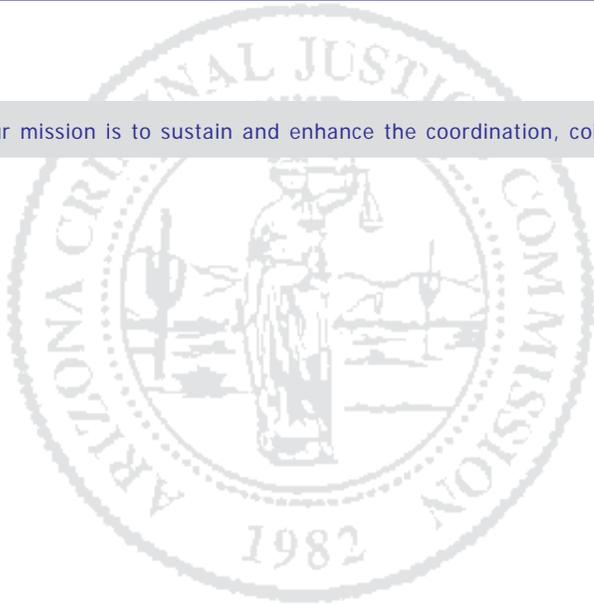


# Arizona Criminal Justice Commission

Office of the Executive Director

Our mission is to sustain and enhance the coordination, cohesiveness, productivity and effectiveness of the Criminal Justice System in Arizona



## *Legislative Summary*

*48th Arizona  
State Legislature*

*First Regular Session*

2007

July

# ARIZONA CRIMINAL JUSTICE COMMISSION



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MARY MARSHALL  
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CHELSEA KARTLER  
Legislative Intern

**2007 Legislative Summary  
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## **Arizona Criminal Justice Commission 2007 Legislative Report**

The first session of the 48<sup>th</sup> Arizona State Legislature proved to be as busy as the previous, with sine die called on June 20, 2007. There were 1,434 bills posted, with 318 bills passing through both the Senate and the House. Of those 318 bills, 296 were signed into law and 22 were vetoed. The Arizona Criminal Justice Commission (ACJC) tracked more than 300 bills that affected the criminal justice system.

No single issue dominated the session, but many criminal justice issues were addressed, including illegal immigration, expanding DNA profile collection of arrestees, identity theft, driving under the influence, fingerprint clearance card requirements, and youthful sex offenders.

The most notable law passed was H2779, the Fair and Legal Employment Act, an employer sanctions bill aimed at employers that knowingly hire undocumented aliens. This contains provisions relating to identity theft, license eligibility of employers in Arizona, verification of the employment eligibility of employees, and establishes the Employer Sanctions Legislative Study Committee. This legislation is widely considered to be the toughest of its kind in the United States and will garner national attention. The provisions in this bill, however, were considered less stringent than a proposed citizen-based legislative referendum that is currently seeking support among petitioners to be placed on the 2008 ballot. With the enactment of H2779, it is unlikely that the citizen referendum initiative will move forward.

Another legislative change that drew attention was the expansion of DNA arrestee profiles included in the criminal justice budget reconciliation bill, H2787. This law expands the DNA testing statute beyond those *convicted* of specific offenses to require DNA testing for persons *arrested* for specific offenses. The statute allows a person who provides a sample under this law to petition the court to order the person's DNA profile and sample to be expunged from the Arizona DNA Identification System if criminal charges are not filed within the appropriate period of time; criminal charges are dismissed; or the person is acquitted at trial.

### **Bills that will have a direct impact on ACJC**

The Arizona Criminal Justice Commission held a strategic planning session in July 2006 to prepare for the agency's upcoming sunset review, in which the agency would be reviewed by the Legislative Committee of Review to determine if ACJC was meeting its legislative mandates and intent. During the strategic planning session, the commission members, along with staff, reviewed the agency's enabling statutes, as well as key program areas that carry out the agency's mission and legislative mandates. The commission issued several recommendations for changes to the statute and requested staff to draft these recommendations into proposed legislation for the first session of the 48<sup>th</sup> Arizona State Legislature. The commission followed up with staff in November and the recommended statutes are as follows:

**S1039: Arizona Criminal Justice Commission; continuation:** this bill continued the Arizona Criminal Justice Commission for ten years, to June 30, 2017. **This bill was signed into law.**

**S1344: Drug and gang enforcement account:** the commission sought changes in the distribution language of the drug and gang enforcement account. These changes are necessary because the amount of federal funding has been sharply decreased and the drug and gang enforcement account funding has been proportionately increased to fund these programs (drug task forces and tandem prosecution projects, drug offender treatment programs, and criminal records programs). This allows greater flexibility with funding streams. **This bill was signed into law.**

**S1330: Arizona Criminal Justice Commission; members:** this sought to change commission membership to replace one law enforcement leader with a crime victim's leader, as well as make changes to population thresholds for membership that reflects the increase in Arizona's population. **This bill died after attempts by other interests to expand the membership beyond the changes stated in the language of the bill.**

**S1331: Arizona Criminal Justice Commission; powers and duties; staff:** this would make changes in two areas. First, this would make some changes to ACJC's research and reporting requirements. ACJC proposed to do a biennial criminal justice system-wide report (rather than an annual report). ACJC would prepare this report in the years that we are not conducting the Arizona Youth Survey. This is necessary given staff and time constraints. Also, a two-year period allows for a more thorough analysis of trends. The second component would remove language from ACJC's statute relating to Title 41 Chapter 17, Criminal Justice Information Systems (CJIS). These are duplicative with responsibilities of the Department of Public Safety (DPS). The Sunset Review in 1996 recommended this consolidation. The commission sought these changes in previous years, but the proposed bills never made it through the legislative process. **This bill was combined with S1340 and signed into law.**

**S1340: Criminal Justice Information Systems; responsibilities:** This would make consistent changes throughout portions of ACJC's enabling statutes to reflect the changes in 41-2405, moving the CJIS responsibilities to DPS. **This bill was combined with S1331 and signed into law.**

**Other issues directly impacting the Arizona Criminal Justice Commission:**

**Arizona Youth Survey exemption from ARS 15-104.** In 2006, S1324, Schools, Mental Health Screening, passed as a striker and created a new statute, ARS 15-104. It requires a school district or charter school to obtain the written consent of a pupil's parent or legal guardian on the form prior to conducting a mental health screening. This includes anonymous surveys. ACJC's Statistical Analysis Center was concerned about the potential impact to its ability to conduct the Arizona Youth Survey (AYS). The AYS is a biennial survey and reports on youth substance abuse that is legislatively mandated. ACJC learned that this new statute would require an opt-in provision for conducting the AYS, which has

always been administered using an opt-out permission form. **ACJC was successful in gaining an exemption from the opt-in provision under ARS 15-104.**

**Funding for the Arizona Disposition Reporting System.** ACJC has coordinated criminal justice information integration projects since 1995. ACJC is the state administering agency for federal funds that are granted to improve the accuracy of criminal history records and for criminal justice information automation projects. ACJC has a strategic plan in place that will address this issue: the Arizona Integrated Criminal Justice Information Systems strategic plan. This plan was developed with the input of 41 members of stakeholder agencies.

ACJC included in the agency's two-year budget a request for funding two years of the entire strategic plan: the budget requested \$8 million for two years, and ACJC intended to seek additional funds during several budget cycles for a total of \$24 million. Unfortunately, this request was not funded. However, **ACJC did receive \$1.7 million to fund the next phase of the Arizona Disposition Reporting System (ADRS).** The ADRS is a software product that handles information flowing from law enforcement to the prosecutor's office, through the courts, and through final disposition at the Department of Public Safety. The system will allow for the automation of disposition reporting, which will improve efficiency, accuracy, and completeness of criminal history records, which were last assessed to be 67 percent complete.

### **Other bills under consideration in 2007**

There were other bills that, had they been signed into law, would have had a direct impact on the Arizona Criminal Justice Commission. Two bills sought to add a victim's advocate to the Arizona Criminal Justice Commission (S1214 and H2164). Several bills sought to add one or more public defenders (with or without a victim's advocate). These bills included S1634, H2108, and H2745.

### **ACJC-tracked legislation**

The following pages provide brief summaries of the legislation that ACJC tracked over the first session of the 48<sup>th</sup> Arizona State Legislature. This includes bills that were signed into law, bills that failed to pass the state legislature, and bills that were vetoed by the governor. The summaries include the status of the bill, the ARS title affected, and the bill's original sponsor(s). **Please note:** bills that are amended during the process may not be supported by the original sponsor. This is particularly true with striker bills in which all original language is stricken from the proposed bill and new language is inserted. Often, the new language has nothing to do with the original intent of the bill. Summary information in this report was gathered from the Arizona Legislative Information Services (ALIS) online (<http://www.azleg.state.az.us>). Any questions regarding this report should be directed to Mary Marshall, ACJC Public Information Officer, at [mmarshall@azcjc.gov](mailto:mmarshall@azcjc.gov) or at 602/364-1146.

## 2007 SENATE BILLS

The following section includes Senate bills that were signed into law, bills that failed to pass the state legislature, Senate concurrent resolutions and bills that were vetoed by the governor. The summaries include the status of the bill, the ARS title affected and the bill's original sponsor(s). **Please note:** bills that are amended during the process may not be supported by the original sponsor. This is particularly true with striker bills in which all original language is stricken from the proposed bill and new language is inserted. Often, the new language has nothing to do with the original intent of the bill. Information compiled from sources at Arizona Legislation Information Services (ALIS) online; full bill information can be found at [www.azleg.gov](http://www.azleg.gov).

### **BILLS THAT PASSED**

#### **S1006: PUBLIC RECORDS; CONFIDENTIALITY (~~DOMESTIC VIOLENCE VICTIMS; ADOT RECORDS~~)**

Expands the number of people who are eligible from restricting their personal information from public access to include a victim of domestic violence or stalking who are protected by an order of protection (OOP) or injunction against harassment (IAH), a person with an OOP or IAH, a corrections or detention officer or law enforcement or court support staff member.

Primary sponsor: Sen. Waring.  
Signed by the governor, 4/27, Chapter 141.  
ARS Titles Affected: 11.

#### **S1015: LAW ENFORCEMENT, EMERGENCY DEPARTMENT COOPERATION (~~HEALTH PROVIDERS; DUTY TO REPORT DUI~~)**

Allows a law enforcement officer who reasonably believes that a person may have committed a DUI, an extreme DUI or an aggravated DUI to request emergency department personnel of a health care institution to provide the officer a copy of any written or electronic report of the person's blood-alcohol content (BAC). Requires the law enforcement officer to obtain permission from the emergency department director or the director's designee to speak with the personnel before requesting such information.

Primary sponsor: Sen. Waring.  
Signed by the governor, 4/10, Chapter 19.  
ARS Titles Affected: 28.

**S1020:      ~~CRIMINAL JUSTICE; SERIOUS CRIMES; SENTENCING~~      **SERIOUS OFFENSES; CONSECUTIVE SENTENCING (GRIMINAL JUSTICE; SERIOUS CRIMES; SENTENCING)****

Sentences a person convicted of a felony offense to a consecutive (not concurrent) prison term if the offense was committed while the person was under the jurisdiction of the Arizona Department of Corrections.

Primary sponsor: Sen. Waring.  
Signed by the governor, 4/10, Chapter 20.  
ARS Title Affected: 13.

**S1023:      **BURIAL RESPONSIBILITY****

Makes a prioritized list of individuals responsible for making final arrangements for a deceased person and specifies procedures for making final arrangements if members of the authorizing party disagree. (Similar provisions in H2599).

Primary sponsor: Sen. Harper.  
Signed by the governor, 4/18, Chapter 94.  
ARS Title Affected: 36.

**S1029:      **DUI; 0.20 CONCENTRATION ENHANCEMENT****

Mandates the installation of a certified ignition interlock device for eighteen months if a person is found guilty of driving with a blood alcohol content (BAC) of 0.20 percent. Requires a person, on a first offense, to serve not less than 45 consecutive days in jail and pay a fine of not less than \$500 if they are found guilty of driving with a BAC of 0.20 percent or greater. Enhanced penalties for repeat and extreme offenders. Similar provisions in H2730.

Primary sponsor: Sen. Waring.  
Signed by the governor, 5/18, Chapter 219.  
ARS Title Affected: 28.

**S1039:      **CRIMINAL JUSTICE COMMISSION; CONTINUATION****

Continues the Arizona Criminal Justice Commission to June 30, 2017.

Primary sponsor: Sen. Chuck Gray.  
Signed by the governor, 4/10, Chapter 21.  
ARS Title Affected: 41.

**S1041:      **JUVENILE CORRECTIONS; TEMPORARY ESCORT****

Authorizes the director of the Arizona Department of Juvenile Corrections to approve the temporary escort of a youth for compassionate leave, treatment, education or rehabilitation purposes.

Primary sponsor: Sen. Chuck Gray.  
Signed by the governor, 4/10, Chapter 22.  
ARS Titles Affected: 8, 41.

**S1042: NOTIFICATION; SECURITY BREACH**

Technical correction to ARS § 44-7501, which regulates the notification, enforcement and civil penalties related to the breach of security systems. Replaces "law enforcement agency" with "Department of Public Safety, county sheriff's departments, municipal police departments."

Primary sponsor: Sen. Chuck Gray.  
Signed by the governor, 4/10, Chapter 23.  
ARS Title Affected: 44.

**S1043: THEFT; MEANS OF TRANSPORTATION; AFFIDAVIT**

Requires persons alleging vehicle theft to sign an affidavit attesting to that fact. This affidavit must be provided by law enforcement when the report is made. Requires the affidavit to state that those who report falsely may be subject to criminal prosecution. Provides that the affidavit must be signed in person if an officer comes to take the report or be signed, notarized and mailed within seven days if the report is not taken in person.

Primary Sponsor: Sen. Chuck Gray.  
Signed by the governor, 4/10, Chapter 24.  
ARS Title Affected: 13.

**S1045: EMPLOYMENT; FINGERPRINT CLEARANCE**

Stipulates that awaiting trial on or being convicted of soliciting or facilitating a precluding offense will result in denial or revocation of a fingerprint clearance card. Also expands the list of offenses that will preclude a person from getting a fingerprint clearance card, including, but no limited to: sex trafficking, prostitution and related offenses; production, publication, sale, possession and presentation of obscene items; furnishing harmful items to minors; and pandering. Other provisions.

Primary Sponsor: Sen. Linda Gray.  
Signed by the governor, 4/18, Chapter 95.  
ARS Title Affected: 41.

**S1047: EXEMPTION; PRIVATE INVESTIGATOR**

Requires all personal information obtained and furnished by a person, firm or corporation that furnishes financial information, rather than financial ratings, to be related to the financial information in order for the person, firm or corporation to be exempt from the private investigator requirements and provides a consumer reporting agency as an example.

Primary Sponsor: Sen. Linda Gray.  
Signed by the governor, 4/18, Chapter 96.  
ARS Title Affected: 32.

**S1054: ARBITRATION; CLAIMS; COMPENSATION**

Increases the maximum jurisdictional limit for arbitration disputes to \$65,000 and the maximum daily pay of arbitrators to \$140 per day.

Primary Sponsor: Sen. Huppenthal.  
Signed by the governor, 4/27, Chapter 142.  
ARS Title Affected: 12.

**S1061: AUTOMOBILE THEFT AUTHORITY; CONTINUATION**

Continues the Automobile Theft Authority for five years to July 1, 2012.

Primary Sponsor: Sen. Gorman. Co-sponsor: Sen. Chuck Gray.  
Signed by the governor, 4/10, Chapter 27.  
ARS Title Affected: 41.

**S1084: AGGRAVATED ASSAULT**

Reorganizes A.R.S. § 13-1204 to clarify which offenses constitute aggravated assault. Makes technical and conforming changes.

Primary Sponsor: Sen. Chuck Gray.  
Signed by the governor, 4/16, Chapter 47.  
ARS Title Affected: 13.

**S1085: CONSTABLE ETHICS STANDARDS AND TRAINING**

Replaces the Constable Ethics Committee with the Constable Ethics Standards and Training Board. Requires the Board to adopt rules, adopt a code of conduct for constables, establish procedures for conducting investigations and holding hearings, and investigate and hear complaints regarding a constable's ethical conduct. Also establishes the Constable Ethics Standards and Training Fund in place of the Constable Ethics Committee Fund.

Primary Sponsor: Sen. Verschoor. Co-sponsor: Rep. Biggs.  
Signed by the governor, 4/27, Chapter 143.  
ARS Titles Affected: 11, 22.

**S1114: GOVERNMENTAL MALL; MONUMENTS; MEMORIALS**

Establishes the State Monument and Memorial Repair Fund. Requires the Governmental Mall Commission to approve any statement, declaration, writing or inscription that will be imprinted or stamped on any memorial or monument in the governmental mall. Also requires the Commission to approve the minimum dollar amount required for deposit in the Fund.

Primary sponsor: Sen. Flake. Co-sponsor: Sen. Blendu.  
Signed by the governor, 6/20, Chapter 250.  
ARS Titles Affected: 41.

**S1118: VEHICLE ACCIDENTS; MINIMUM REPORTING REQUIREMENTS**

Increases the penalties for drivers involved in a vehicle accident who fail to stop at the scene or who fail to give their personal information and assistance.

Primary Sponsor: Sen. Chuck Gray. Co-sponsors: Sen. Aguirre, Sen. Huppenthal.

Signed by the governor, 5/1, Chapter 154.

ARS Title Affected: 28.

**S1126: APPELLATE PROCEEDINGS; VICTIM NOTIFICATION; CONTINUATION**

Makes permanent the specific provisions enacted in 2005 that grant a victim the right to respond to a request for an extension by filing a brief in specific appellate or post-conviction relief proceedings.

Primary Sponsor: Sen. Chuck Gray. Co-sponsors: Sen. Aguirre, Sen. Harper, Sen. Huppenthal.

Signed by the governor, 4/16, Chapter 49.

ARS Title Affected: 13.

**S1127: WORKERS' COMP; INFECTIOUS DISEASE; EXPOSURE**

Establishes that a claim for a condition, infection, disease or disability involving or related to methicillin-resistant staphylococcus aureus, spinal meningitis, or tuberculosis must include the occurrence of a significant exposure and be processed and determined as a workers' compensation claim.

Primary Sponsor: Sen. Verschoor.

Signed by the governor, 5/24, Chapter 230.

ARS Title Affected: 23.

**S1130: JUVENILE OFFENDERS; COMPETENCY; REPORT DISCLOSURE**

Allows the court to grant access to sealed adult/juvenile competency reports by the Arizona Department of Corrections (ADC) if the adult/juvenile is in the custody of or is scheduled to be transferred into the custody of ADC.

Primary Sponsor: Sen. Chuck Gray. Co-sponsors: Sen. Aguirre, Sen. Harper, Sen. Huppenthal.

Signed by the governor, 4/24, Chapter 134.

ARS Titles Affected: 8, 13.

**S1131: TRAFFIC VIOLATIONS; STATUTE OF LIMITATIONS**

Changes the time allowed to commence a civil traffic violation case involving death from 180 days to one year.

Primary Sponsor: Sen. Chuck Gray. Co-sponsors: Sen. Aguirre, Sen. Harper, Sen. Huppenthal.

Signed by the governor, 5/1, Chapter 155.

ARS Title Affected: 28.

**S1134: BAD CHECKS; CLASSIFICATION**

Classifies "issue of a bad check" in an amount of \$5,000 or more as a class 6 felony if the check-writer fails to pay the full amount of the check, including accrued interest at the rate of 12 percent per year and any other applicable fees, within 60 days after receiving notice of the dishonored check.

Primary sponsor: Sen. Arzberger. Co-sponsors: Rep. Alvarez, Rep. Burns, Sen. Aboud, Sen. Aguirre, Sen. Garcia, Sen. Gould, Sen. Harper, Sen. Landrum Taylor, Sen. Pesquiera, Sen. Rios, Sen. Soltero.

Signed by the governor, 7/2, Chapter 282.

ARS Titles Affected: 13

**S1158: CHILDREN; CPS INVESTIGATIONS; OTHER JURISDICTIONS**

Requires courts to consider substantiated allegations of child abuse or neglect committed in other jurisdictions and modifies the procedure a CPS worker must follow when conducting a CPS investigation.

Primary Sponsor: Sen. Leff.

Signed by the governor, 5/1, Chapter 156.

ARS Title Affected: 8.

**S1164: SCHOOL REDISTRICTING COMMISSION; UNIFICATION  
(~~SCHOOLS; HOURS OF INSTRUCTIONS~~)**

An emergency measure that requires the county school superintendent to dissolve any school district that does not offer a full-time instructional program that transports at least 350 pupils to an adjacent school district(s) annually and requires the school district to annex the geographic boundaries to the adjacent school district. Requires the School District Redistricting Commission to consider combining a school district that transports all of their students to another school district with a new or existing school district. Also exempts the Arizona Criminal Justice Commission's substance abuse and related gang activity survey from the opt-in consent requirement if the survey does not include questions related to depression or religiosity. (The survey is administered via opt-out consent).

Primary sponsor: Sen. Linda Gray.

Signed by the governor, 7/2, Chapter 283.

ARS Titles Affected: 15, 41.

**S1167: CRIMINAL CASE INFORMATION; DISCLOSURE**

Requires, effective January 1, 2008, the clerk of the court in a county with a population of two million or more to compile and publish online records of all superior court criminal case minute entries, except as prohibited by law. Requires, effective January 1, 2010, the clerk of the court in a county with a population of less than two million to compile and publish online records of all superior court criminal case minute entries except as prohibited by law.

Primary Sponsor: Sen. Chuck Gray. Co-sponsor: Sen. Johnson.  
Signed by the governor, 5/8, Chapter 192.  
ARS Title Affected: 12.

**S1169: PUBLIC RECORDS; SOCIAL SECURITY NUMBERS (~~COUNTY RECORDERS; SOCIAL SECURITY NUMBERS~~)**

Requires county recorders in counties with populations exceeding 800,000 to redact references to social security numbers (SSNs) available on the recorder's web site; absolves recorders of liability from required redactions; requires a judgment preparer to ensure SSNs are excluded from the judgment; and prohibits the Department of Revenue from including SSNs or other taxpayer identifiers on refund checks.

Primary sponsor: Sen. Leff. Co-sponsors: Rep. Desimone, Sen. Gorman, Sen. Chuck Gray, Sen. Harper, Sen. Huppenthal, Sen. Tibshraeny.  
Signed by the governor, 7/2, Chapter 284.  
ARS Titles Affected: 41.

**S1170: PUBLIC SAFETY EMPLOYEES; DISEASE TESTING**

Allows public safety employees and volunteers to obtain court authorization for a blood test of another person if there are reasonable grounds that there was exposure to a blood-borne disease.

