



2021 LEGISLATIVE REPORT AND SCORECARD



Desert Nesting Bald Eagle photo by Robin Silver



ARIZONA 2021 LEGISLATIVE REPORT

By Karen Michael

The 2021 session of the Arizona Legislature lasted 171 days, the third-longest in state history. It was significantly affected by the COVID-19 pandemic, as in 2020. Four bills to protect animals were passed and signed into law this session, three of which were sponsored by Representative John Kavanagh, a long-time champion for animals. Those included measures banning convicted animal abusers from owning pets, outlawing possession of animal fighting paraphernalia, and charging unauthorized horse racing organizers under the RICO statute. He also sponsored bills to improve conditions for laying hens, and the creation of an animal abuser registry. Unfortunately those bills failed.



Another measure, sponsored by Representative Shawna Bolick, allows families of deceased tenants to rescue pets. That bill was also passed and signed into law.

Representative Amish Shah again sponsored legislation to prohibit declawing of cats, a painful, unnecessary procedure which can cause significant medical issues. He and Senator Sean Bowie also sponsored bills aimed at stopping pet stores from selling dogs from puppy mills, but all of these measures died without a committee hearing.

In the bad bills department, the Legislature passed a damaging measure which significantly increases the burden for citizens that would bring a nuisance action against agricultural operations with large numbers of confined animals. The measure also limits authority of local governments to regulate agricultural operation nuisances. The bill was sponsored by Senator Sine Kerr who owns a large dairy operation in Buckeye.

Senator David Gowan, a fireworks salesman, again sponsored a bill to legalize aerial fireworks in Maricopa and Pima Counties. The devices, which shoot around 100 feet high and explode, would have increased the already damaging and frightening effects of fireworks on veterans with PTSD, wildlife, and companion animals. Fortunately the bill was held in committee, where it died. Senator Gowan also sponsored legislation that would have revived Arizona's dying horse racing industry. That bill was defeated by opposition from Tribal leaders, horse advocacy groups, and others. In 2014, Gowan was a prime sponsor of a bill which, as introduced, would have criminalized whistleblowers that expose cruel treatment of farm animals, including horses. It also would have weakened cruelty laws for all farm animals. Thanks to strong opposition, that measure died.



Photo by ASPCA

Unfortunately, legislators continued their attempt to derail Arizona's citizen initiative process -- the single most important tool for protecting animals. This session the Legislature passed three anti-initiative measures. One refers to the ballot a measure requiring initiatives to conform to a single subject, making it almost impossible to get a measure on ballot. The second refers to the ballot a measure to allow the Legislature to change an entire ballot measure, even if only a portion of it was deemed unconstitutional by a court. Both of these bills will appear on the 2022 ballot. The third measure requires a Proposition 105 warning on the ballot. The purported purpose is to dissuade voters from supporting citizen initiatives. That bill is statutory, so it went into law without a public vote.

What happened to so many animal-friendly legislators? The 2021 session was unique on many levels, but especially for the number of pro-animal legislators who opposed specific animal protection bills. For example, only three animal-friendly Senate members voted 'yes' on the bill to ban convicted animal abusers from owning pets. However, pro-animal House members overwhelmingly supported the measure. Also, the majority of animal-friendly senators voted 'no' on the bill to increase penalties for illegal horse racing. And aside from bill sponsor Rep. Kavanagh, only one pro-animal House member voted 'yes' on that bill. Yet in 2020, all but one animal-friendly House member supported that

same legislation. The primary reasons that pro-animal legislators opposed these bills were unrelated to animal protection. Criminal justice reform, misinformation from lobbyists, conflict with outside agencies, and other issues were most responsible for bill opposition from legislators with strong records of supporting animal protection. Details are provided under bill summaries below.

The Good Bills

Bills Passed by Legislature and Signed into Law

[HB2483 animal ownership; possession; prohibition](#) (Kavanagh) prohibits a person who has been convicted of animal fighting, bestiality or certain cruelty to animals offenses from possessing a cat or dog in their household and classifies a violation of the prohibition as a class 1 misdemeanor. The measure allows a person to apply to have their right to possess a cat or dog restored after prescribed time periods.



"Miso" at Arizona Humane Society

HB2483 also directs the courts to require the convicted animal abuser to complete a psychiatric or psychological examination, and if necessary, require the person to undergo counseling before their right to possess a cat or dog is restored. Studies indicate that mental health treatment is an effective way to address the roots of animal cruelty and provide sustainable solutions and rehabilitation for convicted offenders.

Prior to the passage of HB2483, Arizona had no mandatory requirements for keeping convicted animal abusers from possessing animals following their convictions. Laws banning possession of animals are one of the most effective ways to ensure that a convicted animal abuser does not reoffend. According to the Animal Legal Defense Fund, laws restricting an abuser's access to animals drastically limits the pool of potential victims. Possession bans like HB2483 also help stifle the high rates of recidivism associated with certain types of animal abuse. The bill was supported by all animal-friendly House members, but most pro-animal Senators opposed it on Third Read, where it failed. Thanks to Senator Borrelli's motion to reconsider*, HB2483 passed on a revote. Animal-friendly Senators likely opposed the bill for reasons unrelated to animals – primarily criminal justice issues. Special thanks to Debra Nolen for her efforts to get this important legislation passed.

HVA supported this measure.

HB2483 passed the House 44-14-2, passed the Senate 16-14 on reconsideration, and was signed into law by Governor Ducey.

*Motion to Reconsider is explained in the Legislative Scorecard section.

[HB2484 animal fighting paraphernalia; offense](#) (Kavanagh: Butler, Chaplik, et al.), supported by the Humane Society of the United States – Arizona (HSUS-AZ), prohibits a person from knowingly owning, possessing, purchasing, selling, transferring, or manufacturing animal fighting paraphernalia for the purpose of engaging in, promoting, or facilitating animal fighting or cockfighting.

According to the Animal Legal Defense Fund, evidence in animal fighting cases is often circumstantial, consisting primarily of animal fighting paraphernalia and the presence of animals who have wounds consistent with common fighting injuries. Additionally, some individuals manufacture and/or sell animal fighting paraphernalia for profit. HB2484 gives law enforcement the tools needed to charge abusers in animal fighting cases.

