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

COMMITTEE ON COMMERCE

Report of Regular Meeting
Tuesday, February 8, 2022
House Hearing Room 3 -- 2:00 P.M.

Convened 2:06 P.M.
Recessed
Reconvened
Adjourned 2:52 P.M.

MINUTES RECEIVED
CHIEF CLERK'S OFFICE
2-11-22

Members Present
Mr. Carter
Mr. Chávez
Mr. Cook
Mr. Espinoza
Mrs. Liguori
Mr. Meza
Mr. Wilmeth
Mr. Chaplik, Vice-Chairman
Mr. Weninger, Chairman

Members Absent
Mr. Kaiser

Agenda
Original Agenda – Attachment 1

Request to Speak
Report – Attachment 2

Committee Attendance
Report – Attachment 3

Committee Action

Bill	Action	Vote	Attachments
HB2509	HELD		4
HB2374	DP	9-0-0-1	5, 6
HB2585	DPA	9-0-0-1	7, 8, 9
HB2407	DP	9-0-0-1	10, 11
HB2607	DP	7-2-0-1	12, 13
HB2660	DP	8-0-1-1	14, 15

Jacqueline Denlinger, Committee Secretary
February 11, 2022

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

convened: 2:06pm
adjourned: 2:52pm

REVISED #2 - 2/08/22 **REVISED #2 - 2/08/22** **REVISED #2 - 2/08/22**

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

REGULAR MEETING AGENDA

COMMITTEE ON COMMERCE

DATE Tuesday, February 8, 2022 ROOM HHR 3 TIME 2:00 P.M.

Members of the public may access a livestream of the meeting here:
https://www.azleg.gov/videoplayer/?clientID=6361162879&eventID=2022021036

Members:

Mr. Carter	Mr. Kaiser	Mr. Wilmeth
Mr. Chávez	Mrs. Liguori	Mr. Chaplik, Vice-Chairman
Mr. Cook	Mr. Meza	Mr. Weninger, Chairman
Mr. Espinoza		

Bills		Short Title	Strike Everything Title
~~HB2234~~		~~vacation rentals; short-term rentals; enforcement.~~	
		~~(Kaiser: Mesnard)~~	
		~~COM, RULES~~	
HB2374 (1)	DP 9-0-0-1	acute care services; pilot program (Cobb) COM, RULES	
HB2407 (3)	DP 9-0-0-1	ambulances; mileage rate calculation (Griffin) COM, RULES	
HB2509	HELD	racing; boxing; transfer; gaming commission. (Biasiucci) COM, RULES	
HB2585 (2)	DPA 9-0-0-1	motor carrier; safety improvement (Weninger) COM, RULES	

Attachment 1

Bills		Short Title	Strike Everything Title
HB2607 (4)	DP 7-2-0-1	appropriation; STEM; learning; workforce development (John: Kaiser) COM, APPROP, RULES	
HB2660 (5)	DP 8-0-1-1	liquor; licensing; processes; procedures (Weninger) COM, RULES	
→ ~~HB2674~~		~~municipal zoning; by right housing~~ ~~(Kaiser: Chávez)~~ ~~COM, APPROP, RULES~~	

ORDER OF BILLS TO BE SET BY THE CHAIRMAN

DF

02/08/2022

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 (2/8/2022)

HB2374, acute care services; pilot program

Testified in support:
Gregory Spurlock, representing self

Support:
Ezra Grace, representing self; Meghaen Dell'Artino, AMERICAN MEDICAL RESPONSE; Steve Barclay, MAYO CLINIC ARIZONA; Robert Dalager, HEALTHCARE INNOVATIONS, INC, RURAL/METRO CORP

All Comments:
Robert Dalager, HEALTHCARE INNOVATIONS, INC, RURAL/METRO CORP: In support

HB2407, ambulances; mileage rate calculation

Testified in support:
Robert Dalager, HEALTHCARE INNOVATIONS, INC

Support:
Tom Dorn, AMERICAN MEDICAL RESPONSE; Ezra Grace, representing self

HB2509, racing; boxing; transfer; gaming commission.

