

As the legislature enters the fourth month of the 2017 legislative session, both the House and the Senate are narrowing the number of bills still to be considered this year. Approximately 250 are still eligible for consideration; more than 160 have received legislative approval.

This week, the legislature approved an expansion of what qualifies as an [act of terrorism](#), and passed this year's most controversial proposal on [abortion](#).



A Senate committee revived an effort to require [drug or alcohol testing](#) for a driver who is involved in a fatal traffic accident, and also gave new life to a bill that would allow Good Samaritans to [break into cars](#) to save a pet or child. Senate leaders appear likely to quietly block a proposal – introduced just last week – that would establish new [high-interest loan](#) programs in the state.

The House Committee on Appropriations unanimously voted to establish a fund dedicated to [child and family advocacy centers](#), though it removed a \$2 million appropriation to the fund that the House Committee on Health approved earlier this month. The Committee also introduced and approved [new restrictions on citizens' initiatives](#), and moved to put Governor Ducey's [ban on state agency lobbyists](#) into law.

Governor Ducey has signed 123 bills into law, enacting new laws to prohibit the use of aisles near accessible parking spaces, expand the definition of “[dangerous drug](#),” allow [qualifying teachers](#) to renew their certification less frequently, and prohibit drivers from [covering their license plates](#). So far, the Governor has approved all but one proposal passed by the legislature. [HB 2162](#), a bill that would have established residency requirements for justices of the peace, drew the Governor's veto pen and a [statement of ongoing opposition](#) to such requirements for “a narrow set of elected offices.”

This week, the Governor also moved around the legislature through [executive action](#) that will advance his reduction of licensing restrictions for jobs in Arizona. He ordered a wide range of state boards and commissions to review all requirements for each license they issue, and prepare to defend why the license should be required. The Governor asked the entities to include consideration of any license that bars applicants with a criminal record – a request that is connected to the ongoing discussions on [HB 2290](#) and [SB 1071](#). These proposals would establish provisional licenses to allow formerly convicted criminals to work in a licensed occupation.

With a dwindling number of bills for consideration, no more policy committee hearings are scheduled. The focus on the state budget process grows sharper every day.

Budget Update

The state budget process is [not moving swiftly](#). But behind the scenes, House and Senate leaders continue to work with their Republican members to craft a proposal that would earn their support. House Republicans split into small-group briefings this week to discuss the [current version of their proposal](#), which would increase teacher pay and tax cuts, prevent some sweeps of funding for roadbuilding and maintenance, and add new funding for IT projects at the Arizona Department of Education.

One point of ongoing debate is the Governor's proposal to dedicate sales tax revenues to [university buildings and research](#) programs. Another is the roadbuilding funding, which some lawmakers say they want to see entirely protected from cuts.

The House and Senate Appropriations chairs say they will compare the priorities they have identified from their caucuses – a step that will help move the budget toward a joint proposal they can take to the Governor for consideration.

Priority Legislation

- [HB 2082](#) (schools; daily recess time) passed the Senate Committee on Rules this week. The bill requires school districts and charter schools to provide at least one recess period during the school day for K-5th grade students – no specifics are outlined, and schools that are online or do not teach students below 5th grade are exempted.
- [HB 2134](#) (schools; children's camps; sunscreen use), which would authorize children's use and possession of sunscreen, received preliminary approval from the Senate this 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, was signed into law by the Governor.
- [HB 2372](#) (public benefits; fee waivers; requirements), which extends TANF benefits from 12 to 24 months under [a long list](#) of requirements and restrictions, passed the Senate Committee on Appropriations 5-4.
- [HB 2494](#) (civil liability; minors; animals; vehicle), which provides civil liability protection for bystanders to intervene for the protection of children and animals, passed the Senate Committee on Judiciary 7-0 this week.
- [SB 1080](#) (teenage drivers; communication devices prohibited), which prohibits a minor from using a wireless communication device while driving – except for emergencies, has not been scheduled for a hearing in the House Committee on Rules.
- [SB 1236](#) (psychotropic drugs; foster children; report), which previously required the Department of Child Safety and AHCCCS to report on the rate of psychotropic drugs prescribed to foster children on AHCCCS, was amended to end discussion on the issue. The bill now holds [all-new language](#) regarding citizen initiatives.

- [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, passed the House 34-22 and the Senate 18-11 and is ready for the Governor's consideration.
- [SB 1368](#) (newborn screening; fees), which increases the cost of the first newborn screening panel from \$30 to \$36, has not been scheduled for a hearing in the House Committee on Rules.

Compromise on ADA Compliance is Short-Lived

The legislature appeared ready to approve a compromise this week that would put to rest months of opposition and debate on business compliance with the Americans with Disabilities Act. When a committee failed to pass a proposal that threatened the civil rights of individuals with disabilities, Representative Don Shooter (R-Yuma) renewed negotiations to address concerns from opponents of [SB 1198](#).

On Wednesday, the House Committee on Appropriations approved a compromise that earned support from business groups as well as those advocating for individuals with disabilities. [SB 1406](#) would establish more specific limits on legal action against businesses – limits designed to protect an individual's right to seek enforcement of ADA complains but prevent abuse of those rights.

The compromise was short-lived, however; the Committee also approved an amendment that threatens online compliance with the ADA. The amendment does not reflect existing case law on the subject, and threatens website access for people with disabilities.

As SB 1406 moves to the full House for consideration, individuals with disabilities are again fighting for support from legislators who understand the need to ensure access – and ADA compliance – throughout Arizona.

Senate Committee Continues Partisan Divide on TANF Changes

The debate on an extension of Temporary Assistance for Needy Families (TANF) benefits continued this week, sharply dividing Republicans and Democrats. [HB 2372](#) began as a bipartisan effort to respond to Governor Ducey's call for a restoration of the two-year TANF benefits that were cut in half through the state budget process. Amendments to the bill, however, have caused Democrats to pull their support. They believe the bill's mandates for fraud prevention create unnecessary hassles for TANF recipients, and argue that the strict penalties for misuse of the funds could harm families who are not aware they are not conforming to program requirements. Republicans say the new processes are necessary to ensure appropriate checks and balances.

After emotional debate this week, the Senate Committee on Appropriations passed the bill on a 5-4 vote. The full Senate is expected to debate the bill soon.

Arizona Joins the Call for Balanced Budget Constitutional Amendment

Arizona has joined the growing list of states calling for a constitutional amendment to force budgeting changes for the federal government. This week, Senate Republicans approved [HCR 2013](#), calling for a constitutional convention that would alter the U.S. Constitution to limit national expenses to national revenues. Supporters say it is a step toward more power at the state level and more responsible fiscal policies, but opponents fear it will force major cuts to funding and programs. Some believe that opening the Constitution for amendments [may lead to other changes](#), as well.

Though Arizona's action on this issue is significant, it does not result in immediate action. A total of 34 states must officially call for the change before a constitutional convention could occur. No change approved by the convention delegates would be effective until at least 38 state legislatures voted to enact them.

Who would these delegates be? Under [a proposal](#) approved this week, up to seven delegates and alternate delegates would be appointed by the legislature and the leaders of the House and Senate.