

Commerce Committee

Senator J.D. Mesnard, Chairperson



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COMMERCE COMMITTEE

LEGISLATION ENACTED

~~workers' compensation; settings; definition~~ (NOW: workers' compensation; fee schedule; settings) (S.B. 1042) – Chapter 204 E

[SEE THE FINANCE COMMITTEE.](#)

insurance; omnibus (S.B. 1049/H.B. 2044) – Chapter 5

[SEE THE FINANCE COMMITTEE.](#)

engineering definitions (S.B. 1062) – Chapter 58

Transfers the definition of an *engineer* as regulated by the Arizona Board of Technical Registration to the term *professional engineer* and defines an *engineer* as a person who by reason of education, training and experience may apply engineering principles and interpret engineering data. Redefines *engineering practice* to mean outlined activities that clearly impact the health, safety and welfare of the public and the engineering design of buildings, structures, products, machines, processes and systems only to the extent that statutory education, training and experience requirements are necessary to protect the public health, safety and welfare. Outlines services or creative work that may qualify as *engineering practice*.

revised uniform law; notarial act (S.B. 1115) – Chapter 66

Beginning July 1, 2022, adopts the 2018 Revised Uniform Law on Notarial Acts relating to the governance of notaries public and notarial acts including extending statutory authority to perform all duties performed by notaries public to outlined notarial officers in Arizona and specifying jurisdictions of which notarial acts outside of Arizona are recognized if criteria are met. A notarial officer may refuse to perform notarial acts in certain circumstances. Outlines requirements for a notarial officer based on the kind of notarial act being performed and applies notary public standards of personal knowledge of or satisfactory evidence of an individual's identity to acts performed by all notarial officers. Every notarial act must be performed according to outlined processes and evidenced by a notarial certificate consisting of specified components. Prescribes notarial certificate short forms that are considered sufficient if completed and officially stamped. By July 1, 2022, the Secretary of State (SOS) must adopt rules for remote notarizations and electronic notarizations in accordance with prescribed criteria and considerations.

Authorizes the SOS to require a notary public examination for a fee and prescribes bond requirements. A notary public may not engage in outlined acts and a notary who is not an attorney must include a prescribed statement in all advertising that the notary is not an attorney and may not draft legal records or give advice on legal matters, including immigration. A notary public must notify the SOS before performing electronic notarial acts or remote notarizations and identify

the technologies intended for use. The SOS must maintain an electronic database of notaries public through which a person may verify a notary public's authority.

A deed, conveyance or instrument affecting real property for which there is a failure to perform a duty or meet a requirement in the taking of the acknowledgement is duly acknowledged beginning on the date of recording in the county recorder's office, rather than after specified time periods. Excludes regulations relating to signing initiatives and referendums from the Arizona Electronic Transactions Act, which establishes the legal effect and enforceability of electronic records and signatures in the conduct of business, commercial or governmental affairs.

occupational and professional licensure; notice. (S.B. 1149/H.B. 2243) – Chapter 16

Requires a professional or occupational regulating entity to which license reciprocity requirements apply to prominently print on all license and certificate applications and regulating entity websites a prescribed notice that a person must be granted a license or certificate in Arizona if the person has been licensed or certified in another state in the same discipline and at the same practice level for at least a year and meets the other statutory requirements.

contracts; licensure requirements; exemption; exclusion. (S.B. 1151) – Chapter 124

Removes the exemption from private postsecondary education licensure laws of a person who is a party to a private contract that exempts the person from licensure and meets outlined conditions.

~~forfeiture of office; technical correction~~ (NOW: solid waste; advanced recycling facilities) (S.B. 1156) – Chapter 277

[SEE THE NATURAL RESOURCES, ENERGY & WATER COMMITTEE.](#)

unlawful food or drink contamination (S.B. 1167/H.B. 2335) – Chapter 30

Prohibits intentionally introducing, adding or mingling any bodily fluid or foreign object not intended for human consumption with water, food, drink or other products intended for human consumption. Classifies a violation as a: 1) class 1 misdemeanor if a human consumes the contaminated product or the damage caused is at least \$1,000; or 2) class 2 misdemeanor if no human consumes the contaminated product and the damage caused is less than \$1,000. The calculation of damages may include the cost to clean and sanitize the contaminated area and any monetary compensation to a human who consumed the contaminated product.

