

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-seventh Legislature - Second Regular Session

COMMITTEE ON COMMERCE

Report of Regular Meeting
Tuesday, February 3, 2026

House Hearing Room 5 -- 2:00 P.M. OR UPON RECESS OR ADJOURNMENT OF FLOOR

Convened 2:06 P.M.

Recessed

Reconvened

Adjourned 6:47 P.M.

RECEIVED
CHIEF CLERKS OFFICE

FEB 04 2026

Members Present

Representative Aguilar
Representative Blackman
Representative Carter
Representative Cavero
Representative Connolly
Representative Diaz
Representative Hendrix
Representative Villegas
Representative Wilmeth
Representative Way, Vice-Chairman
Representative Weninger, Chairman

Members Not Present

Agenda

Original Agenda – Attachment 1

Request to Speak

Report – Attachment 2

Committee Attendance

Report – Attachment 3

Presentations

Name

Organization

Attachments (Handouts)

Committee Action

Bill

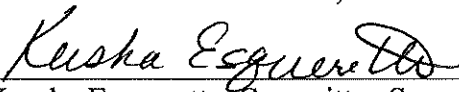
Action

Vote

Attachments

HB2181	DPA	6-4-1-0	4, 5, 6
HB2682	DP	7-4-0-0	7, 8, 9
HB2698	DP	7-4-0-0	10, 11
HB2476	DP	11-0-0-0	12, 13, 14
HB2308	DP	8-0-3-0	15, 16
HB2118	DPA	7-4-0-0	17, 18, 19, 20
HB2309	DPA	5-3-3-0	21, 22, 23

HB2875	DP	10-1-0-0	24, 25
HB2402	DP	10-1-0-0	26, 27
HB2903	DP	8-3-0-0	28, 29
HB2877	DPA	11-0-0-0	30, 31, 32
HB2910	HELD		33, 34



Keesha Esquerette, Committee Secretary
February 4, 2026

(Original attachments on file in the Office of the Chief Clerk; video archives available at <http://www.azleg.gov>)

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-seventh Legislature - Second Regular Session

Convened 2:06 PM
Adjourned 6:47 PM

REGULAR MEETING AGENDA

COMMITTEE ON COMMERCE

DATE Tuesday, February 3, 2026

ROOM HHR 5

TIME 2:00 P.M. or upon recess or adjournment of Floor

Members of the public may access a livestream of the meeting here:

<https://www.azleg.gov/videooplayer/?clientID=6361162879&eventID=2026021008>

Members:

Representative Aguilar
Representative Blackman
Representative Carter N
Representative Cavero

Representative Connolly
Representative Diaz
Representative Hendrix
Representative Villegas

Representative Wilmeth
Representative Way, Vice-Chairman
Representative Weninger, Chairman

Bills

Short Title

Strike Everything Title

*[HB2118](#)

DPA mobile food vendors; licensure
(Carter N)

S/E: same subject

7-4-0-0 COM held 0-0-0-0-0, RULES

[HB2174](#)

X insurance; modeling organizations; predictive models
(Livingston; Blackman)
X COM, RULES

[HB2181](#)

DPA death certificates; funeral establishments; timeline
(Willoughby)

6-4-1-0 COM, RULES

[HB2271](#)

X insurers covering firefighters; rate deviation
(Livingston)
X COM, RULES

[HB2308](#)

DP dental insurers; dental practice; prohibition
(Weninger)

8-0-3-0 COM, RULES

[HB2309](#)

DPA earned wage access; providers; license
(Weninger)

5-3-3-0 COM, RULES

[HB2402](#)

DP ambulance services; certificates of necessity
(Willoughby)

10-1-0-0 COM, RULES

Bills	Short Title	Strike Everything Title
HB2476	<u>DP</u> certified public accountants; certification; alternative. <u>11-0-0-0</u> (Livingston) COM, RULES	
HB2682	<u>DP</u> rental assistance program; appropriation (Hernandez A: Hernandez C, Hernandez L, et al) <u>7-4-0-0</u> COM, APPROP, RULES	
HB2698	<u>DP</u> rental assistance study committee (Hernandez A) <u>7-4-0-0</u> COM, RULES	
HB2875	<u>DP</u> local regulation; prohibition; unmanned aircraft (Weninger) <u>10-1-0-0</u> COM, RULES	
HB2877	<u>DPA</u> timeshare salespersons; licensure (Weninger) <u>11-0-0-0</u> COM, RULES	
HB2903	<u>DP</u> social credit; use; prohibition (Montenegro) <u>8-3-0-0</u> COM, RULES	
HB2910	<u>Held</u> registrar of contractors; administrative recovery (Hendrix) COM, RULES	

ORDER OF BILLS TO BE SET BY THE CHAIRMAN

* On previous agenda

RA
VC
RA
01/27/2026
01/28/2026
01/30/2026
02/02/2026

People with disabilities may request reasonable accommodations such as interpreters, alternative formats, or assistance with physical accessibility. If you require accommodations, please contact the Chief Clerk's Office at (602) 926-3032 or through Arizona Relay Service 7-1-1.



COMPLETE FORM FOR PUBLIC RECORD

STATE OF ARIZONA
HOUSE OF REPRESENTATIVES

REQUEST TO SPEAK

Committee on Commerce Date: 02/03/26 Bill Number: HB 2309

Name: Nancy Coleman-Chavez | ☒ Support ☐ Oppose ☐ Neutral | Need to Speak: ☒ Yes ☐ No

Representing: Daily Pay, LLC. Registered Lobbyist ☐ Yes ☒ No

Address: 55 Water Street City/State: NY Zip Code: 10041

Email Address: nancy.coleman-chavez@daily-pay.com Phone Number: 8583497700

Comments: We support HB 2309.

SPEAKING TIME DETERMINED BY THE CHAIRMAN



COMPLETE FORM FOR PUBLIC RECORD

STATE OF ARIZONA
HOUSE OF REPRESENTATIVES

REQUEST TO SPEAK

Committee on Commerce Date: 2/3/20 Bill Number: HB 2309

Name: Ben LaRocco | ☒ Support ☐ Oppose ☐ Neutral | Need to Speak: ☒ Yes ☐ No

Representing: Earn In Registered Lobbyist ☐ Yes ☒ No

Address: 663 Maryland Ave NE City/State: Washington DC Zip Code: 20002

Email Address: Ben.LaRocco@Egwin.com Phone Number: 614-517-4543

Comments: _____

SPEAKING TIME DETERMINED BY THE CHAIRMAN



SENATE COMMITTEE SPEAKER SLIP

Date: 02-03-20

Committee: House

Agenda item: hb2118

Name: Hernan Rivera

Are you a lobbyist: Yes ☐

No ☒

If yes, representing: _____

Support: ☐

Oppose: ☒

Neutral ☐

Do you wish to speak? Yes ☒

No ☐

If necessary ☐

Comments: I'm a restaurant owner and
I'm against it



SENATE COMMITTEE SPEAKER SLIP

Date: 02-03-26

Committee: House

Agenda item: HB2118

Name: Aureliano Dominguez

Are you a lobbyist: Yes No X

If yes, representing: Self (

Support: Oppose: ✓ Neutral

Do you wish to speak? Yes ✓ No If necessary

Comments:



COMPLETE FORM FOR PUBLIC RECORD

STATE OF ARIZONA
HOUSE OF REPRESENTATIVES

REQUEST TO SPEAK

Committee on Rules Date: 2/3/26 Bill Number: HB 2118

Name: Kristi Lane | ☒ Support ☐ Oppose ☐ Neutral | Need to Speak: ☒ Yes ☐ No

Representing: San Tan Hotdogs, LLC Registered Lobbyist ☐ Yes ☒ No

Address: 28203 N. Welton PL City/State: SanTanValley Zip Code: 85143

Email Address: santanhotdogs@gmail.com Phone Number: (206) 310-2548

Comments: _____

SPEAKING TIME DETERMINED BY THE CHAIRMAN



COMPLETE FORM FOR PUBLIC RECORD

STATE OF ARIZONA
HOUSE OF REPRESENTATIVES

REQUEST TO SPEAK

Committee on Commerce Date: 2/3 Bill Number: 2682
Name: GRACE URIAS ☒ Support ☐ Oppose ☐ Neutral | Need to Speak: ☒ Yes ☐ No
Representing: SELF Registered Lobbyist ☐ Yes ☒ No
Address: _____ City/State: TUCSON Zip Code: 85701
Email Address: _____ Phone Number: _____
Comments: will do it is spanish.

SPEAKING TIME DETERMINED BY THE CHAIRMAN

Information Registered on the Request to Speak System

House Commerce (2/3/2026)

HB2118, mobile food vendors; licensure

Oppose:

Salvador Reza, representing self; Aureliano Dominguez, representing self; Marshall Pimentel, LEAGUE OF ARIZONA CITIES & TOWNS; Eric Emmert, East Valley Chambers Of Commerce Alliance ; Tom Dorn, City Of Phoenix; jacqueline Johnson, representing self; Mike Gardner, SHOW LOW, CITY OF; Robert Aldous, CASA GRANDE, CITY OF; Margie Gomez, representing self; Leigh Marino, City Of Cottonwood; Sara Sparman, "SCOTTSDALE, CITY OF "

All Comments:

Salvador Reza, Self: Unfair business practices against established business which pay property taxes. Also takes away local control from cities and counties to address vendor disputes through their zoning regulations.; Aureliano Dominguez, Self: it creates unsafe environment for both,vendors and communities; Margie Gomez, Self: This is another example of GOP state officials seeking control over cities and counties. While they deplore the feds dictating laws for states, they turn around and do the same for the cities and counties within their state. STOP OVERREACHING.

HB2181, death certificates; funeral establishments; timeline

Support:

Sandy Greenley , representing self; Marilyn Crosby, representing self

Oppose:

Ruth Carter, representing self

HB2308, dental insurers; dental practice; prohibition

Support:

Ryan Sullivan, Arizona Dental Association; Jason Barraza, Associate Director, Arizona Dental Association; Julie Hoffman , representing self; Edie Lefevre, Arizona Dental Association; Ruth Carter, representing self; Regina Cobb, representing self

Oppose:

Marc Osborn, Delta Dental Of Arizona; Gibson McKay, Arizonans For Affordable Health Coverage; Daniel Romm, Delta Dental Of Arizona

All Comments:

Ryan Sullivan, Arizona Dental Association: .; Regina Cobb, Self: Az.Dental Association

HB2309, earned wage access; providers; license

Support:

Don Isaacson, EARNIN; Marie Isaacson, EARNIN; Bill Ruiz, representing self; Leo Garcia, representing self; tahra hoops, representing self; Ashley Urisman, representing self; Ashley Urisman, representing self; Jonathan Dailey, representing self; Mike Huckins, GREATER PHOENIX CHAMBER OF COMMERCE; Bob Charles, DAILYPAY

Neutral:

Fausto Burruel, AZ DEPT. OF INSURANCE AND FINANCIAL INSTITUTIONS; Nick Debus, AZ ATTORNEY GENERAL'S OFFICE

Oppose:

Victor Peterson, representing self; Mary Ryan, SOUTHWEST CENTER FOR ECONOMIC INTEGRITY; Glenn Sollers, representing self; Hugo Polanco, UNIDOSUS; Briona Parkinson, AFSCME INTERNATIONAL; Drew Schaffer, WM E MORRIS INSTITUTE FOR JUSTICE; Jodi Paulsen, representing self; Dave Long, representing self; Judith Simons, representing self; David Lucier, representing self; Sandra Kravetz, representing self; Rebecca Smith Gross, representing self; Ann Machek, representing self; Frank Machek, representing self; Maria Salvucci, representing self; Kevin Brown, representing self; Eve Shapiro, representing self; Jeanne Casteen, representing self; Mariana Spier, representing self; Alisa McMahon, representing self; Michael Fiflis, representing self; Dianne Post, AZ NATIONAL ORGANIZATION FOR WOMEN (NOW), Self; Carol Maas, representing self; Sherrilynn James, representing self; Molly McGovern, representing self; jacqueline Johnson, representing self; Daniella Smith, Arizona Coalition For Working Families; Bryna Koch, representing self; Katherine Doman Sheydayi, representing self; Elizabeth Schauer, representing self; Gail Kamaras, representing self; Charlie Silver, representing self; Barbara Hutchinson, representing self; Susan Morris, representing self; Brent Gibbs, representing self; Brenda Nelson, representing self; Christine Keitges, representing self; Sharon Lee, representing self; Linda Edwards, representing self; Kathy Fraser, representing self; David Staricha, representing self; Janet Senf, representing self; Kathy Pyner, representing self; Jocelyn Dustan, representing self; Joan Murphy, representing self; Penny Boone, representing self; Ralph Meredith, representing self; Gayle Meredith, representing self; Valerie Policastro Edie, representing self; Margaret Adams, representing self; Amy Etzkorn, representing self; Mariette Francis, representing self; Martha O'Connor, representing self; Kathleen Dubbs, representing self; John Bower, representing self; Rebecca Scotney, representing self; Katherine Warren, representing self; Mary-Jeanne Fincher, representing self; Matthew Nelson, representing self; Francesca Pardes, representing self; Roxanna Kearns, representing self; William S. James, representing self; Jo Ann Caruthers, representing self; Misty Arthur, representing self; Dawn Schumann, TEAMSTERS LOCAL UNION 104; Edna Weigel, representing self; Mary Ganapol, representing self; Steve Gorman-Hackstadt, representing self; Carolyn Watson, representing self; Rebecca Haynes, representing self; Mary Nelson, representing self; Susan Phelps, representing self; Kristen Abrahamson, representing self; Marie Thearle, representing self; Bart James, representing self; Cassandra Morano, representing self; Melinda Iyer, representing self; Christina Bustos, representing self; Kathryn Anderson, representing self; Charlotte Lis, representing self; Carol Fiore, representing self; William Yohey, representing self; Deborah North, representing self; Barbara Larson, representing self; Carol Garnett, representing self; Jennifer Dawson, representing self; Chris Ahearn, representing self; Patricia Edelen, representing self; Linda Block, representing self; Paula Van Derven, representing self; Amy Gaiennie, representing self; Jean Meconi, representing self; Allison Jackson, representing self; Maria Hidalgo, representing self; Harold Bergsma, representing self; ALICE BUCK, representing self; Loretta O'Connor, representing self; Mary Keerins, representing self; Cynthia Wagner, representing self; Nancy Hancock, representing self; Kathleen Schanus-Gohl, representing self; Nelson Morgan, representing self; Judith Lohr, representing self; Erica Hansen, representing self; Roger Blain, representing self; Gary Townsend, representing self; Angela Buer,

representing self; Leslie Stallcop, representing self; Margaret Tinsley, representing self; Jacqueline deSa, representing self; William Bowlus-Root, representing self; Jordan Greenslade, UNITE HERE! LOCAL 11; Alice Christianson, representing self; Libby Stortz, representing self; Frederick James, representing self; Salie Travis, representing self; Christopher Cerrato, representing self; Marilyn Murov, representing self; Pamela Chittenden, representing self; Devon Sloan, representing self; Eden Winget, representing self; Zinah Burke, representing self; Karen Brown, representing self; STACEY NORDWALL, representing self; Cheryl Benefield, representing self; Gina Gral, representing self; Suzanne Zimmerman, representing self; Leonora Midgley, representing self; Lisa Maczura, representing self; Jerrold Borchardt, representing self; Susan Matheson, representing self; Valarie Bryant, representing self; Dianna DiMaggio, representing self; Mona Nance, representing self; Rivko Knox, representing self; Sharon Ehrlich, representing self; Terri Farneti, representing self; Ann Lebert, representing self; Carol Rohe, representing self; Marcia Tingley, representing self; Barbara Dompe, representing self; Barbara Jones, representing self; Patricia Brunner, representing self; Lacy Bangert, representing self; Janet Lewis-Weaver, representing self; Tiffany Rogers, representing self; Judy Wilkening, representing self; Brent Rogers, representing self; Kristina Hakanson, representing self; Sarah Bihms LD29, representing self; Jan Allen, representing self; Jonathan Brechner, representing self; Sharon Arnst, representing self; Lisa Koenig, representing self; Vanessa Hill-Fromm, representing self; Felisa Gilley, representing self; Mary Rose, representing self; Christa Trexler, representing self; Mike Kunnecke, representing self; JOHN FIENE, representing self; Ken Jones, representing self; Sarah Lee-Davisson, representing self; Greg Olszta, representing self; Dieter Knecht, representing self; John Cummings, representing self; JoAnn McCay, representing self; LINDA GANTVERG, representing self; Ashka Atodaria, representing self; Allen Brown, representing self; Don Howard, representing self; Melinda Bell, representing self; Nadya Laliberte, representing self; Eric Kadel, representing self; Anita Howard, representing self; Sandra Stark, representing self; Kathleen Woessner, representing self; Rebecca Shook, representing self; Jillian Ryan, representing self; Sally Evans, representing self; Jane Jackson, representing self; Barbara Lucas, representing self; Sery Johnson, representing self; Helen Abrahamson, representing self; Paige Spencer, representing self; Janie Smieszek, representing self; Marin Lersch, representing self; RITA DEPUYDT, representing self; Kristan Larson, representing self; Amy Gosla, representing self; Alicia Messing, representing self; Lance Shout, representing self; Aaron Essif, representing self; Cole Libera, WILDFIRE; Susan Bowen, representing self; Marcella Deluca, representing self; Jane Johnson, representing self; Nancy Ray, representing self; Nancee K Wood, representing self; Joseph Palomino, THE ARIZONA CENTER FOR ECONOMIC PROGRESS; Kathryn Dorn, representing self; Jeanmarie Haney, representing self; Christine Cielens, representing self; Veronica Branscomb, representing self; Tyler Stein, Rural Arizona Action (RAZA); Alison Danis, representing self

All Comments:

Leo Garcia, Self: On behalf of the Financial Technology Association; Ashley Urisman, Self: on behalf of the American Fintech Council; Victor Peterson, Self: As a retired Senior Military NCO, I believe this legislation could have a drastic effect on younger military members who are already strapped for money, For them to get tied into one of these loans and have difficulty paying it back could ruin them.; Mary Ryan, SOUTHWEST CENTER FOR ECONOMIC INTEGRITY: This is a bill payday loan bill. AZ voters overwhelmingly voted NO to payday loans.; Glenn Sollers, Self: The actual borrowing rate under this bill would exceed 300% per year, hurting vulnerable families who struggle to make ends meet.; Briona Parkinson, AFSCME INTERNATIONAL: Would like to speak; Drew Schaffer, WM E MORRIS INSTITUTE FOR JUSTICE: The William E. Morris Institute for Justice ("MIJ") opposes the re-introduction of legalized payday lending in Arizona.; Jodi Paulsen, Self: Why do you want to allow these predatory lenders to be even more venomous to already struggling Arizonans? This HURTS Arizonans, not HELPS them.; Judith Simons, Self: Just another attempt to legitimize predatory payday loans. This is unconscionably harmful to low income workers.; David Lucier, Self: This bill will have a monumentally negative effect on Arizona Veterans, service members and their families. As a Veteran, i am diametrically opposed to its passage.; Alisa McMahon, Self: A 36% rate "cap" is

already egregiously high. This bill becoming law would be good only for predatory lenders and lawmakers who receive contributions from them.; Michael Ffilis, Self: This bill would open the door to predatory lending to the most financially vulnerable by exempting payday loans from the AZ Consumer Lender Act – one of the items that Act was intended to eliminate.; Gail Kamaras, Self: Payday loans are legal loansharking. This bill is disgraceful.; Charlie Silver, Self: This is predatory lending.; Susan Morris, Self: Extortionate payday loans are bad enough. Calling them something else to avoid caps on interest rates is just low.; Brenda Nelson, Self: This proposed legislation would hurt vulnerable families by hugely increasing the borrowing rate. OPPOSE; David Staricha, Self: Not a good solution for an already predatory industry. This will only hurt working class families further. We need more regulation here and not less.; Janet Senf, Self: Consider taxing the rich instead of taking money from those who can least afford it.; Penny Boone, Self: NO! The actual borrowing rate under this bill will exceed 300%/year, hurting vulnerable families who struggle to make ends meet. NO!; Valerie Policastro Edie, Self: and the average person is raked over the coals again-; Martha O'Connor, Self: Disguises payday loans as an "earned wage advance," making them a predatory lending "product" and not a "loan" to get around Arizona's Consumer Lender Act and its 36% rate cap on small-dollar loans. Hurts vulnerable families; Kathleen Dubbs, Self: Who benefits from this bill?; Mary-Jeanne Fincher, Self: Legalized usury and blatant exploitation!; Francesca Pardes, Self: Too many Arizonans have fallen prey to predatory payday loan companies. To disguise these loans as an "earned wage advance" making it a lending "product" to avoid Arizona's Consumer Lender Act's 36% rate cap on small loans, hurts vulnerable families.; Roxanna Kearns, Self: Payday loans are predatory lending not an "earned wage advance." The actual borrowing rate under this bill would exceed 300% per year.; Misty Arthur, Self: AFT-AZ, along with AFT National, oppose this bill.; Dawn Schumann, TEAMSTERS LOCAL UNION 104: This bill is a payday lending bill that would hurt workers.; Carolyn Watson, Self: This is a pay day loan and nothing more, except the bill attempts to inflate the interest rate.; Rebecca Haynes, Self: A disguise for payday loans to enable even more of a rip-off. The actual borrowing rate under this bill would exceed 300% per year, hurting vulnerable families who struggle to make ends meet.; Kristen Abrahamson, Self: This bill would exempt predatory payday loans from an interest rate cap by just changing the name of the loan. This is not a bill for Arizonans.; William Yohey, Self: Pawn shops would love this bill.; Deborah North, Self: This bill helps legitimize the payday loan industry and is a special interest bill that will take advantage of vulnerable individuals. Please vote no.; Carol Garnett, Self: It's a loan by a predatory company and not coming from the employer. This is false information leading people to believe something that is not true.; Jennifer Dawson, Self: actual borrowing rate under this bill would exceed 300% per year. This is an end-run around Consumer Lending Act. Shameful.; Chris Ahearn, Self: Please oppose. This bill is simply a payday loan bill that hurts working people who are desperate to just put food on the table, keep a roof over their heads and clothe their children. They deserve better. Thank you.; Patricia Edelen, Self: This bill is the epitome of predatory loans - with the actual borrowing rate reaching 300% per year! Way to punish families who are living pay check to pay check and might need a loan for an emergency. Shame.; Linda Block, Self: This bill will hurt vulnerable families who use desperate means to find funding to provide basic family needs. The result will be leading them to heavy debt loads they will not be able to repay. This is predatory lending in disguise.; Amy Gaiennie, Self: I strongly oppose this bill! This legislation disguises "payday loans" to get around Arizona's Consumer Lending Act and its 36% rate cap on small-dollar loans. The borrowing rate will exceed 300% per year. It boggles the mind! What is the bill going; Jean Meconi, Self: predatory lending; Allison Jackson, Self: Leave poor people alone.; Mary Keerins, Self: This is an attempt to get around Arizona's Consumer Lender Act and its 36% rate cap on small-dollar loans. The actual borrowing rate under this bill would exceed 300% per year, hurting vulnerable families who struggle to make ends meet. Oppose; Cynthia Wagner, Self: This bill would disguise payday loans as an "earned wage advance," making them a predatory lending "product" and not a "loan" to get around Arizona's Consumer Lender Act and its 36% rate cap on small-dollar loans.; Nelson Morgan, Self: Enabling predatory loan practices will hurt people.; Roger Blain, Self: Terrible predatory lending bill.; Gary Townsend, Self: The actual borrowing rate under this bill would exceed 300% per year, hurting vulnerable families who struggle to make ends meet.; Angela Buer, Self: By

redefining loans as "products," this bill strips away essential protections under the Consumer Lender Act. Do NOT allow predatory lenders to exploit "tips" and fees to hide true borrowing costs that often exceed 300% annually. I OPPOSE.; Margaret Tinsley, Self: What a way to hurt wage-earning Arizonans. Don't do this to them. Please vote no.; Jacqueline deSa, Self: The actual borrowing rate under this bill would exceed 300% per year, hurting vulnerable families who struggle to make ends meet.; Alice Christianson, Self: I wonder how many payday loan companies contribute to this legislator's fund. They are predatory and need to be confined to the 36% rate cap. Help your constituents out and not allow this.; Salie Travis, Self: This proposal does nothing to help Arizona families!; Pamela Chittenden, Self: A predatory lending ploy; Karen Brown, Self: Payday lenders are the worst kind of predators. The current 36% rate cap is already far too high. Strongly Oppose!; Lisa Maczura, Self: A PRO-POVERTY bill that supports naked greed? No thanks.; Jerrold Borchardt, Self: Am I correct ... I can't be ... that this bill favors predatory lending? Yes? I oppose this terrible bill!; Marcia Tingley, Self: Actual borrowing rate under this bill would exceed 300% per year, hurting vulnerable families who struggle to make ends meet.; Patricia Brunner, Self: Would make payday loans predatory with an 300% borrowing rate. Hurts the poorest of the poor.; Sarah Bihms LD29, Self: Disguising payday loans with 300% interest traps families in debt. Predatory lending hurts kids at home.; Jonathan Brechner, Self: Does Weninger own a payday loan business? It hurts vulnerable families...; Vanessa Hill-Fromm, Self: The actual borrowing rate under this bill would exceed 300% per year, hurting vulnerable families who struggle to make ends meet.; JOHN FIENE, Self: A measure designed to get around AZ's Consumer Lending Act. It would benefit loan sharks, and punish payday loan users. LD1 voter; Greg Olszta, Self: Disguise payday loans as an "earned wage advance," making them a predatory lending "product" and not a "loan" to get around Arizona's Consumer Lender Act and its 36% rate. The actual borrowing rate under this bill would exceed 300% per year.; John Cummings, Self: Sounds like a terrible idea; JoAnn McCay, Self: Protect vulnerable families - keep payday loans under Arizona's Consumer Lender Act.; Allen Brown, Self: I oppose HB2309. If payday loans can be classified as an earned wage advance, then all loans should be classified as such. Please vote NO on HB2309.; Jillian Ryan, Self: Would disguise payday loans as an "earned wage advance," making them a predatory lending "product" and not a "loan" to get around Arizona's Consumer Lender Act and its 36% rate cap on small-dollar loans.; Barbara Lucas, Self: disguise payday loans as an "earned wage advance," making them a predatory lending "product" and not a "loan" to get around Arizona's Consumer Lender Act and its 36% rate cap on small-dollar loans. No thanks; Paige Spencer, Self: We already established that Arizonans don't like predatory lending practices.; Janie Smieszek, Self: You difficult for vulnerable families; Marin Lersch, Self: This is predatory lending in a new name and package, and would hurt families already struggling to make ends meet.; Alicia Messing, Self: Hurts vulnerable families.; Aaron Essif, Self: The actual borrowing rate under this bill would exceed 300% per year. Shame.; Susan Bowen, Self: THIS BILL WOULD DISGUISE PAYDAY LOANS AS AN "EARNED WAGE ADVANCE" MAKING THEM A PREDATORY LENDING "PRODUCT" AND NOT A "LOAN" TO GET AROUND AZs CONSUMER LENDER ACT AND 36% RATE CAP ON SMALL DOLLAR LOANS. BORROWING RATE COULD EXCEED 300% PER YEAR....; Marcella Deluca, Self: This bill would hurt vulnerable families already struggling to make ends meet.; Jane Johnson, Self: I oppose this because these are nothing more than pay day loans. They should not be exempt from our lending laws and we need to protect the consumer.; Kathryn Dorn, Self: Payday-loan companies already tend to be horrifically predatory, even when they're at least somewhat regulated as a source of loans; please don't further endanger desperate consumers by allowing payday lenders to skirt around even those regulations!; Jeanmarie Haney, Self: Would disguise payday loans as an "earned wage advance," making them a predatory lending "product" and not a "loan" to get around Arizona's Consumer Lender Act. Hurts vulnerable families struggling to make ends meet.

