

COMMITTEE ON COMMERCE

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HB 2035 (Chapter 251): cosmetology; omnibus

Replaces the *educator* position on ABOC with another *public member*. Modifies the age requirements to qualify for licensure and includes in the list of unlawful acts, teaching cosmetology related courses without a license. Creates a six-member House of Representatives *Study Committee on Cosmetic Lasers* and requires a report by January 1, 2017. Effective: August 6, 2016.

Click [here](#) for bill history.

HB 2114 (Chapter 231): declaration; independent business status

Establishes a new chapter of law titled *employment relationships* that details specific criteria for a declaration of independent business status form as an option to prove a rebuttable presumption of an independent contractor relationship between an employing unit and a contractor. Outlines exclusions and exceptions. Contains a severability clause and an applicability clause. Effective: August 6, 2016.

Click [here](#) for bill history.

HB 2127 (Chapter 246): prohibition; live dog racing

Effective January 1, 2017, prohibits live dog racing in Arizona. Modifies the requirements for a *simulcast agreement* between a live dog racing permittee and a horse racing facility. Authorizes a commercial dog racing permittee to use already earned hardship tax credits to reduce pari-mutuel taxes. Requires licensed county permittees to consent to wagering at an additional owned or leased facility until January 1, 2019. Directs Legislative Council to draft conforming legislation to the Arizona Revised Statutes for consideration during the next legislative session. Effective: August 6, 2016, except as noted.

Click [here](#) for bill history.

HB 2130 (Chapter 27): municipalities; counties; energy use; reporting

Repeals a law enacted last session and reinserts the verbiage into a separate section of law to prohibit any municipality or county from requiring business owners or tenants to report energy use, including energy consumption benchmarking and energy efficiency audits. Contains a *legislative findings* section. Effective: August 6, 2016.

Click [here](#) for bill history.

HB 2131 (Chapter 28): municipalities; counties; auxiliary containers; prohibitions

Repeals a law enacted last session and reinserts the language into a separate section of law to prohibit any municipality or county from regulating the sale, use or disposition of auxiliary containers. Contains a *legislative findings* section. Effective: August 6, 2016.

Click [here](#) for bill history.

HB 2132 (Chapter 36): lead acid battery sales; fees

Removes the current maximum refundable deposit for a lead acid battery and instead permits a seller to determine the amount of the refundable deposit. Effective: August 6, 2016.

Click [here](#) for bill history.

HB 2191 (Chapter 233): employee scheduling; preemption

Prohibits a city, town or county from adopting an ordinance or regulation that requires an employer to adjust an employee's work schedule, unless required by state or federal law. Prescribes exceptions and declares the related statewide concern. Effective: January 1, 2016.

Click [here](#) for bill history.

HB 2215 (Chapter 184): alcohol; director duties; surcharge reports

Instructs the director of DLLC to report to the board regarding the use of surcharge monies. Effective: August 6, 2016.

Click [here](#) for bill history.

HB 2222 (Chapter 185): employment security; omnibus

Modifies the UI appeals process, including filing/notification requirements and number of concurring board members in an appeals decision. Clarifies the work search requirements for benefit recipients. Transfers the authority of the State Apprenticeship Program from the ACA to DES. Retroactive to January 1, 2016, restores the exemption for employers who owe minimal quarterly UI contributions. Delays the repeal of the statute until January 1, 2017, which increased the contribution rate for employers who participate in the Shared Work Program. Effective: August 6, 2016 except as noted.

Click [here](#) for bill history.

HB 2259 (Chapter 236): mobile home removal; licensure; noncompliance

Requires a person removing a mobile home from a mobile home park to first obtain clearance from the landlord. Assesses a penalty for failure to comply. Authorizes disciplinary action if a licensee commits fraud during the sale, transfer or relocation of a mobile home. Effective: August 6, 2016.

Click [here](#) for bill history.

HB 2268 (Chapter 237): construction contracts; bonds; notice requirements

Clarifies the written preliminary 20-Day notice to a contractor may be sent first class mail with certificate of mailing, certified or registered mail. Confirms the written 90-Day notice may be given by any means that provides written, third-party verification of delivery. Contains a *legislative findings and intent* section. Effective: August 6, 2016.

Click [here](#) for bill history.

HB 2292 (Chapter 188): education qualifications; barber licenses

Designates a barber school as a postsecondary educational institution if the school meets the stated criteria. Instructs an applicant for licensure to submit to the Board, satisfactory evidence the person is at least 16 years old. Effective: August 6, 2016.

