

COMMITTEE ON COMMERCE

Representative Tom Forese, Chairman
 Representative T.J. Shope, Vice-Chairman
 Diana Clay, Legislative Research Analyst
 Amanda Barnes, Assistant Legislative Research Analyst



* 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 2019 – Chapter 22 – continuation; funeral board

Continues the Arizona Board of Funeral Directors and Embalmers for eight years, until July 1, 2022.

HB 2167 – Chapter 203 – sports authority; election

Makes having an election optional, instead of mandatory, for a county to create a sports authority within a sports authority district. Extends the timeframe for the election to one of the next eight (rather than five) general election dates in November, after the establishment of the sports authority district.

HB 2205 – Chapter 51 – veterinary faculty member licenses

Authorizes the Veterinary Examining Board (Board) to issue a new faculty member license to qualified veterinarians. Permits the Board to issue an emergency temporary permit to out-of-state veterinarians to provide volunteer services in Arizona during a declared state of emergency. Outlines guidelines and restrictions.

HB 2239 – Chapter 135 – *state board of appraisal

Requires complaints to the Board of Appraisal (Board) to be submitted within five years after the completed appraisal or two years after litigation. Changes the period of time from two years to five years for reapplication after a license revocation. Authorizes the Board to assess terms of probation, impose maximum civil penalties, and collect monies from an appraiser in the amount of the expenses sustained in a prevailing case.

Further, permits the person applying to the Board or an appraiser to collect expenses associated with the formal hearing if the Board fails to sustain its burden of proof. Requires applicants to obtain a valid fingerprint clearance card and increases surety bonds to a minimum of \$20,000 and a maximum of \$50,000.

HB 2260 – Chapter 204 – small business bill of rights

Directs each state agency that performs audits, inspections or other regulatory enforcement actions to clearly post on its website, a small business bill of rights that includes relevant statutes, rules and the process to file a complaint with the proper agency employees. Entitles a regulated business person to contact the Office of the Ombudsman Citizens-Aide, if the person has made a reasonable effort to resolve the problem and has not been successful. Requires dissemination of the existing Ombudsman's reports to various financial and rules oversight agencies.

HB 2263 – Chapter 136 – certified public accountants

Establishes new reciprocity standards and revises language concerning reinstatement requirements. Exempts nonregistered and expired certificates from disciplinary order from the Board. Allows the CPA Board to suspend the registration of a CPA or PA firm that does not follow registration requirements. Modifies the definition of *attest services* and adds the definition of *jurisdiction*. Contains a legislative intent clause.

HB 2268 – Chapter 90 – scrap metal dealers

Enables a scrap metal dealer to give an on-site seller, a check made payable to an industrial account for the sale of air conditioner cooling coils. Excludes from the record-keeping and transaction limitation provisions of the statutes, certain transactions involving products in their originally manufactured form. Adds metal storm grates used by cities to the list of prohibited items that may not be purchased by scrap metal dealers. Stipulates that scrap metal dealer laws do not apply to a city, town or county's licensing

system that includes a background check/fingerprinting. Further, considers all licenses in good standing before September 13, 2013 as valid, if the outlined requirements are met.

HB 2269 – Chapter 138 – civil liability; damages; metal theft

Provides for an affirmative defense in a civil proceeding if the defendant did not act intentionally and the defendant proves that the claimant (or an heir or decedent) acted or attempted to act in violation of metal theft laws and was responsible in any way, for the accident or event that caused the claimant's or decedent's harm.

HB 2274 – Chapter 53 – dealer tank wagon prices

Removes the requirement for the AG to weekly collect, compile and save data on the average dealer tank wagon prices for Phoenix and Tucson.

HB 2439 – Chapter 238 – cosmetology; regulation

Changes the age requirement for those licensed by the Board of Cosmetology from 23 years to 16 years and adds language specifying the qualifications for postsecondary education institutions.

HB 2529 – Chapter 63 – cosmetic laser procedures; supervision; dentists

Authorizes the supervision of another *health professional* in the use of laser and Intense Pulse Light devices by a person licensed by the Dental Board, and who specializes in oral or maxillofacial surgery.

HB 2537 – Chapter 98 – pawnbrokers; interest; military members

Increases the interest rate a pawnbroker can charge from 8% to 13% for the first two months and from 6% to 11% per month thereafter. Requires a pawnbroker to waive any unpaid interest charges and hold the pledged goods for 60 days after the return of a military member from deployment upon receiving a copy of military orders indicating the person has been deployed.

HB 2546 – Chapter 174 – alarm businesses; alarm agents; regulation

Grants discretionary authority to the BTR, to deny a license to anyone who lacks good moral character or has been convicted of an act involving moral turpitude, which may be established by past criminal activity. Prohibits a city, town or special taxing district from levying a transaction privilege, sales, use or other similar tax on monitoring services related to an alarm system and the gross proceeds of sales or gross income derived from a contract with the owner of real property for the maintenance, repair or replacement of existing property if the contract does not include modification activities.

HB 2694 – Chapter 275 – theme park districts; formation; bonds

Permits any combination of the required cities and counties to form a theme park district and allows for a single site and additional sites to be added and revised after the initial establishment.

SB 1160 – Chapter 185 – registrar of contractors; discipline grounds

Directs the ROC to temporarily suspend or permanently revoke a contractor's license upon notice by DOR that a business-related tax debt has become final and the person either neglects to pay or refuses to pay the tax debt.

SB 1307 – Chapter 119 – *residential construction; fall protection

Mandates the employer's necessary fall protection plan requirements and supplements for residential construction activities when employees are six feet or more above lower levels. Eliminates the use of roof jack systems. Excludes from the provisions, preliminary work by employees who inspect, investigate or assess workplace conditions before construction starts or after the completion of all work. For work outside the gable end truss or rafter, eliminates the current law that permits temporary suspension of personal fall protection if the work is of short duration and there is limited hazardous exposure.

Contains a conditional repeal of Arizona's fall protection standard for residential construction upon publication in the Federal Register that the Federal Occupational Safety and Health Administration (OSHA) has rejected the current state standard. Instructs the director of the ICA to notify the director of Legislative Council if OSHA publishes a decision to reject the Arizona state standard.

SB 1397 – Chapter 253 – liquor omnibus

Modifies the regulations of the DLLC and the liquor industry. Clarifies the daily cost per event and doubles the number of wine festival licenses and the total days per winery. Outlines the eligibility requirements to qualify for a farm winery license and limits sales of wine produced or manufactured by another farm winery to 20% of total sales. Authorizes alternating proprietorships and custom crush arrangements; specifies guidelines, necessary reporting and other regulations. A licensed farm winery may operate a maximum two other tasting and retail premises if all stated conditions are met, and hold a craft distillery license on a separate premise. Grandfathers existing wineries and permits them to continue operations, without expanding, until January 1, 2019. Current licensees that hold beer/wine bar and/or beer/wine store licenses may continue to operate, but only licenses issued before January 1, 2014.

Establishes a craft distiller license and limits production of distilled spirits to 20,000 gallons per calendar year. Creates a craft distillery festival license and outlines specific requirements, including permissible fees. Modifies, clarifies and outlines requirements for a special event license. Amends the requirements for channel pricing and adds to the reasons for license suspension or revocation. Establishes off-premises consumption limits. Modifies and restricts the acceptable written forms of identification. Permits beer to be dispensed in a refillable container approved by a national sanitation organization, rather than only a glass container. Contains a severability clause.