House Engrossed Senate Bill

State of Arizona
Senate
Forty-sixth Legislature
Second Regular Session
2004

CHAPTER 215

SENATE BILL 1104

AN ACT

AMENDING SECTIONS 32-2201, 32-2207 AND 32-2215, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 21, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-2240.01; AMENDING SECTIONS 32-2249 AND 32-2272, ARIZONA REVISED STATUTES; AMENDING TITLE 32, CHAPTER 21, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 8; RELATING TO VETERINARIANS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Section 32-2201, Arizona Revised Statutes, is amended to read:

32-2201. Definitions

In this chapter, unless the context otherwise requires:

1. "Animal" means any animal other than human.

2. "Board" means the Arizona state veterinary medical examining board.

3. "Consulting" means providing professional or expert advice which is requested by a veterinarian licensed in this state and is rendered only on a specific case basis.

4. "Controlled substance" means any substance which is registered and controlled under the federal controlled substances act (P.L. 91-513).

5. "CREMATION" MEANS THE HEATING PROCESS THAT REDUCES ANIMAL REMAINS TO BONE FRAGMENTS BY COMBUSTION AND EVAPORATION.

6. "CREMATORY" MEANS A BUILDING OR PORTION OF A BUILDING THAT IS LICENSED PURSUANT TO ARTICLE 8 OF THIS CHAPTER AND THAT HOUSES A RETORT IN WHICH ONLY ANIMAL REMAINS ARE CREMATED.

~~5.~~ 7. "Diplomate" means a veterinarian certified as a specialist in a particular discipline by a national specialty board or college recognized by the American veterinary medical association after the completion of additional education and training, an internship or residency, passing required examinations and meeting any other criteria required by the various individual national specialty boards or colleges.

~~6.~~ 8. "Gross incompetence" means any professional misconduct or unreasonable lack of professional skill in the performance of professional practice.

~~7.~~ 9. "Gross negligence" means treatment of a patient or practice of veterinary medicine resulting in injury, unnecessary suffering or death that was caused by carelessness, negligence or the disregard of established principles or practices.

~~8.~~ 10. "Letter of concern" means an advisory letter to notify a veterinarian that, while there is insufficient evidence to support disciplinary action, the board believes the veterinarian should modify or eliminate certain practices and that continuation of the activities that led to the information being submitted to the board may result in action against the veterinarian's license.

~~9.~~ 11. "Licensed veterinarian" means a person who is currently licensed to practice veterinary medicine in this state.

~~10.~~ 12. "Malpractice" means treatment in a manner contrary to accepted practices and with injurious results.

~~11.~~ 13. "Medical incompetence" means lacking ~~in~~ sufficient medical knowledge or skills, or both, to a degree likely to endanger the health of patients OR LACKING EQUIPMENT, SUPPLIES OR MEDICATION TO PROPERLY PERFORM A PROCEDURE.

~~12.~~ 14. "Negligence" means the failure of a licensed veterinarian to exercise reasonable care in the practice of veterinary medicine.

~~13.~~ 15. "Regularly" means that veterinary services are offered to the public once a month or more frequently.

~~14.~~ 16. "Responsible veterinarian" means the veterinarian responsible to the board for compliance by licensed veterinary premises with the laws and rules of this state and of the federal government pertaining to the practice of veterinary medicine and responsible for the establishment of policy at such premises.

~~15.~~ 17. "Temporary sites" means sites where outpatient veterinary services are performed.

~~16.~~ 18. "Twenty-four hour services" means veterinary services when a veterinarian is on the premises twenty-four hours a day.

~~17.~~ 19. "Veterinarian" means a person who has received a doctor's degree in veterinary medicine from a college of veterinary medicine.

~~18.~~ 20. "Veterinary college" means any veterinary college or division of a university or college that offers the degree of doctor of veterinary medicine or its equivalent and that conforms to the standards required for accreditation by the American veterinary medical association.

~~19.~~ 21. "Veterinary medicine" includes veterinary surgery, obstetrics, dentistry, acupuncture, manipulation and all other branches or specialties of veterinary medicine and the prescribing, administering or dispensing of drugs and medications for veterinary purposes.

