257](#) - *water resources; assistant director*

Sponsor: Sen. Warren Petersen (R)

Summary: The Director of the Arizona Department of Water Resources is required to appoint an Assistant Director whose exclusive duties are coordinating with the Water Infrastructure Finance Authority of Arizona and water users regarding projects that will augment water supplies through importation of water to Arizona from outside Arizona and projects that will increase Arizona's in-state water storage capacity.

Position: Neutral

Last Action: 04/06/23 Vetoed ([Veto Letter](#))

[SB 1321](#) - *appropriation; Little Colorado River levee.*

Sponsor: Sen. Theresa Hatathlie (D)

Summary: Appropriates \$20 million from the general fund in FY2023-24 to the Arizona Department of Transportation to distribute to Navajo County to reconstruct the Little Colorado River levee at the City of Winslow.

Position: No position

Last Action: 04/26/2023 Retained on House Calendar (included in the budget)

[SB 1390](#) - *Water Infrastructure Finance Authority; amendments*

Sponsor: Sen. Sine Kerr (R)

Summary: Various changes to statutes relating to the Water Infrastructure Finance Authority (WIFA). WIFA is not a public service corporation subject to regulation by the Arizona Corporation Commission. The WIFA Board is authorized to prescribe the terms and conditions of the Directors and staff's employment as necessary, and is required to adopt written policies and guidelines regarding employee compensation and leave. WIFA employees may participate in the Arizona State Retirement System. The definition of "eligible entity" for loans from the Water Supply Development Revolving Fund is modified to mean a water provider that distributes or sells water outside of the boundaries of an initial active management area in which part of the Central Arizona Project aqueduct is located, instead of outside of the boundaries of an active management area located in Maricopa, Pima, or Pinal County.

Position: Neutral

Last Action: 05/08/2023 Passed House COW

[SB 1432](#) - *assured water; small residential developments..*

Sponsor: Sen. Justine Wadsack (R)

Summary: : A person seeking a building permit for six or more residences within an active management area in an unincorporated area of a county is required to obtain a certificate of assured water supply from the Arizona Department of Water Resources before presenting the permit application for approval to the county. Does not apply if the applicant has obtained a written commitment of water service for the residences from a municipal or private water company designated as having an assured water supply.

Position: Neutral

Last Action: 05/15/2023 House COW Calendar scheduled

SB 1660 - *water; storage; effluent; credits*

Sponsor: Sen. Sine Kerr (R)

Summary: If a water and wastewater service provider that holds a certificate of convenience and necessity for the service area in which an industrial processing facility is located cannot or does not accept the entire discharging capacity of an otherwise lawful industrial processing facility, the industrial processing facility is authorized to construct and operate an on-site wastewater treatment facility for some or all of its wastewater. After treatment by the on-site wastewater treatment facility, the industrial processing facility is authorized to discharge its effluent to a constructed underground storage facility.

Position: Neutral

Last Action: 04/10/2023 Passed House Rules