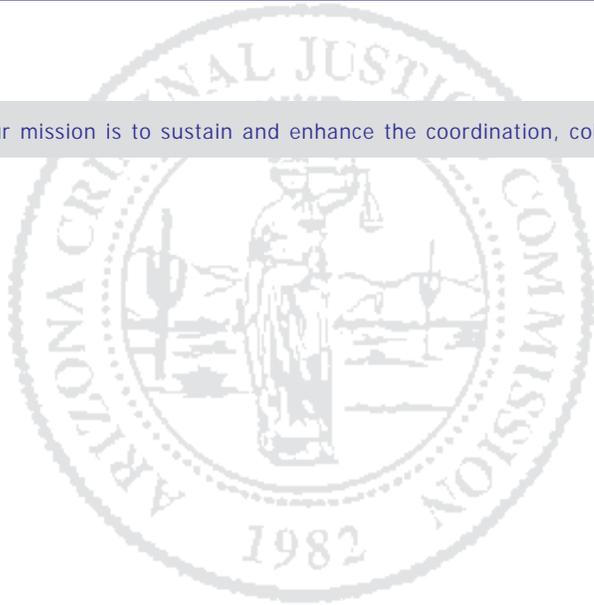


Arizona Criminal Justice Commission

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

*49th Arizona
State Legislature*

Second Regular Session

2010

July

ARIZONA CRIMINAL JUSTICE COMMISSION



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Surprise Police Department

Vice-Chairperson
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Yuma County Sheriff

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Arizona Criminal Justice Commission 2010 Legislative Report

The second session of the 49th Arizona State Legislature ran shorter than most in recent history, with sine die called on April 29, 2010. There were 1,233 bills posted, with 352 bills passing through both the Senate and the House. Of those 352 bills, 338 were signed into law and 14 were vetoed. The Arizona Criminal Justice Commission (ACJC) tracked more than 200 bills that affected the criminal justice system. New state laws take effect July 29, 2010 unless otherwise noted in the legislation.

ACJC's criminal justice issues in 2010

The Arizona Criminal Justice Commission, working with various criminal justice stakeholders, sought sponsorship for S1025.

Why ACJC sought sponsorship for S1025

ARS §41-2404 established the Arizona Criminal Justice Commission to enhance the effectiveness and coordination of the criminal justice system in Arizona through carrying out various monitoring and reporting functions, identifying and implementing new and continuing criminal justice related legislation and administering special funds for the enhancement of designated criminal justice programs and activities (A.R.S. § 41-2405).

The Criminal Justice Enhancement Fund (CJEF) consists of penalty assessments on fines, violations and forfeitures, as well as penalties imposed by the courts for criminal offenses and civil motor vehicle statute violations. CJEF monies are distributed on a percentage basis to various state entities, including: a) the Attorney General; b) the County Sheriffs; c) the Department of Public Safety; and d) the Arizona Supreme Court.

ACJC is statutorily authorized to adopt rules for the purpose of allocating fund monies related to the Drug and Gang Enforcement Account (A.R.S. § 41-2402) and the Victim Compensation and Assistance Fund (A.R.S. § 41-2407). SB1025 authorized (ACJC) to adopt rules for the purpose of allocating fund monies related to CJEF. This rulemaking authority was previously included in the ACJC enabling statute but was removed in the mid-1990s in an omnibus criminal justice bill.

Laws 2009, Third Special Session, Chapter 6 required that the 11.7 percent of the Criminal Justice Enhancement Fund (CJEF) monies designated for county sheriffs be directly distributed to the county sheriffs. This 11.7 percent is known as the Jail Enhancement Fund (JEF). Previously, these funds were allocated to the Arizona Department of Corrections (DOC) for distribution to the county sheriffs; the sheriffs would report the expenditures to DOC under guidelines set forth by the DOC. With DOC no longer distributing the funds, there was no reporting mechanism.

ACJC sought sponsorship of SB1025 to restore the rulemaking authority over the CJEF funds that had existed previously. Also, the current CJEF statute (§41-2404) explains that ACJC adopts rules for the allocation of CJEF funds: "The allocation of monies pursuant

to subsection D, paragraphs 6, 7, 8 and 9 of this section shall be made in accordance with rules adopted by the Arizona criminal justice commission pursuant to section 41-2405.”

Stakeholder issues

Immigration

For anyone who has read a newspaper, watched cable news, logged on to a news web site or tuned into late night comedy, Arizona’s preeminent policy issue was on display: addressing illegal immigration. In previous years, the legislature drafted legislation to take on illegal immigration. The bills that were passed in the legislature were vetoed when they reached the desk of Governor Janet Napolitano. This year the legislature ran several bills designed to curtail illegal immigration in Arizona. One bill—S1070—was sent to Governor Jan Brewer and she signed it into law. The bill launched a national firestorm, resulting in several legal challenges to the bill (including by the U.S. Department of Justice) and an informal boycott of Arizona. Unless a judge issues an injunction, the bill will go into effect on July 29, 2010.

The bill has implications for criminal justice stakeholders. The bill prohibits law enforcement officials and law enforcement agencies of this state or counties, municipalities and political subdivisions from restricting or limiting the enforcement of the federal immigration laws to less than the full extent permitted by federal law. The legislation also allows a person who is a legal resident of this state to bring an action in superior court to challenge officials and agencies of the state, counties, cities, towns or other political subdivisions that adopt or implement a policy that limits or restricts the enforcement of federal immigration laws. The legislation effectively requires local law enforcement to enforce immigration law—a requirement that the U.S. Department of Justice is challenging in a lawsuit that accuses the Arizona law of pre-empting federal authority.

Following the signing of S1070 and a companion trailer bill, H2161, Governor Brewer signed an executive order that required Arizona Peace Officers Standards and Training Board (AZPOST) to develop training for officers to enforce the provisions under S1070. To address the concerns for victims and witnesses, AZPOST has clarified this issue in its analysis, *Implementation of the 2010 Arizona Immigration Laws, Statutory Provisions for Peace Officers*: “This section applies to suspected violators and not to victims or witnesses. The stop, detention or arrest must be based on reasonable suspicion or probable cause of a criminal or civil violation or the violation of a local ordinance.” In July, AZPOST published the training materials on its web site, www.azpost.gov.

Other criminal justice issues

Various criminal justice stakeholders sought sponsorship of legislation or took positions for or against particular bills.

Some of the more pressing issues included various changes to the concealed weapons and other firearms statutes. S1108 makes changes relating to the carrying of concealed weapons without a concealed carry weapons (CCW) permit; requirements for obtaining a

CCW permit; and the forfeiture of weapons under court order. The law allows U.S. citizens age 21 and older to carry a concealed weapon without a permit (some exceptions apply). Two other states—Vermont and Alaska—have similar laws. H2543 modifies, with regard to firearms, rules or ordinances political subdivisions are permitted to enact, including those that limit the possession of firearms in parks or preserves. H2629 prohibits a political subdivision from maintaining records related to the transfer or storage of firearms. The legislation specifies that, in a situation where a person is justified in threatening or using deadly physical force against another, the person has no duty to retreat prior to threatening or using the force, provided the person is in a place they are legally permitted to be and not engaged in unlawful activity. S1153 prohibits a political subdivision from enacting any ordinance, rule or tax relating to the transportation, possession, carrying, sale, transfer, purchase, gift, devise, licensing, registration or use of a knife or knife making components in this state.

In spite of some of these challenges, stakeholders had a good session with their legislative agendas. The prosecutors were successful in getting legislation passed that addressed the phenomenon of “sexting,” juveniles sending and receiving sexually explicit photos (usually of themselves). S1266, the sexting bill, establishes the juvenile offenses of using an electronic communication device to transmit or display visual depictions of explicit sexual material involving minors and possessing such visual depictions. The violation a petty offense if the juvenile transmits or displays the depiction to one other person; it’s a class 3 misdemeanor if the juvenile transmits or displays the depiction to more than one other person. The legislation also outlines defenses to possessing visual depictions. The bill also included other provisions sought by prosecutors to enhance domestic violence protections: the bill allowed the court to grant a petitioner of an order of protection for an animal; adds several offenses to the domestic violence statutes; and adds choking to the aggravated assault statute.

The Department of Corrections successfully pursued legislation that impacted its operations. S1123 establishes the CCEF, to be administered by the DOC, to pay for costs related to community corrections. S1122 adds wireless communication devices and multimedia storage devices to the list of contraband items not permitted in a correctional facility or juvenile secure care facility. DOC secured sponsorship of a bill, H2693, that would give burial duty to DOC if a prisoner in the custody of the DOC dies and the DOC is unable to locate those statutorily authorized to make arrangements for the deceased. Unfortunately, the bill did not get a committee hearing.

The Arizona Department of Juvenile Corrections is facing closure. Early in the legislative session, the governor called for closing the ADJC to address the budget deficit. Legislation was run that would continue the ADJC for another five years but did not pass (the agency’s sunset date of July 1, 2010 was not repealed). However, in the seventh special session called to address the budget shortfall, H2006 was signed into law. The bill contained a provision that extends the sunset date of the Department of Juvenile Corrections (ADJC) to July 1, 2011, and repeals Arizona Revised Statutes (A.R.S.) Title 41, Chapter 26 relating to the organization of ADJC on January 1, 2012. The legislation also established the Commission on Juvenile Corrections Reform and set forth

membership requirements. The commission is tasked with examining Arizona's juvenile corrections system and making recommendations for its improvement. The commission must present a plan with its recommendations on juvenile corrections reform to the Governor, the President of the Senate and the Speaker of the House of Representatives on or before November 30, 2010.

Stakeholders expect to see some of the issues that failed return again next session.

Budget issues

Again, the most critical issue was the budget shortfall that has persisted since the beginning of FY08. Between the end of the first regular session (July 1, 2009) and the end of the second regular session (April 29, 2010), the governor called six special sessions to address the budget shortfall. Those sessions resulted in more than \$10 million in cuts to ACJC's programs, bringing the total to nearly \$25 million in three years.

During the seventh special session called to address the budget shortfall, H2006 was signed into law. This contained a provision that directs the monies collected by the Drug and Gang Resource Center Fund to be allocated to fund the Arizona Youth Survey, administered by ACJC. This was designated as permanent law.

On the next page is a chart that outlines the budget cuts since FY08.

Summary report of ACJC-tracked legislation

The following pages provide brief summaries of the legislation that ACJC tracked over the second session of the 49th 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 (www.azleg.gov). Any questions regarding this report should be directed to Mary Marshall, ACJC Public Information Officer, at mmarshall@azcjc.gov or at 602/364-1156.

Arizona Criminal Justice Commission

FY08 - FY11

Budget Reductions and Fund Transfers

	FY08		FY09		FY10			FY11		Total Reduction	Purpose	
	Actual	HB2209	SB1001	To Date		App Red	SB1001		Total			
				EBT	FRAT		EBT	EBT				FRAT
CJEF Operating	15,800	115,800	20,400	EBT	FRAT	-	EBT	FRAT	170,800	104,100	531,000	1.57% of C.JEF to fund ACJC agency operations
DEA Account/Full Svc Lab	-	-	1,801,700	725,000	489,500	443,000	1,500,000	489,500	1,500,000	489,500	5,448,700	Funds drug taskforces and full service crime labs
Victim Comp & Assist Fund	2,000,000	-	-	300,400	307,500	351,100	148,800	307,500	148,800	307,500	3,415,300	Funds direct compensation to victims of crime and grants to agencies that provide victim services
DUI Abatement Fund	1,200,500	500	774,200	1,227,500	112,500	62,900	850,300	112,500	850,300	112,500	4,340,900	Funds DUI enforcement and innovative programs
GF Special Prosecution Programs	100,000	130,000	117,200	747,000	157,700	21,000	-	78,900	-	78,900	1,094,200	Gang, Aggravated DV, Obscenity and Child Exploitation prosecution grants. Eliminated in FY10
Fill the Gap - Rural County Attorneys General Fund	-	-	-	100,000	76,900	150,100	209,100	74,900	300,000	74,900	2,631,000	Funds are allocated to provide state aid to county attorneys to improve the processing of criminal cases in Superior and Justice Courts. GF program eliminated in FY10.
Fill the Gap - County Attorneys Special Revenue	-	1,550,000	49,600	209,100	74,900	372,500	-	-	-	-	1,501,000	Funds are allocated to provide state aid to public defenders, legal defenders and contract indigent counsel for the processing of criminal cases in Superior and Justice Courts. GF program eliminated in FY10.
Fill the Gap - Rural Indigent Defense General Fund	-	1,550,000	49,600	209,100	74,900	372,500	-	-	-	-	1,700,000	Az Disposition Reporting System project under the ACJC CJRIP Program. Funding eliminated in FY09.
Fill the Gap - Indigent Defense Special Revenue	900,000	800,000	-	209,100	74,900	372,500	-	-	-	-	2,000,000	Funds distributed to counties to combat Meth. Program eliminated in FY09.
ADRS	900,000	800,000	-	209,100	74,900	372,500	-	-	-	-	2,000,000	Funds distributed to counties to combat Meth. Program eliminated in FY09.
County Meth Appropriation	-	2,000,000	-	686,300	67,200	70,300	225,800	67,200	225,800	67,200	1,341,200	Funds were passed through to the Arizona Prevention Resource Center located at the Arizona State University to support the activities of the center. Funding transferred in FY10 to ACJC to support AYS.
Drug Prevention Resource Center	-	-	224,400	686,300	67,200	70,300	225,800	67,200	225,800	67,200	1,341,200	Funds were passed through to the Arizona Prevention Resource Center located at the Arizona State University to support the activities of the center. Funding transferred in FY10 to ACJC to support AYS.
TOTAL	4,216,300	6,146,300	2,987,500	3,248,300	2,289,400	372,500	948,300	1,234,600	3,195,700	1,234,600	24,638,900	
EBT - Excess Balance Transfer	4,216,300	FY09 Total	9,133,800	FY10 Total	6,858,500		FY11 Total	4,430,300				
FRAT - Fund Reduction and Transfer												

* On January 21, 2010, the Commission approved an alternative plan for the budget reductions passed in SB1001 for FY10.

** Does not include FRATs from salary and furlough reductions in FY10 & FY11

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2010 SENATE BILLS

The following section includes Senate bills that were signed into law, bills that failed to pass, 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 is compiled from sources at Arizona Legislation Information Services (ALIS) online; full bill information can be found at www.azleg.gov.

SENATE BILLS SIGNED INTO LAW

S1009: JUVENILE PROSECUTIONS; ADULT COURT; AGE

Requires a criminal charge brought against a juvenile to be based on the age of the juvenile at the time the offense was committed.

Primary Sponsor: Sen. Linda Gray.
Signed by governor, 4/27, Chapter 183.
ARS Title(s) affected: 13.

S1018: PHOTO ENFORCEMENT PROCEDURES; JUSTICE COURTS

Prescribes additional requirements for the state photo enforcement system, requires a photo enforcement complaint to be personally served before being filed in court and modifies judicial productivity credit calculations related to photo enforcement citations. Requires a portion of Photo Enforcement Fund monies, up to \$7 million, to be deposited in the Public Safety Equipment Fund in FY 2011. *Similar provisions in H2085 (did not pass).*

Primary Sponsor: Sen. Pearce. Co-sponsors: Sen. S. Allen, Sen. C. Gray, Sen. Melvin, Sen. Miranda, Sen. Verschoor.
Signed by governor, 5/7, Chapter 266.
ARS Title(s) affected: 28, 41.

S1023: MOTOR VEHICLES ACCIDENTS; DEATH; INJURY

Adds the following traffic violations to those that constitute causing serious physical injury or death by a moving violation and serious physical injury or death by the use of a vehicle, if the violation results in injury or death to another person: making an unsafe lane change or driving in the center lane; failing to yield the right of way when entering or approaching an intersection; and failing to stop and yield the right of way at the entrance to a through highway. Proscribes penalties.

Primary Sponsor: L. Gray.
Signed by governor, 4/26, Chapter 159.
ARS Title(s) affected: 28.

