

It is the 54th day of the 2017 legislative session – more than halfway through the 100 days automatically allotted for legislative efforts each year. There is no state budget agreement in sight, but legislators spent long hours this week hard at work on a wide variety of topics and priorities.

And the policy successes were not limited only to the majority party. This year, Democrats are seeing a higher rate of success on their priorities. Republicans have recently joined their efforts to achieve things like funding for [restoring historic State Fair buildings](#), adding another layer of review of [sales tax credits](#), and ensuring [rights for survivors](#) of sexual assault.

Bipartisan support extends to Republican-sponsored proposals, as well. This week the Senate passed a bill to allow counties to [levy a gas tax](#) and a proposal to [increase liability standards](#) for car insurance. Senators of both parties also voted to allow [electronic billboards](#) in a corner of rural Arizona and reduce the age at which a restaurant employee can [serve alcohol](#). And a bipartisan coalition successfully opposed a bill to let more [guns in public buildings](#), failing the bill on the Senate floor.

After a bill to strengthen penalties against people who plan protests that turn violent drew national attention last week, House Speaker J.D. Mesnard (R-Chandler) announced that the [House would not consider](#) the proposal. But House Republicans did approve [controversial measures](#) to amend the citizen initiative process, moving the discussion to the Senate.

The House also passed a bill to [ban traffic cameras](#) on every road in Arizona, and 17 years after enacting the “Shannon’s Law” restrictions against shooting guns in city limits, House Republicans agreed to [restrict the law](#) to not apply to accidental shots fired.

The legislature has voted to send five bills to the Governor’s desk, and all have been signed into law. One law, signed last week, allows the San Tan area of Pinal County to incorporate. This week, the Governor signed four more proposals. Two of the new laws, which will become effective 90 days after the session ends, will [align state tax laws](#) with IRS codes and require members of the [Arizona Power Authority Commission](#) to follow state conflict of interest and open meeting laws. Two other proposals approved by the Governor will [designate](#) the Phoenix-Goodyear Airport as a Military Reuse Zone – a designation to [aid economic development](#), and will give the Arizona Department of Water Resources authority to [negotiate an agreement](#) for the state – a step that will aid an ongoing negotiations on Colorado River Water.

The steady pace of debate and votes is scheduled to continue next week, as legislators finalize amendments and seek support for their priorities. House and Senate policy committees have three more weeks to consider and advance legislation – a deadline that is sure to inspire longer committee hearings and more floor votes as the session moves forward.



Budget Update

The legislature's fast process on bills does not extend to a state budget proposal. The House and Senate seem focused on outreach to their own members, rather than moving into negotiations that will create a proposal with enough support to reach the Governor.

Members of the Senate have been asked to submit their budget priorities to Republican leaders, but some legislators complain the process does not really reflect a chance to be involved in shaping fiscal goals.

In the House, the education budget subcommittee approved its [recommendation](#) this week, largely following the basic budget outline provided by legislative budget staff earlier this year. It rejects two of the Governor's funding items: \$800,000 for the School for the Deaf and Blind home visits program, and \$50,000 for one-time legal fees of the State Board of Education. The report agrees with a School Facilities Board request of \$17.2 million but does not specify a funding source, and it urges a longer-term strategy to funding school capital needs.

It does not recommend funding for increased school costs associated with implementing Proposition 206, the voter-approved minimum wage increase, but suggests a two-year period to monitor the measure. The report also calls for a "robust discussion" on how education funding should occur when [Proposition 301](#) expires in 2021.

Subcommittee reports were submitted to the full House Committee on Appropriations, which has not yet scheduled any budget-related action but is accepting input from both Republicans and Democrats.

Priority Legislation

- [HB 2082](#) (schools; daily recess time), which requires at least 50 minutes of unstructured recess time for students in grades K-5 and 25 minutes of recess for students in half-day kindergarten, passed the House last week and was referred to the Senate Committee on Education.
- [HB 2134](#) (schools; children's camps; sunscreen use), which would authorize children's use and possession of FDA-approved sunscreen, passed the House last week and was referred to the Senate Committee on Education.
- [HB 2194](#) (indoor tanning; minors; restricted use), which would prevent minors from using tanning devices, was assigned to the Senate Committees on Commerce & Public Safety and Health & Human Services last week.
- [HB 2208](#) (inhalers; administration; schools; authorized entities), which increases authorities for schools to offer inhalers to students when permitted to do so by a physician, is scheduled for a hearing in the Senate Committee on Health & Human Services on March 8.
- [HB 2372](#) (public benefits; fee waivers; requirements), which extends TANF benefits from 12 to 24 months under [a long list](#) of requirements and restrictions, is scheduled for a hearing in the Senate Committee on Health & Human Services on March 8.

