ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

COMMITTEE ON REGULATORY AFFAIRS

Report of Regular Meeting
Wednesday, March 15, 2023
House Hearing Room 5 -- 2:00 P.M.

MINUTES RECEIVED
CHIEF CLERK'S OFFICE
3-17-23

Convened
2:48 P.M.
Recessed
Reconvened
Adjourned 4:12 P.M.

Members Present
Representative Bravo
Representative Gutierrez
Representative Hernandez
Representative Marshall
Representative Peña
Representative McGarr, Vice-Chairman
Representative Hendrix, Chairman

Agenda
Original Agenda – Attachment 1

Request to Speak
Report – Attachment 2

Committee Attendance
Report – Attachment 3

Committee Action

Bill	Action	Vote	Attachments
SB1168	DP	7-0-0-0	4, 5
SB1333	DP	7-0-0-0	6, 7
SB1087	DP	4-3-0-0	8, 9, 10
SB1162	DP	5-2-0-0	11, 12
SB1202	HELD		13

Julie Ryberg, Committee Secretary
March 17, 2023

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

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

Convened 2:48pm

REGULAR MEETING AGENDA

Adjourned 4:12pm

COMMITTEE ON REGULATORY AFFAIRS

DATE Wednesday, March 15, 2023 ROOM HHR 5 TIME 2:00 P.M.

Members of the public may access a livestream of the meeting here:
https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2023031042

Members:

Representative Bravo
Representative Gutierrez
Representative Hernandez A
Representative ~~Payne~~ Marshall
Representative Peña
Representative McGarr, Vice-Chairman
Representative Hendrix, Chairman

Bills		Short Title	Strike Everything Title
(3) SB1087	DP	professional licensure fees; waiver; reduction	
		(Kern: Wadsack)	
	4-3-0-0	RA, RULES	
(4) SB1162	DP	home-based businesses; restrictions; prohibition	
		(Kaiser: Farnsworth, Mesnard, et al)	
	5-2-0-0	RA, RULES	
(1) SB1168	DP	real estate appraisers; licensure classifications.	
		(Kaiser: Rogers, Shamp)	
	7-0-0-0	RA, RULES	
SB1202	Held	banking; fees; licensing	
		(Kaiser)	
		RA, RULES	
(2) SB1333	DP	database; health professionals; license revocations	
		(Shamp: Smith)	
	7-0-0-0	RA, RULES	
~~SB1382~~		~~pharmacy benefit managers; certificate requirements~~	
		~~(Shamp)~~	
		~~RA, RULES~~	

ORDER OF BILLS TO BE SET BY THE CHAIRMAN

RA
~~03/08/2023~~
03/14/2023

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.

Attachment 1

Information Registered on the Request to Speak System

House Regulatory Affairs (3/15/2023)

SB1087, professional licensure fees; waiver; reduction

Support:

Brandon LaBorde, representing self; Michael Meacham, representing self; Robert Glass, representing self; Josephine Di Gennaro, representing self; Joseph Myers, representing self; Juli Webb, representing self; Carol Stines, representing self; Lisa Gentry, representing self; Judith Swietlik, representing self; Thomas Burke, representing self; Michael Mustard, representing self; Kathy Madsen, representing self; Theresa Breithaupt, representing self

Oppose:

kathleen mayer, representing self; Dave Long, representing self; Steve Ramos, representing self; Gina Griffiths, representing self; Judith Simons, representing self; Shirley Muney, representing self; Sandra Kravetz, representing self; Steven Linder, representing self; Rebecca Smith Gross, representing self; Judith Robbins, representing self; marilyn duerbeck, representing self; Maria Salvucci, representing self; Kevin Brown, representing self; Mary Ann Graffagnino, representing self; Beatriz Urrea, representing self; Paul Benz, representing self; Sallie Kladnik, representing self; Christina Mollica, representing self; Daria Lohman, representing self; Dianne Post, representing self; Elizabeth Putnam-Hidalgo, representing self; Cynthia Couture, representing self; Sherrilynn James, representing self; Donita Ramos, representing self; Ruthanna Battilana, representing self; William Parker, representing self; Mary Grove, representing self; Helen Kim, representing self; Darreli Boomgaarden, representing self; Kathryn Kaczmarek, representing self; Elizabeth Schauer, representing self; Elizabeth Goff, representing self; Charlie Silver, representing self; Barbara Oliver, representing self; cathy rutherford, representing self; Ronald Eich, representing self; Shirley Hervatin, representing self; Barbara Hutchinson, representing self; Christine Whitley, representing self; Becky Sayler, representing self; Janet Hamlin, representing self; Brent Gibbs, representing self; Robin LaVole, representing self; Julie Golding, representing self; Christine Keitges, representing self; Patricia Mullenix, representing self; Jackie Rich, representing self; Beverlee Loat, representing self; Sharon Lee, representing self; Stephanie Romero, representing self; Lawrence Peters, representing self; Linda Reichert, representing self; Cynthia Lehigh, representing self; Linda Edwards, representing self; Kathy Fraser, representing self; Kimberlee McClure, representing self; Mary Martiniak, representing self; Lucy Marshall, representing self; Janet Senf, representing self; Kathy Pyner, representing self; Jocelyn Dustan, representing self; Marilyn Coyle, representing self; Penny Boone, representing self; Ralph Meredith, representing self; Gayle Meredith, representing self; Anne Leota Hart, representing self; Mary Santy, representing self; GARY LEW OLIVER, representing self; Valerie Policastro Edie, representing self; Margaret Adams , representing self; Amy Etzkorn, representing self; Marilyn Childs, representing self; Vickey Finger, representing self; Nancy Santori, representing self; Alicia Lucas, representing self; Sue Thorne, representing self; Kathleen Martin, representing self; Katherine Martin, representing self; Mary-Jeanne Fincher, representing self; Matthew Nelson, representing self; Gail Prestera, representing self; Roxanna Kearns, representing self; Stephen Coyle, representing self; Jo Ann Caruthers, representing self; Michael Pyska, representing self; Norman Fuchs, representing self; Steve Gorman-Hackstadt, representing self; Dorothy Reed-Inman, representing self; Rebecca Haynes, representing self; Mary Nelson, representing self; Teresa Neiberg, representing self; Caroline Anderson, representing self; Kelly Colvard-Walter,