S1025: CRIMINAL JUSTICE COMMISSION; RULES

Authorizes the Arizona Criminal Justice Commission (ACJC) to adopt rules for the purpose of allocating fund monies related to the Criminal Justice Enhancement Fund (CJEF).

Primary Sponsor: Sen. Pearce.
Signed by governor, 4/27, Chapter 184.
ARS Title(s) affected: 41.

S1027: IMMIGRATION; SEISMIC SENSORS; PILOT PROGRAM

Requires the Department of Public Safety (DPS) to seek grants to implement a one-year pilot program that would monitor rural airport runways and areas for potential illegal drug trafficking, illegal alien trafficking, or human smuggling.

Primary Sponsor: Sen. Pearce.
Signed by governor, 4/16, Chapter 74.
ARS Title(s) affected: 36.

S1030: DRIVER LICENSE VIOLATIONS; SUSPENSIONS

Requires the Arizona Department of Transportation (ADOT) to issue restricted driver licenses to eligible individuals who are convicted of driving with a suspended license, beginning January 1, 2011. Removes the following statutory penalties for driving with a restricted, suspended, revoked, disqualified, canceled or refused license: the 48 hour minimum jail sentence for driving with a license that was restricted, suspended, revoked, disqualified, canceled or refused for a DUI, extreme DUI or aggravated DUI; and the \$50-\$300 fine for a first offense and the \$500 fine for a subsequent offense of driving with a license that was suspended for a failure to pay a civil penalty or a failure to appear in court.

Primary Sponsor: Sen. Pearce. Co-sponsors: Rep. Crump, Rep. Gowan, Rep. Hendrix, Rep. Montenegro, Rep. Reagan, Sen. L. Gray, Sen. Huppenthal.
Signed by governor, 4/27, Chapter 185.
ARS Title(s) affected: 28.

S1055: VICTIMS' RIGHTS; DISCLOSURE OF INFORMATION

Allows a crime victim advocate to disclose information to the court in furtherance of a victim's rights upon either the written or verbal consent of the victim.

Primary Sponsor: Sen. Paton.
Signed by governor, 5/6, Chapter 233.
ARS Title(s) affected: 13.

S1056: SENTENCING; GUILTY EXCEPT INSANE

Applies sex offender registration, community notification and internet sex offender web site requirements to persons adjudicated guilty except insane for certain sex offenses and requires that persons adjudicated guilty except insane but no longer in need of treatment be transferred to the Department of Corrections for the remainder of their sentence.

Primary Sponsor: Sen. Paton.
Signed by governor, 5/6, Chapter 234.
ARS Title(s) affected: 13.

S1059: HUMAN TRAFFICKING; DEFINITION

Modifies the statutory definitions of sex trafficking and trafficking of persons for forced labor or services by removing the requirement that a person obtain another person specifically for transport. *Similar provisions in H2673.*

Primary Sponsor: Sen. Paton.
Signed by the governor, 4/16, Chapter 76.
ARS Title(s) affected: 13.

**S1062: NONPROFIT RAFFLES (~~SENTENCING; PRIOR CONVICTIONS;~~
METH)**

Striker amendment allows, with restrictions, nonprofit booster clubs, civic clubs, political clubs and political organizations to conduct raffles. Original legislation expanded sentencing provisions to include a prior conviction in another jurisdiction for an act involving methamphetamine that if committed in this state would violate Arizona law.

Primary Sponsor: Sen. Paton.
Signed by the governor, 5/6, Chapter 235.
ARS Title(s) affected: 13.

S1065: MOTOR VEHICLE ACCIDENT REPORTS

Adds an insurance support organization that provides services in connection with claims investigation activities, antifraud activities, rating or underwriting to the list of entities in statute who may receive a copy of an unredacted written accident report.

Primary Sponsor: Sen. Nelson.
Signed by the governor, 5/6, Chapter 236.
ARS Title(s) affected: 28.

**S1070: SAFE NEIGHBORHOODS; IMMIGRATION; LAW ENFORCEMENT
(~~IMMIGRATION; LAW ENFORCEMENT; SAFE~~
NEIGHBORHOODS)**

As amended by HB2162: Prohibits law enforcement officials and law enforcement agencies of this state or counties, municipalities and political subdivisions from restricting or limiting the enforcement of the federal immigration laws to less than the full extent permitted by federal law. Requires law enforcement officials and agencies to make a reasonable attempt, when practicable, to determine the immigration status of a person involved in a stop, detention or arrest in the enforcement of any other law or ordinance of a county, city or town or this state where reasonable suspicion exists that the person is an alien and is unlawfully present, unless the determination may hinder or obstruct an investigation. Stipulates that if the person is arrested, the person's immigration status must be determined before the person is released and must be verified with the federal government. Stipulates that a law enforcement official or agency cannot consider race, color or national origin when

implementing these provisions, except as permitted by the U.S. or Arizona Constitution. Allows a person who is a legal resident of this state to bring an action in superior court to challenge officials and agencies of the state, counties, cities, towns or other political subdivisions that adopt or implement a policy that limits or restricts the enforcement of federal immigration laws, including 8 U.S.C. § 1373 and § 1644, to less than the full extent permitted by federal law. Other provisions. *Similar provisions in H2384 (did not pass).*

Primary Sponsor: Sen. Pearce. Co-sponsors: Rep. Antenori, Rep. Barnes, Rep. Biggs, Rep. Burges, Rep. Crump, Rep. Gowan, Rep. Hendrix, Rep. Kavanagh, Rep. Lesko, Rep. Mason, Rep. McLain, Rep. Montenegro, Rep. Murphy, Rep. Nichols, Rep. Reagan, Rep. Seel, Rep. Stevens, Rep. Jim Weiers, Rep. Jerry Weiers, Rep. Yarbrough, Sen. S. Allen, Sen. Burns, Sen. Gorman, Sen. L. Gray, Sen. C. Gray, Sen. Harper, Sen. Huppenthal, Sen. Leff, Sen. Melvin, Sen. Nelson, Sen. Pierce, Sen. Tibshraeny, Sen. Verschoor, Sen. Waring.
Signed by the governor, 4/23; Chapter 113.
ARS Title(s) affected: 11, 13, 23, 28.

S1071: INVOLUNTARY CIVIL COMMITMENT; PRIVILEGED COMMUNICATION

Allows a husband or wife to testify about physical acts and behaviors made by one to the other in a civil commitment hearing without the consent of the other.

Primary Sponsor: Sen. Paton.
Signed by the governor, 4/21, Chapter 112.
ARS Title(s) affected: 12.

S1087: BEHAVIORAL ANALYST; LICENSURE EXEMPTION (~~DOMESTIC VIOLENCE; DEFINITION; NOTICE~~)

Striker amendment allows, before January 1, 2011, a person who is not currently licensed in Arizona as a behavior analyst but who is certified by a national behavior analyst certification board to supervise behavior analyst work experience hours. Requires the Board of Psychologist Examiners to waive behavior analyst licensure requirements, until August 15, 2012, if an applicant fulfills other specified application criteria. Original legislation added crimes to the definition of domestic violence and removes a court notice requirement.

Primary Sponsor: Sen. L. Gray. Co-sponsors: Rep. Barto, Sen. Paton.
Signed by the governor, 5/10, Chapter 299.
ARS Title(s) affected: 32.

S1093: PRISONERS; TRANSITION PROGRAM

Modifies the eligibility requirements for the Transition Program (Program), allocates monies from specified inmates to the Transition Program Fund (Fund) and extends the Program for five years. Specifies that all inmates who receive compensation for productive work under the jurisdiction of or a contract with the ADC and were convicted of a crime other than driving under the influence (DUI), 5 percent of their gross wages must be deposited in the Fund. Specifies that inmates convicted of a sexual offense, arson or DUI are not eligible to participate in the Program. Other provisions.

Primary Sponsor: Sen. L. Gray.
Signed by the governor, 4/14, Chapter 54.
ARS Title(s) affected: 31.

**S1108: WEAPONS; CONCEALED CARRY (~~TECH CORRECTION;~~
CHILDREN)**

Makes changes relating to the carrying of concealed weapons without a concealed carry weapons (CCW) permit; requirements for obtaining a CCW permit; and the forfeiture of weapons under court order. With some exceptions, U.S. citizens age 21 and older may carry concealed weapons without a permit; the legislation changes the classification of misconduct involving weapons by removing the carrying or transporting of a concealed deadly weapon without a CCW permit as a violation subject to a class 1 misdemeanor. Prohibits a law enforcement officer from confiscating or forfeiting a weapon that is lawfully possessed by a permittee whose permit is suspended, except temporarily during an investigatory stop. Expands the ways in which CCW permit applicants can receive firearms safety training that demonstrates competency with firearms and for which adequate documentation of completion must be provided. Other provisions.

Primary Sponsor: Sen. Pearce.
Signed by the governor, 4/16, Chapter 59.
ARS Title(s) affected: 4, 13.

S1122: PRISON CONTRABAND; WIRELESS COMMUNICATION DEVICE

Adds wireless communication devices and multimedia storage devices to the list of contraband items not permitted in a correctional facility or juvenile secure care facility. States that contraband items authorized by the correctional facility policies may be used at the direction or with the permission of prison officials.

Primary Sponsor: Sen. Melvin.
Signed by the governor, 4/14, Chapter 56.
ARS Title(s) affected: 13, 32.

S1123: PRISONERS; COMMUNITY CORRECTIONS; MONITORING FEES

Establishes the Community Corrections Enhancement Fund (CCEF), to be administered by the Department of Corrections, consisting of fees for community supervision, parole, GPS monitoring and home arrest. Increases the monthly supervision fee for prisoners on supervised parole or under community supervision from \$30 to \$65 and requires the fees to be deposited as follows: 70 percent in the Victim Compensation and Assistance Fund and 30 percent in the CCEF.

Primary Sponsor: Sen. Melvin.
Signed by the governor, 4/14, Chapter 57.
ARS Title(s) affected: 31, 41.

**S1135: AGGRAVATED ASSAULT; CODE ENFORCEMENT OFFICER
(~~TECH CORRECTION; CHILD CUSTODY~~)**

Striker amendment classifies an assault by an individual on a code enforcement officer and a state or municipal park ranger as a class 6 felony for aggravated assault.

Primary Sponsor: Sen. Nelson.
Signed by the governor, 5/6, Chapter 241.
ARS Title(s) affected: 13.

S1144: DRUG OFFENSES; DEFINITIONS

Adds certain substances to the definition of dangerous drugs and modifies the definition of vapor releasing substance containing a toxic substance.

Primary Sponsor: Sen. Huppenthal.
Signed by the governor, 4/28, Chapter 203.
ARS Title(s) affected: 13.

S1152: FOSTER CARE CHILDREN; RIGHTS

Specifies that the rights outlined in the Bill of Rights for Children and Youth in Foster Care Act do not establish a cause of action and are not legally enforceable.

Primary Sponsor: Sen. Landrum Taylor.
Signed by the governor, 5/3, Chapter 218.
ARS Title(s) affected: 8.

S1153: STATE PREEMPTION; KNIVES

Prohibits a political subdivision from enacting any ordinance, rule or tax relating to the transportation, possession, carrying, sale, transfer, purchase, gift, devise, licensing, registration or use of a knife or knife making components in this state.

Primary Sponsor: Sen. C. Gray. Co-sponsors: Rep. Antenori, Rep. Ash, Rep. Barnes, Rep. Biggs, Rep. Burges, Rep. Court, Rep. Gowan, Rep. Lesko, Rep. Montenegro, Rep. Murphy, Rep. Nichols, Rep. Seel, Rep. Stevens, Sen. Gould, Sen. Harper, Sen. Melvin, Sen. Paton, Sen. Pearce, Sen. Pierce, Sen. Verschoor.
Signed by the governor, 4/28, Chapter 204.
ARS Title(s) affected: 13.

S1169: CORRECTIONS OFFICERS; SECOND JOBS (~~LAW ENFORCEMENT OFFICER; SPOUSE; INSURANCE~~)

An emergency measure that allows an officer or employee of the Arizona Department of Corrections (ADC) to maintain specified secondary employment. Removes the prohibition on ADC officers or employees receiving compensation for any act or service the officer or employee performs for or on behalf of a contractor, or an agent or employee of a contractor. Prohibits ADC officers or employees from having any monetary interest in contracts or purchases made by anyone for or on behalf of ADC or receive compensation for services unless approved by the director.

Primary Sponsor: Sen. Pearce. Co-sponsors: Rep. Antenori, Rep. Crump, Rep. Gowan, Rep. Jerry Weiers, Sen. Aguirre, Sen. S. Allen, Sen. Alvarez, Sen. Burns, Sen. L. Gray, Sen. C. Gray, Sen. Harper, Sen. Huppenthal, Sen. Melvin, Sen. Miranda, Sen. Paton, Sen. Pierce, Sen. Verschoor.

Signed by the governor, 5/7, Chapter 270.

ARS Title(s) affected: 31.

S1189: ADMISSIBILITY OF OPINION TESTIMONY

Requires the courts to use the Daubert standard in civil and criminal actions to determine the admissibility of expert opinion testimony.

Primary Sponsor: Sen. Leff. Co-sponsors: Rep. Barto, Rep. Court, Rep. Meyer, Rep. Tobin, Sen. C. Allen, Sen. Melvin.

Signed by the governor, 5/10, Chapter 302.

ARS Title(s) affected: 12.

S1204: CAPITAL POSTCONVICTION PUBLIC DEFENDER (~~STATE CAPITAL POSTCONVICTION PUBLIC DEFENDER~~)

Allows the State Capital Postconviction Public Defender (SCPPD) to provide outside counsel to, and to sponsor or fund training for, an attorney outside the State Capital Postconviction Public Defender Office (SCPPDO), and prohibits the SCPPD from representing a person who is not assigned by the Supreme Court.

Primary Sponsor: Sen. Paton.

Signed by the governor, 4/20, Chapter 109.

ARS Title(s) affected: 41.

S1266: ~~SEXTING; DOMESTIC VIOLENCE; PROTECTION ORDERS (JUVENILES; COMMUNICATION DEVICES; SEXUAL MATERIAL)~~

Establishes the juvenile offenses of using an electronic communication device to transmit or display visual depictions of explicit sexual material involving minors and possessing such visual depictions. Outlines defenses to possessing visual depictions. Adds choking to the definition of aggravated assault. Allows court to grant a petitioner an order of protection for animals. *Similar provisions in S1085, S1086 ((did not pass) and S1087(became striker).*

Primary Sponsor: Sen. Paton.

Signed by the governor, 5/7, Chapter 276.

ARS Title(s) affected: 8.

S1308: ~~SCHOOLS; DATING ABUSE AND VIOLENCE (HIGH SCHOOL INSTRUCTION; DATING VIOLENCE)~~

Requires school district governing boards to conduct a public meeting to review and consider the adoption of dating abuse curriculum and policies on or before June 30, 2011.

Primary Sponsor: Sen. L. Gray. Co-sponsors: Rep. Burges, Rep. Young Wright.

Signed by the governor, 5/11, Chapter 335.

ARS Title(s) affected: 15.

S1325: POLYGRAPH EXAMS; INTERVIEWS; LAW ENFORCEMENT

Modifies requirements regarding law enforcement or probation officer misconduct interviews, including information provided to the officer and the confidentiality of polygraph examinations. Applies misconduct interview requirements to situations in which the officer reasonably believes the investigation could result in a dismissal, demotion or suspension. Other provisions.

Primary Sponsor: Sen. L. Gray.

Signed by the governor, 4/29, Chapter 210.

ARS Title(s) affected: 41.

SENATE BILLS THAT FAILED

S1001: ELECTED OFFICIALS; PRINT; VISUAL MEDIA

Prohibits a statewide elected official or member of the state legislature (official) from using public monies for any public communication that refers to the public official or any of their employees by name, audio or visual likeness. (S1001 was later used as a budget striker bill).

Primary Sponsor: Sen. Pearce.