securities; exempt transactions. (S.B. 1217) – Chapter 125

Exempts an issuer of securities, its parent or subsidiary companies and outlined officers offering or selling the issuer's securities under federal Regulation A, Tier 2 from dealer registration and Arizona Corporation Commission filing requirements. Limits the aggregate offering price and

aggregate sales of securities the issuer offers or sells under the exemption from exceeding a sum of \$75 million, including a maximum of \$22.5 million offered by securityholders that are the issuer's affiliates.

nonhealth professions; occupations; regulations. (S.B. 1218) – Chapter 176

Modifies criteria for state regulation of a nonhealth profession or occupation to require: 1) credible evidence of harm that the unregulated practice threatens public health, safety or welfare; 2) that the public needs and is expected to benefit from government regulation; and 3) that the public cannot be protected by less restrictive regulations. Outlines a hierarchy of *less restrictive regulations*.

Requires a legislative committee of reference (COR) conducting a nonhealth regulation sunrise review to provide findings and recommendations to the appropriate standing committee that address: 1) the appropriate regulations, scope of practice and required personal qualifications; and 2) the extent to which failure to regulate will result in the loss of insurance, an impact to a federal license or registration, the loss of constitutionally afforded practices and an impact to practice in other states or under federal requirements.

A COR conducting a sunset review of an agency that administers an occupational regulation must consider whether statutory criteria for regulating nonhealth professions and occupations are met and the extent to which a failure to regulate will result in specified outcomes. The COR may recommend that the Legislature: 1) repeal the license or convert the license to a less restrictive regulation; and 2) instruct the agency to seek legislation or adopt rules reflecting the recommendations. Requires a COR to consider the agency's ability to timely investigate complaints within its jurisdiction.

Transfers statutes governing state regulation of nonhealth professions and occupations from Title 32, *Professions and Occupations*, to Title 41, *State Government*, of the Arizona Revised Statutes.

limited liability companies (S.B. 1230) – Chapter 309

Adds, to events that cause dissociation of a limited liability company (LLC) member, transfer of the person's entire transferable interest when: 1) at least one transferee is or becomes a member upon the transfer; or 2) a transferee becomes a member any time after the transfer and the transferring person has not otherwise acquired a transferable interest. Specifies that an LLC operating agreement may not vary certain statutory requirements. Removes the Arizona Corporation Commission's authority to administratively dissolve an LLC that provides a principal address outside of Arizona and conforms statutory references by replacing references to LLC requirements repealed on September 1, 2020.

state liquor board; membership (S.B. 1257) – Chapter 211

Requires one of the five State Liquor Board members who are not financially interested in a business with a liquor license to be a current elected municipal official.

state of emergency; tolling; permits (S.B. 1258) – Chapter 212 E

An emergency measure effective April 9, 2021, that suspends, and extends for six months after suspension, the period remaining to exercise the rights under a county, city, town or Arizona Department of Environmental Quality permit, license or other authorization necessary for land development, building construction or real property improvements (government authorization) when an issuing authority determines that ordinary government operations are altered or limited following a state of emergency proclamation.

A government authorization that does not expire during the suspension and extension period retains the original expiration date. If a government authorization for a phased development or construction project is extended, the commencement and completion dates for any required future work or government authorizations are extended so that the activities occur in the same time frame relative to the phase as originally authorized. Prescribes notification requirements for an issuing authority and a government authorization holder.

Excludes, from the suspension and extension of government authorizations: 1) a state or local transaction privilege tax or business license; 2) activity located outside the state of emergency area; 3) authorizations with a court-ordered expiration date or for which an extension is regulated by federal law; and 4) an authorization holder in significant noncompliance. The suspension and extension requirements do not prevent collection of certain fees or restrict a government entity from requiring property to be maintained in a safe and sanitary condition.

mobile home parks; caregivers (S.B. 1259/H.B. 2382) – Chapter 31

Authorizes a mobile home resident with a disability to have one or more persons provide live-in health care, personal care or supportive services if necessary to afford the resident equal opportunity to use and enjoy the dwelling, rather than authorizing temporary live-in health care by one person according to a physician-prepared treatment plan. Removes the requirement that a person providing live-in care to a mobile home resident be at least 18 years old and prohibits a landlord from charging a fee for a person providing personal care or supportive services.

labor organizations; fiduciary guidelines; disclosure (S.B. 1268) – Chapter 347

Subjects a labor organization to similar fiduciary guidelines as required by employers or third-party administrators providing employee benefits and outlines requirements for an annual financial disclosure. Benefit contributions in excess of incurred costs must be refunded to the employee or deposited in a defined contribution plan on behalf of the employee.