Sec. 2. Section 32-2207, Arizona Revised Statutes, is amended to read:

32-2207. Veterinary board; powers and duties

The primary duty of the board is to protect the public from unlawful, incompetent, unqualified, impaired or unprofessional practitioners of veterinary medicine through licensure and regulation of the profession in this state. The powers and duties of the board include:

1. Administering and enforcing ~~the provisions of~~ this chapter and board rules.

2. Regulating disciplinary actions, the granting, denial, revocation, renewal and suspension of licenses and certificates and the rehabilitation of licensees and certificate holders pursuant to this chapter and board rules.

3. Prescribing the forms, content and manner of application for licensure and certification and renewal of licensure and certification and setting deadlines for the receipt of materials required by the board.

4. Keeping a record of all licensees and certificate holders, board actions taken concerning all applicants, licensees and certificate holders and the receipt and disbursal of monies.

5. Adopting an official seal for attestation of licenses, certificates and other official papers and documents.

6. Investigating charges of violations of this chapter and board rules and orders.

7. Employing an executive director who serves at the pleasure of the board.

8. Adopting rules pursuant to title 41, chapter 6 that relate to the qualifications and regulation of doctors of veterinary medicine, veterinary technicians, veterinary premises, ~~and~~ mobile veterinary clinics AND CREMATORIES and other rules that the board deems necessary for the administration of this chapter. The rules may include continuing education requirements for licensees and certificate holders and shall include:

(a) Minimum standards of veterinary practice.

(b) Provisions to ensure that the public has reasonable access to nonconfidential information about the licensing or certification status of persons regulated under this chapter and about resolved complaints against licensees and certificate holders.

(c) Provisions to ensure that members of the public have an opportunity to evaluate the services that the board provides to the public.

9. Establishing by rule fees and penalties as provided in this chapter, including fees for the following:

(a) Reproduction of documents.

(b) Verification of information about a licensed veterinarian at the request of a veterinary licensing board in another jurisdiction.

(c) Return of checks due to insufficient funds, an order to stop payment or a closed account.

(d) Provision of a list of the names of veterinarians, veterinary technicians or veterinary premises licensed or certified by the board.

10. Adopting rules that require the board to inform members of the public about the existence of the office of the ombudsdman-citizens aide established by section 41-1375.

Sec. 3. Section 32-2215, Arizona Revised Statutes, is amended to read:

32-2215. Qualifications for license

A. An applicant for a license issued under this chapter shall:

1. Be of good moral character.

2. Be a graduate of a veterinary college ~~or hold a certificate issued by the educational commission for foreign veterinary graduates of~~ THAT IS ACCREDITED BY the American veterinary medical association OR HOLD A CERTIFICATE ISSUED BY THE EDUCATIONAL COMMISSION FOR FOREIGN VETERINARY GRADUATES, THE PROGRAM FOR THE ASSESSMENT OF VETERINARY EDUCATION EQUIVALENCE OR A FOREIGN GRADUATE TESTING PROGRAM APPROVED BY THE BOARD.

3. Satisfactorily pass an examination given by the board as provided in this chapter.

B. An applicant may be denied licensure either before or after examination if the applicant has committed any act that if committed by a licensee would be grounds for suspension or revocation of a license to practice veterinary medicine under this chapter.

C. The board may waive the examination requirements pursuant to section 32-2214, subsection C, paragraph 2 and, EXCEPT AS PROVIDED IN

SUBSECTION E OF THIS SECTION, MAY issue a license by endorsement to an applicant to practice veterinary medicine if the applicant provides all required documentation pursuant to section 32-2213 and meets the following requirements:

1. The applicant holds an active license in one or more other states and submits verification that the applicant has previously taken and passed the examination required by section 32-2214, with a score at least equal to the score required to pass in this state. An applicant who received original licensure before the examination required by section 32-2214~~,~~ was required in the state in which the applicant was originally licensed may be eligible for licensure without having taken that examination as required pursuant to this chapter if all other requirements are met.

