

# COMMITTEE ON JUDICIARY

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**HB 2001 (Chapter 6): unlawful distribution of private images**

Makes it unlawful to intentionally disclose an image of another person if the person is identifiable from either the image itself or information displayed with the image. The image must depict a person with a reasonable expectation of privacy in a state of nudity or engaged in specific sexual acts and must be disclosed with the intent to harm, harass, intimidate, threaten or coerce the person. Evidence of a person sending the image electronically to another person does not remove the reasonable expectation of privacy for the image. A violation is a Class 4 felony if the image is disclosed electronically and a Class 1 misdemeanor if a person threatens to disclose an image but does not actually disclose the image. Effective: March 11, 2016.

Click [here](#) for the bill history.

**HB 2015 (Chapter 60): publicity pamphlets; counties; municipalities**

Requires any contract for publicity pamphlet publication or mailing in a local initiative or referendum election to include penalties of \$0.01 per day, per household with a registered voter for contractors who mail pamphlets after early balloting begins. Monies must be paid to the office of the elections officer. Effective: January 1, 2017.

Click [here](#) for the bill history.

**HB 2030 (Chapter 285): liquor premises; firearms; retired officers**

Clarifies that a retired peace officer or an honorably retired law enforcement officer who meets specific criteria may possess a firearm while in a licensed establishment that sells, serves or furnishes liquor. Allows the Director of the Arizona Department of Liquor Licenses and Control to issue a temporary permit of any series to a trustee in bankruptcy that acquires the spirituous liquor of a debtor, for the purpose of disposing of the liquor at a public auction as outlined in statute. Effective: August 6, 2016.

Click [here](#) for the bill history.

**HB 2031 (Chapter 91): liquor purchases; other state identification**

Modifies the list of acceptable identification required for the sale of alcohol by removing the requirement for out-of-state driver and nonoperating licenses to be reissued after a person turns 21 years of age. Effective: April 5, 2016.

Click [here](#) for the bill history.

**HB 2032 (Chapter 175): speed limits; local authority**

Allows a local authority to modify the speed limit in an area adjacent to or surrounding school grounds or public parks. Effective: August 6, 2016.

Click [here](#) for the bill history.

**HB 2154 (Chapter 95): failure to appear; arrest; fingerprinting**

Designates the booking agency that is responsible for taking 10-print fingerprints for submittal to the Central State Repository in the case of an arrest. Designates the county sheriff as responsible for taking 10-print fingerprints for submittal to the Central State Repository in the case of an indictment or complaint. Requires the sheriff to obtain a process control number and provide proof of fingerprinting to the person, including notice that the document must be presented in court. Designates the city or town law enforcement agency that arrested the defendant as responsible for taking 10-print fingerprints for submittal to the Central State Repository for a

misdemeanor. Includes a written promise to appear on a uniform traffic ticket and complaint in the definition of summoned. Effective: January 1, 2017.

Click [here](#) for the bill history.

**HB 2183 (Chapter 39): inmate body scans; contraband**

Allows the Department of Corrections or a county jail to perform a low-dose ionizing radiation body scan of an inmate in compliance with generally accepted health and safety standards to prevent contraband from entering into a correctional facility. Exempts employees or persons acting on behalf of the Department of Corrections or a county jail who use a low-dose ionizing radiation body scan device from the requirement to be a licensed practitioner or holder of a radiology certificate to use the device. Permits a county jail to request that a licensed practitioner order an x-ray on an inmate if there is reason to believe that the inmate is in possession of contraband. Effective: August 6, 2016.

Click [here](#) for the bill history.

**HB 2224 (Chapter 84): private firearm transactions; prohibited encumbrances**

Prohibits the state or any political subdivision from charging/ levying a fee, tax, assessment, lien or other encumbrance on the transfer of a firearm between two private parties who are not prohibited possessors under state or federal law. Effective: August 6, 2016.

Click [here](#) for the bill history.

**HB 2261 (Chapter 290): electronic benefit transfers; prohibitions; violations**

Established a Class 1 misdemeanor for the unlawful use of cash assistance EBT cards at a liquor store, a commercial horse racing or dog racing facility, an adult oriented entertainment establishment or a medical marijuana dispensary. Effective: August 6, 2016.

