



LEGISLATIVE BULLETIN

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Legislative Overview

Today marks the 26th day of session and we are approaching some key legislative deadlines. Monday will be the last day for House members to introduce legislation; the Senate's deadline has already lapsed. We are likely to see many more House bills introduced between now and the deadline. The last week for hearing bills in their chamber of origin is around the corner, which is why the next two weeks will be very busy for League staff as committee chairmen will be issuing agendas containing multiple bills to be heard before the deadline, some of critical interest to cities and towns. Issues we are monitoring very closely for next week include League resolutions, distracted driving bills, and digital goods, among others. Please keep in contact with your elected representatives and inform them of our positions on these issues.

Distracted Driving Legislation

The Senate Transportation and Public Safety Committee is expected to hear in the next few weeks SB1165 prohibition; texting while driving, sponsored by Senator Kate Brophy McGee (R-Phoenix). Over the past few weeks there have been stakeholder meetings to fine-tune the provisions of the bill and address issues that have been raised by lawmakers. As a result, an amendment has been drafted and is expected to be offered in committee.

The amendment will rewrite the bill to closely mirror the hands-free law that was passed in Georgia last year. The amendment will prohibit drivers from holding or supporting with any part of their body a cell-phone or electronic device to write, send, or read any text-based communications unless the driver uses voice-to-text features. It also prohibits talking on a wireless device unless the driver is using an earpiece, headphone device or a device worn on a wrist. Exemptions in the underlying bill remain the same, such as using a cellphone to call 9-1-1, among others. The amendment will add a prohibition on using wireless devices to watch or record videos while driving and the vehicle is in motion, except for devices that continuously record, such as dash cameras.

Beginning January 1, 2020, violations of the law will be civil penalties, subject to fines ranging between \$75 and \$149 for a first offense and between \$150 and \$250 for second or subsequent offenses. Violations causing serious injury or death, is a class 1 misdemeanor. After the effective date of the legislation and before January 1, 2020, law enforcement is limited to issuing warnings to allow for drivers to become aware of the new state law.

Scheduled next week in the House Transportation Committee is HB2069 text messaging while driving; prohibition, sponsored by Representative John Kavanagh (R-Fountain Hills). The bill makes it a civil traffic violation to use a wireless communication device to manually write or send a written message while driving on a highway. Violations are subject to a penalty of \$100 for a first violation, \$300 for a second or subsequent violation, \$500 for causing accident and \$10,000 if accident results in a death.

HB2201 – partisan offices; cities; towns

This bill sponsored by Representative Frank Carroll (R–Sun City West) would require ballots for local elections to include the party designation of all candidates. Additionally, it would require all cities and towns to hold both a primary and general election even if candidates are running in uncontested races or receive more than 50% of the vote. This would add unnecessary costs to our elections. The only city that conducts partisan elections is Tucson.

For the most part, municipal issues are nonpartisan. Injecting partisanship into governing at the local level would only increase the rancor that is, unfortunately, too much a part of our political system. Cities and towns have 100 years of successful experience with non-partisan elections and candidates are already free to put their political affiliation on any campaign materials.

Unfortunately, this bill passed out of the House Elections Committee this week on a party line vote 4-3. The next step is the bill will move through Rules and Caucus before heading to the floor for a full House vote.

SB1186 - municipalities; pension fund; transfer

As a result of a League Resolution at the 2018 Annual Conference, SB1186 sponsored by Senator Frank Pratt (R–Casa Grande), allows cities or towns with an existing part-time/volunteer firefighter retirement accounts to pay down unfunded liabilities in the PSPRS fund. Within part-time/volunteer firefighter retirement accounts an employee must reach five years of service to be vested and receive any matching employer contributions when they leave service. Many firefighters leave service before vesting, most often to take a full-time position either in that city or elsewhere. Upon departure,

the employer contributions for employees that did not vest remain in the account, creating a pool of excess funds without a beneficiary to pay. The League is asking that cities and towns be permitted to utilize those excess funds to pay down their PSPRS unfunded liabilities.

This bill passed out of the Senate Finance Committee this week 9-0-1 and will proceed to Rules and Caucus in the coming weeks.

The League will continue to monitor these measures and provide updates in the Bulletin on their progress through the legislative process.

Legislative Bill Monitoring

All bills being actively monitored by the League [can be found here](#).