
New Title

52nd Legislature - 2nd Regular Session, 2016

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Brake Light

Bill Summaries

H2509: VEHICLE EQUIPMENT; LIGHTING

A tail lamp is added to the list of vehicle lamps that must be maintained at all times in good working condition, in addition to a stop lamp or other signal lamps.

First sponsor: Rep. Gray

Others: Rep. Ackerley, Rep. Borrelli, Rep. Shope

Budget

Bill Summaries

H2057: REPEAL; JTED FUNDING REDUCTIONS

Eliminates the reduction in base support level funding that a school district, charter school or JTED receives for students enrolled in both a school district or charter school and a joint technical education district (JTED) satellite campus program to 92.5 percent of the base support level funding that the school district, charter school or JTED would otherwise receive. The reduction would have become effective in FY2016-17. Retroactive to July 1, 2016.

First sponsor: Rep. Ackerley

Others: Rep. Barton, Rep. Borrelli, Rep. Boyer, Rep. Brophy McGee, Rep. Campbell, Rep. Cobb, Rep. Coleman, Rep. Fann, Rep. Finchem, Rep. Gray, Rep. Lawrence, Rep. McCune Davis, Rep. Mesnard, Rep. Mitchell, Rep. Norgaard, Rep. Pratt, Rep. Shope, Rep. Townsend

H2095: INDEPENDENT EXPENDITURES; CORPORATIONS; FUNDING DISCLOSURE

Any corporation, limited liability company or labor organization that makes an independent expenditure and that accepts donations or contributions is required to file campaign finance reports, instead of only those entities that are organized primarily for the purpose of influencing an election. Disclosure statements for any campaign literature or advertisements purchased with monies from a corporation, limited liability company or labor organization making an independent expenditure must state that the expenditure is not authorized by any candidate and must include the four largest of its major funding sources as of the time the literature or advertisement is produced.

First sponsor: Rep. Clark

Others: Rep. Andrade, Rep. Bolding, Rep. Espinoza, Rep. Fernandez, Rep. Gabaldon, Rep. McCune Davis, Rep. Mendez, Rep. Meyer, Sen. Quezada, Rep. Rios, Rep. Velasquez

H2096: INDEPENDENT EXPENDITURES; CORPORATIONS; UNIONS; AUDIT

After each general election, the Clean Elections Commission is required to conduct random audits from among those corporations, limited liability companies or labor organizations that register and make independent expenditures in that election cycle. The Commission is authorized to hire an independent accounting firm to conduct the random audits. Audits are confidential unless a finding is made that a violation occurred, in which case the Commission is required to notify the appropriate filing officer of the alleged violation. Due to voter protection, this legislation requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage.

First sponsor: Rep. Clark

Others: Rep. Andrade, Rep. Bolding, Rep. Fernandez, Rep. Gabaldon, Rep. Mendez, Rep. Meyer, Sen. Quezada, Rep. Rios, Rep. Steele, Rep. Velasquez

H2111: ZERO-BASED BUDGETING

By January 15 of each year, the Joint Legislative Budget Committee is required to select budget units that are required to prepare and submit a "zero-based budget" (defined as a budget estimate that is prepared without regard to any previous level of funding, services or personnel) for the fiscal year beginning July 1 of the following calendar year. The JLBC must require each budget unit to prepare and submit a zero-based budget at least once in each 10-year period. Effective January 1, 2017.

First sponsor: Rep. Petersen

Others: Rep. J. Allen, Rep. Cobb, Rep. Fann, Rep. E. Farnsworth, Rep. Finchem, Rep. Leach, Sen. Lesko, Rep. Mitchell, Rep. Norgaard, Rep. Olson, Rep. Rivero, Rep. Townsend

S1072: INDEPENDENT EXPENDITURES; CORPORATIONS; UNIONS; AUDIT

After each general election, the Clean Elections Commission is required to conduct random audits from among those corporations, limited liability companies or labor organizations that register and make independent expenditures in that election cycle. The Commission is authorized to hire an independent accounting firm to conduct the random audits. Audits are confidential unless a finding is made that a violation occurred, in which case the Commission is required to notify the appropriate filing officer of the alleged violation. Due to voter protection, this legislation requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage.

First sponsor: Sen. Quezada

Others: Rep. Andrade, Rep. Clark, Sen. Contreras, Rep. Espinoza, Sen. Farley, Sen. Hobbs, Rep. Velasquez

S1160: CORP; REVERSE DEFERRED RETIREMENT OPTION

The reverse deferred retirement option plan for members of the Corrections Officer Retirement Plan no longer terminates on June 30, 2016. Emergency clause.

First sponsor: Sen. Smith

Others: Sen. Begay, Rep. Borrelli, Rep. Cardenas, Rep. Coleman, Rep. Larkin, Rep. Lawrence, Sen. Shooter, Rep. Shope

S1188: TECH CORRECTION; PSPRS; SOCIAL SECURITY

Minor change in Title 38 (Public Officers and Employees) related to the Public Safety Personnel Retirement System. Apparent striker bus.

First sponsor: Sen. Lesko

S1275: ARIZONA CRIMINAL JUSTICE COMMISSION; MEMBERSHIP

Increases the number of members of the Arizona Criminal Justice Commission to 19 members by adding 2 attorneys who practice primarily in the area of criminal defense, to be appointed by the Governor. Session law provides for the initial terms of the attorney members.

First sponsor: Sen. Quezada

Others: Rep. Andrade, Rep. Cardenas, Rep. Espinoza, Rep. Fernandez, Rep. Mendez, Rep. Velasquez

CLEAA

Bill Summaries

H2011: PUBLIC SAFETY; VIOLENCE PREVENTION; COMMITTEE

Establishes a 14-member Public Safety and Violence Prevention Study Committee to research and report on how to promote public safety and curtail violence. The Committee is required to submit a report to the Governor and the Legislature by December 31, 2016. Self-repeals October 1, 2017.