2. The applicant has been lawfully and actively engaged in the practice of veterinary medicine for at least three of the preceding five years or six of the preceding ten years in one or more states before filing an application for licensure in this state.

3. The applicant has graduated from a veterinary college recognized by the board.

~~4. The board determines that no disciplinary action has been taken against the applicant by any public agency concerned with the practice of veterinary medicine and that the applicant has not been the subject of adverse judgments resulting from the practice of veterinary medicine that the board determines constitute evidence of a pattern of incompetency or negligence.~~

~~5.~~ 4. The applicant passes a state examination approved by the board. A grade of AT LEAST seventy-five per cent is required to successfully pass the examination.

~~6.~~ 5. The applicant pays a fee for the license of seven hundred fifty dollars.

D. The board may waive the examination requirements pursuant to section 32-2214, subsection C, paragraph 2 and, EXCEPT AS PROVIDED IN SUBSECTION E OF THIS SECTION, may issue a specialty license to an applicant to practice veterinary medicine if the applicant provides all required documentation pursuant to section 32-2213 and meets the following requirements:

1. The applicant holds a current certification as a diplomate of a national specialty board or college recognized by the American veterinary medical association.

~~2. The board determines that no disciplinary action has been taken against the applicant by any public agency concerned with the practice of veterinary medicine and that the applicant has not been the subject of adverse judgments resulting from the practice of veterinary medicine that the board determines constitute evidence of a pattern of incompetency or negligence.~~

1 ~~3.~~ 2. The applicant's practice is limited to the scope of the
2 applicant's board certification.
3 ~~4.~~ 3. The applicant successfully passes a state examination approved
4 by the board with a score of at least seventy-five per cent.
5 ~~5.~~ 4. The applicant pays a fee for the specialty license of seven
6 hundred fifty dollars.
7 E. THE BOARD SHALL DETERMINE IF PREVIOUS DISCIPLINARY ACTION PREVENTS
8 LICENSURE BY ENDORSEMENT OR SPECIALTY LICENSURE OF AN APPLICANT TO PRACTICE
9 VETERINARY MEDICINE AND THE BOARD MAY DISCIPLINE THE LICENSEE AT THE TIME OF
10 LICENSURE AS A RESULT OF THE PREVIOUS DISCIPLINARY ACTION.
11 Sec. 4. Title 32, chapter 21, article 3, Arizona Revised Statutes, is
12 amended by adding section 32-2240.01, to read:
13 32-2240.01. Notification to owner of landfill for burial;
14 licensed crematory
15 A. IF AN ANIMAL DIES IN THE CARE OF A VETERINARIAN OR AN ANIMAL'S
16 OWNER BRINGS A DEAD ANIMAL TO A VETERINARIAN AND THE ANIMAL'S OWNER REQUESTS
17 THAT THE ANIMAL BE BURIED, THE VETERINARIAN SHALL NOTIFY THE OWNER IF THE
18 BURIAL IS TO BE DONE IN A LANDFILL.
19 B. IF THE OWNER CHOOSES CREMATION AND A VETERINARIAN OFFERS CREMATION
20 SERVICES, THE VETERINARIAN SHALL USE A CREMATORY LICENSED PURSUANT TO ARTICLE
21 8 OF THIS CHAPTER.
22 Sec. 5. Section 32-2249, Arizona Revised Statutes, is amended to read:
23 32-2249. Revocation or suspension of certificate; grounds
24 A. EXCEPT AS PROVIDED IN SUBSECTION B, the board may revoke or suspend
25 a certificate or place a technician on probation for any of the following
26 reasons:
27 1. The employment of fraud, misrepresentation or deception in
28 obtaining certification.
29 2. Conviction on a charge of cruelty to animals or conviction of a
30 felony, in which case the record of such conviction will be conclusive
31 evidence.
32 3. Chronic inebriety or habitual use of narcotics, dangerous drugs or
33 controlled substances.
34 4. Gross ignorance or inefficiency in connection with the performance
35 of technical procedures in veterinary medicine.
36 5. Representing himself as a doctor of veterinary medicine.
37 6. Violating or attempting to violate, directly or indirectly, or
38 assisting or abetting the violation or conspiracy to violate any of the
39 provisions of this chapter, a rule adopted under this chapter or a written
40 order of the board issued pursuant to this chapter.
41 7. PRACTICING VETERINARY MEDICINE.
42 8. GROSS INCOMPETENCE OR GROSS NEGLIGENCE.
43 9. FOLLOWING ORDERS THAT ARE IN VIOLATION OF THIS CHAPTER OR RULES
44 ADOPTED PURSUANT TO THIS CHAPTER.