Last Action: 2/3, passed from Senate Appropriations.

ARS Title(s) affected: 38.

S1010: CHILD RESTRAINT SYSTEMS

Requires drivers to restrain a child in a booster seat or other child restraint system if the child is between five and eight years old and under four feet nine inches tall. (S1010 was later used as a budget striker bill).

Primary Sponsor: Sen. Linda Gray. Co-sponsors: Rep. Farley, Rep. Young Wright, Sen. About.

Last Action: 4/5, assigned to House Ways and Means.

ARS Title(s) affected: 28.

S1011: CONCEALED WEAPONS; FACULTY; SCHOOL GROUNDS

Allows a faculty member with a valid permit to carry a concealed weapon (CCW permit) to possess a concealed firearm on university or college grounds.

Primary Sponsor: Sen. Harper. Co-sponsors: Rep. Gowan, Rep. Jerry Weiers, Sen. S. Allen, Sen. Alvarez, Sen. Melvin, Sen. Pearce, Sen. Verschoor.

Last Action: 2/3, held in Senate Public Safety and Human Services.

ARS Title(s) affected: 13.

S1015: LIQUOR ESTABLISHMENTS; WEAPONS

Made changes to posting requirements for bars and restaurants that prohibit firearms on their business premises.

Primary Sponsor: Sen. Harper.

Last Action: 1/11, referred to Senate Commerce and Economic Development.

ARS Title(s) affected: 4.

S1016: SPECIAL COURT COMMISSIONER; APPOINTMENT

In counties with a population of 250,000 or more, the presiding judge may appoint justices of the peace to serve as special commissioners in criminal cases for the purpose of conducting initial appearances, preliminary hearings, and arraignments for the Superior Court.

Primary Sponsor: Sen. Pearce. Co-sponsors: Sen. S. Allen, Sen. C. Gray, Sen. Melvin, Sen. Miranda, Sen. Verschoor.

Last Action: 1/11, referred to Senate Judiciary.

ARS Title(s) affected: 12.

S1017: ELECTED COUNTY OFFICERS; AUTHORITY

Requires the County Board of Supervisors (Board) to appropriate monies to county officers in lump sum. Stipulates that an elected county officer has the full authority and discretion to fulfill the statutory duties of the office. Adds Justices of the Peace (JPs) to the statutory list of county officers.

Primary Sponsor: Sen. Pearce. Co-sponsors: Rep. Antenori, Rep. Ash, Rep. Barto, Rep. Gowan, Rep. Hendrix, Rep. Kavanagh, Rep. Lesko, Rep. Montenegro, Rep. Seel, Rep. Stevens, Rep. Jim Weiers, Sen. Gorman, Sen. C. Gray, Sen. Melvin, Sen. Pierce, Sen. Verschoor.

Last Action: 2/23, held in Senate Appropriations.

ARS Title(s) affected: 11.

S1019: EVIDENCE-BASED PROGRAMS; REQUIREMENTS; REPORTS

Establishes the Joint Legislative Committee on Evidence Based Practices in Government Programs. Establishes membership criteria and sets forth responsibilities for the committee. Requires the committee to submit a written report of its findings and recommendations, including any proposed legislation, to the Speaker of the House of Representatives, the President of the Senate and the Governor on or before Dec. 1, 2010.

Primary Sponsor: Sen. Pearce.

Last Action: 2/24, passed Senate Appropriations, amended.

ARS Title(s) affected: 41.

S1021: FIREARMS; USE OF DEADLY FORCE; JUSTIFICATION

Adds defensive display of a firearm to those acts for which a person is justified in using or threatening to use deadly physical force against another. Provides that the standard of reasonableness used in the defensive display of a firearm, in cases of domestic violence, is the state of mind of a person who has been a victim of past acts of domestic violence. *Similar provisions passed under H2629.*

Primary Sponsor: Sen. Pearce. Co-sponsors: Rep. Burges, Rep. Crump, Rep. Gowan, Sen. S. Allen, Sen. Harper.

Last Action: 3/2, referred to House Judiciary.

ARS Title(s) affected: 13.

S1022: VULNERABLE ADULTS; BURDEN OF PROOF

States the burden of proof in a civil action brought against a spouse or child of a vulnerable adult must be "clear and convincing" evidence. For civil actions against all others in cases involving vulnerable adults, the burden of proof is "preponderance of the evidence."

Primary Sponsor: Sen. Pearce.

Last Action: 1/11, referred to Senate Public Safety and Human Services.

ARS Title(s) affected: 46.

S1026: JUDICIAL DETERMINATIONS; APPLICABILITY

Prohibits religious tenets or foreign statute or case law being used as the basis for a judicial determination. *Similar provisions included in S1396 (did not pass).*

Primary Sponsor: Sen. Pearce. Co-sponsor: Rep. Burges.

Last Action: 1/11, referred to Senate Judiciary.

ARS Title(s) affected: 12.

S1034: MOTOR VEHICLES; RACING ON HIGHWAYS

Increases penalties for racing on a highway.

Primary Sponsor: Sen. Waring.

Last Action: 1/11, referred to Natural Resources, Infrastructure and Public Debt.

ARS Title(s) affected: 28.

S1037: SENTENCING; NATURAL LIFE IMPRISONMENT

Replaces life sentence with a sentence of natural life for many serious felony offenses, regardless of whether the defendant presents mitigating evidence.

Primary Sponsor: Sen. Waring.

Last Action: 1/11, referred to Senate Judiciary.

ARS Title(s) affected: 13.

S1038: LAW ENFORCEMENT; DUTY FITNESS EXAMS

Sets forth conditions under which results and pre-examination materials from a fitness for duty examination must be made available to the officer and/or a physician or psychiatrist conducting an independent examination.

Primary Sponsor: Sen. Waring.

Last Action: 1/11, referred to Senate Public Safety and Human Services.

ARS Title(s) affected: 38.

S1053: MINORS; ELECTRONIC CIGARETTES; PROHIBITION

Prohibits a person from knowingly selling, giving or furnishing electronic cigarettes to a minor. Specifies that a minor who is in possession of an electronic cigarette is guilty of a petty offense. *Similar provisions in H2203 (did not pass).*

Primary Sponsor: Sen. C. Allen.

Last Action: 3/17, passed from House Health and Human Services.

ARS Title(s) affected: 13.

S1054: RACKETEERING CRIMES; ANIMAL FIGHTING

Animal fighting is added to the list of racketeering crimes.

Primary Sponsor: Sen. Paton.

Last Action: 2/15, held in Senate Judiciary.

ARS Title(s) affected: 13.

S1057: VETERINARIANS; ANIMAL ABUSE REPORTING

Requires veterinarians to report to local law enforcement, within 48 hours of examination or treatment, any instance when a veterinarian reasonably suspects that the animal has been a victim of cruelty or neglect, or the animal has been involved in animal fighting. Requires veterinarians to provide veterinary records to local law enforcement, upon request, to aid in any criminal investigations of cruelty, neglect or animal fighting.

Primary Sponsor: Sen. Paton.

Last Action: 1/26, passed from Natural Resources, Public Infrastructure and Debt, amended.
ARS Title(s) affected: 13.

S1061: INCEST; CLASSIFICATION

Modifies incest felony classifications. Specifies that incest is a dangerous crime against children if a person is under 15 years of age. *Similar provisions in H2206 and H2577 (none of the bills passed).*

Primary Sponsor: Sen. Paton.

Last Action: 3/1, transmitted to the House; held.
ARS Title(s) affected: 13.

S1069: AGGRAVATED DUI; SENTENCING

Establishes minimum incarceration periods and changes penalties for certain aggravated driving under the influence offenses. The bill also allows special driver license holders to apply for restricted driver licenses.

Primary Sponsor: Sen. L. Gray.

Last Action: 4/15, passed from House Rules.
ARS Title(s) affected: 8, 28.

S1084: INJUNCTION AGAINST HARASSMENT; FEES

Eliminates the prohibition on fees for serving injunctions against harassment arising out of dating relationships.

Primary Sponsor: Sen. L. Gray.

Last Action: 4/19, passed from House Rules.
ARS Title(s) affected: 12.

S1085: ORDERS OF PROTECTION; ANIMALS

Allows a court issuing an order of protection to do any of the following:

- Grant a petitioner the exclusive care, custody or control of any animal that is owned, possessed, leased, kept or held by the petitioner, the respondent or a minor child residing in the residence or household of the petitioner or the respondent
- Order the respondent to stay away from the animal.
- Forbid the respondent from taking, transferring, encumbering, concealing, committing an act of cruelty or neglect or otherwise disposing of the animal.

Similar provisions were signed into law in S1266.

Primary Sponsor: Sen. Aboud. Co-sponsors: Rep. Barto, Rep. Young Wright, Sen. L. Gray, Sen. Paton.

Last Action: 4/22, passed House COW.

ARS Title(s) affected: 13.

S1086: STRANGULATION; SUFFOCATION; AGGRAVATED ASSAULT

Classifies as aggravated assault, subject to a class 4 felony, intentionally or knowingly impeding the normal breathing or circulation of blood or another person by applying pressure to the throat or neck or by obstructing the nose and mouth of another person. Applies this crime only in situations where the parties are in a relationship that is enumerated in the definition of domestic violence. *Similar provisions were signed into law in S1266.*

Primary Sponsor: Sen. L. Gray. Co-sponsors: Rep. Barto, Sen. Paton.

Last Action: 4/26, passed from House Rules.

ARS Title(s) affected: 13.

S1088: JUVENILES; DISCRETIONARY TRANSFER; ADULT COURT

Expands the list of offenses in which a jurisdictional determination is made as to whether a juvenile defendant at least 14 years of age who is charged as an adult in a criminal prosecution should be transferred to a juvenile court.

Primary Sponsor: Sen. L. Gray.

Last Action: 2/11, passed from Senate Public Safety and Human Services.

ARS Title(s) affected: 13.

S1089: JUVENILES; CHRONIC FELONY OFFENDER; DEFINITION

Increases the severity of crimes that define a juvenile as a chronic felony offender by requiring that at least one of the prior adjudications and dispositions involved an offense in which the juvenile intentionally caused physical harm or injury. The legislation excluded class 4, 5 or 6 felonies from unless the offense involved use of a deadly weapon and excluded negligent homicide and sexual abuse.

Primary Sponsor: Sen. L. Gray.

Last Action: 1/19, referred to Senate Judiciary.

ARS Title(s) affected: 13.

S1101: FIREARMS; DETENTION OFFICERS

Allows certain weapons qualified active duty and retired law enforcement officers to carry a concealed weapon without a concealed carry weapons permit (CCW).

Primary Sponsor: Sen. Pearce. Co-sponsors: Rep. Antenori, Rep. Burges, Rep. Kavanagh, Rep. Montenegro, Rep. Seel, Rep. Stevens, Sen. Gorman, Sen. Harper.

Last Action: 4/6, retained on House calendar.

ARS Title(s) affected: 13.

S1102: CONCEALED WEAPONS; PERMIT; JUSTIFICATION

Makes changes relating to the carrying of concealed weapons without a concealed carry weapons (CCW) permit; requirements for obtaining a CCW permit; the forfeiture of weapons under court order; and the defensive display of firearms. Changes the classification of misconduct involving weapons by removing as a violation subject to a class 1 misdemeanor the carrying or transporting of a concealed deadly weapon without a CCW permit. Classifies, as a petty offense, knowingly carrying, transporting or having within one's immediate control a concealed firearm by a person who is under 21 years of age. Other provisions. *Similar provisions under S1108 were signed into law.*

Primary Sponsor: Sen. Pearce. Co-sponsors: Rep. Antenori, Rep. Barnes, Rep. Burges, Rep. Crump, Rep. Gowan, Rep. Kavanagh, Rep. Lesko, Rep. Montenegro, Rep. Murphy, Rep. Seel, Rep. Stevens, Sen. S. Allen, Sen. Gorman, Sen. C. Gray, Sen. Harper, Sen. Verschoor.
Last Action: 2/18, held awaiting third reading.
ARS Title(s) affected: 4, 8, 12, 13, 15.

S1103: PRIVATE PRISON CONTRACTS; REDUCED RATE

Requires ADC, through June 30, 2012, to purchase new prison beds from a vendor whose offer is at least 50 percent below the current contracted price before purchasing any other comparable prison beds at a higher price.

Primary Sponsor: Sen. Pearce.
Last Action: 1/26, held in Senate Appropriations.
ARS Title(s) affected: 41.

S1109: GLENDALE ANNEXATION (~~LAW OFFICERS; DISCIPLINARY WARNINGS~~)

Initial legislation prohibits an oral or written disciplinary warning issued to a law enforcement officer from being an appealable action by the agency and from being included in the officer's personnel file. Striker bill allows the governing board of a municipality to immediately annex certain territory with a majority vote of the governing board (the legislation sought to block tribal casino development on land purchased by tribal government).

Primary Sponsor: Sen. Pearce.
Last Action: 4/13, transmitted to the Senate; held awaiting concurrence or conference.
ARS Title(s) affected: 9.

S1110: RESTRICTED DRIVER LICENSE; DUI

Allows certain DUI offenders to apply for a restricted driver license and allows a person who is served with an administrative license suspension to request a hearing online.

Primary Sponsor: Sen. L. Gray.
Last Action: 4/28, retained on House COW calendar.
ARS Title(s) affected: 28.

S1125: PUBLIC SALE OF ANIMALS

Removes the county population requirement of 800,000 people or more that limits the public sale of animals on public or private property.

Primary Sponsor: Sen. Melvin.
Last Action: 4/22, House COW approved.
ARS Title(s) affected: 44.

**S1140: JUVENILE CORRECTIONS; CONTINUATION (COUNTIES;
BOARDS OF ADJUSTMENT)**

Continues the Arizona Department of Juvenile Corrections (ADJC) for five years. *Similar provisions included in H2131 (did not pass).*

Primary Sponsor: Sen. Tibshraeny. Co-sponsors: Sen. Melvin, Sen. Paton.
Last Action: 4/22, passed House COW, with amendments.
ARS Title(s) affected: 41.

**S1165: AHCCCS; THIRD-PARTY LIABILITY (~~DUI; LICENSE
SUSPENSION~~)**

Initial legislation requires an officer to serve an order of license suspension on a person who is driving or in actual physical control of a vehicle with a drug in the person's body. Striker amendment requires the Arizona Health Care Cost Containment System (AHCCCS) Administration to issue a public request for proposal for a contract relating to determining third-party liability and coordination of benefits.

Primary Sponsor: Sen. L. Gray.
Last Action: 4/29, failed to pass on reconsideration.
ARS Title(s) affected: 36.

S1168: FIREARMS; REGULATION; STATE PREEMPTION

Modifies, with regard to firearms, rules or ordinances political subdivisions are permitted to enact, including those that limit the possession of firearms in parks or preserves. *Provisions signed into law under H2543.*

Primary Sponsor: Sen. Pearce. Co-sponsors: Rep. Antenori, Rep. Burges, Rep. Crump, Rep. Gowan, Rep. Kavanagh, Rep. Montenegro, Rep. Murphy, Rep. Seel, Rep. Stevens, Rep. Jerry Weiers, Sen. Alvarez, Sen. Gould, Sen. Huppenthal, Sen. Nelson, Sen. Verschoor.
Last action: 3/4, from Senate COW, amended.
ARS Title(s) affected: 9, 11, 13.

S1170: CAPITOL POLICE; TRANSFER

Transfers Capitol Police as a division within the Arizona Department of Administration (ADOA) to the Department of Public Safety (DPS).

Primary Sponsor: Sen. Pearce. Co-sponsors: Rep. Antenori, Rep. Burges, Rep. Gowan, Rep. Seel, Rep. Jerry Weiers, Sen. C. Allen, Sen. Alvarez, Sen. Burns, Sen. C. Gray, Sen. Harper, Sen. Melvin, Sen. Verschoor.

Last Action: 2/15, passed from Senate Government Institutions.

ARS Title(s) affected: 12, 23, 28, 38, 41.

