

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. Scheduled for a hearing on 2/14/2018
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. Passed the House on 2/8 with a vote of 57-0-2-0-1
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>	Assigned to House Health

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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. <u>Comments: 02/02/18 CSA Staff explained the legislation and recommended a neutral position on the bill pending an amendment that would change the starting date for the 8 years to the date the property is taken into the county maintenance system instead of upon "substantial completion" . The LPC moved to have a position of NEUTRAL on the bill.</u>	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 - pending an amendment
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 committee discussed the potential of adding a timeframe the BOS would be required to act when filling a vacancy. The LPC noted that the lack of a timeframe could prevent the nominated candidates for a vacant position from being considered. The LPC moved to SUPPORT the bill.</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 amendment; 7-1 Passed House Rules on 2/5; with a vote of 9-0 Passed the House on 2/8/18 with a vote of 51-6-2-0-1

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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. 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 amendment allowing for the revenue to be excluded from expenditure limitations. The Board moved to SUPPORT the bill.	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 & Held on 2/7/18
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: 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.	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: 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." 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, agencies, etc. The CSA Board moved to OPPOSE the bill.	Referred to the House Federalism, Property Rights and Public Policy Committee Scheduled to be heard 1/30/18 Passed TI on 2/7/2018 DPA with a vote of 7-1-0
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: 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.	Referred to the House Local and International Affairs Committee Passed LIA (DP) 6-0-0-1

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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. 02/02/18 CSA Staff explained the legislation and recommended an oppose position. The LPC moved to OPPOSE the bill.</u>	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 Bill held in House Rules Scheduled to be heard in Senate Commerce and Public Safety on 2/12/18
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. Comments: <u>02/02/18 CSA Staff explained the legislation noting that the bill created a statewide regulation process for mobile food vendors, which was modeled on Maricopa County's ordinances. Staff noted that we will work with the sponsor to amend the bill to address our concerns. The LPC moved to OPPOSE the bill.</u>	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. Comments: <u>02/02/18 CSA Staff explained the legislation and recommended an oppose position, noting that there is a significant amount of case law already and the language adds ambiguity that could open the county up to additional costs. ACIP has expressed concern as well. The LPC moved to OPPOSE the bill.</u>	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 Stricken from House Consent Calendar (Rep. Friese) 2/6

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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. <u>Comments: 1/26/2018 CSA Staff explained the legislation and recommended opposing the bill, noting that the feedback from the counties all expressed opposition. The LPC moved to OPPOSE the bill.</u>	Referred to House Federalism, Property Rights and Public Policy Held on 2/6
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 may be spent, and to submit the tax or tax rate increase and the purpose to the voters of the county or municipality for approval. If approved by the voters, this resolution is retroactive to January 1, 2017. <u>Comments: CSA Staff explained the bill. The CSA Board moved to OPPOSE the bill.</u>	Referred to House Ways and Means on 1/30
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. <u>Comments: 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". <u>Comments: 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

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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 fee for real estate transfers, and the fee for an affidavit of annual work, are included in the total fee instead of being charged separately. Comments: CSA Staff explained the bill, sharing that it would be brought to the full BOD next week. Discussion explored concerns that this favors companies over individuals.	Referred to Senate Government Passed out of GOV on 1/24/18; vote 7-0-0 Passed Senate 23-5-2 2/1
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: 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.	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 percent retained in the general fund for any purpose prescribed by law. Comments: CSA Staff explained the legislation, discussion from the LPC indicated that there may be concerns with how it impacts the Arizona Tribal-State Compacts and the need for new funding to go towards long term dept such as EOPR and PSPRS. The LPC recommended monitoring the bill and no action was taken.	Senate Government 1/24/2018 - Held Failed Senate Government 3-4
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

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SB 1089	purple heart day	Borrelli	Declares that August 7 in each year is Purple Heart Day, which is not a legal holiday. <u>Comments: CSA Staff explained the legislation, noting that all Arizona Counties are Purple Heart Counties. The LPC moved to SUPPORT the bill.</u>	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. <u>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.</u>	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 COW approved with amendment on 2/8
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 <u>Comments: 1/26/2018 CSA Staff explained the legislation, noting that the legislation aligns with the CSA Boards Transportation Resolution and will put additional funds into HURF. The LPC moved to SUPPORT the bill.</u>	Referred to Senate Transportation and Technology Scheduled to be heard 1/30/2018; Held Passed Senate Transportation and Technology with amendment; 7-0
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. <u>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 excluded from expenditure limitations. The LPC moved to SUPPORT the bill.</u>	Referred to Senate Transportation and Technology Scheduled to be heard 1/30/2018 Passed Transportation and Technology 7-0 Passed Caucus 2/6 Passed Senate Rules & Caucus 2/6
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. <u>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.</u>	Referred to Senate Natural Resources, Energy and Water Scheduled to be heard 1/29/2018; Held

