

State of Arizona
House of Representatives
Fifty-first Legislature
First Regular Session
2013

HB 2027

Introduced by
Representative Seel

AN ACT

AMENDING SECTION 32-122.02, ARIZONA REVISED STATUTES; RELATING TO HOME INSPECTORS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 32-122.02, Arizona Revised Statutes, is amended to
3 read:

4 32-122.02. Certification of home inspectors; insurance

5 A. An applicant for certification as a home inspector shall:

6 1. Be at least eighteen years of age.

7 2. Be of good moral character and repute.

8 3. Have passed within two years preceding application, or within five
9 years preceding application if the application is made by December 31, 2002,
10 a written examination that is approved by the board and that meets the
11 competency standards recommended by the home inspector rules and standards
12 committee and adopted by the board.

13 4. Have passed a course of study and a home inspector-in-training
14 program that meets the standards recommended by the home inspector rules and
15 standards committee and approved by the board.

16 5. Pay a fee as determined by the board and shall submit a full set of
17 fingerprints to the board for the purpose of obtaining a state and federal
18 criminal records check pursuant to section 41-1750 and Public Law 92-544.
19 The department of public safety may exchange this fingerprint data with the
20 federal bureau of investigation. Any documents and information relating to
21 the state and federal criminal records check required by this section are not
22 public records.

23 6. Not have had a certificate denied or revoked pursuant to this
24 chapter within one year immediately preceding the application.

25 7. Have received an absolute discharge from sentence at least five
26 years before the application if the person has been convicted of one or more
27 felonies, provided the board determines the applicant is of good moral
28 character and repute.

29 8. Provide evidence of the applicant's ability to obtain financial
30 assurance as provided by subsection B of this section.

31 B. Within sixty days after certification, **AND BEFORE PERFORMING ANY**
32 **HOME INSPECTION FOR COMPENSATION**, a home inspector certified pursuant to this
33 chapter shall file one of the following financial assurances pursuant to
34 rules recommended by the home inspector rules and standards committee and
35 adopted by the board:

36 1. Errors and omissions insurance for negligent acts committed in the
37 course of a home inspection in an amount of two hundred thousand dollars in
38 the aggregate and one hundred thousand dollars per occurrence.

39 2. A bond in the amount of twenty-five thousand dollars or proof that
40 minimum net assets have a value of at least twenty-five thousand dollars.

41 ~~3. A financial assurance mechanism with a value of at least~~
42 ~~twenty-five thousand dollars recommended by the home inspector rules and~~
43 ~~standards committee and approved by the board.~~

1 C. If a home inspector loses or otherwise fails to maintain a required
2 financial assurance, the certification shall be automatically suspended and
3 shall be reinstated if a financial assurance is obtained within ninety days.
4 If a financial assurance is not obtained within ninety days, the
5 certification shall be automatically revoked.

6 D. A home inspector is subject to this chapter and rules adopted
7 pursuant to this chapter.