Click [here](#) for the bill history.

**HB 2338 (Chapter 131): educational institutions; firearms; rights-of-way**

States that the governing board of an educational institution may not prohibit a person from possessing or carrying a deadly weapon in a person's vehicle on a public right-of-way. Effective: August 6, 2016.

Click [here](#) for the bill history.

**HB 2374 (Chapter 7): child prostitution; offense**

Expands the offense of child prostitution to include knowingly providing a means for a minor to engage in prostitution and makes it a Class 2 felony. If the victim is under 15 years of age, the offense is punishable as a dangerous crime against children. Effective: August 6, 2016.

Click [here](#) for the bill history.

**HB 2375 (Chapter 135): crime victims' rights; facility dog**

Requires the court to allow victims under 18 to be accompanied by a facility dog while testifying in court. Witnesses and adult victims may also be permitted to use a facility dog. The same process applies to victims of juvenile offenses. Effective: August 6, 2016.

Click [here](#) for the bill history.

**HB 2376 (Chapter 8): victim restitution; stipulated amount; hearings**

Allows a victim or a victim's counsel to present information or evidence or make an argument to the court at any restitution proceeding. Applies to restitution proceedings for juvenile adjudications and adult convictions. Effective: August 6, 2016.

Click [here](#) for the bill history.

**HB 2377 (Chapter 43): criminal sentencing; restoration of rights**

Removes a penalty in the aggravated assault statute specific to victims under 15 years of age if the aggravated assault involves taking or attempting to take an officer's weapon. Corrects internal references related to Laws 2015, Ch. 51 as related to repetitive offender sentencing. Effective: August 6, 2016.

Click [here](#) for the bill history.

**HB 2382 (Chapter 254): property; declaration amendment; procedure**

Allows a community declaration to be amended by the association, or if there is no board, the property owners, by an affirmative vote of written consent of the number of eligible voters or owners requires under the declaration. An amendment may occur during the period of declarant control if written consent of the declarant is provided. Allows an amendment to apply to fewer than all of the lots or less than all of the property, if the amendment receives the affirmative vote or written consent of the number of voters required by the declaration and the amendment receives the affirmative vote or written consent of all of the owners that the amendment applies to. Requires the association or, if there is no board, an owner to prepare, execute and record a written instrument outlining the amendment within 30 days of adoption. Effective: August 6, 2016.

Click [here](#) for the bill history.

**HB 2383 (Chapter 194): public records; law enforcement**

Requires the petitioner in a special action for the release of records to establish that the disclosure of a record containing a visual depiction of a minor witness or a victim outweighs the victim of witness's right to privacy. The bill also prohibits the disclosure of a witness's *personal identifying information* contained in specific records related to criminal investigations or prosecutions, except in certain situations. The prohibition on disclosing the *personal identifying information* of a witness does not affect records that are transmitted between law enforcement and prosecution agencies, a court or a clerk of the court. Effective: August 6, 2016.

Click [here](#) for the bill history.

**HB 2386 (Chapter 69): patent troll prevention act**

Prohibits a person from asserting patent infringement in bad faith and outlines factors that the court may consider as evidence of a bad faith claim and factors that may be considered evidence of a good faith claim. Provides that it is not unfair or deceptive trade practice for a person who

has the right to license or enforce a patent to advise others of that ownership, communicate to others that the patent is available, notify that the patent has been infringed or seek compensation for infringement. States that any act or practice that does not comply with these requirements is unlawful. Exempts civil actions that include a demand or assertion of infringement that meet specific federal criteria and defines relevant terms. Effective: August 6, 2016.

Click [here](#) for the bill history.

**HB 2419 (Chapter 44): stalking; offense; definitions**

Defines the offense of stalking as intentionally or knowingly engaging in conduct that causes a victim to suffer emotional distress or reasonable fear of physical injury, death, or damage to property. Clarifies that if the conduct caused emotional distress or fear, it is a Class 5 felony. If the conduct caused reasonable fear of death, it is a Class 3 felony. Provides an exemption for interactive computer service, information service and telecommunication service if the content is provided by another person. Expands the definition of course of conduct by including engaging in any of the outlined acts by any means and defines emotional distress. Effective: August 6, 2016.

