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

COMMITTEE ON COMMERCE

Report of Regular Meeting
Tuesday, February 11, 2025
House Hearing Room 5 -- 2:00 P.M. OR UPON RECESS OR ADJOURNMENT OF FLOOR

Convened 3:03 P.M.
Adjourned 4:44 P.M.

MINUTES RECEIVED
CHIEF CLERK'S OFFICE
2/12/25

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

Members Absent

Agenda
Original Agenda – Attachment 1

Request to Speak
Report – Attachment 2

Committee Attendance
Report – Attachment 3

Committee Action

Bill	Action	Vote	Attachments
HB2124	HELD		
HB2721	HELD		
HB2210	DP	10-0-0-0	4,5
HB2195	DPA	6-3-1-0	6,7,8
HB2116	DPA	10-0-0-0	9,10,11
HB2749	DPA	10-0-0-0	12,13,14
HB2683	DP	10-0-0-0	15,16
HB2411	DP	8-2-0-0	17,18
HB2748	DP	7-3-0-0	19,20
HB2447	DP	8-1-0-1	21,22
HB2233	DPA	10-0-0-0	23,24,25

Abby Selvey
Abby Selvey, Committee Secretary
February 12, 2025

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

Conv: 3:03pm
Adjn: 4:44pm

REVISED #2- 2/10/25 **REVISED #2- 2/10/25** **REVISED #2- 2/10/25**

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

REGULAR MEETING AGENDA

COMMITTEE ON COMMERCE

DATE Tuesday, February 11, 2025 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/videoplayer/?clientID=6361162879&eventID=2025021051

Members:

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

Bills		Short Title	Strike Everything Title
~~HB2095~~	_____	~~homeowners' associations; declaration amendment; vote~~	
		~~(Kupper)~~	
	_____	~~COM, RULES~~	
HB2116	DPA	small estate; affidavit; limits	
		(Carter N)	
	10-0-0-0	COM, RULES	
HB2124	Held	hospitals; interfacility transport	
		(Willoughby: Biasiucci, Carbone, et al)	
	_____	COM, RULES	
HB2195	DPA	digital advertising; content; children; penalty	
		(Willoughby)	
	6-3-1-0	COM, RULES	
HB2210	DP	DIFI; continuation	
		(Livingston)	
	10-0-0-0	COM, RULES	

ATTACHMENT 1

Bills		Short Title	Strike Everything Title
*HB2233	DPA	elevator contractors; elevator mechanics; regulation	
		(Hendrix)	
	10-0-0-0	COM, RULES	
HB2411	DP	alcohol consumption; golf courses	
		(Kolodin: Biasiucci, Wilmeth)	
	8-2-0-0	COM, RULES	
HB2447	DP	self-certification program; administrative review	
		(Carbone: Shamp)	
	8-1-0-1	COM, RULES	
~~HB2647~~		~~rental payments; credit reporting~~	
		~~(Liguori: Abeytia, Austin, et al)~~	
		~~COM, RULES~~	
HB2683	DP	businesses; requirement to accept cash	
		(Chaplik: Gillette, Heap, et al)	
	10-0-0-0	COM, RULES	
HB2721	Held	ambulance services; public information	
		(Willoughby)	
		COM, RULES	
HB2748	DP	ticket sales; resellers; website requirements	
		(Weninger)	
	7-3-0-0	COM, RULES	
HB2749	DPA	unclaimed property; virtual currency; security	
		(Weninger)	
	10-0-0-0	COM, RULES	

* On previous agenda

ORDER OF BILLS TO BE SET BY THE CHAIRMAN

~~VC~~
RA
~~02/05/2025~~
~~02/06/2025~~
02/10/2025

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.

Information Registered on the Request to Speak System

House Commerce (2/11/2025)

HB2116, small estate; affidavit; limits

HB2124, hospitals; interfacility transport

Support:

Stuart Goodman, DIGNITY HEALTH; Damien Johnson, AZ HOSPITAL & HEALTHCARE ASSN; Jim Adamson, YUMA REGIONAL MEDICAL CENTER; Michael Fronske, Director of Governmental Affairs MIHS, MARICOPA COUNTY SPECIAL HEALTHCARE DISTRICT; will humble, AZ PUBLIC HEALTH ASSOCIATION; Roxanne Ereth, representing self; Emily Rice, PALO VERDE BEHAVIORAL HOSPITAL; Laura Magnus, Mingus Mountain Academy ; Douglas Lowden, NORTHERN ARIZONA HEALTHCARE; Christina Corieri, YUMA REGIONAL MEDICAL CENTER; Jana Granillo, representing self; Tom Caretto, PROFESSIONAL FIRE FIGHTERS OF ARIZONA

Neutral:

Randy Chevalier, representing self; John Flynn, Arizona Fire District Association; Eddie Smith, representing self

Oppose:

Meghaen Dell'Artino, HEALTHCARE INNOVATIONS, INC; Neal Thomas, representing self; Don Isaacson, ABC AMBULANCE LLC; Emily Ryan, PRIORITY AMBULANCE, LLC; Mary Dalton, representing self; Marie Isaacson, ABC AMBULANCE LLC

All Comments:

Damien Johnson, AZ HOSPITAL & HEALTHCARE ASSN: I would like to speak in favor of the bill on behalf of our hospital members.; Jim Adamson, YUMA REGIONAL MEDICAL CENTER: Requesting to speak in support of HB2124.; will humble, AZ PUBLIC HEALTH ASSOCIATION: Please vote YES! I served as the ADHS director for 6 years during the Brewer era. Requiring a CON for interfacility transports even within a hospital chain causes delayed transports and surgeries & makes no sense. This is a good bill that is needed!; Douglas Lowden, NORTHERN ARIZONA HEALTHCARE: Support with Proposed Amendment; Jana Granillo, Self: Patient and family experience, many years ago, but is relevant to patient experience for a transport to another facility that was a parking lot away. Again, the distance was a parking lot away.; Neal Thomas, Self: Does not solve the problem being presented, only creates more opaque service and allows almost unlimited providers without service oversight.; Don Isaacson, ABC AMBULANCE LLC: updated position; John Flynn, Arizona Fire District Association: The proposed Commerce Committee amendment with additional clarifying language addresses concerns.; Eddie Smith, Self: ARIZONA FIRE CHIEFS ASSOCIATION

ATTACHMENT 2

HB2195, digital advertising; content; children; penalty

Support:

Susan Cannata, AMERICAN ACADEMY OF PEDIATRICS - AZ CHAPTER; Rachel Bauer, representing self; Kristie Kennedy, representing self; Jamie Alford, representing self; Cherie Anello, representing self; Peter Anello, representing self; Laurie Reiner, representing self; Vicky D'Ascoli, representing self; Mary Evelyn Simpson, representing self; Peter Asencio, representing self; Garrett Bowers, representing self; linda wallace, representing self; deana corsa, representing self; Gayle Earle, representing self; Mark Stephens, representing self; Doborah Oberhamer, representing self; Wendy Radimer, representing self; Paul Johnson, representing self

Oppose:

Francisco "Hugo" Polanco, AMERICAN CIVIL LIBERTIES UNION OF AZ (ACLU-AZ); Marilyn Rodriguez, AMERICAN CIVIL LIBERTIES UNION OF AZ

All Comments:

Laurie Reiner, Self: All young minors under 18 should not be exposed to violent language, violent images, nor sexual content from advertisements, etc. on Apps that are designed for children.; Mary Evelyn Simpson, Self: YavGOp PC. I support protecting kids from predatory app platforms that puclish innapropriate images on apps that are directed to our youth; Peter Asencio, Self: AZ State Committeeman, PC Captain & Father. We MUST protect our children from predator Companies & individuals.; Garrett Bowers, Self: Precinct & State Committeeman and 2nd Vice Chair, YavGOP. Common Sense! TAKE IT BACK!!; Wendy Radimer, Self: I am in favor this Bill. Wendy Radimer Precinct Committeeman and State Committeeman; Paul Johnson, Self: I support This Bill . Arnold Paul Johnson, Precinct Committeeman

HB2210, DIFI; continuation

Testified in support:

Fausto Burruel, AZ DEPT. OF INSURANCE AND FINANCIAL INSTITUTIONS

Support:

Don Isaacson, IMAGINE LEARNING, STATE FARM INSURANCE COMPANIES; Marc Osborn, Chubb Insurance And Nationwide , FARMERS INSURANCE GROUP OF COMPANIES, Geico, Kutak Rock LLP; Chad Heinrich, Arizonans For Affordable Health Coverage; Jaime Molera, CVS HEALTH; Chuck Bassett, Blue Cross Blue Shield Of AZ; Kathyrn Busby, Arizona Nurses Association; Steve Barclay, MUTUAL INSURANCE COMPANY OF AZ (MICA), SCAN GROUP; Jeremy Gerlach, AMERICAN PROPERTY CASUALTY INSURANCE ASSOCIATION; Kerry L. Hayden, Progressive Insurance, UNITED SERVICES AUTOMOBILE ASSN (USAA); Chris Vinyard, CENTENE CORPORATION ON BEHALF OF ITS AFFILIATES AND SUBSIDIARIES; Marie Isaacson, IMAGINE LEARNING, STATE FARM INSURANCE COMPANIES; Jennifer Harris, AMERICAN PROPERTY CASUALTY INSURANCE ASSOCIATION; Mackenzie Shane, GREATER PHOENIX CHAMBER OF COMMERCE; Christina Corieri, AZ MEDICAL ASSN; Brooke Parent, Gowest Credit Union Association ; Dianne McCallister, Az Independent Pharmacists Coalition, AZ PHARMACY ASSOCIATION

All Comments:

Mackenzie Shane, GREATER PHOENIX CHAMBER OF COMMERCE: Signing in supportive of HB 2210 on behalf of the Greater Phoenix Chamber.

HB2233, elevator contractors; elevator mechanics; regulation

Testified in support:

Barry M. Aarons, CONSTRUCTION TRADES COALITION, ELEVATOR INDUSTRY WORK PRESERVATION FUND

Support:

Kevin Sullivan, representing self; Matt Johnson, representing self

All Comments:

Barry M. Aarons, CONSTRUCTION TRADES COALITION, ELEVATOR INDUSTRY WORK PRESERVATION FUND: Modified

HB2411, alcohol consumption; golf courses

Testified as neutral:

Rob Fullmer, ARIZONA CRAFT BREWERS GUILD

Support:

David Kahn, REPUBLICAN LIBERTY CAUCUS OF ARIZONA; Mary Evelyn Simpson, representing self; Garrett Bowers, representing self; deana corsa, representing self; Wendy Radimer, representing self; Paul Johnson, representing self; Katarina White, representing self

Oppose:

Craig McDermott, representing self; Peter Asencio, representing self; Chris Russo, representing self

All Comments:

Mary Evelyn Simpson, Self: YavGOP PC and golfer. This is explicitly for the golfer out there who want to bring their own alcohol with them to the golf course that is also a on-sale business. Support the freedom of choice; Garrett Bowers, Self: Precinct and State Committeeman and 2nd Vice Chair, YavGOP. Hell Yeah!! More fun while having fun! Just don't rent them a cart! :-); Wendy Radimer, Self: I am in favor this Bill. Wendy Radimer Precinct Committeeman and State Committeeman; Paul Johnson, Self: I support This Bill . Arnold Paul Johnson, Precinct Committeeman; Craig McDermott, Self: All of the state's problems must already be solved, right? The water shortage will be addressed by having more booze on golf courses.; Peter Asencio, Self: I am a PC Captain, AZ State Committeeman. how many accidents with golf carts, and driving home are associated with Alcohol consumption at a golf course ? If you can't have fun without drinking alcohol you need to stay off the road.; Chris Russo, Self: Chris Russo, Area 5 PC. Are people that obsessed with alcohol, they can't even go golfing without? The golf course has to pay for a liquor license, so why should someone be able to BYOB? Let's spend time on laws we need not like this.; Rob Fullmer, ARIZONA CRAFT BREWERS GUILD: We are monitoring this bill to see that it comports with other types of licenses including craft producer, 12, 6 and 7.

HB2447, self-certification program; administrative review

Testified in support:

Steve Kaiser, Arizona Multihousing Association

Support:

James Manley, PACIFIC LEGAL FOUNDATION; Nick Ponder, LEAGUE OF ARIZONA CITIES & TOWNS; Heather Bernacki Wilkey, QUEEN CREEK, TOWN OF; Courtney Coolidge, AZ CHAMBER OF COMMERCE; Ginna Carico, GOODYEAR, CITY OF; Katy Proctor, City Of Maricopa; John Baumer, ARIZONA CHAPTER OF NAIOP; John Raeder, BUCKEYE, CITY OF; Spencer Kamps, HOME BUILDERS ASSOCIATION OF CENTRAL AZ

All Comments:

Steve Kaiser, Arizona Multihousing Association: Would like to speak thank you.; Nick Ponder, LEAGUE OF ARIZONA CITIES & TOWNS: AMA is supportive of a floor amendment for a 1/1/26 effective date. With that the League is supportive.