S1172: SCHOOLS; GUN SAFETY PROGRAMS

Expands the list of people who are eligible to teach the Arizona Gun and Safety Program Course and modifies the course requirements.

Primary Sponsor: Sen. S. Allen. Co-sponsors: Sen. Alvarez, Sen. Gould, Sen. C. Gray, Sen. Harper, Sen. Melvin, Sen. Pearce, Sen. Verschoor.

Last Action: 4/13, failed to pass House.

ARS Title(s) affected: 15.

S1192: GAMBLING; CITIES AND TOWNS

Would allow local units of government to establish regulated gambling (casinos, racing, fighting matches) if any tribal government offered gaming outside of the traditional reservation boundaries.

Primary Sponsor: Sen. Harper.

Last Action: 1/25, referred to Senate Judiciary.

ARS Title(s) affected: 5, 43.

S1196: ILLEGAL DUMPING; PENALTIES

Establishes minimum penalties for municipal ordinances that address illegal dumping on public or private property. Penalties may not be waived.

Primary Sponsor: Sen. S. Allen. Co-sponsors: Rep. McGuire, Sen. Aguirre, Sen. Alvarez, Sen. Melvin, Sen. Miranda, Sen. Pierce.

Last Action: 4/6, referred to House Environment.

ARS Title(s) affected: 9, 11, 13.

S1205: SENTENCING; DANGEROUS DRUGS; METH

Expands enhanced dangerous drug sentencing provisions involving methamphetamine to include any prior felony offense conviction. *Similar provisions in H2136 (did not pass).*

Primary Sponsor: Sen. Paton.

Last Action: 3/25, passed from the Senate.

ARS Title(s) affected: 13.

S1209: WEAPONS; FORFEITURE AND SALE

Changes conditions under which the court must order the forfeiture and sale of a weapon that a convicted offender used while committing a felony. Also applies to offenders who committed felonies but were determined incompetent to stand trial.

Primary Sponsor: Sen. Pearce. Co-sponsors: Rep. Antenori, Rep. Burges, Rep. Gowan, Rep. Kavanagh, Rep. Lesko, Rep. Montenegro, Rep. Murphy, Rep. Seel, Rep. Stevens, Sen. Gould, Sen. Harper.

Last Action: 1/26, referred to Senate Judiciary.

ARS Title(s) affected: 13.

S1210: DUI; SENTENCING

The court may suspend 10 days of jail time if a DUI offender attends court-ordered drug or alcohol screening/treatment. Current statute allows suspension of 24 hours of jail time.

Primary Sponsor: Sen. Pearce. Co-sponsor: Rep. Burges.

Last Action: 1/26, referred to Senate Public Safety and Human Services.

ARS Title(s) affected: 28.

S1259: LICENSE PLATES; OBSCURING INFORMATION; PROHIBITION

Unless allowed the AZDOT, a person shall not apply a covering or any substance to the license plate or use a device that obscures the information on a vehicle's license plate.

Primary Sponsor: Sen. Chevront. Co-sponsors: Sen. L. Gray, Sen. Landrum Taylor, Sen. McCune Davis, Sen. Pierce.

Last Action: referred to Senate Natural Resources.

ARS Title(s) affected: 28.

S1272: STATE PHOTO ENFORCEMENT SYSTEM; REPEAL

Repeals the state statute authorizing the state's traffic photo enforcement system.

Primary Sponsor: Sen. Melvin.

Last Action: 1/28, referred to Senate Public Safety and Human Services

ARS Title(s) affected: 28, 41.

S1292: CIVIL ACTIONS; TIME LIMITS; CRIMES

Eliminates the statute of limitations for civil actions brought by persons subjected to sexual offenses as a minor. Establishes that an action for recovery of damages based on physical, psychological or other injuries suffered resulting from the direct conduct of another committed against a minor with regard to sexual offenses may be commenced at any time.

Primary Sponsor: Sen. Aguirre. Co-sponsors: Sen. Aboud, Sen. Burton Cahill, Sen. Lopez, Sen. McCune Davis.

Last Action: 2/23, from Senate Judiciary, amended.

ARS Title(s) affected: 12.

S1312: ADMISSIBILITY OF EXPERT OPINION TESTIMONY

Sets forth provisions that the court must consider in order to allow expert testimony in a civil action. *Similar provisions were passed in S1189.*

Primary Sponsor: Sen. C. Gray.

Last Action: 2/1, referred to Senate Healthcare and Medical Liability Reform.

ARS Title(s) affected: 12.

S1334: CELL PHONE USE; TEXTING; DRIVING

Prohibits the use of handheld cell phones and other wireless electronic communication devices to text or otherwise read a written message while driving, effective Jan. 1, 2011. *Similar provisions in H2655 (did not pass).*

Primary Sponsor: Sen. Melvin. Co-sponsors: Rep. Farley, Rep. Heinz, Sen. Aguirre, Sen. C. Allen, Sen. Pierce.

Last Action: 3/23, referred to House Transportation and Infrastructure.

ARS Title(s) affected: 28.

S1348: REGULATORY REVIEW; RULE-MAKING

Establishes the Commission on Privatization, Efficiency and Competition and requires Senate confirmation of members of the Governor's Regulatory Review Council. Allows summary rulemaking to repeal obsolete rules. *Similar provision passed in H2260.*

Primary Sponsor: Sen. Burns.

Last Action: 4/5, referred to House Commerce.

ARS Title(s) affected: 20, 41.

S1352: THEFT; CATALYTIC CONVERTER

Classifies, as a class 4 felony, theft of a catalytic converter regardless of its value.

Primary Sponsor: Sen. McCune Davis. Co-sponsors: Rep. Chad Campbell, Rep. Meza.

Last Action: 3/22, failed to pass Senate.

ARS Title(s) affected: 13.

S1360: LOBBYISTS; COMPENSATION REPORTING

Subjects lobbyists to additional reporting requirements, including names of clients and terms of agreements for compensation.

Primary Sponsor: Sen. McCune Davis.

Last Action: 2/3, referred to Senate Government Institutions.

ARS Title(s) affected: 41.

S1361: LOBBYISTS; PROHIBITED ACTS

Prohibits, and classifies as a class 1 misdemeanor, a lobbyist, designated public lobbyist or authorized public lobbyist from knowingly providing false information to any public official. Prohibits a lobbyist, designated public lobbyist or authorized public lobbyist from acting as a lobbyist for three years after being convicted of providing false information.

Primary Sponsor: Sen. McCune Davis.

Last Action: 2/15, passed from Senate Government Institutions.

ARS Title(s) affected: 41.

**S1369: FIREARMS; ARIZONA MANUFACTURE; INTRASTATE
COMMERCE**

States that a personal firearm, a firearm accessory or ammunition that is manufactured commercially or privately in Arizona and that remains within the borders of Arizona is not subject to federal law or federal regulation, including registration, under the authority of Congress to regulate interstate commerce.

Primary Sponsor: Sen. Gould. Co-sponsors: Sen. Harper, Sen. Nelson.
Last Action: 2/3, referred to Senate Judiciary.
ARS Title(s) affected: 13.

S1377: MARIJUANA; OFFENSE; CLASSIFICATION

Changes the threshold of a class 3 marijuana violation from “four pounds or more” to “more than four pounds.” *Similar provisions signed into law in H2435.*

Primary Sponsor: Sen. Gould. Co-sponsor: Sen. Nelson.
Last Action: 2/4, referred to Senate Judiciary.
ARS Title(s) affected: 13.

S1380: PROBATION; DRUG OFFENSES; ILLEGAL ALIENS

Requires a jail term of 30 days for an undocumented alien who is convicted of minor drug offenses. The convicted offender is not eligible for probation and the 30-day jail sentence may not be suspended.

Primary Sponsor: Sen. Gould. Co-sponsors: Sen. Harper, Sen. Nelson.
Last Action: 2/4, referred to House Judiciary.
ARS Title(s) affected: 13.

S1382: LOBBYISTS; GIFTS

Various changes to the statute governing the lobbying gift ban.

Primary Sponsor: Sen. Gould.
Last Action: 2/4, referred to Government Institutions.
ARS Title(s) affected: 41.

S1387: PHOTO ENFORCEMENT; DPS; SIGNAGE

Makes various changes to the requirements for signage that accompanies photo traffic enforcement.

Primary Sponsor: Sen. Gould. Co-sponsor: Sen. Gorman.
Last Action: 2/4, referred to Senate Public Safety and Human Services.
ARS Title(s) affected: 28, 14.

S1388: SPEEDING CITATIONS; PHOTO ENFORCEMENT SYSTEMS

Photo enforcement citations may be issued only if a vehicle is traveling at least 11 miles per hour faster than 85 percent of the vehicles on the highway. The jurisdiction contracting for

the photo enforcement system must determine the minimum speed that will result in a citation. The minimum speed shall be determined based on vehicles traveling during non-peak daylight hours in good weather conditions.

Primary Sponsor: Sen. Gould.

Last Action: 2/4, referred to Senate Public Safety and Human Services.

ARS Title(s) affected: 28, 41.

S1391: CRIMINAL CLEARANCE CARDS; AUTHORIZED COMPANY

Allows the Arizona Department of Administration to designate an authorized company to conduct criminal history background checks. Requires criminal clearance cards to be renewed every two years.

Primary Sponsor: Sen. Pearce.

Last Action: 2/23, failed Senate Appropriations.

ARS Title(s) affected: 41.

S1394: UNLAWFUL REENTRY; OFFENSE; BAIL

Classifies, as a class 4 felony, violations related to unlawful reentry by an undocumented alien; specifies sentencing for felony offenses committed in addition to unlawful reentry; and makes persons with specified immigration violations ineligible for bail.

Primary Sponsor: Sen. Pearce. Co-sponsors: Sen. C. Gray, Sen. Huppenthal, Sen. Paton.

Last Action: 3/31, referred to House Judiciary.

ARS Title(s) affected: 13.

S1395: CPS INFORMATION

Removes a provision that allows any person to request a transcript be made of *any* previously closed proceeding. Allows a person to request that a transcript of any closed hearing relating to child abuse, abandonment or neglect that has resulted in a fatality or near fatality. Instructs the court to take certain factors into consideration when making its decision whether to grant a request for a transcript of a closed proceeding that relates to child abuse, abandonment or neglect that resulted in a fatality or near fatality.

Primary Sponsor: Sen. Paton.

Last Action: 4/27, passed from House Rules.

ARS Title(s) affected: 8.

S1396: FOREIGN JUDICIAL DETERMINATIONS; JUDGMENTS

Prohibited an Arizona court from recognizing judgment rendered in a foreign country based on a claim of defamation unless the court determines that the defamation law applied by the foreign court provided at least as much protection for freedom of speech and press as provided by the U.S. Constitution and the Constitution of the state of Arizona. Prohibits Arizona courts from using the resolution, ruling, policy, law or judicial determination of a foreign country or international body as the basis for a judicial determination. *Similar provisions included in S1026 (did not pass).*

Primary Sponsor: Sen. C. Gray.
Last Action: 2/4, referred to Senate Judiciary.
ARS Title(s) affected: 12.

S1441: GRAND JURIES; NOTICE; INDICTMENTS

Requires a grand jury to notify a person in writing if that person is under investigation. The grand jury must advise the person under investigation of his/her right to present evidence to the grand jury. The grand jury must present and return an indictment to the prosecutor (rather than the court).

Primary Sponsor: Sen. Garcia. Co-Sponsors: Sen. Huppenthal, Sen. Landrum Taylor.
Last Action: 2/4, referred to Senate Judiciary.
ARS Title(s) affected: 21.

S1442: CHILD PROTECTIVE SERVICES

A parent or guardian must not cancel insurance coverage for a child who has been removed from the home if the child was covered at the time of removal. The Department of Economic Security shall coordinate payment for services under the insurance plan. Allows parents and guardians to designate placement for a child being removed unless DES determines that the placement poses a risk to the child. Other provisions.

Primary Sponsor: Sen. Melvin.
Last Action: 2/4, referred to Senate Public Safety and Human Services.
ARS Title(s) affected: 8.

S1443: PHOTO ENFORCEMENT PROCEDURES

Allows an off duty law enforcement officer, certified by Arizona Peace Officer Standards, to serve all process, writs, orders, pleadings or papers, including traffic complaints resulting from the state photo enforcement system, subject to certain requirements. Requires the Governor's Office of Highway Safety, in conjunction with the Arizona Department of Transportation (ADOT) and DPS, to submit an annual report to the Governor, the President of the Senate and the Speaker of the House beginning August 1, 2010, that includes information on traffic statistics related to the state photo enforcement system and monies received from citations or notices of violation resulting from the system. Other provisions.

Primary Sponsor: Sen. L. Gray. Co-sponsors: Rep. Antenori, Rep. Barto, Rep. Farley, Rep. Reagan, Rep. Stevens, Sen. Rios.
Last Action: 4/28, retained on House COW calendar.
ARS Title(s) affected: 28, 41.

SENATE CONCURRENT AND MEMORIAL 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.

SCR1002: JUDICIAL APPOINTMENTS; SENATE CONFIRMATION

Subject to voter approval, constitutionally eliminates the commissions on appellate and trial court appointments and replaces the current system for filling appellate and superior court vacancies with a Senate confirmation process.

Primary Sponsor: Sen. Harper. Co-sponsor: Rep. Nelson.
Last Action: 3/18, retained on Senate COW calendar.

SCR1003: PUNITIVE DAMAGES AWARDS; LIMITATION

A referendum measure that would repeal Article II, section 31, Constitution of Arizona, which prohibits limits on damages for death or personal injuries.

Primary Sponsor: Sen. Harper. Co-sponsor: Rep. Nelson.
Last Action: 1/11, referred to Senate Judiciary.

SCR1006: DAMAGES FOR INJURY OR DEATH; LIMITATION

A referendum measure that would repeal Article II, section 31, Constitution of Arizona, which prohibits limits on damages for death or personal injuries and would repeal Article XVIII, section 6, Constitution of Arizona, relating to the recovery of damages for injuries.

Primary Sponsor: Sen. Harper. Co-sponsors: Rep. Burges, Sen. C. Gray, Sen. Pearce.
Last Action: 1/11, referred to Senate Judiciary.

SCR1037: CHIEF JUSTICE; PRESIDING JUDGES; ELECTED

Referendum measure that would require elections for various judges and justices that are now appointed.

Primary Sponsor: Sen. Pearce. Co-sponsors: Rep. Gowan, Sen. Gould.
Last Action: 1/28, referred to Senate Judiciary.

SCR1040: JUSTICES AND JUDGES; RETIREMENT AGE

A ballot measure that would change the retirement age for justices and judges from 70 years of age to 75 years of age.

Primary Sponsor: Sen. Huppenthal. Co-sponsors: Rep. Driggs, Rep. Konopnicki, Rep. Quellan, Sen. Leff, Sen. Melvin, Sen. Nelson, Sen. Pierce.
Last Action: 4/19, passed from House Rules.

SCR1049: JUDGES; ELECTION (~~ACCOUNTABILITY; ELECTIONS FOR JUDGES~~)

Striker amendment would constitutionally increase the county population threshold from 250,000 to 800,000 for filling judicial vacancies through merit selection and retention (subject to voter approval).

Primary Sponsor: Sen. C. Gray. Co-sponsors: Sen. Gould, Sen. Harper, Sen. Pearce, Sen. Verschoor.

Last Action: 3/4, failed motion to reconsider.

SCR1051: SPEEDING CITATIONS; PHOTO ENFORCEMENT SYSTEMS

Subject to voter approval, photo enforcement citations may be issued only if a vehicle is traveling at least 11 miles per hour faster than 85 percent of the vehicles on the highway. The jurisdiction contracting for the photo enforcement system must determine the minimum speed that will result in a citation. The minimum speed shall be determined based on vehicles traveling during non-peak daylight hours in good weather conditions. *Similar provisions included in S1388.*

Primary Sponsor: Sen. Gould.

Last Action: 2/4, referred to Senate Public Safety and Human Services.