Click [here](#) for the bill history.

**HB 2446 (Chapter 297): prohibited weapon; exclusions; definition**

Excludes specific firearms or devices that are possessed, manufactured or transferred in compliance with federal law from the definition of a *prohibited weapon*. Effective: August 6, 2016.

Click [here](#) for the bill history.

**HB 2537 (Chapter 333): supreme court justices; number**

Increases the number of Supreme Court Justices from five to seven. Effective: August 6, 2016.

Click [here](#) for the bill history.

**HB 2539 (Chapter 105): sex offender registration; petition; termination**

Allows a sex offender who was convicted of sexual conduct with a minor to be petition the court to terminate his or her duty to register if the offender has completed a term of probation. Stipulates that the defendant must have been under 22 years old at the time of offense, the victim was 15, 16 or 17 years old at the time of the offense and the conduct was consensual. Effective: August 6, 2016.

Click [here](#) for the bill history.

**HB 2594 (Chapter 301): tobacco master settlement; sales data**

Requires tobacco sales data provided to the Attorney General or the Department of Revenue (DOR) for the purposes of the master settlement agreement remain confidential. Excludes data from tax returns or reports, or any other tax report, return or form filed with the DOR from the confidentiality requirement. Effective: August 6, 2016.

Click [here](#) for the bill history.

**SB 1018 (Chapter 139): aid; execution of process; injury**

Allows a person to refuse to assist a sheriff or other public officer in the execution of process if the person would be exposed to injury. Effective: August 6, 2016.

Click [here](#) for the bill history.

**SB 1039 (Chapter 106): grand jury; excuse; jury service**

Allows a person who is summoned within four years of serving on a grand jury to apply to the court and receive a temporary excuse from jury service. Excludes alternate grand jurors from receiving a temporary excuse for jury service if summoned within four years of serving as an alternate grand juror. Effective: August 6, 2016.

Click [here](#) for the bill history.

**SB 1047 (Chapter 16): county attorney; powers and duties**

Allows a county attorney to provide civil legal services to another county, political subdivision or an officer, employee or agency of a political subdivision at the request of the entity's general counsel. Defines *general counsel* as an elected or appointed county attorney, city attorney or town attorney. Effective: August 6, 2016.

Click [here](#) for the bill history.

**SB 1106 (Chapter 20): food stamps; benefits; unlawful use**

Prohibits the sale, transfer, acquisition or redemption of food stamps for cash or items other than eligible food and makes a violation a Class 5 felony. Effective: August 6, 2016.

Click [here](#) for the bill history.

**SB 1210 (Chapter 24): resource center fund; purposes**

Permits the Arizona Criminal Justice Commission Resource Center Fund to be used to fund the Arizona Statistical Analysis Center. Effective: August 6, 2016.

Click [here](#) for the bill history.

**SB 1211 (Chapter 307): victim compensation fund; allocations**

Strikes the cap of 50% on the amount of on victim assistance monies that can be distributed statewide to governmental agencies or public officers who are members of the ACJC. Effective: August 6, 2016.

Click [here](#) for the bill history.

**SB 1214 (Chapter 25): criminal trials; location**

States that the trial for a criminal offense committed in transit may occur in any county through which the transit occurred. Effective: August 6, 2016.

Click [here](#) for the bill history.

**SB 1266 (Chapter 132): firearms; state preemption; penalties**

Declares invalid any rule, ordinance, tax or regulation enacted by a political subdivision in violation of the firearms preemption statute and establishes penalties for violations. Effective: August 6, 2016.

Click [here](#) for the bill history.

**SB 1286 (Chapter 154): internet sex offender website; offenses**

Adds persons convicted of sexual assault, commercial sexual exploitation of a minor, child prostitution, sexual exploitation of a minor or specific offenses if the victim is under 12 years old to the ADPS internet sex offender website. Effective: August 6, 2016.

Click [here](#) for the bill history.

