



County Supervisors

A S S O C I A T I O N
o f a r i z o n a

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Revised 2/8/18

COUNTY SUPERVISORS ASSOCIATION LEGISLATIVE POLICY COMMITTEE AGENDA

February 9, 2018

Teleconference 1-866-228-9900

Access Code 326208#

[Web Link](#)

County Supervisors Association
1905 W. Washington St.
Phoenix, AZ

9:00 a.m. Call to Order ~ *President Anthony Smith*

A) Approval of the Minutes of the February 2, 2018, Legislative Policy Committee Meeting (*previously distributed*)

B) State Budget Update

C) Legislative Bills for Discussion

1) **Water Bills**

- a) [HB 2512 water program amendments](#) (*Bowers*) / [SB 1507 water program amendments](#) (*Griffin*)
- b) [HB 2608 well reporting; Mohave; La Paz basins](#) (*Cobb*)

2) **Pension Bills**

- a) [HB 2545 EORP; cost-of-living adjustment](#) (*Livingston*) / [SB 1292 EORP; cost-of-living adjustment](#) (*Farnsworth*)
- b) [HB 2564 court fees; EORP; state contribution](#) (*Livingston*)
- c) [HCR 2032 public retirement systems](#) (*Livingston*) / [SCR1010 public retirement systems](#) (*Farnsworth*)
- 3) [HB 2320 development agreements; prohibited agreements](#) (*Livingston*)
- 4) [HB 2383 authorize emergency vehicles; probation officers](#) (*Clodfelter*)
- 5) [HB 2479 TPT; digital goods & services](#) (*Ugenti-Rita*) / [SB 1392 TPT; digital goods & services](#) (*D. Farnsworth*)
- 6) [HB 2501 PTSD; workers' compensation; presumption](#) (*Boyer*)
- 7) [HB 2529 sober living homes; certification.](#) (*Campbell*) / [SB 1465 sober living homes; certification](#) (*Brophy McGee*)
- 8) [HB 2588 appropriations; essential county services](#) (*Cook*)
- 9) [SB 1063 produce safety rule; state administration](#) (*Griffin*)
- 10) [SB 1201 county treasurer; electronic records; liens](#) (*Worsley*)
- 11) [SB 1281 street lighting improvement districts; consolidation](#) (*Kavanagh*)
- 12) [SB 1466 voting centers; board of supervisors](#) (*Grey*)
- 13) [SB 1492 payment in lieu of taxes](#) (*Griffin*)
- 14) [SCM 1007 rural schools; reauthorization; urging Congress](#) (*Griffin*)
- 15) [SCM 1018 payments in lieu of taxes](#) (*Griffin*)



D) CSA Legislative Agenda

- 1) [HB 2190 county improvement districts; repayment agreements](#) (Mitchell)
- 2) [HB 2274 county contributions; hospitalization; medical; repeal](#) (Thorpe)
- 3) [HB 2413 public road maintenance; primitive designation](#) (Cook)
- 4) [HB 2415 juvenile dependency proceedings fund](#) (Cobb)
- 5) [HB 2439 county contributions; committed youth; repeal](#) (Thorpe)
- 6) [SB 1038 state land payments; payment method](#) (Griffin)
- 7) [SB 1113 zoning violations; notice; service](#) (Fann)
- 8) [SB 1410 transient lodging tax; rural counties](#) (Borrelli)
- 9) Super Majority to Levy County Excise Taxes

E) Other Legislative Issues

- F) Next Meeting Date and Time (*Thursday, February 15, at 10:00 a.m.; then Friday, February 23, at 9:00 a.m.*) **PLEASE NOTE THE NEXT LPC WILL BE HELD IN CONJUNCTION WITH THE CSA BOARD OF DIRECTORS MEETING**

G) Other Business

H) Adjourn

LPC Bills for Consideration February 9, 2018

Bill Number	Short Title	Prime Sponsor	Summary/LPC Comments & Position	Status
Water Bills				
HB 2512 & SB 1507	water program amendments	<i>Bowers/Griffin</i>	Various changes to statutes relating to water. The Department of Water Resources (DWR) is required to prepare a desalination action plan that includes specified provisions and submit the initial plan to the Governor and the Legislature by September 30, 2019. Requires legislative approval, in addition to DWR approval, for a person to transport water out of Arizona. Requires DWR to adopt rules to calculate extinguishment credits in the Pinal Active Management Area (AMA) by January 1, 2019. Declares that the use of groundwater to water plants in containers on or above the surface of the ground is a non-irrigation use and establishes requirements for the use of groundwater for this purpose. The Director of DWR is required to adopt a management plan for each initial AMA no later than January 1, 2023 for the sixth management period, 2025 to 2035. DWR is required to include in the management plans a non-per capita conservation program for municipal providers that requires a municipal provider regulated under the program to implement one or more water conservation measures in its service area. Responsibility for oversight of natural resource conservation districts is transferred to the Department of Forestry and Fire Management, from the State Land Department, and session law provides for the transfer and succession of all matters, property and records. Much more. Several sections of statute amended by this legislation are effective from and after an unspecified date (blank in original).	Referred to Senate Natural Resources, Energy and Water on 1/31; Held on 2/5 On House Natural Resources, Energy and Water Agenda for 2/6 and 2/8
HB 2608	well reporting; Mohave; La Paz basins	<i>Cobb</i>	Creates reporting well requirements for wells in Hualapai Valley basin, the Sacramento Valley basin, the Renegras Plain basin, the McMullen Valley basin or the Butler Valley basin if : 1. the well was drilled on or after January 1, 2012; 2. the well has a pump with a maximum capacity of more than one hundred gallons per minute. Repeals the section from and after December 31, 2020.	No action
Pension Bills				
HB 2545 & SB 1292	EORP; cost-of-living adjustment	<i>Livingston/ D. Farnsworth</i>	For the Elected Officials' Retirement Plan, each retired member or survivor of a retired member is eligible to receive a compounding cost-of-living adjustment in the base benefit based on the average annual percentage change in the metropolitan Phoenix-Mesa consumer price index, with the immediately preceding year as the base year for making the determination, up to a maximum of two percent of the retired member's or survivor's base benefit annually. Repeals statutes governing EORP benefit increases. Conditionally enacted on the state Constitution being amended, as prescribed in an unspecified Senate concurrent resolution (blank in original), by the voters at the 2018 general election.	No action
HB 2564	court fees; EORP; state contribution	<i>Livingston</i>	Statutory fee amounts received by the clerk of the superior court and justices of the peace are increased by 9 to 16 percent. Of the monies received from the fees that are not kept by the court pursuant to statute, the county treasurer or justice of the peace is required to transmit 6 percent to the Elected Officials' Retirement Plan Fund for the purpose of funding a portion of the state employers' contributions. The percentages of the monies that are transmitted to various other funds are all decreased. Due to a potential increase in state revenue, this legislation requires the affirmative vote of at least 2/3 of the members of each house of the Legislature for passage, and becomes effective on signature of the Governor.	No action
HCR 2032 & SCR 1010	public retirement systems	<i>Livingston/ D. Farnsworth</i>	The 2018 general election ballot is to carry the question of whether to amend the state Constitution to provide that the Constitutional provision prohibiting public retirement system benefits from being diminished or impaired does not prohibit certain adjustments to the Corrections Officer Retirement Plan as provided in S1442 as enacted by the 53rd Legislature, 1st Regular Session, and does not prohibit certain adjustments to the Elected Officials' Retirement Plan as provided in an unspecified House bill (blank in original). The Legislature requests the Secretary of State return SCR1023, 53rd Legislature, 1st Regular Session, to the Legislature and submit this resolution in lieu of SCR1023.	No action
Other Bills for Consideration				
HB 2320	development agreements; prohibited agreements	<i>Livingston</i>	Counties and municipalities are prohibited from requiring development agreements to contain a provision requiring the wages paid by the contractor or subcontractor to be no less than the prevailing rate of wages for work of a similar nature. Counties and municipalities are prohibited from requiring in any development agreement that a contractor, subcontractor or material supplier become a party to a "project labor agreement" (defined), enter into a "neutrality agreement" (defined) with a labor organization, or participate in an apprenticeship program.	Referred to House Commerce on 1/18 On House Commerce Agenda for 2/6
HB 2383	authorize emergency vehicles; probation officers	<i>Clodfelter</i>	For the purpose of transportation statutes, the definition fo "authorized emergency vehicle" is expanded to include a probation officer's vehicle.	Referred to House Transportation and Infrastructure on 1/18 On agenda for 2/7