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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. <u>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.</u>	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. <u>Comments: 02/02/18 CSA Staff explained the legislation and recommended support, noting that it is an important tool for Pinal County and would allow flexibility for rural counties that have a lessee that wants to make long term improvements in the airport. The LPC moved to SUPPORT the bill.</u>	Referred to Senate Transportation and Technology on 1/18 Passed Transportation and Technology on 1/30; 7-0 Passed Caucus 2/6 Senate COW approved with amendment on 2/8
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. <u>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.</u>	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. <u>Comments: 02/02/18 CSA Staff explained the legislation and recommended support, noting that it is an important tool for Pinal County and would allow flexibility for rural counties that have a lessee that wants to make long term improvements in the airport. The LPC moved to SUPPORT the bill.</u>	Referred to Senate Government; Senate Judiciary on 1/23 Passed Senate Government with amendment on 2/8; 7-0-0
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. <u>Comments: 02/02/18 CSA Staff explained the legislation and recommended a position of support, noting that the bill would move the permanent benefit increase (PBI) to a cost of living adjustment (COLA) for EORP and the companion bill that would send the issue to the voters is SCR 1010. The LPC moved to SUPPORT the bill.</u>	Referred to Senate Finance on 1/23 Passed Senate Finance with amendment on 2/7; 7-0-0

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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. <u>Comments: 02/02/18 CSA Staff explained the legislation, noting this was for information only at this point. The bill makes changes to SB1487 (2016) regarding complaints by a legislator alleging a municipality or county took legal actions that violate state statute or the Arizona Constitution.</u>	Referred to Senate Government on 2/6
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. <u>Comments: 02/02/18 CSA Staff explained the legislation, noting that additional information on the bill will be sent out and feedback will be requested.</u>	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. <u>Comments: 02/02/18 CSA Staff explained the legislation and recommended position of support, noting that this is the companion bill to SB 1292 and would submit to the voters a request to move the PBI to a COLA adjustment for EORP & CORP. The LPC did not take action on the bill.</u>	Referred to Senate Finance on 1/23 Passed Senate Finance with amendment on 2/7; 6-0-1
"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. 02/02/18 CSA Staff explained all the "Fair Justice" Initiatives. The LPC made a motion to SUPPORT all the "Fair Justice" Initiatives.</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 Passed House 56-0 on 2/7

Bill Number	Short Title	Prime Sponsor	Summary/LPC Comments & Position	Status
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. 02/02/18 CSA Staff explained all the "Fair Justice" Initiatives. The LPC made a motion to SUPPORT all the "Fair Justice" Initiatives.</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. 02/02/18 CSA Staff explained all the "Fair Justice" Initiatives. The LPC made a motion to SUPPORT all the "Fair Justice" Initiatives.</u>	Referred to House Judiciary and Public Safety
HB 2313	sentencing; monetary obligations; fine mitigation	E. Farnsworth	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. 02/02/18 CSA Staff explained all the "Fair Justice" Initiatives. The LPC made a motion to SUPPORT all the "Fair Justice" Initiatives.</u>	Referred to House Judiciary and Public Safety
HB 2314	misdemeanor sentence; authorized disposition	E. Farnsworth	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. 02/02/18 CSA Staff explained all the "Fair Justice" Initiatives. The LPC made a motion to SUPPORT all the "Fair Justice" Initiatives.</u>	Referred to House Judiciary and Public Safety Passed House Judiciary and Public Safety on 2/8; 9-0-0
HB 2315	intensive probation; employment wages; monitoring	E. Farnsworth	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. 02/02/18 CSA Staff explained all the "Fair Justice" Initiatives. The LPC made a motion to SUPPORT all the "Fair Justice" Initiatives.</u>	Referred to House Judiciary and Public Safety Passed House Judiciary and Public Safety on 2/8; 9-0-0

Bill Number	Short Title	Prime Sponsor	Summary/LPC Comments & Position	Status
Updated on 2/9/18				