

Legislative Link Update

April 15, 2021

Hello and welcome to the 2021 Glendale Legislative Link Program.

Today is the 95th day of session and almost all activity was on the floor this week as both chambers continue to act on bills already passed in the opposite chamber. The next session deadline is Saturday, April 24 which is the week of the 100th day of session. This is the date that requires the legislature to adjourn for the session unless leaders extend the deadline. Leadership can extend the session no more than 7 days; thereafter any extension requires a majority vote in each house.

Governor Ducey vetoed his first bill of this session this week. For the first time since 2019, Governor Ducey vetoed HB 2360 Driver License Voter Registrations; Committee. HB 2360 would give complete authority to the Secretary of State's Office to operate and maintain the online voter registration system, removing it from the Arizona Department of Transportation. In his veto message, Governor Ducey said, "the Arizona Department of Transportation has developed a site and a system that Arizonans recognize and appreciate." Attached is the complete letter if you're interested in reading more.

Below are updates on a few bills that we believe may be of interest to you:

HB 2111 (Chapter 182) 2nd Amendment; Unenforceable Federal Laws

Pursuant to the sovereign authority of the state of Arizona and the state Constitution, this state and all political subdivisions are prohibited from using any personnel or financial resources to enforce, administer or cooperate with any act, law, treaty, order, rule or regulation of the U.S. government that inconsistent with any Arizona law regarding the regulation of firearms. HB 2111 was signed into law by Governor Ducey.

HB 2772 Fantasy Sports Betting; Event Wagering

HB 2772 makes numerous changes to statutes relating to gaming. Establishes a new chapter in Title 5 (Amusements and Sports) regulating "fantasy sports contest" (defined), conditionally enacted on each Indian Tribe with a gaming facility in Pima County and in the Phoenix metropolitan area entering into a 2021 Gaming Compact Amendment and publishing in the federal register notice of the U.S. Secretary of the Interior's approval or approval by operation of law. HB 2772 establishes requirements for licensure, authorizes ADG to adopt rules related to conducting fantasy sports contests, and establishes penalties for violations. Individuals who are under 21 years of age are prohibited from participating in a fantasy sports contest. HB 2772 establishes a list of prohibited actions for licensed fantasy sports contest operators and prohibits fantasy sports contests from being offered on a kiosk or machine open to public use. ADG is required to establish a fee for the privilege of operating fantasy sports contests. In determining the fee, ADG is required to consider the highest percentage of revenue share that an Indian Tribe pays to Arizona pursuant to the tribal-state gaming compacts and any amendments. The law establishes a new chapter in Title 5 (Amusements and Sports) regulating "event wagering" (defined), conditionally enacted on each Indian Tribe with a gaming facility in Pima County and in the Phoenix metropolitan area entering into a 2021 Gaming Compact Amendment and publishing in the federal register notice of the U.S. Secretary of the Interior's approval or approval by operation of law. Today,

Governor Ducey signed HB 2772 into law and also signed updated gaming compacts with the tribal communities.

HB 2171 (Chapter awaited) Marijuana Violations; Court Jurisdiction; Procedures

HB 2171 establishes a new chapter in Title 22 (Justice and Municipal Courts) governing civil marijuana violations. The bill grants the justice court and municipal court jurisdiction of civil marijuana violation cases. The bill also grants the juvenile court jurisdiction over civil marijuana violations that are committed by persons who are under 18 years of age. A civil marijuana violation case may be commenced by issuance or filing of a uniform traffic ticket and complaint issued by a peace officer. The process for issuing a complaint of a civil marijuana violation is established. Peace officers are authorized to stop and detain a person as is reasonably necessary to investigate an actual or suspected violation of marijuana statutes and to serve a copy of the complaint for an alleged civil violation. HB 2171 passed out of the House 58-1, the Senate 30-0 and was signed into law by Governor Ducey.

HB 2178 (Chapter 102) Theft by Extortion; Defense

Theft by extortion, a class 4 felony, is committed when a person knowingly obtains, or attempts to obtain, services or property by means of a threat. If a person causes serious physical injury or death, then the offense is a class 2 felony. A person may claim an affirmative defense to prosecution for theft by extortion in certain circumstances if the property obtained by threat, accusation, lawsuit, or other official means was; 1) restitution or indemnification for harm done relating to the threat, accusation, lawsuit, or other official mean; or 2) Compensation for lawfully obtained property or lawful service (A.R.S § 13-1804). HB 2178 modifies the defense to prosecution for theft by extortion to be a defense, rather than an affirmative defense, when a reasonable person would believe that a claim applies in certain circumstances. HB 2178 passed out of the House 60-0, the Senate 30-0 and was signed into law by Governor Ducey.

HB 2027 Leaving Accident Scene; Private Property

The requirements for the driver of a vehicle involved in an accident to stop, remain at the scene of the accident, give specified information to others, and give reasonable assistance to an injured person are applicable to accidents on public or private property. The criminal classification for violating these requirements and for violating the requirement to take reasonable steps to locate and notify the owner of an unattended vehicle or fixtures or other property adjacent to a highway that the driver struck are increased to a class 1 (highest) misdemeanor, from a class 3 (lowest) misdemeanor. **HB 2027 passed out of the House 51-8 and passed out of all Senate Committees. HB 2027 is now waiting for a final vote by the Senate before the bill can be transmitted to the Governor for signature or a veto.**

HB 2168 Use of Force; Reports; Analysis

HB 2168 requires law enforcement agencies to report data to the national use-of-force data collection on use-of-force incidents involving public officers at least annually. The reported data cannot include any identifying information on a public officer. Law enforcement agencies are required to submit the report through the law enforcement enterprise portal that is administered by the Federal Bureau of Investigation. Law enforcement agencies are also required to report the data collected to the Arizona Criminal Justice Commission by January 1, 2023 and by January 1 of each year after. The Commission is required to develop procedures governing the collection and reporting of use-of-force incident data. The data reported under these requirements is a public record. By January 1, 2025, and at least once every five years after, the Commission is required to conduct a comprehensive analysis of law enforcement agency use-of-force rates and release the analysis to the public. **The bill passed out of the House 51-10 and out of the Senate 30-0. Because the bill was amended in the Senate, the bill must go back to the**

House where the body will vote to accept the Senate changes. If the House votes to concur with the amendment, the bill will be transmitted to the Governor for signature or a veto.

Similar to previous years, our bill tracking list will be available through an online report that can be accessed at the following website. The password is "Glendale". Utilizing a dynamic online report allows our Legislative Link participants to receive the most up to date information on bill status and committee hearing schedules at any time. <https://azcapitolreports.com/webreport.cfm?webreport=26568&listid=72498&print=true>

Thank you again for your participation in Glendale's Legislative Link Program.

Remember, you can watch committee hearings via the internet by going to the [legislature's website](#) and clicking on the live proceedings hyperlink located in the column on the left side of the page.

Arizona State Legislature Website: www.azleg.gov

To determine who your state legislators are, [click here](#)

You can also visit the Intergovernmental Programs Department's webpage for additional information by [clicking here](#)

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Best regards,

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