HB2683, businesses; requirement to accept cash

Support:

Onita Davis, representing self; Shirley Dye, representing self; Lynne Weaver, representing self; Rose Sperry, representing self; Mark Logan, representing self; richard sperry, representing self; Theresa Logan, representing self; Greg Kistler, representing self; Stephen Harris, representing self; Buffalo Rick Galeener, representing self; Susan Bolt, representing self; Dianna Gates, representing self; Bridget Nelke, representing self; Claribeth Davis, representing self; Melanie Hutchings, representing self; Phyllis Lester, representing self; Susan Kelly, representing self; Laurie Reiner, representing self; Helen Hebert, representing self; Starr Costa, representing self; Mary Evelyn Simpson, representing self; Peter Asencio, representing self; Garrett Bowers, representing self; Donna Booth, representing self; deana corsa, representing self; Michael Mote, representing self; Bev Miller, representing self; Gary Zimmerman, representing self; Mary Lunn, representing self; Wendy Radimer, representing self; Paul Johnson, representing self; Ryan Larson, representing self

Oppose:

Chad Heinrich, NATIONAL FEDERATION OF INDEPENDENT BUSINESS; Eric Emmert, East Valley Chambers Of Commerce Alliance ; Deanna Kupcik, BUCKEYE VALLEY CHAMBER OF COMMERCE; Courtney Coolidge, AZ CHAMBER OF COMMERCE; Mackenzie Shane, GREATER PHOENIX CHAMBER OF COMMERCE

All Comments:

Shirley Dye, Self: I know that a lot of younger folks use debit cards for everything but I personally and a lot of my friends use cash all the time at restaurants, grocery stores and other retail. What surprises me is that young clerks can't count back change for $20; Stephen Harris, Self: Freedom requires non-trackable transactions. Limit should be higher!; Dianna Gates, Self: It only makes sense since cash is a legal tender.; Bridget Nelke, Self: This bill is worth pursuing; Helen Hebert, Self: you can hardly buy a bag of grocery's, the limit needs to be raised; Mary Evelyn Simpson, Self: YavGOP PC I support the use of cash for payments anywhere and any time not just fixed location retail stores; Peter Asencio, Self: I am a PC Captain, AZ State Committeeman. CASH IS KING; Garrett Bowers, Self: Precinct & State Committeeman and 2nd Vice Chair, YavGOP. Sounds like COMMON SENSE again! "Cash is KING!"; deana corsa, Self: I am a person who uses cash a lot I never want my right to use cash being taken away from me!; Michael Mote, Self: I support this bill requiring acceptance of cash for small purchases at businesses with a physical location.; Gary Zimmerman, Self: Limit should be higher than $100, but this is a good start. Our cash is "legal tender", and should be acceptable for all business transactions.; Wendy Radimer, Self: I am in favor this Bill. Wendy Radimer Precinct Committeeman and State Committeeman; Paul Johnson, Self: I support This Bill . Arnold

Paul Johnson, Precinct Committeeman; Mackenzie Shane, GREATER PHOENIX CHAMBER OF COMMERCE: Signing in opposed to HB 2683 on behalf of the greater phoenix chamber

HB2721, ambulance services; public information

Support:

Shirley Gunther, DIGNITY HEALTH; Damien Johnson, AZ HOSPITAL & HEALTHCARE ASSN

Neutral:

John Flynn, Arizona Fire District Association; Douglas Lowden, NORTHERN ARIZONA HEALTHCARE; Eddie Smith, representing self; Carly Fleege, AZ DEPARTMENT OF HEALTH SERVICES

Oppose:

Meghaen Dell'Artino, HEALTHCARE INNOVATIONS, INC; Todd Jaramillo, representing self; Neal Thomas, representing self; Don Isaacson, ABC AMBULANCE LLC; Emily Ryan, PRIORITY AMBULANCE, LLC; Marie Isaacson, ABC AMBULANCE LLC

All Comments:

Neal Thomas, Self: Needs a few amendments to include all ambulance services and a few important details on the dispatch times.; Eddie Smith, Self: ARIZONA FIRE CHIEFS ASSOCIATION; Carly Fleege, AZ DEPARTMENT OF HEALTH SERVICES: Per ARS 36-2220, we can't provide information related to individual EMCTs. It should also be clarified that we cannot provide complaint information until our investigation is complete. Both should be clarified. Recommended amendment sent to sponsor

HB2748, ticket sales; resellers; website requirements

Testified in support:

John Kelly, Principal, Stubhub; Brian Young, representing self

Testified as opposed:

Jeremy Gerlach, Ticketmaster

Support:

Kelsey Lundy, VIVID SEATS; Sean Auyash, representing self

Oppose:

Michael Racy, Lobbyist, PIMA COUNTY; Michael Haener, Partner, Arizona State University; James Hamilton, NASCAR, PHOENIX RACEWAY; Marcus Dell'Artino, Phoenix Suns; Robert Dalager, AZ CARDINALS; Jon Cavaletto, representing self; Ron Gubitz, representing self

All Comments:

Brian Young, Self: On Behalf of Sports Fans Coalition; Jon Cavaletto, Self: The Vista Center for the Arts Foundation opposes the amendment as it unfairly burdens venues, weakens fraud prevention, lacks consumer protections, and ignores fraudulent third-party resellers, failing to address exploitative resale practices.; Ron Gubitz, Self:

Strong opposition on behalf of the Music Artists Coalition. HB 2748 mandates instant ticket delivery and infringes on the sacred relationship between artists and fans. Artists alone should determine how their tickets reach their audience.

HB2749, unclaimed property; virtual currency; security

Testified in support:

Ashley Gunn, COINBASE, INC

Oppose:

Craig McDermott, representing self

ARIZONA STATE LEGISLATURE

Fifty-seventh Legislature - First Regular Session

COMMITTEE ATTENDANCE RECORD

COMMITTEE ON **COMMERCE**

CHAIRMAN: Jeff Weninger VICE-CHAIRMAN: Michael Way

	DATE	01/14/25	1/28/25	2/4 /25	2/11/25	/25
	CONVENED	2:07pm	2:05pm	2:02pm	3:03pm	m
	RECESSED					
	RECONVENED					
	ADJOURNED	5:10pm	4:10pm	6:26pm	4:44pm	
MEMBERS						
Aguilar		✓	✓	✓	✓	
Blackman		✓	✓	✓	✓	
Cavero		✓	✓	✓	✓	
Connolly		✓	✓	✓	✓	
Diaz		✓	✓	✓	✓	
Hendrix		✓	✓	✓	✓	
Villegas		✓	✓	✓	✓	
Wilmeth		✓	✓	✓	✓	
Way, Vice-Chairman		✓	✓	✓	✓	
Weninger, Chairman		✓	✓	✓	✓	

√ Present --- Absent exc Excused

ATTACHMENT 3

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session

HB 2210: DIFI; continuation
Sponsor: Representative Livingston, LD 28
Committee on Commerce

Overview

Continues the Arizona Department of Insurance and Financial Insurance (DIFI) for eight years.

History

Established in 2020 with the consolidation of the Department of Financial Institutions, the Department of Insurance and the Automobile Theft Authority, DIFI is a multifaceted agency that regulates the insurance industry, financial institutions and enterprises as well as the distribution of Arizona Automobile Theft Authority Fund monies to combat auto theft.

DIFI regulates such industries through licensure of financial and insurance professionals such as collection agencies, mortgage bankers and brokers, insurers and insurance producers, registering and certifying state-chartered banks and credit unions and conducting scheduled examinations and investigating complaints of licensed professionals and businesses.

DIFI is also responsible for analyzing the methods of combating the problem of vehicle theft and promoting successful methods of reducing the number of vehicle thefts in Arizona.

The House Commerce Committee of Reference (COR) held a public meeting on Tuesday, January 14, 2025, to review the Auditor General's Performance Audit and Sunset Review Report and consider DIFI's responses to the statutorily outlined sunset factors. The COR recommended that DIFI be continued with revisions. DIFI is statutorily set to terminate on July 1, 2025, unless legislation is enacted for its continuation (A.R.S. § 41-3025.02).

Provisions

1. Continues, retroactive to July 1, 2025, DIFI until July 1, 2033. (Sec. 1, 2, 4)
2. Repeals, subject to voter approval, DIFI on January 1, 2034. (Sec. 2)
3. Includes a purpose statement. (Sec. 3)

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

ATTACHMENT 4

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

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2210

DATE February 11, 2025 MOTION: DP

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

Abby Selvey
COMMITTEE SECRETARY

APPROVED:

JEFF WENINGER, Chairman
MICHAEL WAY, Vice-Chairman

ATTACHMENT 5

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session

HB 2195: digital advertising; content; children; penalty
Sponsor: Representative Willoughby, LD 13
Committee on Commerce

Overview
Provides restrictions relating to advertisements displayed on child-directed applications.

History
Individuals who, with knowledge of the character of the item involved, intentionally or knowingly transmit or send to a minor by means of electronic mail, personal messaging or any other direct internet communication an item that is harmful to minors when the person knows or believes at the time of the transmission that a minor in this state will receive the item are guilty of a class 4 felony (A.R.S. § 13-3506.01).

Provisions
1. Proclaims, for application platforms that display advertisements on child-directed applications, that:
   a) the platform cannot display inappropriate and mature advertisements;
   b) the advertisement must be suitable for individuals who are 12 years of age or younger; and
   c) the platform must implement monitoring systems to ensure compliance. (Sec. 1)
2. Instructs the Attorney General to enforce statutory restrictions relating to advertisements displayed on child-directed applications. (Sec. 1)
3. Subjects a civil penalty of up to $10,000 per violation for noncompliance. (Sec. 1)
4. Defines an *application platform, child-directed application* and *inappropriate and mature advertisement.* (Sec. 1)
5. Contains a delayed effective date. (Sec. 1)

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

ATTACHMENT 6

PROPOSED
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2195
(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.

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

Section 1. Title 44, chapter 10, article 5, Arizona Revised Statutes, is amended by adding section 44-1483, to read:

44-1483. Digital advertising directed toward children; content restrictions; civil penalty; enforcement; definitions

A. [~~AN~~] [A CHILD-DIRECTED] APPLICATION [~~PLATFORM~~] MAY NOT DISPLAY INAPPROPRIATE AND MATURE ADVERTISEMENTS [~~ON A CHILD-DIRECTED APPLICATION~~].

[~~B. AN ADVERTISEMENT THAT IS PLACED ON A CHILD-DIRECTED APPLICATION MUST BE SUITABLE FOR INDIVIDUALS WHO ARE TWELVE YEARS OF AGE OR YOUNGER.~~

~~C. AN APPLICATION PLATFORM SHALL IMPLEMENT MONITORING SYSTEMS TO ENSURE COMPLIANCE WITH THIS SECTION.~~]

[~~D.~~] [B.] [~~AN~~] [A CHILD-DIRECTED] APPLICATION [~~PLATFORM~~] THAT DOES NOT COMPLY WITH THIS SECTION IS SUBJECT TO A CIVIL PENALTY OF UP TO $10,000 PER VIOLATION. [IN DETERMINING WHETHER AN APPLICATION IS A CHILD DIRECTED APPLICATION, THE FOLLOWING ASPECTS SHALL BE CONSIDERED:

1. SUBJECT MATTER.
2. VISUAL CONTENT.
3. THE USE OF ANIMATED CHARACTERS OR CHILD-ORIENTED ACTIVITIES.
4. INCENTIVES, MUSIC OR OTHER AUDIO CONTENT.
5. THE AGE OF MODELS AND THE PRESENCE OF CHILD CELEBRITIES OR CELEBRITIES WHO APPEAL TO CHILDREN.]

[~~E.~~] [C.] THE ATTORNEY GENERAL SHALL ENFORCE THIS SECTION.

[~~F.~~] [D.] FOR THE PURPOSES OF THIS SECTION:

[~~1. "APPLICATION PLATFORM" MEANS A DIGITAL DISTRIBUTION SERVICE THAT OFFERS FOR DOWNLOAD AN APPLICATION.~~]

Adopted ✓ # of Verbals _____
Failed _____ Withdrawn _____
Not Offered ____ Analysts Initials ___

ATTACHMENT 7

[~~2.~~] [1.] "CHILD-DIRECTED APPLICATION" MEANS AN APPLICATION [~~PLATFORM~~] THAT IS PRIMARILY INTENDED FOR USE OR DOWNLOAD BY AN INDIVIDUAL WHO IS TWELVE YEARS OF AGE OR YOUNGER.

[~~3.~~] [2.] "INAPPROPRIATE AND MATURE ADVERTISEMENT"[~~:~~

~~(a)~~] MEANS AN ADVERTISEMENT THAT [~~INCLUDES CONTENT THAT~~] IS UNSUITABLE FOR AN INDIVIDUAL WHO IS TWELVE YEARS OF AGE OR YOUNGER [~~:~~

~~(b)~~] [AND THAT] INCLUDES ANY OF THE FOLLOWING:

[~~(i)~~] [(a)] VIOLENCE.

[~~(ii)~~] [(b)] EXPLICIT LANGUAGE.

[~~(iii)~~] [(c)] SEXUAL CONTENT.

[~~(iv)~~] [(d)] ALCOHOL OR DRUG USE.

Sec. 2. Effective date

Section 44-1483, Arizona Revised Statutes, as added by this act, is effective from and after December 31, 2026.

Enroll and engross to conform
Amend title to conform

JEFF WENINGER

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

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2195

DATE February 11, 2025 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar			✓		
Blackman		✓			
Cavero			✓		
Connolly				✓	
Diaz		✓			
Hendrix		✓			
Villegas			✓		
Wilmeth		✓			
Way, Vice-Chairman		✓			
Weninger, Chairman		✓			
		6	3	1	0

Abby Selvey
COMMITTEE SECRETARY

APPROVED:
JEFF WENINGER, Chairman
MICHAEL WAY, Vice-Chairman

ATTACHMENT 8

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session

HB 2116: small estate; affidavit; limits
Sponsor: Representative Carter N, LD 15
Committee on Commerce

Overview

Increases the monetary cap on the decedent's personal and real property that can be recovered by an affidavit.