Click [here](#) for bill history.

HB 2304 (Chapter 253): mobile home parks; tree maintenance

Effective January 1, 2017, states the new tenant rental agreement must disclose any requirement to maintain trees located on the mobile home space and deems any change in an existing tenant's obligation as a substantial modification of the rental agreement. Stipulates that any new rule

adopted after the initial agreement is unenforceable if it imposes a reoccurring financial obligation to the tenant. Effective: June 1, 2016 except as noted.

Click [here](#) for bill history.

HB 2475 (Chapter 348): funeral establishments; procurement organizations

Details the transactions and relationships that are unlawful when a funeral director or employee has a direct proprietary or financial interest in a tissue or *organ procurement organization*. Effective: August 6, 2016.

Click [here](#) for bill history.

HB 2579 (Chapter 203): nonwage compensation; minimum wage

Redefines the term *wages* and establishes a definition for *minimum wage* as the nondiscretionary compensation given to an employee, including commissions but excluding tips and gratuities. Designates *nonwage compensation* in part as fringe benefits, welfare benefits, sick/vacation/severance pay and other amounts more than the minimum compensation due to an employee. Lists *nonwage compensation* as a matter statewide concern not subject to further regulation by any city, town or political subdivision of the state. Requires the Arizona Department of Labor to investigate all timely-filed *nonwage* claims. Effective: August 6, 2016.

Click [here](#) for bill history.

HB 2613 (Chapter 371): regulatory boards; licensing; revisions

Eliminates licenses for the following professions: assayer; citrus fruit packer; fruit and vegetable packer; driving instructor; and yoga instructor. Grants emeritus status to a qualified assayer. Authorizes a trained geologist and cremationist to practice without a license. Requires the ADOT director to adopt rules for commercial motor vehicle instructors by January 1, 2017. Directs ADOA to analyze the feasibility of transferring the nonhealth regulatory boards to a new division in that agency and submit a report as noted by September 1, 2016. Effective: August 6, 2016. Exempts Yoga instructors from licensure effective July 1, 2016.

Click [here](#) for bill history.

HB 2652 (Chapter 210): independent contractors; criteria

Establishes the criteria for an independent contractor relationship for employment purposes, including services to third parties obtained through electronic format. States exclusions. Effective: August 6, 2016.

Click [here](#) for bill history.

HB 2666 (Chapter 372): governor's economic opportunity office; consolidation

Creates the Office of Economic Opportunity (OEO) to encourage economic growth and prosperity for Arizona business, industry and commerce. Consolidates, replaces and renames several existing programs and funds for administration by OEO. Exempts OEO and its finance authority from rulemaking requirements for one year. Conditionally terminates OEO on July 1, 2023.

For FY 2017, directs the ACA to work with local and Tribal authorities to evaluate federal economic development grant opportunities for rural and small businesses. Beginning July 1,

2017, allocates monies to such rural and small businesses as well as those located on Tribal lands, if all requirements are met. Gives priority to projects as noted.

Prescribes repeal dates for each affected entity, fund and program. Transfers a prorated sum of \$568,700, plus any related appropriation in FY 2017 from the GF operating lump sum appropriation for ADOA to OEO. Exempts the monies from lapsing. Requires the director of ADOA to determine and allocate transfers. Effective: August 6, 2016, except as noted.

Click [here](#) for bill history.

SB 1056 (Chapter 17): recycled materials; purchase; agencies; repeal

Repeals the law pertaining to the mandatory purchase of recycled materials by state agencies and removes the mandate for ADOA to issue a related annual report. Effective: August 6, 2016.

Click [here](#) for bill history.

SB 1118 (Chapter 108): office of tourism; continuation

Continues AOT for six years, until July 1, 2022. Effective: August 6, 2016.

Click [here](#) for bill history.

SB 1119 (Chapter 142): board of technical registration; continuation

Continues BTR for eight years, until July 1, 2024. Effective: August 6, 2016.

Click [here](#) for bill history.

SB 1120 (Chapter 22): boxing commission; continuation

Continues the Boxing and Mixed Martial Arts Commission for two years, until July 1, 2018. Effective: August 6, 2016.

Click [here](#) for bill history.

SB 1193 (Chapter 336): real estate licenses; broker possession

Authorizes an electronic copy of a license to satisfy the ADRE possession requirement by a broker for a salesperson or associate broker license certificate. Details when a license may be disposed of rather than returned to ADRE. Effective: August 6, 2016.

