Senate Engrossed House Bill

FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-first Legislature
First Regular Session
2013

CHAPTER 171

HOUSE BILL 2341

AN ACT

AMENDING SECTION 32-144, ARIZONA REVISED STATUTES; RELATING TO THE STATE BOARD OF TECHNICAL REGISTRATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Section 32-144, Arizona Revised Statutes, is amended to read:

32-144. Exemptions and limitations

A. Professions and occupations regulated by the board may be practiced without compliance with the requirements of this chapter by:

1. An officer or employee of the United States, practicing as such.

2. An employee of a registrant or of a person exempt from registration, if such employment does not involve direct responsibility for design, inspection or supervision.

3. A nonregistrant who designs, alters or adds to EITHER OF THE FOLLOWING:

(a) A detached single family dwelling.

(b) AN INDIVIDUAL UNIT IN A MULTIFAMILY DWELLING IF THE WALLS THAT ARE DESIGNED, ALTERED OR ADDED IN THE UNIT ARE NOT BEARING WALLS, SHEAR WALLS OR FIREWALLS, WHICH SHALL BE DETERMINED BY A REGISTRANT FOLLOWING AN EVALUATION OF THE WALLS TO BE DESIGNED, ALTERED OR ADDED.

4. A nonregistrant who designs a one or two story building or structure in which the square footage of the floor area measured to the outside surface of the exterior walls does not exceed three thousand square feet, that is not intended for occupancy by more than twenty persons on a continuous basis and in which the maximum span of any structural member does not exceed twenty feet unless a greater span is achieved by the use of wood or steel roof or floor trusses or lintels approved by an engineer registered by the board.

5. A nonregistrant who designs additions or alterations to a one or two story building or structure subject to the limitations set forth in paragraph 4 of this subsection. A nonregistrant may exceed the maximum three thousand square foot limitation set forth in paragraph 4 of this subsection for a one-time single addition not exceeding one thousand five hundred square feet as measured to the outside surface of the exterior walls and designed for the purpose of storage of chattels.

6. A nonregistrant who designs a water or wastewater treatment plant, or extensions, additions, modifications or revisions, or extensions to water distribution or collection systems, if the total cost of such construction does not exceed twelve thousand five hundred dollars.

7. A nonregistrant who designs buildings or structures to be erected on property owned or leased by the nonregistrant or by a person, firm or corporation, including a utility, telephone, mining or railroad company, which employs the nonregistrant on a full-time basis, if the buildings or structures are intended solely for the use of the owner or lessee of the property, are not ordinarily occupied by more than twenty people, are not for sale to, rental to or use by the public and conform to the building code adopted by the city, town or county in which the building is to be erected or altered.

8. A nonregistrant who provides horticultural consultations or prepares planting plans for plant installations.

B. A registrant who performs any of the activities described in subsection A, paragraphs 3 through 8 OF THIS SECTION is subject to the requirements of this chapter.

C. The requirements of this chapter shall not apply to work done by any communications common carrier or its affiliates or any public service corporation or manufacturing industry or by full-time employees of any of them, provided such work is in connection with or incidental to the products, systems or nonengineering services of such communications common carrier or its affiliates or public service corporation or manufacturing industry, and provided that the engineering service is not offered directly to the public.

D. An individual shall not perform home inspections unless the individual is certified as a home inspector pursuant to this chapter, except that nothing in this chapter prevents:

1. A person who is licensed, certified or registered pursuant to this chapter or another chapter in this title from acting within the scope of the person's license, certification or registration.

2. A person who is employed by a governmental entity from inspecting residential structures if the inspection is within official duties and responsibilities.

3. A person from performing a home inspection if the inspection will be used solely by a bank, savings and loan association or credit union to monitor progress on the construction of a residential structure, unless otherwise required by federal law or regulation.

4. A person who is employed as a property manager for a residential structure and whose official duties and responsibilities include inspecting the residential structure from performing a home inspection on the structure if the person does not receive separate compensation for the inspection work.

E. No person including a person described in subsection D OF THIS SECTION may use any letterhead, advertisement, communication or other device to represent that the person is a home inspector unless the person is certified as a home inspector pursuant to this chapter.

APPROVED BY THE GOVERNOR MAY 2, 2013.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 2, 2013.

Passed the House February 25, 2013

by the following vote: 59 Ayes,

1 Nays, 0 Not Voting

Speaker of the House

Chief Clerk of the House

Passed the Senate April 11, 2013

by the following vote: 23 Ayes,

4 Nays, 3 Not Voting

President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

_____ day of _____, 20_____

at _____ o'clock _____M.

Secretary to the Governor

Approved this _____day of

_____

at _____o'clock _____M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this _____ day of _____, 20_____

at _____ o'clock _____M.

Secretary of State

H.B. 2341

HOUSE CONCURS IN SENATE AMENDMENTS AND FINAL PASSAGE

April 30, 2013,

by the following vote: 53 Ayes,

6 Nays, 1 Not Voting

Speaker of the House

Cheryl Laube

Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

30 day of April, 2013,

at 2:40 o'clock P M.

Mikhaila Howard

Secretary to the Governor

Approved this 2nd day of

May, 2013,

at 2:53 o'clock P. M.

Janice K. Brewer

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 2nd day of May, 2013,

at 4:55 o'clock P M.

Jim Drake

acting Secretary of State

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