History

Thirty days after the decedent's death, a successor to the decedent's estate may recover property by presenting an affidavit to a person indebted to the decedent or who has tangible personal property or an instrument evidencing an obligation to the decedent. The affidavit must state that:

1) 30 days have elapsed since the death of the decedent;
2) the value of the estate's personal property does not exceed $75,000 as of:
   a) the date of death, and no pending petition for the appointment of a personal representative nor has a representative been appointed in any jurisdiction; or
   b) the date of the affidavit, and the personal representative has been discharged or more than one year has elapsed since a closing statement has been filed;
3) the claiming successor is entitled to payment or delivery of the property; and
4) the funeral expenses and expenses of the last illness of the decedent have been paid.

Not sooner than six months after the decedent's death, a person claiming as successor to the decedent's interest in real property may file in the applicable court an affidavit describing the real property and the interest of the decedent in such property. The affidavit must state that:

1) 6 months have elapsed since the death of the decedent;
2) the value of all real property in the decedent's estate located in this state does not exceed $100,000 as of:
   a) the date of death, and no pending petition for the appointment of a personal representative nor has a representative been appointed in any jurisdiction; or
   b) the date of the affidavit, and the personal representative has been discharged or more than one year has elapsed since a closing statement has been filed;
3) funeral expenses, expenses of the last illness and all unsecured debts of the decedent have been paid;
4) the person or persons signing the affidavit are entitled to the real property by reason of the allowance in lieu of homestead;
5) no other person has a right to the interest of the decedent in the described property; and
6) no federal estate tax is due on the decedent's estate.

(A.R.S. § 14-3971)

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

ATTACHMENT 9

Provisions

1. Increases the limit of the value of all personal property in a decedent's estate that can be claimed by a successor of a decedent through an affidavit, from $75,000 to $100,000. (Sec. 1)
2. Increases the limit of the value of all real property in a decedent's estate that can be claimed by a successor of a decedent through an affidavit, from $100,000 to $150,000. (Sec. 1)

PROPOSED
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2116
(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.

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

Section 1. Section 14-3971, Arizona Revised Statutes, is amended to read:

14-3971. Collection of personal property by affidavit; ownership of vehicles; affidavit of succession to real property

A. At any time after the death of a decedent, any employer owing wages, salary or other compensation for personal services of the decedent shall pay to the surviving spouse of the decedent the amount owing, not in excess of $5,000, on being presented an affidavit made by or on behalf of the spouse stating that the affiant is the surviving spouse of the decedent, or is authorized to act on behalf of the spouse, and that no application or petition for the appointment of a personal representative is pending or has been granted in this state or, if granted, the personal representative has been discharged or more than one year has elapsed since a closing statement has been filed.

B. Thirty days after the death of a decedent, any person indebted to the decedent or having possession of tangible personal property or an instrument evidencing a debt, obligation, stock or chose in action belonging to the decedent shall make payment of the indebtedness or deliver the tangible personal property or an instrument evidencing a debt, obligation, stock or chose in action to a person claiming to be the successor of the decedent ~~upon~~ ON being presented an affidavit made by or on behalf of the successor and stating that all of the following are true:

1. Thirty days have elapsed since the death of the decedent.

2. Either:

(a) An application or petition for the appointment of a personal representative is not pending and a personal representative has not been

Adopted ✓ # of Verbals _____
Failed _____ Withdrawn _____
Not Offered ____ Analysts Initials ___

ATTACHMENT 10

appointed in any jurisdiction and the value of all personal property in the decedent's estate, wherever located, less liens and encumbrances, does not exceed ~~$75,000~~ [~~$100,000~~] [$200,000] as valued as of the date of death.

(b) The personal representative has been discharged or more than one year has elapsed since a closing statement has been filed and the value of all personal property in the decedent's estate, wherever located, less liens and encumbrances, does not exceed ~~$75,000~~ [~~$100,000~~] [$200,000] as valued as of the date of the affidavit.

3. The claiming successor is entitled to payment or delivery of the property.

4. The funeral expenses and expenses of the last illness of the decedent have been paid.

C. A transfer agent of any security shall change the registered ownership on the books of a corporation from the decedent to the successor or successors on presentation of an affidavit pursuant to subsection B of this section.

D. The motor vehicle division shall transfer title of a motor vehicle from the decedent to the successor or successors on presentation of an affidavit as provided in subsection B of this section and on payment of the necessary fees.

E. ~~No~~ NOT sooner than six months after the death of a decedent, a person or persons claiming as successor or successors to the decedent's interest in real property, including any debt secured by a lien on real property, may file in the court in the county in which the decedent was domiciled at the time of death, or if the decedent was not domiciled in this state then in any county in which real property of the decedent is located, an affidavit describing the real property and the interest of the decedent in that property and stating that all of the following are true and material and acknowledging that any false statement in the affidavit may subject the person or persons to penalties relating to perjury and subornation of perjury:

1. Either:

(a) An application or petition for the appointment of a personal representative is not pending and a personal representative has not been appointed in any jurisdiction and the value of all real property in the decedent's estate located in this state, less liens and encumbrances against the real property, does not exceed ~~$100,000~~ [~~$150,000~~] [$300,000] as valued at the date of death. The value of the decedent's interest in that real property shall be determined from the full cash value of the property as shown on the assessment rolls for the year in which the decedent died, except that in the case of a debt secured by a lien on real property the value shall be determined by the unpaid principal balance due on the debt as of the date of death.

(b) The personal representative has been discharged or more than one year has elapsed since a closing statement has been filed and the value of all real property in the decedent's estate, wherever located,

less liens and encumbrances, does not exceed ~~$100,000~~ [~~$150,000~~] [$300,000] as valued as of the date of the affidavit. The value of the decedent's interest in that real property is determined from the full cash value of the property as shown on the assessment rolls for the year in which the affidavit is given, except that if a debt is secured by a lien on real property, the value is determined by the unpaid principal balance due on the debt as of the date of the affidavit.

2. Six months have elapsed since the death of the decedent as shown in a certified copy of the decedent's death certificate attached to the affidavit.

3. Funeral expenses, expenses of the last illness and all unsecured debts of the decedent have been paid.

4. The person or persons signing the affidavit are entitled to the real property by reason of the allowance in lieu of homestead, exempt property or family allowance, by intestate succession as the sole heir or heirs, or by devise under a valid last will of the decedent, the original of which is attached to the affidavit or has been probated.

5. No other person has a right to the interest of the decedent in the described property.

6. No federal estate tax is due on the decedent's estate.

F. The normal filing fee shall be charged for the filing of an affidavit under subsection E of this section unless waived by the court as provided by section 12-301 or 12-302. On receipt of the affidavit and after determining that the affidavit is complete, the registrar shall issue a certified copy of the affidavit without attachments, and the copy shall be recorded in the office of the recorder in the county where the real property is located.

G. This section does not limit the rights of heirs and devisees under section 14-3901.

Enroll and engross to conform
Amend title to conform

LAURIN HENDRIX

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

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2116

DATE February 11, 2025 MOTION: DPA

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

Abby Selvey
COMMITTEE SECRETARY

APPROVED:
Jeff Weninger
JEFF WENINGER, Chairman
MICHAEL WAY, Vice-Chairman

ATTACHMENT 11

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session

HB 2749: unclaimed property; virtual currency; security
Sponsor: Representative Weninger, LD 13
Committee on Commerce

Overview
Outlines requirements for a security or virtual currency that is presumed to be abandoned.

History
Statute requires the holder of property that is presumed abandoned to make a report to the Department of Revenue (DOR) concerning the property. The report must contain a description of the property, certain information of the apparent owner of the property if known, the date on which the property became payable, demandable or returnable and the date of the last transaction with the apparent owner of the property and other information that the department by rule deems necessary. Property is presumed abandoned if unclaimed by the apparent property owner within a statutorily prescribed time frame which differs by type of property.

Within three years after receiving abandoned property, DOR must sell the property to the highest bidder at a public sale at a location in this state that in the judgment of the department affords the most favorable market for the property. The department additionally must sell securities that are listed on an established stock exchange at prices prevailing on the exchange at the time of the sale (Title 44, Chapter 3, A.R.S.).

Provisions
1. Presumes any security or virtual currency that can rightfully be claimed is abandoned three years after the initial date the security or virtual currency becomes claimable. (Sec. 2)
2. Stipulates the three-year abandonment presumption begins when a written or electronic communication is returned to the owner as undeliverable by mail, email or any other electronic messaging method. (Sec. 2)
3. Ceases the three-year presumption of abandonment immediately:
   a) on the exercise of an act of ownership interest in the security or virtual currency; or
   b) by a written, oral or electronic communication with the holder of the security or virtual currency that is evidenced by a memorandum or other record that is on file with the holder. (Sec. 2)
4. Defines *exercise of an act of ownership interest*. (Sec. 2)
5. Requires, for unclaimed virtual currency that is reported to the Department of Revenue (DOR), the holder to report and deliver the virtual currency in its native form to DOR within 30 days after reporting the property abandoned. (Sec. 3)

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

ATTACHMENT 12

6. Stipulates the holder must maintain the virtual currency until the additional keys required to transfer the virtual currency becomes available if the holder possesses a partial key or is unable to move the virtual currency. (Sec. 3)
7. Prohibits DOR from selling a security or virtual currency listed on an established stock or a virtual currency exchange for less than the prevailing price that is listed on the exchange at the time of the sale. (Sec. 4)
8. Allows DOR to sell a security or virtual currency not listed on an established exchange by any commercially reasonable method. (Sec. 4)
9. Makes technical and conforming changes. (Sec. 1, 2, 3, 4)

PROPOSED
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2749
(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.

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

<<Section. 1. Title 41, chapter 1, article 4, Arizona Revised Statutes, is amended by adding section 41-180, to read:

41-180. Bitcoin and digital assets reserve fund; definitions

[A. THE BITCOIN AND DIGITAL ASSETS RESERVE FUND IS ESTABLISHED CONSISTING OF ANY AIRDROPS, STAKING REWARDS OR INTEREST EARNED AS PRESCRIBED IN SECTION 44-308, SUBSECTION D. THE STATE TREASURER SHALL ADMINISTER THE FUND. MONIES IN THE FUND ARE SUBJECT TO THE LEGISLATIVE APPROPRIATION. THE STAKING REWARDS OR INTEREST EARNED FROM THE DIGITAL ASSET MAY BE IN THE FORMS OF DIGITAL ASSETS AND BITCOIN.

B. ON APPROVAL OF THE LEGISLATURE, TEN PERCENT OF THE DIGITAL ASSETS HELD IN THE FUND SHALL BE DEPOSITED IN THE STATE GENERAL FUND. THE LEGISLATURE MAY NOT DEPOSIT BITCOIN INTO THE STATE GENERAL FUND.

C. FOR THE PURPOSES OF THIS SECTION:

1. "AIRDROP" MEANS THE RECEIPT OF VIRTUAL CURRENCY THROUGH A MEANS OF DISTRIBUTION OF VIRTUAL CURRENCY TO THE DISTRIBUTED LEDGER ADDRESSES OF MULTIPLE TAXPAYERS.

2. "DIGITAL ASSETS":

(a) MEANS A DIGITAL REPRESENTATION OF VALUE, RIGHTS OR OWNERSHIP THAT IS RECORDED AND TRANSFERRED ELECTRONICALLY USING BLOCKCHAIN TECHNOLOGY OR OTHER DISTRIBUTED LEDGER SYSTEMS.

(b) INCLUDES ANY OF THE FOLLOWING:

(i) CRYPTOCURRENCY.

(ii) NON-FUNGIBLE TOKENS.

(iii) TOKENIZED REAL-WORLD ASSETS.

(iv) AN AIRDROP.

(v) FORKED TOKENS.

(vi) DEFI REWARDS OR TOKENS, ALSO KNOWN AS DECENTRALIZED FINANCE.

Adopted ✓ # of Verbals _____
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Not Offered ____ Analysts Initials ___

ATTACHMENT 13

(vii) VIRTUAL CURRENCY. FOR THE PURPOSES OF THIS SUBDIVISION, "VIRTUAL CURRENCY" HAS THE SAME MEANING PRESCRIBED IN SECTION 43-1028.

(viii) OTHER DIGITAL REPRESENTATIONS THAT MAY HOLD ECONOMIC, UTILITY OR OWNERSHIP VALUE.

3. "NON-FUNGIBLE TOKEN" HAS THE SAME MEANING AS PRESCRIBED IN SECTION 43-1028.

4. "STAKE" MEANS THE PROCESS THAT BLOCKCHAIN NETWORKS DIGITAL CURRENCIES USE TO VALIDATE TRANSACTIONS ON THE BLOCKCHAIN IN EXCHANGE FOR INTEREST EARNED OR A REWARD.]>>

Sec. 2. Section 44-301, Arizona Revised Statutes, is amended to read:

44-301. Definitions

In this chapter, unless the context otherwise requires:

[1. "AIRDROP" MEANS THE RECEIPT OF VIRTUAL CURRENCY THROUGH A MEANS OF DISTRIBUTION OF VIRTUAL CURRENCY TO THE DISTRIBUTED LEDGER ADDRESSES OF MULTIPLE TAXPAYERS.]

