

REFERENCE TITLE: professional licensure fees; waiver; reduction

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SB 1087

Introduced by
Senators Kern: Wadsack

AN ACT

AMENDING TITLE 32, CHAPTER 48, ARTICLE 1, ARIZONA REVISED STATUTES, BY
ADDING SECTION 32-4802; RELATING TO PROFESSIONS AND OCCUPATIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Heading change

3 The article heading of title 32, chapter 48, article 1, Arizona
4 Revised Statutes, is changed from "PUBLIC MEETINGS" to "GENERAL
5 PROVISIONS".

6 Sec. 2. Title 32, chapter 48, article 1, Arizona Revised Statutes,
7 is amended by adding section 32-4802, to read:

8 32-4802. Licensure and certification fees; annual review;
9 waivers; reductions; reporting requirements;
10 applicability

11 A. ON OR BEFORE SEPTEMBER 1 OF EACH YEAR, EACH REGULATORY BOARD AND
12 AGENCY SHALL REVIEW THE COSTS IT INCURS, THE MONIES IT HAS IN ITS FUNDS
13 AND THE FEE REVENUES IT COLLECTS TO DETERMINE WHETHER THE REGULATORY BOARD
14 OR AGENCY EXPECTS ENDING BALANCES IN ITS LICENSING FUND TO EXCEED FIFTY
15 PERCENT OF THE APPROPRIATIONS FROM THAT FUND IN THE CURRENT FISCAL YEAR.

16 B. NOTWITHSTANDING ANY OTHER LAW, IF THE REGULATORY BOARD OR AGENCY
17 DETERMINES PURSUANT TO SUBSECTION A OF THIS SECTION THAT THE ENDING
18 BALANCE IN ITS LICENSING FUND WOULD EXCEED FIFTY PERCENT OF ITS
19 APPROPRIATION, THE REGULATORY BOARD OR AGENCY SHALL PROVIDE A ONETIME
20 WAIVER OR REDUCTION FROM LICENSURE OR CERTIFICATION RENEWAL FEES TO REDUCE
21 THE BALANCE IN ITS LICENSING FUND TO BELOW FIFTY PERCENT OF ITS
22 APPROPRIATION FROM THAT FUND IN THE UPCOMING FISCAL YEAR, OR WITHIN THE
23 BOARD'S OR AGENCY'S NORMAL SCHEDULE FOR RENEWING LICENSES OR CERTIFICATES
24 IF LONGER THAN ONE YEAR. IN DETERMINING THE AMOUNT OF THE WAIVER OR
25 REDUCTION, THE REGULATORY BOARD OR AGENCY SHALL ATTEMPT TO ENSURE THAT ALL
26 EXISTING LICENSEES OR CERTIFICATE HOLDERS RECEIVE ONE WAIVER OR REDUCTION
27 PURSUANT TO THIS SUBSECTION. FEES FOR NEW LICENSEES OR CERTIFICATE
28 HOLDERS SHALL BE WAIVED OR REDUCED FOR THE SUBSEQUENT FISCAL YEAR.
29 REGULATORY BOARDS AND AGENCIES SHALL ATTEMPT TO ENSURE THAT FEE REDUCTIONS
30 PURSUANT TO THIS SUBSECTION, AS A PERCENTAGE OF THE BASE FEES, ARE THE
31 SAME FOR BOTH INITIAL AND RENEWAL LICENSES AND CERTIFICATES.

32 C. NOTWITHSTANDING ANY OTHER LAW, AS PRESCRIBED BY THIS SECTION, A
33 REGULATORY BOARD OR AGENCY MAY TEMPORARILY REDUCE OR WAIVE ANY INITIAL OR
34 RENEWAL LICENSURE OR CERTIFICATION FEES.

35 D. EACH REGULATORY BOARD AND AGENCY THAT IS SUBJECT TO THIS SECTION
36 SHALL REPORT ITS FEE PLANS TO THE GOVERNOR, THE PRESIDENT OF THE SENATE
37 AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES ON OR BEFORE SEPTEMBER 1
38 OF EACH YEAR. AT A MINIMUM, THESE REPORTS SHALL INCLUDE THE AMOUNT OF
39 REVENUES AND EXPENDITURES EXPECTED IN THE CURRENT FISCAL YEAR, THE
40 PROJECTED ENDING BALANCES FOR THE REGULATORY BOARD'S OR AGENCY'S LICENSING
41 FUND AND THE REASONING AND JUSTIFICATION FOR HOW THE REGULATORY BOARD'S OR
42 AGENCY'S WAIVER OR REDUCTION PLAN WILL ACHIEVE REQUIRED FEE REDUCTIONS
43 PURSUANT TO THIS SECTION.

1 E. ON OR BEFORE JULY 1 OF THE FISCAL YEAR IN WHICH A FEE REDUCTION
2 OR WAIVER PURSUANT TO THIS SECTION BECOMES EFFECTIVE, THE REGULATORY BOARD
3 OR AGENCY SHALL NOTIFY ITS EXISTING LICENSEES OR CERTIFICATE HOLDERS OF
4 ITS INTENTION TO PROVIDE THE REDUCTION OR WAIVER AND ITS EXPECTED AMOUNT.
5 ADDITIONALLY, THE REGULATORY BOARD OR AGENCY SHALL PROMINENTLY ANNOUNCE
6 THE FEE REDUCTION OR WAIVER FOR NEW AND EXISTING LICENSEES OR CERTIFICATE
7 HOLDERS ON THE HOME PAGE OF ITS WEBSITE.

8 F. IF A REGULATORY BOARD OR AGENCY BELIEVES IT WILL REQUIRE ONETIME
9 MONIES GREATER THAN FIFTY PERCENT OF ITS ANNUAL APPROPRIATION FOR ONETIME
10 CAPITAL, INFORMATION TECHNOLOGY OR SIMILAR COSTS, THE REGULATORY BOARD OR
11 AGENCY MAY INCLUDE A REPORT OF THIS EXPECTED NEED IN ITS SUBMISSION OF
12 BUDGET ESTIMATES REQUIRED BY SECTION 35-113.

13 G. THIS SECTION APPLIES ONLY TO REGULATORY BOARDS OR AGENCIES
14 ESTABLISHED BY:

- 15 1. CHAPTERS 1, 3, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 15.1, 16, 17,
16 18, 19, 19.1, 21, 25, 29, 30, 33, 34, 35, 39, 41 AND 42 OF THIS TITLE.
- 17 2. TITLE 36, CHAPTER 4, ARTICLE 6.