Authorizes a labor organization member to obtain health and welfare, pension, vacation, sick or holiday benefits of their choosing and allows the employer to withhold payment to the organization for benefits charges if the member chooses to obtain benefits from the employer. If a member obtains benefits outside the employment relationship, the employer must withhold payment to the organization for the benefits and forward the monies appropriately. Prohibits the withholding of dues or benefits from the individual or individual's employer, or considering the individual to be a member of a labor organization, without the individual's written consent.

The outlined requirements apply to a labor organization collecting benefit monies or union dues on behalf of an Arizona resident or employer, except labor organizations for state, political subdivision or federal government employees. A member or employer is not obligated to contribute membership dues or funds for training or other benefits during any time the labor organization is in violation of the outlined requirements and the organization forfeits their claim on the dues or contributions during the violation period, if the organization is in violation for more than 30 days. Any Arizona resident has standing in a court against the labor organization for monies paid to the organization on behalf of the resident without the resident's consent.

nonhealth board directors; advocacy; legislation (S.B. 1272) – Chapter 140

Prohibits the director of a nonhealth profession regulatory board from advocating for or against a legislative proposal in the director's official capacity until the board has taken a formal position in a public meeting.

~~insurance; optometrists; contracts; covered services.~~ (NOW: income tax filing extension; 2020) (S.B. 1297) – Chapter 177 E

[SEE THE FINANCE COMMITTEE.](#)

eviction proceedings; virtual appearances (S.B. 1322) – Chapter 243

[SEE THE JUDICIARY COMMITTEE.](#)

civil liability; public health pandemic (S.B. 1377) – Chapter 179

[SEE THE JUDICIARY COMMITTEE.](#)

office of Sonora; continuation (S.B. 1378) – Chapter 146

Continues the Office of Sonora for eight years, until July 1, 2029, retroactive to July 1, 2021.

~~essential businesses; firearms; ammunition; sales~~ (NOW: essential businesses; civil actions; ammunition) (S.B. 1382) – Chapter 348

[SEE THE JUDICIARY COMMITTEE.](#)

workers' compensation; rates; firefighters; cancer. (S.B. 1451) – Chapter 229

Adds a disease, infirmity or health impairment caused by ovarian or breast cancer to conditions presumed to be an occupational disease arising out of employment for a firefighter's

workers' compensation claim and extends firefighter cancer presumptions to fire investigators who meet the eligibility criteria. Removes the cancer presumption eligibility requirement that a firefighter or peace officer be exposed to a known carcinogen reasonably related to the cancer and have informed the department of the exposure. The cancer presumptions may be rebutted by clear and convincing evidence, rather than a preponderance of the evidence, that there is a specific cause of the cancer other than occupational exposure to a carcinogen.

Allows a workers' compensation or employers' liability insurer covering firefighters and fire investigators to file with the Director of the Department of Insurance and Financial Institutions (Director): 1) a uniform percentage deviation to increase statewide rates for firefighter and fire investigator class codes to address anticipated expense increases for cancer presumption claims; and 2) a schedule rating plan to adjust premiums based on loss control programs or activities. A deviation must be accompanied by an actuarial analysis that substantively illustrates the basis for the rate increase according to prescribed requirements and be on file with the Director for at least 60 days before becoming effective. Prescribes information sharing requirements administered by the Industrial Commission of Arizona to assist with insurance rate setting and ensuring adequate reserving for cancer claims.

agency decisions; administrative reviews (S.B. 1459) – Chapter 316

[SEE THE JUDICIARY COMMITTEE.](#)

workers' compensation; service; electronic transmission (S.B. 1651) – Chapter 333

Allows a notice or document relating to a workers' compensation claim or hearing to be transmitted by means other than mail, including by electronic transmission, if the receiving party consents in writing.

revenue; budget reconciliation; 2021-2022 (S.B. 1827/H.B. 2899) – Chapter 411

[SEE THE APPROPRIATIONS COMMITTEE.](#)

omnibus; taxation (S.B. 1828/H.B. 2900) – Chapter 412

[SEE THE APPROPRIATIONS COMMITTEE.](#)

liquor; sales; delivery; identification information. (S.B. 1846/H.B. 2920) – Chapter 397

Exempts a retail liquor licensee delivering liquor to an Arizona consumer from the requirement to label all containers with the words "contains alcohol, signature of person who is twenty-one years of age or older is required for delivery" if: 1) the person delivering the order personally retrieved and bagged or packaged the container for delivery; and 2) the licensee records, or requires to be recorded electronically, the identification information for each delivery.

unauthorized racing meetings; penalties; racketeering (H.B. 2012/S.B. 1239) – Chapter 6

Classifies, as a class 6 felony, knowingly holding an unauthorized racing meeting conducted outside the bounds of a racing permit issued by the Arizona Department of Gaming's Division of Racing. Includes an act that involves holding an unauthorized racing meeting for financial gain in the Arizona Criminal Code definition of *racketeering*.

