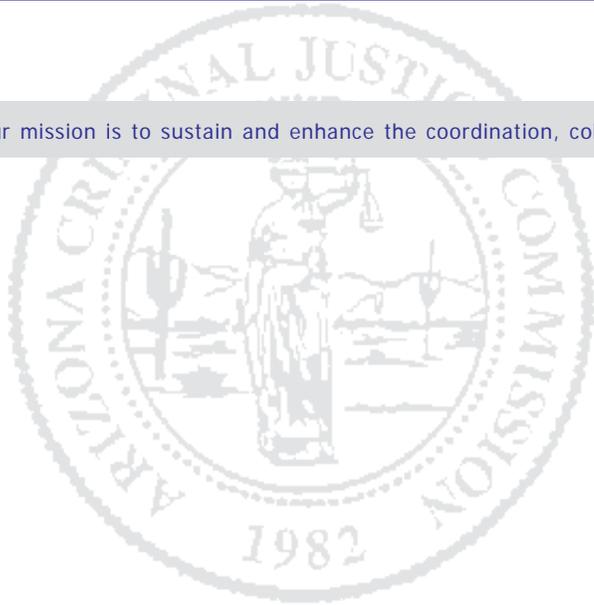


Arizona Criminal Justice Commission

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

*50th Arizona
State Legislature*

First Regular Session

2011

July

ARIZONA CRIMINAL JUSTICE COMMISSION



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Arizona Criminal Justice Commission 2011 Legislative Report

The first session of the 50th Arizona State Legislature ran shorter than most in recent history, with sine die called on April 20, 2011. There were 1,350 bills posted, with 386 bills passing through both the Senate and the House. Of those 386 bills, 357 were signed into law and 29 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 20, 2011 unless otherwise noted in the legislation.

ACJC's criminal justice issues in 2011

The Arizona Criminal Justice Commission, working with various criminal justice stakeholders, sought sponsorship for H2645 Firearms; Right to Possess; Restoration.

Why ACJC sought sponsorship for H2645

ACJC's interest in this issue is tied to federal NICS Improvement Act funding that would allow the state to make improvements to the NICS records. In 2010, ACJC applied for federal funding believing that the state's statute was in compliance with the federal requirements. ACJC learned that the statute was not in compliance when their grant application was rejected. In its November 2010 meeting, the Commission approved a staff request to seek a change to the statute that would bring the state into compliance with the federal requirements.

Stakeholders worked on the language in concert with the ATF, which wrote the compliance guidelines for NICS Improvement Act. Stakeholders also reached out to the NRA as the NRA has worked with several states to implement the federal requirements of the NICS Improvement Act. There were disagreements on the legislative language, most notably the evidentiary standard being sought by the NRA, which resulted in a bill (H2563) that ACJC and other stakeholders could not support. Later, a striker amendment was offered for H2645, which held the state's current evidentiary standard (clear and convincing) and was supported by all stakeholders. The bill passed on the final day of the legislative session and was signed by the governor.

Stakeholder issues

Medical Marijuana

In November 2010, voters passed the Arizona Medical Marijuana Act. The citizen initiative (Proposition 203) called on the Arizona Department of Health Services (AZ DHS) to create a medical marijuana program within 120 days from the official election results. As the AZ DHS worked to develop the program, the legislature ran several bills related to the measure. H2585 Medical Marijuana; Controlled Substance requires the controlled substances prescription monitoring program, administered by the Arizona State Board of Pharmacy, to include data from the Department of Health Services that identifies residents who possess a valid registry identification card. H2541 Medical Marijuana; Employer Monitoring allows employers to take action against employees who are believed, in good faith, to be impaired at work due to prescribed, illegal or synthetic drug use.

On May 24, Governor Jan Brewer announced that she has directed Arizona Attorney General Tom Horne to file suit seeking a declaratory judgment from a federal court regarding the legality of the Arizona Medical Marijuana Act (AMMA).

Victims' issues

There were several bills that were introduced that affected crime victims. One was brought forward by the Secretary of State's Office. H2302 Domestic Violence Victims; Address Confidentiality directs the Secretary of State to establish the Address Confidentiality Program, which will allow victims of domestic violence, sexual offenses or stalking to keep their residential address confidential by giving them a substitute address of record. The bill has a delayed effective date of Jan. 1, 2012.

A high-profile victim's issue was addressed following the shooting in Tucson that left six people dead, and several people injured, including U.S. Representative Gabrielle Giffords. Responding to threats by the Westboro Baptist Church to protest at the funeral of the child victim of the shooting, the legislature passed S1101 Protest Activity; Prohibition and the governor signed the bill ahead of the funeral. S1101 classifies picketing or engaging in other protest activities within 300 feet, either one hour before or after funeral services, as a class 1 misdemeanor offense. The Westboro Baptist Church cancelled their protest.

H2658 Domestic Violence Review Teams broadens the language in A.R.S. § 41-198 regarding domestic violence to include near fatalities, and allows the Peace Officer Standards and Training Board and the State Domestic Violence Coalition to receive domestic violence reports.

Retirement Plans

Although this issue does not impact the criminal justice system, the overhaul of the state's retirement systems does impact the criminal justice agencies. Following the lead of many other states, the state legislature determined that Arizona's retirement systems were unsustainable and needed to be changed. Arizona has four retirement systems: the Arizona State Retirement System (ASRS), Corrections Officer Retirement Plan (CORP), Elected Officials' Retirement Plan (EORP) and Public Safety Personnel Retirement System (PSPRS). There were more than two dozen bill that would have had an impact on the various retirement systems. One bill, S1609, was signed into law.

S1609 makes changes to the existing contribution and benefit structures for the Arizona State Retirement System (ASRS), the Public Safety Personnel Retirement System (PSPRS), the Elected Officials Retirement Plan (EORP) and the Corrections Officers Retirement Plan (CORP). Return to work provision requires employers to pay an Alternate Contribution Rate, beginning on July 1, 2012, for retired members who perform services that would otherwise be performed by an employee of the employer. Requires the court to order a person's retirement system membership terminated and the person shall forfeit all rights and benefits earned under the state retirement system or plan if the member is convicted of a class one, two, three, four, or five felony that was committed in the course of the member's employment as a public official or for a public employer. There were many other provisions in this bill and agency human resources coordinators are encouraged to analyze this legislation to determine the impact on their personnel.

Budget issues

Again, the most critical issue was the budget shortfall that has persisted since the beginning of FY08. The impact to ACJC's programs resulted in a loss of nearly \$3.1 million, which was the least severe of the budget cuts to date. However, indigent defense was singled out for funding elimination. S1398 Moving Violations Assessment; Equipment; Enforcement redirects FY 12 revenues from the State Aid to Indigent Defense Fund to the GIITEM subaccount for border security. The legislation also adds another \$13 assessment for various traffic offenses and specifies funding distribution, repeals various state photo enforcement statutes, amends

requirements for persons who have received a notice of violation from photo enforcement and extends the transfer of remaining monies in the Photo Enforcement Fund (PEF) to the Public Safety Equipment Fund (PSEF). Additionally, SB 1398 makes a general fund appropriation of \$1 million to Department of Public Safety (DPS) to enter into an MOU with Pinal County to purchase equipment and supplies for deputies in the county for border security. This will have an impact on counties and the ability to pay for indigent defense.

The Criminal Justice Budget Reconciliation Bill, S1621, also impacts the criminal justice costs for counties. The bill specifies, effective July 1, 2012, county correctional reimbursement to the state as follows:

- requires the state Treasurer to deposit monies received from a county for the costs of incarcerating a person in ADC who would otherwise be incarcerated in jail in the state General Fund;
- requires the sentencing county sheriff to enter into a reimbursement agreement with ADC at least one month before a person is transferred into ADC custody;
- prohibits a sentencing county sheriff from cancelling a reimbursement agreement without providing ADC at least one month's notice.

The bill also requires that persons sentenced to one year or less in ADC be placed in the custody of a county jail, unless the sentencing county sheriff has entered into an agreement to reimburse ADC for the incarceration costs, in which case the person will be committed to ADC custody. The legislation also requires the sentencing county to reimburse ADC at a rate determined by ADC for each remaining day of incarceration in ADC for any prisoner who has been sentenced to one year or less in ADC prior to July 1, 2012. All of these provisions are effective July 1, 2012.

On the next page is a chart that outlines the ACJC 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 50th 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 Affairs Officer, at mmarshall@azcjc.gov or at (602) 364-1156.

2011 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

S1020: PRIVATE INVESTIGATORS; OFFICER PROHIBITION (~~TECH CORRECTION; CHILD WELFARE AGENCY~~)

Prohibits the Department of Public Safety (DPS) from issuing a private investigator license or registration certificate to a peace officer, notwithstanding exceptions.

Primary Sponsor: Sen. Gray.

Last Action: 4/25, signed by the governor, Chapter 222, Laws 2011.

ARS Title(s) affected: 32.

S1023: PROBATION OFFICERS; POWERS; PRETRIAL RELEASE

In counties with a population of more than two million persons, adult probation may serve warrants and make arrests of persons who are alleged to have violated a condition of pretrial release. Officers are given the power of a peace officer in the performance of their duty.

Primary Sponsor: Sen. Gray.

Last Action: 4/18, signed by governor, Chapter 140, Laws 2011.

ARS Title(s) affected: 12.

S1025: STATE HOSPITAL; FINGERPRINT CARDS

Requires the Arizona State Hospital (ASH) staff to hold a valid fingerprint clearance card and directs them to certify that they are not awaiting trial or have not been convicted or admitted in open court or pursuant to a plea agreement to any offenses in Arizona Revised Statutes (A.R.S.) § 41-1758.07, Subsection B.

Primary Sponsor: Sen. Gray.

Last Action: 4/19, signed by the governor, Chapter 177, Laws 2011.

ARS Title(s) affected: 36, 41.

S1046: JUVENILE CORRECTIONS; DISCHARGE; I.C.E. DETAINERS

Requires a youth to be conditionally discharged from Arizona Department of Juvenile Corrections (ADJC) jurisdiction if all of the following are satisfied: The youth has completed the minimum length of stay in a secure care facility, if any, that was assigned by the

committing juvenile court; ICE enforces a detainer by taking custody of the youth for immigration proceedings; the youth signs a condition that the youth's discharge will be vacated if the youth returns to the U.S. without legal authorization. Requires ADJC to vacate the discharge, place the youth on conditional liberty status, issue a warrant for the apprehension of the youth, notify ICE, and take the youth into custody if ADJC receives actual notice that a youth who received a discharge pursuant to this section has returned to the U.S. without legal authorization prior the youth's 18th birthday.

Primary Sponsor: Sen. Shooter. Co-sponsor: Sen. Gray.
Last Action: 4/27, signed by the governor, Chapter 293, Laws 2011.
ARS Title(s) affected: 41.

S1054: WAIVER; INTENSIVE PROBATION STANDARDS

Allows the Supreme Court to waive intensive probation caseload and supervision requirements for any county, rather than only counties with less than 300,000 persons, so long as probation officers do not supervise more than fifteen probationers and the program requires at least one visual contact a week. Makes a conforming change to ARS 12-269, regarding probation assessment to mirror the language of ARS 12-114.01, modified last year so that the application of the probation assessment is statewide.

Primary Sponsor: Sen. Gray.
Last Action: 4/19, signed by the governor, Chapter 204, Laws 2011.
ARS Title(s) affected: 8, 12, 13.

S1057: DISCIPLINARY ACTION; LAW ENFORCEMENT OFFICERS

Allows an officer to bring an action in superior court for a new hearing concerning termination if: the termination occurred as a result of the chief of the law enforcement agency or the chief executive officer of a city or town reversing the choice or proposal of a civil service board or merit commission; and the termination is believed to be without just cause by the officer. Allows an officer to bring an action in superior court to review the agency's file if the officer is fired by the executive officer of a city or town or the chief of the law enforcement agency and there are no civil service boards or merit commissions to evaluate the termination. Other provisions.

Primary Sponsor: Sen. Gray.
Last Action: 4/26, signed by governor, Chapter 244, Laws 2011.
ARS Title(s) affected: 38.

S1080: CUSTODIAL INTERFERENCE; CLASSIFICATION

Limits the circumstances in which custodial interference is classified as a class 1 misdemeanor and exempts parents from the crime of custodial interference under specified circumstances. Establishes an offense related to making a false report of vulnerable adult abuse or neglect.

Primary Sponsor: Sen. Gray. Co-sponsors: Sen. Allen, Sen. Shooter.
Last Action: 4/25, signed by the governor, Chapter 224, Laws 2011.
ARS Title(s) affected: 13.

S1081: MINORS; PROTECTIVE PROCEEDINGS

A parent, by will or other signed writing, may appoint a guardian for an unmarried child who the parent believes is an incapacitated person. The parent may specify the limitations on the powers of the guardian and revoke or amend the appointment prior to confirmation by the court, spousal appointment, or upon appointment by the court. Creates a new section, ARS 14-5301.01, governing the effective date and procedure for confirming the guardianship. Guardianship becomes effective either on the date of the appointee's death or when the appointee is deemed unable to care for the incapacitated person. Creates a process for a parent to obtain a guardianship or conservatorship prior to an incapacitated child turning 18. Other provisions.

Primary Sponsor: Sen. Shooter. Co-sponsor: Sen. Gray.
Last Action: 4/25, signed by the governor, Chapter 225, Laws 2011.
ARS Title(s) affected: 14.

S1086: TOBACCO PRODUCTS; PROHIBITION

Establishes that if a minor uses false identification to acquire cigars, cigarettes or cigarette papers or smoking or chewing tobacco he/she is guilty of a petty offense.

Primary Sponsor: Sen. Reagan.
Last Action: 4/29, signed by the governor, Chapter 340, Laws 2011.
ARS Title(s) affected: 13, 36.

S1101: PROTEST ACTIVITY; PROHIBITION

Classifies picketing or engaging in other protest activities within 300 feet, either one hour before or after funeral services, as a class 1 misdemeanor offense.

Primary Sponsor: Sen. Sinema. Co-sponsors: Sen. Jackson, Sen. Pierce, Sen. Bundgaard, Sen. Allen, Sen. Klein, Sen. Barto, Sen. Reagan, Sen. Murphy, Sen. L. Gray, Sen. Driggs, Sen. Nelson, Sen. Gallardo, Sen. Meza, Sen. Landrum Taylor, Sen. Schapira, Sen. Pearce, Sen. Crandall, Sen. McComish, Sen. Biggs, Sen. Smith, Sen. Shooter, Sen. Griffin, Sen. Melvin, Sen. Cajero Bedford, Sen. Aboud, Sen. Lopez, Sen. Antenori.
Last Action: 1/11, signed by the governor, Chapter 1, Laws 2011.
ARS Title(s) affected: 13.

S1117: IMMIGRATION LEGISLATION CHALLENGES

An emergency measure that removes the time limitation related to the Governor directing the Attorney General or outside counsel to defend legal challenges to the Support Our Law Enforcement and Safe Neighborhoods Act (SB1070).

Primary Sponsor: Sen. Pearce. Co-sponsors: Sen. Allen, Sen. Barto, Sen. Bundgaard, Sen. Gray, Sen. Klein, Sen. McComish, Sen. Melvin, Sen. Pierce, Sen. Reagan, Sen. Smith.
Last Action: 2/7, signed by the governor, Chapter 3, Laws 2011.
ARS Title(s) affected: 41.

S1118: COUNTY MEDICAL EXAMINER; ID PROTOCOL

Requires a medical examiner, on receipt of notification from an immediate family member of a decedent, to conduct an identification meeting within 48 hours. Allows the examiner to delay or limit the meeting if it is determined that there is risk of loss of forensic evidence may compromise the investigation or the decedent may not be recognizable. Other provisions.

Primary Sponsor: Sen. Barto.

Last Action: 4/19, signed by the governor, Chapter 181, Laws 2011.

ARS Title(s) affected: 11.

S1130: UNLAWFUL SEXUAL CONDUCT; PROBATION EMPLOYEES

Establishes the offense, Unlawful sexual conduct, adult probation, juvenile court employees, any “person” who knowingly coerces an “offender” to engage in sexual contact, oral sexual contact or sexual intercourse by threatening to influence the offender’s supervision or release status. Defines “person” as someone employed by an adult probation department or juvenile court who, through the course of employment, directly provides treatment, care, control or supervision to an offender. An “offender” is defined as a person subject to release conditions or supervision by the court, or a minor who has been referred to the juvenile court. The level of felony is dependent upon the age of the offender, ranging from a Class 2 felony to a Class 5 felony. Inserts employees of juvenile detention facilities into the existing statute covering unlawful sexual conduct by persons employed in prisons. Establishes the offense, False reporting of an offense involving corrections or probation, a Class 1 Misdemeanor, intentionally making a false report of an offense listed in section 13-1409 or 13-1419 knowing the report is false or coerces another person to make a false report of an offense listed in section 43 13-1409 or 13-1419 knowing the report is false

Primary Sponsor: Sen. Gray.

Last Action: 4/25, signed by the governor, Chapter 226, Laws 2011.

ARS Title(s) affected: 13.

S1147: MOTOR VEHICLE SAFETY MONITORING EQUIPMENT

Exempts safety monitoring and driver feedback equipment from window and windshield restrictions if it is mounted in either of the following locations: Immediately behind, slightly above or slightly below the rearview mirror; where the rearview mirror would commonly be positioned if the motor vehicle is without a windshield mounted rearview mirror.

Primary Sponsor: Sen. Gray. Co-sponsor: Rep. C. Miranda.

Last Action: 4/12, signed by the governor, Chapter 64, Laws 2011.

ARS Title(s) affected: 28.

