

COMMITTEE ON COMMERCE
SENATE AMENDMENTS TO S.B. 1715
(Reference to printed bill)

1 Page 9, after line 26, insert:

2 "Sec. 3. Section 32-1123, Arizona Revised Statutes, is amended to
3 read:

4 32-1123. Unlicensed contractors; contract bidding; license
5 denial; exemptions; warning; inflation adjustment

6 A. Except as provided in subsection D of this section, if an entity
7 that is not licensed or not properly licensed pursuant to this chapter bids
8 on a contract for a project with an aggregate worth of more than ~~\$1,000~~
9 \$2,500, the registrar may not issue the entity a license for one year after
10 the bid date. FOR EACH YEAR BEGINNING FROM AND AFTER DECEMBER 31, 2023,
11 THE REGISTRAR SHALL INCREASE THE DOLLAR AMOUNT PRESCRIBED IN THIS
12 SUBSECTION FOR INFLATION BASED ON THE GDP PRICE DEFLATOR AS DEFINED IN
13 SECTION 41-563. For the purposes of this subsection, aggregate worth does
14 not include any electrical fixture or appliance that meets all of the
15 following:

- 16 1. Was designed by the manufacturer.
- 17 2. Is unaltered, unchanged or unmodified by any person.
- 18 3. Can be plugged into a common electrical outlet.
- 19 4. Does not involve the connection to a supply of natural gas,
20 propane or other petroleum or gaseous fuel.

21 B. This section does not apply to an entity that bids on a contract
22 for either of the following:

- 23 1. A department of transportation project.

1 3. The date the parties entered into the contract.

2 4. The estimated date of completion of all work to be performed
3 under the contract.

4 5. A description of the work to be performed under the contract.

5 6. The total dollar amount to be paid to the contractor by the owner
6 for all work to be performed under the contract, including all applicable
7 taxes.

8 7. The dollar amount of any advance deposit paid or scheduled to be
9 paid to the contractor by the owner.

10 8. The dollar amount of any progress payment and the stage of
11 construction at which the contractor will be entitled to collect progress
12 payments during the course of construction under the contract.

13 9. That the property owner has the right to file a written complaint
14 with the registrar for an alleged violation of section 32-1154,
15 subsection A. The contract shall contain the registrar's telephone number
16 and website address and shall state that complaints must be made within the
17 applicable time period as set forth in section 32-1162, subsection A. The
18 information in this paragraph must be prominently displayed in the contract
19 in at least ten-point bold type, and the contract shall be signed by the
20 property owner and the contractor or the contractor's designated
21 representative. This paragraph does not apply to a person who is subject
22 to and complies with section 12-1365.

23 B. When a contractor and an owner sign a contract, the contractor
24 shall provide the owner with a legible copy of all documents signed and a
25 written and signed receipt for and in the true amount of any cash paid to
26 the contractor by the owner.

27 C. The requirements of this section are not prerequisites to the
28 formation or enforcement of a contract. Failure to comply with the
29 requirements of this section does not constitute a defense by either party
30 to an action for compensation, damages, breach, enforcement or other cause
31 of action based on the contract.

1 D. FOR EACH YEAR BEGINNING FROM AND AFTER DECEMBER 31, 2023, THE
2 REGISTRAR SHALL INCREASE THE DOLLAR AMOUNT PRESCRIBED IN SUBSECTION A OF
3 THIS SECTION FOR INFLATION BASED ON THE GDP PRICE DEFLATOR AS DEFINED IN
4 SECTION 41-563."
5 Amend title to conform

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C: MU