[~~1.~~] [2.] "Apparent owner" means a person whose name appears on the records of a holder as the person entitled to property held, issued or owing by the holder.

[~~2.~~] [3.] "Business association" means any corporation, joint stock company, investment company, partnership, limited partnership, registered limited liability partnership, unincorporated association, joint venture, limited liability company, business trust, trust company, land bank, safe deposit company, safekeeping depository, financial organization, insurance company, mutual fund, utility or other business entity, whether for profit or not for profit, that consists of one or more persons.

[~~3.~~] [4.] "De minimis property" means any account balances of business associations of ~~fifty dollars~~ $50 or less THAT IS payable to another business association.

[~~4.~~] [5.] "Department" means the department of revenue.

[6. "DIGITAL ASSETS":

(a) MEANS A DIGITAL REPRESENTATION OF VALUE, RIGHTS OR OWNERSHIP THAT IS RECORDED AND TRANSFERRED ELECTRONICALLY USING BLOCKCHAIN TECHNOLOGY OR OTHER DISTRIBUTED LEDGER SYSTEMS.

(b) INCLUDES ANY OF THE FOLLOWING:

(i) CRYPTOCURRENCY.

(ii) NON-FUNGIBLE TOKENS.

(iii) TOKENIZED REAL-WORLD ASSETS.

(iv) AN AIRDROP.

(v) FORKED TOKENS.

(vi) DEFI REWARDS OR TOKENS, ALSO KNOWN AS DECENTRALIZED FINANCE.

(vii) VIRTUAL CURRENCY. FOR THE PURPOSES OF THIS SUBDIVISION, "VIRTUAL CURRENCY" HAS THE SAME MEANING PRESCRIBED IN SECTION 43-1028.

(viii) OTHER DIGITAL REPRESENTATIONS THAT MAY HOLD ECONOMIC, UTILITY OR OWNERSHIP VALUE.]

[~~5.~~] [7.] "Director" means the director of the department of revenue.

[~~6.~~] [8.] "Domicile" means the state of incorporation of a corporation and the state of the principal place of business of a holder other than a corporation.

[~~7.~~] [9.] "Financial organization" means a savings and loan association, building and loan association, savings bank, industrial bank, bank, banking organization or credit union.

[~~8.~~] [10.] "Holder" means a person who is obligated to hold for the account of or deliver or pay to the owner THE property that is subject to this chapter.

[~~9.~~] [11.] "Insurance company" means an association, corporation or fraternal or mutual benefit society or organization, whether for profit or not for profit, that is engaged in the business of providing life endowments, annuities or insurance, including accident, burial, casualty, credit life, contract performance, dental, disability, fidelity, fire, health, hospitalization, illness, life, malpractice, marine, mortgage, surety, wage protection and workers' compensation insurance.

[~~10.~~] [12.] "Mineral" means gas, oil, coal, sand, gravel, road material, building stone, chemical raw material, gemstone, fissionable and nonfissionable ores, colloid and other clay, steam and other geothermal resource or any other substance defined as a mineral in sections 27-231 and 27-901.

[~~11.~~] [13.] "Mineral proceeds" means the amounts payable for the extraction, production or sale of minerals or, if those amounts are abandoned, all payments that become payable after the abandonment. Mineral proceeds include amounts payable:

(a) For the acquisitions and retention of a mineral lease, including bonuses, royalties, compensatory royalties, shut-in royalties, minimum royalties and delay rentals.

(b) For the extraction, production or sale of minerals, including net revenue interest, royalties, overriding royalties, extraction payments and production payments.

(c) Under an agreement or option, including a joint operating agreement, unit agreement, pooling agreement and farm out agreement.

[~~12.~~] [14.] "Money order" includes an express money order and a personal money order on which the remitter is the purchaser. Money order does not include a bank money order or any other instrument that is sold by a financial organization if the seller has obtained the name and address of the payee.

[15. "NON-FUNGIBLE TOKEN" HAS THE SAME MEANING PRESCRIBED IN SECTION 43-1028.]

[~~13.~~] [16.] "Owner" means a person who has a legal or equitable interest in property that is subject to this chapter or the person's legal representative. Owner includes a depositor in the case of a deposit, a beneficiary in the case of a trust other than a deposit in trust and a creditor, claimant or payee in the case of other property.

[~~14.~~] [17.] "Person" means an individual, business association, financial organization, estate, trust, government, governmental

subdivision, agency or instrumentality or any other legal or commercial entity.

[~~15.~~] [18.] "Property":

(a) Means ANY OF THE FOLLOWING:

(i) Tangible property pursuant to section 44-303. ~~or~~

(ii) A fixed and certain interest in intangible property that is held, issued or owed in the course of a holder's business or by a government, governmental subdivision, agency or instrumentality and all income or increments from that property.

(iii) A SECURITY AS DEFINED IN SECTION 44-1801.

(iv) VIRTUAL CURRENCY AS DEFINED IN SECTION 43-1028.

(b) ~~Property~~ Does not include de minimis property, property of a person who is maintaining a current business relationship with the holder, monies collected pursuant to section 46-441 and property that is referred to or evidenced by gift certificates, electronic gift cards, nonrefundable tickets, certificates evidencing property denominated in value other than a currency, including prepaid phone cards, frequent flyer miles, stored value cards and merchandise points.

(c) ~~Property~~ Includes property that is referred to as or evidenced by any of the following:

~~(a)~~ (i) Money or any check, draft, deposit, interest or dividend.

~~(b)~~ (ii) Any credit balance, customer's overpayment, security deposit, refund, credit memorandum, unpaid wage, unused ticket, mineral proceeds or unidentified remittance.

~~(c)~~ (iii) Any stock or other evidence of ownership of an interest in a business association or financial organization.

~~(d)~~ (iv) Any bond, debenture, note or other evidence of indebtedness.

~~(e)~~ (v) Money deposited to redeem stocks, bonds, coupons or other securities or to make distributions.

~~(f)~~ (vi) An amount due and payable under the terms of an annuity or insurance policy, including policies that provide life, property, casualty, workers' compensation, health or disability insurance.

~~(g)~~ (vii) An amount distributable from a trust or custodial fund that is established under a plan to provide health, welfare, pension, vacation, severance, retirement, death, stock purchase, profit sharing, employee savings or supplemental unemployment insurance or similar benefits.

[~~16.~~] [19.] "Record" means information that is inscribed on a tangible medium or that is stored in any electronic or other medium and that is retrievable in a perceivable form.

[20. "STAKE" MEANS THE PROCESS THAT BLOCKCHAIN NETWORKS DIGITAL CURRENCIES USE TO VALIDATE TRANSACTIONS ON THE BLOCKCHAIN IN EXCHANGE FOR INTEREST EARNED OR A REWARD.]

[~~17.~~] [21.] "State" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico or any territory or insular possession that is subject to the jurisdiction of the United States.

[~~18.~~] [22.] "Utility" has the same meaning prescribed in section 40-491.

Sec. 3. Section 44-302, Arizona Revised Statutes, is amended to read:

44-302. Presumptions of abandonment

A. Property is presumed abandoned if it is unclaimed by the apparent owner according to the following schedule:

1. A traveler's check is presumed abandoned fifteen years after issuance.

2. A money order or similar written instrument, other than a ~~third party~~ THIRD-PARTY bank check, is presumed abandoned three years after issuance.

3. Any stock or other equity interest in a business association or financial organization, including a security entitlement under title 47, chapter 8, is presumed abandoned three years after any of the following, whichever occurs first:

(a) The date of the most recent dividend, stock split or other distribution that is unclaimed by the apparent owner.

(b) The date of the second mailing of a statement of account or other notification or communication that was returned as undeliverable.

(c) The date the holder discontinued mailings, notifications or communications to the apparent owner.

4. The principal on debt, other than a bearer bond or an original issue discount bond, of a business association or financial organization is presumed abandoned three years after the maturity date and the interest on the debt is presumed abandoned three years after the payment date.

5. Except as otherwise provided in this paragraph, a demand, savings or time deposit, including a deposit that is automatically renewable, and any interest or dividends are presumed abandoned three years after maturity or the date of the last indication by the owner of interest in the property, whichever occurs first. A certificate of deposit and any interest are presumed abandoned three years after maturity. For the purposes of this paragraph, a deposit that is automatically renewable is deemed matured on its initial date of maturity, unless the owner has consented to a renewal at the time of the account opening or about the time of the renewal and the consent is in writing or is evidenced by the original account agreement or by any memorandum or other record on file with the holder.

6. Credits owed to a customer as a result of a retail business transaction are presumed abandoned three years after the obligation accrued.

7. An amount owed by an insurance company on a life or endowment insurance policy or an annuity that has matured or terminated is presumed abandoned three years after the obligation to pay arose or, in the case of a policy or annuity that is payable on proof of death, the amount is presumed abandoned one year after the insured has attained, or would have attained if the insured were living, the limiting age under the mortality

table on which the reserve is based. For the purposes of this paragraph, all of the following conditions apply:

(a) If a person other than the insured or annuitant is entitled to the owed amount and the person's address is not known to the company or it is not definite and certain from the records of the company who is entitled to the amount, it is presumed that the last known address of the person who is entitled to the amount is the same as the last known address of the insured or annuitant according to the company's records.

(b) Notwithstanding any law, if the company learns of the death of the insured or annuitant and the beneficiary has not communicated with the insurer within four months after the death, the company shall take reasonable steps to pay the proceeds to the beneficiary.

(c) Every change of beneficiary form issued by an insurance company under any life or endowment insurance policy or annuity contract to an insured or owner who is a resident of this state shall request the following information:

(i) The name of each beneficiary, or if a class of beneficiaries is named, the name of each current beneficiary in the class.

(ii) The address of each beneficiary.

(iii) The relationship of each beneficiary to the insured.

8. A life or endowment insurance policy or annuity contract not matured by actual proof of the death of the insured or annuitant according to the company's records is deemed matured and the proceeds are deemed due and payable and are presumed abandoned after one year if all of the following conditions apply:

(a) The insured has attained, or would have attained if the insured were living, the limiting age under the mortality table on which the reserve is based.

(b) The policy was in force at the time the insured attained or would have attained the limiting age specified in subdivision (a) of this paragraph.

(c) Neither the insured nor any other person who appears to have an interest in the policy within the last year according to the company's records has assigned, readjusted or paid premiums on the policy or subjected the policy to a loan, corresponded in writing with the company concerning the policy or otherwise indicated an interest as evidenced by a memorandum or any other record on file with and prepared by an employee of the company.

9. Property that is distributable by a business association or financial organization in a course of dissolution is presumed abandoned one year after the property becomes distributable.

10. Property that is received by a court as proceeds of a class action and that is not distributed pursuant to the judgment is presumed abandoned one year after the distribution date.

11. Property that is held by a court, government or governmental subdivision, agency or instrumentality, except for support as defined in section 25-500 or for spousal maintenance, is presumed abandoned two years

after the property becomes distributable. Monies held for the payment of warrants by a state agency that remain unclaimed by the owner at the time of the void date printed on the face of the warrant are presumed abandoned. For the purposes of this paragraph, governmental subdivision does not include a special taxing district as defined in section 48-241.

12. Wages or other compensation for personal services is presumed abandoned one year after the compensation becomes payable.

13. Property in any individual retirement account, defined benefit plan or other account or plan that qualifies for tax deferral under the income tax laws of the United States is presumed abandoned two years after any of the following, whichever occurs first:

(a) The date of the distribution or attempted distribution of the property.

(b) The date of the required distribution as stated in the plan or trust agreement that governs the plan.

(c) If determinable by the holder, the date specified in the income tax laws of the United States by which distribution of the property must begin in order to avoid a tax penalty.

14. Any amount that is payable on a check, draft or similar instrument on which a financial organization or business association is directly liable, including a cashier's check and a certified check, and that has been outstanding for more than three years after the check, draft or similar instrument was payable or after issuance if payable on demand is presumed abandoned unless within three years the owner has communicated in writing with the financial organization or business association concerning the check, draft or similar instrument or otherwise indicated an interest as evidenced by a memorandum or any other record on file and prepared by an employee of the financial organization or business association.

15. ANY SECURITY OR [~~VIRTUAL CURRENCY~~] [DIGITAL ASSET] THAT CAN RIGHTFULLY BE CLAIMED IS PRESUMED ABANDONED THREE YEARS AFTER THE INITIAL DATE THE SECURITY OR [~~VIRTUAL CURRENCY~~] [DIGITAL ASSET] BECOMES CLAIMABLE. THE THREE-YEAR PRESUMPTION OF ABANDONMENT BEGINS WHEN A WRITTEN OR ELECTRONIC COMMUNICATION IS RETURNED TO THE OWNER AS UNDELIVERABLE BY THE UNITED STATES POSTAL SERVICE, OR EMAIL OR ANY OTHER ELECTRONIC MESSAGING METHOD, AS APPLICABLE. THE THREE-YEAR PRESUMPTION OF ABANDONMENT CEASES IMMEDIATELY ON THE EXERCISE OF AN ACT OF OWNERSHIP INTEREST IN THE SECURITY OR [~~VIRTUAL CURRENCY~~] [DIGITAL ASSET] OR BY A WRITTEN, ORAL OR ELECTRONIC COMMUNICATION WITH THE HOLDER OF THE SECURITY OR [~~VIRTUAL CURRENCY~~] [DIGITAL ASSET] AND THAT IS EVIDENCED BY A MEMORANDUM OR OTHER RECORD THAT IS ON FILE WITH THE HOLDER OR THE HOLDER'S AGENT. FOR THE PURPOSES OF THIS PARAGRAPH, "EXERCISE OF AN ACT OF OWNERSHIP INTEREST" INCLUDES ANY OF THE FOLLOWING:

(a) THE OWNER TAKING ACTION REGARDING THE SECURITY OR [~~VIRTUAL CURRENCY~~] [DIGITAL ASSET].