SCR1052: PHOTO RADAR; PROHIBITION ON HIGHWAYS

Subject to voter approval, statutorily eliminates the state photo enforcement system and prohibits photo enforcement on state highways.

Primary Sponsor: Sen. Gould.

Last Action: 2/10, held in Senate Public Safety and Human Services.

SCR1054: PUBLIC AGENCY LOBBYISTS

A referendum that would prohibit a public agency from lobbying the legislature via an agency employee or a contract lobbyist. Allows the legislature to request information from an agency employee but prohibits the employee from making any recommendations.

Primary Sponsor: Sen. Gould. Co-sponsors: Rep. Antenori, Rep. Burges, Rep. Gowan, Rep. Hendrix, Rep. Lesko, Rep. Montenegro, Rep. Seel, Rep. Stevens, Sen. S. Allen, Sen. Harper, Sen. Pearce, Sen. Verschoor.

Last Action: 2/4, referred to Senate Government Institutions.

SCR1059: PROCEDURES; PHOTO ENFORCEMENT

Referendum making several changes to state photo enforcement. Extends the time limit for filing a civil traffic violation case that is detected by the state photo enforcement system from 60 to 120 days after the alleged violation. Repeals, retroactive to July 1, 2009, the prohibition of photo enforcement citations from being included in judicial productivity calculations for FY 2010. Other provisions.

Primary Sponsor: Sen. L. Gray.

Last Action: 3/25, failed to pass Senate.

2010 HOUSE BILLS

The following section includes House bills that were signed into law, bills that failed to pass, 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 is compiled from sources at Arizona Legislation Information Services (ALIS) online; full bill information can be found at www.azleg.gov.

HOUSE BILLS SIGNED INTO LAW

H2020: JUVENILE OFFENDER; COMPETENCY RESTORATION

Eliminates the court's mandatory requirement to appoint a guardian *ad litem* to juveniles ordered to complete a competency restoration program.

Primary Sponsor: Rep. Barto.
Signed by the governor, 4/9. Chapter 24.
ARS Title(s) affected: 8.

H2062: AGGRAVATED ASSAULT; PEACE OFFICERS

States that it is a class 4 felony if a physical assault of a peace officer results in injury to that peace officer.

Primary Sponsor: Rep. Tobin.
Signed by the governor, 4/20. Chapter 97.
ARS Title(s) affected: 13.

H2162: ILLEGAL IMMIGRATION; BORDER SECURITY COMMISSION

Establishes the Joint Border Security Advisory Committee. Requires a law enforcement official or agency, for any lawful stop, detention or arrest, where reasonable suspicion exists that a person is an alien and unlawfully present, to determine the immigration status of the detainee and prohibits a law enforcement official from considering race, color or national origin when determining a person's immigration status. *Amended provisions in S1070.*

Primary Sponsor: Rep. Nichols.
Signed by the governor, 4/30. Chapter 211.
ARS Title(s) affected: 41.

H2166: LAW ENFORCEMENT; OFFICER; REPRESENTATION

Prohibits the use of evidence in an appeals hearing of a law enforcement or probation officer if the officer is denied a representative during the investigative interview.

Primary Sponsor: Rep Biggs.
Signed by the governor, 4/27, Chapter 177.
ARS Title(s) affected: 38.

H2236: THEFT BY EXTORTION; TAX LIENS

Classifies threatening to take or withhold action regarding a claim of easement or right of access to a servient estate under certain circumstances as theft by extortion.

Primary Sponsor: Rep. Kavanagh.
Signed by the governor, 5/6. Chapter 226.
ARS Title(s) affected: 13.

H2238: SEXUAL OFFENSES; PROBATION; SENTENCING

Requires a person who is convicted of public sexual indecency to a minor or felony indecent exposure and who has two or more historical prior convictions for a violation involving public sexual indecency to a minor or indecent exposure to be sentenced to a presumptive term of ten years imprisonment. Classifies felony indecent exposure and public sexual indecency to a minor as sexually violent offenses.

Primary Sponsor: Rep. Tobin.
Signed by the governor, 5/7. Chapter 255.
ARS Title(s) affected: 13.

H2296: PEACE OFFICER; SPOUSE; INSURANCE PAYMENT

An emergency measure that allows the spouse of a law enforcement officer who is killed in the line of duty to receive payments for health insurance premiums for one year after the death of the officer.

Primary Sponsor: Rep. Jerry Weiers. Co-sponsors: Rep. Antenori, Rep. Ash, Rep. Biggs, Rep. Burges, Rep. Chad Campbell, Rep. Chabin, Rep. Court, Rep. Driggs, Rep. Farley, Rep. Gowan, Rep. Hendrix, Rep. Jones, Rep. Konopnicki, Rep. Lesko, Rep. McComish, Rep. Montenegro, Rep. Murphy, Rep. Nichols, Rep. Pratt, Rep. Seel, Rep. Yarbrough.
Signed by the governor, 4/26. Chapter 148.
ARS Title(s) affected: 38.

H2307: ARIZONA MANUFACTURED FIREARMS; REGULATION

With some exceptions, firearms and ammunition manufactured and remaining in Arizona are not subject to federal regulation or federal law.

Primary Sponsor: Rep. McLain. Co-sponsors: Rep. Ableser, Rep. Antenori, Rep. Ash, Rep. Barnes, Rep. Barto, Rep. Biggs, Rep. Boone, Rep. Burges, Rep. Court, Rep. Crandall, Rep. Crump, Rep. Driggs, Rep. Goodale, Rep. Gowan, Rep. Heinz, Rep. Hendrix, Rep. Jones, Rep. Kavanagh, Rep. Konopnicki, Rep. Lesko, Rep. Mason, Rep. McComish, Rep. Montenegro, Rep. Murphy, Rep. Nichols, Rep. Pratt, Rep. Reagan, Rep. Seel, Rep. Stevens, Rep. Tobin, Rep. Jerry Weiers, Rep. Williams, Rep. Yarbrough, Sen. S. Allen, Sen. Gorman, Sen. L. Gray, Sen. Harper, Sen. Melvin, Sen. Nelson, Sen. Pearce, Sen. Verschoor.
Signed by the governor, 4/5, Chapter 18.
ARS Title(s) affected: 13.

H2334: COSTS; SUPERIOR COURT; DOCUMENT PREPARATION

Allows a court to award the cost of document preparation by a certified legal document preparer to the prevailing party in a legal action. Stipulates that the party seeking recovery will file a sworn affidavit of costs with the court.

Primary Sponsor: Rep. Ash. Co-sponsors: Rep. Ableser, Rep. McComish, Rep. Sinema, Sen. Huppenthal.

Signed by the governor, 4/23. Chapter 134.

ARS Title(s) affected: 12.

H2425: VULNERABLE ADULTS; ATTORNEY FEES

Limits the amount of attorney fees a court may award in a civil action from two times the amount of compensatory damages to the total amount of compensatory damages.

Primary Sponsor: Rep. Driggs. Co-sponsors: Rep. Antenori, Rep. Barto, Rep. Crandall, Rep. Kavanagh, Rep. Mason.

Signed by the governor, 4/16. Chapter 84.

ARS Title(s) affected: 46.

H2426: ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS

Adopts the Uniform Adult Guardianship and Protective Proceeding Jurisdictions Act in order to comply with model legislation prepared by the National Conference of Commissioners on Uniform State Laws.

Primary Sponsor: Rep. Driggs. Co-sponsors: Sen. Leff, Sen. Waring.

Signed by the governor, 4/20. Chapter 101.

ARS Title(s) affected: 14.

H2435: REPETITIVE OFFENDERS; PROBATION; MARIJUANA OFFENSES

States that a person who was convicted in a court outside state jurisdiction of an offense that would have constituted a felony in Arizona is subject to the sentencing statutes for repetitive offenders if the person is convicted of a felony and has one or more historical prior felony convictions. Explains that only people who are convicted of a dangerous crime against children on or after November 1, 2006, are subject to GPS monitoring. Clarifies that a person who possesses four pounds or more of marijuana is guilty of a class 4 felony. *Marijuana provisions were included in S1377 (later used as a striker).*

Primary Sponsor: Rep. Driggs.

Signed by the governor, 4/27. Chapter 194.

ARS Title(s) affected: 13.

H2437: GUARDIANSHIP; FOREIGN CITIZENS

Allows the court to appoint an adult as the guardian of a foreign citizen if the foreign citizen is less than 21 years old, and the foreign citizen has a temporary U.S. visa.

Primary Sponsor: Rep. Driggs.

Signed by the governor, 4/26. Chapter 151.

ARS Title(s) affected: 14.

H2470: PUBLIC DEFENDER; DUTIES; REIMBURSEMENT

Allows a court to appoint a public defender as counsel to an indigent person in guardianship, conservatorship and involuntary quarantine proceedings.

Primary Sponsor: Rep. Goodale. Co-sponsors: Rep. Brown, Rep. Burges, Rep. Court, Rep. Driggs, Rep. Gowan, Rep. Jones, Rep. Stevens, Sen. Paton, Sen. Verschoor.

Signed by the governor, 4/28. Chapter 195.

ARS Title(s) affected: 11, 41.

H2471: APPOINTED MENTAL HEALTH EXPERTS; REQUIREMENTS

Removes the requirement that at least one of the mental health experts appointed by a court in the competency examination of a juvenile or criminal defendant be a licensed psychiatrist. Requires, on the motion of the court or any party, the court to appoint a psychiatrist in the competency examination of a juvenile or criminal defendant.

Primary Sponsor: Rep. Goodale. Co-sponsors: Rep. Antenori, Rep. Barto, Rep. Burges, Rep. Chabin, Rep. Court, Rep. Gowan, Rep. Heinz, Rep. Jones, Rep. Mason, Rep. Montenegro, Rep. Pratt, Rep. Schapira, Rep. Seel, Rep. Stevens, Sen. Verschoor.

Signed by the governor, 5/7. Chapter 259.

ARS Title(s) affected: 8, 13.

H2493: SEXUALLY VIOLENT PERSONS; COMMITMENT

Allows the director of Department of Corrections (DOC) to enter into a written agreement with the Attorney General or county attorney to have the sexually violent person retrieved by another state or federal jurisdiction if the person has a pending sentence of imprisonment in that other jurisdiction. States that if the DOC or Arizona State Hospital is unable to submit a written request for petition between 30 and 120 days prior to the release of a sexually violent person, the county attorney or Attorney General is not precluded from filing the petition.

Primary Sponsor: Rep. Lesko. Co-sponsors: Rep. Ash, Rep. Burges, Rep. Murphy, Rep. Seel. Signed by the governor, 4/20. Chapter 103.

ARS Title(s) affected: 36.

H2534: TRAFFIC COMPLAINTS; SOCIAL SECURITY NUMBER

Prohibits a traffic complaint from containing a person's social security number.

Primary Sponsor: Rep. Gowan. Co-sponsors: Rep. Antenori, Rep. Boone, Rep. Burges, Rep. Chad Campbell, Rep. Chabin, Rep. Driggs, Rep. Goodale, Rep. Lesko, Rep. Mason, Rep. Montenegro, Rep. Pratt, Rep. Seel, Rep. Stevens, Rep. Jerry Weiers, Sen. Melvin, Sen. Pearce.

Signed by the governor, 4/26. Chapter 155.

ARS Title(s) affected: 28.

H2543: FIREARMS; REGULATION; STATE PREEMPTION

State law regulating firearms supersedes laws enacted by political subdivisions. Restricts political subdivisions from enacting firearms regulations related to licensing, storage, and

registration. Prohibits political subdivisions from limiting the firearm possession of concealed weapons permit holders in parks smaller than one square mile.

Primary Sponsor: Rep. Gowan. Co-sponsors: Rep. Antenori, Rep. Boone, Rep. Burges, Rep. Goodale, Rep. Lesko, Rep. Mason, Rep. Montenegro, Rep. Pratt, Rep. Seel, Rep. Stevens, Rep. Jerry Weiers, Sen. Melvin, Sen. Pearce.

Signed by the governor, 4/5, Chapter 19.

ARS Title(s) affected: 13.

H2608: CONSTABLES; JURISDICTION; SURCHARGE

Permits constables to execute, serve, and return processes and notices in adjoining precincts of other counties if those precincts adjoin the precinct in which the constable was elected or appointed.

Primary Sponsor: Rep. Driggs. Co-sponsors: Rep. Ableser, Rep. Goodale, Rep. Konopnicki, Sen. Huppenthal, Sen. Rios.

Signed by the governor, 5/6, Chapter 230.

ARS Title(s) affected: 22.

**H2629: FIREARMS; SELF DEFENSE; REGISTRATION
(~~FIREARMS; RETIRED LAW ENFORCEMENT~~)**

Striker amendment prohibits a political subdivision from maintaining records related to the transfer or storage of firearms. Specifies that, in a situation where a person is justified in threatening or using deadly physical force against another, the person has no duty to retreat prior to threatening or using the force, provided the person is in a place they are legally permitted to be and not engaged in unlawful activity. Original language allows medically retired law enforcement officers who meet certain criteria to carry a concealed deadly weapon without a concealed carry weapons permit (CCW). *Similar provisions in S1021.*

Primary Sponsor: Rep. Stevens. Co-sponsors: Rep. Antenori, Rep. Ash, Rep. Biggs, Rep. Burges, Rep. Driggs, Rep. Gowan, Rep. Konopnicki, Rep. Lesko, Rep. McGuire, Rep. Montenegro, Rep. Murphy, Rep. Pratt, Rep. Seel, Rep. Tobin, Rep. Williams, Sen. Melvin, Sen. Nelson.

Signed by the governor, 5/11, Chapter 327.

ARS Title(s) affected: 13.

HOUSE BILLS THAT FAILED

H2015: FIREARMS; USE OF DEADLY FORCE; JUSTIFICATION

A person is justified in threatening or using deadly physical force against another if both of the following apply: if such the person would be justified in threatening or using physical force against the other, and or defensively displaying a firearm; when and to the degree a reasonable person would believe that deadly physical force is immediately necessary to protect himself against the other's use or attempted use of unlawful deadly physical force.

Primary Sponsor: Rep. Burges.

Last Action: 2/1, referred to House Judiciary.

ARS Title(s) affected: 13.

H2016: FIREARMS; CONCEALED CARRY; REQUIREMENTS

Establishes qualifications and conditions whereby the Department of Public Safety may issue someone a permit to carry a concealed weapon.

Primary Sponsor: Rep. Burges.

Last Action: 2/1, referred to House Judiciary.

ARS Title(s) affected: 13.

H2017: SCHOOLS; GUN SAFETY PROGRAM; INSTRUCTORS

Allows each school district and charter school to offer as an elective course a one semester course in firearm marksmanship that shall be designated as the Arizona gun safety program. Stipulates that instructors shall be certified by the National Rifle Association of America.

Primary Sponsor: Rep. Burges.

Last Action: 2/1, referred to House Military Affairs and Public Safety.

ARS Title(s) affected: 15.

H2041: FIREARMS; PEACE OFFICERS; SCHOOL GROUNDS

Clarifies that school districts, charter schools, public community colleges and public universities are included in the definition of *political subdivision* in regards to statutes restricting firearm possession by peace officers.

Primary Sponsor: Rep. Kavanagh. Co-sponsors: Rep. Gowan, Sen. S. Allen, Sen. C. Allen, Sen. Pearce.

Last Action: 1/13, held in House Military Affairs and Public Safety.

ARS Title(s) affected: 38.

H2042: ROADSIDE SOLICITATION OF EMPLOYMENT; PROHIBITION

Classifies, as a class 3 misdemeanor, the entering of a vehicle by a person for the purpose of labor, or for an occupant of a vehicle to attempt to hire or hire and pick up other persons to work at a different location, if the vehicle blocks or impedes the normal flow of traffic on a street, roadway or highway.

Primary Sponsor: Rep. Kavanagh.
Last Action: 3/15, held in Senate Judiciary.
ARS Title(s) affected: 13.

