

# COMMITTEE ON MILITARY AFFAIRS AND PUBLIC SAFETY

Representative Jerry Weiers, Chairman  
Representative David Gowan, Vice-Chairman  
Thomas Adkins, Legislative Research Analyst



\* Strike-Everything Amendment  
[E] Emergency Clause  
[P 105] Proposition 105 Clause  
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[LIV] Line Item Veto

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**HB 2018 – Chapter 23 – state fire safety committee; membership**

Adds two members to the State Fire Safety Committee.

**HB 2162 – Chapter 211 - \*immigration; border security**

Establishes the 12-member Joint Border Security Advisory Committee (Committee), allows the court to award costs and attorney fees in actions regarding the administration of public benefits and makes changes to SB 1070. Specifically, the bill:

- Authorizes the Committee to:
  - Take testimony and other evidence regarding the United States-Mexico border.
  - Analyze border crossing statistics and related crime statistics.
  - Make recommendations designed to increase border security.
  - Make other recommendation deemed essential by the Committee.
- Requires the Committee, beginning November 30, 2010 and each month thereafter, to submit a written report of the Committee's findings and recommendations.
- Contains a repeal date of December 31, 2014 for the Committee.
- Excludes services widely available to the general population as a whole from the definition of *state or local public benefit*.

**HB 2195 – Chapter 126 – \*charitable organizations; instant ticket games**

Requires the ASLC to establish special instant pull tab ticket games for charitable organizations.

**HB 2197 – Chapter 87 – school bus inspections; rules**

Allows the inspection of school buses to be conducted according to rule.

**HB 2198 – Chapter 254 – military family relief fund**

Temporarily increases the pool of potential applicants to the Military Family Relief Fund and grants the Military Family Relief Advisory Committee greater discretion in awarding Fund monies.

**HB 2296 – Chapter 148 [E] – peace officer; spouse; insurance payment**

Allows the spouse of a law enforcement officer who is killed in the line of duty to receive payments for health insurance premiums for one year after the death of the officer.

**HB 2348 – Chapter 70 – veterans; disability benefits**

Prohibits the federal disability benefits of veterans from being awarded to anyone else aside from child and spousal support enforcement pursuant to federal law.

**HB 2400 – Chapter 137 – burial duties; service member remains**

Specifies that the duty to bury or provide other funeral arrangements for decedents who died while serving in the military devolves to the individual listed on the service member's U.S. Department of Defense Record of Emergency Data form.

**HB 2539 – Chapter 73 – employment; absence for military duties**

Grants members of the U.S. armed forces Reserves the same employment protections afforded to members of the Arizona National Guard and increases the penalty for breaking this law.

**HB 2541 – Chapter 197 – military duty; unemployment insurance**

Establishes guidelines for determining employers' Unemployment Insurance contributions following the active duty military service of employees and employers.

**HB 2543 – Chapter 19 – firearms; regulation; state preemption**

Modifies current statutory prohibitions pertaining to the firearms related ordinances, rules or taxes that may be enacted or enforced by a political subdivision of the state.

**HB 2600 – Chapter 1 [E] – state holiday; boy scouts**

Designates February 8 of each year as Boy Scouts of America Day.

**HB 2601 – Chapter 216 – eagle scouts; complimentary fishing license**

Allows the G&F Commission to issue a Youth Class F combination hunting and fishing license for a reduced fee to Arizona Eagle Scouts and specified Girl Scouts.

**HB 2602 – Chapter 229 – county recorder records; access**

Grants law enforcement officers performing official duties access to confidential records maintained by county recorders.

**HB 2666 – Chapter 53 – small fire districts; board members**

Requires fire districts administered by an elected chief and secretary-treasurer to convert to administration by an elected three-member or five-member board of directors.

**HB 2684 – Chapter 217 – POW/MIA flag; display**

Requires the POW/MIA flag to be flown at designated government locations on days which the U.S. flag is displayed.

**SB 1005 – Chapter 158 – \*trap and skeet; tax exemption**

Exempts shooting clubs from property taxes, provided they meet requirements pursuant to section 501(c)(3) of the IRC.

**SB 1027 – Chapter 74 – immigration; seismic sensors; pilot program**

Requires DPS to seek grants to implement a one-year pilot program that would monitor rural airport runways and areas for potential illegal drug trafficking, illegal alien trafficking or human smuggling.

**SB 1029 – Chapter 75 – law enforcement officers; disciplinary actions**

Prohibits law enforcement officers from being subject to disciplinary action except for just cause.

