

**NOTICES OF FINAL RULEMAKING**

The Administrative Procedure Act requires the publication of the final rules of the state's agencies. Final rules are those which have appeared in the *Register* 1st as proposed rules and have been through the formal rulemaking process including approval by the Governor's Regulatory Review Council. The Secretary of State shall publish the notice along with the Preamble and the full text in the next available issue of the *Arizona Administrative Register* after the final rules have been submitted for filing and publication.

**NOTICE OF FINAL RULEMAKING**

**TITLE 15. REVENUE**

**CHAPTER 7. DEPARTMENT OF REVENUE  
BINGO SECTION**

**PREAMBLE**

1. **Sections Affected** **Rulemaking Action**  
R15-7-308 New Section
2. **The specific authority for the rulemaking, including both the authorized statute (general) and the statutes the rules are implementing (specific):**  
Authorizing statutes: A.R.S. §§ 5-402 and 42-105  
Implementing statutes: A.R.S. §§ 5-403, 41-1073, et seq.
3. **The effective date of the rules:**  
November 19, 1997
4. **A list of all previous notices appearing in the Register addressing the final rule:**  
Notice of Rulemaking Docket Opening: 3 A.A.R. 1274, May 9, 1997  
Notice of Proposed Rulemaking: 3 A.A.R. 1481, June 6, 1997
5. **The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**  
Name: Holly Unck, Tax Analyst  
Address: Tax Research & Analysis Section  
Arizona Department of Revenue  
1600 West Monroe  
Phoenix, Arizona 85007  
Telephone: (602) 542-4672  
Fax: (602) 542-4680
6. **An explanation of the rule, including the agency's reasons for initiating the rule:**  
Laws 1996, Ch. 102, § 42, requires that all state agencies that issue licenses have in place rules establishing certain time-frames for the granting or denial of each license. The rules must specify:
  1. An "administrative completeness time-frame" (the time it takes the agency to determine if an application is complete);
  2. A "substantive review time-frame" (the time it takes the agency to review the application and determine if the applicant meets the substantive criteria for licensure); and
  3. An "overall time-frame" (a combination of the administrative completeness and substantive review time-frames.)The law also requires an agency to notify applicants within the established time-frames, whether the application is complete (administrative completeness) and whether a license or certification is being issued (substantive review).  
This rule will establish the required time-frames for licensing bingo games. The rule also describes a completed application and the activities performed during the administrative and substantive reviews.
7. **A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**  
Not applicable.

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**8. The summary of the economic, small business, and consumer impact:**

It is not anticipated that the adoption of this rule will have any impact on government, private industry, small business, or consumers. This rule action is merely the codification of the time-frames currently observed in issuing bingo licenses by the Department of Revenue.

**9. A description of the changes between the proposed rules, including supplemental notices, and final rules:**

Based on the review performed by the Staff of the Governor's Regulatory Review Council, the Department made the following changes:

R15-7-308(A), the word "calendar" was added for clarification.

R15-7-308(B), the words "all documentation" were replaced by the words "license application package".

R15-7-308(B)(1), the words "Within 10 calendar days of receiving a license application package." were deleted.

R15-7-308(B)(1), the words "either complete or" were deleted.

R15-7-308(B)(1), "If the package is incomplete, the notice shall specify what information is missing." was changed to "The notice shall specify what information is missing."

R15-7-308(B)(1), the words "at the end of the administrative completeness review time-frame." were added for clarification.

R15-7-308(B)(2), the word "calendar" was added for clarification.

R15-7-308(B)(3), the words "the 30-day time-frame" were changed to read "30-calendar-days from the date of the notice".

R15-7-308(C), the words "on the date the department receives a completed license application package" were deleted.

R15-7-308(C), the words "at the end of the administrative completeness review time-frame" were added after the word "begins".

R15-7-308(C)(2), the words "The Department shall issue" were replaced by "At the end of the substantive review time-frame, the Department shall issue a license if the applicant and the premises meet the requirements of A.R.S. § 5-401, et seq. and these rules or".

R15-7-308(C)(2), the word "does" was changed to the word "do".

R15-7-308(D), "For purposes of this section, if the last day of a time-frame falls on a Saturday, Sunday, or legal holiday, the time-frame shall end on the next calendar day which is not a Saturday, Sunday or legal holiday."

**10. A summary of the principal comments and the agency response to them:**

The Department did not receive any written or oral comments on the rule action after the publication of the rulemaking in the Notice of Proposed Rulemaking.

**11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class or rules:**

Not applicable.

**12. Incorporations by reference and their location in the rules:**

None.

**13. Was this rule previously adopted as an emergency rule?**

No.

**14. The full text of the rules follows:**

**TITLE 15. REVENUE**

**CHAPTER 7. DEPARTMENT OF REVENUE  
BINGO SECTION**

**ARTICLE 3. LICENSING PROVISIONS**

Section

R15-7-308. Initial License Application Time-Frames

**ARTICLE 3. LICENSING PROVISIONS**

**R15-7-308. Initial License Application Time-Frames**

**A. For an initial license, the overall time-frame described in A.R.S. § 41-1072(2) is 60 calendar days.**

**B. For an initial license, the administrative completeness review time-frame described in A.R.S. § 41-1072(1) is 30 calendar days and begins on the date the Department receives the**

**license application package required by A.R.S. §§ 5-403(B) and 5-404.**

**1. The Department shall notify the applicant if the package is incomplete. The notice shall specify what information is missing. If the Department does not provide notice to the applicant, the license application package shall be deemed complete at the end of the administrative completeness review time-frame.**

**2. An applicant with an incomplete license application package shall supply the missing information within 30 calendar days from the date of the notice. The 30-calendar-day time-frame for the Department to finish the**

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administrative review is suspended from the date the Department notifies the applicant of missing information until the date the Department receives the information.

3. If an applicant fails to submit a complete license application package within 30 calendar days from the notice, the Department shall close the file. An applicant whose file has been closed and who later wishes to obtain a license shall submit a new application.
- C. For an initial license, the substantive review time-frame described in A.R.S. § 41-1072(3) is 30 calendar days and begins at the end of the administrative completeness review time-frame.

1. As part of the substantive review, the Department may schedule a visit to the premises.

2. At the end of the substantive review time-frame, the Department shall issue a license if the applicant and the premises meet the requirements of A.R.S. § 5-401, et seq. and these rules, or a written notice of denial if the applicant or the premises do not meet requirements of A.R.S. § 5-401 et seq. and these rules.

D. For the purposes of this section, if the last day of the time-frame falls on a Saturday, Sunday, or legal holiday, the time-frame shall end on the next calendar day which is not a Saturday, Sunday, or legal holiday.