First sponsor: Rep. Friese
Others: Rep. Finchem, Sen. Sherwood, Rep. Thorpe

H2165: PEACE OFFICER MEMORIAL BOARD; MEMBERS

The membership of the Arizona Peace Officers Memorial Board is modified to allow the Attorney General, the Director of the Department of Public Safety, the Director of the Department of Corrections, the Executive Director of the Arizona Criminal Justice Commission, and the county sheriff and local police chief who are appointed to the Board to have a designee serve on the Board in their place.

First sponsor: Rep. Borrelli
Others: Rep. Campbell, Rep. Carter, Rep. Cobb, Rep. Fann, Rep. Finchem, Rep. Pratt, Rep. Shope

H2349: INCORRIGIBLE; DEPENDENT CHILDREN; JUVENILE COMMITMENT

The list of children who cannot be committed or awarded to the Department of Juvenile Corrections is modified to include a child who is "only adjudicated" dependent or incorrigible, instead of a dependent or incorrigible child.

First sponsor: Rep. Finchem
Others: Rep. Cobb, Rep. Kern, Rep. Livingston, Rep. Mitchell, Rep. Norgaard, Rep. Thorpe, Rep. Townsend

H2509: VEHICLE EQUIPMENT; LIGHTING

A tail lamp is added to the list of vehicle lamps that must be maintained at all times in good working condition, in addition to a stop lamp or other signal lamps.

First sponsor: Rep. Gray
Others: Rep. Ackerley, Rep. Borrelli, Rep. Shope

S1021: PUBLIC SAFETY; VIOLENCE PREVENTION; COMMITTEE

Establishes a 14-member Public Safety and Violence Prevention Study Committee to research and report on how to promote public safety and curtail violence. The Committee is required to submit a report to the Governor and the Legislature by December 31, 2016. Self-repeals October 1, 2017.

First sponsor: Sen. Sherwood
Others: Rep. Finchem, Rep. Friese, Rep. Thorpe

S1054: LAW ENFORCEMENT ACTIVITY; RECORDING PROHIBITION

It is a petty offense for a person to knowingly make a video recording of law enforcement activity if the person making the video does not have the permission of a law enforcement officer and is within 20 feet of where the law enforcement activity is occurring. If a person fails to comply with a verbal warning of a violation or has previously been convicted of a violation, the penalty is increased to a class 3 (lowest) misdemeanor.

First sponsor: Sen. Kavanagh

S1159: JUVENILE COMMITMENT; DEPENDENT; INCORRIGIBLE CHILDREN

The list of children who cannot be committed or awarded to the Department of Juvenile Corrections is modified so that it no longer includes a dependent or incorrigible child who is adjudicated delinquent, unless the child is excluded for another reason.

First sponsor: Sen. Smith

S1160: CORP; REVERSE DEFERRED RETIREMENT OPTION

The reverse deferred retirement option plan for members of the Corrections Officer Retirement Plan no longer terminates on June 30, 2016. Emergency clause.

First sponsor: Sen. Smith

Others: Sen. Begay, Rep. Borrelli, Rep. Cardenas, Rep. Coleman, Rep. Larkin, Rep. Lawrence, Sen. Shooter, Rep. Shope

S1188: TECH CORRECTION; PSPRS; SOCIAL SECURITY

Minor change in Title 38 (Public Officers and Employees) related to the Public Safety Personnel Retirement System. Apparent striker bus.

First sponsor: Sen. Lesko

Corrections

Bill Summaries

H2173: PRIVATE PRISON STUDY COMMITTEE

Establishes a 19-member Private Prison Study Committee to research and report on the impact of private prisons on the safety of the public and prisoners, the economic efficiency of housing prisoners in private facilities, and the provision of constitutionally appropriate services for prisoners at private prisons. The Committee must submit a report to the Governor and the Legislature by December 31, 2016. Self-repeals October 1, 2017.

First sponsor: Rep. Andrade

Others: Rep. Alston, Rep. Bolding, Rep. Cardenas, Rep. Clark, Rep. Espinoza, Rep. Fernandez, Rep. Friese, Rep. Gabaldon, Rep. Gonzales, Rep. Hale, Rep. Larkin, Rep. Mach, Rep. McCune Davis, Rep. Mendez, Rep. Meyer, Rep. Otondo, Sen. Quezada, Rep. Rios, Rep. Saldate, Rep. Steele, Rep. Velasquez

H2174: PRIVATE PRISON CONTRACTORS; PUBLIC RECORDS

Private prisons that contract with any governmental entity must make public all records relating to costs, operations, staff and inmates to the same extent required of publicly operated prisons or jails.

First sponsor: Rep. Andrade

Others: Rep. Alston, Rep. Benally, Rep. Bolding, Rep. Cardenas, Rep. Clark, Rep. Espinoza, Rep. Fernandez, Rep. Gabaldon, Rep. Gonzales, Rep. Hale, Rep. Larkin, Rep. Mach, Rep. McCune Davis, Rep. Mendez, Rep. Otondo, Rep. Rios, Rep. Saldate, Sen. Sherwood, Rep. Steele, Rep. Velasquez

H2175: PRIVATE PRISON SECURITY OFFICERS; CERTIFICATION

Security officers employed by a private prison contractor are required to be certified by the Arizona Peace Officer Standards and Training (AZPOST) Board by completing the same basic training course, physical examinations and criminal background investigations as correctional officers employed by the Department of Corrections. A contract for adult incarceration cannot be entered into unless the private prison contractor only uses security officers who are AZPOST certified. A security officer employed by a private prison has no authority or jurisdiction outside of the grounds of a private prison facility. A person who exercises the authority or performs the duties of a peace officer and who is not AZPOST certified as a peace officer is guilty of a class 1 (highest) misdemeanor.