~~barbering and cosmetology boards; consolidation (NOW: consolidation; barbering and cosmetology boards)~~ (NOW: commerce; masks; barbering; cosmetology; licensing) (H.B. 2029) – Chapter 334

Amends Laws 2021, Chapter 201 to assert that an Arizona business is not required to enforce a state, county or municipal mask mandate on its patrons, rather than on its premises.

Beginning January 1, 2022, consolidates the Board of Barbers and the Board of Cosmetology into the Barbering and Cosmetology Board (Board) by repealing the Board of Barbers and renaming the Board of Cosmetology. Consolidates the Board of Cosmetology Fund and the Board of Barbers Fund into the Barbering and Cosmetology Board Fund. All Board of Barbers indicia of qualification authority are valid for their term durations.

Prescribes Board membership to include a cosmetologist, a barber, two school owners and five public members and retains members of the Board of Barbers serving on January 1, 2022, as Board members until the expiration of their normal terms. Terminates the Board on July 1, 2026. The Board must study potential license consolidation, fee structure changes and reducing required instructional hours and submit a report by November 1, 2023, to the Governor and Legislature.

Allows a school to offer both barbering and cosmetology courses if the instructors are appropriately licensed. Reduces the instructional hours required for licensure from 1,600 hours to 1,500 hours for cosmetology and from 1,500 hours to 1,200 hours for barbering. A barber license applicant that is a licensed cosmetologist or hairstylist must receive 200, rather than 350, instructional hours. A barbering or cosmetology license applicant may take the relevant exam before completing the required course instruction hours. Removes stipulations relating to barbering exam administration and removes the requirement that the barbering school student-to-instructor ratio not exceed 20 to 1.

Excludes cosmetology students in specified circumstances from Cosmetology statutes and persons licensed in another state who provide services for event attendees in Arizona for up to two weeks from Barbers statutes and Cosmetology statutes.

electric cooperatives; broadband service; fees (H.B. 2036/S.B. 1137) – Chapter 3

Requires a pole attachment agreement between an electric cooperative nonprofit membership corporation and an affiliate for broadband service that includes attachment to the cooperative's poles to require pole attachment fees to be charged equally to an unaffiliated video service or telecommunications provider and the affiliate, if both providers are jointly attached to the same pole.

civil rights; amendments (H.B. 2045/S.B. 1180) – Chapter 1

Includes because of or on the basis of pregnancy, childbirth or related medical conditions in *because of sex* or *on the basis of sex* relating to statutory prohibitions on employment discrimination. A woman affected by pregnancy, childbirth or related medical conditions must be treated the same for all employment-related purposes as other persons who are similar in their ability to work and are not affected by pregnancy, childbirth or related medical conditions. Prohibits discrimination against an employee or an individual in an apprenticeship or other training or retraining program for: 1) opposing an unlawful employment practice; or 2) making a charge or participating in an employment discrimination investigation, proceeding or hearing.

Removes the 90-day limitation for a charging party or a person a charge alleges was aggrieved to bring a civil action for employment discrimination after notice by the Attorney General's Office Civil Rights Division (Division) that the Division dismissed the charge or has not filed a civil action or entered into a conciliation agreement. Authorizes, rather than requires, the Attorney General to file a civil action for a violation of public accommodation and services statutes if a conciliation agreement is not reached. Extends, from 5 days to 14 days, the time period in which a person may petition the Division to revoke, limit or modify a subpoena to produce evidence relating to any Division-conducted hearing or investigation after the subpoena is served.

liquor omnibus (H.B. 2050) – Chapter 94

Raises the annual distilled spirits production threshold under which a craft distiller may directly sell and deliver produced distilled spirits to retailers from 1,189 gallons to 3,566 gallons. Increases the per person, per brand limit on beer or cooler product samples that a producer or wholesaler may provide to retail consumers at on-sale premises from 12 ounces to 16 ounces.