Primary Sponsor: Sen. Tibshraeny. Co-sponsors: Rep. Crandall, Rep. Driggs, Rep. Gallardo, Rep. Konopnicki, Sen. Gould, Sen. Chuck Gray, Sen. Miranda, Sen. Waring.  
Signed by the governor, 4/10, Chapter 33.  
ARS Title Affected: 13.

**S1222: CRIMINAL STREET GANGS (~~LIQUOR; UNDERAGE PERSONS~~)**

Creates sentencing enhancements and increased penalties for persons who commit specific offenses to further, promote or assist a criminal street gang. Allows DPS to enter into a contract with a qualified vendor to provide a data monitoring and alert system for persons who are gang members or registered sex offenders. Establishes a Joint Legislative Study Committee on Security

Threat Groups and Criminal Street Gangs. Authorized appropriations. Other provisions.

Primary Sponsor: Sen. Linda Gray.  
Signed by the governor, 7/2, Chapter 287.  
ARS Title Affected: 13.

**S1227: DOMESTIC VIOLENCE; LEASE TERMINATION**

Under specified conditions, a tenant may terminate a rental agreement, including any rights, obligations and liability for future rent, if the tenant provides written notice that the tenant is a victim of domestic violence, and requests release from the rental agreement with a mutually agreed on release date within the next 30 days.

Primary Sponsor: Sen. Bee. Co-sponsor: Sen. Waring.  
Signed by the governor, 4/18, Chapter 100.  
ARS Title Affected: 33.

**S1229: AGGRAVATED DUI; PROBATION; INCARCERATION (~~ANIMAL FIGHTING; PROHIBITION~~)**

Excludes the time spent while incarcerated or on absconder status for the purposes of determining the seven-year period for an aggravated driving under the influence conviction.

Primary Sponsor: Sen. Waring.  
Signed by the governor, 5/1, Chapter 159.  
ARS Title Affected: 28.

**S1231: GPS MONITORING OF CRIMINALS; COMMITTEE**

Continues the Joint Legislative Study Committee on Global Position System Monitoring until October 1, 2009. Requires the Committee to submit a written report regarding the Committee's activities and recommendations on or before Dec. 1, 2008.

Primary Sponsor: Sen. Waring.  
Signed by the governor, 4/16, Chapter 54.  
ARS Title Affected: 41.

**S1250: CONCEALED WEAPONS PERMIT; RENEWAL**

Removes the requirement for a permit holder to submit additional fingerprints when applying to renew a concealed weapon permit, effective January 1, 2008.

Primary Sponsor: Sen. Chuck Gray. Co-sponsors: Rep. Adams, Rep. Barnes, Rep. Burges, Rep. Clark, Rep. Groe, Rep. Kavanagh, Rep. Murphy, Rep. Pearce, Rep. Rios, Rep. Jerry Weiers, Sen. Gould, Sen. Linda Gray, Sen. Harper, Sen. Johnson, Sen. Verschoor.

Signed by the governor, 4/10, Chapter 35.

ARS Title Affected: 13.

**S1252: EXTREME DUI; SENTENCING (~~HOA-DESIGNATED REPRESENTATIVE~~)**

Removes the judge's discretion to suspend a portion of the jail time for a first offense conviction of an Extreme Driving Under the Influence (EDUI) violation. Removes the judge's discretion to suspend a portion of the jail time for a second offense conviction within 84 months of an EDUI violation if the person completes a court ordered alcohol or other drug screening, education or treatment program. Other provisions.

Primary Sponsor: Sen. Waring.

Signed by the governor, 5/8, Chapter 195.

ARS Titles Affected: 9, 11, 28.

**S1255: LANDLORD TENANT ACT AMENDMENTS**

Makes changes to the Landlord Tenant Act to permit a landlord to request a tenant to authorize a person to remove the tenant's property in the case of death and permits a landlord to use refundable deposits in accordance with a property management agreement. Requires a tenant to notify a landlord of a situation requiring maintenance. Other provisions.

Primary Sponsor: Sen. Leff.

Signed by the governor, 5/24, Chapter 231.

ARS Title Affected: 33.

**S1258: WEAPONS; EMERGENCY CONFISCATION; PROHIBITION**

Prohibits the governor, the adjutant general or any other official or person from placing any additional restriction on the lawful possession, transfer, sale, transport, carrying, storage, display or use of firearms or ammunition components during a state of emergency declared by the governor. Allows the governor, adjutant general or other officials to order the reasonable movement of stores of ammunition out of the way of dangerous conditions. Similar provisions included in H2458 and HCR2024.

Primary Sponsor: Sen. Tibshraeny.

Signed by the governor, 4/18, Chapter 101.

ARS Title Affected: 26.

**S1265: BAILABLE OFFENSES; ILLEGAL IMMIGRANTS (~~VOIP SERVICE; EMERGENCY TELECOMMUNICATION SERVICES~~)**

Establishes a probable cause standard for determining that a person has entered or remained illegally in the United States for purposes of bail eligibility, requires eligibility for bail to be determined at the time of the person's initial appearance and outlines several factors that the court must consider. Also requires incarcerating agencies make citizenship determinations within 24 hours and transmit citizenship information to the court and prosecutor if the person being detained is not a U.S. citizen.

Primary Sponsor: Sen. Linda Gray.  
Signed by the governor, 7/2, Chapter 289.  
ARS Title Affected: 13.

**S1286: VICTIMS' RIGHTS OMNIBUS**

Makes various changes to statutes relating to victim's rights, including provisions regarding payment of restitution; orders of protection; victim notification in matters regarding trial procedures; transcripts and police reports; notice of any memorandum decision or opinion by the court; and other miscellaneous provisions.

Primary Sponsor: Sen. Chuck Gray.  
Signed by the governor, 7/2, Chapter 290.  
ARS Title Affected: 13.

**S1306: CPS; CONFIDENTIAL INFORMATION**

Mandates law enforcement agencies to take reasonable and necessary precautions to protect the identity and safety of a person who has reported child abuse or neglect, or any person who might be endangered by disclosure, before releasing records received in a CPS investigation. Law enforcement is not required to disclose information if disclosure would compromise a CPS or criminal investigation.

Primary Sponsor: Sen. Rios. Co-sponsors: Sen. Aguirre, Sen. Arzberger, Sen. Chevront, Sen. Garcia, Sen. Landrum Taylor, Sen. McCune Davis, Sen. Miranda, Sen. O'Halleran, Sen. Pesquiera, Sen. Soltero.  
Signed by the governor, 4/16, Chapter 56.  
ARS Title Affected: 8.

**S1316: NURSING HOMES; FINGERPRINTING (~~FINGERPRINT CLEARANCE; NURSING HOMES; PROJECT CHALLENGE~~)**

Requires applicants for nursing care institution administrator and assisted living facility manager licenses to meet fingerprinting requirements prior to their licensure. Also requires fingerprinting of Project Challenge employees.

Primary Sponsor: Sen. Allen.  
Signed by the governor, 5/8, Chapter 196.  
ARS Titles Affected: 36, 41.

**S1326: CONCURRENT JURISDICTION; GOLDWATER RANGE  
(~~STATUTE OF LIMITATIONS; DNA EVIDENCE~~)**

Expands United States land subject to concurrent criminal jurisdiction to include lands administered by the Department of Defense or its successor land management agency consisting of the range. Requires, for concurrent criminal jurisdiction, a memorandum of understanding to be completed with the county sheriff of the territory within the range that addresses lead investigative agency responsibilities on specific crimes and other coordinating matters and applies through December 31, 2017.

Primary Sponsor: Sen. Leff.  
Signed by the governor, 5/8, Chapter 197.  
ARS Title Affected: 37.

**S1331: CRIMINAL JUSTICE COMMISSION; POWERS; DUTIES**

Makes various technical changes to the Arizona Criminal Justice Commission's (ACJC) enabling statutes and removes the specific authority to establish and maintain the Criminal Justice Information System (CJIS), which, by statute, is managed by the Department of Public Safety (DPS). Gives rulemaking authority over CJIS to the director of DPS.

Primary Sponsor: Sen. Chuck Gray.  
Signed by the governor, 5/1, Chapter 163.  
ARS Title Affected: 41.

**S1333: SHOPLIFTING; CONTINUING CRIMINAL EPISODE**

Redefines a "continuing criminal episode" involving shoplifting to include that the intent of the theft must be resale of the merchandise and there must be at least three separate episodes within 90 days involving property with a combined minimum worth of \$1,500. Also modifies the penalty for using an artifice to facilitate shoplifting.

Primary Sponsor: Sen. Chuck Gray.  
Signed by the governor, 5/1, Chapter 164.  
ARS Title Affected: 13.

**S1344: DRUG AND GANG ENFORCEMENT ACCOUNT FUNDS**

Changes the money distribution requirements for the Drug and Gang Enforcement Account administered by Arizona Criminal Justice Commission.

Primary Sponsor: Sen. Chuck Gray.  
Signed by the governor, 4/24, Chapter 135.  
ARS Title Affected: 41.

**S1424: AGGRAVATED DOMESTIC VIOLENCE**

Increases the time period in which a person can be convicted of aggravated domestic violence offense from five years to seven years.

Primary Sponsor: Sen. Bee. Co-sponsor: Sen. Waring.  
Signed by the governor, 4/16, Chapter 58.  
ARS Title Affected: 13.

**S1434: JURIES; COMMISSIONER DUTIES; JUROR SELECTION**

Makes changes to the jury statutes with regard to jury trial procedure, jury commissioner responsibilities, selection of a master jury file, maintenance of juror records, jury management automation system, use of the juror questionnaire, juror qualifications and service, juror excusal, and juror summoning procedures.

Primary Sponsor: Sen. Chuck Gray.  
Signed by the governor, 5/8, Chapter 199.  
ARS Titles Affected: 9, 12, 16, 21, 22, 23.

**S1482: PSYCHIATRIC SECURITY REVIEW BOARD**

Requires the judge to sentence a person who was found by the finder of fact to be guilty except insane to a term of incarceration (equivalent to the presumptive sentence if the defendant were not judged guilty but insane) in the Arizona Department of Corrections and must order the person to be placed under the jurisdiction of the Psychiatric Security Review Board and committed to a facility under the Department of Health Services. The court shall retain jurisdiction of all matters that are not specifically delegated to the Psychiatric Security Review Board for the duration of the presumptive sentence. Allows a person who the Board has ordered be Transferred to ADOC to petition for a judicial determination within 20 days after the Transfer was ordered. Other provisions.

Primary Sponsor: Sen. Waring.  
Signed by the governor, 4/24, Chapter 138.  
ARS Title Affected: 13.

**S1547: ORGANIZED RETAIL THEFT TASK FORCE**

Establishes the 11-member Organized Retail Theft Task Force consisting of members of law enforcement, county prosecutors and representatives of retail business. The task force is charged with analyzing the scope of the problem and methods to combat organized retail theft. The task force is required to issue a report on its findings to the legislature or before Dec. 1, 2008.

Primary Sponsor: Sen. Linda Gray.  
Signed by the governor, 5/24, Chapter 233.  
ARS Title Affected: 13.

**S1549: PUBLIC SAFETY RADIO COMMUNICATIONS; LIABILITY**

Exempts those participating in a public safety radio communications network or similar network from liability for civil damages that result from an act or omission in connection with developing, operating, implementing, maintaining or participating in a radio emergency system or similar network.

Primary Sponsor: Sen. O'Halleran. Co-sponsors: Rep. Hershberger, Sen. Blendu, Sen. Chuck Gray.  
Signed by the governor, 5/1, Chapter 172.  
ARS Title Affected: 12.

**S1555: RESIDENCY RESTRICTIONS; SCHOOLS; CHILD CARE**

Restricts level three sex offenders from residing within 1,000 feet of a school or child care facility, with few exceptions. Stipulates that a county, city, or town shall not enforce more restrictive distance barriers.

Primary Sponsor: Sen. Tibshraeny. Co-sponsor: Rep. Crandall.  
Signed by the governor, 5/14, Chapter 212.  
ARS Title Affected: 13.

**S1619: PRISONERS; RESTITUTION PAYMENTS**

Requires prisoners to pay specific percentages of court-ordered restitution from their inmate accounts.

Primary Sponsor: Sen. Verschoor. Co-sponsors: Rep. Gallardo, Rep. Konopnicki, Rep. Lujan, Sen. Gould, Sen. Hale, Sen. Miranda.  
Signed by the governor, 4/24, Chapter 140.  
ARS Title Affected: 31.

**S1623: ELECTIONS; MANUAL AUDITS; PENALTIES**

Makes changes to election law regarding hand-count procedures, counting center video recording. Requires the officer in charge to record video coverage

showing the custody of all ballots in a tabulation room in the counting center for all statewide, county or legislative elections. The video must be posted to the Secretary of State's web site. Other provisions.

Primary Sponsor: Sen. Johnson.  
Signed by the governor, 7/2, Chapter 295.  
ARS Title Affected: 16.

**S1628: YOUTHFUL SEX OFFENDERS (~~YOUTHFUL SEX OFFENDERS;~~  
~~TREATMENT~~)**

Various provisions regarding youthful sex offenders. Requires the court to hold a hearing to determine if jurisdiction of the criminal prosecution of a juvenile prosecuted as an adult should be transferred to the juvenile court on the motion of the juvenile or on the court's own motion; or if the juvenile is being prosecuted as an adult for an offense that was committed more than 12 months before the date of the filing of the criminal charge. Requires the court, upon request by the probationer, to conduct a probation review hearing annually for a probationer who is under 22 years of age and who was convicted of an offense that occurred when the person was under 18 years of age and that requires the probationer to register as a sex offender. Requires a treatment provider to place a sex offender in a treatment program with similar offenders of a similar age and developmental maturity level if group treatment is prescribed by the treatment provider.

Primary sponsor: Sen. Johnson. Co-sponsors: Rep. Cloves Campbell Jr., Rep. Groe, Rep. Murphy, Rep. Jerry Weiers, Sen. Aboud, Sen. Aguirre, Sen. Allen, Sen. Flake, Sen. Hale.  
Signed by the governor, 5/1, Chapter 176.  
ARS Title Affected: 8.

## **BILLS THAT FAILED**

### **S1009: APPROPRIATION; DOMESTIC VIOLENCE; BEDS**

Appropriates \$3 million from the state General Fund in FY 2007-2008 to the Department of Economic Security for new domestic violence emergency shelter beds.

Primary sponsor: Sen. Waring.

Last action: 2/14; passed from Senate Appropriations.

ARS Title Affected: 41.

### **S1016: CIVIL LEGAL SERVICES FUND; FEES**

Requires each county treasurer to establish a Civil Legal Services Fund, funded through various court document filing fees. The Fund shall provide legal services to indigent persons in civil cases and that presently receive monies from the legal services corporation established by 42 U.S.C. section 2996b.

Primary sponsor: Sen. Waring.

Last action: 1/8; referred to Senate Judiciary.

ARS Title Affected: 12.

### **S1021: AGGRAVATED ASSAULT; STRANGULATION**

Creates a class 5 felony for the impediment of normal breathing or circulation of blood that causes a loss of consciousness or a reasonable risk of loss of consciousness. If the victim is under 15 years of age, this is a class 4 felony.

Primary sponsor: Sen. Waring.

Last action: 2/21; referred to House Judiciary.

ARS Title Affected: 13.

### **S1022: QUALIFIED IMMUNITY; PUBLIC ENTITIES; EMPLOYEES**

A public employee or entity that injured a driver of a motor vehicle would have qualified immunity if the injured driver is found to have any degree of fault.

Primary sponsor: Sen. Harper. Co-sponsor: Rep. Groe.

Last Action: 2/12; failed Senate Government.

ARS Title Affected: 12.

### **S1026: EXTREME DUI; SENTENCE**

Eliminates the possibility that a judge may suspend the jail sentence of a person convicted of a first-time extreme DUI offense. (Similar provision signed into law under S1252).

Primary sponsor: Sen. Waring  
Last Action: 1/25; from Senate COW, amended.  
ARS Titles Affected: 9, 11, 28.

**S1032: MEDICAL MALPRACTICE; EMERGENCY TREATMENT**

Raises the burden of proof in medical malpractice civil actions against health care providers and hospitals to "clear and convincing evidence" in connection with certain emergency medical services.

Primary sponsor: Sen. Allen.  
Last Action: 5/10; failed to pass the House on reconsideration.  
ARS Title Affected: 12, 32.

**S1034: COMMISSION ON COURT APPOINTMENTS**

Removes reference in statute to the commissions on appellate court appointments and the commission on trial court appointments. Deletes language relating to the selection of members of the Clean Elections Commission by state officers. This is a companion bill to SCR 1004 which, if approved, would ask 2008 general election voters to change the constitution to permit the governor to make judicial appointments directly, subject to Senate confirmation. *(Note: the SCR failed to pass the Senate).*

Primary sponsor: Sen. Harper.  
Last Action: 2/5; held in Senate Judiciary.  
ARS Titles Affected: 12, 16, 38.

**S1035: APPROPRIATION; CRIME LABORATORY**

Appropriates the sum of \$17.7 million, exempt from lapsing, from the Urban Revenue Sharing Fund in FY 2007-2008 to the DPS to establish a Southern Arizona Crime Laboratory. Requires any federal monies provided to the state to establish of a Southern Arizona Crime Laboratory revert to the state Urban Revenue Sharing Fund to offset the appropriation.

Primary sponsor: Sen. Bee.  
Last Action: 2/14; from Senate Appropriations, amended.  
ARS Titles Affected: 41.

**S1040: PRIVATE PROCESS SERVERS; TRESPASS; ASSAULT**

Protects private process servers from being charged with criminal trespass while on official duty and allows a penalty of aggravated assault to be imposed on a person who knowingly assaults a process server who is engaged in official duties. Makes technical changes.

Primary Sponsor: Sen. Chuck Gray.  
Last Action: 1/8; held in Senate Judiciary.  
ARS Titles Affected: 11, 13.

**S1048: JURY DUTY EXEMPTION; COGNITIVE DISABILITY**

The list of conditions that excuse a person from jury duty is expanded to include those persons who have a permanent cognitive disability as defined in ARS section 36-551.

Primary Sponsor: Sen. Linda Gray.  
Last Action: 1/8; referred to Senate Judiciary.  
ARS Title Affected: 21.

**S1055: TIME PAYMENT FEE**

Makes permanent the \$20 time payment fee that is imposed by the courts on persons who do not pay fines, penalties, or sanctions in full on the date of the final determination. Makes technical and conforming changes and repeals language that reduces the time payment fee to \$12.

Primary Sponsor: Sen. Huppenthal.  
Last Action: 1/18; held in Senate Judiciary.  
ARS Title Affected: 12.

**S1102: VULNERABLE ADULTS; FINANCIAL EXPLOITATION**

Removes exemptions granted to securities dealers, sales persons and insurers from civil and criminal penalties related to financial exploitation of vulnerable adults.

Primary Sponsor: Sen. Garcia. Co-sponsors: Sen. Aquirre, Sen. Rios.  
Last Action: 1/16; referred to Senate Rules.  
ARS Title Affected: 46.

**S1103: PRIVATE PRISONS; TRANSFER**

Private prisons shall not transfer certain convicts into this state. Allows the director of the Department of Corrections to impose civil fines on private prisons that violate these provisions.

Primary Sponsor: Sen. Garcia.  
Last Action: 1/16; referred to Senate Public Safety and Human Services.  
ARS Title Affected: 41.

**S1104: INFORMATION SECURITY AND PRIVACY OFFICE**

Establishes responsibilities for the Statewide Information Security and Privacy Office (SISPO) within the Government Information Technology Agency (GITA) and appropriates \$1,795,300 from the state general fund in FY 2007-2008 to GITA.

Primary Sponsor: Sen. Burns. Co-sponsors: Rep. Konopnicki, Sen. Arzberger, Sen. Huppenthal.

Last Action: 2/22; from Senate Appropriations, amended.

ARS Title Affected: 41.

**S1105: LAW ENFORCEMENT MERIT SYSTEM COUNCIL**

Allows a merit council to reverse a department head's action if good cause does not exist for the suspension, demotion or dismissal of a classified law enforcement officer.

Primary Sponsor: Sen. Verschoor. Co-sponsors: Sen. Miranda, Sen. Waring.

Last Action: 2/12; held in Senate Government.

ARS Title Affected: 38.

**S1107: HEALTH INSURANCE; MANDATES; CERTAIN EXCLUSIONS  
(~~FORGIBLE ENTRY AND DETAINER; JUDGMENTS~~)**

Striker. Changes to health insurance coverage exemptions. Original language limited the release of a defendant's Social Security number on an eviction judgment to the last four digits.

Primary sponsor: Sen. Leff. Co-sponsors: Rep. Konopnicki, Sen. Linda Gray, Sen. Huppenthal, Sen. Johnson.

Last Action: 4/19; from House COW, amended.

ARS Titles Affected: 20.

**S1109: AUTOMATIC RESTORATION OF VOTING RIGHTS**

Except as provided in ARS 13-912, any person who has been convicted of one or more felonies shall automatically be restored the right to vote that was lost or suspended by the conviction on completion of probation or absolute discharge from imprisonment.

Primary Sponsor: Sen. Landrum Taylor. Co-sponsors: Sen. Bradley, Rep. Cloves Campbell Jr., Rep. Lopez, Rep. Miranda, Sen. Arzberger, Sen. Burton Cahill, Sen. Garcia, Sen. Miranda, Sen. Pesquiera.

Last Action: 1/16; referred to Senate Judiciary.

ARS Title Affected: 13.

**S1115: APPROPRIATION; PUBLIC SAFETY TRAINING FACILITY**

Appropriates \$2 million from the state's general fund in FY 2007-2008 to Northland Pioneer Community College for a public safety and emergency services training facility in Navajo County.

Primary Sponsor: Sen. Flake. Co-sponsors: Rep. Brown, Rep. Konopnicki, Sen. Harper.

Last Action: 2/20; held in Senate Appropriations.

ARS Title Affected: 41.

**S1117: PRIVILEGED COMMUNICATIONS; EMPLOYEE**

In a civil or administrative action, communication made by a peace officer or a firefighter to the critical incident stress management team member is privileged.

Primary Sponsor: Sen. Chuck Gray. Co-sponsors: Sen. Aguirre, Sen. Huppenthal.

Last Action: 1/16; referred to Senate Judiciary.

ARS Title Affected: 12.

