

# **Judiciary Committee**

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# JUDICIARY COMMITTEE

## LEGISLATION ENACTED

TPT; distribution; community college districts (NOW: prisoners; parole hearings; recertification procedures) (S.B. 1037) – Chapter 298

Allows the Board of Executive Clemency (Board) to adopt rules for the parole recertification process and apply specific rules for the recertification process to a prisoner who is serving a sentence for: 1) first-degree or second-degree murder; 2) a dangerous offense that caused serious physical injury; 3) a dangerous crime against children; or 4) a felony-level sex offense or sexual exploitation of children. By January 1, 2020, the Board must draft proposed rules that allow the Board to extend the length of time after an eligible inmate is denied parole until the eligible inmate's next parole recertification hearing to more than one year. Outlines rule requirements.

early ballots; deficiencies; cure period (S.B. 1054) – Chapter 39

Requires a county recorder or other officer in charge of elections to make reasonable efforts to contact a voter and advise the voter of an inconsistent signature on an early ballot envelope. Allows an early voter to confirm or correct an early ballot signature that is inconsistent with the voter's registration record up to five business days after a general or special election that includes a federal office or three business days after any other election. A county may begin tallying early ballots 14 days, rather than 7 days, before election day. Moves related deadlines to conform.

court security officers; certification; powers (S.B. 1064) – Chapter 300

Allows courts to use certified court security officers to ensure the safety of judicial branch employees and facilities. A certified court security officer must be an employee of the judicial branch and certified by the Arizona Supreme Court. Outlines the powers and duties of certified court security officers.

early voting centers; identification required (S.B. 1072) – Chapter 15

Requires a person to present identification at an on-site early voting location and a voting center in the same manner that is currently required at a polling place on the day of an election. Allows a county recorder or other officer in charge of elections to update the voter registration information of a qualified elector when the elector votes at an on-site early voting location.

abducting child from state agency (S.B. 1076) – Chapter 92

Establishes the offense of *abduction of a child from a state agency*. Classifies the offense as: 1) a class 3 felony if the child is taken, enticed or kept from the lawful custody of a state agency and is taken outside of Arizona; 2) a class 4 felony if the child is taken, enticed or kept from the lawful custody of a state agency but the child remains in Arizona at all times; 3) a class 5 felony if the person intentionally fails or refuses to immediately return or impedes the immediate return

of a child to the lawful custody of a state agency; and 4) a class 6 felony if the person voluntarily returns the child without physical injury no later than 48 hours after the child is taken, enticed or kept from the lawful custody of a state agency.

funeral; last illness; expenses; lien (S.B. 1084) – Chapter 193

Allows a county that is responsible for final disposition of a body to record a lien on the decedent's estate to recover burial costs. The lien takes priority over a beneficiary deed. Requires an affidavit for collection of the decedent's property to state that the funeral expenses and expenses of the last illness of the decedent have been paid.

emergency voting procedures; board action (S.B. 1090) – Chapter 107

Delineates procedures for an elector to vote early as the result of an emergency by requiring electors to: 1) sign a statement under penalty of perjury that states the elector is experiencing or has experienced an emergency that would prevent the elector from voting at the polls; and 2) present valid identification in the same manner that is currently required at a polling place on the day of an election. The county Board of Supervisors may authorize emergency voting centers by resolution and designate the manner by which an elector requests to vote early in an emergency.

primary date; first August Tuesday (S.B. 1154) – Chapter 246

Moves, beginning in 2020, the primary election from the 10th Tuesday before a general election to the 1st Tuesday in August for any year in which a general election or special election is held. Changes deadlines relative to the primary election date. Allows a person desiring to become a candidate at the 2020 primary election who collects signatures on a nomination petition form before August 27, 2019, and who has used a petition form that includes the former primary election date to lawfully submit those signatures. A charter city may hold an election to conform the city's charter to the new primary election date.

uniform receivership act; commercial property (S.B. 1216) – Chapter 278

[SEE THE COMMERCE COMMITTEE.](#)

~~sexual assault protective order~~ (NOW: protective orders; sexual assault) (S.B. 1250) – Chapter 118

Allows a person to file a petition for an injunction against harassment by alleging an act of sexual violence. Prohibits charging a victim of sexual violence with fees for service of process for an injunction against harassment petition.

purchaser dwelling actions; notice; complaints (S.B. 1271) – Chapter 60

Makes several changes relating to litigation arising out of construction defects in dwelling actions and continues the Construction Liability Apportionment Study Committee for one year, until October 1, 2020, retroactive to June 30, 2019.