H2044: VICIOUS ANIMAL ASSAULT; CLASSIFICATION

Requires the owner of an aggressive dog to take reasonable care to control the dog in order to keep the dog from biting or attacking a person or domestic animal while the dog is off the property of the owner. Declares that a person who knowingly causes a dog to attack another person is guilty of a class 3 felony, unless the situation would warrant self-defense or defense of a third party. Declares that a person who knowingly causes a dog to attack another person is guilty of a class 3 felony, unless the situation would warrant self-defense or defense of a third party.

Primary Sponsor: Rep. Montenegro.
Last Action: 3/17, referred to Senate Judiciary.
ARS Title(s) affected: 11, 13.

H2076: SMOKING IN VEHICLE WITH MINOR

Stipulates that a person shall not smoke in a motor vehicle if a person under 16 years of age is in the motor vehicle. For a first violation, a person is subject to a civil penalty of \$50 for each person who is under 16 years of age and who is in the motor vehicle. For each subsequent violation, the civil penalty shall be \$100 for each person who is under 16 years of age and who is in the motor vehicle.

Primary Sponsor: Rep. Schapira.
Last Action: 1/12, referred to House Transportation and Infrastructure.
ARS Title(s) affected: 28.

H2085: PHOTO ENFORCEMENT; CITATION ISSUANCE

Specifies that a citation or notice of violation (NOV) issued pursuant to the state photo enforcement system (SPES) must be issued by a law enforcement officer at the time of the violation. *Similar provisions signed into law under S1018.*

Primary Sponsor: Rep. Mason. Co-sponsors: Rep. Ash, Rep. Boone, Rep. Burges, Rep. Hendrix, Rep. Montenegro, Rep. Murphy, Rep. Nichols.
Last Action: 3/8, House COW, approved.
ARS Title(s) affected: 41.

H2131: DEPARTMENT OF JUVENILE CORRECTIONS; CONTINUATION

Continues the Arizona Department of Juvenile Corrections (ADJC) for five years. *Similar provisions included in S1040 (did not pass).*

Primary Sponsor: Rep. Jerry Weiers. Co-sponsors: Rep. Burges, Rep. Gowan, Rep. Montenegro, Rep. Seel, Sen. L. Gray.
Last Action: 3/8, withdrawn from Senate Public Safety and Human Services.
ARS Title(s) affected: 41.

H2136: SENTENCING; PRIOR CONVICTIONS; METHAMPHETAMINE

Subjects an individual convicted of a drug offense involving methamphetamine to the special sentencing provisions for drug offenses if that individual was previously convicted of a drug offense involving methamphetamine in another jurisdiction that, if committed in Arizona, would violate enumerated drug laws. *Similar provisions in S1205 (failed).*

Primary Sponsor: Rep. Mason. Co-sponsor: Rep. Meyer.
Last Action: 3/2, referred to Senate Judiciary.
ARS Title(s) affected: 13.

H2141: AGGRAVATED ASSAULT; PARK RANGERS

States that a person is guilty of a Class 6 felony for aggravated assault if the person committing the assault knows or has reason to know that the victim is a state or municipal park ranger.

Primary Sponsor: Rep. Montenegro.
Last Action: 3/17, referred to Senate Judiciary.
ARS Title(s) affected: 13.

H2202: SENTENCING; PROHIBITED POSSESSORS

Establishes consecutive sentencing for prohibited possessors, if, in the commission of a crime, a deadly weapon is used.

Primary Sponsor: Rep. Lujan.
Last Action: 1/19, referred to House Judiciary.
ARS Title(s) affected: 13.

H2203: MINORS; ELECTRONIC CIGARETTES; PROHIBITION

A person who knowingly sells, gives or furnishes cigars, cigarettes, electronic cigarettes or cigarette papers, or smoking or chewing tobacco, to a minor, and a minor who buys, or has in his possession or knowingly accepts or receives from any person, cigars, cigarettes, electronic cigarettes or cigarette papers, or smoking or chewing tobacco of any kind, is guilty of a petty offense. *Similar provisions in S1053 (did not pass).*

Primary Sponsor: Rep. Lujan.
Last Action: 1/20, referred to House Judiciary; Health and Human Services.
ARS Title(s) affected: 13.

H2205: SEXUALLY VIOLENT PERSON; ESCAPE; SENTENCE

Escaping or attempting to escape from the Arizona State Hospital if the person was committed to the hospital for treatment is now classified as escape in the second degree.

Primary Sponsor: Rep. Lujan.
Last Action: 1/20, referred to House Military Affairs and Public Safety; Judiciary.
ARS Title(s) affected: 13.

H2206: INCEST; CLASSIFICATION

Increases penalties for offenders who commit incest with a minor victim. *Similar provisions in H2577 and S1061 (none of the bills passed).*

Primary Sponsor: Rep. Lujan.

Last Action: 1/19, referred to House Judiciary.

ARS Title(s) affected: 13.

H2207: CHILD BIGAMY; CHILD CUSTODY

The court shall not grant a person sole or joint physical custody of a child or unsupervised parenting time with a child if the court finds sufficient evidence to believe that the person has engaged in the practice of child bigamy.

Primary Sponsor: Rep. Lujan.

Last Action: 1/19, referred to House Health and Human Services.

ARS Title(s) affected: 25.

H2208: PRIVATE PRISONS; REGULATION

Requires private prisons to comply with the American Corrections Association accreditation capacity requirements or to adopt the Arizona Department of Corrections' published construction standards. Applies other regulations to private prisons.

Primary Sponsor: Rep. Lujan.

Last Action: 1/19, referred to House Government; Military Affairs and Public Safety.

ARS Title(s) affected: 41.

H2213: PHOTO ENFORCEMENT; CONTRACTS; PUBLIC AGENCIES

Prohibits a public agency of this state, including the Department of Public Safety (DPS), from entering into a new contract or renewing an existing contract authorizing photo enforcement unless the contract is approved by the legislature.

Primary Sponsor: Rep. Biggs. Co-sponsor: Rep. Boone.

Last Action: 2/25, passed House COW with Rules technical amendment.

ARS Title(s) affected: 41.

H2271: FIREARMS; PROHIBITION; POSTSECONDARY INSTITUTIONS

Classifies possessing a firearm at a postsecondary institution as misconduct involving weapons.

Primary Sponsor: Rep. Ableser. Co-sponsors: Rep. Chabin, Rep. Lopes, Rep. Sinema.

Last Action: 1/21, referred to House Judiciary.

ARS Title(s) affected: 13.

H2293: LAW ENFORCEMENT MERIT SYSTEM; MEMBERSHIP

Increased the membership of the law enforcement merit system council from three to five.

Primary Sponsor: Rep. McGuire. Co-sponsors: Rep. Antenori, Rep. Ash, Rep. Brown, Rep. Chad Campbell, Rep. Cloves Campbell, Rep. Driggs, Rep. Heinz, Rep. Pancrazi, Rep. Pratt, Rep. Sinema, Sen. Rios.

Last Action: 1/19, referred to House Public Employees, Retirement, and Entitlement Reform.
ARS Title(s) affected: 41.

H2327: JUVENILES; INTERROGATIONS; ELECTRONIC RECORDING

Requires law enforcement agencies to electronically record statements made by juveniles during interrogations, with some exceptions.

Primary Sponsor: Rep. Ash. Co-sponsors: Rep. Ableser, Rep. Lesko, Rep. Sinema.

Last Action: 1/21, referred to House Judiciary; Military Affairs and Public Safety; Health and Human Services.

ARS Title(s) affected: 8.

H2330: SENTENCING; INJURED MILITARY OFFENDERS

In any criminal prosecution, the court shall require that a defendant who is a member of the military or who is a military veteran be screened for post-traumatic stress disorder or traumatic brain injury. If the screening determines that the defendant may suffer from post-traumatic stress disorder or traumatic brain injury, the court, with the defendant's consent, shall refer the defendant to the Veteran's Administration or another entity that is qualified to assess the defendant for post-traumatic stress disorder or traumatic brain injury. Allows the court to stay the guilty adjudication or suspend the defendant's sentence and place him/her on probation and order the defendant to complete treatment as prescribed in the screening and evaluation report.

Primary Sponsor: Rep. Ash. Co-sponsors: Rep. Antenori, Rep. Gowan, Rep. Lesko, Rep. Montenegro, Rep. Stevens, Rep. Jerry Weiers.

Last Action: 1/25, referred to House Judiciary.

ARS Title(s) affected: 13.

H2332: HOMICIDE; INTERROGATIONS; ELECTRONIC RECORDING

Requires law enforcement agencies to electronically record statements made by suspects during interrogations, with some exceptions.

Primary Sponsor: Rep. Ash. Co-sponsors: Rep. Ableser, Rep. Lesko, Rep. Sinema.

Last Action: 1/21, referred to House Judiciary; Military Affairs and Public Safety.

ARS Title(s) affected: 41.

H2343: EVADING ARREST OR DETENTION; CRIME

Makes it a class 1 misdemeanor for a person to evade arrest or detention by intentionally fleeing from a person reasonably known to be a peace officer acting under official authority (does not apply to a person who uses a motor vehicle to flee from arrest or detention). Makes it a class 2 felony if the offense involves the death of another person as a direct result of an attempt by the peace officer from whom the person is fleeing to arrest or detain the person while the person is in flight. Makes it class 3 felony if the offense involves serious bodily injury to another person as a

direct result of an attempt by the peace officer from whom the person is fleeing to arrest or detain the person while the person is in flight.

Primary Sponsor: Rep. Antenori. Co-sponsors: Rep. Court, Rep. Crump, Rep. Goodale, Rep. Gowan, Rep. Heinz, Rep. Hendrix, Rep. Jones, Rep. Kavanagh, Rep. Montenegro, Rep. Stevens, Rep. Jerry Weiers.

Last Action: 3/17, referred to Senate Judiciary.

ARS Title(s) affected: 13.

H2347: CONCEALED WEAPONS; PERMIT; JUSTIFICATION

Makes changes relating to the carrying of concealed weapons without a concealed carry weapons (CCW) permit; requirements for obtaining a CCW permit; and the forfeiture of weapons under court order. With some exceptions, the legislation changes the classification of misconduct involving weapons by removing the carrying or transporting of a concealed deadly weapon without a CCW permit as a violation subject to a class 1 misdemeanor. Prohibits a law enforcement officer from confiscating or forfeiting a weapon that is lawfully possessed by a permittee whose permit is suspended, except temporarily during an investigatory stop. Expands the ways in which CCW permit applicants can receive firearms safety training that demonstrates competency with firearms and for which adequate documentation of completion must be provided. Other provisions. *S1108 was substituted for H2347 and was signed into law.*

Primary Sponsor: Rep. Antenori. Co-sponsors: Rep. Burges, Rep. Crump, Rep. Gowan, Rep. Hendrix, Rep. Kavanagh, Rep. Lesko, Rep. Montenegro, Rep. Murphy, Rep. Seel, Rep. Stevens, Rep. Jerry Weiers, Sen. S. Allen, Sen. C. Gray, Sen. Harper, Sen. Nelson, Sen. Pearce, Sen. Verschoor.

Last Action: 4/8, substituted S1108 on third read.

ARS Title(s) affected: 4, 8, 12, 13, 15.

H2352: PRISONERS; HARD LABOR; RELEASE CREDITS

Sought to establish a program whereby prisoners could engage in a hard labor work assignment would be eligible for earned release credit. Only prisoners whose health allowed for hard labor could participate. Program limited to offenders convicted of class 4, 5 and 6 non-violent felonies. Precludes sex offenders and those convicted of dangerous crimes against children.

Primary Sponsor: Rep. Antenori. Co-sponsors: Rep. Ash, Rep. Burges, Rep. Court, Rep. Gowan, Rep. Jones, Rep. Montenegro, Rep. Seel, Rep. Stevens.

Last Action: 1/19, referred to House Judiciary.

ARS Title(s) affected: 31, 41.

H2354: FORGERY; HUMAN SMUGGLING; CLASSIFICATION

Forgery in connection with leasing or renting a property for use as a drop house in a human smuggling operation is a class 3 felony. Other crimes of forgery are a class 4 felony.

Primary Sponsor: Rep. Sinema. Co-sponsors: Rep. Ableser, Rep. Chad Campbell, Rep. Cloves Campbell, Rep. Driggs, Rep. Kavanagh, Rep. Konopnicki, Rep. Lujan, Rep. Montenegro, Rep. Schapira, Rep. Tovar, Rep. Young Wright.

Last Action: 1/21, referred to House Judiciary.

ARS Title(s) affected: 13.

H2358: SHERIFF; DUTIES; ARREST WARRANTS

The sheriff has primary responsibility to serve arrest warrants that are issued by the courts in the county.

Primary Sponsor: Rep. Sinema. Co-sponsors: Rep. Ableser, Rep. Heinz, Rep. Patterson.

Last Action: 1/20, referred to House Judiciary.

ARS Title(s) affected: 11.

H2359: LAW ENFORCEMENT AGENCIES; JURISDICTION

Law enforcement officers of a city or town have primary responsibility to engage in law enforcement activities within the jurisdiction of the city or town. A law enforcement officer of a city or town shall not engage in law enforcement activities outside of the jurisdiction of the city or town unless the officer's department notifies the appropriate law enforcement agency of the other jurisdiction and receives approval from the other jurisdiction to engage in such activity. The sheriff of each county has the primary responsibility to engage in law enforcement activities in the unincorporated areas of the county or within the jurisdiction of a city or town that has contracted with the sheriff's department to provide law enforcement services. The sheriff shall not engage in law enforcement activities outside of the unincorporated areas of the county or the jurisdiction of a city or town with which the sheriff has contracted to provide law enforcement services unless the sheriff notifies the appropriate law enforcement agency of the other jurisdiction and receives approval from the other jurisdiction to engage in such activity.

Primary Sponsor: Rep. Sinema. Co-sponsors: Rep. Ableser, Rep. Heinz, Rep. Patterson.

Last Action: 1/20, referred to House Judiciary.

ARS Title(s) affected: 9, 11.

H2362: LAW ENFORCEMENT; CRIMES; REPORTING

Would require law enforcement agencies to publish specific crime statistics online, including UCR data and clearance rates. Required each county attorney to report annually on the agency web site the number of cases, by category, that were referred to the county attorney for prosecution by each law enforcement agency in that county.

Primary Sponsor: Rep. Sinema. Co-sponsors: Rep. Ableser, Rep. Ash, Rep. Chad Campbell, Rep. Driggs, Rep. Heinz, Rep. McGuire, Rep. Patterson.

Last Action: 1/19, referred to House Military Affairs and Public Safety.

ARS Title(s) affected: 41.

H2373: CRIMINAL STREET GANGS; SENTENCING

Enhances classification and penalties for certain gang-related offenses. Includes prison gangs and crimes committed inside prison.

Primary Sponsor: Rep. Chad Campbell. Co-sponsors: Rep. Lujan, Rep. Sinema, Rep. Young Wright.

Last Action: 1/21, referred to House Judiciary.

ARS Title(s) affected: 13.

H2374: HOMICIDE VICTIMS' MEMORIAL

Authorizes the department of administration to provide for the placement of a memorial dedicated to the memory of homicide victims in this state in the Wesley Bolin plaza.

Primary Sponsor: Rep. Chad Campbell. Co-sponsors: Rep. Ableser, Rep. Cloves Campbell, Rep. Lujan, Rep. Sinema, Rep. Young Wright.

Last Action: 1/19, referred to House Government.

ARS Title(s) affected: 41.

H2384: IMMIGRATION LAWS; LOCAL LAW ENFORCEMENT

Prohibits cities, towns, county boards of supervisors and law enforcement agencies from enacting ordinances, rules, orders or resolutions or adopting policies which prohibit the lawful enforcement of United States immigration laws. *Similar legislation signed into law as S1070.*

Primary Sponsor: Rep. Boone. Co-sponsors: Rep. Adams, Rep. Antenori, Rep. Ash, Rep. Barnes, Rep. Barto, Rep. Biggs, Rep. Burges, Rep. Court, Rep. Crandall, Rep. Crump, Rep. Driggs, Rep. Goodale, Rep. Gowan, Rep. Hendrix, Rep. Jones, Rep. Kavanagh, Rep. Konopnicki, Rep. Lesko, Rep. Mason, Rep. McComish, Rep. Montenegro, Rep. Murphy, Rep. Nichols, Rep. Pratt, Rep. Reagan, Rep. Seel, Rep. Stevens, Rep. Tobin, Rep. Jim Weiers, Rep. Jerry Weiers, Rep. Yarbrough.