**S1120: LIQUOR; THIRD PARTY LIABILITY INSURANCE**

Applicants for a spirituous liquor license, a transfer of a spirituous liquor license or a renewal of a spirituous liquor license shall provide documentation to the Department of Liquor that the applicant has obtained liability insurance in at least the minimum coverage amount determined by the director for tort claims that arise from personal injuries, wrongful death or property damage suffered by third parties and that were proximately caused by the consumption of spirituous liquor at the licensed premises.

Primary Sponsor: Sen. McCune Davis.

Last Action: 1/16; referred to Senate Commerce and Economic Development; Senate Financial Institutions and Retirement.

ARS Title Affected: 4.

**S1121: LOBBYISTS; PROHIBITED ACTS**

Prohibits a lobbyist, designated public lobbyist or authorized public lobbyist from knowingly providing false information to any public official regarding any legislative or administrative action. Proscribes penalties.

Primary Sponsor: Sen. McCune Davis.

Last Action: 1/29; held in Senate Government.

ARS Title Affected: 41.

**S1125: STATE PERSONNEL RULES; PEACE OFFICERS**

Makes peace officers who are certified under the Arizona Peace Officer Standards and Training Board (AzPOST) to be subjected to the state personnel and administrative rules.

Primary Sponsor: Sen. Linda Gray.  
Last Action: 2/5; held in Senate Government.  
ARS Title Affected: 41.

**S1128: PEACE OFFICER STANDARDS APPEALS COMMISSION**

Establishes that the Arizona Peace Officer Standards Appeals Commission is to be made up of seven law enforcement officers (some are appointed by the governor; others are included by statute). The commission may suspend, revoke or cancel the certification of an officer who is not in compliance with the qualifications established under statutes governing the Peace Officers Standards and Training Board. Gives authority to the governor to remove commission members based on cause.

Primary Sponsor: Sen. Verschoor.  
Last Action: 1/16; referred to Senate Public Safety and Human Services.  
ARS Title Affected: 41.

**S1143: APPROPRIATION; DOMESTIC VIOLENCE SHELTERS**

Appropriates \$2.5 million from the general fund in FY 2007-2008 to the Department of Economic Security (DES) for domestic violence shelters.

Primary Sponsor: Sen. Miranda. Co-sponsors: Rep. Miranda, Sen. Garcia, Sen. Hale, Sen. Landrum Taylor, Sen. Rios, Sen. Soltero.  
Last Action: 1/25; failed Senate Public Safety and Human Services.  
ARS Title Affected: 41.

**S1152: REAL ID ACT; PROHIBITION (~~TECH CORRECTION~~; PRIVATE SCHOOLS)**

Prohibits the state from participating in the federal REAL ID Act.

Primary Sponsor: Sen. Johnson.  
Last Action: 5/10; from House Rule okay.  
ARS Title Affected: 28.

**S1156: LICENSE PLATES; ATTACHMENT; PROHIBITION**

Prohibits covering license plates with any substance or device that makes the plate unreadable from any angle. (Similar provisions included in S1215).

Primary Sponsor: Sen. Chevront. Co-sponsors: Rep. Nelson, Sen. Chuck Gray, Sen. Leff.

Last Action: 1/23; failed Senate Transportation.

ARS Title Affected: 28.

**S1168: CRIMINAL CONVICTION; RELEASE CONDITIONS**

A person shall not receive bail or any other type of release after conviction of a felony offense if the person is awaiting sentencing or the person has received a sentence of imprisonment except when the superior court or a judge of the superior court is satisfied on investigation that the person in custody is in such physical condition that continued confinement would endanger the person's life.

Primary Sponsor: Sen. Chuck Gray. Co-sponsor: Sen. Johnson.

Last Action: 1/17; referred to Senate Judiciary.

ARS Title Affected: 13.

**S1202: WEAPONS MISCONDUCT; APPLICATION**

Exempts Arizona Department of Corrections (ADC) parole officers and special investigators from several acts constituting misconduct involving weapons.

Primary sponsor: Sen. Gorman.

Last Action: 3/14; referred to House Natural Resources and Public Safety.

ARS Titles Affected: 13.

**S1214: MEMBERSHIP; CRIMINAL JUSTICE COMMISSION**

Sought to add a representative of a victims' rights advocacy organization to the Arizona Criminal Justice Commission membership. Similar provisions in H2164 and S1330.

Primary Sponsor: Sen. Miranda.

Last Action: 1/23; referred to Senate Judiciary.

ARS Title Affected: 41.

**S1215: AUTOMOBILE THEFT AUTHORITY; CRIME STATISTICS**

Striker: Prohibits covering a motor vehicle license plate with any substance or device that makes the plate unreadable from any angle (similar provisions included in S1156). Original language would authorize the Auto Theft Authority to receive criminal justice information system data under ARS 41-1750 for research purposes.

Primary Sponsor: Sen. Chuck Gray.

Last Action: 2/12; referred to Senate Transportation.

ARS Title Affected: 41.

**S1221: RESIDENTIAL MORTGAGE FRAUD**

Establishes the crime of mortgage fraud and assesses a class 2 or class 4 felony for a violation, depending on severity. (Similar provisions signed into law under H2040).

Primary Sponsor: Sen. Tibshraeny.  
Last Action: 3/7; passed from House Commerce.  
ARS Title Affected: 13.

**S1230: APPROPRIATION; VICTIMS' RIGHTS TRAINING**

Appropriates the sum of \$1 million from the victims' rights fund in fiscal year 2007-2008 to the Attorney General's Office for the purpose of training on the provisions of the victims' rights services.

Primary Sponsor: Sen. Waring.  
Last Action: 1/23; referred to Senate Public Safety and Human Services; Senate Appropriations.  
ARS Title Affected: 41.

**S1232: CRISIS INTERVENTION; PROGRAM; FUND; APPROPRIATION**

Requires the director of the Department of Health Services (DHS) to establish the position of Crisis Intervention Team Training Program Coordinator in the Division of Behavioral Health. The coordinator is to work with any Arizona law enforcement agency that requests assistance to coordinate crisis intervention team training to first responders. Appropriates \$2 million in FY 2007-2008 for crisis intervention team training.

Primary Sponsor: Sen. Waring.  
Last Action: 2/12; from Senate Public Safety and Human Services, amended.  
ARS Title Affected: 36.

**S1237: OPEN MEETINGS; MINUTES; RECORDINGS**

If the public body of a city or town with a population of more than 2,500 persons posts a recording of the meeting on its Internet web site, the city or town is not required to provide a written transcript of the meeting. The recording must be a complete recording of the meeting and be in a format that is common and easily accessible by the public. The recording may act as the approved minutes of the meeting if the recording is approved by the city or town council.

Primary Sponsor: Sen. Chuck Gray. Co-sponsor: Sen. Harper.  
Last Action: 1/24; referred to Senate Government.  
ARS Titles Affected: 38, 39.

**S1245: CONCEALED WEAPONS FUND**

The concealed weapons fund is established consisting of CCW permit fees. The Department of Public Safety shall administer the fund. Monies in the fund shall be used to cover the operational and equipment costs of the DPS Concealed Carry Weapon unit.

Primary Sponsor: Sen. Burns.

Last Action: 1/24; referred to Senate Judiciary; Senate Appropriations.

ARS Title Affected: 13.

**S1263: ATTORNEY GENERAL; AUDIT; MONEY SEIZURES**

The Auditor General shall conduct a special audit of the Attorney General relating to the seizure of monies during the 12 months preceding the effective date of this act. The audit shall include the circumstances surrounding the seizure and disposition of these monies. The Auditor General shall report the findings from the audit to the Joint Legislative Audit Committee on or before September 30, 2008.

Primary Sponsor: Sen. Blendu.

Last Action: 1/24; referred to Senate Government.

ARS Title Affected: 41.

**S1266: BEER KEGS; REGISTRATION**

Required licensed retailers of malt beverages in kegs to label each sold kegs with their name and address, a keg identification number, and his/her liquor license number. Licensed retailers are required to document the date of the sale; keg size and identification number; deposit amount; the name, address and date of birth of the purchaser; the form of identification presented by the purchaser; and the location where the keg will be consumed. (Similar provisions included in H2219).

Primary Sponsor: Sen. Linda Gray.

Last Action: 1/24; referred to Senate Commerce and Economic Development.

ARS Title Affected: 4.

**S1267: DNA TESTING; ARREST**

Would expand DNA sample collections to require the collection of a DNA sample from a person arrested for any offense who is transferred to a state, county or local law enforcement agency or jail. Also would require the court to issue a summons directing a person charged with a felony or misdemeanor offense and released on bail to report within five days to the arresting law enforcement agency to submit a DNA sample. Sought to establish the DNA Identification System Fund (Fund) consisting of monies used for implementing, operating and maintaining DNA testing and for the costs of administering the system. The

monies for the Fund would be collected by an additional three percent surcharge on every fine, penalty and forfeiture imposed and collected by the courts for criminal offenses and civil penalties involving traffic violations or game and fish violations. (*Note: similar provisions were included in H2787, a budget reconciliation bill, which was signed into law*).

Primary Sponsor: Sen. Chuck Gray.  
Last Action: 6/4; from Senate Rules, amended.  
ARS Titles Affected: 13, 41.

**S1268: SEX TRAFFICKING; CHILD PROSTITUTION**

Expands the offenses of sex trafficking and child prostitution. Child prostitution in which the child is 15, 16, or 17 years of age is a class 4 felony instead of a class 2 felony if the defendant could not reasonably have known the child's age. The definition of prostitution is expanded to include offering to pay for sexual conduct, and the definition of child prostitution is expanded to include engaging in or attempting to engage in prostitution with a minor. Similar provisions signed into law in H2342.

Primary Sponsor: Sen. Chuck Gray.  
Last Action: 6/11; from House COW, amended.  
ARS Title Affected: 13.

**S1272: ELECTIONS; EARLY VOTING; EXTENDED REQUEST**

If requested by the elector, the county recorder or other officer in charge of elections shall provide to the requesting elector early ballot materials through the next two regularly scheduled general elections for federal office immediately following receipt of the request

Primary Sponsor: Sen. Garcia. Co-sponsor: Sen. Miranda.  
Last Action: 1/24; referred to Senate Judiciary.  
ARS Title Affected: 16.

**S1282: UNEMPLOYMENT BENEFITS; DISQUALIFICATION**

Removes labor lockouts from the list of disqualifications for receiving unemployment benefits.

Primary Sponsor: Sen. Garcia. Co-sponsors: Sen. Aguirre, Sen. Miranda, Sen. Soltero.  
Last Action: 1/25; referred to Senate Commerce and Economic Development.  
ARS Title Affected: 23.

**S1329: COMPUTER EVIDENCE; FORENSIC EXAM**

Expands the definition of sexual exploitation of a minor to include electronically possessing any visual depiction in which a minor is engaged in exploitive exhibition or other sexual conduct. Requires the prosecutor, in a case of sexual exploitation of a minor involving the electronic possession or transmission of any visual depiction in which a minor is engaged in exploitive exhibition or other sexual conduct, to provide a mirror image of the computer hard drive, computer system or other mass storage device to the defense attorney for independent testing and analysis, if the defense requests it.

Primary Sponsor: Sen. Leff.

Last Action: 2/20; from Senate Rules with a technical amendment. Retained on Senate COW calendar.

ARS Title Affected: 13.

**S1332: LAW ENFORCEMENT OFFICER REPRESENTATION; ATTORNEY**

Allows a law enforcement officer to request a lawyer to accompany him/her to disciplinary hearing or interview.

Primary Sponsor: Sen. Chuck Gray.

Last Action: 1/25; referred to Senate Public Safety and Human Services.

ARS Title Affected: 38.

**S1340: HOA; FORECLOSURES; VALUATION (~~CRIMINAL JUSTICE INFORMATION SYSTEMS; RESPONSIBILITIES~~)**

Requires the sale of property to satisfy a judgment of a home owners association to be for at least fair market value with all remaining balances paid to the unit owner after payment of prior liens and encumbrances.

Primary Sponsor: Sen. Chuck Gray.

Last Action: 6/11; failed to pass on final reading in Senate.

ARS Title Affected: 33.

**S1342: SHOPLIFTING; ARTIFICE**

States that a person who in the course of shoplifting used an artifice, instrument, container, device or other article that was intended to facilitate shoplifting is guilty of a class 4 felony. This replaced the previous requirement that a perpetrator must have "entered the mercantile establishment with an artifice" to facilitate shoplifting. (Similar provisions signed into law under H1333).

Primary Sponsor: Sen. Chuck Gray. Co-sponsor: Sen. Blendu.

Last Action: 1/29; referred to Senate Judiciary.

ARS Title Affected: 13.

**S1345: IDENTITY THEFT; FREEZING CONSUMER REPORTS**

Allows a consumer to request in writing to a consumer reporting agency that a security freeze be placed on the consumer's credit report. (Similar provisions included in H2327 and H2446).

Primary Sponsor: Sen. Aguirre. Co-sponsors: Rep. Bradley, Rep. Desimone, Rep. Farley, Rep. Gallardo, Rep. Lopes, Rep. Pancrazi, Rep. Ulmer, Sen. Aboud, Sen. Arzberger, Sen. Burton Cahill, Sen. Chevront, Sen. Garcia, Sen. Chuck Gray, Sen. Hale, Sen. Harper, Sen. Landrum Taylor, Sen. McCune Davis, Sen. Miranda, Sen. Pesquiera, Sen. Rios, Sen. Soltero, Sen. Verschoor, Sen. Waring.

Last Action: 3/20; held in House Government.

ARS Title Affected: 44.

**S1346: SEXUAL EXPLOITATION; LURING A MINOR**

Classifies luring a minor for sexual exploitation as a dangerous crime against children and establishes presumptive terms of imprisonment. Similar provisions signed into law in H2342.

Primary Sponsor: Sen. Chuck Gray.

Last Action: 4/12; held in House Appropriations.

ARS Title Affected: 13.

**S1347: TEENAGE DRIVER SAFETY ACT**

Beginning July 1, 2008, the age when a person may apply for a driver permit is lowered to 15 years and six months, from 15 years and seven months. Also mandates that the licensed driver accompanying a permit holder must be at least 21 years old. The number of hours of supervised driving the must be completed prior to applying for a driver license is increased to 30 hours with 10 at night, from 25 hours with five at night. For six months after the license is issued, driver license holders under 18 years old have restrictions placed on the hours they may drive alone and the number of minor passengers other than siblings that may be in the vehicle. Violators are subject to graduated civil penalties and extended license restrictions based on the number of violations. (A similar bill, H2033, was signed into law).

Primary Sponsor: Sen. Leff. Co-sponsors: Rep. Clark, Rep. Crump, Rep. Groe, Rep. Hershberger, Rep. Konopnicki, Rep. Mason, Rep. McComish, Rep. Prezelski, Rep. Rios, Rep. Thrasher, Rep. Jerry Weiers, Sen. Aboud, Sen. Blendu, Sen. Gould, Sen. Huppenthal, Sen. Rios, Sen. Tibshraeny.

Last Action: 2/28; from House Natural Resources and Public Safety, amended.

ARS Title Affected: 28.

**S1364: LIQUOR; UNDERAGE PERSONS; PENALTIES**

Establishes new penalties and increases certain existing penalties related to the sale, furnishing or giving of spirituous liquor to a person who is under the legal

drinking age. Adds provisions for supplying an underage person with liquor in an unlicensed premise.

Primary Sponsor: Sen. Linda Gray.

Last Action: 2/7; failed Senate Commerce and Economic Development.

ARS Title Affected: 4.

**S1375: APPROPRIATION; DOMESTIC VIOLENCE INTERVENTION**

Appropriates \$3.3 million from the general fund in FY 2007-2008 to the Department of Economic Security for domestic violence intervention.

Primary Sponsor: Sen. Hale. Co-sponsors: Sen. Aguirre, Sen. Arzberger, Sen. Burton Cahill, Sen. Garcia, Sen. Miranda, Sen. Rios.

Last Action: 2/1; referred to Senate Appropriations.

ARS Title Affected: 41.

**S1392: APPROPRIATION; BORDER SECURITY PROGRAMS**

The sum of \$5 million is appropriated from the state general fund in fiscal year 2007-2008 to the Department of Public Safety for border security programs. Funds are non-lapsing.

Primary Sponsor: Sen. Hale. Co-sponsors: Sen. Aguirre, Sen. Arzberger, Sen. Burton Cahill, Sen. Garcia, Sen. Miranda, Sen. Rios.

Last Action: 2/1; referred to Senate Appropriations.

ARS Title Affected: 41.

**S1393: APPROPRIATION; LAW ENFORCEMENT; CORRECTIONS OFFICERS**

A total of \$6.24 million is appropriated from the general fund in FY 2007-2008 to the Department of Public Safety, Department of Corrections, and the Department of Juvenile Corrections for salary adjustments.

Primary Sponsor: Sen. Hale. Co-sponsors: Sen. Aguirre, Sen. Arzberger, Sen. Burton Cahill, Sen. Garcia, Sen. Miranda, Sen. Rios.

Last Action: 2/1; referred to Senate Appropriations.

ARS Title Affected: 41.

**S1394: APPROPRIATION; TRIBAL DRUG PREVENTION; TREATMENT**

Appropriates \$400,000 in FY 2007-2008 to the Department of Health Services for drug prevention and treatment programs on tribal lands.

Primary Sponsor: Sen. Hale. Co-sponsors: Sen. Aguirre, Sen. Arzberger, Sen. Burton Cahill, Sen. Garcia, Sen. Miranda, Sen. Rios.

Last Action: 2/1; referred to Senate Appropriations.

ARS Titles Affected: 41, 36.

**S1403: FORENSIC UNIT; STATE HOSPITAL; APPROPRIATION**

Appropriates \$32.2 million from the general fund in FY 2007-2008 to the Department of Health Services (DHS) to build a new forensic unit at the Arizona State Hospital.

Primary Sponsor: Sen. Hale. Co-sponsors: Sen. Aguirre, Sen. Arzberger, Sen. Burton Cahill, Sen. Garcia, Sen. Miranda, Sen. Rios.

Last Action: 2/1; referred to Senate Appropriations.

ARS Titles Affected: 41, 13.

**S1410: METHAMPHETAMINE TREATMENT; APPROPRIATION**

Appropriates \$2.5 million from the general fund in FY 2007-2008 to the Department of Health Services to be used for methamphetamine treatment.

Primary Sponsor: Sen. Garcia. Co-sponsors: Sen. Aguirre, Sen. McCune Davis, Sen. Miranda, Sen. Rios, Sen. Soltero.

Last Action: 2/1; referred to Senate Appropriations.

ARS Titles Affected: 41, 36.

**S1421: EMPLOYEES; ELIGIBILITY; VERIFICATION**

Employers must verify a workers' employment eligibility through the social security number verification program, the basic pilot employment verification program, or other employee verification program administered by the federal or state government. An employer that violates this is subject to a civil penalty of up to \$5,000 for each violation, to be deposited in the Verified Employee Enforcement Fund. Appropriates \$500,000 from the general fund in FY 2007-2008 to the Fund. The Attorney General has enforcement power and administers the Fund. An employer sanctions bill was signed into law: H2779.

Primary Sponsor: Sen. Garcia.

Last Action: 2/1; referred to Senate Commerce and Economic Development; Senate Appropriations.

ARS Titles Affected: 23.

**S1422: EMPLOYMENT; ILLEGAL ALIENS; EMPLOYER SANCTIONS**

An employer will have their license suspended for six months for a violation of knowingly hiring an illegal alien. A second violation will cause the employer to have their license revoked. These matters will be enforced by the attorney general. An employer sanctions bill was signed into law: H2779.

Primary Sponsor: Sen. Garcia.

Last Action: 1/29; referred to Senate Commerce and Economic Development.

ARS Title Affected: 23.

**S1425: SEXUAL OFFENSES; MINORS; DEFENSE**

Creates a defense of sexual conduct with or molestation of a minor to apply against consensual conduct between a victim and defendant who are within specified age ranges. Age ranges include: if the victim is 13 or 14 years of age and the defendant is no more than 24 months older; and if the victim is 15, 16, or 17 years of age and the defendant is no more than 36 months older. Removes the defense to sexual conduct with a minor or child molestation if the conduct is consensual and the victim is 15, 16 or 17 years of age and the defendant is 19 years of age or attending high school. Makes technical and conforming changes.

Primary Sponsor: Sen. Johnson.  
Last Action: 2/12; failed Senate Judiciary.  
ARS Title Affected: 13.

**S1426: YOUTHFUL SEX OFFENDERS; SENTENCING**

Defines the term 'youthful sex offender' as a person under 18 years of age who commits a first-time sexual offense that does not involve use or threaten use of force and specifies sentencing, registration, and community notification requirements of a youthful sex offender. Makes technical and conforming changes. A youthful sex offender bill was signed into law: S1628.

Primary Sponsor: Sen. Johnson. Co-sponsor: Sen. Garcia.  
Last Action: 2/12; failed Senate Judiciary.  
ARS Title Affected: 13.

**S1427: YOUTHFUL SEX OFFENDER COMMITTEE; EXTENSION**

Repeals the Joint Legislative Committee on Youthful Sex Offenders on September 30, 2008.

Primary Sponsor: Sen. Johnson. Co-sponsor: Sen. Garcia.  
Last Action: 1/29; referred to Senate Judiciary.  
ARS Title Affected: 13.

**S1429: PRIVATE DIGITAL INFORMATION; USE; CONSENT**

Prohibits state governmental entities or private subcontractors working on behalf of the from disseminating an individual's private digital information without the consent of the individual, unless state law provides for an exception. The individual must be told about any exceptions to the requirement of consent, and the exceptions must be made public and reviewed by the legislature every three years.

Primary Sponsor: Sen. Johnson. Co-sponsor: Sen. Garcia.  
Last Action: 1/29; referred to Senate Commerce and Economic Development.  
ARS Title Affected: 44.

**S1443: APPROPRIATION; CRIMES; DISPOSITION REPORTING**

Appropriates \$1.7 million to the Arizona Criminal Justice Commission (ACJC) to upgrade the Arizona Disposition Reporting System in accordance with the Arizona Integrated Criminal Justice Information Sharing Strategic Plan. (*Note: Funding was included in the Arizona Criminal Justice Commission biennial budget for 2007-2009*).

Primary Sponsor: Sen. Huppenthal.

Last Action: 2/8; from Senate Appropriations, amended.

ARS Title Affected: 41.

**S1452: HARASSMENT; APPLICABILITY**

Lawful demonstrations, assemblies, and/or picketing are no longer exempt from the crime of harassment.

Primary Sponsor: Sen. Aboud. Co-sponsors: Sen. Garcia, Sen. Pesquiera.

Last Action: 1/29; referred to Senate Judiciary.

ARS Title Affected: 13.

