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# PV Bills of Interest

## February 8, 2019

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54th Legislature - 1st Regular Session, 2019

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### Paradise Valley Bills of Interest

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#### Posted Calendars and Committee Hearings

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H2005: MOVING VIOLATIONS; DEFENSIVE DRIVING SCHOOL

*Hearing:* House Public Safety (Wednesday 02/13/19 at 9:00 AM, House Rm. 3)

H2043: MUNICIPAL JUDGES; TERMS; RETENTION ELECTION

*Hearing:* House Judiciary (Wednesday 02/13/19 at 9:00 AM, House Rm 4)

H2240: LIMITATIONS OF ACTIONS; DEDICATED PROPERTY

*Hearing:* House Judiciary (Wednesday 02/13/19 at 9:00 AM, House Rm 4)

H2319: HURF TRANSFERS; HIGHWAY PATROL; REPEAL

*Hearing:* House Appropriations (Wednesday 02/13/19 at 2:00 PM, House HR. 1)

H2587: PHOTO RADAR; SPEEDING

*Hearing:* House Transportation (Wednesday 02/13/19 at 2:00 PM, House Rm. 3)

S1231: PUBLIC SAFETY; RESIDENCY REQUIREMENTS; PROHIBITION

*Hearing:* Senate Government (Monday 02/11/19 at 2:05 PM, Senate Rm. 3)

S1460: TPT; DIGITAL GOODS & SERVICES

*Hearing:* Senate Finance (Wednesday 02/13/19 at 2:00 PM, Senate Rm. 1)

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#### Bill Summaries

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##### H2005: MOVING VIOLATIONS; DEFENSIVE DRIVING SCHOOL

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A court is required to allow an individual is is found responsible by the court for a civil traffic moving violation to attend a defensive driving school, and is permitted to allow an individual who is convicted of a violation of excessive speeds to attend a defensive driving school. If an eligible individual successfully completes the course at a defensive driving school, the court is required to dismiss the finding of responsibility or conviction for the civil or criminal traffic citation. Effective September 1, 2019.

First sponsor: Rep. Kavanagh (R - Dist 23)

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##### General Comments (all lists):

Provides for additional driver education. However increases workload of courts and PD. Officers pulled out of beats for court appearances, and night shift officers deprived of opportunity to sleep.

H2005 Daily History	Date Action
MOVING VIOLATIONS; DEFENSIVE DRIVING SCHOOL	1/30 from House trans do pass.
MOVING VIOLATIONS; DEFENSIVE DRIVING SCHOOL	1/30 House trans amended; report awaited.
MOVING VIOLATIONS; DEFENSIVE DRIVING SCHOOL	1/14 referred to House trans, pub safety.

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##### H2019: HIGHWAY SAFETY FEE; REPEAL; VLT

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Repeals the highway safety fee that was previously required to be in an amount established by the Director of the Department of Transportation annually in order to fund 110 percent of the Department of Public Safety Highway Patrol budget for each fiscal year. Repeals changes to the valuation formula for the separate vehicle license tax classification for motor vehicles powered by alternative fuels that are purchased on or after January 1, 2020, which would have become effective January 1, 2020. [Capitol Reports note: This legislation repeals all changes made by Laws 2018, Chapter 265].

First sponsor: Rep. Lawrence (R - Dist 23)

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##### General Comments (all lists):

This fee provided funding for DPS so that HURF sweeps could be avoided and funding restored to cities and towns.

H2019 Daily History	Date Action
HIGHWAY SAFETY FEE; REPEAL; VLT 2/4 referred to House trans.	