HVA supported this measure.

HB2484 passed the House 58-1-1, passed the Senate 26-3-1, and was signed into law by Governor Ducey.



Humane Society of the United States

[HB2012 unauthorized racing meetings; penalties; racketeering](#) (Kavanagh) classifies as a class 6 felony, knowingly holding an unauthorized racing meeting. The bill also expands the definition of racketeering to include an act involving holding an unauthorized racing meeting. Rep Kavanagh, who also sponsored this bill in 2020, testified that illegal

[horse races](#) are being held in Arizona which involve organized crime and include drugging and inhumane treatment of horses. Prior to the passage of HB2012, anyone that held a race in violation of horse racing regulations could only be charged with a class 2 misdemeanor. The bill gives prosecutors the tools they need to charge race organizers under the RICO Act. This same bill passed the House with only one 'no' vote in 2020, so we were surprised when all but one pro-animal representative voted against this year's measure. The change in votes apparently resulted from one representative who expressed concern in a caucus meeting that the bill was an overreach by the attorney general. HVA supported this measure.

HB2652 passed the House 32-27-1, passed the Senate 20-9-1, and was signed into law by Governor Ducey.

[HB2507 landlords; deceased tenant; pets](#) (Bolick) requires a landlord to provide an authorized person a one-day notice before removing a tenant's abandoned animals to a shelter or boarding facility. The bill authorizes a landlord to release the animal of a deceased or otherwise incapacitated tenant to a shelter, boarding facility or relative.

After Matthew Meisner was tragically murdered last year, his family couldn't access his apartment for days to rescue his cats Skitty, Hunter, and QT due to state law. Matt's cousin, Meg Epstein worked with Rep. Shawna Bolick to pass "Matthew's Law" (HB2507) to make sure this never happens to other families and animals. Thanks to her friend Missy Pruitt and others, all of the cats were rescued, medically treated, and adopted.

HVA and Animal Defense League of Arizona helped in a supporting role to pass HB2507, thanks largely to Senator Victoria Steele. Also thanks to Senator Sean Bowie, Representative Amish Shah, Bri Brown, Jake Hinman, and others for their efforts on this lifesaving new law. HVA was honored to help the effort and attend the bill signing ceremony with Governor Doug Ducey.



Governor's Signing Ceremony for 'Matthew's Law'

As with HB2012, legislators with records of supporting animal protection voted 'no' on HB2507 on Third Read in the Senate, which caused the bill to fail. Again, this was surprising since the bill passed the House with no opposition. We discovered the votes were largely based on information from one senator who relayed a lobbyist's concern about the measure, which was unrelated to animals. A motion to reconsider* allowed HB2507 to receive a revote. Thanks to Senator Steele, the misinformation was resolved, and the bill passed on reconsideration with only three 'no' votes.

HVA supported this measure.

HB2507 passed the House 59-0-1, passed the Senate on reconsideration 26-3-1, and was signed into law by Governor Ducey.

Other Good Bills

[SB1483 pet dealers; prohibitions; cats; dogs](#) (Bowie) supported by Animal Wellness Action (AWA) and Bailing Out Benji (BOB), would have amended pet store regulations to restrict the sale of dogs from puppy mills. Senator Bowie sponsored the bill following an investigation by AWA and BOB alleging that Puppies 'N Love and Animal Kingdom pet stores owned by Frank and Vicki Mineo trucked in hundreds of dogs from puppy mill breeders cited for health issues. Former employees of the Mineos' company provided records and photos of dogs with various medical conditions housed in filthy cages in a private distribution facility in Phoenix. Based on documentation, the Mineos' appear to have violated state laws and possibly federal laws.

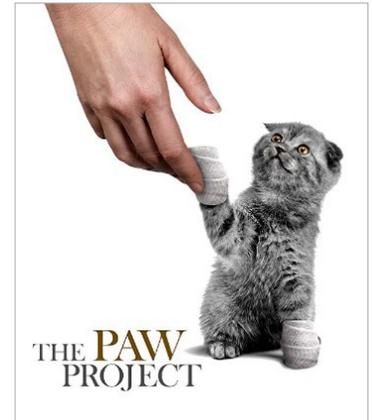


Some background: In 2016, the Arizona Legislature passed the 'pet store law' which preempted Phoenix and Tempe city ordinances banning sales of puppy mill dogs in pet stores. The law states that pet stores cannot source puppies from facilities who have received direct USDA violations in the last two years. Read more on the pet store law in the [HVA 2016 Legislative Report](#). Read the AWA/BOB investigative report [here](#), and an Arizona Republic article [here](#).

HVA supported this measure.

SB1483 did not receive a committee hearing, so the bill died.

[HB2626 cat declawing; prohibition; exceptions](#) (Shah: Kavanagh, Longdon, Nguyen), supported by HSUS-AZ, HVA, Animal Defense League of Arizona, and other animal protection groups, would have prohibited non-therapeutic declawing of cats. Rep. Shah, an emergency medicine physician, also sponsored this bill in 2020. According to Paw Project, declawing is one of the most painful, routinely performed procedures in all of veterinary medicine, where each toe of the cat is amputated at the first joint. Declawing a cat is equivalent in humans to amputating the entire first knuckle of every finger. Published veterinary [research](#) indicates that declawing cats increases the risk of unwanted behaviors and may increase risk for developing back pain. As a result of declawing, many cats will have permanent or intermittent lameness and other surgical complications. Scientific studies have found that declawed cats bite more often and harder than their intact counterparts. Major health authorities including the Centers for Disease Control and Prevention (CDC), National Institutes of Health (NIH), and others all agree that declawing cats to protect humans is “not advised.”



HVA supported this measure.

HB2626 did not receive a committee hearing, so the bill died.

[HB2525 egg-laying hens; confinement regulation](#) (Kavanagh), which failed in the 2020 session, would have required egg producers to increase space for laying hens in industrial egg farms. Starting on January 1, 2022, egg facility operators would be prohibited from confining egg-laying in enclosures with less than one square foot of usable floor space. On January 1, 2025, egg facility operators would be required to give hens at least one square foot of “usable floor space” in a multilevel aviary, or one and a half square feet of such space in a single-level system. Businesses in Arizona would be prohibited from purchasing eggs from any farm that fails to meet those requirements.

