



# ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature  
First Regular Session

House: COM DP 9-1-0-0 | 3<sup>rd</sup> Read 43-16-0-0-1

Senate: COM DP 9-0-0-0 | 3<sup>rd</sup> Read 28-2-0-0

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## **HB 2160: occupational safety; advisory committee; enforcement**

**Sponsor: Representative Kaiser, LD 15**

**Transmitted to the Governor**

### **Overview**

Allows the Director of the Division of the Occupational Safety and Health (Director) to excuse a late notification regarding a citation contestation for safety and health standards and regulation violations.

### **History**

The Industrial Commission of Arizona Division of Occupational Safety and Health is responsible for formulating safety and health standards and rules by either: 1) proposing adoption of national consensus standards or federal standards; or 2) draft such rules as it considers necessary and through consultation with the Occupational Safety and Health Advisory Committee ([A.R.S. § 23-410](#)).

Employers must comply with occupational safety and health standards and all regulations. Employers who are found in noncompliance, after an inspection and investigation by the Director, are issued a citation. After receiving a notification of a citation, the employer has 15 days to notify the Director of the desire to contest the citation. Failure to notify the Direction on contesting within the 15 day period results in the citation being final and not subject to review ([A.R.S., Title 23, Article 10](#))

### **Provisions**

1. Removes the requirement for the Occupational Safety and Health Advisory Committee to recommend names to the governor for consideration as members of the Review Board. (Sec. 1)
2. Permits the Director to excuse any late notification to contest a citation provided the employer to whom the notice was sent shows by clear and convincing evidence that the notice was not received. (Sec. 2)
3. Contains a conditional enactment clause. (Sec. 3, 4)

<input type="checkbox"/> Prop 105 (45 votes)	<input type="checkbox"/> Prop 108 (40 votes)	<input type="checkbox"/> Emergency (40 votes)	<input type="checkbox"/> Fiscal Note
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