## **H2027: ONLINE LODGING MARKETPLACE; LOCAL TAXATION**

Municipalities and other taxing jurisdictions are authorized to levy a transaction privilege or other similar tax or fee on the gross receipts of an online lodging marketplace, whether acting on its own behalf or as a broker, from any activity subject to tax under the model city tax code, subject to specified conditions, including that the tax imposed on online lodging marketplaces and online lodging operators must be uniform with all other taxpayers engaging in the same activity within the jurisdictional boundaries. Previously, municipalities and other taxing jurisdictions were authorized to levy a transaction privilege or other similar tax or fee "as provided by" the model city tax code, subject to specified conditions, including that the tax imposed was required to be uniform on online lodging marketplaces, online lodging operators, and other taxpayers "of the same class" within the jurisdictional boundaries.

First sponsor: Rep. Kavanagh (R - Dist 23)

### **General Comments (all lists):**

Provides consistent framework in line with Wayfair decision

H2027 Daily History	Date Action
ONLINE LODGING MARKETPLACE; LOCAL TAXATION 1/14 referred to House ways-means.	

## **H2043: MUNICIPAL JUDGES; TERMS; RETENTION ELECTION**

Municipal court magistrates are limited to a four-year term, and are subject to election for retention or rejection at a general election in the same manner as superior court or appellate court judges and supreme court justices. A municipal magistrate is required to file a declaration of desire to be retained in office in the office of the municipal clerk at least 60 days before the general election following the expiration of the magistrate's term of office. The name of a magistrate whose declaration is filed must be placed on the appropriate official ballot under a nonpartisan designation in a specified form. Session law provides that a municipal magistrate currently holding office continues to serve for the respective term for which s/he was appointed or elected but following that term must be appointed or retained in office as provided by this legislation.

First sponsor: Rep. Kavanagh (R - Dist 23)

### **General Comments (all lists):**

Judges become political figures. Requires PV volunteer judges to campaign.

H2043 Daily History	Date Action
MUNICIPAL JUDGES; TERMS; RETENTION ELECTION 1/24 referred to House jud, elect.	

## **H2047: HURF DISTRIBUTION; CITIES, TOWNS, COUNTIES**

In FY2020-21, the Department of Transportation is required to allocate and the State Treasurer is required to distribute \$18 million from revenues of the Arizona Highway User Revenue Fund (HURF) to small counties and municipalities. Of the \$18 million, \$10 million must be distributed to counties with a population of less than 250,000 persons and \$8 million must be distributed to municipalities with a population of less than 7,500 persons. Contains a legislative intent section.

First sponsor: Rep. Cook (R - Dist 8)

Others: Sen. Borrelli (R - Dist 5), Rep. Campbell (R - Dist 1), Sen. Gowan (R - Dist 14), Rep. Stringer (R - Dist 1)

H2047 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

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**H2078: LOCAL GOVERNMENT INVESTMENT POOL**

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For the purpose of local government investment pools, "political subdivision" is defined as any governmental entity operating under the authority of this state, including a city, town, county, school district or community college district or any other entity organized under state law.

First sponsor: Rep. Kavanagh (R - Dist 23)

H2078 Daily History	Date	Action
LOCAL GOVERNMENT INVESTMENT POOL	2/7	from House gov do pass.
LOCAL GOVERNMENT INVESTMENT POOL	2/7	House gov do pass; report awaited.
LOCAL GOVERNMENT INVESTMENT POOL	1/30	referred to House gov.

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**H2081: TRAUMATIC EVENT COUNSELING**

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If a licensed mental health professional determines that a peace officer or firefighter needs additional visits of licensed counseling beyond the 12 visits currently authorized in the traumatic event counseling program, the employer is required to pay for up to an additional 36 visits, increased from an additional 24 visits, within one year after the first visit.

First sponsor: Rep. Blackman (R - Dist 6)

Others: Rep. Biasucci (R - Dist 5), Rep. Carroll (R - Dist 22), Rep. A. Hernandez (D - Dist 3), Rep. Lieberman (D - Dist 28)

H2081 Daily History	Date	Action
TRAUMATIC EVENT COUNSELING	1/23	referred to House gov, pub safety.