HB2402, ambulance services; certificates of necessity

Support:

Tom Caretto, PROFESSIONAL FIRE FIGHTERS OF ARIZONA; Damien Johnson, AZ HOSPITAL & HEALTHCARE ASSN; Mary Dalton, AZ FIRE DISTRICT ASSN

Neutral:

Carly Fleege, AZ DEPARTMENT OF HEALTH SERVICES; Emily Ryan, PRIORITY AMBULANCE, LLC

Oppose:

Meghaen Dell'Artino, HEALTHCARE INNOVATIONS, INC; Marie Isaacson, ABC AMBULANCE LLC; Don Isaacson, ABC AMBULANCE LLC; Tom Dorn, AMR River Medical; Victor Peterson, representing self

All Comments:

Marie Isaacson, ABC AMBULANCE LLC: I would like to speak.

HB2476, certified public accountants; certification; alternative.

Support:

Ryan DeMenna, AZ SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS; Emily Webb, AZ SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS

HB2682, rental assistance program; appropriation

Support:

Courtney Gilstrap LeVinus, Arizona Multihousing Association; Michael Racy, Lobbyist, PIMA COUNTY; Brandy Petrone, KEYS TO CHANGE; Karen Kruse, PHOENIX, CITY OF; Rebecca Smith Gross, representing self; Craig McDermott, representing self; Monica Dorcey, representing self; Dianne Post, AZ NATIONAL ORGANIZATION FOR WOMEN (NOW), Self; Connie Phillips, representing self; Julie Hoffman, representing self; Kristina Sabetta, representing self; Brittany Bingold, NATIVE AMERICAN CONNECTIONS; Heather Ross, representing self; Christian Solorio, representing self; Harold Bergsma, representing self; kathy bashor, ARIZONA PEER AND FAMILY COALITION; Judith Lohr, representing self; Solveig Muus, representing self; Ava Brownlow, representing self; Jodi Liggett, ARIZONA CENTER FOR WOMEN'S ADVANCEMENT; Nicole Fordey, representing self; Cody Schaar, representing self; Cheyenne Walsh, ARIZONA PARTNERSHIP FOR PEOPLE AND PETS (APPP); Rivko Knox, representing self; Geraldine Miranda, THE ARIZONA CENTER FOR ECONOMIC PROGRESS; Bahney Dedolph, representing self; Patrick McDaniel, PHOENIX COMMUNITY ALLIANCE; Jeremy Browning, ARIZONA HOUSING COALITION; Ethan Knowlden, representing self; Jennifer J. Burns, CHILDREN'S ACTION ALLIANCE; Jessica Couleur, representing self; Wyatt Kanyer, representing self; Chuck LeVinus, representing self; Mark Zinman, representing self; Steve Kaiser, Arizona Multihousing Association

All Comments:

Monica Dorcey, Self: Used judiciously, this assistance good reduce evictions and dramatically impact homelessness, particularly of families with children. This is a good tool to help DES do their work.; Kristina Sabetta, Self: Housing is crucial for mental health.; kathy bashor, ARIZONA PEER AND FAMILY COALITION: housing is healthcare We

cannot address mental illness without it; Solveig Muus, Self: Supporting because I believe housing stability is a moral concern because it protects human dignity; prevents avoidable harm; uses public institutions responsibly; prioritizes those most at risk; and reflects God's care for neighbors in real need.; Ava Brownlow, Self: Expanding rental assistance programs is vital for our community. With rent prices rising and wages staying stagnant, families and individuals are being pushed out of their homes with minimal support potentially causing them to experience homelessness; Bahney Dedolph, Self: Prevent family homelessness by providing short term assistance to help parents through crisis situations.; Patrick McDaniel, PHOENIX COMMUNITY ALLIANCE: Phoenix Community Alliance stands in support of this Bill as it will contribute to providing housing security to vulnerable populations.; Jessica Couleur, Self: I strongly support providing short term assistance for families in need. Help prevent homelessness; Mark Zinman, Self: This bill is critical to help residents facing financial difficulties. It is clear that rental assistance is the most effective means of addressing financial hardships and evictions.

HB2698, rental assistance study committee

Support:

Courtney Gilstrap LeVinus, Arizona Multihousing Association; Karen Kruse, PHOENIX, CITY OF; Janet Larkin, representing self; Julie Hoffman, representing self; Brittany Bingold, NATIVE AMERICAN CONNECTIONS; Heather Ross, representing self; Cheyenne Walsh, ARIZONA PARTNERSHIP FOR PEOPLE AND PETS (APPP); Clark Princell, VALLEY PARTNERSHIP; Mark Zinman, representing self

All Comments:

Janet Larkin, Self: Our unhoused people need all the help they can get and we can do this.; Mark Zinman, Self: This bill is critical to help residents facing financial difficulties. It is clear that rental assistance is the most effective means of addressing financial hardships and evictions.

HB2875, local regulation; prohibition; unmanned aircraft

Support:

Jake Robinson, representing self; Jeremy Gerlach, ZIPLINE INTERNATIONAL, INC.; Shaun Rieve, ZIPLINE INTERNATIONAL, INC.

Oppose:

Craig McDermott, representing self

HB2877, timeshare salespersons; licensure

Support:

Don Isaacson, AMERICAN RESORT DEVELOPMENT ASSOCIATION; Marie Isaacson, AMERICAN RESORT DEVELOPMENT ASSOCIATION; Ruth Carter, representing self

HB2903, social credit; use; prohibition

Support:

Cheryl Todd, representing self; Michael Infanzon, AZ CITIZENS DEFENSE LEAGUE, INC; Shirley Dye, representing self; Suzanne Burros, representing self; Stephen Harris, representing self; Corinne Haynes, representing self; Buffalo Rick Galeener, representing self; James Adams, representing self; Susan Bolt, representing self; Tim Dziuk, representing self; Melanie Hutchings, representing self; James McFadzean, representing self; Charlyce Knight, representing self; Starr Costa, representing self; Bev Miller, representing self; Priscilla Moore, representing self; Gary Zimmerman, representing self; Lynda Patrick-Hayes, LD10STRONG!, representing self; Ryan Larson, representing self; Julie Christine Young, representing self; Valerie Starr, representing self; James Roth, representing self

Oppose:

Glenn Sollers, representing self; Jodi Paulsen, representing self; Craig Falasco, representing self; Dave Long, representing self; Judith Simons, representing self; Sandra Kravetz, representing self; Rebecca Smith Gross, representing self; Maria Salvucci, representing self; Craig McDermott, representing self; Kevin Brown, representing self; Mariana Spier, representing self; Dianne Post, AZ NATIONAL ORGANIZATION FOR WOMEN (NOW), Self; Carol Maas, representing self; Sherrilynn James, representing self; jacqueline Johnson, representing self; James Scheid, representing self; Bryna Koch, representing self; Katherine Doman Sheydayi, representing self; Elizabeth Schauer, representing self; Gail Kamaras, representing self; Charlie Silver, representing self; Becky Saylor, representing self; Susan Morris, representing self; Brent Gibbs, representing self; Brenda Nelson, representing self; Christine Keitges, representing self; Sharon Lee, representing self; Bobbie Howard, representing self; Linda Edwards, representing self; Kathy Fraser, representing self; Janet Senf, representing self; Kathy Pyner, representing self; Jocelyn Dustan, representing self; Joan Murphy, representing self; Penny Boone, representing self; Ralph Meredith, representing self; Gayle Meredith, representing self; Valerie Policastro Edie, representing self; Margaret Adams, representing self; Amy Etzkorn, representing self; Mariette Francis, representing self; Martha O'Connor, representing self; Kathleen Dubbs, representing self; Rebecca Scotney, representing self; Katherine Warren, representing self; Mary-Jeanne Fincher, representing self; Matthew Nelson, representing self; Francesca Pardes, representing self; Roxanna Kearns, representing self; William S. James, representing self; Jo Ann Caruthers, representing self; Brian Calaway, representing self; Mary Ganapol, representing self; Steve Gorman-Hackstadt, representing self; Rebecca Haynes, representing self; Mary Nelson, representing self; Susan Phelps, representing self; Bart James, representing self; Bonnie Oakes, representing self; Cassandra Morano, representing self; Melinda Iyer, representing self; Christina Bustos, representing self; Kathryn Anderson, representing self; Carol Fiore, representing self; William Yohey, representing self; Barbara Larson, representing self; Carol Garnett, representing self; Jennifer Dawson, representing self; Linda Block, representing self; Paula Van Derven, representing self; Amy Gaiennie, representing self; Jean Meconi, representing self; Allison Jackson, representing self; Loretta O'Connor, representing self; Mary Keerins, representing self; Cynthia Wagner, representing self; Nancy Hancock, representing self; Kathleen Schanus-Gohl, representing self; Marie Helt, representing self; Nelson Morgan, representing self; Roger Blain, representing self; Gary Townsend, representing self; Angela Buer, representing self; Leslie Stallcop, representing self; Margaret Tinsley, representing self; Jacqueline deSa, representing self; William Bowlus-Root, representing self; Jerrold Borchardt, representing self; Marilyn Murov, representing self; Frederick James, representing self; Jane Jackson, representing self; Marcia Tingley, representing self; RITA DEPUYDT, representing self; Christopher Cerrato, representing self; Aaron Essif, representing self; Helen Abrahamson, representing self; Jeanmarie Haney, representing self; Lisa Maczura, representing self; Rebecca Shook, representing self; Rivko Knox, representing self; Libby Stortz, representing self; Alice Christianson, representing self; Devon Sloan, representing self; Pamela Chittenden, representing self; Salie Travis, representing self; STACEY NORDWALL, representing self;

Cheryl Benefield, representing self; Gina Gral, representing self; Suzanne Zimmerman, representing self; Karen Brown, representing self; Dianna DiMaggio, representing self; Valarie Bryant, representing self; Mona Nance, representing self; Carol Rohe, representing self; Ann Lebert, representing self; Barbara Jones, representing self; Patricia Brunner, representing self; Lacy Bangert, representing self; Jan Allen, representing self; Lisa Koenig, representing self; Vanessa Hill-Fromm, representing self; Janet Lewis-Weaver, representing self; Mike Kunnecke, representing self; Ken Jones, representing self; Sharon Arnst, representing self; Sarah Bihms LD29, representing self; Dieter Knecht, representing self; John Cummings, representing self; Ashka Atodaria, representing self; Allen Brown, representing self; Don Howard, representing self; JoAnn McCay, representing self; Melinda Bell, representing self; Nadya Laliberte, representing self; Eric Kadel, representing self; Anita Howard, representing self; Sandra Stark, representing self; Susan Ordway, representing self; Kathleen Woessner, representing self; Jillian Ryan, representing self; Sally Evans, representing self; Barbara Lucas, representing self; Sery Johnson, representing self; Amy Gosla, representing self; Janie Smieszek, representing self; Marin Lersch, representing self; Alicia Messing, representing self; JOHN FIENE, representing self; Kristan Larson, representing self; Lance Shout, representing self; Joanne Basta, representing self; Marcella Deluca, representing self; Susan Bowen, representing self; Nancee K Wood, representing self; Kathryn Dorn, representing self

All Comments:

Shirley Dye, Self: Financial institutions have become so impersonal and also and do not realize the value of a person seeking a loan, discriminating against them because of a personal or company policy bias is unacceptable. Practical issues should be considered.; Stephen Harris, Self: When evaluating customers, there should be only three factors to consider: ability to pay, willingness to pay, and lawful use of the borrowed funds; James McFadzean, Self: Credit score ratings should not be forced on banks when determining whether to lend money to a customer; Charlyce Knight, Self: When evaluating customers, there should be only three factors to consider: ability to pay, willingness to pay, and lawful use of the borrowed funds; Starr Costa, Self: When evaluating customers, there should be only three factors to consider: ability to pay, willingness to pay, and lawful use of the borrowed funds.; Bev Miller, Self: When evaluating customers, there should be only three factors to consider: ability to pay, willingness to pay, and lawful use of the borrowed funds.; Gary Zimmerman, Self: "Social credit" systems are antithetical to US freedoms and to our economic system. No state or financial institution should be spying on citizens' private lives and behaviors, using them as a basis for lending money. It's unAmerican.; James Roth, Self: No to social credit scores in lending decisions.; Glenn Sollers, Self: This is something that Arizona is not requiring. The idea appears driven by a panic that society will hold extremists accountable for their actions.; Jodi Paulsen, Self: Don't you want to hold banks liable for giving loans to bad actors? This goes both ways, you know.; Craig Falasco, Self: I don't see any reason for the Legislature to consider this bill. Arizona does not currently require banks to consider social or environmental "values". I think the Legislature's time can be better spent solving actual problems.; Judith Simons, Self: Stop requiring something you're already not requiring?; Gail Kamaras, Self: This is a so-called solution in search of a problem which does not exist; Susan Morris, Self: Rep. Montenegro seems to want banks to operate without a moral compass. Not a good idea.; Brenda Nelson, Self: OPPOSE; Penny Boone, Self: NO! This idea seems to be driven by a panic that society will hold extremists accountable for their actions...which they should be.; Valerie Policastro Edie, Self: We need accountability; Martha O'Connor, Self: Social or environmental values when lending may be very important to avoid funding dangerous enterprises; Francesca Pardes, Self: This bill would ban the state from requiring banks to consider social or environmental values when lending. Arizona does NOT require banks to do that. I don't understand the necessity of this bill.; Roxanna Kearns, Self: Do not ban the state from requiring banks to consider social or environmental values when lending.; Brian Calaway, Self: bad idea!; Rebecca Haynes, Self: The state already does not require this. Why waste our time and money?; Bonnie Oakes, Self: AZ does not require banks to consider social or environmental values when lending. Research finds that companies that pay attention to environmental, social, and governance concerns do not experience a drag on

value creation—in fact, quite the opposi; Melinda Iyer, Self: Bad idea. Allow society to hold extremists accountable for their actions if they choose to.; Carol Garnett, Self: State is already not requiring this.; Jennifer Dawson, Self: AZ banks don't do this - bill seems driven by a panic that society will hold extremists accountable for their actions.; Amy Gaiennie, Self: I oppose this bill! Arizona is not requiring this, so why write this legislation?; Jean Meconi, Self: This is simply government overreach. I should be able to invest with a bank that reflects my values.; Mary Keerins, Self: AZ banks are not required to consider social or environmental values when lending. This is unnecessary.; Cynthia Wagner, Self: I'm an AZ voter. This is something that Arizona is not requiring.; Gary Townsend, Self: The idea appears driven by a panic that society will hold extremists accountable for their actions.; Angela Buer, Self: I don't see any reason for the Legislature to consider this bill. Arizona does not currently require banks to consider social or environmental "values". I think the Legislature's time can be better spent solving actual problems. I OPPOSE.; Margaret Tinsley, Self: This bill is unnecessary, and a waste of time and money for you to consider. Please vote no.; Jacqueline deSa, Self: would ban the state from requiring banks to consider social or environmental values when lending. This is something that Arizona is not requiring. The idea appears driven by a panic that society will hold extremists accountable for their actions.; Marilyn Murov, Self: Arizona does not require this so the ban is unnecessary. A solution to a non existing problem.; Marcia Tingley, Self: AZ is not requiring this now. there is no need for this bill.; Aaron Essif, Self: AZ doesn't currently request banks to do this.; Jeanmarie Haney, Self: This would be a ban against something that doesn't even exist!; Lisa Maczura, Self: Govt overreach. Nope.; Alice Christianson, Self: Let the state help determine banking.; Salie Travis, Self: Oppose.; Karen Brown, Self: Our state does not currently require this. There is no need to legislate against it. If someday these criteria are required, this law could be struck down anyway.; Vanessa Hill-Fromm, Self: This bill would would ban the state from requiring banks to consider social or environmental values when lending.; Sarah Bihms LD29, Self: Banning consideration of environmental or social risk ignores reality. Responsible lending protects families.; John Cummings, Self: Unnecessary legislation; Allen Brown, Self: I oppose HB2903. Vote NO on HB2903.; Susan Ordway, Self: An unnecessary bill -Arizona does not require this.; Jillian Ryan, Self: The idea appears driven by a panic that society will hold extremists accountable for their actions.; Barbara Lucas, Self: This is something that Arizona is not requiring. The idea appears driven by a panic that society will hold extremists accountable for their actions.; JOHN FIENE, Self: This bill is just talk about redlining, and AZ does not require lenders to consider social or environmental values. If it ain't broke, don't fix it. LD1 voter; Kristan Larson, Self: Accountability is key to protect our state.; Joanne Basta, Self: Banks should have the ability to consider how investments harm people and t he environment.; Susan Bowen, Self: THIS BILL IS BASED ON FEAR THAT A BANKS WILL NOT PROSPER IF THEY CONSIDER ESG VALUES. IF YOU WILL RESEARCH THIS, YOU WILL FIND THE OPPOSITE; THEY PROSPER.; Kathryn Dorn, Self: Our state doesn't require banks to exercise the slightest concern about ecological or human-rights impacts when deciding whom to lend money to, so this is...what, an anti-human-health + anti-human-rights messaging bill? A pro-irresponsibility bill?

HB2910, registrar of contractors; administrative recovery

Neutral:

Tom Farley, Arizona Association Of Realtors

COMMITTEE ATTENDANCE RECORD



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

HB 2181: death certificates; funeral establishments; timeline

Sponsor: Representative Willoughby, LD 13

Committee on Commerce

Overview

Changes the time allowed for funeral establishments or individuals to complete and submit a death certificate for registration.

History

A funeral establishments or responsible individuals, upon receiving and taking possession of human remains, has up to seven days to: 1) obtain and complete the required information on the death certificate; 2) provide on the death certificate the name and address of the person completing the death certificate; and 3) submit the death certificate for registration to a local registrar, a deputy local registrar or the state registrar ([A.R.S. § 36-325](#)).

Provisions

1. Increases the time allowed for funeral establishments or responsible individuals that receives possession of human remains to complete and submit a death certificate for registration from within 7 calendar days to *as soon as practicable but not more than 21 calendar days*. (Sec. 1)
2. Makes clarifying changes. (Sec. 1)

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note
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PROPOSED
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2181
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.
[Green underlining in brackets] indicates text added to new session law or text restoring existing law.
[GREEN STRIKEOUT IN BRACKETS] indicates new text removed from statute or previously enacted session law.
[Green strikeout in brackets] indicates text removed from existing statute, previously enacted session law or new session law.
<<Green carets>> indicate a section added to the bill.
<<Green strikeout in carets>> indicates a section removed from the bill.

- 1 The bill as proposed to be amended is reprinted as follows:
2 Section 1. Section 36-325, Arizona Revised Statutes, is amended to
3 read:
4 36-325. Death certificate registration; moving human remains;
5 immunity
6 A. ~~Within seven~~ AS SOON AS PRACTICABLE BUT NOT MORE THAN
7 ~~[TWENTY-ONE]~~ [FOURTEEN] calendar days after receiving possession of human
8 remains, a funeral establishment or responsible person who takes
9 possession of the human remains shall:
10 1. Obtain and complete the information, including the social
11 security number of the decedent, on the death certificate required
12 pursuant to this chapter and rules adopted pursuant to this chapter.
13 2. Provide on the death certificate the name and address of the
14 person completing the death certificate.
15 3. Submit the death certificate for registration to a local
16 registrar, a deputy local registrar or the state registrar. The funeral
17 establishment or responsible person may submit the death certificate by
18 electronic means in the format prescribed by the state registrar.
19 B. Within seventy-two hours after receiving a death certificate
20 pursuant to this section, a local registrar, a deputy local registrar or
21 the state registrar shall register ~~a~~ THE death certificate if it is
22 accurate and complete and submitted pursuant to this chapter and rules
23 adopted pursuant to this chapter.
24 C. If a county medical examiner or alternate medical examiner
25 determines that the circumstances of a death provide jurisdiction pursuant
26 to section 11-593, subsection B, the medical examiner or alternate medical
27 examiner shall complete and sign the medical certification of death on a
28 death certificate within seventy-two hours after the examination,

Adopted ☒ # of Verbals _____
Failed _____ Withdrawn _____
Not Offered _____ Analysts Initials _____

1 excluding weekends and holidays. If the medical examiner or alternate
2 medical examiner cannot determine the cause of death within that time, the
3 medical examiner or alternate medical examiner shall enter "pending" for
4 the cause of death and sign the medical certification of death within
5 seventy-two hours after the examination, excluding weekends and holidays.

6 D. A local registrar, a deputy local registrar or the state
7 registrar shall register a death certificate if there is a medical
8 certification of death signed by the medical examiner or alternate medical
9 examiner with a pending cause of death.

10 E. Final disposition of human remains with a pending cause of death
11 shall not occur until the medical examiner or alternate medical examiner
12 releases the human remains for final disposition.

13 F. When the medical examiner or alternate medical examiner
14 determines the cause of death, the medical examiner or alternate medical
15 examiner shall submit the information to the local registrar, deputy local
16 registrar or state registrar.

17 G. If a person under the current care of a health care provider for
18 an acute or chronic medical condition dies of that condition, or
19 complications associated with that condition, the health care provider or
20 a health care provider designated by that HEALTH CARE provider shall
21 complete and sign the medical certification of death on a death
22 certificate within seventy-two hours[. EXCLUDING WEEKENDS AND
23 HOLIDAYS]. If current care has not been provided, the medical examiner or
24 alternate medical examiner shall complete and sign the medical
25 certification of death on a death certificate within seventy-two hours
26 after the examination, excluding weekends and holidays.

27 H. If a person dies in a hospital, nursing care institution or
28 hospice inpatient facility of natural causes, the hospital, nursing care
29 institution or facility shall designate a health care provider to complete
30 and sign the medical certification of death within seventy-two hours[. EXCLUDING WEEKENDS AND HOLIDAYS].

32 I. If a person dies on an Indian reservation in this state and a
33 county medical examiner or alternate medical examiner is not available,
34 the tribal law enforcement authority, acting in an official investigative
35 capacity, may complete and sign the medical certification of death.

36 J. If the place of death is unknown, the death is considered to
37 have occurred in the place where the human remains were found.

38 K. If a person dies in a moving conveyance, the death is considered
39 to have occurred in the place where the human remains were initially
40 removed from the conveyance. In all other cases, the place where death is
41 pronounced is considered the place where the death occurred.

42 L. The state registrar shall create and register a death
43 certificate when the state registrar receives a court order of a
44 presumptive death. The court order shall contain the following
45 information, if known:

46 1. The decedent's name, social security number, date of birth, date
47 of death, cause of death and location of death.

1 2. Any other information necessary to complete a death certificate
2 for a presumptive death.

3 M. If a murder victim's body is not recovered, a conviction for the
4 murder is proof of death. The court shall forward a record of the
5 conviction to the state registrar. The state registrar shall obtain the
6 personal data regarding the murder victim from information provided by the
7 court, a family member of the murder victim or another reliable source and
8 create and register the death certificate.

9 N. A health care provider who completes and signs a medical
10 certification of death in good faith pursuant to this section is not
11 subject to civil liability or professional disciplinary action.

12 Enroll and engross to conform

13 Amend title to conform

JEFF WENINGER

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~~01/22/2026~~

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~~C: MH~~

~~130XSYOTE~~

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H: PB/lr

130XSYOTE

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-seventh Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2181

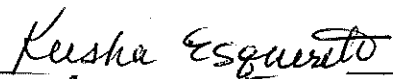
DATE February 03, 2026 MOTION: PPA

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar			✓		
Blackman		✓			
Carter N				✓	
Cavero			✓		
Connolly		✓			
Diaz		✓			
Hendrix			✓		
Villegas			✓		
Wilmeth		✓			
Way, Vice-Chairman		✓			
Weninger, Chairman		✓			
		6	4	1	0

APPROVED:



JEFF WENINGER, Chairman
MICHAEL WAY, Vice-Chairman



COMMITTEE SECRETARY

ATTACHMENT 6



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session
Majority Research Staff

HB 2682: rental assistance program; appropriation

Sponsor: Representative Hernandez A, LD 20

Committee on Commerce

Overview

Establishes the Rental Assistance Program (Program) and appropriates \$5,000,000 from the General Fund (GF) in Fiscal Year (FY) 2027 to the Arizona Department of Economic Security (DES) for the purposes of the Program.

History

Administered by DES, the [Arizona Rental Assistance Program](#) (Program) provided financial support to eligible low-income households to help cover rental arrears, future rent, and rent late fees and penalties. The Program was funded by State and Local Fiscal Recovery Funds as administered by the U.S. Department of the Treasury and DES as a part of the American Rescue Plan Act. The Program officially ceased accepting new applications on August 31, 2024.

