

May 4, 2018

Sheriffs

53rd Legislature - 2nd Regular Session, 2018

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Sheriffs

BILL NUMBER/ SHORT TITLE	SUMMARY	SPONSORS	POSTED HEARINGS & CALENDARS	LAST ACTION
H2002: AUTOMOBILE THEFT AUTHORITY; APPROP	All monies deposited in the Automobile Theft Authority Fund in FY2017-18 in excess of the appropriation made by the FY2017-18 General Appropriations Act are appropriated to the Authority to carry out the powers and duties of the Authority as specified in statute. The Authority is required to submit a report for review by the Joint Legislative Budget Committee on the intended uses of the monies before expending the monies. Monies in the Fund are continuously appropriated to the Authority, instead of subject to legislation appropriation. AS PASSED HOUSE.	First sponsor: Rep. Livingston		5/3 from Senate rules okay. Senate COW approved with amend #4772. Passed Senate 28-0; ready for House action on Senate amendments. House concurred in Senate amendments and passed on final reading 57-0; ready for governor.
H2007 (Chapter 61): DISGUISE; AGGRAVATING CIRCUMSTANCES	For the purpose of sentencing for a felony, the list of aggravating circumstances the court is required to consider is expanded to include that during or immediately following the commission of the offense, the defendant used a mask or other disguise to obscure the defendant's face to avoid identification. AS SIGNED BY GOVERNOR.	First sponsor: Rep. Lawrence		3/23 signed by governor. Chap. 61, Laws 2018.
H2014: MARIJUANA: CIVIL PENALTY	Possession, use, production, or transporting for sale an amount of marijuana weighing less than one ounce is subject to a civil penalty of up to \$100, instead of being classified as a class 6 (lowest) felony.	First sponsor: Rep. Cardenas		1/9 referred to House jud-pub safety, hel.
H2023: PROHIBITED WEAPON: BUMP-FIRE DEVICE: ACCESSORY	For the purposes of the criminal code, the definition of "prohibited weapon" is expanded to include a trigger crank, a bump-fire device, or any part, combination of parts, or accessory that is designed or functions to accelerate the rate of fire of a "semiautomatic rifle" (defined) but that does not convert the rifle into a "machine gun" (defined).	First sponsor: Rep. Hernandez		1/9 referred to House jud-pub safety.
H2024: FIREARM SALES: TRANSFERS: BACKGROUND CHECKS	If neither party to a prospective firearms sale or transfer is a licensed firearms dealer, the parties must complete the transaction through a licensed firearms dealer. Some exceptions. The dealer must process the sale or transfer and comply with all requirements of federal, state and local law as if the dealer were a party to the transaction, including a background check on both parties. If the dealer cannot legally deliver the weapon to the purchaser, the dealer must return the weapon to the seller. If the dealer cannot legally return the weapon to the seller. the dealer must deliver the	First sponsor: Rep. Hernandez		1/9 referred to House jud-pub safety.

	<p>weapon to law enforcement. The dealer may charge a fee of up to \$20 for the costs incurred in facilitating the sale or transfer. Violations are a class 5 (second-lowest) felony.</p>			
<p>H2033: DRUG OVERDOSE; GOOD SAMARITAN; EVIDENCE</p>	<p>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.</p>	<p>First sponsor: Rep. Lawrence</p>		<p>2/7 referred to House hel.</p>
<p>H2038 (Chapter 28): DRUG OVERDOSE REVIEW TEAMS; RECORDS</p>	<p>Law enforcement agencies are required to provide unredacted reports to the chairperson of a local Drug Overdose Fatality Review Team on request. All information and records acquired by a Team are confidential and not subject to subpoena, discovery or introduction into evidence in a civil or criminal proceeding or disciplinary action, except information and records that are otherwise available from other sources. A member of a Review Team or person who presents information to a Review Team cannot be questioned in any civil or criminal proceeding or disciplinary action regarding the information presented. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Rep. Carter</p>		<p>3/20 signed by governor. Chap. 28, Laws 2018.</p>
<p>H2053 (Chapter 76): SEXUAL EXTORTION</p>	<p>Establishes the crime of sexual extortion, defined as knowingly "communicating a threat" (defined) with the intent to coerce another person to engage in specified sexual acts. Classifies sexual extortion as a class 3 (mid-level) felony, unless the victim is under 15 years of age in which case it is a class 2 (second-highest) felony punishable as a dangerous crime against children. A person convicted of sexual extortion where the victim is under 15 year of age is required to register as a sex offender. A person who is at least 18 years of age or who has been tried as an adult and is convicted of a dangerous crime against children involving sexual extortion is subject to specified sentencing provisions, including a presumptive sentence of 10 years and ineligibility for release from confinement on any basis. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Rep. Syms</p>		<p>3/27 signed by governor. Chap. 76, Laws 2018.</p>
<p>H2054: VEHICLE LICENSE TABS; PROHIBITION</p>	<p>The Department of Transportation is prohibited from issuing license plate tabs or windshield stickers to indicate the year for which a license plate is issued. The Dept is required to issue vehicle registration cards electronically and vehicle owners are required to print the card, unless the vehicle owner requests that the Dept mail the card.</p>	<p>First sponsor: Rep. Ugenti-Rita</p>		<p>1/9 referred to House trans-inf.</p>
<p>H2057: STATE GUARD; COMPOSITION; FIREARMS; EQUIPMENT</p>	<p>The age limit of 45 years for persons in the militia of the state of Arizona is deleted and replaced with a requirement that persons be capable of "acting in concert for the common defense." This change is conditionally enacted on the state Constitution being amended by a vote of the people at the 2018 general election to modify the eligibility requirements of the state militia. Additionally, a person who is or has been a member of the state</p>	<p>First sponsor: Rep. Stringer</p>		<p>1/9 referred to House jud-pub safety.</p>

	<p>militia may lawfully privately purchase, use and transport any "particularly suited firearms or equipment" (defined), and is lawfully entitled to retain possession of such firearms or equipment and to use or transport the firearms or equipment in Arizona for all lawful purposes.</p>			
<p>H2058: STATE GUARD; FIREARMS; TRAINING PROGRAM</p>	<p>The age limit of 45 years for persons in the militia of the state of Arizona is deleted and replaced with a requirement that persons be capable of "acting in concert for the common defense." This change is conditionally enacted on the state Constitution being amended by a vote of the people at the 2018 general election to modify the eligibility requirements of the state militia. Additionally, a person who is or has been a member of the state militia may lawfully privately purchase, use and transport any "particularly suited firearms or equipment" (defined), and is lawfully entitled to retain possession of such firearms or equipment and to use or transport the firearms or equipment in Arizona for all lawful purposes. Also establishes the Arizona Citizens Marksmanship Program within the Department of Emergency and Military Affairs to provide firearms for training in marksmanship skills to citizens and residents of Arizona who are eligible for service in the Arizona State Guard. The Dept is authorized to accept and spend monies from any lawful public or private source for the Program, sell firearms and other equipment or merchandise to promote marksmanship skills, and to contract with firearms manufacturers in Arizona to manufacture or refurbish firearms or firearm accessories for sale to Program participants. The Program terminates on July 1, 2028.</p>	<p>First sponsor: Rep. Stringer</p>		<p>1/9 referred to House jud-pub safety.</p>
<p>H2059: FIREARMS; STATE GUARD; COMPOSITION; PROGRAM</p>	<p>The exemption from federal law or federal regulation for certain firearms that are manufactured in Arizona and remain in Arizona does not apply to a firearm that is designed to automatically shoot more than one shot, without manual reloading, by a single function of the trigger, instead of a firearm that discharges two or more projectiles with one activation of the trigger or other firing device. The age limit of 45 years for persons in the militia of the state of Arizona is deleted and replaced with a requirement that persons be capable of "acting in concert for the common defense." This change is conditionally enacted on the state Constitution being amended by a vote of the people at the 2018 general election to modify the eligibility requirements of the state militia. Additionally, a person who is or has been a member of the state militia may lawfully privately purchase, use and transport any "particularly suited firearms or equipment" (defined), and is lawfully entitled to retain possession of such firearms or equipment and to use or transport the firearms or equipment in Arizona for all lawful purposes. Also establishes the Arizona Citizens Marksmanship Program within the Department of Emergency and Military Affairs to provide firearms for training in marksmanship skills to citizens and residents of Arizona who are eligible for service in the Arizona State Guard. The Dept is authorized to accept and spend monies from any lawful public or private source for the</p>	<p>First sponsor: Rep. Stringer</p>		<p>1/31 from House fed-policy do pass.</p>

	Program, sell firearms and other equipment or merchandise to promote marksmanship skills, and to contract with firearms manufacturers in Arizona to manufacture or refurbish firearms or firearm accessories for sale to Program participants. The Program terminates on July 1, 2028.			
H2063: DUI; OUI; DRUGS; METABOLITES	For the purposes of driving under the influence and operating a motorized watercraft under the influence, an offense occurs while there is any drug or any of the drug's active or inactive metabolites in the person's body, except as provided in the Arizona Medical Marijuana Act. Previously, an offense occurred while there was any drug or its metabolites in the person's body.	First sponsor: Rep. Leach		1/9 referred to House jud-pub safety.
H2064: MEDICAL MARIJUANA; PACKAGING; LABELING	Nonprofit medical marijuana dispensaries are prohibited from acquiring, possessing, manufacturing or selling a marijuana product that is packaged or labeled in a manner that is "attractive to minors" (defined). The definition of "debilitating medical condition" (for which medical marijuana may be used) is expanded to include opioid use disorder. Effective January 1, 2019. Due to voter protection, this legislation requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage. AS PASSED HOUSE.	First sponsor: Rep. Leach		4/2 from Senate rules okay.
H2066: MEDICAL MARIJUANA FUND; USES	The Department of Health Services may spend monies in the Medical Marijuana Fund for education, awareness and prevention messaging. Due to voter protection, this legislation requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage.	First sponsor: Rep. Leach		2/22 FAILED to pass House on reconsideration <u>35-22 (required 3/4 vote)</u> .
H2067: UNLAWFUL MEDICAL MARIJUANA RECOMMENDATION	It is an act of unprofessional conduct for a licensed health professional to intentionally or knowingly make a false statement in a written certification provided to the Department of Health Services after making a diagnosis of a patient's debilitating medical condition for medical marijuana. AS PASSED SENATE.	First sponsor: Rep. Leach		4/3 passed Senate <u>17-13</u> ; ready for House action on Senate amendments.
H2068: PROBATION; PAROLE; MEDICAL MARIJUANA USE	A registered qualifying medical marijuana patient who is serving a term of probation, community supervision or parole for a juvenile offense, drug offense, or driving under the influence offense may be prohibited from possessing or using medical marijuana as a condition of the person's probation, community supervision or parole. Due to voter protection, this legislation requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage.	First sponsor: Rep. Leach		2/22 FAILED to pass House <u>34-22 (required 3/4 vote)</u> .
H2069: PRIVATE PRISONS; CONTRACTS; TERMINATION	Authorization for the Department of Corrections to contract with private institutions for prison facilities or the operation of prison facilities is deleted. Statutes regulating the establishment of private prison facilities and regulating adult incarceration private contractors are repealed. The Director of the Dept is required to provide written notice to each private prison contractor that has a contract to house prisoners that the state is exercising its right to terminate the contract within 90 days written notice. terminate all	First sponsor: Rep. Bolding		1/9 referred to House jud-pub safety.