First sponsor: Rep. Andrade

Others: Rep. Alston, Rep. Benally, Rep. Bolding, Rep. Cardenas, Rep. Clark, Rep. Espinoza, Rep. Fernandez, Rep. Friese, Rep. Gabaldon, Rep. Gonzales, Rep. Hale, Rep. Larkin, Rep. McCune Davis, Rep. Mendez, Rep. Otondo, Rep. Plumlee, Sen. Quezada, Rep. Rios, Rep. Saldate, Rep. Steele, Rep. Velasquez

H2183: INMATE BODY SCANS; CONTRABAND

The Department of Corrections or a county jail is authorized to perform a body scan of an inmate by using low-dose ionizing radiation without an order from a licensed practitioner to prevent any contraband from entering into a correctional facility. A person who is employed by or acting on behalf of the Dept or a county jail and who uses a low-dose ionizing radiation body scanning device to detect contraband is exempt from the requirement to be certified in order to use such a device. The authorization for the Dept to request a licensed practitioner to order that x-radiation be performed on any

inmate if there is reason to believe the inmate is in possession of any contraband is extended to a county jail.

First sponsor: Rep. Shope
Others: Rep. Borrelli

H2199: UNLAWFUL USE; BOOKING PHOTOS; INFORMATION

It is a petty offense for a person to knowingly public on a publicly accessible website the booking photo and arrest information of another person without written permission if that person has not been convicted of the offense and if the information is published for the purpose of harassing the person or obtaining money or any other thing of value from the person. Does not apply to public officials. A second or subsequent violation is a class 1 (highest) misdemeanor.

First sponsor: Rep. Lawrence
Others: Rep. Larkin, Rep. Thorpe

H2288: CONSTABLES; DUTIES; TRAINING; DISCIPLINE

Various changes to statutes relating to constables. The Constable Ethics Standards and Training Board is authorized to suspend a constable from performing his/her duties, with or without pay. If the Board determines that a constable has committed a criminal act, the Board must refer the investigation to the county attorney's office. A constable may seek judicial review of a final order suspending the constable in the superior court.

First sponsor: Rep. Bowers

H2451: RELEASE OF PRISONERS; DETAINERS; REPEAL

Repeals statute authorizing the Department of Corrections to release a prisoner to the custody and control of the U.S. Immigration and Customs Enforcement if the Dept receives an order of deportation and other specified conditions are met.

First sponsor: Rep. Mitchell

Gun Legislation

Bill Summaries

H2072: FIREARMS; UNIVERSITY; COLLEGE; CAMPUS

The prohibition on entering any public establishment while carrying a deadly weapon does not apply to a faculty member or registered student of a public university, college or community college who is carrying or transporting a firearm on the property if the person possesses a valid concealed weapons permit and is registered with the institution's administration indicating that the person is armed and possesses a valid concealed weapons permit. Public universities, colleges or community colleges are prohibited from adopting or enforcing any policy or rule that restricts or prohibits a faculty member or registered student from carrying or transporting a firearm on the property if the person possesses a valid concealed weapons permit and is registered with the institution's administration.

First sponsor: Rep. Borrelli

Others: Sen. Barto, Rep. Barton, Rep. Boyer, Rep. Campbell, Rep. Cobb, Rep. Fann, Sen. D. Farnsworth, Rep. Finchem, Rep. Kern, Rep. Leach, Sen. Lesko, Rep. Livingston, Rep. Mitchell, Rep. Montenegro, Rep. Petersen, Rep. Shope, Rep. Townsend

H2220: FIREARMS; STATE PREEMPTION; INDEPENDENT CONTRACTORS

Statute establishing state preemption over local jurisdiction firearms regulations no longer specifically allows a political subdivision to enact or enforce an ordinance or rule regulating independent contractors of the political subdivision who are acting within the course and scope of their employment or contract.

First sponsor: Rep. Kern

Others: Rep. J. Allen, Rep. Barton, Rep. Borrelli, Rep. Boyer, Rep. Finchem, Rep. Lawrence, Rep. Leach, Rep. Mitchell, Rep. Norgaard, Rep. Olson, Rep. Petersen, Rep. Rivero, Rep. Shope, Rep. Thorpe, Rep. Weninger

H2224: PRIVATE FIREARM TRANSACTIONS; PROHIBITED ENCUMBRANCES

The transfer of a firearm between two private parties who are otherwise allowed to possess a firearm under federal law is not subject to any additional fee, tax, assessment, lien or other encumbrance by the state or any political subdivision.

First sponsor: Rep. Lawrence

Others: Rep. J. Allen, Rep. Barton, Rep. Borrelli, Sen. Burges, Rep. Cobb, Sen. D. Farnsworth, Rep. Finchem, Rep. Gowan, Sen. Kavanagh, Rep. Kern, Rep. Leach, Rep. Rivero, Rep. Shope, Rep. Thorpe

H2300: FIREARMS; PROHIBITED GOVERNMENTAL ACTIVITIES

Except as required by a court order, a state agency, political subdivision agency or an employee of a state agency or political subdivision is prohibited from knowingly and willingly participating in any way in the enforcement of any federal act, law, order, rule or regulation issued, enacted or promulgated on or after the effective date of this legislation "regarding" a personal firearm, a firearm accessory or ammunition. Except as required by a court order, a state agency, political subdivision agency or an employee of a state agency or political subdivision is prohibited from using any state assets or monies to engage in any activity that aids a federal agency, agent or corporation providing services to the federal government in the enforcement of any federal act, law, order, rule or regulation issued, enacted or promulgated on or after the effective date of this legislation "regarding" a personal firearm, a firearm accessory or ammunition. The State Treasurer is prohibited from transferring any monies to a political subdivision in the fiscal

year after a final judicial determination is made that the political subdivision adopted a rule, ordinance or policy that intentionally violated these prohibitions. Any agent or employee of the state or a political subdivision who knowingly violates these prohibitions is subject to a civil penalty of up to \$3,000 for the first violation. A second or subsequent violation is a class 1 (highest) misdemeanor.

