

COMMITTEE ON COMMERCE

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 [LIV] Line Item Veto

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HB 2002 – Chapter 85 – *liquor licenses; sampling authorization

Resolves conflicts between several liquor licenses and their appropriate *on-sale* and *off-sale* privileges and uses. After January 1, 2011, Bar Licenses and Beer and Wine Bar Licenses must be issued only when the primary purpose is clearly for the *on-sale* retailer privilege and *off-sale* is limited to minor use. Additionally, *off-sale* cannot exceed 10% of the total *on-sale* spirituous liquor sales at the location. Allows applicants or licensees for liquor store licenses to apply for sampling privileges. Permits various liquor licenses to be combined and issued to the same licensee at the same location as outlined. Applicants may consolidate the application and simultaneously apply for both licenses.

HB 2003 – Chapter 310 – *revitalization districts

Authorizes the formation of a special Revitalization District (District) upon petition of a majority of the property owners within a defined area, after an election and by resolution of each participating city, town, Indian Tribe, or community. Upon formation, classifies the District as a special purpose district, a tax levying public improvement district, and a municipal corporation, except the District does not have the power of eminent domain, cannot enact ordinances, or form any kind of stadium district.

HB 2037 – Chapter 313 – secretary of state; business services

Amends various processes and programs administered by the SOS. Changes several filing and document preparation requirements. Institutes notary public training, establishes a related fund, and outlines and broadens the acceptable forms of identification. Authorizes the development of electronic document registration and file purging, repeals archaic language, and extends the mandate to adopt rules for professional employer organizations for an additional two years until July 1, 2012.

HB 2051 – Chapter 61 – corporation commission; contractors; regulation

Prohibits ACC from requiring licensed contractors to join or pay dues to a trade association or membership organization, or take a continuing education class not already required by ROC in order to qualify to perform services.

HB 2111 – Chapter 119 – unclaimed property; traveler’s checks

Reverts the abandoned property timeframe for unclaimed traveler’s checks back to 15 years from 3 years.

HB 2130 – Chapter 44 – lead acid batteries; sale; fee

Increases the maximum recycling deposit fee that a lead acid battery seller can charge a buyer from \$5 to \$15 and extends the time period to return the used battery for a full refund from 30 days to 45 days.

HB 2143 – Chapter 224 – department of liquor licenses; continuation

Continues DLLC for five years and conforms Sunday’s hours to the current weekday hours regarding access to hotel and motel minibars and the selling and consumption of liquor.

HB 2209 – Chapter 88 – public meetings; notices

Requires public bodies to post meeting notices online.

HB 2211 – Chapter 65 – political subdivisions; volunteers; noxious weeds

Adds certain volunteers of political subdivisions who complete a training program to apply herbicides that eradicate and control noxious weeds to the list of people exempt from licensure by the SPCC.

HB 2228 – Chapter 66 – *private elevator inspectors; elevator safety

Allows ICA to authorize certain individuals to perform initial and annual inspections of conveyances. Outlines inspection procedures.

HB 2246 – Chapter 286 – regulation of fireworks

Effective November 30, 2010, permits the sale of consumer fireworks by a retail establishment to persons at least 16 years old, unless prohibited by a governing body of a city or town. Requires the Fire Marshal to adopt rules relating to consumer fireworks and allows the Marshal to impose a civil penalty for prohibited use.

HB 2260 – Chapter 287 – regulatory rule making

Revises the rulemaking process by expanding the use of summary rulemaking, authorizing a general permit, and expanding the role of OSPB. Revises definitions that relate to air quality. Requires a report to JLAC when an advocacy group requests legislation that mandates health coverage as a component of an individual or group policy. Mandates the SOS develop an online searchable database of codes, ordinances and business license requirements with information deadlines as outlined. Creates the Commission on Privatization, Efficiency and Competition, outlines its purpose, powers and duties, which repeal July 1, 2020.

HB 2302 – Chapter 132 – publication of notices; committee

Establishes the 10-member legislative Committee on Published Public Legal Notices for the purpose of examining existing statutes requiring newspaper publication of legal or public notices applicable to cities, towns and counties.

HB 2371 – Chapter 136 – home Inspections

Expands the statutory definition of *home inspection* to include swimming pools and spas, subject to administrative rules adopted by the Board of Technical Registration.

HB 2453 – Chapter 102 – unclaimed property

Reverts the abandoned property timeframe for stocks, bonds and interest back to three years from two years.

HB 2540 – Chapter 196 – national disaster medical system; leave

Mandates that state officials and employees deployed with the National Disaster Medical System receive differential salary reimbursement.

HB 2607 – Chapter 93 – auto loans; late payments

For a delinquent auto loan installment payment, eliminates the maximum \$10 late fee, but maintains the 5% late payment fee that a seller or lien holder may charge.