Last Action: 3/8, House COW approved (amended).

ARS Title(s) affected: 9, 11.

H2393: AGGRESSIVE DOGS; MUZZLES

A person who owns an aggressive dog shall securely muzzle the dog in a manner that prevents the dog from biting or attacking a person or domestic animal at all times while the dog is off the owner's property. Some exceptions. Violation is a class 1 misdemeanor.

Primary Sponsor: Rep. McGuire. Co-sponsor: Rep. Chad Campbell.

Last Action: 1/19, referred to House Judiciary.

ARS Title(s) affected: 11.

H2406: LIQUOR ESTABLISHMENTS; WEAPONS

Makes changes to the signage requirements for liquor establishments that ban firearms on the premises.

Primary Sponsor: Rep. Antenori. Co-sponsors: Rep. Burges, Rep. Court, Rep. Crump, Rep. Goodale, Rep. Gowan, Rep. Hendrix, Rep. Jones, Rep. Kavanagh, Rep. Montenegro, Rep. Murphy, Rep. Seel, Rep. Stevens, Sen. S. Allen, Sen. Pearce, Sen. Verschoor.

Last Action: 1/19, referred to House Commerce; Judiciary.

ARS Title(s) affected: 4.

H2411: PUNITIVE DAMAGES; EVIDENCE; PROPORTIONALITY

A person is not liable for Punitive or exemplary damages unless there is clear and convincing evidence that the person acted with actual malice. If punitive or exemplary damages are awarded, the amount of the punitive or exemplary damages shall be proportionate to the actual damages.

Primary Sponsor: Rep. Antenori. Co-sponsors: Rep. Gowan, Rep. Jones, Rep. Kavanagh, Rep. Stevens.

Last Action: 1/25, referred to House Judiciary.

ARS Title(s) affected: 12.

**H2424: FEES; DEFENSIVE DRIVING SCHOOLS
(~~DEFENSIVE DRIVING SCHOOLS~~)**

Allows defensive driving schools to collect an additional percentage of fees for administrative costs and requires a defensive driving school to disclose the total cost to attend the school. Permits a person to attend a defensive driving school once in a 12-month period.

Primary Sponsor: Rep. Crump. Co-sponsors: Rep. Chabin, Rep. Crandall, Rep. Gowan, Rep. Montenegro, Rep. Nichols, Rep. Stevens, Sen. Alvarez.

Last Action: 4/13, passed from Senate Rules.

ARS Title(s) affected: 12, 28, 41.

H2431: WRITTEN ACCIDENT REPORTS; MOTOR VEHICLES

Increases the monetary damage threshold in a motor vehicle accident, at which a law enforcement officer is required to write a report, from \$1,000 to \$2,500.

Primary Sponsor: Rep. Driggs.

Last Action: 2/11, House Transportation and Infrastructure, held.

ARS Title(s) affected: 28.

H2433: CRIMINAL DAMAGE; CLASSIFICATION

Criminal damage exceeding \$250 but less than \$1,000 is a class 2 misdemeanor. Criminal damage totaling less than \$250 is a class 1 misdemeanor.

Primary Sponsor: Rep. Driggs.

Last Action: 1/21, referred to House Judiciary.

ARS Title(s) affected: 13.

H2436: WRITS OF EXECUTION; NOTICE; SERVICE

At any time after an entry of judgment, the party in whose favor a judgment is given may request that the court issue a notice of writ of execution. A notice of a writ of execution shall describe the judgment and may be served by the sheriff, a constable or a person duly authorized to serve process.

Primary Sponsor: Rep. Driggs.

Last Action: 1/21, referred to House Judiciary.

ARS Title(s) affected: 22.

H2438: BALLOT MEASURES; NUMBERING SYSTEM (~~COMPETENCY; DURATION OF ORDER~~)

Striker amendment requires individual numbering for proposed constitutional amendments to continue from the last number used in the previous election, and prohibits them from being repeated until all 100 numbers in that series have been used. Original legislation prohibits an order or combination of orders issued pursuant to commitment or treatment progress reports from being in effect for more than 24 months.

Primary Sponsor: Rep. Driggs.

Last Action: 3/29, substituted S1267 on Third Reading.

ARS Title(s) affected: 19.

H2439: HOMICIDE; SPECIAL SENTENCING PROVISIONS

Increases penalties for specific DUI homicides. Classifies causing the death of another person while driving as manslaughter if the driver is in violation of specific DUI laws.

Primary Sponsor: Rep. Driggs.

Last Action: 1/21, referred to House Judiciary; Transportation and Infrastructure.

ARS Title(s) affected: 13.

H2440: CAPITAL CASES; AGGRAVATING FACTORS

The list of aggravating factors in a capital murder case is expanded to include a gang-initiation killing.

Primary Sponsor: Rep. Driggs.

Last Action: 1/21, referred to House Judiciary.

ARS Title(s) affected: 13.

H2444: LIQUOR DEPARTMENT; TRANSFER; DPS

Repeals the Department of Liquor Licenses and Control (DLLC) and transfers the State Liquor Board (Board) to the Department of Public Safety (DPS).

Primary Sponsor: Rep. Jerry Weiers. Co-sponsors: Rep. Goodale, Rep. Gowan, Rep. Montenegro, Rep. Stevens, Rep. Tobin, Sen. Pearce.

Last Action: 3/2, passed from House Rules.

ARS Title(s) affected: 4, 41.

H2454: DRUG POSSESSION; MEDICAL ASSISTANCE; PROBATION

Requires that a person convicted for drug use, personal possession of drugs or paraphernalia be placed on probation if the offender was arrested while seeking medical attention for himself or someone else. When the offender completes the terms of probation, the court must set aside the finding of guilt.

Primary Sponsor: Rep. Ableser.

Last Action: 1/25, referred to House Judiciary.

ARS Title(s) affected: 13.

H2492: EXPERT OPINION TESTIMONY; ADMISSIBILITY

Changes the standard used in civil trials relating to the admissibility of expert testimony from the *Frye* standard to the *Daubert* standard. *Similar provisions passed in S1189.*

Primary Sponsor: Rep. Tobin. Co-sponsor: Sen. Leff.

Last Action: 4/29, referred to Senate Judiciary.

ARS Title(s) affected: 12.

H2525: LIFE SENTENCE; PAROLE ELIGIBILITY

A person who was convicted of murder for an offense that was committed before August 8, 1973 and who was sentenced to life in prison shall be eligible for parole after serving 25 calendar years. If the person was convicted of any other offense for which the person is serving a sentence that runs consecutively to the murder conviction, the person shall be eligible for parole only to the consecutive sentence.

Primary Sponsor: Rep. Ash. Co-sponsors: Rep. Ableser, Rep. Antenori, Rep. Barnes, Rep. Boone, Rep. Brown, Rep. Burges, Rep. Chad Campbell, Rep. Cloves Campbell, Rep. Court, Rep. Crandall, Rep. Farley, Rep. Fleming, Rep. Goodale, Rep. Gowan, Rep. Heinz, Rep. Hendrix, Rep. Jones, Rep. Konopnicki, Rep. Lesko, Rep. Lopes, Rep. Mason, Rep. McComish, Rep. Meyer, Rep. Miranda, Rep. Montenegro, Rep. Nichols, Rep. Pancrazi, Rep. Patterson, Rep. Pratt, Rep. Quelland, Rep. Schapira, Rep. Sinema, Rep. Stevens, Rep. Tovar, Rep. Williams, Sen. S. Allen, Sen. Garcia, Sen. L. Gray, Sen. Hale, Sen. Huppenthal, Sen. Lopez, Sen. Melvin, Sen. Miranda, Sen. Pearce, Sen. Pierce, Sen. Rios, Sen. Verschoor.

Last Action: 1/25, referred to House Judiciary.

ARS Title(s) affected: 13.

H2544: UNRESTRAINED MINORS; MOTOR VEHICLES; PROHIBITION

Minors must be properly restrained while riding in the rear of motor vehicles (some exceptions).

Primary Sponsor: Rep. Heinz. Co-sponsors: Rep. Ableser, Rep. Ash, Rep. Cloves Campbell, Rep. Crump, Rep. Deschene, Rep. Farley, Rep. Fleming, Rep. Goodale, Rep. Mason, Rep. Patterson, Sen. Aboud, Sen. Chevront, Sen. Lopez.

Last Action: 1/21, referred to House Transportation and Infrastructure.

ARS Title(s) affected: 28.

H2569: SEX OFFENDER REGISTRATION; REQUIREMENT

Allows the court to terminate a person's duty to register as a sex offender after completion of probation if that person has had his or her civil rights restored, is not a danger to public safety and has received an absolute discharge from imprisonment.

Primary Sponsor: Rep. Ash. Co-sponsors: Rep. Lesko, Rep. Mason.

Last Action: 2/25, held in House Judiciary.

ARS Title(s) affected: 13.

H2572: DANGEROUS CRIMES AGAINST CHILDREN; SENTENCING

Increases penalties for dangerous crimes against children.

Primary Sponsor: Rep. Mason.
Last Action: 1/21, referred to House Judiciary.
ARS Title(s) affected: 13.

H2577: INCEST; CLASSIFICATION

Classifies incest as a class 2 felony if the other person is a minor who is under 15 years of age. Incest is a class 3 felony if the other person is a minor who is at least 15 years of age. Incest is a class 4 felony if the offenders are adults. *Similar provisions in H2206 and S1061 (none of the bills passed).*

Primary Sponsor: Rep. Mason, Rep. Ash, Rep. Brown, Rep. Burges, Rep. Chad Campbell, Rep. Driggs, Rep. Farley, Rep. Goodale, Rep. Jones, Rep. Lujan, Rep. Meyer, Rep. Murphy, Rep. Nichols, Rep. Schapira, Rep. Young Wright.
Last Action: 1/21, referred to House Judiciary.
ARS Title(s) affected: 13.

H2621: CONCEALED WEAPONS PERMIT; APPLICATION; PENALTY

Reduces the offense of not carry a concealed weapons permit from a petty offense to a civil violation. Allows persons stopped without their permits 60 days to present their permits to DPS to avoid suspension. Expands the list of acceptable training to qualify for a permit.

Primary Sponsor: Rep. Kavanaugh. Co-sponsors: Rep. Antenori, Rep. Barnes, Rep. Burges, Rep. Gowan, Rep. Hendrix, Rep. Lesko, Rep. Murphy, Rep. Quelland, Rep. Seel, Rep. Stevens, Rep. Tobin, Sen. S. Allen, Sen. Harper, Sen. Pearce, Sen. Verschoor.
Last Action: 2/1, referred to House Judiciary.
ARS Title(s) affected: 13.

H2622: COUNTY ATTORNEY; SPECIAL PROSECUTOR; APPOINTMENT

In any criminal prosecution in which the county attorney has an actual conflict of interest, the county attorney shall request another county attorney or the attorney general to prosecute the matter. If another county attorney or the attorney general declines to prosecute the matter, the county attorney shall request the court to appoint a special prosecutor.

Primary Sponsor: Rep. Lujan.
Last Action: 2/1, referred to House Judiciary; Government.
ARS Title(s) affected: 11.

H2623: SUBPOENA; GRAND JURY; ISSUANCE

Requires grand jury authorization for a county attorney, city prosecutor or attorney general to issue a subpoena for documents in a criminal investigation.

Primary Sponsor: Rep. Lujan.
Last Action: 2/1, referred to House Judiciary; Government.
ARS Title(s) affected: 13.

H2624: COUNTY ANTI-RACKETEERING FUND; ADS

No monies in the county anti-racketeering revolving fund may be used for advertisements featuring the name or likeness of any public official.

Primary Sponsor: Rep. Lujan.

Last Action: 2/1, referred to House Judiciary; Government.

ARS Title(s) affected: 13.

H2632: IMMIGRATION; LAW ENFORCEMENT; SAFE NEIGHBORHOODS

Prohibits officials and agencies of counties, municipalities and political subdivisions from adopting a policy that does not permit enforcement of the federal immigration laws to the full extent permitted by federal law. Specifies that in addition to any violation of federal law, a person is guilty of trespassing if the person is present on public or private land and in violation of federal immigration laws. Makes it illegal to transport or move an alien in a means of transportation, or attempt to do so, if the person knows or recklessly disregards the fact that the alien is here unlawfully. *Similar provisions passed under SB1070.*

Primary Sponsor: Rep. Gowan. Co-sponsors: Rep. Antenori, Rep. Burges, Rep. Crump, Rep. Kavanagh, Rep. Lesko, Rep. Murphy, Rep. Nichols, Rep. Seel, Rep. Stevens, Rep. Yarbrough, Sen. L. Gray, Sen. Harper, Sen. Melvin, Sen. Pearce, Sen. Pierce, Sen. Verschoor

Last Action: 3/23, COW approved (amended).

ARS Title(s) affected: 11, 13, 23, 28.

H2633: BICYCLES; YIELD AT STOP SIGNS

The driver of a vehicle approaching a yield sign and any person who is at least sixteen years of age and who is riding a bicycle approaching a yield sign or a stop sign shall slow down in obedience to the sign to a speed reasonable for the existing conditions and shall yield the right-of-way to any vehicle in the intersection or approaching on another highway.

Primary Sponsor: Rep. Quelland. Co-sponsors: Rep. Fleming, Rep. Heinz, Rep. Lesko, Rep. Patterson, Sen. Harper.

Last Action: 2/2, referred to House Transportation and Infrastructure.

ARS Title(s) affected: 28.

H2637: DOG RACING; CRIMES; ANABOLIC STEROIDS

It is a class 2 misdemeanor for a trainer or owner to enter a dog in a race if the trainer or owner knows that the dog is drugged with anabolic steroids.

Primary Sponsor: Rep. Fleming. Co-sponsors: Rep. Antenori, Rep. Chad Campbell, Rep. Cloves Campbell, Rep. Heinz, Rep. Tovar, Rep. Waters, Rep. Young Wright.

Last Action: 2/2, referred to House Commerce; Government.

ARS Title(s) affected: 5.

H2651: HUMAN EGG PROVIDERS; PROTECTION

Sets forth requirements for human egg donations and prohibits the purchase or sale of human eggs.

Primary Sponsor: Rep. Barto. Co-sponsors: Rep. Adams, Rep. Antenori, Rep. Ash, Rep. Barnes, Rep. Boone, Rep. Burges, Rep. Court, Rep. Crandall, Rep. Goodale, Rep. Gowan, Rep. Lesko, Rep. Mason, Rep. McComish, Rep. McLain, Rep. Montenegro, Rep. Nichols, Rep. Pratt, Rep. Seel, Rep. Stevens, Rep. Jim Weiers, Rep. Jerry Weiers, Sen. S. Allen, Sen. L. Gray, Sen. Harper, Sen. Melvin, Sen. Pearce, Sen. Verschoor
Last Action: 2/23, approved from House Rules.
ARS Title(s) affected: 36.

H2652: HUMAN EMBRYOS; TREATMENT

Prohibits a person from knowingly or intentionally creating or attempting to create an in vitro human embryo by any means other than fertilization of a human egg by a human sperm.

Primary Sponsor: Rep. Barto. Co-sponsors: Rep. Adams, Rep. Antenori, Rep. Ash, Rep. Barnes, Rep. Boone, Rep. Burges, Rep. Court, Rep. Crandall, Rep. Goodale, Rep. Gowan, Rep. Lesko, Rep. Mason, Rep. McComish, Rep. McLain, Rep. Montenegro, Rep. Murphy, Rep. Nichols, Rep. Pratt, Rep. Seel, Rep. Stevens, Rep. Jim Weiers, Rep. Jerry Weiers, Rep. Williams, Sen. S. Allen, Sen. L. Gray, Sen. Harper, Sen. Melvin, Sen. Pearce, Sen. Verschoor.
Last Action: 2/23, approved from House Rules.
ARS Title(s) affected: 36.