***Right to Repair*** – Establishes the right of a seller's construction professional to repair or replace alleged construction defects before commencement of a dwelling action by the purchaser. A purchaser may not file a dwelling action until the seller's construction professional has completed the intended repairs and replacements. A seller who receives notice from a purchaser regarding an alleged defect must promptly forward the notice to the last known address of each construction professional who the seller reasonably believes to be responsible for an alleged defect and outlines how notice may be provided. A construction professional's insurer must treat a dwelling action notice as a notice of claim under the terms and conditions of the insurance policy.

Requires the response a seller provides a purchaser after receipt of notice of alleged defects to include repairs or replacements that a seller's construction professional intends to make, if applicable. A contractor or subcontractor that was not involved in the construction or design of the dwelling and who performs any repair or replacement of the alleged defect is liable only to the seller or purchaser who contracted for the services within the contractor's or subcontractor's scope of work. Tolls the statute of limitations and statute of repose that apply to the seller's claim for indemnity or contribution against any construction professional from the date the seller receives notice from the purchaser until nine months after the purchaser's service of the civil complaint or arbitration demand on the seller. A construction professional's repair or replacement efforts are admissible in evidence but are not considered settlement communications.

Requires a purchaser who files a contested dwelling action to file an affidavit with the purchaser's complaint, under penalty of perjury, that the purchaser: 1) has read the entire complaint; 2) agrees with all allegations and facts contained in the complaint; and 3) is not receiving and has not been promised anything of value in exchange for filing the dwelling action, unless statutorily authorized. A dwelling action notice provided by a purchaser must: 1) describe the alleged defects with sufficient detail to allow the seller or seller's construction professional to identify the alleged defect; and 2) include the street address for each dwelling that is the subject of the notice.

***Bifurcation of Dwelling Action Proceedings*** – Requires the determination of whether a construction defect exists, the amount of damages caused by the construction defect and who may have caused the defect to be bifurcated from and take place in a separate phase of the trial or alternative dispute resolution process from the phase of the proceeding determining relative degree of fault of the defendant or third-party defendant. Bifurcation is required unless a court finds it not appropriate.

For each construction defect found to exist, a trier of fact in a dwelling action must first determine if a construction defect exists and the amount of damages caused by the defect. The trier of fact must identify each seller or construction professional whose conduct may have caused the construction defect. If feasible, the identified construction professionals must be joined as third-party defendants in the proceeding. The trier of fact must then determine the relative degree of fault of any defendant or third-party defendant. The seller has the burden to prove the pro rata share of liability of any third-party defendant. The pro rata share of liability must be allocated based on relative degree of fault.

Expresses the Legislature's intent that: 1) the bifurcation process does not alter the seller's liability under the seller's implied warranty to the purchaser; and 2) the issues of existence of a construction defect, damages, causation and apportionment of fault be tried in one trial.

***Indemnity Agreements in Dwelling Contracts*** – Voids, as against public policy, specified agreements in a dwelling construction contract or architect-engineer professional service contract, that purport to insure, indemnify or hold harmless, the promisee from or against liability for loss or damage, resulting from the negligence of the promisee or the promisee's indemnitees, employees, subcontractors, consultants or agents, other than the promisor. A contractor who is responsible for the performance of a dwelling construction contract may fully indemnify a person whose account the construction contract is not being performed and who, as an accommodation, enters into an indemnity agreement with the contractor that allows the contractor to enter on or adjacent to the property to perform the construction contract for others.

Specifies that any additional insured endorsement as part of an indemnity agreement or collateral to a dwelling construction contract does not obligate the insurer to indemnify the additional insured for the percentage of fault that is allocated to the additional insured. Limits a covenant, clause or understanding in, collateral to or affecting a construction contract or architect-engineer professional service contract that requires the promisor to defend the promisee to claims arising out of or related to the promisor's work or operations. Applies the indemnity agreement restrictions to all construction contracts and architect-engineer professional service contracts involving a dwelling between private parties, with outlined exceptions.