**SB 1070 – Chapter 113 – \*safe neighborhoods; immigration; law enforcement**

SB 1070 makes changes to laws relating to the enforcement on immigration laws, failure to carry an alien registration document, day laborers, harboring or transporting illegal aliens and employer sanctions. Specifically, the bill:

***Enforcement of Immigration Law***

- Prohibits law enforcement officials and law enforcement agencies of this state or counties, municipalities and political subdivisions from restricting or limiting the enforcement of the federal immigration laws to less than the full extent permitted by federal law.
- Requires officials and agencies to reasonably attempt to determine the immigration status of a person involved in a lawful contact where reasonable suspicion exists regarding the immigration status of the person, except if the determination may hinder or obstruct an investigation.
- Specifies that a person is presumed to be lawfully present if the person provides certain documents.

- Allows a person who is a legal resident of this state to bring an action in superior court to challenge officials and agencies that adopt or implement a policy that limits or restricts the enforcement of federal immigration laws to less than the full extent permitted by federal law.

***Willful Failure to Complete or Carry an Alien Registration Document***

- Specifies that in addition to any violation of federal law, a person is guilty of *willful failure to complete or carry an alien registration document* if the person is in violation certain immigration laws.
- Makes a first offense a class 1 misdemeanor, second or subsequent violations or if the person has been removed from the U.S. within 60 days are a class 4 felony and violations are a class 3 felony if the person commits the offense while in possession of certain items.

***Unlawfully Picking up Passengers for Work***

- Specifies that it is a class 1 misdemeanor for an occupant of a motor vehicle that is stopped on a street, roadway, or highway to attempt to hire or hire and pick up passengers for work.
- Specifies that it is a class 1 misdemeanor for a person who is unlawfully present and who is an unauthorized alien to knowingly apply for work.

***Unlawfully Transporting or Harboring Unlawful Aliens***

- Stipulates that it is unlawful for a person who is in violation of a criminal offense to transport or move an alien in a means of transportation, conceal, harbor or shield an alien or encourage or induce an alien to come to this state, or attempt to do so, if the person knows or recklessly disregards the fact that the alien is here unlawfully.
- Specifies that these provisions do not apply to a Child Protective Services worker acting in the worker's official capacity or a person who is acting in the capacity of a first responder, an ambulance attendant or an emergency medical technician.
- Stipulates that violators are guilty of a class 1 misdemeanor and subject to a fine of at least \$1,000. However, a violation involving 10 or more illegal aliens is a class 6 felony and subject to a fine of at least \$1,000 for each alien involved.

***Employer Sanctions***

- Provides employers with the affirmative defense that they were entrapped, but they must admit the substantial elements of the violation and the employer has the burden of proof of proving certain factors by a preponderance of the evidence.
- Requires employers to keep a record of the employment verification from E-verify for the duration of an employee's employment, or three years, whichever is longer.

**SB 1093 – Chapter 54 – prisoners; transition program**

Modifies the eligibility requirements for the Transition Program (Program), allocates monies from specified inmates to the Transition Program Fund, and extends the Program for five years.

**SB 1108 – Chapter 59 – \*concealed weapons; permit**

Makes statutory changes related to the carrying of a concealed weapon without a CCW permit, requirements for obtaining a CCW permit, and the forfeiture of weapons under court order.

**SB 1123 – Chapter 57 – prisoners; community corrections; monitoring; fees**

Establishes the Community Corrections Enhancement Fund consisting of fees for community supervision, parole, GPS monitoring and home arrest.

**SB 1169 – Chapter 270 [E] – \*secondary employment; corrections employees**

Allows officers and employees of ADC to maintain secondary employment in any non-ADC correctional facility and institutions of higher learning.

**SB 1200 – Chapter 22 – \*game and fish commission; board**

Creates the five-member Arizona G&F Commission Appointment Recommendation Board to recommend to the Governor candidates to fill vacancies on the Arizona G&F Commission.

**SB 1261 – Chapter 145 – families of fallen officers fund**

Modifies the requirements that a non-profit corporation must meet in order to receive allocated monies from the Families of Fallen Police Officers Special Plate Fund.

**SB 1325 – Chapter 210 – polygraph examinations; interviews; law enforcement**

Makes changes to the investigatory protocol for law enforcement officers and probation officers.

**SB 1350 – Chapter 208 – military affairs commission**

Modifies the membership of the Military Affairs Commission and authorizes DEMA to administer the Military Installation Fund.