

Senate Engrossed

REFERENCE TITLE: state liquor board; membership

State of Arizona
Senate
Fifty-fifth Legislature
First Regular Session
2021

CHAPTER 211

SENATE BILL 1257

AN ACT

AMENDING SECTION 4-111, ARIZONA REVISED STATUTES; RELATING TO THE
DEPARTMENT OF LIQUOR LICENSES AND CONTROL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 4-111, Arizona Revised Statutes, is amended to
3 read:

4 4-111. State liquor board; department of liquor licenses and
5 control; members; director; appointment and removal

6 A. The department of liquor licenses and control is established
7 consisting of the state liquor board and the office of director of the
8 department.

9 B. ~~From and after January 31, 2003,~~ The board consists of seven
10 members to be appointed by the governor pursuant to section 38-211. Five
11 of the members of the board shall not be financially interested directly
12 or indirectly in business licensed to deal with spirituous liquors, **ONE OF**
13 **WHOM SHALL BE A CURRENT ELECTED MUNICIPAL OFFICIAL**. Two members shall
14 currently be engaged in business in the spirituous liquor industry or have
15 been engaged in the past in business in the spirituous liquor industry, at
16 least one of whom shall currently be a retail licensee or employee of a
17 retail licensee. One member shall be a member of a neighborhood
18 association recognized by a county, city or town. The term of members is
19 three years. Members' terms expire on the third Monday in January of the
20 appropriate year. The governor may remove any member of the board for
21 cause. ~~No~~ A member may **NOT** represent another licensee before the board
22 for a period of one year after the conclusion of the member's service on
23 the board.

24 C. The board shall annually elect from its membership a ~~chairman~~
25 **CHAIRPERSON** and ~~vice-chairman~~ **VICE CHAIRPERSON**. A majority of the board
26 constitutes a quorum, and a concurrence of a majority of a quorum is
27 sufficient for taking any action. If there are unfilled positions on the
28 board, a majority of those persons appointed and serving on the board
29 constitutes a quorum.

30 D. The ~~chairman~~ **CHAIRPERSON** may designate panels of not less than
31 three members. A panel may take any action that the board is authorized
32 to take pursuant to this title. Such action includes the ability to hold
33 hearings and hear appeals of administrative disciplinary proceedings of
34 licenses issued pursuant to this chapter. A panel shall not, however,
35 adopt rules as provided in section 4-112, subsection A, paragraph 2. The
36 ~~chairman~~ **CHAIRPERSON** may from time to time add additional members or
37 remove members from a panel. A majority of a panel may ~~on the concurrence~~
38 ~~of a majority of the members of the panel~~ take final action on hearings
39 and appeals of administrative disciplinary proceedings concerning licenses
40 issued pursuant to this chapter.

41 E. Members of the board are entitled to receive compensation at the
42 rate of ~~fifty dollars~~ **\$50** per day while engaged in the business of the
43 board.

1 F. A person shall not be appointed to serve on the board unless the
2 person has been a resident of this state for not less than five years
3 before the person's appointment. Not more than four members may be of the
4 same political party. Persons eligible for appointment shall have a
5 continuous recorded registration pursuant to title 16, chapter 1 with the
6 same political party or as an independent for at least two years
7 immediately preceding appointment. Not more than three members may be
8 appointed from the same county.

9 G. The governor shall appoint the director, pursuant to section
10 38-211, who shall be a qualified elector of the state and experienced in
11 administrative matters and enforcement procedures. The director shall
12 serve at the pleasure of the governor.

13 H. The director is entitled to receive a salary as determined
14 pursuant to section 38-611.

15 Sec. 2. Retention of members

16 Notwithstanding section 4-111, Arizona Revised Statutes, as amended
17 by this act, all persons serving as members of the state liquor board on
18 the effective date of this act may continue to serve until the expiration
19 of their normal terms. The governor shall make all subsequent
20 appointments as prescribed by statute.

APPROVED BY THE GOVERNOR APRIL 9, 2021.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 9, 2021.