***Awarding of Attorney Fees*** – Allows a court or tribunal, in a contested dwelling action, to award the prevailing party reasonable attorney fees and taxable costs with respect to each contested issue. A purchaser is deemed the prevailing party with respect to a contested issue if the relief obtained by the purchaser for that contested issue, excluding fees and taxable costs, is more favorable than the repairs or replacements and offers made by the seller before the purchaser filed the dwelling action. A seller is deemed the prevailing party with respect to a contested issue if the relief obtained by the purchaser for that contested issue, exclusive of any fees and taxable costs, is not more favorable than the repairs or replacements and offers made by the seller before the purchaser filed the dwelling action.

Limits the award of attorney fees to the amount of fees actually and reasonably incurred with respect to the contested issue for which the party has been deemed the prevailing party. Outlines factors the court or tribunal must consider when evaluating whether the attorney fees are reasonable. A court or tribunal, in a contested dwelling action that involves a single purchaser, may award the prevailing party reasonable expert witness fees with respect to a contested issue.

prohibited weapons; nunchaku; repeal (S.B. 1291) – Chapter 207

Removes nunchakus or any instrument that consists of two or more sticks, clubs, bars or rods connected by a rope, cord, wire or chain used in connection with the practice of a system of self-defense from the definition of *prohibited weapon*.

renewal of judgments; applicability (S.B. 1309) – Chapter 20

Allows the party in whose favor a judgment was given, at any time within 10 years after entry or renewal of the judgment, to have a writ of execution or other process issued for its enforcement if the judgment was entered: 1) on or after August 3, 2013; or 2) on or before

August 2, 2013, if the judgment was renewed on or before August 2, 2018. An affidavit for renewal may not be filed to renew a judgment entered on or before August 2, 2013, unless that judgment was renewed on or before August 2, 2018.

earned release credits; drug offenses (S.B. 1310) – Chapter 310 E

An emergency measure effective June 7, 2019, that increases, from one day for every six days served to three days for every seven days served, the earned release credit for a prisoner who: 1) was sentenced for possession or use of marijuana, dangerous drugs or narcotic drugs, or possession of drug paraphernalia; 2) has successfully completed a drug treatment program or other major self-improvement program provided by the Arizona Department of Corrections (ADC) during the prisoner's term of imprisonment; and 3) has not previously been convicted of a violent or aggravated felony. Applies the changes to earned release credits to prisoners who are currently serving a term of imprisonment. Outlines eligibility notification and reporting requirements for ADC.

material witnesses; contempt; detention; bond (S.B. 1311) – Chapter 144

Modifies and updates procedures for ensuring the appearance of a material witness in a criminal proceeding. Allows a court, if it finds that a detained material witness who has been given an opportunity to appear but is unlikely to comply with a future subpoena or order to appear, to: 1) order a secured or unsecured appearance bond; 2) impose electronic monitoring; or 3) order the continued detention of the witness, except the witness must be released if not deposed within three business days of the order. A court may hold the release of any appearance bond until the final disposition of contempt proceedings.

bad checks; restitution payments (S.B. 1312) – Chapter 62

Specifies that restitution for issuing bad checks must only be made through the prosecutor's office before a conviction.

death penalty; aggravating circumstances (S.B. 1314) – Chapter 63

Eliminates the following aggravating circumstances from being considered in determining whether to impose a death sentence: 1) the defendant knowingly created a grave risk of death to another person or persons in addition to the person murdered; 2) the offense was committed in a cold, calculated manner without pretense of moral or legal justification; and 3) the defendant used a remote stun gun or an authorized remote stun gun.

victims' rights; refusal of interviews (S.B. 1315) – Chapter 219

Extends, beyond a final disposition of the charges, the victim's and victim's representative's right to refuse an interview, deposition or any other discovery request by the defendant, the defendant's attorney or any other person acting on behalf of the defendant, except in cases involving a dismissal with prejudice or an acquittal. Allows a victim, in a trial court proceeding,

to bring a special action seeking to enforce any right or to challenge an order denying any right guaranteed to victims. In a trial court or appellate proceeding, a victim may not be charged a filing fee for the special action or order.

statewide ballot measures; circulators; procedures (NOW: procedures; nomination petitions; registered circulators) ([S.B. 1451](#)) – Chapter 315

Modifies the process for registering as a circulator for statewide initiative and referendum petitions by requiring additional information to be submitted to the Secretary of State (SOS) and classifies specified violations of circulator requirements as a class 1 misdemeanor. Requires the SOS to register and assign a circulator a registration number within 5 business days after submission and review of the circulator's registration application. Outlines prohibitions to becoming a petition circulator. A challenge to the lawful registration of a circulator must be made within 10 business days of when the SOS has received, processed and made available all final petition sheets individually numbered.