	contracts with private prison facilities at the earliest possible date after the effective date of this legislation, and relocate all prisoners to a state prison facility. By January 1, 2019, the Arizona Criminal Justice Commission is required to research and provide a report to the Governor and the Legislature on the prisoner capacity of state prison facilities and make recommendations for state prison facilities expansion, if necessary.			
H2071: REAR-FACING CAR SEATS	When transporting a child who is under two years of age in a motor vehicle, the child is required to be in a rear-facing restraint system unless the child weighs at least 40 pounds or is at least 40 inches tall.	First sponsor: Rep. Bolding		2/15 referred to Senate hel-hu ser, com-pub safety.
H2072: CRIMINAL; ARREST RECORDS; ERASURE	If a person is arrested for, charged with or indicted for a violation of a criminal law and the court or a prosecutor dismisses or does not file a criminal charge against the person for at least 13 months after the arrest or dismissal, all law enforcement, grand jury, prosecuting agency and court records that pertain to the arrest or charge must be erased. Some exceptions. If a judgment of guilt is set aside, the person may request that the court seal the person's arrest and conviction records. The court or a law enforcement agency is prohibited from publicly disclosing an arrest and conviction record that is sealed. A person whose arrest record is sealed is authorized to deny under all circumstances that the arrest and conviction ever occurred.	First sponsor: Rep. Bolding		1/9 referred to House jud-pub safety.
H2073: JUVENILE; COURT JURISDICTION; AGE	Increases the age at the time of the commission of an alleged offense which allows a juvenile to be prosecuted as an adult for certain felony offenses to 17, from 15, for a list of violent felony offenses and to 16, from 14, for other felony offenses.	First sponsor: Rep. Bolding		1/9 referred to House jud-pub safety.
H2074: JUVENILES; NATURAL LIFE SENTENCE; REPEAL	Eliminates the sentencing option of natural life for defendants who were under 18 years of age at the time of the commission of various offenses.	First sponsor: Rep. Bolding		1/9 referred to House jud-pub safety.
H2076: STATE HIGHWAY WORK ZONES; ACCIDENTS	If a person exceeds the speed limit in a state highway work zone and the violation results in an accident causing serious physical injury or death to another person, the person is guilty of causing serious physical injury or death by a moving violation, a class 3 (lowest) misdemeanor.	First sponsor: Rep. Bolding		1/17 from House trans-inf do pass.
H2090: PRE-ARREST DIVERSION; PRECOMPLAINT EDUCATION PROGRAM	Statute establishing the offense of shoplifting does not preclude a merchant from offering a person who is suspected of shoplifting an opportunity to complete a precomplaint education program in lieu of making or filing a report of theft with a law enforcement agency, informing the person of relevant criminal and civil remedies that are available to the state and the merchant, and reducing or waiving the fee for a precomplaint education program based on the person's ability to pay. A merchant who offers precomplaint education programs is prohibited from receiving remuneration for offering a program and from offering the program to a person who the merchant knows has a previous shoplifting conviction. AS PASSED SENATE.	First sponsor: Rep. John		5/3 House concurred in Senate amendments and FAILED to pass on final reading <u>26-34</u> .

H2092: POLICE VEHICLES; HOV LANES	An on-duty police officer driving a police vehicle that is clearly marked as a police vehicle would have been permitted to drive a vehicle carrying fewer than two persons in a high occupancy vehicle lane at any time. AS VETOED BY GOVERNOR. In his veto message, the Governor expressed concern that the issues law enforcement raised were not addressed in this bill.	First sponsor: Rep. Cook		3/29 VETOED message .
H2094: PRIVATE PRISON STUDY COMMITTEE	Establishes a 19-member Private Prison Study Committee to research and report on the impact of private prisons on the safety of the public and prisoners, the economic efficiency of housing prisoners in private facilities, and the provision of constitutionally appropriate services for prisoners at private prisons. The Committee must submit a report to the Governor and the Legislature by December 31, 2018 and self-repeals October 1, 2019.	First sponsor: Rep. Andrade		5/3 referred to House rules only.
H2095: PRIVATE PRISON CONTRACTORS; PUBLIC RECORDS	Private prisons that contract with any governmental entity must make public all records relating to costs, operations, staff and inmates to the same extent required of publicly operated prisons or jails.	First sponsor: Rep. Andrade		1/9 referred to House mil-vet-reg.
H2097 (Chapter 112): PENSION FUNDING POLICIES; EMPLOYERS	Beginning on or before July 1, 2019, each governing body of a Public Safety Personnel Retirement System employer is required to annually adopt a pension funding policy for the PSPRS for employees that were hired before July 1, 2017 that includes a list of specified funding objectives, including how to maintain stability of the governing body's contributions to the PSPRS and defining the governing body's funded ratio target under the PSPRS. The governing body is required to post the pension funding policy on it's public website. AS SIGNED BY GOVERNOR.	First sponsor: Rep. Livingston		4/3 signed by governor. Chap. 112, Laws 2018.
H2100: MEDICAL MARIJUANA; IDENTIFICATION CARDS; EXPIRATION	Medical marijuana registry identification cards for registered qualifying patients expire five years, increased from one year, after the date of issue. Due to voter protection, this legislation requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage.	First sponsor: Rep. Powers Hannley		1/16 referred to House hel.
H2101: MEDICAL ASSISTANCE REQUESTS; EVIDENCE; MITIGATION	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 is in need of medical assistance cannot be charged 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.	First sponsor: Rep. Powers Hannley		1/11 referred to House jud-pub safety.
H2104: CLEAN ELECTIONS; COUNTY CANDIDATES	Applies clean elections laws to candidates for county board of supervisors, county assessor, county attorney, county recorder, county school superintendent, county sheriff and county treasurer. Establishes primary election spending limits for candidates for county offices based on county population. Due to voter protection, this bill requires a 3/4 vote of each house of the Legislature for enactment.	First sponsor: Rep. Powers Hannley		1/11 referred to House gov.

<p>H2109: TOBACCO POSSESSION; SALE; AGE; SIGNAGE</p>	<p>For the purpose of statute prohibiting furnishing a tobacco product to an underage person, a petty offense, tobacco products may not be furnished to a person who is under 21 years of age, instead of to a minor, and the required mental state of doing so knowingly is eliminated. The definition of "tobacco product" is expanded to include "electronic smoking devices" (defined). The crimes of a retail tobacco vendor selling, furnishing or giving beedies or bidis, of selling tobacco products through a vending machine except in specified circumstances, and of delivering or causing unsolicited tobacco products to be delivered to a residence are all modified to apply to products sold or given to an individual who is under 21 years of age, instead of to a minor. Retail tobacco vendors are prohibited from selling or permitting the sale of tobacco products unless a sign with specified dimensions is posted at the location stating that a person who is under 21 years of age cannot purchase tobacco products. Violations are an unlawful practice and a petty offense.</p>	<p>First sponsor: Rep. Boyer</p>		<p>2/5 from House hel do pass.</p>
<p>H2117: PRIVATE POSTSECONDARY OFFICER; DUE PROCESS</p>	<p>Private postsecondary institution peace officers are no longer excluded from statute establishing the peace officers bill of rights and governing various disciplinary actions for law enforcement officers.</p>	<p>First sponsor: Rep. Kern</p>		<p>1/11 referred to House jud-pub safety.</p>
<p>H2118: PUBLIC RECORDS; DENIAL OF ACCESS</p>	<p>The court is required, instead of allowed, to award attorney fees and other legal costs to a person who is denied access to public records and who appeals the denial through a special action in the superior court and substantially prevails. Any award for attorney fees and costs must be assessed against either the individual department responsible for denying access to the public records or against the public body that directly employs the custodian of the public records. AS PASSED HOUSE.</p>	<p>First sponsor: Rep. Kern</p>		<p>3/21 FAILED Senate gov 2-5.</p>
<p>H2125 (Chapter 230): TOWING SAFETY TASK FORCE</p>	<p>Establishes a 9-member Towing Safety Task Force to review the safety efficacy of existing towing laws and recommend policy proposals to improve towing safety in Arizona. The Task Force is required to submit a report of its findings and recommendations to the Governor and the Legislature by December 31, 2018, and self-repeals October 1, 2019. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Rep. Shope</p>		<p>4/17 signed by governor. Chap. 230, Laws 2018.</p>
<p>H2138: SHORT TITLE; AGGRAVATED ASSAULT; REPEAL</p>	<p>Repeals the short title of "Blue Lives Matter Law" on Laws 2017, Chapter 162, which expanded the list of aggravating circumstances for the purpose of aggravated assault sentencing to include evidence that the defendant committed the crime out of malice toward a victim because of the victim's employment as a peace officer, and specified that an assault offense becomes aggravated assault if the person commits the assault knowing or having reason to know that the victim is a peace officer.</p>	<p>First sponsor: Rep. Clark</p>		<p>1/11 referred to House jud-pub safety, fed-policy.</p>

<p>H2140: MENTAL HEALTH; INJUNCTION; FIREARM POSSESSION</p>	<p>An immediate family member or a peace officer is authorized to file a verified petition with a magistrate, justice of the peace or superior court judge for an injunction that prohibits a person from possessing, controlling, owning or receiving a firearm. Any court may issue or enforce a mental health injunction against firearm possession, regardless of the location of the person. Information that must be included in the petition is specified. If the court finds that there is clear and convincing evidence to issue a mental health injunction against firearm possession, the court must issue the injunction. Information that must be included in the injunction is specified. Provides for enforcement. More.</p>	<p>First sponsor: Rep. Friese</p>		<p>1/11 referred to House jud-pub safety.</p>
<p>H2144: ASSISTING FEDERAL LAW ENFORCEMENT; PROHIBITION</p>	<p>The state, political subdivisions, "law enforcement agencies" (defined) and their employees or agents acting in an official capacity are prohibited from knowingly assisting a federal law enforcement agency or officer in the investigation, detention or prosecution of a person for a violation of federal law that prohibits the person from using, possessing or cultivating medical marijuana if the person is authorized to do so under state law.</p>	<p>First sponsor: Rep. Cardenas</p>		<p>1/16 referred to House jud-pub safety.</p>
<p>H2159: TRAFFIC VIOLATIONS; TRAFFIC SURVIVAL SCHOOL</p>	<p>It is a petty offense to use a portable wireless communication device to read, write or send an "electronic message" (defined) while operating a motor vehicle unless the vehicle is stopped. Some exceptions. To be prosecuted for a violation, the behavior must be committed in the presence of or within the view of a peace officer or be established by other evidence. Establishes a list of affirmative defenses to a prosecution. Violations are subject to a fine of at least \$25 but not more than \$99 for a first offense, and a fine of at least \$100 but not more than \$200 for a second or subsequent offense. The criminal classification for a violation that caused the death or serious bodily injury to another person is increased to a class 2 (mid-level) misdemeanor, subject to a fine of up to \$4,000. State agencies are prohibited from considering violations to determine whether a person's driver license should be suspended or revoked. Insurers are prohibited from considering violations to establish rates for motor vehicle liability insurance. Also prohibits a person who is under 17 years of age who has a class M license or motorcycle endorsement from driving a motorcycle while using a portable wireless communication device for any reason except during an emergency. Also, a person who commits the following traffic violations is required to attend and successfully complete approved traffic survival school educational sessions: driving the wrong way on a controlled access highway, driving under the influence of intoxicating liquor or drugs (DUI), extreme DUI, and aggravated DUI. In addition to taking licensing action, the Director of the Department of Transportation is authorized to impose a civil penalty of \$300 to \$3,000 if s/he finds that a traffic survival school licensee has not complied with or has knowingly violated traffic survival school regulations or has been convicted of a violation of Title 13 (Criminal Code) or Title 28 (Transportation). The Director must deposit</p>	<p>First sponsor: Rep. Campbell</p>		<p>4/18 Senate named Worsley, Fann and Otondo to the FREE Conference Committee (House conferees: Campbell, Andrade and Mesnard).</p>

	civil penalties in the State Highway Fund. AS PASSED SENATE.			
H2160: UNSAFE VEHICLE TIRES; USE; SALE	A person is prohibited from operating a vehicle with an "unsafe tire" (defined) on a street or highway in Arizona. A vehicle with an unsafe tire is deemed to be in an unsafe condition and any peace officer may require the driver to stop and submit the vehicle to an inspection. It is an unlawful practice for a person to knowingly sell, advertise for sale or trade an unsafe tire or to install an unsafe tire on a vehicle in Arizona. Some exceptions, including for a commercial motor vehicle, bicycle, airplane, and agricultural transport vehicle. Also, the statutory definition of "waste tire" is expanded to include tires manufactured more than seven years ago.	First sponsor: Rep. Campbell		1/31 FAILED House trans-inf 3-5
H2208: PROHIBITION; PHOTO RADAR	State agencies and local authorities are prohibited from using a photo enforcement system to identify violators of traffic control devices and speed regulations. Statutes authorizing and regulating photo enforcement are repealed.	First sponsor: Rep. Grantham		3/21 withdrawn from Senate trans-tech and further referred to Senate appro.
H2212: FIREARM POSSESSION; PEACE OFFICERS; DEFINITION	For the purpose of statute disallowing a peace officer from being prohibited from carrying a firearm, the definition of "peace officer" is expanded to include a federally certified law enforcement officer, and a person who is employed as a law enforcement officer by any state or political subdivision of any state of the U.S. or any Indian Tribe who is certified by an entity that equivalent to the Arizona Peace Officer Standards and Training Board. AS PASSED HOUSE.	First sponsor: Rep. Thorpe		5/2 passed Senate <u>17-13</u> ; ready for governor.
H2219: CRIME STATISTIC REPORTING; REQUIREMENTS	Specifies that the timing required for chief officers of criminal justice agencies of the state and political subdivisions to report information to the Department of Public Safety concerning crimes that manifest evidence of prejudice based on a list of factors is annually. Requires the information reported to include the number of crimes that manifest evidence of prejudice for the year.	First sponsor: Rep. Salman		1/17 referred to House jud-pub safety.
H2239: AZPOST BOARD; MEMBERSHIP	Increases the membership of the Arizona Peace Officer Standards and Training Board to 15 by adding two retired law enforcement officers with specified experience. AS PASSED HOUSE.	First sponsor: Rep. E. Farnsworth		2/27 referred to Senate rules only.
H2241: HEROIN; FENTANYL; SALES; MANDATORY PRISON	If a person is convicted of a violation of possession or use, possession or use for sale, manufacture or transport for sale of heroin, fentanyl, carfentanil or fentanyl mimetic substances, the person must be sentenced to a minimum sentence of 5 calendar years, with a presumptive sentence of 10 calendar years and a maximum sentence of 15 calendar years. A person with a previous conviction of the same list of offenses for these drugs must be sentenced to a minimum sentence of 10 calendar years, with a presumptive sentence of 15 calendar years and a maximum sentence of 20 calendar years. A person convicted of these violations is not eligible for suspension of sentence, probation, pardon or release from confinement on any basis until the person has served the sentence imposed by the court.	First sponsor: Rep. E. Farnsworth		2/26 referred to Senate jud.

