

# LEGISLATIVE TRACKING REPORT

## Arizona Automotive Wholesalers Association

February 21, 2014

BILL	TITLE	SPONSORS	SUMMARY	HOUSE COMMITTEES	SENATE COMMITTEES	ACTION
HB 2021	vexatious litigants; designation	Kavanagh (R)	<p>STRIKE EVERYTHING AMENDMENT (same subject): Allows the presiding judge of the superior court or a judge designated by the presiding judge of the superior court to designate a pro se litigant a vexatious litigant in a noncriminal case. Prohibits the pro se litigant from filing any new pleading, motion or document without prior leave of the court. Defines vexatious conduct as: repeatedly filing litigation for the purpose of harassment; unnecessarily expanding or delaying court proceedings; acting without substantial justification; engaging in abuse of discovery; making excessive requests for information; and, repeatedly filing documents or requests that consist of the same litigation of previous rulings by the court.</p> <p>AMENDMENT: Becomes effective on December 31, 2014.</p>	Judiciary; Rules		passed, House COW, 2/20
HB 2040	workers' compensation; pharmacy; patient choice	Allen (R) (4)	As introduced, allows an injured employee in a workers' compensation case to select the pharmacy or pharmacist of their choice for dispensing and filling prescriptions. Exempts an employee of a self-insured employer or of an employer that is part of a self-insured pool.	Insurance & Retirement; Rules		committee assignment, 1/22

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HB 2094	<del>technical correction, Arbor day</del> S/E: workers' compensation; claim assignment	Brophy McGee (R)	STRIKE EVERYTHING AMENDMENT: Stipulates that an employee who is entitled to workers compensation and is permitted to file suit against a third person has one year to pursue the claim or the claim will be assigned to the insurance carrier or self-insured employer.	Insurance & Retirement; Rules		passed, House IR, 2/18
HB 2112	weights; measures; false statement; penalty	Fann (R)	As passed by the House, regarding licensure or certification of a commercial device, stipulates knowingly filing any notice, statement or other document required that is false or contains a material misstatement of fact is a class 2 misdemeanor.	Energy, Environment & Natural Resources; Rules	Government & Environment; Rules	passed House 59-0, 2/11  Senate committee assignment, 2/18
HB 2199	vehicle equipment; lighting	Farnsworth E (R)	As passed by the House, requires tail lampa to be maintained at all times in good working order if the vehicle is equipped with a tail lamp.	Transportation; Rules		passed House 59-0, 2/20

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HB 2221	workers' compensation; controlled substances	Fann (D)	As introduced, modifies the off-label and prescription use of controlled substances requirements for physicians prescribing such substances in a workers' compensation case. Specifies the process for situations in which a drug test of the employee reveals inconsistent results with the medication agreement in the treatment plan including notification to the carrier, self-insured employer or the Industrial Commission as specified. Requires preauthorization for prescription orders for opioid medication or a combination of opioid medications, equal to a 120 milligram or more morphine equivalent dose per day and for subsequent escalations of the dose. Exempts from the requirements treatment during an inpatient hospital stay.	Insurance & Retirement; Rules		passed House COW, 2/20
HB 2226	vehicle emissions inspection program	Fann (R)	As introduced, makes numerous changes to the vehicle emissions inspection program, adjusting requirements for both Areas A and B.  AMENDMENT: Includes a conditional enactment stating that the proposed modifications to the testing protocols of the Vehicle Emissions Inspection Program are not effective unless on or before July 1, 2017 the EPA approves the modifications as part of the state implementation plan.	Energy, Environment & Natural Resources; Rules		passed, House Rules, 2/18

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HB 2288	sales tax; reduced reporting requirements	Lesko (R) (23)	As introduced, allows any taxpayer whose TPT (sales tax) estimated annual tax liability is between \$2,000 and \$8,000, to pay such taxes quarterly. allows any taxpayers whose estimated annual sales tax is below \$2,000 to pay the taxes annually.	Ways & Means; Rules		passed, House Rules, 2/17
HB 2359	teenage drivers; communication devices prohibited	Fann (R) (11)	As introduced, prohibits the use of a wireless communication device for the first six months that a class G licensee holds the license and during the six-month instruction permit timeframe except for during an emergency in which stopping the motor vehicle is impossible or will create an additional emergency or safety hazard.	Transportation; Rules		passed, House TRANS, 2/20
HB 2361	workers' compensation; provider payments; limitations	Fann (R)	As introduced, regarding workers' compensation claims, adds to current stipulations that an insurance carrier, self-insured employer or claims processing representative is not responsible for payment of any billings unless a court action for the payment of billings is commenced within the specified time periods. States for all specified situations, a subsequent billing or corrective billing does not restart the limitations period.	Insurance & Retirement; Rules		passed, House COW, 2/20
HB 2376	prohibition; texting while driving	Steele (D) (21)	As introduced, beginning January 1, 2015, prohibits a person from texting while driving. Stipulates exemptions and penalties. Prescribes a warning period.	Transportation; Rules		committee assignment, 2/11

