

State of Arizona  
Senate  
Fifty-third Legislature  
First Regular Session  
2017

Senate Engrossed  
**FILED**  
**MICHELE REAGAN**  
**SECRETARY OF STATE**

CHAPTER 116  
**SENATE BILL 1246**

AN ACT

AMENDING SECTION 32-1158, ARIZONA REVISED STATUTES; RELATING TO  
CONTRACTORS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 32-1158, Arizona Revised Statutes, is amended to  
3 read:

4 32-1158. Provision of documents and receipt at contract  
5 signing

6 ~~A. From and after December 31, 1992 until December 31, 2007, any~~  
7 ~~contract in an amount of more than one thousand dollars and less than one~~  
8 ~~hundred fifty thousand dollars entered into between a contractor and the~~  
9 ~~owner of a property to be improved shall contain in writing at least the~~  
10 ~~following information:~~

11 ~~1. The name of the contractor and the contractor's business address~~  
12 ~~and license number.~~

13 ~~2. The name and mailing address of the owner and the jobsite~~  
14 ~~address or legal description.~~

15 ~~3. The date the parties entered into the contract.~~

16 ~~4. The estimated date of completion of all work to be performed~~  
17 ~~under the contract.~~

18 ~~5. A description of the work to be performed under the contract.~~

19 ~~6. The total dollar amount to be paid to the contractor by the~~  
20 ~~owner for all work to be performed under the contract, including all~~  
21 ~~applicable taxes.~~

22 ~~7. The dollar amount of any advance deposit paid or scheduled to be~~  
23 ~~paid to the contractor by the owner.~~

24 ~~8. The dollar amount of any progress payment and the stage of~~  
25 ~~construction at which the contractor will be entitled to collect progress~~  
26 ~~payments during the course of construction under the contract.~~

27 ~~B. A. From and after December 31, 2007, Any contract in an amount~~  
28 ~~of more than one thousand dollars entered into between a contractor and~~  
29 ~~the owner of a property to be improved shall contain in writing at least~~  
30 ~~the following information:~~

31 ~~1. The name of the contractor and the contractor's business address~~  
32 ~~and license number.~~

33 ~~2. The name and mailing address of the owner and the jobsite~~  
34 ~~address or legal description.~~

35 ~~3. The date the parties entered into the contract.~~

36 ~~4. The estimated date of completion of all work to be performed~~  
37 ~~under the contract.~~

38 ~~5. A description of the work to be performed under the contract.~~

39 ~~6. The total dollar amount to be paid to the contractor by the~~  
40 ~~owner for all work to be performed under the contract, including all~~  
41 ~~applicable taxes.~~

42 ~~7. The dollar amount of any advance deposit paid or scheduled to be~~  
43 ~~paid to the contractor by the owner.~~

1           8. The dollar amount of any progress payment and the stage of  
2 construction at which the contractor will be entitled to collect progress  
3 payments during the course of construction under the contract.

4           9. That the property owner has the right to file a written  
5 complaint with the registrar for an alleged violation of section 32-1154,  
6 subsection A. The contract shall contain the registrar's telephone number  
7 and website address and shall state that complaints must be made within  
8 the applicable time period as set forth in section 32-1155, subsection A.  
9 The information in this paragraph must be prominently displayed in the  
10 contract in at least ten point bold type, and the contract shall be signed  
11 by the property owner and the contractor or the contractor's designated  
12 representative. This paragraph does not apply to a person who is subject  
13 to and complies with section 12-1365.

14           ~~C.~~ B. ~~At the time of signing~~ WHEN A CONTRACTOR AND AN OWNER SIGN a  
15 contract, the CONTRACTOR SHALL PROVIDE THE owner ~~shall be provided~~ WITH a  
16 legible copy of all documents signed and a written and signed receipt for  
17 and in the true amount of any cash paid to the contractor by the owner.

18           ~~D.~~ C. The requirements of this section ~~shall~~ ARE not ~~constitute~~  
19 prerequisites to the formation or enforcement of a contract. Failure to  
20 comply with the requirements of this section ~~shall~~ DOES not constitute a  
21 defense by either party to an action for compensation, damages, breach,  
22 enforcement or other cause of action based on the contract.

**APPROVED BY THE GOVERNOR MARCH 29, 2017.**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 29, 2017.**

Passed the House March 23, 20 17,

Passed the Senate February 22, 20 17,

by the following vote: 55 Ayes,

by the following vote: 30 Ayes,

0 Nays, 5 Not Voting

0 Nays, 0 Not Voting

[Signature]  
Speaker of the House  
Joni Drake  
Chief Clerk of the House

[Signature]  
President of the Senate  
Suzanne Alvarez  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this

27 day of March, 20 17

at 1:51 o'clock P. M.

[Signature]  
Secretary to the Governor

Approved this 29th day of

March, 20 17,

at 2:46 o'clock P. M.

[Signature]  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 29 day of March, 20 17,

at 4:59 o'clock P. M.

[Signature]  
Secretary of State

S.B. 1246