



# LEGISLATIVE BULLETIN

**Issue 17 – May 3, 2019**

## Legislative Overview

Today is the 110<sup>th</sup> day of session and the legislature has yet to approve a state budget, which means session will continue well beyond the 100-day mark and likely through the month of May. The status of the budget has not changed since last week's bulletin article, apart from a leaked budget proposal drafted by some Senate Republican members. The proposal, however, received bipartisan opposition in both chambers for failing to accomplish key budget requests, such as tax conformity, school facilities and higher education funding. Some legislators may also be linking their budget vote to the passage of unrelated and contentious policy proposals, which adds another layer of complexity for legislative leaders to maneuver to enact the FY20 state budget before the end of the fiscal year.

## ACTION ALERT – Big Tobacco's Preemption of Local Smoke-free Regulations

On Monday morning, the full House is expected to consider SB1147 S/E: tobacco products; vapor products, with a strike-everything drafted and supported by Big Tobacco and the vaping industry. The amendment is sponsored by Representative John Allen (R-Scottsdale) and attempts to increase the age to buy tobacco and vape products statewide to 21, but it is a veiled attempt to remove long-standing public health regulations, such as:

- Tobacco-free areas in public places;
- Ordinances prohibiting tobacco sales within 1,320 ft from schools, daycare facilities, and parks;
- Prohibitions on marketing of cigarettes and tobacco on or near public property, such as schools and parks;

- Zoning ordinances preventing smoke shops from clustering in or near residential neighborhoods;
- Local bans on tobacco sales from unattended vending machines; and
- Licensing requirements and enforcement of tobacco retail shops.

All these requirements would be voided and not replaced with any state-level regulation. We have never heard of any city or town abusing their local authority to impose regulations on the industry and have certainly never heard from the public that they want to make it easier for the tobacco industry to sell cigarettes.

Please reach out to your delegation and ask they vote **NO** on Big Tobacco's unnecessary preemption of local public health and safety regulations.

## Short-Term and Vacation Rentals

Throughout this session, the League has been working to pass HB2672 vacation rentals; short-term rentals; regulation, sponsored by Rep. John Kavanagh (R-Fountain Hills), which would provide cities and towns some basic tools for identifying and managing the nuisance issues caused by some short-term and vacation rentals.

The bill went through Senate Committee of the Whole this week where it was amended to add some minor provisions crafted by the League and with input from other stakeholders. While most of the changes were technical in nature, the amendment included some provisions to address concerns that had been raised about the bill.

For example, the bill was originally silent on a city's or town's responsibility to notify the owner when a citation had been issued for a violation on their property. In practice, communities that choose to make use of the contact information and penalty provisions of the bill would, likely, attempt to contact the owner, either before or after issuing a citation. But the bill now clarifies that the owner should be notified if a citation is issued. This will help make the owner aware that their rental practices may be problematic and provide an opportunity for them to adjust before further violations occur.

We expect the bill to receive a final floor vote in the Senate next week, possibly as early as Monday, and then move on to a final vote in the House before being sent to the governor's desk. As you engage with legislators, please reaffirm your support for HB2672, which will provide an important first step in addressing the unintended negative consequences of the 2016 short-term vacation rental legislation.

## Legislative Bill Monitoring

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