Support:
Bas Aja, DIR. GOV RELATIONS, Az Horsemens Benevolent & Protective Assoc; Robert Hutton, representing self; Ezra Grace, representing self

Neutral:
Aiden Fleming , AZ DEPT OF GAMING

Oppose:
Wendy Briggs, TOHONO O'ODHAM NATION; Michael Haener, Partner, SALT RIVER PIMA-MARICOPA INDIAN COMMUNITY; Theresa Ulmer, COCOPAH INDIAN TRIBE; Jaime Molera, AZ INDIAN GAMING ASSN

All Comments:
Robert Hutton, Self: President AHBPA

HB2585, motor carrier; safety improvement

Support:

Tony Bradley, President and CEO, Arizona Trucking Association; Steve Trussell, Arizona Mining Association, AZ ROCK PRODUCTS ASSN; Marie Isaacson, AZ TRUCKING ASSOCIATION; Courtney Coolidge, AZ CHAMBER OF COMMERCE; Mike Gardner, Fedex; Don Isaacson, Arizona Trucking Association

All Comments:

Tony Bradley, Arizona Trucking Association: HB2585 allows motor carriers to deploy safety technologies, without jeopardizing whether a driver is an employee or independent contractor.; Don Isaacson, Arizona Trucking Association: I would like to speak, if necessary.

HB2607, appropriation; STEM; learning; workforce development

Support:

Oris Friesen, representing self; Blake Sacha, representing self; Julie Engel, representing self; Rebecca Gau, STAND FOR CHILDREN; Johanna Haver, representing self; Rahsaan Bartet, representing self; Lynn Parsons, representing self; Dianna Gates, representing self; Ezra Grace, representing self; Carrie Cohill, representing self; Dianne McCallister, Arizona Technology Council; Steven Zylstra, representing self; Eric Miller, representing self; Marlene Leatherwood, representing self

Neutral:

Jennifer Wellsman, representing self; Brett Galley, Arizona Commerce Authority; Jeremy Babendure, representing self

Oppose:

Buffalo Rick Galeener, representing self; Jere Fredenburgh, representing self; Barbara Blewster, representing self; Christine Maceri Genge, representing self; Mark Logan, representing self; richard sperry, representing self; Corinne Haynes, representing self; Linda Wix, representing self; Gary Saxhaug, representing self; Lynn Ludwig, representing self; Mary Grace Werner, representing self; Sue Unverricht, representing self; Vicki Smith, representing self; Teri Grunewald, representing self; Kevin vanderjack, representing self; Marcia Weiss, representing self; Carrie Heikkala, representing self; Jack Payne, representing self; LJ Busam, representing self; JL Simpson, representing self; Michelle Sullivan, representing self; Wendy Jonessee, representing self; David Barnett, representing self; Cynthia Sampson, representing self

All Comments:

Julie Engel, Self: This funding is absolutely critical to Rural Areas and we completely support this.; Eric Miller, Self: This bill almost made it last year with strong bipartisan support. The tech business community would like to see the legislature step up and fund STEM efforts that let local schools and organizations propose and run programs that fit their needs.; Jere Fredenburgh, Self: STEM learning should occur in our schools, not in a 'separate' entity. when funding expires, program expires.; Barbara Blewster, Self: The tax payer does not need to pay anymore for people to be trained. That can be done in apprenticeship. Only those involved pay.; Corinne Haynes, Self: No more bureaucracies in our schools. Way too much spending with little or no accountability, transparency or student achievement.; Sue Unverricht, Self: No thank you to additional $3million annually bureaucracy. STEM learning should already be offered in schools. And I believe it is - at publicly funded elementary, secondary, community

college and 4 year colleges.; Vicki Smith, Self: Another bureaucracy for the sake of bureaucracy. STEM education should take place in schools, not via the commerce authority or any other private-government complex.; Teri Grunewald, Self: Stop mire bureaucracy. STEM education should only take place in schools.; Marcia Weiss, Self: Workforce development should be done by the high tech mega profitable businesses w/in the state; this should be a L/T investment based on tech company tax breaks & special land incentives; why is the taxpayer footing the bills for their profits?; Carrie Heikkala, Self: Another bureaucracy for the sake of a bureaucracy. STEM education should take place in schools, not via the commerce authority or any other private-government complex.; LJ Busam, Self: Vote NO!; Michelle Sullivan, Self: I see no reason taxpayers should have to fund this. Make agreements with private corporations for this type of training.; David Barnett, Self: Another pilot program? that they plan to continue funding ad infinitum; Cynthia Sampson, Self: Education's (teachers, counselors, etc) to develop partnerships with schools & industry. No Tax dollars!