Attachment 2

representing self; Rosalind Wattel, representing self; Gary Rulapaugh, representing self; Ariana Flores, representing self; Emily Norton, representing self; Dale Cohen-Bruno, representing self; Margaret Owen, representing self; John Propster, representing self; Charlotte Lis, representing self; William Yohey, representing self; Michael Weingarten, representing self; Elizabeth Brauer, representing self; Margaret Bruns, representing self; Robert Fisher, representing self; Alice Patricia Price, representing self; Carol Garnett, representing self; Jennifer Dawson, representing self; Linda Guarino, representing self; Patricia Edelen, representing self; Linda Block, representing self; Mariann Leahy, representing self; Paula Van Derven, representing self; Diane Klock, representing self; Allison Jackson, representing self; ALICE BUCK, representing self; Loretta O'Connor, representing self; Claudia Oreck-Teplitsky, representing self; Cynthia Wagner, representing self; Nancy Hancock, representing self; Claire Bickel, representing self; Barbara Swenson, representing self; Nelson Morgan, representing self; Catherine Hopkins, representing self; Karen Robbins, representing self; Linda Cooke, representing self; Christine McLachlan-Comer, representing self; Carol Campbell, representing self; Lisa Maczura, representing self; Nicole Fordey, representing self; Karolyn Switzer, representing self; Linda Paul, representing self; Jacqueline deSa, representing self; Julian Donahue, representing self; Katharine Donahue, representing self; Sarah Bihms LD29, representing self; Nataly Reed, representing self; Evan Deaubl, representing self; Rebecca Shook, representing self; George Ehrlich, representing self; Sharon Ehrlich, representing self; Angela Buer, representing self; Gary Townsend, representing self; Marilyn Murov, representing self; Margaret Tinsley, representing self; Connie Cockrell, representing self; Jerrold Borchardt, representing self; Melanie Howe , representing self; William Bowlus-Root, representing self; Thomas Dunning, representing self; Sheila Green, representing self; Jerry Wegenast, representing self; Patricia Brunner, representing self; Rivko Knox, representing self; Kathleen Sauer, representing self; STACEY NORDWALL, representing self; Sally Caruso, representing self; Judy Wegenast, representing self; Eric Kadel, representing self; Marcia Tingley, representing self; Frederick James, representing self; David Myers, representing self; Eric Harris, representing self; Kathleen Butler, representing self; marcia stewart, representing self; Carmen Terrell, representing self; Don Howard, representing self; Nancy Lecrone Nonini, representing self; Abigail Hlavacek, representing self; Devon Sloan, representing self; Barbara Jones, representing self; Brenda Parker, representing self; jeff green, representing self; Teresa Gerschutz, representing self; Gabe Leadley, representing self; Nora Plonsky, representing self; Christian Trujillo Cruz, representing self; RITA DEPUYDT, representing self; Lisa Koenig, representing self; Charlene Campbell, representing self; Joyce Howard, representing self; Roger Blain, representing self; Joan Patrick, representing self; Jill Anderson, representing self; Suzette Taillac-Streit, representing self; Lora Lida Walradt, representing self; Beth Ballmann, representing self; Mitchell Smith, representing self; Shelley Stephenson, representing self; Lois Hansen, representing self; Janie Smieszek, representing self; Janis Newton, representing self; Shirley Isaacson, representing self; Valarie Bryant, representing self; Erlinda Bates, representing self; Cheryl Stafford, representing self; Peggy Church, representing self

All Comments:

Brandon LaBorde, Self: commonsense budgeting with the taxpayer in mind, rather than the bureaucracy; Joseph Myers, Self: I believe the purpose of the amended language is to provide an "open book" disclosure of a department's finances. These are department's funded by the state's taxpayers. Stronger accountability for usage of funds; Carol Stines, Self: It makes sense to provide a savings to people when there is an overage; kathleen mayer, Self: another bad policy pushed by deregulation fanatics; Judith Simons, Self: Please pay attention to the consequences of deregulation that have caused such damage in just the past few weeks, from railroads to banks. Learn the lesson: regulation serves a useful purpose which profit doesn't eliminate the need for.; Mary Ann Graffagnino, Self: Plain and simple, this bill would harm public safety and state finances; Beatriz Urrea, Self: This is yet another r deregulation measure that will harm public safety and state finances..; Paul Benz, Self: No legislation FBO Koch Bros and the Scam Goldwater Institute Reject/Veto this one Paul Benz pbenz54@gmail.com; Elizabeth Putnam-Hidalgo, Self: High bank balances have no coincidence with honesty! Stop deregulation!; Kathryn

Kaczmarek, Self: State regulatory boards and agencies protect AZ citizens. This bill appears to attempt to tie the hands of these agencies. Not good for AZ.; Lawrence Peters, Self: How does this bill better the lives of daily Arizonans. Gives another financial break to corporations and delivers a hit to the state coffers. Unduly influenced by lobbyists.; Cynthia Lehigh, Self: Strong NO; Kathy Pyner, Self: This is a good method to regulate professional licenses. Eliminate fraud.; Penny Boone, Self: Motivated by lobbyists Az Republican lawmakers are routinely sponsoring deregulation measures that would harm public safety and state finances as this bill would. I oppose.; Anne Leota Hart, Self: Bank deregulation isn't working out so well in California right now. We need common sense regulation and this isn't it.; Sue Thorne, Self: We need to strengthen regulation of banks that hold our money. Reestablish the Frank Dodd laws that were put in place after the great Recession in 2008 to keep financial sector from high risk gambling with our money!!NO; Mary-Jeanne Fincher, Self: Stop the attack on licensing boards and regulators - they are protecting the public and are necessary!; Rebecca Haynes, Self: Another deregulation effort that would harm public safety and state finances.; Mary Nelson, Self: More socialism for the wealthy; Margaret Owen, Self: This sounds like some sort of a deregulation measure that would harm public finances, and, by extension, harm public safety. Big NO.; John Propster, Self: Sounds like one of them ALEC bills. We see what you're doing. Vote NAY!; Elizabeth Brauer, Self: I am completely opposed to bank regulation. That is a terrible idea. In fact, we need to increase bank regulation, give the two recent bank failures. Do your job and protect the tax paying public from risky business practices.; Jennifer Dawson, Self: ABSOLUTELY NOT. Sponsored by the Koch bros. and the Goldwater Institute. Deregulation measures that would harm public safety and state finances.; Patricia Edelen, Self: Deregulation of fees for the rich - no thanks.; Cynthia Wagner, Self: would harm public safety and state finances; Catherine Hopkins, Self: Bill does nothing to protect us. Bill will hurt citizens. Try to come up with a bill to help Arizonan's not hurt them; Lisa Maczura, Self: Oh brother, really?; Karolyn Switzer, Self: There's no good reason why a license should cost more or less depending on the bank balance of the regulatory agency.; Katharine Donahue, Self: And what would that balance be? And what about planning ahead, adjusting priorities, planning for the future. If these companies need licenses, then they should pay and it has nothing to do with the agency that collects it.; Sarah Bihms LD29, Self: This bill waives or reduces license fees if bank balance hits limit. Republican lawmakers sponsor deregulation despite risk to public safety and state finances, urged by Goldwater Institute and Koch-funded Americans for Prosperity. Vote no.; Gary Townsend, Self: Banks need to be even more strictly regulated, not less.; Marilyn Murov, Self: This bill has potential to harm public safety and it decreases revenue for the state. I benefited greatly from the AZ Board of Physical Therapy as did my patients due to training and rules provided by this board. I was happy to pay my license fees.; Margaret Tinsley, Self: This is a bad idea for Arizona. Please vote no; Thomas Dunning, Self: Are the sponsors of this bill insane? Do they not remember the Great Recession, when BANKS almost broke the entire United States? Banks can be the worst of bad-faith actors. Who may be behind this bill? Not the people. Banks.; Rivko Knox, Self: Part of a nationwide movement toward deregulation that will harm public safety & state finances.; Eric Kadel, Self: If this Silicon Bank failure doesn't make you want more regulation then your living under a rock.; marcia stewart, Self: this is a harm to our state's finances and has no real value to it.; Teresa Gerschutz, Self: This extreme bill would harm public safety and state finances, OPPOSE.; Lora Lida Walradt, Self: Dangerous bill that will hurt ordinary citizens. Two banks have recently failed thanks to banking deregulation. The billionaires are NOT the ones impacted, workers ARE.; Beth Ballmann, Self: Especially in light of recent events with Silicon Valley Bank, this is not the time to be reducing bank management accountability.; Lois Hansen, Self: this type of deregulation measure would harm public safety and state finances.; Shirley Isaacson, Self: i am an Az. registered citizen; Cheryl Stafford, Self: This is an unnecessary deregulation measures that would harm public safety and state finances.

