



2021 Legislative Update

MULCAHY Community Association Cheat Sheet©

BRINGING ANSWERS
TO COMMUNITY
ASSOCIATIONS

This publication discusses significant points of law as they apply to community associations and is not intended to offer specific legal advice or responses to individual circumstances or problems.

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2021 SUMMARY OF ARIZONA LEGISLATION REGARDING COMMUNITY ASSOCIATIONS

The Arizona Legislature adjourned on June 30, 2021.

The effective (or start) date for all bills signed by Governor Ducey is September 29, unless otherwise specified.

Please contact Beth Mulcahy, Esq. (bmulcahy@mulcahylawfirm.com) any time with questions regarding the status of bills or the legislative process.

HB2170 WRITS OF GARNISHMENT; ATTORNEYS FEES

This bill would allow garnishments to request accrued attorney fees including the fees for the garnishment in a garnishment action if those fees are allowed by the judgment or contract. This bill would also require that the Judgment Creditor report legal fees accrued during the reporting period.

Amending Sections 12-1572, 12-1574, 12-1580, 12-1591, 12-1598.03, 12-1598.04, 12-1598.07, 12-1598.10, 12-1598.12 and 12-1598.15, Arizona Revised Statutes; Relating to Garnishment.

HB2770 MASK MANDATES; BUSINESS EXCEPTION

Notwithstanding any other law, a business in this state is not required to enforce on its premises a mask mandate that is established by this State, a city, town or county or any other jurisdiction of this State.

Amended Title 44, Arizona Revised Statutes, by adding Chapter 38; Relating to Businesses.

SB1377 CIVIL LIABILITY; PUBLIC HEALTH PANDEMIC

This law limits liability in civil actions for civil injuries from the pandemic.

If the Governor declares a state of emergency for a public health pandemic pursuant to Title 26, Chapter 2, a person or provider that acts in good faith to protect a customer, student, tenant, volunteer, patient, guest or neighbor or the public from injury from the public health pandemic is not liable for damages in any civil action for any injury, death or loss to person or property that is based on a claim that the person or provider failed to protect the customer, student, tenant, volunteer, patient, guest, neighbor or public from the effects of the public health pandemic unless it is proven by clear and convincing evidence that the person or provider failed to act or acted and the failure to act or action was due to that person's or provider's wilful misconduct or gross negligence.

A person or provider is presumed to have acted in good faith if the person or provider adopted and implemented reasonable policies related to the public health pandemic.

Amended Title 12, Chapter 5, Article 1, Arizona Revised Statutes, by adding Sections 12-515 and 12-516; Relating to Civil Liability.

SB1722 POLITICAL SIGNS; CONDOMINIUMS; PLANNED COMMUNITIES

This law extends the time a sign could be left up to fifteen days after the general election or if the sign is for a candidate in a primary election who does not advance to the general election, fifteen days after the primary election.

Applies to Planned Communities and Condominiums.

Amended Sections 16-1019, 32-1261 and 33-1808, Arizona Revised Statutes; Relating to Condominiums and Planned Communities.