- [HB 2510](#) (schools; immunization records; retention), which requires school districts and charter schools to maintain a student's immunization record for six years after the student was enrolled, passed the House last week and was referred to the Senate Committee on Education.
- [SB 1001](#) (civil liability; minors; animals; vehicle), which provides civil liability protection for bystanders to intervene for the protection of children and animals, passed the Senate last month but has not been assigned to a House committee.
- [SB 1080](#) (teenage drivers; communication devices prohibited), which prohibits a minor from using a wireless communication device while driving – except for emergencies, passed the House Committee on Transportation & Infrastructure by a vote of 7-1.
- [SB 1236](#) (psychotropic drugs; foster children; report), which requires the Department of Child Safety and AHCCCS to report on the rate of psychotropic drugs prescribed to foster children on AHCCCS compared to non-foster children, passed the Senate last week but has not been referred to a House committee.
- [SB 1367](#) (abortion; live delivery; report; definition), which requires a physician performing an abortion to document and report the measures performed to maintain the life of the fetus or embryo if it was delivered alive, was referred to the House Committee on Judiciary & Public Safety.
- [SB 1368](#) (newborn screening; fees), which increases the cost of the first newborn screening panel from \$30 to \$36, was referred to the House Committee on Health.

Texting Ban for Teenage Drivers Takes Another Step Forward

A texting ban on teenage drivers moved forward in the House this week, receiving bipartisan support from the House Committee on Transportation and Infrastructure.

Senator Karen Fann (R-Prescott), the sponsor of [SB 1080](#), said she had pursued this legislation for six years and was hopeful that “by the grace of God and your help,” it could finally become law. She believes the limitation on teenage drivers is a critical way to say “these lives are precious to us.”

The bill applies to drivers with Class G licenses – those who are newly-licensed drivers. Fann pointed to existing restrictions on these licenses, like late-night hours when those licensed drivers cannot be on the road or a limit on the number of non-sibling minors that can be in the vehicle with them. “The point of these licenses is for them to learn how to drive safely – that’s why we have these minor restrictions to them.”

The bill passed the Committee by a vote of 7-1, though some supporters expressed hope that the state could also consider a texting ban that would apply to drivers of all ages. The bill can now move to the full House for consideration.

House, Senate Take Diverse Paths Toward ADA Compliance

Despite strong opposition from individuals who will be impacted by the legislation, the Senate voted this week to approve [SB 1198](#). The bill would require a delay and specified notification before a lawsuit could be filed for an ADA violation – a step that small businesses believe will prevent harassing lawsuits, but opponents say will lead to more hardship for people with disabilities. It was [amended](#) to further define the details that must be included in a written notice of ADA compliance violations.

Opponents of the bill pointed out that the concept has been proven unnecessary because the legal process already threw out a large number of lawsuits that started the discussion. They argued that the ADA had been law for 27 years, and additional time for business owners to follow that law was unnecessary.

The bill received bipartisan support, though, and passed the Senate 22-8.

In the House, a proposal to address ADA lawsuit concerns without a delay took a small step forward. [HB 2504](#) would authorize a court to impose a sanction on a plaintiff if an action or series of actions are brought for the primary purpose of getting payment from the defendant. It was discussed in House caucus meetings (separate gatherings of Republicans and Democrats).

Representative Maria Syms (R-Phoenix) emphasized that she had worked with – and continued to meet with – advocates for individuals with disabilities, and strongly argued against any attempt to establish a mandatory cure period. “This is a scalpel instead of a sledgehammer,” she summarized. Several of her colleagues expressed strong support for the bill, and for her cooperation with key stakeholders. The proposal can now move to the full House for consideration.

Senate to Consider Bill that Brings Parking Problems for Individuals with Disabilities

The Senate Committee on Transportation and Technology is scheduled to consider a bill that could complicate parking accessible to persons with disabilities, overriding input from those who rely on accessible parking spaces. As [The Arizona Republic](#) reports, [HB 2408](#) seeks to designate some accessible parking only for individuals who use wheelchairs – a step that can reduce parking for individuals with disabilities that do not use wheelchairs.

The bill passed the House last month on a largely party-line vote of 33-25. Republican Representative Paul Mosley (R-Lake Havasu City) joined Democrats in opposition to the measure.

The Senate committee meets March 7 at 2:00 p.m.

House Committee Approves Study of Incompetent, Nonrestorable, or Dangerous Defendants

A House committee advanced a proposal this week that could lead to additional treatment options for criminal defendants with developmental disabilities and mental health issues. [SB 1031](#), which passed the House Committee on Judiciary & Public Safety by 8-1, would re-establish the Study Committee on Incompetent, Nonrestorable and Dangerous Defendants to evaluate short- and long-term treatment options and recommendations.

Supporters shared a history of the study committee, which was created and expired in statute last year. They explained the need for additional research on treatment options for defendants, and disputed legislators' assertions that the committee had failed to meet frequently last year because of a lack of interest.

The bill's sponsor, Senator Nancy Barto (R-Phoenix), also objected to House members' doubts that a study committee was needed. She disagreed with assertions that the committee was a way to grow government. "This study committee definitely has a purpose," Barto argued. "As long as I've been here [at the legislature], we've been trying to identify solutions to this problem."

The House committee approved an [amendment](#) to increase the legislative membership on the study committee; the bill now moves to the full House for consideration.