



Issue 9 – March 12, 2021

Legislative Update

Today is the 61st day of the legislative session. Both the Senate and House continue to hear bills in committee. With only two more weeks of committee hearings, we can expect lengthier committee agendas in the following weeks. As the legislature moves into the latter half of the session, legislative leadership is turning their attention to budget discussions and negotiations.

Body-Worn Camera Redaction Requirements

On Thursday, the Senate Judiciary committee considered [HB2152 police; camera recordings; required redactions](#) sponsored by Representative John Kavanagh (R-Scottsdale). The measure outlines redaction requirements law enforcement agencies must abide by prior to releasing footage from a body-worn camera to the public. A number of jurisdictions already redact the faces of crime victims and witnesses, however the language in the measure would require further redaction for individuals that were not subject to an investigation but were captured in footage. The redaction requirements in HB2152 would present challenges for cities and towns to release footage to the public in a timely manner. Records redaction is a time-consuming process that is already a challenge for both small and large jurisdictions. The requirements in this bill will slow down public records request as it would require further consultation with officers, redaction teams, and legal staff to identify victims, witnesses and public locations with an expectation of privacy. The measure passed committee on a party line vote and is scheduled for the Rules committee on Monday.

Utility Condemnation

HB2049 eminent domain; existing contracts, sponsored by Representative Jeff Weninger (R-Chandler) was heard in the Senate Government Committee on Monday. This bill requires cities and towns that exercise eminent domain to acquire utility infrastructure to accept all existing assets and contractual obligations of that utility. The League testified

in opposition to the bill because it would impact existing condemnation cases pending in the courts and require the assumption of contractual obligations that would potentially violate the Constitution and statutes that restrict the type of obligations cities and towns may enter into.

The committee adopted an amendment that would apply the bill provisions to condemnation actions commenced after the effective date of the act. It passed on a party line vote (5-3) and will proceed to the Rules Committee.

Aircraft Registration and Taxes

SB1406 aircraft registration; taxation; repeal; appropriation, sponsored by Senator Warren Petersen (R-Gilbert) passed a Senate floor debate with an amendment and was scheduled to receive a full vote yesterday. It was held off the third read calendar as there were not enough votes for it to pass the chamber.

The bill would repeal certain aircraft licensing requirements and associated fees that are deposited into the State Aviation Fund and distributed to cities and towns that own and operate airports. A fiscal note projected an almost \$3M dollar loss to the fund beginning in FY2022 and an additional \$1.2M loss to local governments. During the floor debate, Senator Petersen offered an amendment that would establish a yearly appropriation from the General Fund to offset some of the fiscal impact. However, the amendment fails to provide adequate funding to replace what the underlying bill would remove, it would shift the obligation from a user fee to a general fund subsidy and remove an important tool airports and law enforcement agencies use to track ownership of aircraft.

Since we are approaching deadlines for committees to hear bills, it would have to pass the Senate by early next week and be placed on an agenda in the House to be heard during the last week of committee hearings. It is highly likely there will not be enough votes in the Senate for the bill to pass prior to this key deadline.

Street Racing

Next week, the House Transportation committee will consider [SB1533 obstructing highways; racing; assessment; impoundment](#), sponsored by Senator Paul Boyer (R-Glendale). The legislation places stringent penalties for street racing by imposing a \$1,000 fine in addition to a seven-day vehicle impoundment period if law enforcement finds that an individual is obstructing a thoroughfare and the officer reasonably believes that allowing the individual to continue to drive would expose others to injury or death. The measure intends to address an increasingly growing public safety issue in a number of municipalities that have seen an increased presence of street racers, leading some municipalities to create local task forces to address the issue. The measure received bipartisan support in the Senate and passed 25-3. The League will continue to be supportive of the bill as it moves forward in the House.

Legislative Bill Monitoring

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