

PROPOSED
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1428
(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Title 23, chapter 6, article 1, Arizona Revised
3 Statutes, is amended by adding section 23-911, to read:

4 23-911. Workers' compensation; proof of insurance; public
5 database; notice; definition

6 A. IF AN INSURER ISSUES A ZERO ESTIMATED EXPOSURE POLICY, THE ZERO
7 ESTIMATED EXPOSURE POLICY SHALL INCLUDE A STATEMENT SIGNED BY THE
8 APPLICANT THAT ATTESTS TO THE ACCURACY OF THE INFORMATION PROVIDED IN THE
9 APPLICATION AND THAT THE APPLICANT HAS NO EMPLOYEES AND AN ESTIMATED
10 EXPOSURE OF ZERO, AS FOLLOWS:

11 I ATTEST THAT THE INFORMATION PROVIDED ON THIS
12 APPLICATION IS CURRENT, TRUE, CORRECT, ACCURATE AND COMPLETE
13 TO THE BEST OF MY KNOWLEDGE AND BELIEF. I FURTHER ATTEST THAT
14 I DO NOT HAVE ANY EMPLOYEES AND AN ESTIMATED EXPOSURE OF ZERO.
15 IF I EMPLOY AN EMPLOYEE DURING THE POLICY PERIOD, I WILL
16 PROVIDE WRITTEN NOTIFICATION TO MY WORKERS' COMPENSATION
17 INSURER OF THE EMPLOYMENT WITHIN SIXTY DAYS AND WILL INCLUDE
18 THE ESTIMATED PAYROLL AND CLASSIFICATION CODES OF THE NEW
19 EMPLOYEE. I UNDERSTAND THAT AN INTENT TO DEFRAUD OR ANY
20 OMISSION OR MISREPRESENTATION CONTAINED IN THIS APPLICATION IS
21 UNLAWFUL.

22 B. IF AN EMPLOYER THAT PROVIDES BUSINESS CONSTRUCTION AND
23 IMPROVEMENT SERVICES OBTAINS A ZERO ESTIMATED EXPOSURE POLICY, THE
24 EMPLOYER SHALL PROVIDE TO EACH ENTITY THAT THE EMPLOYER DIRECTLY CONTRACTS
25 WITH A COPY OF THE POLICY AND WRITTEN NOTIFICATION THAT STATES THAT THE
26 EMPLOYER HAS A TOTAL ESTIMATED EXPOSURE OF ZERO. AN ENTITY THAT RECEIVES
27 WRITTEN NOTICE UNDER THIS SUBSECTION SHALL RETAIN THE NOTICE AND THE
28 POLICY FOR AT LEAST THREE YEARS AFTER THE DATE OF RECEIPT.

29 C. FOR ANY CONSTRUCTION RELATED WORKERS' COMPENSATION POLICY WITH
30 ZERO ESTIMATED EXPOSURE, ANY CERTIFICATE OF INSURANCE REQUESTED SHALL
31 CONTAIN THE FOLLOWING STATEMENT "TO CONFIRM THE STATUS OF THE WORKERS'
32 COMPENSATION POLICY, GO TO EWCCV.COM/CVS/".

33 D. FOR THE PURPOSES OF THIS SECTION, "ZERO ESTIMATED EXPOSURE
34 POLICY" MEANS AN INSURANCE POLICY THAT IS OBTAINED BY AN EMPLOYER TO COVER
35 THE EMPLOYER'S LIABILITY TO PAY COMPENSATION AFTER THE EMPLOYER REPORTS A
36 TOTAL ESTIMATED EXPOSURE OF ZERO.

37 Sec. 2. Applicability

1 Section 23-911, Arizona Revised Statutes, as added by this act,
2 applies to zero estimated exposure policies and any related certificates
3 of insurance that are entered into or prepared on or after July 1, 2027.

4 Sec. 3. Conditional enactment

5 Section 23-911, subsection C, Arizona Revised Statutes, as added by
6 this act, does not become effective unless permission is granted by the
7 Association for Cooperative Research and Development allowing insurance
8 producers to modify the standardized form used in this state."

9 Amend title to conform

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