

House Engrossed

~~home solicitation sales~~
(now: sales; home solicitation)

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HOUSE BILL 2228

AN ACT

AMENDING SECTION 44-5001, ARIZONA REVISED STATUTES; RELATING TO HOME SOLICITATIONS AND REFERRAL SALES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 44-5001, Arizona Revised Statutes, is amended to
3 read:
4 44-5001. Definitions
5 In this chapter, unless the context otherwise requires:
6 1. "Home solicitation sale":
7 (a) Means a sale of goods or services in which the seller or the
8 seller's representative personally solicits the sale **WITHOUT PRIOR**
9 **INVITATION, APPOINTMENT OR CONSENT** and the buyer's agreement or offer to
10 purchase is made at a home other than that of the person soliciting the
11 same and that agreement or offer to purchase is there given to the seller
12 or the seller's representative.
13 (b) Includes a cash sale that otherwise meets the definition of a
14 home solicitation sale if the seller makes or provides a loan to the buyer
15 or obtains or assists in obtaining a loan for the buyer to pay the
16 purchase price.
17 (c) Does not include a sale that is pursuant to a preexisting
18 account with a seller whose primary business is selling goods or services
19 at a fixed location or that is made pursuant to prior negotiations between
20 the parties at a business establishment at a fixed location where goods or
21 services are offered or exhibited for sale.
22 2. "Person":
23 (a) Includes a corporation, company, partnership, firm,
24 association, society or natural person.
25 (b) When used to designate the party whose property may be the
26 subject of a criminal or public offense, includes the United States, this
27 state or any territory, state or country, any political subdivision of
28 this state that may lawfully own any property, or a public or private
29 corporation, partnership or association.
30 (c) When used to designate the violator or offender of any law,
31 includes a corporation, a partnership or any association of persons.