



2013 SESSION

The ACLU of Arizona is currently tracking the bills listed below. Each entry contains a brief description of the bill, as well as the bill's official title, and the ACLU of Arizona's most recent position on the bill.

DISABILITY RIGHTS:

HB 2066 (definitions; archaic language; removal):

- Eliminates the current definition of "mentally ill person"—a definition whose terms are outdated and now highly inappropriate—and replaces archaic terminology
- **SUPPORT**

HB 2476 (schools; isolation rooms; restrictions):

- Directs school governing boards to develop disciplinary policies regarding confinement of students left alone in an enclosed space and outlines what such policies must include
- **NEUTRAL**

IMMIGRATION:

HB 2032 (driver licenses; authorized presence proof):

- Specifies that a federally-issued employment authorization document is proof that a person's presence in the United States is authorized under federal law. This bill is a response to an executive order issued by Governor Brewer and would help DREAMers who are eligible for the Deferred Action for Childhood Arrivals program get Arizona driver licenses.
- **NEUTRAL**

HB 2283 (government publications; other than English):

- Requires any publication or document, other than voting material, issued to the public by a state agency to appear in English and requires the non-English version to be issued online only and maintained in print at the agency's office
- **OPPOSE**

LGBT RIGHTS:

HB 2218 (unlawful exposure; sexually transmitted diseases):

- Creates a criminal offense for people infected with HIV or a sexually transmitted disease who engage in certain acts intending to expose someone else to the virus or disease
- **NEUTRAL**

SB 1045 (official bill title does not reflect subject matter of bill):

- Prevents local governments from enacting policies that prevent discrimination in "privacy areas" based on gender identity and immunizes from liability any business that engages in discrimination in privacy areas on the basis of gender identity

- **OPPOSE**

MEDICAL MARIJUANA:

SB 1098 (marijuana; cultivation; county zoning):

- Allows county zoning ordinances to apply to the cultivation of cannabis or marijuana
- **NEUTRAL**

SB 1440 (medical marijuana; advertising; labeling):

- Requires the Department of Health Services to immediately revoke the registration certificate of a licensed medical marijuana dispensary that dispenses packages that advertise in a way that misbrands or states that its use is for anything other than the intended medical use
- **OPPOSE**

SB 1441 (marijuana; medical use; seizure; disposition):

- Requires law enforcement to destroy seized medical marijuana, just as they would destroy seized non-medical marijuana, after the completion of an investigation, even if the person from whom the medical marijuana was seized was legally permitted to have it
- **OPPOSE**

SB 1442 (medical marijuana; child care facilities):

- Transfers and renumbers current law that prohibits the use or possession of marijuana in a child care facility from statutes concerning child care to statutes concerning medical marijuana
- **NEUTRAL**

SB 1443 (marijuana; postsecondary education; medical research):

- Allows medical research projects involving marijuana to be conducted on a public university, college, community college, or postsecondary education institution campus under certain conditions
- **NEUTRAL**

PRIVACY RIGHTS:

HB 2165 (public libraries; circulation records; privacy):

- Updates statutory provisions protecting the privacy of library users' records and information to include e-books
- **SUPPORT**

HB 2241 (telecommunications services; public records; exemption):

- HB 2241 originally contained various provisions that jeopardized privacy interests, but the bill has been heavily amended and the ACLU of Arizona no longer takes a formal position on the bill

HB 2269 (law enforcement agencies; drones):

- At one stage, HB 2269 significantly limited the ability of law enforcement agencies to use drones and information collected by drones against private individuals, but the bill has been amended

to simply establish an interim legislative committee that is tasked with studying drone technology

- Previously **SUPPORT**, now **NEUTRAL**

HB 2573 (prohibited governmental compliance; 2012 NDAA):

- Prohibits the state and its agencies from giving material support or participating in the implementation of sections 1021 and 1022 of the 2012 National Defense Authorization Act. The ACLU of Arizona was originally **NEUTRAL** on this bill, but the bill has been amended to prohibit the state and its political subdivisions from recognizing the United Nations or any of its declarations as legal authority in Arizona. Accordingly, the ACLU of Arizona no longer takes a formal position on HB 2573.

HB 2574 (drone surveillance; prohibition; exceptions):

- Limits the ability of state, county, and municipal law enforcement to use drone technology to gather, store, or collect evidence
- **NEUTRAL**

SB 1055 (official bill title does not reflect subject matter of bill):

- Provides various protections to employees regarding an employer's ability to demand a username, password, or other means of accessing an online personal account
- **SUPPORT**

SB 1087 (drug testing records; taxi drivers):

- Requires the driver of a livery vehicle, taxi, or limousine to submit to mandatory pre-employment drug testing and annual random drug testing after employment
- **OPPOSE**

SB 1411 (social media passwords; prohibition):

- Provides various protections to employees regarding an employer's ability to demand a username, password, or other means of accessing an online personal account
- **SUPPORT**

RELIGION AND BELIEF:

HB 2458 (empowerment scholarship accounts; fraud prevention):

- Outlines fraud prevention policies for the Arizona Department of Education regarding empowerment scholarship accounts
- **NEUTRAL**

SB 1178 (official bill title does not reflect subject matter of bill):

- Gives religious interests much broader powers to circumvent statutes and legal rules and imposes extreme burdens on individuals and governmental entities to prove that such statutes and legal rules are necessary
- **OPPOSE**

SB 1363 (empowerment scholarship accounts; expansion; funding):

- Expands eligibility and funding for empowerment scholarship accounts
- **OPPOSE**

VOTING RIGHTS:

HB 2350 (permanent early voting list; notarization):

- Requires all requests for an early ballot or inclusion on the Permanent Early Voting List to be notarized
- **OPPOSE**

HB 2387 (recovery of attorney fees):

- The ACLU of Arizona took no position on HB 2387 when the bill first appeared and concerned only the recovery of attorney fees, but we intended to oppose the bill when we learned that it would become a vehicle for highly punitive elections legislation that would significantly burden voters who wish to be on the permanent early voting list. Ultimately, however, HB 2387 did not become a vehicle for the elections measures and still concerns only the recovery of attorney fees. Accordingly, the ACLU of Arizona takes no formal position on HB 2387.

HB 2568 (election procedures; early voting):

- Includes, among other things, a variety of provisions that would allow voters to be removed from the permanent early voting list without their consent and without meaningful notice
- **OPPOSE**

SB 1003 (early ballot voting; revisions):

- Limits the ability of community and voter advocacy groups to help collect and deliver early ballots
- **OPPOSE**

SB 1261 (permanent early voting lists; amendments):

- Allows county elections officials to biennially remove voters from the Permanent Early Voting List (PEVL) if these voters do not return a completed form indicating that they wish to remain on the (PEVL)

SB 1274 (elections; early ballots; return deadline):

- Moves up the deadline for voters to turn in early ballots and prohibits voters from turning in early ballots at any county polling place
- **OPPOSE**