



Introduction

Welcome to the *2018 New Laws Report of the League of Arizona Cities and Towns*. The Report is designed to serve as a guide to those enactments of the second regular session of the 53rd Arizona Legislature that have demonstrable impacts on municipalities.

During the past session, 1,206 bills were introduced in the House and Senate. Of these, 370 passed the legislature (369 in Regular Session and one enacted in a Special Session) and were sent to the Governor, and 346 were signed into law. Almost 23% of these enactments affect cities and towns and are summarized in the Report.

Scope and Use

This Report is intended only to identify and summarize those new laws with significant impacts on Arizona municipalities. It does not describe every provision of every law in detail, but it does provide a hyperlink to the chaptered version of each law summarized. To gain a better understanding of the new laws, readers are encouraged to review the exact language of their provisions as well as relevant legislative history. For those new enactments that modify current law, the Report makes no effort to describe the underlying law other than to provide sufficient context for an understanding of the statutory modification. Furthermore, the Report focuses on only those new laws that have broad statewide applicability to cities and towns.

Effective Dates

Unless otherwise noted, the effective date of the new laws described in the Report is August 3, 2018. This date – 90 days after the conclusion of the legislative session – is the general effective date for all enactments that are passed without an emergency clause or alternative effective date. The Report does endeavor to identify effective dates that vary from the general effective date. Where appropriate, it also includes other statutory dates, such as repeal dates, implementation dates and deadlines.

Disclaimers

The Report, published as a service to the members of the League of Arizona Cities and Towns, does not necessarily identify every law with impacts on municipalities. It is neither designed nor intended to provide legal advice or counsel. It should be relied upon only as a reference tool and not as a comprehensive guidance document. In certain limited instances, the Report does highlight action items that should be considered by cities and towns. In no case, however, should the Report substitute for the independent judgment of your city or town manager or attorney.

Part Four

General Government

SB 1042 (backflow prevention; state fire code)

([Chapter 19](#))

Requires backflow prevention equipment on class 1 or class 2 fire protection systems to be approved, inspected and maintained in accordance with the state fire code, instead of a National Fire Protection Association publication or the uniform fire code.

SB 1111 (workers' compensation; opioids; dispensed medications)

([Chapter 101](#))

Requires a physician that prescribes a narcotic or opium-based controlled substance listed in Schedule II or a prescription of any opioid medication that is given to an employee to include in the report to the Industrial Commission documentation that a physical examination of the employee was conducted, that a substance use risk assessment of the employee was completed and that the employee gave informed consent for any opioid treatment. Requires the treatment plan for these medications to include face-to-face follow up visits to reevaluate the employee's continued use of opioids, criteria and procedures for tapering and discontinuing opioid prescription or administration and criteria and procedures for offering or referring the employee for treatment for dependence on or addiction to opioids. Requires the physician to obtain a patient utilization report regarding the employee from the controlled substances prescription monitoring program's central database tracking system before prescribing an opioid analgesic or benzodiazepine controlled substance that is listed in schedule II, III or IV and at least quarterly while that prescription remains a part of the treatment. Requires the Industrial Commission to review information and data, consult with stakeholders and hold at least one public hearing by July 1, 2019 in considering whether to adopt additional reimbursement guidelines for medications dispensed in settings that are not accessible to the general public.

SB 1140 (certificates of authority; video service)

([Chapter 331](#))

Establishes a uniform video service license, issued by cities, towns and counties, and allows cable companies to terminate existing cable franchise license agreements for the uniform license after January 1, 2020. Requires cities and towns to adopt a standard uniform video service license agreement and application for the uniform license by July 1, 2019. Prohibits local regulation of video service providers or their networks beyond requirements related to license issuance and right-of-way management; build-out, line extension or other requirements related to infrastructure, facilities and deployment of equipment are also prohibited. Requires the Office of Administrative Hearings to oversee license-related disputes, including disputes regarding under or overpayment of license fees. Specifies requirements for license fee audits and allocation of bundling discounts and requirements for video service providers to add or terminate service territories and extend or transfer a video service license. PEG channel capacity is limited to four - two channels in the basic tier and two channels in the digital tier; or two lines of programming in standard definition and two in switched digital. Cities and towns are prohibited from charging a filing or processing fee for and from taking any official action on the application to receive a video service license.