S1191: JUVENILES; DISCRETIONARY TRANSFER; ADULT COURT

ARS 13-501(B) gives county attorneys the discretion to decide whether or not to charge a 14-year-old with various felony offenses in adult court. Provisions under SB 1191 amends ARS 13-504 to allow the court to override the county attorney’s decision and send the case to juvenile court, if the court finds by clear and convincing evidence that certain factors exist. SB1191 expands the list of offenses for which a jurisdictional determination is made as

to whether a juvenile at least 14-years-old charged as an adult in a criminal prosecution, at the discretion of a county attorney, should be transferred to a juvenile court as determined by the court to include the following: a class 1 felony; a class 2 felony; a class 3 felony involving preparatory offenses, homicide, assault, kidnapping, sexual offenses, criminal trespass and burglary, criminal damage, arson, robbery, or organized crime, fraud, or terrorism; a class 3, 4, 5, or 6 felony involving a dangerous offense; any felony offense committed by a chronic felony offender.

Primary Sponsor: Sen. Gray. Co-sponsors: Rep. Ash, Rep. Goodale, Sen. Barto, Sen. Crandall, Sen. Driggs.

Last Action: 4/19, signed by the governor, Chapter 206, Laws 2011.

ARS Title(s) affected: 13.

**S1200: DRIVING UNDER THE INFLUENCE; INTERLOCK DEVICES
(IGNITION INTERLOCK DEVICE; TIME REQUIREMENTS)**

Requires various changes to Arizona's driving under the influence (DUI) laws, specifically, a first time DUI offender that meets certain requirements and uses an ignition interlock device (IID) for six months could have the second six months dismissed with certain exceptions. Requires ADOT to suspend the license of an offender for no less than 30 days and restrict their driving for 60 days if it is found that any drug metabolite defined in A.R.S. § 13-3401 was in the person's body without a prescription while driving. Allows a city council, county sheriff and board of supervisors to create a continuous alcohol monitoring program for persons sentenced to jail for DUI, place the persons under continuous monitoring and the offender must pay all the costs plus \$30 per month unless the court assesses a lesser amount or the presiding judge decides the offender is ineligible to participate in the program at all. Other provisions.

Primary Sponsor: Sen. Gray. Co-sponsors: Sen. Biggs, Sen. Gould, Sen. Pierce.

Last Action: 4/29, signed by the governor, Chapter 341, Laws 2011.

ARS Title(s) affected: 28.

S1225: FORGERY; HUMAN SMUGGLING; CLASSIFICATION

Classifies forgery as a class 3 felony (3.5 years/\$150,000) if the forged instrument is used in connection with the purchase, lease, or renting of a dwelling used as a drop house.

Primary Sponsor: Sen. Sinema. Co-sponsors: Sen. Allen, Sen. Antenori, Sen. Barto, Sen. Biggs, Sen. Bundgaard, Sen. Crandall, Sen. Driggs, Sen. Gould, Sen. Gray, Sen. Reagan.

Last Action: 4/25, signed by governor, Chapter 229, Laws 2011.

ARS Title(s) affected: 13.

S1233: PEACE OFFICERS; AT-WILL EMPLOYMENT

Specifies that protection from disciplinary action does not apply to at will police chiefs or assistant police chiefs.

Primary Sponsor: Sen. Gray.

Last Action: 4/19, signed by the governor, Chapter 208, Laws 2011.

ARS Title(s) affected: 38.

S1235: LAW ENFORCEMENT OFFICERS; DISCIPLINARY PROCEDURES

Requires a law enforcement officer or a probation officer's employer to provide additional information in interviews concerning alleged wrongdoing at the officer's request and requires certain towns, cities and counties to grant alternate hearing officers for appeals of disciplinary action through interagency agreements if the officer who requests the alternate inquiry pays half the necessary fee.

Primary Sponsor: Sen. Gray. Co-sponsor: Sen. Aboud.
Last Action: 4/25, signed by the governor. Chapter 230, Laws 2011.
ARS Title(s) affected: 38.

S1243: BAD CHECKS; COUNTY ATTORNEY FEES

Increases the fees that the county attorney may collect from a person who has issued or passed a check in violation of specified statutes.

Primary Sponsor: Sen. Gould.
Last Action: 4/19, signed by governor, Chapter 188, Laws 2011.
ARS Title(s) affected: 13.

**S1245: CAPITAL POSTCONVICTION PUBLIC DEFENDER;
CONTINUATION**

Continues the State Capital Postconviction Public Defender Office until July 1, 2016.

Primary Sponsor: Sen. Gould.
Last Action: 4/7, signed by the governor, Chapter 42, Laws 2011.
ARS Title(s) affected: 41.

S1247: SEXUALLY VIOLENT PERSONS; HEARINGS

Requires the court to order an evaluation to determine whether an individual is a sexually violent person if the individual does not request a probable cause hearing.

Primary Sponsor: Sen. Barto. Co-sponsors: Rep. Proud, Rep. Vogt, Sen. Aboud, Sen. Cajero Bedford, Sen. L. Gray, Sen. Lopez, Sen. Melvin.
Last Action: 4/19, signed by the governor, Chapter 189, Laws 2011.
ARS Title(s) affected: 36.

**S1270: TRANSPORTATION; ADOT; OMNIBUS (~~TECH CORRECTION;~~
~~PUBLICATION OF NOTICE~~)**

Authorizes the Arizona Department of Transportation (ADOT) to conduct financial and criminal background checks on new and transferred employees under specific conditions, coordinates motor vehicle dealer licensure between ADOT and the Arizona Department of Financial Institutions (ADFI), modifies statutes pertaining to public-private partnership (PPP) agreements in transportation, and makes statutory changes to ADOT. Other provisions.

Primary Sponsor: Sen. Nelson.
Last Action: 4/19, signed by the governor, Chapter 190, Laws 2011.
ARS Title(s) affected: 28, 32, 41.

S1291: PRISONERS; CREDIT FOR FINES (PRISONS; INMATE CREDIT FOR IMPRISONMENT)

Specifies that a prisoner sentenced to pay a fine shall not be allowed to exceed \$50 per day credit to the fine for each day he is employed at hard labor. Specifies that a person committed for nonpayment of a fine shall be given credit toward payment for each day of imprisonment at the rate specified in the commitment not to exceed \$50 per day.

Primary Sponsor: Sen. Griffin. Co-sponsor: Rep. Gowan.
Last Action: 4/13, signed by governor, Chapter 102, Laws 2011.
ARS Title(s) affected: 31.

S1367: JUVENILES; DNA TESTING (COURT-ORDERED OUTPATIENT TREATMENT; NOTIFICATION)

Striker amendment broadens the scenarios in which a judicial officer is required to order that a juvenile submit a sample for DNA testing and specifies the procedures for collecting, analyzing, maintenance and expungement of the samples.

Primary Sponsor: Sen. Antenori.
Last Action: 4/29, signed by the governor, Chapter 351, Laws 2011.
ARS Title(s) affected: 36.

S1368: PROBATION OFFICERS; DISCIPLINARY ACTIONS (HUMAN SMUGGLING ORGANIZATION; OFFENSE; PENALTY)

Striker amendment exempts probation officers from disciplinary action unless there is just cause. Specifies that the just cause threshold does not apply to a probation officer who has not completed an initial probationary period or to administrative dismissals including reductions in force.

Primary Sponsor: Sen. Antenori. Co-sponsors: Rep. Gowan, Rep. Harper, Rep. Montenegro, Rep. Stevens, Rep. Vogt, Sen. Driggs, Sen. Klein, Sen. Shooter.
Last Action: 4/29, signed by the governor, Chapter 352, Laws 2011.
ARS Title(s) affected: 13.

S1398: MOVING VIOLATIONS ASSESSMENT; EQUIPMENT; ENFORCEMENT (PHOTO ENFORCEMENT; DPS EQUIPMENT FUND)

Adds another \$13 assessment for various traffic offenses and specifies funding distribution, repeals various state photo enforcement statutes, amends requirements for persons who have received a notice of violation from photo enforcement and extends the transfer of remaining monies in the Photo Enforcement Fund (PEF) to the Public Safety Equipment Fund (PSEF). Additionally, S1398 makes a general fund appropriation of \$1 million to Department of Public Safety (DPS) to enter into an MOU with Pinal County to purchase equipment and supplies for deputies in the county for border security. Redirects FY 12 revenues from the State Aid to Indigent Defense Fund to the GIITEM subaccount for border security.

Primary Sponsor: Sen. Antenori.
Last Action: 4/28, signed by the governor, Chapter 308, Laws 2011.
ARS Title(s) affected: 41.

S1424: ASSESSMENT FOR FAMILY OFFENSES; STALKING (~~NATIONAL GUARD; STATE ACTIVE DUTY~~)

Requires any person convicted of harassment, aggravated harassment, stalking or a family offense to pay an additional assessment of \$50 to be deposited in the Domestic Violence Shelter Fund.

Primary Sponsor: Sen. Nelson.

Last Action: 4/27, signed by the governor, Chapter 296, Laws 2011.

ARS Title(s) affected: 12, 13, 36.

S1460: LIQUOR OMNIBUS (~~LIQUOR LICENSEES; RECORDS~~)

Makes numerous changes related to liquor license and the Arizona Department of Liquor License and Control.

Primary Sponsor: Sen. Reagan.

Last Action: 4/18, signed by the governor, Chapter 165, Laws 2011.

ARS Title(s) affected: 4.

S1469: USE OF FORCE; JUSTIFICATION

Amends elements of justifications for the use of force in certain situations. Removes, as an element for justification in defense of a third person, whether a reasonable person would believe that such person's intervention is immediately necessary to protect the third person. Establishes a presumption that a person who is unlawfully or forcefully entering or has entered into a home or occupied vehicle is posing an imminent threat of unlawful deadly harm to any person who is in a home or occupied vehicle. Other provisions.

Primary Sponsor: Sen. Gould. Co-sponsor: Sen. Pearce.

Last Action: 4/29, signed by the governor, Chapter 353, Laws 2011.

ARS Title(s) affected: 13.

S1482: APPELLATE JUDGES; JUDICIAL PERFORMANCE REVIEWS

Prohibits this state and any agency or political subdivision of this state from requiring a person to register as a political committee if the person is a religious assembly or institution.

Primary Sponsor: Sen. Gould.

Last Action: 4/19, signed by the governor, Chapter 210, Laws 2011.

ARS Title(s) affected: 12.

S1484: TERRORISM; RADIOLOGICAL AGENT; INFECTIOUS SUBSTANCES

Expands the terrorism statute to include unlawful acts involving infectious biological substances or radiological agents.

Primary Sponsor: Sen. Gould.

Last Action: 4/28, signed by the governor, Chapter 326, Laws 2011.

ARS Title(s) affected: 13.

S1499: **PROBATE; OMNIBUS**

Modifies probate procedures. Alters requirements related to making and modifying protective orders. Establishes remedies for unreasonable conduct and prescribes requirements related to costs and compensation.

Primary Sponsor: Sen. Driggs. Co-sponsors: Sen. Barto, Sen. Crandall, Sen. McComish, Sen. Murphy, Sen. Nelson.

Last Action: 4/29, signed by the governor, Chapter 354, Laws 2011.

ARS Title(s) affected: 14.

S1559: **JUVENILES; RESTITUTION; ADOPTIVE PARENTS; EXCEPTION**

Allows the Arizona Juvenile Court to waive fees, charges, expenses, and maintenance under specified circumstances for a juvenile that was adopted or placed in permanent guardianship.

Primary Sponsor: Sen. Murphy.

Last Action: 4/18, signed by governor. Chapter 168, Laws 2011.

ARS Title(s) affected: 8.

S1560: **DEPENDENT CHILDREN; HEARINGS; NOTICE**

Provides that it is evidence of abandonment if an alleged parent of a child refuses to take a paternity test requested by the Department of Economic Security (DES) or by court order. Requires a motion for removal to be served on a child's prospective permanent placement at least 15 days prior to a hearing on the motion.

Primary Sponsor: Sen. Murphy.

Last Action: 4/26, signed by the governor, Chapter 253, Laws 2011.

ARS Title(s) affected: 8.

S1609: **RETIREMENT SYSTEMS; PLANS; PLAN DESIGN**

Makes changes to the existing contribution and benefit structures for the Arizona State Retirement System (ASRS), the Public Safety Personnel Retirement System (PSPRS), the Elected Officials Retirement Plan (EORP) and the Corrections Officers Retirement Plan (CORP). Return to work provision requires employers to pay an Alternate Contribution Rate, beginning on July 1, 2012, for retired members who perform services that would otherwise be performed by an employee of the employer. Requires the court to order a person's retirement system membership terminated and the person shall forfeit all rights and benefits earned under the state retirement system or plan if the member is convicted of a class one, two, three, four, or five felony that was committed in the course of the member's employment as a public official or for a public employer. Other provisions.

Primary Sponsor: Sen. Yarbrough. Co-sponsors: Sen. Pierce, Sen. Bundgaard, Sen. Allen, Sen. Pearce.

Last Action: 4/29, signed by the governor, Chapter 357, Laws 2011.

ARS Title(s) affected: 8.

S1610: STATE FIREARM

The Colt Army revolver is designated as the official state firearm in Arizona.

Primary Sponsor: Sen. Gould. Co-sponsors: Rep. Barton, Rep. Brophy McGee, Rep. Burges, Rep. Crandell, Rep. Dial, Rep. Fann, Rep. Farnsworth, Rep. Fillmore, Rep. Forese, Rep. Goodale, Rep. Gowan, Rep. R. Gray, Rep. Harper, Rep. Jones, Rep. Judd, Rep. Kavanagh, Rep. Lesko, Rep. Montenegro, Rep. Olson, Rep. Patterson, Rep. Proud, Rep. Robson, Rep. Seel, Rep. Smith, Rep. Stevens, Rep. Ugenti, Rep. Urie, Rep. Vogt, Rep. Jim Weiers, Rep. Yee, Sen. Allen, Sen. Antenori, Sen. Biggs, Sen. Griffin, Sen. Klein, Sen. Melvin, Sen. Murphy, Sen. Nelson, Sen. Pearce, Sen. Pierce, Sen. Shooter, Sen. Smith.

Last Action: 4/28, signed by the governor, Chapter 313, Laws 2011.

ARS Title(s) affected: 41.

S1615: BUDGET; CONSOLIDATION; STATE AGENCIES

Transfers the Capitol Police from the Department of Administration (DOA) to the Department of Public Safety. Transfers the Government Information Technology Agency to DOA. Transfers the Department of Mines & Minerals to the Arizona Geological Survey.

Primary sponsor: Sen. Biggs. Co-sponsors: Sen. Pierce, Sen. Gould, Sen. Klein, Sen. Barto, Sen. Reagan, Sen. Murphy, Sen. Driggs, Sen. Nelson, Sen. Pearce, Sen. Yarbrough, Sen. S. Smith, Sen. Shooter, Sen. Melvin, Sen. Antenori.

Last Action: 4/6, signed by the governor, Chapter 27, Laws 2011.

ARS Title(s) affected: 12, 15, 23, 27, 28, 35, 36, 37, 38, 41, 44.

S1621: CRIMINAL JUSTICE BUDGET RECONCILIATION BILL

Specifies, effective July 1, 2012, county correctional reimbursement as follows:

- requires the state Treasurer to deposit monies received from a county for the costs of incarcerating a person in ADC who would otherwise be incarcerated in jail in the state General Fund;
- requires the sentencing county sheriff to enter into a reimbursement agreement with ADC at least one month before a person is transferred into ADC custody;
- prohibits a sentencing county sheriff from cancelling a reimbursement agreement without providing ADC at least one month's notice.

Requires, effective July 1, 2012, that persons sentenced to one year or less in ADC be placed in the custody of a county jail, unless the sentencing county sheriff has entered into an agreement to reimburse ADC for the incarceration costs, in which case the person will be committed to ADC custody. Requires, as of July 1, 2012, the sentencing county to reimburse ADC at a rate determined by ADC for each remaining day of incarceration in ADC for any prisoner who has been sentenced to one year or less in ADC prior to July 1, 2012. Other provisions.

Primary sponsor: Sen. Biggs. Co-sponsors: Sen. Pierce, Sen. Gould, Sen. Klein, Sen. Barto, Sen. Reagan, Sen. Murphy, Sen. Driggs, Sen. Nelson, Sen. Pearce, Sen. Yarbrough, Sen. Smith, Sen. Shooter, Sen. Melvin, Sen. Antenori

Last Action: 4/6, signed by the governor, Chapter 33, Laws 2011.

ARS Title(s) affected: 5, 11, 12, 13, 22, 28, 31, 41.

SENATE BILLS THAT FAILED

S1013: ~~CAPITOL POLICE; TRANSFER (TECH-CORRECTION;~~ ~~ABANDONED VEHICLES; MONIES)~~

Transfers Capitol Police, a division within the Arizona Department of Administration (ADOA), to the Department of Public Safety (DPS). *Provision signed into law in S1615.*

Primary Sponsor: Sen. Pearce.

Last Action: 3/21, referred to House Appropriations.

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

S1018: ~~PRISONERS; TRANSITION SERVICES~~

Allows, instead of requires, the Arizona Department of Corrections (ADC) to contract with private or nonprofit entities to provide transition services. Requires all persons providing services to be properly trained or certified, instead of requiring contractors to train mentors.

Primary Sponsor: Sen. Gray.

Last Action: 3/1, passed Senate.

ARS Title(s) affected: 31.

S1024: ~~GAME AND FISH; FINGERPRINT CARD~~

Requires certain Arizona Game and Fish Department (Department) employees and volunteers to obtain fingerprint clearance cards. Mandates the department to pay related fees.

Primary Sponsor: Sen. Gray.

Last Action: 1/12, passed from Senate Public Safety and Human Services, amended.

ARS Title(s) affected: 17, 41.

S1026: ~~AGGRAVATED DUI; SENTENCING~~

Increases the penalties and establishes minimum sentences for certain aggravated driving under the influence (DUI) offenses.

