



Issue 7 – February 26, 2021

Legislative Update

Today is the 47th day of the legislative session. Yesterday marked the end of crossover week with both chambers holding lengthy floor sessions as they debated and voted on hundreds of bills. Next week, committees will begin hearing bills from the opposite chamber.

Marijuana Legislation

On Tuesday in the Senate Appropriations Committee, Senator David Gowan (R-Sierra Vista) introduced a striker amendment to [SB 1121 marijuana; security; social equity licenses](#). The part of the amendment that is problematic for cities is section 5 which requires cities and towns to allow the location of a recreational marijuana business to an individual who has received a social equity license. This is problematic and in violation of the Arizona Constitution because it does not further the cause of Proposition 207 which allowed cities and towns to ban recreational marijuana establishments.

The League testified to our opposition and the fact that the bill violated the constitution. After the bill initially failed in committee on a 5-5 vote it was reconsidered later in the evening and passed 6-4.

The following day the Senate Rules Attorney concurred with our assessment that section 5 violated the Arizona Constitution, but the bill passed the Senate Rules Committee, nonetheless. The League will continue to lobby to ensure section 5 is removed from the bill.

Consular ID Card

Both the Senate and House acted on mirror consular ID card measures. On Wednesday, the Senate considered [SB 1420 consular identification; validity; biometric verification](#), sponsored by Senator Boyer (R-Glendale) and passed the measure with a 20-10 vote. Later in the evening, the House considered SB1420's mirror bill HB2458 sponsored by Representative Cook (R-Globe) in Committee of the Whole (COW) and made a motion to

substitute the house bill for SB 1420. The chamber voted on the measure and sent it to the Governor with bipartisan support.

The measure now awaits action from the Governor. With the legislative session in full swing, the Governor has 5 days to act on the bill (sign or veto), or the measure becomes law without a signature. The League is appreciative of the sponsors' work on this effort, as well as the work of legislators that have advocated for the acceptance of consular ID cards in past sessions. The League created [a video](#) to communicate our support for the bill and encourage the Governor to sign the legislation into law.

Civil Asset Forfeiture

On Wednesday, the House passed [HB2810 civil asset forfeiture; conviction; procedures](#) sponsored by Representative Travis Grantham (R-Gilbert) with bipartisan support (57-2-1). The measure makes substantial changes to forfeiture laws and makes it so that property subject to forfeiture must be traceable to an offense that resulted in a criminal conviction. The measure will affect law enforcement's ability to seize the assets of criminal organizations that rely on their property or proceeds to continue their activities. Local law enforcement, the League, and counties among other organizations oppose the bill.

Failure to Return Vehicle

[HB 2348 failure; return vehicle; offense; repeal](#) repeals criminal charges for failure to return a vehicle. Current statute has the effect of requiring law enforcement to repossess leased vehicles if the lessee has a title loan or "pay day" loan attached to their vehicle and fails to make payments. Once a bank reports the vehicle as stolen, law enforcement is unable to differentiate whether a vehicle is actually stolen, or an individual has simply failed to continue making loan payments. The measure sponsored by Representative Daniel Hernandez (D-Tucson) repeals this section of statute and has received broad support by law enforcement and municipalities. HB2348 passed the House with unanimous support this week and now moves on to the Senate.

Fireworks

Representative Amish Shah's (D-Phoenix) bill ([HB2623](#)) to allow local governments to place restrictions on the use of fireworks between 10pm and 8am passed the House with a 35-24 vote. Cities and towns have received many calls and complaints from constituents related to fireworks (noise, air quality). The measure does not require a city or town to place restrictions but makes that option available for the window of time outlined in the bill. This important measure provides cities and towns some local control and allows municipalities to be responsive to resident's concerns.

Legislative Bill Monitoring

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