Bill Number	Short Title	Prime Sponsor	Summary/LPC Comments & Position	Status
HB 2479 & SB 1392	TPT; digital goods & services	<i>Ugenti-Rita/D. Farnsworth</i>	The business of selling licensing for use of "prewritten computer software" (defined), regardless of delivery method, and selling "specified digital goods" that are "transferred electronically" (both defined) are added to the retail classification of transaction privilege taxes. The sale of prewritten computer software and specified digital goods must be sourced to the seller's business location if the seller receives the order at a business location in Arizona, and to the purchaser's location in Arizona if the seller receives the order at a business location outside Arizona. For the purpose of transaction privilege and use taxes and local excise taxes, gross income, gross receipts or gross proceeds from selling, leasing or licensing "specified digital services" and "specified digital goods" that are remotely accessed by a customer and not transferred electronically to the customer, are excluded from tax. Contains a legislative intent section, which states that this legislation is not intended to affect, and may not be cited or applied in, any administrative or judicial action pending on the effective date of this legislation that considers the construction, interpretation or application of any statutory or administrative provision regarding the taxation of digital goods and services.	HB referred to House Ways & Means on 1/24 SB referred to Senate Finance on 1/29
HB 2501	PTSD; workers' compensation; presumption	<i>Boyer</i>	For the purpose of workers' compensation, post-traumatic stress disorder (PTSD) is presumed to be an occupational disease and deemed to arise out of and in the course of employment for a "first responder" (defined) if a list of specified conditions apply, including that a licensed mental health professional determines that the first responder has PTSD resulting from the performance of his/her job duties. The list of circumstances under which the state and political subdivisions are required to provide licensed counseling to a public safety employee is modified to include the use of deadly force or being subjected to deadly force in the line of duty regardless of whether the employee was physically injured (previously applied only to peace officers), witnessing the death of another public safety employee while engaged in the line of duty (previously applied only to firefighters), and in the case of a firefighter or peace officer, being exposed to a psychologically traumatic event or series of events in the course of employment. The list of public safety employees subject to this requirement is expanded to include a rescue or ambulance worker who is a member of any public retirement system. Employers are prohibited from requiring public safety employees receiving treatment under this program to use paid time off and are required to allow the employees to select their own licensed mental health professionals. The repeal date of January 1, 2023 for the licensed counseling requirements is deleted.	On House Health agenda for 2/8
HB 2529 & SB 1465	sober living homes; certification	<i>Campbell/ Brophy McGee</i>	The Department of Health Services is required to contract with an "approved certifying organization" that is affiliated with an "approved national organization" (both defined) to certify each sober living home in Arizona and investigate and address complaints. The Dept is required to approve the standards to certify sober living homes, and provisions that must be included in the standards are listed. Each sober living home in Arizona is required to be certified, and a person operating a sober living home within certification is subject to a civil penalty of up to \$1,000 for each violation. The Dept is required to establish fees for certification. Repeals statutes authorizing counties and municipalities to adopt standards for structured sober living homes that comply with state and federal fair housing laws and the Americans with Disabilities Act.	On House Health agenda for 2/8
HB 2588	appropriations; essential county services	<i>Cook</i>	Appropriates \$1,650,150 in FY2019 to be equally distributed among counties with population between 200,000 and 900,000. Appropriates \$8,000,000 from the State GF in FY2019 for one-time distribution to counties to be used to maintain essential county services.	No action
SB 1063	produce safety rule; state administration	<i>Griffin</i>	Establishes the Citrus, Fruit and Vegetable Division (CFV Division) within the Department of Agriculture, and transfers responsibility for the citrus, fruit and vegetable standardization and produce safety program to the CFV Division, from the Plant Services Division. Also establishes the Associate Director of the CFV Division, eliminates the Supervisor of Standardization of the Dept, and transfers the duties of the Supervisor to the Associate Director of the CFV Division. The Dept is designated as the agency for Arizona for all purposes of the U.S. Food and Drug Administration Produce Safety Rule. Establishes powers and duties of the Dept related to the Rule, including the powers and duties of the Associate Director of the CFV Division. Establishes the Produce Safety Trust Fund, to be administered by the Dept for the newly established Agricultural Program established to comply with the Rule. Establishes requirements for inspections and investigations of "covered farms" (defined), production and harvesting standards for covered farms, and penalties for violations. Also expands the Citrus, Fruit and Vegetable Advisory Council to nine members by adding one member from Santa Cruz County who is subject to the Program and one member who operates a farm engaged in harvesting or packing that is subject to the Program. The powers and duties of the Council are expanded to include reviewing and making recommendations relating to the Program. More.	Senate Natural Resources, Energy and Water pass 8-0-0 Senate COW approved with amendment Passed Senate 29-1 on 2/5
SB 1201	county treasurer; electronic records; liens	<i>Worsley</i>	The county treasurer is authorized to keep an account of the receipt and expenditure of monies in electronic books provided for that purpose and to issue either an electronic receipt or hard copy receipt for all monies received.	Referred to Senate Government 1/17; held 1/31 On Senate Government Agenda for 2/7