(b) CONDUCTING A TRANSACTION REGARDING THE SECURITY OR [~~VIRTUAL CURRENCY~~] [DIGITAL ASSET] OR THE ACCOUNT IN WHICH THE SECURITY OR [~~VIRTUAL~~

~~CURRENCY~~] [DIGITAL ASSET] IS HELD, INCLUDING DEPOSITING MONIES INTO OR WITHDRAWING MONIES FROM THE ACCOUNT, WHETHER BY A ONETIME TRANSACTION OR A RECURRING TRANSACTION THAT WAS PREVIOUSLY AUTHORIZED BY THE OWNER OTHER THAN AN AUTOMATIC REINVESTMENT OF DIVIDENDS OR INTEREST.

(c) ELECTRONICALLY ACCESSING THE ACCOUNT IN WHICH THE SECURITY OR [~~VIRTUAL CURRENCY~~] [DIGITAL ASSET] IS HELD.

(d) CONDUCTING ANY ACTIVITY WITH RESPECT TO ANOTHER ACCOUNT THAT IS OWNED BY THE OWNER AND HELD BY THE SAME HOLDER.

(e) TAKING ANY OTHER ACTION THAT REASONABLY DEMONSTRATES TO THE HOLDER THAT THE OWNER KNOWS THE PROPERTY EXISTS.

~~15.~~ 16. All other property is presumed abandoned three years after the owner's rights to demand the property or after the obligation to pay or distribute the property arises, whichever occurs first.

~~16.~~ 17. Excess proceeds deposited with the county treasurer pursuant to section 33-812 are presumed abandoned if the monies remain with the treasurer for at least two years from the date of deposit and there is no pending application for distribution.

~~17.~~ 18. Any dividend, profit, distribution, interest, redemption, payment on principal or other sum held or owing by a business association for or to its shareholder, certificate holder, member, bondholder or other security holder who has not claimed it, or corresponded in writing with the business association concerning it, is presumed abandoned three years after the date prescribed for payment or delivery.

B. At the time that an interest is presumed abandoned under subsection A of this section, any other property right accrued or accruing to the owner as a result of the interest, and not previously presumed abandoned, is also presumed abandoned.

C. Property is unclaimed if, for the applicable period prescribed in subsection A of this section, the apparent owner has not communicated in writing with the holder or communicated by other means reflected in a contemporaneous record that is prepared by or on behalf of the holder and that concerns the property or the account or accounts in which the property is held and has not otherwise indicated an interest in the property and if the holder has not communicated in writing with regard to the property that would otherwise be unclaimed. A communication with an owner by a person other than the holder or the holder's representative who has not identified the property in writing to the owner is not an indication of interest in the property by the owner.

D. An indication of an owner's interest in property includes:

1. ~~The presentment of~~ PRESENTING any check or other instrument of payment of any dividend or other distribution that is made with respect to any account, underlying stock or other interest in a business association or financial organization. If the distribution is made by electronic or similar means, an indication of an owner's interest includes evidence that the distribution has been received.

2. ~~Activity directed by~~ The owner DIRECTING ANY ACTIVITY in the account in which the property is held, including a direction by the owner

to increase, decrease or change the amount or type of property held in the account.

3. ~~The~~ Making ~~of~~ a deposit to or withdrawal from a bank account.

4. ~~The payment of~~ PAYING a premium with respect to a property interest in an insurance policy. The application of an automatic premium loan provision or any other nonforfeiture provision in an insurance policy does not prevent a policy from maturing or terminating if the insured has died or if the insured or the beneficiary of the policy has otherwise become entitled to the proceeds before the depletion of the cash surrender value of a policy by the application of those provisions.

E. Property is payable or distributable notwithstanding the owner's failure to make demand or present an instrument or document otherwise required to obtain payment.

Sec. 3. Section 44-308, Arizona Revised Statutes, is amended to read:

44-308. Payment or delivery of abandoned property

A. On filing the report prescribed in section 44-307, the holder of property that is presumed abandoned shall pay, deliver or cause to be paid or delivered to the department the property described in the report as unclaimed. If the property is an automatically renewable deposit and a penalty or forfeiture in the payment of interest would result, the time for compliance is extended until a penalty or forfeiture would no longer result. The holder of tangible property held in a safe deposit box or any other safekeeping depository shall deliver the property to the department on filing the report prescribed in section 44-307.

B. If the property reported to the department is a security or security entitlement pursuant to title 47, chapter 8, the department may make an endorsement, instruction or entitlement order on behalf of the apparent owner to invoke the duty of the issuer or its transfer agent or the securities intermediary to transfer or dispose of the security or the security entitlement in accordance with title 47, chapter 8.

C. If the holder of property reported to the department is the issuer of a certificated security, the department has the right to obtain a replacement certificate pursuant to section 47-8405, but an indemnity bond is not required.

D. IF THE PROPERTY REPORTED TO THE DEPARTMENT IS [~~VIRTUAL CURRENCY~~] [DIGITAL ASSET], THE HOLDER SHALL REPORT AND DELIVER THE [~~VIRTUAL CURRENCY~~] [DIGITAL ASSET] IN ITS NATIVE FORM TO THE DEPARTMENT OR THE DEPARTMENT'S DESIGNATED QUALIFIED CUSTODIAN WITHIN THIRTY DAYS AFTER REPORTING THE PROPERTY ABANDONED. [THE QUALIFIED CUSTODIAN, ON THE EXERCISE OF DUE DILIGENCE, MAY STAKE, AIRDROP OR INVEST THE DIGITAL ASSETS HELD IN A LOW-RISK MANNER. UPON THE EXPIRATION OF THREE YEARS FROM THE DATE THE DIGITAL ASSET WAS TRANSFERRED TO THE QUALIFIED CUSTODIAN AND IF THE PROPERTY REMAINS UNCLAIMED, ANY AIRDROPS, STAKING REWARDS OR INTEREST EARNED SHALL BE TRANSFERRED TO THE BITCOIN AND DIGITAL ASSET RESERVE FUND ESTABLISHED IN SECTION 41-180.] IF THE HOLDER ONLY POSSESSES A PARTIAL PRIVATE KEY TO THE [~~VIRTUAL CURRENCY~~] [DIGITAL ASSET] OR IS UNABLE TO MOVE

THE [~~VIRTUAL CURRENCY~~] [DIGITAL ASSET], THE HOLDER SHALL MAINTAIN THE [~~VIRTUAL CURRENCY~~] [DIGITAL ASSET] UNTIL THE ADDITIONAL KEYS REQUIRED TO TRANSFER THE [~~VIRTUAL CURRENCY~~] [DIGITAL ASSET] BECOME AVAILABLE. FOR THE PURPOSES OF THIS SUBSECTION, "QUALIFIED CUSTODIAN" MEANS ANY OF THE FOLLOWING THAT IS LICENSED IN THIS STATE TO SELL [~~VIRTUAL CURRENCY~~] [DIGITAL ASSET] AND OFFER CUSTODY SERVICES TO CUSTOMERS:

1. A COMPANY.
2. A FEDERAL OR STATE CHARTERED BANK.
3. A TRUST COMPANY.
4. A SPECIAL PURPOSE DEPOSITORY INSTITUTION.

~~D.~~ E. An issuer, the holder and any transfer agent or other person who acts pursuant to the instructions and on behalf of the issuer or holder in accordance with this section are not liable to the apparent owner and are indemnified against all claims of any person in accordance with section 44-310.

~~E.~~ F. Each month a holder of property reported pursuant to section 44-307, subsection H shall remit the property with the report of property presumed abandoned or other form prescribed by the department.

Sec. 4. Section 44-312, Arizona Revised Statutes, is amended to read:

44-312. Public sale of abandoned property; prohibition

A. Except as otherwise provided in this section, within three years after receiving abandoned property the department shall sell the property to the highest bidder at a public sale at a location in this state that in the judgment of the department affords the most favorable market for the property. The department may decline the highest bid and reoffer the property for sale if the department considers the bid to be insufficient. The department is not required to offer the property for sale if the department determines that the probable cost of the sale will exceed the proceeds from the sale. Before conducting a sale pursuant to this section, the department shall cause a notice to be published at least three weeks before the sale in a newspaper of general circulation in the county in which the sale will occur.

B. The department shall sell securities that are listed on an established stock exchange at prices prevailing on the exchange at the time of the sale. The department may sell other securities over the counter at prices prevailing at the time of the sale or by any reasonable method selected by the department.

C. THE DEPARTMENT MAY NOT SELL A SECURITY OR [~~VIRTUAL CURRENCY~~] [DIGITAL ASSET] LISTED ON AN ESTABLISHED STOCK OR A [~~VIRTUAL CURRENCY~~] [DIGITAL ASSET] EXCHANGE FOR LESS THAN THE PREVAILING PRICE THAT IS LISTED ON THE EXCHANGE AT THE TIME OF SALE. THE DEPARTMENT MAY SELL A SECURITY OR [~~VIRTUAL CURRENCY~~] [DIGITAL ASSET] NOT LISTED ON AN ESTABLISHED EXCHANGE BY ANY COMMERCIALLY REASONABLE METHOD.

~~C.~~ D. A person who makes a claim pursuant to this chapter for securities is entitled to receive from the department the securities that the holder delivered to the department if the securities remain in the

department's custody or the person is entitled to receive the net proceeds of the sale. Except in a case of intentional misconduct or malfeasance by the department, the person is not entitled to receive any appreciation in the value of the property that occurred after the delivery to the department.

~~D.~~ E. A purchaser of property at a sale conducted by the department pursuant to this chapter takes the property free of all claims of the owner or previous holder and of all persons claiming through or under the owner or previous holder. The department shall execute all documents necessary to complete the transfer of ownership.

Enroll and engross to conform
Amend title to conform

JEFF WENINGER

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

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2749

DATE February 11, 2025 MOTION: DPA

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

Abby Salvey
COMMITTEE SECRETARY

APPROVED:

JEFF WENINGER, Chairman
MICHAEL WAY, Vice-Chairman

ATTACHMENT 14

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session

HB 2683: businesses; requirement to accept cash
Sponsor: Representative Chaplik, LD 3
Committee on Commerce

Overview
Stipulates that cash must be accepted as a form of payment by businesses located in this state.

History
Statute defines legal tender as a medium of exchange, including specie, that is authorized by the United States Constitution or Congress for payment of debts, public charges, taxes and dues (A.R.S. § 6-851).

Legal tender is federally defined as United States coins and currency (including Federal reserve notes and circulating notes of Federal reserve banks and national banks) are legal tender for all debts, public charges, taxes and dues. Foreign gold or silver coins are not legal tender for debts (31 U.S.C. § 5103).

Provisions
1. Requires a retail business with a physical location in this state to accept cash as a form of payment for goods and services with an aggregate value of $100 or less. (Sec. 2)
2. Prohibits the retail business from charging a fee or penalty for using cash as a form of payment. (Sec. 2)
3. Asserts any person has cause of action against the person that violates the requirement to accept cash if:
   a) denied the right to use cash as a form of payment; or
   b) charged a fee or penalty for using cash as a form of payment. (Sec. 2)
4. Stipulates that a person who violates the requirement to accept cash is liable for damages for each violation in an amount of:
   a) $1,000 but not more than $1,000 per person per day; or
   b) $5,000 per person total. (Sec. 2)
5. Entitles the prevailing plaintiff in an action to recover reasonable attorney fees and costs. (Sec. 2)
6. Directs the court to annually adjust the prescribed liability damage amounts for inflation in accordance with the Consumer Price Index. (Sec. 2)
7. Specifies that the requirement for a retail business to accept cash does not apply to:
   a) a written contract between two parties that dictates the acceptable form of payment; or

b) the online sale of goods or services. (Sec. 2)

8. Defines *retail business*. (Sec. 2)

9. Makes a technical change. (Sec. 1)

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

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2683

DATE February 11, 2025 MOTION: DP

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

Abby Salvey
COMMITTEE SECRETARY

APPROVED:
JEFF WENINGER, Chairman
MICHAEL WAY, Vice-Chairman

ATTACHMENT 16

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session

HB 2411: alcohol consumption; golf courses
Sponsor: Representative Kolodin, LD 3
Committee on Commerce

Overview

Permits certain golf courses to allow patrons to bring their own spiritous liquor onto the golf course.

History

The Department of Liquor Licenses and Control regulates the manufacture, distribution and sale of liquor in Arizona through the issuance of a series of licenses and investigating licensee compliance with liquor laws. Certain liquor licenses have on-sale retail privileges allowing a customer to purchase and consume liquor on the licensed premises.

A retailer is prohibited from knowingly allowing a customer to bring spirituous liquor onto the licensed premises, except that an on-sale retailer may allow a wine and food club to bring wine onto the premises for consumption by the club's members and guests of the club's members in conjunction with meals purchased at a meeting of the club that is conducted on the premises and that at least seven members attend (A.R.S. § 4-244).