Requires the Director of the Department of Liquor Licenses and Control (Director) to relieve a licensee from a prior license reversion for nonuse if the request for relief is filed in writing no later than two years after the reversion. The Director must reissue a retail license that was reverted to the state between 2018 and 2020 due to being held in continuous nonuse for over 36 months if the licensee files a request for relief by December 31, 2022. Requires the Director to allow a purchaser of a bar, beer and wine bar or liquor store license, that was awarded through the license lottery between 2017 through 2019 and has not been activated, to sell or activate the license if the licensee submits a request and full license payment by December 31, 2022.

Allows the Director to issue a microbrewery and farm winery license located on the same parcel of land to the same educational institution for postsecondary instruction. Modifies prohibitions relating to employee consumption of liquor, an underage person on joint premises when the primary use is for spirituous liquor and limitations on service of distilled spirits. Excludes wine produced for personal or family use and home winemakers' contests from *Alcoholic Beverages* statutes.

real estate; employees; rent collection ([H.B. 2085/S.B. 1095](#)) – Chapter 10

Allows an unlicensed person to collect rent and related fees in person for the use of real estate as part of the person's clerical duties if the individual works for a licensed real estate broker or salesperson, collects the rent on behalf of the licensee and provides a receipt upon payment. Directs the State Real Estate Commissioner to require a person applying for a real estate, cemetery or membership camping broker or salesperson license under reciprocity licensure laws to pass an examination specific to Arizona real estate laws.

bingo; conduct; licenses ([H.B. 2109](#)) – Chapter 97

Increases the gross receipts thresholds between bingo license classifications: 1) from \$15,600 to \$75,000, between a class A and class B license; and 2) from \$300,000 to \$500,000, between a class B and class C license. Raises the threshold at which bingo prizes must be paid by check from \$150 to \$1,100 and removes the prohibition on conducting a lottery or raffle within 12 hours of a bingo occasion or game on a premises used for bingo games or within 1,000 feet of the bingo game.

timeshares; public reports; purchase contracts ([H.B. 2120](#)) – Chapter 169

Extends the time frame for a timeshare seller that accepts a timeshare interest reservation deposit before a public report is approved and the prospective buyer to enter into a purchase contract from 7 to 10 business days after the prospective buyer receives the public report and proposed purchase agreement. Specifies that the prescribed timeshare reservation form statement of the prohibition on the offer to sell or purchase a timeshare interest before a public report is issued must be above the purchaser's signature line.

occupational safety; advisory committee; enforcement ([H.B. 2160](#)) – Chapter 78

Allows the Industrial Commission of Arizona's Director of the Arizona Division of Occupational Safety and Health (Director) to excuse an employer's late notification to contest a safety and health standards citation if the employer shows by clear and convincing evidence that the citation notice was not received. Eliminates the Director's authority to excuse a late notification of citation contest, if the U.S. Occupational Safety and Health Administration publishes a final decision rejecting the changes to Arizona's Occupational Safety and Health Plan by December 31, 2021. Removes the requirement that the Occupational Safety and Health Advisory Committee recommend Occupational Safety and Health Advisory Committee Review Board members for the Governor's consideration.

wireless providers; authority; applicability ([H.B. 2172](#)) – Chapter 129

Removes the exemption from right-of-way wireless provider use regulations for an authority that is within 10 miles of the Mexico border and is negotiating or has a contract, by July 1, 2018, that assists and supports national security objectives along the U.S.-Mexico border.

spirituous liquor; alternating proprietorships (H.B. 2305) – Chapter 106

Allows the Director of the Department of Liquor Licenses and Control to approve grouping two or more spirituous liquor producer, craft distiller or microbrewery licenses at one location under an alternating proprietorships plan if the licensees receive the U.S. Alcohol and Tobacco Tax and Trade Bureau's approval and operate under federal regulations.

license denial; prohibition; drug convictions (H.B. 2319) – Chapter 108

Prohibits an agency from denying a regular or provisional occupational license to an otherwise qualified applicant who has been convicted of a drug offense or imitation substance or drug offense. Excludes teacher certification, health profession regulatory boards, medical marijuana certifications, law enforcement agencies and the Arizona Peace Officer Standards and Training Board from the prohibition.