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**H2084: MUNICIPAL ZONING; REZONING PROTESTS**

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Clarifies that the group of persons authorized to file a protest in writing against a municipal rezoning, which triggers a requirement for the rezoning to obtain a 3/4 vote of the municipal governing body for passage, is the owners of 20 percent or more of the property by area and number of lots, tracts and condominium units either within the area of the proposed change or the area within 150 feet of the proposed change, including all rights of way.

First sponsor: Rep. Kavanagh (R - Dist 23)

H2084 Daily History	Date	Action
MUNICIPAL ZONING; REZONING PROTESTS	2/4	referred to House gov.

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**H2087: INVESTOR-OWNED SHORT-TERM RENTALS; LOCAL REGULATION**

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The list of purposes for which municipalities and counties may regulate vacation rentals or short-term rentals is expanded to include ensuring that "investor-owned" (defined) vacation rentals or short-term rentals comply with residential use and zoning ordinances if the ordinances are applied in the same manner as other property classified as class 3 or class 4 property for property tax purposes.

First sponsor: Rep. Kavanagh (R - Dist 23)

**General Comments (all lists):**

Investor owners convinced Rep Kavanagh to allow continued operation, instead relying on technology (referred to as 'big brother' by many) to report to commercial owners excessive noise or if # of cell phones exceed allowable occupancy. Does require license from state and allows municipality to report offenders to state to have license revoked.

H2087 Daily History	Date	Action
INVESTOR-OWNED SHORT-TERM RENTALS; LOCAL REGULATION	1/23	referred to House reg affairs, gov.

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**H2088: PSPRS; NORMAL RETIREMENT; EMPLOYEE CONTRIBUTIONS**

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For the Public Safety Personnel Retirement System, the definition of "normal retirement date" for an employee who becomes a member on or after July 1, 2017, is modified to eliminate the requirement that the employee be at least 55

years of age to retire after 15 years of credited service. The separate calculations for employee contribution rates that applied to employees hired on or after July 1, 2017 are deleted.

First sponsor: Rep. Chavez (D - Dist 29)

H2088 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

## **H2108: REAL ESTATE SIGNS; CITIES; COUNTIES**

Counties and municipalities cannot prohibit an owner of real property or the owner's agent from displaying on the property and/or in an area within a public or private right-of-way a sign advertising that the property is for sale or rent, an open house, the owner or agent's name and contact information, and directions to the property.

First sponsor: Rep. Grantham (R - Dist 12)

### **General Comments (all lists):**

Government cannot regulate signs based on content (Reed vs Gilbert). As a result, this would open up ALL signage in public rights of way

H2108 Daily History	Date	Action
REAL ESTATE SIGNS; CITIES; COUNTIES 1/28 referred to House reg affairs, gov.		

## **H2109: COUNTY TRANSPORTATION EXCISE TAX**

If approved by a majority of the qualified electors, a county transportation excise tax must be levied and collected at a rate that, by itself or together with any tax county transportation excise tax for roads, is not more than 20 percent, increased from 10 percent, of the transaction privilege tax rate in effect on January 1, 1990 (5 percent) or of the jet fuel excise and use tax rate prescribed by statute (currently 3.05 cents per gallon).

First sponsor: Rep. Shope (R - Dist 8)

H2109 Daily History	Date	Action
COUNTY TRANSPORTATION EXCISE TAX 1/28 referred to House ways-means, trans.		

## **H2115: LANDLORD TENANT; STATE PREEMPTION**

The regulation of the rights, obligations and remedies of landlords and tenants is a matter of statewide concern, and is not subject to further regulation by a county, municipality or other political subdivision.

First sponsor: Rep. Griffin (R - Dist 14)

H2115 Daily History	Date	Action
LANDLORD TENANT; STATE PREEMPTION 1/31 from House gov with amend #4040.		
LANDLORD TENANT; STATE PREEMPTION 1/31 House gov amended; report awaited.		
LANDLORD TENANT; STATE PREEMPTION 1/24 referred to House gov.		