<p>H2243 (Chapter 81): WRONG-WAY DRIVING; VIOLATION; DUI</p>	<p>A person who drives the "wrong way" (defined) on a controlled access highway commits wrong-way driving, is subject to a civil penalty of \$500, and is required to attend and successfully complete approved traffic survival school educational sessions. A person who commits a violation of driving under the influence (DUI) while driving the wrong way on a highway is guilty of aggravated DUI. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Rep. E. Farnsworth</p>		<p>3/27 signed by governor. Chap. 81, Laws 2018.</p>
<p>H2244 (Chapter 181): DANGEROUS CRIMES; CHILDREN; FICTITIOUS AGE</p>	<p>It is not a defense to a dangerous crime against children that the minor victim is a person posing as a minor or is otherwise fictitious if the defendant knew or had reason to know the purported minor was under 15 years of age. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Rep. E. Farnsworth</p>		<p>4/11 signed by governor. Chap. 181, Laws 2018.</p>
<p>H2245 (Chapter 115): PROHIBITED BAIL; SEXUAL CONDUCT; MOLESTATION</p>	<p>A person who is in custody is prohibited from being admitted to bail if the proof is evident or the presumption great that the person is guilty of sexual conduct with a minor or molestation of a child where, at the time of the offense, the arrested person was at least 18 years of age and the victim was under 13 years of age, or the victim was 13 or 14 years of age and the arrested person was at least 10 years older than the victim. Previously, this prohibition applied if the offense charged was sexual conduct with a minor under 15 years of age or molestation of a child under 15 years of age. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Rep. E. Farnsworth</p>		<p>4/3 signed by governor. Chap. 115, Laws 2018.</p>
<p>H2246 (Chapter 202): JAIL; PROHIBITED ITEMS; DRUGS</p>	<p>It is a class 5 (second-lowest) felony to knowingly take into a jail or the ground belonging to the jail any "marijuana," "narcotic drug" or "dangerous drug" (all defined elsewhere in statute), instead of to take any opium, morphine, cocaine or other narcotic into a jail or the ground belonging to or adjacent to the jail. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Rep. E. Farnsworth</p>		<p>4/12 signed by governor. Chap. 202, Laws 2018.</p>
<p>H2247 (Chapter 82): CRIMINAL JUSTICE COMMISSION; REPORTING REQUIREMENTS</p>	<p>The Department of Public Safety is required to electronically provide data extract from the Arizona computerized criminal history system of all records relating to sexual assaults twice a year to the Arizona Criminal Justice Commission. Previously, the Dept was required to provide a copy of each applicable disposition reporting form relating to sexual assaults to the Commission. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Rep. E. Farnsworth</p>		<p>3/27 signed by governor. Chap. 82, Laws 2018.</p>
<p>H2248 (Chapter 135): INCOMPETENCY; SCREENING; SEXUALLY VIOLENT PERSONS</p>	<p>If the county attorney receives a report that determines a defendant is incompetent to stand trial, the circumstances under which the county attorney may request that the defendant be screened to determine if the defendant may be a sexually violent person are modified to include if the defendant has ever been convicted of or found guilty except insane for a sexually violent offense, instead of only if the defendant is charged with a sexually violent offense. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Rep. E. Farnsworth</p>		<p>4/5 signed by governor. Chap. 135, Laws 2018.</p>

<p>H2249 (Chapter 232): PROTECTIVE ORDERS; FILING REQUIREMENTS</p>	<p>Various changes to statutes relating to protective orders and injunctions against harassment. After granting an order of protection, the court is required to provide the order to a law enforcement agency or constable for service, or to an entity that is authorized to serve process. Establishes which agency or entity can serve the defendant based on which court issued the order of protection. The agency or entity serving the order is required to provide confirmation of service to the plaintiff as soon as practicable. For an order of protection or an injunction prohibiting harassment or workplace harassment, each affidavit, declaration, acceptance or return of service is required to be filed no later than 72 hours, excluding weekends and holidays, with the clerk of the issuing court or as otherwise required by court rule. After filing, the court is required to register the injunction with the National Crime Information Center, instead of with the county sheriff. The Supreme Court, instead of the county sheriff, is required to maintain a central repository for orders of protection and injunctions. Effective January 1, 2020. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Rep. E. Farnsworth</p>		<p>4/17 signed by governor. Chap. 232, Laws 2018.</p>
<p>H2265: PUBLIC RECORDS; NONGOVERNMENTAL DEVICES; EXCEPTIONS</p>	<p>For the purpose of public records statutes, public record does not include any communication, data or other form of content that is created, stored or received on any electronic device or digital network, including a social media or e-mail account or network, that a public body has not established as a system for conducting governmental activity or that is not supported by monies from the state or political subdivisions for the purpose of conducting governmental activity.</p>	<p>First sponsor: Rep. Thorpe</p>		<p>1/24 referred to House gov.</p>
<p>H2266: ELECTRIC BICYCLES</p>	<p>An operator of an "electric bicycle" (defined as a bicycle or tricycle equipped with fully operable pedals and an electric motor of less than 750 watts that meets other specified requirements) would have been granted all the rights and privileges and would have been subject to all of the duties of a person riding a bicycle. An electric bicycle would have been declared to be not subject to motor vehicle title, registration, vehicle license tax, driver licenses or vehicle insurance requirements. Beginning January 1, 2019, manufacturers and distributors of electric bicycles would have been required to apply a permanently affixed label to each electric bicycle that contained specified information. Operating requirements for different classes of electric bicycles would have been established. AS VETOED BY GOVERNOR. In his veto message, the Governor asked the Legislature to send him a budget that gives teachers a 20 percent raise by 2020 and restores additional assistance.</p>	<p>First sponsor: Rep. Thorpe</p>		<p>4/20 VETOED <u>message</u>.</p>
<p>H2268: SEAT BELTS; PRIMARY ENFORCEMENT</p>	<p>The prohibition on a peace officer stopping a vehicle for a suspected seat belt violation unless the officer has reasonable cause to believe another violation occurred applies only to "farm vehicles" (defined elsewhere in statute), effectively making seat belt law subject to primary enforcement for all other motor vehicles. Each occupant, instead of only each front seat occupant, of a motor vehicle is required to have</p>	<p>First sponsor: Rep. Thorpe</p>		<p>2/14 House trans-inf held.</p>

	<p>the seat belt properly adjusted and fastened while the vehicle is in motion, and the motor vehicle operator must require each passenger, instead of only each passenger under 16 years of age, to have the seat belt properly adjusted and fastened while the vehicle is in motion. Some exceptions. The Department of Transportation is required to notify the public of law enforcement's ability to stop or issue a citation to a person for a violation of seat belt requirements periodically on existing electronic signs through July 31, 2019, and thereafter on permanently affixed signs on the interstate system in Arizona.</p>			
<p>H2272 (Chapter 116): UNMANNED AIRCRAFT; EMERGENCIES; IMMUNITY</p>	<p>Extends immunity for the state and political subdivisions for a claim based on the exercise or performance or failure to exercise or perform a discretionary function by any emergency worker, except in cases of willful misconduct, gross negligence or bad faith, to include operating an "unmanned aircraft" or "public unmanned aircraft" (both defined elsewhere in statute) while engaged in or supporting emergency management activities or emergency functions. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Rep. Thorpe</p>		<p>4/3 signed by governor. Chap. 116, Laws 2018</p>
<p>H2276: MISREPRESENTATION; SERVICE ANIMALS</p>	<p>A person is prohibited from fraudulently misrepresenting an animal as a service animal or service animal in training to a person or entity that operates a public place. A court or duly appointed hearing officer may impose a minimum civil penalty of \$50 on a person in violation.</p>	<p>First sponsor: Rep. Thorpe</p>		<p>1/18 referred to House fed-policy.</p>
<p>H2283 (Chapter 266): SEXUAL OFFENSES; DEFINITION; DEFENSES</p>	<p>For the purpose of sexual offenses, the definition of "sexual contact" is modified to exclude direct or indirect touching or manipulating during caretaking responsibilities, or interactions with a minor or vulnerable adult that an objective, reasonable person would recognize as normal and reasonable under the circumstances. The defense to a prosecution of certain sexual offenses that the defendant was not motivated by a sexual interest is deleted. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Rep. Kern</p>		<p>4/25 signed by governor. Chap. 266, Laws 2018</p>
<p>H2299: DOMESTIC VIOLENCE OFFENDERS; FIREARMS; SEIZURE</p>	<p>The court is required to order a person placed on probation for a domestic violence offense to transfer, for the duration of the probation, any firearms the person owns or possesses to the appropriate law enforcement agency within 24 hours after sentencing, or to provide the agency with an affidavit certifying that the person does not own or possess a firearm. The court must provide a copy of the order to the appropriate law enforcement agency, and if the agency has not received an affidavit or any firearms from the person within 24 hours, the agency must notify the court and request a search warrant for the person's home and vehicle, if appropriate. If a court orders a defendant who is subject to an order of protection to transfer a firearm to the appropriate law enforcement agency and the firearm is not transferred to the agency within 24 hours, the agency must notify the court and request a search warrant for the person's home and vehicle, if appropriate, to retrieve the firearm.</p>	<p>First sponsor: Rep. Friese</p>		<p>1/18 referred to House jud-pub safety.</p>

<p>H2301: IMPEDING LEFT LANE; NOTIFICATION SIGNS</p>	<p>By September 1, 2021, the Department of Transportation is required to erect signs on highways in rural areas notifying the public of the existing requirement that a person driving a vehicle at less than the normal speed of traffic drive the vehicle in the right-hand lane or as close as practicable to the right-hand curb or edge of the roadway, except when passing another vehicle or preparing for a left turn. AS PASSED HOUSE.</p>	<p>First sponsor: Rep. Thorpe</p>		<p>2/28 from Senate trans-tech do pass.</p>
<p>H2303: SENTENCING; DRUG OFFENSES; REPETITIVE OFFENDERS</p>	<p>Various changes relating to sentencing for drug offenses. For the purpose of the criminal code, the definition of "historical prior felony conviction" is modified to exclude certain drug offenses involving a drug below the threshold amount. For the purpose of the criminal code for drug offenses, the definition of "threshold amount" is modified to mean 10 grams of heroin, increased from 1 gram, 100 grams of cocaine, increased from 9 grams, 8 grams or 100 milliliters of PCP, increased from 4 grams or 50 milliliters, 28 grams of methamphetamine or amphetamine, increased from 9 grams, 5 pounds of marijuana, increased from 2 pounds, and to add 5 milligrams of fentanyl. For the purpose of determining the additional sentence for various drug offenses, the trier of fact is required to determine and the court is required to consider a list of factors, including whether the offense involved more or less than the statutory amount of the drug. The list of mitigating circumstances the court is required to consider when determining sentencing is expanded to include if the defendant's participation in the offense was motivated or substantially attributable to a documented or diagnosed pattern of mental illness, addiction, trauma resulting from active duty military service in a combat zone, or victimization. Repeals statute establishing sentencing for multiple drug offenses not committed on the same occasion. More.</p>	<p>First sponsor: Rep. Stringer</p>		<p>1/17 referred to House jud-pub safety.</p>
<p>H2307: SCRAP VEHICLES; SALES</p>	<p>A registered scrap metal dealer or a licensed automotive recycler is permitted to purchase a vehicle without obtaining a certificate of title if the vehicle is at least 12 model years old, the owner does not have title for a list of authorized reasons, the transactional value of the vehicle does not exceed \$1200, and the dealer or recycler obtains a signed statement from the seller that affirms these conditions. The scrap metal dealer or automotive recycler, at the time of purchasing a vehicle without a title, is required to take a picture of the seller, the vehicle, the vehicle identification number or federal identification sticker, and to pay for the vehicle with a check and not with cash. The dealer or recycler is also required to submit an electronic form to the Department of Transportation with a statement that the vehicle will not be titled again and will be dismantled or scrapped, a description of the vehicle, and a list of other information. The dealer or recycler is required to maintain a photocopy or electronic scan of the owner's driver license or other photo identification. The Dept is authorized to develop an electronic system for a dealer or recycler to verify that a motor vehicle has not been reported stolen. A dealer or recycler is</p>	<p>First sponsor: Rep. Campbell</p>		<p>4/30 House concurred in Senate amendments and passed on final reading <u>57-0</u>; ready for governor.</p>