~~special event licenses; charitable organizations~~ (NOW: special event license; issuance) (H.B. 2367) – Chapter 337

Allows the Director of the Department of Liquor Licenses and Control to issue a temporary special event license to an affiliate of a parent nonprofit organization if: 1) the affiliate provides specified documents showing the affiliate is a subordinate of a nonprofit 501(c)(4) organization with a group ruling; 2) the affiliate and its members have not violated Alcoholic Beverages statutes, local requirements for special events or any fire code; and 3) event proceeds are for a charitable or nonprofit purpose.

additional wagering facilities; cap; removal (H.B. 2374) – Chapter 171

Replaces the cap on additional wagering facilities owned or leased by a live racing permittee in a county with a population between 700,000 and 1,500,000 persons with a prohibition on the permittee owning or leasing an additional wagering facility within 60 miles of a racetrack enclosure in a county with a population of more than 3,000,000 persons or between 200,000 and 500,000 persons without the racetrack enclosure's consent.

online dating fraud; member notice (H.B. 2396) – Chapter 110

[SEE THE TRANSPORTATION & TECHNOLOGY COMMITTEE.](#)

commerce authority; career landscape information (H.B. 2438) – Chapter 84

Beginning January 1, 2022, directs the Arizona Commerce Authority (ACA) to annually compile and transmit, to each public high school to distribute to students, specified information on: 1) in-demand jobs in Arizona; 2) high school equivalency, career and technical education and apprenticeship programs; and 3) costs, earnings and graduation rates among undergraduate fields from community colleges, each public university, vocational programs and private postsecondary institutions. The ACA must make the outlined career landscape information publicly available and

post the information on its website. All state agencies, public universities, community colleges, vocational programs and private postsecondary institutions must annually share information requested by the ACA.

escrow accounts; manufactured homes; requirements (H.B. 2446) – Chapter 132

Requires a mobile home park owner who is, or owns, a dealership to sell manufactured homes, mobile homes and residential factory-built buildings (park owner-dealer) and is selling a new manufactured home or new residential factory-built building to: 1) maintain a trust account or open an independent escrow account; and 2) deposit earnest monies for the sale in the trust or escrow account. The Arizona Department of Housing (ADOH) must audit each trust or escrow account at least once every two years, including any transactions with an independent escrow account. A licensee handling a park owner-dealer transaction must disclose in writing by the time the purchaser signs the contract that the purchaser may request the use of an independent escrow account or the transaction will be handled through a licensee-controlled trust account. If the request is timely received and the seller consents, a dealer must comply with a request to establish an escrow account.

Requires a park owner-dealer selling mobile homes, previously-owned manufactured homes and previously-owned residential factory-built buildings to: 1) site the home in the park owner's mobile home park; 2) post a bond of at least \$150,000; and 3) file information with ADOH showing that the park owner holds, owns a majority interest in, or is controlled by an entity with a controlling interest in the dealer license. Increases the dealer bond amount the licensed dealership of a park owner-dealer selling a new manufactured home or new residential factory-built building must post with ADOH from \$100,000 to \$150,000.

animal ownership; possession; prohibition (H.B. 2483) – Chapter 366

Prohibits a person who has been convicted of *animal fighting*, *bestiality* or certain *cruelty to animals* offenses from possessing, residing with or otherwise intentionally contacting a cat or dog in the person's household for the following time frames: 1) 5 years for a misdemeanor; 2) 10 years for a felony or subsequent misdemeanor; and 3) the person's lifetime for a subsequent felony. A violation of the prohibition is a class 1 misdemeanor. A person may apply to have the right to possess a cat or dog restored after either 1 year after a misdemeanor conviction or 2.5 years after a felony conviction. Prescribes requirements for a court receiving an application to restore the right to possess a cat or dog and allows the court to terminate or reduce the time periods of the prohibition or provide a good cause exception if specified criteria are met.

animal fighting paraphernalia; offense (H.B. 2484/S.B. 1238) – Chapter 35

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 and classifies the offense as a class 1 misdemeanor. Exempts, from the prohibition, activities involving the possession, training, exhibition or use of an animal in otherwise lawful hunting, ranching, farming, rodeos, shows and security services.

landlords; deceased tenant; pets (H.B. 2507) – Chapter 164

Allows a landlord to request a tenant to provide the contact information of a person authorized to retrieve and store the tenant's property if the tenant is incapacitated. A landlord may deem a deceased or incapacitated tenant's animal abandoned and remove the animal to a shelter, boarding facility or relative under outlined circumstances. Conditions the authorization for a landlord to remove the animal of a tenant who abandons a dwelling unit to a shelter or boarding facility by requiring the landlord to provide a one-day notice to a person authorized to retrieve the tenant's animal if the tenant dies or is incapacitated.

blockchain and cryptocurrency study committee (H.B. 2544) – Chapter 339

[SEE THE FINANCE COMMITTEE.](#)

contractor license numbers; advertising; exception. (H.B. 2545) – Chapter 114

Allows a licensed contractor to meet license number posting requirements for broadcast, internet or billboard advertising by including a website's uniform resource locator linking to a website that displays the licensee's name and license number. Requires a licensee to post or place, on all submitted estimates, the license number of any licenses held, preceded by the acronym *ROC*.