## **H2158: FOOD; MUNICIPAL TAX EXEMPTION**

Municipalities and other taxing jurisdictions are prohibited from levying a transaction privilege, sales, use or other similar tax or fee on the sale of food items intended for human consumption in the home as defined by Department of Revenue rules.

First sponsor: Rep. Bolick (R - Dist 20)

Others: Rep. Biasiucci (R - Dist 5), Rep. Blackman (R - Dist 6), Rep. Carroll (R - Dist 22), Rep. Fillmore (R - Dist 16), Rep. Payne (R - Dist 21), Rep. Toma (R - Dist 22)

H2158 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

## **H2159: PRESCRIPTION DRUGS; MUNICIPAL TAX EXEMPTION**

The list of items that municipalities and special taxing districts are prohibited from levying a transaction privilege or use tax on is expanded to include sales of drugs and medical oxygen, including a delivery hose, mask or tent, regulator and tank, prescribed by a member of the medical, dental or veterinarian profession who is licensed to administer such substances.

First sponsor: Rep. Bolick (R - Dist 20)

Others: Rep. Biasiucci (R - Dist 5), Rep. Blackman (R - Dist 6), Rep. Carroll (R - Dist 22), Rep. Fillmore (R - Dist 16), Rep. Payne (R - Dist 21), Rep. Toma (R - Dist 22)

H2159 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

## **H2192: BUDGET CYCLE; POLICE ASSOCIATIONS; MEETING**

County boards of supervisors and municipal governing bodies are required to meet with police associations serving the peace officers of that county or municipality during the budget cycle to discuss the allocations of monies for public safety services.

First sponsor: Rep. Payne (R - Dist 21)

H2192 Daily History	Date	Action
BUDGET CYCLE; POLICE ASSOCIATIONS; MEETING 1/28 referred to House pub safety, gov.		

## **H2201: PARTISAN OFFICES; CITIES; TOWNS**

Municipalities are required to print on the ballot the party designation for all candidates for the office of mayor or city or town council, and statute authorizing municipalities to provide for nonpartisan primary election victories are deleted. Applies to elections held on or after January 1, 2020.

First sponsor: Rep. Carroll (R - Dist 22)

Others: Rep. Biasiucci (R - Dist 5), Rep. Blackman (R - Dist 6), Rep. Bolick (R - Dist 20), Sen. Livingston (R - Dist 22), Rep. Payne (R - Dist 21), Rep. Toma (R - Dist 22)

### **General Comments (all lists):**

Requires city and town elections to be partisan

H2201 Daily History	Date	Action
PARTISAN OFFICES; CITIES; TOWNS 2/5 from House elect do pass.		
PARTISAN OFFICES; CITIES; TOWNS 2/5 House elect do pass; report awaited.		
PARTISAN OFFICES; CITIES; TOWNS 1/28 referred to House elect.		

## **H2240: LIMITATIONS OF ACTIONS; DEDICATED PROPERTY**

Municipalities and counties are prohibited from instituting or maintaining an action or arbitration against a person who develops or develops and sells real property or who completes other construction activities on an improvement to real property that is dedicated to the municipality or county more than eight years after "final completion" (defined) of the improvement to real property if the action or arbitration is based on either a municipal or county code, ordinance or other legal requirement, or a permit that is required as a condition of development.

First sponsor: Rep. Kern (R - Dist 20)

H2240 Daily History	Date	Action
LIMITATIONS OF ACTIONS; DEDICATED PROPERTY 1/28 referred to House jud.		

## **H2244: ROADWAY DISPOSITION; ABANDONED ROADWAYS**

A governing body is permitted to authorize the Department of Transportation to sell and convey the land within a roadway by another appropriate instrument, in addition to by quitclaim deed.

First sponsor: Rep. Rivero (R - Dist 21)

H2244 Daily History	Date	Action
ROADWAY DISPOSITION; ABANDONED ROADWAYS 1/28 referred to House trans.		