**SB 1293 (Chapter 338): mediation; confidential communications; exception**

Permits court-appointed mediators to disclose specific information if they reasonably believe that a minor or vulnerable adult is victim of abuse, physical injury, neglect, exploitation or a reportable offense. Effective: August 6, 2016.

Click [here](#) for the bill history.

**SB 1294 (Chapter 157): scanning devices; burglary; trespass; penalty**

Expands the definition of structure for purposes of criminal trespassing and burglary and increases the penalty for the unlawful use or possession of scanning device or re-encoder. Increases the penalty for unlawfully possessing or using a scanning device from a Class 6 felony to a Class 4. Effective: August 6, 2016.

Click [here](#) for the bill history.

**SB 1295 (Chapter 339): DUI; watercraft; medical practitioner; authorization**

Expands the defense to prosecution for a DUI or OUI violation resulting from the person having any drug or its metabolite in the person's body to include if the person is using a drug prescribed by a licensed medical practitioner who is authorized to prescribe the drug. Effective: August 6, 2016.

Click [here](#) for the bill history.

**SB 1298 (Chapter 158): probation; juvenile; adult**

Expands conditions that a juvenile placed on intensive probation may be subject to by including participation in a treatment program an activity that improves the juvenile's pro-social skill development. This includes an activity that enhances the juvenile's relationship with his or her family. Modifies conditions of adult intensive probation by requiring the offender to maintain employment or full-time student status, or a combination of employment and student status.

Permits an offender who was placed on global positioning system (GPS) or electronic monitoring (EM) prior to July 13, 2009 to petition the court to have the requirement for GPS or EM removed, if the offender was not required to register as a sex offender at the time of conviction and is not designated as a Level-3 sex offender. Effective August 6, 2016.

Click [here](#) for the bill history.

**SB 1307 (Chapter 159): community property; life sentence; spouse**

Prohibits the court from awarding community property to a convicted spouse in a divorce or legal separation proceeding. Allows a spouse who is required to make installment payments to a convicted spouse to petition the court to modify the ongoing payment, if the conviction occurred after the order to make payments. Effective: August 6, 2016.

Click [here](#) for the bill history.

**SB 1308 (Chapter 314): juvenile charged as adult; detention**

Stipulates that a juvenile who has been charged as an adult may be detained in a juvenile detention center if ordered by the court. Effective: August 6, 2016.

Click [here](#) for the bill history.

**SB 1324 (Chapter 75): abortion clinics; medication abortions**

Requires abortion procedure rules to include that any medication, drug or other substance used to induce or cause a medication abortion be administered in compliance with the Mifeprex final printing label protocol approved by the U.S. Food and Drug Administration and in effect as of December 31, 2015. Effective: August 6, 2016 (repealed by SB 1112).

Click [here](#) for the bill history.

**SB 1449 (Chapter 170): prohibited operations; unmanned aircraft**

Prescribes restrictions for the operation of *civil unmanned aircrafts, model aircrafts, unmanned aircrafts* and *unmanned aircraft systems*. Makes it illegal to operate a model aircraft or a civil unmanned aircraft if operation is prohibited by federal law, aeronautic regulation or specified Federal Aviation Administration regulations or interferes with first responder operations. Effective: August 6, 2016.

Click [here](#) for the bill history.

**SB 1474 (Chapter 77): human fetus; embryo; prohibited actions**

States a person may not use a human fetus or embryo or any part, organ or fluid of the fetus embryo resulting from an abortion in animal or human research, experimentation or study of for transplantation unless in the case of diagnostic or remedial procedures for the purpose of determining the life of health of the human fetus or embryo or the mother, or in the case of a pathological study. Prohibits a person from experimenting on a human fetus or embryo prior to an abortion.

Stipulates a person may not perform or offer to perform an abortion for which part or all of the justification or reason is that the human fetus or embryo or any party, organ or fluid of the human fetus or embryo may be used for animal or human research, experimentation or study or for transplantation. Effective: August 6, 2016.

Click [here](#) for the bill history.

**SB 1485 (Chapter 78): payroll deductions; charitable contributions; prohibition**

Prohibits state employee payroll deductions for contributions to charitable organizations that provide or facilitate *nonfederally qualified abortions*. Effective: August 6, 2016.

Click [here](#) for the bill history.