HB 2612 – Chapter 182 – veterinarian regulations

Adds regulations for certified veterinary technicians. Modifies the veterinary complaint process.

HB 2626 – Chapter 325 - deeds of trust; foreclosure procedures

Regulates the deed of trust foreclosure process and requires the lender to attempt to contact the borrower in order to explore options to avoid foreclosure.

HB 2643 – Chapter 94 – self-storage liens; enforcement

Allows a self-storage facility that forecloses its lien due to default to sell the personal property and satisfy a restitution lien after deducting the sale costs from the proceeds. Authorizes the facility operator to release personal property to the lien holder of record and states the operator is not liable to any other person claiming an interest in the property. Permits electronic notification and requires the disclosure in the rental agreement if a unit will be used to store protected property.

HB 2766 – Chapter 264 – tenant notice; foreclosures

Requires an owner of residential property with less than four units to include written notice of a possible foreclosure in the rental agreement, if entered into after the foreclosure action was initiated. If proper notice is not given, the tenant may recover actual damages, the amount of the security deposit, and obtain injunctive relief.

SB 1045 – Chapter 268 – *state compensation fund; termination; successor

Continues the SCF until July 1, 2012 and requires the SCF to establish a successor mutual insurer corporation by January 1, 2013.

SB 1076 – Chapter 269 – *boxing; mixed martial arts; rules

Changes the name of the Arizona State Boxing Commission to the Arizona State Boxing and Mixed Martial Arts Commission. Authorizes the Commission to test for the use of alcohol and drugs that impair contestants and to suspend or revoke a license or impose a civil penalty if a contestant tests positive, refuses or fails to take a test. Expands the definition of *kickboxing* to include Muay Thai. Exempts amateur private karate schools, which may charge an admission fee for contests.

SB 1130 – Chapter 143 – foreclosure consultants

Prescribes regulations for foreclosure consultants, including full disclosure to the homeowner regarding contractual provisions, compensation, cancellation and penalties. Establishes a Class 1 misdemeanor for fraud or deceit by foreclosure consultants and permits injured homeowners to recover damages, reasonable attorney's fees, costs, and punitive damages.

SB 1146 – Chapter 107 – *park models; rights when selling

Allows tenants to display a "for sale or open house" sign on their recreational vehicle (RV). Makes various changes to the RV statutes.

SB 1174 – Chapter 271 – African-American affairs; commission

Creates the African-American Affairs Commission and related fund and annual legislative day.

SB 1176 – Chapter 79 – apartment referrals; finder fee

Increases to \$200 the maximum finder fee that a property owner may pay a tenant up to five times a year for a referral. Prohibits the tenant from showing a residential dwelling unit to a prospective lessee, discussing the lease terms and conditions or participating in negotiations. Authorizes DRE to suspend or revoke a license, and impose a \$1000 civil penalty per violation of the finder fee statutes.

SB 1202 – Chapter 108 – county treasurer; excess foreclosure proceeds

Requires trustees to mail notices of sale, the conformed court complaint and applications for release of funds to all known addresses of a trustor and other interested parties.

SB 1219 – Chapter 166 – real estate licensees

Makes various changes to the real estate statutes by amending definitions, reinstating regulation of business brokers, revising the security clearance process, and authorizing the voluntary surrender of a license. Permits a managing entity to pay a finders fee, which is increased to a maximum \$1000 per 12-month period. Decreases the license renewal period to two years and the corresponding continuing education to 24 hours.

SB 1326 – Chapter 81 – athletic training board; omnibus

Expands the scope of *athletic training* to include the treatment of athletic illnesses and injuries sustained as a result of games, sports and recreational or physical activities regardless of competitive nature. Directs the Board of Athletic Training to adopt rules for appropriate education and training. Requires athletic trainers to refer individuals to appropriate health care practitioners as necessary. Indemnifies overseeing physicians from civil liability when providing direction for athletic training practice without compensation, unless the physician commits gross negligence or intentional misconduct.

SB 1351 – Chapter 336 - appraisal management companies

Requires appraisal management companies (AMCs) to register with the State Board of Appraisal and stipulates that each owner or controlling person of the AMC must submit to a background check and certify that their license is in good standing. Outlines the process for the adjudication of disputes.

SB 1375 – Chapter 337 – contractor payments

Requires the release of retention monies and final payment of a bill within seven days after a bill is certified and approved by the owner. Details substantial and final completion of a project as well as stipulations for submitting a supplemental bill. Stipulates that if the owner's decision to decline to certify a bill is due to defective construction work, the contractor must still pay the subcontractor whose work was not the basis for the defective work.

SB 1406 – Chapter 283 – procurement; construction; specialized services

Reorganizes, rewrites, and amends the statutes relating to the Alternative Project Delivery Method of procurement of construction services and professional services. Permits the state to choose an independent contractor using the competitive bid process for the State Web Portal.