First sponsor: Rep. Kern

Others: Rep. Campbell, Rep. Lawrence, Rep. Leach, Rep. Mitchell, Rep. Montenegro

H2446: PROHIBITED WEAPON; DEFINITION; EXCLUSIONS

The items included in the definition of "prohibited weapons" do not include any firearms or devices that are possessed in compliance with the National Firearms Act or for which an application to make or transfer a firearm under the Act is pending. Previously, the items did not include any firearms or devices registered in the national firearms registry and transfer records of the U.S. Treasury Department.

First sponsor: Rep. Livingston

Others: Rep. J. Allen, Sen. S. Allen, Rep. Barton, Rep. Borrelli, Rep. Bowers, Sen. Burges, Rep. Campbell, Rep. Coleman, Rep. Fann, Rep. Kern, Rep. Larkin, Rep. Lawrence, Rep. Lovas, Rep. Mesnard, Rep. Mitchell, Rep. Montenegro, Rep. Norgaard, Rep. Rivero, Rep. Shope

HCR2007: FIREARM SALES; TRANSFERS; BACKGROUND CHECKS

The 2016 general election ballot is to carry the question of whether to amend state statute to require parties to a prospective firearms sale or transfer to complete the transaction through a licensed firearms dealer if neither party is a licensed firearms dealer. Some exceptions. The dealer must process the sale or transfer and comply with all requirements of federal, state and local law as if the dealer were a party to the transaction, including a background check on both parties. If the dealer cannot legally deliver the weapon to the purchaser, the dealer must return the weapon to the seller. If the dealer cannot legally return the weapon to the seller, the dealer must deliver the weapon to law enforcement. The dealer may charge a fee of up to \$20 for the costs incurred in facilitating the sale or transfer. Violations are a class 5 (second-lowest) felony.

First sponsor: Rep. Friese

S1257: MISCONDUCT INVOLVING WEAPONS; PUBLIC PLACES

A person who possesses a valid concealed weapons permit is exempt from the prohibition on carrying a concealed weapon in a public establishment other than a vehicle or craft or at a public event. Some exceptions, including for public establishments or events that are a "secured facility" (defined), that are the licensed premises of a liquor licensee, or that are an educational institution.

First sponsor: Sen. Kavanagh

Others: Rep. J. Allen, Sen. Barto, Rep. Barton, Sen. Biggs, Rep. Borrelli, Rep. Bowers, Rep. Boyer, Sen. Burges, Rep. Campbell, Sen. Donahue, Sen. D. Farnsworth, Rep. Finchem, Rep. Gowan, Rep. Gray, Sen. Griffin, Rep. Kern, Rep. Lawrence, Rep. Leach, Sen. Lesko, Rep. Livingston, Rep. Lovas, Sen. McGuire, Rep. Mesnard, Rep. Mitchell, Rep. Montenegro, Rep. Olson, Rep. Petersen, Rep. Rivero, Sen. Shooter, Rep. Shope, Sen. Smith, Rep. Thorpe, Rep. Townsend, Rep. Weninger

Mental Health

Bill Summaries

H2179: CRITICAL HEALTH INFO; EMERGENCY RESPONDERS

Municipalities and counties are authorized to establish by ordinance a program to provide "emergency responders" (defined) with critical health information about program participants so that emergency responders may aid program participants who are involved in motor vehicle emergencies or accidents and who are unable to communicate. Program requirements are specified and program participants may be charged a nominal fee for program costs.

First sponsor: Rep. Gabaldon

Others: Rep. Andrade, Rep. Bolding, Rep. Cardenas, Sen. Dalessandro, Rep. Espinoza, Rep. Fernandez, Rep. Friese, Rep. Hale, Rep. Larkin, Rep. McCune Davis, Rep. Mendez, Rep. Plumlee, Rep. Velasquez

H2442: BEHAVIORAL HEALTH; URGENT NEED; CHILDREN

If a foster parent or adoptive parent of an eligible child identifies an urgent need for the child to receive behavioral health services, the parent is permitted to directly contact a regional behavioral health authority (RBHA) for a screening and evaluation of the child. If after the screening and evaluation it is determined that the child needs services, the RBHA is required to provide an initial appointment for the child within 21 days. If the appointment is not provided, the parent may petition the AHCCCS Administration to authorize the child to receive services by a provider who is not contracted with the RBHA.

First sponsor: Rep. E. Farnsworth

Others: Rep. Alston, Rep. Benally, Sen. Biggs, Rep. Bowers, Rep. Boyer, Rep. Brophy McGee, Rep. Carter, Rep. Coleman, Sen. D. Farnsworth, Rep. Fernandez, Rep. Friese, Sen. Hobbs, Rep. Mach, Rep. McCune Davis, Rep. Meyer, Rep. Norgaard, Rep. Otondo, Rep. Petersen, Rep. Rios, Rep. Saldate, Rep. Townsend

S1169: MENTAL HEALTH POWER OF ATTORNEY

Various changes to statutes relating to mental health care power of attorney. The physician that determines that a person lacks the ability to give informed consent may be a specialist in neurology, in addition to psychiatry or psychology. If a patient admitted to or being treated in an outpatient psychiatric facility under the authority of an agent pursuant to a mental health care power of attorney manifests the desire to disqualify an agent or revoke the power of attorney and requests in writing to be discharged from the facility, the facility is required to either discharge the patient within 48 hours, excluding weekends and legal holidays, or to initiate proceedings for court ordered evaluation or treatment on the following court day. Some exceptions. Except during times when the principal has been found to be incapable, the principal under a mental health care power of attorney may disqualify an agent or revoke all or any portion of the power of attorney.