Bill Number	Short Title	Prime Sponsor	Summary/LPC Comments & Position	Status
SB 1281	street lighting improvement districts; consolidation	Kavanagh	Municipalities are authorized to consolidate two or more existing street lighting improvement districts upon receipt of a petition signed by the majority of the real property owners in each of the districts that are proposed to be consolidated. The districts must be contiguous and new territory may not be included. Establishes a process for consolidation, including public notice and a public hearing. The consolidation must take effect on July 1 immediately following the timely filing of notice of the consolidation with the Department of Revenue. To be eligible to levy a tax within a consolidated district, the municipality is required to notify the Dept, the county assessor and the county treasurer of the district consolidation no later than June 1 immediately preceding the effective date of the consolidation.	Referred to Senate Government 1/23
SB 1466	voting centers; board of supervisors	Grey	Only on a specific resolution of the county board of supervisors, the board is permitted to authorize the county recorder or other officer in charge of elections to use additional types of voting locations in addition to polling places, including voting centers, early voting centers, and early voting drop-off centers.	Referred to Senate Judiciary
SB 1492	payment in lieu of taxes	Griffin	A local government that receives federal payments in lieu of taxes is required to distribute those monies to the school districts where the nontaxable federal lands are located and that generated those federal payments.	Referred to Senate Finance and Senate Education on 1/31
SCM 1007	rural schools; reauthorization; urging Congress	Griffin	The Legislature urges the U.S. Congress to immediately reauthorize Secure Rural Schools and Community Self-Determination Act funding for fiscal years 2019 and 2020 and work toward a long-term solution for rural communities and schools in and around national forests. The Secretary of State is directed to transmit copies of this memorial to the President of the U.S. Senate, the Speaker of the U.S. House and each member of Congress from Arizona.	Referred to Senate Natural Resources, Energy and Water on 1/30
SCM 1018	payments in lieu of taxes	Griffin	The Legislature urges the U.S. Congress to provide full long-term funding for the Payment in Lieu of Taxes (PILT) program to help create financial stability within Arizona's counties, and to work with the State of Arizona and county governments to identify and implement policies to promote economic development on, or associated with, federally managed lands. The Secretary of State is directed to transmit copies of this memorial to the President of the U.S., the President of the U.S. Senate, the Speaker of the U.S. House and each member of Congress from Arizona.	No action
Updated 02/08/18				

CSA Legislative Agenda

Bill Number	Short Title	Prime Sponsor	Summary/LPC Comments	Status
HB 2190	county improvement districts; repayment agreements	<i>Mitchell</i>	Allow a county improvement district to acquire, construct, or improve a domestic drinking water treatment and distribution system or a combination of such projects with funds from the Water Infrastructure Finance Authority.	Scheduled for House Energy, Environment and Natural Resources January 23, 2018 Passed EENR 1/23; vote 9-0-0 Passed House rules 1/29; vote 7-0-2
HB 2274	county contributions; hospitalization; medical; repeal	<i>Thorpe</i>	Eliminate the county Disproportionate Uncompensated Care (DUC) payments to the state. This payment costs 14 counties \$2.6 million annually.	Assigned to the House Appropriations Committee on 1/17
HB 2413	public road maintenance; primitive designation	<i>Cook</i>	Clarify the universe of road systems that are eligible to be brought into the county roadway system and expand the number of roads that are eligible to be declared as "primitive" by a county board to include those roadways not built to county standards opened prior to June 13, 1990.	Assigned to the House Local and International Affairs Scheduled for LIA on 1/31/18 Do pass from LIA; 6-0-1 Passed House Rules 2/5; 9-0
HB 2415	juvenile dependency proceedings fund	<i>Cobb</i>	Allocate financial resources to counties to assist with providing mandated attorney services for indigent defendants in juvenile dependency matters, due to recent increases in costs associated with these cases as a result of the overhaul of the child protective services system in Arizona.	Assigned to the House Appropriations Committee on 1/22
HB 2439	county contributions; committed youth; repeal	<i>Thorpe</i>	Repeals statute requiring the Department of Juvenile Corrections to annually assess a committed youth confinement cost sharing fee to each county, and the Department of Juvenile Corrections Local Cost Sharing Fund. All unexpended and unencumbered monies remaining in the Fund are transferred to the general fund on the effective date of this legislation. The amount of monies transferred is appropriated from the general fund in FY2018-19 to the Department of Administration for distribution to each county in a proportional share using population data from the most recent U.S. decennial census.	Assigned to the House Appropriations Committee on 1/23
SB 1038	state land payments; payment method	<i>Griffin</i>	Enables the State Land Commissioner to accept additional payment options, instead of only cashier's checks, on sales and auctions of state land.	Passed out of the Senate Natural Resources, Energy & Water on 1/18 with a vote of 8-0 & Rules Passed Senate Rules & Caucus on 1/23 Passed Senate 1/30, 30-0.
SB 1113	zoning violations; notice; service	<i>Fann</i>	Provide more flexibility and clarity for the serving of zoning violations. Currently statute only permits the zoning inspector to serve such notices, but the Arizona Rules of Civil Procedure (ARCP) affords more flexibility.	1/24 Senate Government Committee Passed Senate Gov 1/24; vote 5-2-0 (No Votes: Griffin & Farnsworth) Passed Senate Rules 1/30 Passed Senate 23-5 on 2/1
SB 1410	transient lodging tax; rural counties	<i>Borrelli</i>	Enable smaller counties, with a population of fewer than 500,000 persons, to levy a tax on transient lodging in both incorporated and unincorporated areas of the county.	Bill dropped 1/26/2018 Referred to Senate Finance 1/29
Folder # TBD	supermajority to levy county excise taxes	<i>TBD</i>	Change the existing general fund one-half cent sales tax authority to allow a five-member board of supervisors to levy the tax with a super-majority vote, rather than a unanimous vote.	