SB1162, home-based businesses; restrictions; prohibition

Testified in support:

Jenna Bentley, BARRY GOLDWATER INSTITUTE FOR PUBLIC POLICY RESEARCH; Dennis J Legere, ARIZONA HOMEOWNERS COALITION; Luis Acosta, Goldwater Institue

Testified as opposed:

Jeff Spellman, representing self; Jacob Emnett, COUNTY SUPERVISORS ASSN OF AZ; Kate Bauer, representing self; Larisa Balderrama, representing self; david mason, representing self; Sandra Scanlan, representing self; Tom Savage, LEAGUE OF ARIZONA CITIES & TOWNS; Susan Edwards, representing self; Tom Dorn, City Of Phoenix

Support:

Allison Stein, representing self; Eric Crump, representing self; Cynthia Finnegan, representing self; Susanne Wright, representing self; Charles McCorkle, representing self; Shirley Dye, representing self; Dwight Kadar, representing self; Andrea Kadar, representing self; Jere Fredenburgh, representing self; Rose Sperry, representing self; Lou Sniderman, representing self; Cathy Schwanke, representing self; Bill Blewster, representing self; Barbara Blewster, representing self; Dennis Genge, representing self; Jennifer Wellsman, representing self; Nancy Hawkins, representing self; Aimee Yentes, AZ FREE ENTERPRISE CLUB; Janelle Solomon, representing self; David Schafranka, representing self; Susan Leeper, representing self; David Riley, representing self; Mark Logan, representing self; Paul Fitch, representing self; Dan Goebel, representing self; Michael Schroeder, representing self; Teddi Thompson, representing self; Michael Infanzon, NORTH PHOENIX CHAMBER OF COMMERCE; Theresa Logan, representing self; Charles McCain, representing self; Michael Meacham, representing self; Rachel Bauer, representing self; Deanna Schreckler, representing self; Stephen Harris, representing self; Corinne Haynes, representing self; Buffalo Rick Galeener, representing self; Ute Edge, representing self; Bill Edge, representing self; Steve Hetsler, representing self; Robert Puckett, representing self; Anita Bruner, representing self; Robert Glass, representing self; Hilton C. Harrison, representing self; Charles Schinke, representing self; Maryclare Abatecola, representing self; Pam Anderson, representing self; Charles Mackey, representing self; Tom Booth, representing self; Ruth Foelber, representing self; Debbie Joy, representing self; DEBRA SCHINKE, representing self; Nikki Colletti, representing self; Dianna Gates, representing self; Carole Challoner, representing self; Darla Gonzalez, representing self; Gary Saxhaug, representing self; Claribeth Davis, representing self; Randy Brown, representing self; Sydney Brown, representing self; Kim Miller, representing self; James McFadzean, representing self; Jana Reible, representing self; Lori Huff, representing self; Linda Barnes, representing self; Pam Lauck, representing self; Brenda Marts, representing self; April Smith, representing self; Jean Ferguson, representing self; M Macek, representing self; Tamara Holley, representing self; Josephine Di Gennaro, representing self; Stacy Shepard, representing self; Joseph Myers, representing self; Richard Burke, representing self; Vicki Smith, representing self; John Tanzi, representing self; Mary Ann Johnston, representing self; Mary Kay Ruwette, representing self; Vickie Parks, representing self; Susan Kelly, representing self; Philip Bryson, representing self; Catherine Tunget, representing self; Cherie Anello, representing self; Peter Anello, representing self; Ed O'Brien, representing self; Amy Ross, representing self; Matt Davidson, representing self; Tim Johnson, representing self; Shawn Smith, representing self; Brynlee Smith, representing self; Braeden Smith, representing self; Brooklyn Smith, representing self; Susan Sigl, representing self; Ruth Denny, representing self; Kathy DuFresne, representing self; A B, representing self; Gary DeBerge, representing self; Cynthia Newswander, representing self; Janet Wilson, representing self; Joe Fiumara, representing self; Nathan Moss, representing self; Nancy Osgood, representing self; Sandra Lowery, representing self; Pam Reinke, representing self; Louie Caparelli, representing self; Mozelle Ault, representing self; Kristin Baumgartner, representing self; Kristi Macdonald, representing self; Stan Howard, representing self; Thaya Howard, representing self; Joyce Mansur, representing self; Marcella Cronenberg, representing self; Starr Costa,

