

REFERENCE TITLE: technical correction; contractors; complaints

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

SB 1463

Introduced by
Senator Shope

AN ACT

AMENDING SECTION 32-1155, ARIZONA REVISED STATUTES; RELATING TO
CONTRACTORS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 32-1155, Arizona Revised Statutes, is amended to
3 read:

4 32-1155. Filing of complaint; resolution of complaint;
5 service of notice; failure to answer; prohibited
6 citations

7 A. On the filing of a written complaint with the registrar charging
8 a licensee with the commission of an act that is cause for suspension or
9 revocation of a license, including an act that is in violation of title
10 44, chapter 11, article 11, the registrar after investigation, in its sole
11 discretion, may issue a citation directing the licensee, within ten days
12 after service of the citation on the licensee, to appear by filing with
13 the registrar the licensee's written answer to the citation and complaint
14 showing cause, if any, why the licensee's license should not be suspended
15 or revoked. The complaint must be filed within the statute of limitations
16 prescribed by SECTION 32-1162.

17 B. Service of the citation on the licensee is fully effected by
18 personal service or by mailing a true copy ~~thereof~~ OF THE CITATION,
19 together with a true copy of the complaint, by certified mail in a sealed
20 envelope with postage prepaid and addressed to the licensee at the
21 licensee's latest address of record in the registrar's office. Service of
22 the citation and complaint is complete at the time of personal service or
23 five days after deposit in the mail.

24 C. Failure of the licensee to answer within ten days after service
25 may be deemed an admission by the licensee of the licensee's commission of
26 the act or acts charged in the complaint, and the registrar may then
27 suspend or revoke the licensee's license unless the registrar determines,
28 in its sole discretion, that the failure to answer within such period is
29 attributable to excusable neglect on the part of the licensee.

30 D. The registrar may not issue a citation for failure to perform
31 work in a professional and workmanlike manner or in accordance with any
32 applicable building codes and professional industry standards if either:

33 1. The contractor is not provided an opportunity to inspect the
34 work within fifteen days after receiving a written notice from the
35 registrar.

36 2. The contractor's work has been subject to neglect, modification
37 or abnormal use.

38 E. Notwithstanding subsection D of this section, the registrar may
39 investigate the complaint without waiting fifteen days.