HB2660, liquor; licensing; processes; procedures

Support:

Don Isaacson, Arizona Licensed Beverage Association, VESTAR DEVELOPMENT CO.; Steve Barclay, BEER & WINE DISTRIBUTORS OF ARIZONA; Camila Alarcon, ARIZONA CRAFT BREWERS GUILD; Thomas Aguilera, representing self; Tom Farley, Wine Spirits Wholesalers Association Of Arizona; Trish Hart, AZ FOOD MARKETING ALLIANCE; Marie Isaacson, AZ LICENSED BEVERAGE ASSN, VESTAR DEVELOPMENT CO.; Rob Fullmer, ARIZONA CRAFT BREWERS GUILD; Dr Garrison Ellam, representing self

Neutral:

Tom Savage, LEAGUE OF ARIZONA CITIES & TOWNS; Lauren Armour, PHOENIX, CITY OF

All Comments:

Dr Garrison Ellam, Self: HB2660 is a consensus effort by the stakeholders of the Liquor Industry and contains technical corrections vital to the interpretation and enforcement of ARS Title 4; Tom Savage, LEAGUE OF ARIZONA CITIES & TOWNS: Working with the proponents to address some concerns with the language.

PLEASE COMPLETE THIS FORM FOR THE PUBLIC RECORD

HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Commerce Bill Number 2607

Date 2/8/2022 ☐ Support ☐ Oppose ☒ Neutral

Name Jeremy Beaudoin Need to Speak? ☐ Yes ☐ No if needed

Representing Scitech Are you a registered lobbyist? ____

Complete Address 1438 W Broadway Rd Tempe AZ 85282

Email Address jbeaudoin@scitechinstitute.org Phone Number 480 250 7701

Comments: _____

*** Speaking limit determined by Chair ***

PLEASE COMPLETE THIS FORM FOR THE PUBLIC RECORD

HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Commerce Bill Number 2607

Date 2/8/2022 ☒ Support ☐ Oppose ☐ Neutral

Name Nick Loper Need to Speak? ☒ Yes ☐ No

Representing AZ Technology Council Are you a registered lobbyist? Yes

Complete Address _____

Email Address nick@d3gr.com Phone Number 520 870 3108

Comments: _____

*** Speaking limit determined by Chair ***

PLEASE COMPLETE THIS FORM FOR THE PUBLIC RECORD

HOUSE OF REPRESENTATIVES

Please PRINT Clearly

Committee on Commerce Bill Number HB2609

Date Feb. 8, 2022 ☒ Support ☐ Oppose ☐ Neutral

Name Steven Zylstra Need to Speak? ☒ Yes ☐ No

Representing Arizona Technology Council Are you a registered lobbyist? No

Complete Address 9101 E. La Paloma Ct. Scottsdale

Email Address szylstra@gotechaz.org Phone Number 480-363-4997

Comments: _____

*** Speaking limit determined by Chair ***

ARIZONA STATE LEGISLATURE

Fifty-fifth Legislature - Second Regular Session

COMMITTEE ATTENDANCE RECORD

COMMITTEE ON **COMMERCE**

CHAIRMAN: Jeff Weninger VICE-CHAIRMAN: Joseph Chaplik

	DATE	02/08/22	/22	/22	/22	/22
	CONVENED	2:06pm	m	m	m	m
	RECESSED					
	RECONVENED					
	ADJOURNED	2:52p.m				
MEMBERS						
Carter		✓				
Chávez		✓				
Cook		✓				
Espinoza		✓				
Kaiser		---				
Liguori		✓				
Meza		✓				
Wilmeth		✓				
Chaplik, Vice-Chairman		✓				
Weninger, Chairman		✓				

√ Present --- Absent exc Excused

Attachment 3

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

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2509

DATE February 08, 2022 MOTION: HELD

	PASS	AYE	NAY	PRESENT	ABSENT
Carter					
Chávez					
Cook					
Espinoza					
Kaiser					
Liguori					
Meza					
Wilmeth					
Chaplik, Vice-Chairman					
Weninger, Chairman					

Jacqueline Darby
COMMITTEE SECRETARY

APPROVED:

JEFF WENINGER, Chairman
JOSEPH CHAPLIK, Vice-Chairman

ATTACHMENT 4

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
Second Regular Session

HB 2374: acute care services; pilot program
Sponsor: Representative Cobb, LD 5
Committee on Commerce

Overview

Outlines requirements for a *mobile health practitioner* for the purposes of the Acute Care at Home Pilot Program (pilot program).