representing self; Sallie Orbas, representing self; Daryl Lassen, representing self; Harold DarcAngelo, representing self; Brent Meadows, representing self; Mary Evelyn Simpson, representing self; Janet Klepacz, representing self; christopher klepacz, representing self; Mark Stevens, representing self; Dale Brewer, representing self; Indy Rebhun, representing self; Jeff Specter, representing self; Nancy Durband, representing self; Henry Ganster, representing self; Denise Lockwood, representing self; Sue Harrison, representing self; Kelly Walterscheid, representing self; Patricia Cipro, representing self; Marc Monterey, representing self; Donna Booth, representing self; Lana O'Brien, representing self; Sandra Carlson, representing self; Doris Hinton, representing self; Janet Manecke, representing self; Laurie Johnson, representing self; Elizabeth Olmstead, representing self; Dan Goebel, representing self; Karen Sherrell, representing self; Debbie Russo, representing self; Jane Evans, representing self; Roy Scott Lassell, representing self; Jeanine Gouveia, representing self; Raymond Darragh, representing self; John Matthews, representing self; Lynda Patrick-Hayes, representing self; Catherine Day, representing self; Darlene Jung, representing self; David Fountain, representing self; Ann Starr, representing self; Jessica O'Connor, representing self; Judy Alonzo, representing self; Bob Alonzo, representing self; Richard Freeze, representing self; Marcia Sahag, representing self; Susan Gavigan, representing self; Patricia Moore, representing self; Janice Rimer, representing self; K Caillier, representing self; Paul Johnson, representing self; Wendy Radimer, representing self; Wanda Lund, representing self; Joyce Haver, representing self; Mary Jamsa, representing self; Cheri Raimonde, representing self; Susan Whittemore, representing self; Susan Kay, representing self; eileen acosta, representing self; Charles Moffett, representing self; Elizabeth Piccolo, representing self; Chris Russo, representing self; Sue Norton-Scott, representing self; Ken Wolfe, representing self; Nancy Thornes, representing self; George Duffield, representing self; Teresa Schrader, representing self; Wayne Throw, representing self; Jim Jensen, representing self; Sady Flynn, representing self; Doyle Taraba, representing self; John Reed, representing self; Marie Scillieri, representing self; Patricia Keitel, representing self; Joelene Williamson, representing self; James Ault, representing self; Cynthia Starr, representing self; Laura Belcourt, representing self; Gary Zimmerman, representing self; C Dupree, representing self; Pam Throw, representing self; Christine Stoner, representing self; Margaret Barnes, representing self; Julie Harrod, representing self; Ted Burwell, representing self; Bonnie Lund, representing self; Judith Swietlik, representing self; Gisela Aaron, representing self; Teresa Tere Nunez, representing self; Michael Aaron, representing self; Theresa Breithaupt, representing self; Barton Anderson, representing self; Daniel Spencer, representing self; Lois Dold, representing self; Jerri Dingledine, representing self; Susan Garvey, representing self; Joel Gleason, representing self; Ron Brooks, representing self; Patricia Phillips, representing self; Judy Ponio, representing self; Wendy Jonessee, representing self; Sharon Lang Merdovic, representing self; deana corsa, representing self; Barb Hinderland, representing self; kare hetrick, representing self; Lee Chadbourn, representing self; Kay Bateman, representing self; Paul Marriott, representing self; Jennifer Marriott, representing self; Sue VanRiper, representing self; Jeannette Bovert, representing self; Kathryn Farkas, representing self; Merl Nielsen, representing self; brenda simon, representing self; Douglas Simon, representing self; E Seeley, representing self; LW Forster, representing self; Gaye Champine, representing self; KAREN VOLLIS, representing self; Lisa Gentry, representing self; Sherry Proctor, representing self; Dan Gleason, representing self; louise liggett, representing self; Nancy Barrett, representing self; Doug Stewart, representing self; Shay Cardell, representing self; Darrin Bergstad, representing self; Tambra Herbert, representing self; Paul Thompson, representing self; john shepard, representing self; Carol Utecht, representing self; Beth Pojman, representing self; Irene Lavor, representing self

Neutral:

Donald Koeppen, representing self

Oppose:

Nathan Barrett, representing self; Karen Kruse, CITY OF WINSLOW, TOWN OF SAHUARITA; Judy Reid, representing self; Judy Wegenast, representing self; larry berger, representing self; William Hunter, representing self; Scott

Grzybowski, representing self; Counilwoman Sharron Grzybowski, representing self; Tina Gomez, representing self; Julie Catlett, representing self; Dana Jolly, representing self; Adam Newberg, representing self; Karen Begier, representing self; Jason Elliott, representing self; Dominique Contreras, representing self; Michelle Perkins, representing self; Maureen Sheldon, representing self; John Sheldon, representing self; Ann Bommersbach, representing self; William Yohey, representing self; Alexis Apodaca, CHANDLER, CITY OF; maureen mason, representing self; Liz Barker Alvarez, AVONDALE, CITY OF; Stacia Erkenbrack, representing self

All Comments:

Dennis J Legere, ARIZONA HOMEOWNERS COALITION: This is a sound well constructed bill that protects communities as well as enabling the safe and non-intrusive development of home based businesses.; Cynthia Finnegan, Self: Reduce regulations; Shirley Dye, Self: With the increases in internet provision there are many folks that can do business from home. Their own business or working for an employer. Restrictions on traffic, sound, etc, and maybe a city/town license should make this a good deal.; Jere Fredenburgh, Self: BUILD small family owned businesses! It is what this country was built on.; Cathy Schwanke, Self: Working from home has shown to work well so let's encourage productivity and freedom.; Bill Blewster, Self: Let's reduce government regulations, especially on small businesses.; Barbara Blewster, Self: Reducing regulations on private businesses is necessary.; Dennis Genge, Self: Absolutely. Give small businesses a fighting chance; Jennifer Wellsman, Self: A good idea; Dan Goebel, Self: Registered voter and grandparent, please support this Bill.; Stephen Harris, Self: Reducing undue regulation of home businesses by municipalities and counties is a good thing.; Maryclare Abatecola, Self: I'm a business owner, registered voter, an active PC.; Charles Mackey, Self: Support this bill for those home-based businesses that do not generate odor, noise, on-street parking or cause a substantial increase in traffic in the residential neighborhood. Low impact home businesses help our economy.; Darla Gonzalez, Self: I'm PC in Chandler, I'm a business owner, and support businesses!; Gary Saxhaug, Self: Reducing undue regulation of home businesses by municipalities and counties is a good thing.; Randy Brown, Self: Stop government overreach with trying to control "no impact" activities. Get the government's nose out of our business.; Sydney Brown, Self: We need to get the government's nose out of our business.; Linda Barnes, Self: I support reducing regulations on home-based businesses.; Pam Lauck, Self: TO much regulations is not good. This should lessen that!; April Smith, Self: I am a PC in Mesa. Please protect home based businesses; Philip Bryson, Self: I am an elected PC in Pima County LD18 precinct 262; Nancy Osgood, Self: As a PC in LD12 I support this bill.; Kristin Baumgartner, Self: I'm a PC captain and I support this bill.; Daryl Lassen, Self: Keep the capitalistic incentives going. Stop socialism!; Harold DarcAngelo, Self: LD15 PC; Mary Evelyn Simpson, Self: YAVGOP PC. We should not discourage or discriminate against folks who want to work at home in unintrusive business models.; Mark Stevens, Self: Reducing undue regulation of home businesses by municipalities and counties is a good thing.; Dale Brewer, Self: I am a concerned Precinct committeeman, and a former business owner.; Jeff Spellman, Self: Home-based businesses exist today in every community in this state. Cities and towns are successfully balancing the needs of property owners who want to run a home-based business. There is no need for this legislation.; Kate Bauer, Self: Where is evidence of the problem that merits this Bill?; Larisa Balderrama, Self: Neighborhoods area against this. Cities and towns have existing rules and laws on the books that govern this well today. This bill would override all of that. There are no issues existing with cities today that poses a need for this.; Elizabeth Olmstead, Self: I am a PC in Navajo County and I support this bill; Dan Goebel, Self: Registered voter and grandparent hoping you support this Bill.; Karen Sherrell, Self: This is a well written bill for No Impact Home Businesses, we need to help budding, small business owners as much as we can.; Debbie Russo, Self: Home based businesses should not be taxed out of existence. They should be allowed to thrive.; Jane Evans, Self: Millions of us have home based businesses. I am a PC and Member at Large and strongly support this bill.; Judy Reid, Self: I oppose the bill; Roy Scott Lassell, Self: I fully support. We need less government involvement in our businesses.; Lynda Patrick-Hayes, Self: I think all types of businesses should be supported.; Catherine Day, Self: Stop taking freedom to thrive away; David Fountain, Self: I support this