First sponsor: Sen. Barto

Others: Sen. Bradley, Rep. Brophy McGee, Sen. Driggs, Sen. D. Farnsworth, Sen. Lesko, Rep. Norgaard, Sen. Pancrazi, Sen. Worsley, Sen. Yee

S1326: BEHAVIORAL HEALTH; DEPENDENT CHILDREN; REPORTING

Summary to come

First sponsor: Sen. Barto

Pension

Bill Summaries

S1188: TECH CORRECTION; PSPRS; SOCIAL SECURITY

Minor change in Title 38 (Public Officers and Employees) related to the Public Safety Personnel Retirement System. Apparent striker bus.

First sponsor: Sen. Lesko

Tea Party Nut Bills

Bill Summaries

H2024: SOVEREIGN AUTHORITY; FEDERAL ACTIONS

The state of Arizona and all political subdivisions are prohibited from using any personnel or financial resources to enforce, administer or cooperate with an executive order issued by the President of the U.S., a policy directive issued by an agency of the U.S., or an opinion of the U.S. Supreme Court that is not in pursuance of the U.S. Constitution and that has not been affirmed by a vote of the U.S. Congress and signed into law as prescribed by the U.S. Constitution.

First sponsor: Rep. Finchem

Others: Rep. Barton, Rep. Borrelli, Sen. Burges, Rep. Cobb, Sen. Griffin, Rep. Livingston, Rep. Townsend

H2042: NUNCHAKU PROHIBITION; REPEAL

For the purposes of the criminal code, an instrument that consists of two or more sticks, clubs, bars or rods to be used as handles, connected by a rope, cord, wire or chain, in the design of a weapon used in connection with the practice of a system of self-defense, including a nunchaku, is removed from the definition of "prohibited weapon."

First sponsor: Rep. Finchem

Others: Rep. Borrelli, Sen. Burges, Rep. Lawrence

H2177: PAID SICK AND SAFE TIME

Effective January 1, 2017, employees who work in Arizona accrue a minimum of one hour of paid sick and safe time for every 30 hours worked. Situations where an employee may use paid sick and safe time are specified, as well as provisions governing accrual, carry over, and transfer of paid sick and safe time.

First sponsor: Rep. Andrade

Others: Rep. Alston, Rep. Benally, Rep. Bolding, Rep. Cardenas, Rep. Clark, Rep. Espinoza, Rep. Fernandez, Rep. Friese, Rep. Gabaldon, Rep. Gonzales, Rep. Hale, Rep. Larkin, Rep. Mach, Rep. McCune Davis, Rep. Mendez, Sen. Quezada, Rep. Rios, Rep. Saldate, Rep. Steele, Rep. Velasquez

H2196: PAID SICK AND SAFE TIME

Effective January 1, 2017, employees who work in Arizona accrue a minimum of one hour of paid sick and safe time for every 30 hours worked. Situations where an employee may use paid sick and safe time are specified, as well as provisions governing accrual, carry over, and transfer of paid sick and safe time.

First sponsor: Rep. Larkin

Others: Rep. Cardenas, Rep. Espinoza, Rep. Friese, Rep. Hale, Rep. Mach

H2201: SOVEREIGN AUTHORITY; COMMANDEERING; PROHIBITION; EXCEPTION

The state and all political subdivisions are prohibited from using any personnel or financial resources to enforce, administer or cooperate with any "action" (defined) of the U.S. government that constitutes "commandeering," defined as any action that is not in pursuance of the U.S. Constitution and that has not been affirmed by a vote of the U.S. Congress and signed into law as prescribed in the U.S. Constitution, or any action that exceeds the powers of the U.S. Congress enumerated in the U.S. Constitution, unless specifically authorized by state legislation.

First sponsor: Rep. Thorpe

Others: Rep. Barton, Rep. Borrelli, Rep. Campbell, Rep. Cobb, Rep. Finchem, Rep. Kern, Rep. Lawrence, Rep. Leach, Rep. Livingston, Rep. Mitchell, Rep. Rivero, Rep. Shope

H2252: LIEUTENANT GOVERNOR; DUTIES; BALLOT

No later than 60 days before the date of the general election, a candidate for governor is required to submit to the Secretary of State the name of a person who will be the joint candidate for lieutenant governor with that gubernatorial candidate and whose name will appear on the general election ballot jointly with that candidate. The direction, operation and control of the Department of Administration is the responsibility of the lieutenant governor. Conditionally enacted on the state Constitution being amended by the voters at the 2016 general election by passage of an unspecified HCR (blank in original) relating to the establishment of the office of lieutenant governor.

First sponsor: Rep. Mesnard

H2393: HIRING PRACTICES; CRIMINAL HISTORY; LIMITATION

Employers are prohibited from inquiring, considering or requiring disclosure of the criminal conviction record of an applicant for employment during the hiring process unless it has a direct relationship to the employment position, is only for the period of the ten most recent consecutive years, and takes place after the applicant has received a conditional offer of employment. Does not apply to positions that require a valid fingerprint clearance card.

First sponsor: Rep. Velasquez

Others: Rep. Alston, Rep. Andrade, Rep. Bolding, Rep. Cardenas, Rep. Clark, Sen. Contreras, Rep. Espinoza, Rep. Fernandez, Rep. Gabaldon, Rep. Gonzales, Rep. Mendez, Sen. Quezada, Rep. Rios, Rep. Rivero

H2426: DISORDERLY CONDUCT

It is no longer "disorderly conduct," a class 1 (highest) misdemeanor, to use abusive or offensive language or gestures in a manner likely to provoke immediate physical retaliation.

First sponsor: Rep. Townsend

Others: Rep. Campbell

H2537: SUPREME COURT JUSTICES; NUMBER

The number of Arizona Supreme Court justices is increased to seven, from five.