HVA supported this measure.

HB2525 passed the House Land, Agriculture & Rural Affairs Committee but was held in House Rules, so the bill died.



Photo by Animal Welfare Institute

[HB2355 animal abuser registration; penalties](#) (Kavanagh) would have established a central animal abuser registry, and specified criminal and civil penalties for failure to comply with registry requirements. The link between violence against animals and violence against human beings is well documented. Requiring convicted animal abusers to register with their local law enforcement agency would provide a warning to pet owners, rescue organizations, and animal-related businesses about convicted animal abusers in their communities.

However, there is some controversy among animal protection groups that dispute the effectiveness of animal abuse registries and recommend alternative approaches that have been demonstrated to achieve the same goal of responding to animal abusers in ways that protect animals and people.

Rep Kavanagh has sponsored this bill numerous times, but it has continuously failed.

HVA supported this measure.

HB2355 failed to pass the House on Reconsideration 25-34-1.

[HB2623 fireworks; use; overnight hours; prohibition](#) (Shah: Bowers, Lieberman, et al.) would have allowed a city, town or county to prohibit the use of permissible consumer fireworks on all days between the hours of 10:00 p.m. and 8:00 a.m. This would have been a significant step in reducing harmful effects of fireworks on animals, shelters, people with PTSD, and first responders (see SB1443 below).

HVA supported this legislation.

HB2623 passed the House 35-24-1 but was held in the Senate, so the bill died.

[HB2635 pet dealers: state preemption: repeal](#) (Shah) supported by HSUS-AZ, would have repealed the provision of current law that strips localities of their right to prohibit sales of puppy mill puppies in pet stores.

HVA supported this measure.

HB2635 was not granted a committee hearing, so the bill died.

[SB1200 G&F; appointment recommendation board; repeal](#) (Mendez) would have repealed the special-interests-controlled board that recommends candidates to the Arizona Game and Fish Commission (AZGFC), charged with managing and protecting wildlife. In 2010, the Legislature passed a measure (coincidentally SB1200) creating this recommendation board which appoints candidates to the AZGFC. The governor is limited to selecting only “board-endorsed” candidates. The board has only recommended one wildlife biologist and one woman to the AZGFC, which lacks diversity and scientific expertise. Senator Mendez and others have introduced this legislation numerous times, but it has never been granted a committee hearing.



Photo by Endangered Wolf Center

HVA supported this measure.

SB1200 was not granted a committee hearing, so the bill died.

The Bad Bills

[SB1448 agricultural operations; nuisance; costs; damages](#) (Kerr: Gowan, Shope) was the most significant and damaging legislation for animals to pass in recent sessions. SB1448, which passed the Legislature and was signed into law, increases the burden for citizens that would bring a nuisance action against agricultural operations with large numbers of confined animals. SB1448 was sponsored by Senator Sine Kerr who owns a large dairy in Buckeye. A similar House version, HB2372, was sponsored by Representative Tim Dunn, who owns Dunn farms and Dunn Grain Co. in Yuma.

Many animal advocates volunteered on the 2006 Arizona citizen initiative campaign that banned the inhumane confinement of pregnant pigs and calves raised for veal in concentrated animal feeding operations (CAFOs). In response to increased public concern over treatment of animals and environmental effects of CAFOs, large-scale agricultural lobbyists launched an American Legislative Exchange Council (ALEC) model [‘Right to Farm’](#) bill throughout the U.S. to prevent neighbors from bringing nuisance actions against those facilities.

The majority of almost 10 billion farm animals raised for food annually in the U.S. live in inhumane conditions in



Photo by Roberto (Bear) Guerra/High Country News

CAFOs, where they spend their entire lives in confinement, subjected to painful procedures with no anesthetic, and are fed subtherapeutic doses of antibiotics – a practice that is largely responsible for antibiotic resistance. Researchers at Johns Hopkins University submitted a [letter](#) to all legislators warning that SB1448 will increase the likelihood of zoonotic transfer of illness from CAFOs to human populations (similar to Covid-19).

Arizona attorney Howard Shanker [wrote](#) to lawmakers expressing concern that SB1448 awards costs and **fees** to the prevailing party, which will have a chilling effect on nuisance actions against these large industrial agricultural operations. Awarding of costs and fees to the prevailing party would mean most people would not take the risk, especially those with limited means. Generally, fees are not available

in these types of actions, so it is punitive for those seeking to protect their families or local business, including small farms that grow vegetables.

Arizona residents are familiar with the problems caused by intensive industrial animal agriculture operations. For example, in the town of Maricopa in Pinal County, a coalition of residents organized itself to address concerns about the air emissions and public health risks posed by the numerous CAFOs located within or near the city. In Tonopah, an

entire community has become a protected CAFO zone that unfortunately local, state, and federal laws and governmental regulatory agencies have allowed. These circumstances have left residents with very few viable options in terms of legal recourse. Often, a nuisance action is the only mechanism people have to protect themselves. Citizens affected by CAFOs testified in committee hearings and met with legislators, but their concerns were largely ignored.

Moreover, SB1448 could have negative public health and financial impacts on not only Arizona, but throughout the country. Yuma County is responsible for 90% of all leafy vegetables grown in the U.S. In 2018, there was an outbreak of E. coli in lettuce from a Yuma farm that sickened at least 210 people in 36 states and killed five. The FDA traced the E. coli strain to a water canal that irrigated the Yuma lettuce farm and suspect that a nearby CAFO caused the contamination. The right to protect private property and the capacity to file nuisance litigation is one of the few legal tools available to rural residents to address damages caused by large-scale agricultural operations in their communities.

One of the most damaging provisions of SB1448 is that it limits authority of local governments to regulate and/or abate agricultural operation nuisances. Why should Arizona communities be denied the right to address these issues to protect their residents or consumers? This legislation protects the interests of large-scale industrial agriculture over those of rural communities, animals, public health, quality of life, land values, and the ability to maintain adequate property tax revenues. Corporate agribusinesses are the only real beneficiaries of this bill. Read more in the HVA [Action Alert](#) on SB1448.

