

REFERENCE TITLE: occupational licensure; fee waiver; appropriation

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

SB 1386

Introduced by
Senator Kavanagh

AN ACT

AMENDING TITLE 32, CHAPTER 48, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 2; REPEALING TITLE 32, CHAPTER 48, ARTICLE 2, ARIZONA REVISED STATUTES; APPROPRIATING MONIES; 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. Title 32, chapter 48, Arizona Revised Statutes, is
3 amended by adding article 2, to read:

4 ARTICLE 2. OCCUPATIONAL LICENSURE FEE WAIVER

5 32-4811. Professions; occupations; fee waiver; definitions

6 A. A REGULATORY BOARD OR AGENCY THAT REGULATES A LICENSEE MAY NOT
7 CHARGE ANY FEE FOR APPLICATIONS, INITIAL LICENSURE, LICENSURE RENEWAL,
8 TEMPORARY LICENSURE OR EXAMINATIONS RELATING TO THE LICENSE IN FISCAL
9 YEARS 2023-2024 AND 2024-2025.

10 B. FOR THE PURPOSES OF THIS SECTION:

11 1. "LICENSEE" MEANS:

12 (a) A PERSON OR ENTITY THAT IS CERTIFIED, REGISTERED OR LICENSED
13 PURSUANT TO CHAPTER 1, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 15.1, 16,
14 17, 18, 19, 19.1, 20, 21, 23, 24, 25, 26, 28, 29, 33, 34, 35, 36, 39, 40,
15 41 OR 42 OF THIS TITLE.

16 (b) AN APPLICATOR OR QUALIFIED APPLICATOR WHO IS CERTIFIED PURSUANT
17 TO TITLE 3, CHAPTER 20, ARTICLE 2.

18 (c) A LOAN ORIGINATOR WHO IS LICENSED PURSUANT TO TITLE 6,
19 CHAPTER 9.

20 (d) AN INSURANCE PRODUCER WHO IS LICENSED PURSUANT TO TITLE 20,
21 CHAPTER 2, ARTICLE 3.

22 (e) A NURSING CARE INSTITUTION ADMINISTRATOR OR ASSISTED LIVING
23 FACILITIES MANAGER WHO IS LICENSED PURSUANT TO TITLE 36, CHAPTER 4,
24 ARTICLE 6.

25 2. "LICENSURE" INCLUDES CERTIFICATION AND REGISTRATION.

26 3. "REGULATORY BOARD OR AGENCY" MEANS ANY STATE BOARD OR AGENCY
27 THAT REGULATES A LICENSEE.

28 32-4812. Occupational licensure fee waiver fund; purpose;
29 notification; reversion; definitions

30 A. THE OCCUPATIONAL LICENSURE FEE WAIVER FUND IS ESTABLISHED IN THE
31 STATE TREASURER'S OFFICE CONSISTING OF LEGISLATIVE APPROPRIATIONS. THE
32 STATE TREASURER SHALL ADMINISTER THE FUND AND MAY USE UP TO \$250,000 IN
33 FISCAL YEARS 2023-2024 AND 2024-2025 TO ADMINISTER THE FUND. THE FUND IS
34 CONTINUOUSLY APPROPRIATED AND DOES NOT REVERT TO THE STATE GENERAL FUND.

35 B. THE STATE TREASURER SHALL USE THE MONIES IN THE FUND TO TRANSFER
36 TO REGULATORY BOARDS AND AGENCIES THAT DEMONSTRATE A FINANCIAL NEED IN
37 FISCAL YEARS 2023-2024 AND 2024-2025. THE STATE TREASURER SHALL ESTABLISH
38 A PROCESS THROUGH WHICH A REGULATORY BOARD OR AGENCY MAY DEMONSTRATE
39 FINANCIAL NEED AND RECEIVE MONIES FROM THE FUND.

40 C. THE STATE TREASURER SHALL NOTIFY THE JOINT LEGISLATIVE BUDGET
41 COMMITTEE ON A QUARTERLY BASIS OF ANY TRANSFERS THE STATE TREASURER MADE
42 IN THE PRECEDING QUARTER, SPECIFYING THE REGULATORY BOARD OR AGENCY AND
43 THE AMOUNT TRANSFERRED. A TRANSFER MADE PURSUANT TO THIS SECTION MAY NOT
44 EXCEED THE AMOUNT APPROPRIATED TO THE REGULATORY BOARD OR AGENCY IN THAT
45 FISCAL YEAR TO REGULATE LICENSEES.

1 D. ANY MONIES REMAINING IN THE FUND ON JUNE 30, 2026 REVERT TO THE
2 STATE GENERAL FUND.

3 E. FOR THE PURPOSES OF THIS SECTION, "LICENSEE" AND "REGULATORY
4 BOARD OR AGENCY" HAVE THE SAME MEANINGS PRESCRIBED IN SECTION 32-4811.

5 Sec. 2. Delayed repeal

6 Title 32, chapter 48, article 2, Arizona Revised Statutes, as added
7 by this act, is repealed from and after June 30, 2026.

8 Sec. 3. Appropriation; occupational licensure fee waiver
9 fund; exemption

10 A. The sum of \$32,000,000 is appropriated from the state general
11 fund in fiscal year 2023-2024 to the occupational licensure fee waiver
12 fund established by section 32-4812, Arizona Revised Statutes, as added by
13 this act.

14 B. The appropriation made in subsection A of this section is exempt
15 from the provisions of section 35-190, Arizona Revised Statutes, relating
16 to lapsing of appropriations.