home solicitation sales; definition (H.B. 2546) – Chapter 87

Expands the definition of *home solicitation sale* by removing the qualification that all or any part of the purchase price be payable in installments.

licenses; pandemics; revocation prohibition (H.B. 2570) – Chapter 367

[SEE THE GOVERNMENT COMMITTEE.](#)

ADOT; telecommunication facilities installation (H.B. 2596) – Chapter 351

[SEE THE TRANSPORTATION & TECHNOLOGY COMMITTEE.](#)

health spa contracts; cancellation; notice (H.B. 2697) – Chapter 296

Authorizes a customer to cancel or suspend a health spa services contract entered into or renewed beginning on September 29, 2021, by: 1) mail, email or personal delivery of a notice; 2) an option on the health spa's website; or 3) any other manner specified by the contract. A health spa must notify a customer of the authorized cancellation or suspension methods. Adds email to the cancellation methods by which a customer may cancel a contract within three operating days of receiving a contract copy to receive a full refund. Removes the requirement that a mailed cancellation notice within the three-day period be sent with a return receipt requested.

antenna use; private property (H.B. 2711) – Chapter 307

[SEE THE GOVERNMENT COMMITTEE.](#)

motor vehicle transactions; advertised vehicle price (H.B. 2721) – Chapter 186

[SEE THE TRANSPORTATION & TECHNOLOGY COMMITTEE.](#)

~~distilleries; licensing; environmental exemption~~ (NOW: liquor licensees; records; food safety) (H.B. 2753) – Chapter 441

Exempts, from inspection, a liquor licensee's records containing proprietary information, including confidential information filed with the U.S. Alcohol and Tobacco Tax and Trade Bureau. Specifies that licensed producer, craft distiller, brewer and farm winery production and storage spaces are: 1) subject to food safety rules and exemptions prescribed by the Food and Drug Administration under the Produce Safety Rule; and 2) not subject to non-federal food safety guidelines adopted by local governing boards.

~~military installation fund; property conveyance.~~ (NOW: contractors; qualifying party; liability) (H.B. 2760) – Chapter 297

[SEE THE JUDICIARY COMMITTEE.](#)

mask mandates; business exception (H.B. 2770) – Chapter 201

[SEE THE GOVERNMENT COMMITTEE.](#)

fantasy sports betting; event wagering. (H.B. 2772/S.B. 1797) – Chapter 234 E

An emergency measure effective April 15, 2021, that allows the State Lottery to operate an electronic keno game and mobile draw game at fraternal or veterans' organizations, racetrack enclosures or additional horserace wagering facilities. Authorizes the Arizona Department of Gaming (ADG) to issue licenses for fantasy sports contest operators to offer simulated contests that meet outlined requirements to the public for an entry fee and for event wagering on professional sports events and other ADG-authorized events. The ADG may license, for event wagering off of Indian lands, up to 10 Indian tribes or tribal-owned entities for mobile wagering and up to 10 sports-related organizations for mobile wagering and wagering at facilities meeting location requirements. Additionally, establishes a limited event wagering operator license for up to 10 specific horse racetrack or additional wagering locations to partner with a licensed operator to offer event wagering, a management services provider license and a supplier license.

Establishes the: 1) Event Wagering Fund consisting of event wagering license fees; 2) Fantasy Sports Contest Fund consisting of fantasy sports contest license fees; and 3) 2021 Compact Trust Fund consisting of tribal contributions to mitigate impacts of gaming authorized by the 2021

Gaming Compact Amendment and to provide benefits to beneficiary tribes. When establishing event wagering operator and fantasy sports contests operator fees, the ADG must consider the highest percentage of revenue share paid to the state by an Indian tribe under the tribal-state gaming compacts. The ADG may use up to 10 percent of Event Wagering Fund and Fantasy Sports Contest Fund monies for regulation and enforcement, with the remainder transferred to the state General Fund.

Prescribes ADG oversight of: 1) licensure requirements and enforcement; 2) permissible types of wagers; 3) suspicious betting activities; 4) operation standards relating to payouts, prohibited participants and mobile platforms; and 5) programs related to problem gambling. Outlines guidelines for ADG rules and licensee procedures, reporting requirements and penalties for prohibited acts. Fantasy sports contest and event wagering regulations do not apply to betting and wagering conducted exclusively on Indian lands by an Indian tribe according to a tribal-state gaming compact. Conditions expanded gaming authorizations on each Indian tribe with a gaming facility in Pima County and each Indian tribe with a gaming facility in the Phoenix Metropolitan area entering into a 2021 Gaming Compact Amendment.