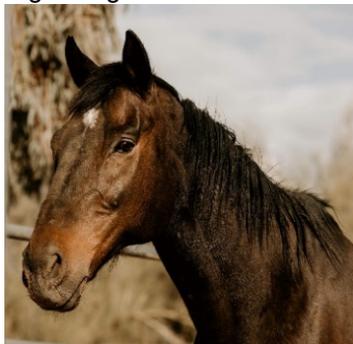
A diverse coalition of animal and environmental protection groups, citizens, CAFO victims, farmers, medical professionals, attorneys, and former lawmakers expended significant effort to stop the bill, but a weaker yet damaging amended version passed the legislature and was quickly signed by Governor Ducey.

HVA opposed this measure.

SB1448 passed the House 34-26, passed the Senate 16-14, and was signed into law by Governor Ducey.



[SB1334 fireworks; aerial devices](#) (Gowan), which failed in the 2020 session, was reintroduced by Sen. David Gowan. The bill would have permitted currently illegal aerial fireworks to be sold at retail stands in Maricopa and Pima Counties. The devices, which shoot about 100 feet into the air and explode, would increase the already frightening effects of fireworks on veterans with PTSD, wildlife, and companion animals. SB1334 would also multiply the number of terrified, runaway dogs killed on roads and who wind up in shelters, costing taxpayers and donors more funds and endangering public safety. This misguided legislation would increase the costs to already overburdened fire and police departments who must respond to the fires and wildfires these devices could cause, especially with our drought conditions. It is important to note that cities in Arizona's two largest counties would be powerless to ban aerial fireworks. The Legislature passed a law in 2014 that prohibits cities and towns in Maricopa and Pima Counties from regulating the sale or use of fireworks for periods around holidays.



"Chi Chi" at Healing Hearts Rescue

Bill sponsor Gowan owns a business that sells fireworks. In addition to last year's bill, in 2019 he sponsored legislation to expand days for fireworks sales, which was passed and signed into law.

HVA opposed this measure.

SB1334 was held in committee, so the bill died.

[SB1794 - historic race wagering](#) (Gowan), as introduced, would have allowed wagering on past horse races. Historic horse racing uses gambling devices similar to slot machines that allow players to wager on previously conducted horse races. However, an amendment attached to the original bill would have revived the dying horseracing industry.

Attendance at Arizona's live horse races has dropped by 45% over the past 15 years along with revenues. The bill amendment would have poured \$300 million in capital investment to Arizona horse racing, including a new track at Arizona Downs. This despite the abysmal record of horse deaths at Arizona racetracks. AZ Dept. of Gaming records show that in just four months - from Jan 1 to Apr 30, 2021 - 26 horses died at Turf Paradise alone. Records were

obtained by [Horseracing Wrongs](#), which tracks racehorse fatalities. Thanks to strong opposition from Tribal leaders, horse rescues, animal advocacy groups, and others, the bill was held before it reached the House floor.

HVA opposed this measure.

SB 1794 was held in the House, so the bill died.

[HB2309 violent; disorderly assembly; public order](#) (Roberts) is not related to initiative rights but would have discouraged citizens from attending peaceful protests like those involving animal protection issues. Under the bill, police have discretion to determine when a protest becomes an “unlawful assembly.” The combination of overly broad language and felony penalties would discourage citizens from exercising their First Amendment-protected protest rights for fear of being charged with a crime for the actions of others.

HVA opposed this measure.

HB2309 passed the House 31-27-2 but was held in the Senate, so the bill died.

Attack on Citizen Initiative Rights

Arizona’s citizen ballot measure process is the single most important tool for protecting Arizona’s animals.

Arizona’s initiative process is a constitutional right enacted at statehood in 1912. Thanks to grassroots citizen ballot measures, voters banned leghold traps, snares, and poisons on public lands in 1994. Cockfighting was outlawed in 1998. In 2006, voters prohibited the cruel confinement of pregnant pigs and calves raised for veal in industrial agriculture operations. All these measures failed in the Legislature, yet were passed by Arizona voters, most by large margins. In 1998 voters passed [Proposition 105, the Voter Protection Act](#), to prevent the Legislature from undermining citizen initiatives and to protect measures passed by voters. The Legislature has placed several referenda on the ballot that could have destroyed the public initiative process, but voters overwhelmingly defeated all damaging referenda, indicating the strong determination of citizens to defend voting rights.



In 2017, the Arizona Legislature passed two bills that have severely damaged our public initiative process. These laws have driven up the cost of hiring petition circulators and changed the state's standard for initiatives to 'strict compliance', which could result in valid signatures being tossed out for even the smallest technical mistakes. The Legislature's passage of these two measures has made it even more difficult, time consuming, and expensive for Arizonans to place a measure on the ballot. The challenge proved insurmountable for the citizen initiative campaign to protect Arizona’s wild cats from trophy hunting and trapping. That grassroots campaign, which relied largely on volunteers, was suspended in 2018.

As the latest polls indicate, Arizona voters strongly support animal protection and our public initiative process. However, each session legislators continue to run bills that could weaken or dismantle the citizen initiative process. These bills generally, with very few exceptions, are extremely partisan. The issue of citizen initiatives could be related to any number of issues unrelated to animal protection and it is possible that otherwise animal-friendly legislators are considering a bigger picture when supporting these bills. That is why one of HVA’s priority goals is to continually educate legislators on the importance of citizen initiatives for protecting large numbers of Arizona’s animals.

2021 Anti-Initiative Bills

[HCR2001 initiatives; single subject; title](#) (Kavanagh) refers to the ballot a measure which requires citizen initiatives to conform to a single subject. It voids any subject included in an initiative that is not expressed in the title of the measure. This would ensure that only the narrowest of subjects could be placed on the ballot. The Arizona Supreme Court has already rejected that proposal in 2017, ruling that constitutional provisions that limit legislation to a single subject do not apply when the proposal comes from voters.

HVA opposed this measure.

HCR2001 passed the House 31-28-1, passed the Senate 16-14, and was transmitted to the Secretary of State to be placed on the 2022 ballot.



