

Week of January 14th to 18th, 2019



Legislative Update

On Monday, January 14th the 54th Arizona Legislature – 1st Regular Session convened. The session began with all 90 legislators being sworn in – with 20 legislators taking the oath of office for the first time. Governor Ducey, being recently reelected, gave his fifth “State of the State” address. His speech center on water and the impending deadline to approve the Drought Contingency Plan.

By the end of the week, 649 bills had been introduced. Of these bills, the City is currently tracking 74 bills.

Legislative Calendar:

- **January 14** – 12:00 p.m. 54th Arizona Legislature – 1st Regular Session begins; bill pre-filing period ends.
- **January 17** – 5:00 p.m. House limit of 7 bills per member is imposed.
- **February 8** – 5:00 p.m. Last day for House members to submit bill requests to Legislative Counsel.
- **February 11** – 5:00 p.m. Last day for Senate members to submit bill requests to Legislative Counsel.

Key Topics

Drought Contingency Plan (DCP)

Earlier this week the Governor’s office releases a draft set of six bills that will be used to implement the State’s Drought Contingency Plan (DCP). Arizona must approve a Resolution (included in the six bill package) authorizing the Department of Water Resources to sign on to the multi-state water agreement by January 31, 2019. Scottsdale staff and the Arizona Municipal Water Users Association are reviewing the bills. Action on the water package is expected next week.

E-Scooters

It appears legislation will be introduced for statewide management of electric scooters. Several cities, including Scottsdale, have adopted or are in the process of adopting ordinances to regulate the location and use of e-scooters. Sponsors of the legislation are saying they are working to

Legislative Update

have some level of conformity with the various cities regarding the use and parking of the e-scooters. Scottsdale has been invited to participate in the stakeholder process and staff will be attending those meetings. The has not yet been introduced, but it is rumored that freshman Senator Tyler Pace (Mesa) will be the bill sponsor.

Food Tax

HB 2158 – Food; Municipal Tax Exemption – HB 2158 would prohibit municipalities from levying a transaction privilege, sales, use or other similar tax or fee on the sale of food items intended for human consumption in the home as defined by Department of Revenue rules.

Status: *Introduced by freshman Representative Shawwna Bolick (Phoenix), and is waiting to be assigned to a committee.*

Position: *Oppose*

Short Term Rentals

Representative John Kavanagh will be introducing a series of bills in an effort to reduce the negative impacts of short-term rental properties in residential areas. He has already released two bills (HB 2027 and HB 2087) that provide taxing clarity and oversight of investor-owned properties. However, the bill of most interest to the City will likely be introduced next week.

Texting While Driving

With the recent death of a Salt River Pima-Maricopa Indian Community police officer, there appears to be more support for texting while driving legislation than in years back. So far, two bills have been introduced: HB 2069 and HB 2165.

HB 2069 – Text Messaging While Driving; Prohibition – HB 2069 would make it a nonmoving civil traffic violation to use a wireless communication device to manually write or send a written message while operating a motor vehicle on a highway. Person violating the law would be subject to a civil penalty of \$100 for a first violation and \$300 for a second or subsequent violation. If a person in violation is involved in a motor vehicle accident, the person is subject to a civil penalty of \$500, except that if the accident results in the death of another person, the civil penalty is \$10,000.

Status: *Introduced by Representative John Kavanagh. HB 2019 is awaiting assignment to a committee.*

Recommendation: *Support*

HB 2165 – Distracted Driving; Reckless Driving – HB 2165 states that a person who drives a vehicle while participating in an activity that willfully distracts the person from safely operating the vehicle is guilty of reckless driving, a class 2 misdemeanor.

Legislative Update

Status: *Introduced by Representative Kelly Townsend (Mesa). HB 2165 is waiting to be assigned to a committee.*

Recommendation: *Support (preference given to the Kavanagh bill).*

Real Estate Signs

HB 2108 – Real Estate Signs; Cities; Counties – HB 2108 would prohibit municipalities and counties from placing restrictions on real estate signs in the public right-of-way. The bill provides further description of the size and types of signs realtors may use.

Status: *Introduced by Representative Travis Grantham (Gilbert). HB 2108 is waiting to be assigned to a committee.*

Recommendation: *Oppose. A similar bill was introduced last year which the City opposed. That bill died in the Senate.*