**S1453: ANIMAL FIGHTING**

Would establish animal fighting as a class 5 felony. Knowingly attending an animal fight would be a class 1 misdemeanor.

Primary Sponsor: Sen. Aboud. Co-sponsors: Rep. Ableser, Rep. Kirkpatrick, Rep. Meza, Rep. Schapira, Sen. Soltero.

Last Action: 1/29; referred to Senate Judiciary.

ARS Title Affected: 13.

**S1468: SENTENCING; MISDEMEANORS INVOLVING HATE**

Allows courts to increase the sentence of a person convicted of committing a misdemeanor crime towards a victim based on race, color, religion, national origin, sexual orientation, gender, or disability.

Primary Sponsor: Sen. O'Halleran. Co-sponsors: Rep. Ableser, Rep. Burns, Rep. Hershberger, Rep. Kirkpatrick, Rep. Meza, Rep. Prezelski, Rep. Schapira, Sen. Aboud, Sen. Allen, Sen. Burton Cahill, Sen. Chevront, Sen. Landrum Taylor, Sen. McCune Davis.

Last Action: 1/30; referred to Senate Judiciary.

ARS Title Affected: 13.

**S1484: SEX OFFENDERS; PROBATION; TERMS**

If a parent or guardian is convicted of a felony sex offense against his/her child, the parent or guardian must stay at least five miles away from the child as a condition of probation.

Primary Sponsor: Sen. Pesquiera. Co-sponsors: Rep. Aboud, Sen. Chuck Gray, Sen. Landrum Taylor.

Last Action: 1/30; referred to Senate Judiciary.

ARS Titles Affected: 13, 35.

**S1485: DRIVER LICENSEES; TRAFFIC SCHOOL**

If a person under age 21 is convicted of DUI and has his/her license suspended for two years, he/she must complete traffic survival school during the two-year license suspension period.

Primary Sponsor: Sen. Pesquiera. Co-sponsors: Rep. Aboud, Sen. Linda Gray, Sen. Johnson, Sen. Landrum Taylor.

Last Action: 1/30; referred to Senate Transportation.

ARS Title Affected: 28.

**S1505: EXPERT OPINION TESTIMONY; ADMISSIBILITY**

Does not allow scientific opinion testimony in an action of personal injury, death, or damage to property unless the court determines that expert opinion is useful as determined by specific criteria.

Primary Sponsor: Sen. Leff. Co-sponsors: Rep. Adams, Rep. Barnes, Rep. Reagan, Rep. Stump, Sen. Harper.

Last Action: 3/12; failed to pass full Senate.

ARS Title Affected: 12.

**S1528: TEACHERS; FINGERPRINTING; APPROPRIATION**

Authorizes the Arizona Department of Public Safety (DPS) to give instructions to public schools or law enforcement agencies regarding the submission of identity verified fingerprints. Requires a new identity fingerprint card process to begin Jan. 1, 2008 for new and renewal applicants of a teaching certificate. Appropriates \$150,000 from the general fund in FY2007-2008 to DPS for this purpose.

Primary Sponsor: Sen. Chuck Gray.

Last Action: 2/22; from Senate Appropriations, amended.

ARS Title Affected: 15.

**S1535: BAILABLE OFFENSES; BOND SOURCE HEARING**

In determining the method of release or the amount of bail, the judicial officer may condition release on bail for any charge involving a class 1, 2, 3, or 4 felony on an inquiry into the source of the property to be deposited as security.

Primary Sponsor: Sen. Chuck Gray.  
Last Action: 1/30; referred to Senate Judiciary.  
ARS Title Affected: 13.

**S1548: CRUELTY TO ANIMALS**

Intentionally, knowingly, or recklessly causes serious physical injury or death to any animal by failing to provide an animal under the person's custody or control with access to water, food or shade is included in the criminal code for cruelty to animals. Increases penalties for violations of cruelty to animal statutes.

Primary Sponsor: Sen. O'Halleran. Co-sponsors: Rep. McClure, Rep. Reagan.  
Last Action: 1/30; referred to Senate Judiciary.  
ARS Title Affected: 13.

**S1567: PSEUDOEPHEDRINE**

Would allow only a pharmacy or by a non-prescription drug permittee to sell products containing pseudoephedrine. The pharmacy or permittee may not dispense, sell, or distribute to a purchaser more than 9 grams in a 30-day period or no more than 3.6 grams in a day. A person who purchases pseudoephedrine must enter into a written or electronic log the purchaser's name and address and the time and date of the transaction and must sign the log. Penalties proscribed.

Primary Sponsor: Sen. O'Halleran. Co-sponsors: Rep. Burns, Rep. Hershberger, Rep. Konopnicki, Rep. Mason, Rep. Tobin, Sen. Aboud, Sen. Aguirre, Sen. Allen, Sen. Arzberger.  
Last Action: 1/30; referred to Senate Commerce and Economic Development.  
ARS Title Affected: 32.

**S1572: APPROPRIATION; CRIME FUNDS; TRIBES**

Sought an appropriation of an unspecified amount from the general fund in FY 2007-2008 to the Department of Public Safety (DPS) to distribute to tribes to replace Federal Bureau of Investigation (FBI) monies for crime evidence.

Primary Sponsor: Sen. Arzberger. Co-sponsors: Rep. Alvarez, Rep. Burns, Sen. Aguirre, Sen. Garcia, Sen. Hale, Sen. Pesquiera, Sen. Rios, Sen. Soltero.  
Last Action: 2/1; referred to Senate Appropriations.  
ARS Title Affected: 41.

**S1573: APPROPRIATION; METHAMPHETAMINE PREVENTION**

The sum of \$400,000 is appropriated from the state general fund in fiscal year 2007-2008 to the Department of Health Services for prevention of methamphetamine use.

Primary Sponsor: Sen. Arzberger. Co-sponsors: Sen. Hale, Sen. Landrum Taylor, Sen. Rios, Sen. Soltero.

Last Action: 2/1; referred to Senate Appropriations.

ARS Titles Affected: 41, 36.

**S1580: UNDERAGE DRINKING; CONVICTION; TREATMENT**

A person under the legal drinking age who violates statutes against consuming, buying, or possessing alcohol is required to complete a court ordered alcohol or other drug screening, education, or treatment program.

Primary Sponsor: Sen. Pesquiera. Co-sponsors: Rep. Gallardo, Rep. Prezelski, Rep. Saradnik, Sen. Aboud, Sen. Arzberger, Sen. Garcia, Sen. McCune Davis.

Last Action: 1/30; referred to Senate Judiciary.

ARS Title Affected: 4.

**S1581: CPS; TEENAGERS; REMOVAL FROM HOME (~~CPS; CHILD REMOVAL FROM HOME~~)**

If a child is at least 12 years of age but is under 17 years of age, two child protective services workers must agree that removal is in the child's best interest after each worker completes a separate interview of the child and a separate interview of the family.

Primary Sponsor: Sen. Pesquiera. Co-sponsors: Rep. Gallardo, Rep. Prezelski, Rep. Saradnik, Sen. Aboud, Sen. Arzberger, Sen. Garcia.

Last Action: 1/30; referred to Senate Public Safety and Human Services.

ARS Title Affected: 8.

**S1582: DUI; TREATMENT; IGNITION INTERLOCK DEVICE**

Allows a reduction of time a DUI offender is required to use an ignition interlock device from one year to six months for a first-time DUI conviction that is not an extreme or aggravated offense. Also, allows the court to determine if the release conditions of a person accused of a DUI should include no alcohol consumption and alcohol monitoring or testing, and authorizes the Arizona Department of Transportation Motor Vehicle Division to order an ignition interlock device, education, or treatment programs as elements of the administrative actions taken by the department for DUI offenses.

Primary Sponsor: Sen. Linda Gray.

Last Action: 6/19; Senate refused to concur on House amendments. Senate named Linda Gray, Cheuvront, and Waring to a free conference committee.

House named Biggs, Kavanagh, and Sinema.

ARS Title Affected: 28.

**S1584: VEHICLE RESTRAINT VIOLATIONS; ENFORCEMENT**

Would allow law enforcement to pull over and cite motorists solely for not using their seat belt. Currently, set a belt violations are a secondary offense, which requires police to stop a motorist for another infraction, such as speeding, before he or she can issue a citation for not wearing a seat belt. Similar provisions included in H2688.

Primary Sponsor: Sen. Aguirre. Co-sponsors: Rep. Bradley, Rep. Gallardo, Rep. Lopes, Rep. Pancrazi, Rep. Ulmer, Sen. Aboud, Sen. Chevront, Sen. Miranda.  
Last Action: 1/30; referred to Senate Transportation.  
ARS Title Affected: 28.

**S1593: CHILDREN; DOMESTIC RELATIONS PROCEEDINGS**

Any file available on a public web site related to marital and domestic relations must protect the identity of a minor child whose name would normally appear.

Primary Sponsor: Sen. Gould. Co-sponsor: Sen. Harper.  
Last Action: 2/15; failed Senate Public Safety and Human Services.  
ARS Title Affected: 25.

**S1604: MAJOR EVENT REIMBURSEMENT FUND**

Establishes the Major Event Public Safety Reimbursement Fund (Fund) overseen by the Department of Administration and funded through state general funds in an amount equivalent to an unspecified percentage of the estimated total measurable economic benefit from the event. Establishes guidelines for reimbursement to communities hosting major events.

Primary Sponsor: Sen. Blendu. Co-sponsors: Rep. Pearce, Rep. Rios, Sen. Bee, Sen. Linda Gray, Sen. Rios.  
Last Action: 2/20; held in Senate Appropriations.  
ARS Title Affected: 41.

**S1606: CIVIL PROCESS SERVICE; FEES**

Raises fees that a sheriff's office may charge for various civil actions.

Primary Sponsor: Sen. O'Halleran. Co-sponsors: Rep. Anderson, Rep. Brown, Rep. Crandall, Rep. Hershberger, Rep. Kavanagh, Rep. Lopez, Rep. Tom, Sen. Allen, Sen. Arzberger, Sen. Blendu, Sen. Chevront, Sen. Flake, Sen. Harper, Sen. Miranda.  
Last Action: 2/12; held in Senate Government.  
ARS Title Affected: 11.

**S1618: MATERIAL WITNESS; DETENTION; DEPOSITIONS**

Allows the court to order a material witness in a criminal matter to be detained until the witness can be deposed under specified conditions. Applies to both adult and juvenile witnesses. A material witness who is detained in a jail or a juvenile detention facility shall be kept in a physically separate section from any person who is charged with, adjudicated delinquent for or convicted of a criminal offense.

Primary Sponsor: Sen. Verschoor.  
Last Action: 2/1, referred to Senate Judiciary.  
ARS Title Affected: 13.

**S1630: FURNISHING LIQUOR; UNDERAGE PERSONS; FELONY**

Increases the penalties for a person or licensee who provides alcohol to a person under the legal drinking age (from class 1 misdemeanor to class 6 felony).

Primary Sponsor: Sen. Johnson.  
Last Action: 2/12; held in Senate Judiciary.  
ARS Title Affected: 4.

**S1634: CRIMINAL JUSTICE COMMISSION; MEMBERS**

Sought to add three public defenders to the membership of the Arizona Criminal Justice Commission. Also replaced a law enforcement leader with a victim's rights advocate. Similar provisions in H2108 and H2745.

Primary Sponsor: Sen. Johnson.  
Last Action: 2/1; referred to Senate Judiciary.  
ARS Title Affected: 41.

## **SENATE CONCURRENT RESOLUTIONS**

A concurrent resolution is processed through both senate and the house but is not signed by the governor. It may provide for the following:

- An expression of opinion, commemoration, congratulations or sentiment of both houses.
- Submittal of a referendum to the voters.
- Legislative action involving the process of amending the Arizona or United States Constitution.

### **SCR1001: STATEWIDE INITIATIVES; LEGISLATIVE CONSIDERATION**

A referendum measure that would require legislative initiatives to be introduced in the legislature within three years before the initiative petition is filed. Further, the official text of a state measure or amendment to the constitution shall consist only of the full text of the proposition as introduced in, or as amended by, the legislature.

Primary Sponsor: Sen. Harper. Co-sponsor: Sen. Huppenthal.  
Last Action: 1/8; referred to Senate Judiciary.

### **SCR1003: JUDICIAL APPOINTMENTS; SENATE CONFIRMATION**

A referendum measure that would repeal articles/sections of the state constitution relating to the commission on appellate court appointments and relating to the commission on trial court appointments. Instead, the governor would appoint a person to fill a vacancy in the office of a justice or judge of any court of record, and the senate would confirm the nomination. Judges who stand for retention every four years would additionally need to be reconfirmed by the Senate.

Primary Sponsor: Sen. Harper. Co-sponsors: Sen. Chuck Gray, Sen. Tibshraeny.  
Last Action: 1/8; referred to Senate Judiciary.

### **SCR1004: JUDICIAL APPOINTMENTS; SENATE CONFIRMATION**

A referendum measure that would repeal articles/sections of the state constitution relating to the commission on appellate court appointments and relating to the commission on trial court appointments. Instead, the governor would appoint a person to fill a vacancy in the office of a justice or judge of any court of record, and the senate would confirm the nomination. (Unlike SCR1003, judges would not be reconfirmed by the Senate every four years).

Primary Sponsor: Sen. Harper.  
Last Action: 2/5; failed Senate Judiciary.

**SCR1012: SUPERIOR COURT; JUDICIAL VACANCIES**

A referendum measure that would require the governor to nominate a person and the Senate to confirm the nominee for a judicial vacancy for counties with a population greater than 600,000. Also would permit qualified individuals to run in an election against a superior court judge who has filed for retention. Increases, from 250,000 to 600,000, the population index relating to superior court terms of office; judicial filing, retention and appointment; and vacancy and selection procedures.

Primary Sponsor: Sen. Chuck Gray. Co-sponsor: Sen. Harper.  
Last Action: 1/31; from Senate Judiciary, amended.

**SCR1016: PUBLIC AGENCY LOBBYISTS PROHIBITED (BALLOT MEASURES, OUT-OF-STATE FUNDING)**

Striker. A referendum measure that would prohibit public officers, public employees, consultants or independent contractors retained by or for a public officer, employee, agency, department, board or commission or any political subdivision of the state from certain lobbying activities.

Primary Sponsor: Sen. Linda Gray.  
Last Action: 2/19; from Senate Public Safety and Human Services, amended.

**SCR1020: JUSTICES AND JUDGES; RETIREMENT AGE**

A referendum measure would amend the state constitution to raise the mandatory retirement age from 70 to 75 for superior court judges, appeals court justices and supreme court justices.

Primary Sponsor: Sen. Huppenthal.  
Last Action: 2/1; referred to Senate Judiciary; Senate Financial Institutions and Retirement.

**SCR1026: STATE COURTS; JURISDICTION**

A referendum measure that would amend the state constitution to declare that the supreme court shall not have jurisdiction to review by appeal, writ of certiorari or otherwise any matter to the extent that relief is sought against the federal, the state or a local government or against an officer or agent of the federal, the state or a local government, whether or not the officer or agent is acting in his official or personal capacity, concerning the government's or the officer's or agent's acknowledgement of God as the sovereign source of law, liberty or government.

Primary Sponsor: Sen. Johnson.  
Last Action: 2/12; withdrawn from Senate Judiciary and referred to Senate Public Safety and Human Services.

## **BILLS VETOED BY THE GOVERNOR**

### **S1132: HOMELAND SECURITY FORCE**

Would have established the Homeland Security Committee and the Homeland Security Force and appropriated \$10,000 from the state General Fund in FY 2007-2008.

Primary sponsor: Sen. Harper. Co-sponsors: Rep. Clark, Sen. Huppenthal, Sen. Johnson, Sen. Verschuur.

Vetoed by the governor, 5/8.

ARS Titles Affected: 26.

### **S1166: SELF DEFENSE LAW CHANGE; APPLICABILITY (~~JURY DUTY EXEMPTION; COGNITIVE DISABILITY~~)**

Applies Laws 2006, Chapter 199 retroactively to all cases in which the defendant did not plead guilty or no contest and had not been submitted to the fact finder for a verdict as of April 24, 2006. Similar measure in H2182 and S1302 (vetoed).

Primary sponsor: Sen. Linda Gray.

Vetoed by the governor, 7/2.

ARS Titles Affected: 13.

### **S1183: EARLY GRADUATION SCHOLARSHIP PGM (~~CRIME VICTIMS; RIGHTS AND DUTIES~~)**

Would have required school districts and charter schools that provide instruction in grades 9-12 to develop, implement, and administer an Early Graduation Scholarship Program. The program would have had to provide eligible students with a grant to pay a specified amount for tuition, books, and fees charged by a qualifying school not to exceed two years.

Primary sponsor: Sen. Tibshraeny.

Vetoed by the governor, 5/8.

ARS Titles Affected: 15.

### **S1228: SEX OFFENDERS; GPS MONITORING; PROBATION**

Restricted global positioning system (GPS) monitoring of convicted sex offenders only to level three sex offenders, rather those convicted of a dangerous crime against children as defined in section 13-604.01 and for which the person is required to register pursuant to section 13-3821.

Primary sponsor: Sen. Waring.

Vetoed by the governor, 4/16.

ARS Titles Affected: 13.

**S1236: CONSULAR CARDS; INVALID ID (~~CRIMINAL APPEAL RIGHTS~~)**

Would have prohibited the State of Arizona and its political subdivisions from accepting foreign consular identification cards as a valid form of identification. Similar provisions included in H2460.

Primary sponsor: Sen. Chuck Gray. Co-sponsor: Sen. Harper.  
Vetoed by the governor, 5/8.  
ARS Titles Affected: 41.

**S1251: DEADLY WEAPONS; PUBLIC BUILDINGS**

Specifies that an operator of a public establishment can request that a person carrying a deadly weapon remove the weapon only if key operated secure storage is provided for the weapon. Specifies that the weapon shall be placed in that secure storage by the owner who shall retain the key and that the storage shall be within close proximity of the main public entrance of the establishment or event. Other provisions, some exceptions.

Primary Sponsor: Sen. Chuck Gray; Co-sponsors: Rep. Adams, Rep. Barnes, Rep. Burges, Rep. Clark, Rep. Groe, Rep. Kavanagh, Rep. Murphy, Rep. Pearce, Rep. Jerry Weiers, Sen. Gould, Sen. Linda Gray, Sen. Harper, Sen. Johnson, Sen. Verschoor.  
Vetoed by the governor, 7/2.  
ARS Title Affected: 13.

**S1301: CONCEALED WEAPONS PERMIT; EXCEPTION**

Exempts a person from the offense of misconduct involving a deadly weapon relating to knowingly carrying a concealed weapon without a CCW permit if: any portion of the weapon or the holster, case or scabbard in which the weapon is carried is visible; a person is on any rental property in whole or in part, including any common areas of the property; a person is in or on a means of transportation while at the person's dwelling, on the person's business premises, or on any real property that the person wholly or partially owns, leases or rents, including common areas of the property.

Primary sponsor: Sen. Johnson. Co-sponsors: Rep. Barnes, Rep. Burges, Rep. Clark, Rep. Groe, Rep. Kavanagh, Rep. Murphy, Rep. Pearce, Rep. Rios, Rep. Jerry Weiers, Sen. Gorman, Sen. Gould, Sen. Chuck Gray, Sen. Linda Gray, Sen. Harper, Sen. Verschoor.  
Vetoed by the governor, 4/27.  
ARS Titles Affected: 13.

**S1302: SELF-DEFENSE; HOME PROTECTION; APPLICABILITY**

Would have applied an emergency legislation passed in 2006, which justifies that a person using physical or deadly force in self-defense situations, to all cases that were pending as of April 24, 2006. Similar provisions included in H2182 and S1166 (vetoed).

Primary sponsor: Sen. Linda Gray. Co-sponsors: Sen. Gorman, Sen. Chuck Gray, Sen. Johnson.

Vetoed by the governor, 3/2.

ARS Titles Affected: 13.

**S1330: HOA AND CONDO; HOMESTEAD EXEMPTION (~~CRIMINAL JUSTICE COMMISSION; MEMBERSHIP~~)**

Striker that would have applied the homestead exemption to homeowners' association liens and prohibited an association from banning for-sale signs or solar energy devices. Original language of the bill sought to replace a law enforcement leader with a victim's rights leader on the Arizona Criminal Justice Commission.

Primary sponsor: Sen. Chuck Gray.

Vetoed by the governor, 5/16.

ARS Titles Affected: 33.

**S1629: WEAPONS; MISCONDUCT; CLASSIFICATION**

Reduces the penalty for a violation of carrying a concealed deadly weapon without a CCW permit from a class 1 misdemeanor to a petty offense, unless the violation occurs in the commission or attempted commission of a serious offense or violent crime, in which case it is a class 6 felony offense, or if it occurs in the commission of any other felony offense, in which case it is a class 1 misdemeanor. Allows, notwithstanding any other law and except as prohibited, a peace officer to carry a firearm if the officer is in compliance with the Arizona Peace Officer Standards and Training Board. Some provisions were included in H2469, which was signed into law.

Primary sponsor: Sen. Johnson. Co-sponsors: Rep. Burges, Rep. Clark, Rep. Murphy, Rep. Pearce, Rep. Jerry Weiers, Sen. Bee, Sen. Blendu, Sen. Gorman, Sen. Gould, Sen. Chuck Gray, Sen. Linda Gray, Sen. Harper.

Vetoed by the governor, 5/16.

ARS Titles Affected: 13.

## 2007 HOUSE BILLS

The following section includes House bills that were signed into law, bills that failed to pass the state legislature, House concurrent resolutions and bills that were vetoed by the governor. The summaries include the status of the bill, the ARS title affected and the bill's original sponsor(s). **Please note:** bills that are amended during the process may not be supported by the original sponsor. This is particularly true with striker bills in which all original language is stricken from the proposed bill and new language is inserted. Often, the new language has nothing to do with the original intent of the bill. Information compiled from sources at Arizona Legislation Information Services (ALIS) online; full bill information can be found at [www.azleg.gov](http://www.azleg.gov).

### **BILLS THAT PASSED**

**H2016: MATERIAL WITNESS; DEPOSITION (~~TECH CORRECTION;~~  
~~STATE EMPLOYEES~~)**

Allows the detainment of a witness whose testimony is material to a criminal proceeding involving human smuggling.

Primary sponsor: Rep. McClure.  
Signed by the governor, 5/4, Chapter 178.  
ARS Title Affected: 13.

**H2021: HEALTH SCIENCES STUDENTS; FINGERPRINTING (~~TECH~~  
~~CORRECTION; COUNTY FORMATION~~)**

Allows a program in a public or private postsecondary institution that requires clinical training in health care facilities as part of the program to require a person to obtain a valid fingerprint clearance card as a condition of acceptance as a health sciences student or of employment as a clinical assistant, or prior to placement in clinical training rotations.