Provisions

1. Authorizes golf courses that are at least one thousand yards in size and that are an on-sale retailer to allow patrons to bring and consume, on the premises, spirituous liquor that is purchased at a location outside of the golf course. (Sec. 1)
2. Includes a legislative findings clause. (Sec. 3)
3. Cites this act as the Inflation Reduction Act of 2025. (Sec. 3)
4. Makes conforming changes. (Sec. 2)

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

ATTACHMENT 17

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

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2411

DATE February 11, 2025 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar		✓			
Blackman		✓			
Cavero		✓			
Connolly			✓		
Diaz		✓			
Hendrix		✓			
Villegas			✓		
Wilmeth		✓			
Way, Vice-Chairman		✓			
Weninger, Chairman		✓			
		8	2	0	0

Abby Selvey
COMMITTEE SECRETARY

APPROVED:
Jeffrey Weninger
JEFF WENINGER, Chairman
MICHAEL WAY, Vice-Chairman

ATTACHMENT 18

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session

HB 2748: ticket sales; resellers; website requirements
Sponsor: Representative Weninger, LD 13
Committee on Commerce

Overview
Requires an operator to deliver an electronic ticket to the purchaser on receipt of an order confirmation.

History
A person is prohibited from using or creating a bot to: 1) purchase tickets in excess of the posted limit for an online ticket sale; 2) use multiple internet protocol addresses, multiple purchaser accounts or multiple email addresses to purchase tickets in excess of the posted limit for an online ticket sale; 3) circumvent or disable an electronic queue, waiting period, presale code or other sales volume limitation system associated with an online ticket sale; and 4) circumvent or disable a security measure, access control system or other control or measure that is used to validate that the ticket is not fraudulent (A.R.S. § 44-7202).

Statute prohibits a person from selling an entertainment event ticket purchased for the purpose of resale for a price that exceeds the face value of the ticket, including taxes and other charges, while being within 200 feet of entry to the venue where the event is being held or the venue's parking area. Additionally, a person may not alter a ticket's printed price without the original vendor's written consent. A person who violates the prohibitions is guilty of a petty offense (A.R.S. § 13-3718).

Provisions
1. Instructs an operator to deliver an electronic ticket to the purchaser on receipt of an order confirmation. (Sec. 2)
2. Defines *operator* as:
   a) a person or entity, that owns, operates or controls a place of entertainment or that promotes or produces entertainment and that sells a ticket to an event for original sale; and
   b) an employee of an operator. (Sec. 1)
3. Defines *original sale* as the first sale of a ticket by an operator. (Sec. 1)

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

ATTACHMENT 19

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

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2748

DATE February 11, 2025 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar			✓		
Blackman		✓			
Cavero			✓		
Connolly		✓			
Diaz		✓			
Hendrix		✓			
Villegas			✓		
Wilmeth		✓			
Way, Vice-Chairman		✓			
Weninger, Chairman		✓			
		7	3	0	0

Abby Selvey
COMMITTEE SECRETARY

APPROVED:
Jeff Weninger
JEFF WENINGER, Chairman
MICHAEL WAY, Vice-Chairman

ATTACHMENT 20

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session

HB 2447: self-certification program; administrative review
Sponsor: Representative Carbone, LD 25
Committee on Commerce

Overview

Requires, rather than allows, a municipality to authorize administrative personnel to perform specified duties.

History

Current statute requires each municipality's planning agency and governing body to prepare and adopt, in coordination with the Arizona State Land Department, a comprehensive, long-range general plan for the development of the municipality. The general plan must include a statement of community goals and development policies, including maps and plan proposals (A.R.S. § 9-461.05).

A municipality's legislative body must regulate the subdivision of all lands within its corporate limits and exercise its authority by ordinance to prescribe: 1) procedures to be followed in the preparation, submission, review and approval or rejection of all final plats; 2) standards governing the design of subdivision plats; and 3) minimum requirements and standards for installation of subdivision streets, sewer and water utilities and improvements as a condition of final plat approval (A.R.S. § 9-463.01).

Provisions

1. Requires, rather than allows, the legislative body of a city or town to authorize administrative personnel to review and approve without a public hearing:
   a) site and development plans, land divisions, lot lines and ties and preliminary and final plats; and
   b) design review plans based on objective standards. (Sec. 1)
2. Maintains the ability of the legislative body of a city or town to adopt a self-certification program allowing registered architects and professional engineers to certify and be responsible for compliance with all applicable ordinances and construction standards for projects that the ordinance identifies as being qualified for self-certification. (Sec. 1)
3. Provides a definition for *license*. (Sec. 1)

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

ATTACHMENT 21

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

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2447

DATE February 11, 2025 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Aguilar			✓		
Blackman		✓			
Cavero		✓			
Connolly		✓			
Diaz		✓			
Hendrix					✓
Villegas		✓			
Wilmeth		✓			
Way, Vice-Chairman		✓			
Weninger, Chairman		✓			
		8	1	0	1

Abby Delvey
COMMITTEE SECRETARY

APPROVED:

JEFF WENINGER, Chairman
MICHAEL WAY, Vice-Chairman

ATTACHMENT 22

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-seventh Legislature
First Regular Session

HB 2233: elevator contractors; elevator mechanics; regulation
Sponsor: Representative Hendrix, LD 14
Committee on Commerce

Overview

Applies Registrar of Contractors (ROC) licensing requirements to an elevator contractor.

History

The Industrial Commission of Arizona Division of Occupational Safety and Health enforces all standards and regulations relating to elevator safety conditions. An owner and operator of a conveyance, which includes an elevator, escalator, stage lift and special purposes personnel elevator, is statutorily required to: 1) construct, furnish, maintain and provide safe and adequate devices with which to safely and properly convey or move all persons and material utilizing the services offered by the owner or operator of such device; 2) comply with statutory standards and regulations; and 3) ensure that a conveyance is properly inspected. (A.R.S. § 23-491.02).

The 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; and 3) conduct investigations to protect the health and safety of the public. Prior to license issuance by the ROC, a qualifying party must: 1) have a minimum of four years' practical or management trade experience, at least two of which must have been within the last ten years, dealing specifically with the type of construction, or its equivalent, for which the applicant is applying for a license; and 2) successfully show qualification in the kind of work for which the applicant proposes to contract, general knowledge of the building, safety, health and lien laws, demonstrate knowledge and understanding of construction plans, standards of construction work and specifications applicable to the particular industry or craft (Title 32, Chapter 10, A.R.S.).

The ROC applies different license classifications for commercial and residential work for each particular trade or field of a construction science profession. The Elevators Classification R-12 and C-12 allows the licensee to install and repair elevators, dumbwaiters, escalators, moving walks and ramps and stage and orchestra lifts.

Provisions

1. Adds the requirement for an owner and operator of a conveyance to ensure that the conveyance is installed, serviced or repaired by an elevator contractor and elevator mechanic. (Sec. 2)
2. Specifies the exemption from ROC licensing requirements does not apply to work that is done by an elevator contractor or elevator mechanic, including the installation, service and repair of elevators or elevator equipment. (Sec. 4, 5)

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

ATTACHMENT 23

3. Adds that the installation, service and repair of elevators or elevator equipment do not include routine work that is conducted by an employee of an elevator contractor and that does not involve the actual physical installation, maintenance and repair of elevators. (Sec. 4, 5)
4. Deems it unlawful for a person, other than an elevator mechanic working under the direct supervision of a licensed elevator contractor, to:
   a) erect, construct, alter, replace, maintain, remove or dismantle any elevator or related conveyance contained within buildings or structures in this state; and
   b) wire any elevator or related conveyance from the mainline feeder terminals on the controller. (Sec. 6)
5. Adds the unlawful activities relating to erecting, constructing or wiring any elevator do not apply to the removal or dismantling of conveyances that are destroyed as a result of a demolition of a secured building or structure or for which the hoistway or wellway is demolished back to the basic support structure whereby no access is allowed to the basic support structure to endanger the safety and welfare of a person. (Sec. 6)
6. Defines *conveyance, elevator, elevator contractor* and *elevator mechanic.* (Sec. 1, 3)
7. Makes technical and conforming changes. (Sec. 1, 2, 3)

PROPOSED
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2233
(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.

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

Section 1. Section 23-491, Arizona Revised Statutes, is amended to read:

23-491. Definitions

In this article, unless the context otherwise requires:

1. "Authorized representative" means the elevator chief and elevator inspector employed by the division.

2. "Certificate" means a certificate of inspection issued by the division.

3. "Commission" means the industrial commission of Arizona.

4. "Conveyance":

(a) Means an elevator, dumbwaiter, escalator, moving walk, manlift, personnel hoist, material hoist, stage lift and special purpose personnel elevator. ~~, excluding~~

(b) DOES NOT INCLUDE conveyances located at mines ~~and~~ THAT ARE subject to regulation and inspection by the state mine inspector pursuant to title 27, chapter 3.

5. "Director" means the director of the division ~~of occupational safety and health~~.

6. "Division" means the division of occupational safety and health of the ~~industrial~~ commission.

7. "Dumbwaiter" means a hoisting and lowering mechanism with a car of limited capacity and size that moves in guides in a substantially vertical direction and that is used exclusively for carrying material.

8. "Elevator" means a hoisting and lowering mechanism equipped with a car or platform that moves in guides in substantially vertical direction and that serves two or more floors of a building or structure.

Adopted ✓ # of Verbals _____
Failed _____ Withdrawn _____
Not Offered ____ Analysts Initials ___

ATTACHMENT 24

9. "Elevator company" means a person that is engaged in the business of erecting, constructing, installing, altering, servicing, repairing or maintaining conveyances.

10. "ELEVATOR CONTRACTOR" MEANS A PERSON THAT HAS BEEN ISSUED AN ELEVATOR CONTRACTOR'S LICENSE PURSUANT TO TITLE 32, CHAPTER 10 AND THAT EMPLOYS AT LEAST ONE ELEVATOR MECHANIC.

11. "ELEVATOR MECHANIC" MEANS AN INDIVIDUAL WHO IS QUALIFIED [PURSUANT TO RULES ADOPTED BY THE REGISTRAR OF CONTRACTORS] TO ENGAGE IN ERECTING, CONSTRUCTING, INSTALLING, ALTERING, SERVICING, REPAIRING[, TESTING] OR MAINTAINING CONVEYANCES.

~~10.~~ 12. "Escalator" means a ~~power driven~~ POWER-DRIVEN, inclined, continuous stairway used for raising or lowering passengers.

~~11.~~ 13. "Interested party" means the commission and its agents and the owner or operator who has been issued a correction order.

~~12.~~ 14. "Manlift" means a device ~~consisting~~ THAT CONSISTS of a ~~power driven~~ POWER-DRIVEN endless belt moving in one direction only and ~~provided with~~ steps or platforms and attached handholds ~~for the transportation of~~ AND THAT TRANSPORTS personnel from floor to floor.

~~13.~~ 15. "Material hoist":

(a) Means a hoist for raising and lowering materials only. ~~and prohibiting the hoisting of~~

(b) DOES NOT INCLUDE A DEVICE THAT HOISTS persons.

~~14.~~ 16. "Moving walk" means a type of ~~passenger carrying~~ PASSENGER-CARRYING device on which passengers stand or walk and in which the ~~passenger carrying~~ PASSENGER-CARRYING surface remains parallel to its direction of motion and is uninterrupted.

~~15.~~ 17. "Owner" or "operator":

(a) Means an individual or organization, including this state and all political subdivisions of this state, ~~who~~ THAT has title to, controls or has the duty to control the operation of one or more conveyances. ~~, but shall~~

(b) DOES not include an individual or organization THAT IS engaged in mining or metallurgical operations whose operation is subject to regulation and inspection by the state mine inspector pursuant to title 27, chapter 3.

~~16.~~ 18. "Personnel hoist":

(a) Means a mechanism ~~for use~~ THAT IS USED in connection with the construction, alteration, maintenance[, TESTING] or demolition of a building, structure or other work, THAT IS used for hoisting and lowering workers and materials and THAT IS equipped with a car that moves on guide members during its vertical movement. ~~The term~~

(b) Includes a hoistway of a personnel hoist.

~~17.~~ 19. "Private elevator inspector" means an individual who is authorized by the commission under section 23-491.16 to conduct inspections under this article.

~~18.~~ 20. "Special purpose personnel elevator" means a passenger, ~~hand powered~~ HAND-POWERED, counterweighted device or an ~~electric powered~~

ELECTRIC-POWERED device that travels vertically in guides and that serves two or more landings.

~~19.~~ 21. "Stage lift" means a hoisting and lowering mechanism equipped with a platform that moves in guides in a substantially vertical direction and that serves one or more landings.

Sec. 2. Section 23-491.02, Arizona Revised Statutes, is amended to read:

23-491.02. Owners and operators; duties

~~Every~~ EACH owner and operator of a conveyance shall:

1. Construct, furnish, maintain and provide safe and adequate devices with which to safely and properly convey or move all persons and material ~~utilizing~~ USING the services offered by the owner or operator of such ~~device~~ DEVICES.

2. Comply with all standards and regulations issued pursuant to this article.

3. Ensure that ~~a~~ THE conveyance is inspected at all of the following times:

(a) Before placing ~~a~~ THE conveyance in operation after the initial installation of the conveyance.

(b) After modification or alteration of ~~a~~ THE conveyance.

(c) After the inspection pursuant to subdivision (a) OF THIS PARAGRAPH, annually or as otherwise directed by the commission.

