

REFERENCE TITLE: **excavation; contractor's license; safety**

State of Arizona
House of Representatives
Fifty-seventh Legislature
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2026

HB 2799

Introduced by
Representatives Márquez: Wilmeth

AN ACT

AMENDING SECTION 32-1122, ARIZONA REVISED STATUTES; RELATING TO THE REGISTRAR OF CONTRACTORS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 32-1122, Arizona Revised Statutes, is amended to
3 read:

4 32-1122. Duties of registrar; qualifications for license;
5 training; examination; fingerprinting; definition

6 A. A contractor's license may be issued only by act of the
7 registrar of contractors. The registrar shall:

8 1. Classify and qualify applicants for a license.

9 2. If necessary, change the license classification of a licensee in
10 the case of a title reclassification, with or without a bond rider for the
11 purpose of continuing liability on the bond.

12 3. Conduct investigations the registrar deems necessary.

13 4. Establish written examinations to protect the health and safety
14 of the public.

15 B. To obtain, renew or maintain a license under this chapter, the
16 applicant or licensee shall:

17 1. Submit to the registrar of contractors a verified application on
18 forms that are prescribed by the registrar of contractors and that contain
19 the following information:

20 (a) A designation of the classification of license that is sought
21 by the applicant.

22 (b) If the applicant is a sole proprietorship, the applicant's name
23 and address.

24 (c) If the applicant is a partnership, the names and addresses of
25 all partners with a designation of any limited partners.

26 (d) If the applicant is a limited liability company, the names and
27 addresses of all of the following, as applicable:

28 (i) If the applicant is a manager-managed limited liability
29 company, all managers.

30 (ii) If the applicant is a member-managed limited liability
31 company, all members.

32 (iii) All owners of twenty-five percent or more of the stock or
33 beneficial interest.

34 (e) If the applicant is a corporation, an association or any other
35 organization, the names and addresses of all of the following:

36 (i) The president, vice president, secretary and treasurer or the
37 names and addresses of the functional equivalent of all of these officers.

38 (ii) The directors.

39 (iii) The owners of twenty-five percent or more of the stock or
40 beneficial interest.

41 (f) The name and address of the qualifying party.

42 (g) If the applicant is a limited liability company or corporation,
43 an attestation that the limited liability company or corporation is in
44 good standing with the corporation commission.

1 (h) The address or location of the applicant's place of business
2 and the mailing address if it is different from the applicant's place of
3 business.

4 (i) An attestation that the applicant has complied with the
5 statutes and rules governing workers' compensation insurance. If the
6 applicant is required by law to secure workers' compensation insurance
7 pursuant to title 23, chapter 6, the attestation must contain the workers'
8 compensation insurance policy number or be accompanied by proof of
9 self-insurance.

10 (j) If the applicant is a trust, the names and addresses of all
11 trustees.

12 2. Submit the appropriate fee required under this chapter.

13 3. Submit and maintain the appropriate bond required under this
14 chapter.

15 4. Notify the registrar of any change in the information required
16 by this section within thirty days after the change occurs.

17 C. To obtain, renew or maintain a license under this chapter, each
18 person who is named on a license must not have engaged in contracting
19 without a license or committed any act that, if committed or done by any
20 licensed contractor, would be grounds for suspension or revocation of a
21 contractor's license or be named on a license that was suspended or
22 revoked in this state or another state.

23 D. ANY LICENSEE WHOSE SCOPE OF WORK MAY INCLUDE EXCAVATION AS
24 DETERMINED BY THE REGISTRAR SHALL ENSURE THAT THE COMPETENT PERSON AND ANY
25 EMPLOYEE WHO IS EXPECTED TO ENTER A TRENCH IS PROPERLY TRAINED IN TRENCH
26 SAFETY. THE COMPETENT PERSON AND EACH EMPLOYEE PRESCRIBED IN THIS
27 SUBSECTION SHALL RENEW TRENCH SAFETY TRAINING EVERY TWO YEARS OR ON
28 RENEWAL OF THE LICENSE.

29 ~~D.~~ E. To obtain a license under this chapter, a person may not
30 have had a license denied, refused or revoked within one year before the
31 person's application. The registrar may find circumstances behind the
32 denial, refusal or revocation excusable if the applicant's actions did not
33 result in an unremedied hardship or danger or loss to the public. A
34 person who has been convicted of contracting without a license is not
35 eligible to obtain a license under this chapter for one year after the
36 date of the last conviction.

37 ~~E.~~ F. Before a license is issued, the qualifying party must:

38 1. Have a minimum of four years' practical or management trade
39 experience, at least two of which must have been within the last ten
40 years, dealing specifically with the type of construction, or its
41 equivalent, for which the applicant is applying for a license. Technical
42 training in an accredited college or university or in a manufacturer's
43 accredited training program may be substituted for a portion of such
44 experience, but in no case may credited technical training exceed two
45 years of the required four years' experience. The registrar of

1 contractors may reduce the four years' practical or management experience
2 requirement if in the registrar's opinion it has been conclusively shown
3 by custom and usage in the particular industry or craft involved that the
4 four-year requirement is excessive. The registrar shall waive the work
5 experience documentation and verification if the records reflect that the
6 qualifying party is currently or has previously been a qualifying party
7 for a licensee in this state in the same classification and meets all
8 other qualifications.

9 2. Successfully show, by written examination taken not more than
10 two years before application, if required, qualification in the kind of
11 work for which the applicant proposes to contract, the applicant's general
12 knowledge of the building, safety, health and lien laws of the state,
13 administrative principles of the contracting business and the rules
14 adopted by the registrar of contractors pursuant to this chapter,
15 demonstrate knowledge and understanding of construction plans and
16 specifications applicable to the particular industry or craft and of the
17 standards of construction work and techniques and practices in the
18 particular industry or craft and demonstrate a general understanding of
19 other related construction trades, in addition to any other matters as may
20 be deemed appropriate by the registrar to determine that the qualifying
21 party meets the requirements of this chapter.

22 3. SUCCESSFULLY SHOW PARTICIPATION IN A DIVISION OF OCCUPATIONAL
23 SAFETY AND HEALTH-APPROVED TRENCH SAFETY TRAINING COURSE.

24 ~~F.~~ G. The registrar shall maintain multiple versions of
25 examinations for each type of license that requires an examination. The
26 registrar shall waive the examination requirement if the records reflect
27 that the qualifying party is currently or has previously been a qualifying
28 party for a licensee in this state in the same classification within the
29 preceding five years.

30 ~~G.~~ H. A license may not be issued to a minor, to any partnership
31 in which one of the partners is a minor or to any corporation in which a
32 corporate officer is a minor.

33 ~~H.~~ I. Before receiving, renewing and holding a license pursuant to
34 this chapter, the registrar may require a license applicant or licensee to
35 submit to the registrar a full set of fingerprints and the fees required
36 in section 41-1750. The registrar shall submit the fingerprints and fees
37 to the department of public safety for the purpose of obtaining a state
38 and federal criminal records check pursuant to section 41-1750 and Public
39 Law 92-544. The department of public safety may exchange this fingerprint
40 data with the federal bureau of investigation.

41 J. FOR THE PURPOSES OF THIS SECTION, "COMPETENT PERSON" MEANS AN
42 INDIVIDUAL WHO IS KNOWLEDGEABLE ABOUT EXCAVATION STANDARDS AND ABLE TO
43 IDENTIFY HAZARDS AND WHO HAS THE AUTHORITY TO TAKE IMMEDIATE CORRECTIVE
44 ACTION.