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HB 2378	municipal taxes and fees; prohibition	Olson (R)	<p>As introduced, prohibits a municipality from levying or assessing a municipality-wide tax or fee against property owners based on the size or value of the owner's real property or improvements to real property for any public service provided by the municipality, except as specified.</p> <p>AMENDMENT: Grandfathers in any municipality that adopted an ordinance before December 31, 2013 requiring property owners to obtain fire prevention and control services.</p>	Government; Rules		passed, House Rules, 2/18
HB 2396	vehicle windshield tinting	Dial (R)	As introduced, allows a vehicle windshield to be tinted and specifies the light transmission must be 33% plus or minus 3% and have a luminous reflectance of 35% plus or minus 3%.	Transportation; Rules		committee assignment, 1/22
HB 2422	technical correction; joint school district	Stevens (R)	<p><b>STRIKE EVERYTHING AMENDMENT:</b> Permits municipalities to adopt streamlined local government policies and provides the framework for those adopted policies. Prohibits the adoption of any regulation that restricts or burdens the free exercise of property rights by an adopting municipality, with specified exceptions. Requires an adopting municipality's chief executive officer (CEO), at the beginning of each fiscal year, to determine and publish online the processing deadlines for all applications requesting regulatory approval. Outlines conditions and deadlines that must be met by municipalities with respect to processing those applications.</p>	Technology & Infrastructure; Rules		committee assignment, 2/13

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HB 2430	combination vehicles; size; weight; load	Fann (R)	<p>As introduced, modifies the language for combination vehicles to include a truck tractor-semitrailer (instead of a truck tractor and semitrailer) and clarifies it may not draw more than two additional trailers or semitrailers. Allows ADOT to collect additional specified fees for the movement of overdimensional and overweight loads. Specifies special permits for truck-semitrailers, truck-trailers, truck tractor-semitrailer-semitrailers or truck Tractor-semitrailer-trailers may not exceed 129,000 pounds of gross vehicle weight.</p> <p>AMENDMENT: Charges combination vehicles \$75 for every trip or 30 day permit issued for excess and weight, \$300 for every annual permit issued for vehicles weighing up to 123,500 pounds and \$600 for each annual permit issued for excess size and weight more than 123,500 pounds and up to 129,000 pounds.</p>	Transportation; Rules		passed, House Rules, 2/18
HB 2600	vehicle emissions testing; older vehicles	Orr (R) (4)	As introduced, exempts motor vehicles from an emissions inspection that are manufactured in or before the model year that is 40 years before the year the inspection is due.	Energy, Environment & Natural Resources; Rules		held, House EENR, 2/17

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HB 2621	task force; gas task replacement.	Orr (R)	As introduced, establishes the Highway User Fee Replacement Task Force to develop a design for revenue collection for the state's transportation system that will replace the motor fuel tax and use fuel tax. Requires the ADOT Director to develop and implement, by October 1, 2016, all pilot programs as directed by the Task Force to test alternatives to the fuel tax.	Ways & Means; Rules		committee assignment, 2/11
HB 2698	air quality; particulates; cooperation prohibited	Thorpe (R) (9)	As introduced, prohibits the Department of Environmental Quality from cooperating with the United States EPA regarding implementation or enforcement of standards established under the Clean Air Act for particulate, including PM-10. States legislative intent that it is unconstitutional for the US EPA to force the state to comply with the Clean Air Act amendments of 1990.	Energy, Environment & Natural Resources; Rules		committee assignment, 2/12
HCR 2026	<i>Citizens United</i> decision; repeal	McCune Davis (D) (8)	As introduced, states the Legislature's support for a ballot proposal that would allow Arizona's citizens to instruct their congressional representatives to propose an amendment that would repeal the <i>Citizens United</i> decision. (Regarding corporate contributions in elections)	Federalism & Fiscal Responsibility; Rules		committee assignment, 1/28

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SB 1024	unlawful employee termination; family emergency	Ableser (D)	As introduced, prohibits an employer from terminating or threatening to terminate the employment of a person acting as a parent, guardian or custodian of a child for being notified by a school employee, community worker or law enforcement officer during work hours of an emergency regarding the child and for leaving work to tend to the emergency. Allows an employer to terminate a person who excessively abuses the protection.		Commerce, Energy, Military; Rules	committee assignment, 1/13
SB 1031	license plate covers; prohibition	Farley (D)	As introduced, prohibits a person from using a cover, electronic devise, electrochromatic film or anything that obscures the visibility of the license plate unless authorized by ADOT.		Transportation; Rules	committee assignment, 1/13
SB 1133	building code moratorium; repeal	Griffin (R)	As passed by the Senate, repeals the building code moratorium that exempted residential and commercial buildings from new codes adopted by a municipally through June 30, 2011.	Government; Rules	Government & Environment; Rules	passed, Senate 29-0, 2/3 House committee assignment, 2/20
SB 1147	text messaging while driving; prohibition	Farley (D) (11)	As introduced, prohibits texting while driving. Specifies exemptions and penalties.		Transportation; Public Safety; Government & Environment; Rules	committee assignment, 1/22