Requires a person who may be a candidate for office to file a statement of interest before gathering signatures for a nomination petition. Outlines information that must be included on a statement of interest and exemptions for certain candidates. Statement of interest requirements apply to elections held on or after August 27, 2019, but a candidate who collects signatures before that date has until January 2, 2020, to file a statement of interest.

adult protective services ([S.B. 1538](#)) – Chapter 321

[SEE THE HEALTH & HUMAN SERVICES COMMITTEE.](#)

extended foster care program ([S.B. 1539](#)) – Chapter 262

[SEE THE HEALTH & HUMAN SERVICES COMMITTEE.](#)

duty to report; supervisor; administrator ([H.B. 2008](#)) – Chapter 70

Requires an immediate or next higher-level supervisor or administrator of a person who is required to report specified offenses inflicted upon a minor to report the offenses, except if the supervisor or administrator reasonably believes that the report has been made by a person who is required to report.

political signs; ballot measures; tampering ([H.B. 2023](#)) – Chapter 27

Classifies knowingly removing, altering, defacing or covering a political sign or printed material in support of or opposition to a ballot measure, question or issue as a class 2 misdemeanor. A person who is authorized by the committee that provided the sign or printed material is exempt from the penalty. The penalty period ends seven days after the primary election for removing, altering, defacing or covering a political sign of a candidate who does not advance to the general election.

federal form voter registrations; reporting (NOW: elections; federal form; emergency voting) (H.B. 2039) – Chapter 282

Requires, on the dates prescribed by statute, a county recorder to report to the Secretary of State and post on the county recorder's website the number of persons who are registered to vote using a federal or state voter registration form and the number of persons who have not provided proof of citizenship to the county recorder. Requires a county recorder to post on the county recorder's website after each general election the number of ballots cast by persons eligible to vote a ballot containing federal offices only.

Amends [Laws 2019, Chapter 107 \(S.B. 1090\)](#) to clarify that a person who becomes ill or disabled prior to an election, and who requests a ballot to be delivered by a special election board, must sign a statement that the person is experiencing an emergency that began as early as the second Friday, rather than the first Friday, immediately before the election.

competency evaluations; reports (H.B. 2053) – Chapter 71

Removes the requirement for a mental health expert's report of a defendant who is competent by virtue of ongoing treatment with psychotropic medication to include the necessity of continuing treatment and any limitations that the psychotropic medication may have on competency and instead allows a court to appoint a mental health expert who is a physician to address that criteria.

electronic wills; requirements (H.B. 2054) – Chapter 46

Retroactive to July 1, 2019, modifies requirements for electronic wills. Prohibits a devisee under a will or a person related to a devisee by blood, marriage or adoption from acting as a witness to a will executed after September 30, 2019, unless the will is self-proving. An electronic will is self-proving if it is under the exclusive control of a qualified custodian at all times before being offered for probate or being reduced to a certified paper original. Specifies that an electronic will is maintained by a qualified custodian as a bailee, but the electronic will is the property of the testator.

juvenile court; jurisdiction; undesignated felony (NOW: juvenile court; jurisdiction) (H.B. 2055) – Chapter 125

Expands juvenile court jurisdiction for the purpose of designating undesignated felonies. Restructures procedures and requirements for setting aside adjudications and for destruction of juvenile records.

civil rights restoration; application; procedures (H.B. 2080) – Chapter 149

Reorganizes statute relating to the restoration of civil rights and modifies application requirements and procedures. The court must inform a person in writing of the person's right to the restoration of civil rights at the time of sentencing. Removes the requirement that a first-time offender must pay all fines imposed prior to having his or her civil rights automatically restored.

community property award; convicted spouse (H.B. 2112) – Chapter 28

Allows a person ordered to make ongoing installment payments to a convicted spouse to petition the court for a modification of the ongoing payment, regardless of when the conviction occurred.

voter registration; updates; internet address (H.B. 2133) – Chapter 242

Allows a county recorder to include an internet address for revising voter registration information in a follow-up notice for mail that is returned undeliverable and for a notice of change of address. The follow-up notice must include a statement that the elector's voter registration status will be changed from active to inactive if the elector does not revise their voter registration information within 35 days.