Provisions

Rental Assistance Program

1. Directs DES to establish and administer the Program, including adopt rules that govern the Program's process and criteria. (Sec. 1)
2. Outlines the Program's eligibility requirements. (Sec. 1)
3. Specifies the tenant is not required to be delinquent on rent to apply for the Program. (Sec. 1)
4. Instructs DES to approve or deny a Program application within five business days after receiving an application. (Sec. 1)
5. Requires DES to send written notice of its decision to the tenant and the landlord, and if approved include the amount granted and specific months the rental assistance payments will cover. (Sec. 1)
6. Limits the rental assistance that a tenant may receive only once every 12 months to the lesser of up to 2 months or \$5,000. (Sec.1)
7. Requires the rental assistance payment be paid directly to the landlord. (Sec. 1)
8. Stipulates DES may issue the payment directly to the tenant and notify the landlord of the payment if the landlord refuses to accept direct payment. (Sec. 1)
9. Allows rental assistance to cover upcoming rental payments. (Sec. 1)

☐ Prop 105 (45 votes) ☐ Prop 108 (40 votes) ☐ Emergency (40 votes) ☐ Fiscal Note

10. Requires any prospective rental assistance payments be delineated in DES's written notice of approval to the tenant and the landlord. (Sec. 1)
11. Stipulates the landlord, for tenants that are delinquent on rent, must verify with DES the balance that is due. (Sec. 1)
12. Directs the tenant, for landlords that refuse to provide information on the balance, to provide DES the details regarding the balance. (Sec. 1)
13. Instructs DES to establish, or contract with a provider to establish, a free financial literacy class for tenants requesting rental assistance. (Sec. 1)
14. Prohibits a landlord who accepts rental assistance payments from DES or the tenant from evicting the tenant for nonpayment of rent for the months covered by the rental assistance payments. (Sec. 1)

Appropriations

15. Appropriates \$5,000,000 from the GF in FY 2027 to DES for the Program. (Sec. 2)
16. Exempts the appropriation from lapsing. (Sec. 2)

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-seventh Legislature - Second Regular Session

ROLL CALL VOTE

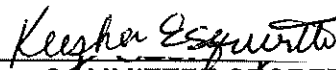
COMMITTEE ON Commerce BILL NO. HB 2682

DATE February 03, 2026 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar		✓			
Blackman		✓			
Carter N			✓		
Cavero		✓			
Connolly		✓			
Diaz			✓		
Hendrix			✓		
Villegas		✓			
Wilmeth		✓			
Way, Vice-Chairman			✓		
Weninger, Chairman		✓			
		7	4	0	0

APPROVED:


JEFF WENINGER, Chairman
MICHAEL WAY, Vice-Chairman


COMMITTEE SECRETARY

ATTACHMENT 8

HB 2628

Her testimony was in Spanish
this was her English translation
that was handed to the members

Hi, my name is Grace. I am a resident of District 20 in Tucson, and I am here today to speak in support of this legislation and the impact it can have on Arizona families like mine.

Last year, I faced a sudden financial crisis and struggled to pay my rent on time. I am a single mother raising a daughter with special needs, and like many families across Arizona, I found myself unsure of where to turn. I met Representative Hernandez when she knocked on my door and I shared my situation to her, she told me about the funding she was able to get for a local nonprofit and connected me with them, due to her help I was able to obtain emergency rental assistance. I have always worked hard and paid my rent, but this was a temporary setback beyond my control. I was afraid of eviction and homelessness, and I knew the consequences could follow my family for years—making it harder to find housing and damaging my credit.

Rental assistance gave me the breathing room I needed to help me recover instead of falling into eviction. The help was one-time, required documentation, and was exactly what I needed. There are many families in situations like the one I experienced and today I share my story in hopes that elected officials will vote and pass this very needed funding.

That assistance kept my family stable, prevented court involvement, and avoided the need for emergency shelter. Rental assistance is not a handout it is prevention. It helps hardworking families like mine to make ends meet, stay housed, keep working, and remain part of their communities. I urge all the members both democrats and republicans to get this done because helping Arizonans should not be partisan.



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session
Majority Research Staff

HB 2698: rental assistance study committee
Sponsor: Representative Hernandez A, LD 20
Committee on Commerce

Overview

Creates the Rental Assistance Study Committee (Study Committee) which examines the effectiveness of rental assistance programs in Arizona.

History

The ADOH is responsible for: 1) establishing policies, procedures and programs to address the affordable housing issues confronting Arizona, including issues of low-income families, moderate income families, housing affordability, special needs populations and decaying housing stock; 2) providing, to qualified housing participants and political subdivisions of Arizona, financial, advisory, consultative, planning, training and educational assistance for the development of safe, decent and affordable housing, including housing for low and moderate income households; and 3) maintaining and enforcing standards of quality and safety for manufactured homes, mobile homes and factory-built buildings ([A.R.S. § 41-3953](#)).

Provisions

1. Establishes the 13-member Study Committee and outlines the membership. (Sec. 1)
2. Instructs the Study Committee to:
 - a. identify existing rental assistance programs operating in Arizona;
 - b. review eligibility criteria, administrative structures and reporting practices of rental assistance programs;
 - c. examine coordination among state agencies, political subdivisions and nonprofit organizations administering rental assistance;
 - d. solicit input and testimony from stakeholders regarding rental assistance programs; and
 - e. develop findings and recommendations regarding the effectiveness of rental assistance programs. (Sec. 1)
3. Requires the Study Committee to submit a report of findings and recommendations by December 31, 2027, to the Governor and the Legislature and provide a copy to the Secretary of State. (Sec. 1)
4. Prohibits Study Committee members from receiving compensation. (Sec. 1)
5. Repeals the Study Committee on October 1, 2028. (Sec. 1)

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES
Fifty-seventh Legislature - Second Regular Session

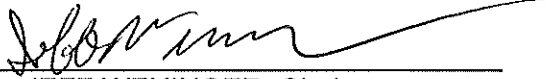
ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2698

DATE February 03, 2026 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar		✓			
Blackman		✓			
Carter N			✓		
Cavero		✓			
Connolly		✓			
Diaz			✓		
Hendrix			✓		
Villegas		✓			
Wilmeth		✓			
Way, Vice-Chairman			✓		
Weninger, Chairman		✓			
		7	4	0	0

APPROVED:



JEFF WENINGER, Chairman
MICHAEL WAY, Vice-Chairman



COMMITTEE SECRETARY

ATTACHMENT 11



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

HB 2476: certified public accountants; certification; alternative.

Sponsor: Representative Livingston, LD 28

Committee on Commerce

Overview

Makes revisions to Certified Public Accountants (CPA) statutes.

History

The Arizona State Board of Accountancy (Board) protects the public from unlawful, incompetent, unqualified or unprofessional certified public accountants through certification, regulation and rehabilitation. ([Title 32, Chapter 6, A.R.S.](#)).

Provisions

State Board of Accountancy

1. Alters Board responsibilities, which include:
 - a. investigating complaints to determine whether a registrant or limited reciprocity privilege individual or firm, rather than a certified public accountant, has committed a violation; and
 - b. delegate to the executive director the authority to approve a request for inactive status and approve reinstatement from canceled or expired status. (Sec. 2)

Certified Public Accountant

2. Revises the requirements for applicants who have never been certified, registered or licensed in this state or another jurisdiction by:
 - a. removing language relating to the requirement to have at least 2,000 hours of experience in the practice of accounting and completion of 150 semester hours of specified accounting courses; and
 - b. requiring applicants to present satisfactory evidence of obtaining either a:
 - i. baccalaureate degree and has at least two years of experience;
 - ii. baccalaureate degree, 30 additional semester hours and has at least one year of experience; or
 - iii. postbaccalaureate degree and at least one year of experience. (Sec. 3)
3. Removes the alternative certification requirement for applicants who have a certificate, registration or license in another jurisdiction relating to having a baccalaureate degree and employment history with specified semester hours of accounting courses. (Sec. 3)
4. Adds as an alternative certification requirement for applicants who have a certificate, registration or license to practice as a CPA in another jurisdiction that the applicant has been employed as a CPA in the practice of accounting for at least:

☐ Prop 105 (45 votes) ☐ Prop 108 (40 votes) ☐ Emergency (40 votes) ☐ Fiscal Note

- a. three years and has obtained either:
 - i. a postbaccalaureate degree; or
 - ii. a baccalaureate degree and 30 additional semester hours; or
 - b. five of the ten preceding years and has obtained a baccalaureate degree. (Sec. 3)
5. Instructs the Board to adopt rules regarding the required number of semester hours of accounting courses. (Sec. 3)
6. Define *experience*. (Sec. 3)
7. Restates that a person is allowed to take the uniform CPA examination provided the person has either a baccalaureate degree or a postbaccalaureate degree that includes the required number of semesters hours of accounting courses as determined by the Board. (Sec. 4)

Miscellaneous

8. Revises the requirements to qualify to exercise the limited reciprocity privilege for individuals who hold a valid registration certification or license issued by another jurisdiction by:
 - a. Deleting language outlining current requirements; and
 - b. Including the requirement that the individual:
 - i. meets statutory qualification requirements for CPAs or out-of-state applicants; or
 - ii. holds a valid active registration, certificate or license as a CPA from any jurisdiction as of December 31, 2024. (Sec. 5)
9. Adds the uniform registration fee applied to registrants for less than two years be charged on a pro rata basis for the remainder of the registration period. (Sec. 6)
10. Specifies the uniform registration fee applied to retired status registration is due during the month of the anniversary of the registrant's birth and be charged on a pro rata basis for registrants of less than two years. (Sec. 6)
11. Allows the Board to reduced or waive certain registration fees before the due date of any registration fee, rather than any renewal fee. (Sec. 7)
12. Prohibits a registrant who is under investigation by the Board from canceling the certificate or registration. (Sec. 8)
13. Authorizes the Board to offer to a registrant relinquishment of a certificate or registration. (Sec. 9)
14. Clarifies that a registrant, in order to complete the relinquishment, must acknowledge that an investigation or disciplinary proceeding has been initiated. (Sec. 9)
15. Revises the requirement relating to certificate reinstatement by removing references of required semester hours and adding that the individual obtains a baccalaureate degree or postbaccalaureate degree. (Sec. 11)
16. Clarifies continuing professional education audits are presumed to be public records. (Sec. 17)
17. Defines pertinent terms. (Sec. 1)
18. Contains a delayed effective date of January 1, 2027. (Sec. 18)
19. Cites the act as the Certified Public Accounting Act of 2026. (Sec. 19)

20. Makes clarifying and technical changes. (Sec 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16)

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-seventh Legislature - Second Regular Session

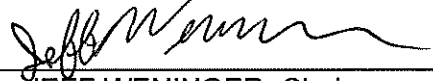
ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2476

DATE February 03, 2026 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar		✓			
Blackman		✓			
Carter N		✓			
Cavero		✓			
Connolly		✓			
Diaz		✓			
Hendrix		✓			
Villegas		✓			
Wilmeth		✓			
Way, Vice-Chairman		✓			
Weninger, Chairman		✓			
		11	0	0	0

APPROVED:



JEFF WENINGER, Chairman
MICHAEL WAY, Vice-Chairman



COMMITTEE SECRETARY

ATTACHMENT 13



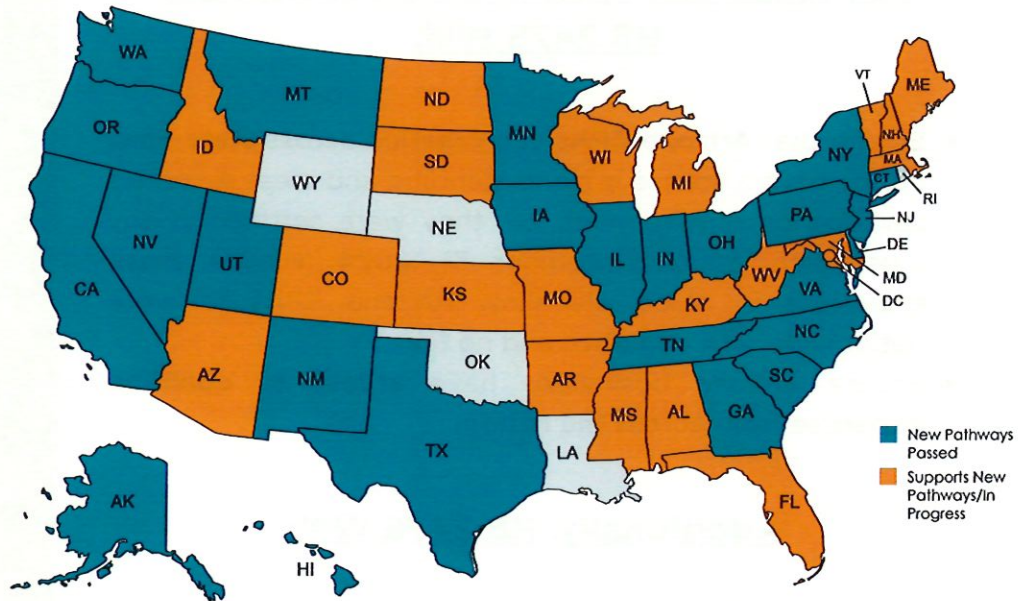
ascpa®
Arizona Society of CPAs

HB 2476 Certified Public Accounting Act of 2026

Overview

The CPA profession nationwide is focused on rebuilding the “pipeline” of new CPAs due to a decline in accounting graduates and a shortage of qualified professionals.

Like 24 other states that enacted similar legislation in 2025, HB 2476 **expands pathways** to obtain a CPA certificate in Arizona, and broadens limited reciprocity privilege (a.k.a mobility) to ensure a more flexible and accessible profession.



Current

EDUCATION	EXPERIENCE	EXAM
Bachelor's Degree or Higher (150 hours)	1 Year Work Experience	CPA Exam

Path 1
new

Bachelor's Degree	2 Years Work Experience	CPA Exam
-------------------	-------------------------	----------

Path 2
new

Bachelor's Degree + 30 semester hours	1 Year Work Experience	CPA Exam
---------------------------------------	------------------------	----------

Path 3
new

Post-Bachelor's Degree	1 Year Work Experience	CPA Exam
------------------------	------------------------	----------

All applicants must have a minimum concentration in accounting and related courses.

Key Provisions

To align with nationwide efforts, HB 2476 introduces **three new certification pathways** and **broadens practice privilege** requirements that will allow Arizona CPAs to practice across state lines.

These changes will modernize certification, support workforce growth, strengthen Arizona's business community, and **ensure that Arizona CPAs remain competitive in the national market.**

The Arizona Society of CPAs - Your Connection to the Accounting Profession

By Adding Additional Pathways

HB 2476 Will:

- **Provide Flexibility:** Accommodates students' needs by providing additional career paths.
- **Reduce Barriers:** Eases both the financial and time burdens associated with a fifth year in college.
- **Promote Workforce Development:** Broadens the CPA candidate pipeline to meet growing demand.

By Broadening Practice Privilege Mobility

HB 2476 Will:

- Ensure that **Arizona CPAs can practice across state lines** if they have a license in good standing and meet Arizona's certification requirements, or they were certified in any jurisdiction as of December 31, 2024. Having these provisions in place will allow Arizona CPAs to work nationwide with no notice and no fee.
- Ensure Arizona businesses have **access to qualified expertise from across the nation.**

Additionally, HB 2476 Will:

- **Clarify existing statute relating to cancellation vs. relinquishment of a CPA certificate.**
 - Registrants cannot request cancellation while under investigation. Cancellation is used only for non-disciplinary situations, such as choosing not to renew, and simply indicates the credential is no longer active.
 - Relinquishment applies when a certificate or registration is surrendered because of an investigation or disciplinary action.
- **Modernize the Board's online two-year registration system** to include: initial registrations for newly certified CPAs, prorated registrations for CPAs with registration terms less than two years, and reinstatement of CPAs previously on cancelled, expired, relinquished, or revoked status.

Background

For years, the CPA profession has been experiencing workforce shortages due to declining student enrollment, the high cost of education, turnover within the profession, and more, making it difficult to attract the next generation of CPAs.

In response, the American Institute of CPAs created the National Pipeline Advisory Group to:

1. Develop strategies to address the talent shortage;
2. Promote the CPA career path;
3. Expand access to the profession;
4. Improve student experiences;
5. Reduce educational barriers; and
6. Collaborate with employers to foster supportive cultures and modern business models.

HB 2476 will establish these new pathways to the CPA profession in Arizona, and ensure that Arizona CPAs remain competitive in the national market.

QUESTIONS?

If there are any questions on the above information, contact:

Emily Webb

Director of Government Relations
Arizona Society of CPAs
ewebb@ascpa.com

Ryan DeMenna

DeMenna Public Affairs
ryan@demenna.com



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

HB 2308: dental insurers; dental practice; prohibition

Sponsor: Representative Weninger, LD 13

Committee on Commerce

Overview

Prevents dental insurers and holding companies from having ownership interest in business organizations that offer regulated professional services to the public.

History

The [Arizona State Board of Dental Examiners](#) (Board) is responsible for examining and licensing individuals who provide dental services including dentists and dental therapists, hygienists, assistants and business entities. Any business entity offering dental services is required to register with the Board.

Statute mandates that business entities offering dental services provide a description of services, name the dentists responsible for each office and identify all officers and directors. Business entities are also required to establish patient protocols regarding the secure storage and transfer of dental records. ([A.R.S. § 32-1213](#)).

Statute defines *dental insurer* as a: 1) dental service corporation; 2) prepaid dental plan or health care services organization; or 3) group or blanket disability insurer that offers evidence of coverage or policy covering dental services ([A.R.S. § 20-126](#)).

Provisions

1. Prohibits dental insurers or holding companies from having any ownership interest in a business organization that offers to the public professional services regulated by the Board. (Sec. 1)
2. Defines *dental insurer* and *holding company*. (Sec. 1)

☐ Prop 105 (45 votes) ☐ Prop 108 (40 votes) ☐ Emergency (40 votes) ☐ Fiscal Note

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-seventh Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON _____ Commerce _____ BILL NO. _____ HB 2308

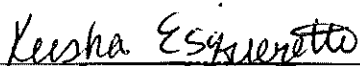
DATE _____ February 03, 2026 _____ MOTION: _____ DP _____

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar		✓			
Blackman		✓			
Carter N		✓			
Cavero		✓			
Connolly				✓	
Diaz		✓			
Hendrix				✓	
Villegas		✓			
Wilmeth		✓			
Way, Vice-Chairman				✓	
Weninger, Chairman		✓			
		8	0	3	0

APPROVED:



JEFF WENINGER, Chairman
MICHAEL WAY, Vice-Chairman



COMMITTEE SECRETARY

ATTACHMENT _____ 16 _____



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

HB 2118: mobile food vendors; licensure

Sponsor: Representative Carter N, LD 15

Committee on Commerce

Summary of the Strike-Everything Amendment to HB 2118

Overview

Prevents a municipality from requiring a mobile food vendor obtain a local regulatory permit or license.

History

The Arizona Department of Health Services (DHS) is statutorily required to adopt rules that govern the health and safety of mobile food vendors and mobile food units on a statewide basis. The rules must establish: 1) licensing standards; 2) inspection standards that are based on objective factors; and 3) a licensing process for mobile units. The licensing process must delegate statewide licensing and health and safety inspection authority to the county health department of the county where the mobile food vendor's commissary is located. A mobile food unit license issued by a county health department has reciprocity in each county ([A.R.S. § 36-1761](#)).

Statute authorizes municipalities, by ordinance or resolution, to: 1) prohibit or restrict a mobile food vendor from operating at a public airport or public transit facility, in an area zoned for residential use or within two hundred fifty feet of an area zoned for residential use; and 2) continue to enact and enforce regulations and zoning codes on mobile food units or mobile food vendors that are not otherwise prohibited by law.

Municipalities are prohibited from: 1) requiring a mobile food vendor, property owner or lessee of a property to apply for and receive any special permit that is not required for other temporary or mobile vending businesses in the same zoning district; 2) requiring a mobile food vendor or mobile food unit to operate a specific distance from an existing commercial establishment or restaurant; 3) restricting a mobile food vendor or mobile food unit from using any legal parking space; and 4) requiring a mobile food unit to be inspected by a city or town fire department before operation if the mobile food vendor provides evidence that the mobile food unit passed a fire inspection by another city or town fire department in this state within the preceding twelve months ([A.R.S. § 9-485.01](#)).

Provisions

1. Adds that a municipality is prohibited from requiring a mobile food vendor to obtain a local regulatory permit or license. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note

PROPOSED
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2118
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.
[Green underlining in brackets] indicates text added to new session law or text restoring existing law.
[GREEN STRIKEOUT IN BRACKETS] indicates new text removed from statute or previously enacted session law.
[Green strikeout in brackets] indicates text removed from existing statute, previously enacted session law or new session law.
<<Green carets>> indicate a section added to the bill.
<<Green strikeout in carets>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:
2 <<Section 1. Section 9-485.01, Arizona Revised Statutes, is amended
3 to read:
4 9-485.01. Mobile food vendors; mobile food units; operation
5 A. In relation to a mobile food vendor or mobile food unit, a city
6 or town by ordinance or resolution may:
7 1. Prohibit or restrict a mobile food vendor from operating at a
8 public airport or public transit facility, in an area zoned for
9 residential use or within two hundred fifty feet of an area zoned for
10 residential use.
11 2. Continue to enact and enforce regulations and zoning codes on
12 mobile food units or mobile food vendors that are not otherwise prohibited
13 by law.
14 B. In relation to a mobile food vendor or mobile food unit, a city
15 or town may not:
16 1. Require a mobile food vendor, property owner or lessee of a
17 property to apply for and receive any special permit that is not required
18 for other temporary or mobile vending businesses in the same zoning
19 district.
20 2. Require a mobile food vendor or mobile food unit to operate a
21 specific distance from the perimeter of an existing commercial
22 establishment or restaurant, except as required by applicable building,
23 fire, street and sidewalk codes.
24 3. Prohibit or restrict a mobile food vendor or mobile food unit
25 from using any legal parking space, including metered parking, except to
26 restrict the number of spaces, vehicle size and parking duration and the
27 ability to occupy sites with insufficient parking capacity as prescribed

Adopted ☒ # of Verbals _____
Failed _____ Withdrawn _____
Not Offered _____ Analysts Initials _____

1 by a local zoning ordinance of the city or town or as otherwise prohibited
2 by federal law.

3 4. Require a mobile food unit to be inspected by a city or town
4 fire department before operation if the mobile food vendor provides
5 evidence that the mobile food unit passed a fire inspection by another
6 city or town fire department in this state within the preceding twelve
7 months.

8 [5. REQUIRE A MOBILE FOOD VENDOR TO OBTAIN A LOCAL REGULATORY
9 PERMIT OR LICENSE.]

10 C. A city or town with a population of more than fifty thousand
11 persons shall make available all applicable license applications in an
12 electronic format that is available online and may not require a mobile
13 food vendor to apply in person.>>

14 Sec. 2. Section 36-1761, Arizona Revised Statutes, is amended to
15 read:

16 36-1761. Mobile food vendors; mobile food units; rules;
17 health and safety licensing standards

18 A. The director shall adopt rules that do all of the following:

19 1. Establish health and safety licensing standards for mobile food
20 vendors and mobile food units that apply on a statewide basis. The
21 licensing standards shall:

22 (a) Include three categories of mobile food units that are based on
23 the type of food dispensed and the amount of handling and preparation
24 required.

25 (b) Include general physical and operation requirements of a mobile
26 food unit, including:

27 (i) Installation of compressors, generators and similar mechanical
28 units that are not an integral part of the food preparation or storage
29 equipment.

30 (ii) Necessary commissary or other servicing area agreements.

31 (iii) Vehicle and equipment cleaning requirements.

32 (iv) Waste disposal requirements during and after operation on
33 public or private property, which may not include the size or dimensions
34 of any required solid waste receptacle.

35 2. Establish statewide inspection standards that are based on
36 objective factors for use by the county health departments.

37 3. Establish a licensing process for mobile food units that does
38 all of the following:

39 (a) Requires a separate license for each mobile food unit.

40 (b) Requires a license to be renewed annually.

41 (c) Delegates to the county health department in the county where
42 the mobile food vendor's commissary is located the licensing and health
43 and safety inspection for state licensure using the statewide inspection
44 standards adopted pursuant to this section. The licensing process shall
45 require random inspections by county health departments at no additional
46 cost except as provided in section 11-269.24. A mobile food unit license
47 issued by a county health department pursuant to this section shall have

1 reciprocity in each county of this state. A county health department may
2 enforce the statewide inspection standards regardless of where the license
3 was issued.

4 (d) Requires all employees of a mobile food vendor to have a valid
5 food handler card or a certificate from an accredited food handler
6 training class as specified in rule by the department.

7 (e) Requires that the license be displayed in the mobile food
8 vendor's operating location in a conspicuous location for public view.

9 B. The rules adopted pursuant to this section may not do either of
10 the following:

11 1. Require a mobile food vendor or mobile food unit to operate a
12 specific distance from the perimeter of an existing commercial
13 establishment or restaurant.

14 2. Address the operating hours of a mobile food unit.

15 C. Except as otherwise specified in this chapter, the director may
16 adopt rules that are substantively the same as the regulations that are in
17 place on August 3, 2018 in Maricopa county regarding mobile food
18 establishments.

19 ~~D. This section does not preclude a city, town or county from~~
20 ~~requiring a mobile food vendor to be licensed if the licensing system~~
21 ~~includes a background check or identification and fingerprinting of the~~
22 ~~owner of the mobile food vending operation.~~

23 Enroll and engross to conform

24 Amend title to conform

NEAL CARTER

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02/02/2026

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C: MH

130TPGLWS

PROPOSED
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2118
(Reference to printed bill)

1 Strike everything after the enacting clause and insert:
2 "Section 1. Section 9-485.01, Arizona Revised Statutes, is amended
3 to read:
4 9-485.01. Mobile food vendors; mobile food units; operation
5 A. In relation to a mobile food vendor or mobile food unit, a city
6 or town by ordinance or resolution may:
7 1. Prohibit or restrict a mobile food vendor from operating at a
8 public airport or public transit facility, in an area zoned for
9 residential use or within two hundred fifty feet of an area zoned for
10 residential use.
11 2. Continue to enact and enforce regulations and zoning codes on
12 mobile food units or mobile food vendors that are not otherwise prohibited
13 by law.
14 B. In relation to a mobile food vendor or mobile food unit, a city
15 or town may not:
16 1. Require a mobile food vendor, property owner or lessee of a
17 property to apply for and receive any special permit that is not required
18 for other temporary or mobile vending businesses in the same zoning
19 district.
20 2. Require a mobile food vendor or mobile food unit to operate a
21 specific distance from the perimeter of an existing commercial
22 establishment or restaurant, except as required by applicable building,
23 fire, street and sidewalk codes.
24 3. Prohibit or restrict a mobile food vendor or mobile food unit
25 from using any legal parking space, including metered parking, except to
26 restrict the number of spaces, vehicle size and parking duration and the
27 ability to occupy sites with insufficient parking capacity as prescribed
28 by a local zoning ordinance of the city or town or as otherwise prohibited
29 by federal law.
30 4. Require a mobile food unit to be inspected by a city or town
31 fire department before operation if the mobile food vendor provides
32 evidence that the mobile food unit passed a fire inspection by another
33 city or town fire department in this state within the preceding twelve
34 months.
35 5. REQUIRE A MOBILE FOOD VENDOR TO OBTAIN A LOCAL REGULATORY PERMIT
36 OR LICENSE.

