

Senate Engrossed House Bill

State of Arizona
House of Representatives
Fifty-second Legislature
Second Regular Session
2016

FILED
MICHELE REAGAN
SECRETARY OF STATE

CHAPTER 287

HOUSE BILL 2107

AN ACT

AMENDING TITLE 9, CHAPTER 4, ARTICLE 8, ARIZONA REVISED STATUTES, BY ADDING SECTION 9-500.38; AMENDING TITLE 11, CHAPTER 2, ARTICLE 4, ARIZONA REVISED STATUTES, BY ADDING SECTION 11-269.15; RELATING TO LOCAL HEALTH AND SAFETY ORDINANCES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 9, chapter 4, article 8, Arizona Revised Statutes, is
3 amended by adding section 9-500.38, to read:

4 9-500.38. Structured sober living homes; standards; definition

5 A. A CITY OR TOWN MAY ADOPT BY ORDINANCE STANDARDS FOR STRUCTURED
6 SOBER LIVING HOMES THAT COMPLY WITH STATE AND FEDERAL FAIR HOUSING LAWS AND
7 THE AMERICANS WITH DISABILITIES ACT. IF ADOPTED, THE STANDARDS FOR
8 STRUCTURED SOBER LIVING HOMES MAY INCLUDE:

9 1. A WRITTEN NOTIFICATION FROM ALL STRUCTURED SOBER LIVING HOMES THAT
10 INCLUDES:

11 (a) THE NAME AND ADDRESS OF THE STRUCTURED SOBER LIVING HOME.

12 (b) THE FOLLOWING INFORMATION REGARDING THE PROPERTY:

13 (i) THE PROPERTY OWNER'S NAME, ADDRESS AND CONTACT TELEPHONE NUMBER.

14 (ii) IF THE PROPERTY IS LEASED, A COPY OF THE LEASE THAT STATES THAT
15 THE PROPERTY WILL BE USED AS A STRUCTURED SOBER LIVING HOME.

16 2. SUPERVISION REQUIREMENTS IN THE STRUCTURED SOBER LIVING HOME FOR
17 THE RESIDENTS DURING ALL HOURS OF OPERATION.

18 3. THE ESTABLISHMENT AND MAINTENANCE OF AN OPERATION PLAN THAT
19 FACILITATES THE REHABILITATIVE PROCESS, INCLUDING DISCHARGE PLANNING, AND
20 THAT ADDRESSES THE MAINTENANCE OF THE PROPERTY AND NOISE ABATEMENT CONSISTENT
21 WITH LOCAL ORDINANCES.

22 B. A CITY OR TOWN THAT ADOPTS STANDARDS FOR STRUCTURED SOBER LIVING
23 HOMES PURSUANT TO SUBSECTION A OF THIS SECTION MAY EXCLUDE FROM REGULATION
24 ANY STRUCTURED SOBER LIVING HOME THAT IS SUBJECT TO ADEQUATE OVERSIGHT BY
25 ANOTHER GOVERNMENTAL ENTITY OR CONTRACTOR.

26 C. FOR THE PURPOSES OF THIS SECTION, "STRUCTURED SOBER LIVING HOME":

27 1. MEANS ANY PREMISES, PLACE OR BUILDING THAT PROVIDES ALCOHOL-FREE OR
28 DRUG-FREE HOUSING, PROMOTES INDEPENDENT LIVING AND LIFE SKILL DEVELOPMENT AND
29 PROVIDES STRUCTURED ACTIVITIES THAT ARE DIRECTED PRIMARILY TOWARD RECOVERY
30 FROM SUBSTANCE USE DISORDERS IN A SUPERVISED SETTING TO A GROUP OF UNRELATED
31 INDIVIDUALS WHO ARE RECOVERING FROM DRUG OR ALCOHOL ADDICTION AND WHO ARE
32 RECEIVING OUTPATIENT BEHAVIORAL HEALTH SERVICES FOR SUBSTANCE ABUSE OR
33 ADDICTION TREATMENT WHILE LIVING IN THE HOME.

34 2. DOES NOT INCLUDE A PRIVATE RESIDENCE IN WHICH A RELATED FAMILY
35 MEMBER IS REQUIRED TO RECEIVE OUTPATIENT BEHAVIORAL HEALTH SERVICES FOR
36 SUBSTANCE ABUSE OR ADDICTION TREATMENT AS A CONDITION OF CONTINUING TO RESIDE
37 IN THE FAMILY DWELLING.

38 Sec. 2. Title 11, chapter 2, article 4, Arizona Revised Statutes, is
39 amended by adding section 11-269.15, to read:

40 11-269.15. Structured sober living homes; standards; definition

41 A. A COUNTY MAY ADOPT BY ORDINANCE STANDARDS FOR STRUCTURED SOBER
42 LIVING HOMES THAT COMPLY WITH STATE AND FEDERAL FAIR HOUSING LAWS AND THE
43 AMERICANS WITH DISABILITIES ACT. IF ADOPTED, THE STANDARDS FOR STRUCTURED
44 SOBER LIVING HOMES MAY INCLUDE:

1 1. A WRITTEN NOTIFICATION FROM ALL STRUCTURED SOBER LIVING HOMES THAT
2 INCLUDES:

3 (a) THE NAME AND ADDRESS OF THE STRUCTURED SOBER LIVING HOME.

