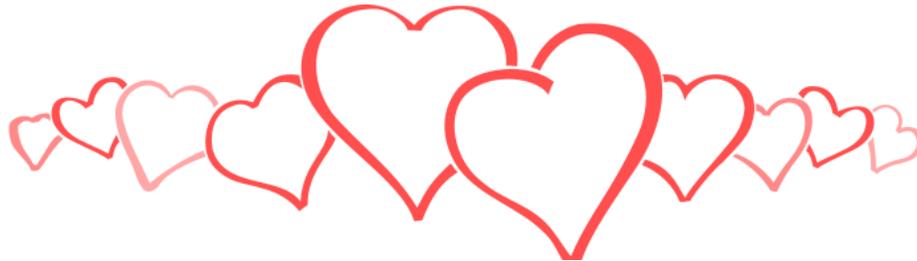




Mulcahy Memo – February, 2017

Published for clients and friends of the Mulcahy Law Firm, P.C.

by Beth Mulcahy, Esq.



Dear Clients and Friends,

Happy Valentine's Day (a little early)!

As you know, the Arizona Legislature is currently considering numerous bills regarding community association law. While the legislature is in session, our firm prepares a weekly summary of these proposed bills and posts them to our website. This year, there are numerous controversial bills pertaining to associations regarding the ability to foreclose on liens, parking on streets, conflicts of interest, artificial turf and manager regulation. For a listing and summary of the pending bills, please click [here](#) and scroll down to the "Legislative Updates" section.

The Mulcahy Memo this month discusses "How A Bill Becomes A Law". To read the complete memo, please scroll down to the end of this article.

This month, our firm is offering ten (10) free educational classes for board members and managers in Chandler, Glendale, SW Valley, Tempe, Peoria, Mesa and Surprise.

For registration information or to view a full listing of the classes, please visit our website by clicking [here](#). We look forward to seeing you there!

Please remember to **["Like" us on Facebook!](#)** Our law firm has a very active page with free tips and legislative updates for board members, managers and owners that is updated weekly.

Thank you!



Sincerely,
Beth Mulcahy, Founder and Senior Partner
Mulcahy Law Firm, P.C.

How A Bill Becomes A Law

By: Beth Mulcahy, Esq.

A bill is introduced in the House by a Member, a group of Members, a Standing Committee or a Majority of a Committee, after being written in proper form by the Legislative Council.

The bill is assigned a number, First Read and referred by the Speaker to the appropriate Standing Committees and to the Chief Clerk for printing and distribution.

Committees consider the bill, which may include hearings, expert testimony and statements from the citizenry, and report recommendations to the Whole House. The Committee on Rules determines if the bill is constitutional and in proper form.

The Committee on Rules places the bill on the Active Calendar and the Speaker sets the order in which measures will be considered.

The Committee of the Whole, the informal session of entire House membership acting as one committee, debate, amend and recommend on the calendared bills.

Third Reading House-Roll Call. Every Member present must vote (unless excused) and no Member may vote for another Member. If passed by the House, the bill goes on to the Senate.

The House Bill is First Read in the Senate and laid over one day.

The bill receives its Second Reading and the President refers it to appropriate Standing Committees.

Standing Committees consider the bill, which may include hearings, expert testimony, and statements from the citizenry and the Committee reports their recommendations to the entire Senate.

The Committee on Rules' agenda becomes the calendar for Committee of the Whole and after 5 days the President designates which measures are to be placed on the Active Calendar of the Committee of the Whole.

The Committee of the Whole, the entire membership of the Senate acting as one committee, debates the amendments and recommendations on the calendared bill.

Third Reading Senate - Names are called alphabetically and unless excused, each Senator present must vote on each measure. If passed by the Senate (either in identical form or amended) the bill is sent back to the house. If the bill is identical to the measure passed by the house, the bill goes to the Governor.

If the bill comes back to the house amended, in a different form, the bill may be accepted in its new form and sent to the Governor, or the bill may be rejected and sent to a Conference Committee.

A Conference Committee is made up of Representatives appointed by the Speaker of the House and Senators appointed by the President of the Senate. In Conference committee, the bill is discussed and "mended" to come to a compromise. The committee creates a Conference Committee Report that is sent back to each House for adoption and after Final Passage, the bill is sent to the Governor.

When the bill reaches the Governor, the bill has been passed by both the House and the Senate and may now be signed by the Governor.

The Governor may allow the bill to become law without a signature if he/she takes no action within five days, or ten days after adjournment. If this happens the bill becomes effective ninety days after adjournment of the legislature.

If the Governor vetoes the bill, it is returned to the House stating the reasons for the veto. The House and Senate may then override the Governor's veto by two thirds vote or three-fourths in the case of an emergency measure.

Information taken from www.azleg.gov, Bill to Law.

If your association has questions regarding your responsibilities please contact Mulcahy Law Firm, P.C. at 602.241.1093 to have an attorney assist you.