	required to attempt to verify that a motor vehicle has not been reported stolen before purchasing a motor vehicle. Establishes penalties for violations, and requires monies from penalties to be deposited in the State Highway Fund and the Automobile Theft Authority Fund. Conditionally enacted on the Dept implementing an electronic system for verifying that a vehicle has not been stolen by October 1, 2020. AS PASSED SENATE.			
H2309: SEX OFFENDER REGISTRATION; TERMINATION	For the purpose of a petition filed by a defendant for an order to terminate any duty to register as a sex offender, the list of circumstances that a defendant is required to avow, under penalty of perjury, is modified to allow the victim to be a peace officer posing as a 15, 16 or 17 year old, and to state that the conduct did not involve the use of threats or force, instead of that the sexual conduct was consensual.	First sponsor: Rep. Bowers		3/27 from Senate rules okay.
H2315 (Chapter 204): INTENSIVE PROBATION; EMPLOYMENT WAGES; MONITORING	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. AS SIGNED BY GOVERNOR.	First sponsor: Rep. E. Farnsworth		4/12 signed by governor. Chap. 204, Laws 2018.
H2339: DUI; ADMINISTRATIVE SUSPENSION; RESTRICTED LICENSE	The Department of Transportation is permitted, instead of required, to suspend the driving privileges of a person arrested for driving under the influence for 30 days and restrict the driving privileges of the person for at least 60 additional days to travel between specified locations. The scope of a hearing on a driver license suspension is expanded to include whether a license suspension would cause the person undue financial hardship. If the Dept receives proof that clearly demonstrates the person's undue financial hardship, the Dept is authorized to immediately issue a restricted license.	First sponsor: Rep. Stringer		1/18 referred to House jud-pub safety.
H2342 (Chapter 184): OFF-HIGHWAY VEHICLES; DEFINITION; USER INDICIA	For the purpose of off-highway vehicle regulations, the definition of "off-highway vehicle" is modified to mean a motorized vehicle that is designed, modified or purpose-built primarily for recreational non-highway all-terrain travel, and to include a tracked or wheeled vehicle, utility vehicle, all-terrain vehicle, and sand rail. The off-highway vehicle user indicia issued by the Department of Transportation may be a resident or nonresident indicia. A person who is not an Arizona resident and who displays an off-highway vehicle user indicia or registration from their state of residency is no longer exempt from the requirement to have an off-highway vehicle user indicia issued by the Dept in order to operate an all-terrain vehicle or off-highway vehicle in Arizona. The Game and Fish Department is authorized to provide for the purchase of nonresident off-highway vehicle user indicia and to impose an additional service fee in an amount determined by the Game and Fish Commission by rule. In consultation with the Department of	First sponsor: Rep. John		4/11 signed by governor. Chap. 184, Laws 2018.

	Transportation, the Game and Fish Department is authorized to adopt rules necessary to implement off-highway vehicle user indicia requirements. AS SIGNED BY GOVERNOR.			
H2362: LAW ENFORCEMENT ORDERED VEHICLE TOWS	A peace officer is permitted, instead of required, to cause the removal and immobilization or impoundment of a vehicle if the person is driving with a suspended or revoked license, the person has never been issued a valid driver license or permit in Arizona, the person is knowingly transporting or moving an alien in furtherance of the illegal presence of an alien in the U.S., or the person is knowingly concealing or attempting to conceal an alien in the vehicle.	First sponsor: Rep. Blanc		1/22 referred to House trans-inf.
H2372: ASSESSMENT; TRAFFIC VIOLATIONS; POLICE EQUIPMENT	Levies a penalty assessment of \$4 on every civil penalty imposed and collected for a civil traffic violation and fine, penalty or forfeiture for a criminal violation of motor vehicle statutes. Establishes the Peace Officer Training Equipment Fund and requires monies from the assessment to be deposited in the Fund. Appropriates the first \$2.3 million from the Fund in FY2018-19 to the Department of Public Safety to purchase seven Vauthor software components for each of the seven previously purchased Virta V300 systems, and to purchase a Virta V300 system and the Virta Vauthor software component for the City of Chandler Police Department, Pinal County and the Maricopa County Sheriff's Office.	First sponsor: Rep. Payne		1/18 referred to House jud-pub safety, appro.
H2383: HOV LANE; EMERGENCY VEHICLE	The list of vehicles exempt from the prohibition on driving a vehicle carrying fewer than two persons in a high occupancy vehicle lane during restricted times is expanded to include an "authorized emergency vehicle" (defined elsewhere in statute). AS PASSED SENATE.	First sponsor: Rep. Clodfelter		5/3 passed Senate on final reading <u>28-0</u> ; ready for governor.
H2384: UNLAWFUL FLIGHT; VEHICLE IMPOUNDMENT	Unlawful flight from a pursuing law enforcement vehicle, a class 5 (second-lowest) felony, applies to a driver of a motor vehicle who wilfully flees from an unmarked law enforcement vehicle if the driver admits to knowing, or evidence shows that the driver knew, that the vehicle was an official law enforcement vehicle. An officer is authorized to remove or cause the removal of a vehicle if the driver of the vehicle engages in unlawful flight, leaves the vehicle and continues to engage in unlawful flight by other means, including on foot or in another vehicle. AS PASSED HOUSE.	First sponsor: Rep. Clodfelter		5/3 passed Senate on reconsideration <u>16-13</u> ; ready for governor.
H2389: SYRINGE ACCESS PROGRAMS; AUTHORIZATION	The Director of the Department of Health Services is authorized to declare a public health emergency to address a possible outbreak of an infectious disease that is being spread by the sharing of needles. "Qualified entities" (defined as county health departments, municipalities, and nonprofit organizations that meet specified requirements) are authorized to establish and operate a needle and hypodermic syringe access program in a jurisdiction where the Director of the Dept has declared a public health emergency. A program is required to offer a list of specified services, including disposal of used needles and hypodermic syringes, injection supplies at no cost, access to	First sponsor: Rep. Rivero		4/11 Petersen replaces Brophy McGee on the FREE Conference Committee. Members now: Sens. Borrelli, Petersen and Mendez; Reps. Rivero, Udall and Navarrete.

	<p>kits that contain an opioid antagonist or referrals to programs that provide access to an opioid antagonist, and personal consultations concerning mental health or addiction treatment. An employee, volunteer or participant in the program cannot be charged with or prosecuted for possession of a needle, hypodermic syringe or other injection supply item obtained from or returned to a program or possession of a residual amount of a controlled substance contained in a used needle, hypodermic syringe or injection supply item obtained from or returned to a program, if the person claiming immunity provides written verification that the item was obtained from a program. AS PASSED SENATE.</p>			
<p>H2394: COUNTY SHERIFF; NONPARTISAN ELECTION</p>	<p>The election for county sheriff must be conducted in a nonpartisan manner. The names of all candidates for county sheriff must appear on the ballot and all other campaign and election materials without party or partisan designation.</p>	<p>First sponsor: Rep. Thorpe</p>		<p>1/31 House local-intl held.</p>
<p>H2395: SERVICE ANIMALS; ID CARDS</p>	<p>The Department of Transportation is required to issue service animal identification cards that contain a list of specified information about the service animal on receipt of an application from the handler of the service animal. Application requirements are specified. The Dept is required to adopt rules for the issuance of service animal identification cards, including a fee for issuance. A service animal identification card is not required for a service animal to enter a public place, and the absence of a service animal identification card does not create a presumption that the animal is not a service animal.</p>	<p>First sponsor: Rep. Thorpe</p>		<p>2/20 House COW approved. FAILED to pass House <u>12-47</u>.</p>
<p>H2400: TRAFFIC TICKETS; SERVICE; PHOTO RADAR</p>	<p>If a photo enforcement system detects a violation of failure to obey a traffic control device or speed restrictions, service of process is only complete by hand delivering a copy of the uniform traffic ticket and complaint to the person who was driving the vehicle at the time of the violation.</p>	<p>First sponsor: Rep. Mosley</p>		<p>2/19 House appro held.</p>
<p>H2427: RELEASE CONDITIONS; PRETRIAL RELEASE PROGRAM</p>	<p>The Supreme Court is required to establish and maintain a statewide Pretrial Services Program to conduct a risk assessment and make a recommendation to the judicial officer concerning an appropriate pretrial release decision. Requirements for the risk assessment are specified. The Program terminates on July 1, 2028. The list of factors the judicial officer is required to consider when determining the method of release or the amount of bail is expanded to include the risk assessment and release recommendation from the Program.</p>	<p>First sponsor: Rep. Cardenas</p>		<p>1/23 referred to House jud-pub safety.</p>
<p>H2430: RELEASE AFTER ACQUITTAL; DISMISSED CHARGES</p>	<p>A person must be released from the custody of a county or city jail within four hours after the charges against the person are dismissed or the person is acquitted at trial.</p>	<p>First sponsor: Rep. Cardenas</p>		<p>1/23 referred to House jud-pub safety.</p>

<p>H2438: DRUG ADDICTION TREATMENT; COUNTY PROGRAMS</p>	<p>Each county is required to establish an angel initiative program that allows persons to surrender controlled substances or drug paraphernalia to a local police precinct and seek drug addiction treatment. The county, in collaboration with local law enforcement agencies, is required to prescribe standards for the program. Eligibility criteria for program participation is listed. A person who, in good faith, seeks drug addiction treatment at a program 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 treatment at the program.</p>	<p>First sponsor: Rep. Bolding</p>		<p>1/23 referred to House jud-pub safety.</p>
<p>H2455: COMMERCIAL VEHICLES DEFINITION; DRIVER LICENSES</p>	<p>For the purpose of motor carrier safety regulations, the definition of "commercial motor vehicle" is modified to mean a single vehicle or combination of vehicles that has a gross vehicle weight rating of 26,001 or more pounds, increased from 18,001 or more pounds, and that is used for intrastate commerce. The Arizona Department of Transportation (ADOT) must require a person convicted of driving under the influence (DUI), extreme DUI or aggravated DUI to attend and successfully complete an approved traffic survival school course. If the Director of ADOT finds that a traffic survival school licensee has not complied or has knowingly violated statute or rule or has been convicted of a violation of the Criminal Code or Title 28 (Transportation), the Director is authorized to impose a civil penalty on the licensee of at least \$300 but no more than \$3,000 for each violation, or to cancel, suspend or revoke the school's license after conducting a hearing. The Director is required to deposit all civil penalties collected in the State Highway Fund. AS PASSED SENATE.</p>	<p>First sponsor: Rep. Cook</p>		<p>5/3 House concurred in Senate amendments and passed on final reading <u>59-0</u>; ready for governor.</p>
<p>H2466: ESCORT VEHICLES; MARKINGS; LIGHTS</p>	<p>The lighted lamp that funeral escort vehicles or military escort vehicles are required to exhibit must be attached to the top of the vehicle's cabin. Markings, emblems, seals and other insignia on a funeral escort vehicle must be permanently displayed on the vehicle.</p>	<p>First sponsor: Rep. Blanc</p>		<p>1/24 referred to House trans-inf.</p>
<p>H2489: SCHOOLS; ANONYMOUS REPORTING; DANGEROUS ACTIVITY</p>	<p>The Department of Education is required to establish the Safe-To-Tell Program to enable any person to anonymously report any dangerous, violent or unlawful activity being conducted or threatened to be conducted on school property. The Program must include specified methods and procedures, including keeping the identity of a person who reports information confidential and promptly forwarding reported information to the appropriate law enforcement agencies and school officials. The Program terminates on July 1, 2028. Appropriates \$400,000 from the general fund in FY2018-19 to the Dept for the Program.</p>	<p>First sponsor: Rep. Boyer</p>		<p>3/20 from Senate rules with a technical amendment.</p>
<p>H2497: COUNTY ATTORNEY; COUNTY SHERIFF; SALARIES</p>	<p>In any county with a population of 500,000 or more persons, the county board of supervisors is authorized to adjust the annual salary of the county attorney and/or the county sheriff above the statutory salary amount up to a maximum of 10 percent above the incumbent chief deputy county attorney's salary or the incumbent chief</p>	<p>First sponsor: Rep. Boyer</p>		<p>3/27 Senate appro FAILED 2-6.</p>