4 (b) THE FOLLOWING INFORMATION REGARDING THE PROPERTY:

5 (i) THE PROPERTY OWNER'S NAME, ADDRESS AND CONTACT TELEPHONE NUMBER.

6 (ii) IF THE PROPERTY IS LEASED, A COPY OF THE LEASE THAT STATES THAT
7 THE PROPERTY WILL BE USED AS A STRUCTURED SOBER LIVING HOME.

8 2. SUPERVISION REQUIREMENTS IN THE STRUCTURED SOBER LIVING HOME FOR
9 THE RESIDENTS DURING ALL HOURS OF OPERATION.

10 3. THE ESTABLISHMENT AND MAINTENANCE OF AN OPERATION PLAN THAT
11 FACILITATES THE REHABILITATIVE PROCESS, INCLUDING DISCHARGE PLANNING, AND
12 THAT ADDRESSES THE MAINTENANCE OF THE PROPERTY AND NOISE ABATEMENT CONSISTENT
13 WITH LOCAL ORDINANCES.

14 B. A COUNTY THAT ADOPTS STANDARDS FOR STRUCTURED SOBER LIVING HOMES
15 PURSUANT TO SUBSECTION A OF THIS SECTION MAY EXCLUDE FROM REGULATION ANY
16 STRUCTURED SOBER LIVING HOME THAT IS SUBJECT TO ADEQUATE OVERSIGHT BY ANOTHER
17 GOVERNMENTAL ENTITY OR CONTRACTOR.

18 C. FOR THE PURPOSES OF THIS SECTION, "STRUCTURED SOBER LIVING HOME":

19 1. MEANS ANY PREMISES, PLACE OR BUILDING THAT PROVIDES ALCOHOL-FREE OR
20 DRUG-FREE HOUSING, PROMOTES INDEPENDENT LIVING AND LIFE SKILL DEVELOPMENT AND
21 PROVIDES STRUCTURED ACTIVITIES THAT ARE DIRECTED PRIMARILY TOWARD RECOVERY
22 FROM SUBSTANCE USE DISORDERS IN A SUPERVISED SETTING TO A GROUP OF UNRELATED
23 INDIVIDUALS WHO ARE RECOVERING FROM DRUG OR ALCOHOL ADDICTION AND WHO ARE
24 RECEIVING OUTPATIENT BEHAVIORAL HEALTH SERVICES FOR SUBSTANCE ABUSE OR
25 ADDICTION TREATMENT WHILE LIVING IN THE HOME.

26 2. DOES NOT INCLUDE A PRIVATE RESIDENCE IN WHICH A RELATED FAMILY
27 MEMBER IS REQUIRED TO RECEIVE OUTPATIENT BEHAVIORAL HEALTH SERVICES FOR
28 SUBSTANCE ABUSE OR ADDICTION TREATMENT AS A CONDITION OF CONTINUING TO RESIDE
29 IN THE FAMILY DWELLING.

APPROVED BY THE GOVERNOR MAY 17, 2016.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 17, 2016.

Passed the House March 1, 20 16

Passed the Senate April 11, 20 16

by the following vote: 49 Ayes,

by the following vote: 29 Ayes,

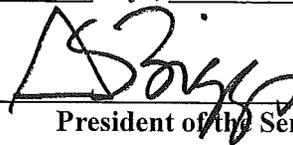
9 Nays, 2 Not Voting

0 Nays, 1 Not Voting

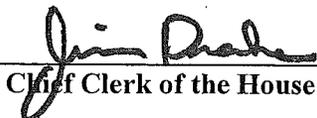


Speaker of the House

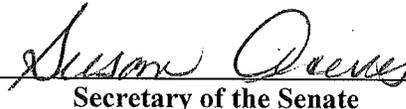
Pro Tempore



President of the Senate



Chief Clerk of the House



Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

_____ day of _____, 20____

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

at _____ o'clock _____ M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this _____ day of _____, 20____

at _____ o'clock _____ M.

Secretary of State

H.B. 2107

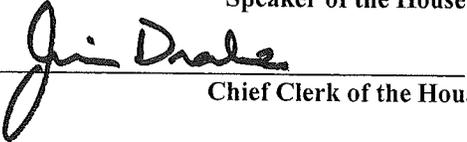
HOUSE CONCURS IN SENATE
AMENDMENTS AND FINAL PASSAGE

May 6, 2016,

by the following vote: 42 Ayes,

12 Nays, 6 Not Voting


Speaker of the House


Chief Clerk of the House

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this
6th day of May, 2016,

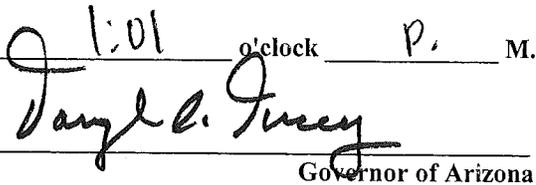
at 1:10 o'clock P. M.


Secretary to the Governor

Approved this 17th day of

May, 2016,

at 1:01 o'clock P. M.

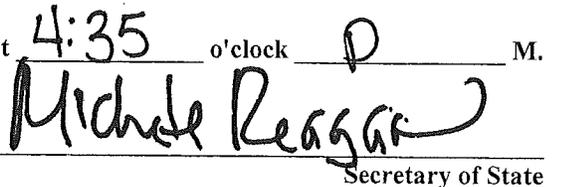

Governor of Arizona

H.B. 2107

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this 17th day of May, 2016,

at 4:35 o'clock P. M.


Secretary of State