

REFERENCE TITLE: call center relocation; notice; penalty.

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SB 1215

Introduced by
Senators Gabaldón: Alston, Diaz, Hatathlie, Hernandez, Miranda,
Sundareshan, Terán, Mendez

AN ACT

AMENDING TITLE 44, ARIZONA REVISED STATUTES, BY ADDING CHAPTER 29;
RELATING TO BUSINESS RELOCATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 44, Arizona Revised Statutes, is amended by adding
3 chapter 29, to read:

4 CHAPTER 29

5 CALL CENTER RELOCATION

6 ARTICLE 1. GENERAL PROVISIONS

7 44-7201. Definitions

8 IN THIS CHAPTER, UNLESS THE CONTEXT OTHERWISE REQUIRES:

9 1. "AGENCY" MEANS A DEPARTMENT OR AGENCY OF THE EXECUTIVE BRANCH OF
10 STATE GOVERNMENT.

11 2. "EMPLOYER" MEANS A BUSINESS ENTITY THAT EMPLOYS EITHER OF THE
12 FOLLOWING FOR THE PURPOSE OF CUSTOMER SERVICE OR BACK OFFICE OPERATIONS:

13 (a) FIFTY OR MORE EMPLOYEES, EXCLUDING PART-TIME EMPLOYEES.

14 (b) FIFTY OR MORE EMPLOYEES WHO IN THE AGGREGATE WORK AT LEAST ONE
15 THOUSAND FIVE HUNDRED HOURS PER WEEK, NOT INCLUDING OVERTIME HOURS.

16 3. "PART-TIME EMPLOYEE" MEANS AN EMPLOYEE WHO IS EMPLOYED FOR AN
17 AVERAGE OF FEWER THAN TWENTY HOURS PER WEEK OR WHO HAS BEEN EMPLOYED FOR
18 FEWER THAN SIX OF THE TWELVE MONTHS PRECEDING THE DATE ON WHICH NOTICE IS
19 REQUIRED.

20 44-7202. Call center relocation; notification; civil penalty

21 A. AN EMPLOYER THAT INTENDS TO RELOCATE A CALL CENTER FROM THIS
22 STATE TO ANOTHER STATE OR TO A FOREIGN COUNTRY SHALL NOTIFY THE DIRECTOR
23 OF THE DEPARTMENT OF ECONOMIC SECURITY OF THAT INTENTION AT LEAST ONE
24 HUNDRED TWENTY DAYS BEFORE THE RELOCATION. FOR THE PURPOSES OF THIS
25 SUBSECTION, "CALL CENTER" INCLUDES A CALL CENTER OR ONE OR MORE FACILITIES
26 OR OPERATING UNITS WITHIN A CALL CENTER THAT COMPRISE AT LEAST THIRTY
27 PERCENT OF THE CALL CENTER'S OR OPERATING UNIT'S TOTAL VOLUME WHEN
28 MEASURED AGAINST THE PREVIOUS TWELVE-MONTH AVERAGE CALL VOLUME OF
29 OPERATIONS OR SUBSTANTIALLY SIMILAR OPERATIONS.

30 B. AN EMPLOYER THAT VIOLATES THIS SECTION IS SUBJECT TO A CIVIL
31 PENALTY NOT TO EXCEED \$10,000 FOR EACH DAY OF THE VIOLATION, EXCEPT THAT
32 THE DIRECTOR OF THE INDUSTRIAL COMMISSION OF ARIZONA MAY REDUCE THE AMOUNT
33 FOR JUST CAUSE.

34 44-7203. Semiannual employer list; distribution

35 A. THE DIRECTOR OF THE DEPARTMENT OF ECONOMIC SECURITY SHALL
36 COMPILE A SEMIANNUAL LIST OF ALL EMPLOYERS THAT RELOCATE A CALL CENTER
37 FROM THIS STATE TO ANOTHER STATE OR TO A FOREIGN COUNTRY. THE LIST SHALL
38 INCLUDE THE NAME OF THE EMPLOYER AND THE DATE ON WHICH THE CALL CENTER WAS
39 RELOCATED. FOR THE PURPOSES OF THIS SUBSECTION, "CALL CENTER" INCLUDES A
40 CALL CENTER OR ONE OR MORE FACILITIES OR OPERATING UNITS WITHIN A CALL
41 CENTER THAT COMPRISE AT LEAST FORTY PERCENT OF THE CALL CENTER'S TOTAL
42 VOLUME OF OPERATIONS.

43 B. THE DIRECTOR OF THE DEPARTMENT OF ECONOMIC SECURITY SHALL
44 DISTRIBUTE THE LIST REQUIRED IN THIS SECTION TO ALL AGENCIES.