municipal elections; write-in candidates (H.B. 2134) – Chapter 284

Requires a write-in candidate in a municipal election to receive at least the same number of votes as the number of signatures required for nominating petitions for the same office to: 1) obtain a certificate of election; and 2) advance to a general or runoff election.

contracts; licensure requirements; waiver; applicability (NOW: contracts; licensure requirements; exemption) (H.B. 2146) – Chapter 285

Exempts a person who is a party to a contract between private parties from specified state laws relating to licensure, certification, registration or other authorization to act, subject to specific conditions. A person, when notified by a state agency (agency) that the person is in violation of a state law relating to licensure, certification, registration or other authorization to act, must do one of the following within six months of notification: 1) become licensed, certified or registered or receive another authorization to act; or 2) amend the contract to exempt a person who is a party to the contract from the applicable law.

The subject of the contract may not exceed \$6,000 per transaction between any two parties and \$150,000 in total aggregate profit in the previous calendar year for all parties related to the services provided in the contract. A party to a contract has until July 1 of the following year, if the annual profits related to the services provided in the contract exceed \$150,000, to do one of the following before an agency may commence or take disciplinary action against a party to the contract: 1) amend the contract; or 2) become licensed, certified or registered or receive another authority to act. Prohibits an agency from commencing or taking disciplinary action against a party during specified time periods. Deems a violation of the exemption from licensure requirements statute as an unlawful practice under the Consumer Fraud Act.

satisfaction of judgment; justice courts (H.B. 2151) – Chapter 202

Requires a prevailing party to file a satisfaction of judgment in: 1) a superior court or justice court within 40 days after a judgment has been paid in full; or 2) a small claims division within 30 days after a judgment has been paid in full. An opposing party may file a motion to compel a

satisfaction of judgment if the prevailing party fails to file a satisfaction of judgment or cannot be located after the opposing party has exercised due diligence in attempting to locate the prevailing party. If filing a motion to compel a satisfaction of judgment, an opposing party must include an affidavit that evidences proof of payment and the due diligence that was performed in attempting to locate the prevailing party.

writ of garnishment; certified mail (H.B. 2230) – Chapter 29

Allows service of a writ of garnishment to be made by certified mail. Allows a writ of garnishment served on a financial institution to be effective when served on an office or branch located outside the county of service. The date of receipt is the effective date of service.

elections; ~~special districts; technical correction~~ (NOW: county recorder; candidate petition) (H.B. 2236) – Chapter 127

Requires a county recorder or other officer in charge of elections to perform signature verifications for nomination petition challenges and provide testimony and other evidence on request of any party to the challenge.

~~judges; election; technical correction~~ (NOW: election procedures; manual) (H.B. 2238) – Chapter 99

Moves the date by which an official elections instructions and procedures manual must be issued from 30 days prior to each election to December 31 of each odd-numbered year immediately preceding a general election. Moves the date by which the Secretary of State must submit an official elections instructions and procedures manual to the Governor and the Attorney General from 90 days before each election to October 1 of the year preceding each general election.

limitations of actions; dedicated property (H.B. 2240) – Chapter 51

Applies an eight-year statute of repose for an action or arbitration brought by a municipality or county related to an improvement to real property that is dedicated to the municipality or county, if the claim is based on: 1) a municipal or county code, ordinance or other legal requirement; or 2) a permit that is required as a condition of development. The time limitation does not apply to actions or arbitrations based on a claim of willful, reckless or concealed violation of a municipal or county requirement.

motor vehicle accidents; restricted license (H.B. 2366) – Chapter 153

[SEE THE TRANSPORTATION & PUBLIC SAFETY COMMITTEE.](#)

animal cruelty; working animal; harassment (H.B. 2421) – Chapter 32

Expands the offense of *cruelty to animals* to include intentionally or knowingly engaging in conduct expected to impede or interfere with a working animal's performance of its duties while the working animal is in a law enforcement vehicle and classifies the violation as a class 1 misdemeanor.

space flight activities; release agreement (H.B. 2423) – Chapter 91

Allows a space flight entity to enter into a liability release agreement with its crew. Limits the definition of *launch* to a placement or attempted placement of a launch vehicle and any spacecraft, payload, crew or participant in a flight path targeted to exceed an altitude of 60,000 feet. Expresses the Legislature's intent to promote commercial space flight activities in Arizona through the launch of stratospheric, suborbital and orbital missions and to promote the creation of space infrastructure in Arizona to increase economic development.

victims' rights (NOW: civil action; assault; limitation; applicability) (H.B. 2466) – Chapter 259 E

An emergency measure effective May 27, 2019, that establishes a 12-year statute of limitations from the time a plaintiff reaches 18 years old to sue for: 1) an injury that a minor suffers as a result of another person's negligent or intentional act if that act is a cause of sexual conduct or sexual contact committed against the minor; or 2) a mandatory reporter's failure to report sexual conduct or sexual contact committed against a minor. The 12-year statute of limitations applies to a claim that: 1) is commenced on or after May 27, 2019; or 2) was filed before and remains pending on May 27, 2019.