4. ENSURE THAT THE CONVEYANCE IS INSTALLED, SERVICED OR REPAIRED BY AN ELEVATOR CONTRACTOR AND ELEVATOR MECHANIC IN ACCORDANCE WITH THIS ARTICLE AND THE RULES ADOPTED PURSUANT TO THIS ARTICLE.

Sec. 3. Section 32-1101, Arizona Revised Statutes, is amended to read:

32-1101. Definitions

A. In this chapter, unless the context otherwise requires:

1. "Advertisement":

(a) Means any written or oral publication, dissemination, solicitation or circulation that is intended to directly or indirectly induce any person to enter into an agreement for contracting services with a contractor. ~~, including~~

(b) INCLUDES business cards and telephone directory display advertisements.

2. "Commercial contractor" is synonymous with the terms "commercial builder", "industrial builder" and "public works builder" and means any person, firm, partnership, corporation, association or other organization, or a combination of any of them, that, for compensation, undertakes to or offers to undertake to, purports to have the capacity to undertake to, submits a bid or responds to a request for qualification or a request for proposals for construction services to, does himself or by or through others, or directly or indirectly supervises others, except within residential property lines, to:

(a) Construct, alter, repair, add to, subtract from, improve, move, wreck or demolish any building, highway, road, railroad, excavation or

other structure, project, development or improvement, or to do any part thereof, including the erection of scaffolding or any other structure or work in connection with the construction.

(b) Connect such a structure or improvements to utility service lines and metering devices and the sewer line.

(c) Provide mechanical or structural service for any such structure or improvements.

3. "Contractor":

(a) Is synonymous with the term "builder" and means any person, firm, partnership, corporation, association or other organization, or a combination of any of them, that, for compensation, undertakes to or offers to undertake to, purports to have the capacity to undertake to, submits a bid or responds to a request for qualification or a request for proposals for construction services to, does himself or by or through others, or directly or indirectly supervises others to:

(i) Construct, alter, repair, add to, subtract from, improve, move, wreck or demolish any building, highway, road, railroad, excavation or other structure, project, development or improvement, or to do any part thereof, including the erection of scaffolding or any other structure or work in connection with the construction.

(ii) Connect such a structure or improvements to utility service lines and metering devices and the sewer line.

(iii) Provide mechanical or structural service for any such structure or improvements.

(b) Includes subcontractors, specialty contractors, floor covering contractors, hardscape contractors and consultants who represent that they are able to supervise or manage a construction project for the property owner's benefit, including hiring and firing specialty contractors, scheduling work on the project and selecting and purchasing construction material.

4. "CONVEYANCE" HAS THE SAME MEANING PRESCRIBED IN SECTION 23-491.

~~4.~~ 5. "Dual licensed contractor" is synonymous with the term "commercial and residential builder" and means any person, firm, partnership, corporation, association or other organization, or a combination of any of them, that for compensation undertakes to or offers to undertake to, purports to have the capacity to undertake to, submits a bid or responds to a request for qualification or a request for proposals for construction services to, does himself or by or through others, or directly or indirectly supervises others under a single license on commercial or residential property to:

(a) Construct, alter, repair, add to, subtract from, improve, move, wreck or demolish any building, excavation or other structure or improvement, including any appurtenances, or to do any part thereof.

(b) Connect such a structure or improvements to utility service lines and metering devices and the sewer line.

(c) Provide mechanical or structural service for any such structure or improvements.

6. "ELEVATOR" HAS THE SAME MEANING PRESCRIBED IN SECTION 23-491.

7. "ELEVATOR CONTRACTOR" MEANS A PERSON THAT IS ISSUED AN ELEVATOR CONTRACTOR'S LICENSE AND THAT EMPLOYS AT LEAST ONE ELEVATOR MECHANIC.

8. "ELEVATOR MECHANIC" MEANS AN INDIVIDUAL WHO IS QUALIFIED [PURSUANT TO RULES ADOPTED BY THE REGISTRAR OF CONTRACTORS] TO ENGAGE IN ERECTING, CONSTRUCTING, INSTALLING, ALTERING, SERVICING, REPAIRING[, TESTING] OR MAINTAINING ELEVATORS AND RELATED CONVEYANCES.

~~5.~~ 9. "License" means an authorization for the person who is listed on the electronic, paper or other records maintained by the registrar to act in the capacity of a contractor.

~~6.~~ 10. "Named on a license" means ~~required to be~~ identified AS REQUIRED pursuant to section 32-1122, subsection B.

~~7.~~ 11. "Person" means a corporation, company, partnership, firm, association, trust, society or natural person.

~~8.~~ 12. "Qualifying party" means a person who is responsible for a licensee's actions and conduct performed under the license and who either:

(a) Has an ownership interest in the license.

(b) Is regularly employed by the licensee.

~~9.~~ 13. "Registrar" means the registrar of contractors.

~~10.~~ 14. "Residential contractor":

(a) Is synonymous with the term "residential builder" and means any person, firm, partnership, corporation, association or other organization, or a combination of any of them, that for compensation undertakes to or offers to undertake to, purports to have the capacity to undertake to, submits a bid or responds to a request for qualification or a request for proposals for construction services to, or does himself or by or through others, within residential property lines:

(i) Construct, alter, repair, add to, subtract from, improve, move, wreck or demolish any residential structure, such as houses, townhouses, condominiums or cooperative units and any appurtenances on or within residential property lines.

(ii) Connect such a residential structure to utility service lines, metering devices or sewer lines.

(iii) Provide mechanical or structural service for any such residential structure.

(b) Does not include an owner making improvements to the owner's property pursuant to section 32-1121, subsection A, paragraph 5.

B. Only contractors as defined in this section are licensed and regulated by this chapter.

Sec. 4. Section 32-1121, Arizona Revised Statutes, as amended by Laws 2019, chapter 140, section 1, is amended to read:

32-1121. Persons not required to be licensed; penalties; applicability

A. This chapter does not apply to:

1. An authorized representative of the United States government, this state or any county, incorporated city or town, reclamation district,

irrigation district or other municipality or political subdivision of this state.

2. Trustees of an express trust that is not formed for the purpose of conducting business as a contractor or officers of a court, if they are acting within the terms of their trust or office.

3. Public utilities operating under regulation of the corporation commission or construction, repair or operation incidental to discovering or producing petroleum or gas, or drilling, testing, abandoning or otherwise operating a petroleum or gas well, if performed by an owner or lessee.

4. Any materialman, manufacturer or retailer that furnishes finished products, materials or articles of merchandise and that does not install or attach such items or installs or attaches such items if the total value of the sales contract or transaction involving such items and the cost of the installation or attachment of such items to a structure does not exceed $1,000, including labor, materials and all other items, but excluding any electrical fixture or appliance that was designed by the manufacturer, that is unaltered, unchanged or unmodified by any person, that can be plugged into a common household electrical outlet using a two-pronged or three-pronged electrical connector or that has internal batteries that do not exceed twelve volts in a single, series or parallel configuration and that does not use any other form of energy, including natural gas, propane or other petroleum or gaseous fuel, to operate or is attached by a nail, screw or other fastening device to the frame or foundation of any residential structure. The materialman, manufacturer or retailer shall inform the purchaser that the installation may also be performed by a licensed contractor whose name and address the purchaser may request.

5. Owners of property who improve such property or who build or improve structures or appurtenances on such property and who do the work themselves, with their own employees or with duly licensed contractors, if the structure, group of structures or appurtenances, including the improvements thereto, are intended for occupancy solely by the owner and are not intended for occupancy by members of the public as the owner's employees or business visitors and the structures or appurtenances are not intended for sale or for rent. In all actions brought under this chapter, except an action against an owner-occupant as defined in section 33-1002, proof of the sale or rent or the offering for sale or rent of any such structure by the owner-builder within one year after completion or issuance of a certificate of occupancy is prima facie evidence that such a project was undertaken for the purpose of sale or rent. For the purposes of this paragraph, "sale" or "rent" includes any arrangement by which the owner receives compensation in money, provisions, chattels or labor from the occupancy or the transfer of the property or the structures on the property.

6. Owners of property who are acting as developers and who build structures or appurtenances to structures on their property for the

purpose of sale or rent and who contract for such a project with a general contractor licensed pursuant to this chapter and owners of property who are acting as developers, who improve structures or appurtenances to structures on their property for the purpose of sale or rent and who contract for such a project with a general contractor or specialty contractors licensed pursuant to this chapter. To qualify for the exemption under this paragraph, the licensed contractors' names and license numbers shall be included in all sales documents.

7. Architects or engineers who are engaging in their professional practice as defined in chapter 1 of this title and who hire or offer to hire the services of a contractor for preconstruction activities relating to investigation and discovery, including:

(a) Subsurface utility location and designation services.

(b) Potholing.

(c) Drilling for any of the following:

(i) Soil samples.

(ii) Rock samples.

(iii) Pavement samples.

(d) Locating existing features of a building or structure, including existing electrical, mechanical, plumbing and structural members.

8. A person licensed, certified or registered pursuant to title 3, chapter 20 or a person working under the direct supervision of a person certified or qualified pursuant to title 3, chapter 20 to the extent the person is engaged in pest management.

9. The sale or installation of finished products, materials or articles of merchandise that are not fabricated into and do not become a permanent fixed part of the structure. This exemption does not apply if a local building permit is required, if the total price of the finished product, material or article of merchandise, including labor but excluding any electrical fixture or appliance that was designed by the manufacturer, that is unaltered, unchanged or unmodified by any person, that can be plugged into a common household electrical outlet using a two-pronged or three-pronged electrical connector or that has internal batteries that do not exceed twelve volts in a single, series or parallel configuration and that does not use any other form of energy, including natural gas, propane or other petroleum or gaseous fuel, to operate or is attached by a nail, screw or other fastening device to the frame or foundation of any residential structure, is more than $1,000 or if the removal of the finished product, material or article of merchandise causes material damage to the structure or renders the structure unfit for its intended use.

10. Employees of the owners of condominiums, townhouses, cooperative units or apartment complexes of four units or less or the owners' management agent or employees of the management agent repairing or maintaining structures owned by them.

11. Any person who engages in the activities regulated by this chapter, as an employee of an exempt property owner or as an employee with wages as the person's sole compensation. [~~THIS PARAGRAPH DOES NOT APPLY TO WORK THAT IS DONE BY AN ELEVATOR CONTRACTOR OR ELEVATOR MECHANIC, INCLUDING THE INSTALLATION, SERVICE AND REPAIR OF ELEVATORS OR ELEVATOR EQUIPMENT. THE INSTALLATION, SERVICE AND REPAIR OF ELEVATORS OR ELEVATOR EQUIPMENT DO NOT INCLUDE ROUTINE WORK THAT IS CONDUCTED BY AN EMPLOYEE OF AN ELEVATOR CONTRACTOR AND THAT DOES NOT INVOLVE THE ACTUAL PHYSICAL INSTALLATION, MAINTENANCE AND REPAIR OF ELEVATORS.~~]

12. A surety company or companies that are authorized to transact business in this state and that undertake to complete a contract on which they issued a performance or completion bond if all construction work is performed by duly licensed contractors.

13. Insurance companies that are authorized to transact business in this state and that undertake to perform repairs resulting from casualty losses pursuant to the provisions of a policy if all construction work is performed by duly licensed contractors.

14. Any person other than a licensed contractor engaging in any work or operation on one undertaking or project by one or more contracts, for which the aggregate contract price, including labor, materials and all other items, but excluding any electrical fixture or appliance that was designed by the manufacturer, that is unaltered, unchanged or unmodified by any person, that can be plugged into a common household electrical outlet using a two-pronged or three-pronged electrical connector or that has internal batteries that do not exceed twelve volts in a single, series or parallel configuration and that does not use any other form of energy, including natural gas, propane or other petroleum or gaseous fuel, to operate or is attached by a nail, screw or other fastening device to the frame or foundation of any residential structure, is less than $1,000. The work or operations that are exempt under this paragraph shall be of a casual or minor nature. This exemption does not apply:

(a) In any case in which the performance of the work requires a local building permit.

(b) In any case in which the work or construction is only a part of a larger or major operation, whether undertaken by the same or a different contractor, or in which a division of the operation is made in contracts of amounts less than $1,000, excluding any electrical fixture or appliance that was designed by the manufacturer, that is unaltered, unchanged or unmodified by any person, that can be plugged into a common household electrical outlet using a two-pronged or three-pronged electrical connector or that has internal batteries that do not exceed twelve volts in a single, series or parallel configuration and that does not use any other form of energy, including natural gas, propane or other petroleum or gaseous fuel, to operate or is attached by a nail, screw or other fastening device to the frame or foundation of any residential structure, for the purpose of evasion of this chapter or otherwise.

(c) To a person who uses any form of advertising to the public in which the person's unlicensed status is not disclosed by including the words "not a licensed contractor" in the advertisement.

15. A person who is licensed, certified or registered pursuant to title 41, chapter 37, article 4 and who is not otherwise required to be licensed under this chapter or an employee of such person.

16. A person who functions as a gardener by performing lawn, garden, shrub and tree maintenance.

17. Alarm agents as defined in section 32-101.

18. Cable television, satellite television and telecommunications providers, including data and related services of cable television, satellite television and telecommunications providers including contractors and subcontractors of cable television, satellite television and telecommunications providers if the work of the contractors and subcontractors is limited to installing low-voltage cable, telephone services, internet services and data service. ~~Installation~~ INSTALLING does not include digging, trenching, grading, horizontal boring, compacting or filling earthen or other material before the service drop of the commercial or residential structure.