"Sven" at Farm Sanctuary

[HCR2016 initiatives; supermajority vote requirement](#) (Dunn: Barton, Biasiucci, et al.) would have referred to the ballot a measure that increases the percentage of votes required for an initiative or referendum to be approved by voters from a simple majority to 55 percent of votes cast in an election. This measure would have created an extremely difficult threshold to meet, especially for grassroots citizen initiative campaigns.

HVA opposed this measure.

HCR2016 passed the House 31-29 but was held in the Senate so the bill died.

[SB1531 petition signatures; description; invalidity](#) (Mesnard: Leach) would have required an initiative or referendum petition circulator to either read the initiative or referendum description aloud to every person signing or allow the person 'sufficient time' to read the description before signing. It would have required the circulator to cross out the signature of anyone who signs the initiative or referendum petition without either hearing or reading the description. But the bill language does not define what is 'sufficient time' to read the description. And if the signer has already read the description, are they forced to prove that in order to prevent their signature from being tossed out?

HVA opposed this measure.

SB1531 passed the Senate 16-14 but was held in the House, so the bill died.

[SB1497 ballot measures; proposition 105; disclosure](#) (Ugenti-Rita) requires a warning be placed on all advertising, publicity pamphlets, and the ballot questions stating that "NOTICE: PURSUANT TO PROPOSITION 105 (1998), THESE MEASURES CANNOT BE CHANGED IN THE FUTURE IF APPROVED ON THE BALLOT EXCEPT BY A THREE-FOURTHS VOTE OF THE MEMBERS OF EACH HOUSE OF THE LEGISLATURE AND IF THE CHANGE FURTHERS THE PURPOSE OF THE ORIGINAL BALLOT MEASURE, OR BY REFERRING THE CHANGE TO THE BALLOT." The purported purpose of the bill is to dissuade voters from supporting citizen initiatives. Senator Ugenti-Rita has sponsored versions of this legislation several times before it finally passed this session. In 2017, Representative Ken Clark spoke in opposition to her bill, arguing that the requirement for ads and fundraisers is ripe for a lawsuit. He stated, "Bills like this are forced political speech."



Photo by Animal Legal Defense Fund HVA opposed this measure.

SB1497 passed the Senate 16-14, passed the House 31-27-2, and was signed into law by Governor Ducey.

[SCR1024 initiatives; tax increases; vote requirement](#) (Petersen) would have referred to the ballot a requirement that initiatives and referenda that include taxes have a two-thirds vote from voters. This is an extremely high bar for these ballot measures, creating yet another roadblock for citizens.

HVA opposed this measure.

SCR1024 passed the Senate 16-14, but was held in the House, so the bill died.

[SCR1034 voter protection act; court determinations](#) (Leach) refers to the ballot a measure to allow the Legislature to amend, supersede or appropriate or divert funds created by an initiative or referendum measure approved by the voters if the measure is found to contain any illegal or unconstitutional language by the Arizona or US Supreme Court. This allows the Legislature to throw out an entire measure, even if only a small section was successfully challenged. This measure is detrimental to our citizen initiative process and the Voter Protection Act.

HVA opposed this measure.

SCR1034 passed the Senate 16-14, passed the House 31-25-4, and was transmitted to the Secretary of State to be placed on the 2022 ballot.

Superstar Legislators

HVA wishes to thank those special (we call them) “Superstar Legislators”, who expended efforts to protect animals and our public initiative process and were present for most or all key bill votes. Many of these legislators voted against all measures damaging to animals and citizen initiatives and voted for animal protection bills. Many also spoke out against anti-initiative bills and defended animal protection measures in committee and on the floor.

Legislators that voted 100 percent favorably on *all* key bills and did not miss votes on any of the bills listed in the HVA scorecard. Some of these lawmakers also spoke out on animal-related bills in committees, caucuses, and/or floor:

Representative Amish Shah



Rep. Amish Shah

Senators Sean Bowie, Christine Marsh, and Victoria Steele.



Sen. Sean Bowie

Legislators that voted favorably on most key bills and did not miss votes on any of the bills listed in the scorecard. Some of these lawmakers also spoke out on animal-related bills in committees, caucuses, and/or floor:

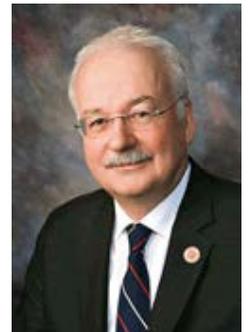
Representatives Richard Andrade, Jasmine Blackwater-Nygren, Reginald Bolding, Andres Cano, Andrea Dalessandro, Domingo DeGrazia, Mitzi Epstein, Diego Espinoza, Charlene Fernandez, Pamela Powers Hannley, Jennifer Jermaine, Aaron Lieberman, Jennifer Longdon, Robert Meza, Jennifer Pawlik, Athena Salman, Judy Schwiebert, Lorenzo Sierra, Stephanie Stahl Hamilton, and Myron Tsosie.

Senators Kirsten Engel, Tony Navarrete, and Lisa Otondo.

Legislators who helped on specific animal-related measures

HVA greatly appreciates the efforts of the following legislators who sponsored animal protection measures.

Representative John Kavanagh was the primary sponsor of several animal protection bills, three of which were passed by the Legislature and signed into law. Those bills included banning convicted animal abusers from owning pets, outlawing possession of animal fighting paraphernalia, and charging underground horse racing organizers under the RICO statute. He also sponsored bills to improve conditions for laying hens, and the creation of an animal abuser registry. Unfortunately Rep. Kavanagh also sponsored the referendum that, if passed by voters, would require citizen initiatives to conform to a single subject, which would make it almost impossible to place a measure on the ballot. While Rep. Kavanagh’s record on protecting citizen initiatives is disappointing, he is a powerful, effective longtime champion in fighting animal cruelty.



Rep. John Kavanagh

Representative Shawwna Bolick sponsored “Matthew’s Law” which ensures that families of deceased tenants are able to rescue their pets.

Senator Sean Bowie sponsored legislation to restrict the sale of dogs from puppy mills. He also had a perfect score on key animal-related bills listed in the HVA scorecard.