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**H2257: CIVIL LIABILITY; GUN-FREE ZONES**

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A person, organization or entity or an agency, commission, board or political subdivision of the state that establishes a "gun-free zone" (defined) is liable for any damages claimed by a person who was harmed by criminal conduct in the gun-free zone if a reasonable person would believe that possession of a firearm could have helped the person defend against the criminal conduct. The court is authorized to award treble damages to the person who was harmed if the criminal conduct is found to be a terrorist attack or the person harmed is disabled, a member of a minority group, under 16 years of age or over 65 years of age at the time of the criminal conduct.

First sponsor: Rep. Thorpe (R - Dist 6)

H2257 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

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**H2319: HURF TRANSFERS; HIGHWAY PATROL; REPEAL**

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Repeals statute requiring the Department of Transportation to allocate and transfer \$10 million from revenues of the Arizona Highway User Revenue Fund (HURF) to the Department of Public Safety for funding a portion of highway patrol costs.

First sponsor: Rep. Campbell (R - Dist 1)  
Others: Rep. Biasiucci (R - Dist 5), Rep. Stringer (R - Dist 1)

**General Comments (all lists):**

Restores HURF funding to cities and towns

H2319 Daily History	Date	Action
HURF TRANSFERS; HIGHWAY PATROL; REPEAL	2/6	from House trans do pass.
HURF TRANSFERS; HIGHWAY PATROL; REPEAL	2/6	House trans do pass; report awaited.
HURF TRANSFERS; HIGHWAY PATROL; REPEAL	1/30	referred to House trans, appro.

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**H2320: HIGHWAY SAFETY FEE; REDUCTION**

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Caps the highway safety fee at \$18. The highway safety fee is no longer required to fully fund 110 percent of the Department of Public Safety Highway Patrol budget for each fiscal year.

First sponsor: Rep. Campbell (R - Dist 1)  
Others: Sen. S. Allen (R - Dist 6), Rep. Barto (R - Dist 15), Rep. Biasiucci (R - Dist 5), Rep. Blackman (R - Dist 6), Rep. Bolick (R - Dist 20), Sen. Borrelli (R - Dist 5), Rep. Bowers (R - Dist 25), Rep. Carroll (R - Dist 22), Rep. Cobb (R - Dist 5), Rep. Cook (R - Dist 8), Rep. Fillmore (R - Dist 16), Rep. Finchem (R - Dist 11), Rep. Grantham (R - Dist 12), Sen. Gray (R - Dist 21), Sen. Kerr (R - Dist 13), Rep. Petersen (R - Dist 12), Rep. Rivero (R - Dist 21), Rep. Stringer (R - Dist 1)

H2320 Daily History	Date	Action
HIGHWAY SAFETY FEE; REDUCTION	2/6	from House trans do pass.
HIGHWAY SAFETY FEE; REDUCTION	2/6	House trans do pass; report awaited.
HIGHWAY SAFETY FEE; REDUCTION	1/29	referred to House trans.

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**H2357: RECONSTRUCTION CONTRACTING; LOCAL TAX; EXEMPTION**

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The list of items that municipalities and special taxing districts are prohibited from levying a transaction privilege or use tax on is expanded to include gross proceeds of sales or gross income derived from "reconstruction contracting" (defined), unless the "gross building area" (defined) increases by more than 25 percent in the 24 month period before the sale of the real property and the property is sold within 24 months after substantial completion. If a tax is assessed on reconstruction contracting, the speculative builder is authorized to exclude from gross income the "prior value" (defined) allowed for reconstruction contracting in determining taxable gross income. A formula for determining the prior value is specified.

First sponsor: Rep. Toma (R - Dist 22)  
Others: Sen. Livingston (R - Dist 22)

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H2357 Daily History	Date Action
RECONSTRUCTION CONTRACTING; LOCAL TAX; EXEMPTION 2/6	House ways-means held.
RECONSTRUCTION CONTRACTING; LOCAL TAX; EXEMPTION 1/29	referred to House ways-means.