Bill LD9, SD4; Paul Johnson, Self: I am a precinct Captain and I am in favor of this bill; Wendy Radimer, Self: I am a Precinct Co-Captain and I agree with this Bill; Wanda Lund, Self: Thank you; Joyce Haver, Self: please support this bill...; Mary Jamsa, Self: This bill in the long run helps to strengthen the growth of the Arizona economy . I support this bill.; Donald Koeppen, Self: Please strengthen the wording for support of restrictions in homeowners associations; Susan Whittemore, Self: I am a precinct committeeman. I represent 175 voters on this issue.; Susan Kay, Self: Republican, LD3; eileen acosta, Self: I support SB1162; Elizabeth Piccolo, Self: Support an Act Amending Section 32-3248.01, Arizona Revised Statutes; Relating to Controlled Substances .; Chris Russo, Self: I'm a PC from PV. Home based businesses should not be punished by excessive taxes. It seems people who contribute the least to society get the most benefits from it. It's time for this to change. Give a break to those who give the most, their all!; Sue Norton-Scott, Self: Let's do this for everyone with a home based business. Makes sense.; Sady Flynn, Self: REAL ESTATE AGENT and ESTATE COMMITMENT; Doyle Taraba, Self: Pc; Joelene Williamson, Self: I support this bill because many of the small businesses started out as home businesses and the state shouldn't stand in the way of starting a small business.; Gary Zimmerman, Self: Reduces undue regulation of home businesses.; Julie Harrod, Self: Pro home-based business, less regulation, smart regulation; William Hunter, Self: Don't stomp on residents' rights to the quiet enjoyment of their home in a non-commercial neighborhood. Commerce belongs in commercial areas. Residents deserve quiet, safe, residential neighborhoods; Daniel Spencer, Self: encourage home-based businesses; Patricia Phillips, Self: Precinct Committeeman, Coconino County State Committeeman, Small business owner. Reduce red tape by providing clear, concise small business requirements. Some small businesses started as home businesses.; Counilwoman Sharron Grzybowski, Self: People that live in a residential area move there thinking that it is just that. This bill makes it hard for people to determine what their moving in to. "no impact" business is subjective, it and the increased traffic are difficult to enforce; Judy Ponio, Self: I am. PINAL COUNTY PC, it's important to make govt accountable. Thank u for what u do!; Sharon Lang Merdovic, Self: This bill makes better sense and keeps up with the times, especially post Covid.; deana corsa, Self: It is good to get a more defined explanation of home businesses. Deana Corsa PC; david mason, Self: What problem merit this sweeping, "no regulation" solution that means "anything anywhere"? Who Benefits from this Bill? Redefining local zoning decisions denies communities and residents the benefit of local zoning decisions and regulations.; Tina Gomez, Self: Here we go again! HB 2333 did not pass in 2018 and PAID legislators continue to push legislation through the system with the intention of diminishing the integrity and character of neighborhoods. This bill is detrimental to residential communities.; Julie Catlett, Self: Businesses need to stay in areas zoned for businesses. Please keep our neighborhoods safe for families. Businesses generate more traffic, distracted drivers, and increase risks to children, properties, and pets.; Kathryn Farkas, Self: Small business took a big hit with government overreach during COVID. This should help!; LW Forster, Self: Please support our small businesses wherever they are!; KAREN VOLLIS, Self: allow no-impact home-based businesses; Michelle Perkins, Self: Should be MORE regulation,not less. We have this & it causes blight, congestion & HUGE safety issues. Degrades areas, values & deters people who want to move to/improve areas. Decreases community, ups crime. Those w/ business aggressive to neighbors,; Maureen Sheldon, Self: There should be MORE regulation, not less. We have this in our area & it causes blight, congestion & HUGE safety issues--this degrades property values and deters people who want to move to and improve the area. It decreases community, increases crime; John Sheldon, Self: Businesses in neighborhoods w/ no regulation leads to degradation of neighborhoods, especially w/o enforcement (dealing w/ this in ours now)-leads to safety issues, congestion & lack of community. Have junk cars all over street & blight b/c of this.; Sandra Scanlan, Self: Ill conceived idea. Internet and Zoom has replaced home businesses. Protect AZ neighborhoods.; Susan Edwards, Self: Trying to completely destroy the safety and character of Arizona's neighborhoods? The 500,000 AZ families already next to short-term rentals, with strangers coming and going, can now have a tattoo parlor open next door. How's that child-friendly?; Nancy Barrett, Self: America was created by people with a spirit of owning their own businesses. We need to support bills that prohibit restrictions; maureen mason, Self: SB 1162 is too problematic, too radical, many glaring inconsistencies: does not justify a sweeping "no regulation" that allows "anything,

anywhere". damages property rights of residents and communities. damages public safety.; john shepard, Self: I'm a PC and support this bill. Keep the bureaucrats out of home based businesses.; Carol Utecht, Self: =Support this bill CJ Utecht; Luis Acosta, Goldwater Institue: N/A; Stacia Erkenbrack, Self: We've already seen the demise of neighborhoods & loss of communities with SB1350. SB1162 is the same bad legislation. Local government is better for residents & can better appropriate balance of community standards within our local neighborhoods.

SB1168, real estate appraisers; licensure classifications.