First sponsor: Rep. Mesnard

HCR2020: LIEUTENANT GOVERNOR; JOINT TICKET

The 2016 general election ballot is to carry the question of whether to amend the state Constitution to add a Lieutenant Governor to the executive department, which person is next in line to succeed to the office of Governor. No later than 60 days before the general election, unless the Legislature prescribes otherwise by statute, each nominee for the office of Governor is required to name a Lieutenant Governor to run on a ticket as a joint candidate with that nominee for the office of Lieutenant Governor. Applies beginning with election for the term of office that starts in 2023.

First sponsor: Rep. Mesnard

S1241: PHOTO RADAR PROHIBITION; STATE HIGHWAYS

The state and local authorities are prohibited from using a photo enforcement system on a state highway to identify violators of traffic control devices and speed regulations. Statute authorizing photo enforcement on state highways under certain circumstances is repealed.

First sponsor: Sen. Lesko

Others: Sen. Begay, Sen. Biggs, Rep. Boyer, Sen. Burges, Sen. Dial, Sen. Donahue, Sen. D. Farnsworth, Rep. Gray, Sen. Griffin, Sen. Kavanagh, Rep. Kern, Sen. McGuire, Sen. Miranda, Rep. Mitchell, Sen. Sherwood, Sen. Smith, Sen. Yee

S1285: AGGRESSIVE SOLICITATION; APPROACHING STOPPED VEHICLE

The list of acts constituting aggressive solicitation, a petty offense, is expanded to include approaching within 10 feet of a person who is in a vehicle that is stopped at a traffic control device except if the driver of the vehicle grants the person permission to approach the vehicle.

First sponsor: Sen. Kavanagh

SCR1012: LEGISLATORS; ARREST PRIVILEGE; REPEAL

Summary to come

First sponsor: Sen. Quezada

Others: Rep. Fernandez, Rep. Rios, Rep. Velasquez

Title 13 Misc

Bill Summaries

H2001: UNLAWFUL DISTRIBUTION OF PRIVATE IMAGES

It is a class 5 (second lowest) felony to intentionally "disclose" (defined) an "image" (defined as a photograph, videotape, film or digital recording) of another person who is identifiable from the image itself or from information displayed in connection with the image if the person in the image is depicted in a state of nudity or is engaged in specific sexual activities, the depicted person has a reasonable expectation of privacy, and the image is disclosed with intent to harm, harass, intimidate, threaten or coerce the depicted person. If the image is "disclosed by electronic means" (defined), the classification is increased to a class 4 (mid-level) felony. Does not apply to any disclosure that is made with the consent of the person who is depicted in the image. A person who threatens to disclose but who does not disclose an image that if disclosed would be a violation of these provisions is guilty of a class 1 (highest) misdemeanor. It is no longer a class 5 (second lowest) felony to disclose an image of another person in a state of nudity or engaged in specific sexual activities without that person's consent if the person is not recognizable. A prosecution commenced before the effective date that charges a violation of this statute may only proceed if the alleged conduct constitutes prohibited conduct under these changes. Emergency clause.

First sponsor: Rep. Mesnard

H2004: COURT DISPOSITIONS; SEARCHABLE PUBLIC RECORDS

If a court maintains case information for a publicly accessible and searchable case record database, the court is required to prominently post a clear and concise disposition for each listed case within 30 days after the final disposition of the case.

First sponsor: Rep. Finchem
Others: Sen. Burges, Rep. Cobb, Rep. Lawrence

H2006: MARIJUANA; REGULATION; TAXATION

A person who is at least 21 years of age may possess, consume, use, display, purchase or transport one ounce or less of marijuana, may grow up to five marijuana plants and may possess, process or transport the marijuana produced by the plants on the premises where the plants were grown. Some restrictions. It is unlawful to smoke marijuana in a public place. Establishes regulations for marijuana accessories and retail marijuana stores. Establishes an excise tax on the sale or transfer of marijuana at the rate of \$50 per ounce. Revenues generated by the tax must be used to enforce these regulations, and any remaining monies are distributed as follows: 30 percent to the Department of Education, 20 percent to the Department of Health Services for specified drug programs, and 50 percent to the general fund. The Department of Health Services is required to adopt rules necessary for implementation. Due to a potential increase in state revenue, this bill requires the affirmative vote of at least 2/3 of each house of the Legislature for passage.

First sponsor: Rep. Cardenas

H2007: MARIJUANA; SENTENCE; CIVIL PENALTY; FINES

Reduces the criminal classification for possession or use of marijuana with a specified weight as follows: less than one ounce is subject to a civil penalty of up to \$100, from a class 6 (lowest) felony; at least one ounce but less than two pounds is reduced to a petty offense, from a class 6 felony; two pounds or more to a class 3 (mid-level) misdemeanor, from either a class 4 or 5 felony. Reduces the criminal classification for importing, transporting for sale or selling marijuana with a specified weight as follows: less than two pounds to a class 3 misdemeanor, from a class 5 (second-lowest) felony; at least two pounds but less than four pounds to a class 6 felony, from a class 4 felony; more than four pounds to a class 5 felony, from a class 3 felony. The court must order a juvenile who is adjudicated delinquent for a first violation of these marijuana related violations to complete at least 10 hours of community restitution in lieu of other penalties. If the community restitution is not complete within one year, the juvenile is subject to all other penalties prescribed by law.

First sponsor: Rep. Cardenas

H2010: COLLECTION; VOTED EARLY BALLOTS; LIMITATION

A person who knowingly collects more than two voted or unvoted early ballots during any two-year election cycle is guilty of a class 6 (lowest) felony. Does not apply to a family member, household member or caregiver of the voter or to a candidate or a candidate's spouse.

First sponsor: Rep. Kern

H2030: LIQUOR PREMISES; FIREARMS; RETIRED OFFICERS

The list of persons permitted to be in possession of a firearm while on the licensed premises of an on-sale liquor retailer is expanded to include an honorably retired law enforcement officer who has been issued a certificate of firearms proficiency.