## H2406: PUBLIC WORKS CONTRACTS; PROHIBITED AGREEMENTS

The list of prohibited provisions in a public works contract is modified to remove requiring a contractor to participate in or contribute to an apprenticeship program that is registered with the U.S. Department of Labor and requiring a contractor to become a party to any project labor agreement.

First sponsor: Rep. Shope (R - Dist 8)

H2406 Daily History	Date Action
PUBLIC WORKS CONTRACTS; PROHIBITED AGREEMENTS 2/4	withdrawn from House gov.
PUBLIC WORKS CONTRACTS; PROHIBITED AGREEMENTS 1/30	referred to House gov, com.

## H2422: PUBLIC RETIREMENT SYSTEMS

Numerous changes relating to public retirement systems. The Public Safety Personnel Retirement System (PSPRS) Board is required to establish a deferred compensation plan in which a PSPRS member may voluntarily participate, and plan provisions are specified. An active member of the Elected Officials' Defined Contribution Retirement System (EODCRS) or Public Safety Personnel Defined Contribution Retirement Plan (PSPDCRP) who volunteers or is ordered to perform military service is permitted to receive years of service for up to 60 months of military service as provided by federal law. The member's employer is required to make employer contributions and the member is required to make member contributions. Provides a process for paying contributions and crediting service. For deaths occurring from and after January 1, 2014 for the EODCRS or from and after July 1, 2017 for the PSPDCRP, in the case of a member who dies while performing qualified military service, the survivors of the member are entitled to any benefits, other than benefit accruals relating to the period of qualified military service, provided under the EODCRS or PSPDCRP as though the member resumed and then terminated employment on account of death. The provisions relating to defined contribution retirement plans are retroactive to the dates these death benefits are valid. Credited service provisions for military service members of the Arizona State Retirement System and PSPRS are extended to a member who served in any military reserve unit of any branch of the U.S. Armed Forces.

First sponsor: Rep. Blackman (R - Dist 6)

H2422 Daily History	Date Action
PUBLIC RETIREMENT SYSTEMS 2/7	from House gov do pass.
PUBLIC RETIREMENT SYSTEMS 2/7	House gov do pass; report awaited.
PUBLIC RETIREMENT SYSTEMS 1/30	referred to House gov.

## H2440: HIGHWAY SAFETY FEE; REPEAL

Repeals the highway safety fee that was previously required to be in an amount established by the Director of the Department of Transportation annually in order to fund 110 percent of the Department of Public Safety Highway Patrol budget for each fiscal year.

First sponsor: Rep. Griffin (R - Dist 14)

### General Comments (all lists):

The implementation of this fee last year was the basis for the restoration of HURF funding for cities and towns

H2440 Daily History	Date Action
HIGHWAY SAFETY FEE; REPEAL 2/4	referred to House trans.

## H2460: 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.

First sponsor: Rep. Townsend (R - Dist 16)

H2460 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

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## **H2502: COUNTIES; MUNICIPALITIES; CONTRACTS; SMALL BUSINESS**

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If a county or municipality anticipates a contract for services will total more than \$5,000, the county or municipality is required to first solicit bids from "small businesses" (defined).

First sponsor: Rep. Blackman (R - Dist 6)

H2502 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

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## **H2533: MUNICIPAL TAX EXEMPTION; SPECULATIVE BUILDERS**

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In computing the tax base for transaction privilege and other use taxes for a speculative builder, municipalities and other taxing jurisdictions are required to exclude from the gross proceeds of sales or gross income the price of any lease on real property or other intangible or personal property included in determining the total selling price of the improved real property to the extent allocated in the affidavit of legal value for the sale. The resulting tax may not be less than the tax that would have been paid under the prime contracting classification for the improvements that were constructed or reconstructed. Retroactive to February 1, 2019.

