

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1351

(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 36-2031, Arizona Revised Statutes, is amended to
3 read:

4 36-2031. Criminal laws limitations; exception

5 A. No county, municipality or other political subdivision may adopt or
6 enforce any local law, ordinance, resolution or rule having the force of law
7 that includes being a common drunkard or being found in an intoxicated
8 condition as one of the elements of the offense giving rise to criminal or
9 civil penalty or sanctions, but nothing in this article shall affect any
10 laws, ordinances, resolutions or rules against drunken driving, driving under
11 the influence of alcohol or other similar offenses involving the operation of
12 vehicles, aircraft, boats, machinery or other equipment, or regarding the
13 sale, purchase, dispensing, possessing or using of alcoholic beverages at
14 stated times and places or by particular classes of persons.

15 B. No county, municipality or other political subdivision may
16 interpret or apply any law of general application to circumvent the provision
17 of subsection A.

18 C. NOTWITHSTANDING SUBSECTIONS A AND B OF THIS SECTION, THE GOVERNING
19 BODY OF A MUNICIPALITY THAT OPERATES ITS OWN DETENTION FACILITY OR CONTRACTS
20 WITH A COUNTY OWNED DETENTION FACILITY MAY ENACT AN ORDINANCE PROHIBITING A
21 PERSON FROM BEING INTOXICATED IN PUBLIC IF THAT PERSON IS A DANGER TO SELF OR
22 OTHERS."

23 Amend title to conform

JOHN KAVANAGH

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3/16/12

8:06 AM

H:ac