History

Laws 2021, Chapter 320 established a three-year pilot program that allowed for the delivery of acute care services to patients in their home by licensed Arizona hospitals. The pilot program is administered by the Arizona Department of Health Service (ADHS) who establishes the pilot program's rules and collaborates with interested hospitals (Hospital at Home Program).

Provisions

1. Asserts that, in providing healthcare services, the hospitals participating in the pilot program must include the services of mobile health practitioners. (Sec. 1)
2. Requires a *mobile health practitioner*:
   a) to have at least two years of experience as a paramedic and be certified in community paramedicine before January 1, 2023;
   b) beginning January 1, 2023, to have at least two years of experience as a paramedic and be certified in community paramedicine before being employed as a mobile health practitioner; and
   c) to provide health care services under supervision of a licensed physician who works for the ambulance service that employs the mobile health practitioner. (Sec. 1)
3. Specifies that the supervising physician is responsible for directing and reviewing the health care services and activities of the mobile health practitioner. (Sec. 1)
4. Prescribes a mobile health practitioner's scope of practice as that which is delegated to the mobile health practitioner by the supervising physician. (Sec. 1)
5. Asserts that if the pilot program requires in-person visits, a mobile health practitioner may provide those visits in place of a nurse visit. (Sec. 1)
6. Permits required nurse visits to be conducted either virtually or in person. (Sec. 1)
7. Makes conforming and technical changes. (Sec. 1)

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

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

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2374

DATE February 08, 2022 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Carter		✓			
Chávez		✓			
Cook		✓			
Espinoza		✓			
Kaiser					✓
Liguori		✓			
Meza		✓			
Wilmeth		✓			
Chaplik, Vice-Chairman		✓			
Weninger, Chairman		✓			
		9	0	0	1

Jacqueline Darby
COMMITTEE SECRETARY

APPROVED:

JEFF WENINGER, Chairman
JOSEPH CHAPLIK, Vice-Chairman

ATTACHMENT 6

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
Second Regular Session

HB 2585: motor carrier; safety improvement
Sponsor: Representative Weninger, LD 17
Committee on Commerce

Overview

Prevents the consideration of a motor carrier's use of safety improvement in evaluating employee or independent contractor status.

History

An *employee* is any person who performs services for an employer and who is subject to the direction, rule or control of the employer as to both the method of performing the services and the result to be accomplished. Statute describes control as setting the employee's work hours, work location, right to perform services for other employers, use of certain tools, equipment, materials, expenses and using other workers. Statute also lists individuals that do not fall into the category of *employee*, such as independent contractors, agents or consultants, or those working in an independent trade, skill or occupation (A.R.S. § 23-613.01).

A *motor carrier* is a person who operates a commercial motor vehicle on the highway. These vehicles are designed or used to transport passengers or property by a commercial enterprise, such as a bus, a vehicle that transports eight or more passengers for hire or a vehicle that has a gross weight rating over 10 thousand pounds (A.R.S. 28-5201).

Provisions

1. Asserts a motor carrier's use of safety improvement may not be considered when evaluating a person's status as an employee or independent contractor. (Sec. 1)
2. Defines *safety improvement* as any device, equipment, software, technology, procedure, training, policy, program or operational practice intended and primarily used to improve or facilitate any of the following:
   a) compliance with traffic safety or motor carrier safety laws;
   b) safety of a motor vehicle;
   c) safety of the operation of a motor vehicle; or
   d) safety of third-party users of a public highway. (Sec. 1)
3. Defines *motor carrier* as a person who operates or causes to be operated a commercial motor vehicle on a public highway. (Sec. 1)

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

Fifty-fifth Legislature
Second Regular Session

Commerce
H.B. 2585

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2585

(Reference to printed bill)

Page 1, line 6, strike "A MOTOR CARRIER'S USE OF" insert "THE DEPLOYMENT, IMPLEMENTATION OR USE OF"; after "IMPROVEMENT" insert "BY OR AS REQUIRED BY A MOTOR CARRIER OR ITS RELATED ENTITY, INCLUDING BY CONTRACT,"

Line 7, strike "OR" insert a comma

Line 8, after "CONTRACTOR" insert "OR JOINTLY EMPLOYED EMPLOYEE UNDER ANY STATE LAW."