B. A person who is licensed to perform work in a particular trade pursuant to this chapter is not required to obtain and maintain a separate license for mechanical or structural service work the person performs within the scope of that trade.

C. Any person who does not have an exemption from licensure pursuant to subsection A, paragraph 14, subdivision (c) of this section is subject to prosecution for a violation of section 44-1522. The attorney general may investigate the act or practice and take appropriate action pursuant to title 44, chapter 10, article 7.

D. The exemptions from licensure pursuant to subsection A, paragraphs 4, 9 and 14 of this section do not apply to [~~either~~] [ANY] of the following:

1. All fire safety and mechanical, electrical and plumbing work that is done in connection with fire safety installation and fire safety maintenance and repair. For the purposes of this paragraph, "fire safety installation" means hardwired or interconnected smoke alarms and fire sprinklers and does not include an individual device that is attached by a nail, screw or other fastening device to the frame or foundation of any residential unit. For the purposes of this paragraph, fire safety maintenance and repair does not include routine work that is conducted by an employee of an apartment or condominium complex and that is incidental to the fire safety equipment.

2. All work done, including installing, maintaining and repairing devices, appliances or equipment, that involves connecting to any supply of natural gas, propane or other petroleum or gaseous fuel. This paragraph does not impact the effect of section 36-1624.01.

[3. ALL WORK THAT IS DONE BY AN ELEVATOR CONTRACTOR OR ELEVATOR MECHANIC, INCLUDING THE INSTALLATION, SERVICE, TESTING AND REPAIRS OF

ELEVATORS OR ELEVATOR EQUIPMENT. THE INSTALLATION, SERVICE, TESTING AND REPAIR OF ELEVATORS OR ELEVATOR EQUIPMENT DO NOT INCLUDE ROUTINE WORK THAT IS CONDUCTED BY AN EMPLOYEE OF AN ELEVATOR CONTRACTOR AND THAT DOES NOT INVOLVE THE ACTUAL PHYSICAL INSTALLATION, MAINTENANCE, TESTING AND REPAIR OF ELEVATORS.]

Sec. 5. Section 32-1121, Arizona Revised Statutes, as amended by Laws 2019, chapter 145, section 5, is amended to read:

32-1121. Persons not required to be licensed; penalties; applicability

A. This chapter does not apply to:

1. An authorized representative of the United States government, this state or any county, incorporated city or town, reclamation district, irrigation district or other municipality or political subdivision of this state.

2. Officers of a court or trustees of an express trust that is not formed for the purpose of conducting business as a contractor, if they are acting within the terms of their office or trust.

3. Public utilities operating under regulation of the corporation commission or construction, repair or operation incidental to discovering or producing petroleum or gas, or the drilling, testing, abandoning or other operation of a petroleum or gas well, if performed by an owner or lessee.

4. Except as provided in subsection D of this section, any materialman, manufacturer or retailer who informs the purchaser that the installation may also be performed by a licensed contractor whose name and address the purchaser may request ~~and~~, who furnishes finished products, materials or articles of merchandise and who EITHER:

(a) Does not install or attach such items.

(b) Installs or attaches such items if the total value of the sales contract or transaction involving such items and the cost of the installation or attachment of such items to a structure does not exceed $1,000, including labor, materials and all other items, but excluding any electrical fixture or appliance that meets all of the following:

(i) Was designed by the manufacturer.

(ii) Is unaltered, unchanged or unmodified by any person.

(iii) Can be plugged into a common electrical outlet.

5. Owners of property who improve such property or who build or improve structures or appurtenances on such property and who do the work themselves, with their own employees or with duly licensed contractors, if the structure, group of structures or appurtenances, including the improvements thereto, are intended for occupancy solely by the owner and are not intended for occupancy by members of the public as the owner's employees or business visitors and the structures or appurtenances are not intended for sale or for rent. In all actions brought under this chapter, except an action against an owner-occupant as defined in section 33-1002, proof of the sale or rent or the offering for sale or rent of any such structure by the owner-builder within one year after completion or

issuance of a certificate of occupancy is prima facie evidence that such project was undertaken for the purpose of sale or rent. For the purposes of this paragraph, "sale" or "rent" includes any arrangement by which the owner receives compensation in money, provisions, chattels or labor from the occupancy or the transfer of the property or the structures on the property.

6. Owners of property who are acting as developers and who build structures or appurtenances to structures on their property for the purpose of sale or rent and who contract for such a project with a general contractor licensed pursuant to this chapter and owners of property who are acting as developers, who improve structures or appurtenances to structures on their property for the purpose of sale or rent and who contract for such a project with a general contractor or specialty contractors licensed pursuant to this chapter. To qualify for the exemption under this paragraph, the licensed contractors' names and license numbers must be included in all sales documents.

7. Architects or engineers who are engaging in their professional practice as defined in chapter 1 of this title and who hire or offer to hire the services of a contractor for preconstruction activities relating to investigation and discovery, including:

(a) Subsurface utility location and designation services.

(b) Potholing.

(c) Drilling for any of the following:

(i) Soil samples.

(ii) Rock samples.

(iii) Pavement samples.

(d) Locating existing features of a building or structure, including existing electrical, mechanical, plumbing and structural members.

8. A person licensed, certified or registered pursuant to title 3, chapter 20 or a person working under the direct supervision of a person certified or qualified pursuant to title 3, chapter 20 to the extent the person is engaged in pest management.

9. Except as provided in subsection D of this section, the sale or installation of finished products, materials or articles of merchandise that are not fabricated into and do not become a permanent fixed part of the structure. This exemption does not apply if a local building permit is required, if the removal of the finished product, material or article of merchandise causes damage to the structure or renders the structure unfit for its intended use or if the total price of the finished product, material or article of merchandise is more than $1,000, including labor but excluding any electrical fixture or appliance that meets all of the following:

(a) Was designed by the manufacturer.

(b) Is unaltered, unchanged or unmodified by any person.

(c) Can be plugged into a common electrical outlet.

10. Employees of the owners of condominiums, townhouses, cooperative units or apartment complexes of four units or less or the owners' management agent or employees of the management agent repairing or maintaining structures owned by them.

11. Any person who engages in the activities regulated by this chapter, as an employee of an exempt property owner or as an employee with wages as the person's sole compensation. [~~THIS PARAGRAPH DOES NOT APPLY TO WORK THAT IS DONE BY AN ELEVATOR CONTRACTOR OR ELEVATOR MECHANIC, INCLUDING THE INSTALLATION, SERVICE AND REPAIR OF ELEVATORS OR ELEVATOR EQUIPMENT. THE INSTALLATION, SERVICE AND REPAIR OF ELEVATORS OR ELEVATOR EQUIPMENT DO NOT INCLUDE ROUTINE WORK THAT IS CONDUCTED BY AN EMPLOYEE OF AN ELEVATOR CONTRACTOR AND THAT DOES NOT INVOLVE THE ACTUAL PHYSICAL INSTALLATION, MAINTENANCE AND REPAIR OF ELEVATORS.~~]

12. A surety company or companies that are authorized to transact business in this state and that undertake to complete a contract on which they issued a performance or completion bond, if construction work is performed by duly licensed contractors.

13. Insurance companies that are authorized to transact business in this state and that undertake to perform repairs resulting from casualty losses pursuant to the provisions of a policy, if construction work is performed by duly licensed contractors.

14. Except as provided in subsection D of this section, any person other than a licensed contractor engaging in any work or operation on one undertaking or project by one or more contracts, for which the aggregate contract price is less than $1,000, including labor, materials and all other items, but excluding any electrical fixture or appliance that was designed by the manufacturer, that is unaltered, unchanged or unmodified by any person and that can be plugged into a common electrical outlet. The work or operations that are exempt under this paragraph must be of a casual or minor nature. This exemption does not apply:

(a) In any case in which the performance of the work requires a local building permit.

(b) In any case in which the work or construction is only a part of a larger or major operation, whether undertaken by the same or a different contractor, or in which a division of the operation is made in contracts of amounts less than $1,000, excluding any electrical fixture or appliance that was designed by the manufacturer, that is unaltered, unchanged or unmodified by any person and that can be plugged into a common electrical outlet.

(c) To a person who utilizes any form of advertising to the public in which the person's unlicensed status is not disclosed by including the words "not a licensed contractor" in the advertisement.

15. A person who is licensed, certified or registered pursuant to title 41, chapter 37, article 4 and who is not otherwise required to be licensed under this chapter or an employee of such person.

16. A person who functions as a gardener by performing lawn, garden, shrub and tree maintenance.

17. Alarm agents as defined in section 32-101.

B. A person who is licensed to perform work in a particular trade pursuant to this chapter is not required to obtain and maintain a separate license for mechanical or structural service work performed within the scope of such trade by such person.

C. Any person who does not have an exemption from licensure pursuant to subsection A, paragraph 14, subdivision (c) of this section is subject to prosecution for a violation of section 44-1522. The attorney general may investigate the act or practice and take appropriate action pursuant to title 44, chapter 10, article 7.

D. The exemptions from licensure pursuant to subsection A, paragraphs 4, 9 and 14 of this section do not apply to [~~either~~] [ANY] of the following:

1. All fire safety and mechanical, electrical and plumbing work that is done in connection with fire safety installation and fire safety maintenance and repair. For the purposes of this paragraph, "fire safety installation" means hardwired or interconnected smoke alarms and fire sprinklers and does not include an individual device that is attached by a nail, screw or other fastening device to the frame or foundation of any residential unit. For the purposes of this paragraph, fire safety maintenance and repair does not include routine work that is conducted by an employee of an apartment or condominium complex and that is incidental to the fire safety equipment.

2. All work that is done, including the installation, maintenance and repair of devices, appliances or equipment, that involves the connecting to any supply of natural gas, propane or other petroleum or gaseous fuel. Nothing in this paragraph impacts the effect of section 36-1624.01.

[3. ALL WORK THAT IS DONE BY AN ELEVATOR CONTRACTOR OR ELEVATOR MECHANIC, INCLUDING THE INSTALLATION, SERVICE, TESTING AND REPAIRS OF ELEVATORS OR ELEVATOR EQUIPMENT. THE INSTALLATION, SERVICE, TESTING AND REPAIR OF ELEVATORS OR ELEVATOR EQUIPMENT DO NOT INCLUDE ROUTINE WORK THAT IS CONDUCTED BY AN EMPLOYEE OF AN ELEVATOR CONTRACTOR AND THAT DOES NOT INVOLVE THE ACTUAL PHYSICAL INSTALLATION, MAINTENANCE, TESTING AND REPAIR OF ELEVATORS.]

E. A joint venture or other combination of persons, firms, partnerships, corporations, associations or other organizations is not required to obtain a separate contractor's license in its own name if all of the following apply:

1. At least one member of the joint venture or combination holds a contractor's license in good standing with the registrar.

2. Each member of the joint venture or combination that acts as a contractor holds a license in good standing with the registrar.

3. Each licensed member of the joint venture or combination only performs work within the scope of that member's contractor's license or licenses.

Sec. 6. Section 32-1151, Arizona Revised Statutes, is amended to read:

32-1151. Engaging in contracting without license prohibited; elevator contractors

A. It is unlawful for any person, firm, partnership, corporation, association or other organization, or a combination of any of them, to engage in the business of, submit a bid or respond to a request for qualification or a request for proposals for construction services as, act or offer to act in the capacity of or purport to have the capacity of a contractor without having a contractor's license in good standing in the name of the person, firm, partnership, corporation, association or other organization as provided in this chapter, unless the person, firm, partnership, corporation, association or other organization is exempt as provided in this chapter. Evidence of securing a permit from a governmental agency or the employment of a person on a construction project shall be accepted in any court as prima facie evidence of existence of a contract.

B. IT IS [~~UNLAWFUL~~] [A VIOLATION OF THIS CHAPTER] FOR A PERSON TO CONDUCT THE FOLLOWING ACTIVITIES UNLESS THE PERSON IS AN ELEVATOR MECHANIC WHO IS WORKING UNDER THE DIRECT SUPERVISION OF A LICENSED ELEVATOR CONTRACTOR:

1. ERECT, CONSTRUCT, ALTER, REPLACE, MAINTAIN, REMOVE[, TEST] OR DISMANTLE ANY ELEVATOR OR RELATED CONVEYANCE CONTAINED WITHIN BUILDINGS OR STRUCTURES IN THIS STATE.

2. WIRE ANY ELEVATOR OR RELATED CONVEYANCE FROM THE MAINLINE FEEDER TERMINALS ON THE CONTROLLER.

C. SUBSECTION B OF THIS SECTION DOES NOT APPLY TO THE REMOVAL OR DISMANTLING OF CONVEYANCES THAT ARE DESTROYED AS A RESULT OF A DEMOLITION OF A SECURED BUILDING OR STRUCTURE OR FOR WHICH THE HOISTWAY OR WELLWAY IS DEMOLISHED BACK TO THE BASIC SUPPORT STRUCTURE WHEREBY NO ACCESS IS ALLOWED TO THE BASIC SUPPORT STRUCTURE TO ENDANGER THE SAFETY AND WELFARE OF A PERSON.

Enroll and engross to conform
Amend title to conform

JEFF WENINGER

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

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2233

DATE February 11, 2025 MOTION: DPA

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

Abby Selvey
COMMITTEE SECRETARY

APPROVED:
Jeff Weninger
JEFF WENINGER, Chairman
MICHAEL WAY, Vice-Chairman

ATTACHMENT 25