

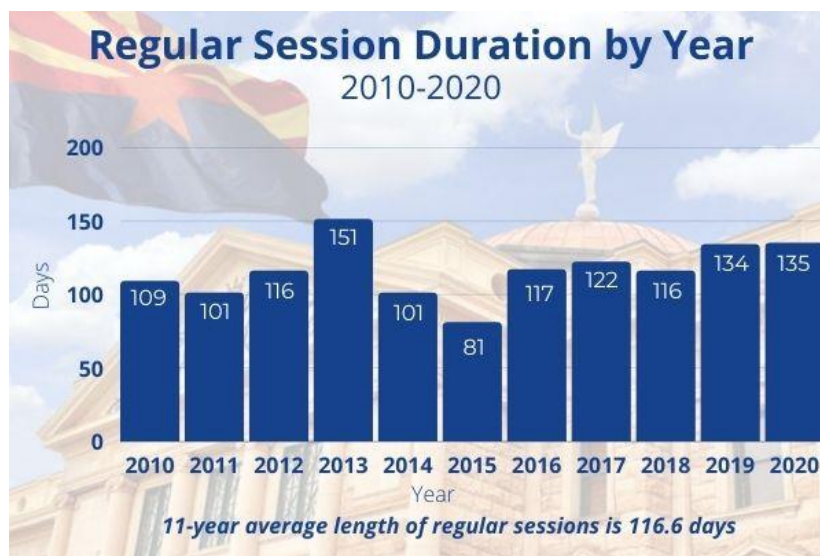


Issue 12 – April 2, 2021

Legislative Update

Today is the 82nd day of the legislative session. Each chamber’s Appropriations committee held lengthy hearings, marking the end of committee hearings for the session, with the exception of budget bills. The Senate and House are expected to partake in more floor action in the next weeks to finalize amendments onto bills and vote on pending legislation. As of today, the Governor has signed 167 measures into law.

With the 100-day milestone approaching, the Capitol community is beginning to speculate how long this session will be. In the past 11 regular sessions, only the 2015 session adjourned prior to the 100th day mark. The 11-year average is 117 days.



Vaccine Passport Prohibition

One of the 33 measures considered by the Senate Appropriations committee included a strike-everything amendment to [HB2190](#), sponsored by Senator Kelly Townsend (R-Mesa). The measure prohibits local governments from requiring a person to receive a

vaccine as a condition of receiving government services, benefits, permits, use of public transportation or entrance into a public building. Additionally, the striker prohibits local governments from providing a financial benefit or other incentive to a person for receiving a vaccine. Cities and towns expressed concern over this provision as it would preempt existing programs that provide a financial incentive to employees for receiving the COVID-19 vaccine. Some municipalities also have long-standing wellness programs that incentivize employees to participate in healthy activities and traditionally provide rewards to getting the flu vaccines. These programs serve to lower the costs of health insurance premiums.

The League testified to these concerns in committee, where the sponsor of the bill, Representative Bret Roberts (R-Maricopa) offered to address these concerns as the bill moves forward in the process. The bill passed committee on a party-line vote and has been considered in the Rules committee and in one party's caucus but not the other.

Homeless

Senate Appropriations also heard a [strike-everything amendment](#) sponsored by Senator David Gowan (R-Sierra Vista) that was brought forth by a Silicon Valley think tank called Cicero Institute. Cicero has introduced this model legislation in a few states within the last few weeks that purports to address chronic homelessness by siphoning state grant funding that is distributed to local governments and non-profits to instead use these funds to erect homeless camping sites on state property. However, among many other problems with the bill, it would require local governments to enforce street camping bans and penalize cities and towns that do not by defunding public safety of grant funding. It also establishes a Class 3 misdemeanor (up to 30 days jail and maximum \$500 fine plus surcharges) for sleeping in public, which is unconstitutional due to the recent *Martin v. Boise* decision.

The League testified in opposition to the bill. While it passed the committee on a party line vote, the general sense is the legislation is fraught with many issues that may not be addressed during the remainder of session.

Short-Term Rentals

On Thursday, the House considered [SB1379 vacation rentals; short-term rentals; enforcement](#) sponsored by Senator J.D. Mesnard (R-Chandler) in Committee of the Whole and Third Read. The bill was supported by the short-term rental (STR) industry as an attempt to address some of the nuisance issues associated with short term rentals. SB1379 would have allowed the Department of Revenue to suspend the TPT license of an STR owner after being the subject of three verified violations within a 12-month period and outlined caps on civil penalties imposed on STR owners.

The League opposed the measure because it did not provide meaningful remedies to address the issues stemming from STRs in communities that have been overrun by boutique hotels in residential neighborhoods such as Sedona, Paradise Valley and

Scottsdale. SB1379 failed to reinstate local control for zoning options that cities and towns across the country are able to exercise. League staff participated in numerous conversations with representatives of the STR industry with the goal of reaching a compromise that would ultimately balance the property rights of constituents who live near short-term rentals and those who operate STRs.

The measure ultimately failed to pass the chamber, receiving a 17-43 vote. The League maintains that issues related to short-term rentals go beyond party houses and nuisance. STRs have completely altered neighborhoods in some of Arizona's most popular communities – affecting quality of life, in addition to housing availability and affordability. The League remains committed to finding meaningful tools for communities to address the immediate and long-term consequences of [SB1350](#) (2016).

Legislative Bill Monitoring

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