

State of Arizona
Senate
Fifty-fourth Legislature
Second Regular Session
2020

SENATE BILL 1274

AN ACT

AMENDING SECTIONS 32-102, 32-302, 32-502, 32-1302 AND 32-4202, ARIZONA
REVISED STATUTES; RELATING TO PROFESSIONAL AND OCCUPATIONAL REGULATORY
BOARDS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 32-102, Arizona Revised Statutes, is amended to
3 read:

4 32-102. State board of technical registration: members;
5 vacancies; terms

6 A. The state board of technical registration is established
7 consisting of members who are appointed by the governor as follows:

- 8 1. ~~Two architects~~ ONE ARCHITECT.
- 9 2. ~~Three~~ ONE professional ~~engineers, one of whom is a civil~~
10 ~~engineer and two of whom are representatives of branches of engineering~~
11 ~~other than civil engineering and are registered in those branches pursuant~~
12 ~~to this chapter.~~
- 13 3. ~~One~~ SIX public ~~member~~ MEMBERS, AT LEAST ONE OF WHOM HAS A LEGAL,
14 CONSTRUCTION OR DESIGN PRODUCT BACKGROUND.
- 15 4. One landscape architect.
- 16 5. One geologist.
- 17 6. One land surveyor.

18 B. On the expiration of any of the terms, a successor who is
19 qualified pursuant to subsection A of this section shall be appointed for
20 a full term of three years. The governor may remove a member of the board
21 for misconduct, incapacity or neglect of duty. Appointment to fill a
22 vacancy caused other than by expiration of term shall be for the unexpired
23 portion of the term.

24 C. ~~No~~ A member may NOT serve more than two consecutive terms.

25 Sec. 2. Section 32-302, Arizona Revised Statutes, is amended to
26 read:

27 32-302. Board of barbers; members; appointment;
28 qualifications; terms

29 A. ~~A~~ THE board of barbers is established consisting of the
30 following five members appointed by the governor:

31 1. TWO MEMBERS WHO ARE ANY OF THE FOLLOWING:

- 32 ~~1.~~ (a) ~~One~~ A barber who has been actively practicing barbering in
33 this state for at least five years.
- 34 ~~2.~~ (b) ~~One member who is~~ A holder of a barber school license who
35 is a barber. ~~or a holder of a shop or salon license who is a barber or~~
36 ~~(c) A barber who has been actively practicing barbering in this~~
37 ~~state for at least five years. Preference will be given to a holder of a~~
38 ~~barber school license then to a holder of a barber shop or salon license~~
39 ~~and then to a barber.~~
- 40 ~~3.~~ (c) ~~One~~ A holder of a barber shop or salon license who is a
41 barber.
- 42 ~~4.~~ 2. ~~Two~~ THREE public members, preferably one of whom is an
43 educator.

1 B. THE TWO MEMBERS WHO ARE APPOINTED PURSUANT TO SUBSECTION A,
2 PARAGRAPH 1 OF THIS SECTION SHALL BE APPOINTED UNDER DIFFERENT
3 SUBDIVISIONS OF SUBSECTION A, PARAGRAPH 1 OF THIS SECTION.

4 ~~B.~~ C. A public member shall not be associated, directly or
5 indirectly, with the manufacture of barber appliances or supplies or their
6 rental, sale or distribution to licensees or represent the barbering
7 industry in any manner.

8 ~~C.~~ D. The terms of office of board members are five years
9 beginning and ending June 30. Members shall not serve more than two
10 consecutive terms.

11 ~~D.~~ E. The governor may remove a board member for neglect of duty,
12 malfeasance or misfeasance.

13 Sec. 3. Section 32-502, Arizona Revised Statutes, is amended to
14 read:

15 32-502. Board of cosmetology; members; appointment;
16 qualifications; terms

17 A. The board of cosmetology is established consisting of the
18 following seven members who are appointed by the governor:

19 ~~1. Two cosmetologists who have been actively practicing in this~~
20 ~~state for at least three years immediately preceding appointment.~~

21 ~~2. One nail technician who has been actively practicing in this~~
22 ~~state for at least three years immediately preceding appointment.~~

23 ~~3. One instructor who has been actively practicing in this state~~
24 ~~for at least three years immediately preceding appointment.~~

25 ~~4. One school owner.~~

26 1. THREE MEMBERS WHO HAVE BEEN ACTIVELY PRACTICING IN THIS STATE
27 FOR AT LEAST THREE YEARS IMMEDIATELY PRECEDING APPOINTMENT AND WHO ARE ANY
28 OF THE FOLLOWING:

29 (a) A COSMETOLOGIST.

30 (b) A NAIL TECHNICIAN.

31 (c) AN INSTRUCTOR.

32 (d) A SCHOOL OWNER.