Primary Sponsor: Sen. Gray.

Last Action: 1/26, passed from Senate Public Safety and Human Services.

ARS Title(s) affected: 8, 28.

S1027: ~~DUI; CONTINUOUS ALCOHOL MONITORING PROGRAM~~

Permits county sheriffs, counties, cities, towns and the Director of the Arizona Department of Corrections (ADC) to establish continuous alcohol monitoring programs for DUI offenders who have served at least 20 percent of their initial terms of incarceration. Allows counties to establish home detention programs.

Primary Sponsor: Sen. Gray.

Last Action: 3/10, referred to House Commerce, House Judiciary.

ARS Title(s) affected: 5, 9, 11, 28, 31.

S1028: DUI; LICENSE SUSPENSION

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.

Primary Sponsor: Sen. Gray.

Last Action: 1/27, passed from Senate Public Safety and Human Services.

ARS Title(s) affected: 28.

S1029: RESTRICTED DRIVER LICENSE; DUI

Allows certain driving under the influence (DUI) offenders to apply for restricted licenses. Permits a person who is served an administrative license suspension to submit an online request for a hearing.

Primary Sponsor: Sen. Gray.

Last Action: 1/26, passed from Senate Public Safety and Human Services.

ARS Title(s) affected: 28.

S1035: VEHICLE REGISTRATION CARDS

Discontinues the requirement that a vehicle's owner registration card must include the name and address of the owner.

Primary Sponsor: Sen. Barto.

Last Action: 1/10, referred to Senate Natural Resources and Transportation.

ARS Title(s) affected: 28.

S1056: CENTRAL REGISTRY; BACKGROUND CHECKS

Requires the Department of Economic Security (DES) and the Department of Health Services (DHS) to conduct central registry background checks on people who provide direct services to children or vulnerable adults. Sets forth provisions for registry operations.

Primary Sponsor: Sen. Gray.

Last Action: 4/18, House COW approved, amended.

ARS Title(s) affected: 8.

**S1060: MISCONDUCT INVOLVING WEAPONS; FRAUDULENT
TRANSACTIONS**

Adds to the criminal code, misconduct involving weapons, including if a person falsifies, conceals or misrepresents the identity of a buyer, receiver or other person on whose behalf a deadly weapon is purchased for. Makes illegal the sale of a weapon if the seller is aware that false or misleading information regarding the purchaser is being used. Regarding RICO statutes, all such offenses may be considered racketeering.

Primary Sponsor: Sen. Sinema.

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

ARS Title(s) affected: 13.

S1061: HOMICIDE; INTERROGATIONS; ELECTRONIC RECORDING

All interrogations of an individual in custody related to a homicide investigation shall be electronically recorded, with some exception. Recordings shall be retained until the defendant's adjudications have been exhausted.

Primary Sponsor: Sen. Sinema.

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

ARS Title(s) affected: 12.

S1070: TECH CORRECTION; UNLAWFUL ALIENS; TRANSPORTING

Classifies as a class 1 misdemeanor the aiding or attempt to aid in the transportation of an illegal immigrant, the harboring or attempt to harbor of an illegal immigrant, or the encouragement of any type of immigration in violation of the law. The means of transportation used will be subject to impoundment. Exceptions are made for a child protective services worker, peace officer, and first responders.

Primary Sponsor: Sen. Pearce.

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

ARS Title(s) affected: 13.

S1071: RACIAL PROFILING; PROHIBITION; TRAINING

Prohibits the practice of racial profiling. Requires law enforcement agencies to send reports of traffic and pedestrian stops to the office of the Attorney General. If AG's office determines that racial profiling is being practiced, mandatory training will result.

Primary Sponsor: Sen. Schapira.

Last Action: 1/11, referred to Senate Judiciary, Senate Border Security and Federal Sovereignty.

ARS Title(s) affected: 41.

S1078: IMMIGRATION ENFORCEMENT; FEDERAL AGREEMENT

Requires that a written agreement with the U.S. Department of Homeland Security to pay the costs of enforcement activities be reached, before any law enforcement agency in the state uses resources to enforce federal immigration laws.

Primary Sponsor: Sen. Gallardo.

Last Action: 1/11, referred to Senate Judiciary, Senate Border Security and Federal Sovereignty.

ARS Title(s) affected: 11.

S1083: DOMESTIC RELATIONS; CHILD CUSTODY

Requires divorced or separated parents to keep each other informed of addresses and contact information, specifies rights of the noncustodial parent, and updates statutes relating to relocating a child.

Primary Sponsor: Sen. Gray. Co-sponsor: Sen. Allen.

Last Action: 3/23, held in House Health and Human Services.

ARS Title(s) affected: 25.

S1084: CHILD RESTRAINT SYSTEMS

Mandates that children riding in automobiles who are between five and eight years of age and who are not more than 4 foot 9 inches tall must be restrained in a child restraint system.

Primary Sponsor: Sen. Gray. Co-sponsor: Sen. Melvin.

Last Action: 1/11, referred to Senate Natural Resources, Senate Transportation.

ARS Title(s) affected: 28.

S1095: PROBATION REPORT; ELECTRONIC SUBMISSION

Requires that the annual probation hearing report for a probationer less than 22 years of age who was convicted of a sexual offense when the person was less than 18 years old to be submitted to the court electronically. Striker amendment establishes penalties for a physician who performs or induces an abortion and who does not have clinical privileges at a hospital that offers obstetrical or gynecological care within 30 miles of the location where the abortion is conducted.

Primary Sponsor: Sen. Biggs.

Last Action: 3/24, passed from House Rules.

ARS Title(s) affected: 13.

S1096: GARNISHMENT; FAILURE TO COMPLY

Reduces the time period that a garnishee may fail to comply with an order of garnishment before an individual can petition for a contempt hearing from 30 days to 15 days.

Primary Sponsor: Sen. Biggs.

Last Action: 2/24, passed from House Judiciary.

ARS Title(s) affected: 13.

**S1107: RETIREMENT; ASRS; TRANSFERS; DISTRIBUTIONS (~~ASRS;~~
~~TRANSFERS; DISTRIBUTIONS; DROP PAYMENTS~~)**

Makes various changes to the Arizona State Retirement System (ASRS) statutes relating to transfer and distribution of monies as well as Qualified Domestic Relations Orders (QDROs).

Primary Sponsor: Sen. Yarbrough. Co-Sponsor: Sen. McComish.

Last Action: 3/2, passed from House Employment and Regulatory Affairs.

ARS Title(s) affected: 38.

S1111: HANDHELD WIRELESS COMMUNICATION DEVICES; DRIVING

Classifies the use of a handheld wireless communication device while driving a motor vehicle as a civil offense. First offense is \$100 fine; second offense is \$250 fine in addition to community service; third offense is \$500 fine in addition to community service. If accident is occurs and the cause of the accident is because of the use of the device, the civil penalty is doubled.

Primary Sponsor: Sen. Pierce.

Last Action: 1/13, referred to Senate Judiciary.

ARS Title(s) affected: 28.

S1129: COURT COMMISSIONER; QUALIFICATIONS

Changes qualifications for a court commissioner from a licensed member of the Arizona Bar who has practiced for no less than three years preceding appointment to a person who has resided in the state for five years and who is admitted to the practice of law.

Primary Sponsor: Sen. Gray.

Last Action: 1/18, referred to Senate Judiciary.

ARS Title(s) affected: 12.

**S1155: DIGITAL DEVICES; STALKING, THREATENING (~~ELECTRONIC;~~
DIGITAL DEVICES; STALKING; THREATENING)**

Expands the unlawful use of a device to terrify, intimidate, threaten, harass, or offend to include any electronic or digital device.

Primary Sponsor: Sen. Gray. Co-sponsors: Rep. Burges, Rep. Lesko, Rep. R. Miranda, Rep. C. Miranda, Rep. Yee, Sen. Aboud, Sen. Allen, Sen. Klein, Sen. Yarbrough.

Last Action: 4/12, from House Rules.

ARS Title(s) affected: 13.

S1156: GRAND JURY PROCEEDINGS; ELECTRONIC RECORDING

Permits the presiding judge of the superior court to employ an electronic recording system to record grand jury proceedings. Eliminates the requirement that the court reporter's notes containing grand jury proceedings from which an indictment is returned be transcribed and filed with the superior court clerk and eliminates the 20 day transcription and filing requirement.

Primary Sponsor: Sen. Gray. Co-sponsors: Rep. Burges, Rep. R. Miranda, Rep. C. Miranda, Sen. Aboud, Sen. Klein.

Last Action: 1/31, held in Senate Judiciary.

ARS Title(s) affected: 21.

S1177: COUNTIES; MUNICIPALITIES; PUBLIC INTOXICATION LAWS

Allows a county, municipality or other political subdivision (political subdivision) to adopt or enforce laws that include being intoxicated as one of the elements that will give rise to criminal or civil penalties or sanctions.

Primary Sponsor: Sen. Allen. Co-Sponsors: Rep. Barton, Rep. Crandell, Sen. L. Gray, Sen. Melvin, Sen. Antenori.

Last Action: 3/1, stricken from Senate Consent Calendar.

ARS Title(s) affected: 9, 11, 36.

S1182: TRAFFIC SCHOOL; DRIVER LICENSE SUSPENSION

Requires individuals whose license has been suspended to complete approved traffic survival school before their license may be reinstated.

Primary Sponsor: Sen. Reagan.

Last Action: 1/20, referred to Senate Natural Resources and Transportation.

ARS Title(s) affected: 28.

S1185: COURT RECORDS; ELECTRONIC ACCESS

Modifies the electronic filing and access requirements for the Supreme Court and Superior Court. Requires the Supreme Court and Superior Court to provide for the electronic filing of documents and electronic access to court records and bulk data. the custodian of the bulk data can require a dissemination contract and disclaimer before an individual, private company or public organization receives electronic access to court records or bulk data.

Primary Sponsor: Sen. McComish.

Last Action: 2/16, passed from Senate Banking and Insurance.

ARS Title(s) affected: 12.

S1202: DANGEROUS DRUGS; DEFINITION; SYNTHETIC

An emergency measure that adds certain substances related to synthetic cannabinoids to the definition of dangerous drugs. *Similar provisions passed in H2167.*

Primary Sponsor: Sen. Gray. Co-sponsors: Rep. Brophy McGee, Rep. Burges, Rep. Crandell, Rep. Lesko, Rep. Meyer, Rep. R. Miranda, Rep. C. Miranda, Rep. Smith, Rep. Jim Weiers, Rep. Yee, Sen. Aboud, Sen. Allen, Sen. Barto, Sen. Klein, Sen. Murphy, Sen. Sinema, Sen. Yarbrough.

Last Action: 2/9, passed Senate COW, amended.

ARS Title(s) affected: 13.

S1234: STATEWIDE TOWED VEHICLE DATABASE

Requires the ADOT to create and maintain a statewide towed vehicle information database with information be sent to the database within 24 hours of any such actions by law enforcement agencies. Funding will be generated by an increase of \$5 in all impoundment fees.

Primary Sponsor: Sen. Gray.

Last Action: 1/25, referred to Senate Natural Resources and Transportation.

ARS Title(s) affected: 28.

S1251: BAD CHECKS; PAYMENT; TIME FRAME

Reduces the time period that a bad check worth \$5,000 or more must be paid in full from 60 days to 45 days.

Primary Sponsor: Sen. Barto.

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

ARS Title(s) affected: 13.

S1253: PEACE OFFICERS; VICTIMS, WITNESSES; IMMIGRATION STATUS

Prohibits a peace officer from inquiring about the nationality or immigration status of a victim or witness to a crime, except as necessary to investigate the incident.

Primary Sponsor: Sen. Gallardo.

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

ARS Title(s) affected: 13.

S1260: CRITICAL INCIDENT STRESS MANAGEMENT; PRIVILEGE

Prohibits a critical incident stress management team member who acquires information from an officer or firefighter secretly and in confidence in the course of the member's duties from being compelled or allowed to disclose the information in a legal proceeding, trial or investigation, except under specified circumstances.

Primary Sponsor: Sen. Gray.

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

ARS Title(s) affected: 38.

S1280: MINORS; ELECTRONIC CIGARETTES; PROHIBITION

Prohibits minors from purchasing, buying, or otherwise possessing electronic cigarettes.

Primary Sponsor: Sen. Yarbrough.

Last Action: 3/17, passed from House Judiciary.

ARS Title(s) affected: 13.

S1342: BORDER SECURITY; ARIZONA RANGERS

States that upon the proclamation of the Governor, the Arizona Rangers may serve as volunteers to engage in and enter into agreements pertaining to border security activities in Arizona.

Primary Sponsor: Sen. Antenori. Co-sponsor: Sen. Shooter.

Last Action: 2/10, held in Senate Border Security and Federal Sovereignty.

ARS Title(s) affected: 41.

S1352: PHOTO RADAR PROHIBITION

Prohibits the use of photo enforcement to identify violators of traffic control devices and speed.

Primary Sponsor: Sen. Antenori. Co-sponsors: Rep. Burges, Rep. Gowan, Rep. Kavanagh, Rep. Mesnard, Rep. Montenegro, Rep. Smith, Rep. Stevens, Rep. Ugenti, Sen. Biggs, Sen. Gould, Sen. Klein.

Last Action: 3/12, failed to pass Senate.

ARS Title(s) affected: 28, 41.

S1353: FINES; ASSESSMENTS; CRIMINAL, TRAFFIC (MOVING VIOLATIONS; ASSESSMENT; ENFORCEMENT; EQUIPMENT)

Repeals state photo enforcement and establishes a \$13 surcharge for all criminal and civil traffic offenses. *Similar provisions passed in SB1398.*

Primary Sponsor: Sen. Antenori. Co-sponsors: Rep. Gowan, Rep. Judd.

Last Action: 4/13, retained on House COW calendar.

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

S1354: PHOTO ENFORCEMENT; VIOLATOR IDENTIFICATION; RESPONSE

Prohibits a local authority or any agency of Arizona from using a photo enforcement system to identify speeding violations. Removes language requiring a uniform traffic ticket and complaint to be served and filed if a person fails to respond to a notice of violation or contests responsibility. Other provisions.

Primary Sponsor: Sen. Antenori. Co-sponsor: Rep. Gowan.
Last Action: 3/24, failed House Transportation.
ARS Title(s) affected: 28.

S1355: PUNITIVE DAMAGES; EVIDENCE; PROPORTIONALITY

Establishes evidentiary requirements for punitive damages awards.

Primary Sponsor: Sen. Antenori.
Last Action: 2/14, failed Senate Judiciary.
ARS Title(s) affected: 12.

S1356: EVADING ARREST OR DETENTION; CRIME

Creates an offense of evading arrest or detention whereby a person who intentionally flees from another who is reasonably known to be a peace officer is guilty of a class 1 misdemeanor.

Primary Sponsor: Sen. Antenori. Co-sponsor: Rep. Vogt.
Last Action: 4/20, failed House Final Read.
ARS Title(s) affected: 13.

S1358: MEDICAL MARIJUANA; RESIDENCY; LOCATION; REQUIREMENTS

Specifies residency requirements for qualifying patients, designated caregivers and nonprofit medical marijuana dispensaries, and requirements for importing and exporting medical marijuana. Contains requirements for enactment for initiatives and referendums (Prop. 105).

Primary Sponsor: Sen. Antenori. Co-sponsors: Rep. Gowan, Rep. Harper, Rep. Vogt, Sen. Allen, Sen. Barto, Sen. Crandall, Sen. L. Gray, Sen. Griffin, Sen. Klein, Sen. McComish, Sen. Melvin, Sen. Nelson, Sen. Pearce, Sen. Pierce, Sen. Shooter, Sen. Smith, Sen. Yarbrough.
Last Action: 2/16, failed Senate Government Reform.
ARS Title(s) affected: 36.

S1359: ARIZONA RANGERS; IMPERSONATION; OFFENSE

Classifies the impersonation of an Arizona Ranger as a class 1 misdemeanor.

Primary Sponsor: Sen. Antenori. Co-sponsors: Rep. Gowan, Sen. Allen, Sen. Barto, Sen. Gray, Sen. Melvin, Sen. Nelson, Sen. Pearce, Sen. Shooter, Sen. Smith.
Last Action: 1/31, referred to Senate Judiciary.
ARS Title(s) affected: 13.

S1360: ARIZONA RANGERS; RED AND BLUE LIGHTS

Allows vehicles operated by an Arizona Ranger (Ranger) for official Ranger purposes to be equipped with flashing red and blue lights.

Primary Sponsor: Sen. Antenori. Co-sponsors: Rep. Gowan, Sen. Barto, Sen. Crandall, Sen. L. Gray, Sen. Griffin, Sen. McComish, Sen. Melvin, Sen. Nelson, Sen. Shooter, Sen. Smith.
Last Action: 2/9, held in Senate Public Safety and Human Services.
ARS Title(s) affected: 41.

S1383: AHCCCS; TRANSPLANTS; RESTORATION

Reinstate a list of transplants to the list of AHCCCS-covered services. Permits funds from the Automobile Theft Authority Fund to be expended for organ transplants for AHCCCS patients. Allocates \$1.4 million from the Fund in FY2011-2012 to AHCCCS designated for organ transplants.

Primary Sponsor: Sen. Aboud.
Last Action: 1/31, referred to Senate Appropriations, Senate Health and Medical Services.
ARS Title(s) affected: 36, 41.

S1409: GOVERNMENT PUBLICATIONS; ENGLISH ONLY

Requires publications, documents or voting materials, except the official ballot for an election, produced by this state to be written in English.

