

Senate Engrossed

FILED

MICHELE REAGAN
SECRETARY OF STATE

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

CHAPTER 222
SENATE BILL 1475

AN ACT

AMENDING SECTION 32-1131, 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 32-1131, Arizona Revised Statutes, is amended to
3 read:

4 32-1131. Definitions

5 In this article, unless the context otherwise requires:

6 1. "Assessment" means the contribution by a contractor to the
7 residential contractors' recovery fund.

8 2. "Fund" means the residential contractors' recovery fund.

9 3. "Person injured":

10 (a) Means any owner of residential real property ~~which~~ THAT is
11 EITHER NONCOMMERCIAL HISTORIC PROPERTY AS DEFINED IN SECTION 42-12101 OR
12 classified as class three property under section 42-12003. ~~and which is~~
13 THE PROPERTY MUST ALSO BE actually occupied or intended to be occupied by
14 the owner as a residence including community property, tenants in common
15 or joint tenants who are damaged by the failure of a residential
16 contractor or a dual licensed contractor to adequately build or improve a
17 residential structure or appurtenance on that real property. ~~Included in~~
18 ~~this definition are~~

19 (b) INCLUDES lessees of residential real property who contract
20 directly with a residential contractor or indirectly with a subcontractor
21 of that contractor and homeowners' or unit owners' associations after
22 transfer of control from the builder or developer for damages to the
23 common elements within the complex.

24 4. "Residential contractor" means a contractor as defined in
25 section 32-1101 who is licensed to perform work on residential property
26 pursuant to this chapter and who engages in residential contracting.

27 Sec. 2. Applicability

28 Section 32-1131, Arizona Revised Statutes, as amended by this act,
29 applies to a person who may recover from the residential contractors'
30 recovery fund established by section 32-1132, Arizona Revised Statutes,
31 only if the injury occurs on or after the effective date of this act.

APPROVED BY THE GOVERNOR APRIL 28, 2017.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 28, 2017.

Passed the House April 20, 2017,

Passed the Senate March 6, 2017,

by the following vote: 37 Ayes,

by the following vote: 28 Ayes,

19 Nays, 3 Not Voting
1 vacant

2 Nays, 0 Not Voting

[Signature]
Speaker of the House
Jin Duake
Chief Clerk of the House

[Signature]
President of the Senate
Susan Owens
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

24th day of April, 2017,

at 1:01 o'clock P. M.

[Signature]
Secretary to the Governor

Approved this 28th day of

April, 2017,

at 2:14 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 28 day of April, 2017,

at 4:43 o'clock P. M.

[Signature]
Secretary of State

S.B. 1475