First sponsor: Rep. Borrelli

H2036: HUMAN TRAFFICKING; SIGNS; REST STOPS

In each roadside rest area or roadside park, the Department of Transportation is required to place in a prominent location a sign that clearly states the telephone number for a national toll-free hotline for human trafficking and includes other specified information.

First sponsor: Rep. Coleman

H2051: CATASTROPHIC PUBLIC NUISANCE; DETERMINATION; ABATEMENT

The mayor of a municipality may determine that a "catastrophic public nuisance" (defined) exists on state or federal land located within the municipal borders, and the chairman of the county board of supervisors or the county sheriff may determine that a catastrophic public nuisance exists on state or federal land located within the county borders. Factors that may be considered in evaluating whether a catastrophic public nuisance exists are listed. On determining that a catastrophic public nuisance exists, the official must notify the federal or state agency that manages the land, and the notice must include specified information, including a demand that the agency either abate or make a plan to abate the catastrophic public nuisance by a specified date at least 30 days after the date the notice is received. If the agency does not respond by that date or otherwise does not take action, and if the nuisance constitutes a threat to public health, safety and welfare, the official must pursue all remedies allowed by law.

First sponsor: Rep. Ugenti-Rita

Others: Rep. Borrelli, Rep. Finchem, Rep. Lawrence, Rep. Mitchell, Rep. Thorpe, Rep. Townsend

H2073: UNMANNED AIRCRAFT SYSTEMS; UNLAWFUL USE

It is an unspecified class of felony (blank in original) for a person to operate or use an "unmanned aircraft system" (defined) to intentionally photograph, electronically record, collect information, conduct surveillance or gather evidence on a "critical facility" (defined) without the prior written consent of the facility owner or operator, or on a person or the person's property without the prior written consent of the person. Some exceptions.

First sponsor: Rep. Borrelli
Others: Rep. Barton, Rep. Boyer

H2154: FAILURE TO APPEAR; ARREST; FINGERPRINTING

The list of acts constituting failure to appear in the second degree is expanded to include that having given a written promise to appear in court or been personally served with a written notice to appear on a designated date, the person thereafter fails to appear, personally or by counsel. Failure to appear in the second degree under these circumstances is a class 2 (mid-level) misdemeanor. The "booking agency" (defined as the county sheriff or municipal law enforcement agency), instead of the arresting authority, is required to take legible ten-print fingerprints of all persons arrested for specified offenses.

First sponsor: Rep. Borrelli
Others: Rep. Boyer, Rep. Carter, Rep. Cobb, Rep. Fann, Rep. Finchem, Rep. Lawrence, Sen. Shooter

H2241: TEENAGE DRIVERS; COMMUNICATION DEVICES PROHIBITED

For the first six months that a class G driver licensee holds the license, the licensee is prohibited from driving a motor vehicle while using a wireless communication device for any reason, except during an emergency in which stopping the vehicle is impossible or will create an additional hazard. Does not apply beginning on the licensee's 18th birthday. Instruction permit holders for a class D or G driver license are prohibited from driving a motor vehicle while using a wireless communication device for any reason, except during an emergency in which stopping the vehicle is impossible or will create an additional hazard. Effective July 1, 2017.

First sponsor: Rep. Fann
Others: Rep. Bowers, Rep. Brophy McGee, Rep. Cardenas, Rep. Friese, Rep. Gabaldon, Rep. Hale, Rep. Lawrence, Rep. McCune Davis, Rep. Mendez, Rep. Meyer, Sen. Sherwood, Rep. Wheeler

H2349: INCORRIGIBLE; DEPENDENT CHILDREN; JUVENILE COMMITMENT

The list of children who cannot be committed or awarded to the Department of Juvenile Corrections is modified to include a child who is "only adjudicated" dependent or incorrigible, instead of a dependent or incorrigible child.

First sponsor: Rep. Finchem
Others: Rep. Cobb, Rep. Kern, Rep. Livingston, Rep. Mitchell, Rep. Norgaard, Rep. Thorpe, Rep. Townsend

H2374: CHILD PROSTITUTION; OFFENSE

The list of acts constituting child prostitution is expanded to include knowingly providing a means by which a minor engages in prostitution.

First sponsor: Rep. E. Farnsworth

H2419: STALKING; OFFENSE; DEFINITIONS

Modifies the definition of "stalking," a class 5 (second-lowest) felony, to mean intentionally or knowingly engaging in conduct that causes the victim to suffer "emotional distress" (defined) or reasonably fear that the victim's property will be damaged or destroyed or that the victim or a list of persons connected to the victim will be physically injured. Modifies the definition of "stalking," a class 3 (mid-level) felony, to mean intentionally or knowingly engaging in conduct that causes the victim to reasonably fear death or the death of a list of persons connected to the victim.

First sponsor: Rep. E. Farnsworth

H2420: UNLAWFUL FLIGHT FROM LAW ENFORCEMENT

For the purpose of the crime of unlawful flight from a pursuing law enforcement vehicle, the law enforcement vehicle is no longer required to be appropriately marked to show that it is an official law enforcement vehicle.

First sponsor: Rep. E. Farnsworth

HCR2022: DEATH PENALTY; PROHIBITION

The 2016 general election ballot is to carry the question of whether to amend the state Constitution to prohibit the death penalty in Arizona.