Senator Victoria Steele expended efforts to pass Matthew’s Law and was one of three members of the Senate with a perfect score on key animal-related bills listed in the HVA scorecard.

Representative Amish Shah was the primary sponsor of legislation that would have allowed municipalities to ban overnight use of fireworks. He again sponsored bills that would have repealed the law prohibiting local ordinances that ban sales of puppy mill dogs, and legislation to ban the practice of declawing cats. As an ER physician, Rep. Shah was able to address all of these measures from a medical perspective. Rep Shah has proven to be a dedicated,

tireless advocate for animals and citizen initiative rights. In 2021, he was the only House member to have a perfect score on key animal-related bills listed in the HVA scorecard.

Representative Diego Rodriguez helped lead opposition to SB1448, the CAFO protection bill, and frequently spoke out against the measure in committees.

Advocates

HVA thanks the Humane Voters of Arizona board and team members: Martha German, Stephanie Nichols-Young, Scott Bonsall-Cargill, Tom Krepitch, Michelle Lukasiewicz, and Heather Moos.



Sen. Victoria Steele

HVA thanks Animal Defense League of Arizona lobbyist Don Bentley for his substantial efforts over the session. Also thanks to HVA lobbyist Martha German for her outstanding efforts.

Thanks to HSUS-AZ Directors Kellye Pinkleton and Gabe Wigtil for their successful efforts to pass HB2484, the ban on animal fighting paraphernalia which closes the loophole in the animal fighting law. HSUS-AZ also supported bills including a ban on cat declawing and other legislation.

Thanks to Debra Nolen with Don't Leave Me.org, for her successful efforts to get the animal possession bill passed. Thanks also to Animal Legal Defense Fund for their help and advice on that measure.

Thanks to advocate Meg Epstein for her successful efforts to pass Matthew's Law in honor of her murdered cousin, Matt. Meg is now working to pass this legislation in other states. Also thanks to Missy Pruitt and others who helped.

HVA thanks the many organizations, advocates, and concerned citizens who expended great effort to stop the bill to protect CAFOs, especially Danielle Diamond, Lynn Henning, Sherri Dugger, and Donald Hutchinson: Socially Responsible Agriculture Project, Sandy Bahr: Sierra Club, Dr. D'Ann Williams: Johns Hopkins Bloomberg School of Health, Howard Shanker: Shanker Law Firm, Martha German: HVA, Don Bentley and Stephanie Nichols-Young: ADLA, Vianey Olivarria and Hugo Polanco: Chispa AZ, (program of League of Conservation Voters), Daniel Blackson, Linda Butler, Michael Wirth, Dan and Rhonda Mack, Beau Hodai, and many other groups and advocates.



"Gibby" at Goats With Horns Animal Sanctuary

Thanks to Lain Kahlstrom and Tina Meredith with Animal Wellness Action, and Nicole Galvin with Bailing Out Benji for their efforts on SB1483, and their extensive investigation of puppy mill dogs sold in AZ pet stores

Thanks to the Arizona Advocacy Network, Grand Canyon Sierra Club, Arizona League of Women Voters, and the many other organizations, legislators, and citizens for their efforts opposing anti-initiative bills.

Thanks to Arizona Tribal leaders and horse advocacy organizations who opposed the bill that would have revived the inhumane horseracing industry.

As always, HVA appreciates the tireless efforts of Sierra Club Arizona Director Sandy Bahr to protect our state's wildlife, habitat, and citizen initiative rights.

Finally, thanks to Stephanie Nichols-Young, Tom Krepitch, Martha German, Don Bentley, Heather Moos, and Gabe Wigtil for their valuable input on this report.

For more information on legislation visit the HVA [website](#).

Legislative Scorecard

Voting records are provided on key bills affecting animals, including citizen initiative measures. There are no actual points or grades assigned.

Animal Bills

A checkmark ✓ indicates a vote in favor of animal protection, while an “x” represents a vote that negatively impacts animals.

Voting/Initiative Bills

A checkmark ✓ indicates a vote that supports citizen initiative rights, while an “x” represents a vote that negatively affects the initiative process and in turn voters’ ability to protect animals.

All Bills

An asterisk * indicates that the legislator’s vote was for the purpose of reconsideration. After a bill vote takes place, a legislator who voted with the prevailing side may move to reconsider it. This tactic is a final attempt to save a bill that failed the House or Senate but can also be used to kill a bill that passed. The asterisk will follow symbols based on whether HVA supports or opposes the bill: * or x*

NV indicates that the legislator did not vote on a bill. This could be because that legislator was absent, or that they refrained from voting to affect the outcome of the bill vote.

A blank column under a bill indicates that the legislator did not have the opportunity to vote on that measure. This applies to legislators who replaced another one who left office during the session. In that case the new legislator is included in the scorecard but will have a blank column for bills voted on prior to the replacement.

Bill voting records represent one public aspect of the legislative process. However, many factors that affect measures are not subject to public scrutiny and are sometimes beyond the scope of this legislative report. The efforts of lawmakers, lobbyists, and others to influence legislation largely take place within the “hidden” political process. That is why some additional actions by lawmakers are also taken into consideration, such as sponsoring bills or influencing the passage or defeat of animal-related measures.

Those actions are represented in the OTHER column by positive icon 😊 or negative icon ☹️. In the COMMENTS column, PS means that the legislator was the primary sponsor of the bill. Cosponsors are not included in the scorecard.

Please click on the bill number in the main legislative report for all information including status, primary and co-sponsors, amendments, committee and floor votes, and videos. Bill positions registered by organizations and individuals are listed under RTS Bill Positions.

Although animal protection and initiative bills provide a gauge for reviewing lawmakers, other bills that impact animals are those that affect wildlife habitat in Arizona. For legislative information on conservation measures, including voting records and scorecards visit the Arizona Sierra Club’s [legislative](#) page.