Adopted _____ # of Verbals _____

Failed _____ Withdrawn _____

Not Offered ☒ Analysts Initials _____

House Amendments to H.B. 2118

1 C. A city or town with a population of more than fifty thousand
2 persons shall make available all applicable license applications in an
3 electronic format that is available online and may not require a mobile
4 food vendor to apply in person."
5 Amend title to conform

NEAL CARTER

2118CARTER N SE.docx

01/29/2026

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C: MH

130PWTLKP

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-seventh Legislature - Second Regular Session

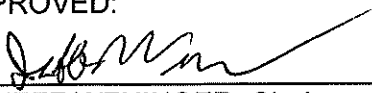
ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2118

DATE February 03, 2026 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar			✓		
Blackman		✓			
Carter N		✓			
Cavero			✓		
Connolly			✓		
Diaz		✓			
Hendrix		✓			
Villegas			✓		
Wilmeth		✓			
Way, Vice-Chairman		✓			
Weninger, Chairman		✓			
		7	4	0	0

APPROVED:


JEFF WENINGER, Chairman
MICHAEL WAY, Vice-Chairman


COMMITTEE SECRETARY

ATTACHMENT 20



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session
Majority Research Staff

HB 2309: earned wage access; providers; license

Sponsor: Representative Weninger, LD 13

Committee on Commerce

Overview

Prescribes requirements for earned wage access services providers (providers), including licensure with the Department of Insurance and Financial Institutions (DIFI).

History

DIFI is responsible for regulating the insurance industry, financial institutions, financial service professionals and business entities. DIFI registers and certifies state-chartered banks and credit unions and licenses financial and insurance professionals, including collection agencies, mortgage brokers, loan originators, premium finance companies and sales finance companies. DIFI conducts examinations on licensees and businesses and investigates fraud, deceptive practices, unprofessional conduct, claim delays and unfair claim settlement practices ([Title 6, A.R.S.](#)).

Provisions

Provider Licensure

1. Prohibits a provider, beginning January 1, 2027, located any state, from providing earned wage access services in Arizona unless they have been issued a license by DIFI. (Sec. 3)
2. Requires providers required to be licensed (licensees) to apply for a license on a form and in a manner as prescribed by DIFI. (Sec. 3)
3. Delineates the information that must be included in the application for a provider license. (Sec. 3)
4. Requires licensees to update the information provided in their license application within 15 business days after any material change in that information. (Sec. 3)
5. Requires each licensee to register with and maintain a valid unique identifier issued by the nationwide mortgage licensing system and registry. (Sec. 3)
6. Requires licensees to file with DIFI and maintain in force a surety bond that meets specified requirements. (Sec. 3)
7. Authorizes a person that claims against a licensee's bond for a violation of the licensure requirements to maintain an action at law against the provider. (Sec. 3)
8. Limits the surety liability to actual damages which cannot exceed the amount of the bond. (Sec. 3)

☐ Prop 105 (45 votes) ☐ Prop 108 (40 votes) ☐ Emergency (40 votes) ☐ Fiscal Note

9. Provides procedures and requirements for DIFI in issuing or denying a license, including conducting an investigation of the applicant and specified parties relating to the applicant. (Sec. 3)
10. Asserts the provider's license remains in force and effect until DIFI suspends or revokes the license or the provider surrenders the license. (Sec. 3)
11. Requires a licensee to apply for license renewal by December 31 of each year and subjects the applicant to a \$25 late fee for each day the renewal application is not received by DIFI. (Sec. 3)
12. Prohibits a licensee from acting as a provider until the license is renewed or a new license is issued. (Sec. 3)
13. Stipulates a provider license automatically expires if DIFI does not receive a renewal application by January 31. (Sec. 3)
14. Prohibits the holder of an expired license from being issued a renewal license. (Sec. 3)
15. Allows the holder of an expired license to be issued a new license. (Sec. 3)
16. Allows applicants to appeal a denial of a license application in accordance with the statutory administrative hearing procedures. (Sec. 3)
17. Directs providers to conspicuously post the license at its physical place of business, on the provider's website and on any official consumer-facing document, agreement or correspondence. (Sec. 3)

Provides Requirements

18. Delineates the required policies and procedures to be developed by licensees relating to consumer queries, agreements, fee disclosures, protections, and payments made to consumers. (Sec. 3)
19. Outlines licensee prohibitions relating to fees and gratuities, credit reporting, charging a late fee, compelling payment, and advertising. (Sec. 3)
20. Specifies the restrictions relating to compelling payment does not apply to a provider that is:
 - a. seeking payment of any outstanding amount or fee that was incurred by a consumer through fraud or other unlawful means that the provider, using reasonably good-faith efforts to determine, reasonably believes are the result of the consumer's conduct; or
 - b. suing an employer for the employer's breach of the employer's contract with the provider. (Sec. 3)
21. Authorizes a licensee to solicit or receive tips, gratuities or other donations once per transaction and with confirmation of the final transaction on the completion screen. (Sec. 3)
22. Authorizes a licensee to use the mailing address provided by a consumer to verify the consumer's state of residence. (Sec. 3)

Applicability

23. Specifies earned wage access services offered and provided by a licensee in compliance with statutory requirements are not considered:
 - a. a violation of or noncompliance with statutes governing a sale, assignment or order for earned but unpaid income or other wages;

- b. a loan or other form of credit or debt; or
 - c. money transmissions. (Sec. 3)
24. Adds that fees paid to a licensee in accordance with earned wage access services requirements are not considered interest or finance charges and that the earned wage access services requirements control if there is a conflict with any other statute. (Sec. 3)
25. Specifies a voluntary tip, gratuity or other donation paid by a consumer to a licensee in accordance with the earned wage access services requirements is not considered a finance charge under state law. (Sec. 3)
26. Specifies collection agencies statutes do not apply to proceeds a provider provides to a consumer in accordance with the earned wage access services requirements. (Sec. 3)
27. Excludes, from consumer lender statutes and money transmitter statutes, licensees and earned wage access services transactions. (Sec. 1, 2,)

Reporting Requirements

28. Instructs licensees, by July 1 of each year, to submit an annual report to DIFI that includes outlined information related to earned wage access services. (Sec. 3)
29. Authorizes DIFI to extend the deadline for good cause. (Sec. 3)
30. Allows DIFI to take disciplinary action against a provider for failure to submit a timely annual report. (Sec. 3)
31. Requires licensees to keep such books and records that will enable DIFI to determine compliance with the earned wage access services requirements for at least five years. (Sec. 3)

Miscellaneous

32. Provides the conditions for denial of a license renewal or license suspension or revocation. (Sec. 3)
33. Allows licensees to appeal a denial of a renewal application or suspension or revocation in accordance with the statutory administrative hearing procedures. (Sec. 3)
34. Provides restrictions relating to mergers and acquisition of control. (Sec. 3)
35. Declares failure to comply with earned wage access services requirements is an unlawful practice under the Consumer Fraud statutes and subject to investigation and appropriate action by the Attorney General. (Sec. 3)
36. Authorizes DIFI to adopt rules to implement earned wage access services requirements. (Sec. 3)
37. Defines pertinent terms. (Sec. 3)
38. Makes clarifying changes. (Sec.2)

PROPOSED
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2309
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

~~[GREEN STRIKEOUT IN BRACKETS]~~ indicates new text removed from statute or previously enacted session law.

~~[Green strikeout in brackets]~~ indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

~~<<Green strikeout in carets>>~~ indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 <<Section 1. Section 6-601, Arizona Revised Statutes, is amended to
3 read:

4 6-601. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Actuarial method" means the method of allocating each payment
7 between finance charges and principal pursuant to which the payment is
8 applied first to finance charges computed on the unpaid balance of
9 principal for the time the balance is outstanding, and the remainder of
10 the payment is subtracted from the unpaid principal amount.

11 2. "Amount financed" means the amount of credit extended to a
12 consumer on a consumer loan determined in accordance with the truth in
13 lending act.

14 3. "Annual percentage rate" means the measure of the cost of
15 credit, expressed as a yearly rate, that relates the amount and timing of
16 value received by the consumer to the amount and timing of payments made,
17 determined in accordance with the truth in lending act.

18 4. "Consumer" means an individual who obtains a consumer lender
19 loan for personal, family or household purposes.

20 5. "Consumer lender" means[;]

21 (a) A person that advertises to make or procure, solicits or holds
22 itself out to make or procure, or makes or procures consumer lender loans
23 to consumers in this state.

24 [(b) A PERSON THAT DELIVERS EARNED WAGE ACCESS SERVICES, AS DEFINED
25 IN SECTION 6-1801, AND THAT REPORTS A CONSUMER'S PAYMENT OR NONPAYMENT OF
26 ANY OUTSTANDING PROCEEDS, FEES, VOLUNTARY GRATUITIES OR OTHER VOLUNTARY
27 DONATIONS THAT ARE DIRECTLY ATTRIBUTABLE TO EARNED WAGE ACCESS SERVICES TO
28 A CONSUMER REPORTING AGENCY THAT COMPILES AND MAINTAINS FILES ON CONSUMERS
29 ON A NATIONWIDE BASIS AS DEFINED IN THE FAIR CREDIT REPORTING ACT (P.L.
30 90-321; 84 STAT. 1128; 15 UNITED STATES CODE SECTION 1681a(p)).]

Adopted ☒ # of Verbals _____

Failed _____ Withdrawn _____

Not Offered _____ Analysts Initials _____

1 6. "Consumer lender loans" means consumer loans, consumer revolving
2 loans and home equity revolving loans.

3 7. "Consumer loan" means the direct closed end loan of money,
4 whether unsecured or secured by personal or real property, in an amount of
5 \$10,000 or less that is subject to a finance charge in which only the
6 principal amount of the loan is considered, and not any finance charges or
7 other fees allowed pursuant to section 6-635, for the purpose of
8 determining whether the consumer loan is \$10,000 or less.

9 8. "Consumer loan rate" means the periodic rate of finance charges
10 that applies to the outstanding principal balance of a consumer loan and
11 that remains unpaid. Consumer loan rate does not include any prepaid
12 finance charges pursuant to section 6-632, subsection E or any fees
13 pursuant to section 6-635.

14 9. "Consumer revolving loan" means an open end revolving loan that
15 is established pursuant to an agreement with an agreed on credit limit
16 that does not exceed \$10,000, that the consumer may pay in full at any
17 time but has the privilege of paying in installments and that contemplates
18 or provides that advances may be obtained from time to time by the
19 consumer, through checks, drafts, items, credit access devices, orders for
20 the payment of money, evidences of debt or similar means, whether or not
21 negotiable.

22 10. "Educational loan" means any loan or other aid or assistance
23 for the purpose of furthering the education of a consumer or a relative of
24 a consumer at an accredited or approved university, college, community
25 college, junior college, technical, vocational or professional school, or
26 similar institution.

27 11. "Finance charge" means the amount payable by a consumer
28 incident to or as a condition of the extension of a consumer lender loan
29 but does not include other fees allowed pursuant to section 6-635.

30 12. "Home equity revolving loan" means an open end revolving loan
31 that is made pursuant to an agreement with an agreed on credit limit that
32 is not more than \$10,000, that is secured by the consumer's principal
33 residence and that provides that advances may be obtained from time to
34 time by the consumer through checks, drafts, items, credit access devices,
35 orders for the payment of money, evidences of debt or similar means,
36 whether or not negotiable.

37 13. "License" means a license issued under the authority of this
38 chapter to make consumer lender loans in accordance with this chapter.

39 14. "Licensee" means a person licensed pursuant to this chapter.

40 15. "Precomputed consumer loan" means a consumer loan that is
41 payable in substantially equal, consecutive monthly installments that are
42 applied to the unpaid balance of the principal and precomputed finance
43 charges combined, subject to provisions for refund or credit in the event
44 of prepayment and for deferral or default charges in the event of deferral
45 or default.

46 16. "Regularly engaged in the business" means either:

47 (a) Advertising to or any other solicitation of a resident of this
48 state that offers a consumer loan and that occurs within this state.

1 (b) Making three or more consumer loans within a calendar year to
2 residents of this state.

3 17. "Truth in lending act" means title I of the consumer credit
4 protection act (15 United States Code sections 1601 through 1666j), as
5 amended, and the regulations promulgated under that act (12 Code of
6 Federal Regulations part 226), as amended. >>

7 Sec. 2. Section 6-602, Arizona Revised Statutes, is amended to
8 read:

9 6-602. Exemptions

10 A. This chapter does not apply to:

11 1. A person who does business under any other law of this state, or
12 any other state while regulated by a state agency of that other state, or
13 of the United States, relating to banks, savings banks, trust companies,
14 savings and loan associations, profit sharing and pension trusts, credit
15 unions, insurance companies or receiverships if the consumer lender loan
16 transactions are regulated by the other law or are under the jurisdiction
17 of a court.

18 2. A person who is licensed as a pawnbroker pursuant to title 44,
19 chapter 11, article 3 to the extent that the person's activities are
20 governed by that article.

21 3. A person who is not regularly engaged in the business of making
22 consumer lender loans.

23 4. A person who is licensed pursuant to chapter 9 of this title to
24 the extent that the person's activities are governed by that chapter.

25 5. A PERSON WHO IS LICENSED AS AN EARNED WAGE ACCESS PROVIDER
26 PURSUANT TO CHAPTER 18 OF THIS TITLE.

27 B. The requirements of this chapter do not apply to:

28 1. Closed end loans of more than \$10,000.

29 2. Advances on open end revolving loans that are not secured by the
30 consumer's principal residence with an agreed on credit limit of more than
31 \$10,000, regardless of the amount of any advances on these revolving
32 loans.

33 3. Advances on open end revolving loans that are secured by the
34 consumer's principal residence with an agreed on credit limit of more than
35 \$10,000, regardless of the amount of any advances on these revolving
36 loans.

37 4. Consumer lender loans that are lawfully made to nonresidents of
38 the state in any other state under and in accordance with a regulatory
39 consumer lender law similar in principle to this chapter.

40 5. Educational loans that are either:

41 (a) Made, insured or guaranteed pursuant to a program authorized by
42 the United States, this state or any other state.

43 (b) Made by a nonprofit organization that is exempt from taxation
44 under section 501(c)(3) of the internal revenue code to students who
45 attend postsecondary educational institutions in this state.

46 6. EARNED WAGE ACCESS SERVICE TRANSACTIONS AND RELATED PAYMENTS
47 REGULATED PURSUANT TO CHAPTER 18 OF THIS TITLE.

1 C. A consumer loan made pursuant to a consumer lender license is
2 not a secondary motor vehicle finance transaction as defined in section
3 44-281.

4 Sec. 3. Section 6-1202, Arizona Revised Statutes, is amended to
5 read:

6 6-1202. Exemptions

7 A. This article does not apply to any of the following:

8 1. An operator of a payment system that provides processing,
9 clearing or settlement services between or among persons exempted by this
10 section or licensees in connection with wire transfers, credit card
11 transactions, debit card transactions, stored value transactions,
12 automated clearinghouse transfers, EARNED WAGE ACCESS SERVICE TRANSACTIONS
13 REGULATED PURSUANT TO CHAPTER 18 OF THIS TITLE or similar transfers of
14 money.

15 2. A person WHO IS appointed as an agent of a payee to collect and
16 process a payment from a payor to the payee for goods or services, other
17 than money transmission, provided to the payor by the payee, if all of the
18 following apply:

19 (a) A written agreement exists between the payee and the agent
20 directing the agent to collect and process payments from payors on the
21 payee's behalf.

22 (b) The payee holds the agent out to the public as accepting
23 payments for goods or services on the payee's behalf.

24 (c) Payment for the goods and services is treated as received by
25 the payee on receipt by the agent so that the payor's obligation is
26 extinguished and there is no risk of loss to the payor if the agent fails
27 to remit the money to the payee.

28 3. A person that acts as an intermediary by processing payments
29 between an entity that has directly incurred an outstanding money
30 transmission obligation to a sender and the sender's designated recipient,
31 if the entity meets all of the following criteria:

32 (a) Is properly licensed or exempt from the licensing requirements
33 under this article.

34 (b) Provides a receipt, electronic record or other written
35 confirmation to the sender identifying the entity as the provider of money
36 transmission in the transaction.

37 (c) Bears sole responsibility to satisfy the outstanding money
38 transmission obligation to the sender, including the obligation to make
39 the sender whole in connection with any failure to transmit the money to
40 the sender's designated recipient.

41 4. The United States or a department, an agency or an
42 instrumentality of the United States or its agent.

43 5. Money transmission by the United States postal service or by an
44 agent of the United States postal service.

45 6. A state, county, city or town or any other governmental agency
46 or governmental subdivision or instrumentality of a state or its agent.

47 7. A federally insured depository financial institution, A bank
48 holding company, AN office of an international banking corporation, A

1 foreign bank that establishes a federal branch pursuant to 12 United
2 States Code section 3102, a corporation organized as a bank service
3 company pursuant to 12 United States Code sections 1861 through 1867 or a
4 corporation organized pursuant to 12 United States Code sections 611
5 through 633.

6 8. AN electronic funds transfer of governmental benefits for a
7 federal, state, county or governmental agency by a contractor on behalf of
8 the United States or a department, agency or instrumentality of the United
9 States or on behalf of a state or governmental subdivision, agency or
10 instrumentality of a state.

11 9. A board of trade THAT IS designated as a contract market under
12 the commodity exchange act (7 United States Code sections 1 through 26
13 27f) or a person that, in the ordinary course of business, provides
14 clearance and settlement services for a board of trade to the extent of
15 its operation as or for the board of trade.

16 10. A registered futures commission merchant under the federal
17 commodities laws to the extent of its operation as a merchant.

18 11. A person WHO IS registered as a securities broker or dealer
19 under federal or state securities laws to the extent of the person's
20 operation.

21 12. An individual THAT IS employed by a licensee, an authorized
22 delegate or any person exempt from the licensing requirements of this
23 article when acting within the scope of employment and under the
24 supervision of the licensee, authorized delegate or exempt person as an
25 employee and not as an independent contractor.

26 13. A person THAT IS expressly appointed as a third-party service
27 provider to or agent of an entity exempt under paragraph 7 of this
28 subsection solely to the extent that both:

29 (a) The service provider or agent is engaging in money transmission
30 on behalf of and pursuant to a written agreement with the exempt entity
31 that sets forth the specific functions that the service provider or agent
32 is to perform.

33 (b) The exempt entity assumes all risk of loss and all legal
34 responsibility for satisfying the outstanding money transmission
35 obligations owed to purchasers and holders of the outstanding money
36 transmission obligations on receipt of the purchaser's or holder's money
37 or monetary value by the service provider or agent.

38 14. A person THAT IS exempt by regulation or order if the director
39 finds such exemption to be in the public interest and that regulating the
40 person is not necessary for the purposes of this article.

41 B. The director may require that any person claiming to be exempt
42 from licensing pursuant to this section provide information and
43 documentation to the director demonstrating that the person qualifies for
44 any claimed exemption.

45 Sec. 4. Title 6, Arizona Revised Statutes, is amended by adding
46 chapter 18, to read:

47 CHAPTER 18
48 EARNED WAGE ACCESS

1 ARTICLE 1. GENERAL PROVISIONS

2 6-1801. Definitions

3 IN THIS CHAPTER, UNLESS THE CONTEXT OTHERWISE REQUIRES:

4 1. "BUSINESS ENTITY" MEANS ANY CORPORATION, LIMITED LIABILITY
5 COMPANY, PARTNERSHIP, ASSOCIATION OR OTHER COMMERCIAL ENTITY.

6 2. "CONSUMER" MEANS AN INDIVIDUAL WHO RESIDES IN THIS STATE.

7 3. "CONSUMER-DIRECTED WAGE ACCESS SERVICES" MEANS DELIVERING TO
8 CONSUMERS ACCESS TO EARNED BUT UNPAID INCOME THAT IS BASED ON THE
9 CONSUMER'S REPRESENTATIONS AND THE PROVIDER'S REASONABLE DETERMINATION OF
10 THE CONSUMER'S EARNED BUT UNPAID INCOME.

11 4. "EARNED BUT UNPAID INCOME" MEANS SALARY, WAGES, COMPENSATION OR
12 OTHER INCOME THAT A CONSUMER OR AN EMPLOYER HAS REPRESENTED AND THAT A
13 PROVIDER HAS REASONABLY DETERMINED HAS BEEN EARNED OR ACCRUED TO THE
14 BENEFIT OF THE CONSUMER IN EXCHANGE FOR THE CONSUMER'S SERVICES TO THE
15 EMPLOYER OR ON BEHALF OF THE EMPLOYER, INCLUDING:

16 (a) ON AN HOURLY, PROJECT-BASED, PIECEWORK OR OTHER BASIS.

17 (b) CIRCUMSTANCES IN WHICH THE CONSUMER IS ACTING AS AN INDEPENDENT
18 CONTRACTOR OF THE EMPLOYER, BUT HAS NOT, AT THE TIME OF THE PAYMENT OF
19 PROCEEDS, BEEN PAID TO THE CONSUMER BY THE EMPLOYER.

20 5. "EARNED WAGE ACCESS SERVICES" MEANS PROVIDING CONSUMER-DIRECTED
21 WAGE ACCESS SERVICES OR EMPLOYER-INTEGRATED WAGE ACCESS SERVICES, OR BOTH.

22 6. "EMPLOYER":

23 (a) MEANS A PERSON THAT EMPLOYS A CONSUMER OR ANY OTHER PERSON THAT
24 IS CONTRACTUALLY OBLIGATED TO PAY A CONSUMER EARNED BUT UNPAID INCOME IN
25 EXCHANGE FOR THE CONSUMER'S PROVISION OF SERVICES TO THE PERSON OR ON
26 BEHALF OF THE PERSON, INCLUDING:

27 (i) ON AN HOURLY, PROJECT-BASED, PIECEWORK OR OTHER BASIS.

28 (ii) CIRCUMSTANCES IN WHICH THE CONSUMER IS ACTING AS AN
29 INDEPENDENT CONTRACTOR.

30 (b) DOES NOT INCLUDE:

31 (i) A CUSTOMER OF THE PERSON.

32 (ii) ANY OTHER PERSON WHOSE OBLIGATION TO MAKE A PAYMENT OF SALARY,
33 WAGES, COMPENSATION OR OTHER INCOME TO A CONSUMER IS NOT BASED ON THE
34 PROVISION OF SERVICES BY THAT CONSUMER FOR OR ON BEHALF OF THE PERSON.

35 7. "EMPLOYER-INTEGRATED WAGE ACCESS SERVICES" MEANS DELIVERING TO
36 CONSUMERS ACCESS TO EARNED BUT UNPAID INCOME THAT IS BASED ON EMPLOYMENT,
37 INCOME OR ATTENDANCE DATA OBTAINED DIRECTLY OR INDIRECTLY FROM AN
38 EMPLOYER.

39 8. "FEE":

40 (a) MEANS A FEE THAT IS IMPOSED BY A PROVIDER FOR DELIVERY OR
41 EXPEDITED DELIVERY OF PROCEEDS TO A CONSUMER OR A SUBSCRIPTION OR
42 MEMBERSHIP FEE THAT IS IMPOSED BY A PROVIDER FOR A BONA FIDE GROUP OF
43 SERVICES THAT INCLUDES EARNED WAGE ACCESS SERVICES.

44 (b) DOES NOT INCLUDE:

45 (i) VOLUNTARY TIPS.

46 (ii) GRATUITIES.

47 (iii) OTHER DONATIONS.

1 9. "LICENSEE" MEANS A BUSINESS ENTITY THAT IS LICENSED BY THE
2 DEPARTMENT UNDER SECTION 6-1802 AS A PROVIDER.

3 10. "NATIONWIDE MORTGAGE LICENSING SYSTEM AND REGISTRY" MEANS A
4 MORTGAGE LICENSING SYSTEM DEVELOPED AND MAINTAINED BY A CONFERENCE OF
5 STATE BANK SUPERVISORS AND AN AMERICAN ASSOCIATION OF RESIDENTIAL MORTGAGE
6 REGULATIONS FOR THE STATE LICENSING AND REGISTRATION OF LICENSED LOAN
7 ORIGINATORS AND REGISTERED LOAN ORIGINATORS OR SUCH A SYSTEM ESTABLISHED
8 BY THE DIRECTOR OF THE UNITED STATES BUREAU OF CONSUMER FINANCIAL
9 PROTECTION.

10 11. "OUTSTANDING PROCEEDS" MEANS PROCEEDS THAT WERE REMITTED TO A
11 CONSUMER BY A PROVIDER AND HAVE NOT YET BEEN REPAID TO THAT PROVIDER.

12 12. "PROCEEDS" MEANS A PAYMENT IN UNITED STATES DOLLARS TO A
13 CONSUMER BY A PROVIDER THAT IS BASED ON EARNED BUT UNPAID INCOME.