	deputy county sheriff's salary, respectively. Effective January 1, 2019.			
H2501: PTSD; WORKERS' COMPENSATION; PRESUMPTION	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. AS PASSED HOUSE.	First sponsor: Rep. Boyer		3/8 referred to Senate com-pub safety, fin.
H2511: CRIMINAL JUSTICE COMMISSION; MEMBERSHIP; REPORT	Increases the number of members of the Arizona Criminal Justice Commission to 18 members, from 14 members, by adding two public defenders, one crime victim advocate, and one former prison inmate who advocates for prisoner rights. Session law requires the Commission to conduct a comprehensive review of Arizona's sentencing and corrections data and submit a report to the Legislature by December 31, 2018 that includes data-based policy recommendations to accomplish a list of stated goals, including to reduce prisoner recidivism, revise sentencing laws, and improve probation and parole supervision.	First sponsor: Rep. Navarrete		2/6 referred to House jud-pub safety.
H2518: TECH CORRECTION; PRISONERS	Minor change in Title 31 (Prisons & Prisoners) related to prisoners. Apparent striker bus. AS PASSED HOUSE.	First sponsor: Rep. Kern		3/22 from Senate gov with amend #4868 .
H2527: TRAFFIC VIOLATIONS; ASSESSMENT; POLICE EQUIPMENT	Effective January 1, 2019, levies a penalty assessment of \$4 on every civil penalty imposed and collected for a civil traffic violation and fine. The court is permitted to mitigate all or part of the assessment as provided for other assessments in statute. Effective January 1, 2019, increases the surcharge on court authorized diversion programs for individuals charged with civil or criminal traffic offenses to \$9, from \$5. On or before December 1, 2019 and once every seven years after, the Joint Legislative Budget Committee's budget analyst is required to report to the JLBC on the current	First sponsor: Rep. Clodfelter		5/3 Senate adopted conference report #5189 . House adopted conference report #5189 and passed on final reading 48-11 . Passed Senate on final reading 17-11 ; ready for governor.

	<p>amount of each surcharge and assessment authorized by law on every fine, penalty and forfeiture imposed and collected by the courts. Establishes the Peace Officer Training Equipment Fund and requires monies from the \$4 penalty assessment and \$4 of the surcharge for diversion programs to be deposited in the Fund. Monies in the fund may be used only for peace officer equipment. Appropriates the first \$2.3 million from the Fund in FY2018-19 to the Department of Public Safety to purchase virtual firing range equipment and software that meet a list of specified requirements. AS PASSED SENATE.</p>			
<p>H2562: CRIME; EMERGENCY SERVICES; SUMMARIES; WEBSITES</p>	<p>Each month, municipalities are required to post on their websites a crime and emergency services summary, which must include a list of specified information on crime, police department response times, fire department calls and responses, municipal emergency medical services responses, and emergency personnel counts. AS PASSED HOUSE.</p>	<p>First sponsor: Rep. Grantham</p>		<p>3/15 from Senate gov with amend #4794.</p>
<p>H2576: PEACE OFFICER DATABASE; DISCIPLINARY ACTIONS</p>	<p>The Arizona Peace Officer Standards and Training Board is required to establish and make available on its website a law enforcement officer database that includes the names and discipline record, if any, of every law enforcement officer in Arizona that is accessible only to a law enforcement agency that is conducting a background investigation of an applicant for the position of a law enforcement officer. Law enforcement agencies are required to check the database before hiring an applicant for the position of a law enforcement officer. Law enforcement agencies are required to report to the Board specified information within 10 days after a final ruling or determination on certain disciplinary actions of law enforcement officers. A person is authorized to bring an action in superior court to enforce these requirements.</p>	<p>First sponsor: Rep. Bolding</p>		<p>2/6 referred to House jud-pub safety.</p>
<p>H2584: CRITICAL HEALTH INFORMATION: EMERGENCY RESPONDERS</p>	<p>Municipalities and counties are authorized to establish by ordinance a program to provide "emergency responders" (defined) with critical health information about program participants so that emergency responders may aid program participants who are involved in motor vehicle emergencies or accidents and who are unable to communicate. Program requirements are specified and program participants may be charged a nominal fee for program costs.</p>	<p>First sponsor: Rep. Gabaldon</p>		<p>2/6 referred to House hel.</p>
<p>H2606: LAW ENFORCEMENT; DEADLY FORCE; INVESTIGATIONS</p>	<p>If a law enforcement officer uses deadly physical force in the performance of official duties and that use causes the death of another person, an investigator or law enforcement officer who is not from the same law enforcement agency or the county attorney from another county is required to conduct the investigation into the officer's use of deadly physical force and provide the results of the investigation to the county attorney of the county in which the use of force occurred.</p>	<p>First sponsor: Rep. Bolding</p>		<p>2/7 referred to House jud-pub safety.</p>

<p>H2635: DRUG OVERDOSE; IMMUNITY; LIMITATIONS</p>	<p>Immunity from being charged or prosecuted for a person who, in good faith, seeks medical assistance for someone experiencing a drug-related overdose or who is in need of medical assistance for a drug-related overdose does not apply to a person who was granted immunity twice before, and does not apply to a person who was granted immunity once before unless the person, within 30 days after the current drug-related overdose, seeks and obtains a screening and a referral for treatment from a community addiction services provider or addiction treatment professional.</p>	<p>First sponsor: Rep. Syms</p>		<p>2/14 House jud-pub safety FAILED 4-4-0-1.</p>
<p>HCR2001: FIREARM SALES; TRANSFERS; BACKGROUND CHECKS</p>	<p>The 2018 general election ballot is to carry the question of whether to amend state statute to require parties to a prospective firearms sale or transfer to complete the transaction through a licensed firearms dealer if neither party is a licensed firearms dealer. Some exceptions. The dealer must process the sale or transfer and comply with all requirements of federal, state and local law as if the dealer were a party to the transaction, including a background check on both parties. If the dealer cannot legally deliver the weapon to the purchaser, the dealer must return the weapon to the seller. If the dealer cannot legally return the weapon to the seller, the dealer must deliver the weapon to law enforcement. The dealer may charge a fee of up to \$20 for the costs incurred in facilitating the sale or transfer. Violations are a class 5 (second-lowest) felony.</p>	<p>First sponsor: Rep. Friese</p>		<p>1/18 referred to House jud-pub safety, fed-policy.</p>
<p>HCR2002: STATE MILITIA; AGE REQUIREMENT</p>	<p>The 2018 general election ballot is to carry the question of whether to amend the state Constitution to delete the age limit of 45 years for persons in the militia of the state of Arizona and replace it with a requirement that persons be capable of acting in concert for the common defense.</p>	<p>First sponsor: Rep. Stringer</p>		<p>3/27 Senate COW approved.</p>
<p>HCR2023: LEGISLATORS; PUBLIC EMPLOYMENT EXCEPTION</p>	<p>The 2018 general election ballot is to carry the question of whether to amend the state Constitution to allow members of the Legislature to be employed as a peace officer or firefighter by the state or any county or municipality during the term for which the member is elected.</p>	<p>First sponsor: Rep. Shope</p>		<p>1/30 referred to House gov.</p>
<p>HCR2037: MARIJUANA; REGULATION; TAXATION</p>	<p>The 2018 general election ballot is to carry the question of whether to amend state statute to allow the personal possession and use of marijuana in limited amounts by persons who are at least 21 years of age and establish regulations for marijuana establishments. Levies an excise tax on the sale or transfer of marijuana by a marijuana cultivation facility to a retail marijuana store or marijuana product manufacturing facility at a rate of \$50 per ounce, and provides for payment and administration of the tax. Of the net revenues generated by the tax, 40 percent must be used for a public safety grant program, 40 percent must be used for a public education grant program, and 20 percent must be used for a drug treatment and rehabilitation program.</p>	<p>First sponsor: Rep. Clodfelter</p>		<p>2/7 referred to House jud-pub safety, ways-means.</p>

<p>S1007: MOTORCYCLE OPERATION; RIDING BETWEEN LANES</p>	<p>Motorcycle operators are no longer prohibited from overtaking and passing in the same lane occupied by the vehicle being overtaken, and from operating a motorcycle between the lanes of traffic. The Department of Public Safety is authorized to develop educational guidelines relating to when a motorcycle operator may overtake and pass in the same lane occupied by the vehicle being overtaken or operate a motorcycle between the lanes of traffic.</p>	<p>First sponsor: Sen. D. Farnsworth</p>		<p>1/8 referred to Senate trans-tech.</p>
<p>S1010: TOBACCO POSSESSION; SALE; AGE; SIGNAGE</p>	<p>For the purpose of statute prohibiting furnishing a tobacco product to an underage person, a petty offense, tobacco products may not be furnished to a person who is under 21 years of age, instead of to a minor, and the required mental state of doing so knowingly is eliminated. The definition of "tobacco product" is expanded to include "electronic smoking devices" (defined). The crimes of a retail tobacco vendor selling, furnishing or giving beedies or bidis, of selling tobacco products through a vending machine except in specified circumstances, and of delivering or causing unsolicited tobacco products to be delivered to a residence are all modified to apply to products sold or given to an individual who is under 21 years of age, instead of to a minor. Retail tobacco vendors are prohibited from selling or permitting the sale of tobacco products unless a sign with specified dimensions is posted at the location stating that a person who is under 21 years of age cannot purchase tobacco products. Violations are an unlawful practice and a petty offense.</p>	<p>First sponsor: Sen. D. Farnsworth</p>		<p>1/8 referred to Senate com-pub safety, health-hu ser.</p>
<p>S1012: PRIVATE PROCESS SERVERS: AUTHORITY</p>	<p>In attempting to serve or while serving process, a duly appointed or certified private process server is authorized to enter and remain on real property, and to enter unannounced and remain in a planned community or condo association that is guarded or gated.</p>	<p>First sponsor: Sen. Kavanagh</p>		<p>1/8 referred to Senate jud.</p>
<p>S1015: MOTORCYCLE OPERATION: LANE SPLITTING</p>	<p>Motorcycle operators are permitted to overtake and pass in the same lane occupied by the vehicle being overtaken, and to operate the motorcycle between the lanes of traffic if a list of specified conditions is met, including that the vehicles operating in the lanes of traffic are traveling at a speed of 20 miles per hour or less, that the motorcycle does not travel at a speed exceeding 25 miles per hour or 10 miles per hour more than other vehicles, whichever is less, and that the motorcycle is not on an exit or entrance ramp to a controlled access highway.</p>	<p>First sponsor: Sen. Kavanagh</p>		<p>1/8 referred to Senate trans-tech.</p>
<p>S1016: DUTY TO REPORT: LIFE-THREATENING EMERGENCY</p>	<p>A person who knows that another person is exposed to or has suffered a life-threatening emergency is required to report the emergency and its location to a peace officer, fire department or other governmental entity responsible for public safety, to the extent the person can do so without danger or peril to self or others. Violations are a class 1 (highest) misdemeanor.</p>	<p>First sponsor: Sen. Kavanagh</p>		<p>1/23 from Senate rules okay.</p>