Amend title to conform

JEFF WENINGER

~~2585WENINGER~~
~~01/21/2022~~
~~11:17 AM~~
~~C: SK~~

2585WENINGER
02/07/2022
09:28 AM
H: PRB/ls

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

Attachment 8

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

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2585

DATE February 08, 2022 MOTION: DPA

	PASS	AYE	NAY	PRESENT	ABSENT
Carter	✓	✓			
Chávez		✓			
Cook		✓			
Espinoza		✓			
Kaiser					✓
Liguori		✓			
Meza		✓			
Wilmeth		✓			
Chaplik, Vice-Chairman		✓			
Weninger, Chairman		✓			
		9	0	0	1

Jacqueline Dirk
COMMITTEE SECRETARY

APPROVED:

JEFF WENINGER, Chairman
JOSEPH CHAPLIK, Vice-Chairman

ATTACHMENT 9

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
Second Regular Session

HB 2407: ambulances; mileage rate calculation
Sponsor: Representative Griffin, LD 14
Committee on Commerce

Overview

Specifies factors the Department of Health Services (DHS) must incorporate into its calculation of ambulance mileage rates.

History

DHS is responsible for adopting rules to regulate the operation of ambulances and ambulance services. Such rules must provide for the Department to regulate just, reasonable and sufficient rates and charges for the provision of ambulances. DHS is permitted to establish a rate and charge structure as defined by federal Medicare guidelines for ambulance services (A.R.S. § 36-2232).

Under current rule, DHS, when calculating the proposed mileage rates for ambulances, factors in:

1) the cost of licensure and registration of each ground ambulance vehicle (ambulance);
2) the cost of ambulance insurance;
3) the cost of fuel and tires;
4) the cost of ambulance maintenance and repair;
5) the cost of mechanic wages, benefits and payroll taxes;
6) the cost of loan interest related to the ambulances;
7) the cost of weighted allocation of overhead;
8) the cost of ambulance depreciation;
9) the cost of reserves for replacement of ambulances and equipment; and
10) mileage reimbursement as established by Medicare guidelines for ground ambulance service (R9-25-1107, AAC).

Provisions

1. Requires DHS, when calculating the proposed mileage rates for ambulances, to factor in the cost of:
   a) licensure and registration of each ambulance;
   b) ambulance insurance;
   c) fuel and tires;
   d) ambulance maintenance and repair;
   e) mechanic wages, benefits and payroll taxes;
   f) loan interest related to the ambulances;
   g) weighted allocation of overhead;
   h) ambulance depreciation; and
   i) reserves for replacement of ambulances and equipment. (Sec. 1)
2. Makes conforming changes. (Sec. 1)

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

Attachment 10

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

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2407

DATE February 08, 2022 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Carter	✓	✓			
Chávez		✓			
Cook		✓			
Espinoza		✓			
Kaiser					✓
Liguori		✓			
Meza		✓			
Wilmeth		✓			
Chaplik, Vice-Chairman		✓			
Weninger, Chairman		✓			
		9	0	0	1

Jacqueline Dorf
COMMITTEE SECRETARY

APPROVED:

JEFF WENINGER, Chairman
JOSEPH CHAPLIK, Vice-Chairman

ATTACHMENT 11

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
Second Regular Session

HB 2607: appropriation; STEM; learning; workforce development
Sponsor: Representative John, LD 4
Committee on Commerce

Overview
Appropriates $3,000,000 to the Arizona Commerce Authority (ACA) for the STEM learning and workforce development grant program (Program).

History
The ACA promotes workforce development by providing private sector leadership in growing and diversifying Arizona's economy and creating high quality employment through the expansion, attraction and retention of businesses (A.R.S. § 41-1502).

STEM stands for science, technology, engineering and mathematics. The State Board of Education may issue a specialized teaching certificate in STEM education for instruction in a career and technical education course or program offered by a school or career technical education district (A.R.S. § 15-782.01).

Provisions
1. Appropriates $3,000,000 from the state General Fund in FY 2023 to the ACA for administering the Program. (Sec. 1)
2. Specifies the Program is intended to build STEM networks to leverage assets on every community level with funding priority given to rural and semirural areas. (Sec. 1)
3. Directs the ACA to maximize and connect STEM learning and workforce development opportunities provided by certain entities, school districts, science centers and higher education institutions. (Sec. 1)
4. Exempts the appropriation from lapsing. (Sec. 1)
5. Asserts the legislature intends that the appropriation be considered ongoing funding in future years. (Sec. 1)
6. Requires the ACA to use the U.S. Department of Agriculture's most recent urban-rural code scheme, for categorizing rural and semirural areas. (Sec. 1)
7. Directs the ACA to submit a report on the distribution of grant monies to the legislature by December 31, 2022. (Sec. 1)