Bill Number	Short Title	Prime Sponsor	Summary/LPC Comments	Status
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Updated 2/6/18

Ongoing LPC Bill List

Bill Number	Short Title	Prime Sponsor	Summary/LPC Comments & Position	Status
HB 2001	indigent defense fund; distribution; purpose	Cardenas	The Arizona Criminal Justice Commission is required to distribute monies in the State Aid to Indigent Defense Fund each fiscal year to each county for the sole purpose of providing state aid to the county public defender, legal defender and contract indigent defense counsel for the processing of criminal cases. Comments: <u>CSA Staff explained the legislation, noting that the bill passed out of the LIA committee 7-0-0 and that the sponsor offer similar proposals last year that CSA supported. The Board moved to SUPPORT the bill.</u>	Referred to Local and International Affairs (LIA) & Appropriations Passed out of the LIA committee with a vote of 7-0-0
HB 2001 & SB 1001	controlled substances; regulation; appropriation	Mesnard; Yarbrough	The governor's 68 page bill with policy changes intended to combat the opioid crisis in Arizona. Comments: <u>1/26/2018 CSA Staff explained the legislation from the Special Session, noting that the bill passed out of the both chambers unanimously.</u> Link to the House Fact Sheet Link to CSA Summary of relevant county provisions.	Referred to Senate Health and Human Services; House Health Scheduled Senate Health and Human Services on 1/24 Passed House Health 8-0-1 on 1/23 Passed both House & Senate (SB1001) Signed by Governor 1/26
HB 2003	coal mining; TPT; repeal	Finchem	The list of exemptions from the retail classification of transaction privilege taxes is expanded to include the gross proceeds of sales or gross income from sales of coal. The list of items that municipalities and special taxing districts are prohibited from levying a transaction privilege, use or other similar tax on is expanded to include the sale, storage, use or consumption of coal. Comments: <u>Staff suggested bill be brought back to next week's BOD meeting to discuss opposition. Exploring potential fiscal impact. Members shared that this would have a negative impact on counties that rely on coal revenues. 01/18/18 - Staff explained that ADOR is still working on getting the fiscal impact and will provide an update once those are available. There was a request for clarification on the impact of the repeal. The Board moved to OPPOSE the bill.</u>	Referred to House Ways & Means
HB 2017	state land department; continuation	Mitchell	Continues the State Land Department for an additional eight years until July 1, 2026. Comments: <u>CSA Staff noted that the State Land commissioner asked for CSA's support. LPC moved to SUPPORT the bill.</u>	Referred to House Land, Agriculture & Rural Affairs Passed LARA 1/25; vote 8-0-0 Passed House Rules 2/5; on consent calendar
HB 2033	drug overdose; good Samaritan; evidence	Lawrence	Stipulates that a person who, in good faith, seeks medical assistance for someone experiencing a drug-related overdose and a person who experiences a drug-related overdose and who is in need of medical assistance cannot be charged with or prosecuted for the possession or use of a controlled substance or drug paraphernalia if the evidence for the violation was gained as a result of seeking medical assistance. Comments: <u>Staff discussed upcoming special session that Gov. Ducey is expected to call on the opioid epidemic. CSA will bring the opioid bill to LPC once it becomes available.</u>	

Bill Number	Short Title	Prime Sponsor	Summary/LPC Comments & Position	Status
HB 2065	public meetings; definition; penalties	Leach	For the purpose of open meeting laws, the definition of "meeting" is expanded to include a one-way communication by one member of a public body that is sent to a quorum of the members of a public body and that proposes legal action, and an exchange of electronic communications among a quorum of the members of a public body that involves a discussion, deliberation or the taking of legal action by the public body concerning a matter that may likely come before the public body for action. The Attorney General is authorized to commence a suit in the superior court against an individual member of a public body for a knowing violation of open meeting law. The maximum civil penalty for a second and subsequent violation of open meeting law is increased to \$5,000, from \$500. <u>Comments: 1/26/2018 CSA Staff explained the legislation, noting that the AG's office is planning on amending the bill, we will monitor and recommend connecting with civil deputies.</u>	Referred to House Government Schedule to be heard by House Government on 1/25/18 agenda; held on 1/18 Passed House Gov. with amendment on 2/1; 7-0-1
HB 2116	limitations of actions; dedicated property	Kern	Municipalities and counties are prohibited from instituting or maintaining an action or arbitration based on a required permit against a person who develops or develops and sells real property or who completes other construction activities on an improvement to real property that is dedicated to the municipality or county more than eight years after "substantial completion" (defined) of the improvement to real property.	Passed House Judiciary and Public Safety 7-2-0 (No's Engel, Gonzales) House Caucus 1/30/2018 Passed House Rules on 1/29 Retained on House Calendar 1/31
HB 2156	legislative vacancy; appointment; time frame	Coleman	For a legislative vacancy where the vacant seat was represented by an organized political party with fewer than 30 elected precinct committeemen from precincts in the legislative district and in the county in which the vacancy occurred or where the vacant seat was not represented by an organized political party, the Secretary of State is required to notify the appropriate county LPC of supervisors, and the time frames for appointing a person to fill the vacancy are modified. The LPC of supervisors is required to appoint a citizens panel within 7 business days, increased from 3 business days. The citizens panel is required to submit to the LPC the names of three qualified electors to fill the vacancy within 21 days after the panel is appointed or within 5 days if the Legislature is in regular session, instead of within 7 business days. The deadline for the LPC of supervisors to appoint one person from the list to fill the vacancy within 5 business days is eliminated. <u>Comments: 1/26/2018 CSA Staff explained the legislation, noting that the</u>	Referred to House Government Schedule to be heard by House Government on 1/25/18 agenda Passed Gov 5-2-0-1
HB 2162	disability parking spaces	Campbell	The specially designated and marked parking spaces for persons with physical disabilities that state agencies and political subdivisions with jurisdiction over street parking or publicly owned and operated parking facilities are required to provide must be a van accessible space that is at least 11 feet wide and that has an access aisle that is at least 5 feet wide. <u>Comments: 1/26/2018 CSA Staff explained the legislation, no action was taken.</u>	Referred to House Transportation and Infrastructure - Scheduled to be heard 1/24 - Held Passed Transportation and Infrastructure on 2/1 with
HB 2165	county excise tax for transportation	Campbell	The board of supervisors of any county is permitted to submit to the voters a transportation plan funded by an excise tax. The board is required to present the issue on the ballot as a single question for approval of both the transportation plan and the tax. If approved by the voters, the county is required to levy and the Department of Revenue is required to collect the tax beginning January 1 or July 1, whichever occurs first after voter approval, on the same tax base that applies to other excise taxes in the county. The tax must be levied at a rate that, together with any other county transportation excise taxes, will not exceed a total of one percent of the gross proceeds of sales or gross income derived from a business subject to the tax. In its initial submission to the voters, the board of supervisors must either set a termination date for the tax or provide that the tax will be perpetual, subject to termination only by a subsequent countywide vote. <u>Comments: CSA Staff explained this bill for informational purposes. Discussion regarding the clarity of the time frame within the legislation. 1/26/2018 CSA Staff explained SB 1147 & HB 2165, noting that the legislation will give additional tools in the toolbox for counties related to transportation. The Board noted the desire for an</u>	Referred to the House Ways & Means & Transportation and Infrastructure Committees. Scheduled to be heard 1/30/2018 Failed House Transportation and Infrastructure on 1/31;4-4

