

# COMMITTEE ON COMMERCE

Representative Tom Forese, Chairman  
 Representative T.J. Shope, Vice-Chairman  
 Diana Clay, Legislative Research Analyst  
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\* Strike-Everything Amendment  
 [E] Emergency Clause  
 [P 105] Proposition 105 Clause  
 [P 108] Proposition 108 Clause  
 [LIV] Line Item Veto  
 [W/O] Without Emergency Clause  
 [W/S] Without Signature

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**HB 2096 – Chapter 5 – board of cosmetology**

Modifies the definition of *threading* to mean hair removal from the eyebrows or parts of the face using a single strand of cotton thread and over-the-counter astringent. Consolidates the infection control and law review class into one required class for purposes of reciprocity to obtain a cosmetologist, aesthetician or nail technician license.

**HB 2109 – Chapter 16 – biennial contractor license; annual renewal**

Removes the two-year limit on an annual license renewal when a contractor is granted an exception by the ROC after submitting a written petition outlining the real and immediate hardship. Requires the contractor to include a detailed, current financial statement in the written petition and stipulates that failure to do so is grounds for denial. Assesses the annual license renewal fee at one-half the biennial license renewal fee.

**HB 2147 – Chapter 17 – \*eligibility; unemployment benefits**

Requires the person filing for UI benefits to provide sufficient information and documentation at the time of filing the claim so DES can determine the person's eligibility. Authorizes DES to deem the claim invalid until the documents or information is produced. Shifts to the claimant the burden of providing documentation to determine eligibility for benefits if the employer provides proof an individual voluntarily resigned or abandoned employment. In the case of fraud, prohibits a person from receiving UI benefits until all overpayments, penalties and interest are fully paid back to DES.

**HB 2176 – Chapter 187 – registrar of contractors**

Requires applicants filing for compensation from the ROC Recovery Fund to first proceed against a contractor's surety bond. Clarifies the statutory language that prohibits a licensee from having a person's name on a license if that person was named on another license (either in-state or out-of-state) that is *or was* suspended or revoked. Permits the ROC to investigate a complaint without waiting the required 15 days. Defines *license* and modifies the definition of *alarm agent* to exclude a person acting on behalf of an alarm business if the person's duties do not include visiting the alarm installation site. Exempts alarm agents regulated by the BTR from the ROC statutes.

**HB 2262 – Chapter 137 – scrap metal dealers; registration**

Declares the Legislature's statewide concern for a scrap metal dealer to register with DPS in order to conduct business and outlines necessary registration, compliance and record-keeping requirements. Compels DPS to submit a report to the Legislature that identifies all registered dealers. Applies statutory record-keeping provisions to all transactions involving scrap metal, but exempts exclusive sellers of aluminum beverage containers. Requires payment to a physical address for all transactions, including those involving air conditioner cooling coils. Directs all state law enforcement to register with a free theft notification website that allows for the remission of detailed descriptions of stolen items to recycling operations and other law enforcement agencies. Requires the website to allow dealers to alert law enforcement when dealers are offered suspicious materials. Prescribes penalties and violations. Grants the President of the Senate and Speaker of the House of Representatives of the 56<sup>th</sup> Legislature, 1<sup>st</sup> Regular Session (2023), the option to appoint a *Joint Legislative Committee on Metal Theft* (Committee) to determine the effectiveness of these laws in deterring crime and to ascertain the costs of compliance to the metal industries. Permits the Committee to report its findings to the Legislature by December 1, 2023 and provides a repeal date of from and after January 1, 2024.

**HB 2263 – Chapter 72 – \*boxing commission; mixed martial arts**

Modifies the current exemptions from regulation and stipulates the Commission must use rules for mixed martial arts consistent with the unified rules adopted by the New Jersey State Athletic Control Board. Clarifies a boxer or mixed martial arts contestant must submit the results of a current medical examination and outlines the additional information required before issuance of a license. Specifies the timeline for submitting license applications and pertinent documents.

**HB 2267 – Chapter 40 – \*public consignment auction dealer; requirements**

Mirrors the current penalties for violations by a motor vehicle dealer and clarifies that a public consignment auction dealer must notify DOR within 15 days of sale with the necessary information outlined in statute on a form *jointly* prescribed by DOR and ADOT. Permits DOR to disclose to ADOT confidential information relating to penalties and requires a dealer to submit the required certificate to DOR and retain a copy.

**HB 2272 – Chapter 138 – burial duties; designated person**

Asserts that when a funeral director is *aware* of a criminal death charge against the person having authority over the disposition of the remains, the duty for decision-making falls to the next person statutorily in line. Adds *health care power of attorney* as it relates to the designated person having decision-making authority for the disposition of a deceased person's remains. Requires a crematory or a responsible cremationist to designate a licensed cremationist as an *interim* responsible cremationist and adds a responsible cremationist to the list of persons authorized to open a container holding human remains.

**HB 2280 – Chapter 139 – employee benefits; state preemption**

Declares the Legislature's statewide concern of regulating employee benefits, including compensation, paid/unpaid leave, other absences and meal breaks. Specifically prohibits further regulation by any city, town or political subdivision. Excludes employee benefits provided by a city, town or other political subdivision of the state.

**HB 2457 – Chapter 234 – charitable organization filings**

Repeals sections of law related to the registration with the SOS of charitable organizations and contracted fund raisers. Asserts that it is unlawful for a person to solicit money or other support on behalf of American veterans unless the veterans' organization files a registration statement with the SOS in the prescribed format. Specifically exempts from registering with the SOS for telephone solicitation: charitable organizations, the state, counties, municipalities, political parties, candidates for federal, state or local office or their campaign committees required to file financial information with the appropriate federal, state or local election agency.

