

REFERENCE TITLE: technical correction; license application; clarification

State of Arizona
House of Representatives
Fifty-sixth Legislature
First Regular Session
2023

HB 2091

Introduced by
Representative Payne

AN ACT

AMENDING SECTION 41-1001.02, ARIZONA REVISED STATUTES; RELATING TO
ADMINISTRATIVE PROCEDURES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 41-1001.02, Arizona Revised Statutes, is amended
3 to read:

4 41-1001.02. Clarification of interpretation or application;
5 exemption

6 A. Before submitting an application for a license a person may
7 request from the agency issuing the license a clarification of its
8 interpretation or application of a statute, rule, delegation agreement or
9 substantive policy statement affecting the person's preparation of the
10 application for a license by providing the agency with a written request
11 that states:

- 12 1. The name and address of the person requesting the clarification.
- 13 2. The statute, rule, delegation agreement or substantive policy
14 statement or part of the statute, rule, delegation agreement or
15 substantive policy statement that the person is requesting be clarified.
- 16 3. Any facts relevant to the requested clarification.
- 17 4. The person's proposed interpretation of the applicable statute,
18 rule, delegation agreement or substantive policy statement or part of the
19 statute, rule, delegation agreement or substantive policy statement.
- 20 5. Whether, to the best knowledge of the person, the issues or
21 related issues are being considered by the agency in connection with an
22 existing license or license application.

23 B. On receipt of a request that complies with subsection A of this
24 section:

- 25 1. The agency may meet with the person to discuss the written
26 request and shall respond within thirty days of the receipt of the written
27 request with a written clarification of its interpretation or application
28 as raised in the written request.
- 29 2. The agency shall provide the requestor with an opportunity to
30 meet and discuss the agency's written clarification.

31 C. Notwithstanding any other law, an agency's written clarification
32 pursuant to this section does not constitute an appealable AGENCY action
33 as defined in section 41-1092 or an action against the party pursuant to
34 section 41-1092.12.

35 D. Notwithstanding any other law, this section does not apply to
36 the Arizona peace officer standards and training board.