Bill Number	Short Title	Prime Sponsor	Summary/LPC Comments & Position	Status
HB 2166	vehicle fees; alternative fuel VLT	Campbell	Repeals the separate vehicle license tax classification for motor vehicles powered by alternative fuels. Establishes a highway safety fee in an amount to be determined by the Director of the Department of Transportation annually. The fee will be collected on new applications and registration renewals. The fee is required to fully fund 110 percent of the Department of Public Safety Highway Patrol budget for each fiscal year. Comments: <u>CSA Staff explained the bill for informational purposes. 1/18/2018 - Staff explained that like Senator Worsley's bill SB 1146 from 2017, alternative fuel vehicles will have the same vehicle license tax as gasoline and diesel powered vehicle and that it is in line with the resolution urging investment in transportation passed by the CSA Board. 1/26/2018 CSA Staff explained the legislation and mirror bill 1146, noting that the legislation aligns with the CSA Boards Transportation Resolution and will put additional funds into HURF. The Board moved to SUPPORT the bill.</u>	Referred to House Transportation & Infrastructure Scheduled to be heard 1/30/2018; Held Scheduled to be heard on 2/7/18
HB 2207	public meetings; audiovisual recordings; posting	Grantham	All public bodies are required to provide for a complete audiovisual recording of all their meetings except executive sessions, and are required to post the audiovisual recording of a meeting on its website within five days after the meeting and retain the recording on its website for at least five years. Comments: <u>CSA Staff explained this bill for informational purposes. Discussion addressed the positive aspects of making meetings more accessible to the public, while noting the potential negative cost impact or "unfunded mandate."</u> Further clarification regarding definition of a "public body" in the bill. 1/18/2018 staff explained that public body would include the legislature, all boards, commissions of the state, political subdivisions, multimember governing bodies of departments	Referred to the House Federalism, Property Rights and Public Policy Committee Scheduled to be heard 1/30/18 Scheduled to be heard on 2/6
HB 2290	expenditure limitations; waiver of penalties	Cobb	Waives statutory penalties for excess expenditures of local revenues by La Paz County in FY 2014 through FY 2018, and prohibits La Paz County from seeking a legislative waiver of penalties for excess expenditures of local revenues for a minimum of five years after the effective date of this legislation. Comments: <u>CSA Staff explained the bill. La Paz County explained that they are going to the voters to pass a base limit increase to their annual expenditure limit and would appreciate the board's support. The CSA Board moved to SUPPORT the bill.</u>	Referred to the House Local and International Affairs Committee
HB 2333 & SB 1175	home-based businesses; local regulation	Weninger; D. Farnsworth	A county or municipality cannot prohibit the operation of a "no-impact home-based business" (defined) or otherwise require a person to obtain any permit, license or other prior approval to operate a no-impact home-based business. Establishes a list of factors that qualify a residential property for use as a no-impact home-based business. Counties and municipalities are permitted to establish reasonable regulations on a home-based business if the regulations are narrowly tailored for specified purposes, including protecting public health and safety.	Referred to Senate Commerce and Public Safety; Senate Government on 1/16 Referred to House Commerce on 1/18 Passed House Commerce with amendment on 2/1; 6-3-0
HB 2333 & SB 1175	home-based businesses; local regulations	Weninger & Farnsworth	A county or municipality cannot prohibit the operation of a "no-impact home-based business" (defined) or otherwise require a person to obtain any permit, license or other prior approval to operate a no-impact home-based business. Establishes a list of factors that qualify a residential property for use as a no-impact home-based business. Counties and municipalities are permitted to establish reasonable regulations on a home-based business if the regulations are narrowly tailored for specified purposes, including protecting public health and safety. Comments: <u>CSA Staff explained the bill and clarified it for informational purposes only. County professional staff have started to weigh in on the bill and have noted that with SB1001 the LPC voted to oppose on 1/2/18 there could be significant impacts to counties' ability to regulate business activities in the home unless amended.</u>	SB 1175 assigned to Senate Commerce and Public Safety and Government. Scheduled to be heard in House Commerce 1/30/2018

Bill Number	Short Title	Prime Sponsor	Summary/LPC Comments & Position	Status
HB 2357	EORP; employer contributions	Livingston	Beginning July 1, 2018, each Elected Officials' Retirement Plan employer is required to make contributions on a level percent of compensation basis for all member employees sufficient under an actuarial valuation to meet both the normal cost plus the actuarially determined amount required to amortize the unfunded accrued liability over a closed period of 20-30 years. In any fiscal year, an employer's contribution to EORP in combination with member contributions may not be less than the actuarially determined normal cost for that fiscal year. Comments: <u>Staff explained the bill and that the judge issued a ruling on January 8, 2018 that either increased employer contributions or another funding source must be identified by July 1, 2018. The CSA Board moved to OPPOSE the bill.</u>	Passed out of the House Banking and Insurance Committee on 1/18 with a vote of 6-1-1 Passed House Rules on 2/5; 9-0
HB 2371	mobile food vendors; state licensure	Payne	The Department of Health Services is required to adopt rules to establish health and safety licensing standards for "mobile food vendors" (defined) that apply on a statewide basis. The licensing standards must include three categories of mobile food vendors that are based on the type of food dispensed and the amount of handling and preparation required. Other requirements for the licensing standards are specified. The Dept is required to establish statewide inspection standards for use by county health departments. The business of operating a mobile food vendor is added to the restaurant classification of transaction privilege taxes. Municipalities and other taxing jurisdictions are authorized to levy a transaction privilege, sales, use or other similar tax or fee on a person engaging in business as a mobile food vendor if the adopted tax meets a list of specified requirements. Municipalities and counties are authorized to impose a list of specified restrictions on mobile food vendors and are prohibited from imposing another list of restrictions.	Referred to House Military, Veterans and Regulatory Affairs on 1/17
HB 2386	notice of claim; requirements	Rivero	A claim filed against a public entity, public school or public employee is required to contain a specific amount and the facts supporting that amount. Payment in full of the amount releases the public entity, public school or public employee from any further liability for the claim. A cause of action accrues when the damaged party realizes he or she has been damaged by a final official act of the public entity, public school or public employee. Applies to claims filed against a public entity, public school or public employee after July 1, 2016. Retroactive to April 1, 2018	Referred to House Judiciary and Public Safety on 1/18 Passed JPS on 1/31;7-2 Passed House Rules on 2/5;9-0
HB 2396	property; subdivision; size; requirements	Thorpe	Private property in a rural county or municipality may contain up to one single-family residence per acre that is occupied by a full-time or part-time resident or vacation rental occupant and may contain any of a yurt, hogan, recreational vehicle, prefabricated home, or single-family residence that complies with all applicable state and local construction, health and safety laws and that is occupied by a full-time or part-time resident or vacation rental occupant. For the purpose of municipal zoning regulations and state real estate regulations, "subdivision" or "subdivided lands" does not include the division of land into lots or parcels of five acres or less if the size of the lots or parcels after the division is at least as large as the average lot or parcel size within five miles. County LPCs of supervisors are required to allow the division of land into lots or parcels of five acres or less if the size of the lots or parcels after the division is at least as large as the average lot or parcel size within five miles. Comments: 1/26/2018 CSA Staff explained the	Referred to House Federalism, Property Rights and Public Policy
HCR 2015	municipal and county tax limitations	Thorpe	The 2018 general election ballot is to carry the question of whether to amend the state Constitution to require, beginning January 1, 2017, any increase in the ad valorem tax levy of a county or municipality greater than 1 percent more than the levy in the preceding year to be approved by the voters of the county or municipality, and to require any increase of any amount in the ad valorem tax levy of a county or municipality in any three consecutive years to be approved by the voters of the county or municipality. Also to require, beginning January 1, 2017, a county or municipality that initiates the levy or increases the rate of a transaction privilege or other similar excise tax to distinctly state the amount of the tax or rate increase and the specific purpose for which the revenues	