First sponsor: Rep. Rivero (R - Dist 21)

H2533 Daily History	Date	Action
MUNICIPAL TAX EXEMPTION; SPECULATIVE BUILDERS 2/4 referred to House ways-means.		

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## **H2587: PHOTO RADAR; SPEEDING**

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A speeding violation that is detected by a photo enforcement system is permitted to result in a traffic ticket and complaint only if, within 60 days after the effective date of this legislation and at least every two years after, the state or local authority conducts a speed test on the street where the photo enforcement system is operating to determine the speed limit at which at least 85 percent of the vehicles are traveling, the posted speed limit on the street where the violation occurs is the same as or greater than the speed limit determined by the test, and the local authority submits the test results to the Department of Transportation for review.

First sponsor: Rep. Kavanagh (R - Dist 23)

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**General Comments (all lists):**

Speed studies must be conducted every two years at non peak times, eliminating cars within ten seconds of each other. Effectively only allows fastest vehicles to count toward speed. Recent speed study on Lincoln showed 85th percentile speed of 43 and highest speed of 86, which would make photo enforcement of 86 mph in a posted 40 mph illegal.

H2587 Daily History	Date	Action
PHOTO RADAR; SPEEDING 2/6		referred to House trans, pub safety.

## **H2635: PROHIBITION; PHOTO RADAR**

Summary to come

First sponsor: Rep. Payne (R - Dist 21)  
Others: Rep. Biasiucci (R - Dist 5), Rep. Blackman (R - Dist 6), Rep. Bolick (R - Dist 20), Rep. Carroll (R - Dist 22), Rep. Cobb (R - Dist 5), Rep. Cook (R - Dist 8), Rep. Dunn (R - Dist 13), Rep. Fillmore (R - Dist 16), Rep. Finchem (R - Dist 11), Rep. Grantham (R - Dist 12), Rep. Griffin (R - Dist 14), Rep. Kavanagh (R - Dist 23), Rep. Kern (R - Dist 20), Rep. Petersen (R - Dist 12), Rep. Roberts (R - Dist 11), Rep. Stringer (R - Dist 1), Rep. Toma (R - Dist 22), Rep. Townsend (R - Dist 16), Rep. Udall (R - Dist 25)

### **General Comments (all lists):**

Photo enforcement prohibition introduced 2/7/19 with 19 House sponsors

H2635 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		

## **S1001: HIGHWAY SAFETY FEE; REPEAL; VLT**

Repeals the highway safety fee that was previously required to be in an amount established by the Director of the Department of Transportation annually in order to fund 110 percent of the Department of Public Safety Highway Patrol budget for each fiscal year. Repeals changes to the valuation formula for the separate vehicle license tax classification for motor vehicles powered by alternative fuels that are purchased on or after January 1, 2020, which would have become effective January 1, 2020. [Capitol Reports note: This legislation repeals all changes made by Laws 2018, Chapter 265].

First sponsor: Sen. Ugenti-Rita (R - Dist 23)

S1001 Daily History	Date	Action
HIGHWAY SAFETY FEE; REPEAL; VLT 2/4		Senate COW approved with floor amend <a href="#">#4047</a> and <a href="#">#4046</a> , a substitute to amend <a href="#">#4003</a> .
HIGHWAY SAFETY FEE; REPEAL; VLT 1/29		from Senate rules okay.
HIGHWAY SAFETY FEE; REPEAL; VLT 1/23		from Senate appro with amend <a href="#">#4003</a> .
HIGHWAY SAFETY FEE; REPEAL; VLT 1/22		Senate appro amended; report awaited.
HIGHWAY SAFETY FEE; REPEAL; VLT 1/14		referred to Senate appro.