14 13. "PROVIDER":
15 (a) MEANS A BUSINESS ENTITY THAT PROVIDES EARNED WAGE ACCESS
16 SERVICES TO CONSUMERS.
17 (b) DOES NOT INCLUDE:
18 (i) A SERVICE PROVIDER, SUCH AS A PAYROLL SERVICE PROVIDER, WHOSE
19 ROLE MAY INCLUDE VERIFYING THE AVAILABLE EARNINGS BUT THAT IS NOT
20 CONTRACTUALLY OBLIGATED TO FUND PROCEEDS DELIVERED AS PART OF AN EARNED
21 WAGE ACCESS SERVICE.
22 (ii) AN EMPLOYER THAT OFFERS A PORTION OF SALARY, WAGES OR
23 COMPENSATION DIRECTLY TO ITS EMPLOYEES OR INDEPENDENT CONTRACTORS BEFORE
24 THE NORMALLY SCHEDULED PAY DATE.
25 (iii) A BUSINESS ENTITY THAT OFFERS OR PROVIDES EARNED WAGE ACCESS
26 SERVICES AND THAT REPORTS A CONSUMER'S PAYMENT OR NONPAYMENT OF ANY
27 OUTSTANDING PROCEEDS, FEES, VOLUNTARY GRATUITIES OR OTHER VOLUNTARY
28 DONATIONS THAT ARE ATTRIBUTABLE TO EARNED WAGE ACCESS SERVICES TO A
29 CONSUMER REPORTING AGENCY THAT COMPILES AND MAINTAINS FILES ON CONSUMERS
30 ON A NATIONWIDE BASIS AS DEFINED IN THE FAIR CREDIT REPORTING ACT
31 (P.L. 90-321; 84 STAT. 1128; 15 UNITED STATES CODE SECTION 1681a(p)).
32 6-1802. License; application; fees; bond; definitions
33 A. BEGINNING JANUARY 1, 2027, A PROVIDER, WHETHER LOCATED IN THIS
34 STATE OR IN ANOTHER STATE, MAY NOT PROVIDE EARNED WAGE ACCESS SERVICES IN
35 THIS STATE UNLESS THE PROVIDER HAS BEEN ISSUED A LICENSE BY THE
36 DEPARTMENT.
37 B. A PROVIDER THAT IS REQUIRED TO BE LICENSED UNDER THIS SECTION
38 SHALL APPLY FOR A LICENSE ON A FORM AND IN A MANNER AS PRESCRIBED BY THE
39 DEPARTMENT. THE APPLICATION SHALL INCLUDE ALL OF THE FOLLOWING
40 INFORMATION:
41 1. THE NAME OF THE PROVIDER.
42 2. THE NAME UNDER WHICH THE PROVIDER TRANSACTS BUSINESS, IF
43 DIFFERENT FROM PARAGRAPH 1 OF THIS SUBSECTION.
44 3. THE ADDRESS OF THE PROVIDER'S PRINCIPAL OFFICE, WHICH MAY BE
45 OUTSIDE OF THIS STATE.
46 4. THE ADDRESSES OF ALL OF THE PROVIDER'S OFFICES OR RETAIL STORES,
47 IF ANY, LOCATED IN THIS STATE.

1 5. IF THE PROVIDER PROVIDES EARNED WAGE ACCESS SERVICES AT A
2 LOCATION THAT IS NOT AN OFFICE OR RETAIL STORE IN THIS STATE, A
3 DESCRIPTION OF THE MANNER IN WHICH THE PROVIDER PROVIDES EARNED WAGE
4 ACCESS SERVICES AND THE PROVIDER'S WEBSITE UNIFORM RESOURCE LOCATOR.
5 6. THE ADDRESS OF THE PROVIDER'S DESIGNATED AGENT ON WHOM SERVICE
6 OF PROCESS MAY BE MADE IN THIS STATE.
7 7. THE PROVIDER'S FEDERAL EMPLOYER IDENTIFICATION NUMBER.
8 8. A FEE SCHEDULE THAT INCLUDES A COMPLETE DESCRIPTION OF ALL THE
9 FEES THAT THE PROVIDER CHARGES OR MAY CHARGE TO PROVIDE ACCESS TO EARNED
10 WAGES.
11 9. DOCUMENTATION OR OTHER INFORMATION THAT DEMONSTRATES THE
12 CHARACTER, GENERAL FITNESS AND FINANCIAL RESPONSIBILITY OF THE FOLLOWING,
13 AS APPLICABLE:
14 (a) THE APPLICANT.
15 (b) THE APPLICANT'S PARTNERS IF THE PROVIDER IS A PARTNERSHIP.
16 (c) THE APPLICANT'S MANAGERS AND MEMBERS IF THE PROVIDER IS A
17 LIMITED LIABILITY COMPANY OR ASSOCIATION.
18 (d) THE APPLICANT'S OFFICERS AND DIRECTORS IF THE PROVIDER IS A
19 CORPORATION.
20 10. ANY OTHER INFORMATION THE DEPARTMENT REQUIRES TO ADMINISTER
21 THIS CHAPTER.
22 C. IN ADDITION TO THE APPLICATION UNDER SUBSECTION B OF THIS
23 SECTION, EACH LICENSEE SHALL REGISTER WITH AND MAINTAIN A VALID UNIQUE
24 IDENTIFIER ISSUED BY THE NATIONWIDE MORTGAGE LICENSING SYSTEM AND
25 REGISTRY.
26 D. A PROVIDER THAT IS REQUIRED TO BE LICENSED UNDER THIS SECTION
27 SHALL UPDATE ANY INFORMATION PROVIDED IN ITS LICENSE APPLICATION WITHIN
28 FIFTEEN BUSINESS DAYS AFTER ANY MATERIAL CHANGE IN THAT INFORMATION.
29 E. A PROVIDER THAT IS REQUIRED TO BE LICENSED UNDER THIS SECTION
30 SHALL FILE WITH THE DEPARTMENT AND MAINTAIN IN FORCE A SURETY BOND THAT IS
31 ISSUED BY A SURETY COMPANY THAT IS ADMITTED TO DO BUSINESS IN THIS STATE
32 AND THAT MEETS ALL OF THE FOLLOWING REQUIREMENTS:
33 1. IS IN AN AMOUNT EQUAL TO \$50,000.
34 2. IS IN FAVOR OF THIS STATE FOR THE BENEFIT OF ANY PERSON THAT IS
35 DAMAGED BY A VIOLATION OF THIS CHAPTER.
36 3. IS IN FAVOR OF ANY PERSON THAT IS DAMAGED BY A VIOLATION OF THIS
37 CHAPTER.
38 F. A PERSON THAT CLAIMS AGAINST A BOND DESCRIBED UNDER SUBSECTION E
39 OF THIS SECTION FOR A VIOLATION OF THIS CHAPTER MAY MAINTAIN AN ACTION AT
40 LAW AGAINST THE PROVIDER THAT OBTAINED THE SURETY THAT ISSUED THE
41 BOND. THE SURETY IS LIABLE ONLY FOR ACTUAL DAMAGES AND NOT FOR PUNITIVE
42 DAMAGES. THE AGGREGATE LIABILITY OF THE SURETY TO ALL PERSONS DAMAGED BY
43 A PROVIDER'S VIOLATION OF THIS CHAPTER DOES NOT EXCEED THE AMOUNT OF THE
44 BOND.
45 G. ONCE THE APPLICANT SUBMITS AN APPLICATION, THE DEPARTMENT SHALL
46 CONDUCT A CHARACTER AND GENERAL FITNESS AND FINANCIAL RESPONSIBILITY
47 INVESTIGATION OF THE FOLLOWING:
48 1. THE APPLICANT.

1 2. THE APPLICANT'S PARTNERS IF THE PROVIDER IS A PARTNERSHIP.
2 3. THE APPLICANT'S MANAGERS AND MEMBERS IF THE PROVIDER IS A
3 LIMITED LIABILITY COMPANY OR ASSOCIATION.
4 4. THE APPLICANT'S OFFICERS AND DIRECTORS IF THE PROVIDER IS A
5 CORPORATION.
6 H. IF THE INVESTIGATION PURSUANT TO SUBSECTION G OF THIS SECTION
7 FINDS RELEVANT FACTS THAT WARRANT THE BELIEF THAT THE APPLICANT'S BUSINESS
8 WILL BE OPERATED IN COMPLIANCE WITH THIS CHAPTER, THE DEPARTMENT SHALL
9 ISSUE A LICENSE AND, IF NOT, THE DEPARTMENT SHALL DENY THE APPLICATION FOR
10 A LICENSE.
11 I. THE DEPARTMENT MAY NOT ISSUE A LICENSE TO AN APPLICANT IF ANY OF
12 THE FOLLOWING APPLIES:
13 1. THE APPLICANT FAILS TO PROVIDE ANY INFORMATION REQUIRED UNDER
14 SUBSECTION B OF THIS SECTION.
15 2. THE DEPARTMENT OF REVENUE CERTIFIES THAT THE APPLICANT IS LIABLE
16 FOR DELINQUENT TAXES AS PRESCRIBED IN SECTION 42-1103.
17 J. THE PROVIDER'S LICENSE REMAINS IN FORCE AND EFFECT UNTIL THE
18 DEPARTMENT SUSPENDS OR REVOKES THE LICENSE IN ACCORDANCE WITH THIS CHAPTER
19 OR THE PROVIDER SURRENDERS THE LICENSE. A LICENSEE SHALL APPLY FOR
20 RENEWAL AS PRESCRIBED BY THE DIRECTOR OF THE DEPARTMENT NOT LATER THAN
21 DECEMBER 31 OF EACH YEAR. FOR EACH DAY AFTER DECEMBER 31 THAT THE RENEWAL
22 APPLICATION IS NOT RECEIVED BY THE DIRECTOR OF THE DEPARTMENT, THE
23 APPLICANT SHALL PAY A \$25 LATE FEE. IF THE DIRECTOR OF THE DEPARTMENT
24 DOES NOT RECEIVE THE LICENSEE'S RENEWAL APPLICATION ON OR BEFORE DECEMBER
25 31, THE LICENSEE MAY NOT ACT AS AN EARNED WAGE ACCESS SERVICES PROVIDER
26 UNTIL THE LICENSE IS RENEWED OR A NEW LICENSE IS ISSUED PURSUANT TO THIS
27 ARTICLE. IF THE DIRECTOR OF THE DEPARTMENT DOES NOT RECEIVE THE
28 LICENSEE'S RENEWAL APPLICATION ON OR BEFORE JANUARY 31, THE LICENSE
29 AUTOMATICALLY EXPIRES. THE HOLDER OF AN EXPIRED LICENSE MAY NOT BE ISSUED
30 A RENEWAL LICENSE BUT MAY BE ISSUED A NEW LICENSE AS PROVIDED IN THIS
31 ARTICLE.
32 K. A PROVIDER SHALL CONSPICUOUSLY POST ITS LICENSE AT ITS PHYSICAL
33 PLACE OF BUSINESS, ON THE PROVIDER'S WEBSITE AND ON ANY OFFICIAL
34 CONSUMER-FACING DOCUMENT, AGREEMENT OR CORRESPONDENCE.
35 L. AN APPLICANT MAY APPEAL A DENIAL OF AN APPLICATION PURSUANT TO
36 TITLE 41, CHAPTER 6, ARTICLE 10.
37 [M. UNTIL THE DEPARTMENT HAS PROCESSED THAT APPLICANT'S
38 APPLICATION, AN APPLICANT WHO, AS OF JANUARY 1, 2026, WAS ENGAGED IN THE
39 BUSINESS OF PROVIDING EARNED WAGE ACCESS SERVICES IN THIS STATE, MAY
40 CONTINUE TO ENGAGE IN THE BUSINESS OF OFFERING AND PROVIDING EARNED WAGE
41 ACCESS SERVICES IN THIS STATE IF THE PERSON HAS SUBMITTED AN APPLICATION
42 WITHIN SIX MONTHS AFTER THE DEPARTMENT PRESCRIBES THE FORM AND CONTENT OF
43 THE APPLICATION AND IS OTHERWISE IN COMPLIANCE WITH THIS SECTION.]
44 ~~[M.]~~ [N.] FOR THE PURPOSES OF THIS SECTION:
45 1. "APPLICANT" MEANS A PROVIDER THAT HAS SUBMITTED AN APPLICATION
46 FOR A LICENSE UNDER SUBSECTION B OF THIS SECTION.
47 2. "DIRECTOR" MEANS A MEMBER OF THE APPLICANT'S OR LICENSEE'S BOARD
48 OF DIRECTORS.

1 3. "MEMBER", EXCEPT UNDER PARAGRAPH 2 OF THIS SUBSECTION, MEANS A
2 PERSON WHO EITHER:
3 (a) HAS THE RIGHT TO RECEIVE ON DISSOLUTION.
4 (b) HAS CONTRIBUTED TEN PERCENT OR MORE OF THE CAPITAL CONTRIBUTION
5 OF AN APPLICANT OR LICENSEE THAT IS ORGANIZED AS A LIMITED LIABILITY
6 COMPANY OR ASSOCIATION OR IS OTHERWISE ENTITLED TO RECEIVE TEN PERCENT OR
7 MORE OF THE RIGHTS AND BENEFITS OF THE MEMBERSHIP INTEREST OWNERSHIP IN
8 THE LIMITED LIABILITY COMPANY OR ASSOCIATION.
9 4. "OFFICER":
10 (a) MEANS A PERSON WHO PARTICIPATES OR HAS AUTHORITY TO
11 PARTICIPATE, OTHER THAN IN THE CAPACITY OF A DIRECTOR, IN MAJOR
12 POLICYMAKING FUNCTIONS OF AN APPLICANT OR LICENSEE, WHETHER OR NOT THE
13 PERSON HAS AN OFFICIAL TITLE.
14 (b) INCLUDES THE CHIEF EXECUTIVE OFFICER, CHIEF FINANCIAL OFFICER,
15 CHIEF OPERATIONS OFFICER, CHIEF LEGAL OFFICER, CHIEF CREDIT OFFICER AND
16 CHIEF COMPLIANCE OFFICER, EACH EXECUTIVE VICE PRESIDENT OR SENIOR VICE
17 PRESIDENT AND ANY OTHER PERSON MEETING THE STANDARD UNDER THIS PARAGRAPH.
18 5. "PARTNER" MEANS A PERSON THAT EITHER:
19 (a) HAS THE RIGHT TO RECEIVE ON DISSOLUTION.
20 (b) HAS CONTRIBUTED TEN PERCENT OR MORE OF THE CAPITAL CONTRIBUTION
21 OF AN APPLICANT OR LICENSEE THAT IS ORGANIZED AS A PARTNERSHIP.
22 6-1803. Provider requirements; limitations
23 A. A PROVIDER THAT IS REQUIRED TO BE LICENSED UNDER SECTION 6-1802
24 SHALL DO ALL OF THE FOLLOWING:
25 1. DEVELOP AND IMPLEMENT POLICIES AND PROCEDURES TO RESPOND TO
26 QUESTIONS RAISED BY CONSUMERS AND ADDRESS COMPLAINTS FROM CONSUMERS IN AN
27 EXPEDIENT MANNER, INCLUDING REIMBURSING A CONSUMER PURSUANT TO PARAGRAPH
28 10, SUBDIVISION (b) OF THIS SUBSECTION.
29 2. OFFER AT LEAST ONE REASONABLE OPTION TO A CONSUMER TO OBTAIN
30 PROCEEDS AT NO COST AND CLEARLY EXPLAIN TO THE CONSUMER HOW TO ELECT THAT
31 NO COST OPTION.
32 3. BEFORE ENTERING INTO AN AGREEMENT WITH A CONSUMER FOR EARNED
33 WAGE ACCESS SERVICES, DO ALL OF THE FOLLOWING:
34 (a) INFORM THE CONSUMER OF THE CONSUMER'S RIGHTS UNDER THE
35 AGREEMENT IN WRITING.
36 (b) FULLY AND CLEARLY DISCLOSE ALL FEES ASSOCIATED WITH THE EARNED
37 WAGE ACCESS SERVICES AND THE DIFFERENCE BETWEEN THE SERVICES AND THE NO
38 FEE OPTION.
39 (c) EXPLAIN THE PROCEDURES THE PROVIDER WILL FOLLOW IF THE
40 PROVIDER'S FIRST ATTEMPT TO OBTAIN PAYMENT OF OUTSTANDING PROCEEDS AND ANY
41 ASSOCIATED FEES, TIPS, GRATUITIES AND OTHER DONATIONS IS UNSUCCESSFUL.
42 4. EXCEPT AS PROVIDED IN PARAGRAPH 5 OF THIS SUBSECTION, OBTAIN THE
43 CONSENT OF THE CONSUMER FOR ANY MATERIAL CHANGE TO THE TERMS AND
44 CONDITIONS OF THE EARNED WAGE ACCESS SERVICES BEFORE IMPLEMENTING THAT
45 CHANGE FOR THE CONSUMER.
46 5. PROVIDE AT LEAST THIRTY DAYS' ADVANCE WRITTEN NOTICE TO A
47 CONSUMER FOR ANY MATERIAL CHANGE TO THE TERMS AND CONDITIONS OF AN EARNED
48 WAGE ACCESS PRODUCT THAT INCLUDES THE CUSTOMER'S ASSENT TO A VOLUNTARY

1 PREAUTHORIZED AUTOMATED ELECTRONIC FUNDS TRANSFER. THE NOTICE REQUIRED BY
2 THIS PARAGRAPH MAY BE PROVIDED THROUGH EMAIL OR ANOTHER CONSPICUOUS
3 ELECTRONIC METHOD IF THE CONSUMER CONSENTS TO RECEIVE COMMUNICATIONS
4 THROUGH ELECTRONIC MEANS. FOR THE PURPOSES OF THIS PARAGRAPH, VOLUNTARY
5 PREAUTHORIZED AUTOMATED ELECTRONIC FUNDS TRANSFER DOES NOT INCLUDE A
6 ONETIME TRANSACTION FOR PROCEEDS AUTHORIZED BY THE CONSUMER.

7 6. ALLOW THE CONSUMER TO CANCEL USE OF THE PROVIDER'S EARNED WAGE
8 ACCESS SERVICES AT ANY TIME WITHOUT INCURRING A CANCELLATION FEE OR
9 INHIBITING ACCESS TO CONSUMER FUNDS THAT ARE IN PROCESS.

10 7. COMPLY WITH ALL LOCAL, STATE AND FEDERAL PRIVACY AND INFORMATION
11 SECURITY LAWS.

12 8. IF A PROVIDER SOLICITS, CHARGES OR RECEIVES A TIP, GRATUITY OR
13 OTHER DONATION FROM A CONSUMER, DO ALL OF THE FOLLOWING:

14 (a) CLEARLY AND CONSPICUOUSLY DISCLOSE TO THE CONSUMER IN
15 PROMINENTLY DISPLAYED WRITING IMMEDIATELY BEFORE EACH TRANSACTION THAT ANY
16 TIP, GRATUITY OR OTHER DONATION AMOUNT MAY BE ZERO AND IS VOLUNTARY.

17 (b) CLEARLY AND CONSPICUOUSLY DISCLOSE IN ITS SERVICE CONTRACT WITH
18 THE CONSUMER AND ELSEWHERE THAT ANY TIP, GRATUITY OR DONATION IS VOLUNTARY
19 AND THAT OFFERING EARNED WAGE ACCESS SERVICES, INCLUDING THE AMOUNT OF
20 PROCEEDS A CONSUMER IS ELIGIBLE TO REQUEST AND THE FREQUENCY WITH WHICH
21 PROCEEDS ARE PROVIDED TO A CONSUMER, IS NOT CONTINGENT ON WHETHER THE
22 CONSUMER PAYS ANY TIP, GRATUITY OR OTHER DONATION OR ON THE SIZE OF THE
23 TIP, GRATUITY OR OTHER DONATION.

24 (c) SET THE INITIAL SUGGESTED TIP[, GRATUITY OR OTHER DONATION, IF
25 ANY.] TO ZERO[, IF ANY, AND ALLOW THE CONSUMER TO OPT IN TO DIFFERENT
26 DEFAULT SETTINGS FOR FUTURE TRANSACTIONS].

27 9. PROVIDE PROCEEDS TO A CONSUMER BY ANY MEANS MUTUALLY AGREED ON
28 BY THE CONSUMER AND THE LICENSEE.

29 10. IF THE PROVIDER SEEKS REPAYMENT OF OUTSTANDING PROCEEDS OR
30 PAYMENT OF FEES OR OTHER AMOUNTS OWED, INCLUDING VOLUNTARY TIPS,
31 GRATUITIES OR OTHER DONATIONS, IN CONNECTION WITH THE ACTIVITIES COVERED
32 BY THIS CHAPTER FROM A CONSUMER'S ACCOUNT AT A DEPOSITORY INSTITUTION BY
33 MEANS OF AN ELECTRONIC FUNDS TRANSFER, DO ALL OF THE FOLLOWING:

34 (a) COMPLY WITH APPLICABLE PROVISIONS OF THE ELECTRONIC FUND
35 TRANSFER ACT AS PRESCRIBED IN 15 UNITED STATES CODE SECTIONS 1693 THROUGH
36 1693r AND THE REGULATIONS ADOPTED UNDER 15 UNITED STATES CODE SECTIONS
37 1693 THROUGH SECTION 1693r.

38 (b) WITHIN TEN BUSINESS DAYS AFTER THE CONSUMER'S REQUEST,
39 REIMBURSE THE CONSUMER FOR THE FULL AMOUNT OF ANY OVERDRAFT OR
40 NONSUFFICIENT FUND FEES IMPOSED ON THAT CONSUMER BY THE CONSUMER'S
41 DEPOSITORY INSTITUTION THAT WERE CAUSED BY THE PROVIDER ATTEMPTING TO SEEK
42 PAYMENT OF ANY OUTSTANDING PROCEEDS, FEES OR OTHER PAYMENTS IN CONNECTION
43 WITH THE ACTIVITIES COVERED BY THIS CHAPTER, INCLUDING VOLUNTARY TIPS,
44 GRATUITIES OR OTHER DONATIONS, ON A DATE BEFORE, OR IN AN INCORRECT AMOUNT
45 FROM, THE DATE OR AMOUNT DISCLOSED TO THE CONSUMER. THE PROVIDER IS NOT
46 SUBJECT TO THE REQUIREMENTS IN THIS PARAGRAPH WITH RESPECT TO PAYMENTS OF
47 OUTSTANDING AMOUNTS OR FEES INCURRED BY A CONSUMER THROUGH FRAUDULENT OR
48 OTHER UNLAWFUL MEANS THAT THE PROVIDER, USING REASONABLE GOOD-FAITH

1 EFFORTS TO DETERMINE, REASONABLY BELIEVES ARE THE RESULT OF THE CUSTOMER'S
2 CONDUCT.

3 B. A PROVIDER THAT IS REQUIRED TO BE LICENSED UNDER SECTION 6-1802
4 MAY NOT DO ANY OF THE FOLLOWING:

5 1. SHARE WITH AN EMPLOYER A PORTION OF ANY FEES, VOLUNTARY TIPS,
6 GRATUITIES OR OTHER DONATIONS THAT WERE RECEIVED FROM OR CHARGED TO A
7 CONSUMER FOR EARNED WAGE ACCESS SERVICES.

8 2. REQUIRE A CONSUMER'S [CREDIT REPORT OR A] CREDIT SCORE THAT WAS
9 GENERATED FROM A CREDIT REPORT PROVIDED OR ISSUED BY A CONSUMER REPORTING
10 AGENCY TO DETERMINE A CONSUMER'S ELIGIBILITY FOR EARNED WAGE ACCESS
11 SERVICES.

12 3. ACCEPT PAYMENT OF OUTSTANDING PROCEEDS, FEES, VOLUNTARY TIPS,
13 GRATUITIES OR OTHER DONATIONS FROM A CONSUMER BY MEANS OF A CREDIT CARD OR
14 CHARGE CARD.

15 4. CHARGE A LATE FEE OR DEFERRAL FEE, INTEREST OR ANY OTHER PENALTY
16 OR CHARGE FOR FAILURE TO PAY OUTSTANDING PROCEEDS, FEES, VOLUNTARY TIPS,
17 GRATUITIES OR OTHER DONATIONS.

18 5. COMPEL OR ATTEMPT TO COMPEL PAYMENT BY A CONSUMER OF OUTSTANDING
19 PROCEEDS, FEES, VOLUNTARY TIPS, GRATUITIES OR OTHER DONATIONS TO THE
20 PROVIDER THROUGH ANY OF THE FOLLOWING MEANS:

21 (a) A SUIT AGAINST THE CONSUMER IN A COURT OF COMPETENT
22 JURISDICTION.

23 (b) USE OF OUTBOUND TELEPHONE CALLS.

24 (c) USE OF A THIRD PARTY TO PURSUE COLLECTION FROM THE CONSUMER ON
25 THE PROVIDER'S BEHALF.

26 (d) SALE OF OUTSTANDING AMOUNTS TO A THIRD-PARTY COLLECTOR OR DEBT
27 BUYER FOR COLLECTION FROM THE CONSUMER.

28 (e) BY ACTING AS A COLLECTION AGENCY AS DEFINED IN SECTION 32-1001
29 [IN CONNECTION WITH AN EARNED WAGE ACCESS SERVICE].

30 6. IF THE PROVIDER SOLICITS OR RECEIVES TIPS, GRATUITIES OR OTHER
31 DONATIONS FROM CONSUMERS, MISLEADS OR DECEIVES CONSUMERS ABOUT THE
32 VOLUNTARY NATURE OF THE TIPS, GRATUITIES OR OTHER DONATIONS OR MAKE
33 REPRESENTATIONS THAT THE TIPS, GRATUITIES OR OTHER DONATIONS WILL BENEFIT
34 ANY INDIVIDUAL, INCLUDING THE CONSUMER, OR ARE NECESSARY TO OFFER EARNED
35 WAGE ACCESS SERVICES, INCLUDING THE AMOUNT OF PROCEEDS THE CONSUMER IS
36 ELIGIBLE TO REQUEST AND THE FREQUENCY WITH WHICH PROCEEDS ARE PROVIDED TO
37 THE CONSUMER.

38 7. ADVERTISE, PRINT, DISPLAY, PUBLISH, DISTRIBUTE OR BROADCAST OR
39 CAUSE TO BE ADVERTISED, PRINTED, DISPLAYED, PUBLISHED, DISTRIBUTED OR
40 BROADCAST, IN ANY MANNER, ANY STATEMENT OR REPRESENTATION WITH REGARD TO
41 THE EARNED WAGE ACCESS SERVICES THAT ARE OFFERED BY THE PROVIDER THAT IS
42 FALSE, MISLEADING OR DECEPTIVE, OR THAT OMITTS OR STATES MATERIAL
43 INFORMATION THAT IS NECESSARY TO MAKE THE STATEMENTS NOT FALSE, MISLEADING
44 OR DECEPTIVE.

45 8. REQUIRE THAT A CONSUMER'S SOLE MEANS OF ACCESSING MONIES BE
46 THROUGH A PROVIDER PAYCARD, DIGITAL WALLET OR SIMILAR PAYMENT PROCESS.

1 9. CHARGE FEES FOR DELIVERY OR EXPEDITED DELIVERY OF PROCEEDS THAT
2 EXCEED \$5 FOR ANY ADVANCE THAT IS EQUAL TO OR LESS THAN \$75 OR \$7.50 FOR
3 ANY ADVANCE THAT IS MORE THAN \$75.