Bill Number	Short Title	Prime Sponsor	Summary/LPC Comments & Position	Status
SB 1001	home-based businesses; regulations restrictions	Farnsworth	Specifies that county ordinances cannot restrict or otherwise regulate the owner of a home-based business that holds a valid license from using 50 percent or less of the square footage of the primary residential dwelling to conduct home-based business activity, or from using a 400 square foot or smaller "accessory structure" (defined) or garage for home-based business activity. Comments: <u>CSA Staff explained the legislation, noting that the sponsor offer similar proposals last year that CSA opposed. The LPC moved to OPPOSE the bill.</u>	Referred to Senate Government; Senate Commerce & Public Safety 1/22 Senate Commerce & Public Safety (Removed from 1/22 agenda) 1/29 Senate Commerce & Public Safety Passed Senate Commerce & Public Safety 1/29; 5-3-0
SB 1022	DHS; homemade food products	Farnsworth	The Department of Health Services is required to establish an online registry of food preparers that are authorized to prepare "cottage food products" (defined as a food that is not potentially hazardous as defined by Dept. rule and that is prepared in a home kitchen by an individual who is registered with the Dept.) for commercial purposes. A registered food preparer is required to renew the registration every three years and must provide any updated registration information to the Dept. within 30 days after any change. Cottage food products must be packaged at home with an attached label that clearly states the name and registration number of the food preparer and that includes the statement "This product was produced in a home kitchen that may process common food allergens and is not subject to public health inspection". Comments: <u>1/26/2018 CSA Staff explained the legislation, noting that feedback from the counties was mixed. No action was taken by the LPC.</u>	Referred to Senate Health and Human Services; Senate Commerce and Public Safety Passed Senate HHS with Barto Amendment; Vote 6-0-0 & COMPS Vote 8-0-0 Passed Senate 30-0 with floor amendment
SB 1043	county recorder; recording fees	Kavanagh	The fees received by the county recorder are modified as follows: \$30 for recording papers required or authorized by law, instead of \$5 for the first 5 pages plus \$1 for each additional page, and \$15 for recording papers to which a government entity is the requesting party, instead of \$3 for the first 5 pages plus 50 cents for each additional page. Separate fee amounts for recording deeds affecting interest in real property and deeds of trust or mortgage are eliminated. Additional fees such as the special recording surcharge, the	Referred to Senate Government Passed out of GOV on 1/24/18; vote 7-0-0
SB 1052	county flood control districts; easements	Griffin	The list of conditions under which a county flood control district may authorize the grant of an easement on or a lease of district real property without a public auction is modified to specify that the reimbursement to the district, instead of to the county, for the easement granted or lease executed is not less than the appraised value as determined by the district, instead of by the county. Comments: <u>1/26/2018 CSA Staff explained the legislation, noting that this was a clean up bill from 2017 and recommended support. The LPC moved to SUPPORT the bill.</u>	Referred to Senate Natural Resources, Energy and Water Passed Senate Natural Resources, Energy and Water 8-0-0 on 1/22 Passed Senate Rules & Caucus Passed Senate 30-0 2/5
SB 1059	lottery; additional game; revenue allocation	Borrelli	Authorizes the Lottery Commission to establish a lottery game called the Arizona Copper Star Game that must be conducted at four-minute intervals. A player may purchase a single ticket for 1-5, 10, 20, 50 or 100 consecutive draws and may purchase up to 10 numbers between 1 and 80. A player is eligible for payment of prizes if the player's numbers match any of the twenty numbers drawn. The total annual revenues from the Arizona Copper Star Game are allocated 50 percent for the payment of prizes and 50 percent to the general fund. Of the revenues allocated to the general fund, the Legislature is required to annually appropriate 40 percent to the Department of Public Safety, 40 percent to provide funding for kindergarten programs in public schools, 5 percent to the Attorney General for deposit in the Internet Crimes Against Children Enforcement Fund, 5 percent divided equally among the counties, and 10	Senate Government 1/24/2018 - Held