Primary Sponsor: Sen. Smith. Co-sponsors: Rep. Fillmore, Sen. Allen, Sen. Antenori, Sen. Barto, Sen. Biggs, Sen. Gould, Sen. Griffin, Sen. Klein, Sen. Melvin, Sen. Pearce, Sen. Pierce, Sen. Shooter, Sen. Yarbrough.
Last Action: 3/22, referred to House Government, Judiciary.
ARS Title(s) affected: 1.

S1410: SHERIFF; POWERS AND DUTIES

States that the sheriff is the constitutional and primary law enforcement officer in their respective county, with complete jurisdiction within each county for law enforcement purposes.

Primary Sponsor: Sen. Smith. Co-sponsors: Rep. Fillmore, Sen. Allen, Sen. Antenori, Sen. Biggs, Sen. Bundgaard, Sen. Gould, Sen. Griffin, Sen. Klein, Sen. Melvin, Sen. Pearce, Sen. Shooter.
Last Action: 2/16, held Senate Government Reform.
ARS Title(s) affected: 11.

S1425: ASSESSMENT; FAMILY OFFENSES; DOMESTIC VIOLENCE

Requires an individual convicted of harassment, aggravated harassment, stalking or other family offenses, notwithstanding domestic violence, to pay a \$450 fine in addition to any other fine, fee or assessment. Generated revenue is deposited in the Victim Compensation and Assistance Fund for allocation to domestic violence shelters. *Similar provisions passed in S1424.*

Primary Sponsor: Sen. Nelson.
Last Action: 2/10, withdrawn from Senate Judiciary.
ARS Title(s) affected: 12, 41.

S1426: DRIVER LICENSES; NEIGHBORHOOD ELECTRIC VEHICLES
Authorizes the Arizona Department of Transportation to issue Class N driver licenses to operate neighborhood electric vehicles, and prescribes requirements for the new license. Allows ADOT to issue Class N licenses to drivers who are serving a driver license suspension for any reason.

Primary Sponsor: Sen. Nelson.
Last Action: 3/2, referred to House Transportation.
ARS Title(s) affected: 28.

S1444: PRIVATE PRISON CONTRACTORS; PUBLIC RECORDS
Creates the same disclosure standards for both private and public prison facilities.

Primary Sponsor: Sen. Lopez. Co-sponsors: Rep. Farley, Rep. Heinz, Rep. C. Miranda.
Last Action: 2/1, referred to Senate Judiciary.
ARS Title(s) affected: 41.

S1445: PRIVATE PRISONERS; TRANSFER
Supplements the list of information that is required to be given to the Department of Public Safety and the Department of Corrections prior to a transfer of prisoners into and out of a private prison. Requires private prisons are to publish a monthly report to DPS and DOC.

Primary Sponsor: Sen. Lopez. Co-sponsors: Rep. Farley, Rep. Heinz, Rep. C. Miranda, Sen. Jackson.
Last Action: 2/1, referred to Senate Judiciary.
ARS Title(s) affected: 41.

S1446: PRIVATE PRISONS; OVERSIGHT
Describes standards that private prisons must meet under the oversight of the DOC.

Primary Sponsor: Sen. Lopez. Co-sponsors: Rep. Farley, Rep. Heinz, Rep. C. Miranda, Sen. Jackson.
Last Action: 2/1, referred to Senate Judiciary.
ARS Title(s) affected: 41.

S1448: PRIVATE PRISONS; CAPACITY; NOTICE
Requires the capacity of private prisons to be in compliance with ACA and DOC standards and guidelines. Sets regulations for housing out-of-state prisoners.

Primary Sponsor: Sen. Lopez. Co-sponsors: Rep. Farley, Rep. Heinz, Rep. C. Miranda, Sen. Jackson.
Last Action: 2/1, referred to Senate Judiciary.
ARS Title(s) affected: 41.

S1449: PRIVATE PRISONS; REGULATION

Makes various changes to statutes regarding private prison regulation.

Primary Sponsor: Sen. Lopez. Co-sponsors: Rep. Farley, Rep. Heinz, Rep. C. Miranda, Sen. Jackson.

Last Action: 2/1, referred Senate Judiciary.

ARS Title(s) affected: 41.

S1450: REPORTING VIOLENT BEHAVIOR; GOVERNMENT ENTITIES

Requires any government agencies to report a person who has been expelled, suspended or terminated because of violence, threats of violence, or behavior that constitutes a danger to self or others, to the proper authorities.

Primary Sponsor: Sen. Aboud. Co-sponsors: Sen. Antenori, Sen. Cajero Bedford, Sen. Lopez, Sen. Melvin.

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

ARS Title(s) affected: 41.

S1459: LAW ENFORCEMENT; CRIMES; REPORTING

All law enforcement agencies of this state, universities, community college districts, cities, towns and counties shall post on the agencies' web sites statistics on the number of crimes that are reported within their jurisdictions, by category, and that are required to be reported to the Federal Bureau of Investigation. The agencies shall maintain these statistics on their web sites for at least five consecutive years. Each county attorney shall 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: Sen. Sinema. Co-sponsors: Sen. Gallardo, Sen. Landrum Taylor, Sen. Meza.

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

ARS Title(s) affected: 41.

S1464: FALSE REPORTING (~~PRIVATE PRISON CONTRACTORS; PUBLIC RECORDS~~)

Establishes the false reporting of vulnerable adult abuse or neglect as a class 1 misdemeanor.

Primary Sponsor: Sen. Sinema. Co-sponsors: Sen. Aboud, Sen. Cajero Bedford, Sen. Gallardo, Sen. Jackson, Sen. Landrum Taylor, Sen. Meza, Sen. Schapira.

Last Action: 3/22, held in House.

ARS Title(s) affected: 13.

S1466: DEFERRED PROSECUTION; JUSTICE COURT APPROVAL

Modifies county attorney discretion regarding diversion and deferred prosecution in a Justice of the Peace court.

Primary Sponsor: Sen. Gould.

Last Action: 4/14, House COW approved; held in House.

ARS Title(s) affected: 11.

S1472: ELECTIONS; PUBLICITY PAMPHLETS; JUDICIAL PERFORMANCE; COMMENT

Expands the information included in the Secretary of State's voter information pamphlet regarding the retention of judges and justices.

Primary Sponsor: Sen. Gould.

Last Action: 3/29, stricken from House Consent Calendar.

ARS Title(s) affected: 19.

S1481: SUPREME COURT; COMPOSITION

Changes the composition of the Arizona Supreme Court from five to seven justices.

Primary Sponsor: Sen. Gould.

Last Action: 2/14, failed Senate Judiciary.

ARS Title(s) affected: 12.

S1492: GRAND JURIES; EVIDENCE

Requires, rather than allows, grand juries to hear evidence from the person under investigation.

Primary Sponsor: Sen. Gould.

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

ARS Title(s) affected: 21.

S1507: JUVENILE CO-DEFENDANTS; SAME JUDGE

If two or more juveniles are codefendants, adjudication of the juveniles must be heard by the same judge, when practicable.

Primary Sponsor: Sen. Driggs. Co-sponsor: Sen. Crandall.

Last Action: 2/2, referred to Senate Judiciary.

ARS Title(s) affected: 8.

S1510: CAPITAL CASES; AGGRAVATING FACTORS

Adds to the list of aggravating factors for capital cases an offense committed in connection with a gang initiation.

Primary Sponsor: Sen. Driggs.

Last Action: 2/2, referred to Senate Judiciary.

ARS Title(s) affected: 13.

S1517: ANIMAL ABUSE; REPORTING

Requires reports to be issued in certain animal abuse cases and prohibits a person who has been convicted of animal abuse from adopting any animal while on probation.

Primary Sponsor: Sen. Melvin. Co-sponsors: Sen. Aboud, Sen. Antenori, Sen. Gray.

Last Action: 4/18, failed House COW.

ARS Title(s) affected: 12.

S1520: ARIZONA BACKGROUND CLEARANCE CARD

Creates an Arizona background clearance card (ABCC) option. Stipulates that if the employees or licensees of any agency or employer are required to obtain a DPS-issued fingerprint clearance card, an agency or employer may accept an ABCC that is issued by an authorized Investigator in lieu of a DPS-issued fingerprint clearance card. Requires the DOA to take license and monitor an authorized investigator for the purposes of conducting state and federal criminal history records investigations and issuing an ABCC. Other provisions.

Primary Sponsor: Sen. Crandall.

Last Action: 4/13, from House Rules okay.

ARS Title(s) affected: 8, 15, 32, 36, 38, 15, 41, 32, 46, 36, 38, 41, 46.

S1534: AGGRESSIVE DOGS; VICIOUS ANIMAL ASSAULT

Revises the reasonable care requirements for aggressive dogs and revises the penalties associated with attacks by aggressive dogs. *Similar provisions signed into law in HB2137.*

Primary Sponsor: Sen. Melvin.

Last Action: 3/14, referred to House Government, House Judiciary.

ARS Title(s) affected: 11, 13.

S1538: DRIVING; HANDHELD WIRELESS COMMUNICATION DEVICES

Prohibits a person from manually entering information into handheld wireless communication device (e.g. cell phone) for the purpose of writing, sending or reading a written message while operating a vehicle. Some exceptions.

Primary Sponsor: Sen. Melvin Co-sponsor: Sen. Shooter.

Last Action: 3/21, referred to House Judiciary.

ARS Title(s) affected: 28.

S1541: SHERIFF'S DEPUTIES; OVERTIME PAY

Prohibits the forfeiture of vacation time and requires the person to be fully compensated for earned vacation time if a county board of supervisors implements a policy that requires a person engaged in law enforcement activities in that county to use compensatory time before using earned vacation time.

Primary Sponsor: Sen. Melvin.

Last Action: 4/14, failed in the House.

ARS Title(s) affected: 23.

S1542: SHERIFF; BUDGET CONTROL AND ACCOUNTABILITY

Gives broader fiscal discretion to the sheriff's office and less oversight by the county boards of supervisors. States that counties must transfer budget funds in lump sums. The board of supervisors shall immediately appropriate to the county sheriff any federal monies that are received by the county for payment to house and support federal prisoners in the county.

Primary Sponsor: Sen. Melvin.

Last Action: 2/2, referred to Senate Appropriations.

ARS Title(s) affected: 11.

S1551: SMOKING IN VEHICLE WITH MINORS

Classifies as a civil offense the act of smoking in a vehicle while a minor is also in that vehicle. This is a secondary offense.

Primary Sponsor: Sen. Schapira.
Last Action: 2/2, referred to Senate Judiciary.
ARS Title(s) affected: 28.

S1575: INVESTIGATORS; DRUG LAB REMEDIATION (~~TECH CORRECTION; CEASE; DESIST ORDER~~)

Specifies responsibilities for the State Board of Technical Registration (BTR) to investigate notice of removal violations and other prescribed activity that is reasonably related to the practices or professions of the BTR. Requires drug laboratory site remediation firms to be certified by BTR. Requires a notice of removal to be sent to the Arizona Department of Transportation if the seizure occurred in a mobile home or recreational vehicle. Other provisions.

Primary Sponsor: Sen. Murphy.
Last Action: 4/15, held in conference committee.
ARS Title(s) affected: 15.

S1586: FIREARMS; BACKGROUND CHECKS; GUN SHOWS

Requires sale of firearms at gun shows to be preceded by background checks.

Primary Sponsor: Sen. Gallardo.
Last Action: 2/2, referred to Senate Judiciary.
ARS Title(s) affected: 44.

S1587: FIREARMS; WEAPONS MISCONDUCT; UNIVERSITIES; COLLEGES (~~MISCONDUCT INVOLVING WEAPONS; UNIVERSITIES; COLLEGES~~)

Adds community colleges and universities to the definition of “school” in the statutory definition of misconduct involving weapons, which would explicitly prohibit carrying weapons on community college and university campuses.

Primary Sponsor: Sen. Gallardo.
Last Action: 2/2, referred to Senate Judiciary.
ARS Title(s) affected: 13.

S1588: MISCONDUCT INVOLVING WEAPONS; STATE BUILDINGS

Unless specifically authorized by law, carrying a deadly weapon into a state building would classify as misconduct involving weapons.

Primary Sponsor: Sen. Gallardo.
Last Action: 2/2, referred to Senate Judiciary.
ARS Title(s) affected: 13.

S1611: IMMIGRATION OMNIBUS

Makes omnibus changes to statutes relating to immigration. Specifies that it is unlawful for a person to operate a motor vehicle in Arizona if the person is unlawfully present in the U.S. Requires demonstration of lawful presence for obtaining public housing, a vehicle title and registration, community college or university admission or any public benefit.

Primary Sponsor: Sen. Pearce.

Last Action: 3/17, failed to pass Senate.

ARS Title(s) affected: 1, 13, 15, 23, 28, 36, 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.

SCM1001: COMPREHENSIVE IMMIGRATION REFORM

A letter from the legislature requesting to select members of Congress and the president to adopt comprehensive immigration reform. Specific policy recommendations included.

Primary Sponsor: Sen. Gallardo.

Last Action: 1/11, referred to Senate Border Security and Federal Sovereignty.

SCR1006: BORDER SECURITY PLAN

The legislature expresses its support of the border security plan, Restore Our Border, as advocated by the Arizona Cattle Growers' Association.

Primary Sponsor: Sen. Allen. Co-sponsors: Rep. Harper, Rep. Barton, Sen. Klein, Sen. Murphy, Sen. L. Gray, Sen. Driggs, Rep. Ash, Sen. McComish, Sen. Yarbrough, Sen. Smith, Sen. Griffin, Sen. Melvin.

Last Action: 4/12, sent to secretary of state.

SCR1010: JUDICIAL DECISIONS; INTERNATIONAL LAW

Subject to voter approval, constitutionally prohibits courts from considering international law or legal precepts of other nations or cultures when making judicial decisions.

Primary Sponsor: Sen. Gray. Co-sponsors: Sen. Pierce, Sen. Gould, Sen. Bundgaard, Rep. Burges, Sen. Allen, Sen. Klein, Sen. Barto, Sen. Reagan, Sen. Murphy, Rep. Jim Weiers, Sen. Nelson, Sen. Pearce, Sen. Crandall, Sen. Yarbrough, Sen. Biggs, Sen. Smith, Sen. Shooter, Sen. Griffin, Sen. Melvin, Sen. Antenori.

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

SCR1020: CRIME VICTIMS; PROTECTION FROM LIABILITY

A ballot measure that prohibits a crime victim from being subject to a claim for damages for causing any injury or death to a person if the person is harmed when engaging in, attempting to engage in, or fleeing after having engaged in or attempted to engage in a felony offense.

Primary Sponsor: Sen. Pearce. Co-sponsors: Sen. Pierce, Rep. Fann, Sen. Gould, Sen. Bundgaard, Rep. Burges, Rep. Harper, Sen. Allen, Rep. Barton, Sen. Klein, Sen. Barto, Rep. Ugenti, Rep. Smith, Rep. Kavanagh, Rep. Lesko, Sen. L. Gray, Sen. Driggs, Sen. Nelson, Sen. Crandall, Sen. McComish, Rep. Dial, Sen. Yarbrough, Rep. Forese, Sen. Biggs, Sen. Smith, Sen. Shooter, Sen. Griffin, Rep. Stevens, Sen. Melvin, Rep. Proud, Sen. Antenori, Rep. Gowan.

Last Action: 4/12, sent to secretary of state.

SCR1029: PHOTO RADAR PROHIBITION

A referendum measure that would prohibit the use of a photo enforcement systems by a state or local authority.

Primary Sponsor: Sen. Antenori. Co-sponsors: Sen. Gould, Rep. Burges, Sen. Klein, Rep. Ugenti, Rep. Smith, Rep. Montenegro, Rep. Mesnard, Sen. Biggs, Rep. Stevens, Rep. Gowan.

Last Action: 2/10, passed Senate, ready for House.

SCR1040: JUSTICES; JUDGES; REAPPOINTMENT; RECONFIRMATION

Subject to voter approval, constitutionally modifies judicial terms of office, judicial nominating commissions, the filling of judicial vacancies and establishes a judicial reappointment process.

Primary Sponsor: Sen. Gould.

Last Action: 3/8, passed Senate, ready for House.

SCR1041: SUPREME COURT; JURISDICTION

Ballot measure that would amend the state Constitution to prohibit the supreme court shall from infringing upon the authority of the legislature or the people to enact otherwise constitutional substantive, procedural and evidentiary laws to define, implement, preserve and protect the rights of victims, or to carry out any other matter under the constitution. States the authority to enact substantive, procedural and evidentiary laws is not a power inherent in the judiciary but is a legislative power inherent in the legislature and the people.

Primary Sponsor: Sen. Gould.

Last Action: 2/2, referred to Senate Judiciary.

**SCR1042: COURT APPOINTMENT COMMISSIONS (~~COMMISSIONS;~~
~~APPELLATE; TRIAL COURT; APPOINTMENTS~~)**

A ballot measure that would reconfigure the membership of the commission on appellate court appointments and the commission on trial court appointments and would include the speaker of the house and the senate president to the judicial appointment screening process.

Primary Sponsor: Sen. Gould.

Last Action: 2/2, referred to Senate Judiciary.

SCR1043: JUDICIAL NOMINEES; ALL QUALIFIED APPLICANTS

Ballot measure that would expand the list of judicial applicants sent to the governor for consideration.

Primary Sponsor: Sen. Gould.

Last Action: 2/2, referred to Senate Judiciary.

SCR1044: JUDICIAL VACANCIES; APPOINTMENT BY GOVERNOR

A referendum measure to amend the state Constitution to authorize the governor to appoint to any judicial vacancy any qualified person that the governor chooses. The commissions on judicial appointments remain unchanged.

Primary Sponsor: Sen. Gould.

Last Action: 2/2, referred to Senate Judiciary.