B. IN AN EMERGENCY, A TECHNICIAN MAY RENDER EMERGENCY CARE OR FIRST AID IF THE TECHNICIAN IS SUPERVISED TELEPHONICALLY BY A LICENSED VETERINARIAN OR UNTIL A LICENSED VETERINARIAN ARRIVES. THIS DOES NOT PRECLUDE EMERGENCY CARE AS OUTLINED IN SECTION 32-2261.

Sec. 6. Section 32-2272, Arizona Revised Statutes, is amended to read:

32-2272. Veterinary premises license; application; nontransferability; expiration; renewal

A. Any person who desires to establish premises at or from which veterinary services are offered to the public shall file with the board an application for a veterinary premises license accompanied by the license fee.

B. The application shall be on a form prescribed and furnished by the board and shall contain:

1. The name and location of the premises.

2. The name of the person owning the premises and the name and signature of the veterinarian responsible to the board for the operation of the premises. The responsible veterinarian shall be a veterinarian who is licensed in this state and who resides in this state or who holds a special permit under section 32-2217.01.

3. A description of the services provided at or from the premises.

C. A license is valid only for the responsible veterinarian to whom it is issued. A license is not subject to sale, assignment or transfer, voluntary or involuntary. A license is not valid for any premises other than those for which issued. If there have been major changes in the scope of veterinary services offered, the premises are subject to reinspection.

D. A change of responsible veterinarian or owner shall cancel a premises license. The responsible veterinarian or owner shall surrender the premises license to the board within twenty days of the change in responsible veterinarian or owner. The failure of the responsible veterinarian or owner to notify the board in writing within twenty days of a change in responsible veterinarian or owner is grounds for disciplinary action.

E. A license expires on December 31 of every even-numbered year unless suspended or revoked. A license is renewable for two years upon payment of the renewal fee. If the renewal fee is not paid before February 1 following the expiration of the license, a penalty fee of one hundred dollars shall be paid in addition to the renewal fee before the premises may be relicensed.

F. Within ninety days of receipt of an initial application and fee, the board shall issue a license if the application demonstrates compliance with this article or shall notify the applicant at his last address of record if the application is not in conformance with this article. Veterinary medical services may be performed at any premises for which an application fee is submitted pending issuance of the license or notification of a deficiency in the application.

G. IF A VETERINARY PREMISES CEASES TO OPERATE AND THE PREMISES OWNER IS SUBJECT TO THIS CHAPTER, THE PREMISES OWNER MUST CONTINUE TO COMPLY WITH THE REQUIREMENTS OF THIS CHAPTER AND RULES ADOPTED BY THE BOARD. THE