Primary sponsor: Rep. McClure.  
Signed by the governor, 5/14, Chapter 205.  
ARS Titles Affected: 15, 21.

**H2033: TEENAGE DRIVER SAFETY ACT (~~NOTARY PUBLIC;~~  
~~SIGNATURE OF RELATIVES~~)**

Makes changes to the graduated driver license program by: reducing the age at which a person is eligible for an instructional permit from 15 and seven months

to 15 and six months; requiring the person supervising an instructional permit holding driver to be at least 21 years old; and increasing the number of hours of supervised driving practice required to apply for a license. Other provisions. (Similar provisions were included in H2152, H2601, and S1347).

Primary sponsor: Rep. McComish.  
Signed by the governor, 5/14, Chapter 206.  
ARS Title Affected: 28.

**H2040: RESIDENTIAL MORTGAGE FRAUD**

Establishes the crime of mortgage fraud and assesses a class 2 or class 4 felony for a violation, depending on severity. (Similar provisions included in S1221).

Primary sponsor: Rep. Anderson.  
Signed by the governor, 6/13, Chapter 243.  
ARS Title Affected: 13.

**H2041: CHARTER SCHOOLS; FINGERPRINTING; CIVIL PENALTY**

Permits the sponsor of a charter school to impose a \$1,000 civil penalty per fingerprinting violation under specific conditions.

Primary sponsor: Rep. Anderson.  
Signed by the governor, 4/10, Chapter 6.  
ARS Title Affected: 15.

**H2052: SCHOOL BUS ACCIDENTS; CAUSING DEATH, INJURY**

Includes the failure to stop for a school bus that is displaying a flashing "stop" arm violation causing death or serious injury in section 28-675 as a felony crime. Resolves into one section of statute the amendments to section 28-672.

Primary sponsor: Rep. Biggs.  
Signed by the governor, 4/11, Chapter 39.  
ARS Title Affected: 28.

**H2067: CRITICAL INFRASTRUCTURE INFORMATION; PENALTY (~~TECH~~  
~~CORRECTION; CONSTABLES~~)**

Striker. A government employee who knowingly discloses protected critical infrastructure information is guilty of a class 5 felony.

Primary sponsor: Rep. Nelson.  
Signed by the governor, 5/23, Chapter 223.  
ARS Title Affected: 41.

**H2077: WRIT OF RESTITUTION; CRIMINAL TRESPASS**

Specifies that a defendant commits third degree criminal trespass if the defendant has been served with a writ of restitution but remains on or returns to the dwelling unit, mobile home space or recreational vehicle space without the express permission of the owner.

Primary sponsor: Rep. Nelson.  
Signed by the governor, 4/24, Chapter 111.  
ARS Title Affected: 12.

**H2088: BADGES; OFFICER PURCHASE; ILLEGAL USE (~~DPS;~~  
~~RETIREMENT; BADGE)~~**

Authorizes the DPS to sell an officer's badge to the officer when the officer leaves DPS or is promoted. Now a class 1 misdemeanor to wear a DPS badge without authority or impersonate a DPS officer in a deceiving manner.

Primary sponsor: Rep. Miranda. Co-sponsors: Rep. Alvarez, Rep. Bradley, Rep. Cajero Bedford, Rep. Cloves Campbell Jr., Rep. Garcia, Rep. Lopez, Rep. Rios, Sen. Miranda.  
Signed by the governor, 4/16, Chapter 63.  
ARS Title Affected: 41.

**H2125: COUNTY MEDICAL EXAMINERS**

Makes various changes to the statutes governing county medical examiners. Requires a medical examiner to be a pathologist who has completed a forensic fellowship or has extensive experience performing official autopsies, rather than a pathologist skilled in forensic pathology. Requires the county board of supervisors to designate one or more alternate medical examiners if appointing a medical examiner is not practicable, rather than establishing a list of physicians available to perform medical examiner duties.

Primary sponsor: Rep. Stump. Co-sponsor: Sen. Allen.  
Signed by the governor, 5/16, Chapter 213.  
ARS Titles Affected: 11, 36.

**H2155: PRESCRIPTIONS; EMERGENCIES**

Allows the Board of Pharmacy to adopt rules for the provision of pharmaceutical care and delivery during a declared emergency resulting from a natural disaster or terrorist attack, including the use of temporary or mobile pharmacy facilities and nonresident licensed pharmacy professionals.

Primary sponsor: Rep. Stump. Co-sponsors: Rep. Burges, Rep. Gallardo, Rep. Groe, Rep. Kirkpatrick, Rep. Konopnicki, Rep. Mason, Rep. Yarbrough, Sen. Allen.  
Signed by the governor, 5/14, Chapter 207.  
ARS Title Affected: 32.

**H2208: OPEN MEETINGS; MINUTES; RECORDINGS (~~OPEN MEETINGS; MINUTES; REDACTED INFORMATION~~)**

Requires subcommittees, advisory boards or commissions of the state, a city or town with a minimum population of 2,500 to post on their web site (if applicable) either a statement showing any legal action taken or any recordings of the meeting. Allows ten days for posting.

Primary sponsor: Rep. Adams.  
Signed by the governor, 4/16, Chapter 71.  
ARS Title Affected: 38.

**H2209: LAW ENFORCEMENT; MISCONDUCT INTERVIEWS**

Requires an employer of a law enforcement or probation officer, before commencing an interview that could result in dismissal, demotion or suspension, to supply that officer with a written notice containing the specific nature of the investigation.

Primary sponsor: Rep. Adams. Co-sponsors: Rep. Anderson, Rep. Crandall, Sen. Chuck Gray.  
Signed by the governor, 4/24, Chapter 118.  
ARS Title Affected: 38.

**H2211: CHILDREN; TEMPORARY COURT ORDERS**

Allows the courts to issue temporary orders of custody and parenting time on cases pending the establishment of paternity.

Primary sponsor: Rep. Hershberger. Co-sponsors: Rep. Alvarez, Sen. Verschoor.  
Signed by the governor, 4/11, Chapter 42.  
ARS Title affected: 25.

**H2214: DOMESTIC RELATIONS; SOCIAL SECURITY NUMBERS**

Redacts social security numbers from pleadings, petitions and documents related to child support and requires them, in some cases, to be filed separately on a sensitive data sheet.

Primary sponsor: Rep. Hershberger. Co-sponsors: Rep. Alvarez, Sen. Verschoor.  
Signed by the governor, 4/10, Chapter 14.  
ARS Title affected: 25.

**H2226: TRAFFIC TICKETS; FINES; COLLECTION (~~TRAFFIC TICKETS; FINES; PAYMENT~~)**

Prohibits the court from initiating collection procedures resulting from non-payment of a civil traffic penalty if the court has taken no action to collect the

penalty or suspend the person's driver license or registration within 36 months of the final disposition of the civil violation. Also, if a person offers reasonable evidence to the court that the penalty and any other fees have been paid, the court shall cease collection activities and rescind any suspension actions related to the paid civil penalty.

Primary sponsor: Rep. McClure. Co-sponsors: Rep. Alvarez, Rep. Mason, Rep. Nelson, Rep. Pearce, Rep. Rios, Rep. Stump, Sen. Bee.  
Signed by the governor, 5/8, Chapter 185.  
ARS Title affected: 28.

**H2263: CPS; NOTICE TO FAMILIES (~~CPS, INTERVIEWS, RIGHT TO REFUSE~~)**

Requires Child Protective Services (CPS) to provide families, in writing and verbally, information regarding their rights and the rights of the CPS worker during an investigation of child abuse or neglect.

Primary sponsor: Rep. Groe. Co-sponsors: Rep. Barto, Rep. Biggs, Rep. Burges, Rep. Clark, Rep. Kavanagh, Rep. McLain, Rep. Murphy, Rep. Nelson, Rep. Nichols, Rep. Pearce, Rep. Yarbrough.  
Signed by the governor, 4/11, Chapter 43.  
ARS Title affected: 8.

**H2298: PRISONS; TRANSITION PROGRAMS**

changes criteria for eligibility for the Arizona Department of Correction's (ADC's) transition program. It also establishes a Teaching Offenders to Live Program as a component of the Community Accountability Pilot Program.

Primary sponsor: Rep. Konopnicki. Co-sponsors: Rep. Anderson, Rep. Mason.  
Signed by the governor, 6/13, Chapter 247.  
ARS Titles affected: 31, 41, 42.

**H2314: SCRAP METAL DEALERS; RECORDS (~~ZONING, SHOOTING RANGES, NOISE BUFFER~~)**

Requires scrap metal dealers to record specific personal information, photograph and a fingerprint from persons selling scrap metal in excess of \$25. Also requires a photograph of the specific scrap metal received in these transactions.  
Increases penalties for crimes associated with metal theft.

Primary sponsor: Rep. Jerry Weiers.  
Signed by the governor, 5/8, Chapter 186.  
ARS Title affected: 44.

**H2328: COUNTIES; GRAFFITI ABATEMENT**

Allows a county board of supervisors to adopt and enforce ordinances for the prevention, abatement and removal of graffiti.

Primary sponsor: Rep. Burns. Co-sponsors: Rep. Alvarez, Rep. Bradley, Rep. Cajero Bedford, Rep. Farley, Rep. Hershberger, Rep. Lopes, Rep. Lopez, Rep. Prezelski, Rep. Saradnik, Sen. Aboud, Sen. Arzberger, Sen. Bee, Sen. Garcia, Sen. O'Halleran, Sen. Pesquiera, Sen. Soltero.

Signed by the governor, 7/2, Chapter 273.

ARS Title affected: 11.

**H2339: PEACE OFFICERS' TRAINING FUND**

Peace officers appointed by the Arizona Department of Corrections and the Arizona Department of Juvenile Corrections are eligible for funding provided by the Peace Officers' Training Fund.

Primary sponsor: Rep. Burns. Co-sponsors: Rep. Alvarez, Rep. Hershberger, Rep. Konopnicki, Rep. Stump, Sen. Aboud, Sen. Arzberger, Sen. Blendu, Sen. O'Halleran, Sen. Soltero.

Signed by the governor, 4/24, Chapter 123.

ARS Title affected: 41.

**H2342: SEX CRIMES; CHILDREN; PRISONERS (~~UNLAWFUL SEXUAL CONDUCT; PRISONERS~~)**

Expands the list of persons who are prohibited from engaging in sexual contact with prisoners and decriminalizes the act of a prisoner engaging in sexual contact with a person affiliated with a corrections facility. Makes engaging in prostitution with a person under 18 years of age a class 2 felony and expands the definition of a "dangerous crime against children" to include luring a minor for sexual exploitation.

Primary sponsor: Rep. Burns. Co-sponsors: Rep. Alvarez, Rep. Hershberger, Rep. Konopnicki, Rep. Jerry Weiers, Sen. Aboud, Sen. Arzberger.

Signed by the governor; 6/13; Chapter 248.

ARS Title affected: 13.

**H2344: GRAFFITI; JUVENILES; FINE**

Requires juveniles who deface a public or private building, structure or surface to pay a fine of at least \$300 and not more than \$1,000.

Primary sponsor: Rep. Driggs. Co-sponsors: Rep. Adams, Rep. Chad Campbell, Rep. Cloves Campbell Jr., Rep. Clark, Rep. Crandall, Rep. Desimone, Rep. Gallardo, Rep. Kavanagh, Rep. Konopnicki, Rep. McLain, Rep. Meza, Rep. Reagan, Rep. Thrasher.

Signed by the governor, 4/24, Chapter 124.

ARS Titles affected: 8, 13.

**H2390: WEIGHTS AND MEASURES; SEIZED PROPERTY**

Allows Department of Weights and Measures to destroy weights, measures or devices seized in an investigation 180 days after completion of any investigation.

Primary sponsor: Rep. Crandall. Co-sponsors: Rep. Adams, Rep. Chad Campbell, Rep. Clark, Rep. Desimone, Rep. Driggs, Rep. Kavanagh, Rep. Kirkpatrick, Rep. Miranda, Rep. Reagan, Rep. Thrasher, Sen. Chuck Gray.

Signed by the governor, 4/10, Chapter 17.

ARS Title affected: 41.

**H2391: SPIRITUOUS LIQUORS; OMNIBUS**

Makes a wide variety of changes to the liquor laws, including to the language that relates to the licensee and employees obtaining identification for customers to ensure legal age requirements.

Primary sponsor: Rep. Crandall. Co-sponsors: Rep. Adams, Rep. Clark, Rep. Konopnicki, Rep. Reagan.

Signed by the governor, 5/8, Chapter 187.

ARS Title affected: 4.

**H2457: FIREARMS; PEACE OFFICERS**

Restricts the state, a county, a city or town or any other political subdivision of this state from prohibiting a peace officer from carrying a firearm if the peace officer is in compliance with AZPOST firearm requirements. Some exceptions.

Primary sponsor: Rep. Pearce. Co-sponsors: Rep. Crump, Rep. Reagan, Sen. Linda Gray.

Signed by the governor, 4/16, Chapter 79.

ARS Title affected: 38.

**H2467: PUBLIC PROGRAMS; ELIGIBILITY (~~LICENSING ELIGIBILITY;~~  
~~LAWFUL PRESENCE; VERIFICATION)~~**

Striker. Requires, notwithstanding any other state law and to the extent permitted by federal law, any person who applies for a state administered public program that requires participants to be U.S. citizens or otherwise lawfully present in the U.S., to submit documentation demonstrating lawful presence. Documentation must be presented to the entity that administers the public program.

Primary sponsor: Rep. Pearce. Co-sponsors: Rep. Anderson, Rep. Biggs, Rep. Crump, Rep. Murphy, Sen. Chuck Gray, Sen. Linda Gray, Sen. Johnson.

Signed by the governor, 7/2, Chapter 275.

ARS Title affected: 41.

**H2469: CONCEALED WEAPONS; PETTY OFFENSE**

Changes the penalty for carrying a concealed weapon without a permit in possession from a class 2 misdemeanor to a petty offense (a fine up to \$300). Clarifies that the penalty only applies to a person who has obtained a carry-concealed-weapon (CCW) permit. Similar provisions included in H2573.

Primary sponsor: Rep. Pearce. Co-sponsors: Rep. Murphy, Sen. Chuck Gray, Sen. Linda Gray, Sen. Johnson.

Signed by the governor, 4/11, Chapter 45.

ARS Title affected: 13.

**H2474: CAPITOL POLICE; COMPENSATION (~~JUSTICE COURTS;~~  
~~CONCURRENT JURISDICTION LIMITS~~)**

Striker. Makes Capitol Police officers and Capitol Police Reserve members eligible for workers' compensation and overtime compensation.

Primary sponsor: Rep. Pearce. Co-sponsor: Sen. Chuck Gray.

Signed by the governor, 4/24, Chapter 129.

ARS Title affected: 23.

**H2563: STATE OMBUDSMAN; ACCESS TO RECORDS**

Prohibits the Ombudsman-Citizens Aide from accessing the following documents: Section 214 of the Critical Infrastructure Information Act of 2002 (6 United States Code Section 133a); 49 Code of Federal Regulations Part 1520; and Critical Infrastructure Information as defined by A.R.S. § 41-1801.

Primary sponsor: Rep. Nelson.

Signed by the governor, 4/18, Chapter 92.

ARS Title affected: 41.

**H2726: COMMUNICATION SERVICE RECORDS; UNLAWFUL USE**

Prohibits the procurement and sale of public utility records and communication service records through unauthorized, fraudulent or deceptive means, with certain exceptions. Prohibits the unauthorized use of personal information from a telephone record, public utility record or communication service record in a judicial, administrative, legislative or other proceeding, with certain exceptions.

Primary sponsor: Rep. Farnsworth.

Signed by the governor, 5/14, Chapter 210.

ARS Title affected: 13.

**H2734: SEX OFFENDERS; REGISTRATION; ELECTRONIC IDENTITY**

Requires registered sex offenders to provide law enforcement with any required online identifier that the offender uses or intends to use.

Primary sponsor: Rep. Robson.  
Signed by the governor, 4/16, Chapter 84.  
ARS Title affected: 13.

**H2750: JUSTICE OF THE PEACE; JURISDICTION (~~JUSTICE COURTS;~~  
~~CO-LOCATION~~)**

Increases the exclusive civil jurisdiction of justice of the peace courts and further specifies the jurisdiction those courts in Maricopa County.

Primary sponsor: Rep. Pearce. Co-sponsors: Rep. Burges, Rep. Crump, Rep. Groe, Rep. Murphy, Sen. Johnson, Sen. Verschoor.  
Signed by the governor, 4/24, Chapter 131.  
ARS Title affected: 22.

**H2753: VEHICLE IMPOUNDMENT AND IMMOBILIZATION**

Makes numerous changes to existing statutes related to the impoundment and immobilization of motor vehicles operated by persons who do not have a valid driving privilege.

Primary sponsor: Rep. Pearce. Co-sponsors: Rep. Anderson, Rep. Barnes, Rep. Biggs, Rep. Boone, Rep. Burges, Rep. Cloves Campbell Jr., Rep. Clark, Rep. Crump, Rep. Groe, Rep. Kavanagh, Rep. McClure, Rep. McComish, Rep. McLain, Rep. Nelson, Rep. Nichols, Rep. Robson, Rep. Stump, Rep. Jim Weiers, Rep. Yarbrough, Sen. Johnson, Sen. Verschoor.  
Signed by the governor, 7/2, Chapter 278.  
ARS Titles affected: 28, 41.

**H2756: VICTIMS' RIGHTS; FREE POLICE REPORTS**

Requires the investigating law enforcement agency to provide notice to the victim of a criminal offense of their right to receive one free copy of the police report. Provides that an employer must allow an employee who is a crime victim to leave work in order to obtain or attempt to obtain an order of protection, an injunction against harassment or any other injunctive relief to help ensure the health, safety or welfare of the victim or victim's child.

Primary sponsor: Rep. Garcia. Co-sponsors: Rep. Ableser, Rep. Chad Campbell, Rep. Cloves Campbell Jr., Rep. Gallardo, Rep. Lopes, Rep. Lopez, Rep. Lujan, Rep. Pancrazi, Rep. Prezelski, Rep. Saradnik, Rep. Sinema, Rep. Tom, Rep. Ulmer.  
Signed by the governor, 5/11, Chapter 204.  
ARS Title affected: 13.

**H2758: JUSTICES OF THE PEACE; FUNDING**

Alters the contributions that counties make to various Arizona Health Care Cost Containment System (AHCCCS) administrative costs, Acute Care and justice of the peace salaries.

Primary sponsor: Rep. Adams. Co-sponsors: Rep. Burges, Rep. Crump, Rep. Groe, Rep. Pearce, Sen. Johnson, Sen. Verschoor.

Signed by the governor, 5/30, Chapter 237.

ARS Titles affected: 11, 12, 22, 36.

**H2787: BUDGET RECONCILIATION; CRIMINAL JUSTICE**

Requires DNA testing for persons arrested for specific offenses. If a judicial officer releases a person charged with any of the specified offenses on the person's own recognizance or on bail, the person must report within five days to law enforcement to provide a sample for DNA testing purposes. Requires the arresting agency to transmit the DNA sample to the Department of Public Safety (DPS). Allows a person who provides a sample under this law to petition the court to order the person's DNA profile and sample to be expunged from the Arizona DNA Identification System if criminal charges are not filed within the appropriate period of time; criminal charges are dismissed; the person is acquitted at trial. Increases surcharges on fines, criminal penalties and civil traffic violations by 4 percent and appropriates monies from the increased surcharges to the Department of Public Safety for DNA testing. Also provides for up to 4,000 public prison beds and authorizes contracts for 2,000 private prison beds. Requires a joint report on the feasibility of transferring Capitol Police personnel to the Department of Public Safety.

Primary sponsor: Rep. McComish.

Signed by the governor, 6/25, Chapter 261.

ARS Title affected: 41.

**H2779: FAIR AND LEGAL EMPLOYMENT ACT; APPROPRIATION**

Contains provisions relating to identity theft, license eligibility of employers in Arizona, verification of the employment eligibility of employees and establishes the eight-member Employer Sanctions Legislative Study Committee. In addition, HB 2779 appropriates \$2.6 million from the state general fund FY 2007-2008 for carrying out the provisions of the bill.

Primary sponsor: Rep. Pearce. Co-sponsors: Rep. Anderson, Rep. Barnes, Rep. Biggs, Rep. Boone, Rep. Burges, Rep. Clark, Rep. Farnsworth, Rep. Groe, Rep. Kavanagh, Rep. McClure, Rep. McComish, Rep. McLain, Rep. Murphy, Rep. Nichols, Rep. Robson, Rep. Stump, Rep. Jim Weiers, Rep. Yarbrough, Sen. Bee, Sen. Blendu, Sen. Burns, Sen. Gould, Sen. Linda Gray, Sen. Harper, Sen. Johnson, Sen. Verschoor.

Signed by the governor, 7/2, Chapter 279.

ARS Titles affected: 13, 26, 41, 43.

## **BILLS THAT FAILED**

### **H2026: RETIRED JUDGES; TAX COURT**

Tax court is added to the list of courts to which a retired judge may be asked by the Supreme Court (or Chief Justice) to provide assistance.

Primary sponsor: Rep. McClure.

Last action: 1/10; referred to House Judiciary.

ARS Title Affected: 38.

### **H2036: SCHOOLS; FINGERPRINT CARDS**

Declares that a certificated person who fails to maintain a valid fingerprint clearance card during the person's valid certificate is not deemed out of compliance with statute if the person provides proof of the submission of an application for a fingerprint clearance card.

Primary sponsor: Rep. Lujan.

Last action: 1/24; held in House Education.

ARS Title Affected: 15.

### **H2064: UNDERAGE DRINKING; DRIVER'S LICENSE SUSPENSION (~~TECH CORRECTION; COMPUTER ACCESS~~)**

Requires ADOT to immediately suspend an underage person's driver's license or privilege to drive upon the person's conviction of buying, receiving, possessing or consuming spirituous liquor.

Primary sponsor: Rep. Nelson.

Last action: from House Commerce, amended; also referred to House Transportation.

ARS Title Affected: 28.

### **H2092: JURY DUTY; MILITARY ACTIVE DUTY**

Provides a temporary excuse for prospective jurors who are on active duty serving in the military and who are stationed outside the court's jurisdiction.

Primary sponsor: Rep. Nelson.

Last action: 3/26, held in Senate Judiciary.

ARS Title Affected: 21.