SCR1045: APPELLATE; TRIAL COMMISSIONS; GOVERNOR APPOINTMENT

Subject to voter approval, constitutionally modifies the appointment process for attorney members to the Appellate and Trial Court Commissions. Removes the requirement that attorney members are nominated to the Governor by the Arizona State Bar as part of the Commission appointment process.

Primary Sponsor: Sen. Gould

Last Action: 3/16, passed Senate, ready for House.

SCR1046: SUPREME; APPELLATE JUDGES; APPOINTMENT; CONFIRMATION

Ballot measure to amend the state Constitution to lengthen the term of a supreme court justice from six years to ten years. Other provisions.

Primary Sponsor: Sen. Gould.

Last Action: 2/2, referred to Senate Judiciary.

SCR1047: JUDICIAL CONDUCT; OPEN RECORDS; PROCEEDINGS

Subject to voter approval, constitutionally states that documents and proceedings relating to complaints reviewed by the Arizona Commission on Judicial Conduct are public.

Primary Sponsor: Sen. Gould.

Last Action: 3/1, passed Senate 21-8, ready for House.

SCR1048: JUDICIAL RETENTION; SENATE VOTE

A ballot measure to amend the state Constitution to remove the ability of the voter to retain judges and place that power with the state senate. A judge shall be retained unless two-thirds of the senate votes to reject retention.

Primary Sponsor: Sen. Gould.

Last Action: 2/2, referred to Senate Judiciary.

SCR1049: JUSTICES; JUDGES; APPOINTMENT; SENATE CONFIRMATION

Referendum measure would change the population threshold for superior court judicial elections vs. merit selection. The measure raises the threshold from 250,000 to 400,000. For counties with population below the threshold, those counties directly elect judges. Judges are appointed via

merit selection in counties with populations above the threshold. Makes changes to the terms of service. Other provisions.

Primary Sponsor: Sen. Gould.

Last Action: 2/2, referred to Senate Judiciary.

SCR1054: PUNITIVE DAMAGES AWARDS; FUNDS

Requires that punitive damages awarded for death or injury be deposited in a Crime Victim Restitution Fund established by law for the following purposes: an amount approved by the court that equals the actual expenses incurred on punitive damages research by the attorney representing the plaintiff for whom the punitive damages were awarded, plus 10 percent; and any remaining monies are allocated to crime victims for whom restitution is due.

Primary Sponsor: Sen. Murphy.

Last Action: 2/14, held in Senate Judiciary.

SCR1056: INMATE LABOR AND SERVICES

Indicates that the members of the Arizona Legislature support inmate services and labor for use in Arizona. Specifies that the Department of Corrections is prepared to enter into contractual agreements to provide inmate services and labor.

Primary Sponsor: Sen. Melvin.

Last Action: 3/29, passed House Rules.

SENATE BILLS THAT HAVE BEEN VETOED

S1201: FIREARMS OMNIBUS

Makes various changes to the statutes relating to weapons misconduct, forfeiture of weapons and explosives, firearms regulated by the state, and the prohibition of firearms at public establishments or events. Expands the lawful possession of a weapon on school grounds to include any firearm, whether loaded or unloaded, that is carried within a means of transportation, provided the firearm is not visible from outside the means of transportation and the means of transportation is locked.

Primary Sponsor: Sen. Gould. Co-sponsors: Rep. Barton, Rep. Burges, Rep. Crandell, Rep. Gowan, Rep. Harper, Rep. Judd, Rep. Mesnard, Rep. Seel, Rep. Smith, Rep. Stevens, Sen. Murphy, Sen. Nelson, Sen. Pearce.

Last Action: 4/29, vetoed by the governor.

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

S1467: EDUCATIONAL INSTITUTION; CONCEALED WEAPONS

Prohibits any educational institution governing board from adopting or enforcing any policy or rule that prohibits the lawful possession or carrying of a weapon on a public right-of-way.

Primary Sponsor: Sen. Gould. Co-sponsors: Rep. Gowan, Rep. Harper, Rep. Lesko, Rep. Proud, Rep. Smith, Rep. Stevens, Sen. Antenori.

Last Action: 4/18, vetoed by the governor.

ARS Title(s) affected: 13.

S1561: LEGISLATIVE APPROPRIATIONS; FEDERAL MONIES

Gives the Legislature the authority to appropriate noncustodial federal monies.

Primary Sponsor: Sen. Murphy. Co-sponsors: Rep. Burges, Sen. Klein, Sen. Smith.

Last Action: 4/26, vetoed by the governor.

ARS Title(s) affected: 35.

2011 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

H2003: EMERGENCY RESPONSE SERVICES FEES; PROHIBITION

Stipulates that the regulation of emergency response service fees for motor vehicle accidents is a matter of statewide concern and not subjected to regulation by a county, city, or town of this state.

Primary Sponsor: Rep. Kavanagh.

Last Action: 4/13, signed by the governor, Chapter 82, Laws 2011.

ARS Title(s) affected: 9, 11, 36, 41.

H2006: FIREARMS; GAME REFUGES; SHOOTING RANGES (~~FIREARMS WITHIN GAME REFUGES~~)

Repeals A.R.S. § 17-305 which prohibits a person from possessing, carrying or transporting weapons onto game refuges. Allows the Arizona Game and Fish Commission to adopt rules relating to public shooting ranges operated by and under their jurisdiction and grants range officers the authority to enforce these rules, remove violators from the premise and refuse entry for repeat violations.

Primary Sponsor: Rep. Harper.

Last Action: 4/27, signed by the governor, Chapter 276, Laws 2011.

ARS Title(s) affected: 17.

H2015: JUSTICE COURT JURISDICTION; COUNTY PARKS

Includes a county park with a body of water located in two counties, with specified populations, and where the precinct includes some part of the county park into the precinct of a justice of the peace court.

Primary Sponsor: Rep. Burges.

Last Action: 4/19, signed by the governor, Chapter 170, Laws 2011.

ARS Title(s) affected: 22.

H2016: JLBC; JCCR; REPORTS

Eliminates numerous out-of-date references and unused reporting requirements for the Joint Legislative Budget Committee and the Joint Committee on Capital Review.

Primary Sponsor: Rep. Kavanagh.

Last Action: 4/19, signed by the governor, Chapter 83, Laws 2011.

ARS Title(s) affected: 5, 12, 13, 15, 21, 23, 27, 28, 31, 35, 36, 37, 38, 41, 46, 49.

H2109: BAIL BOND AGENTS; CIVIL; LICENSING

Stipulates that any person licensed as a bail bond agent in Arizona is not authorized to transact civil bonds unless the bail bond agent is also licensed as a property and casualty producer in Arizona. Set rules for obtaining a bail bond agent license, including criminal history check.

Primary Sponsor: Rep. McLain. Co-sponsor: Sen. McComish.

Last Action: 4/19, signed by the governor, Chapter 171, Laws 2011.

ARS Title(s) affected: 20.

H2137: AGGRESSIVE DOGS; PET STERILIZATION (~~DOGS; CATS;~~ STERILIZATION)

Declares that a person who knowingly causes a dog to bite and 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. Chabin. Co-sponsor: Sen. Jackson, Sen. Pierce, Rep. Goodale, Rep. Burges, Sen. Reagan, Rep. Dial, Rep. Judd, Rep. Vogt.

Last Action: 4/25, signed by the governor, Chapter 213, Laws 2011.

ARS Title(s) affected: 11, 13.

H2146: CONCEALED WEAPONS PERMIT; TRAINING

Makes statutory changes relating to the training process for obtaining a concealed carry weapon (CCW) permit, including altering instructor requirements and modifying program certification.

Primary Sponsor: Rep. Smith. Co-sponsors: Rep. Barton, Rep. Burges, Rep. Crandell, Rep. Gowan, Rep. Harper, Rep. Judd, Rep. Kavanagh, Rep. Mesnard, Rep. Seel, Rep. Stevens, Sen. Murphy, Sen. Nelson, Sen. Pearce.

Last Action: 4/13, signed by governor, Chapter 85, Laws 2011.

ARS Title(s) affected: 13.

H2167: DEFINITION OF DANGEROUS DRUGS; SYNTHETIC

An emergency measure that expands the definition of dangerous drugs to include specific chemical compounds that typically compose synthetic cannabinoids.

Primary Sponsor: Rep. Reeve. Co-sponsors: Rep. Ableser, Rep. Campbell, Rep. Fann, Rep. Heinz, Rep. Jones, Rep. Judd, Rep. McCune Davis, Rep. Montenegro, Rep. Pancrazi, Rep. Tovar, Sen. Driggs, Sen. Lopez, Sen. McComish.

Last Action: 2/18, signed by the governor, Chapter 6, Laws 2011.

ARS Title(s) affected: 13.

H2191: ILLEGAL ALIENS; PUNITIVE DAMAGES (COSMETOLOGISTS; APPLICATIONS; QUALIFICATIONS)

Prohibits Arizona courts from awarding punitive damages to any person illegally in Arizona and in violation of federal immigration law.

Primary Sponsor: Rep. Jim Weiers.

Last Action: 4/18, signed by the governor, Chapter 137, Laws 2011.

ARS Title(s) affected: 12.

H2246: TRANSPORTATION; EMERGENCY VEHICLE ACCESS (~~TECH CORRECTION; EDUCATION; MEETINGS~~)

Establishes an emergency vehicle access plan as part of an overall management plan to be put in place by the Arizona Department of Transportation (ADOT).

Primary Sponsor: Rep. Carter.

Last Action: 4/27, signed by the governor, Chapter 280, Laws 2011.

ARS Title(s) affected: 28.

H2274: INTERGOVERNMENT AGREEMENTS; SEPARATE ENTITY

Allows any Indian tribe to join other local governments and special taxing districts and form a separate legal entity for the purposes of issuing revenue bonds and engaging in electric generation and transmission activities.

Primary Sponsor: Rep. Pratt. Co-sponsor: Sen. Smith.

Last Action: 4/29, signed by the governor, Chapter 330, Laws 2011.

ARS Title(s) affected: 11.

H2302: DOMESTIC VIOLENCE VICTIMS; ADDRESS CONFIDENTIALITY (~~DOMESTIC VIOLENCE VICTIMS; PROTECTED ADDRESS~~)

Directs the Secretary of State to establish the Address Confidentiality Program, which will allow victims of domestic violence, sexual offenses or stalking to keep their residential address confidential by giving them a substitute address of record.

Primary Sponsor: Rep. Mesnard. Co-sponsors: Rep. Tobin, Sen. Reagan, Sen. Gray, Rep. Yee, Sen. Gallardo, Sen. Sinema, Rep. Hobbs, Sen. McComish, Rep. Dial.

Last Action: 4/19, signed by the governor, Chapter 173, Laws 2011.

ARS Title(s) affected: 13, 41.

H2352: COURT COMMISSIONER; QUALIFICATIONS

Removes the requirement that an appointed commissioner have engaged in active general practice for at least three years before being appointed. Requires that an appointed commissioner be an Arizona resident for five years before taking office. Increases the term in which an appointed commissioner must have been admitted to practice law in Arizona from three to five years.

Primary Sponsor: Rep. Farnsworth. Co-sponsor: Rep. Ash.

Last Action: 4/25, signed by the governor, Chapter 217, Laws 2011.

ARS Title(s) affected: 12.

H2353: SENTENCING; DANGEROUS OFFENSES; PROBATION

Standardizes the definition of “dangerous offense” in Title 13 and Title 41. A person who is over 18 commits Aggravated Assault if the assault is on a child under 15, rather than 15 or under. Removes and reinserts special sentencing sections for certain crimes within the provisions of the actual criminal offense for organization purposes. Resolves an issue created by the enactment of Laws, 2010, chapters 97, 241, and 276 that resulted in two provisions of § 13-1204, Aggravated Assault, relating to code enforcement officers and park rangers. A person commits Aggravated Assault if the assault is on a public defender, a code enforcement officer, or a park ranger. Removes the reference in the DUI treatment statute to ‘alcohol or drug education and treatment’ ordered by the MVD, as MVD only orders alcohol and drug screening. Repeals the version of the Adult Offender Compact that was superseded by a newer compact that was ratified in 2002

Primary Sponsor: Rep. Farnsworth. Co-sponsor: Rep. Ash.
Last Action: 4/13, signed by the governor, Chapter 90, Laws 2011.
ARS Title(s) affected: 13, 28, 41.

H2355: COURT SURCHARGES

Clarifies that surcharges apply to the base fine and do not apply to another surcharge. Conforms all terminology currently referring to a penalty assessment as a surcharge.

Primary Sponsor: Rep. Farnsworth. Co-sponsors: Rep. Harper, Rep. Ash.
Last Action: 4/26, signed by the governor, Chapter 260, Laws 2011.
ARS Title(s) affected: 12, 28, 41.

H2357: LIQUOR IMPORTATION; AMOUNT; MILITARY PERSONNEL

Allows a member of the armed services to import more than one liter of spirituous liquor for personal use into Arizona if the importation is the result of that individual’s return from a tour of duty in a foreign country.

Primary Sponsor: Rep. Jerry Weiers. Co-sponsors: Rep. Smith, Rep. Stevens, Rep. Gowan.
Last Action: 4/12, signed by the governor, Chapter 53, Laws 2011.
ARS Title(s) affected: 4.

H2369: DUI; WORK RELEASE

Requires courts to allow first- and second-time DUI and EDUI offenders to continue their employment or schooling while serving out their jail sentence. Courts may deny work release if the court finds good cause and places the findings on record. Increases the number of days per week an offender may leave for work or school release from five days to six days.

Primary Sponsor: Rep. Smith. Co-sponsors: Sen. Gould, Rep. Burges, Rep. Harper, Rep. Barton, Rep. Ash.
Last Action: 4/12, signed by the governor, Chapter 91, Laws 2011.
ARS Title(s) affected: 28.

H2376: DEPARTMENT OF JUVENILE CORRECTIONS; CONTINUATION

Continues the Arizona Department of Juvenile Corrections (ADJC) until July 1, 2012.

Primary Sponsor: Rep. Ash. Co-sponsors: Rep. Smith, Sen. Gray, Rep. R. Miranda, Rep. Tovar, Rep. C. Miranda, Rep. Pancrazi, Rep. Patterson.

Last Action: signed by the governor, Chapter 261, Laws 2011.

ARS Title(s) affected: 41.

H2404: CRIMINAL RESTITUTION ORDER; ABSCONDERS

Requires the trial court to enter a criminal restitution order at the time the defendant absconds from probation or the defendant's sentence and specifies who will be responsible for notifying a victim in the event that the defendant makes an initial appearance pursuant to a Writ of Habeas Corpus or of a defendant's release.

Primary Sponsor: Rep. Vogt. Co-sponsors: Rep. Reeve, Rep. Smith, Rep. Urie, Rep. Jones, Rep. Proud, Rep. Gowan.

Last Action: 4/26, signed by the governor, Chapter 263, Laws 2011.

ARS Title(s) affected: 13.

H2405: HUMAN SMUGGLING ORGANIZATION; OFFENSE; PENALTY

Establishes the participation in or assistance to a human smuggling organization as a felony; defines *human smuggling organization*; prescribes the elements of the offenses; and assigns a penalty for the offenses.

Primary Sponsor: Rep. Vogt. Co-sponsors: Rep. Reeve, Rep. Smith, Rep. Montenegro, Rep. Urie, Rep. Jones, Rep. Proud, Rep. Gowan.

Last Action: 4/14, signed by the governor, Chapter 114, Laws 2011.

ARS Title(s) affected: 13.

H2406: CRIMES; FORENSIC INTERVIEWS; MANDATORY FINE

Requires a person convicted of or adjudicated delinquent for a dangerous crime against children or sexual assault to pay an assessment of \$500 in addition to fines/restitution. Funds are to be used to defray the cost of medical or forensic interview expenses.

Primary Sponsor: Rep. Vogt. Co-sponsors: Rep. Reeve, Rep. Smith, Rep. Meyer, Rep. Urie, Rep. Jones, Rep. Proud, Rep. Gowan.

Last Action: 4/14, signed by the governor, Chapter 115, Laws 2011.

ARS Title(s) affected: 13.

H2408: OUTPATIENT TREATMENT; AGENCY NOTIFICATION

Requires that if criminal charges against a patient involving death or serious physical injury are dismissed, the medical director is required to notify the prosecuting agency five days before discharging a patient if civil commitment order expires or terminates or the patient is discharged to outpatient treatment.

Primary Sponsor: Rep. Vogt. Co-sponsors: Rep. Reeve, Rep. Smith, Rep. Kavanagh, Rep. Court, Rep. Urie, Rep. Jones, Rep. Stevens, Rep. Proud, Rep. Gowan.

Last Action: 4/26, signed by the governor, Chapter 264, Laws 2011.

ARS Title(s) affected: 36.

H2411: CHILD PROSTITUTION; CONSECUTIVE SENTENCES

Requires a person convicted of child prostitution involving a 15, 16, or 17-year-old minor to serve their sentence consecutively with any other sentence imposed.

Primary Sponsor: Rep. Farnsworth.

Last Action: 4/12, signed by the governor, Chapter 78, Laws 2011.

ARS Title(s) affected: 13.

**H2423: STATE HIRING; PRIVATE ATTORNEYS (~~TECH CORRECTION;~~
STATE INSTITUTIONS)**

Establishes guidelines for private attorney retention on a contingency fee basis by the Attorney General, including a determination of the necessity to enter into a contingency fee contract, contingency fee limitations and reporting requirements.

Primary Sponsor: Rep. Yee.

Last Action: 4/14, signed by the governor, Chapter 116, Laws 2011.

ARS Title(s) affected: 41.

H2438: SEXUAL CONDUCT; MINOR

Expands the definition of *teacher* as it applies to sexual conduct with a minor and expands the offenders eligible for the class 2 felony provision for sexual conduct with a minor of at least 15 years of age.