4 10. OFFER EARNED WAGE ACCESS SERVICES, INCLUDING THE AMOUNT OF
5 PROCEEDS A CONSUMER IS ELIGIBLE TO REQUEST AND THE FREQUENCY WITH WHICH
6 PROCEEDS ARE PROVIDED TO A CONSUMER, THAT ARE CONTINGENT ON WHETHER THE
7 CONSUMER PAYS ANY TIP, GRATUITY OR OTHER DONATION OR ON THE SIZE OF THE
8 TIP, GRATUITY OR OTHER DONATION.

9 C. A PROVIDER THAT IS REQUIRED TO BE LICENSED UNDER SECTION 6-1802
10 MAY SOLICIT OR RECEIVE TIPS, GRATUITIES OR OTHER DONATIONS ONLY ONE TIME
11 PER TRANSACTION AND CONFIRM THE FINAL TRANSACTION ON THE COMPLETION
12 SCREEN.

13 D. THE LIMITS SET FORTH IN SUBSECTION B, PARAGRAPH 5 OF THIS
14 SECTION DO NOT APPLY TO A PROVIDER THAT IS:

15 1. SEEKING PAYMENT OF ANY OUTSTANDING AMOUNT OR FEE THAT WAS
16 INCURRED BY A CONSUMER THROUGH FRAUD OR OTHER UNLAWFUL MEANS THAT THE
17 PROVIDER, USING REASONABLE GOOD-FAITH EFFORTS TO DETERMINE, REASONABLY
18 BELIEVES ARE THE RESULT OF CONSUMER'S CONDUCT.

19 2. SUING AN EMPLOYER FOR THE EMPLOYER'S BREACH OF THE EMPLOYER'S
20 CONTRACT WITH THE PROVIDER.

21 E. A PROVIDER MAY USE THE MAILING ADDRESS PROVIDED BY A CONSUMER TO
22 DETERMINE THE CONSUMER'S STATE OF RESIDENCE FOR THE PURPOSES OF THIS
23 CHAPTER.

24 6-1804. Interpretation: applicability

25 A. NOTWITHSTANDING ANY OTHER LAW, EARNED WAGE ACCESS SERVICES
26 OFFERED AND PROVIDED BY A LICENSEE IN COMPLIANCE WITH THIS CHAPTER ARE NOT
27 CONSIDERED ANY OF THE FOLLOWING:

28 1. A VIOLATION OF OR NONCOMPLIANCE WITH SECTION 23-1068, SUBSECTION
29 A OR ANY OTHER LAW OF THIS STATE GOVERNING [THE PAYMENT OF MINIMUM OR
30 OVERTIME WAGES, DEDUCTIONS FROM PAYROLL, SALARY, WAGES, COMPENSATION OR
31 OTHER INCOME, THE PURCHASE OR] A SALE, ASSIGNMENT OR ORDER FOR EARNED BUT
32 UNPAID INCOME OR OTHER WAGES.

33 2. A LOAN OR OTHER FORM OF CREDIT OR DEBT.

34 3. MONEY TRANSMISSION.

35 B. NOTWITHSTANDING ANY OTHER LAW, FEES PAID TO A LICENSEE IN
36 ACCORDANCE WITH THIS CHAPTER ARE NOT CONSIDERED INTEREST OR FINANCE
37 CHARGES. IF THERE IS A CONFLICT BETWEEN THIS CHAPTER AND ANY OTHER
38 STATUTE, THIS CHAPTER CONTROLS.

39 C. TITLE 32, CHAPTER 9 DOES NOT APPLY TO PROCEEDS A PROVIDER
40 PROVIDES TO A CONSUMER IN ACCORDANCE WITH THIS CHAPTER.

41 D. A VOLUNTARY TIP, GRATUITY OR OTHER DONATION PAID BY A CONSUMER
42 TO A LICENSEE IN ACCORDANCE WITH THIS CHAPTER IS NOT CONSIDERED A FINANCE
43 CHARGE UNDER STATE LAW.

44 6-1805. Annual report: books and records

45 A. ON OR BEFORE JULY 1 OF EACH YEAR, A PROVIDER THAT IS REQUIRED TO
46 BE LICENSED UNDER SECTION 6-1802 SHALL SUBMIT AN ANNUAL REPORT TO THE
47 DEPARTMENT THAT INCLUDES ALL OF THE FOLLOWING INFORMATION RELATED TO

1 EARNED WAGE ACCESS SERVICES THAT THE PROVIDER PROVIDED IN THIS STATE
2 DURING THE PRIOR YEAR:

3 1. GROSS REVENUE THAT IS ATTRIBUTED TO EARNED WAGE ACCESS SERVICES.
4 2. THE TOTAL NUMBER OF TRANSACTIONS IN WHICH THE PROVIDER PROVIDED
5 PROCEEDS TO CONSUMERS AND THE TOTAL NUMBER OF TRANSACTIONS IN WHICH:

6 (a) THE PROVIDER RECEIVED A FEE FROM THE CONSUMER.
7 (b) THE PROVIDER RECEIVED A VOLUNTARY TIP, GRATUITY OR OTHER
8 DONATION FROM THE CONSUMER.
9 (c) THE CONSUMER OBTAINED PROCEEDS AT NO COST.

10 3. THE TOTAL NUMBER OF UNIQUE CONSUMERS TO WHOM THE PROVIDER
11 PROVIDED PROCEEDS.
12 4. THE TOTAL DOLLAR AMOUNT OF PROCEEDS THE PROVIDER PROVIDED TO
13 CONSUMERS.
14 5. THE TOTAL DOLLAR AMOUNT OF:

15 (a) FEES THE PROVIDER RECEIVED FROM CONSUMERS.
16 (b) VOLUNTARY TIPS, GRATUITIES OR OTHER DONATIONS THE PROVIDER
17 RECEIVED FROM CONSUMERS.
18 6. THE TOTAL NUMBER OF TRANSACTIONS IN WHICH THE PROVIDER PROVIDED
19 AND THE TOTAL AMOUNT OF REIMBURSEMENTS TO A CONSUMER FOR OVERDRAFT OR
20 NONSUFFICIENT FUND FEES THAT WERE IMPOSED ON THAT CONSUMER.
21 7. THE TOTAL NUMBER OF CLAIMS MADE BY THE PROVIDER AGAINST A
22 CONSUMER FOR FRAUD OR UNLAWFUL ACTS, INCLUDING THE DOLLAR AMOUNTS OF ANY
23 CLAIM. THE DEPARTMENT MAY REQUEST FOLLOW-UP INFORMATION THAT INCLUDES:

24 (a) INVESTIGATION DOCUMENTATION.
25 (b) EVIDENCE THAT SUPPORTS FRAUD OR UNLAWFUL CONDUCT.
26 (c) INFORMATION AS TO WHETHER A COURT OF COMPETENT JURISDICTION
27 ADJUDICATED THE MATTER.

28 B. THE DIRECTOR MAY EXTEND THE DEADLINE FOR THE ANNUAL REPORT FOR
29 GOOD CAUSE.

30 C. THE DEPARTMENT MAY TAKE DISCIPLINARY ACTION AGAINST A PROVIDER
31 IF THE PROVIDER FAILS TO SUBMIT A TIMELY REPORT AS REQUIRED UNDER THIS
32 SECTION.

33 D. A PROVIDER THAT IS REQUIRED TO BE LICENSED UNDER SECTION 6-1802
34 SHALL KEEP BOOKS AND RECORDS THAT, IN THE OPINION OF THE DEPARTMENT, WILL
35 ENABLE THE DEPARTMENT TO DETERMINE WHETHER THE PROVIDER IS IN COMPLIANCE
36 WITH THIS CHAPTER FOR AT LEAST FIVE YEARS.

37 6-1806. Denial of renewal or suspension or revocation of
38 license

39 A. THE DEPARTMENT MAY DENY THE RENEWAL OF A LICENSE OR SUSPEND OR
40 REVOKE A LICENSE IF THE DEPARTMENT FINDS THAT THE LICENSEE:

41 1. IS INSOLVENT AS DEFINED IN SECTION 47-1201.
42 2. HAS FAILED TO FILE AN ANNUAL REPORT AS REQUIRED BY SECTION
43 6-1805 BY THE DUE DATE OR WITHIN AN EXTENDED TIME FRAME GRANTED BY THE
44 DIRECTOR FOR GOOD CAUSE.
45 3. HAS FAILED TO HAVE OR MAINTAIN THE SURETY BOND REQUIRED BY
46 SECTION 6-1802, SUBSECTION E.
47 4. HAS VIOLATED A RULE, ORDER OR ANY PROVISION OF THIS TITLE.

1 5. HAS FAILED TO OPERATE THE BUSINESS OF OFFERING OR PROVIDING
2 EARNED WAGE ACCESS SERVICES IN THIS STATE FOR A CONTINUOUS PERIOD OF
3 TWELVE MONTHS OR MORE, EXCEPT THAT THE DEPUTY DIRECTOR MAY EXTEND THE TIME
4 FOR NOT MORE THAN TWELVE ADDITIONAL MONTHS FOR A SINGLE FIXED PERIOD ON
5 GOOD CAUSE SHOWN.
6 B. THE DEPARTMENT MAY ALSO DENY RENEWAL OF A LICENSE OR SUSPEND OR
7 REVOKE A LICENSE IF THE DIRECTOR FINDS THAT ANY FACT OR CONDITION EXISTS
8 THAT, IF IT HAD EXISTED AT THE TIME OF THE ORIGINAL APPLICATION FOR THE
9 LICENSE, WOULD HAVE CLEARLY WARRANTED THE DIRECTOR TO REFUSE TO ISSUE THE
10 LICENSE.
11 C. A LICENSEE MAY APPEAL A DENIAL OF A RENEWAL APPLICATION OR A
12 SUSPENSION OR REVOCATION PURSUANT TO TITLE 41, CHAPTER 6, ARTICLE 10.
13 6-1807. Mergers and acquisition of control; approval of
14 director
15 A PERSON LICENSED UNDER THIS CHAPTER MAY NOT MERGE WITH, ACQUIRE
16 CONTROL OVER OR AGREE TO BE ACQUIRED BY ANOTHER ENTITY WITHOUT THE
17 APPROVAL OF THE DIRECTOR. THIS SECTION DOES NOT PROHIBIT A LICENSEE OR
18 OTHER PERSON FROM NEGOTIATING OR ENTERING INTO AGREEMENTS SUBJECT TO THE
19 CONDITION THAT THE MERGER OR ACQUISITION OF CONTROL BECOMES EFFECTIVE ON
20 APPROVAL OF THE DIRECTOR.
21 6-1808. Unlawful practice
22 FAILURE TO COMPLY WITH THIS CHAPTER IS AN UNLAWFUL PRACTICE PURSUANT
23 TO SECTION 44-1522. THE ATTORNEY GENERAL MAY INVESTIGATE AND TAKE
24 APPROPRIATE ACTION AS PRESCRIBED IN TITLE 44, CHAPTER 10, ARTICLE 7.
25 6-1809. Department; rules
26 THE DIRECTOR MAY ADOPT RULES TO IMPLEMENT THIS CHAPTER.

27 Enroll and engross to conform
28 Amend title to conform

JEFF WENINGER

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ARIZONA HOUSE OF REPRESENTATIVES
Fifty-seventh Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON _____ Commerce _____ BILL NO. HB 2309

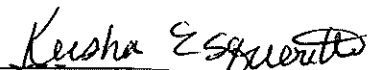
DATE February 03, 2026 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar			✓		
Blackman				✓	
Carter N				✓	
Cavero			✓		
Connolly				✓	
Diaz		✓			
Hendrix		✓			
Villegas			✓		
Wilmeth		✓			
Way, Vice-Chairman		✓			
Weninger, Chairman		✓			
		5	3	3	0

APPROVED:



JEFF WENINGER, Chairman
MICHAEL WAY, Vice-Chairman


COMMITTEE SECRETARY

ATTACHMENT 23



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

HB 2875: local regulation; prohibition; unmanned aircraft

Sponsor: Representative Weninger, LD 13

Committee on Commerce

Overview

Transfers statutory provisions relating to local government prohibitions on regulating unmanned aircraft from Title 13 to Title 9 or Title 11 as appropriate.

History

Statute outlines restrictions for operating a model or unmanned aircraft including precluding a city, town or county from enacting or adopting any ordinance, policy or rule that relates to the ownership or operation of an unmanned aircraft or unmanned aircraft system or otherwise engage in regulating the ownership or operation of an unmanned aircraft or unmanned aircraft system ([A.R.S. § 13-3729](#)).

Provisions

Statutory Transfer

1. Transfers statutory provisions relating to prohibiting a city, town or county from enacting or adopting any ordinance that relates to the ownership or operation of an unmanned aircraft or system and specified exemptions from Title 13 (Miscellaneous Offenses) to Title 9 (Cities and Towns) and Title 11 (Counties) as appropriate. (Sec. 1, 2, 3)

Additional Exemptions

2. Adds that the prohibition on unmanned aircraft regulations do not:
 - a. prohibit a local government from enacting or adopting an ordinance on land use approvals for taking off, docking and landing an unmanned aircraft system in or within a one hundred fifty-foot radius of the outer boundary of the area zoned for residential use;
 - b. prohibit a local government from requiring or enforcing existing regulations that are not explicitly for an unmanned aircraft or system; and
 - c. allow a local government to withhold issuing a permit or approval for operating, taking off, docking or landing an unmanned aircraft or system in an area that is not zoned for residential use. (Sec. 1, 2)

Miscellaneous

3. Defines pertinent terms. (Sec. 1, 2)
4. Modifies the definition of *model aircraft*. (Sec. 3)

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES
Fifty-seventh Legislature - Second Regular Session

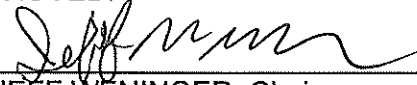
ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2875

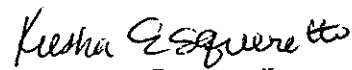
DATE February 03, 2026 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar			✓		
Blackman		✓			
Carter N		✓			
Cavero		✓			
Connolly		✓			
Diaz		✓			
Hendrix		✓			
Villegas		✓			
Wilmeth		✓			
Way, Vice-Chairman		✓			
Weninger, Chairman		✓			
		10	1	0	0

APPROVED:



JEFF WENINGER, Chairman
MICHAEL WAY, Vice-Chairman



COMMITTEE SECRETARY

ATTACHMENT 25



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

HB 2402: ambulance services; certificates of necessity

Sponsor: Representative Willoughby, LD 13

Committee on Commerce

Overview

Makes various revisions to statute relating to the regulation of ambulances and ambulance services.

History

The Department of Health Services (DHS) regulates the operation of ambulances and ambulance services, including regulating the response times of ambulances to meet the needs of the public and to ensure adequate service. Individuals wishing to operate an ambulance service in this state must apply for a certificate of necessity. Upon determining that the public necessity requires the service, or any part of the service proposed by the applicant, DHS issues the certificate provided the applicant is found to be fit and proper to provide the service and has paid and filed the appropriate fees and bonds ([A.R.S. § 36-2232](#)).

Provisions

Ambulance Services; Reporting Requirements

1. Requires each ambulance services to provide outlined information on a quarterly basis to DHS relating to dispatched ambulances. (Sec. 3)
2. Instructs DHS to make the information regarding dispatched ambulances available to the public on request and on the department's website, with appropriate redacted personally identifying information. (Sec. 3)
3. Stipulates, for ambulance services who fail to provide the quarterly report, DHS must issue a notice to comply within 30 calendar days after the end of the quarter. (Sec. 3)
4. Authorizes DHS to impose a civil penalty of up to \$500 to ambulance services for failure to comply within 15 calendar days after receiving the notice to comply with the quarterly reporting requirement. (Sec. 3)
5. Defines *emergency medical dispatch classification*. (Sec. 3)

Ambulance Services Regulations

6. Allows, rather than requires, DHS to provide a waiver to the requirement to install an electronic global positioning system monitoring device on each vehicle to an ambulance service that can reasonably demonstrate its inability to meet the requirement *because at least 30% of the service area does not have global position system coverage*. (Sec. 4)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note

7. Specifies the waiver expires on April 1 of each year and may be annually renewed. (Sec. 4)
8. Directs DHS to:
 - a. establish an online certificate of necessity application portal allowing applicants to track application status and applicable deadlines; and
 - b. make available to the public on their website a dashboard of ambulance service response times viewable by call type and the percentage of calls that required advanced life support services. (Sec. 4)
9. Prohibits DHS from requiring an applicant to purchase equipment, ambulances or other vehicles prior to approving the certificate of necessity provide the applicant can demonstrate the ability to provide all services required in accordance with the certificate of necessity. (Sec. 5)
10. Provides for allowing DHS to issue a certificate of necessity to the city, town or fire district or a private ambulance service to provide ambulance services to a geographic area. (Sec. 5)
11. Stipulates, for certificate of necessity appeals, an ambulance service in the affected region and each interested party have seven days after receiving the hearing notice to intervene. (Sec. 6)
12. Requires DHS to assess a civil penalty of \$1,500 on an ambulance service for noncompliance with certificate of necessity's requirements. (Sec. 6)
13. Allows the certificate of necessity holder to appeal by requesting a hearing through the Office of Administrative Hearings. (Sec. 6)
14. Requires DHS to base all decisions relating to the renewal of a certificate of necessity on current data. (Sec. 7)

Miscellaneous

15. Instructs each local emergency medical services coordinating system to additionally submit their regional emergency medical services plan to the Legislature. (Sec. 1)
16. Exempts, from statutory regulations relating to emergency medical services, Arizona registered ambulances that are responding to a major catastrophe, emergency or wildland fire event in Arizona because there are insufficient registered ambulances in the area affected by the major catastrophe, emergency or wildland fire event. (Sec. 2)
17. makes technical changes. (Sec. 1, 4, 7, 8)

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-seventh Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2402

DATE February 03, 2026 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar		✓			
Blackman		✓			
Carter N		✓			
Cavero		✓			
Connolly		✓			
Diaz		✓			
Hendrix			✓		
Villegas		✓			
Wilmeth		✓			
Way, Vice-Chairman		✓			
Weninger, Chairman		✓			
		10	1	0	0

APPROVED:



JEFF WENINGER, Chairman
MICHAEL WAY, Vice-Chairman


COMMITTEE SECRETARY

ATTACHMENT 27



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

HB 2903: social credit; use; prohibition

Sponsor: Representative Montenegro, LD 29

Committee on Commerce

Overview

Asserts this State cannot require a bank or financial institution to use a social credit score in determining whether to lend money.

History

A bank may lend up to 20% of its capital to a single borrow. A bank may lend an additional 10% of its capital if the additional amounts are fully secured by readily marketable collateral that has a market value at least equal to the amount of the loan ([A.R.S. § 6-352](#)).

A bank uses certain factors in determining whether to lend money and the amount that is lent. These factors may include a borrower's credit score, credit history, debt-to-income ratio, employment history, collateral and the type of loan and the loan term.

Provisions

1. Prohibits the State from requiring a bank or financial institution to use a social credit score when the bank or financial institution evaluates whether to lend money to a customer. (Sec. 1)

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note
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ARIZONA HOUSE OF REPRESENTATIVES
Fifty-seventh Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON _____ Commerce _____ BILL NO. _____ HB 2903

DATE _____ February 03, 2026 _____ MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar			✓		
Blackman		✓			
Carter N		✓			
Cavero			✓		
Connolly		✓			
Diaz		✓			
Hendrix		✓			
Villegas			✓		
Wilmeth		✓			
Way, Vice-Chairman		✓			
Weninger, Chairman		✓			
		8	3	0	0

APPROVED:



JEFF WENINGER, Chairman
MICHAEL WAY, Vice-Chairman



COMMITTEE SECRETARY

ATTACHMENT 29



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

HB 2877: timeshare salespersons; licensure

Sponsor: Representative Weninger, LD 13

Committee on Commerce

Overview

Establishes requirements and qualifications for a timeshare salesperson license.

History

The Arizona Department of Real Estate (ADRE) protects the public interest through licensure and regulation of the real estate profession in Arizona. ADRE, under direction of the Real Estate Commissioner (Commissioner), is responsible for: 1) licensing and regulating real estate, cemetery and membership camping salespersons and brokers; 2) investigating complaints from the public and licensees regarding real estate transactions; 3) ensuring enforcement of real estate statutes and rules; 4) providing proper educational material to guide and assist the public and licensees; 5) issues public reports for timeshares, subdivisions and unsubdivided land; and 6) inspects brokers' records and transactions to ensure compliance with statutory requirements.

In order to qualify for a [real estate license](#), the applicant must show satisfactory evidence that the applicant: 1) has not had a real estate license denied within one year, or revoked within two years immediately preceding the application; 2) is at least 18 years of age; 3) has completed a real estate salesperson's course that is at least 90 classroom hours; and 4) provides certification of completing 6 hours of instruction in real estate contract law and contract writing. ([A.R.S. § 32-2124](#)).

Provisions

1. Allows the Commissioner to adopt rules specifying the requirements of examination preparation courses for timeshare salesperson license applicants. (Sec. 3)
2. Limits the preparation course and timeshare examination to specific real estate laws, regulations and business practices and ethics that are directly related to the sale of timeshare interests. (Sec. 3)
3. Instructs the Commissioner to ascertain that a timeshare salesperson license applicant meets outlined qualifications. (Sec. 3)
4. Exempts a timeshare salesperson renewal applicant from submitting to an examination provided the application is made within 12 months after the license expires and the license has not been canceled, terminated or suspended. (Sec. 3)
5. Allows a real estate broker or salesperson to engage in timeshare sales activities without being separately licensed. (Sec. 4)

☐ Prop 105 (45 votes)	☐ Prop 108 (40 votes)	☐ Emergency (40 votes)	☐ Fiscal Note
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6. Clarifies it is unlawful for a person to act as a real estate broker or salesperson, timeshare salesperson, cemetery broker or salesperson or membership camping broker or salesperson while the licensee's license is expired. (Sec. 5)
7. Allows the Commissioner to issue a onetime 30-day certificate of convenience to a person who has applied and qualifies for a timeshare salesperson's license without examination. (Sec. 6)
8. Instructs an employing timeshare plan developer's designated broker to certify that the timeshare salesperson applicant will be trained in applicable timeshare and contract laws before participating in any offer or sale. (Sec. 6)
9. Applies statutory grounds for denial, suspension or revocation of a license to a timeshare salesperson applicant. (Sec. 7)
10. Defines *timeshare salesperson* as a natural person who acts under the supervision of a licensed real estate broker to sell or exchange timeshare properties on behalf of a timeshare plan developer or other person. (Sec. 1)
11. Makes conforming changes. (Sec. 2, 4)
12. Contains a legislative intent clause. (Sec. 8)
13. Contains a delayed effective date of July 1, 2027. (Sec. 9)

PROPOSED
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2877
(Reference to printed bill)

Amendment instruction key:

[~~GREEN UNDERLINING IN BRACKETS~~] indicates text added to statute or previously enacted session law.
[~~Green underlining in brackets~~] indicates text added to new session law or text restoring existing law.
[~~GREEN STRIKEOUT IN BRACKETS~~] indicates new text removed from statute or previously enacted session law.
[~~Green strikeout in brackets~~] indicates text removed from existing statute, previously enacted session law or new session law.
<<Green carets>> indicate a section added to the bill.
<<~~Green strikeout in carets~~>> indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:
2 Section 1. Section 32-2101, Arizona Revised Statutes, is amended to
3 read:

4 32-2101. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Acting in concert" means evidence of collaborating to pursue a
7 concerted plan.

8 2. "Address of record" means any of the following:

9 (a) The address where a licensee practices or is otherwise
10 employed.

11 (b) A licensee's residential address.

12 (c) The address of a licensee's statutory agency who is registered
13 as the licensee's statutory agent with the corporation commission. This
14 subdivision applies only if notice of the statutory agent is given to the
15 department pursuant to section 32-2126.

16 3. "Advertising" means attempting by publication, dissemination,
17 exhibition, solicitation or circulation, oral or written, or for broadcast
18 on radio or television to induce directly or indirectly any person to
19 enter into any obligation or acquire any title or interest in lands
20 subject to this chapter, including the land sales contract to be used and
21 any photographs, drawings or artist's presentations of physical conditions
22 or facilities existing or to exist on the property. Advertising does not
23 include:

24 (a) Press releases or other communications delivered to newspapers,
25 periodicals or other news media for general information or public
26 relations purposes if no charge is made by the newspapers, periodicals or
27 other news media to publish or use any part of these communications.

28 (b) Communications to stockholders as follows:

Adopted ☒ # of Verbals _____
Failed _____ Withdrawn _____
Not Offered _____ Analysts Initials _____

- 1 (i) Annual reports and interim financial reports.
- 2 (ii) Proxy materials.
- 3 (iii) Registration statements.
- 4 (iv) Securities prospectuses.
- 5 (v) Applications for listing of securities on stock exchanges.
- 6 (vi) Prospectuses.
- 7 (vii) Property reports.
- 8 (viii) Offering statements.
- 9 4. "Affiliate" means a person who, directly or indirectly through
- 10 one or more intermediaries, controls, is controlled by or is under common
- 11 control with the person specified.
- 12 5. "Associate broker" means a licensed broker who is employed by
- 13 another broker. Unless otherwise specifically provided, an associate
- 14 broker has the same license privileges as a salesperson.
- 15 6. "Barrier" means a natural or man-made geographic feature that
- 16 prevents parcels of land from being practicably, reasonably and
- 17 economically united or reunited and that was not caused or created by the
- 18 owner of the parcels.
- 19 7. "Blanket encumbrance":
- 20 (a) Means either:
- 21 (i) Any mortgage, any deed of trust or any other encumbrance or
- 22 lien that secures or evidences the payment of monies and that affects more
- 23 than one lot or parcel of subdivided land.
- 24 (ii) An agreement that affects more than one lot or parcel by which
- 25 the subdivider holds the subdivision under an option, contract to sell or
- 26 trust agreement.
- 27 (b) Does not include taxes and assessments that are levied by
- 28 public authority.
- 29 8. "Board" means the real estate advisory board.
- 30 9. "Broker", when used without modification, means a person who is
- 31 licensed as a broker under this chapter or who is required to be licensed
- 32 as a broker under this chapter.
- 33 10. "Business broker" means a real estate broker who acts as an
- 34 intermediary or agent between sellers or buyers, or both, in the sale or
- 35 purchase, or both, of businesses or business opportunities where a lease
- 36 or sale of real property is either a direct or incidental part of the
- 37 transaction.
- 38 11. "Camping site" means a space that is designed and promoted for
- 39 the purpose of locating any trailer, tent, tent trailer, pickup camper or
- 40 other similar device used for camping.
- 41 12. "Cemetery" or "cemetery property" means any one, or a
- 42 combination of more than one, of the following in a place that is used, or
- 43 intended to be used, and dedicated for cemetery purposes:
- 44 (a) A burial park, for earth interments.
- 45 (b) A mausoleum, for crypt or vault entombments.
- 46 (c) A crematory, or a crematory and columbarium, for cinerary
- 47 interments.