Click [here](#) for bill history.

SB 1306 (Chapter 326): county development fees

Authorizes a county to assess development fees to offset the cost of providing necessary public services to a development based on the infrastructure improvements plan and outlines specifics. Specifies a two-year time period for any action to collect development fees, grandfathers existing assessments adopted for facilities financed before June 1, 2016, and specifies the use of development fees for projects financed thereafter. Effective: August 6, 2016.

Click [here](#) for bill history.

SB 1323 (Chapter 26): vexatious litigants; workers' compensation

Permits a chief administrative law judge to designate a pro se litigant as a vexatious litigant in a worker's compensation case. Defines *vexatious conduct*. Effective: August 6, 2016.

Click [here](#) for bill history.

SB 1362 (Chapter 315): mobile home; RV parks; prohibition

Prohibits a mobile home park rental agreement from requiring a tenant to place additional names on the title of a mobile home or recreational vehicle as a condition of tenancy. Authorizes a tenant to recover actual damages and void the agreement if a landlord deliberately uses prohibited provisions in a rental agreement for a recreational vehicle space. Effective: August 6, 2016.

Click [here](#) for bill history.

SB 1373 (Chapter 161): liquor omnibus

Permits a restaurant owner to dispense beer in refillable containers as outlined and revises the amount of beer that may be served on a boat at one time. Authorizes law enforcement to use the revenue from seized liquor for investigations. Modifies the requirements for sampling.

Eliminates a reporting requirement and redefines *repeated acts of violence*, *open container* and exempts a passenger in a transportation network vehicle from the laws pertaining to consumption and possession of liquor while in a vehicle. Effective: August 6, 2016.

Click [here](#) for bill history.

SB 1375 (Chapter 279): telephone solicitations

Changes the definition of *telephone solicitation* to include outbound calls to other states. Effective: August 6, 2016.

Click [here](#) for bill history.

SB 1381 (Chapter 76): wine; direct shipment

Repeals the present law for the direct shipment of liquor to consumers. Phases-in the annual direct shipment of wine (*9-liter bottles*) to a person. Outlines specific duties of the licensee, the shipping company delivery person and the customer. Grandfathers existing licensees for direct shipment purposes. Reiterates the Legislature's commitment to prevent the sale/delivery of alcohol to minors. Effective: August 6, 2016, except as noted.

Click [here](#) for bill history.

SB 1411 (Chapter 341): industries for blind; repeal; successor

Effective July 1, 2017, repeals the statutes for the Arizona Industries for the Blind (AIB) and establishes a successor private nonprofit corporation. Transfers all assets, unencumbered monies and liabilities from AIB to the nonprofit successor except for the real property, which will be leased to the successor. Effective: August 6, 2016, except as noted.

Click [here](#) for bill history.

SB 1420 (Chapter 327): industrial commission; compensation

Requires the governor to appoint an ICA Director. Allows the director discretionary authority to deny a per diem payment. Effective: August 6, 2016.

Click [here](#) for bill history.

SB 1487 (Chapter 35): state law; local violations; penalties

Requires the AG to investigate a regulation or other official action taken by the governing body of a local jurisdiction at the request of a legislator who alleges a violation of state law or the Arizona Constitution. Authorizes the State Treasurer to withhold state-shared revenues from an offending jurisdiction; however, if a violation is resolved, the distribution resumes as noted. Prescribes the circumstances under which the monies will not be withheld. Effective: August 6, 2016.

Click [here](#) for bill history.

SB 1501 (Chapter 114): Arizona commerce authority; continuation; report

Continues the ACA for two years until July 1, 2018 and implements the recommendations of the OAG resulting from the Performance Audit and Sunset Review process. Requires the ACA to annually report the progress toward its goals for job creation and capital investment as outlined. Directs the ACA to implement written policies and procedures to document decisions. Considers all compensation of ACA officers and employees a public record. Effective: August 6, 2016.

Click [here](#) for bill history.

SB 1524 (Chapter 209): regulatory actions; limitation

Prohibits a city, town, county or state agency from taking any new action to increase the regulatory burden on an individual or business unless there is an urgent need not already addressed by legislation or self-regulation in the proposed field. Prohibits the imposition of a new regulation on a business using an electronic platform that allows people to offer goods or services to the public or each other, if the purpose is to regulate such a business. Requires a threat to the health, safety and welfare of the public in order for new legislation to be enacted. Effective: August 6, 2016.

Click [here](#) for bill history.