Bill Number	Short Title	Prime Sponsor	Summary/LPC Comments & Position	Status
SB 1076	assault; public safety contractors; workers	Barto	For the purpose of statute allowing public safety employees or volunteers to petition the court for an order authorizing testing of another person for certain diseases if there is probable cause to believe that the person bit, scratched, spat or transferred blood or other bodily fluid on or through the skin of the employee or volunteer who was performing an official duty, the definition of "public safety employee or volunteer" is expanded to include a contractor of a state or local law enforcement agency or correctional facility, any employee or volunteer of a correctional facility, and any other person who is authorized to perform official duties or be present within a correctional facility. Comments: CSA Staff explained the bill and advised it was coming from Maricopa County. Staff will follow-up on a question regarding state liability if a contractor is infected with a disease. The CSA Board moved to SUPPORT the bill.	Referred to Senate Judiciary Passed Senate Judiciary 7-0-0 on 1/18 Passed Senate Rules and Caucus on 1/23 Passed Senate 30-0 1/29
SB 1089	purple heart day	Borrelli	Declares that August 7 in each year is Purple Heart Day, which is not a legal holiday. Comments: CSA Staff explained the legislation, noting that all Arizona Counties are Purple Heart Counties. The LPC moved to SUPPORT the bill.	Referred to Senate Commerce and Public Safety Passed Senate Commerce and Public Safety 8-0-0 on 1/22 Passed Senate 28-0-2 on 2/1
SB 1144	conservation easements; notice; valuation	Griffin	The holder of a conservation easement is required to provide for the recording of the easement and its acceptance, and to prepare and provide the information required for the registry of real property burdened by conservation easements to the county assessor for each county in which any portion of the real property is located. The information that must be included in the registry for each parcel is expanded to include the name of the holder of the conservation easement, the name of any governmental body or charitable corporation with a third-party right of enforcement, and the full cash value of the property as determined for the year in which the conservation easement is recorded. Comments: 1/26/2018 CSA Staff explained the legislation for informational purposes, noting the original requirements for the online registry went into effect 1/1/2017.	Referred to Senate Natural Resources, Energy and Water Scheduled to be heard 1/29/2018 Passed Senate Natural Resources, Energy and Water 1/29; 8-0-0 Passed Caucus 2/6
SB 1146	vehicle fees; alternative fuel VLT.	Worsley	Repeals the separate vehicle license tax classification for motor vehicles powered by alternative fuels. Establishes a highway safety fee in an amount to be determined by the Director of the Department of Transportation annually. The fee will be collected at the time of application for vehicle registration. The fee is required to fully fund 110 percent of the Department of Public Safety Highway Patrol budget for each fiscal year. Discussed mirror bill HB 2166 vehicle fees; alternative fuel VLT (Campbell) on 1/18/2018 Comments: 1/26/2018 CSA Staff explained	Referred to Senate Transportation and Technology Scheduled to be heard 1/30/2018; Held
SB 1147	county excise tax for transportation.	Worsley	The board of supervisors of any county is permitted to submit to the voters a transportation plan funded by an excise tax. The board is required to present the issue on the ballot as a single question for approval of both the transportation plan and the tax. If approved by the voters, the county is required to levy and the Department of Revenue is required to collect the tax beginning January 1 or July 1, whichever occurs first after voter approval, on the same tax base that applies to other excise taxes in the county. The tax must be levied at a rate that, together with any other county transportation excise taxes, will not exceed a total of one percent of the gross proceeds of sales or gross income derived from a business subject to the tax. In its initial submission to the voters, the board of supervisors must either set a termination date for the tax or provide that the tax will be perpetual, subject to termination only by a subsequent countywide vote. Comments: Discussed mirror bill HB 2165 county excise tax for transportation (Campbell) on 1/12/2018 1/26/2018 CSA Staff explained the legislation, noting that the legislation will give additional tools in the toolbox for counties related to transportation. The LPC noted the desire for an amendment allowing for the revenue to be excused from expenditure limitations. The LPC moved to SUPPORT the bill.	Referred to Senate Transportation and Technology Scheduled to be heard 1/30/2018 Passed Transportation and Technology 7-0 Passed Caucus 2/6

Bill Number	Short Title	Prime Sponsor	Summary/LPC Comments & Position	Status
SB 1153	fire flow requirements; rural applicability	Allen	In a county with a population of less than 500,000 persons (all but Maricopa and Pima), any requirement to provide water and/or fire flow for fire protection under a fire code adopted by the state or a county, municipality or fire district does not apply to single-family residential properties or subdivisions with lot dimensions equal to or greater than 1/2 acre in size if the current "adjacent public water distribution system" (defined) or a private well does not meet the requirements to provide water and/or fire flow. Contains a legislative intent section. Comments: 1/26/2018 CSA Staff explained the legislation, noting that the legislation is similar to a bill last year that the LPC opposed. The LPC moved to OPPOSE the bill.	Referred to Senate Natural Resources, Energy and Water Scheduled to be heard 1/29/2018; Held
SB 1202	countywide elections; vote by mail	Worsley	On approval of the county LPC of supervisors, a county is authorized to conduct a mail ballot election for all elections administered by that county, including elections for federal and state offices and measures, and elections for county, municipal, school district and special districts. Counties that conduct mail ballot elections are required to report specified information about the election to the Legislature by January 1 of each year following a mail ballot election. Comments: 1/26/2018 CSA Staff explained the legislation, noting that this is an AACO bill, permissive and a potential cost saving measure. The LPC moved to SUPPORT the bill.	Referred to Senate Judiciary
SB 1207	lease authority; airports; air terminals	Pratt	Any county, instead of only a county with a population of less than 400,000 persons, is permitted to extend the existing lease for airport or airport terminal purposes with a person, corporation or political subdivision, after notice and a public hearing. Lease extensions may be for an additional period of up to 50 years, increased from 40 years. The reimbursement to a county for an executed lease cannot be less than the appraised rental value of the real property as determined by the county, except that the county is allowed to consider any capital improvements by the lessee in determining the final reimbursement rate of the lease.	Referred to Senate Transportation and Technology on 1/18 Passed Transportation and Technology on 1/30; 7-0 Passed Caucus 2/6
SB 1216	advanced certification; assessor personnel; compensation	Allen	A person who is employed by the Department of Revenue or a county and who successfully completes the advanced certification for assessors and appraisers provided by the Dept. may be approved to receive additional compensation. Comments: 1/26/2018 CSA Staff explained the legislation, noting it is the same language as a bill last the LPC opposed last year. The LPC moved to OPPOSE the bill.	Referred to Senate Finance
SB 1274	public monies; recovery; illegal payments	Peterson	The Attorney General is authorized to bring an action to recover illegally paid public monies against any person who received the illegal payment, the public body or public officer acting in his/her official capacity who ordered or caused the illegal payment, the public official, employee or agent who ordered or caused the illegal payment. A public official, employee or agent of the state, a political subdivision, or a budget unit who is charged with collecting, receiving, safekeeping, transferring or disbursing public monies may be held personally liable for an illegal payment of public monies.	Referred to Senate Government; Senate Judiciary on 1/23
SB 1292	EORP; cost-of-living adjustment	D. Farnsworth	For the Elected Officials' Retirement Plan, each retired member or survivor of a retired member is eligible to receive a compounding cost-of-living adjustment in the base benefit based on the average annual percentage change in the metropolitan Phoenix-Mesa consumer price index, with the immediately preceding year as the base year for making the determination, up to a maximum of two percent of the retired member's or survivor's base benefit annually. Repeals statutes governing EORP benefit increases. Conditionally enacted on the state Constitution being amended, as prescribed in an unspecified Senate concurrent resolution (blank in original), by the voters at the 2018 general election.	Referred to Senate Finance on 1/23
SB 1374	state law; local government violations	Brophy McGee	For a legislator to be eligible to request an investigation of a county or city action that allegedly violates state law or the state Constitution, all or part of the county or municipality must be located in the legislator's legislative district. Prior to investigating the alleged violation, the Attorney General is required to notify the county or municipality and allow at least 30 days for a response before making a determination. Counties and municipalities have 60 days, increased from 30 days, to resolve violations after notice from the Attorney General, or may appeal the determination by filing a special action in the Supreme Court to resolve the issue. If the Supreme Court determines that there is no violation, the State Treasurer is required to reimburse the county or municipality for reasonable fees and costs incurred to respond to the request. The reimbursement amount cannot exceed an unspecified amount (blank in original) for each determination.	No action