### **H2096: THEFT; MEANS OF TRANSPORTATION; JAIL**

If a person is convicted of a first violation of vehicle theft and the court sentences the person to probation, the sentence must include imprisonment in the county jail for not less than 270 days.

Primary sponsor: Rep. Farnsworth.  
Last action: 3/28; passed out of Senate Transportation.  
ARS Title Affected: 13.

**H2097: IDENTITY THEFT; SENTENCE; JAIL**

Requires as a condition of probation, a one-year term of incarceration in the county jail for a defendant convicted of trafficking in the identity of another person or entity; or aggravated taking the identity of another person or entity.

Primary sponsor: Rep. Farnsworth.  
Last action: 3/20; passed from Senate Judiciary.  
ARS Title Affected: 13.

**H2099: EDUCATION PROGRAMS; COUNTY JAILS; FUNDING**

Increases the base amount for county jail education program funding in FY 2006-07 and makes changes to the variable amount.

Primary sponsor: Rep. Anderson. Co-sponsors: Rep. Barto, Rep. Konopnicki, Rep. Lujan, Rep. Reagan, Sen. Huppenthal, Sen. Landrum Taylor.  
Last action: 1/17; passed from House Education; additionally referred to Appropriations.  
ARS Title Affected: 15.

**H2108: CRIMINAL JUSTICE COMMISSION; MEMBERSHIP**

Sought to add three public defenders and a victim's rights advocate to the Arizona Criminal Justice Commission. All would be appointed by the governor, and no more than half may be from the same political party. Similar provision included in H2745 and S1634.

Primary sponsor: Rep. Sinema. Co-sponsors: Rep. Chad Campbell, Rep. Gallardo, Rep. Lujan, Rep. Meza, Rep. Prezelski.  
Last action: 1/11; referred to House Judiciary.  
ARS Title Affected: 41.

**H2109: CELL PHONES; USE WHILE DRIVING**

Would create a civil penalty for using a cell phone while driving unless the driver was using a hands-free device. Some exceptions, including first responders.

Primary sponsor: Rep. Prezelski. Co-sponsors: Rep. Farley, Rep. Gallardo, Rep. Garcia, Rep. Lopez, Rep. Lujan, Rep. Sinema.  
Last action: 1/11; referred to House Transportation.  
ARS Title Affected: 28.

**H2129: TEXT MESSAGING WHILE DRIVING; PROHIBITION**

Would make text messaging while driving a civil traffic violation.

Primary sponsor: Rep. Farley. Co-sponsors: Rep. Bradley, Rep. Crandall, Rep. Driggs, Rep. Kavanagh, Rep. Lopes, Rep. Prezelski, Rep. Sinema  
Last action: 1/16; referred to House Transportation.  
ARS Title Affected: 28

**H2130: CHILD PASSENGER BOOSTER SEATS**

Sought to require each passenger who is at least five years of age, who is under nine years of age and who is not more than four feet nine inches tall to be restrained in a booster seat. A person who violates this section would be subject to a civil penalty. Similar provisions in H2600.

Primary sponsor: Rep. Farley. Co-sponsors: Rep. Ableser, Rep. Bradley, Rep. Burns, Rep. Hershberger, Rep. Kavanagh, Rep. Lopes, Rep. Prezelski, Rep. Sinema, Rep. Thrasher, Rep. Ulmer.  
Last action: 1/16; referred to House Transportation  
ARS Title Affected: 28.

**H2152: DRIVER'S LICENSES; PERMITS; MINORS**

Sought to make changes to the teen-age graduated driver's license provision. Was amended with a striker to establish a roads of regional significance congestion mitigation fund. (Similar provisions were included in H2601, S1347 and H2033, which was signed into law).

Primary sponsor: Rep. Biggs.  
Last action: 2/15, passed from House Transportation, amended.  
ARS Title Affected: 28.

**H2154: COMMERCIAL DRIVER LICENSES**

Would make a variety of changes to statutes relating to commercial driver's licenses.

Primary sponsor: Rep. Biggs.  
Last action: 2/12, referred to Senate Transportation.  
ARS Title Affected: 28.

**H2164: CRIMINAL JUSTICE COMMISSION; MEMBERSHIP**

Sought to add a victim's rights advocate to the Arizona Criminal Justice Commission. Similar to provisions in S1330 and S1214.

Primary sponsor: Rep. Miranda. Co-sponsors: Rep. Alvarez.  
Last action: 1/18, referred to House Human Services, House Appropriations.  
ARS Title Affected: 41.

**H2175: DOMESTIC VIOLENCE SHELTERS; APPROPRIATION**

Sought to appropriate \$2.5 million from the state general fund in fiscal year 2007-2008 to the Department of Economic Security for domestic violence shelters.

Primary sponsor: Rep. Miranda. Co-sponsors: Rep. Ableser, Rep. Alvarez, Rep. Rios.

Last action: 1/16; referred to House Human Services; House Appropriations.  
ARS Title Affected: 41.

**H2178: LICENSE PLATE PLACEMENT; TRUCKS (~~UNDERAGE DRINKING; DRIVER'S LICENSE SUSPENSION~~)**

Striker. Original bill provisions would have required the suspension of a driver's license for a person under the age of 21 convicted of possession of spirituous liquors or of selling spirituous liquors to a person under the age of 21. Striker amendment required owner of a truck tractor to attach the license plate to the front of the vehicle.

Primary sponsor: Rep. Reagan. Co-sponsors: Rep. Barnes, Rep. Desimone, Rep. Kavanagh, Rep. Miranda, Rep. Nelson.

Last action: 3/14; referred to Senate Transportation.  
ARS Title Affected: 28.

**H2179: ECONOMIC LOSS; DEFINITION**

Includes future lost earnings of crime victims under the definition of economic loss in the criminal code.

Primary sponsor: Rep. Farnsworth.

Last action: 1/24; referred to House Judiciary.  
ARS Title Affected: 13.

**H2180: ATTORNEY FEES; PUBLIC INTEREST ACTIONS**

Under specific circumstances, a court may award attorney fees to a party that prevails by an adjudication on the merits against one or more opposing parties, including this state or any political subdivision of this state, in a civil action that results in the enforcement of an important right affecting the public interest.

Primary sponsor: Rep. Farnsworth.

Last action: 1/29; referred to House Judiciary.  
ARS Title Affected: 12.

**H2181: COURT-ORDERED MENTAL HEALTH EVALUATIONS**

Expands the disclosure of mental health records and information contained in mental health records to a prosecuting agency if the prosecution filed a petition for evaluation after the dismissal of the criminal charges. Requires notification to prosecuting agencies before a patient's release. Other provisions.

Primary sponsor: Rep. Farnsworth.

Last action: 4/26, failed to pass out of the Senate.

ARS Title Affected: 36.

**H2182: CAPITAL CASE DEFENSE; APPLICABILITY (~~CAPITAL CASES;~~  
~~AGGRAVATING FACTORS~~)**

Striker. Sought to retroactively apply Laws 2006, Chapter 199 to all cases that had not been submitted to the fact finder for a verdict as of April 24, 2006.

Stated that the purpose of the Act is to clarify that the Legislature intended to make Laws 2006, Chapter 199 effective to all pending cases at the time it was signed into law. The governor vetoed two similar bills, S1166 and S1302.

Primary sponsor: Rep. Farnsworth.

Last action: 2/15; House COW amended.

ARS Title Affected: 13.

**H2187: CHILD MOLESTATION; SENTENCING**

Added molestation of a child who is 12 years of age or younger to the definition of dangerous crimes against children. Included the provision that a person 18 years of age or older convicted of molestation of a child under 12 years of age shall be sentenced to life imprisonment.

Primary sponsor: Rep. Barnes. Co-sponsors: Rep. Kirkpatrick, Rep. Reagan.

Last action: 1/16; referred to House Judiciary.

ARS Title Affected: 13.

**H2219: BEER KEGS; REGISTRATION**

Required licensed retailers of malt beverages in kegs to document the date of the sale; keg size and identification number; deposit amount; the name, address and date of birth of the purchaser; and the form of identification presented by the purchaser. Other provisions. (Similar provisions in S1266).

Primary sponsor: Rep. McClure. Co-sponsors: Rep. Anderson, Rep. Barto, Rep. Crandall, Rep. Gallardo, Rep. Konopnicki, Rep. Lopes, Rep. Mason, Rep. Meza, Rep. Pearce, Sen. Chuck Gray.

Last action: 1/16, referred to House Commerce.

ARS Title affected: 4.

**H2225: UNATTENDED CHILD; MOTOR VEHICLE**

Makes it a class 3 misdemeanor to knowingly leave a child who is under 10 years of age in a motor vehicle without supervision by another person who is at least fourteen years of age if the conditions present a risk to the child's health or safety or if the motor vehicle engine is running or the key to the motor vehicle is located in the passenger compartment. A second or subsequent violation is a class 2 misdemeanor.

Primary sponsor: Rep. McClure. Co-sponsors: Rep. Alvarez, Rep. Gallardo, Rep. Kavanagh, Rep. Mason, Rep. Meza, Sen. Bee.

Last action: 1/24, referred to House Judiciary.

ARS Title affected: 13.

**H2257: VICIOUS ANIMALS; ATTACKS**

A person whose dog that has been found to be a vicious animal by the court after attacking without provocation is guilty of assault and would be required to have the animal fitted with a microchip and have the animal neutered or spayed.

Primary sponsor: Rep. Lujan. Co-sponsors: Rep. Gallardo, Rep. Garcia, Rep. Kirkpatrick, Rep. Sinema.

Last action: 1/18; referred to House Judiciary.

ARS Title affected: 13.

**H2258: HAZARDOUS SUBSTANCES; DISCLOSURE**

Requires additional public disclosure regarding properties of hazardous materials by persons controlling such substances.

Primary sponsor: Rep. Lujan. Co-sponsors: Rep. Gallardo, Rep. Garcia, Rep. Kirkpatrick, Rep. Sinema.

Last action: 1/18, referred to House Environment.

ARS Title affected: 49.

**H2259: SEX OFFENDERS; DRIVER LICENSES**

Allows the Motor Vehicle Department to suspend or revoke the driver's license of a person who has failed to register as a sex offender. Contains provisions for reinstatement of the driver's license.

Primary sponsor: Rep. Groe. Co-sponsors: Rep. Adams, Rep. Clark, Rep. Nelson, Rep. Pearce, Rep. Stump.

Last action: 1/18, referred to House Judiciary, Transportation.

ARS Title affected: 28.

**H2261: LOBBYING; NO GIFT REGISTRY**

Would require the Secretary of State to establish a no-gift registry where state officials could register voluntarily. Lobbyists would be prohibited from giving any gifts of value to officers on the registry.

Primary sponsor: Rep. Groe.

Last action: 1/24, referred to House Rules.

ARS Title affected: 41.

**H2262: CPS; REPORTS OF ABUSE; NOTIFICATION**

Upon taking a report of neglect or abuse involving a child, a CPS worker would be required to notify a parent or guardian of the report and subsequent investigation.

Primary sponsor: Rep. Groe.

Last action: 1/18; referred to House Human Services.

ARS Title affected: 8.

**H2270: SMUGGLING; HUMAN BEINGS**

Would exempt persons being smuggled from being criminally charged under the provisions of ARS 13-2319. Same measures introduced in H2271.

Primary sponsor: Rep. Sinema. Co-sponsors: Rep. Gallardo, Rep. Lopes, Rep. Lujan, Rep. Prezelski.

Last action: 1/18; referred to House Homeland Security and Property Rights; House Judiciary.

ARS Title affected: 13.

**H2271: SMUGGLING; HUMAN BEINGS**

Would exempt persons being smuggled from being criminally charged under the provisions of ARS 13-2319. Same measures introduced in H2270.

Primary sponsor: Rep. Miranda.

Last action: 1/18; referred to House Homeland Security and Property Rights; House Judiciary.

ARS Title affected: 13.

**H2273: SPEED LIMITS; HIGHWAYS; LARGE VEHICLES**

Sought to reduce the presumed speed limit on highways in rural areas to 60 miles per hour for a vehicle or vehicle combination with a declared gross weight exceeding more than 26,000 pounds, and vehicles drawing a pole trailer with a weight of 6,000 pounds or more.

Primary sponsor: Rep. Sinema. Co-sponsors: Rep. Chad Campbell, Rep. Gallardo, Rep. Lopez, Rep. Lujan.  
Last action: 1/18; referred to House Transportation.  
ARS Title affected: 28.

**H2277: FELONS; RESTORATION OF CIVIL RIGHTS**

Would automatically restore the rights of a person convicted of a second and subsequent felony if the person completes a term of probation or receives an absolute discharge from imprisonment and pays any fine or restitution imposed. Also includes provision to restore the right of a person convicted of a felony to possess a weapon.

Primary sponsor: Rep. Sinema. Co-sponsors: Rep. Ableser, Rep. Cloves Campbell Jr., Rep. Gallardo, Rep. Lopes, Rep. Lujan, Rep. Meza, Rep. Prezelski, Rep. Tom.  
Last action: 1/18; referred to House Public Institutions and Retirement; House Judiciary.  
ARS Title affected: 13.

**H2278: DEATH PENALTY; REPEAL**

Sought to repeal Arizona's death penalty and replace it with a sentence of natural life.

Primary sponsor: Rep. Sinema. Co-sponsors: Rep. Ableser, Rep. Gallardo, Rep. Lopes, Rep. Lopez, Rep. Lujan, Rep. Meza, Rep. Prezelski, Rep. Tom.  
Last action: 1/18; referred to House Judiciary.  
ARS Titles affected: 12, 13, 21, 25, 31, 41.

**H2280: HOMICIDE INTERROGATION; RECORDING**

Required that a written or oral statement made by a suspect must be electronically recorded (with some exceptions). Any statement that is made by an accused and that is electronically recorded under this provision would be confidential.

Primary sponsor: Rep. Sinema. Co-sponsors: Rep. Cloves Campbell Jr., Rep. Gallardo, Rep. Lopes, Rep. Lujan, Rep. Meza, Rep. Prezelski, Rep. Rios.  
Last action: 1/25, withdrawn from House Environment and House Health; referred to House Judiciary.  
ARS Title affected: 13.

**H2281: ERRONEOUS CONVICTIONS; CIVIL ACTION**

Would set in statute procedures by which a person erroneously convicted of a crime could seek civil and punitive damage awards.

Primary sponsor: Rep. Sinema. Co-sponsors: Rep. Ableser, Rep. Chad Campbell, Rep. Cloves Campbell Jr., Rep. Gallardo, Rep. Lopes, Rep. Lujan, Rep. Prezelski, Rep. Tom.

Last action: 1/18; referred to House Judiciary.

ARS Title affected: 31.

**H2282: JUVENILES; INTERROGATION; RECORDING**

Required that a written or oral statement made by a juvenile suspect must be electronically recorded (with some exceptions). These statements would be confidential.

Primary sponsor: Rep. Sinema. Co-sponsors: Rep. Ableser, Rep. Cloves Campbell Jr., Rep. Gallardo, Rep. Lopes, Rep. Lujan, Rep. Meza, Rep. Prezelski, Rep. Rios.

Last action: 1/18, referred to House Judiciary.

ARS Title affected: 8.

**H2283: ZONING CHALLENGES; RETAILERS; ATTORNEY FEES**

Allowed a local government entity to collect attorneys fees and other litigation costs if it prevails over a big box retailer in a court case challenging a zoning rule if the retailer has a history of commencing such action to force a government entity to abandon its decision based on the retailer having greater financial resources to litigate.

Primary sponsor: Rep. Sinema. Co-sponsors: Rep. Gallardo, Rep. Lopes, Rep. Lujan, Rep. Meza, Rep. Prezelski, Rep. Tom.

Last action: 1/18, referred to House Commerce; House Judiciary.

ARS Title affected: 12.

**H2284: DEATH PENALTY; JURIES**

In capital cases, if the jury cannot reach a unanimous decision to impose the death penalty, a new jury would determine a sentence of life or natural life. A judge would impose a sentence if the second jury is unable to come to a unanimous decision.

Primary sponsor: Rep. Sinema. Co-sponsors: Rep. Ableser, Rep. Gallardo, Rep. Lopes, Rep. Lujan, Rep. Meza, Rep. Prezelski.

Last action: 1/18, referred to House Judiciary.

ARS Title affected: 13.

**H2285: INNOCENCE INQUIRY COMMISSION**

Would establish a commission charged with investigating claims of factual innocence made by persons convicted of a felony. Sets forth membership, powers and duties.

Primary sponsor: Rep. Sinema. Co-sponsors: Rep. Ableser, Rep. Cloves Campbell Jr., Rep. Gallardo, Rep. Lopes, Rep. Lujan, Rep. Meza, Rep. Prezelski. Last action: 1/18; referred to House Judiciary, House Government. ARS Title affected: 41.

**H2286: DOMESTIC TERRORISM; UNOFFICIAL PATROLS**

Specifies that an individual or a group of individuals commits domestic terrorism if they are not affiliated with a local, state or federal law enforcement entity, are armed with a firearm or other weapon and either associate with another individual or group of individuals as an organization, group, corporation or company for the purpose of patrolling to detect alleged illegal activity; or individually patrol for the purpose of detecting alleged illegal activity. Also expands the definition of racketeering to include domestic terrorism if committed for financial gain. Classifies committing domestic terrorism as a class 5 felony.

Primary sponsor: Rep. Sinema. Co-sponsors: Rep. Ableser, Rep. Gallardo, Rep. Lopes, Rep. Lujan, Rep. Meza, Rep. Prezelski, Rep. Tom. Last action: 2/5; failed House Homeland Security and Property Rights. ARS Title affected: 13.

**H2299: SENTENCING; REORGANIZATION**

Reorganizes Title 13, Chapters 6 and 7 to simplify the structure of the sentencing code. Does not make substantive or philosophical changes to the code.

Primary sponsor: Rep. Konopnicki. Co-sponsors: Rep. Burns, Rep. Mason, Rep. McClure. Last action: 1/18; referred to House Judiciary. ARS Titles affected: 8, 11, 12, 13, 15, 31, 41.

**H2308: APPROPRIATION; BORDER COUNTY COSTS**

Sought to appropriate an undetermined sum from the state general fund in each of the fiscal years 2007-2008 and 2008-2009 to the boards of supervisors of the border counties to partially reimburse the disproportionate costs to the criminal justice system, medical examiner, indigent burial services, environmental remediation and emergency medical services associated with the illegal immigrant population.

Primary sponsor: Rep. Burns. Co-sponsors: Rep. Alvarez, Rep. Bradley, Rep. Cajero Bedford, Rep. Cloves Campbell Jr., Rep. Farley, Rep. Hershberger, Rep. Konopnicki, Rep. Lopes, Rep. Lopez, Rep. McClure, Rep. Prezelski, Rep. Saradnik, Sen. Aboud, Sen. Aguirre, Sen. Arzberger, Sen. Bee, Sen. Garcia, Sen. Pesquiera, Sen. Soltero.

Last action: 1/22, referred to House Homeland Security and Property Rights; House Appropriations.

ARS Title affected: 41.

**H2310: COMMERCIAL SEXUAL EXPLOITATION; SENTENCING**

The list of dangerous crimes against children was amended to include the commercial sexual exploitation of a minor who is 12 years of age or younger for purposes of sentencing.

Primary sponsor: Rep. Barnes. Co-sponsor: Rep. Anderson.

Last action: 1/22; referred to House Judiciary.

ARS Title affected: 13.

**H2324: EMERGENCY OPERATIONS PLANS; PETS**

Required the Arizona Department of Homeland Security to develop emergency operations plans that included provisions for pets. Included a definition of pets.

Primary sponsor: Rep. Lujan. Co-sponsors: Rep. Ableser, Rep. Chad Campbell.

Last action: 1/22; referred to House Homeland Security and Property Rights; House Government.

ARS Title affected: 41.

**H2325: CHILD BIGAMY; POLYGAMY; CUSTODY**

Prohibits the Superior Court from granting sole or joint custody of a child, or unsupervised parenting time with a child, to a person who has engaged in child bigamy or polygamy and who the court believes will continue to do so in the future.

Primary sponsor: Rep. Lujan.

Last action: 2/1; passed from House Human Services.

ARS Title affected: 25.

**H2327: CREDIT REPORTS; SECURITY FREEZE**

Allows a person to place a security freeze on his/her credit report. Similar provisions included in H2446 and S1345.

Primary sponsor: Rep. McClure.

Last action: 2/7; passed from House Commerce, amended.

ARS Title affected: 44.

**H2340: INMATE LABOR; COMPENSATION**

Allows prisoner compensation to exceed fifty cents per hour and subjects that amount to the Department of Corrections director's discretion.

Primary sponsor: Rep. Burns. Co-sponsors: Rep. Alvarez, Rep. Barnes, Rep. Hershberger, Rep. Konopnicki, Sen. Aboud, Sen. Arzberger, Sen. Blendu, Sen. O'Halleran, Sen. Soltero.

Last action: 2/14; held in House Judiciary.

ARS Title affected: 31.

**H2341: PRISONER MEDICAL TREATMENT; COSTS**

Creates a non-appropriated fund, consisting of medical and health service fees, for the Arizona Department of Corrections (ADOC) to use for health education and wellness programs.

Primary sponsor: Rep. Burns. Co-sponsors: Rep. Alvarez, Rep. Barnes, Rep. Hershberger, Rep. Konopnicki, Sen. O'Halleran.

Last action: 1/22; House Public Institutions and Retirement; House Appropriations.

ARS Title affected: 31.

**H2343: SPIRITUOUS LIQUOR; UNDERAGE CONSUMPTION**

Amends liquor laws to allow for the revocation, suspension or non-renewal of a liquor license if liquor was knowingly distributed to a minor and a sexual assault, molestation or aggravated assault occurs.

Primary sponsor: Rep. Driggs.

Last action: 2/5; referred to House Rules only.

ARS Title affected: 4.

**H2353: LAW ENFORCEMENT ANIMALS; ANIMAL CRUELTY**

Would establish a law enforcement animal protective gear fund with money collected on various fines. Killing or intentionally harming a law enforcement animal is a class 5 felony.

Primary sponsor: Rep. Lopez. Co-sponsors: Rep. Ableser, Rep. Alvarez, Rep. Anderson, Rep. Bradley, Rep. Burns, Rep. Cajero Bedford, Rep. Cloves Campbell Jr., Rep. Garcia, Rep. Kirkpatrick, Rep. Konopnicki, Rep. Lujan, Rep. McClure, Rep. Miranda, Rep. Pancrazi, Rep. Prezelski, Rep. Rios, Rep. Saradnik, Rep. Schapira, Rep. Sinema, Rep. Thrasher.

Last action: 1/22, referred to House Natural Resources and Public Safety; House Judiciary.