Primary Sponsor: Rep. Montenegro. Co-sponsors: Rep. Burges, Rep. C. Miranda, Rep. Stevens, Rep. Gowan.

Last Action: 4/12, signed by the governor, Chapter 58, Laws 2011.

ARS Title(s) affected: 13.

H2443: ABORTION; SEX; RACE SELECTION; PROHIBITION

Prohibits a person from knowingly performing, coercing or financing a sex-selection or race-selection abortion and establishes a violation as a class 3 felony.

Primary Sponsor: Rep. Montenegro. Co-sponsors: Rep. Burges, Rep. Barton, Rep. Seel, Rep. Smith, Rep. Lesko, Rep. Forese, Rep. Stevens, Rep. Gowan.

Last Action: 3/29, signed by the governor, Chapter 9, Laws 2011.

ARS Title(s) affected: 13, 36.

H2444: LAW ENFORCEMENT OFFICER DISCIPLINE

Regulates the manner in which a law enforcement or probation officer can be investigated for alleged misconduct and specifically concerning the use of a polygraph examination.

Primary Sponsor: Rep. Montenegro.

Last Action: 4/19, signed by governor, Chapter 198, Laws 2011.

ARS Title(s) affected: 38.

H2474: DPS EMPLOYEES; ALTERNATIVE WORK HOURS

Allows overtime compensation for all Department of Public Safety (DPS) employees during alternate work periods.

Primary Sponsor: Rep. Gowan. Co-sponsors: Sen. Antenori, Rep. Vogt.

Last Action: 4/19, signed by governor, Chapter 200, Laws 2011.

ARS Title(s) affected: 23.

H2477: LAW ENFORCEMENT OFFICERS; WITNESS; REPRESENTATION

Allows law enforcement officers who are witnesses relating to an investigation that could lead to another officer's dismissal, demotion or suspension to have a representative available during the interview.

Primary Sponsor: Rep. Gowan. Co-sponsor: Sen. Antenori.

Last Action: 4/28, signed by the governor, Chapter 301, Laws 2011.

ARS Title(s) affected: 38.

H2478: COUNTIES; HEALTH CARE SERVICES; PAYMENTS

Requires a county with a population over one million to fund treatment of children under the jurisdiction of the juvenile court, county jail inmates, and people with tuberculosis through reimbursements to health care providers or facilities, unless otherwise provided by an intergovernmental agreement, at a level that must not exceed what Arizona Health Care Cost Containment System (AHCCCS) provides.

Primary Sponsor: Rep. Gowan. Co-sponsor: Rep. Burges, Sen. Antenori, Rep. Vogt.

Last Action: 4/26, signed by the governor, Chapter 266, Laws 2011.

ARS Title(s) affected: 8, 31, 36.

H2487: BURIAL DUTIES; PRISONERS; DOC

Specifies that any inmate in the custody of the Arizona Department of Corrections (ADC) that dies and where none of the designated relatives are reachable or willing to provide burial arrangements, the county in which the death occurred is required to assume responsibility for burial.

Primary Sponsor: Rep. Gowan. Co-sponsor: Sen. Antenori, Rep. Vogt

Last Action: 4/12, signed by the governor, Chapter 79, Laws 2011.

ARS Title(s) affected: 36.

H2523: MOTOR VEHICLE ACCIDENTS; VIOLATIONS

Prohibits a person from operating a motor vehicle if they fail to appear in court more than once and expands circumstances under which a person's license may be suspended under A.R.S. § 28-3306.

Primary Sponsor: Rep. Williams. Co-sponsor: Rep. Proud.

Last Action: 4/27, signed by the governor, Chapter 286, Laws 2011.

ARS Title(s) affected: 28.

H2541: MEDICAL MARIJUANA; EMPLOYER MONITORING (~~TECH CORRECTION; WAGE BOARD; POWERS~~)

Allows employers to take action against employees who are believed, in good faith, to be impaired at work due to prescribed, illegal or synthetic drug use.

Primary Sponsor: Rep. Yee.

Last Action: 4/29, signed by the governor, Chapter 336, Laws 2011.

ARS Title(s) affected: 23.

H2572: GOVERNMENT EXPENDITURE DATABASE; TRANSPARENCY; CAFR

Directs the Arizona Department of Administration and each local government to post the information as prescribed in a comprehensive annual financial report of a budget unit on their official Internet web site.

Primary Sponsor: Rep. Barton. Co-sponsors: Rep. Crandell, Rep. Lesko, Rep. Yee, Rep. Montenegro, Sen. Shooter, Rep. Proud.

Last Action: 4/14, signed by the governor, Chapter 119, Laws 2011.

ARS Title(s) affected: 41.

H2585: MARIJUANA MONITORING; CONTROLLED SUBSTANCE

Requires the controlled substances prescription monitoring program, administered by the Arizona State Board of Pharmacy, to include data from the Department of Health Services that identifies residents who possess a valid registry identification card.

Primary Sponsor: Rep. Heinz. Co-sponsors: Rep. Reeve, Rep. Yee, Rep. Meyer, Rep. Campbell, Rep. McCune Davis, Rep. Ash, Rep. Jones.

Last Action: 4/13, signed by the governor, Chapter 94, Laws 2011.

ARS Title(s) affected: 36.

H2613: PEACE OFFICERS; MISCONDUCT (~~PEACE OFFICER MISCONDUCT; REPORTING~~)

Allows the president or chief executive officer of an agency recognized law enforcement employee association within a law enforcement agency that represents the interests of peace officers to report to the board any peace officer misconduct and prohibits civil liability from being imposed on a law enforcement agency, president, or chief executive officer of an agency recognized law enforcement employee association within a law enforcement agency that represents the interests of peace officers if there has been good faith effort without malicious intent to verify that the information is accurate.

Primary Sponsor: Rep. Stevens. Co-sponsors: Rep. Reeve, Sen. L. Gray, Rep. Montenegro, Rep. Dial, Sen. Antenori, Rep. Gowan.

Last Action: 4/28, signed by the governor, Chapter 303, Laws 2011.

ARS Title(s) affected: 41.

H2627: SUNSET REVIEW; FACTORS

Makes various statutory changes to the factors that determine whether a state agency should be continued or terminated. Adds the extent to which the objective and purpose are met by private enterprises in other states to the objective and purpose of the agency. Evaluates how the agency serves the entire state rather than specific interests or simply the public interest. Other provisions.

Primary Sponsor: Rep. Kavanagh.

Last Action: 4/19, signed by the governor, Chapter 176, Laws 2011.

ARS Title(s) affected: 41.

H2635: COURT-ORDERED EVALUATION

Adds additional requirements to the affidavit that must accompany a petition for a court-ordered treatment. Stipulates that the affidavit accompanying a petition for court-ordered treatment must also include the results of a physical examination if it is relevant to the evaluation. Other provisions.

Primary Sponsor: Rep. Court. Co-sponsor: Rep. Ash.

Last Action: 4/25, signed by the governor, Chapter 219, Laws 2011.

ARS Title(s) affected: 36.

H2645: FIREARMS; RIGHT-TO-POSSESS; RESTORATION (~~FORFEITED WEAPONS; DISPOSITION~~)

Modifies statute related to the restoration of right to possess a firearm by mentally ill persons and adds retired peace officers to the carrying of firearms by peace officers statute.

Primary Sponsor: Rep. Ugenti. Co-sponsors: Sen. Pearce, Sen. Smith, Sen. Antenori.

Last Action: 4/28, signed by the governor, Chapter 304, Laws 2011.

ARS Title(s) affected: 12, 13.

H2658: DOMESTIC VIOLENCE REVIEW TEAMS

Broadens the language in A.R.S. § 41-198 regarding domestic violence to include near fatalities, and allows the Peace Officer Standards and Training Board and the State Domestic Violence Coalition to receive domestic violence reports.

Primary Sponsor: Rep. Proud. Co-sponsors: Rep. Harper, Rep. Lesko, Rep. Tovar, Rep. Alston, Rep. Hobbs, Rep. Vogt.

Last Action: 4/26, signed by the governor, Chapter 254, Laws 2011.

ARS Title(s) affected: 41.

HOUSE BILLS THAT FAILED

H2001: COMMUNITY COLLEGES; UNIVERSITIES; CONCEALED WEAPONS

Notwithstanding any other law, a faculty member may possess a concealed firearm on the grounds of a community college under the jurisdiction of a community college district, a provisional community college under the jurisdiction of a provisional community college district or a university under the jurisdiction of the Arizona board of regents if the faculty member possesses a valid permit issued pursuant to section 13-3112.

Primary Sponsor: Rep. Harper. Co-sponsors: Rep. Ash, Rep. Barton, Rep. Burges, Rep. Crandell, Rep. Fann, Rep. Fillmore, Rep. Gowan, Rep. R. Gray, Rep. Lesko, Rep. Olson, Rep. Proud, Rep. Urie, Sen. Antenori, Sen. Biggs, Sen. Gould, Sen. Pearce.

Last Action: No action taken.

ARS Title(s) affected: 15.

H2013: LICENSE PLATE COVERS; PROHIBITION

Makes illegal the obstruction of license plates.

Primary Sponsor: Rep. Farley.

Last Action: 1/11, referred to House Transportation.

ARS Title(s) affected: 28.

H2014: FIREARMS; CONCEALED WEAPONS; UNIVERSITIES

Establishes that the governing board of any university, college or community college shall not enact or enforce any policy or rule that prohibits the possession of a concealed weapon by a person who possesses a valid permit recognized or issued.

Primary Sponsor: Rep. Harper.

Last Action: No actions taken.

ARS Title(s) affected: 13.

H2017: FIREARMS; STORAGE AND TRANSPORTATION; APPLICATION

Makes technical correction to statues relating to firearm storage.

Primary Sponsor: Rep. Kavanagh.

Last Action: No actions taken.

ARS Title(s) affected: 12.

H2070: NATIONAL GUARD (~~HOMELAND SECURITY; COMMITTEE;~~ FORCE)

Requires members of the Arizona State Guard to uphold the United States Constitution.

Primary Sponsor: Rep. Burges. Co-sponsors: Rep. Harper, Rep. Seel, Sen. Allen, Sen. Smith.

Last Action: 4/19, referred to Senate Appropriations.

ARS Title(s) affected: 26.

H2077: FEDERAL AGENCIES; REGISTRATION WITH SHERIFF

Requires any federal agency that comes into a county to conduct authorized business to register its presence with the county sheriff.

Primary Sponsor: Rep. Crandell. Co-sponsors: Rep. Barton, Rep. Brophy McGee, Rep. Dial, Rep. Fillmore, Rep. Judd.

Last Action: 2/17, passed from House Military and Public Affairs.

ARS Title(s) affected: 11.

H2089: UNRESTRAINED MINORS; MOTOR VEHICLES; PROHIBITION

Prohibits a person from driving on a highway with a passenger under 18 years of age in the back of a motor vehicle unless the passenger is safely restrained.

Primary Sponsor: Rep. Heinz. Co-sponsor: Rep. Goodale.

Last Action: 4/19, referred to Senate Government Reform.

ARS Title(s) affected: 28.

H2140: FIREARMS REGULATION; LANDLORDS; HOMEOWNERS' ASSOCIATIONS

Modifies statute regarding the possession, carrying and use of firearms within specified communities.

Primary Sponsor: Rep. Harper.

Last Action: 2/24, passed House COW, amended.

ARS Title(s) affected: 33.

H2145: SELF DEFENSE; JUSTIFICATION; DEFENSIVE DISPLAY

Modifies defensive display statute to include placing the person's hand on a firearm while the firearm is contained in a holster.

Primary Sponsor: Rep. Smith. Co-sponsors: Rep. Barton, Rep. Burges, Rep. Crandell, Rep. Gowan, Rep. Harper, Rep. Judd, Rep. Kavanagh, Rep. Mesnard, Rep. Seel, Rep. Stevens, Sen. Murphy, Sen. Nelson, Sen. Pearce.

Last Action: No actions taken.

ARS Title(s) affected: 13.

H2181: NATIONAL GUARD MOBILIZATION; BORDER

Authorizes the governor to declare a state of emergency and mobilize the National Guard to prevent crimes associated with illegal border crossings.

Primary Sponsor: Rep. Seel.

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

ARS Title(s) affected: 26.

H2228: MARIJUANA; CLASSIFICATION; PETTY OFFENSE

Classifies as a petty offense the use or possession of two ounces or less of marijuana not intended for sale.

Primary Sponsor: Rep. Fillmore.
Last Action: 1/24, referred to House Judiciary.
ARS Title(s) affected: 13.

H2231: PUBLIC DEFENDERS; PROBATE COURT; REIMBURSEMENT
The estate of an incapacitated defendant, who dies while receiving court services, shall be charged for the appropriate reimbursement of such services.

Primary Sponsor: Rep. Goodale.
Last Action: 2/3, held from House Judiciary.
ARS Title(s) affected: 14.

H2232: SENTENCING; CRIMINAL RESTITUTION ORDER
Requires the trial court to enter the criminal restitution order at the time of sentencing.

Primary Sponsor: Rep. Goodale.
Last Action: 2/3, held in House Judiciary.
ARS Title(s) affected: 13.

H2238: CHILD ABUSE DEFINITION; EXHAUSTION; TORTURE
Defines child abuse as inclusive of physical exhaustion or torture of a child.

Primary Sponsor: Rep. Goodale.
Last Action: 1/24, referred to House Judiciary.
ARS Title(s) affected: 8.

H2261: PRIVATE PROPERTY TRESPASS TOWERS
Establishes various regulations for towing companies to follow when conducting tows.

Primary Sponsor: Rep. Ableser. Co-sponsors: Rep. Alston, Rep. Campbell, Rep. Farley, Rep. Gonzales, Rep. Hobbs, Rep. McCune Davis, Rep. Mesnard, Rep. Meyer, Rep. Patterson, Rep. Saldate, Rep. Tovar.
Last Action: 1/20, referred to House Transportation.
ARS Title(s) affected: 44.

H2266: DRUG POSSESSION; MEDICAL ASSISTANCE; PROBATION
Requires courts to drop drug use and/or possession charges against an individual that was apprehended while in need of medical assistance or seeking medical assistance for another individual.

Primary Sponsor: Rep. Ableser.
Last Action: 1/26, referred to House Judiciary.
ARS Title(s) affected: 13.

H2282: LOBBYIST; PROHIBITED ACTS
Prohibits lobbyist from providing false information. Such offense is a class 1 misdemeanor and will result in a three-year probation for the lobbying official.

Primary Sponsor: Rep. McCune Davis. Co-sponsor: Rep. Hale.
Last Action: 1/24, referred to House Judiciary and House Government.
ARS Title(s) affected: 41.

H2285: INMATE CREDIT; IMPRISONMENT; FINE REDUCTION

Increases the allowance for nonpayment of a fine at the rate specified in the commitment not to exceed \$60 per day.

Primary Sponsor: Rep. McClain. Co-sponsors: Rep. Ash, Rep. Goodale, Rep. Tobin.
Last Action: 3/29, passed from House Rules.
ARS Title(s) affected: 31.

H2294: PRISONERS, PREGNANT; RESTRAINTS

Sets regulations for use of restraints on pregnant prisoners.

Primary Sponsor: Rep. Tovar. Co-sponsors: Rep. Ash, Rep. R. Miranda, Rep. C. Miranda, Sen. Gray.
Last Action: 1/19, referred House Military Affairs and Public Safety.
ARS Title(s) affected: 31.

H2298: PRIVATE PRISON MONITORING; SPECIAL AUDIT

The Auditor General shall perform a special audit that evaluates how the DOC is monitoring private prison facilities.

Primary Sponsor: Rep. Campbell. Co-sponsor: Rep. Tovar.
Last Action: 1/24, referred to House Military Affairs and Public Safety and House Government.
ARS Title(s) affected: 41.

H2299: PRIVATE PRISONS; REGULATION

Sets regulations for the management of a private prison in accordance with the American Corrections Association Accreditation and the Arizona Department of Corrections.

Primary Sponsor: Rep. Campbell. Co-sponsors: Rep. Meyer, Rep. Tovar, Rep. Alston, Rep. Hobbs, Rep. Gallego, Rep. Ableser, Rep. Arredondo, Rep. Pancrazi, Rep. Gonzales, Rep. Saldade, Rep. Farley, Rep. Heinz, Rep. Patterson.
Last Action: 1/24, referred to House Military Affairs and Public Safety.
ARS Title(s) affected: 41.

H2300: 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.

Primary Sponsor: Rep. Campbell. Co-sponsors: Rep. Meyer, Rep. Tovar, Rep. Alston, Rep. Hobbs, Rep. Gallego, Rep. Ableser, Rep. Arredondo, Rep. Pancrazi, Rep. Gonzales, Rep. Saldade, Rep. Farley, Rep. Heinz, Rep. Patterson.

Last Action: 1/20, referred to House Military Affairs and Public Safety and House Government.

ARS Title(s) affected: 41.

H2334: PRIVATE ATTORNEY RETENTION; CONTINGENCY FEES

Establishes procurement procedures and limitations for retention of outside counsel by state agencies.

Primary Sponsor: Rep. Harper. Co-sponsor: Rep. Burges.

Last Action: 2/10, held in House Judiciary.

ARS Title(s) affected: 41.

H2354: GRAND JURY PROCEEDINGS; ELECTRONIC RECORDING

Provides the presiding judge of the superior court the ability to employ an electronic recording system to record grand jury proceedings in lieu of a court reporter and removes the transcription requirement for court reporters.

Primary Sponsor: Rep. Farnsworth. Co-sponsors: Rep. Ash, Rep. Pancrazi.

Last Action: 1/27, passed from House Judiciary, with amendment.

ARS Title(s) affected: 21.