<p>S1028: SPECIAL LICENSE PLATES; STANDARD DESIGN</p>	<p>All special license plates must have a standard design with one three-inch square area on the plate that is set aside for a logo or message and one area on the bottom of the plate that is set aside for a message. The Department of Transportation is required to determine the standard design of the special plate and approve the logo or message. Applies to all special plates authorized after the effective date of this legislation. Contains a legislative intent section.</p>	<p>First sponsor: Sen. Farley</p>		<p>1/8 referred to Senate trans-tech.</p>
<p>S1029: VULNERABLE USERS OF PUBLIC WAYS</p>	<p>An operator of a motor vehicle is prohibited from knowingly, intentionally or recklessly operating the vehicle within three feet of a "vulnerable user of a public way" (defined as a law enforcement officer, emergency responder or a worker in a state highway work zone while in the course of official duties or a pedestrian, person riding an animal or a person operating a farm tractor, skateboard, skates, scooter, wheelchair or bicycle in a crosswalk or on a shoulder of the highway). An operator of a motor vehicle is prohibited from knowingly, intentionally or recklessly distracting or attempting to distract a vulnerable user of a public way for the purpose of causing violence or injury, or forcing or attempting to force a vulnerable user of a public way off of a public way, crosswalk or shoulder of the highway except as necessary for public safety. A violation is a class 2 (mid-level) misdemeanor, except that if a violation resulted in serious physical injury to or death of a vulnerable user of a public way, the court is required to impose specified penalties.</p>	<p>First sponsor: Sen. Farley</p>		<p>1/8 referred to Senate trans-tech, jud.</p>
<p>S1033: UNLAWFUL ASSEMBLY; RIOT; IDENTITY; CLASSIFICATION</p>	<p>If a person obscures or hides their identity with a mask, disguise, makeup or other device during the commission of unlawful assembly, the criminal classification is increased to a class 6 (lowest) felony, from a class 1 (highest) misdemeanor. If a person obscures or hides their identity with a mask, disguise, makeup or other device during the commission of riot, the criminal classification is increased to a class 4 (mid-level) felony, from a class 5 (second-lowest) felony. It is an affirmative defense to an allegation that the person's identity was obscured or hidden during the commission of either offense if the mask, disguise, makeup or other device was worn for a medical or religious purpose.</p>	<p>First sponsor: Sen. Kavanagh</p>		<p>1/8 referred to Senate jud.</p>
<p>S1040: SERVICE ANIMALS; MISREPRESENTATION</p>	<p>A person is prohibited from fraudulently misrepresenting an animal as a service animal or service animal in training to a person or entity that operates a public place. A court or duly appointed hearing officer may impose on a person in violation a civil penalty of \$250.</p>	<p>First sponsor: Sen. Kavanagh</p>		<p>1/18 from Senate gov do pass.</p>
<p>S1041 (Chapter 186): RESIDENCY RESTRICTIONS; SEX OFFENDERS; VICTIMS</p>	<p>It is unlawful for a person who is required to register as a sex offender to knowingly establish a residence within 1,000 feet of the real property on which the person's former victim resides. Some exceptions. Violations are a class 1 (highest) misdemeanor, and second or subsequent violations are a class 6 (lowest) felony. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Sen. Kavanagh</p>		<p>4/11 signed by governor. Chap. 186, Laws 2018.</p>

<p>S1050: TOWING COMPANIES; ABANDON VEHICLES; FEE</p>	<p>Eliminates the Abandoned Vehicle Administration Fund and repeals the requirement for the Department of Transportation to deposit 20 percent of abandoned vehicle fees in the Fund. The Dept is instead required to deposit abandoned vehicle fees in the State Highway Fund. If the Dept collects a fee for a vehicle that was abandoned on government land, the towing company that towed the vehicle is entitled to receive \$100 from the fee collected, instead of 20 percent of the fee.</p>	<p>First sponsor: Sen. D. Farnsworth</p>		<p>1/8 referred to Senate trans-tech.</p>
<p>S1061: MEDICAL MARIJUANA FUND; APPROPRIATION</p>	<p>The Department of Health Services is required to adopt rules to address registered nonprofit medical marijuana dispensaries that relocated outside of their original community health analysis area and the labeling and testing of edible medical marijuana products. The Dept is also required to review current application and renewal fees for dispensaries and dispensary agents and adopt rules to modify the fees if necessary. Appropriates \$5 million from the Medical Marijuana Fund in FY2018-19 to the Arizona Criminal Justice Commission to provide grants to law enforcement agencies in Arizona to enforce crimes relating to drug trafficking and distribution. Due to voter protection, this legislation requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage.</p>	<p>First sponsor: Sen. D. Farnsworth</p>		<p>1/9 referred to Senate com-pub safety.</p>
<p>S1074: IMMIGRATION; LAW ENFORCEMENT; REPEAL</p>	<p>Repeals the following statutes established by Laws 2010, Chapter 113 (S1070): the prohibition on state and local government agencies or governing bodies restricting the enforcement of federal immigration law; the requirement for law enforcement officials to determine the immigration status of a person at any lawful stop or arrest where reasonable suspicion exists that the person is unlawfully present in the U.S.; provisions allowing law enforcement to arrest without warrant any person the officer has probable cause to believe has committed a public offense that makes the person removable from the U.S.; the defense of entrapment for employers found to be employing unauthorized aliens; the establishment of willful failure to complete or carry an alien registration document, unlawful stopping to hire and pick up passengers for work, and unlawful application for employment or employment by an unauthorized alien as class 1 misdemeanors; the requirement that a vehicle driven in furtherance of the illegal presence of an alien in the U.S. and in violation of a criminal offense be immobilized or impounded; and the establishment of the Gang and Immigration Intelligence Team Enforcement Mission (GIITEM) Fund.</p>	<p>First sponsor: Sen. Quezada</p>		<p>1/9 referred to Senate jud.</p>
<p>S1076 (Chapter 22): ASSAULT; PUBLIC SAFETY CONTRACTORS; WORKERS</p>	<p>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</p>	<p>First sponsor: Sen. Barto</p>		<p>3/16 signed by governor. Chap. 22, Laws 2018.</p>

	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. AS SIGNED BY GOVERNOR.			
S1078: ARIZONA CRIMINAL JUSTICE COMMISSION; MEMBERSHIP	Increases the number of members of the Arizona Criminal Justice Commission to 17 members by adding one person who leads an indigent defense agency, one person who leads a private nonprofit juvenile justice organization, and one licensed psychiatrist or psychologist with experience working in the criminal justice system. Session law provides for the initial terms of the new members.	First sponsor: Sen. Barto		1/9 referred to Senate jud.
S1079: SPECIAL PLATES; GRAND CANYON; FLYING CROSS	The Department of Transportation is required to issue Grand Canyon National Park special license plates if a person pays \$32,000 in start-up costs by December 31, 2019. Of the \$25 annual fee, \$8 is an administrative fee and \$17 is an annual donation to be deposited in the Grand Canyon National Park Special Plate Fund. The Dept is required to allocate monies from the Fund to a charitable organization that is an official philanthropic partner of Grand Canyon National Park and that meets other specified requirements. Effective September 1, 2019. AS PASSED SENATE.	First sponsor: Sen. Kavanagh		4/9 House COW approved with floor amend #5048, a substitute for amend 4850. NOTE SHORT TITLE CHANGE. FAILED to pass House <u>22-34</u> .
S1081: APPROPRIATION; COUNTY SHERIFF; REENTRY PLANNING	Appropriates \$500,000 from the general fund in each of FY2018-19, FY2019-20, and FY2020-21 to a county sheriff of a county with a population of less than 300,000 but more than 205,000 persons (Yavapai County or Yuma County) for administering release coordination reentry planning services for persons who are in the custody of the sheriff.	First sponsor: Sen. S. Allen		2/20 Senate appro no action.
S1094: CRIMINAL CASES; ARRESTS; RECORDS; ERASURE	In any criminal case commenced beginning October 2, 1969 or after, if the accused is found not guilty by a final judgment or the charge is dismissed, all law enforcement, prosecuting agency and court records that pertain to the charge must be erased when the time to file a notice of appeal expires. Some exceptions. In any criminal case commenced before October 1, 1969, if the accused is found not guilty by a final judgment or the charge is dismissed, all law enforcement, prosecuting agency and court records that pertain to the charge must be erased by operation of law. Some exceptions. If a person is arrested or charged with violating a criminal law and the prosecutor dismisses or does not file a criminal charge against the person for at least 13 months after the arrest or dismissal, all law enforcement, grand jury, prosecuting agency and court records that pertain to the arrest or charge must be erased. Some exceptions. If a judgment of guilt is set aside, the person may request that the court seal the person's arrest and conviction records. The court or a law enforcement agency is prohibited from publicly disclosing an arrest and conviction record that is sealed. A person whose arrest record is sealed is authorized to deny under all circumstances that the arrest and conviction ever occurred.	First sponsor: Sen. Quezada		1/10 referred to Senate jud.

<p>S1098: INDUSTRIAL HEMP; LICENSING</p>	<p>Adds a new article to Title 3 (Agriculture) regulating industrial hemp production, processing, manufacturing, distribution and commerce under the authority of the Department of Agriculture. The Dept is required to adopt rules to oversee the licensing, production and management of industrial hemp, including adopting fees by rule. Industrial hemp growers and processors are required to obtain a license from the Dept, and licensing requirements are established. Licensing fees are deposited in the newly created Industrial Hemp Trust Fund, to be used by the Dept for administering and enforcing these regulations. Establishes requirements for recordkeeping, inspection, transportation and distribution of industrial hemp, and penalties for violations. The Dept is required to establish by rule or order a 5-member Industrial Hemp Advisory Council to assist and make recommendations regarding the administration and implementation of these regulations. Appropriates \$250,000 and 3 FTE positions from the general fund in FY2019-20 to the Dept's Plant Services Division and appropriates \$500,000 from the general fund in FY2019-20 to the Dept for the purposes of this legislation. Effective one year from and after the general effective date of the 53rd Legislature, 2nd Regular Session. AS PASSED SENATE.</p>	<p>First sponsor: Sen. Borrelli</p>		<p>5/3 passed House <u>56-3</u>; ready for governor.</p>
<p>S1110 (Chapter 123): PHOTO RADAR; REVIEW; PENALTY</p>	<p>Before a citation is issued, a law enforcement agency is required to review evidence that is recorded by a photo enforcement system to determine whether a violation of failure to obey a traffic control device or speed restrictions occurred. A photo enforcement company is prohibited from determining whether a violation occurred for the purpose of issuing a citation. Violations of these requirements are a class 1 (highest) misdemeanor. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Sen. Borrelli</p>		<p>4/3 signed by governor. Chap. 123, Laws 2018.</p>
<p>S1116: DRIVING; ANIMAL ON LAP; PROHIBITION</p>	<p>A person is prohibited from operating a vehicle while an "animal" (defined) is on the person's lap. Violations are subject to a civil penalty of \$100.</p>	<p>First sponsor: Sen. Kavanagh</p>		<p>1/23 Senate trans-tech held.</p>
<p>S1117 (Chapter 159): LIQUOR ESTABLISHMENTS; PEACE OFFICERS; FIREARMS</p>	<p>Peace officers are permitted to possess a firearm while on the premises of a licensed liquor establishment while they are on duty or off duty. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Sen. Kavanagh</p>		<p>4/10 signed by governor. Chap. 159, Laws 2018.</p>
<p>S1138: COUNTY JAIL EDUCATION PROGRAMS; AGE</p>	<p>Counties that operate a county jail are required to offer an education program to serve all prisoners who are 21 years of age or younger who do not have a high school diploma or a general equivalency diploma, instead of to serve all prisoners who are under 18 years of age and prisoners with disabilities who are 21 or younger. Each student enrolled in an accommodation school county jail education program must be funded at the full amount for that student if s/he were enrolled in another accommodation school program, instead of at 72 percent of the full amount.</p>	<p>First sponsor: Sen. Bradley</p>		<p>2/19 from Senate educ do pass.</p>

S1162 (Chapter 39): SILVER ALERT NOTIFICATION; DEVELOPMENTAL DISABILITY	The silver alert notification system may be used to issue and coordinate alerts following the report of a missing person who has a "developmental disability" (defined elsewhere in statute). AS SIGNED BY GOVERNOR.	First sponsor: Sen. Brophy McGee		3/20 signed by governor. Chap. 39, Laws 2018.
S1180: INCORRECT ARREST; RECORD CLEARANCE	If a law enforcement agency determines that a person was incorrectly arrested and is factually innocent of the offense that was the basis of the arrest either because of identity theft or a "mistaken identification" (defined), the court is required to order the person's criminal record to be cleared and notify the person of the clearing. A person whose arrest record is cleared is authorized to deny under all circumstances that the arrest ever occurred.	First sponsor: Sen. Miranda		1/16 referred to Senate jud.
S1200 (Chapter 260): TRANSPORTATION REVISIONS	Various changes to statutes relating to transportation. Deletes authorization for the Department of Transportation to adopt rules necessary to administer various statutes. Various signs and signals are no longer required to be in a form approved by the Dept. Effective July 1, 2019, repeals statutes relating to the establishment of parkways and historic and scenic roads and transfers the authority to establish or designate a highway or area as a parkway, historic or scenic road to the Arizona Historical Society, from the Dept. Repeals statutes relating to unblended gasoline shortages. Repeals the Multistate Highway Transportation Agreement. Repeals the Medical Advisory Board. Repeals the option to renew a driver license by mail. Eliminates the late penalty and interest charges for assessments of use fuel taxes. Nonresident daily commuters are no longer required to have external vehicle identification indicia, but must carry the nonresident daily commuter identification card in the motor vehicle and present the card to any peace officer on demand. AS SIGNED BY GOVERNOR.	First sponsor: Sen. Worsley		4/23 signed by governor. Chap. 260, Laws 2018.
S1208 (Chapter 163): ATVS; OFF-HIGHWAY VEHICLES	The specifications for a recreational off-highway vehicle to qualify as an all-terrain vehicle are modified to allow the vehicle to be up to 80 inches in width, increased from 65 inches, and to require the vehicle to have a steering wheel for steering control, a rollover protection structure, and an occupant retention system. AS SIGNED BY GOVERNOR.	First sponsor: Sen. Pratt		4/10 signed by governor. Chap. 163, Laws 2018.
S1210: ACCIDENTS; DEATH; INJURY; IMPLIED CONSENT	After a person was involved in a traffic accident resulting in death and the officer has probably cause to believe that the person caused the accident, the officer must require, instead of may request, the person to submit to and successfully complete a test or tests of the person's blood, breath, urine or other bodily substance for the purposes of determining alcohol concentration or drug content.	First sponsor: Sen. Burges		3/22 from House jud-pub safety with amend <u>#4851</u> .
S1214: COUNTY OFFICIALS; SALARIES	Beginning January 1, 2021, the annual salaries of county officers are increased by 15.6 percent. Effective January 1, 2019, the annual salary of the clerk of the superior court is increased 22 percent.	First sponsor: Sen. Kavanagh		1/18 referred to Senate gov.