ARS Titles affected: 12, 13, 41.

**H2354: MINORS; ABUSE; DUTY TO REPORT**

Makes changes to the ages for mandatory reporting of consensual sexual conduct with minors.

Primary sponsor: Rep. Lopez. Co-sponsors: Rep. Ableser, Rep. Alvarez, Rep. Anderson, Rep. Bradley, Rep. Burns, Rep. Cajero Bedford, Rep. Cloves Campbell Jr., Rep. Garcia, Rep. Lujan, Rep. Miranda, Rep. Pancrazi, Rep. Rios, Rep. Saradnik, Rep. Schapira, Rep. Sinema.

Last action: 1/22; referred to House Judiciary.

ARS Title affected: 13.

**H2356: BREASTFEEDING; JURY DUTY; WORKPLACE PRIVACY**

Would excuse breastfeeding mothers from jury duty for one year. Also requires employers to provide an unpaid break time each day to an employee who needs to express breast milk for her infant.

Primary sponsor: Rep. Lopez. Co-sponsors: Rep. Ableser, Rep. Bradley, Rep. Cloves Campbell Jr., Rep. Desimone, Rep. Farley, Rep. Garcia, Rep. Lujan, Rep. Miranda, Rep. Pancrazi, Rep. Rios, Rep. Saradnik, Rep. Schapira, Rep. Sinema.

Last action: 1/22; referred to House Judiciary.

ARS Titles affected: 21, 23.

**H2357: TERMINALLY ILL PATIENTS; MEDICATION**

Would establish a process by which terminally ill patients could control pain medication to ease their suffering.

Primary sponsor: Rep. Lopez. Co-sponsors: Rep. Bradley, Rep. Cajero Bedford, Rep. Desimone, Rep. Garcia, Rep. Miranda, Rep. Saradnik.

Last action: 1/22; referred to House Health; House Judiciary.

ARS Title affected: 36.

**H2358: HATE CRIMES; MISDEMEANORS; SENTENCING**

Would allow the court to increase the sentence for a person convicted of a misdemeanor hate crime.

Primary sponsor: Rep. Lopez. Co-sponsors: Rep. Ableser, Rep. Bradley, Rep. Cajero Bedford, Rep. Cloves Campbell Jr., Rep. Desimone, Rep. Farley, Rep. Garcia, Rep. Lujan, Rep. Miranda, Rep. Pancrazi, Rep. Saradnik, Rep. Schapira, Rep. Sinema.

Last action: 1/22, referred to House Judiciary.

ARS Title affected: 13.

**H2359: WRITS OF EXECUTION; NOTICE**

Establishes a notice of a writ of execution and allows the notice to be served by either a sheriff, constable or other person authorized to serve process.

Primary sponsor: Rep. Farnsworth.

Last action: 2/15, passed from House Judiciary, amended.

ARS Title affected: 22.

**H2361: LANDLORD TENANT; FORCIBLE DETAINER ACTIONS**

Expands provisions under the statutes pertaining to forcible detainer actions, the legal proceedings seeking the eviction of the tenant and the repossession of the rental property.

Primary sponsor: Rep. Reagan. Co-sponsor: Rep. Meza.

Last action: 3/14; from House COW approved, amended.

ARS Title affected: 12.

**H2370: NONLIABILITY; DAMAGES; CRIMINAL ACT**

Allows that the finder of fact may find a defendant is not liable for damages that the plaintiff incurs if the plaintiff is harmed as a result of the negligence or gross negligence of any defendant while the plaintiff is attempting to commit, committing or fleeing from a felony or misdemeanor criminal act.

Primary sponsor: Rep. Barto.

Last action: 1/22; referred to House Judiciary.

ARS Title affected: 12.

**H2372: JUVENILE SEX OFFENDERS; COMMUNITY NOTIFICATION**

Would suspend the provisions of community notification for level two juvenile sex offenders during any time that the offender is placed in a community sex offender treatment program and the juvenile is prohibited from leaving the treatment program unsupervised.

Primary sponsor: Rep. Hershberger.

Last action: 1/22; referred to House Human Services; House Judiciary.

ARS Title affected: 13.

**H2411: FIREARMS; LOADED WEAPONS; STORAGE**

Requires persons who possess a loaded firearm to keep it secured in a lockbox if there is reason to believe a minor is likely to gain access to the firearm without the permission of the minor's parent or guardian. A person who fails to securely store or keep a loaded firearm in violation of the provisions of this section is liable for damages if a minor obtains the firearm and causes injury or death to himself or another person.

Primary sponsor: Rep. Gallardo. Co-sponsors: Rep. Lujan, Rep. Sinema.  
Last action: 1/23; referred to House Judiciary.  
ARS Title affected: 13.

**H2412: PROHIBITED POSSESSORS; GUN STORAGE**

Would add to the list of prohibited possessors persons convicted of violations proposed under H2411.

Primary sponsor: Rep. Gallardo. Co-sponsors: Rep. Lujan, Rep. Prezelski, Rep. Sinema.  
Last action: 1/23; referred to House Judiciary.  
ARS Title affected: 13.

**H2435: ATTORNEY FEES; RECOVERY; CIVIL ACTIONS**

Sets forth conditions under which the court may award the successful party reasonable attorney fees in any contested civil action.

Primary sponsor: Rep. Barto.  
Last action: 1/24; referred to House Judiciary.  
ARS Title affected: 12.

**H2438: CONTROLLED SUBSTANCES; MONITORING PROGRAM**

Creates a Controlled Substances Prescription Monitoring Program to comply with provisions under the National All Schedules Prescription Electronic Reporting Act, which was passed by Congress in 2005 to award grants to establish controlled substances monitoring programs in each state or to improve existing state programs. Sets forth authority, responsibilities and funding mechanism.

Primary sponsor: Rep. Barto. Co-sponsors: Rep. Anderson, Rep. Barnes, Rep. Clark, Rep. Groe, Rep. Mason.  
Last action: 2/7; passed from House Health, amended.  
ARS Title affected: 36.

**H2442: PHOTO ENFORCEMENT; LAW ENFORCEMENT EXCEPTION**

Exempts law enforcement officers from red light and speeding violations that are detected by photo enforcement devices while the officer is on duty. Prohibits an agency of this state from using a photo enforcement citation for the purpose of imposing sanctions on a person's driving privilege if the citation is paid within 60 days from the court's entry of a finding of responsibility or conviction. Allows a person to attend defensive driving school three times in a 24-month period solely for traffic violations detected by photo enforcement.

Primary sponsor: Rep. Adams. Co-sponsors: Rep. Barto, Rep. Crandall, Rep. Desimone, Rep. Groe, Rep. McLain, Rep. Reagan.  
Last action: 2/1; held in House Transportation.  
ARS Title affected: 28.

**H2446: SECURITY FREEZES; CONSUMER CREDIT REPORTS**

Sets forth provisions for consumers to request a freeze on their consumer credit reports, prohibiting credit checks unless the consumer lifts the freeze. Allows consumers to temporarily lift the freeze. Similar provisions included in H2327 and S1345.

Primary sponsor: Rep. Lujan. Co-sponsors: Rep. Chad Campbell, Rep. Gallardo, Rep. Sinema.  
Last action: 1/24; referred to House Commerce.  
ARS Title affected: 44.

**H2451: EMPLOYEE ORGANIZATIONS; EMPLOYER RIGHTS**

Applies the provisions of "meet and confer" statutes to Department of Corrections employees and the Administrative Office of the Courts for probation, surveillance and juvenile detention officers. Prohibits "sick outs."

Primary sponsor: Rep. Burns. Co-sponsors: Rep. Alvarez, Sen. Aboud, Sen. Arzberger, Sen. Blendu, Sen. Linda Gray, Sen. O'Halleran.  
Last action: 2/14; passed from House Government, amended.  
ARS Title affected: 23.

**H2455: QUALIFIED IMMUNITY; FIRST RESPONDERS**

In any civil action, a first responder acting within the scope of his employment is not liable for damages that a plaintiff incurs unless the first responder engaged in conduct that was grossly negligent or done with criminal intent.

Primary sponsor: Rep. Pearce.  
Last action: 1/23; referred to House Judiciary.  
ARS Title affected: 12.

**H2458: EMERGENCY; FIREARMS SEIZURE; PROHIBITION**

Emergency powers of the governor, the adjutant general or any other official or person must not be construed to allow the imposition of additional restrictions on the lawful possession, transfer, sale, transport, carrying, storage, display or use of firearms or ammunition or firearms or ammunition components. Governor may not commandeer and utilize firearms or ammunition during a state of war emergency. Similar language included in HCR 2024 and S1258.

Primary sponsor: Rep. Pearce. Co-sponsors: Rep. Anderson, Rep. Biggs, Rep. Crump, Rep. Groe, Rep. Murphy, Sen. Chuck Gray, Sen. Linda Gray, Sen. Harper, Sen. Johnson.  
Last action: 3/7; referred to Senate Public Safety and Human Services.  
ARS Title affected: 26.

**H2460: VALID IDENTIFICATION; CONSULAR CARDS; PROHIBITION**

Prohibits the state or any political subdivision of the state from accepting a consular identification card that is issued by a foreign government as a valid form of identification. Similar provisions vetoed in S1236.

Primary sponsor: Rep. Pearce. Co-sponsors: Rep. Anderson, Rep. Crump, Rep. Murphy, Sen. Chuck Gray, Sen. Linda Gray, Sen. Harper, Sen. Johnson  
Last action: 4/4; failed in the House.  
ARS Title affected: 41.

**H2461: LAW ENFORCEMENT COOPERATION; IMMIGRATION**

Requires law enforcement officers to inquire into the citizenship and immigration status of any detained persons and take appropriate action in cooperation with federal immigration authorities. Requires the attorney general to enter into a cooperative agreement to designate specific state law enforcement officers to enforce federal immigration law and denies state funding to any law enforcement agency that is not in compliance. Similar provisions in HCR2049.

Primary sponsor: Rep. Pearce. Co-sponsors: Rep. Anderson, Rep. Crump, Rep. Murphy, Sen. Linda Gray  
Last action: 2/15; held in House Homeland Security and Property Rights.  
ARS Title affected: 41.

**H2462: JURORS; REGIONAL JUDICIAL DISTRICTS**

States that in any county with more than one division or regional judicial district, jury panels shall constitute a pool to be used by all the superior court divisions and districts in the county. Requires the jury commissioner to use a system designed to minimize the distance prospective jurors must travel, and avoid unnecessary travel expenses.

Primary sponsor: Rep. Pearce. Co-sponsors: Rep. Anderson, Sen. Chuck Gray, Sen. Linda Gray.  
Last action: 1/25; held in House Judiciary.  
ARS Title affected: 21.

**H2464: INTERNATIONAL REMITTANCES OF MONEY**

Requires individuals transferring money out of the state to a foreign country to offer proof of taxes paid on income equivalent to or exceeding the sum of monies transferred or the income taxes have been withheld from the individual's

income within the preceding 120 days. A business entity transferring monies from within this state to any foreign country on behalf of any individual shall retain copies of any documentary proof of payment of taxes and photo identification provided for a period of 10 years after each transfer.

Primary sponsor: Rep. Pearce. Co-sponsors: Rep. Anderson, Rep. Murphy  
Last action: 1/24, referred to House Ways and Means; House Commerce.  
ARS Title affected: 44.

**H2471: PUBLIC BENEFITS; ELIGIBILITY**

Would deny public benefits to children born in the United States to parents who were in the country illegally. Would apply only to children born after the effective date of the legislation.

Primary sponsor: Rep. Pearce. Co-sponsors: Rep. Groe, Rep. Murphy, Sen. Johnson.  
Last action: 1/23, referred to House Homeland Security and Property Rights.  
ARS Title affected: 1.

**H2472: JUSTICES OF THE PEACE; JURISDICTION**

Increases JP court jurisdiction from \$5,000 to \$10,000. Removes concurrent jurisdiction for JP courts and superior courts.

Primary sponsor: Rep. Pearce. Co-sponsors: Rep. Crump, Sen. Chuck Gray, Sen. Linda Gray.  
Last action: 1/25; passed from House Judiciary.  
ARS Title affected: 22, 23.

**H2473: BORDER TECHNOLOGY; APPROPRIATIONS**

Establishes the border technology fund, to be administered by Department of Emergency and Military Affairs (DEMA), and appropriates a total of \$50 million for the implementation and operation of technology systems along Arizona's southern border.

Primary sponsor: Rep. Pearce. Co-sponsors: Rep. Anderson, Rep. Boone, Rep. Burges, Rep. Crump, Rep. Groe, Rep. Murphy, Rep. Nichols, Sen. Chuck Gray, Sen. Linda Gray, Sen. Harper, Sen. Johnson.  
Last action: 2/22; from House Appropriations, amended.  
ARS Title affected: 26.

**H2475: ILLEGALS; TRAFFIC VIOLATIONS**

Exempts persons who are citizens or legal residents of another country from the requirement to obtain an Arizona driver's license if the person has in their immediate possession a valid driver's license from his/her home country and

evidence that the person's presence in the United States is authorized by the federal government.

Primary sponsor: Rep. Pearce. Co-sponsors: Rep. Crump, Rep. Groe, Rep. Murphy, Rep. Nichols, Sen. Chuck Gray, Sen. Linda Gray, Sen. Harper, Sen. Johnson.

Last action: 4/4; failed in the House.

ARS Title affected: 28.

**H2499: LIQUOR LICENSES; BONDS**

Amends liquor statutes to require a person who files an application for a spirituous liquor license to post a bond with the director in an amount determined by the director.

Primary sponsor: Rep. Nelson.

Last action: 1/23, referred to House Commerce.

ARS Title affected: 4.

**H2500: SEX OFFENDER; RESIDENCY RESTRICTIONS**

Reduces the number of registered sex offenders that may live in the same multifamily housing complex from 10 percent to five percent.

Primary sponsor: Rep. Nelson.

Last action: 1/24, referred to House Judiciary.

ARS Title affected: 13.

**H2504: CPS; INVESTIAGTIONS; CONFIDENTIALITY**

A parent or guardian who is the subject of an investigation may waive that person's right to confidentiality and is not subject to civil or criminal liability for waiving that right.

Primary sponsor: Rep. Murphy. Co-sponsors: Rep. Adams, Rep. Groe.

Last action: 1/24, referred to House Human Services.

ARS Title affected: 8.

**H2522: EMPLOYERS; VERIFICATION OF ELIGIBILITY**

Sets forth requirements for verifying employee eligibility. Establishes a penalty of \$5,000 per violation. Requires the attorney general to enforce the provisions. (An employer sanctions bill was signed into law, H2779).

Primary sponsor: Rep. Konopnicki.

Last action: 1/24, referred to House Government.

ARS Title affected: 23.

**H2523: EMPLOYMENT; UNAUTHORIZED ALIENS; PROHIBITION**

States that an employer shall not knowingly hire an unauthorized alien. (An employer sanctions bill was signed into law, H2779).

Primary sponsor: Rep. Konopnicki.

Last action: 1/24, referred to House Government.

ARS Title affected: 23.

**H2527: VICTIMS' RIGHTS; NEIGHBORHOOD ASSOCIATIONS**

Allows a neighborhood association registered with a municipality to receive notice and invoke victims' rights for juvenile offenses that are committed in any municipality.

Primary sponsor: Rep. Konopnicki.

Last action: 1/24, referred to House Judiciary.

ARS Titles affected: 8, 13.

**H2529: CRIMINAL RECORDS; EXPUNGEMENT**

Sets forth conditions allowing for a person convicted of a crime to petition for his/her record of conviction to be sealed after a certain amount of time has elapsed and the person has completed their sentence. Makes exceptions for violent felonies, crimes against children, sex offenses or multiple convictions.

Primary sponsor: Rep. Sinema.

Last action: 1/24; referred to House Judiciary.

ARS Title affected: 13.

**H2531: VICTIMS' LEAVE; EMPLOYMENT RIGHTS**

Compliance with a subpoena to appear as a witness or to obtain judicial relief from harassment is added to the list of court proceedings for which an employer must allow an employee time off from work.

Primary sponsor: Rep. Sinema. Co-sponsors: Rep. Chad Campbell, Rep. Lujan, Sen. Pesquiera, Sen. Rios.

Last action: 1/24; referred to House Judiciary.

ARS Title affected: 13.

**H2573: CONCEALED WEAPONS; PETTY OFFENSE**

A person who fails to present a permit for inspection on the request of a law enforcement officer is guilty of a petty offense rather than the current class 2 misdemeanor. Similar provisions signed into law in H2469.

Primary sponsor: Rep. Kavanagh.

Last action: 1/24; referred to House Judiciary.

ARS Title affected: 13.

**H2574: VICTIMS' RIGHTS; PROBATION MATTERS; NOTIFICATION**

On request of a victim, the probation department shall inform the victim of the status of the defendant's probation including the defendant's employment status, drug testing results and education status, any specific training or counseling classes attended and the results of any court ordered mental health examination. A victim shall not disseminate disclosed information.

Primary sponsor: Rep. Lujan.

Last action: 1/25; referred to House Judiciary.

ARS Title affected: 13.

**H2581: AGENCY-ISSUED LICENSES; TAMPER PROOF**

Requires agencies to issue licenses in color that are also tamper proof.

Primary sponsor: Rep. Bradley. Co-sponsor: Rep. Adams.

Last action: 1/25; referred to House Government.

ARS Title affected: 41.

**H2584: FAMILY COURT PILOT; APPROPRIATION EXTENSION**

Extends the \$850,000 appropriation made in FY 2006-2007 for the Integrated Family Court pilot program through June 30, 2009.

Primary sponsor: Rep. Hershberger.

Last action: 2/8; passed from House Human Services.

ARS Title affected: 41.

**H2590: MINOR PASSENGERS; VEHICLE CARGO SECTIONS**

Prohibits transporting a person under 18 years of age in the cargo section of the motor vehicle unless there are no available seats in the passenger area of the vehicle because the seats are occupied by minors or by a physically disabled person. Sets forth penalties.

Primary sponsor: Rep. Kavanagh. Co-sponsors: Rep. Adams, Rep. Barnes, Rep. Hershberger, Rep. Mason, Rep. McClure, Rep. Reagan.

Last action: 1/25; referred to House Transportation; House Health.

ARS Title affected: 28.

**H2599: HUMAN REMAINS**

Sets new priorities for a disinterment-reinterment permit and for burial, designating the adult offspring of a decedent with the responsibility if the decedent was legally separated from the decedent's spouse or a petition for divorce or for legal separation from the decedent's spouse was pending. Similar measure was signed into law under S1023.

Primary sponsor: Rep. Garcia. Co-sponsors: Rep. Alvarez, Rep. Bradley, Rep. Cajero Bedford, Rep. Cloves Campbell Jr., Rep. Hershberger, Rep. Lopez, Rep. Lujan, Rep. McGuire, Rep. Miranda, Rep. Rios, Rep. Schapira.  
Last action: 1/29; referred to House Health.  
ARS Title affected: 36.

**H2600: CHILD PASSENGER RESTRAINTS; BOOSTER SEATS**

Requires each passenger who is at least five years of age and who is under nine years of age to be restrained in a booster seat. Similar provisions in H2130.

Primary sponsor: Rep. Garcia. Co-sponsors: Rep. Alvarez, Rep. Bradley, Rep. Cajero Bedford, Rep. Cloves Campbell Jr., Rep. Lopez, Rep. Lujan, Rep. Miranda.  
Last action: 1/25; referred to House Transportation.  
ARS Title affected: 28.

**H2601: GRADUATED DRIVER LICENSES**

Changes to statutes regarding graduated driver's licenses and instructional permits, such as requiring the permit holder to drive with an adult who is at least 21 years of age. Other provisions. (Similar provisions were included in H2152, S1347 and H2033, which was signed into law).

Primary sponsor: Rep. Garcia. Co-sponsors: Rep. Alvarez, Rep. Bradley, Rep. Cajero Bedford, Rep. Farley, Rep. Hershberger, Rep. Lopez, Rep. Lujan, Rep. Miranda.  
Last action: 1/25; referred to House Natural Resources and Public Safety; House Transportation.  
ARS Title affected: 28.

**H2605: ATTORNEY GENERAL; DEBT COLLECTION; DEFINITION**

Prevents any monies received from tort claims that have been settled or reduced to judgment before trial from being deposited in the Collection Enforcement Revolving Fund (CERF).

Primary sponsor: Rep. Robson.  
Last action: 2/6; passed from House Government, amended.  
ARS Title affected: 41.

**H2609: FIREARMS; AIRPORT DESIGNATED SECURITY AREA**

Classifies knowingly carrying, possessing or exercising control over a deadly weapon in an airport designated security area as a Class 6 felony.

Primary sponsor: Rep. Nelson.  
Last action: 2/7; passed from House Natural Resources and Public Safety.  
ARS Title affected: 13.

**H2611: DNA TESTING; ARREST; SERIOUS OFFENSES**

Requires a person is sentenced to the state department of corrections, county jail, placed on probation for a serious offense (as defined within the proposed legislation) to submit a sufficient biological sample for DNA testing. Also applies to a person who is accepted under the interstate compact for the supervision of parolees and probationers arrives in this state. DNA expansion included in H2787, which was signed into law.

Primary sponsor: Rep. Groe. Co-sponsors: Rep. Adams, Rep. Barnes, Rep. Boone, Rep. Burns, Rep. Driggs, Rep. McComish, Rep. Robson, Rep. Stump, Rep. Jim Weiers, Rep. Yarbrough.

Last action: 1/31; referred to House Judiciary; House Appropriations.

ARS Titles affected: 13, 41.

**H2637: PRICING; ABNORMAL MARKET DISRUPTIONS; EMERGENCIES**

Sets forth provisions for a price gouging statute. Gives the attorney general, county attorneys, and city attorneys enforcement authority.

Primary sponsor: Rep. Lopes. Co-sponsors: Rep. Ableser, Rep. Gallardo, Rep. Kirkpatrick, Rep. Lujan, Rep. Meza, Rep. Prezelski, Rep. Saradnik, Rep. Sinema, Rep. Thrasher.

Last action: 2/5; referred to House Judiciary; House Commerce.

ARS Title affected: 44.

**H2649: AUTOPSIES; RETAINED INFORMATION**

Expands statute governing autopsies and data retention, requiring medical examiners to keep records of fingerprints and palm prints; dental records; tissue sample; photographs of the person's face; and notations of significant scars, marks and tattoos.

Primary sponsor: Rep. Sinema. Co-sponsors: Rep. Ableser, Rep. Chad Campbell, Rep. Cloves Campbell Jr., Rep. Farley, Rep. Gallardo, Rep. Kirkpatrick, Rep. Lopes, Rep. Lujan, Rep. Pancrazi, Rep. Prezelski, Rep. Schapira, Rep. Ulmer.