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SB 1152	transportation safety zones; passenger areas	Crandell (R) (5)	STRIKE EVERYTHING AMENDMENT: (same subject) Allows for the establishment, demarcation and designation of passenger convenience areas and for hire lanes within a transportation safety zone. Limits a city or town to two safety zones no greater than three square miles. Prohibits a city or town from prescribing the order in which a vehicle may load or unload passengers in a passenger convenience area.		Transportation; Rules	passed, Senate TRANS, 2/4
SB 1156	prohibited electronic data; metadata collection	Ward (R) (14)	As introduced, prohibits an agency or political subdivision of the state or a corporation providing services on behalf of this state or a political subdivision of this state from: providing material support in any form to any federal agency that purports to authorize the collection of electronic data or metadata of any person that is not based on a specific warrant; and, using any assets or monies allocated to local entities by the state on or after January 1, 2015 to engage in any activity that aids a federal agency to collect electronic data or metadata about any person without a specific warrant. Political subdivisions in violation are subject to loss of funding. Employees of the state or political subdivision in violation are subject to loss of their position. Any person or corporation in violation is made forever ineligible to act on behalf of or provide services to the state or any political subdivision.		Government & Environment; Rules	passed, Senate GE, 2/3

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SB 1161	municipal policies; authority	Griffin (R) (15)	As introduced, permits municipalities to adopt streamlined local government policies through municipal legislation or local initiative. Outlines specific criteria that must be included in the initiative or charter amendment and provides the framework for those adopted policies. Prohibits municipalities from adopting any regulation that restricts or burdens the free exercise of property rights or the freedom to engage in a lawful business or occupation, with specified exceptions. Requires an adopting municipality's chief executive officer (CEO), at the beginning of each fiscal year, to determine and publish online the processing deadlines for all applications requesting regulatory approval. Outlines conditions and deadlines that must be met by municipalities with respect to processing those applications.		Government & Environment; Rules	held, Senate GE, 1/27
SB 1163	texting while driving; transportation vehicles	McGuire (D)	As introduced, prohibits a person from using a cell phone for calls or texting if they are operating a vehicle for public transit, a livery vehicle, a taxi, a limousine or a bus.		Transportation; Public Safety; Government & Environment; Rules	committee assignment, 1/23

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SB 1181	guaranty fund; workers' compensation	Yarbrough (R)	<p>As introduced, transfers rights and obligations, as specified, related to the payment of worker's compensation claims for insolvent insurers from the Special Fund (established under the worker's compensation chapter) to the Arizona Property and Casualty Insurance Guaranty Fund (Fund).</p> <p>AMENDMENT: Requires the industrial commission to transfer \$222,848,153 in assets acceptable to the Fund from the special fund, as specified.</p>		Finance; Rules	passed, Senate FI, 2/19
SB 1227	municipalities; counties; energy efficient codes	Crandell (R)	As introduced, prohibits a city or town and a county from adopting as mandatory any, or part of any, building code, ordinance, stipulation or other legal requirement that is related to energy efficiency, energy conservation or green construction in new construction, as specified.		Government & Environment; Rules	passed, Senate GE, 2/10
SB 1281	return to work program	Cajero Bedford (D) (3)	As introduced, establishes the Return to Work Program. Requires an individual in the Program to be at least 18 years of age and registered with DES. Requires DES to establish the Program to provide a structured, supervised training opportunity to individuals through designated employers. Permits Program participants to receive unemployment compensation benefits. Requires DES to provide workers' compensation coverage to participants, including coverage for any injury or illness arising from or during the course of the Program.		Commerce, Energy & Military; Appropriations; Rules	passed, Senate CEM, 2/12

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SB 1333	air quality studies; counties; associations	Shooter (R)	As introduced, for air quality studies, DEQ may seek cooperative arrangements with cooperative associations, membership organizations or other entities to conduct the air quality research.		Government & Environment; Rules	passed, Senate GE, 2/17
SB 1413	taxes manufacturers' electricity sales; exemption	Yarbrough (R) (9)	As introduced, exempts the purchase prices of electricity for use in manufacturing or smelting operations from the state transaction privilege tax. Prohibits a city or town from levying a transaction privilege, sales, use, franchise or other similar tax or fee on the gross proceeds of sales or gross income derived from sales of electricity by a utility business for use in manufacturing or smelting operations. States that "manufacturing" and "smelting" refer to and include those operations commonly understood within their ordinary meaning.		Finance; Rules	passed, Senate Fi; 2/12
SB 1460	used catalytic converter; purchase; sale.	Crandell (R) (4)	As introduced, resolves a statutory conflict by allowing scrap metal dealers to purchase and sell used catalytic converters as long as they are acquired: through a transaction with an industrial account; through another scrap metal dealer; or, after authorized for release by a peace officer.		Judiciary; Rules	passed, Senate JUD, 2/10
SR 1003	EPA; nullification of rules	Burges (R) (36)	As passed by the Senate, expresses the support by the Members of the Senate to nullified all of the rules imposed by the U. S. EPA in the State of Arizona.		Government & Environment; Rules	passed Senate 18 -11, 2/20