1 (d) A cemetery plot, including interment rights, mausoleum crypts,
2 niches and burial spaces.

3 13. "Cemetery broker" means a person other than a real estate
4 broker or real estate salesperson who, for another, for compensation:

5 (a) Sells, leases or exchanges cemetery property or interment
6 services of or for another, or on the person's own account.

7 (b) Offers for another or for the person's own account to buy,
8 sell, lease or exchange cemetery property or interment services.

9 (c) Negotiates the purchase and sale, lease or exchange of cemetery
10 property or interment services.

11 (d) Negotiates the purchase or sale, lease or exchange, or lists or
12 solicits, or negotiates a loan on or leasing of cemetery property or
13 interment services.

14 14. "Cemetery salesperson" means a natural person who acts on the
15 person's own behalf or through and on behalf of a professional limited
16 liability company or a professional corporation engaged by or on behalf of
17 a licensed cemetery or real estate broker, or through and on behalf of a
18 corporation, partnership or limited liability company that is licensed as
19 a cemetery or real estate broker, to perform any act or transaction
20 included in the definition of cemetery broker.

21 15. "Commissioner" means the state real estate commissioner.

22 16. "Common promotional plan" means a plan, undertaken by a person
23 or a group of persons acting in concert, to offer lots for sale or lease.
24 If the land is offered for sale by a person or group of persons acting in
25 concert, and the land is contiguous or is known, designated or advertised
26 as a common unit or by a common name, the land is presumed, without regard
27 to the number of lots covered by each individual offering, as being
28 offered for sale or lease as part of a common promotional plan. Separate
29 subdividers selling lots or parcels in separately platted subdivisions
30 within a master planned community shall not be deemed to be offering their
31 combined lots for sale or lease as part of a common promotional plan.

32 17. "Compensation" means any fee, commission, salary, monies or
33 other valuable consideration for services rendered or to be rendered as
34 well as the promise of consideration whether contingent or not.

35 18. "Contiguous":

36 (a) Means lots, parcels or fractional interests that share a common
37 boundary or point.

38 (b) Does not include lots, parcels or fractional interests that are
39 separated by either of the following:

40 (i) A barrier.

41 (ii) A road, street or highway that has been established by this
42 state or by any agency or political subdivision of this state, that has
43 been designated by the federal government as an interstate highway or that
44 has been regularly maintained by this state or by any agency or political
45 subdivision of this state and has been used continuously by the public for
46 at least the last five years.

1 19. "Control" or "controlled" means a person who, through
2 ownership, voting rights, power of attorney, proxy, management rights,
3 operational rights or other rights, has the right to make decisions
4 binding on an entity, whether a corporation, a partnership or any other
5 entity.

6 20. "Corporation licensee" means a lawfully organized corporation
7 that is registered with the corporation commission and that has an officer
8 licensed as the designated broker pursuant to section 32-2125.

9 21. "Department" means the state real estate department.

10 22. "Designated broker" means a natural person who is licensed as a
11 broker under this chapter and who is either:

12 (a) Designated to act on behalf of an employing real estate,
13 cemetery or membership camping entity.

14 (b) Doing business as a sole proprietor.

15 23. "Developer":

16 (a) Means a person who offers real property in a development for
17 sale, lease or use, either immediately or in the future, on the person's
18 own behalf or on behalf of another person, under this chapter.

19 (b) Does not include a person whose involvement with a development
20 is limited to listing property within the development for sale, lease or
21 use.

22 24. "Development" means any division, proposed division or use of
23 real property that the department has authority to regulate, including
24 subdivided and unsubdivided lands, cemeteries, condominiums, timeshares,
25 membership campgrounds and stock cooperatives.

26 25. "Distance learning" means continuing education or prelicensure
27 education that is an online, planned learning experience with a geographic
28 separation that may be synchronous or asynchronous, that does not require
29 real-time interaction between a student and an instructor and that uses a
30 platform with self-paced or prerecorded lessons and materials that a
31 student can access via the internet to proceed at the student's own pace.

32 26. "Employing broker" means a person who is licensed or is
33 required to be licensed as a:

34 (a) Broker entity pursuant to section 32-2125, subsection A.

35 (b) Sole proprietorship if the sole proprietor is a broker licensed
36 pursuant to this chapter.

37 27. "Fractional interest" means an undivided interest in improved
38 or unimproved land, lots or parcels of any size created for the purpose of
39 sale or lease and evidenced by any receipt, certificate, deed or other
40 document conveying the interest. Undivided interests in land, lots or
41 parcels created in the names of a husband and wife as community property,
42 joint tenants or tenants in common, or in the names of other persons who,
43 acting together as part of a single transaction, acquire the interests
44 without a purpose to divide the interests for present or future sale or
45 lease shall be deemed to constitute only one fractional interest.

46 28. "Improved lot or parcel" means a lot or parcel of a subdivision
47 on which there is a residential, commercial or industrial building or

1 concerning which a contract has been entered into between a subdivider and
2 a purchaser that obligates the subdivider directly, or indirectly through
3 a building contractor, to completely construct a residential, commercial
4 or industrial building on the lot or parcel within two years after the
5 date on which the contract of sale for the lot is entered into, or for a
6 condominium as defined in section 33-1202, within four years after the
7 date on which the contract for sale is entered into.

8 29. "Inactive license" means a license that is issued pursuant to
9 article 2 of this chapter to a licensee who is on inactive status during
10 the current license period and who is not engaged by or on behalf of a
11 broker.

12 30. "Lease" or "leasing" includes any lease, whether it is the
13 sole, the principal or any incidental part of a transaction.

14 31. "License" means the whole or part of any agency permit,
15 certificate, approval, registration, public report, charter or similar
16 form of permission required by this chapter.

17 32. "Licensee" means a person to whom a license for the current
18 license period has been granted under any provision of this chapter, and,
19 for the purposes of section 32-2153, subsection A, includes original
20 license applicants.

21 33. "License period" means the two-year period beginning with the
22 date of original issue or renewal of a particular license and ending on
23 the expiration date, if any.

24 34. "Limited liability company licensee" means a lawfully organized
25 limited liability company that has a member or manager who is a natural
26 person and who is licensed as the designated broker pursuant to section
27 32-2125.

28 35. "Live classroom course" means a course or instructional segment
29 delivered in either an in-person classroom instructional format or a
30 synchronous remote instructional format that allows students to observe
31 and participate remotely in an instructional segment via livestreaming.

32 36. "Lot reservation" means an expression of interest by a
33 prospective purchaser in buying at some time in the future a subdivided or
34 unsubdivided lot, unit or parcel in this state. In all cases, a
35 subsequent affirmative action by the prospective purchaser must be taken
36 to create a contractual obligation to purchase.

37 37. "Master planned community" means a development that consists of
38 two or more separately platted subdivisions and that is either subject to
39 a master declaration of covenants, conditions or restrictions, is subject
40 to restrictive covenants sufficiently uniform in character to clearly
41 indicate a general scheme for improving or developing real property or is
42 governed or administered by a master owner's association.

43 38. "Member" means a member of the real estate advisory board.

44 39. "Membership camping broker" means a person, other than a
45 salesperson, who, for compensation:

46 (a) Sells, purchases, lists, exchanges or leases membership camping
47 contracts.

1 (b) Offers to sell, purchase, exchange or lease membership camping
2 contracts.

3 (c) Negotiates or offers, attempts or agrees to negotiate the sale,
4 purchase, exchange or lease of membership camping contracts.

5 (d) Advertises or holds himself out as being engaged in the
6 business of selling, buying, exchanging or leasing membership camping
7 contracts or counseling or advising regarding membership camping
8 contracts.

9 (e) Assists or directs in procuring prospects calculated or
10 intended to result in the sale, purchase, listing, exchange or lease of
11 membership camping contracts.

12 (f) Performs any of the foregoing acts as an employee or on behalf
13 of a membership camping operator or membership contract owner.

14 40. "Membership camping contract" means an agreement that is
15 offered or sold in this state evidencing a purchaser's right or license to
16 use the camping or outdoor recreation facilities of a membership camping
17 operator and includes a membership that provides for this use.

18 41. "Membership camping operator":

19 (a) Means an enterprise, other than one that is tax exempt under
20 section 501(c)(3) of the internal revenue code of 1986, as amended, that
21 solicits membership paid for by a fee or periodic payments and has as one
22 of its purposes camping or outdoor recreation, including the use of
23 camping sites primarily by members.

24 (b) Does not include camping or recreational trailer parks that are
25 open to the general public and that contain camping sites rented for a per
26 use fee or a mobile home park.

27 42. "Membership camping salesperson" means a natural person who
28 acts on the person's own behalf or through and on behalf of a professional
29 limited liability company or a professional corporation engaged by or on
30 behalf of a licensed membership camping or real estate broker, or by or on
31 behalf of a corporation, partnership or limited liability company that is
32 licensed as a membership camping or real estate broker, to perform any act
33 or participate in any transaction in a manner included in the definition
34 of membership camping broker.

35 43. "Partnership licensee" means a partnership with a managing
36 general partner who is licensed as the designated broker pursuant to
37 section 32-2125.

38 44. "Permanent access", as required under article 4 of this
39 chapter, means permanent access from the subdivision to any federal, state
40 or county highway.

41 45. "Perpetual care" or "endowed care":

42 (a) Means maintaining and caring, in all places where interments
43 have been made, for the trees, shrubs, roads, streets and other
44 improvements and embellishments contained within or forming a part of the
45 cemetery.

1 (b) Does not include maintaining or repairing monuments, tombs,
2 copings or other man-made ornaments as associated with individual burial
3 spaces.

4 46. "Perpetual or endowed-care cemetery" means a cemetery in which
5 lots or other burial spaces are sold or transferred under the
6 representation that the cemetery will receive perpetual care or endowed
7 care free of further cost to the purchaser after payment of the original
8 purchase price for the lot, burial space or interment right.

9 47. "Person" means any individual, corporation, partnership or
10 company and any other form of multiple organization for carrying on
11 business, foreign or domestic.

12 48. "Private cemetery" means a cemetery or place that is not
13 licensed under article 6 of this chapter, where burials or interments of
14 human remains are made, in which sales or transfers of interment rights or
15 burial plots are not made to the public and in which not more than ten
16 interments or burials occur annually.

17 49. "Promotion" or "promotional practice" means advertising and any
18 other act, practice, device or scheme to induce directly or indirectly any
19 person to enter into any obligation or acquire any title or interest in or
20 use of real property subject to this chapter, including meetings with
21 prospective purchasers, arrangements for prospective purchasers to visit
22 real property, travel allowances and discount, exchange, refund and
23 cancellation privileges.

24 50. "Real estate" includes leasehold-interests and any estates in
25 land as defined in title 33, chapter 2, articles 1 and 2, regardless of
26 whether located in this state.

27 51. "Real estate broker" means a person, other than a salesperson,
28 who, for another and for compensation:

29 (a) Sells, exchanges, purchases, rents or leases real estate,
30 businesses and business opportunities or timeshare interests.

31 (b) Offers to sell, exchange, purchase, rent or lease real estate,
32 businesses and business opportunities or timeshare interests.

33 (c) Negotiates or offers, attempts or agrees to negotiate the sale,
34 exchange, purchase, rental or leasing of real estate, businesses and
35 business opportunities or timeshare interests.

36 (d) Lists or offers, attempts or agrees to list real estate,
37 businesses and business opportunities or timeshare interests for sale,
38 lease or exchange.

39 (e) Auctions or offers, attempts or agrees to auction real estate,
40 businesses and business opportunities or timeshare interests.

41 (f) Buys, sells, offers to buy or sell or otherwise deals in
42 options on real estate, businesses and business opportunities or timeshare
43 interests or improvements to real estate, businesses and business
44 opportunities or timeshare interests.

45 (g) Collects or offers, attempts or agrees to collect rent for the
46 use of real estate, businesses and business opportunities or timeshare
47 interests. This subdivision does not apply to a person who is not a

1 licensee, who works for a real estate broker or a real estate salesperson,
2 who collects in-person rent and related fees on behalf of the real estate
3 broker or real estate salesperson for the use of real estate as part of
4 the person's clerical duties and who provides a receipt when rent is paid.

5 (h) Advertises or holds himself out as being engaged in the
6 business of buying, selling, exchanging, renting or leasing real estate,
7 businesses and business opportunities or timeshare interests or counseling
8 or advising regarding real estate, businesses and business opportunities
9 or timeshare interests.

10 (i) Assists or directs in procuring prospects that are calculated
11 to result in the sale, exchange, leasing or rental of real estate,
12 businesses and business opportunities or timeshare interests.

13 (j) Assists or directs in negotiating any transaction calculated or
14 intended to result in the sale, exchange, leasing or rental of real
15 estate, businesses and business opportunities or timeshare interests.

16 (k) Incident to the sale of real estate, businesses and business
17 opportunities negotiates or offers, attempts or agrees to negotiate a loan
18 secured or to be secured by any mortgage or other encumbrance on or
19 transfer of real estate, businesses and business opportunities or
20 timeshare interests subject to section 32-2155, subsection D. This
21 subdivision does not apply to mortgage brokers as defined in and subject
22 to title 6, chapter 9, article 1.

23 (l) Engages in the business of assisting or offering to assist
24 another in filing an application for the purchase or lease of, or in
25 locating or entering on, lands owned by the state or federal government.

26 (m) Claims, demands, charges, receives, collects or contracts to
27 collect an advance fee in connection with any employment enumerated in
28 this section, including employment undertaken to promote the sale or lease
29 of real property by advance fee listing, by furnishing rental information
30 to a prospective tenant for a fee paid by the prospective tenant, by
31 advertising or by any other offering to sell, lease, exchange or rent real
32 property or selling kits connected therewith. This does not include the
33 activities of any communications media of general circulation or coverage
34 not primarily engaged in advertising real estate or any communications
35 media activities that are specifically exempt from applicability of this
36 article under section 32-2121.

37 (n) Engages in any of the acts listed in subdivisions (a) through
38 (m) of this paragraph for the sale or lease of other than real property if
39 a real property sale or lease is a part of, contingent on or ancillary to
40 the transaction.

41 (o) Performs any of the acts listed in subdivisions (a) through (m)
42 of this paragraph as an employee of, or in behalf of, the owner of real
43 estate, or interest in the real estate, or improvements affixed on the
44 real estate, for compensation.

45 (p) Acts as a business broker.

1 52. "Real estate sales contract" means an agreement in which one
2 party agrees to convey title to real estate to another party on the
3 satisfaction of specified conditions set forth in the contract.

4 53. "Real estate salesperson" means a natural person who acts on
5 the person's own behalf or through and on behalf of a professional limited
6 liability company or a professional corporation engaged by or on behalf of
7 a licensed real estate broker, or by or on behalf of a limited liability
8 company, partnership or corporation that is licensed as a real estate
9 broker, to perform any act or participate in any transaction in a manner
10 included in the definition of real estate broker subject to section
11 32-2155.

12 54. "Sale" or "lease" includes every disposition, transfer, option
13 or offer or attempt to dispose of or transfer real property, or an
14 interest, use or estate in the real property, including offering the
15 property as a prize or gift if a monetary charge or consideration for
16 whatever purpose is required.

17 55. "Salesperson", when used without modification, means a natural
18 person who acts on the person's own behalf or through and on behalf of a
19 professional limited liability company or a professional corporation
20 licensed under this chapter or any person required to be licensed as a
21 salesperson under this chapter.

22 56. "School" means a person or entity that offers a course of study
23 toward completion of the education requirements leading to licensure or
24 renewal of licensure under this chapter.

25 57. "Stock cooperative" means a corporation to which all of the
26 following apply:

27 (a) The corporation is formed or used to hold title to improved
28 real property in fee simple or for a term of years.

29 (b) All or substantially all of the shareholders of the corporation
30 each receive a right of exclusive occupancy in a portion of the real
31 property to which the corporation holds title.

32 (c) The right of occupancy may only be transferred with the
33 concurrent transfer of the shares of stock in the corporation held by the
34 person having the right of occupancy.

35 58. "Subdivider":

36 (a) Means any person who offers for sale or lease six or more lots,
37 parcels or fractional interests in a subdivision or who causes land to be
38 subdivided into a subdivision for the subdivider or for others, or who
39 undertakes to develop a subdivision.

40 (b) Does not include a public agency or officer authorized by law
41 to create subdivisions.

42 59. "Subdivision" or "subdivided lands":

43 (a) Means improved or unimproved land or lands divided or proposed
44 to be divided for the purpose of sale or lease, whether immediate or
45 future, into six or more lots, parcels or fractional interests.

1 (b) Includes a stock cooperative, lands divided or proposed to be
2 divided as part of a common promotional plan and residential condominiums
3 as defined in title 33, chapter 9.

4 (c) Does not include:

5 (i) Leasehold offerings of one year or less.

6 (ii) The division or proposed division of land located in this
7 state into lots or parcels each of which is or will be thirty-six acres or
8 more in area including to the centerline of dedicated roads or easements,
9 if any, contiguous to the lot or parcel.

10 (iii) The leasing of agricultural lands or apartments, offices,
11 stores, hotels, motels, pads or similar space within an apartment
12 building, industrial building, rental recreational vehicle community,
13 rental manufactured home community, rental mobile home park or commercial
14 building.

15 (iv) The subdivision into or development of parcels, plots or
16 fractional portions within the boundaries of a cemetery that has been
17 formed and approved pursuant to this chapter.

18 (v) A sale or lease of a lot, parcel or fractional interest that
19 occurs ten or more years after the sale or lease of another lot, parcel or
20 fractional interest if the other lot, parcel or fractional interest is not
21 subject to this article and is treated as an independent parcel unless, on
22 investigation by the commissioner, there is evidence of intent to
23 subdivide.

24 60. "Timeshare" or "timeshare property" means real property
25 ownership or right of occupancy in real property pursuant to article 9 of
26 this chapter. For the purposes of this chapter, a timeshare is not a
27 security unless it meets the definition of a security under section
28 44-1801.

29 61. "TIMESHARE SALESPERSON" MEANS A NATURAL PERSON WHO ACTS UNDER
30 THE SUPERVISION OF A LICENSED REAL ESTATE BROKER TO SELL OR EXCHANGE
31 TIMESHARE PROPERTIES ON BEHALF OF A TIMESHARE PLAN DEVELOPER OR OTHER
32 PERSON.

33 ~~61.~~ 62. "Trustee":

34 (a) Means a person who either:

35 (i) Is designated under section 32-2194.27 to act as a trustee for
36 an endowment-care cemetery fund.

37 (ii) Holds bare legal title to real property under a subdivision
38 trust.

39 (b) Does not include a developer, subdivider, broker or salesperson
40 within this chapter.

41 ~~62.~~ 63. "Unimproved lot or parcel" means a lot or parcel of a
42 subdivision that is not an improved lot or parcel.

43 ~~63.~~ 64. "Unsubdivided lands":

44 (a) Means land or lands divided or proposed to be divided for the
45 purpose of sale or lease, whether immediate or future, into six or more
46 lots, parcels or fractional interests and the lots or parcels are
47 thirty-six acres or more each but less than one hundred sixty acres each,

1 or that are offered, known or advertised under a common promotional plan
2 for sale or lease, except that agricultural leases shall not be included
3 in this definition.

4 (b) Includes any land that is sold and that would otherwise
5 constitute the sixth lot, parcel or fractional interest if the sale occurs
6 ten or more years after the earliest of the previous five sales and if all
7 of the sales consist of property that was originally contained within the
8 same parcel that is thirty-six acres or more and less than one hundred
9 sixty acres.

10 Sec. 2. Section 32-2122, Arizona Revised Statutes, is amended to
11 read:

12 32-2122. License required of brokers and salespersons

13 A. This article applies to any person acting in the capacity of a:

- 14 1. Real estate broker.
15 2. Real estate salesperson.
16 3. Cemetery broker.
17 4. Cemetery salesperson.
18 5. Membership camping broker.
19 6. Membership camping salesperson.

20 7. TIMESHARE SALESPERSON.

21 B. It is unlawful for any person, corporation, partnership or
22 limited liability company to engage in any business, occupation or
23 activity listed in subsection A of this section without first obtaining a
24 license as prescribed in this chapter and otherwise complying with this
25 chapter.

26 C. A person, corporation, partnership or limited liability company
27 that is licensed as a salesperson or broker pursuant to this article or
28 that is engaging in any work for which a license is required under this
29 article is subject to the requirements of this chapter in performing any
30 acts included in the definition of a broker unless otherwise provided in
31 this chapter.

32 D. Except as otherwise provided in this subsection, any act, in
33 consideration or expectation of compensation, that is included in the
34 definition of a real estate broker, cemetery broker or membership camping
35 broker, whether the act is an incidental part of a transaction or the
36 entire transaction, constitutes the person offering or attempting to
37 perform the act of a real estate broker or real estate salesperson, a
38 cemetery broker or cemetery salesperson, A TIMESHARE SALESPERSON or a
39 membership camping broker or ~~a~~ membership camping salesperson within the
40 meaning of this chapter. A person who is not a licensee may collect
41 in-person rent and related fees for the use of real estate as part of the
42 person's clerical duties if the person works for a licensee, the rent
43 collection is on behalf of the licensee and the person provides a receipt
44 when rent is paid.

1 Sec. 3. Section 32-2124, Arizona Revised Statutes, is amended to
2 read:

3 32-2124. Qualifications of licensees

4 A. Except as otherwise provided in this chapter, the commissioner
5 shall require proof, through the application or otherwise, as the
6 commissioner deems advisable with due regard to the interests of the
7 public, as to the competency of the applicant and shall require that the
8 applicant has:

9 1. If for an original real estate broker's license, been an active
10 licensed real estate salesperson or real estate broker for at least three
11 years during the five years immediately preceding the time of application.

12 2. If for an original cemetery broker's license, either a current
13 real estate broker's license, or if the applicant does not have a current
14 real estate broker's license, at least three years' actual experience as a
15 cemetery salesperson or cemetery broker or as a licensed real estate
16 salesperson or licensed real estate broker during the five years
17 immediately preceding the time of application.

18 3. If for an original membership camping broker's license, either a
19 current real estate broker's license, or if the applicant does not have a
20 current real estate broker's license, at least three years' actual
21 experience as a licensed membership camping salesperson or licensed
22 membership camping broker or as a licensed real estate salesperson or
23 licensed real estate broker during the five years immediately preceding
24 the time of application.

25 4. If for any type of broker's or salesperson's license, not had a
26 license denied within one year immediately preceding application in this
27 state pursuant to section 32-2153 or a similar statute in any other state.

28 5. If for any type of broker's or salesperson's license, not had a
29 license revoked within the two years immediately preceding application in
30 this state pursuant to section 32-2153 or a similar statute in any other
31 state.

32 6. If reapplying for a license that expired more than one year
33 before the date of application, met all current education and experience
34 requirements and retakes the examination the same as if the applicant were
35 applying for the license for the first time.

36 7. If for a real estate broker's, cemetery broker's or membership
37 camping broker's license, other than a renewal application, an equivalent
38 amount of active experience within the immediately preceding five years in
39 the field in which the applicant is applying for the broker's license, as
40 a substitute for the licensed active experience otherwise required in
41 paragraphs 1, 2 and 3 of this subsection. The licensed active experience
42 required may be met if the applicant can demonstrate to the commissioner's
43 satisfaction that the applicant has an equivalent amount of experience in
44 the past five years that, if the applicant had held a license, would have
45 been sufficient to fulfill the licensed experience requirement.

46 B. All applicants other than renewal applicants under section
47 32-2130 for a real estate salesperson's license shall show evidence

1 satisfactory to the commissioner that they have completed a real estate
2 salesperson's course that is prescribed and approved by the commissioner
3 and that is at least ninety classroom hours, or the equivalent, of
4 instruction in a real estate school certified by the commissioner and have
5 satisfactorily passed an examination on the course. An applicant may
6 complete the real estate salesperson's course prescribed by this
7 subsection through a live classroom course or a distance learning course
8 if the live classroom course or distance learning course is offered by a
9 real estate school that is certified by the commissioner. The applicant
10 must complete a proctored examination on the live classroom course or the
11 distance learning course in person. An applicant may complete the
12 required course or instructional segments in any combination of in-person
13 or synchronous remote delivery methods. The real estate salesperson's
14 course completion or its equivalent may not be more than ten years before
15 the date of application unless, at the time of application, the
16 commissioner determines in the commissioner's discretion that the
17 applicant has work experience in a real estate-related field and education
18 that together are equivalent to the prelicensure education
19 requirement. Except as provided in section 32-4302, the commissioner may
20 waive all or a portion of the prelicensure course requirement, other than
21 the twenty-seven-hour Arizona-specific course, for an applicant who holds
22 a current real estate license in another state.

23 C. All applicants other than renewal applicants under section
24 32-2130 for a real estate broker's license shall show evidence
25 satisfactory to the commissioner that they have completed a real estate
26 broker's course that is prescribed and approved by the commissioner and
27 that is at least ninety classroom hours, or the equivalent, of instruction
28 in a real estate school certified by the commissioner and have
29 satisfactorily passed an examination on the course. An applicant may
30 complete the real estate broker's course prescribed by this subsection
31 through a live classroom course or a distance learning course if the live
32 classroom course or distance learning course is offered by a real estate
33 school that is certified by the commissioner. The applicant must complete
34 a proctored examination on the live classroom course or distance learning
35 course in person. An applicant may complete the required course or
36 instructional segments in any combination of in-person or synchronous
37 remote delivery methods. The real estate broker's course completion or
38 its equivalent may not be more than ten years before the date of
39 application unless, at the time of application, the commissioner
40 determines in the commissioner's discretion that the applicant has work
41 experience in a real estate-related field and education that together are
42 equivalent to the prelicensure education requirement. Except as provided
43 in section 32-4302, the commissioner may waive all or a portion of the
44 prelicensure course requirement, other than the twenty-seven-hour
45 Arizona-specific course, for an applicant who holds a current real estate
46 license in another state.

1 D. Before receiving any license provided for by this chapter, an
2 applicant must be at least eighteen years of age.

3 E. The commissioner shall ascertain by a written, electronic or
4 other examination method that an applicant for a real estate license has:

5 1. An appropriate knowledge of the English language, including
6 reading, writing and spelling, and of arithmetical computations common to
7 real estate practices.