Support:

Stephen Briggs, AZ DEPT OF INSURANCE AND FINANCIAL INSTITUTIONS

SB1202, banking; fees; licensing

Support:

Lisa Gentry, representing self

SB1333, database; health professionals; license revocations

Support:

Lisa Gentry, representing self; Kathy Madsen, representing self; Theresa Breithaupt, representing self

ARIZONA STATE LEGISLATURE

Fifty-sixth Legislature - First Regular Session

COMMITTEE ATTENDANCE RECORD

COMMITTEE ON **REGULATORY AFFAIRS**

CHAIRMAN: Laurin Hendrix VICE-CHAIRMAN: Cory McGarr

	DATE	03/15/23	/23	/23	/23	/23
	CONVENED	2:48 pm	m	m	m	m
	RECESSED					
	RECONVENED					
	ADJOURNED	4:12 pm				
MEMBERS						
Bravo		✓				
Gutierrez		✓				
Hernandez A		✓				
Marshall		✓				
Peña		✓				
McGarr, Vice-Chairman		✓				
Hendrix, Chairman		✓				

√ Present --- Absent exc Excused

Attachment 3

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

Senate: COM DP 6-0-1-0 | 3rd Read 29-0-1-0

SB 1168: real estate appraisers; licensure classifications.
Sponsor: Senator Kaiser, LD 2
Committee on Regulatory Affairs

Overview

Permits state-licensed real estate appraisers to conduct the appraisal of complex residential units under $400,000.

History

The Department of Insurance and Financial Institutions (DIFI) licenses and authorizes the transactions of insurance-related entities and regulates state-chartered financial entities such as money transmitters, motor vehicle dealers and real estate appraisal entities (JLBC FY2023 Baseline Book – Department of Insurance and Financial Institutions).

The Appraisal Qualifications Board (the Board) sets universal standards adopted by DIFI for minimum criteria necessary to either be certified, licensed, or registered as a real estate appraiser. (A.R.S. § 32-3605). The Board standards for a state-licensed real estate appraiser are as follows:

1) Must complete the Board licensed residential real property appraiser examination;
2) Must complete 150 credit class hours under the Board required core curriculum; and
3) Have 1,000 hours of qualifying experience in no fewer than 6 months.

Associated fees for state-licensed real estate appraisers are composed of new application and national registry fees of $400.00 and $80.00. For license renewal, there is a biennial renewal and national registry fee of $425.00 and $80.00 (Department of Insurance and Financial Institutions). According to DIFI, there is a total of 170 active state-licensed real estate appraisers in Arizona.

In 2019, the Federal Government issued the Appraisal Rule, which required federally related real estate transactions valued at more than $400,000 to require a state-certified appraiser. For transactions under that threshold, an evaluation of real property collateral is required instead (C.F.R. 12-3B-323).

Complex one to four residential units are properties that are considered atypical for the marketplace considering factors such as: 1) architectural style; 2) age of improvements; 3) size of improvements; 4) size of lot; 5) neighborhood land use; 6) potential environmental hazard liability; 7) leasehold interest; and 8) limited readily available comparable sales or other unusual factors (A.R.S. § 32-3601).

Provisions

1. Expands the value threshold that state-licensed real estate appraisers can appraise complex one to four residential units from $250,000 to $400,000. (Sec. 1)
2. Makes a technical change. (Sec. 1)

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

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. SB 1168

DATE March 15, 2023 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Bravo		✓			
Gutierrez		✓			
Hernandez A		✓			
~~Payne~~ Marshall		✓			
Peña		✓			
McGarr, Vice-Chairman		✓			
Hendrix, Chairman		✓			
		7	0	0	0

APPROVED:

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

COMMITTEE SECRETARY

ATTACHMENT 5

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

Senate: HHS 6-0-1-0 | 28-1-1-0

SB1333: database; health professionals; license revocations
Sponsor: Senator Shamp, LD 29
Committee on Regulatory Affairs

Overview

By July 1, 2024, requires the Department of Health Services (DHS) to create and maintain on its website an online searchable database containing pertinent information regarding health professionals who have had a professional license or certification revoked in the preceding five years.

History

A *health profession regulatory board* is any board in Arizona that regulates one or more health professions. A *health professional* is a person who is licensed or certified in podiatry, chiropractics, dentistry, medicine and surgery, naturopathic medicine, nursing, dispensing opticians, optometry, osteopathic physicians and surgeons, pharmacy, board of physical therapy, psychologists, veterinarians, physician assistants, radiologic technologists, homeopathic physicians, behavioral health physicians, occupational therapy, respiratory care, acupuncture, athletic trainers and massage therapy (A.R.S. 32-3201.) A *health professional* also includes nursing care institution administrators, assisted living facilities managers, practitioners in midwifery, hearing aid dispensers, audiologists and speech pathologists (A.R.S. Title 36.)

When a formal complaint against a licensed or certified individual is filed with the appropriate regulatory entity, that entity gathers pertinent information, investigates and decides the case outcome on each complaint. Based on the facts at hand for each complaint, an individual's license or certification may be suspended or revoked if unprofessional conduct or other violations are substantiated.

Provisions

1. Requires each *health profession regulatory board* to report to DHS the following:
   a) the revocation of licenses or certifications; and
   b) all revocations of licenses and certifications for the five years beginning July 1, 2019 to July 1, 2024. (Sec. 1)
2. Prescribes, by July 1, 2024, that information be included in an online searchable database that is available on the DHS website as follows:
   a) names of health professionals who have had a license or certification revoked during the preceding five years;
   b) date of the revocation; and
   c) names of health profession regulatory boards that revoked the license or certification. (Sec. 1)
3. Instructs DHS to inform all health profession regulatory boards of the information that must be reported to DHS for inclusion in the database. (Sec. 1)
4. Defines *health profession regulatory board* and *health professional.* (Sec. 1)

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

Attachment 6

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. SB 1333

DATE March 15, 2023 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Bravo		✓			
Gutierrez		✓			
Hernandez A		✓			
~~Payne~~ Marshall		✓			
Peña		✓			
McGarr, Vice-Chairman		✓			
Hendrix, Chairman		✓			
		7	0	0	0

APPROVED:

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

COMMITTEE SECRETARY

ATTACHMENT 7

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

Senate: COM DP 5-0-2-0 | 3rd Read 16-14-0-0

SB 1087: professional licensure fees; waiver; reduction
Sponsor: Senator Kern, LD 27
Committee on Regulatory Affairs

Overview

Requires a regulatory board or agency (regulatory entity) to waive or reduce its license or certification fees when its licensing fund exceeds 50% of its appropriation for the same fiscal year.