For more information on this legislative report please email info@humanevotersaz.org

ARIZONA STATE SENATE 2021 SCORECARD

Animal Bills

Initiative Bills

NAME	LD	PTY	Animal Bills					Initiative Bills					COMMENTS
			SB 1448	HB 2012	HB 2483	HB 2484	HB 2507	HCR 2001	SB 1531	SCR 1024	SCR 1034	OTHER	
Karen Fann	1	R	x	✓	✓	✓	✓	x	x	x	x		
Rosanna Gabaldon	2	D	✓	x	x	✓	✓	✓	✓	✓	✓	☹	PS SB 1275 to ban pesticides toxic to bees/other wildlife
Sally Ann Gonzales	3	D	✓	x	x	✓	x	✓	✓	✓	✓		
Lisa Otondo	4	D	✓	✓	x	✓	✓	✓	✓	✓	✓		
Sonny Borrelli	5	R	x	✓	✓	✓	✓	x	x	x	x	☹	His motion to reconsider enabled HB2483 to pass on final vote
Wendy Rogers	6	R	x	✓	✓	✓	✓	x	x	x	x		
Jamescita Peshlakai	7	D	✓	x	x	✓	✓	✓	✓	✓	✓		
Thomas Shope	8	R	x	✓	✓	✓	✓	x	x	x	x		
Victoria Steele	9	D	✓	✓	✓	✓	✓	✓	✓	✓	✓	☹	Instrumental role in passage of HB2507
Kirsten Engel	10	D	✓	✓	x	✓	✓	✓	✓	✓	✓		
Vince Leach	11	R	x	✓	✓	x	✓	x	x	x	x	☹	PS SCR1034 (voter protection act court determination)
Warren Petersen	12	R	x	x	x	x	✓	x	x	x	x	☹☹	PS SCR1024 & SCR1028 (anti-initiative bills)
Sine Kerr	13	R	x	✓	x	x	✓	x	x	x	x	☹	PS SB1448 (CAFO Protection)
David Gowan	14	R	x	✓	✓	x	✓	x	x	x	x	☹☹	PS SB1334 (aerial fireworks); SB 1794 (to revive horse industry)
Nancy Barto	15	R	x	✓	x	✓	✓	x	x	x	x		
Kelly Townsend	16	R	x	NV	✓	✓	NV	x	x	x	x		
J.D. Mesnard	17	R	x	✓	✓	✓	✓	x	x	x	x	☹	PS SB1531 (initiative restrictions)
Sean Bowie	18	D	✓	✓	✓	✓	✓	✓	✓	✓	✓	☺	PS SB1483 (pet stores/puppy mills)
Lupe Contreras	19	D	✓	x	x	✓	✓	✓	✓	✓	✓		
Paul Boyer	20	R	x	✓	✓	✓	✓	x	x	x	x		
Rick Gray	21	R	x	✓	✓	✓	✓	x	x	x	x		
David Livingston	22	R	x	✓	✓	✓	✓	x	x	x	x		
Michelle Ugenti-Rita	23	R	x	✓	✓	✓	✓	x	x	x	x	☹☺	PS SB1497 (prop 105), PS Senate versions to HB 2483 & HB2484
Lela Alston	24	D	✓	x	x	✓	✓	✓	✓	✓	✓		
Tyler Pace	25	R	x	✓	✓	✓	✓	x	x	x	x		
Juan Mendez	26	D	✓	x	x	✓	x	✓	✓	✓	✓	☺	PS SB1200 (AZGFC Recommendation Board)
Rebecca Rios	27	D	✓	x	x	✓	✓	✓	✓	✓	✓		
Christine Marsh	28	D	✓	✓	✓	✓	✓	✓	✓	✓	✓		
Martin Quezada	29	D	✓	x	x	✓	x	✓	✓	✓	✓		
Tony Navarrete	30	D	✓	✓	x	✓	✓	✓	✓	✓	✓		

Animal Bills

SB1448: agricultural operations (CAFO protection)
 HB2012: unauthorized racing meetings
 HB2483: animal ownership, possession, prohibition
 HB2484: animal fighting paraphernalia; offense
 HB2507: landlords; deceased tenant, pets

Voting/Initiative Bills

HCR2001: initiatives; single subject; title
 SB1531: petition signatures; description; invalidity
 SCR1024: initiatives; tax increases; vote requirement
 SCR1034: voter protection act; court determinations

Vote Symbols

Vote supporting animal protection or initiative rights ✓
 Vote opposing animal protection or initiative rights ✕
 Vote changed for purpose of reconsideration of bill ✓* or ✕*
 PS = prime sponsor (cosponsors are not included)

ARIZONA HOUSE OF REPRESENTATIVES 2021 SCORECARD (Page 1 of 2)