H2655: DISTRACTED DRIVING PROHIBITION

A person shall not operate a motor vehicle on a highway while the person is distracted in any manner. A law enforcement officer may issue a citation to a person for a violation if the distracted driving is hazardous to public safety. *Similar provisions in S1334 (did not pass).*

Primary Sponsor: Rep. Farley. Co-sponsors: Rep. Tovar, Rep. Waters.
Last Action: 2/8, referred to House Transportation and Infrastructure.
ARS Title(s) affected: 28.

H2667: FEDERAL MONIES; APPROPRIATIONS

The legislature retains the authority to appropriate noncustodial federal monies. If the legislature does not make an appropriation for either a particular fund, specific grant program or block of noncustodial federal monies, the budget unit that has lawful authority shall administer and spend these monies pursuant to federal and state law.

Primary Sponsor: Rep. Stevens. Co-sponsors: Rep. Antenori, Rep. Ash, Rep. Biggs, Rep. Burges, Rep. Goodale, Rep. Gowan, Rep. Lesko, Rep. McLain, Rep. Montenegro, Rep. Murphy, Rep. Pratt, Rep. Seel, Rep. Tobin, Rep. Williams, Rep. Yarbrough.
Last Action: 2/28, referred to House Appropriations.
ARS Title(s) affected: 35.

H2673: HUMAN TRAFFICKING; DEFINITION

Eliminates the requirement that a person be enticed, recruited, harbored, provided or otherwise obtained *for transport* for an offense to qualify as sex trafficking or trafficking of persons for forced labor or services. *Provisions included in S1059, passed into law.*

Primary Sponsor: Rep. Sinema. Co-sponsors: Rep. Ableser, Rep. Antenori, Rep. Ash, Rep. Biggs, Rep. Cajero Bedford, Rep. Chad Campbell, Rep. Cloves Campbell, Rep. Driggs, Rep. Lujan, Rep. Patterson, Rep. Schapira, Rep. Williams.

Last Action: 3/9, passed from House Rules.

ARS Title(s) affected: 13.

H2674: PRIVATE PRISON CONTRACTORS; PUBLIC RECORDS

A private contractor that contracts with any governmental entity to provide detention or incarceration services for offenders in this state shall make public, on request, all records relating to the contractor's costs, operations, staff and inmates, to the same extent that is required of state, county or municipally operated prisons or jails.

Primary Sponsor: Rep. Sinema. Co-sponsors: Rep. Ableser, Rep. Cajero Bedford, Rep. Chad Campbell, Rep. Cloves Campbell, Rep. Meza, Rep. Patterson.

Last Action: 2/8, referred to House Commerce; Government.

ARS Title(s) affected: 41.

H2675: ERRONEOUS CONVICTIONS; CIVIL ACTION

Allows a person who has been erroneously convicted to seek compensation from the agency that convicted him/her. Allows damages awarded for fines, fees and any other costs imposed upon the erroneously convicted person. Allows for damages awards.

Primary Sponsor: Rep. Sinema. Co-sponsors: Rep. Ableser, Rep. Antenori, Rep. Ash, Rep. Chad Campbell, Rep. Cloves Campbell, Rep. Patterson.

Last Action: 2/10, referred to House Judiciary; Appropriations.

ARS Title(s) affected: 31.

H2678: WATERCRAFT OPERATION OFFENSES; FINE; ASSESSMENTS

Establishes an additional fee for specified watercraft operation offenses. Creates a class 1 misdemeanor for persons who violate specified watercraft laws who have previously been convicted of any of the following within a 24-month period: violating specified watercraft laws; negligent homicide or manslaughter in the operation of a watercraft; operating or in actual physical control of motorized watercraft while under the influence.

Primary Sponsor: Rep. Jones. Co-sponsors: Rep. Antenori, Rep. Chad Campbell, Rep. Cloves Campbell, Rep. Goodale, Rep. Kavanagh, Rep. Konopnicki, Rep. McLain, Rep. Montenegro, Rep. Nichols, Rep. Pancrazi, Rep. Pratt, Rep. Reagan, Rep. Jerry Weiers, Sen. Harper.

Last Action: 3/8, failed to pass House.

ARS Title(s) affected: 5.

H2686: PSEUDOEPHEDRINE PRODUCTS; PHARMACIES

Only a pharmacy permittee or a nonprescription drug permittee shall offer for sale at retail pseudoephedrine products to the public. A pharmacy permittee or a nonprescription drug permittee must keep all products that contain pseudoephedrine behind a counter or in a locked facility that is inaccessible to customers without the assistance of the permittee or an employee

of the permittee. 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. Other provisions.

Primary Sponsor: Rep. Meyer. Co-sponsors: Rep. Cajero Bedford, Rep. Cloves Campbell, Rep. Heinz, Rep. Lujan, Rep. Waters.

Last Action: 2/10, referred to House Health and Human Services; Commerce.

ARS Title(s) affected: 32, 36.

H2687: SALVIA DIVINORUM; UNLAWFUL ACTS

Creates a class 2 misdemeanor for the act of selling, dispensing, distributing, furnishing, administering or giving or offering to sell, dispense, distribute, furnish, administer or give salvia to a person who is under 21 years old. Provides an affirmative defense to prosecution if the person reasonably relied on fraudulent proof of age presented by the person who is under 21 years old.

Primary Sponsor: Rep. Meyer. Co-sponsors: Rep. Cajero Bedford, Rep. Cloves Campbell, Rep. Lujan, Rep. Waters.

Last Action: 3/25, referred to Senate Judiciary.

ARS Title(s) affected: 13.

H2688: PRISONERS; MEDICAL PAROLE

Except for prisoners who are sentenced to death or to natural life, the Board of Executive Clemency may release a prisoner on medical parole under specified circumstances.

Primary Sponsor: Rep. Ash. Co-sponsors: Rep. Heinz, Rep. Meyer.

Last Action: 2/8, referred to House Military Affairs and Public Safety; Judiciary.

ARS Title(s) affected: 31.

H2693: BURIAL RESPONSIBILITY; PRISONERS; DOC

If a prisoner in the custody of the Arizona Department of Corrections (DOC) dies and the DOC is unable to locate those statutorily authorized to make arrangements for the deceased, the burial duty falls upon DOC.

Primary Sponsor: Rep. Williams. Co-sponsors: Rep. Biggs, Rep. Jones, Rep. McLain, Rep. Murphy, Rep. Sinema.

Last Action: 2/8, referred to House Military Affairs and Public Safety.

ARS Title(s) affected: 36.

H2697: GRAFFITI IMPLEMENTS; UNLAWFUL POSSESSION; MINORS

It is unlawful for a person who is under 18 years of age to possess any graffiti implement while on public or private property without the express consent of the owner of the property. Some exceptions.

Primary Sponsor: Rep. Chad Campbell. Co-sponsors: Rep. Cloves Campbell, Rep. Driggs, Rep. Lujan, Rep. Meyer, Rep. Sinema, Rep. Tovar, Rep. Young Wright.

Last Action: 2/10, referred to House Judiciary.
ARS Title(s) affected: 13.

H2699: CHILD PROSTITUTION; CLASSIFICATION

Eliminates the defense to engaging in child prostitution with a minor who is 15, 16 or 17 years of age if the defendant did not know the age of the minor, and instead classifies that offense as a class 6 felony. Increases the term of imprisonment for a person who engages in child prostitution with a minor the person knows is 15, 16 or 17 years of age. Other provisions.

Primary Sponsor: Rep. Driggs. Co-sponsors: Rep. Ash, Rep. Barnes, Rep. Barto, Rep. Goodale, Rep. Konopnicki, Rep. Mason, Rep. Montenegro, Rep. Yarbrough, Sen. L. Gray, Sen. Harper, Sen. Huppenthal, Sen. Nelson, Sen. Paton, Sen. Pearce.
Last Action: 4/12, held awaiting House action on Senate amendments.
ARS Title(s) affected: 13.

H2723: MINORS IN PICKUP BEDS; PROHIBITION; EXCEPTIONS (AMA WATER DISTRICTS; CONFLICTING VERSIONS)

Striker amendment prohibits a driver from transporting an unrestrained minor in the back of an unenclosed motor vehicle, with certain specified exceptions. Original language repeals conflicting statute regarding the composition of the Board of Directors for an Active Management Area.

Primary Sponsor: Rep. Goodale. Co-sponsor: Rep. Heinz.
Last Action: 4/22, held awaiting House action on Senate amendments.
ARS Title(s) affected: 28.

H2738: CRIMINAL DAMAGE; CLASSIFICATION

Makes criminal damage a class 1 misdemeanor if damages to the property of another are \$999 or less.

Primary Sponsor: Rep. Tovar. Co-sponsors: Rep. Ableser, Rep. Chad Campbell, Rep. Cloves Campbell, Rep. Chabin, Rep. Deschene, Rep. Driggs, Rep. Farley, Rep. Garcia, Rep. Heinz, Rep. Lujan, Rep. Meza, Rep. Miranda, Rep. Pancrazi, Rep. Quelland, Rep. Sinema, Rep. Stevens, Rep. Young Wright, Sen. Miranda.
Last Action: 3/29, referred to Senate Judiciary.
ARS Title(s) affected: 13.

H2745: PREGNANT PRISONERS; RESTRAINTS

A prisoner who is pregnant shall be restrained using the least restrictive restraints necessary. An employee or agent of a prison shall not use restraints of any kind on a prisoner who is in labor or recuperating from the delivery unless the prisoner is an immediate and serious threat or a substantial flight risk and cannot be reasonably contained by other means.

Primary Sponsor: Rep. Garcia. Co-sponsors: Rep. Bradley, Rep. Lopes, Rep. Tovar
Last Action: 2/10, referred to House Military Affairs and Public Safety.
ARS Title(s) affected: 31.

H2746: DRUG OFFENSES; PUBLIC PARKS; SENTENCING

Increases incarceration by one year for drug-related offenses committed on or immediately near a playground or park.

Primary Sponsor: Rep. Garcia. Co-sponsors: Rep. Ableser, Rep. Bradley, Rep. Tovar.

Last Action: 2/10, referred to House Judiciary.

ARS Title(s) affected: 13.

H2750: STATE TRIBAL COLLABORATION

Requires each state agency to develop and implement policies that promote collaboration between the agency and tribal nations. Requires a tribal liaison in each state agency.

Primary Sponsor: Rep. Deschene. Co-sponsor: Rep. Chabin.

Last Action: 2/15, referred to House Government.

ARS Title(s) affected: 41.

H2754: MISCONDUCT INVOLVING WEAPONS; VEHICLES

Allows a concealed weapons permit holder to carry a firearm in a purse in a vehicle without violating the misconduct involving weapons statute.

Primary Sponsor: Rep. McGuire.

Last Action: 2/10, referred to House Judiciary.

ARS Title(s) affected: 13.

H2755: DEATH SENTENCES; MORATORIUM

Places a moratorium on the death penalty until Dec. 31, 2025. The legislature shall appropriate cost savings from the moratorium to the Arizona Criminal Justice Commission to distribute to local law enforcement agencies to assist with investigating cold cases.

Primary Sponsor: Rep. Bradley.

Last Action: 2/10, referred to House Judiciary.

ARS Title(s) affected: 13.

H2756: MANDATORY MINIMUM SENTENCES; REPEAL

Repeals mandatory sentencing for serious crimes throughout the criminal code.

Primary Sponsor: Rep. Bradley.

Last Action: 2/10, referred to House Judiciary.

ARS Title(s) affected: 13

H2772: PROCESS SERVERS; ASSAULT; TRAFFIC TICKETS

Classifies assault on a process server as aggravated assault, and provides an alternative method of service for the uniform traffic ticket and complaint.

Primary Sponsor: Rep. Driggs.

Last Action: 2/25, held in House Judiciary.

ARS Title(s) affected: 13, 28.

H2773: UNLAWFUL REENTRY; CLASSIFICATION

Makes it a class 4 felony for a person to be present on any public or private land in this state and has previously been deported or removed from the United States or has departed the United States while an order of exclusion, deportation or removal was outstanding. Requires a law enforcement agency to request information on whether the person has previously been deported or removed from the United States.

Primary Sponsor: Rep. Driggs. Co-sponsors: Rep. Antenori, Rep. Barto, Rep. Crandall, Rep. Gowan, Rep. Murphy, Rep. Seel.

Last Action: 2/18, held in House Judiciary.

ARS Title(s) affected: 13.

H2784: ABORTION; SEX; RACE SELECTION; PROHIBITION

Providing an abortion based on sex selection or race selection is a class 3 felony.

Primary Sponsor: Rep. Montenegro. Co-sponsors: Rep. Antenori, Rep. Biggs, Rep. Burges, Rep. Driggs, Rep. Gowan, Rep. Kavanagh, Rep. Lesko, Rep. Murphy, Rep. Stevens, Rep. Jerry Weiers, Sen. S. Allen, Sen. Gould, Sen. L. Gray, Sen. Harper, Sen. Huppenthal, Sen. Melvin, Sen. Nelson, Sen. Pearce.

Last Action: 2/9, referred to House Judiciary.

ARS Title(s) affected: 13.

HOUSE CONCURRENT AND MEMORIAL 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.

HCR2022: PHOTO RADAR; PROHIBITION ON HIGHWAYS

A referendum measure that would prohibit state or a local authority from using a photo enforcement system to identify violators a state highway.

Primary Sponsor: Rep. Crump. Co-sponsors: Rep. Antenori, Rep. Boone, Rep. Burges, Rep. Hendrix, Rep. Jones, Rep. Kavanagh, Rep. Montenegro, Rep. Seel, Rep. Stevens.

Last Action: none posted.

HCR2034: PUBLIC AGENCY LOBBYISTS

A ballot measure prohibiting a public officer or public employee or a consultant or independent contractor retained by or for a public officer or public employee or by or for a public agency, department, board or commission or any political subdivision of this state from lobbying the legislature on behalf of that officer, employee, agency, department, board, commission or political subdivision. Agencies shall not spend public resources to lobby the legislature.

Primary Sponsor: Rep. Seel. Co-sponsors: Rep. Antenori, Rep. Ash, Rep. Burges, Rep. Crump, Rep. Gowan, Rep. Lesko, Rep. Mason, Rep. Montenegro, Rep. Stevens, Sen. S. Allen, Sen. Gould, Sen. Harper, Sen. Pearce, Sen. Verschoor.

Last Action: 2/15, referred to House Government.

HCR2049: ABORTION; SEX-SELECTION; RACE-SELECTION; PROHIBITION

Subject to voter approval, providing an abortion based on sex selection or race selection is a class 3 felony.

Primary Sponsor: Rep. Montenegro.

Last Action: 2/15, referred to House Judiciary.

HOUSE BILLS VETOED BY THE GOVERNOR

H2043: **LAW ENFORCEMENT; DUTY FITNESS EXAM**

Requires employers of law enforcement officers or probation officers (employers) to provide specified information related to mandatory fitness for duty examinations (FFDE) if certain criteria are met.

Primary Sponsor: Rep. Kavanagh.

Vetoed by the governor, 4/23.

ARS Title(s) affected: 38.

H2462: **PRIVATE PROPERTY TRESPASS TOWERS**

Requires the Arizona Department of Public Safety (DPS) to adopt rules to administer and enforce statutes governing the operations of Private Property Trespass Towers (PPTTs).

Primary Sponsor: Rep. Ableser. Co-sponsors: Rep. Ash, Rep. Biggs, Rep. Burges, Rep. Chabin, Rep. Heinz, Rep. Konopnicki, Rep. Schapira, Rep. Sinema.

Vetoed by the governor, 5/11.

ARS Title(s) affected: 41.