Bill Number	Short Title	Prime Sponsor	Summary/LPC Comments & Position	Status
SB 1400	aggravated DUI; sentence; county jail	Smith	County sheriffs of counties with a population of less than 500,000 persons are authorized to establish an aggravated driving under the influence jail program. If the county sheriff establishes a program, the program cannot be implemented until the Department of Corrections enters into an agreement with the county board of supervisors to facilitate the program. If a violation of aggravated driving under the influence occurs in a county with a program or a county contiguous to a county with a program and the person is placed on probation, the mandatory term of incarceration that the person would otherwise serve in prison may be served in a county jail. Beginning January 1, 2019, the Arizona Criminal Justice Commission is required to submit an annual recidivism report to the Legislature that compares the recidivism rate for a person who serves the mandatory incarceration in a county jail under a program and a person who serves the mandatory incarceration in prison.	Referred to Senate Commerce and Public Safety on 1/29 Passed Senate Commerce and Public Safety on 2/5; 6-0-2
SCR 1010	public retirement systems	D. Farnsworth	The 2018 general election ballot is to carry the question of whether to amend the state Constitution to provide that the Constitutional provision prohibiting public retirement system benefits from being diminished or impaired does not prohibit certain adjustments to the Corrections Officer Retirement Plan as provided in S1442 as enacted by the 53rd Legislature, 1st Regular Session, and does not prohibit certain adjustments to the Elected Officials' Retirement Plan as provided in an unspecified Senate bill (blank in original). The Legislature requests the Secretary of State return SCR1023, 53rd Legislature, 1st Regular Session, to the Legislature and submit this resolution in lieu of SCR1023.	Referred to Senate Finance on 1/23
"Fair Justice Initiative"				
HB 2169	driving violations; restricted licenses; penalties	Boyer	A restriction on a person's driver license or permit to drive as a result of a conviction for a violation of Title 28 (Transportation) may limit the person's privilege to drive to and from specified locations during specified periods of time. The sentencing options for various transportation-related violations are expanded to include that the court may order that the person's driving privilege be restricted. A person who is convicted of driving on a suspended class D or M license before January 1, 2011 may apply for a restricted privilege to drive if the person meets specified requirements. A judge is authorized to mitigate any civil penalty required by Title 28 (Transportation) if the person ordered to pay the penalty demonstrates that the payment would be a hardship on the person or his/her immediate family. Factors the court must consider when determining whether to mitigate a civil penalty are listed. Effective January 1, 2019. "Fair Justice" Initiative Legislation. <u>Comments: 1/26/2018 CSA Staff explained the legislation, noting that this is for information only and it may be brought to a future LPC for consideration.</u>	Referred to House Transportation and Infrastructure Passed TI 1/24/18 with 8-0-0 Passed House rules 1/29 Passed House COW amended on 1/31
HB 2259	juvenile court facilities; shelters; use	Carter	If appropriate facilities are available to the juvenile court, the presiding judge of the superior court is permitted to authorize juvenile court staff to provide services within the facilities. "Fair Justice" Initiative Legislation. <u>Comments: 1/26/2018 CSA Staff explained the legislation, noting that this is for information only and it may be brought to a future LPC for consideration.</u>	Referred to House Judiciary and Public Safety
HB 2312	setting aside conviction; requirements	Farnsworth E.	If a person is sentenced to imprisonment in the Department of Corrections, the person cannot apply to the court to have the judgment of guilt set aside until two years after the date of the person's absolute discharge from imprisonment. The clerk of the court is prohibited from charging a filing fee for an application to have a judgment of guilt set aside. Establishes a list of factors the court must consider when determining whether to set aside a conviction. A conviction that is set aside may be used as a prior conviction. Modifies the list of offenses that disallow a person convicted of those offenses from applying to have the judgment of guilt set aside. Effective January 1, 2019. "Fair Justice" Initiative Legislation. <u>Comments: 1/26/2018 CSA Staff explained the legislation, noting that this is for information only and it may be brought to a future LPC for consideration.</u>	Referred to House Judiciary and Public Safety

Bill Number	Short Title	Prime Sponsor	Summary/LPC Comments & Position	Status
HB 2313	sentencing; monetary obligations; fine mitigation	Farnsworth E.	Decreases the surcharge levied on every fine, penalty, forfeiture and civil penalty imposed to 42 percent, from 47 percent. Levies an additional penalty assessment of \$9 on every fine, penalty, forfeiture and civil penalty imposed. Of the assessment collected, 62.4 percent is deposited in the Victims' Rights Fund and 37.6 percent is deposited in the Victim Compensation and Assistance Fund. Modifies the distributions from the Criminal Justice Enhancement Fund to eliminate the distributions to the Victims' Rights Fund and the Victim Compensation and Assistance Fund and to raise the percentage distributions to all other beneficiaries accordingly. Statutory consequences, including wage garnishment, for nonpayment of fines and fees are applied to surcharges and assessments. If the court or LPC of Executive Clemency finds that a defendant has willfully failed to pay a fine, surcharge, fee, assessment, restitution or incarceration costs or finds that a defendant has intentionally refused to make a good faith effort to obtain the monies required for payment, the court is authorized to revoke the defendant's probation and sentence the defendant to prison. Judges are authorized to mitigate a fine if the defendant demonstrates that the payment would work a hardship on the defendant or the defendant's immediate family. Factors the court must consider in determining whether to mitigate a fine are listed. Effective January 1, 2019. "Fair Justice" Initiative Legislation. <u>Comments: 1/26/2018 CSA Staff explained the legislation, noting that this is for information only and it may be brought to a future LPC for consideration.</u>	Referred to House Judiciary and Public Safety
HB 2314	misdemeanor sentence; authorized disposition	Farnsworth E.	If a person is convicted of a misdemeanor and not granted a period of probation, the court may impose a sentence to a term of community restitution or education or treatment. If the court imposes a sentence to perform community restitution for a misdemeanor, the court is required to determine or fix the number of hours required. If the court imposes a sentence for a term of education or treatment for a misdemeanor, the term cannot exceed the term of probation as determined by statute. "Fair Justice" Initiative Legislation. <u>Comments: 1/26/2018 CSA Staff explained the legislation, noting that this is for information only and it may be brought to a future LPC for consideration.</u>	Referred to House Judiciary and Public Safety
HB 2315	intensive probation; employment wages; monitoring	Farnsworth E.	A probation officer is required to monitor a person on intensive probation's wages to ensure the collection of restitution, probation fees, fines and other payments. Previously, the person on intensive probation's wages were required to be paid directly to an account established by the probation officer, and the probation officer was required to make payments for restitution, probation fees, fines and other payments. "Fair Justice" Initiative Legislation. <u>Comments: 1/26/2018 CSA Staff explained the legislation, noting that this is for information only and it may be brought to a future LPC for consideration.</u>	Referred to House Judiciary and Public Safety
Updated on 2/6/18				