1 PREMISES OWNER IS SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN ONE THOUSAND
2 DOLLARS FOR EACH VIOLATION OF THE REQUIREMENTS OF THIS CHAPTER OR RULES
3 ADOPTED BY THE BOARD. THE TOTAL PENALTY SHALL NOT EXCEED FIVE THOUSAND
4 DOLLARS.
5 H. IF THE RESPONSIBLE VETERINARIAN IS ONLY AN EMPLOYEE, THE PREMISES
6 OWNER IS SUBJECT TO A CIVIL PENALTY OF NOT MORE THAN ONE THOUSAND DOLLARS FOR
7 EACH VIOLATION OF THIS ARTICLE. THE TOTAL PENALTY SHALL NOT EXCEED FIVE
8 THOUSAND DOLLARS.
9 Sec. 7. Title 32, chapter 21, Arizona Revised Statutes, is amended by
10 adding article 8, to read:
11 ARTICLE 8. LICENSURE OF ANIMAL CREMATORIES
12 32-2291. License required; inspections
13 A. AN ANIMAL CREMATORY LICENSE SHALL BE FOR A FIXED LOCATION WHERE
14 ANIMAL CREMATION OCCURS. A PERSON WHO HOLDS AN ANIMAL CREMATORY LICENSE MAY
15 PROVIDE ANIMAL CREMATION SERVICES TO THE PUBLIC AT THE LICENSED FIXED
16 LOCATION. THERE SHALL BE A SEPARATE ANIMAL CREMATORY LICENSE FOR EACH FIXED
17 LOCATION AT WHICH ANIMAL CREMATION SERVICES ARE REGULARLY OFFERED TO THE
18 PUBLIC.
19 B. THE BOARD SHALL INSPECT ALL FIXED LOCATIONS BEFORE ISSUING AN
20 ANIMAL CREMATORY LICENSE. ADEQUATE EQUIPMENT AND SANITATION SHALL BE
21 AVAILABLE FOR USE AT ANY LOCATION THAT IS NECESSARY TO PROVIDE THE ANIMAL
22 CREMATION SERVICES OFFERED.
23 C. THE BOARD MAY INSPECT ANY ANIMAL CREMATORY LICENSED PURSUANT TO
24 THIS ARTICLE.
25 32-2292. Animal crematory license; application;
26 nontransferability; expiration; renewal
27 A. ANY PERSON WHO DESIRES TO ESTABLISH PREMISES AT OR FROM WHICH
28 ANIMAL CREMATION SERVICES ARE OFFERED TO THE PUBLIC SHALL FILE WITH THE BOARD
29 AN APPLICATION FOR AN ANIMAL CREMATORY LICENSE ACCOMPANIED BY THE LICENSE
30 FEE.
31 B. THE APPLICATION SHALL BE ON A FORM PRESCRIBED AND FURNISHED BY THE
32 BOARD AND SHALL CONTAIN:
33 1. THE NAME AND LOCATION OF THE ANIMAL CREMATORY.
34 2. THE NAME OF THE PERSON OWNING THE ANIMAL CREMATORY AND THE NAME AND
35 SIGNATURE OF THE PERSON RESPONSIBLE TO THE BOARD FOR THE OPERATION OF THE
36 ANIMAL CREMATORY.
37 3. A DESCRIPTION OF THE SERVICES PROVIDED AT OR FROM THE ANIMAL
38 CREMATORY.
39 C. A LICENSE IS NOT SUBJECT TO SALE, ASSIGNMENT OR TRANSFER, VOLUNTARY
40 OR INVOLUNTARY. A LICENSE IS NOT VALID FOR ANY ANIMAL CREMATORY OTHER THAN
41 THAT FOR WHICH IT IS ISSUED. IF THERE ARE MAJOR CHANGES IN THE SCOPE OF
42 ANIMAL CREMATORY SERVICES OFFERED, THE ANIMAL CREMATORY IS SUBJECT TO
43 REINSPECTION.
44 D. A CHANGE OF RESPONSIBLE OWNER CANCELS AN ANIMAL CREMATORY
45 LICENSE. THE RESPONSIBLE OWNER SHALL SURRENDER THE ANIMAL CREMATORY LICENSE

TO THE BOARD WITHIN TWENTY DAYS AFTER THE CHANGE IN RESPONSIBLE OWNER. THE FAILURE OF THE RESPONSIBLE OWNER TO NOTIFY THE BOARD IN WRITING WITHIN TWENTY DAYS AFTER A CHANGE IN RESPONSIBLE OWNER IS GROUNDS FOR DISCIPLINARY ACTION.