NAME	LD	PTY	Animal Bills						Initiative Bills				COMMENTS
			SB 1448	HB 2012	HB 2309	HB 2483	HB 2484	HB 2507	HCR 2001	HCR 2016	SCR 1034	OTHER	
Judy M. Burges	1	R	x	✓	x	x	✓	✓	x	x	x		
Quang H. Nguyen	1	R	x	✓	x	✓	✓	✓	x	x	x		
Andrea Dalessandro	2	D	✓	x	✓	✓	✓	✓	✓	✓	✓	☺	PS HB2093 to ban pesticides toxic to bees/other wildlife
Daniel Hernandez, Jr.	2	D	x	x	✓	✓	NV	✓	✓	✓	✓		
Andrés Cano	3	D	✓	x	✓	✓	✓	✓	✓	✓	✓		
Alma Hernandez	3	D	x	x	✓	NV	✓	✓	✓	✓	✓		
Charlene R. Fernandez	4	D	✓	x	✓	✓	✓	✓	✓	✓	✓		
Joel John	4	R	x	✓	x	✓	✓	✓	x	x	x		
Leo Biasiucci	5	R	x	✓	x	x	✓	✓	x	x	x		
Regina E. Cobb	5	R	x	✓	x	✓	✓	✓	x	x	x		
Brenda Barton	6	R	x	✓	x	x	✓	✓	x	x	x		
Walter "Walt" Blackman	6	R	x	✓	x	✓	✓	✓	x	x	x		
Jasmine Blackwater-Nygren	7	D	✓	x	✓	✓	✓	✓	✓	✓	✓		
Myron Tsosie	7	D	✓	x	✓	✓	✓	✓	✓	✓	✓		
David L. Cook	8	R	x	✓	x	✓	✓	✓	x	x	x		
Frank Pratt	8	R	x	✓	x	✓	✓	NV	x	x	x		
Randall Friese	9	D	✓	x	✓	✓	✓	✓	✓	✓	NV	☺	PS HB2451 to add STOP section that includes animal cruelty
Pamela Powers Hannley	9	D	✓	x	✓	✓	✓	✓	✓	✓	✓		
Domingo DeGrazia	10	D	✓	x	✓	✓	✓	✓	✓	✓	✓		
Stephanie Stahl Hamilton	10	D	✓	x	✓	✓	✓	✓	✓	✓	✓		
Mark W. Finchem	11	R	x	✓	x	x	✓	✓	x	x	x		
Bret M. Roberts	11	R	x	✓	x	✓	✓	✓	x	x	x	☹	PS HB2309 (protest restrictions)
Travis Grantham	12	R	x	✓	x	x	✓	✓	x	x	x		
Jake Hoffman	12	R	x	✓	x	NV	✓	✓	x	x	x		
Tim Dunn	13	R	x	✓	x	✓	✓	✓	x	x	x	☹☹	PS HCR2016 (initiatives), HB2372 (CAFO protection)
Joanne Osborne	13	R	x	✓	x	x	✓	✓	x	x	x	☺	PS HB2127 funds AZ State Parks Heritage Fund
Gail Griffin	14	R	x	✓	x	x	✓	✓	x	x	x	☺	PS HB224 enforces penalties for hunting on private land
Becky A. Nutt	14	R	x	✓	x	✓	✓	✓	x	x	x		
Steve Kaiser	15	R	x	✓	x	✓	✓	✓	x	x	x		
Justin Wilmeth	15	R	x	✓	x	✓	✓	✓	x	x	x		
John M. Fillmore	16	R	x	✓	x	✓	✓	✓	x	x	x		
Jacqueline Parker	16	R	x	✓	x	x	✓	✓	x	x	x		
Jennifer Pawlik	17	D	✓	x	✓	✓	✓	✓	✓	✓	✓	☺	PS HB2735 to allow electronic initiative petition signatures

ARIZONA HOUSE OF REPRESENTATIVES 2021 SCORECARD (Page 2 of 2)

Animal Bills

Initiative Bills

NAME	LD	PTY	SB 1448	HB 2012	HB 2309	HB 2483	HB 2484	HB 2507	HCR 2001	HCR 2016	SCR 1034	OTHER	COMMENTS
Jeff Weninger	17	R	✘	✓	✘	✓	✓	✓	✘	✘	✘		
Mitzi Epstein	18	D	✓	✘	✓	✓	✓	✓	✓	✓	✓		
Jennifer Jermaine	18	D	✓	✘	✓	✓	✓	✓	✓	✓	✓		
Diego Espinoza	19	D	✓	✘	✓	✓	✓	✓	✓	✓	✓		
Lorenzo Sierra	19	D	✓	✘	✓	✓	✓	✓	✓	✓	✓		
Judy Schwiebert	20	D	✓	✘	✓	✓	✓	✓	✓	✓	✓		
Shawna Bolick	20	R	✘	✓	✘	✘	✓	✓	✘	✘	✘	☹	PS HB2507 (Matthew's Law)
Kevin Payne	21	R	✘	✓	✘	✘	✓	✓	✘	✘	✘		
Beverly Pingerelli	21	R	✘	✓	✘	✘	✓	✓	✘	✘	✘		
Frank P Carroll	22	R	✘	✓	✘	✘	✓	✓	✘	✘	✘		
Ben Toma	22	R	✘	✓	✘	✘	✓	✓	✘	✘	✘		
Joseph Chaplik	23	R	✘	✓	✘	✘	✓	✓	✘	✘	✘		
John Kavanagh	23	R	✘	✓	✘	✓	✓	✓	✘	✘	✘	☹☹☹☹	PS HB2012, HB2483, HB2484 & others. PS HCR2001
Jennifer L. Longdon	24	D	✓	✘	✓	✓	✓	✓	✓	✓	✓		
Amish Shah	24	D	✓	✓	✓	✓	✓	✓	✓	✓	✓	☹☹☹	PS HB2623 (fireworks), HB2626 (cat declaw), HB2635 (pet store)
Russell "Rusty" Bowers	25	R	✘	✓	✘	✘	✘	✓	✘	✘	✘		
Michelle Udall	25	R	✘	✓	✘	✓	✓	✓	✘	✘	✘		
Melody Hernandez	26	D	✓	✘	✓	✓	✓	✓	✓	✓	NV		
Athena Salman	26	D	✓	✘	✓	✓	✓	✓	✓	✓	✓		
Reginald Bolding, Jr.	27	D	✓	✘	✓	✓	✓	✓	✓	✓	✓		
Diego Rodriguez	27	D	✓	✘	NV	✓	✓	✓	✓	✓	✓	☹	Helped lead opposition to SB1448 (CAFOs)
Kelli Butler	28	D	✓	✘	✓	✓	✓	✓	✓	✓	NV		
Aaron Lieberman	28	D	✓	✘	✓	✓	✓	✓	✓	✓	✓		
Richard C. Andrade	29	D	✓	✘	✓	✓	✓	✓	✓	✓	✓		
César Chávez	29	D	✘	✘	✓	NV	✓	✓	NV	✓	✓		
Robert Meza	30	D	✓	✘	✓	✓	✓	✓	✓	✓	✓		
Raquel Terán	30	D	✓	✘	✓	✓	✓	✓	✓	✓	NV		

Animal Bills

SB1448: agricultural operations (CAFO protection)
 HB2012: unauthorized racing meetings
 HB2483: animal ownership, possession, prohibition
 HB2484: animal fighting paraphernalia; offense
 HB2507: landlords; deceased tenant, pets

Voting/Initiative Bills

HCR2001: initiatives; single subject; title
 HCR2016: initiatives; supermajority vote requirement
 HCR2039: initiatives; tax increases; vote requirement
 SCR1034: voter protection act; court determinations

Vote Symbols

Vote supporting animal protection or initiative rights ✓
 Vote opposing animal protection or initiative rights ✘
 Vote changed for purpose of reconsideration of bill ✓* or ✘*
 PS = prime sponsor (cosponsors are not included)