

COMMITTEE ON HEALTH AND HUMAN SERVICES

SENATE AMENDMENTS TO H.B. 2317

(Reference to House engrossed bill)

1 Page 1, line 25, after "UNIT" strike remainder of line

2 Strike lines 26 through 33, insert "OR PERSON THAT PROVIDES ANY PREMISES,  
3 PLACE OR DWELLING UNIT THAT MEETS AT LEAST ONE OF THE FOLLOWING:

4 (i) PROVIDES HOUSING THAT PROVIDES OR ARRANGES FOR RESIDENTS TO  
5 RECEIVE ANY SERVICE OR ACTIVITY FOR RECOVERY FROM ANY SUBSTANCE USE  
6 DISORDER, INCLUDING FULL-TIME OR PART-TIME SUPERVISION, OBSERVATION,  
7 OVERSIGHT OR TRANSPORTATION TO OR FROM ANY SERVICE, TREATMENT OR ACTIVITY  
8 DIRECTED PRIMARILY TOWARD RECOVERY FROM ANY SUBSTANCE USE DISORDER.

9 (ii) ADVERTISES, MARKETS, HOLDS ITSELF OUT OR OTHERWISE IMPLIES  
10 THROUGH ANY MEANS, INCLUDING ORAL, WRITTEN, ELECTRONIC OR PRINTED MEANS,  
11 THAT IT PROVIDES OR WILL PROVIDE A LIVING ENVIRONMENT DIRECTED PRIMARILY  
12 TOWARD RECOVERY FROM ANY SUBSTANCE USE DISORDER.

13 (iii) PROVIDES ALCOHOL-FREE AND DRUG-FREE HOUSING IN A FULL-TIME OR  
14 PART-TIME SUPERVISED LIVING ENVIRONMENT FOR INDIVIDUALS RECOVERING FROM ANY  
15 SUBSTANCE USE DISORDER.

16 (b) DOES NOT INCLUDE:"

17 Line 34, strike "(ii) Does not provide" insert "(i) ANY PREMISES, PLACE OR  
18 DWELLING UNIT THAT PROVIDES"

19 Line 36, strike "(b) DOES NOT INCLUDE" insert "(ii)"

20 Line 40, strike "verification by" insert "administrative clearance from"

21 Page 3, line 14, after the period strike remainder of line

22 Strike lines 15 through 20

23 Line 21, strike "THESE REQUESTS." insert "THE APPLICATION FOR LICENSURE SHALL  
24 REQUIRE THE SOBER LIVING HOME TO OBTAIN WRITTEN ADMINISTRATIVE CLEARANCE  
25 FROM THE LOCAL JURISDICTION WHERE THE SOBER LIVING HOME IS LOCATED

1 VERIFYING COMPLIANCE WITH ALL LOCAL ZONING, BUILDING, FIRE AND LICENSING  
2 ORDINANCES. THE NAME AND CONTACT INFORMATION OF THE DESIGNATED EMPLOYEE OF  
3 THE LOCAL JURISDICTION WHO IS AUTHORIZED TO PROVIDE THE REQUIRED  
4 ADMINISTRATIVE CLEARANCE PURSUANT TO THIS SUBSECTION SHALL BE POSTED ON THE  
5 LOCAL JURISDICTION'S WEBSITE OR THE WEBSITE OF AN ASSOCIATION REPRESENTING  
6 THE LOCAL JURISDICTION IF THE LOCAL JURISDICTION DOES NOT HAVE A WEBSITE."

7 Page 6, line 24, after "COMPLAINT" insert "RELATING TO A SOBER LIVING HOME"

8 Page 7, strike lines 39 through 43, insert:

9 "C. THE DEPARTMENT SHALL NOTIFY THE DESIGNATED EMPLOYEE OF THE LOCAL  
10 JURISDICTION AS PRESCRIBED IN SECTION 36-2062, SUBSECTION C OF ALL  
11 APPROVALS AND DENIALS FOR LICENSURE AND RENEWAL AND ALL REQUESTS FOR  
12 CHANGES AFFECTING A SOBER LIVING HOME LICENSE ISSUED PURSUANT TO THIS  
13 ARTICLE IN THAT JURISDICTION WITHIN THIRTY CALENDAR DAYS AFTER RECEIPT OF  
14 THE APPLICATION FOR LICENSURE OR RENEWAL OR REQUEST FOR CHANGES."

15 Page 8, after line 41, insert:

16 "Sec. 9. Title 36, chapter 18, article 4, Arizona Revised Statutes,  
17 is amended by adding section 36-2068, to read:

18 36-2068. Sober living homes; legal action; licensure; change  
19 of ownership

20 A. THE DEPARTMENT MAY NOT ACT ON AN APPLICATION FOR LICENSURE OF A  
21 CURRENTLY LICENSED SOBER LIVING HOME WHILE ANY ENFORCEMENT OR COURT ACTION  
22 RELATED TO THE SOBER LIVING HOME, INCLUDING ENFORCEMENT AND COURT ACTIONS  
23 OF A CITY, TOWN OR COUNTY THAT ARE REPORTED TO THE DEPARTMENT, IS PENDING  
24 AGAINST THAT SOBER LIVING HOME OR THE CURRENT LICENSEE.

25 B. THE DIRECTOR MAY CONTINUE TO PURSUE ANY COURT, ADMINISTRATIVE OR  
26 ENFORCEMENT ACTION AGAINST A LICENSEE DESCRIBED IN SUBSECTION A OF THIS  
27 SECTION EVEN THOUGH THE SOBER LIVING HOME IS IN THE PROCESS OF BEING SOLD  
28 OR TRANSFERRED TO A NEW OWNER.

1           C. THE DEPARTMENT MAY NOT APPROVE A CHANGE IN SOBER LIVING HOME  
2 OWNERSHIP UNLESS THE DEPARTMENT DETERMINES THAT THERE HAS BEEN A TRANSFER  
3 OF ALL LEGAL AND EQUITABLE INTERESTS, CONTROL AND AUTHORITY IN THE SOBER  
4 LIVING HOME SO THAT PERSONS OTHER THAN THE TRANSFERRING LICENSEE, THAT  
5 LICENSEE'S AGENT OR OTHER PARTIES EXERCISING AUTHORITY OR SUPERVISION OVER  
6 THE SOBER LIVING HOME'S DAILY OPERATIONS OR STAFF ARE RESPONSIBLE FOR AND  
7 HAVE CONTROL OVER THE SOBER LIVING HOME. IF THE DEPARTMENT APPROVES A  
8 CHANGE OF OWNERSHIP OF A CURRENTLY LICENSED SOBER LIVING HOME, ANY  
9 DEFICIENCY REMAINING TRANSFERS TO THE NEW OWNER BUT ANY FEES OR CIVIL  
10 PENALTIES ASSOCIATED WITH THE DEFICIENCY REMAIN THE RESPONSIBILITY OF THE  
11 PREVIOUS OWNER."

12 Amend title to conform

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