<p>S1224: DOMESTIC VIOLENCE OFFENDERS; FIREARMS; SEIZURE</p>	<p>The court is required to order a person placed on probation for a domestic violence offense to transfer, for the duration of the probation, any firearms the person owns or possesses to the appropriate law enforcement agency within 24 hours after sentencing, or to provide the agency with an affidavit certifying that the person does not own or possess a firearm. The court must provide a copy of the order to the appropriate law enforcement agency, and if the agency has not received an affidavit or any firearms from the person within 24 hours, the agency must notify the court and request a search warrant for the person's home and vehicle, if appropriate. If a court orders a defendant who is subject to an order of protection to transfer a firearm to the appropriate law enforcement agency and the firearm is not transferred to the agency within 24 hours, the agency must notify the court and request a search warrant for the person's home and vehicle, if appropriate, to retrieve the firearm.</p>	<p>First sponsor: Sen. Bradley</p>		<p>1/18 referred to Senate jud.</p>
<p>S1231: JUSTIFICATION; DEADLY PHYSICAL FORCE; EXCEPTIONS</p>	<p>A person is not justified in threatening or using deadly physical force against another person if the person either leaves a place of safety and actively pursues the other person who is engaged in a lawful activity or pursues the other person after a law enforcement officer requests that the person retreat to a place of safety.</p>	<p>First sponsor: Sen. Mendez</p>		<p>1/18 referred to Senate jud.</p>
<p>S1242: SALARY HISTORY INFO; EMPLOYERS</p>	<p>Employers are prohibited from relying on the salary history information of an applicant for employment as a factor in determining whether to offer employment to an applicant or what salary to offer an applicant, and from seeking salary history information about an applicant for employment. On reasonable request, an employer is required to provide the pay scale for a position to an applicant for employment. Applies to all employers, including state and local government employers and the Legislature.</p>	<p>First sponsor: Sen. Quezada</p>		<p>1/18 referred to Senate com-pub safety.</p>
<p>S1244: MEMBERSHIP; ARIZONA CRIMINAL JUSTICE COMMISSION</p>	<p>Increases the number of members of the Arizona Criminal Justice Commission to 19 members by adding an attorney who practices primarily in the area of criminal defense and a representative of a Native American Tribe or Nation who has experience in the criminal justice or indigent defense field, both of whom are appointed by the Governor. Session law provides for the initial terms of the new members.</p>	<p>First sponsor: Sen. Quezada</p>		<p>1/18 referred to Senate jud.</p>
<p>S1259: AZPOST BOARD; MEMBERSHIP</p>	<p>Modifies the membership of the Arizona Peace Officer Standards and Training Board to remove a college faculty member, the Attorney General, the Director of the Department of Corrections, one member who is employed in administering county or municipal correctional facilities, and two certified law enforcement officers, and to replace them with five retired law enforcement officers with specified experience and an additional public member. The three public members cannot be associated with law enforcement and must not have a criminal record. The President of the Senate and the Speaker of the House of Representatives appoint one public member each, and all other Board members continue to be</p>	<p>First sponsor: Sen. Borrelli</p>		<p>2/19 from Senate rules okay.</p>

	appointed by the Governor. Also modifies the population cutoffs for the Board members who are sheriffs representing different sized counties and chiefs of city police representing different sized cities. Session law states that current Board members may continue to serve until expiration of their current term of office.			
S1260 (Chapter 216): LAW ENFORCEMENT OFFICERS; INTERVIEWS; RIGHTS	During an internal investigation of a law enforcement officer, the officer's representative is permitted to take notes during an interview. The officer and the officer's representative and attorney may use notes taken during the interview only to assist the officer in an investigation or a disciplinary matter. Notes taken by the officer, officer's representative or officer's attorney are not an official record. If the officer or representative or attorney releases information without authorization, s/he may be subject to disciplinary action. These same rights are also extended to a law enforcement officer designated as a witness and the witness officer's representative or legal counsel. AS SIGNED BY GOVERNOR.	First sponsor: Sen. Borrelli		4/12 signed by governor. Chap. 216, Laws 2018.
S1261: TEXTING WHILE DRIVING; PROHIBITION	A motor vehicle operator is prohibited from using a portable wireless communication device to read, write or send an electronic message while operating a motor vehicle unless the vehicle is stopped. Establishes a list of circumstances that constitute an affirmative defense to a prosecution of this prohibition. Violations are subject to a civil penalty of \$100 for a first violation, \$300 for a second or subsequent violation, or \$500 if the person is involved in a motor vehicle accident. Violations are a petty offense subject to a fine of \$25-\$99 for a first offense, and \$100-\$200 for a second or subsequent offense, except that a violation that causes the death of or serious bodily injury to another person is a class 2 (mid-level) misdemeanor subject to a fine of up to \$4,000.	First sponsor: Sen. Farley		2/19 stricken from Senate consent calendar by Yarbrough.
S1278: ALTERNATIVE FUEL SPECIAL PLATES; VETERANS	If a motor vehicle qualifies for an alternative fuel special license plate and a veteran special plate is issued, the Department of Transportation may issue an alternative fuel sticker to the owner of the motor vehicle.	First sponsor: Sen. Farley		1/31 from Senate trans-tech do pass.
S1279: MOTORCYCLE REGISTRATION; MOTORCYCLE LICENSE REQUIRED	A person who registers a motorcycle is required to have a valid class M license or a motorcycle endorsement on the person's driver license.	First sponsor: Sen. Farley		1/31 from Senate trans-tech do pass.
S1282: MEDICAL MARIJUANA FUND; APPROPRIATION	A registered nonprofit medical marijuana dispensary is required to have at least one secure entrance, instead of a single secure entrance. Due to voter protection, this legislation requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage. AS PASSED SENATE.	First sponsor: Sen. Borrelli		5/3 House COW approved with amend #4952 and floor amend #5206, #5207 and #5208. Passed House 41-17 (voter protected portions failed due to required 3/4 vote); ready for Senate action on House amendments. Senate concurred in House amendments and FAILED to pass on final reading 10-19.

<p>S1287 (Chapter 166): ADOT REVISIONS</p>	<p>Various changes to statutes relating to the Department of Transportation. The Dept is authorized to implement electronic or digital versions of driver licenses, nonoperating identification licenses, vehicle registration cards, license plates or any other official Dept record. The Dept is permitted to establish a system or process that allows for mailing notices of service or other documents or records electronically or digitally to a person who requests, that enables a person to establish a financial account in the Dept database, and that allows a person to comply with photograph and proof of vision test requirements through electronic or digital means. Vehicle registration cards may be displayed on a wireless communication device instead of carried at all times in the vehicle. Provisions relating to the financial account system become effective September 1, 2019. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Sen. Worsley</p>		<p>4/10 signed by governor. Chap. 166, Laws 2018.</p>
<p>S1288: VEHICLE REGISTRATION; USE TAX COLLECTION</p>	<p>The Department of Revenue is required to provide the Department of Transportation with the means to calculate the use taxes required to be collected at the time of application for a transfer of title or registration of a vehicle. Applies to taxable periods beginning on or after the first day of the month following the general effective date.</p>	<p>First sponsor: Sen. Worsley</p>		<p>4/19 House COW approved after House ways-means amend 4859 failed to be adopted.</p>
<p>S1295 (Chapter 255): INSURANCE PRODUCERS; FEES</p>	<p>Insurance producers are no longer prohibited from charging or receiving any fee or service charge in connection with the transaction of life, annuity or long-term care insurance. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Sen. Kavanagh</p>		<p>4/17 signed by governor. Chap. 255, Laws 2018.</p>
<p>S1296: GOVERNMENT COMMUNICATIONS; EMERGENCY RESPONSE INTERPRETERS</p>	<p>The state, counties and municipalities are each required to take reasonable steps to ensure that its communications with persons with disabilities, including online communications and emergency communications, are equally as effective as its communications with persons without disabilities. The state, counties and municipalities are each required to provide auxiliary aids and services when needed to communicate effectively with persons with communication disabilities. The state, counties and municipalities are each required to establish a protocol to take reasonable steps to secure a licensed interpreter to interpret emergency communications that are presented live to the media for broadcast or delivered through a live online communication, including an official government statement or press conference relating to an emergency situation. Does not prevent the state, a county or a municipality from communicating to the public during an emergency situation if an interpreter is unavailable. AS PASSED SENATE.</p>	<p>First sponsor: Sen. Bowie</p>		<p>5/3 from House rules okay. House COW approved. Passed House <u>58-2</u>; ready for governor.</p>
<p>S1318: MEDICAL ASSISTANCE REQUESTS; EVIDENCE; MITIGATION</p>	<p>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 is in need of medical assistance cannot be charged 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.</p>	<p>First sponsor: Sen. Contreras</p>		<p>1/24 referred to Senate jud.</p>

<p>S1347: MENTAL HEALTH; INJUNCTION; FIREARM POSSESSION</p>	<p>An immediate family member or a peace officer is authorized to file a verified petition with a magistrate, justice of the peace or superior court judge for an injunction that prohibits a person from possessing, controlling, owning or receiving a firearm. Any court may issue or enforce a mental health injunction against firearm possession, regardless of the location of the person. Information that must be included in the petition is specified. If the court finds that there is clear and convincing evidence to issue a mental health injunction against firearm possession, the court must issue the injunction. Information that must be included in the injunction is specified. Provides for enforcement. More.</p>	<p>First sponsor: Sen. Hobbs</p>		<p>1/24 referred to Senate jud.</p>
<p>S1348: PROHIBITED WEAPON; BUMP-FIRE DEVICE; ACCESSORY</p>	<p>For the purposes of the criminal code, the definition of "prohibited weapon" is expanded to include a trigger crank, a bump-fire device, or any part, combination of parts, or accessory that is designed or functions to accelerate the rate of fire of a "semiautomatic rifle" (defined) but that does not convert the rifle into a "machine gun" (defined).</p>	<p>First sponsor: Sen. Cajero Bedford</p>		<p>1/24 referred to Senate jud.</p>
<p>S1374: STATE LAW; LOCAL GOVERNMENT VIOLATIONS</p>	<p>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.</p>	<p>First sponsor: Sen. Brophy McGee</p>		<p>2/14 FAILED Senate gov 3-4.</p>
<p>S1395 (Chapter 191): TEMPORARY CUSTODY WITHOUT COURT ORDER</p>	<p>The circumstances under which a child may be taken into temporary custody without a court order by a peace officer, a child welfare investigator or a child safety worker are modified to require temporary custody to be clearly necessary to protect the child because of the existence of "exigent circumstances" (defined as there is probable cause to believe that the child is likely to suffer serious harm in the time it would take to obtain a court order for removal and either there is no less intrusive alternative that would reasonably and sufficiently protect the child's health or safety or probable cause exists to believe that the child is a victim of sexual abuse or abuse involving serious physical injury that can be diagnosed only by a licensed physician or a licensed health care provider with specific training in evaluations of child abuse. To execute an order authorizing temporary custody, a law enforcement</p>	<p>First sponsor: Sen. Barto</p>		<p>4/11 signed by governor. Chap. 191, Laws 2018.</p>