E. A LICENSE EXPIRES ON DECEMBER 31 OF EVERY EVEN NUMBERED YEAR UNLESS SUSPENDED OR REVOKED. A LICENSE IS RENEWABLE FOR TWO YEARS ON PAYMENT OF THE RENEWAL FEE. IF THE RENEWAL FEE IS NOT PAID BEFORE FEBRUARY 1 FOLLOWING THE EXPIRATION OF THE LICENSE, A PENALTY FEE OF ONE HUNDRED DOLLARS SHALL BE PAID IN ADDITION TO THE RENEWAL FEE BEFORE THE ANIMAL CREMATORY MAY BE RELICENSED.

F. WITHIN NINETY DAYS AFTER RECEIPT OF AN INITIAL APPLICATION AND FEE, THE BOARD SHALL ISSUE A LICENSE IF THE APPLICATION DEMONSTRATES COMPLIANCE WITH THIS ARTICLE OR SHALL NOTIFY THE APPLICANT AT THE LAST ADDRESS OF RECORD IF THE APPLICATION IS NOT IN CONFORMANCE WITH THIS ARTICLE. ANIMAL CREMATION SERVICES MAY BE PERFORMED AT ANY ANIMAL CREMATORY FOR WHICH AN APPLICATION FEE IS SUBMITTED PENDING ISSUANCE OF THE LICENSE OR NOTIFICATION OF A DEFICIENCY IN THE APPLICATION.

32-2293. Animal crematory license fees

THE BOARD MAY ESTABLISH AND COLLECT IN ADVANCE FEES FOR ISSUANCE OF A LICENSE, RENEWAL OF A LICENSE AND A DUPLICATE LICENSE. THE FEES SHALL BE DETERMINED BY THE BOARD AND ACCOUNTED FOR IN ACCORDANCE WITH THE PROVISIONS OF SECTION 32-2205.

32-2294. Grounds for refusal to issue or renew license or for disciplinary action; procedure; civil penalty

A. THE BOARD MAY TAKE DISCIPLINARY ACTION AGAINST THE ANIMAL CREMATORY, INCLUDING REVOKING, SUSPENDING, REFUSING TO ISSUE OR REFUSING TO RENEW AN ANIMAL CREMATORY LICENSE FOR ANY OF THE FOLLOWING GROUNDS:

1. FAILURE TO NOTIFY THE BOARD IN WRITING WITHIN TWENTY DAYS AFTER A CHANGE OF THE PERSON WHO OWNS THE ANIMAL CREMATORY OR THE PERSON RESPONSIBLE FOR THE OPERATION OF THE ANIMAL CREMATORY.

2. FAILURE TO MAINTAIN CLEAN AND SANITARY FACILITIES FOR THE PERFORMANCE OF SERVICES IN ACCORDANCE WITH THE RULES ADOPTED BY THE BOARD.

3. FAILURE TO KEEP WRITTEN RECORDS OF ALL ANIMALS RECEIVING CREMATORY SERVICES, FAILURE TO PROVIDE A SUMMARY OF THE RECORDS ON REQUEST TO THE CLIENT OR FAILURE TO PRODUCE THE RECORDS AT THE REQUEST OF THE BOARD.

4. FAILURE TO MAINTAIN A CURRENT ANIMAL CREMATORY LICENSE TO PROVIDE CREMATORY SERVICES TO THE PUBLIC AT A FIXED LOCATION.

B. IF THE BOARD RECEIVES INFORMATION INDICATING THAT DISCIPLINARY ACTION SHOULD BE TAKEN AGAINST AN ANIMAL CREMATORY LICENSE AND IF IT APPEARS AFTER INVESTIGATION THAT THE INFORMATION MAY BE TRUE, THE BOARD MAY ISSUE A NOTICE OF FORMAL HEARING OR THE BOARD MAY HOLD AN INFORMAL INTERVIEW. IF THE RESULTS OF THE INFORMAL INTERVIEW INDICATE SUSPENSION OR REVOCATION OF THE ANIMAL CREMATORY LICENSE OR OTHER ACTION MAY BE IN ORDER, THE BOARD SHALL ISSUE A NOTICE OF FORMAL HEARING AND PROCEED PURSUANT TO TITLE 41, CHAPTER 6, ARTICLE 10. IF THE INFORMAL INTERVIEW AND OTHER EVIDENCE INDICATE THAT DISCIPLINARY ACTION SHOULD BE TAKEN OTHER THAN SUSPENSION OR REVOCATION, THE BOARD MAY TAKE ANY ONE OR A COMBINATION OF THE FOLLOWING ACTIONS:

1. ISSUE A DECREE OF CENSURE.

2. FIX SUCH PERIOD AND TERMS OF PROBATION AS ARE BEST ADAPTED TO PROTECT THE PUBLIC AND REHABILITATE OR EDUCATE THE ANIMAL CREMATORY LICENSEE. THE TERMS OF PROBATION MAY INCLUDE TEMPORARY SUSPENSION NOT TO EXCEED THIRTY DAYS. THE FAILURE TO COMPLY WITH ANY TERM OF THE PROBATION IS CAUSE TO CONSIDER THE ENTIRE CASE AND ANY OTHER ALLEGED VIOLATIONS OF THIS CHAPTER AT A FORMAL HEARING PURSUANT TO TITLE 41, CHAPTER 6, ARTICLE 10.

3. IMPOSE A CIVIL PENALTY OF NOT MORE THAN ONE THOUSAND DOLLARS FOR EACH VIOLATION. THE TOTAL PENALTY SHALL NOT EXCEED FIVE THOUSAND DOLLARS.

C. BEFORE A LICENSE MAY BE REVOKED OR SUSPENDED FOR ANY CAUSE PROVIDED BY SUBSECTION A, THE BOARD SHALL SERVE NOTICE AND CONDUCT A HEARING IN THE MANNER PRESCRIBED BY TITLE 41, CHAPTER 6, ARTICLE 10.

32-2295. Rules; adoption; consideration

THE BOARD MAY ADOPT RULES SETTING FORTH MINIMUM STANDARDS FOR ANIMAL CREMATORIES.

32-2296. Retention of jurisdiction

THE LAPSING OR SUSPENSION OF A LICENSE BY OPERATION OF LAW OR BY ORDER OF THE BOARD OR A COURT OF LAW OR THE VOLUNTARY SURRENDER OF A LICENSE DOES NOT DEPRIVE THE BOARD OF JURISDICTION TO DO ANY OF THE FOLLOWING:

1. PROCEED WITH ANY INVESTIGATION OF OR ACTION OR DISCIPLINARY PROCEEDING AGAINST THE LICENSEE.

2. RENDER A DECISION SUSPENDING OR REVOKING THE LICENSE OR DENYING THE RENEWAL OR RIGHT OF RENEWAL OF THE LICENSE.

3. ASSESS A CIVIL PENALTY PURSUANT TO SECTION 32-2233 OR SECTION 32-2237, SUBSECTION D.

APPROVED BY THE GOVERNOR MAY 10, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 10, 2004.

Passed the House April 27, 2004,

by the following vote: 41 Ayes,

14 Nays, 5 Not Voting

Jake Flake
Speaker of the House

Norman L. Moore
Chief Clerk of the House

Passed the Senate February 19, 2004,

by the following vote: 24 Ayes,

5 Nays, 1 Not Voting

Ken Bennett
President of the Senate

Christine Billington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

_____ day of _____, 20____,

at _____ o'clock _____ M.

_____
Secretary to the Governor

Approved this _____ day of

_____, 20_____,

at _____ o'clock _____ M.

_____
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this _____ day of _____, 20____,

at _____ o'clock _____ M.

_____
Secretary of State

S.B. 1104

SENATE CONCURS IN HOUSE AMENDMENTS
AND FINAL PASSAGE

Passed the Senate May 3, 2004,

by the following vote: 23 Ayes,

4 Nays, 3 Not Voting

President of the Senate

Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this

4th day of May, 2004,

at 8:45 o'clock a. M.

Secretary to the Governor

Approved this 10 day of

May, 2004,

at 11 o'clock A. M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 10 day of May, 2004,

at 1:22 o'clock P. M.

Secretary of State

S.B. 1104