Allows a plaintiff, until December 31, 2020, to commence a cause of action for damages involving sexual conduct or sexual contact against a minor that would otherwise be time-barred. A claim that would otherwise be time-barred may be brought against a person who was not the perpetrator of the sexual conduct or sexual contact if that person knew or otherwise had actual notice of any misconduct that created an unreasonable risk of sexual conduct or sexual contact with a minor by an employee, volunteer, representative or agent of the person. Specifies, for a claim that would otherwise be time-barred that may be brought until December 31, 2020, that: 1) the plaintiff has the burden of proving the claim by clear and convincing evidence; and 2) punitive damages may not be awarded.

If applicable, a court may notify a victim after the final disposition of a criminal proceeding of the ability to pursue civil remedies under the new statute of limitations.

setting aside judgment; felony offense (H.B. 2480) – Chapter 244

Allows a person convicted of a non-felony offense against a victim who is under 15 years old to apply to have the judgment of guilt set aside.

study committee; murdered indigenous women. (H.B. 2570) – Chapter 232

[SEE THE HEALTH & HUMAN SERVICES COMMITTEE.](#)

multiple sentences for imprisonment (H.B. 2602) – Chapter 179

Eliminates the presumption that multiple sentences of imprisonment imposed on a person at the same time run consecutively and requires the court to state on the record the reason for its determination that a sentence runs consecutively or concurrently.

peace officers; discipline; hearings; discovery (H.B. 2634) – Chapter 110

[SEE THE TRANSPORTATION & PUBLIC SAFETY COMMITTEE.](#)

occupational regulation; prior conviction; applicability (H.B. 2660) – Chapter 166

Prohibits a state agency from determining that a person's criminal record disqualifies the person from obtaining a license, permit, certificate or other state recognition if a conviction for any of the following offenses occurred over seven years before the date of the petition: 1) a felony; 2) a violent crime; or 3) an offense related to forgery, credit card fraud, fraudulent schemes, business fraud or commercial fraud in which the license, permit, certificate or other state recognition establishes a fiduciary duty. A state agency may disqualify a person regardless of when a conviction occurred for outlined offenses.

~~law enforcement integrity database; appeal~~ (NOW: animal cruelty; domestic animals; classification) (H.B. 2671) – Chapter 188

Expands the offense of *cruelty to animals* to include intentionally or knowingly subjecting a domestic animal to cruel mistreatment or killing a domestic animal without legal privilege or consent of the domestic animal's owner or handler and classifies a violation as a class 5 felony. A *domestic animal* is a non-livestock mammal that is kept primarily as a pet or companion or that is bred to be a pet or companion.

criminal justice; budget reconciliation; 2019-2020. (H.B. 2752/S.B. 1557) – Chapter 268

[SEE THE APPROPRIATIONS COMMITTEE.](#)

pornography; public health crisis (H.C.R. 2009)

Declares that the Legislature denounces pornography as a public health crisis.

## LEGISLATION VETOED

~~independent functional utility; deduction~~ (NOW: sentencing; repetitive offenders) (S.B. 1334) – VETOED

Requires, except for dangerous offenses and dangerous crimes against children, a historical prior felony conviction to have occurred before the date the present offense was committed for a defendant to be sentenced as a category two or category three repetitive offender, unless the person was on release for a felony offense. Adds a mitigating factor for sentencing purposes.

The Governor indicates in his [veto message](#) that this legislation may have unintended consequences for victims.

public land management; sovereign immunity (H.B. 2596) – VETOED

Exempts a public entity from liability for acts and omissions of its employees in the exercise of administrative functions involving the performance of all management and administrative functions that are assigned or delegated to the State of Arizona by the federal government that relate to managing public land pursuant to an agreement with the U.S. Department of the Interior or another federal agency.

The Governor indicates in his [veto message](#) that he does not see a need for this bill at this time.