H2362: TEACHERS; LIABILITY INSURANCE (~~DRUG LAB REMEDIATION; INVESTIGATORS~~)

Original bill establishes additional responsibilities for the State Board of Technical Registration (BTR) to investigate notice of removal violations and other criminal activity in Title 12 or 13 that is reasonably related to the practices or professions of the BTR. Bill became an unrelated striker. *Similar provisions included in SB1575, which failed to pass.*

Primary Sponsor: Rep. Weiers. Co-sponsors: Rep. Smith, Rep. Stevens.

Last Action: 4/18, conference committee recommended.

ARS Title(s) affected: 15.

H2363: FINANCIAL INSTITUTION RECORDS; DISCLOSURE; NOTICE

Prohibits a financial institution from releasing or disclosing any financial records to any government authority unless any of the following apply: the customer gives written consent for the specific record requested; the financial institution has been served a subpoena for the specific record; the government authority has a search warrant for the specific record. Other provisions.

Primary Sponsor: Rep. Smith. Co-sponsors: Rep. Burges, Rep. Harper, Rep. Barton, Rep. Crandell, Rep. Seel, Rep. Ugenti, Rep. Yee, Rep. Montenegro, Rep. Ash, Rep. Dial, Rep. Stevens, Rep. Gowan, Rep. Vogt.

Last Action: 1/27, held in House Judiciary.

ARS Title(s) affected: 6.

H2364: PROBATION OFFICERS; DISCIPLINARY ACTIONS

Adds probation and surveillance officers to the definition of law enforcement officer within statutes governing the discipline of law enforcement officers.

Primary Sponsor: Rep. Smith. Co-sponsors: Rep. Burges, Rep. Barton.

Last Action: 2/2, held in House Military Affairs and Public Safety.

ARS Title(s) affected: 38.

H2366: PUBLIC RECORDS; COMMUNICATION WITH OFFICIAL; IDENTITY

Allows an officer to delete a communicating resident's name, address, and any other identifying information if that communication was through an officer's personal mailing address, personal computer, personal telephone, or any other type of personal electronic or internet device, before the record is provided to the public.

Primary Sponsor: Rep. Smith. Co-sponsors: Rep. Harper, Rep. Barton, Rep. Seel, Rep. Ash.

Last Action: 2/2, held in House Military Affairs and Public Safety.

ARS Title(s) affected: 39.

H2368: DETENTION AT HOME; COUNTIES, CITIES

Requires counties and municipalities to establish a prisoner work, community restitution work and home detention program.

Primary Sponsor: Rep. Smith. Co-sponsors: Rep. Burges, Rep. Barton, Rep. Seel, Rep. Montenegro, Rep. Ash, Rep. Stevens.

Last Action: 1/20, referred to House Government and House Military Affairs and Public Safety.

ARS Title(s) affected: 9, 11.

H2370: PHOTO ENFORCEMENT; LICENSE SUSPENSION PROHIBITED

Makes civil traffic violations detected by photo radar inadmissible when determining license suspension or revocation.

Primary Sponsor: Rep. Smith. Co-sponsors: Rep. Hale, Rep. Barton.

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

ARS Title(s) affected: 9, 28.

H2371: DUI; IGNITION INTERLOCK DEVICE

Removes the requirement for first-time DUI offenders to equip their vehicle with an ignition interlock system for 12 months.

Primary Sponsor: Rep. Smith. Co-sponsors: Rep. Barton, Rep. Ash.

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

ARS Title(s) affected: 28.

H2373: JUDICIAL FACILITY DISTRICTS

Creates a method for establishing judicial facility districts as a special taxing district for the purpose of acquiring, operating, and maintaining county judicial facilities. Districts must be established on voter approval of a property tax or excise tax. The county board of supervisors will serve as the district board of directors.

Primary Sponsor: Rep. Ash. Co-Sponsors: Rep. Smith, Rep. R. Miranda, Rep. Tovar, Rep. C. Miranda.

Last Action: 1/24, referred to House Ways and Means.

ARS Title(s) affected: 48.

H2374: SENTENCING; MINIMUM AND MAXIMUM TERMS

Modifies sentencing structure for various felony offenses.

Primary Sponsor: Rep. Ash. Co-sponsors: Rep. Fann, Rep. Seel, Rep. Carter, Rep. Smith, Sen. L. Gray, Rep. Meyer, Rep. R. Miranda, Rep. C. Miranda, Rep. Court, Rep. Patterson

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

ARS Title(s) affected: 13, 31, 41.

H2375: ASSAULT; PUBLIC DEFENDER; COUNTY RANGER

Adds code enforcement officers, park rangers and public defenders to the statute defining aggravated assault if those persons are victims of assault because of their occupation.

Primary Sponsor: Rep. Ash. Co-sponsors: Rep. Smith, Rep. R. Miranda, Rep. Tovar

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

ARS Title(s) affected: 13.

**H2377: CAPITAL POSTCONVICTION PUBLIC DEFENDER;
CONTINUATION**

Continues the State Capital Postconviction Public Defender Office until July 1, 2016. *Same provisions signed into law under SB1245.*

Primary Sponsor: Rep. Ash. Co-sponsors: Rep. Smith, Rep. R. Miranda, Rep. Tovar, Rep. C. Miranda, Rep. Pancrazi, Rep. Heinz, Rep. Patterson.

Last Action: 3/14, held in Senate Judiciary.

ARS Title(s) affected: 41.

H2378: LIFE SENTENCE; PAROLE ELIGIBILITY

Establishes that anyone convicted of murder prior to August 8, 1973 is eligible for parole after serving 25 calendar years. Anyone convicted of any other offense is eligible for parole only to the consecutive sentence.

Primary Sponsor: Rep. Ash. Co-sponsors: Rep. McLain, Rep. Smith, Sen. Gray, Rep. R. Miranda, Rep. C. Miranda, Rep. Court, Rep. Pratt, Rep. Pancrazi, Rep. Patterson.

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

ARS Title(s) affected: 13.

H2379: INCARCERATION COSTS; MUNICIPAL COURT WARRANTS

Stipulates that an individual arrested on a warrant issued by a municipal court may be housed in a county jail, but the city or town in which the municipal court is located bears the cost of incarceration.

Primary Sponsor: Rep. Ash. Co-sponsors: Rep. R. Miranda, Rep. C. Miranda.

Last Action: 3/15, referred to Senate Judiciary.

ARS Title(s) affected: 31.

H2380: PRISONERS; MEDICAL PAROLE

Allows the Board of Executive Clemency, with approval by the Department of Corrections, to release a prisoner on medical parole.

Primary Sponsor: Rep. Ash. Co-sponsors: Rep. Harper, Rep. Smith, Sen. L. Gray, Rep. R. Miranda, Rep. C. Miranda, Rep. Pancrazi, Rep. Patterson.

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

ARS Title(s) affected: 31.

H2392: FIREARMS; FEDERAL LAW; SCHOOL PERIMETERS

For the purposes of 18 United States Code Section 922, a person who lawfully owns or possesses a firearm pursuant to the constitution and laws of this state is considered by this state to be individually licensed and verified to possess a firearm immediately outside the grounds of a school.

Primary Sponsor: Rep. Seel. Co-sponsors: Sen. Gould, Rep. Burges, Rep. Harper, Rep. Barton, Rep. Crandell, Rep. Ugenti, Rep. Smith, Rep. Kavanagh, Rep. R. Gray, Rep. Yee, Rep. Montenegro, Rep. Ash, Rep. Court, Rep. Olson, Rep. Dial, Rep. Mesnard, Sen. Biggs, Rep. Urie, Rep. Fillmore, Rep. Judd, Rep. Stevens, Rep. Gowan.

Last Action: No action taken.

ARS Title(s) affected: 13.

H2398: SALVIA DIVINORUM; UNLAWFUL SALE TO MINORS

It is unlawful for a person to sell, dispense, distribute, furnish, administer or give or offer to sell, dispense, distribute, furnish, administer or give salvia divinorum to a person who is under twenty-one years of age. A person who violates this section is guilty of a class 2 misdemeanor.

Primary Sponsor: Rep. Meyer. Co-sponsors: Rep. Yee, Sen. Driggs, Rep. Brophy McGee, Rep. Hobbs, Rep. Ash, Rep. Court, Rep. Farley.

Last Action: No action taken.

ARS Title(s) affected: 13.

H2407: VICTIM NOTIFICATION

Requires the prosecutor's office to notify the victim if the defendant is making the initial appearance pursuant to a Writ of Habeas Corpus.

Primary Sponsor: Rep. Vogt. Co-sponsors: Rep. Reeve, Rep. Smith, Rep. Kavanagh, Rep. Court, Rep. Urie, Rep. Jones, Rep. Stevens, Rep. Proud, Rep. Gowan.

Last Action: 3/29, passed from Senate Rules.

ARS Title(s) affected: 13.

H2409: ATTORNEY FEES; RECOVERY; CIVIL ACTIONS

In legal challenges against a state, county or municipal law, the governmental agency is not entitled to be granted attorney fees.

Primary Sponsor: Rep. Vogt. Co-sponsors: Rep. Fann, Rep. Reeve, Rep. Kavanagh, Rep. Yee, Rep. Montenegro, Rep. Urie, Rep. Jones, Rep. Stevens, Sen. Melvin, Rep. Gowan.

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

ARS Title(s) affected: 12.

H2414: THEFT; ARTIFICE; PRIOR CONVICTIONS; CLASSIFICATION

An individual who uses an artifice while committing theft and who has prior convictions of theft, burglary, shoplifting, robbery or organized retail theft within the past five years is guilty of a class 4 felony.

Primary Sponsor: Rep. Mesnard. Co-sponsor: Rep. Dial.

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

ARS Title(s) affected: 13.

H2426: COMMUNICATION DEVICES; CLASS G LICENSEES

Prohibits a class G license holder from driving a vehicle on a highway while using any wireless communication devices, with some exceptions.

Primary Sponsor: Rep. Farley. Co-sponsors: Rep. Chabin, Rep. Tovar, Rep. Arredondo, Rep. Proud, Rep. Wheeler.

Last Action: 2/10, held in House Transportation.

ARS Title(s) affected: 28.

H2429: DRUG OFFENSES; PUBLIC PARKS; SENTENCING

If a drug offense was committed in a public park, playground or parking lot, or a sidewalk adjacent to a park or playground, the sentence will be exacerbated by one year.

Primary Sponsor: Rep. Tovar.

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

ARS Title(s) affected: 13.

H2436: EMERGENCY MEDICAL TECHNICIANS; FINGERPRINTING

An ambulance service shall require that each applicant for employment as an ambulance attendant or as a certified emergency medical technician who provides emergency services to the public have a valid fingerprint clearance card issued pursuant to section ARS 41-1758.03 or provide to the ambulance service documentation of the person's application for a fingerprint clearance card.

Primary Sponsor: Rep. Yee. Co-sponsor: Rep. Heinz.
Last Action: 2/9, held in House Military Affairs and Public Safety.
ARS Title(s) affected: 36, 41.

**H2439: DRIVER LICENSE REQUIREMENTS; VIOLATION;
MISDEMEANOR**

Classifies driving without a valid driver license as a class 2 misdemeanor.

Primary Sponsor: Rep. Montenegro. Co-sponsors: Rep. Burges, Rep. Dial, Sen. Antenori,
Rep. Gowan.
Last Action: 1/24, referred to House Transportation and House Judiciary.
ARS Title(s) affected: 28.

H2443: ABORTION; SEX SELECTION; PROHIBITION

Classifies as a class 3 felony the act of seeking abortion based on sex selection of the fetus.
Furthermore, this bill classifies as a class 6 felony the failure to report a suspected sex
selection abortion by a physician. *Similar provision signed into law under HB2442.*

Primary Sponsor: Rep. Montenegro. Co-sponsors: Rep. Burges, Rep. Barton, Rep. Seel, Rep.
Smith, Rep. Lesko, Rep. Yee, Rep. Stevens, Rep. Gowan.
Last Action: 1/26, referred to House Health and Human Services.
ARS Title(s) affected: 13, 36.

H2445: STATUTE OF LIMITATIONS; MOVING VIOLATION

Sets the statute of limitations at five years for causing serious physical injury or death by a
moving violation.

Primary Sponsor: Rep. Montenegro.
Last Action: 1/24, referred to House Judiciary.
ARS Title(s) affected: 28.

**H2452: CHILD RESTRAINT SYSTEMS (~~TECH CORRECTION; CERTIFICATE
OF TITLE~~)**

Requires the Director of the Arizona Department of Transportation (ADOT) to serve notice of
revocation for a certificate of title to a motor vehicle, trailer or semitrailer in person or by first
class mail.

Primary Sponsor: Rep. Williams.
Last Action: 3/16, referred to Senate Judiciary.
ARS Title(s) affected: 28.

H2479: FIREARMS; EDUCATIONAL INSTITUTIONS

The governing board of an educational institution shall not adopt or enforce any policy or
rule that prohibits the possession of a concealed weapon by a person who possesses a valid
permit recognized or issued pursuant to section 13-3112 or the transportation or storage of a
firearm pursuant to section 12-781.

Primary Sponsor: Rep. Gowan. Co-sponsors: Rep. Burges, Sen. Antenori.
Last Action: No action taken.
ARS Title(s) affected: 13.

H2482: SEXUALLY VIOLENT OFFENSES; PLEA AGREEMENT
Designates that a plea agreement that results in a lesser offense for an individual charged with specified crimes is classified as a sexually violent offense.

Primary Sponsor: Rep. Gowan. Co-sponsors: Rep. Burges, Sen. Antenori, Rep. Vogt.
Last Action: 1/24, referred to House Judiciary.
ARS Title(s) affected: 38.

H2486: PAROLE, COMMUNITY SUPERVISION OFFICERS; RATIOS
Requires parole or community supervision officers to supervise no more than an average of 65 adults on community supervision or parole.

Primary Sponsor: Rep. Gowan. Co-sponsors: Sen. Antenori, Rep. Vogt.
Last Action: 2/9, passed from House Military Affairs and Public Safety.
ARS Title(s) affected: 41.

**H2510: DANGEROUS DRUGS; SYNTHETIC (~~PALLIATIVE CARE;~~
~~PATIENT INFORMATION~~)**
An emergency measure that expands the definition of *dangerous drugs* to include specific chemical compounds that typically compose a substance known as “bath salts.”

Primary Sponsor: Rep. Heinz. Co-sponsor: Rep. Patterson.
Last Action: 3/16, passed House COW with amendment.
ARS Title(s) affected: 13.

H2521: SIGNIFICANT PSYCHOLOGICAL EPISODE REGISTER; DPS
A public agency, including an educational institution, that has information that a person has suffered a significant or severe psychological episode or incident and that has documented the episode or incident shall report the person's name, date of birth and social security number to the Department of Public Safety (DPS). DPS shall maintain a computerized record system that contains such information.

Primary Sponsor: Rep. Heinz.
Last Action: No action taken.
ARS Title(s) affected: 41.

H2529: DOG RACING; CRIMES; ANABOLIC STEROIDS
Classifies as a class 2 misdemeanor for a dog trainer or owner to enter a dog in a race with knowing that the dog is drugged with anabolic steroids. Authorizes the Department of Racing to test racing dogs to check for anabolic steroids.

Primary Sponsor: Rep. Pancrazi. Co-sponsors: Rep. McCune Davis, Rep. Hobbs.
Last Action: 1/20, referred to House Judiciary and House Commerce.
ARS Title(s) affected: 5.

H2533: BIENNIAL BUDGETING; STATE AGENCIES

Beginning in fiscal year 2013-2014, the format of the appropriations for the support and maintenance of all state departments and institutions shall be for two fiscal years, itemized separately for each fiscal year.

Primary Sponsor: Rep. Crandell. Co-sponsors: Rep. Burges, Sen. Allen, Rep. Barton, Rep. C. Miranda, Rep. Olson, Rep. Fillmore, Rep. Gowan.

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

ARS Title(s) affected: 35.

H2537: IMMIGRATION LEGISLATION CHALLENGES

Allows the Speaker of the House of Representatives and the President of the Senate to direct counsel to initiate a legal proceeding or appear on behalf of the Legislature in any challenge in state or federal court to SB1070. *Similar provisions signed in SB1117.*

Primary Sponsor: Rep. Adams.

Last Action: 2/3, approved by House COW.

ARS Title(s) affected: 41.

H2559: REPORTING VIOLENT BEHAVIOR; GOVERNMENT ENTITIES

Requires the state and other institutions to inform law enforcement officials of any individuals that have been expelled, suspended or terminated from employment or membership because of violence, threats of violence or behavior that would indicate a danger to themselves or others.

Primary Sponsor: Rep. Heinz. Co-sponsors: Rep. Judd, Rep. Stevens, Sen. Melvin, Rep. Proud, Sen. Cajero Bedford, Rep. Gonzales, Rep. Saldade, Sen. Aboud, Rep. Farley, Rep. Wheeler, Sen. Lopez, Rep. Patterson, Sen. Antenori, Rep. Gowan, Rep. Vogt, Rep. Williams.
Last Action: 2/17, passed House Military Affairs and Public Safety.

ARS Title(s) affected: 41.

H2563: FIREARMS POSSESSION; MENTALLY ILL; RESTORATION

Allows an individual who has previously been adjudicated mentally incompetent to petition the court to have their firearm rights restored. *Similar provisions signed into law under HB2645.*

Primary Sponsor: Rep. Harper. Co-sponsors: Rep. Tobin, Rep. Gowan.

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

ARS Title(s) affected: 12, 13.

H2582: BASIS FOR JUDICIAL DETERMINATIONS; APPLICABILITY

Prohibits a court from using, implementing, referring to or incorporating into any decision, finding or opinion as controlling or influential authority a tenet of any body of religious sectarian law or any case law or statute from another county or a foreign body or jurisdiction that is outside of the United States and its territories as precedent or the foundation for any legal theory.