33 ~~5.~~ 2. ~~Two~~ FOUR public members who are not and have never been
34 associated with the cosmetology or nail technology industry, licensed as a
35 cosmetologist or nail technician or involved in the manufacture of
36 cosmetology or nail technology products.

37 B. THE THREE MEMBERS WHO ARE APPOINTED PURSUANT TO SUBSECTION A,
38 PARAGRAPH 1 OF THIS SECTION SHALL BE APPOINTED UNDER DIFFERENT
39 SUBDIVISIONS OF SUBSECTION A, PARAGRAPH 1 OF THIS SECTION.

40 ~~B.~~ C. The term of office for members is three years beginning and
41 ending June 22.

42 ~~C.~~ D. The governor may remove board members for neglect of duty,
43 malfeasance or misfeasance.

1 Sec. 4. Section 32-1302, Arizona Revised Statutes, is amended to
2 read:

3 32-1302. State board of funeral directors and embalmers;
4 members; appointment; term; qualifications; oath;
5 compensation

6 A. The state board of funeral directors and embalmers is
7 established. The board consists of seven members appointed by the
8 governor pursuant to section 38-211. Members serve at the pleasure of the
9 governor. Board members serve staggered terms of four years beginning and
10 ending on January 1 unless removed by the governor. The governor shall
11 appoint a member for the unexpired portion of a term to fill a vacancy
12 occurring during a term of office.

13 B. Each member of the board shall be a resident of this state.
14 ~~Four~~ THREE members shall be practicing funeral directors or embalmers
15 licensed under this chapter. ~~Three~~ FOUR members shall be public members,
16 one of whom is an owner or manager of a business that has no pecuniary or
17 proprietary interest in a funeral establishment or crematory or in the
18 sale of funeral goods and services. The public members shall not be
19 licensed under this chapter currently or have been licensed under this
20 chapter in the five years preceding appointment.

21 C. Before entering office, each appointee shall take and subscribe
22 to an oath before an officer competent to administer oaths that the
23 appointee is qualified to hold office and will faithfully perform the
24 duties imposed on board members by law.

25 D. Members of the board are eligible to receive compensation
26 pursuant to section 38-611 for each day of actual service in the business
27 of the board.

28 Sec. 5. Section 32-4202, Arizona Revised Statutes, is amended to
29 read:

30 32-4202. Board of massage therapy; members; terms;
31 compensation; immunity

32 A. The board of massage therapy is established consisting of the
33 following members appointed by the governor:

34 1. ~~Three~~ TWO massage therapists who are residents of this state,
35 who possess an unrestricted license to practice massage therapy in this
36 state and who have been practicing in this state for at least five years
37 immediately preceding their appointment. The governor may make these
38 appointments from a list of names submitted by a statewide massage or
39 bodywork therapy association, or both, or any other group or person. ~~The~~
40 ~~initial three appointees are not required to be licensed pursuant to this~~
41 ~~chapter at the time of selection but must meet all of the qualifications~~
42 ~~for licensure as prescribed by this chapter.~~

43 2. ~~Two~~ THREE public members who are residents of this state and who
44 are not affiliated with and do not have any financial interest in any
45 health care profession but who have an interest in consumer rights or have

1 a background in compliance or law enforcement issues. AT LEAST ONE PUBLIC
2 MEMBER MUST BE ACTIVELY INVOLVED IN PROGRAMS OR SERVICES THAT HELP TO
3 REDUCE OR PREVENT HUMAN TRAFFICKING.

4 B. Board members serve staggered five-year terms that begin and end
5 on the third Monday in January. Board members shall not serve for more
6 than two successive five-year terms or for more than ten consecutive
7 years, except that the term of office for a member of the board appointed
8 to fill a vacancy that occurs before the expiration of a full term is for
9 the unexpired portion of that term, and the governor may reappoint that
10 member to not more than two additional full terms.

11 C. If requested by the board, the governor may remove a board
12 member for misconduct, incompetence or neglect of duty.

13 D. Board members are eligible to receive compensation in the amount
14 of ~~one hundred dollars~~ \$100 per day for each day of actual service in the
15 business of the board and for reimbursement of expenses pursuant to title
16 38, chapter 4, article 2 to cover necessary expenses for attending each
17 board meeting or for representing the board in an official board approved
18 activity.

19 E. A board member who acts within the scope of board duties,
20 without malice and in the reasonable belief that the member's action is
21 warranted by law is not subject to civil liability.

22 Sec. 6. Retention of members

23 Notwithstanding sections 32-102, 32-302, 32-502, 32-1302 and
24 32-4202, Arizona Revised Statutes, as amended by this act, all persons
25 serving as members of the state board of technical registration, the board
26 of barbers, the board of cosmetology, the state board of funeral directors
27 and embalmers and the board of massage therapy on the effective date of
28 this act may continue to serve until the expiration of their normal terms.
29 The governor shall make all subsequent appointments as prescribed by
30 statute.