First sponsor: Rep. Mendez

Others: Rep. Andrade, Rep. Cardenas, Rep. Clark, Rep. Gabaldon, Rep. Gonzales, Rep. Hale, Rep. Plumlee, Rep. Rios, Rep. Velasquez

S1128: DOMESTIC VIOLENCE OFFENDERS; FIREARMS; SEIZURE

The court is required to order a person placed on probation for a domestic violence offense to transfer, for the duration of the probation, any firearms the person owns or possesses to the appropriate law enforcement agency within 24 hours are sentencing, or to provide the agency with an affidavit certifying that the person does not own or possess a firearm. The court must provide a copy of the order to the appropriate law enforcement agency, and if the agency has not received an affidavit or any firearms from the person within 24 hours, the agency must notify the court and request a search warrant for the person's home and vehicle, if appropriate. If a court orders a defendant who is subject to an order of protection to transfer a firearm to the appropriate law enforcement agency and the firearm is not transferred to the agency within 24 hours, the agency must notify the court and request a search warrant for the person's home and vehicle, if appropriate, to retrieve the firearm.

First sponsor: Sen. Bradley

Others: Sen. Begay, Sen. Cajero Bedford, Sen. Contreras, Sen. Dalessandro, Sen. Farley, Rep. Friese, Sen. Hobbs, Sen. Pancrazi, Sen. Quezada, Sen. Sherwood

S1156: ABSENCE OF STATE ELECTED OFFICIALS

By choice of the Governor, either the Secretary of State, the Attorney General, the State Treasurer or the Superintendent of Public Instruction must be absent from the vicinity of the seat of government during the inauguration of state elected officials or any state address by the Governor where members of the Executive Department are in attendance. The excused elected official must remain at least 35 miles away. The Department of Public Safety is required to establish a protective detail to protect the excused elected official.

First sponsor: Sen. Burges

Others: Sen. S. Allen, Rep. Borrelli, Sen. D. Farnsworth, Rep. Gray, Sen. Griffin, Rep. Kern, Rep. Lawrence, Rep. Livingston, Rep. Lovas, Rep. Mitchell, Sen. Shooter

S1227: ANIMAL CRUELTY; SENTENCING; BOND

The list of acts constituting cruelty to animals is expanded to include to intentionally, knowingly or recklessly "hoard animals" (defined), and cruelty to animals by hoarding animals is a class 1 misdemeanor. The classification for second or subsequent violations of specified cruelty to animals violations is increased to a class 6 felony. The bond that an animal owner is required to post for an animal that was properly seized is increased to \$250 per animal, from \$25.

First sponsor: Sen. Kavanagh

Others: Rep. Boyer, Sen. Dial, Sen. Farley, Sen. Hobbs, Rep. Lawrence, Rep. Mesnard, Rep. Meyer, Rep. Norgaard, Sen. Smith, Rep. Townsend, Rep. Weninger

S1230: WRONGFUL ARREST; RECORD CLEARANCE

If a law enforcement agency determines that a person was wrongfully arrested and is factually innocent of the offense that was the basis of the arrest, the agency is required to immediately seal the person's arrest record, retract any information that the agency reported to any person or entity about the arrest, and notify the person of the sealed arrest record. A person whose arrest record is sealed is authorized to deny that the arrest ever occurred, including when applying for a state-issued license, a law enforcement or school-related job, a concealed weapons permit, or state bar membership or when running for public office or purchasing a firearm.

First sponsor: Sen. Miranda

Others: Sen. Begay, Sen. Bradley, Sen. Contreras, Sen. Dalessandro, Rep. Espinoza, Sen. D. Farnsworth, Rep. Fernandez, Sen. Hobbs, Sen. Meza, Sen. Pancrazi, Rep. Velasquez

S1262: LURING MINORS; SEXUAL EXPLOITATION; SENTENCE

Establishes minimum, presumptive and maximum terms of imprisonment for a person convicted of luring a minor for sexual exploitation if the person believed the other person was under 15 years of age, whether or not the other person is a minor, and for a person convicted of luring a minor for sexual exploitation if the person has been previously convicted of one predicate felony.

First sponsor: Sen. McGuire

Others: Sen. Dalessandro, Sen. Hobbs, Sen. Miranda, Rep. Otondo

S1285: AGGRESSIVE SOLICITATION; APPROACHING STOPPED VEHICLE

The list of acts constituting aggressive solicitation, a petty offense, is expanded to include approaching within 10 feet of a person who is in a vehicle that is stopped at a traffic control device except if the driver of the vehicle grants the person permission to approach the vehicle.

First sponsor: Sen. Kavanagh

Union

Bill Summaries

S1160: CORP; REVERSE DEFERRED RETIREMENT OPTION

The reverse deferred retirement option plan for members of the Corrections Officer Retirement Plan no longer terminates on June 30, 2016. Emergency clause.

First sponsor: Sen. Smith

Others: Sen. Begay, Rep. Borrelli, Rep. Cardenas, Rep. Coleman, Rep. Larkin, Rep. Lawrence, Sen. Shooter, Rep. Shope

S1333: PUBLIC EMPLOYEES; COLLECTIVE BARGAINING

Summary to come

First sponsor: Sen. Quezada

Others: Rep. Cardenas, Rep. Fernandez, Rep. Rios, Rep. Velasquez

S1334: STATE EMPLOYEES; MEET AND CONFER

Summary to come

First sponsor: Sen. Quezada

Others: Rep. Cardenas, Rep. E. Farnsworth, Rep. Rios, Rep. Velasquez

S1335: LABOR ORGANIZATION; NONUNION EMPLOYEES; REPRESENTATION

Summary to come

First sponsor: Sen. Quezada

Others: Rep. Andrade, Rep. Cardenas, Rep. Espinoza, Rep. Fernandez, Rep. Gabaldon, Rep. Mendez, Rep. Rios, Rep. Velasquez

S1336: COUNTY EMPLOYEES; LOBBYING; PROHIBITION

Summary to come

First sponsor: Sen. Quezada

Others: Rep. Andrade, Rep. Cardenas, Rep. Espinoza, Rep. Fernandez, Rep. Gabaldon, Rep. Mendez, Rep. Rios, Rep. Velasquez