Primary Sponsor: Rep. Burges. Co-sponsors: Sen. Pierce, Sen. Bundgaard, Rep. Smith, Sen. Nelson, Sen. Shooter.

Last Action: 2/17, passed from House Judiciary.

ARS Title(s) affected: 12.

H2583: DEADLY PHYSICAL FORCE; REPORTING; ADMISSIBILITY

Prohibits the admissibility of statements in court where a person has contacted emergency services or the appropriate authorities while being threatened or subjected to, whether directly or indirectly, actual deadly physical force with exceptions.

Primary Sponsor: Rep. Burges. Co-sponsors: Rep. Fann, Rep. Harper, Sen. Allen, Rep. Barton, Rep. Crandell, Sen. Klein, Rep. Seel, Rep. Smith, Rep. R. Gray, Sen. L. Gray, Rep. Yee, Sen. Nelson, Rep. Montenegro, Rep. Olson, Rep. Dial, Rep. Forese, Rep. Mesnard, Rep. Urie, Rep. Fillmore, Rep. Pratt, Rep. Judd, Rep. Stevens, Sen. Melvin, Rep. Proud, Sen. Antenori, Rep. Gowan.

Last Action: 2/17, passed from House Military Affairs and Public Safety.

ARS Title(s) affected: 12.

H2588: NAME CHANGE RECORDS; STALKING VICTIMS

Allows a court to seal a granted change of name judgment and prohibits the judgment from being disclosed as public record.

Primary Sponsor: Rep. Proud. Co-sponsors: Rep. Seel, Rep. Montenegro, Rep. Alston, Rep. Hobbs, Rep. C. Miranda, Rep. Dial, Rep. Patterson, Rep. Gowan, Rep. Vogt, Rep. Williams.

Last Action: 3/22, passed from Senate Rules.

ARS Title(s) affected: 12.

H2589: LEGISLATIVE HEARINGS; PRIVATE PRISON ESCAPE

Requires the Senate Judiciary Committee and the House Judiciary Committee to hold a joint hearing within seven days after a prisoner escapes from a private prison in this state or a facility that is operated by a private contractor that contracts with any government entity to provide detention or incarceration services for offenders in this state.

Primary Sponsor: Rep. Campbell. Co-sponsors: Rep. Meyer, Rep. McCune Davis, Rep. Alston, Rep. Hobbs, Rep. Ableser, Rep. Farley, Rep. Patterson.

Last Action: 2/7, referred to House Military Affairs and Public Safety.

ARS Title(s) affected: 41.

H2590: PRISONS; SECURITY MONITORING SYSTEMS; NOTIFICATION

A private contractor that contracts with any governmental entity to provide detention or incarceration services for offenders shall immediately notify the director of the state department of corrections that an electronic security system under the contractor's control is malfunctioning or is damaged. The director shall assess a civil penalty of \$10,000 per day for each day that a private contractor fails to provide the notification required by this paragraph.

Primary Sponsor: Rep. Campbell.

Last Action: 2/7, referred to House Military Affairs and Public Safety.

ARS Title(s) affected: 31, 41.

H2591: COMPETENCY PROCEEDINGS; TIME REQUIREMENTS; EVALUATIONS

An order or combination of orders that is issued pursuant to section 8-291.09 (juvenile restoration order; commitment) or 8-291.10 (juvenile mental health reports; hearing) shall not be in effect for more than 240 days. The court shall only consider the time a juvenile actually spends in a restoration to competency program when calculating the time requirements outlined above. If the state files a notice of intent to seek the death penalty, the court, unless the defendant objects, shall appoint a prescreening psychological expert to conduct an evaluation within 30 days to determine the defendant's intelligence quotient using current community, nationally and culturally accepted intelligence testing procedures.

Primary Sponsor: Rep. Reeve.

Last Action: 2/7, referred to House Judiciary.

ARS Title(s) affected: 8, 13.

H2598: MEDICAL MARIJUANA; LIMIT TAXATION

A city or town that levies a transaction privilege, sales, gross receipts, use, franchise or other similar tax or fee, however denominated, shall not impose or increase the rate of tax applied to dispensing medical marijuana pursuant to the written certification of a physician by a registered nonprofit medical marijuana dispensary above a nominal rate of tax that, together with all other applicable tax rates imposed by other taxing jurisdictions, will exceed ten per cent of gross proceeds of sales or gross income.

Primary Sponsor: Rep. Patterson. Co-sponsors: Rep. Meyer, Rep. Tovar, Rep. Fillmore, Rep. Gonzales, Rep. Saldate, Rep. Wheeler, Rep. Heinz.

Last Action: 2/8, referred to House Health and Human Services, House Ways and Means, House Commerce.

ARS Title(s) affected: 9, 42.

H2601: SCHOOLS; BULLYING; SEXUAL ORIENTATION; ENFORCEMENT

Expands the scope of bullying to include bullying based on actual or perceived sexual orientation. Classifies a school district as liable for civil suits if no anti-bullying policy is adopted. Stipulates the revocation of certificate for any administrator who fails to implement aforementioned policy.

Primary Sponsor: Rep. C. Miranda.

Last Action: 2/7, referred to House Education, House Military and Public Affairs.

ARS Title(s) affected: 15.

H2614: FIREARMS OMNIBUS

Amends current statutes to require the operator of a public establishment or event to require persons carrying weapons to check them at the door only when alcoholic beverages are being served. Makes political subdivisions liable for any local ordinance that adversely affects a person who is restricted from legally carrying a firearm.

Primary Sponsor: Rep. Stevens. Co-sponsors: Rep. Montenegro, Rep. Gowan, Rep. Vogt.

Last Action: 2/14, referred to House Judiciary.

ARS Title(s) affected: 9, 11, 12, 13, 15.

H2621: SEX OFFENDER REGISTRATION RECORDS; ACCESS

Allows the Department of Economic Security to use sex offender registration information when determining the qualifications of an individual seeking employment with children or vulnerable adults.

Primary Sponsor: Rep. Reeve.

Last Action: 2/7, referred to House Judiciary.

ARS Title(s) affected: 13.

H2647: SEXUAL EXPLOITATION; CHILDREN; CLASSIFICATION

Lowers the offense of purchasing or viewing child pornography to a class 6 felony from a class 2 felony.

Primary Sponsor: Rep. Ash. Co-sponsor: Rep. Court.

Last Action: 2/14, referred to House Judiciary.

ARS Title(s) affected: 13.

H2648: COMMUNITY SUPERVISION; EARNED RELEASE CREDITS

Modifies earned release credit program to provide one day for every three served if not convicted on a serious, violent, or aggravated charge.

Primary Sponsor: Rep. Ash. Co-sponsors: Rep. Fann, Rep. Goodale, Rep. McLain, Rep. Court.

Last Action: 2/14, referred to House Judiciary.

ARS Title(s) affected: 13, 41.

H2653: GRAFFITI IMPLEMENTS; UNLAWFUL POSSESSION; MINORS

Classifies as a petty offense the possession of any graffiti implement while on public or private property by any person 18 or under.

Primary Sponsor: Rep. Campbell. Co-sponsors: Rep. Tovar, Rep. Gallego, Rep. Farley, Rep. Patterson.

Last Action: 2/14, referred to House Judiciary.

ARS Title(s) affected: 12.

H2655: GANG; IMMIGRATION INTELLIGENCE; MISSION; FUNDING

Expands the tax revenue generation of monies deposited into the GIITEM Fund. Makes various appropriations from the GIITEM Fund to the Attorney General's Office, the Department of Public Safety, and the Department of Transportation.

Primary Sponsor: Rep. Campbell. Co-sponsors: Rep. Meyer, Rep. Tovar, Rep. McCune Davis, Rep. Alston, Rep. Hobbs, Rep. Ableser, Rep. Farley, Rep. Heinz, Rep. Patterson.

Last Action: 2/8, referred to House Ways and Means.

ARS Title(s) affected: 41, 42, 43.

H2660: SALVIA; PROHIBITION

Classifies as a class 1 misdemeanor possessing, using, selling, transporting or producing salvia.

Primary Sponsor: Rep. Ugenti. Co-sponsors: Rep. Crandell, Rep. Gallego.

Last Action: 2/14, referred to House Judiciary.

ARS Title(s) affected: 13.

H2664: SENTENCING COMMISSION

Establishes the Arizona Sentencing Commission to collect data and evaluate the effectiveness of the state's sentencing practices and alternative sentencing programs.

Primary Sponsor: Rep. Ash. Co-sponsors: Rep. Goodale, Rep. McLain, Rep. Harper, Sen. Barto, Rep. Brophy McGee, Rep. C. Miranda, Sen. Pearce, Rep. Court, Sen. Melvin, Rep. Vogt.

Last Action: 2/17, passed from House Judiciary, amended.

ARS Title(s) affected: 41.

H2673: SPECIAL SENTENCING; PEACE OFFICER IMPERSONATION

Determines that an individual convicted of impersonating a law enforcement officer is not eligible for suspension of sentence, probation, pardon or release from confinement except under specified circumstances. The presumptive, minimum and maximum sentence for the offense is increased.

Primary Sponsor: Rep. Forese. Co-sponsors: Sen. Pierce, Rep. Fann, Rep. Tobin, Rep. Harper, Rep. Ugenti, Rep. Kavanagh, Rep. R. Gray, Rep. Yee, Sen. Crandall, Rep. Olson, Rep. Dial, Sen. Yarbrough, Rep. Mesnard, Rep. Urie, Sen. Smith, Rep. Pratt, Rep. Stevens, Sen. Melvin, Rep. Gowan, Rep. Vogt, Rep. Williams.

Last Action: 2/14, referred to House Judiciary.

ARS Title(s) affected: 13.

H2683: POTENTIALLY DANGEROUS PERSONS; DHS; REPORTING

Requires the Department of Health to establish a toll-free hotline to connect callers to the appropriate regional behavioral health authority crisis team to receive reports of disruptive behavior, evaluate the information and take appropriate action. An employer, supervisor, administrator, teacher or professor shall report to the toll-free telephone number disruptive behavior of an employee or student if the employer, supervisor, administrator, teacher or professor believes that the disruptive behavior of the employee or student might be a danger to self or others.

Primary Sponsor: Rep. Judd. Co-sponsors: Rep. Fann, Rep. Chabin, Rep. R. Miranda, Rep. Hobbs, Rep. Proud, Rep. Gowan.

Last Action: 2/9, referred to House Health and Human Services.

ARS Title(s) affected: 36.

H2684: CHILD PROSTITUTION; SENTENCING

Eliminates the requirement that child prostitution offenses be done knowingly. Classifies all child prostitution offenses as a class 2 felony.

Primary Sponsor: Rep. Goodale. Co-sponsors: Rep. Carter, Rep. R. Gray, Rep. Brophy McGee, Rep. Hobbs, Rep. Jones, Rep. Stevens, Sen. Aboud, Rep. Vogt.

Last Action: 2/14, referred to House Judiciary.

ARS Title(s) affected: 13.

H2687: PROSTITUTION; CHILDREN; TRAFFICKING

Allows children to be taken into custody if there is reason to believe the child is a victim of child prostitution. A child victim cannot be charged with prostitution. Classifies engaging in prostitution as a class 1 misdemeanor.

Primary Sponsor: Rep. McCune-Davis. Co-sponsors: Rep. Ash.

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

ARS Title(s) affected: 8, 13.

H2691: FIREARM SALES; REPORTING; INSPECTIONS

A person who sells three or more high caliber firearms to another person must disclose the sale to the Department of Public Safety (DPS). Sets regulations on the tracking of gun sales by the DPS.

Primary Sponsor: Rep. R. Miranda. Co-sponsor: Rep. Tovar.

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

ARS Title(s) affected: 41, 42.

H2694: PUBLIC SAFETY EMPLOYEES; CRISIS TRAINING

Requires the Department of Public Safety to offer a training session on personal crisis recognition and to offer crisis intervention services to all public safety employees.

Primary Sponsor: Rep. C. Miranda. Co-sponsors: Rep. Chabin, Rep. Hale, Rep. Lesko, Rep. R. Miranda, Rep. Alston, Rep. Ableser, Rep. Urie, Rep. Proud, Rep. Saldate.

Last Action: 2/14, withdrawn from House Government.

ARS Title(s) affected: 38.

H2711: WEAPON; HIGH CAPACITY MAGAZINE; PROHIBITED

Adds a large capacity ammunition feeding device to the list of prohibited weapons under that statute for misconduct involving weapons.

Primary Sponsor: Rep. Farley. Co-sponsors: Rep. Chabin, Rep. Hale, Rep. Meyer, Sen. Gallardo, Rep. R. Miranda, Rep. Tovar, Rep. McCune Davis, Rep. Alston, Rep. Hobbs, Rep. C. Miranda, Rep. Ableser, Rep. Arredondo, Sen. Cajero Bedford, Rep. Gonzales, Rep. Saldate, Sen. Aboud, Rep. Wheeler, Sen. Lopez, Rep. Heinz.

Last Action: 2/14, referred to House Military Affairs and Public Safety, House Judiciary.

ARS Title(s) affected: 13.

H2718: PUBLIC SAFETY EQUIPMENT FUND; APPROPRIATION

Redirects revenues from the Arizona Criminal Justice Commission's (ACJC) State Aid to County Attorneys and State Aid to Indigent Defense Funds to a newly created subaccount in the GIITEM Fund. The subaccount's purpose is to provide funding for law enforcement activities related to border security including personnel. Any monies distributed from the subaccount go directly to the county sheriff and are subject to legislative appropriation. The amounts reduced and redirected to the subaccount are from the ACJC FY 2012 appropriation and equal \$1,673,900, which are appropriated to Pinal County Sheriff's Office. *Similar measure passed in SB1398.*

Primary Sponsor: Rep. Montenegro. Co-sponsors: Rep. Tobin, Rep. Lesko, Rep. Adams, Rep. Proud.

Last Action: 4/14, Senate COW approved, amended.

ARS Title(s) affected: 41.

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.

HCR2020: JUDICIAL APPOINTMENTS; SENATE CONFIRMATION

Ballot measure would remove the commission of appellate court appointments from submitting a list of candidates to the governor to fill judicial vacancies. Instead, allows the governor to choose candidates. The governor shall submit to the senate for the consent of the senate the name of the nominee for justice or judge.

Primary Sponsor: Rep. Harper. Co-sponsor: Rep. Burges.

Last Action: No action taken.

HCR2025: EXECUTIVE CLEMENCY BOARD; COMMUTATION

Referendum measure that gives board of executive clemency, rather than the governor, exclusive power to review and grant commutations for all persons who committed felony offenses before January 1, 1994.

Primary Sponsor: Rep. Ash. Co-sponsors: Rep. Chabin, Sen. Gould, Rep. Barton, Rep. Smith, Rep. Meyer, Rep. Brophy McGee, Rep. R. Miranda, Rep. C. Miranda, Rep. Judd, Rep. Patterson.

Last Action: No action taken.

HCR2026: JUDGES; MERIT SELECTION; POPULATION

Referendum measure would change the population threshold for superior court judicial elections vs. merit selection. The measure raises the threshold from 250,000 to 500,000. For counties with population below the threshold, those counties directly elect judges. Judges are appointed via merit selection in counties with populations above the threshold.

Primary Sponsor: Rep. Williams. Co-Sponsor: Rep. Stevens.

Last Action: No action taken.

HCR2031: CRIME VICTIMS; PROTECTION FROM LIABILITY

A ballot measure that would indemnify a crime victim from a claim for damages by a person who is harmed while the person is attempting to commit, committing or fleeing after having committed or attempted to commit a felony criminal act.

Primary Sponsor: Rep. Seel.

Last Action: No action taken.

HCR2033: FOREIGN LAWS; JUDICIAL DECISIONS

A referendum measure that states the courts shall not consider, enforce or otherwise incorporate into any decision on the merits the legal precepts of other nations or cultures that run counter to the laws of this state unless expressly ratified by bicameralism and presentment in the legislature. Other provisions.

Primary Sponsor: Rep. Burges. Co-sponsors: Rep. Goodale, Rep. Barton, Rep. Crandell, Sen. Klein, Rep. Seel, Rep. Smith, Sen. Reagan, Rep. R. Gray, Sen. Nelson, Rep. Court, Rep. Olson, Rep. Dial, Rep. Urie, Rep. Pratt, Sen. Griffin, Rep. Stevens, Sen. Melvin, Sen. Antenori, Rep. Gowan.

Last Action: No action taken.

HCR2041: DRUG AND ALCOHOL TREATMENT DISTRICT

A ballot initiative proposing the creation of a statewide drug and alcohol treatment district governed by five gubernatorial appointees.

Primary Sponsor: Rep. Chabin. Co-Sponsor: Rep. Judd.

Last Action: 2/9, referred to House Ways and Means.

HOUSE BILLS VETOED BY THE GOVERNOR

H2067: BOARD OF SUPERVISORS; POWERS

Permits a county board of supervisors to contract with a government agency to provide constable services at fees less than those established by statute, with certain exceptions. Makes changes to the oversight of a hospital affiliated with the University of Arizona and establishes a new Board of Directors to oversee the hospital.

Primary Sponsor: Rep. Burges.

Last Action: 4/29, vetoed by the governor.

ARS Title(s) affected: 11.

H2502: PUBLIC PROGRAMS; ADS; FUNDING SOURCE

Directs a public agency using multimedia announcements to advertise a public program to identify, in the announcement or communication, the source of monies for the program.

Primary Sponsor: Rep. Seel.

Last Action: 4/29, vetoed by the governor.

ARS Title(s) affected: 38.

H2577: LEGISLATIVE APPROPRIATIONS; FEDERAL MONIES

Gives the Legislature the authority to appropriate noncustodial federal monies.

Primary Sponsor: Rep. Olson.

Last Action: 4/26, vetoed by the governor.

ARS Title(s) affected: 35.