## **S1165: PROHIBITION; TEXTING WHILE DRIVING**

Summary to come

First sponsor: Sen. Brophy McGee (R - Dist 28)  
Others: Rep. Bolding (D - Dist 27), Rep. Bowers (R - Dist 25), Sen. Bradley (D - Dist 10), Rep. Campbell (R - Dist 1), Sen. Carter (R - Dist 15), Rep. Chavez (D - Dist 29), Rep. Espinoza (D - Dist 19), Sen. Fann (R - Dist 1), Rep. Friese (D - Dist 9), Rep. D. Hernandez (D - Dist 2), Sen. Navarrete (D - Dist 30), Sen. Otondo (D - Dist 4)

### **General Comments (all lists):**

Senator Brophy McGee's Distractive Driving bill

S1165 Daily History	Date	Action
PROHIBITION; TEXTING WHILE DRIVING 1/23		referred to Senate trans-pub safety.

## **S1231: PUBLIC SAFETY; RESIDENCY REQUIREMENTS; PROHIBITION**

Counties and municipalities are prohibited from requiring a firefighter or peace officer, as a condition of employment, to reside in the county or municipality of

the firefighter's or peace officer's employment.

First sponsor: Sen. Boyer (R - Dist 20)

S1231 Daily History	Date	Action
PUBLIC SAFETY; RESIDENCY REQUIREMENTS; PROHIBITION 1/29 referred to Senate gov.		

### **S1268: TPT; DISTRIBUTION; TRIBAL COLLEGE COMPACT**

The maximum amount of transaction privilege tax (TPT) revenue received from sources located on an Indian Reservation that may be distributed to a technical university located on an Indian Reservation is temporarily increased to \$1.875 million or 15.7 percent of TPT revenues from sources located on an Indian Reservation, whichever is less, for FY2019-20 through FY2026-27, from \$875,000 or 5 percent of TPT revenues from sources located on an Indian Reservation, whichever is less.

First sponsor: Sen. Peshlakai (D - Dist 7)

Others: Sen. Alston (D - Dist 24), Sen. Bradley (D - Dist 10), Sen. Contreras (D - Dist 19), Sen. Dalessandro (D - Dist 2), Sen. Gonzales (D - Dist 3), Sen. Mendez (D - Dist 26), Sen. Navarrete (D - Dist 30), Sen. Otondo (D - Dist 4), Sen. Quezada (D - Dist 29), Sen. Rios (D - Dist 27), Sen. Steele (D - Dist 9), Rep. Teller (D - Dist 7), Rep. Tsosie (D - Dist 7)

S1268 Daily History	Date	Action
TPT; DISTRIBUTION; TRIBAL COLLEGE COMPACT 1/30 referred to Senate fin, appro.		

### **S1460: TPT; DIGITAL GOODS & SERVICES**

For the purpose of transaction privilege and use taxes and local excise taxes, the gross income, gross receipts, gross proceeds, purchase price or sales price from selling, leasing, licensing, purchasing or using "digital services" (defined) is excluded from tax. Does not apply to an online lodging marketplace. Establishes the digital goods classification of transaction privilege taxes, which is comprised of the business of selling, leasing or licensing the use of "prewritten computer software" or providing "specified digital goods" (both defined). Establishes a list of exemptions from the digital goods classification. Levies an excise tax on using or consuming prewritten computer software and specified digital goods in Arizona as a percentage of the acquisition price, which applies to any purchaser that purchases these items for resale but that subsequently uses or consumes the items. Some exceptions. Prewritten computer software and specified digital goods must be sourced to the seller's business location if the seller receives the order at a business location in Arizona and the items are to be used in Arizona, and to the purchaser's location in Arizona if the seller receives the order at a business location outside Arizona but the items are to be used in Arizona. Contains a legislative intent section. Applies to taxable periods beginning on or after the first day of the month following the effective date of this legislation.

First sponsor: Sen. Ugenti-Rita (R - Dist 23)

#### **General Comments (all lists):**

Labels software subscriptions (such as Office 365 and Adobe Creative Cloud suites) as services rather than goods, and exempts them from taxation

S1460 Daily History	Date	Action
No actions posted for this bill within the requested time frame.		