History

Arizona's professions and occupations are regulated by boards and commissions charged with protecting the health, welfare and safety of its citizens through licensing, certification and registration. Title 32 contains the laws related to the various professions and occupations, while Title 36 comprises public health and safety laws. The statutes are generally divided into three categories as follows:

1) *Article 1* - establishes the regulatory entity, membership qualifications, powers, duties and responsibilities;
2) *Article 2* – prescribes the training and education requirements to qualify for licensure; and
3) *Article 3* - outlines disciplinary and non-disciplinary actions the regulatory entity may take to enforce standards of practice, such as continuing education, letter of censure, license suspension or license revocation.

In general, an agency cannot charge or receive a fee without specific statutory authority (A.R.S. § 41-1008.) Regulatory entities are funded by user fees and most are 90/10 entities, since 90% of revenue is retained by the regulatory entity and the remaining 10% is transferred to the state General Fund.

Provisions

1. Requires, by September 1 each year, the regulatory entity to review pertinent fees and costs to determine if its year-end licensing fund balance will exceed 50% of its current fiscal year appropriation. Items for review include monies in the fund, incurred costs and collected fee revenues. (Sec. 2)
2. Outlines the procedures the regulatory entity should follow if the ending balance in the licensing fund exceeds 50% of its appropriation as follows:
   a) requires a one-time fee waiver or reduction in license or certificate renewal fees for the upcoming fiscal year or within the normal renewal cycle if longer than one year, to reduce the licensing fund balance to below the 50% appropriation amount;
   b) in determining the amount of waiver or reduction, directs the regulatory entity to ensure existing licensees or certificate holders receive one waiver or reduction and that fees for new licensees or certificate holders are waived or reduced the next fiscal year;
   c) requires the regulatory entity to attempt to reduce fees the same for initial and renewal licenses and certificates;

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

d) allows a temporary reduction or waiver of initial or renewal license or certification fees; and
e) by July 1 each fiscal year, outlines notification to existing licensees and certificate holders of an intention to reduce or waive license fees along with the expected amount, which must be prominently noted on the regulatory entity's website. (Sec. 2)

3. Instructs each regulatory entity to report its fee plan by September 1 annually, to the Governor, President of the Senate and Speaker of the House of Representatives. (Sec. 2)

4. Lists the minimum requirements a report of fee plan must include as follows:
   a) the amount of revenues and expenditures expected in the current fiscal year;
   b) the projected ending balances for the licensing fund; and
   c) the justification for how the regulatory entity's waiver or reduction plan will achieve required fee reductions. (Sec. 2)

5. Allows a regulatory entity that believes it will require one-time monies greater than 50% of its annual appropriation for one-time capital, information technology or similar costs to include a report of the expected need in its budget estimate submission to the Governor. (Sec. 2)

6. Applies the provisions to chapters of law that regulate professions and occupations as follows:
   a. State Board of Technical Registration *(Title 32, Ch. 1)*
   b. Barbering and Cosmetology Board *(covers two chapters of law – Title 32, Ch. 3, 5)*
   c. Arizona State Board of Accountancy *(Title 32, Ch. 6)*
   d. Board of Podiatry Examiners *(Title 32, Ch. 7)*
   e. Board of Chiropractic Examiners *(Title 32, Ch. 8)*
   f. Registrar of Contractors *(Title 32, Ch. 10)*
   g. State Board of Dental Examiners *(Title 32, Ch. 11)*
   h. State Board of Funeral Directors and Embalmers *(Title 32, Ch. 12)*
   i. Arizona Medical Board *(also Physician Assistants – Title 32, Ch. 13, 25)*
   j. Naturopathic Physicians Medical Board *(Title 32, Ch.14)*
   k. State Board of Nursing *(Title 32, Ch. 15)*
   l. State Board of Dispensing Opticians *(Title 32, Ch. 15.1)*
   m. State Board of Optometry *(Title 32, Ch. 16)*
   n. AZ Board of Osteopathic Examiners in Medicine and Surgery *(Title 32, Ch. 17)*
   o. Arizona State Board of Pharmacy *(Title 32, Ch. 18)*
   p. Board of Physical Therapy *(Title 32, Ch. 19)*
   q. State Board of Psychologist Examiners *(Title 32, Ch. 19.1)*
   r. Arizona State Veterinary Medical Examining Board *(Title 32, Ch. 21)*
   s. Board of Homeopathic and Integrated Medicine Examiners *(Title 32, Ch. 29)*
   t. State Board for Private Postsecondary Education *(Title 32, Ch. 30)*
   u. Board of Behavioral Health Examiners *(Title 32, Ch. 33)*
   v. Board of Occupational Therapy Examiners *(Title 32, Ch. 34)*
   w. Board of Respiratory Care Examiners *(Title 32, Ch. 35)*
   x. Acupuncture Board of Examiners *(Title 32, Ch. 39)*
   y. Board of Athletic Training *(Title 32, Ch. 41)*
   z. Board of Massage Therapy *(Title 32, Ch. 42)*
   aa. Board of Examiners Nursing Care Institution Administrators and Assisted Living Facility Managers *(Title 36, Ch. 4, Art. 6)* (Sec. 2)

7. Makes a conforming change. (Sec. 1)

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. SB 1087

DATE March 15, 2023 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Bravo			✓		
Gutierrez			✓		
Hernandez A			✓		
~~Payne~~ Marshall		✓			
Peña		✓			
McGarr, Vice-Chairman		✓			
Hendrix, Chairman		✓			
		4	3	0	0

APPROVED:

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

COMMITTEE SECRETARY

ATTACHMENT 9

Attachment 10

Regulatory Boards FY 2023 Budget Information

Chapter *	Agency Name	FY 2023 Fund Balance	FY 2023 Appropriation	% of FY 2023 Appropriation	Excess Balance Above 50% of Appropriation
T.32, Ch.1	State Board of Technical Registration	$ 6,832,100	$ 2,641,000	259%	$ 5,511,600
T.32, Ch.3 and 5	Barbering and Cosmetology Board	$ 1,623,700	$ 2,864,800	57%	$ 191,300
T.32, Ch.6	Arizona State Board of Accountancy	$ 2,336,100	$ 2,236,600	104%	$ 1,217,800
T.32, Ch.7	Board of Podiatry Examiners	$ 208,000	$ 185,800	112%	$ 115,100
T.32, Ch.8	Board of Chiropractic Examiners	$ 724,300	$ 488,700	148%	$ 479,950
T.32, Ch.10	Registrar of Contractors	$ (943,500)	$ 13,754,600	-7%	$ -
T.32, Ch.11	State Board of Dental Examiners	$ 1,976,000	$ 1,937,500	102%	$ 1,007,250
T.32, Ch.12	State Board of Funeral Directors and Embalmers	$ 845,600	$ 494,800	171%	$ 598,200
T.32, Ch.13 and 25	Arizona Medical Board	$ 10,826,900	$ 8,291,700	131%	$ 6,681,050
T.32, Ch.14	Naturopathic Physicians Medical Board	$ 2,143,100	$ 212,000	1011%	$ 2,037,100
T.32, Ch.15	State Board of Nursing	$ 13,833,700	$ 5,885,000	235%	$ 10,891,200
T.32, Ch.15.1	State Board of Dispensing Opticians	$ 350,000	$ 193,100	181%	$ 253,450
T.32, Ch.16	State Board of Optometry	$ 550,200	$ 298,800	184%	$ 400,800
T.32, Ch.17	Arizona Board of Osteopathic Examiners in Medicine and Surgery	$ 3,237,700	$ 1,384,500	234%	$ 2,545,450
T.32, Ch.18	Arizona State Board of Pharmacy	$ 10,360,600	$ 3,537,000	293%	$ 8,592,100
T.32, Ch.19	Board of Physical Therapy	$ 1,679,300	$ 630,900	266%	$ 1,363,850
T.32, Ch.19.1	State Board of Psychologist Examiners	$ 2,273,900	$ 650,500	350%	$ 1,948,650
T.32, Ch.21	Arizona State Veterinary Medical Examining Board	$ 2,551,500	$ 770,500	331%	$ 2,166,250
T.32, Ch.29	Board of Homeopathic and Integrated Medicine Examiners	$ 47,300	$ 51,900	91%	$ 21,350
T.32, Ch.30	State Board for Private Postsecondary Education	$ 123,700	$ 453,800	27%	$ -
T.32, Ch.33	Board of Behavioral Health Examiners	$ 5,413,300	$ 2,179,700	248%	$ 4,323,450
T.32, Ch.34	Board of Occupational Therapy Examiners	$ 1,092,000	$ 266,400	410%	$ 958,800
T.32, Ch.35	Board of Respiratory Care Examiners	$ 306,600	$ 406,800	75%	$ 103,200
T.32, Ch.39	Acupuncture Board of Examiners	$ 8,900	$ 196,800	5%	$ -
T.32, Ch.41	Board of Athletic Training	$ 290,300	$ 157,300	185%	$ 211,650
T.32, Ch.42	Board of Massage Therapy	$ 1,248,200	$ 603,800	207%	$ 946,300
T36, Ch.4, Art.6	Board of Examiners Nursing Care Institution Administrators and Assisted Living Facility Managers	$ 272,300	$ 627,400	43%	$ -

Total Revenue of Boards and Agencies Exceeding 50% of Appropriation ..... $ 52,565,850

GF Reduction Share ..... $ 5,840,650

* - Note: 29 referenced parts of statute, but only 27 agencies. This is because Physician Assistants are under the Medical Board, and the Barbering and Cosmetology Board covers two chapters.

Methodology reflects JLBC fiscal note on HB2267 (2021).

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-sixth Legislature
First Regular Session

SB 1162: home-based businesses; restrictions; prohibition
Sponsor: Senator Kaiser, LD 2
Committee on Regulatory Affairs

Overview

Establishes that a home-based business must be allowed as a use by right, if the business does not supersede any existing restrictions. Authorizes a municipality or county to establish reasonable regulations on home-based businesses.

History

A municipality or county may not restrict or regulate a license holding owner of a home-based business from: 1) making residential property improvements to add doors, shelving or display racks for use by the business; 2) displaying a temporary commercial sign during business hours; 3) selling or offering for sale any goods; 4) generating traffic, parking or delivery activity that does not cause parking congestion or a substantial increase in traffic in the residential area; or 5) having more than one client on the property at once. Furthermore, a home-based business may employ residents of the primary dwelling and immediate family members, as well as 1-2 employees who are not residents or immediate family members.

Currently, the owner of a home-based business must hold a valid *license*, as defined in statute. Additionally, a *home-based business* means any business for the limited manufacture, provision or sale of goods or services that is owned and operated by the owner or tenant of the residential property.

Finally, statute authorizes a county to impose reasonable operating requirements on a home-based business or a residential property used by a home-based business (A.R.S. § 11-820).

Provisions

1. States that a home-based business is allowed as a use by right if it does not supersede any deed restrictions, covenants or land use agreement, master deed or other document that applies to a common interest ownership community. (Sec. 1, 2)
2. Restricts a municipality or county from prohibiting a *no-impact home-based business* or requiring a person to obtain a permit, license or prior municipal approval to operate. (Sec. 1, 2)
3. Permits a municipality or county to establish reasonable regulations on a home-based business within the confines of:
   a. protecting the public health and safety, including the current regulations pertaining to fire and building codes, health, sanitation, transportation or traffic control, solid or hazardous waste, pollution and noise control;
   b. limiting or prohibiting the use for purposes of maintaining a structured sober living home, selling illegal drugs or liquor, pornography, obscenity, nude or topless dancing or other adult oriented businesses; and

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

c. ensuring the business activity is compatible with the residential property use, secondary to its use as a residential dwelling and that it complies with state and federal laws, as well as applicable taxes. (Sec. 1, 2)

4. Prohibits a municipality or county, as a condition for a person to operate a home-based business, to do any of the following:
   a. apply to rezone the property for commercial use;
   b. obtain a home-based or other business license; or
   c. install fire sprinklers in a residential dwelling with one or two dwelling units. (Sec. 1, 2)
5. Stipulates that whether a city or county regulation complies with the statutory provisions is a judicial question and the regulatory entity must establish by clear and convincing evidence that the provision complies with state law. (Sec. 1, 2)
6. Removes the requirement for a home-based business to obtain a license. (Sec. 2)
7. Revises the county restrictions and regulations for home-based businesses. (Sec. 2)
8. Defines *goods, home-based business*, *immediate family member* and *no-impact home-based business*. (Sec. 1, 2)
9. Makes a conforming change. (Sec. 2)

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. SB 1162

DATE March 15, 2023 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Bravo			✓		
Gutierrez			✓		
Hernandez A		✓			
~~Payne~~ Marshall		✓			
Peña		✓			
McGarr, Vice-Chairman		✓			
Hendrix, Chairman		✓			
		5	2	0	0

APPROVED:

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

COMMITTEE SECRETARY

ATTACHMENT 12

ARIZONA HOUSE OF REPRESENTATIVES
Fifty-sixth Legislature - First Regular Session

ROLL CALL VOTE

COMMITTEE ON Regulatory Affairs BILL NO. SB 1202

DATE March 15, 2023 MOTION: Held

	PASS	AYE	NAY	PRESENT	ABSENT
Bravo					
Gutierrez					
Hernandez A					
~~Payne~~ Marshall					
Peña					
McGarr, Vice-Chairman					
Hendrix, Chairman					

APPROVED:

Julie Ryle
COMMITTEE SECRETARY

LAURIN HENDRIX, Chairman
CORY MCGARR, Vice-Chairman

ATTACHMENT 13