	<p>officer is permitted to use reasonable force to enter any building in which the person named in the removal authorization is or is reasonably believed to be. AS SIGNED BY GOVERNOR.</p>			
<p>S1400 (Chapter 256): AGGRAVATED DUI; SENTENCE; COUNTY JAIL</p>	<p>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 in the county with the program. 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. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Sen. Smith</p>		<p>4/17 signed by governor. Chap. 256, Laws 2018.</p>
<p>S1413: ASSISTING FEDERAL LAW ENFORCEMENT; PROHIBITION</p>	<p>The state, political subdivisions, "law enforcement agencies" (defined) and their employees or agents acting in an official capacity are prohibited from knowingly assisting a federal law enforcement agency or officer in the investigation, detention or prosecution of a person for a violation of federal law that prohibits the person from using, possessing or cultivating medical marijuana if the person is authorized to do so under state law.</p>	<p>First sponsor: Sen. Mendez</p>		<p>1/29 referred to Senate jud.</p>
<p>S1419: REDISTRICTING DATA; INMATES; RESIDENTIAL ADDRESS</p>	<p>The "redistricting entity" (defined) is required to prepare redistricting population data to reflect incarcerated persons at their residential address. In each year that the U.S. decennial census is taken and the U.S. Census Bureau allocates incarcerated persons as residents of correctional facilities, the Department of Corrections is required to deliver to the redistricting entity a list of specified information on each prisoner subject to the jurisdiction of the Dept.</p>	<p>First sponsor: Sen. Mendez</p>		<p>1/29 referred to Senate jud.</p>
<p>S1420: MEDICAL MARIJUANA; INSPECTION; TESTING; APPROPRIATION</p>	<p>Marijuana that is cultivated for medical use by a nonprofit medical marijuana dispensary or a designated caregiver is an agricultural commodity as defined in rule by the Department of Agriculture and, beginning June 1, 2019, is subject to regulation under title 3 (Agriculture) and related rules. The Dept is authorized to adopt any rules necessary relating to the cultivation of marijuana for medical use and required testing by independent third-party laboratories of marijuana that is cultivated by a nonprofit medical marijuana dispensary or a designated caregiver for medical use. The Dept is authorized to enter at reasonable times into or on a private property where marijuana is cultivated for medical use to determine compliance or noncompliance with rules or orders. The Dept is required to establish inspection protocols for nonprofit medical</p>	<p>First sponsor: Sen. Borrelli</p>		<p>5/3 House COW approved with floor amend #5184 and #5183, a substitute for amend 4877. Passed House 33-27 (voter protected portions failed due to required 3/4 vote); ready for Senate action on House amendments. House voted to reconsider failure to pass bill. Passed House on reconsideration 36-24 (voter protected portions failed due to required 3/4 vote); ready for Senate action on House amendments. Senate</p>

	<p>marijuana dispensaries that include the inspection of dispensary premises beginning June 1, 2019, and to establish remediation requirements for nonprofit medical marijuana dispensary premises where an inspection violation is found. A person that provides laboratory analysis of marijuana cultivated for medical use is required to apply for a certificate from the State Agricultural Laboratory, and the Dept is required to adopt rules for laboratory certification. Appropriates \$2 million from the Medical Marijuana Fund in FY2018-19 to the Dept for regulating marijuana. Due to voter protection, this legislation requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage. Emergency clause. AS PASSED SENATE.</p>			<p>concurred in House amendments.</p>
<p>S1455 (Chapter 224): CIVIL TRAFFIC VIOLATIONS; PROCEDURES; PENALTIES</p>	<p>Various changes relating to civil traffic violations. In a charge of violating a speed restriction, the complaint is required to specify the identification of the defendant and the date, time and location of the alleged violation. If a person is found responsible for a civil traffic violation resulting from operating a bicycle, the violation cannot be considered for the purpose of determining whether the person's driver license should be suspended or revoked, and cannot be considered as a moving traffic violation by an insurer for the purpose of establishing rates for motor vehicle liability insurance. AS SIGNED BY GOVERNOR.</p>	<p>First sponsor: Sen. Petersen</p>		<p>4/12 signed by governor. Chap. 224, Laws 2018.</p>
<p>S1460: SEXUAL ASSAULT; SURVIVOR RIGHTS</p>	<p>Establishes a list of rights that a survivor of a sexual assault has, including the right not to be prevented from or charged for a medical forensic examination and various rights relating to a sexual assault evidence collection kit.</p>	<p>First sponsor: Sen. Hobbs</p>		<p>1/30 referred to Senate hel-hu ser, jud.</p>
<p>S1472: MEDICAL MARIJUANA; MEDICAL CONDITIONS</p>	<p>The list of debilitating medical conditions that qualifies a person to receive a medical marijuana registry identification card is expanded to include autism spectrum disorder. Due to voter protection, this legislation requires the affirmative vote of at least 3/4 of the members of each house of the Legislature for passage.</p>	<p>First sponsor: Sen. Otondo</p>		<p>1/30 referred to Senate hel-hu ser.</p>
<p>S1478: EORP; EMPLOYER CONTRIBUTIONS</p>	<p>For each retirement plan or system administered by the Public Safety Personnel Retirement System (PSPRS) Board, information about a member other than a list of specified information is not subject to inspection under public records laws. The PSPRS Board and the PSPRS Administrator are prohibited from allowing any unredacted record to be inspected that contains a member's social security number, bank account information, address, telephone number, e-mail address, medical records, health insurance information, beneficiary or survivor information or disability information or any information that is protected by any federal or state law.</p>	<p>First sponsor: Sen. Fann</p>		<p>5/3 passed House <u>57-3</u>; ready for Senate action on House amendments. Senate concurred in House amendments and passed on final reading <u>26-2</u>; ready for governor.</p>

<p>S1498: AZPOST; MEMBERSHIP</p>	<p>Changes the required qualifications for the two certified law enforcement officer members of the Arizona Peace Officer Standards and Training Board (AZPOST Board) requiring the officers to have knowledge of and experience in representing peace officers in disciplinary cases. One of these members is required to have a rank of officer and the other is required to have a rank of deputy. One of the officers must be from a county with a population of less than 500,000 persons. Also, the Department of Public Safety is required to assist an Indian tribe in Arizona in implementing and testing an AMBER alert notification system, and the AZPOST Board may provide training for the system. AS PASSED CONFERENCE COMMITTEE.</p>	<p>First sponsor: Sen. Smith</p>		<p>4/30 passed House on final reading <u>55-1</u>; ready for governor.</p>
<p>S1519: PROTECTIVE ORDERS; SCHOOLS; APPROP</p>	<p>Numerous changes relating to school safety and orders of protection. Beginning November 1, 2018, a peace officer is permitted to seek an emergency STOP order from the superior court that allows the officer to take a person into custody if the officer has probable cause to believe the person poses a significant danger of imminently causing death or serious physical injury to self or others and is likely to suffer death or serious physical injury or cause death or serious physical injury to another person unless immediate action is taken. Emergency STOP orders may be issued electronically or by telephone as determined by the Supreme Court, and may be issued during the hours that the court is closed. The presiding judge of the superior court is required to make available a superior court judicial officer who may issue an emergency STOP order. The grounds for issuing an emergency STOP order are listed. An officer who takes a person into custody under an emergency STOP order is required to notify the respondent that a hearing will be held, and the respondent must have an opportunity to respond to any allegations at the hearing. If the respondent declines to have a hearing, the peace officer is required to transport the person to an evaluation agency. Within 72 hours after the respondent is admitted, the evaluating agency is required to complete an evaluation of the respondent for behavioral health issues and provide the evaluation results to the court. The court is required to schedule a hearing as soon as practicable but not later than the next court day after receipt of the evaluation. Establishes a list of evidence the court is required to review at the hearing. If the court finds by clear and convincing evidence that the respondent poses a significant danger to self or others, the court is required to issue a STOP order for up to 14 days. An emergency STOP order expires after 14 days. Within 24 hours after a court issues an emergency STOP order, the court is required to forward a copy of the order to the county sheriff's office, and the sheriff is required to register the order with the National Crime Information Center and indicate on the file that the respondent is subject to firearm restrictions. Each county sheriff is required to maintain a central repository to verify the existence and validity of an emergency STOP order. A request for an emergency STOP order and any supporting documents are</p>	<p>First sponsor: Sen. Smith</p>		<p>5/1 Senate COW approved with amend <u>#5135</u> and floor amend <u>#5154</u>. Passed Senate <u>17-13</u> (<u>lost emergency clause</u>); ready for House. Referred to House jud-pub safety.</p>

confidential and are not public records until the court issues an emergency STOP order. It is a class 4 (mid-level) felony for a person who is subject to a STOP order to possess or purchase a firearm. A law enforcement officer who is taking a person into custody for an emergency STOP order is authorized to take temporary custody of any firearm that is in plain sight or discovered under a consensual or other lawful search that is necessary for the protection of the peace officer or other persons present. A firearm that is taken into temporary custody must be returned at the end of the contact. If the court issues a STOP order or an emergency STOP order and the respondent possesses any firearms, the respondent is required to provide the court with the name of a responsible custodian, and the responsible custodian is required to take possession of all firearms or transfer possession of the firearms to the sheriff, a local law enforcement agency or a federally licensed firearms dealer within 24 hours after the order is issued. If the respondent does not identify a responsible custodian or submit evidence of compliance with these requirements, the court may issue a search warrant for the firearms. Procedures for the seizure of a firearm are established. The Supreme Court is required to annually report to the Governor and the Legislature specified information related to STOP order petitions. Beginning in the 2019-20 school year, school districts and charter schools are required to provide training in suicide prevention and related topics to teachers, principals and other school personnel who work with students in grades 6 through 12. Training requirements are specified. By July 1, 2019, the Arizona Health Care Cost Containment System Administration is required to annually identify or develop and post online a list of approved materials that schools may use to provide the training. The Department of Public Safety (DPS) is required to establish a Center for School Safety, and the Center is required to establish a safe schools hotline that allows any person to anonymously report any dangerous, violent or unlawful activity that is being conducted or threatened to be conducted on a school campus, on school transportation or at a school-sponsored event or related activity. Beginning in the 2018-19 school year, school districts and charter schools that issue student identification cards are required to include on the cards the telephone number of the safe schools hotline. Each visitor to the campus of a local education agency is required to provide identification to any school employee. School districts and charter schools, in conjunction with local law enforcement and emergency response agencies, are required to provide age-appropriate school safety training for students and professional development for teachers and staff on school safety, and to develop and maintain an emergency response plan for each school. School districts and charter schools are authorized to enter into an agreement with law enforcement agencies to allow AZPOST-certified active or reserve law enforcement officers to provide security on school grounds. The AZPOST Board is

required to prescribe training for all law enforcement officers and juvenile probation officers who participate in a school resource officer program, and required elements of the training are specified. School district and charter school governing boards are required to prescribe and enforce policies and procedures for school personnel to report certain suspected crimes to local law enforcement. Beginning July 1, 2018, if sufficient monies are appropriated, the Arizona Health Care Cost Containment System Administration is authorized to make payments directly to schools or to require a contractor in each geographic service area to provide evidence-based mental health first aid training for teachers and administrators in public schools and to provide behavioral health services to eligible students after receiving consent from a parent or guardian. Appropriates \$392,000 from the general fund in FY2018-19 to DPS to purchase virtual training equipment to provide training to school resource officers. Appropriates \$5.5 million from the general fund in FY2018-19 to ADE to add more school resource officers. Preference for this funding is required to be given to school districts and charter schools that have agreements to share the cost of the school resource officer. Appropriates \$450,000 from the general fund in FY2018-19 to AHCCCS for mental health first aid training in schools and \$3 million from the general fund in FY2018-19 to AHCCCS for behavioral health services in schools. Appropriates \$125,000 from the general fund in FY2018-19 to DPS to expand the current tips and leads portal to include a campus-specific portal for schools in Arizona. Appropriates \$597,800 from the general fund in FY2018-19 to DPS to establish, staff and manage the Center for School Safety. Appropriates \$600,000 from the Fingerprint Clearance Card Fund in each of FY2018-19, FY2019-20 and FY2020-21 to the Arizona Criminal Justice Commission to develop and implement a data exchange system. Retroactive to August 1, 2018.