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

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

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2607

DATE February 08, 2022 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Carter			✓		
Chávez		✓			
Cook		✓			
Espinoza		✓			
Kaiser					✓
Liguori		✓			
Meza		✓			
Wilmeth		✓			
Chaplik, Vice-Chairman			✓		
Weninger, Chairman		✓			
		7	2	0	1

Jacqueline Dent
COMMITTEE SECRETARY

APPROVED:

JEFF WENINGER, Chairman
JOSEPH CHAPLIK, Vice-Chairman

ATTACHMENT 13

ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
Second Regular Session

HB 2660: liquor; licensing; processes; procedures
Sponsor: Representative Weninger, LD 17
Committee on Commerce

Overview
Authorizes an owner of a regional shopping center to apply for an extension of premises. Amends liquor statutes relating to Farm Winery Licenses and liquor sales.

History
The Department of Liquor Licenses and Control (DLLC), which consists of the State Liquor Board and the Office of the Director of the Department regulates the manufacture, distribution and sale of liquor in this state through the issuance of 21 license types or series.

Pursuant to A.R.S. § 4-207.02, one or more on-sale spirituous liquor licensees with the same type of bar, beer and wine bar, restaurant or remote tasting room license may apply to DLLC for a joint premises permit. The application must contain plans and diagrams that completely disclose and designate the physical arrangement of the proposed joint premises. If approved, the joint premises area is considered an extension of premises for each of the approved applicants. The joint premises is limited to common areas that are pedestrian only and not immediately adjacent to a road, driveway or parking area.

Provisions

Regional Shopping Centers
Extension of Premises

1. Authorizes certain owners of a regional shopping center, on behalf of the shopping center's retail licensees, to apply to DLLC for an extension of the premises. (Sec. 6)
2. Specifies the premises extension allows designated on-sale retail licensees to sell spiritous liquor for consumption by patrons throughout a designated pedestrian area. (Sec. 6)
3. Outlines the application process. (Sec. 6)
4. Requires the application to include:
   a) plans or diagrams designating the specific premises extension and prescribes limitations to the extended premises; and
   b) the designated times of spiritous liquor service. (Sec. 6)
5. Asserts the retail licensees that are subject to the extension are responsible for compliance. (Sec. 6)
6. Provides further extension of premises regulations, including: a) application fees; b) day and time limitations; c) prohibition on altering the physical arrangement of the extended premises. (Sec. 6)

Miscellaneous

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

7. Transfers the authorization for a farm winery licensee to group two or more farm winery licenses at one location from the Farm Winery statutes to the Alternating Proprietorship statute. (Sec. 7)
8. Stipulates spiritous liquor sales made in connection with a professional or collegiate national sporting championship event held in Arizona may be extended until 3:00 a.m. if issued by a gubernatorial executive order. (Sec. 8)
9. Stipulates spiritous liquor consumption may be extended until 3:30 a.m. if a gubernatorial executive order extends the sales until 3:00 a.m. (Sec. 8)
10. Excludes wine produced under an alternating proprietorship as wine that may be
    a) consumed for quality control on the licensed farm winery festival premises. (Sec. 1)
    b) served for sampling purposes on the licensed farm winery premises. (Sec. 2)
    c) sold to a consumer physically present on the licensed farm winery premises. (Sec. 2)
    d) sold at the remote tasting and retail premises of a licensed farm winery. (Sec. 2)
11. Removes the restriction on issuing a license to premises located within 300 feet of a church. (Sec. 3)
12. Clarifies the licensee's duty to protect the customer's safety does not limit them from using reasonable intervention, restraint or removal of a person to prevent them from injuring others. (Sec. 5)
13. Makes conforming changes. (Sec. 2, 3, 4, 5, 8)

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

ROLL CALL VOTE

COMMITTEE ON Commerce BILL NO. HB 2660

DATE February 08, 2022 MOTION: DP

	PASS	AYE	NAY	PRESENT	ABSENT
Carter		✓			
Chávez		✓			
Cook				✓	
Espinoza		✓			
Kaiser					✓
Liguori		✓			
Meza		✓			
Wilmeth		✓			
Chaplik, Vice-Chairman		✓			
Weninger, Chairman		✓			
		8	0	1	1

Jacqueline Dial
COMMITTEE SECRETARY

APPROVED:

JEFF WENINGER, Chairman
JOSEPH CHAPLIK, Vice-Chairman

ATTACHMENT 15