Last action: 2/6; referred to House Judiciary.

ARS Title affected: 11.

**H2655: PHOTO ENFORCEMENT; HIGHWAYS; DPS**

Would require funds collected from the use of photo enforcement on state highways and interstates to be deposited in the Arizona Highway Patrol Fund, the Criminal Justice Enhancement Fund and the Crime Lab Assessment Fund.

Primary sponsor: Rep. Reagan. Co-sponsors: Rep. Barto, Rep. Kavanagh

Last action: 2/5; referred to House Transportation; House Appropriations.

ARS Title affected: 28, 41.

**H2660: LIQUOR; DRINKING AGE; DEFINITION**

Specifies that a person reaches legal drinking age at 8 a.m. of the person's 21st birthday.

Primary sponsor: Rep. Meza. Co-sponsors: Rep. Burns, Rep. Chad Campbell, Rep. Cloves Campbell Jr., Rep. Clark, Rep. Desimone, Rep. Hershberger, Rep. Konopnicki, Rep. Lujan, Rep. Prezelski.

Last action: 2/5; referred to House Commerce.

ARS Title affected: 4.

**H2662: JUDICIALLY APPOINTED HEALTH PROFESSIONALS; COMPLAINTS**

Complaints filed against court-appointed doctors, psychologists, and behavioral health specialists cannot be deemed a complaint of unprofessional conduct unless the complainant filed a petition with the court to refer the matter to the appropriate regulatory board, and then the court found for the complainant.

Primary sponsor: Rep. Lujan.

Last action: 2/5, referred to House Judiciary.

ARS Titles affected: 13, 32.

**H2678: PRISONERS; MEDICAL PAROLE**

Establishes provisions whereby a prisoner could receive parole based on an incapacitating medical condition.

Primary sponsor: Rep. Lopes. Co-sponsors: Rep. Ableser, Rep. Brown, Rep. Prezelski, Rep. Sinema.

Last action: 2/5; referred to House Public Institutions and Retirement.

ARS Title affected: 31.

**H2685: RAPE VICTIMS; PREGNANCY PREVENTION**

Would require health care professionals to provide rape victims with emergency contraception or refer the victim to another provider who is immediately available to provide these services.

Primary sponsor: Rep. Lopez. Co-sponsors: Rep. Ableser, Rep. Alvarez, Rep. Bradley, Rep. Cajero Bedford, Rep. Chad Campbell, Rep. Cloves Campbell Jr., Rep. Desimone, Rep. Garcia, Rep. Hershberger, Rep. Lujan, Rep. McGuire, Rep. Meza, Rep. Miranda, Rep. Pancrazi, Rep. Prezelski, Rep. Saradnik, Rep. Schapira, Rep. Sinema, Sen. Aboud, Sen. Allen, Sen. Burton Cahill, Sen. Garcia, Sen. Landrum Taylor, Sen. Rios, Sen. Soltero.

Last action: 2/5; referred to House Health.

ARS Title affected: 32.

**H2688: VEHICLE RESTRAINT VIOLATIONS; ENFORCEMENT**

Would allow law enforcement to pull over and cite motorists solely for not using their seat belt. Currently, set a belt violations are a secondary offense, which requires police to stop a motorist for another infraction, such as speeding, before he or she can issue a citation for not wearing a seat belt. Similar provisions included in S1584.

Primary sponsor: Rep. Lopez. Co-sponsors: Rep. Alvarez, Rep. Bradley, Rep. Brown, Rep. Burns, Rep. Cajero Bedford, Rep. Chad Campbell, Rep. Cloves Campbell Jr., Rep. Garcia, Rep. Hershberger, Rep. Lujan, Rep. Meza, Rep. Miranda, Rep. Pancrazi, Rep. Prezelski, Rep. Saradnik, Rep. Schapira, Rep. Sinema, Rep. Thrasher, Sen. Aboud, Sen. Landrum Taylor.

Last action: 2/6; referred to House Transportation; House Natural Resources and Public Safety.

ARS Title affected: 32.

**H2699: UNAUTHORIZED PERSONS; BORDER SECURITY**

Contains provisions relating to the enforcement of federal immigration law, verification of employee eligibility, theft by extortion, human smuggling, awarding of state contracts, and payment of wages. Establishes the Employee Verification and Border Security Fund, consisting of civil penalties, fines, legislative appropriations, gifts and grants.

Primary sponsor: Rep. Ulmer. Co-sponsors: Rep. Ableser, Rep. Alvarez, Rep. Brown, Rep. Chad Campbell, Rep. Cloves Campbell Jr., Rep. Desimone, Rep. Farley, Rep. Gallardo, Rep. Garcia, Rep. Kirkpatrick, Rep. Lopes, Rep. Lopez, Rep. Lujan, Rep. McGuire, Rep. Meza, Rep. Miranda, Rep. Pancrazi, Rep. Prezelski, Rep. Rios, Rep. Saradnik, Rep. Schapira, Rep. Sinema, Rep. Thrasher, Sen. McCune Davis.

Last action: 2/20; failed House Government.

ARS Title affected: 9, 11, 13, 23, 41.

**H2707: JUVENILE OFFENDERS; TRANSFERS; PROPERTY OFFENSES**

Would exempt juveniles who are charged with class 5 or 6 felony theft or criminal damage to property from being transferred to superior court if their offenses did not include use of a weapon or serious physical injury to a victim and the offender is not a habitual offender.

Primary sponsor: Rep. Ulmer. Co-sponsors: Rep. Ableser, Rep. Sinema.

Last action: 2/6; referred to House Judiciary.

ARS Title affected: 8.

**H2716: IDENTITY THEFT; FACTUAL INNOCENCE**

Would allow the victim of identity theft to seek an expedited hearing to prove his/her innocence if the victim's name has been connected to criminal activity.

Primary sponsor: Rep. Pancrazi. Co-sponsors: Rep. Ableser, Rep. Alvarez, Rep. Anderson, Rep. Brown, Rep. Burges, Rep. Cajero Bedford, Rep. Chad Campbell, Rep. Cloves Campbell Jr., Rep. Gallardo, Rep. Kirkpatrick, Rep. Lopes, Rep. Lopez, Rep. Lujan, Rep. McGuire, Rep. Meza, Rep. Miranda, Rep. Prezelski, Rep. Rios, Rep. Saradnik, Rep. Schapira, Rep. Sinema, Rep. Thrasher, Rep. Ulmer, Sen. Aguirre, Sen. Linda Gray.

Last action: 2/6; referred to House Judiciary.

ARS Title affected: 12.

**H2717: APPROPRIATION; PUBLIC SAFETY TRAINING FACILITY**

Would appropriate \$2 million from the state general fund to Western Arizona College to establish a public safety, fire services and emergency services training facility in Yuma County.

Primary sponsor: Rep. Pancrazi. Co-sponsors: Rep. Brown, Rep. Cajero Bedford, Rep. Chad Campbell, Rep. Cloves Campbell Jr., Rep. Desimone, Rep. Gallardo, Rep. Kirkpatrick, Rep. Lopes, Rep. McGuire, Rep. Meza, Rep. Prezelski, Rep. Rios, Rep. Saradnik, Rep. Schapira, Rep. Sinema, Rep. Ulmer, Sen. Aguirre.

Last action: 2/6; referred to House Higher Education; House Appropriations.

ARS Title affected: 41.

**H2721: ATTORNEY FEES; CIVIL INFRACTIONS**

A municipal government is not liable for attorney's fees if it brings legal proceedings against an individual for civil infraction and loses.

Primary sponsor: Rep. Yarbrough.

Last action: 2/6; referred to House Judiciary.

ARS Title affected: 12.

**H2723: SEX OFFENDER MONITORING; QUALIFIED VENDORS**

Allows the Department of Public Safety (DPS) to enter into a contract with a qualified vendor to provide a data monitoring and alert system for persons required to register as sex offenders. Requires the vendor to use public records or other record information systems to monitor any change of residence or address of a registered sex offender

Primary sponsor: Rep. Crump. Co-sponsors: Rep. Burges, Rep. Clark, Rep. Crandall, Rep. Driggs, Rep. Kavanagh, Rep. Meza, Rep. Pearce, Sen. Harper, Sen. Verschoor.

Last action: 2/27; referred to Senate Judiciary.

ARS Title affected: 13.

**H2729: SMOKING IN VEHICLES WITH MINORS**

Would prohibit smoking in motor vehicle with minor and assess civil penalties for violation.

Primary sponsor: Rep. Schapira. Co-sponsors: Rep. Ableser, Rep. Chad Campbell, Rep. Clark, Rep. Crandall, Rep. Farley, Rep. Gallardo, Rep. Garcia, Rep. Kirkpatrick, Rep. Lopes, Rep. Lujan, Rep. McGuire, Rep. Saradnik.  
Last action: 2/6; referred to House Transportation; House Health.  
ARS Title affected: 28.

**H2730: DUI; IGNITION INTERLOCK DEVICE**

Would require ignition interlock devices for drivers convicted of a first DUI offense. Similar measure passed as a provision of S1029.

Primary sponsor: Rep. Schapira. Co-sponsors: Rep. Ableser, Rep. Anderson, Rep. Bradley, Rep. Chad Campbell, Rep. Cloves Campbell Jr., Rep. Clark, Rep. Crump, Rep. Farley, Rep. Gallardo, Rep. Kirkpatrick, Rep. Lopes, Rep. Lopez, Rep. Lujan, Rep. Meza, Rep. Pancrazi, Rep. Prezelski, Rep. Saradnik, Rep. Sinema, Rep. Thrasher, Rep. Tobin, Rep. Ulmer, Sen. Aboud, Sen. Linda Gray.  
Last action: 2/6; referred to House Transportation; House Judiciary.  
ARS Title affected: 28.

**H2745: CRIMINAL JUSTICE COMMISSION; MEMBERSHIP**

Would add a public defender to the membership of the Arizona Criminal Justice Commission. Similar provision in H2108 and S1634.

Primary sponsor: Rep. Konopnicki. Co-sponsors: Rep. Barnes, Rep. Hershberger, Sen. Johnson.  
Last action: 2/7; referred to House Judiciary.  
ARS Title affected: 41.

**H2751: IMMIGRATION LAW; ENFORCEMENT; APPROPRIATION**

Requires all officials, agencies and personnel of counties, cities and towns to fully comply with and, to the full extent permitted by law, support the enforcement of federal immigration laws of the United States. Allows county sheriffs and police departments to implement programs to train peace officers to investigate violations of federal immigration laws. Establishes the Arizona Border Enforcement Security Team. Authorizes \$25 million appropriation.

Primary sponsor: Rep. Pearce. Co-sponsors: Rep. Anderson, Rep. Barnes, Rep. Biggs, Rep. Boone, Rep. Burges, Rep. Clark, Rep. Crump, Rep. Farnsworth, Rep. Groe, Rep. Kavanaugh, Rep. McClure, Rep. McComish, Rep. McLain, Rep. Murphy, Rep. Nelson, Rep. Nichols, Rep. Robson, Rep. Stump, Rep. Jim Weiers, Rep. Yarbrough, Sen. Bee, Sen. Blendu, Sen. Burns, Sen. Gould, Sen. Linda Gray, Sen. Harper, Sen. Huppenthal, Sen. Johnson, Sen. Verschoor.  
Last action: 3/12; from House Rules okay.  
ARS Titles affected: 11, 41.

**H2752: ILLEGAL ALIENS; DOMESTIC TERRORISM**

Expands the definition of racketeering in A.R.S. § 13-2301 to include domestic terrorism if committed for financial gain. Specifies that an individual or a group of individuals commits domestic terrorism if the individual or group of individuals are in the United States illegally and protests against a U.S. citizen by an act that threatens, intimidates or results in physical injury to another person; commits a criminal offense against a U.S. citizen; or are members of a criminal street gang who engage in an act of protest against a U.S. citizen that threatens, intimidates or results in physical injury to another person.

Primary sponsor: Rep. Pearce. Co-sponsors: Rep. Anderson, Rep. Barnes, Rep. Biggs, Rep. Boone, Rep. Burges, Rep. Clark, Rep. Crump, Rep. Farnsworth, Rep. Groe, Rep. Kavanagh, Rep. McClure, Rep. McComish, Rep. McLain, Rep. Murphy, Rep. Nelson, Rep. Nichols, Rep. Robson, Rep. Stump, Rep. Jim Weiers, Rep. Yarbrough, Sen. Bee, Sen. Blendu, Sen. Burns, Sen. Gould, Sen. Linda Gray, Sen. Harper, Sen. Huppenthal, Sen. Johnson, Sen. Verschoor.

Last action: 3/19; from House Rules okay.

ARS Title affected: 13.

**H2777: SEX OFFENDERS; PROBATION; ANNUAL REVIEW**

Requires the court to conduct an annual review of the probation conditions for a person who is under 25 and required to register as a sex offender, if the offense occurred before the person turned 18. Provisions included in S1628, which was signed by the governor.

Primary sponsor: Rep. Murphy. Co-sponsor: Sen. Johnson.

Last action: 2/15; from House Judiciary, amended.

ARS Title affected: 13.

**H2778: YOUTHFUL SEX OFFENDERS; PROBATION**

Allows a person who has been adjudicated delinquent for an offense that involves a violation of title 13, chapter 14 or 35.1 on juvenile probation to be supervised by the juvenile probation department until the offender turns 21. A person who is over 18 years of age and who is convicted of any felony offense that was committed while the person was under the supervision of the juvenile probation department pursuant to section 8-341, subsection O shall be sentenced to a term of not less than 20 percent more than the presumptive sentence. A youthful sex offender bill was signed into law, S1628.

Primary sponsor: Rep. Murphy. Co-sponsor: Sen. Johnson.

Last action: 2/15; from House Judiciary, amended.

ARS Titles affected: 8, 41.

## **HOUSE CONCURRENT RESOLUTIONS**

A concurrent resolution is processed through both the senate and the house but is not signed by the governor. It may provide for the following:

- An expression of opinion, commemoration, congratulations or sentiment of both houses.
- Submittal of a referendum to the voters.
- Legislative action involving the process of amending the Arizona or United States Constitution.

### **HCM2005: ILLEGAL ALIENS; CHILDREN; NONCITIZENSHIP STATUS**

Requests that the U.S. Congress pass legislation which clarifies that children born to illegal aliens will be denied automatic citizenship solely because they were born in the United States.

Primary sponsor: Rep. Pearce. Co-sponsors: Sen. Linda Gray, Sen. Johnson.  
Last action: 3/21; from House Rules okay.

### **HCM2009: BORDER SERVICE PORTS; FUNDING**

Requests that the Federal government fund increased U.S.-Mexico border in Arizona service port infrastructure and personnel

Primary sponsor: Rep. Pancrazi. Co-sponsors: Rep. Alvarez, Rep. Chad Campbell, Rep. Cloves Campbell Jr., Rep. Kirkpatrick, Rep. Lopez, Rep. McGuire, Rep. Prezelski, Rep. Saradnik, Rep. Schapira, Rep. Sinema, Sen. Aguirre.  
Last action: 2/15; passed from House Transportation.

### **HCR2015: LIABILITY LIMITATION; LIQUOR**

Referendum measure stating damages for injuries or death shall not be awarded to any person who is over the legal drinking age, to the survivors of any person who was over the legal drinking age or to the estate of any person who was over the legal drinking age if the injuries or death are caused, in whole or in part, by reason of the person's consumption of spirituous liquor.

Primary sponsor: Rep. Crandall. Co-sponsors: Rep. Adams, Rep. Clark, Rep. Desimone, Rep. Kavanagh, Rep. Konopnicki, Rep. Reagan, Sen. Chuck Gray.  
Last action: 1/24; referred to House Judiciary.

### **HCR2017: PUNITIVE DAMAGES AWARDS; FUND**

Referendum measure stating all punitive damages that are awarded shall be deposited in a designated fund for victims' services programs, child protective services programs and to pay actual expenses incurred on punitive damages research by the attorney representing the plaintiff.

Primary sponsor: Rep. Pearce.  
Last action: 1/25; referred to House Judiciary.

**HCR2021: BORDER TECHNOLOGY; APPROPRIATIONS**

Referendum measure that sought to establish the border technology fund, to be administered by Department of Emergency and Military Affairs, and appropriates a total of \$50 million for the implementation and operation of technology systems along Arizona's southern border.

Primary sponsor: Rep. Pearce. Co-sponsors: Rep. Burges, Rep. Crump, Rep. Groe, Rep. Murphy, Rep. Nichols, Sen. Chuck Gray, Sen. Linda Gray, Sen. Harper, Sen. Johnson.

Last action: 2/22; from House Appropriations, amended.

**HCR2022: ILLEGAL ALIEN TRESPASS**

Referendum measure that would establish in state statute the crime of being on any public or private land in Arizona while being in violation of federal immigration law and prescribes penalties.

Primary sponsor: Rep. Pearce. Co-sponsors: Rep. Burges, Rep. Crump, Rep. Groe, Rep. Murphy, Rep. Nichols, Sen. Linda Gray, Sen. Harper, Sen. Johnson.

Last action: 2/15; passed from House Judiciary.

**HCR2024: FIREARMS; EMERGENCY CONFISCATION; PROHIBITION**

Specifies that the governor may not commandeer and utilize firearms or ammunition or their components during a state of war emergency. Similar provisions signed into law under S1258.

Primary sponsor: Rep. Pearce. Co-sponsors: Rep. Anderson, Rep. Biggs, Rep. Crump, Rep. Groe, Rep. Murphy, Sen. Chuck Gray, Sen. Linda Gray, Sen. Harper, Sen. Johnson.

Last action: 2/13; passed from House Homeland Security and Property Rights.

**HCR2034: JUDGES; MERIT SELECTION; POPULATION**

Referendum measure that would amend the state constitution to raise the population threshold (to 650,000 from 250,000) for selecting judges through a merit system and stand for retention every four years instead of direct election.

Primary sponsor: Rep. Rios. Co-sponsors: Rep. Biggs, Rep. McGuire, Sen. Blendu, Sen. Garcia, Sen. Hale, Sen. Miranda, Sen. Rios, Sen. Verschoor.

Last action: 1/29; referred to House Judiciary.

**HCR2036: HIGHWAY USER REVENUE FUND USES**

Referendum measure that sought to amend the state constitution allow funds in the Highway User Revenue Fund be used for general transportation purposes rather than highway and street purposes.

Primary sponsor: Rep. Chad Campbell. Co-sponsors: Rep. Ableser, Rep. Farley, Rep. Lujan, Rep. Meza, Rep. Prezelski, Rep. Saradnik, Rep. Schapira, Rep. Sinema, Rep. Thrasher.

Last action: 1/29; referred to House Transportation; House Appropriations.

**HCR2043: CIVIL LIABILITY; INJURY; CRIMINAL ACT**

Referendum measure that sought to prohibit a civil lawsuit for damages incurred by a plaintiff while committing a felony offense.

Primary sponsor: Rep. Jerry Weiers. Co-sponsor: Rep. Burges.

Last action: 2/14; passed from House Government.

**HCR2049: IMMIGRATION ENFORCEMENT**

A referendum measure that would require all officials, agencies and personnel of counties, cities and towns to fully comply with and, to the full extent permitted by law, support the enforcement of federal immigration laws. Allows county sheriffs and police departments to implement programs to train peace officers to investigate violations of federal immigrations laws. Similar provisions in H2461.

Primary sponsor: Rep. Pearce. Co-sponsors: Rep. Barnes, Rep. Biggs, Rep. Boone, Rep. Burges, Rep. Clark, Rep. Crump, Rep. Farnsworth, Rep. Groe, Rep. Kavanagh, Rep. McClure, Rep. McComish, Rep. McLain, Rep. Murphy, Rep. Nelson, Rep. Nichols, Rep. Robson, Rep. Stump, Rep. Jim Weiers, Rep. Yarbrough, Sen. Bee, Sen. Blendu, Sen. Burns, Sen. Gould, Sen. Chuck Gray, Sen. Linda Gray, Sen. Harper, Sen. Huppenthal, Sen. Johnson, Sen. Verschoor. Last action: 2/20; passed from House Government.

**HCR2051: FAIR AND LEGAL EMPLOYMENT; REFERENDUM**

A referendum measure pertaining to employment that contains provisions relating to identity theft, license eligibility of business entities in Arizona, employment of unauthorized aliens, verification of the employment eligibility of state employees, awarding state contracts and Arizona adjusted gross income. Employment sanctions bill was signed into law, H2779.

Primary sponsor: Rep. Pearce. Co-sponsors: Rep. Anderson, Rep. Barnes, Rep. Biggs, Rep. Boone, Rep. Burges, Rep. Clark, Rep. Farnsworth, Rep. Groe, Rep. Kavanagh, Rep. McClure, Rep. McComish, Rep. McLain, Rep. Murphy, Rep. Nichols, Rep. Robson, Rep. Stump, Rep. Jim Weiers, Rep. Yarbrough, Sen. Bee, Sen. Blendu, Sen. Gould, Sen. Linda Gray, Sen. Harper, Sen. Johnson, Sen. Verschoor.

Last action: 2/22; from House Appropriations, amended.

## **BILLS VETOED BY THE GOVERNOR**

### **H2122: HOMELAND SECURITY REGIONAL COUNCILS (~~GAME—AND FISH COMMISSION; BISON~~)**

Striker. Sought to allow a police chief, county sheriff, mayor and county supervisor to send a designee to their Arizona Department of Homeland Security Regional Advisory Council (RAC) and made changes to the membership of the Arizona Department of Homeland Security Coordinating Council.

Primary sponsor: Rep. Jerry Weiers.

Vetoed by the governor, 5/8.

ARS Title Affected: 41.

### **H2150: COURTS; MUNICIPAL AND JUSTICE; JURISDICTION**

Expands the municipal and justice courts concurrent jurisdiction over civil and misdemeanor criminal violations to include all of Chapters 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 14, 15, 20, 26 and all class 2 and class 3 misdemeanor violations of Chapter 25.

Primary sponsor: Rep. Biggs.

Vetoed by the governor, 5/8.

ARS Title Affected: 28.

### **H2589: DAY LABORERS; CRIMINAL TRESPASS**

Expands the crime of criminal trespass in the first degree to include knowingly standing or remaining unlawfully in specific places for the purpose of soliciting either personal employment or labor for money.

Primary sponsor: Rep. Kavanagh. Co-sponsors: Rep. Adams, Rep. Barnes, Rep. Barto, Rep. Clark, Rep. Crandall, Rep. Pearce, Rep. Reagan.

Vetoed by the governor, 5/1.

ARS Title affected: 13.