8 2. At a minimum, an understanding of the general purpose and legal
9 effect of any real estate practices, principles and related forms,
10 including agency contracts, real estate contracts, deposit receipts,
11 deeds, mortgages, deeds of trust, security agreements, bills of sale, land
12 contracts of sale and property management, and of any other areas that the
13 commissioner deems necessary and proper.

14 3. A thorough understanding of the obligations between principal
15 and agent, the principles of real estate and business opportunity
16 practice, the applicable canons of business ethics, this chapter and rules
17 adopted pursuant to this chapter.

18 4. An appropriate knowledge of other real estate practices and
19 principles as determined by the commissioner.

20 F. The commissioner shall ascertain by a written, electronic or
21 other examination method that an applicant for a license as a cemetery
22 broker or a cemetery salesperson has:

23 1. Appropriate knowledge of the English language, including
24 reading, writing and spelling, and of elementary arithmetic.

25 2. A general understanding of:

26 (a) Cemetery associations, cemetery corporations and duties of
27 cemetery directors and officers.

28 (b) Plot ownership, deeds, certificates of ownership, contracts of
29 sale, liens and leases.

30 (c) Establishing, dedicating, maintaining, managing, operating,
31 improving, preserving and conducting a cemetery.

32 (d) The provisions of this chapter and rules adopted pursuant to
33 this chapter relating to the organization and regulation of cemeteries and
34 the licensing and regulation of cemetery brokers and cemetery
35 salespersons.

36 3. A general understanding of the obligations between principal and
37 agent, the principles of cemetery practice and the canons of business
38 ethics pertaining to the operation of cemeteries and the sale of cemetery
39 property.

40 G. The commissioner shall ascertain by a written, electronic or
41 other examination method that an applicant for a license as a membership
42 camping broker or a membership camping salesperson has:

43 1. An appropriate knowledge of the English language, including
44 reading, writing and spelling, and of elementary arithmetic.

45 2. A general understanding of:

46 (a) The general purposes and legal effect of contracts and agency
47 contracts.

1 (b) Establishing, maintaining, managing and operating a membership
2 campground.

3 (c) The provisions of this chapter and rules adopted pursuant to
4 this chapter relating to the organization and regulation of membership
5 campgrounds and the licensing and regulation of membership camping brokers
6 and membership camping salespersons.

7 3. A general understanding of the obligations between principal and
8 agent and the canons of business ethics pertaining to the operation and
9 promotion of membership campgrounds.

10 H. THE COMMISSIONER MAY ADOPT RULES THAT SPECIFY THE REQUIREMENTS
11 OF EXAMINATION PREPARATION COURSES FOR APPLICANTS FOR TIMESHARE
12 SALESPERSON LICENSES. THE EXAMINATION PREPARATION COURSE AND THE
13 TIMESHARE EXAMINATION SHALL BE LIMITED TO THOSE SPECIFIC REAL ESTATE LAWS,
14 REGULATIONS, BUSINESS PRACTICES AND CANONS OF BUSINESS ETHICS THAT ARE
15 DIRECTLY RELATED TO THE SALE OF TIMESHARE INTERESTS IN THIS STATE. THE
16 COMMISSIONER SHALL ASCERTAIN BY A WRITTEN, ELECTRONIC OR OTHER EXAMINATION
17 METHOD THAT AN APPLICANT FOR A LICENSE AS A TIMESHARE SALESPERSON MEETS
18 BOTH OF THE FOLLOWING:

19 1. HAS AN APPROPRIATE KNOWLEDGE OF ELEMENTARY ARITHMETIC AND OF THE
20 ENGLISH LANGUAGE, INCLUDING READING, WRITING AND SPELLING.

21 2. HAS A GENERAL UNDERSTANDING OF ALL OF THE FOLLOWING:

22 (a) THE PROVISIONS OF THIS CHAPTER AND THE RULES ADOPTED PURSUANT
23 TO THIS CHAPTER THAT RELATE TO THE DEVELOPMENT OF TIMESHARE PROPERTIES,
24 THE ORGANIZATION AND REGULATION OF TIMESHARE PROPERTIES, THE SALE OR
25 EXCHANGE OF TIMESHARE PROPERTIES, THE LICENSING AND REGULATION OF
26 TIMESHARE SALESPERSONS AND THE ROLE OF LICENSED REAL ESTATE BROKERS IN
27 REVIEWING AND APPROVING TIMESHARE SALES OR EXCHANGES.

28 (b) TIMESHARE OWNERSHIP METHODS, INCLUDING DEEDS, CERTIFICATES OF
29 OWNERSHIP AND CONTRACTS OF SALE, LEASES OF TIMESHARE PROPERTIES AND LIENS
30 AND FORECLOSURE OF TIMESHARE INTERESTS.

31 (c) THE CANONS OF BUSINESS ETHICS PERTAINING TO THE OPERATION OF
32 TIMESHARE PROPERTIES AND THE SALE AND EXCHANGE OF TIMESHARE PROPERTIES.

33 ~~H.~~ I. A renewal applicant for a real estate broker's, cemetery
34 broker's or membership camping broker's or real estate salesperson's,
35 cemetery salesperson's, ~~or~~ membership camping salesperson's OR TIMESHARE
36 SALESPERSON'S license is not required to submit to an examination if the
37 application is made within twelve months after the license expires and the
38 license is not canceled, terminated or suspended at the time of
39 application.

40 ~~I.~~ J. The examination for a broker's license shall be more
41 exacting and stringent and of a broader scope than the examination for a
42 salesperson's license.

43 ~~J.~~ K. An applicant for a real estate salesperson's or real estate
44 broker's license who currently holds at least an equivalent license in
45 another state is exempt from taking the national portion of the real
46 estate examination pursuant to section 32-4302.

1 ~~K.~~ L. Identification of each applicant whose licensing requirement
2 was allowed to be met by an equivalent alternative pursuant to this
3 section shall be included in the annual performance evaluation presented
4 by the board to the governor pursuant to section 32-2104.

5 ~~L.~~ M. An applicant for an original real estate salesperson's
6 license, after completing the requirements of subsection B of this
7 section, shall provide certification to the department at the time of
8 application evidencing completion of six hours of instruction in real
9 estate contract law and contract writing. This instruction shall include
10 participation by the applicant in drafting contracts to purchase real
11 property, listing agreements and lease agreements.

12 ~~M.~~ N. The commissioner shall not issue a license to a person who
13 has been convicted of a felony offense and who is currently incarcerated
14 for the conviction, paroled or under community supervision and under the
15 supervision of a parole or community supervision officer or who is on
16 probation as a result of the conviction.

17 ~~N.~~ O. The commissioner shall require an out-of-state applicant for
18 a license that is issued pursuant to section 32-4302 to pass an
19 examination specific to the laws of this state relating to this chapter
20 before the commissioner issues the license to the applicant.

21 Sec. 4. Section 32-2125.01, Arizona Revised Statutes, is amended to
22 read:

23 32-2125.01. Issuance of license; multiple licenses; use

24 A. When the requirements for application, examination and payment
25 of fees are completed to the satisfaction of the commissioner, the
26 commissioner shall issue the license applied for to the applicant. Any
27 person who has passed the state examination for broker or salesperson must
28 become licensed within one year ~~[from]~~ ~~[AFTER]~~ the date of the
29 examination. Failure to comply with this section will necessitate the
30 submission to and passing of another examination.

31 B. Not more than one license shall be issued and outstanding to or
32 in favor of a licensee at any one time, except that a person WHO IS
33 licensed as a real estate broker or real estate salesperson may engage in
34 cemetery, ~~or~~ membership camping OR TIMESHARE sales activities without
35 being separately licensed to engage in these activities. A real estate
36 licensee may have only one employing broker in each of the following
37 LICENSING categories:

- 38 1. Cemetery ~~[SALES]~~.
39 2. Membership camping ~~[SALES]~~.
40 3. Real estate ~~[SALES]~~.
41 4. TIMESHARE ~~[SALES]~~.

42 C. A designated or employing real estate broker may engage in
43 cemetery or membership camping sales activities and may employ cemetery
44 ~~and~~ SALESPERSONS, membership camping salespersons and associate brokers
45 without being separately licensed as a cemetery ~~or~~ BROKER, CEMETERY
46 SALESPERSON, membership camping broker or MEMBERSHIP CAMPING salesperson.

1 Sec. 5. Section 32-2130, Arizona Revised Statutes, is amended to
2 read:

3 32-2130. Renewal of licenses; education requirements; broker
4 licensee renewal as salesperson licensee

5 A. Except as provided in subsection K of this section, a license
6 may be renewed in a timely manner by filing an application for renewal in
7 the manner prescribed by the commissioner, by paying the renewal fee
8 specified in this chapter and by presenting evidence of attendance at a
9 school certified by the commissioner during the preceding license period
10 of twenty-four credit hours for salespersons and associate brokers and
11 thirty credit hours for designated brokers or for associate brokers
12 employed by a designated broker pursuant to section 32-2151.01, subsection
13 G, or a lesser number of credit hours prescribed by the commissioner, of
14 real estate oriented continuing education courses prescribed and approved
15 by the commissioner. The total number of credit hours shall be accrued at
16 a rate of twenty-four credit hours for salespersons and associate brokers
17 and thirty credit hours for designated brokers or for associate brokers
18 employed by a designated broker pursuant to section 32-2151.01, subsection
19 G during each twenty-four-month period of licensure. The department shall
20 maintain a current list of approved courses. The commissioner may waive
21 all or a portion of the continuing education requirement for good cause
22 shown. The commissioner shall determine by rule the content of the
23 renewal credit hours. The renewal credit hours may include the
24 commissioner's current topics, including short sales. For the purposes of
25 this subsection, "short sales" means real estate transactions in which the
26 sales price is insufficient to pay the loan encumbering the property in
27 addition to the costs of sale and the seller is unable to pay the
28 difference.

29 B. If an applicant is renewing a license within one year after it
30 expired, the applicant may apply continuing education hours completed
31 after the expiration toward the continuing education required for renewal.

32 C. Each renewal application shall contain, as applicable, the same
33 information required in an original application pursuant to section
34 32-2123.

35 D. Cemetery brokers and salespersons and membership camping brokers
36 and salespersons are exempt from the educational requirements of this
37 section.

38 E. This section does not require a licensee to attend department
39 produced or sponsored courses if approved courses are otherwise available.

40 F. Between the expiration date of the license and the date of
41 renewal of the license, the rights of the licensee under the license
42 expire. While the license is expired it is unlawful for a person to act
43 or attempt or offer to act in a manner included in the definition of a
44 real estate **BROKER OR REAL ESTATE SALESPERSON, A TIMESHARE SALESPERSON, A**
45 cemetery **BROKER OR CEMETERY SALESPERSON** or **A** membership camping broker or
46 **MEMBERSHIP CAMPING** salesperson. If the license of an employing broker
47 expires under this subsection, the licenses of persons who are employed by

1 the employing broker shall be severed from the employing broker on the
2 license expiration date of the employing broker. These persons may be
3 rehired on renewal of the employing broker's license. The department
4 shall terminate a license that has been expired for more than one year.

5 G. Except as provided in section 32-4301, not more than one year
6 after the license expiration date, the department shall renew a license
7 without requiring the applicant to submit to an examination if the
8 applicant held a license that was not canceled or suspended at the time of
9 expiration. Except as provided in section 32-4301, the license period for
10 a license renewed pursuant to this subsection commences the day after the
11 expiration date of the expired license. Except as provided in section
12 32-2131, subsection A, paragraph 4 or 6, an applicant whose license has
13 been terminated or revoked does not qualify for license renewal.

14 H. Any employee or immediate family member of any employee of this
15 state who, pursuant to section 32-2110 or any other law, rule or
16 requirement, is prohibited from using a license issued under this chapter
17 shall have, on the request of the employee or family member, the license
18 placed on inactive status, shall have the right to renew the license and
19 shall not be required to pay further fees until the employee or family
20 member is again eligible to use the license. Renewal fees for the license
21 shall not be required for only as long as the employee or family member is
22 prohibited from using the license.

23 I. The department shall not renew the license of a person who has
24 been convicted of a felony offense and who is currently incarcerated for
25 the conviction, paroled or under community supervision and under the
26 supervision of a parole or community supervision officer or who is on
27 probation as a result of the conviction. This subsection does not limit
28 the commissioner's authority and discretion to deny the renewal for any
29 other reason pursuant to this chapter.

30 J. A real estate broker licensee may renew as a real estate
31 salesperson licensee without having to meet the requirements prescribed by
32 section 32-2124, subsection B. If a person renews as a real estate
33 salesperson pursuant to this subsection, the person shall pay the
34 salesperson's renewal fee as prescribed in section 32-2132. If the person
35 subsequently wants to obtain a real estate broker license, the person must
36 meet the requirements of this chapter, including the requirements
37 prescribed by section 32-2124, subsection C.

38 K. A licensee with an inactive license does not need to complete
39 continuing education credit hours during the period that the license is
40 inactive. If the licensee applies with the department to change the
41 license status to active:

42 1. The commissioner may require the licensee to complete continuing
43 education credit hours before activating the license.

44 2. In addition to the continuing education requirement described in
45 paragraph 1 of this subsection, if the license has been inactive for more
46 than fifteen years, the commissioner shall require that the applicant

1 successfully pass an examination specific to the laws of this state
2 relating to this chapter before activating the license.

3 L. One year before the fifteen-year period described in subsection
4 K, paragraph 2 of this section expires, the department shall send a notice
5 to a licensee with an inactive license. The notice shall be sent to the
6 licensee's last known address of record maintained by the department and
7 shall disclose the requirements of subsection K of this section.

8 Sec. 6. Title 32, chapter 20, article 2, Arizona Revised Statutes,
9 is amended by adding section 32-2134.02, to read:

10 32-2134.02. Timeshare salesperson certificate of convenience
11 NOTWITHSTANDING ANY OTHER LICENSING REQUIREMENT PURSUANT TO THIS
12 CHAPTER, THE COMMISSIONER MAY ISSUE A ONETIME THIRTY-DAY CERTIFICATE OF
13 CONVENIENCE WITHOUT EXAMINATION TO ANY PERSON WHO HAS APPLIED AND
14 OTHERWISE QUALIFIES FOR A TIMESHARE SALESPERSON'S LICENSE. AN EMPLOYING
15 TIMESHARE PLAN DEVELOPER'S DESIGNATED BROKER SHALL CERTIFY BY AFFIDAVIT TO
16 THE COMMISSIONER THAT THE TIMESHARE SALESPERSON APPLICANT WILL BE TRAINED
17 IN APPLICABLE TIMESHARE AND CONTRACT LAWS BEFORE PARTICIPATING IN ANY
18 OFFER OR SALE.

19 Sec. 7. Section 32-2153, Arizona Revised Statutes, is amended to
20 read:

21 32-2153. Grounds for denial, suspension or revocation of
22 licenses; letters of concern; provisional license;
23 retention of jurisdiction by commissioner;
24 definitions

25 A. The commissioner may suspend or revoke a license, deny the
26 issuance of a license, issue a letter of concern to a licensee, issue a
27 provisional license or deny the renewal or the right of renewal of a
28 license issued under this chapter if it appears that the holder or
29 applicant, within five years immediately preceding, in performing or
30 attempting to perform any acts authorized by the license or by this
31 chapter, has:

32 1. Pursued a course of misrepresentation or made false promises,
33 either directly or through others, whether acting in the role of a
34 licensee or a principal in a transaction.

35 2. Acted for more than one party in a transaction without the
36 knowledge or written consent of all parties to the transaction.

37 3. Disregarded or violated any of the provisions of this chapter or
38 any rules adopted by the commissioner.

39 4. Knowingly authorized, directed, connived at or aided in the
40 publication, advertisement, distribution or circulation of any material
41 false or misleading statement or representation concerning the licensee's
42 business or any land, cemetery property, subdivision or membership
43 campground or camping contract offered for sale in this or any other
44 state.

45 5. Knowingly used the term "real estate broker", "cemetery broker"
46 or "membership camping broker" without the legal right to do so.

1 6. Employed any unlicensed salesperson or unlicensed associate
2 broker.

3 7. Accepted compensation as a licensee for performing any of the
4 acts specified in this chapter from any person who is not authorized to
5 provide compensation pursuant to section 32-2155.

6 8. Represented or attempted to represent a broker other than the
7 broker to whom the salesperson or associate broker is licensed.

8 9. Failed, within a reasonable time, to account for or to remit any
9 monies, to surrender to the rightful owner any documents or other valuable
10 property that comes into the licensee's possession and that belongs to
11 others, or to issue an appraisal report on real property or cemetery
12 property in which the licensee has an interest, unless the nature and
13 extent of the interest are fully disclosed in the report.

14 10. Paid or received any rebate, profit, compensation or commission
15 in violation of this chapter.

16 11. Induced any party to a contract to break the contract for the
17 purpose of substituting a new contract with the same or a different
18 principal, if the substitution is motivated by the personal gain of the
19 licensee.

20 12. Placed a sign on any property offering it for sale or for rent
21 without the written authority of the owner or the owner's authorized
22 agent.

23 13. Solicited, either directly or indirectly, prospects for the
24 sale, lease or use of real property, cemetery property or membership
25 camping contracts through a promotion of a speculative nature involving a
26 game of chance or risk or through conducting lotteries or contests that
27 are not specifically authorized under this chapter.

28 14. Failed to pay to the commissioner the renewal fee as specified
29 in this chapter promptly and before the time specified.

30 15. Failed to keep an escrow or trust account or other record of
31 monies deposited with the licensee relating to a real estate transaction.

32 16. Commingled the monies or other property of the licensee's
33 principal or client with the licensee's own or converted these monies or
34 property to the licensee or another.

35 17. Failed or refused on demand to produce any document, contract,
36 book, record, information, compilation or report that is in the licensee's
37 possession or that the licensee is required by law to maintain concerning
38 any real estate, cemetery or membership camping business, services,
39 activities or transactions involving or conducted by the licensee for
40 inspection by the commissioner or the commissioner's representative.

41 18. Failed to maintain a complete record of each transaction that
42 comes within this chapter.

43 19. Violated the federal fair housing law, the Arizona civil rights
44 law or any local ordinance of a similar nature.

45 20. Tendered to a buyer a wood infestation report in connection
46 with the transfer of residential real property or an interest in
47 residential real property knowing that wood infestation exists or that the

1 wood infestation report was inaccurate or false as of the date of the
2 tender or that an inspection was not done in conjunction with the
3 preparation of the wood infestation report.

4 21. As a licensed broker, failed to exercise reasonable supervision
5 over the activities of salespersons, associate brokers or others under the
6 broker's employ or failed to exercise reasonable supervision and control
7 over the activities for which a license is required of a corporation,
8 limited liability company or partnership on behalf of which the broker
9 acts as designated broker under section 32-2125.

10 22. Demonstrated negligence in performing any act for which a
11 license is required.

12 23. Sold or leased a property to a buyer or lessee that was not the
13 property represented to the buyer or lessee.

14 24. Violated any condition or term of a commissioner's order.

15 25. Signed the name of another person on any document or form
16 without the express written consent of the person.

17 26. As a licensed school, failed to exercise reasonable supervision
18 over the activities for which a license is required for an owner,
19 director, administrator or instructor in the school's employ.

20 B. The commissioner may suspend or revoke a license, deny the
21 issuance of a license, issue a letter of concern to a licensee, issue a
22 provisional license or deny the renewal or the right of renewal of a
23 license issued under this chapter if it appears that the holder or
24 applicant has:

25 1. Procured or attempted to procure a license under this chapter
26 for the holder or applicant or another by fraud, misrepresentation or
27 deceit or by filing an original or renewal application that is false or
28 misleading.

29 2. Been convicted in a court of competent jurisdiction in this or
30 any other state of a felony or of any crime of forgery, theft, extortion,
31 conspiracy to defraud, a crime of moral turpitude or any other like
32 offense.

33 3. Made any substantial misrepresentation.

34 4. Made any false promises of a character likely to influence,
35 persuade or induce.

36 5. Been guilty of any conduct, whether of the same or a different
37 character than specified in this section, that constitutes fraud or
38 dishonest dealings.

39 6. Engaged in the business of a real estate broker, cemetery broker
40 or membership camping broker or real estate salesperson, **TIMESHARE**
41 **SALESPERSON**, cemetery salesperson or membership camping salesperson
42 without holding a license as prescribed in this chapter.

43 7. Demonstrated incompetence to perform any duty or requirement of
44 a licensee under or arising from this chapter. For the purposes of this
45 paragraph, "incompetence" means a lack of basic knowledge or skill
46 appropriate to the type of license the person holds or a failure to
47 appreciate the probable consequences of the licensee's action or inaction.

1 8. Violated the terms of any criminal or administrative order,
2 decree or sentence.

3 9. Violated any federal or state law, regulation or rule that
4 relates to real estate or securities or that involves forgery, theft,
5 extortion, fraud, substantial misrepresentation, dishonest dealings or
6 violence against another person or failure to deal fairly with any party
7 to a transaction that materially and adversely affected the transaction.
8 This paragraph applies equally to violations of which the licensee was
9 convicted in any lawful federal or state tribunal and to any admissions
10 made in any settlement agreement by the licensee to violations.

11 10. Failed to respond in the course of an investigation or audit by
12 providing documents or written statements.

13 C. A judgment based on a court's finding or stipulation of fraud by
14 a licensee following a trial on the merits or a criminal conviction of a
15 licensee that results in a payment from the real estate recovery fund is
16 prima facie evidence of a violation and grounds for discipline under this
17 section.

18 D. The commissioner may deny, suspend or revoke the issuance of a
19 license on application by a corporation, a limited liability company or a
20 partnership if it appears that an owner, officer, director, member,
21 manager, partner, stockholder owning ten percent or more of the stock in
22 the corporation or limited liability company or person exercising control
23 of the entity is a current or former licensee whose license as a broker or
24 a salesperson has been denied, suspended or revoked.

25 E. The lapsing or suspension of a license by operation of law or by
26 order or decision of the commissioner or a court of law or the voluntary
27 surrender of a license by a licensee does not deprive the commissioner of
28 jurisdiction to do any of the following:

29 1. Proceed with any investigation of or action or disciplinary
30 proceeding against the licensee.

31 2. Render a decision suspending or revoking the license or denying
32 the renewal or right of renewal of the license.

33 3. Assess a civil penalty pursuant to section 32-2160.01.

34 F. For the purposes of this section:

35 1. "Letter of concern" means an advisory letter to notify a
36 licensee that, while the conduct or evidence does not warrant disciplinary
37 action, the commissioner believes that the licensee should modify or
38 eliminate certain practices and that continuation of the activities may
39 result in disciplinary action against the licensee.

40 2. "Provisional license" means a license that the department issues
41 and that allows a licensee to practice subject to either a consent order
42 as prescribed in section 32-2153.01 or the commissioner's terms,
43 conditions and restrictions.

44 Sec. 8. Legislative intent

45 The legislature intends to:

1 1. Establish a separate type of real estate license under the state
2 real estate department for individuals who are retained exclusively to
3 assist others in purchasing, selling and exchanging timeshare interests.

4 2. Narrow the scope of the training and the examination
5 requirements for applicants for timeshare salesperson licenses and thereby
6 reduce the barriers for employment while protecting the public by
7 requiring that all purchases, sales and exchanges of timeshare interests
8 be performed under the purview of a licensed real estate broker and in
9 full compliance with the specified statutory and regulatory requirements
10 applicable to timeshare sales.

11 Sec. 9. Effective date

12 This act is effective from and after June 30, 2027.

13 Enroll and engross to conform

14 Amend title to conform

JEFF WENINGER

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02/02/2026

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H: PB/lr

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ARIZONA HOUSE OF REPRESENTATIVES
Fifty-seventh Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON _____ Commerce _____ BILL NO. HB 2877

DATE February 03, 2026 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar		✓			
Blackman		✓			
Carter N		✓			
Cavero		✓			
Connolly		✓			
Diaz		✓			
Hendrix		✓			
Villegas		✓			
Wilmeth		✓			
Way, Vice-Chairman		✓			
Weninger, Chairman		✓			
		11	0	0	0

APPROVED:



JEFF WENINGER, Chairman
MICHAEL WAY, Vice-Chairman


COMMITTEE SECRETARY

ATTACHMENT 32



ARIZONA HOUSE OF REPRESENTATIVES

57th Legislature, 2nd Regular Session

Majority Research Staff

HB 2910: registrar of contractors; administrative recovery

Sponsor: Representative Hendrix, LD 14

Committee on Commerce

Overview

Changes the amount of time in which the contractor's right to contest is deemed waived.

History

The Registrar of Contractors (ROC) licenses and regulates residential and commercial contractors. The ROC is required to: 1) classify and qualify applicants for a license; 2) change the license classification in the case of a title reclassification; 3) conduct investigations to protect the health and safety of the public; and 4) establish written examinations to protect the health and safety of the public.

The ROC also oversees the Residential Contractor's Recovery Fund, which pays claims of up to \$30,000 to homeowners who have been financially harmed by a licensed contractor. The Recovery Fund is financed mainly by a contractor-paid assessment when they obtain or renew their licenses ([Title 32, Article 2.1, A.R.S.](#)).

The ROC may order payment from the Recovery Fund to remedy a violation that caused a contractor's license to be revoked or suspended. The ROC must serve the contractor a notice setting forth the amount claimed or to be awarded. If the contractor contests the amount or propriety of the payment, the contractor must respond in writing within 10 days after the date of service by requesting a hearing to determine the amount or propriety of the payment. A contractor's failure to respond within 10 days after the date of service may be deemed as a waiver of the right to contest ([A.R.S. § 32-1133.01](#)).

Provisions

1. Increases, from 10 days to 20 days, the amount of time for which the contractor's failure to respond is deemed a waiver of the right to contest. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-seventh Legislature - Second Regular Session

ROLL CALL VOTE

COMMITTEE ON _____ Commerce _____ BILL NO. HB 2910

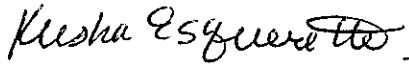
DATE February 03, 2026 MOTION: Held

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar					
Blackman					
Carter N					
Cavero					
Connolly					
Diaz					
Hendrix					
Villegas					
Wilmeth					
Way, Vice-Chairman					
Weninger, Chairman					

APPROVED:



JEFF WENINGER, Chairman
MICHAEL WAY, Vice-Chairman



COMMITTEE SECRETARY

ATTACHMENT _____