**HB 2525 – Chapter 61 – real estate licenses; cancellation.**

Permits DRE to cancel a person's license, whether or not the license status is active.

**HB 2645 – Chapter 218 – unemployment; employment definition; exception**

Excludes from the statutory definition of *employment* persons working for a church educational system, child care service provider or other religious organization that includes religious instruction.

**SB 1087 – Chapter 194 – drug testing records; taxi drivers**

Requires an owner of a livery vehicle, taxi or limousine to have the drug testing records of any driver, whether the driver is an employee or lessee, available for inspection by DWM at all times. Stipulates that records must include pre-employment and random annual drug testing results for the driver.

**SB 1107 – Chapter 163 – \*theft; scrap metal**

Amends the classifications of theft to include a person who, without lawful authority, knowingly: controls the metal of another with the intent to deprive the person; controls metal knowing or having reason to know that the metal was stolen; or purchases the metal of another knowing that the metal was stolen.

**SB 1146 – Chapter 235 [E] – \*racing; stewards**

Eliminates the requirement for a license suspension by a track steward to commence immediately. Allows the Director of ADR to reduce the number of required kennels for a dog racing permittee. Directs ADR to obtain monthly lists of all racing related injuries and deaths to the animals reported to the track veterinarian. Strikes certain requirements for persons seeking to be licensed or employed as a steward for a commercial racing meet exceeding 45 days. Increases the population threshold to 700,000 persons relating to the restriction of common ownership of tracks racing the same breed. Lists conditions for simulcasts that may be received in a county of 1.5 million people or more and increases the minimum population to 700,000 persons in counties where simulcasts may be received at the racetrack enclosure when subject to certain conditions. Removes requirements relating to wagering on dark day simulcasts of horse and dog races. Increases the maximum civil penalty for suspension or revocation of a license to \$2,500.

**SB 1148 – Chapter 34 – workers' compensation; reciprocity**

Repeals, rewrites and modifies the section of law that specifies a worker's right to workers' compensation benefits in Arizona. Entitles to benefits as though the injury occurred in-state, a worker who is hired in Arizona, leaves the state temporarily for work incidental to the employment and is then *injured*, even if the injury happened in another state. Exempts from Arizona workers' compensation statutes as outlined, an employer and related workers from another state whose employees are performing temporary work in-state. Directs the courts to take judicial notice of the laws of another state if the construction of those laws is required during an appeal or other litigation. Entitles an injured worker to the full amount of compensation authorized by Arizona statutes as outlined. Applies to claims made after the effective date of this law, regardless of the date of any injury.

**SB 1215 – Chapter 23 – office of Sonora; continuation**

Continues the Office of Sonora for eight years until July 1, 2021.

**SB 1238 – Chapter 165 – \*benefit corporations; formation**

Authorizes a new type of corporation known as a *benefit corporation* for the purpose of creating a general or specific public benefit. Outlines the incorporation process, election and termination of benefit corporation status. Directs the benefit corporation to prepare an annual report, and allows the ACC to establish a fee determined by a majority vote of the Commissioners. Provides a delayed effective date of January 1, 2015.

**SB 1301 – Chapter 47 – \*wineries; microbreweries; licenses**

Enables DLLC to issue a domestic microbrewery license on the same parcel of land as a domestic farm winery. Requires the licenses be held by different persons, located in different buildings and licensed separately. Permits the licensees to share a common tasting room, indoor/outdoor premises for tasting or consumption of products. Prohibits a person who holds a domestic farm winery or a domestic microbrewery license with combined premises from holding any other liquor license.

**SB 1316 – Chapter 184 – state board of appraisal**

Revises the classifications of licensure to establish new positions and duties for *registered trainee appraisers* and *supervisory appraisers*. Appropriates \$42,880 from the Appraisal Board Fund in FY 2014 for one FTE to implement the regulation of the new appraiser positions. Permits the State Board of Appraisal (Board) to accept debit/credit card payments and impose a convenience fee. Summarizes requirements for an appraiser to be granted reciprocity. Exempts the Board from rule making for two years after the effective date of this new law. Contains an applicability clause and allows the Board to accept and spend federal monies and grants from any public/private source to perform their statutory duties and specifies such monies do not revert to the GF at the end of the FY.

**SB 1342 – Chapter 249 – apprentice embalmers; removal**

Eliminates statutory references to *apprentice embalmers* and repeals related obsolete language. Authorizes a funeral establishment to employ an intern trainee up to one year if a student has completed at least 16 hours of board-approved training in pertinent procedures, ethics, health and safety precautions. Dictates the intern trainee be of good moral character and work under direct supervision of an embalmer or funeral director.

**SB 1345 – Chapter 219 – liquor licenses; synthetic cannabinoids; prohibition**

Prescribes that it unlawful for a liquor licensee or employee to possess, distribute, use or sell synthetic cannabinoids on the licensed premises. Requires DLLC to adopt pertinent rules to enforce the directive. Incorporates the Arizona Criminal Code definition of *dangerous drug* into the liquor statutes.

**SB 1384 – Chapter 81 – taxis; prearranged ground transportation service**

Modifies the statutory definition of *taxi* to include prearranged ground transportation service for a predetermined fare without having to be additionally licensed as a livery vehicle, utilize a commercial device for fare, or use a taxi meter. Removes language requiring exterior signage for livery vehicles.