~~spirituous liquor; delivery; off-sale permits~~ (NOW: liquor; delivery; off-sale permits; leases) ([H.B. 2773](#)) – Chapter 375

Beginning October 1, 2021, allows a bar or liquor store to sell mixed cocktails for off-premises consumption (to-go mixed cocktails) and directs bar and liquor store licensees to make an additional to-go mixed cocktails privilege available for a restaurant licensee to lease through the Department of Liquor Licenses and Control (DLLC) in renewable, one-year terms through December 31, 2025. Beginning January 1, 2026, a restaurant may apply for a to-go mixed cocktails permit from DLLC. Allows a bar, beer and wine bar or liquor store licensee to lease the license's associated off-sale privileges to a restaurant liquor licensee within the same county according to outlined requirements for renewable, one-year terms. An off-sale privileges lessor may not use the associated leased privileges during a lease term.

A to-go mixed cocktail must be prepared by the licensee on the premises and sold in a container with a maximum capacity of 32 ounces and a tamper-proof seal. To-go mixed cocktails sold by a restaurant licensee must be accompanied by food sales. The off-sale use of a restaurant with a to-go mixed cocktails lease or off-sale privileges lease is limited to 30 percent of the on-premises liquor sales.

Prescribes requirements for DLLC administration of to-go mixed cocktails leases and permits, off-sale privileges leases and associated fees. For off-sale privileges leases, DLLC may establish separate amounts for urban and rural counties and the lessor and lessee may agree to a lease amount different than the DLLC-established amount. Outlines authorized methods for the delivery of to-go mixed cocktails to an Arizona consumer and establishes registration of an alcohol delivery contractor. The Director must set operational limits by rule for liquor delivery by registered alcohol delivery contractors and bar, beer and wine bar and restaurant licensees.

Retroactive to July 1, 2020, exempts the manufacture or sale of bitters products approved as a nonbeverage product or unfit for beverage purposes by the U.S. Alcohol and Tobacco Tax and Trade Bureau from Alcoholic Beverages statutes.

occupational regulation; good character; definition (H.B. 2787) – Chapter 269

Defines *moral turpitude*, for the purposes of Arizona statutes and laws, as an offense related to extortion, burglary, larceny, bribery, embezzlement, robbery, racketeering, money laundering, forgery, fraud, murder, voluntary manslaughter or a sexual offense that requires the individual to register as a sex offender.

Prohibits an agency determining whether a person's criminal record disqualifies them from obtaining an occupational license, permit, certificate or other state recognition from negatively considering: 1) nonconviction information; 2) a conviction that is sealed, dismissed, expunged or pardoned; 3) a nonviolent misdemeanor; or 4) a juvenile adjudication. Certain agencies and authorizations may consider nonconviction information, a sealed, dismissed, expunged or pardoned conviction or a nonviolent misdemeanor.

Narrows the criteria for an agency to determine that the state has an interest that is superior to a person's right to a license by requiring that the offense, except offenses involving moral turpitude, directly relate to the occupation and specifying circumstances the agency must consider. An agency must rescind a determination before issuing a license if the person is convicted of any additional disqualifying offenses rather than only certain disqualifying offenses. Modifies administrative requirements and authority in the disqualification process.

wineries; microbreweries; distilled spirits (H.B. 2844) – Chapter 118

Removes the prohibition on a licensed bar, beer and wine bar, liquor store, beer and wine store, microbrewery or permitted restaurant dispensing beer in a growler through a drive-through or walk-up service window.

Requires the Department of Health Services food safety rules to exempt spirituous liquor produced on premises licensed by the Department of Liquor Licenses and Control.

United States; Taiwan; partnership. (H.C.R. 2014)

[SEE MEMORIALS & RESOLUTIONS.](#)

LEGISLATION VETOED

liquor; sales; delivery; identification information (S.B. 1215) – VETOED

Exempts a retail liquor licensee delivering liquor to an Arizona consumer from the requirement to label all containers with the words "contains alcohol, signature of person who is twenty-one years of age or older is required for delivery" if: 1) the person delivering the order personally retrieved and bagged or packaged the container for delivery; and 2) the licensee records, or requires to be recorded electronically, the identification information for each delivery.

The Governor indicates in his [veto message](#) that his priority at this time is the FY 2022 state budget.