



LEGISLATIVE BULLETIN

Issue 5 – February 14, 2020

Legislative Overview

Today marks the 33rd day of session, marking the end of a busy week at the Capitol. To date, 1,588 bills and 126 memorials and resolutions have been introduced. The deadline to introduce legislation for the House of Representatives was Monday. Except for budget bills, no new legislation can be introduced from this point forward. The legislative session will hit a milestone next week, as it is the last week to hear bills in the chamber of origin. Committee agendas will be lengthier as legislators try to get their bills heard before this deadline.

Candidate Signs

HB 2028 candidate signs; prohibition; primary received a hearing in the House Elections committee this week. As amended by the committee, the measures would allow campaign signs to be posted in the right-of-way 188 days prior to the general election date. If the legislation passed, political signs could potentially be in the right-of-way for approximately six months, starting in late-April through the November general election date.

The League opposed the measure in committee, citing concerns over the extended time frame and the potential proliferation of signs in the right-of-way. Additionally, due to the Supreme Court ruling in *Reed v. Town of Gilbert*, municipalities cannot regulate signs based on content, which would mean during this extended time frame, cities could not regulate any sign, regardless of whether it was campaign related or not. The bill passed out the committee 8-1-1 with one Democrat voting no, and one voting present.

Transportation

This week's House Transportation committee finished a series of hearings that include speakers from various regions of the state who shared the condition of their community's transportation infrastructure. During Wednesday's committee hearing, Tempe Mayor Mark Mitchell, who also serves as chair of MAG's Regional Council Executive Committee spoke about Maricopa County's transportation needs.

"The county and valley cities have been left to address the dire maintenance needs in the absence of state funding. Local jurisdictions have taken out millions of dollars from their general fund to pay for arterial improvements, that were intended to be funded through HURF" he stated.

Glendale Mayor Jerry Weiers, and vice-chair of MAG's Regional Executive Committee, also impressed upon committee members the need to address Arizona's aging infrastructure. "Don't be afraid of what you think might happen, do what you know we need to do" he stated, citing that it has been 29 years since the gas tax has been increased.

HB 2899 fuel; electric cars; hybrids; taxes sponsored by Representative Noel Campbell (R-Prescott) will be heard in committee next week. The measure would establish an additional tax on motor fuel and natural gas of 24 cents per gallon in FY 21, 30 cents per gallon in FY 22, and 36 cents per gallon in FY 23. Additionally, the legislation would impose a tax on electric vehicles of \$111 per year in FY 21, \$139 per year for FY 22, \$155 per year in FY 23. For hybrid vehicles, the legislation imposes a tax of \$45 per year in FY 21, \$56 per year in FY 22, \$67 per year in FY 23. Beginning in FY 24 and each year after, the rates for each must be annually adjusted for inflation. The measure would require 2/3 of the Legislature to approve in order to be considered by the governor.

Recall Petitions

HB 2508 recalls; city elections; signatures required, sponsored by Representative Athena Salman (D-Tempe) was heard in both House Elections and House Government committee. The bill clarifies that for nonpartisan elections, a recall petition requiring 25% of qualified electors in the last preceding general election, is the last preceding election at which the public officer who is the subject of the recall was elected.

The measure codifies a Supreme Court ruling made in December, which brings clarity for cities and towns that don't have runoff elections or have not had one in several election cycles.

The bill passed with unanimous support in both committees and is pending approval from the Rules committee.

Gun-Free Zones

On Thursday, the Senate Judiciary committee heard SB 1664 civil liability; gun-free zones, sponsored by Senator David Gowan (R-Sierra Vista). The measure would make government entities that have gun-free zones civilly liable for criminal conduct in the gun-free zone "if a reasonable person would believe that possession of a firearm could have helped the person defend themselves". The League opposed the bill in committee citing concerns over the measure's elimination of immunity currently provided to public entities which protects governments from actions based on a fundamental government policy. The bill passed committee 4-3 on a party line vote with Republicans approving the

measure, and Democrats opposing. The measure is scheduled for consideration in the Senate Rules committee on Monday.

League Resolution – Abandoned Properties

The House Government Committee on Thursday approved HB 2705 vacant; abandoned buildings; ordinances, sponsored by Rep T.J. Shope (R-Coolidge).

The bill is addressing a pervasive blight issue that has been occurring in our rural cities and towns for quite some time regarding absentee owners of dilapidated abandoned buildings. This problem has had a chilling effect on economic development and the historic character of these cities and towns. Investors that do not live in these communities or they live outside of Arizona have purchased properties in Main Streets or in historic downtown areas at foreclosure and tax lien sales, have not provided basic maintenance to the buildings, and instead let them become dilapidated. In extreme cases, these properties collapse, catch on fire, become infested with mold and vermin, are used for excessive storage, or become a target for criminal activity. Abandoned buildings have also put a significant strain on taxpayer resources through constant code enforcement efforts, and police and fire services, and have impacted neighboring property owners' property rights.

The bill will allow cities and towns to adopt ordinances used in many other communities across the nation to address this issue. The bill includes registration requirements, so police, fire, and code enforcement have direct contact to the owner if the property becomes a nuisance. It also requires inspections to ensure firefighters and police officers can safely enter these buildings in an emergency and identify health or safety hazards. Finally, the bill includes maintenance requirements to ensure the buildings are secure and stabilized for future occupancy.

The bill proceeds to the Rules Committee. The League is working on a floor amendment to address some concerns that were raised in stakeholder discussions.

Legislative Bill Monitoring

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