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# Commission Protection Acts Updated

The Member Area of the MANA web site ([www.MANAonline.org](http://www.MANAonline.org)) contains a section where you can look up, by state, commission protection legislation that has been enacted and view the statute. Each year MANA works with a law firm to research the commission protection statutes for changes. This project has recently been completed and the 2006 updates to the commission protection acts and notable rulings have been posted to the web site.

No states enacted new commission protection statutes this year. However, Arizona made significant changes to its statute. Connecticut codified the commission protection act it previously passed. Utah proposed legislation this year, but due to Utah's short legislative schedule, the act passed the house, but didn't make it to the senate. We are very optimistic that passage will take place in next year's session. Indiana and Iowa made revisions to their statutes, but the changes do not affect the protections afforded sales representatives.

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## Arizona

The Arizona statute was amended by Senate Bill 1402 effective April 21, 2006. The changes to the statute make it constitutional. The revised statute: 1) provides for post-termination commissions; 2) applies to sales of products and services; 3) applies to a sales representative who is compensated in

whole, or in part, by commission; 4) requires a written contract between the sales representative and the principal; 5) provides for three times the unpaid commissions owed for damages; and 6) allows the prevailing party to recover costs including attorney fees.

The following states have notable rulings affecting sales representatives:

- California
- Illinois
- Michigan
- Minnesota
- Ohio

You can view all of the commission protection statutes by logging into the Member Area of the MANA web site. If you have never been in the Member Area and need a User Name and Password set up, or have misplaced your User Name and Password, please call MANA toll-free (877) 626-2776 or local (949) 859-4040 for assistance. □